

21/02/2013
C54**SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO2**.

SITES OF BIOLOGICAL SIGNIFICANCE**1.0****Statement of environmental significance**21/02/2013
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The sites covered by this schedule have been assessed as being the most intact and significant areas of indigenous vegetation, within Manningham. They are classified into 35 Sites of Biological Significance (Biosites) and are identified as being of national, state or regional biological significance according to the *Manningham City Council Sites of (Biological) Significance Review, 2004*. The Biosites support a diverse range of indigenous flora, fauna and ecological vegetation communities, many of which are rare or threatened.

The Biosites support the majority of Manningham's biodiversity and are known as Manningham's 'Core Conservation Areas'. Outside the Urban Growth Boundary (in the Green Wedge) Core Conservation Areas include those areas of land within 50m of major waterways that are known to act as important habitat corridors for the movement of fauna across the landscape and the pollination and propagation of plants. Areas of vegetation of the highest quality within the Core Conservation Areas have been identified, and are referred to as 'Critical Conservation Areas' (for their location refer to map one within this schedule).

While at a State level some of the Ecological Vegetation Classes (EVCs) in the Core and Critical Conservation Areas may be adequately represented, in Manningham they are less secure and are threatened by a range of processes. These include vegetation clearance, fragmentation of bushland areas, overgrazing by stock, pest plant and animal invasion, changes in burning regimes, soil erosion and hydrological changes.

Appropriate management is required to conserve and enhance Manningham's biodiversity and these areas therefore require the highest level of protection. Built form is subordinate to the landscape and these areas need to be properly managed to ensure that they are protected and where possible enhanced.

Reference:

Manningham City Council Sites of (Biological) Significance Review, 2004.

Development Guide for Areas of Environmental and Landscape Significance, 2011.

Wildlife Movement and Habitat Needs in Manningham, 2009.

Locally Threatened Plants in Manningham, 2010.

2.0**Environmental objective to be achieved**21/02/2013
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To protect and enhance the ecological values of Critical and Core Conservation Areas.

To discourage development, particularly vegetation removal, within Critical Conservation Areas.

To encourage the location of development within those areas that are the most degraded and devoid of Victorian native vegetation.

To encourage development that is compatible with the conservation and protection of the ecological values of the area.

To encourage development that is in keeping with the bushland character of the area and is sympathetic to the existing built form.

To ensure that development responds to the area's environmental and landscape characteristics, including topography and waterways.

To minimise earthworks.

To ensure that the subdivision of land does not have a detrimental impact on the ecological integrity of Critical and Core Conservation Areas.

To achieve an improvement in the extent and quality of Victorian native vegetation, consistent with the goal of Net Gain as set out in *Victoria's Native Vegetation Management – A Framework for Action* (Department of Natural Resources and Environment 2002) by:

- Avoiding the removal of Victorian native vegetation.
- Minimising the removal of Victorian native vegetation, if the removal of the Victorian native vegetation cannot be avoided, through appropriate planning and design.
- Appropriately offsetting the loss of Victorian native vegetation.

To conserve and where possible enhance habitat for flora and fauna species recognised as threatened at the municipal, regional, state or federal level.

To retain Victorian native vegetation and ensure the long term, sustainable management of land.

To protect natural resources, waterways, ecological processes, genetic diversity and ecosystem services.

To protect and enhance habitat corridors and ecological stepping-stones.

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Permit requirement

Buildings and works

A permit is required to construct a building or construct or carry out works specified in Clause 62.02-2 of this scheme. A permit is not required for:

- A fence, provided that it is one of the following:
 - Post and wire construction less than 1.2 metres in height.
 - A rabbit control fence less than 1.2 metres in height to the satisfaction of the responsible authority.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.
- Domestic services normal to a dwelling provided that:
 - Works are not carried out within the dripline of any vegetation requiring a permit for removal.
 - No fill is imported onto the land.
 - The earth is returned to natural ground level at the completion of the works.
 - Any excavated material not used for backfilling is removed from the land at the completion of the works.
- Domestic rainwater tanks with a total capacity of not more than 25000 litres provided that:

- Works are not carried out within the dripline of any vegetation requiring a permit for its removal.
 - The tank is non-reflective.
 - Any earthworks associated with the construction of a tank are no more than 1 metre in height or depth.
 - No fill is imported onto the land.
 - Any excavated material not used for backfilling is removed from the land at the completion of the works.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.

A permit is not required for the minimum extent of earthworks necessary to remove warrens for the purpose of vermin control provided the works area is reinstated back to natural ground level and no vegetation requiring a permit for its removal is removed or destroyed.

Vegetation

A permit is only required to remove, destroy or lop:

- Victorian native vegetation.
- A dead eucalypt tree that is both:
 - More than 20 metres from a building (excluding fences) to the base of the trunk.
 - More than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation except for dead eucalypt trees as specified above.
- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian Native vegetation means '*Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses*'.

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Application requirements

All applications

All applications for properties greater than 0.4 hectare in area must be accompanied by a land management plan, to the satisfaction of the responsible authority, unless in the opinion of the responsible authority the proposed buildings and works are minor and will not impact on the environmental values of the site. The land management plan must be prepared in accordance with the *Development Guide for Areas of Environmental and Landscape Significance, 2011* and include a schedule of works for the timing and implementation of the plan.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site analysis as described in the *Development Guide for Areas of Environmental and Landscape Significance, 2011* with a written statement as to how the proposal responds to the site analysis.
- A site plan (drawn to scale) including:
 - Dimensions of any existing building envelope with setbacks to all boundaries.
 - The setbacks of buildings and works to all boundaries.
 - The location, extent and type of vegetation on the site.
 - Accurate and detailed existing and proposed finished site levels.
 - The location, proposed gradient and finished level at the top and toe of all batters.
 - Cross sections to illustrate the extent of cut and fill.
 - Details of retaining walls including height, materials and if required drainage.
 - The location, gradient and camber of driveways and any associated earthworks.
 - The location, type and size of any effluent disposal system including any effluent envelope.
 - The location of any easements.
 - The location, depth and width of proposed underground services and trenches.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plans including finished floor levels.
- The proposed external building finishes and colours.
- Demonstration that adverse environmental impacts will be avoided, or where they cannot be avoided, minimised, so that the biological integrity of the area is conserved and protected. This includes avoiding or minimising the likely impact of any proposed subdivision and possible future development of the lots, including:
 - Removal of Victorian native vegetation.
 - Earthworks.
 - Changes to the hydrology and drainage pattern.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Subdivision

An application to subdivide land must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis.
- A site plan (drawn to scale) including:
 - Contours of the land.

- A dimensioned building envelope with setbacks to all boundaries.
- A dimensioned effluent envelope, as appropriate, with setbacks to all boundaries.
- The setbacks of existing buildings to all boundaries.
- The location, extent and type of Victorian native vegetation on the site.
- The location, gradient and camber of any existing or proposed driveways and any associated earthworks.
- The location of any existing or proposed easements.
- The location, depth and width of proposed underground services and trenches.
- Demonstration that adverse environmental impacts will be avoided, or where they cannot be avoided, minimised, so that the biological integrity of the area is conserved and protected. This includes avoiding or minimising the likely impact of the proposed subdivision and possible future development of the lots, including impacts resulting from:
 - Removal of vegetation.
 - Earthworks.
 - Changes to the hydrology and drainage pattern.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation and vegetation protection measures, as appropriate.

Vegetation

An application to remove, destroy or lop Victorian native vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority, including:

A net gain assessment including:

- A site plan (drawn to scale) showing:
 - The boundaries of the site.
 - The location and extent of vegetation.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
 - The location of any buildings and any other structures on the site.
- A description of the vegetation to be removed, including:
 - The reason for the vegetation removal.
 - The species of Victorian native vegetation.
 - The species, number and size of trees over 10cm DBH. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - The Ecological Vegetation Class (EVC) and conservation status of the vegetation.
- A written explanation of the steps that have been taken to avoid, minimise and offset the loss of Victorian native vegetation.
- An offset plan including implementation details and long term management and protection measures.

- A description of any fauna species that are rare or threatened at the local, regional, state or national level, that have been recorded within 1.5 kilometres of the site or which are known to be or likely to be present at the site including:
 - The conservation status of each species.
 - An assessment of the likelihood that the site provides habitat for each species and the impact of the proposal on the habitat of each species.
 - Actions to avoid and minimise adverse impacts.

A fauna survey including active searching is required where either of the following apply:

- Vegetation removal or destruction exceeds an area of 1000 square metres.
- Species that are rare or threatened at the local, regional, state or national level are known or likely to be present at the site.

An arborist's assessment of any trees which are proposed to be removed for safety reasons.

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Referral of applications

An application to subdivide land or remove, destroy or lop Victorian native vegetation must be referred to the referral authority specified in Clause 66.04 or a schedule to that Clause under Section 55 of the Act, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority.

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Decision guidelines

Before deciding on an application to subdivide land, construct a building, construct or carry out works, or remove, destroy or lop vegetation, the responsible authority must consider as appropriate:

- Whether the removal of Victorian native vegetation has been avoided, or where this is not possible, whether adverse impacts have been minimised.
- Whether the loss of Victorian native vegetation will be offset and whether long term protection will be provided for the offsets.
- Whether the proposed development has been located to avoid impacts on:
 - Critical Conservation Areas.
 - Areas where offsets for previous development have been provided.
- The type, extent, quality and conservation significance of any Victorian native vegetation and the results of any flora and fauna survey.
- The likely impact of the proposal on species of flora or fauna which are threatened at the municipal, regional, state or federal level and the extent to which provisions are made to negate, minimise or manage those impacts.
- Whether the design and siting of buildings or other development minimises the environmental impacts on:
 - Native fauna.
 - Waterway health, wetland condition and water quality.
 - Site run-off and soil erosion.
 - Habitat corridors or ecological stepping-stones.
 - Any adjacent public open space.

- The extent to which the application complies with the *Development Guide for Areas of Environmental and Landscape Significance, 2011*.
- Whether building design and siting is in keeping with the bushland character of the area and whether external building finishes and colours are non-reflective and blend with the natural environment.

TABLE TO SCHEDULE 2: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

MAP 1: Critical Conservation Areas with the ESO2

