

SCHEDULE 3 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO3**.

OTHER SIGNIFICANT SITES**1.0 Statement of environmental significance**

The Department of Sustainability and Environment has identified sites within the municipality that are considered to be of botanical and zoological significance. These sites contain rare, endangered or uncommon species of plants and animals and are critical for the protection of habitat for native plants and animals.

2.0 Environmental objective to be achieved

- To ensure that the habitat values of the sites are not diminished by the incremental removal of vegetation or inappropriate development.
- To ensure that any new development is sensitively designed and sited to reinforce the existing environmental characteristics of the area.

3.0 Permit requirement

Applications must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Department of Sustainability and Environment.

4.0 Permit exemption

No planning permit is required to construct a building or to construct or carry out works, subdivide land, construct a fence or remove, destroy or lop any vegetation for land within the Pakenham Bypass alignment provided the buildings and works are undertaken in accordance with a Project Environment Protection Strategy, which is consistent with the Minister's Assessment under the *Environment Effects Act 1978* for the Pakenham Bypass Project, to the satisfaction of the responsible authority.

5.0 Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the proposal will have an adverse effect on the environmental, physical or visual attributes of the site and its immediate locality.
- The significance of the vegetation in terms of its variety or as a habitat for wildlife.
- Any alternative means of locating proposed buildings and works so as to conserve and enhance the site and its environs.