

27/05/2019  
C126mann**SCHEDULE 6 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO6.

**LOW DENSITY RESIDENTIAL SIGNIFICANT PINE AND CYPRESS TREE THEME AREAS****1.0**27/05/2019  
C126mann**Statement of nature and key elements of landscape**

Concentrations of pine and cypress tree plantings can be found in some low density residential parts of Park Orchards, Templestowe, and Donvale.

Monterey pine and cypress trees were historically planted as windbreaks around orchards and homesteads throughout Manningham and have become visual landmarks due to their size and location on prominent ridgelines and hilltops. The pine and cypress windbreaks and plantations contribute to the distinctive landscape character of these areas, and the removal of these trees will have a significant impact on the landscape and the structural integrity of the windbreaks.

Other large, mature pine and cypress trees occur either individually or as small clusters of trees, also contributing to the landscape character of the area. Removal of any of these trees needs to have regard to the impact on that landscape character.

The dominant visual element of the landscape in these areas is the mix of large canopy trees, comprising pine, other exotic and native species. Development in these areas must seek to retain the mix of canopy species, replacing pine or cypress trees when removed, with appropriate similar species.

Development in these areas should also be integrated with surrounding landscape features. Built form should seek to be subordinate to the landscape, avoid the loss of canopy trees and respond to the topography of the land.

The unique landscape characteristics of these areas need to be properly managed to ensure that their distinctive visual values are conserved and protected.

**Background documents**

*Manningham Monterey Pine and Cypress Tree Assessment (2003)*

**2.0**21/02/2013  
C54**Landscape character objectives to be achieved**

To encourage development that is in keeping with the area and is sympathetic to the existing built form and any identified heritage values or other features.

To ensure that development responds to the area's landscape and environmental characteristics, including topography, vegetation and waterways.

To ensure the visual impact of development is minimised.

To minimise visual impacts of earthworks on the landscape.

To minimise the impacts of site run-off and soil erosion on the landscape.

To encourage the retention and establishment of vegetation, particularly large pine and cypress trees.

To maintain and enhance large pine trees and cypress trees and associated windbreaks and pine plantations.

To maintain the treed character of these areas.

To ensure that where any removal of pine or cypress trees is proposed, replacement planting is with suitable species.

To ensure that adequate setbacks are provided to enable the retention and planting of screening shrubs and planting of large canopy trees as part of any development.

**3.0**21/02/2013  
C54**Permit requirement****Buildings and works**

A permit is not required to construct a dwelling provided:

- The site coverage of the building does not exceed 15 percent when combined with the area of any existing buildings on the land.
- No part of the building is more than 8 metres in height above the natural surface level of the ground directly below that part.
- No part of the building is closer than 5 metres to a side or rear boundary not abutting a road.
- No part of the building is closer than 10 metres to any boundary abutting a road.
- The external colour scheme and materials of any building are non-reflective and blend with the natural landscape to the satisfaction of the responsible authority.
- An outbuilding has an area of less than 50 square metres.
- A permit is not required for a domestic rainwater tank(s) with a total capacity of not more than 10,000 litres provided that works are not carried out within the dripline of any vegetation requiring a permit for its removal and the tank(s) is (are) non-reflective.

A permit is not required to construct or carry out works associated with the construction of a dwelling provided:

- The works do not exceed 1 metre in height or depth above or below natural ground level.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- That no works are carried out within the dripline of any vegetation requiring a permit for removal.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

A permit is not required for the minimum extent of earthworks necessary to remove warrens for the purpose of vermin control provided the works area is reinstated back to natural ground level and no vegetation requiring a permit for its removal is removed or destroyed.

**Vegetation**

A permit is required to remove, destroy or lop:

- Victorian native vegetation.
- An Exotic or Australian native tree that has either:
  - A trunk circumference of more than 0.35 metre measured at a height of 1.3 metres above natural ground level.
  - A height of more than 6 metres.
- A dead eucalypt tree that is both:
  - More than 20 metres from a building (excluding fences) to the base of the trunk.
  - Greater than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation, other than a dead eucalypt tree as specified above.
- The pruning of an Exotic or Australian native tree for regeneration or ornamental shaping.

- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian native vegetation means *'Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'*.

The term Australian native tree(s) means *'Tree(s) that are indigenous to Australia (other than Victorian native vegetation)'*.

The term Exotic tree(s) means *'Tree(s) that are not indigenous to Australia'*.

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### Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme:

#### Buildings and works

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

- A site analysis as described in the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011) with a written statement as to how the proposal responds to the site analysis.
- A site plan (drawn to scale) including:
  - Dimensions of any existing building envelope with setbacks to all boundaries.
  - The setbacks of buildings and works to all boundaries.
  - The location, extent and type of vegetation on the site.
  - Accurate and detailed existing and proposed finished site levels.
  - The location, proposed gradient and finished level at the top and toe of all batters.
  - Cross sections to illustrate the extent of cut and fill.
  - Details of retaining walls including height, materials and if required, drainage.
  - The location, gradient and camber of driveways and any associated works.
  - The location, depth and width of proposed underground services and trenches.
  - The location, type and size of any effluent disposal system including any effluent envelope.
  - The location of any easements.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plans including finished floor levels.
- The proposed external building colours and materials.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

#### Vegetation

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site plan (drawn to scale) showing:

- The location and species.
- The boundaries of the site.
- Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
- A description of the vegetation to be removed, including:
  - The reason for the vegetation removal.
  - The species of vegetation.
  - The number and size of trees. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
  - Any proposed replanting.
- An explanation of the steps that have been taken to avoid or minimise the removal of vegetation.
- A landscape plan including any proposed replanting.
- An arborist’s assessment of any trees which are proposed to be removed for safety reasons.

**5.0**

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**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether building design and siting is in keeping with the character of the area. This includes:
  - Keeping the height of all buildings below the prevailing canopy height of trees.
  - Minimising the extent of earthworks.
- The extent to which the application complies with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Whether external building finishes and colours are non-reflective and blend with the natural landscape.
- Whether a reasonable proportion of each lot is free of buildings to provide for lawn or other pervious area.
- Whether the removal of trees has been avoided and minimised.
- Whether pine or cypress trees to be removed will be replaced with a suitable species having regard to the size, shape, growth habitat, foliage, water and soil needs, and commercial availability.
- Whether adequate provision has been made for landscaping and replacement planting of canopy trees to maintain the strong vegetation character of the area.
- The impact of the proposed development on natural ground levels, drainage patterns.
- The role of vegetation in providing habitat.
- Whether building setbacks are adequate to maintain and enhance landscape surrounds.

**TABLE TO SCHEDULE 6: Species exempt from permit requirements**

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Box Elder	<i>Acer negundo</i>	Exotic Tree

**MANNINGHAM PLANNING SCHEME**

<b>Common name</b>	<b>Species</b>	<b>Status</b>
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cherry Laurel	<i>Prunus laurocerasus</i>	Exotic Tree
Cherry Plum	<i>Prunus cerasifera</i>	Exotic Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Cotoneasters	<i>Cotoneaster species</i>	Exotic Tree
Desert Ash	<i>Fraxinus angustifolia subsp. angustifolia</i>	Exotic Tree
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Hawthorn	<i>Crataegus monogyna</i>	Exotic Tree
Holly	<i>Ilex aquifolium</i>	Exotic Tree
Irish Strawberry Tree	<i>Arbutus unedo</i>	Exotic Tree
Large-leafed (or Tree) Privet	<i>Ligustrum lucidum (Ligustrum japonicum)</i>	Exotic Tree
Laurustinus	<i>Viburnum tinus</i>	Exotic Tree
Loquat	<i>Eriobotrya japonica</i>	Exotic Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
Sycamore Maple	<i>Acer pseudoplatanus</i>	Exotic Tree
Tagasaste or Tree Lucerne	<i>Chamaecytisus/(Cytisus) palmensis</i>	Exotic Tree
Tobacco-bush or Wild Tobacco Tree	<i>Solanum mauritianum</i>	Exotic Tree
Tree Locust	<i>Robinia pseudoacacia</i>	Exotic Tree
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree
Willows and Sallows	<i>Salix species</i>	Exotic Tree
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation