

15/10/2009  
C69

## **SCHEDULE 3 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO3**.

### **TRAFALGAR SAND RESOURCE**

#### **1.0**

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#### **Statement of environmental significance**

The Trafalgar area contains a sand resource that is considered to be of State significance and which has the potential for development as a sand supply region for the Melbourne area in the medium to long term. The adjoins in part the Sweetwater Creek Flora and Fauna Reserve. Environmental values of the area require appropriate planning protection.

#### **2.0**

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#### **Environmental objective to be achieved**

- To provide a basis for the long term protection of sand resources from sterilisation by inappropriate development.
- To provide a basis for the long term availability of sand resources for use by the community with minimal detriment to the environment.
- To assist in considering extractive industry values in long term strategic planning as well as local strategy plans.
- To ensure that planning or responsible authorities consult with all relevant agencies about land use proposals which may impact on the reduction of stone resources within these areas.
- To ensure uses of sand resource areas are compatible with the potential future extraction of the resources.
- To enable appropriate areas of sand deposits to be extracted in a manner which protects environmental and social values.
- To protect the water quality of adjacent watercourses and catchment.
- To provide for progressive rehabilitation of sand extraction sites to a condition suitable for an appropriate end use having regard to:
  - Environmental, agriculture or water quality issues.
  - Compatibility with adjacent land uses.

#### **3.0**

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#### **Permit requirement**

A permit is not required for:

- Buildings and works involved with the construction, alteration or extension of a dwelling or dependent persons unit on the land.
- Buildings and works involved with the construction, alteration or extension of an outbuilding where that outbuilding has and will have a floor area less than 200 square metres.
- Earthworks ancillary to any of the above.

All applications for development must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

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

- The vegetation is not native vegetation.

- The vegetation is an environmental weed (as defined in the following table):

Common name	Botanical name
African Boxthorn*	<i>Lycium ferocissimum</i>
African Feather Grass*	<i>Pennisetum macrourum</i>
African Lily or Agapanthus	<i>Agapanthus praecox</i> ssp. <i>orientalis</i>
African Lovegrass*	<i>Eragrostis curvula</i>
African Olive	<i>Olea europaea</i> var. <i>cuspidata</i>
Alkante	<i>Pentaglottis sempervirens</i>
Alligator weed*	<i>Alternanthera philoxeroides</i>
American Aspen	<i>Populus tremuloides</i>
Angled Onion*	<i>Allium triquetrum</i>
Apple	<i>Malus</i> spp
Artichoke Thistle	<i>Cynara cardunculus</i>
Asparagus Fern	<i>Myrsiphyllum scandens</i>
Banana Passionfruit	<i>Passiflora tarminiana</i> (syn. <i>P. mollissima</i> )
Belladonna Lily	<i>Amaryllis belladonna</i>
Berry-flower Heath	<i>Erica baccans</i>
Black Locust	<i>Robinia pseudacacia</i>
Blackberry*	<i>Rubus fruticosus</i> spp. agg.
Blue Periwinkle	<i>Vinca major</i>
Blue Psoralea or Blue Butterfly	<i>Psoralea pinnata</i>
Bush	
Bluebell Creeper	<i>Sollya heterophylla</i>
Boneseed*	<i>Chrysanthemoides monilifera</i>
Bridal Creeper	<i>Asparagus asparagoides</i>
Bulbil Watsonia*	<i>Watsonia meriana</i> var. <i>bulbillifera</i>
Butterfly Bush	<i>Buddleia davidii</i> , <i>B. madagascariensis</i>
Cactus Pears	<i>Opuntia</i> spp.
Camphor Laurel	<i>Cinnamomum camphora</i>
Cape Broom*	<i>Genista monspessulana</i>
Cape Ivy	<i>Delairea odorata</i>
Cape Tulips*	<i>Moraea</i> spp.
Cape Wattle	<i>Paraserianthis lophantha</i> var. <i>lophantha</i>
Cedar Wattle	<i>Acacia elate</i>
Cestrum	<i>Cestrum elegans</i>
Cherry laurel	<i>Prunus laurocerasus</i>

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Cherry Plum	<i>Prunus cerasifera</i>
Chilean Needle – grass*	<i>Nassella neesiana</i>
Common Bindweed*	<i>Convolvulus arvensis</i>
Common Dipogon or Dolichos	<i>Dipogon lignosus</i>
Pea	
Common Forget-me-not	<i>Myosotis sylvatica</i>
Cootamundra Wattle	<i>Acacia baileyana</i>
Cotoneaster	<i>Cotoneaster</i> spp.
Creeping Buttercup	<i>Ranunculus repens</i>
Darwin's Berberry	<i>Berberis darwinii</i>
Desert Ash	<i>Fraxinus angustifolia</i> ssp <i>angustifolia</i> (syn <i>F.oxycarpa</i> )
Dietes	<i>Dietes grandiflora</i> , <i>D.bicolor</i>
Drain Flat - sedge	<i>Cyperus eragrostis</i>
Drooping Prickly Pear*	<i>Opuntia monacantha</i>
Early Black Wattle	<i>Acacia decurrens</i>
English Broom*	<i>Cytisus scoparius</i>
English Ivy	<i>Hedra helix</i>
Euryops	<i>Euryops abrotanifolius</i>
Evening Primrose	<i>Oenothera stricta</i>
Evergreen Dogwood	<i>Cornus capitata</i>
Fennel*	<i>Foeniculum vulgare</i>
Firethorns	<i>Pyracantha</i> spp.
Flax Leaf Broom*	<i>Genista linifolia</i>
Fountain Grass	<i>Pennisetum setaceum</i>
Fragrant Violet	<i>Viola odorata</i>
Freesia	<i>Freesia alba</i> x <i>lehtlinii</i>
Gazania	<i>Gazania lineraris</i>
Giant Honey Myrtle	<i>Melaleuca armillaris</i>
Golden Wreath Wattle	<i>Acacia saligna</i>
Gorse*	<i>Ulex eiropaeus</i>
Great Mullein*	<i>Verbascum thapsus</i>
Harlequin Flowers	<i>Sparaxis</i> spp.
Hawthorn*	<i>Crategus monogyna</i>
Hemlock*	<i>Conium maculatum</i>
Himilayan Honeysuckle	<i>Leycesteria formosa</i>

Holly	<i>Ilex aquifolium</i>
Honey Myrtle	<i>Melaleuca hypericifolia</i>
Italian Buckthorn	<i>Rhamnus alaternus</i>
Japanese Honeysuckle	<i>Lonicera japonica</i>
Karamu	<i>Coprosma robusta</i>
Karo	<i>Pittosporum crassifolium</i>
Kikuyu	<i>Pennisetum clandestinum</i>
Lantana*	<i>Lantana camara</i>
Laurestinus	<i>Viburnum tinus</i>
Manna Ash	<i>Fraxinus ornus</i>
Montbretia	<i>Crocasmia x crocosmiifolia</i>
Monterey Pine or Radiata Pine	<i>Pinus radiata</i>
Morning Glory	<i>Ipomoea indica</i>
Myrtle Leaf Milkwort	<i>Polygala myrtifolia</i>
New Zealand Mirror Bush or Taupata	<i>Coprosma repens</i>
Olive	<i>Olea europaea var. europaea</i>
Ox – eye Daisy*	<i>Leucanthemum vulgare</i>
Pampas Grass	<i>Cortaderai selloana</i>
Patersons Curse*	<i>Echium plantagineum</i>
Pepper Tree	<i>Schinus areira</i>
Peruvian Lily	<i>Alstromeria aurea</i>
Plum	<i>Prunus spp.</i>
Portugal Laurel	<i>Prunus lusitanica</i>
Prickly Pear*	<i>Opuntia aurantiaca</i>
Privet	<i>Ligustrum vulgare</i>
Quaking Grass	<i>Briza maxima</i>
Ragwort*	<i>Senecia jacobaea</i>
Sallow Wattle	<i>Acacia longifolia</i>
Shasta Daisy	<i>Chrysanthem maximum</i>
Silky Oak	<i>Grevillea robusta</i>
Smilax	<i>Myrsiphyllum asparagoides</i>
Spanish Heath	<i>Erica lusitanica</i>
Spear Thistle*	<i>Cirsium vulgare</i>
Spiny Rush*	<i>Juncus acutus</i>
St Johns Wort*	<i>Hypericum perforatum</i>

Sticky Hop Bush	<i>Dodonea viscosa</i>
Strawberry Tree	<i>Arbutus unedo</i>
Sugar Gum	<i>Eucalyptus cladocalyx</i>
Swamp Foxtail - grass	<i>Pennisetum alopecuroides</i>
Sweet Briar or Briar Rose or Wild Rose	<i>Rosa rubiginosa</i>
Sweet Pea	<i>Lathyrus latifolius</i>
Sweet Pittosporum	<i>Pittosporum undulatum</i>
Sycamore Maple	<i>Acer pseudoplatanus</i>
Tall Fleabane	<i>Conyza bonariensis</i>
Tiger Pear	<i>Opuntia aurantiaca</i>
Topped Lavender*	<i>Lavendula stoechas</i>
Tree Lucerne	<i>Cytisus palmensis</i>
Tree Tobacco	<i>Solanum mauritianum</i>
Tutsan*	<i>Hypericum androsaemum</i>
Wandering Trad (formerly Wandering Jew)	<i>Tradescantia fluminensis</i>
Water Hyacinth	<i>Eichhornia crassipes</i>
Watsonia	<i>Watsonia</i> spp.
Wheel Cactus*	<i>Opuntia robusta</i>
White Arum Lily	<i>Zantedeschia aethiopica</i>
White Sallow Wattle	<i>Acacia floribunda</i>
Wild Oat	<i>Avena fatua</i>
Willow Hakea	<i>Hakea salicifolia</i>
Willows*	<i>Salix</i> spp.
Wood Violet	<i>Viola riviniana</i>

\* Declared noxious weeds – includes State Prohibited Weeds, Regionally Prohibited Weeds, Regionally Controlled Weeds and Restricted Weeds

#### 4.0

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### Decision guidelines

Before deciding on an application to develop land, the responsible authority must consider:

#### Interim uses of resources areas

- Whether the development of land within the area will adversely effect the future extraction of the underlying sand resource.
- The suitability of rehabilitation plans prepared for the site.

#### Water quality

- Whether all reasonable measures to ensure that the operation will not diminish the quality of any groundwater or any surface water beyond the site have been taken.

### **Transport infrastructure**

- Whether a transport infrastructure plan has been prepared and the level of upgrading or financial contribution proposed.

A transport infrastructure plan will consider:

- The capacity of existing road infrastructure.
- The proposed heavy vehicle use emanating from the extractive industry.
- The carrying capacity and safety of alignment for heavy vehicles.
- The drainage, bridges and stormwater infrastructure.
- The demonstrated need for road improvements.
- The apportionment of cost with other heavy vehicles users.
- Whether the upgrading is required as a direct consequence of quarry vehicles.

### **Landscape quality**

- Whether measures have been taken to ensure that the proposal does not have an adverse visual impact.