

21/01/2016
C161**SCHEDULE 3 TO THE VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO3.

VEGETATION CONTROL FOR EMERALD TOWN CENTRE**1.0**28/05/2015
C184**Statement of nature and significance of vegetation to be protected**

Vegetation is an important element that contributes to the character of the hills townships, and is often of environmental or landscape significance. Within the Emerald Town Centre are areas of indigenous vegetation as well as exotic and deciduous vegetation that contribute to the character of the township. Hedge plantings of exotic species are notable features along Belgrave-Gembrook Road and roadside vegetation supports rare species such as the Emerald Star Bush. Some of these areas contain small lots and/or mature exotic vegetation which is not protected under the native vegetation controls of Clause 52.17 resulting in areas of vegetation becoming increasingly fragmented. The vegetation in the Emerald Town Centre:

- Provides a canopy backdrop to the built form
- Frames views across the valley corridor to the north
- Is a dominant element, with built form being recessive, particularly in the central commercial area of the township.
- Is provided in wide road reserves or, where the reserve is narrow, in large setbacks
- Is multi-layered and includes canopy trees as well as understorey
- Indicates the changing topography of the township, as it follows the ridgelines and surrounding valleys.

Emerald is also known for its historical connections to horticultural activities which has formed the basis for some of its exotic street tree plantings.

2.028/05/2015
C184**Vegetation protection objectives to be achieved**

To protect and conserve existing vegetation as an important element of the character of the Emerald Town Centre.

To prevent the incremental loss of vegetation.

3.021/01/2016
C161**Permit requirement**

A permit is required to remove, destroy or lop any vegetation. This includes the hedge plantings along Belgrave-Gembrook Road.

This does not apply if:

- It is an exemption listed at Clause 52.48 (Bushfire Protection: Exemptions).
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as the 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 in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.

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- 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.
- It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under this planning scheme.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal 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 longifolia</i>	Coast/Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acacia sophorae</i>	Coastal 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	

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Botanical name	Common name	Condition
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<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	

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Botanical name	Common name	Condition
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<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>Lingustrum 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	

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Botanical name	Common name	Condition
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<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>Polygala 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	

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Botanical name	Common name	Condition
<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	
<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>Trapaeolum 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	

Botanical name	Common name	Condition
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana</i> var. <i>bulbillifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

Information Requirements

An application to remove, destroy or lop native vegetation 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:

- 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 to be removed, including the understorey, 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.
 - Any actions to contribute to the ongoing management of existing vegetation on the site.
 - Appropriately replace and/or compensate 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.

4.0

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Decision guidelines

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

- The conservation and enhancement of the landscape character and biodiversity of the area.
- The contribution to the visual amenity of the area and the impact on the landscape character of the area.