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SCHEDULE 4 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO4.**

PAKENHAM NORTH RIDGE

1.0 Statement of environmental significance

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The Pakenham ridge has regional significance for biodiversity. It makes a substantial contribution to biodiversity in the Gippsland Plain Bioregion as well as the Pakenham area. The area has remnants of Grassy Forest, an ecosystem that is vulnerable in the area. The Cobra Greenhood Orchid *(Pterostylis grandiflora)* which is of state significance, and the Green Scentbark *(Eucalytptus fulgens)* which is of state/national significance, are found in the area The area is characterised by a geology of Devonian Granitic and Silurian Sediment origin, moderate to steep slopes, and areas of remnant vegetation. These characteristics contribute to environmental values including landscape quality, water quality, and habitat of botanical and zoological significance. These characteristics are also a significant factor contributing to environmental hazards such as erosion, salinity and fire risk, and susceptibility to visual intrusion from buildings and works.

2.0 Environmental objective to be achieved

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- To protect and enhance the significant environmental and landscape values of the Pakenham North ridge.
- To ensure that the siting and design of buildings and works does not adversely impact on environmental and landscape values including the ridge landform, the diverse and interesting landscape, the natural skyline of ridge areas, areas of remnant vegetation, and habitat of botanical and zoological significance.
- To ensure that the siting and design of buildings and works responds to environmental and landscape values, and addresses environmental hazards of erosion, salinity and fire.
- To maintain, manage and promote replanting of native vegetation as an important element of the Pakenham North ridge landscape and natural systems.
- To ensure long term protection of areas of high conservation value and promote the protection and enhancement of wildlife habitat and corridors.

3.0 Permit requirement

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A permit is required to construct a fence.

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

- 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 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 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.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- 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
Acacia baileyana	Cootamundra Wattle	
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia longifolia	Coast / Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	
Acacia sophorae	Coastal Wattle	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Agapanthus praecox orientalis	African Lily	
Allium triquetrum	Angled Onion	
Alstromeria aurea	Peruvian Lily	
Amaryllis belladonna	Belladonna Lily	
Anredera cordifolia	Madeira vine	
Anthoxanthum odoratum	Sweet Vernal Grass	
Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Arctotheca calendula	Cape Weed	
Asparagus asparagoides	Bridal Creeper	
Asparagus scandens	Asparagus Fern	
Berberis darwinii	Darwin's Berberry	
Betula spp.	Birch	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Briza minor	Shivery Grass	
Briza maxima	Quaking Grass	

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

Botanical name	Common name	Condition
Eucalyptus botryoides	Southern Mahogany Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Euryops abrotanifolius	Euryops	
Foeniculum vulgare	Fennel	
Fraxinus angustifolia	Narrow-leafed Ash	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Fraxinus ornus	Manna Ash	
Fraxinus oxycarpa	Caucasian Ash	
Galium aparine	Cleavers	
Genista linifolia	Flax Leaf Broom	
Genista monspessulana	Cape/Montpellier Broom	
Hakea salicifolia	Willow Hakea	
Hakea sauveolens	Sweet Hakea	
Hedra helix	English Ivy	
Holcus lanatus	Yorkshire Fog	
Hypericum androsaemum	Tutsan	
Hypericum perforatum	St.John's Wort	
Hypericum tetrapterum	St. Peter's Wort	
Ilex aquifolium	Holly	
Ipomoea indica	Morning Glory	
Lathyrus latifolius	Sweet Pea	
Leptospermum laevigatum	Coast Tea Tree	
Leycesteria formosa	Himilayan Honeysuckle	
Ligustrum lucidum	Broad-Leaved Privet	
Ligustrum vulgare	Privet	
Lonicera japonica	Japanese Honeysuckle	
Malus spp	Apple	
Melaleuca armillaris	Giant Honey Myrtle	
Melaleuca hypericifolia	Honey Myrtle	
Myosotis sylvatica	Common Forget-me-not	
Myrsiphyillum scandens	Asparagus Fern	
Myrsiphyllum asparagoides	Bridal Creeper	
Myrsiphyllum asparagoides	Smilax	

Botanical name	Common name	Condition
Oenothera stricta	Common Evening Primrose	
Opuntia aurantiaca	Prickly Pear	
Oxalis pes-caprae	Soursob	
Portulaca oleracea	Common Purslane	
Paraserianthis lopantha	Cape Wattle	
Passiflora sp. aff. mollissima	Banana Passionfruit	
Pentaglottis serpvirens	Alkante	
Phalaris aquatica	Toowoomba Canary Grass	
Pennisetum clandestinum	Kikuyu	
Phytolacca octandra	Inkweed	
Pinus radiate	Montery Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	
Populus tremuloides	American Aspen	
Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Except Prunus cerasifera (Cherry Plum)
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	
Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	
Rosa rubiginosa	Sweet Briar	
Rubus fruticosus spp. agg.	Blackberry	

Botanical name	Common name	Condition
Salix babylonica	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salix spp.	Willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	
Senecio jacobaea	Ragwort	
See Cape Wattle	False Wattle	
Solanum linnaeanum	Apple of Sodom	
Solanum mauritianum	Tree Tobacco	
Solanum nigrum	Black Nightshade	
Solanum pseudocapsicum	Madeira Winter Cherry	
Sollya heterophylla	Blue-bell Creeper	
Spartina anglica	Common Cord-grass	
Tradescantia fluminensis	Wandering Jew/Trad	
Trapaeolum majus	Nasturtium	
Ulex europaeus	Gorse	
Verbascum thapsus	Great Mullein	
Vibernum timus	Laurestinus	
Vinca major	Blue Periwinkle	
Viola odorata	Fragrant Violet	
Viola riviniana	Wood Violet	
Watsonia borbonica	Rosy Watsonia	
Watsonia meriana var. bulbillifera	Bulbil Watsonia	
Zantedeschia aethiopica	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 proposed to be removed.
- Details of the location and extent of any earthworks.

To remove, destroy or lop native vegetation:

- 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 understory 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 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 defendable 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 defendable space in conjunction with an application under the Bushfire Management Overlay.

4.0 Decision guidelines

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

General

- The Land Capability Study for the Cardinia Shire (February 1997).
- The need for an environmental and landscape impact assessment report, prepared by a properly qualified person and to the satisfaction of the responsible authority, that includes:
  - An appropriate consideration of alternative subdivision layouts and alternative sites for buildings
  - Possible design responses and design guidelines
  - Consideration of appropriate environmental management practices, including replanting of native vegetation and ongoing protection and management of vegetation and habitat areas.
- The protection and enhancement of environmental significance having regard to:
  - Protecting habitat areas, landscape areas and vantage points of high quality
  - Protecting and enhancing areas of native vegetation
  - Setting development back from the ridgeline to allow appreciation of the ridge landform and topography, and to maintain the natural skyline of the ridge
  - The visual prominence of land above the 60-metre contour as a defining landscape feature
  - The integration of buildings and works with environmental and landscape features
  - Appropriate environmental management practices.

- Measures to address environmental hazards or constraints including erosion, drainage and fire.

Buildings and works

- The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- The control of the density of buildings and subdivision necessary to meet environmental objectives.
- The establishment of appropriate building envelopes and the benefits of requiring building envelopes to be shown on plans of subdivision.
- Whether the siting, height, scale, materials, colours and form of proposed buildings and works, including roads and infrastructure service lines, have been designed to have least visual effect on the ridge environment and landscape.
- Whether approval of any proposed buildings and works is compatible with maintaining the visual, natural and cultural significance of the ridge landscape.
- The benefit of permit conditions requiring all building materials to be non-reflective and of colours that are complementary to those of the natural landscape.
- The benefit of conditions requiring the landscaping of buildings and works, while also having regard to the maintenance of existing viewlines.

Vegetation and habitat

- The retention of remnant vegetation and wildlife habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The conservation and enhancement of the area's native vegetation and habitat values, including allowing for natural regeneration of native vegetation
- Providing linked open space and local habitat corridors.
- Maintaining vegetation as a key element of the landscape, and maintaining and enhancing the continuity of vegetation.
- The significance of any vegetation proposed to be removed, including its rarity and habitat value.
- The need to revegetate or landscape the site with native species and dispersing buildings to allow trees to be planted between them.

Response to slope

- The availability of other alternative sites, alternative building designs or alternative construction practices for proposed buildings and works that minimise cut and fill and would better meet the environmental objectives of this schedule, having regard to the size and topography of the land, retention of vegetation, and the form and nature of the proposed buildings and works.
- The availability of reasonable alternative routes, alternative designs or alternative forms of installation for roads, access driveways and infrastructure service lines that would avoid impact on vegetation and habitat areas, follow the contours of the land, minimise cut and fill and better meet the environmental objectives of this schedule.
- Locating buildings and works in low lying positions on a site.
- Slope stability and the need for a geotechnical report, particularly where slopes are greater than 20%.

Waterways

- The protection of waterways and water quality through the appropriate management of stormwater, effluent disposal, erosion, sediment pollution and the provision and protection of vegetation especially along watercourses.

Salinity

- Whether vegetation retention and revegetation is occurring and whether appropriate management techniques are being put in place to address water table and salinity issues.

5.0 Reference Documents

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Ecological Assessment of Pakenham Ridge, Biosis Research, August 2006

Indigenous Vegetation Survey – an inventory of sites of biodiversity significance in the Pakenham Growth Corridor and adjoining area Volume 2, Ecology Australia, January 2004.

Pakenham North Ridge Precinct Assessment of Landscape Value, LandDesign Partnership, June 2007

Land Capability Study for the Cardinia Shire (February 1997)