

27/05/2019
C239wsea**SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO5.

RIVER RED-GUM AND GRASSY WOODLANDS**1.0**06/08/2010
VC68**Statement of environmental significance**

The development of Melbourne has caused significant impacts to the environment. Melbourne's footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the Delivery of Melbourne's Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

The areas included within this overlay have been identified as having a high likelihood of containing significant remnant native vegetation or providing habitat for threatened flora and fauna. It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

The areas identified by this overlay form part of the Victorian Volcanic Plain bioregion. The ecosystems of this bioregion are some of the most depleted in the State. Only 4.5 per cent of the bioregion has remnant native vegetation, and less than 1.2 per cent is in formal reserves.

The area to the north-west of Craigieburn covered by this overlay includes the Mount Ridley Flora and Fauna Reserve and the Mickleham Woodlands. These areas are connected to the Merri Creek corridor via local reserves along Malcolm Creek.

Mount Ridley, a broad lava hill, is a dominant landscape feature. The lava from the northern vent of Mount Ridley is the only known example of a nephelinite (analcitite) in the Newer Volcanics Province. The site is regionally significant for the uncommon lava type and as an excellent regional example of a lava mound. The current agricultural land use is compatible with maintaining the geological and geomorphological values of the site. The site would be threatened by smaller farm development, subdivision, or extensive quarrying.

East of Craigieburn and north of Epping, the area covered by this overlay contains stony knolls, floodplain grasslands and riparian areas associated with the Merri Creek and Darebin Creek floodplains. The area has a high level of habitat connectivity.

The areas covered by this overlay contain remnants of Plains Grassy Woodland and Plains Grassland Ecological Vegetation Classes, both of which are recognised as endangered at a State and Federal level. They also provide habitat for threatened species listed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) and the *Flora and Fauna Guarantee Act 1988* (Vic).

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VC68**Environmental objective to be achieved**

- To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity of key areas within the Urban Growth Boundary.
- To enhance the environmental and landscape values of the area.
- To protect the unique geological features of the area.
- To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.
- To encourage ecological restoration, regeneration and revegetation with indigenous species within the area.
- To maintain and enhance habitat connectivity for listed threatened species.

- To prevent a decline in the extent and quality of native vegetation and native fauna habitat.
- To ensure that the siting and design of any buildings and works maintains the environmental integrity of the area.
- To maintain and enhance the integrity of sites of environmental significance.
- To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

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Permit requirement

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or waterway management agency involving revegetation, or preparatory works associated with revegetation.
- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
 - Where the vegetation is non native.
 - Where the vegetation is a plant proclaimed as a weed under the *Catchment and Land Protection Act 1994*.
 - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
 - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
 - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
 - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
 - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

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Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.

- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
 - A flora and fauna survey.
 - A habitat hectare assessment.
 - Identification of the vegetation and habitat significance of the property.
 - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.
- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
 - Any proposals for revegetation, including proposed species, and ground stabilisation.
 - How any vegetation removal will be offset (an offset plan), in accordance with Victoria's Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
 - Weed management, including species to be targeted and proposed management techniques.
 - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- Measures to protect and enhance native vegetation and native fauna habitat of the Victorian Volcanic Plain, including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Any relevant park management plan or interim management plan.
- The impact of any use, development or management of land on the strategic grassland reserves including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- The need to adopt a precautionary approach in the absence of scientific certainty.
- The reason for removing any vegetation and the practicality of any alternative options.

- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
 - The linking and enlarging of areas of significant flora and fauna habitats.
 - Effective and targeted weed control.
 - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
 - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
 - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

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Referral of applications

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

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Background Documents

- Delivering Melbourne's Newest Sustainable Communities: Strategic Impact Assessment Report for the *Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment 2009)
- Delivering Melbourne's Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2b: Biodiversity Assessment of Melbourne's Northern Investigation Area (SMEC 2009)