SCHEDULE 9 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

**DD/MM/YYYY**

**Proposed C107**

Shown on the planning scheme map as **ESO9**

 GIANT GIPPSLAND EARTHWORM AND HABITAT PROTECTION

1. Statement of Environmental Significance

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The Giant Gippsland Earthworm (*Megascolides australis*) (GGE) is endemic to West and South Gippsland and one of the largest earthworms in the world. Individuals average about 80cm long but have been recorded up to 1.8m. Dispersed GGE colonies, ranging in size from a few individuals to many hundreds, occur within a 400km2 area generally bounded by the towns of Loch, Korumburra and Warragul.

The GGE plays an important role in soil structure, fertility and contribute to the high agricultural value of the region. Suitable habitat is restricted to generally moist, blue-grey clay soils near stream banks, soaks or watercourses on south or west-facing slopes.

The GGE is sensitive to development activities that affect their habitats. Individuals reach maturity slowly, live in discrete populations that are widely dispersed and they are unable to recover from even slight wounds. Major threats to their survival include soil disturbance, altered soil hydrology, chemical disturbances and extreme weather or climate change.

The GGE is a threatened species listed in both the Commonwealth (*Environment Protection and Biodiversity Conservation Act 1999*) and State (*Flora and Fauna Guarantee Act 1988*) legislation. This overlay supports the existing legislation by identifying potential habitat when considering planning permit applications prior to commencing any works.

1. Environmental objective to be achieved

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* To protect, maintain and grow GGE populations.
* To protect the habitat of the GGE
* To ensure that any building and works avoids any negative impacts on individuals, colonies or habitat of the GGE.
1. Permit requirement

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* A permit is not required to construct the following buildings or construct or carry out the following works:
* Buildings and works on lots less than 8,000 square metres within a Residential, Township or Industrial Zone.
* An alteration or extension to a dwelling provided the building footprint of the alteration or extension does not exceed more than 100 square metres.
* an out-building associated with an existing use, other than a dwelling, provided the building footprint is not more than 200 square metres
* Establishment of a replacement building or dwelling within the same construction footprint.
* A survey has been conducted by a suitably qualified person establishing that no buildings and works will negatively impact GGE numbers. This survey is to be completed to the satisfaction of the responsible authority and be in accordance with the *Reference Document Giant Gippsland Earthworm Environmental Significance Overlay August 2015*
* If a Giant Gippsland Earthworm Land Management Plan has been approved by the Department of Environment, Land, Water & Planning (DELWP) and the Responsible Authority.
1. **Application requirements**

An application must include the following information, unless set aside by the Responsible Authority.

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* Clear and precise details of the buildings and/or works proposed, including the location of any wastewater treatment systems, dispersal fields, stormwater flow, driveways, ground disturbance, changes to hydrology or drainage.
* Description of the purpose for the development .
* Detailed scale map of the subject land showing;
	+ property boundaries and dimensions
	+ location of proposed buildings and works site
	+ all waterways, including creeks, streams, soaks, seepages or wetlands within or adjacent to works, and;
	+ the locality of GGE habitat affected by the proposal
* An impact assessment of the proposal on GGE habitat conducted by a suitably qualified person and in accordance with the Reference Document, “*Giant Gippsland Earthworm Environmental Significance Overlay*”.
* Details on how the application has attempted to avoid, minimise or offset negative impact on GGE habitat,

All applications must be referred in accordance with Section 55 of the Act to the referral authority as specified in the schedule to Clause 66.04.

1. Decision Guidelines

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

* The objectives of this schedule
* The views of the Department of Environment, Land, Water & Planning
* The effects and design of subdivision on earthworms and their habitats.
* Consideration is to be given to the type, density and layout of building and works. Any proposal is to avoid, minimise or manage impacts, in that order. For example, can the proposal be accommodated on land not considered to contain GGE habitat.
* The significance of a site with respect to GGE habitat extent, quality and connectivity, population density or genetic distinctiveness
* Any effects on GGE populations created by development, that may extend beyond the building period
* Opportunity to offset the negative impacts of a proposal on the GGE
1. **Reference Documents**

Giant Gippsland Earthworm Environmental Significance Overlay Reference Document August 2015