

27/05/2019  
C154bany

## SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3.

### SITES OF BOTANICAL, ZOOLOGICAL AND HABITAT SIGNIFICANCE

#### 1.0

01/10/2015  
C71

#### Statement of environmental significance

These areas are included in sites of state and regional faunal significance and of High and Medium habitat significance as identified by recent studies. They include those sites of significance which are removed from the major waterways in the area, which are covered in ESO1. All are significant for the presence of important indigenous vegetation but they also provide habitat for significant fauna.

Yandell Reserve and the adjoining Greenhills area is particularly significant for the presence of the vulnerable Eltham Copper Butterfly. St Helena Reserve is particularly important for the presence of the Emerald Greenhood. The north-east part of the Streeton Views Estate contains stands of an unusual hybrid between River Red Gum and Swamp Gum.

The native vegetation of all sites is also recognised as a major contributor to the landscape quality and visual amenity of the area.

#### 2.0

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#### Environmental objective to be achieved

To protect and enhance the conservation values of sites of botanical, zoological or habitat significance.

To maintain the biological diversity of indigenous plants, animals and other organisms occurring within recognised sites of botanical, zoological or habitat significance.

To provide for the ecological sustainability of recognised sites of botanical, zoological or habitat significance.

To protect and enhance regional and strategic habitat links.

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

#### 3.0

01/10/2015  
C71

#### Permit requirement

#### 3.1

01/10/2015  
C71

#### Buildings and works

A permit is required to construct a fence.

A permit is not required for:

- Drainage works undertaken by the responsible authority.
- Works undertaken by a public authority to:
  - lay underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground powerlines of less than 220,000 volts if they do not alter the topography of the land;
  - erect telephone or power lines without involving the construction of any towers or poles;
  - or

to construct a road on land reserved for existing or proposed road purposes provided they are undertaken in accordance with a plan prepared to the satisfaction of the responsible authority.

#### 3.2

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#### Vegetation

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

This does not apply:

- 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 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

None specified.

#### 5.0

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#### Decision guidelines

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

- Any report which identifies sites of botanical, zoological or habitat significance in the area, including
  - *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 and
  - *Wildlife Corridor Program* Banyule City Council, 2000.
- 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 need for all excavation and fill slopes to be of a gradient less than 1 in 5 and revegetated immediately following construction.
- The benefits of limiting retaining walls to be not more than 1.5 metres above ground level.
- The need for at least 50 percent of a site to be native vegetation, lawn or other pervious open space. It should not contain a building, swimming pool, pavement or other impervious surface.
- The role of native vegetation in conserving flora, fauna and habitat.
- The need to retain native or other vegetation if it is rare, supports significant species of plants, animals or other organisms 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:

## BANYULE PLANNING SCHEME

- 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.
- 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 nature and appropriateness of the means proposed to prevent pollution of waterways during construction.
  - 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**

*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

*Banyule Weed Management Strategy 2006*