

27/05/2019
C154bany

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

MACLEOD RED GUM AREA

1.0

19/01/2006
VC37

Statement of environmental significance

This area contains significant stands of River Red Gums and associated indigenous vegetation that provide important habitat for native fauna. This vegetation is also of major importance in its contribution to local wildlife corridors especially as the link between the Gresswell Forest and the Rosanna Parklands. The vegetation also contributes to the landscape quality of the area.

2.0

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Environmental objective to be achieved

To conserve the existing pattern of vegetation, landscape quality and ecosystems within the area.

To address the threatening processes associated with widespread habitat loss and degradation that has occurred in North East Melbourne.

To protect the area as a habitat for local fauna and as an important habitat link.

To promote the retention of existing indigenous vegetation wherever possible.

To ensure that the development, use and management of land is compatible with the existing character and landscape conservation of the area.

3.0

01/10/2015
C71

Permit requirement

3.1

19/01/2006
VC37

Buildings and works

A permit is not required to construct a building or carry out works further than 2 metres from the dripline of any native vegetation.

3.2

01/10/2015
C71

Native vegetation

A permit is required to remove, destroy or lop any native vegetation.

This does not apply:

- To the removal, destruction or lopping of native vegetation which has been planted for garden or horticultural purposes and which is less than 5 metres high and has a single trunk circumference of less than 0.5 metres at a height of 1 metre above ground level.
- To the removal, destruction or lopping of vegetation identified as environmental weed species in *Banyule Weed Management Strategy 2006*.
- To the removal or pruning of street trees in accordance with the *Banyule Street Tree Strategy*.
- To the pruning of vegetation to maintain or improve its health or appearance.
- To the pruning, or removal of vegetation to prevent damage to works when damage to a pipeline, electricity or telephone transmission line, cable or other service has occurred or is likely to occur.
- To the removal, destruction or lopping of dead vegetation, unless the dead vegetation is a habitat tree containing hollows.
- To the pruning, removal or destruction of any vegetation where an agreement exists between a railway carrier and the Department of Sustainability and Environment, or where the pruning, removal or destruction of vegetation is the minimum amount necessary to provide for the safe operation of the rail service for the safety of the travelling public.

- To the removal, destruction or lopping of vegetation carried out in accordance with a management plan prepared to the satisfaction of the responsible authority.

Note: Lopping is defined as the practice of cutting branches or stems between branch unions or internodes. Environmental weed species listed in Schedule 4 to the Environmental Significance Overlay will require a permit under that provision.

4.0

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Application requirements

A plan of development of the land to the satisfaction of the responsible authority must be submitted with any application. The plan must show:

- The location of all buildings and works proposed to be constructed on the land.
- The location and nature of all driveways, pathways and other impervious surfaces which are proposed to be constructed on the land.
- The location and type of all existing native vegetation on the land.
- The identification of the native vegetation which is proposed to be removed, destroyed or lopped.
- Details of any proposed landscaping or replanting including a schedule of proposed plant species.

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Decision guidelines

5.1

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Buildings, works and subdivision

Before deciding on an application to construct a building, or to construct or carry out works, or to subdivide land, or whether a plan is satisfactory the responsible authority must consider, as appropriate:

- The effect of the development on the natural ecosystems of the area.
- The conservation and enhancement of the area.
- The need to prevent erosion and pollution.
- The existing use and development of the land.
- The preservation of and the impact on the natural environment, including the promotion of indigenous plant species.
- Whether the proposed buildings or works will result in damage to any native vegetation on the land by means of damage to roots, changes to soil drainage or by any other means.
- The maturity of nearby vegetation and whether the proposed buildings or works will interfere with the future growth or long term health of the vegetation.

5.2

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Vegetation

Before deciding on an application to remove, destroy or lop any vegetation the responsible authority must consider:

- Any report on the value or otherwise of the specified vegetation including the background documents:
 - *An Inventory of Sites of Environmental Significance in the City of Banyule and Adjoining Areas. Banyule City Council, September 1995,*
 - *Sites of Faunal and Habitat Significance in North East Melbourne. Cam Beardsell, 1997,*
 - *Wildlife Corridor Program Banyule City Council, 2000 and*

BANYULE PLANNING SCHEME

- *Banyule Weed Management Strategy 2006.*
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
 - Where ground slopes exceed 20 percent.
 - Within 30 metres of a watercourse or wetland.
 - On land where the soil or subsoil may become unstable if cleared.
 - On land subject to or which may contribute to soil erosion, slippage or salinisation.
 - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
 - Which is of heritage or cultural significance.
- Any relevant permit to remove, destroy or lop native vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain native vegetation elsewhere on the land.
- The conservation and enhancement of vegetation in the area.
- The benefits of retaining a buffer strip of vegetation within specified distances of watercourses, roads and property boundaries.
- The benefits of requiring planting, replanting or other treatment of any part of the land.
- Any proposed landscape plan or agreement to replace areas of vegetation on the site.
- The management of vegetation to minimise fire hazard and to ensure safety to people and property.

6.0

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Background documents

Banyule Weed Management Strategy 2006