

23/05/2019  
C133fran**SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLO1**.

**LANGWARRIN HINTERLAND****1.0**04/05/2017  
C113**Statement of nature and key elements of landscape**

A generally enclosed landscape with undulating topography and a mosaic of pasture, remnant bushland and planted vegetation.

The remnant bushland makes a significant contribution to the landscape character of the area and is of botanical and habitat significance. It provides an extensive native canopy and understory that is an important biological connectivity network between the Langwarrin Flora and Fauna Reserve and other habitat patches.

State biodiversity and native vegetation provisions place emphasis on protecting higher value biodiversity which is significant or important on the national and state level. Much of the remnant native vegetation is of local and regional significance. Locally and regionally significant vegetation makes an important contribution to the biological diversity of the municipality and as such is important to protect, maintain and enhance.

**2.0**23/05/2019  
C133fran**Landscape character objectives to be achieved**

- To conserve and enhance the area's trees and native vegetation for its intrinsic, habitat and landscape values.
- To protect national, state, regional and locally significant vegetation and biodiversity within the municipality.
- To protect and enhance bio links across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.
- To ensure that development and management of land demonstrates the 'avoidance hierarchy':
  - To avoid adverse impacts, particularly through vegetation clearance.
  - If impacts cannot be avoided, to minimise impacts through appropriate consideration and expert input to project design or management.
  - Identify appropriate mitigation options. Only after avoidance and minimisation actions are thoroughly investigated should mitigation be considered.

**3.0**04/05/2017  
C113**Permit requirement****Buildings and works**

A permit is not required to construct a building or carry out works where:

- The buildings and works are being constructed by or on behalf of Parks Victoria as a public land manager.
- The buildings and works are outside the Tree Protection Zone of substantial trees. The Tree Protection Zone is defined as the area with a radius from the centre of the trunk equal to 12 times the diameter of the trunk except where:
  - The measured radius is less than 2 metres, in which case the radius must be 2 metres; or
  - The measured radius is greater than 15 metres, in which case the radius must be 15 metres.
  - For the purposes of calculating the Tree Protection Zone, the diameter of the trunk is measured at 1.4 metres above the point where it meets natural ground level.

- A substantial tree is defined as vegetation including indigenous and where appropriate, Australian native large old trees and trees with hollows that have a trunk circumference greater than 0.50 metres at 1.4 metres above the point where it meets natural ground level.
- To construct a building or carry out works more than 5 metres from native vegetation other than trees.

### Vegetation removal

A permit is required to remove, destroy, prune or lop substantial trees and native vegetation except where:

- The vegetation is an environmental weed as specified in Table 1 to this schedule
- Undertaken by or on behalf of Parks Victoria as a public land manager.
- The pruning or lopping of limbs is less than one-third (1/3rd) of the crown of the tree.
- The vegetation is within a building envelope, fire protection buffer, or is required to be removed for the construction of roads, property access and services shown on an endorsed plan required by section 1.0 of schedule 6, to the Development Plan Overlay.

## 4.0

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### Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information as appropriate:

- An arboricultural report prepared by a suitably qualified and experienced arborist, assessing any substantial tree with a Tree Protection Zone within the works footprint.
- A site plan (drawn to scale) including but not limited to:
  - The location of buildings and works including but not limited to driveways, batters, trenches and underground services and effluent disposal systems.
  - Dimensions of any existing or proposed building envelope.
  - The location, type and extent of indigenous vegetation on site.
  - Accurate and detailed existing and proposed site levels.
  - Cross sections to illustrate the extent of cut and fill.
  - Details of retaining walls including height, materials and if required drainage.

An application to remove, destroy or lop vegetation must be accompanied by the following information as appropriate.

- An arborist report for any trees to be removed.
- An assessment of the visual impact of the removal of vegetation on adjoining properties and from roads and other public places.
- A flora and fauna assessment that includes:
  - An inventory of flora and fauna species present on the site.
  - Mapping of native vegetation and scattered trees present on site.
  - A habitat hectare assessment of vegetation quality.
  - A habitat assessment for threatened fauna.
  - An assessment of the ecological values present on site and the likely impact of the proposed development on those values with particular attention given to the impact of the proposed development on flora and fauna species and communities listed under the *Commonwealth*

*Environment Protection & Biodiversity Conservation Act 1999 and Victorian Flora and Fauna Guarantee Act 1988, Advisory Lists of rare or threatened plants and fauna in Victoria, and local and regional significant flora and fauna.*

- An assessment of the contribution the proposed vegetation removal would have on cumulative losses and / or strategic directions for biodiversity protection within Frankston City Council.
- Any proposed on-site replacement planting.
- Demonstration of the avoidance hierarchy (avoid, minimise, mitigate principles) in relation to substantial trees and native vegetation on the site.

*Note: Pruning a tree is defined as removing branches (or occasionally roots) from a tree or plant using approved practices, to achieve a specified objective such as for regeneration or ornamental shaping.  
Lopping is defined as the practice of cutting branches or stems between branch unions or internodes.*

**5.0**

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**Decision guidelines**

Before deciding an application to construct a building; construct or carry out works; or remove, destroy or lop any vegetation the responsible authority must consider:

- Demonstration of the avoidance hierarchy.
- The impact of the proposal on bio links across the landscape.
- The impact of the proposal on the visual landscape or biological values of the area.
- Whether the natural resources of the area are to be adequately protected and their sustainability and long term conservation ensured.
- Whether appropriate management practices are proposed including the control of environmental weeds and pest animals, prevention of soil erosion, fire prevention measures, and revegetation of degraded areas with indigenous plant species.
- The impact of development on soil stability and on water quality, particularly in the Western Port catchment.
- The impact on the rural surrounds and outlook of Mulberry Hill.
- Replacement planting to address the loss of vegetation having regard to the local and regional conservation significance of the vegetation.
- Whether offsets can be provided on-site.
- Whether the removal of vegetation including for defensible space has been avoided or minimised having regard to the bushfire risk and other available siting options.
- The guidelines and principles of AS4970-2009 – Protection of Trees on Development Sites.

**Table 1 Major environmental weed species**

*Note: Generally, woody species (trees and shrubs) have been included on this list along with the most serious herbaceous species.*

Species	Common name
<i>Acacia baileyana</i>	Cootamundra Wattle
<i>Acacia elata</i>	Cedar Wattle
<i>Acacia floribunda</i>	White Sallow Wattle
<i>Acacia longifolia subsp. longifolia</i>	Sallow Wattle

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	Species	Common name
+	<i>Acacia longifolia subsp. sophorae</i>	Coastal Wattle
	<i>Agapanthus praecox ssp. orientalis</i>	Agapanthus
	<i>Asparagus asparagoides</i>	Bridal Creeper
	<i>Asparagus scandens</i>	Asparagus fern
C	<i>Calycotoma spinosa</i>	Spiny Broom
	<i>Buddleia dysophyllus</i>	Buddleia
C	<i>Chrysanthemoides monilifera ssp. monilifera</i>	Boneseed
C	<i>Cirsium vulgare</i>	Spear Thistle
	<i>Coprosma repens</i>	Mirror-bush
	<i>Coprosma robusta</i>	Large Coprosma
	<i>Cortaderia jubata/selloana</i>	Pampas Grass
	<i>Cotoneaster sp.</i>	Cotoneaster
C	<i>Crataegus monogyna</i>	Hawthorn
	<i>Crocasmia x crocosmiflora</i>	Montbretia
	<i>Cytisus palmensis</i>	Tree Lucerne
C	<i>Cytisus scoparius</i>	English Broom
	<i>Delairea odorata</i>	Cape Ivy
	<i>Dipogon lignosus</i>	Dolichos Pea
C	<i>Echium plantagineum</i>	Paterson's Curse
	<i>Erica baccans</i>	Berry-flower Heath
	<i>Erica lusitanica</i>	Spanish Heath
C	<i>Foeniculum vulgare</i>	Fennel
	<i>Fraxinus angustifolia ssp. angustifolia</i>	Desert Ash
C	<i>Genista linifolia</i>	Flax-leaf Broom
C	<i>Genista monspessulana</i>	Montpellier Broom
	<i>Genista (garden hybrid)</i>	Garden Broom
	<i>Gladiolus tristis</i>	Evening-flower Gladiolus
	<i>Gladiolus undulatus</i>	Wild Gladiolus
	<i>Hakea salicifolia</i>	Willow-leaf Hakea
	<i>Hakea suaveolens</i>	Sweet Hakea
	<i>Hedera helix</i>	Ivy

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	Species	Common name
	<i>Ipomoea indica</i>	Morning-glory
+	<i>Leptospermum laevigatum</i>	Coast Tea-tree
	<i>Leucanthemum vulgare</i>	Ox-eye Daisy
	<i>Ligustrum lucidum</i>	Large-leaf Privet
	<i>Lonicera japonica</i>	Japanese Honeysuckle
C	<i>Lycium ferocissimum</i>	African Box-thorn
	<i>Malus domestica</i>	Domestic Apple
P	<i>Marrubium vulgare</i>	Horehound
	<i>Melaleuca armillaris</i>	Bracelet Honey-myrtle
	<i>Myrsiphyllum scandens</i>	Asparagus
	<i>Olea europaea ssp. Africana</i>	African Olive
	<i>Paraserianthes lophantha subsp. lophantha</i>	Cape Wattle
	<i>Phytolacca octandra</i>	Ink Weed
	<i>Pinus pinaster</i>	Maritime Pine
	<i>Pinus radiata</i>	Monterey Pine
	<i>Pittosporum undulatum</i>	Sweet Pittosporum
	<i>Polygala myrtifolia</i>	Myrtle-leaf Milkwort
	<i>Prunus cerasifera</i>	Cherry Plum
	<i>Pyracantha angustifolia</i>	Narrow-leaf Firethorn
	<i>Pyracantha crenulata</i>	Firethorn
	<i>Rhamnus alaternus</i>	Italian Buckthorn
C	<i>Rosa rubiginosa</i>	Sweet Briar
C	<i>Rubus fruticosus</i>	Blackberry
	<i>Rumex sagitatus</i>	Climbing Dock
	<i>Salix spp.</i>	Willows
	<i>Senecio angulatus</i>	Climbing Groundsel
C	<i>Senecio jacobaea</i>	Ragwort
	<i>Solanum mauritianum</i>	Nightshade
	<i>Sollya heterophylla</i>	Bluebell Creeper
	<i>Tradescantia fluminensis</i>	Wandering Tradescantia
C	<i>Ulex europaeus</i>	Gorse

## FRANKSTON PLANNING SCHEME

Species	Common name
<i>Vinca major</i>	Blue Periwinkle
<i>Watsonia meriana</i> cv. ' <i>Bulbillifera</i> '	Bulbil Watsonia
<i>Zantedeschia aethiopica</i>	White Arum Lily

+ Ecologically 'out-of-balance' indigenous species which are natural members of Coastal Complex, but which are weedy outside the coastal context.

C Denotes regionally controlled weeds under the Catchment and Land Protection Act 1994.

P Denotes regionally prohibited weeds under the Catchment and Land Protection Act 1994.