

27/05/2019
C154bany**SCHEDULE 4 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO4.

ELLISTON ESTATE**1.0**19/01/2006
VC37**Statement of nature and significance of vegetation to be protected**

The City of Banyule Neighbourhood Character Strategy identifies the importance of vegetation to the character of an area. Trees are important to the urban environment for many reasons. Trees provide visual relief from the built form and can serve to hide buildings that may not otherwise contribute positively to the streetscape. Trees provide habitats for birds and other wildlife. They also provide shade and contribute to energy efficiency and provide broader environmental benefits to the air quality of urban areas in particular.

The Elliston Estate was first developed in 1969 as an integrated residential environment. Landscape designer Ellis Stones created the general landscape concept. The concept was based on the retention of existing trees wherever possible and any new planting being Australian native species. It was designed to be strong and simple with a continuous flowing feeling.

The most important characteristics of this neighbourhood as identified in the Neighbourhood Character Strategy are the dominance of high canopy, indigenous and other native trees. Trees and other vegetation dominate the street scene and dwellings sit well beneath the tree canopy. Private gardens are frequently bushy and include indigenous or native trees and shrubs. The eucalypt canopy on public and private land is dominant throughout the area. Native vegetation in the residential estate and the adjoining Rosanna Parklands also contributes to the local habitat links which run along Salt Creek and the railway line.

2.027/05/2019
C154bany**Vegetation protection objectives to be achieved**

To retain and enhance the native vegetation that contributes to the identified character of the area.

To ensure that prior to removal of native vegetation all alternatives are considered, including redesign of proposed buildings and associated works.

To ensure that where native vegetation is to be removed, comprehensive landscape plans are prepared and provision is made for substantial vegetation and trees elsewhere on the site.

To protect and enhance the area as a habitat for local flora and fauna.

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C154bany**Permit requirement**

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, structure or appearance, including regeneration.
- 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.

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- 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.

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Application requirements

None specified.

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the vegetation contributes to the visual amenity and character of the Bush Garden Area, and the preferred future character of Bush Garden Neighbourhood Character Precinct, as described in the Residential Neighbourhood Character Policy at Clause 22.02.
- Whether the removal or lopping of the vegetation will result in an undesirable change or contribute to a cumulative undesirable change in the character of the area.
- All alternatives relating to the design of buildings and works have been considered and rejected for acceptable reasons, including meeting other objectives of the planning scheme.
- There is a comprehensive landscape plan accompanying the application which identifies the planting of substantial vegetation and replacement trees of similar ultimate size.
- Any native vegetation contributes to the conservation of habitat links for local flora and fauna and the implementation of the *Wildlife Corridor Program*, Banyule City Council, 2000.

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Background documents

Banyule Weed Management Strategy 2006

Banyule City Council, Wildlife Corridor Program, 2000