

21/01/2016  
C161**SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO2.

**WESTERN PORT COASTAL WETLAND AREAS****1.0**28/05/2015  
C184**Statement of environmental significance**

Saltmarsh and mangrove communities co-exist along the northern shores of Western Port. On a global scale, mangroves tend to occupy tropical regions, while the saltmarsh occupy temperate regions, therefore their co-existence in Western Port is environmentally significant.

The mangrove and saltmarsh communities also provide feeding, roosting and breeding habitats for many species of waterbirds, including migratory waders protected under the international RAMSAR agreement, as well as being a nursery area for fish and as a primary food source.

The native vegetation along the coast plays an important role in protecting the coastline by stabilising the soil from coastal erosion which contributes to poor water quality within the bay. Native vegetation also plays a role in providing habitat for threatened species. The retention of vegetation within this area is vital to minimising the disturbance of acid sulphate soils.

**2.0**28/05/2015  
C184**Environmental objective to be achieved**

- To protect the environmentally significant features of Western Port.
- To ensure that use and development of land is compatible with the ecological values of Western Port including the protection and replanting of indigenous vegetation.
- To ensure that any new development is sensitively designed and sited to reinforce the existing environmental characteristics of the area.
- To protect the coastline from erosion and ensure that development avoids the disturbance of coastal acid sulphate soils.

**3.0**21/01/2016  
C161**Permit requirement**

A permit is not required to remove, destroy or lop any vegetation if:

- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is 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 with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land, and hobbies such as craft. This exemption does not apply to:
  - Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
  - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.

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- It is the removal of any vegetation from an existing dam wall where the vegetation is impacting on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- The vegetation is required to be pruned or lopped (but not removed or destroyed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table:

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia decurrens</i>	Early Black Wattle	
<i>Acacia elata</i>	Cedar Wattle	
<i>Acacia floribunda</i>	White Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus praecox orientalis</i>	African Lily	
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
<i>Berberis darwinii</i>	Darwin's Berberry	
<i>Briza minor</i>	Shivery Grass	
<i>Briza maxima</i>	Quaking Grass	
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	

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Botanical name	Common name	Condition
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocasmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	

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<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St.John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himalayan Honeysuckle	
<i>Ligustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	

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Botanical name	Common name	Condition
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygalia myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not included Prunus cerasifera (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	

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<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa organifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
<i>See Cape Wattle</i>	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaecolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum timus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana var. bulbillifera</i>	Bulbil Watsonia	

Botanical name	Common name	Condition
<i>Zantedeschia aethiopica</i>	White Arum Lily	

### Information requirements

An application must be accompanied by the following information. These requirements may be waived or reduced if in the opinion of the Responsible Authority, an information requirement is not relevant to the assessment of an application:

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation including understorey proposed to be removed.
- Details of the location and extent of any earthworks.
- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation including understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Appropriately replace, and/or compensate for the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.

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### Decision guidelines

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

- The need to ensure that the environmentally sensitive areas of Western Port are not adversely affected by the proposed use or development of the land.
- The impact of the proposal on coastal processes and the need to protect and enhance environmentally sensitive coastlines.
- Whether the proposed works will have a significant impact on the Western Port Ramsar wetland and require referral under the *Environment Protection and Biodiversity Conservation Act 1999*.
- The capacity of the soil and water to absorb wastes and the design of effluent disposal systems.
- The impact on native flora and fauna habitats.

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- Whether the building or works or vegetation removal will be detrimental to the landscape of the area.
- The design, location and colour of proposed buildings and works and their impact on the environment.
- The extent of any proposed removal of vegetation, and the location of any buildings and works, in particular:
  - The desirability of retaining or establishing a buffer of native vegetation adjoining waterways, natural drainage lines, along the coastline and any existing vegetation along roads and property boundaries.
  - Whether the vegetation has been identified as being of environmental significance.
- Whether the ecological values and environmental characteristics will be enhanced
- Measures to prevent environmental degradation by noxious and environmental weeds and pest animals.
- Measures to improve the water quality to Western Port.
- The location, extent and levels of any excavation or fill or alteration to the natural surface including potential impacts to coastal acid sulphate soils.
- The provisions of State Environment Protection Policy (Waters of Western Port Bay and Catchment).
- The Port Phillip and Westernport Regional Catchment Strategy and Catchment Action Plans prepared under the *Catchment and Land Protection Act 1994*.
- The Coastal Strategy and any Coastal Action Plans or Management Plans prepared under the *Coastal Management Act 1995*.

### References

- Understanding the Western Port Environment - A summary of current knowledge and priorities for future research (Melbourne Water, 2011)
- Victorian Coastal Acid Sulfate Soils Strategy 2009 (CASS Strategy).
- Mangroves and Coastal Saltmarsh of Victoria; distribution, condition, threats and management, (Boon et al, 2011).
- Western Port Ramsar Site Strategic Management Plan, (Department of Sustainability and Environment, 2003)
- Management of Victoria's Ramsar Wetlands Strategic Directions Statement, (Department of Natural Resources and Environment, 2002.)