

SCHEDULE 3 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO3**

POINT NEPEAN

1.0 Statement of nature and significance of vegetation to be protected

The former Portsea Defence (Exercise and Range Area) property is located approximately 95 kilometres south of Melbourne, close to the tip of the Mornington Peninsula and directly west of the township of Portsea.

The property is situated between the western and eastern sections of the Mornington Peninsula National Park.

One indigenous vegetation community, Coastal Moonah Woodland, has been recorded. Coastal Moonah (*Melaleuca lanceolata subsp. lanceolata*) Woodland Community is listed as a Threatened Community under schedule 2 of the Victorian *Flora and Fauna Guarantee Act 1988*. Coastal Moonah Woodland is part of the Coastal Alkaline Scrub Ecological Vegetation Class (EVC). This community dominates most areas of the site. The quality of this vegetation community varies from relatively intact to disturbed and degraded.

Associated trees found on the site include Coast Tea-tree (*Leptospermum laevigatum*), Drooping Sheoke, Coast Wirilda, Late Black Wattle (*Acacia mearnsii*) and to a lesser extent Sweet Bursaria and Cherry Ballart. Shrub species include Coast Rice-flower, Coast Beard-heath and Sea Box. The understorey consists of small shrubs, climbers, tussock grasses, herbs and mosses. The vegetation structure is an open to closed woodland with an average height that varies from four to six metres.

This vegetation community supports fauna habitats for mammal, bird and reptile populations of significance in the greater Melbourne region. The Southern Brown Bandicoot (*Isodon obesulus obesulus*) and the Shy Albatross (*Thalassarche cauta*) are listed species that have been previously recorded on the land. The site supports mammals such as Ringtail and Brushtail Possums', Swamp Wallaby, Short Beaked Echidna, Long Nosed Bandicoot, Agile Antechinus, and various species of bat, including the Southern Forest-bat. Birds have been well documented from the coastal fringe of the site, while a range of bird species have also been recorded in a range of habitats.

Flora species that have been recorded on the land include River Swamp Wallaby-grass (*Amphibromus fluitans*), Clover Glycine (*Glycine latrobeana*), Maroon Leek-orchid (*Prasophyllum frenchii*) and Leafy Green-hood (*Pterostylis cucullata*).

The site has recognised landscape values in a number of local and regional strategies. The coastline values are due to the area being largely undeveloped. The area has a natural landscape character characterised by a rugged coastline, dense cover of coastal vegetation and sharply undulating dune landform.

The site occurs on the eastern tip of the southern entrance to Port Phillip Bay. Sections of Port Phillip Bay (Western Shoreline) and the Bellarine Peninsula Ramsar site occur approximately 10km from the site, with the Mud Island section occurring to the north east and the Swan Bay section occurring to the north west, on the western side of the Bay.

2.0 Vegetation protection objective to be achieved

- To ensure that any removal of vegetation in proximity to the Mornington Peninsula National Park or other public land has proper regard to the impact on these areas.
- To protect, conserve and improve the quality and condition of native vegetation, in particular the Coastal Moonah Woodland Community, a listed Threatened Community under the *Flora and Fauna Guarantee Act 1988*.
- To protect and conserve native vegetation, including all understorey, shrub and ground vegetation.
- To protect and conserve the habitat value of vegetation within the Point Nepean area.
- To recognise areas where substantial vegetation cover is the dominant visual and environmental feature.
- To ensure that the location of buildings and works includes measures to minimise the removal of vegetation.
- To prevent the premature removal of vegetation from a site prior to consideration of design options for a proposed development.
- To ensure that development proposals have proper regard to the landscape character of the Point Nepean area.
- To ensure that any development has proper regard for the environmental landscape, in terms of being consistent with the existing balance between vegetation and building form in the local area and contributing to the landscape character of the area.
- To ensure that any removal of vegetation and works associated with development in environmentally sensitive areas is carried out with proper regard to the physical characteristics of the site and the local area.
- To encourage strategic replanting to provide for the long term maintenance of landscape and environmental values within the Point Nepean area.

3.0 Permit requirement

A permit is required to remove, destroy or lop any vegetation, except for:

- The removal of vegetation carried out in conjunction with a development approved under a planning permit and in accordance with a vegetation management plan approved as part of the permit.
- The removal of any dead timber which has occurred through natural circumstances, fire or the spread of noxious weeds.
- The maintenance of landscaping, including pruning, which does not affect the stability, general form and viability of the vegetation.

An application must be accompanied by a vegetation management plan clearly indicating:

- All existing vegetation on the site, the extent and purpose of proposed vegetation removal, destruction or lopping, and the species, density and location of trees and other vegetation to be planted.
- The location of any watercourse on the property and, if relevant, the location of areas where the ground slope exceeds 20 percent.

If it is proposed to alter, extend or construct a building, the application must specify the intended access route and provide an assessment of the vegetation impact, including any proposed replanting.

4.0 Decision guidelines

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

- The value of the vegetation to be removed in terms of its habitat, landscape and environmental values, age, physical condition, rarity and variety.
- The need for a report, by a properly qualified person and to the satisfaction of the responsible authority, on the vegetation and habitat significance of the vegetation to be removed.
- Whether there is any reasonable alternative means of siting buildings and works in order to conserve the vegetation of the area.
- The extent of the proposed vegetation removal and its likely effect on the stability of the site, particularly along streamlines or in erosion prone areas.
- The extent to which the removal of vegetation is necessary to achieve proper fire management.
- The benefit of a condition providing for the relocation of significant species prior to development of a site, having particular regard to the occurrence of native orchids.
- The benefit of a condition requiring planting, replanting and other treatment of the land, having regard to the relationship between buildings and the landscape and the maintenance, where possible, of shared view lines.
- The need for replacement vegetation to be of an appropriate species and to exclude environmental weeds.
- The need for a condition requiring the payment of a bond as part of a development approval to ensure that no unauthorised removal of vegetation occurs.
- The comments of any relevant coastal management, fire prevention, land management or soil conservation authority.

Note: *For the avoidance of doubt, the Vegetation Protection Overlay and this schedule do not apply to the Commonwealth in its capacity as occupier of the land.*