

28/03/2013
C110**SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO1**.

SITE OF BIOLOGICAL SIGNIFICANCE (RESERVOIR CRESCENT, ROWVILLE)**1.0****Statement of environmental significance**05/02/2009
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The site covered by this schedule has been identified as a site of biological significance in an assessment by Dr. Graeme S. Lorimer (Biosphere Pty. Ltd.). The protection and appropriate management of such sites is of particular importance for the maintenance of Victoria's biodiversity. Biodiversity has intrinsic values and it also provides for human needs ('ecosystem services'), including the contribution that it makes to the character and amenity of parts of Knox.

The site has been assessed as having State Significance, according to the 'BioSites' criteria of the Department of Sustainability & Environment.

The site is of State significance because it contains remnant vegetation belonging to regionally Endangered Ecological Vegetation Classes (EVCs). Conservation of Victoria's biodiversity requires a high level of protection for remaining examples of regionally Endangered EVCs, particularly in a case such as Reservoir Crescent where the vegetation extends into an abutting national park.

Environmentally significant attributes that are present on this site include:

- The Ecological Vegetation Classes (EVCs) of Valley Heathy Forest and Aquatic Herbland. Both are listed by the Department of Sustainability & Environment as endangered.
- Under BioSites criterion 3.2.3 the site is of State significance due to the presence of the Valley Heathy Forest.
- In the Valley Heathy Forest: 45 indigenous plant species were recorded, of which one is critically endangered in Knox (being the only known occurrence in Knox), one is endangered and two are vulnerable.
- In the Aquatic Herbland: 20 indigenous plant species were recorded, which is above average for the size of the area. The condition of this EVC is good. Two species were identified which are rare or threatened in the whole metropolitan area.
- Advice received from the Department of Sustainability and Environment indicates that the site has potential habitat value for the Powerful Owl (a vulnerable species in Victoria), which has been recorded approximately 800 metres from the site.
- Habitat features, such as tree hollows, that are likely to be used by fauna.
- A role in dispersal of wildlife, pollen or plant propagules, through acting as an ecological 'stepping stone' in a network of sites.

Some areas of the site may not be considered environmentally significant when taken in isolation from the rest of the site. These sections are included under this overlay schedule because their use, management and development potential needs to be considered in the context of the site as a whole. This includes any current or potential roles in providing compatible land use adjoining the area(s) of higher environmental significance, such as:

- Providing an ecological buffer;
- Providing a buffer for fire safety;
- Providing management access that does not harm the more significant part of the site; and
- Inhibiting the ingress of nutrients, soil and weed seeds into the significant part of the site.

2.0**Environmental objective to be achieved**05/02/2009
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- To protect and to maintain or improve the condition and viability of habitats, ecological communities, flora and fauna, genetic diversity and aquatic systems of the site, as summarised above. This includes both biological (living and dead) and physical components.
- To ensure that any use, development or management of land within and adjacent to this area of biological significance is compatible with the long-term conservation of the site's significant attributes.
- To maintain the integrity of the site through protection from:
 - Removal of native understorey and overstorey vegetation;
 - Removal of planted, dead or fallen trees in cases where it would adversely affect native fauna that rely on the trees (e.g. for cover, food, nesting, roosting, hunting or lookout sites);
 - Displacement of native vegetation or fauna by environmental weeds;
 - Pest animals (including domestic animals such as cats and dogs);
 - Fragmentation of habitat;
 - Increased need for ecologically harmful fire prevention work; and
 - Input of sediment, nutrients and other pollutants into the water body.
- To provide for adequate fire protection measures with no, or minimum, adverse environmental impacts, e.g. by leaving a firebreak between native vegetation and vulnerable buildings and works, not within the native vegetation.
- To implement the *Port Phillip and Westernport Native Vegetation Plan* and the Victorian government's policy of achieving 'Net Gain' in the quantity and quality of native vegetation and habitat.
- To reduce the level of threat faced by species of flora or fauna that are threatened with extinction from Knox.
- To protect and strengthen ecological corridors and 'stepping stones' that assist dispersal of wildlife, pollen and plant propagules across the landscape;

3.0 Permit requirement

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A permit is not required:

- To construct, replace or maintain a fence unless it requires removal, destruction or lopping of native vegetation that is not exempted below.
- To undertake development, works or burning which are carried out as part of a management plan approved by the responsible authority specifically to enhance the site's biologically significant attributes.
- For activities conducted on public land by or on behalf of the Department of Sustainability & Environment or its successors under the relevant provisions of the *National Parks Act 1975*, the *Wildlife Act 1975*, the *Fisheries Act 1995* or the *Forest Act 1958*.
- To remove, destroy or lop any vegetation that is:
 - Not native vegetation, unless it includes a tree with a girth exceeding one metre when measured at a height of 1.3 metres above ground level
 - Sweet Pittosporum (*Pittosporum undulatum*).
 - A weed proclaimed under the Catchment and Land Protection Act 1994.
 - Dead or diseased as a result of natural circumstances or competition with weeds, and has been assessed as being suitable for removal by an authorised officer of the responsible authority.
 - Within two metres of a dwelling or within two metres of an outbuilding ancillary to a dwelling.

- The minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- The minimum amount necessary for the construction, replacement or maintenance of a fence provided that the vegetation is within one metre of a title boundary and does not include removal of any tree trunk with a girth of more than one metre when measured at a height of 1.3 metres above ground level.
- Seedlings or regrowth less than three years old and the land is being maintained for established pasture, crops or garden.
- Grass species (i.e. in the botanical family Poaceae) that are to be removed, grazed or cut in association with an existing residential or permitted use or part of an existing farming operation.
- Required to be pruned or lopped (but not removed) as part of normal horticultural practice for the species.

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Application requirements

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An application for a permit that seeks only to remove, destroy or lop non-native vegetation (i.e. trees with trunk girths greater than one metre when measured at a height of 1.3 metres above ground level) must be accompanied by a scaled plan of the property that shows:

- Property boundaries;
- The nearest road(s);
- Existing development on the site;
- The location, species, trunk girth and condition of each tree to be removed, destroyed or lopped; and
- The location of any watercourse, wetland, water body or drainage line beneath the crowns of the trees;

and an explanation of:

- The reason(s) for the removal, destruction or lopping; and
- Any proposed actions to compensate for the loss of the tree canopy or other habitat values.

Applications for all other permits under this schedule should be accompanied by a report that considers the impacts of the proposal that may occur within a period of ten years from commencement, on the subject land and elsewhere, as appropriate. The report must:

- Predict the nature and magnitude of the proposal's impacts on:
 - native vegetation, habitat, threatened communities, threatened EVCs, watercourses, water bodies, drainage lines, hydrology or other features of environmental significance that might be reasonably expected to be affected by the proposal; and
 - the population sizes of any indigenous plant species affected by the proposal.
- Explain why any adverse effects cannot be avoided or reduced in extent;
- Indicate any proposed actions to compensate for predicted adverse effects;
- Indicate whether the site or its surroundings require protection from bushfire and if so, how this is to be achieved with no, or minimum, adverse environmental impact;

and be accompanied by one or more scaled and dimensioned plans that show:

- Property boundaries;
- The nearest road(s);
- Existing development on the site;
- Existing fences;
- The locations of any items mentioned in a(i) or a(ii) above;

- The location, species and extent of all native and non-native vegetation to be removed, destroyed or lopped; and the trunk girth and condition of each tree to be removed, destroyed or lopped.

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Decision guidelines

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

- Potential on-site and off-site impacts on habitat values, potential habitat values and other features of environmental significance discussed in Section 1.0 above.
- The degree to which the environmental objective set out in Section 2.0 above is expected to be achieved.
- The potential conservation benefits for the vegetation on the site (particularly that associated with the dam) that could be achieved by managing the site and reducing or eliminating grazing.
- Potential introduction or spread of weeds, including by soil disturbance or due to runoff.
- Potential impacts on the site's environmentally significant values due to changes in hydrology of soil, watercourses, water bodies, wetlands or drainage lines.
- The expected change in fire risk that would result from the proposal.
- The possible ecological damage that may be done to native vegetation by any increase in fire prevention work that would have to be done as a result of the proposal.
- The conservation requirements of threatened species, community or EVC on the site, including (but not limited to) those in recovery plans or action statements.
- The results of any flora or fauna survey and assessment of the biological values of the land and consideration of whether the survey and assessment has been adequately completed under appropriate seasonal conditions, sufficiently recently and by suitably qualified personnel.
- The reason for the proposed actions and the practicality of any alternative options that would incur less adverse effects on vegetation, hydrology or other habitat components.
- Whether appropriate environmental restitution is proposed (e.g. conformity with the Net Gain objectives of the Native Vegetation Framework) and the likelihood of any proposed restitution measures to be successful over a ten year span.
- If the proposal threatens the existence of a plant species that the responsible authority regards as rare or threatened in Knox, the benefit of requiring as a permit condition that the plant be relocated to somewhere more secure and maintained until established.
- Whether the proposal may reduce the prospects or opportunities for ecological restoration or enhancement of the site.
- The usefulness of erecting a fence (temporary or permanent) to protect retained vegetation or aquatic environments from movements of machinery, vehicles or heavy foot traffic associated with the proposal.
- The usefulness of installing a drain uphill from environmentally significant areas to intercept and divert runoff or subsoil water that may otherwise cause harm.

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References and information sources

- Site assessment, Dr Graeme Lorimer, Biosphere Pty Ltd, 25 July 2004,
- Site assessment, Dr Graeme Lorimer, Biosphere Pty Ltd, 30 December 2007.
- Sites of Biological Significance in Knox – 2nd Edition, 2010 by Graeme S. Lorimer, published by Knox City Council and references cited therein
- 'Standard criteria for sites of biological significance in Victoria', published by the Department of Sustainability & Environment 2004.