

2 BUILDINGS AND WORKS & NATIVE VEGETATION REMOVAL ASSOCIATED WITH A TELECOMMUNICATIONS FACILITY

FILE REFERENCE INT206652

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Emma Brennan

RECOMMENDATION

That a Notice of Decision to Grant Planning Permit T190287 be issued for buildings and works and native vegetation removal associated with a telecommunications facility at 145 High Street, Guys Hill VIC 3807 subject to the conditions attached to this report.

Attachments

1	Locality Map	1 Page
2	Development Plans	28 Pages
3	Copy of Objections and Petition - Circulated to Councillors only	18 Pages

EXECUTIVE SUMMARY:

APPLICATION NO.:	T190287
APPLICANT:	Patrick Armstrong
LAND:	145 High Street, Guys Hill VIC 3807
PROPOSAL:	Buildings and works and native vegetation removal associated with a telecommunications facility
PLANNING CONTROLS:	Rural Conservation Zone Schedule 2 Bushfire Management Overlay, Environmental Significance Overlay Schedule 1
NOTIFICATION & OBJECTIONS:	The application has been advertised by sending notices to the owners and occupiers of adjoining land. Six (6) objections were received and a petition.
KEY PLANNING CONSIDERATIONS:	Telecommunication facilities, visual impact, rural and landscape character, site location, proximity to dwellings.
RECOMMENDATION:	Approval

BACKGROUND:

There is no relevant planning history for this site.

SUBJECT SITE

The site is located on the North West side of High Street approximately 55 metres north of Borchardt Street in Guys Hill. The site is irregular in shape with an overall area of 3.507 hectares. The site is undulating with no easements burdening the property.

The site is a rural property with extensive vegetation located throughout the land. The site contains a number of buildings in the south west (Borchardt Street frontage) portion of the site, including a dwelling with access provided by crossovers west side of the property's frontage.

The main characteristics of the surrounding area are:

North: The land to the north includes a rural property with a creek and established vegetation with some cleared areas with limited buildings well separated from the subject site.

South: The land abutting the south include the High Street reserve with a gravel road surface and established roadside vegetation. Properties further south include rural properties with extensive remnant vegetation with a dwelling separated by approximately 185 metres

East: The land to the east includes a rural residential property with dwelling setback approximately 140 -150 metres from the proposed works with some outbuildings and with established vegetation between the common boundary and the dwelling.

West: The land to the west includes a rural residential property with dwelling setback approximately 140 -150 metres from the proposed works with some outbuildings and with established vegetation between the common boundary and the dwelling.

The overall area is a rural landscape with agriculture being the dominant use and a number watercourses and extensive remnant vegetation. The area is undulating providing for a rural landscape with interspersed buildings and infrastructure noted in the surrounding context.

PROPOSAL

The application is for the use and development of a Telecommunications Facility to provide improved mobile and data service coverage for Guys Hill and the surrounding area. The applicant states that after investigating a number of sites, the proposed property was the preferred site in order to meet their needs in regard to coverage and availability as there are no viable co-location opportunities.

The facility will be located in the south east portion of the site with a minimum setback of 12 metres from the High Street frontage and approximately 5 metres from the east boundary. The infrastructure will be located in a compound area of 10 metres by 10 metres.

The telecommunications facility will comprise a 30 metre concrete monopole with triangular headframe and three panel antennas and radio remote units, with the structure providing an overall height of 31.5 metres with ancillary components including and outdoor equipment cabinet

The specific components of the proposed installation are described below:

- A 30m concrete monopole with internal cabling;
- A triangular headframe with mounted panel antennas with the overall height of 31.5metres;
- A 2.4m high chainlink security compound fence (compound area 10m x 10m), with 3m wide access gate; and
- A 3 metre by 2.5 metre equipment shelter at the base of the monopole.

The compound will be accessed from High Street with a gravel access driveway and new crossover. The construction of the telecommunications facility is driven by the State and Federal Funded Black Spot Program.

PLANNING SCHEME PROVISIONS

Planning Policy Framework (PPF)

The relevant clauses of the PPF are:

- Clause 11.01-1S Settlement
 - Clause 11.01-1R Green Wedges – Metropolitan Melbourne
- Clause 12.01-1S Protection of biodiversity
- Clause 12.05-2S Landscapes
- Clause 13.02-1S Bushfire planning strategies and principles
- Clause 19.03-4S Telecommunications
 - Clause 19.03-4R Telecommunications – Metropolitan Melbourne

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.02-2 Landscape
- Clause 21.02-3 Biodiversity
- Clause 21.02-4 Wildfire management
- Clause 21.04-1 Employment; and
- Clause 21.05-1 Infrastructure provision.

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 51.02 Metropolitan Green Wedge Land: core planning provisions
- Clause 52.19 Telecommunications Facility;
- Clause 65 Decision Guidelines
- Clause 66 Referral and Notice Provisions
- Clause 71.02-3 Integrated Decision Making

- Cardinia Shire's Liveability Plan 2017-2029.

Zone

The land is subject to the Rural Conservation Zone Schedule 2

Overlays

The land is subject to the following overlays:

- Environmental Significance Overlay – Schedule 1 (ES01).
- Bushfire Management Overlay

PLANNING PERMIT TRIGGERS

The proposal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 42.01-2 of the Environmental Significance Overlay, a permit is required for the removal of vegetation;
- Pursuant to Clause 52.17 a permit is required for the removal of native vegetation; and
- Pursuant to Clause 52.19, a permit is required to construct a building or carry out works for a Telecommunications Facility.

PUBLIC NOTIFICATION

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land;
- Placing one (1) sign on site facing High Street

Council has received six (6) objections to date including a petition with 15 signatories.

It is noted that petitions under the *Planning and Environment Act* are unable to be considered as any objection has to clearly state the person's name, address and the reason for the objection and states how the objector would be specifically affected by the granting of a permit. In this case, the issues raised in the petition letter have been raised in specific objectors' letters as such each issue has been addressed.

The key issues that were raised in the objections are:

- Inappropriate infrastructure on a narrow road and potential bushfire emergency impacts.
- Removal of vegetation is inappropriate for the area.
- Negative visual impacts to the landscape and rural character of the area;
- The close proximity of dwellings to the proposed telecommunications facility;

Clause 52.19 has an exemption for proposals relating to the Commonwealth Black Spot program being exempt from notice and review rights, although the removal of native vegetation is not exempt.

REFERRALS

The application was not required to be referred to any external authorities or departments.

DISCUSSION

The proposal is generally consistent with the relevant Planning Policy Framework including Local Planning Policy Framework, the Rural Conservation Zone 2, Environmental Significance Overlay 1, Clause 52.17, Clause 52.19 and Clause 65.

Planning Policy Framework

A number of state and local policies are relevant to this application, including clauses 12.05-2S (Landscape) and 21.02-2 (Landscape), which aim to protect landscapes and significant open spaces that contribute to the character, identity and sustainable environments and ensure the sensitive siting of buildings and other structures having regard to the protection of prominent ridgelines, significant views and areas of remnant vegetation.

Clause 11.01-1R (Green wedges) aims to protect the green wedges of metropolitan Melbourne from inappropriate development, with specific strategies including the protection of areas of environmental, landscape and scenic value and support for development that provides for environmental, economic and social benefits.

Clause 19.03-4S (Telecommunications) aims to facilitate the orderly development, extension and maintenance of telecommunication infrastructure. The clause aims encourage the continued deployment of broadband telecommunications services and ensure that modern telecommunications facilities are widely accessible to business, industry and the community.

The provision of infrastructure to meet the needs of the existing and future community is also highlighted as a key issue in Clause 21.01, and reinforced by Clause 21.05-1 (Infrastructure provision), which encourages the provision of high capacity telecommunications infrastructure.

Although the proposal will be visible within a generally rural landscape, this infrastructure is not uncommon within the wider site context. The simple design of the facility combined with the retention of vegetation has minimised the impact on the rural landscape and provides an appropriate balance between the policy directions of the provision of appropriate telecommunications for the immediate and wider area and the impacts on the surrounding landscape.

Rural Conservation Zone (RCZ2)

A Telecommunications Facility (use specified in 62.01), is a Section 1 use (no permit required) under the Rural Conservation Zone. Buildings and works associated with a Telecommunications Facility are also exempt under 62.02, as long as the requirements of 52.19 are met. The permit trigger therefore lies in 52.19 and therefore an assessment under the provisions of the Zone are not required.

Native Vegetation Removal

The following summarised the development assessment under Clause 52.17 Native Vegetation and Environmental Significance Overlay (ESO1).

The vegetation removal proposed by the application requires a planning permit under Clause 52.17 Native Vegetation. The purpose of this clause is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. Council must consider the decision guidelines specified in the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (Department of Environment, Land, Water and Planning, 2017) (the 'DELWP Guidelines') as part of the assessment of any proposal to which this Clause applies.

The DELWP Guidelines applicable to the proposed tree removal are:

- (1) whether the proposed development has been appropriately sited to avoid and minimise impacts on native vegetation, and*
- (2) whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.*

The proposed development has been appropriately sited to avoid and minimise impacts on native vegetation. Although alternative locations were considered, each of these sites would also result in vegetation removal and did not provide for the most appropriate service coverage. Although this site does not completely avoid vegetation removal the site is located in an area noted as Lowland forest (EVC16) which is of least concern in the Scheme, does provides the best balance between vegetation removal and the provision of infrastructure as such meets the objectives of this clause.

A number of trees require removal including one large tree, the proposed vegetation removal of 0.065 hectares requires a general offset of 0.051 general habitat units with a strategic biodiversity score 0.440. As detailed by the vegetation assessment the development is with the following an assessment of the proposal;

- **Biodiversity Considerations:** The proposed vegetation loss is minimal with the telecommunications facility generally been located to minimise disturbance of vegetation on the site although this was difficult given the extent of vegetation on this site and in the wider site context. The applicant has provided a detailed vegetation assessment and subject to permit conditions will ensure a minimal impact on biodiversity for the site, this is consistent with the requirements of this clause.
- **Offset Requirements:** The submitted information has provided clear indication of the proposed offset requirement of 0.051 general units with a minimum biodiversity score of 0.440 and protection of one large tree. The provision of offsets can be provided through permit conditions.

It is considered that the proposal has avoided vegetation removal where possible as such is considered that the proposal has minimised the vegetation required and will not compromise the overall biodiversity of the site and surrounds, as such meets the purpose of this clause.

Clause 52.19 Telecommunications Facility

Pursuant to Clause 52.19, an application for a telecommunications facility must be assessed against the Telecommunications Code of Practice, the impacts on the adjoining properties and the decision guidelines of the Environmental Significance Overlay. The final two points have previously been discussed and an assessment against the relevant principals of the Code of Practice is provided below:

Principle 1: A telecommunications facility should be sited to minimise visual impact

The facility is generally well setback from the site frontage, common boundaries and neighbouring dwellings, with a minimum 119 from common boundary, and approximately 90 metres from the nearest dwelling. Whilst it is acknowledged that the facility will be visible from adjoining land given the overall 31.5 metre height and undulating topography, the visual impact is not unreasonable in this rural context given its slimline design and appropriate setbacks and siting. Expansive views will still be maintained from adjoining and opposite land. Established vegetation on the subject site will also help to minimise the impact of the facility.

The site is not located within the vicinity of a Heritage Place nor will it be mounted on an existing building. Equipment associated with the facility will generally be screened at ground level and associated feeder cables will be located underground.

The applicant has stated that the proposed monopole is the smallest structure capable of meeting coverage and operational objectives. Having regard to the above, it is considered that the siting of the facility is appropriate.

The rural characteristics of the site will not be compromised given the total area allocated for the facility relative to the land size. While the use and development does not directly relate to the rural land use of the area, it supports the surrounding community through the provision of improved telecommunications infrastructure.

As highlighted in the VCAT case P1101/2013, the simple visibility of the tower from surrounding land does not mean that there is an unacceptable planning or visual impact. VCAT also states that minimising an adverse impact on visual amenity does not mean that the telecommunication pole must be sited so that it cannot be seen by most or many people. Visibility cannot be equated to adverse visual impact. It is the extent to which a development is compatible with the particular location and how policies seek to guide change that is most relevant.

The site's location within a rural area means it is separated from any large concentration of residential dwellings and generally limits the level of visual impact to users of the road and scattered dwellings. The advantages of improved telecommunications services as a result of the facility is considered to outweigh any general loss of visual amenity.

Principle 2: Telecommunications facilities should be co-located wherever practical

To minimise the distribution of such facilities, this site has been selected as there is no existing infrastructure within the immediate area and co-location opportunities are limited as shown by the applicant.

Principle 3: Health standards for exposure to radio emissions will be met

In support of the proposal, the applicant has submitted an Environmental Electromagnetic Energy Report. The report concludes that the maximum EME level calculated for the proposed system is 2.25 V/m; equivalent to 13.47 mW/m² or 0.34% of the public exposure limit, which is considerably lower than the Australian Standard.

Principle 4: Disturbance and risk relating to siting and construction should be minimised

In addition to the EPA requirements, the facility must comply with necessary erosion and sediment control measures. The operation of the facility will not produce waste, which would require collection or disposal.

A condition of approval will require that all earthworks be undertaken in a manner to prevent soil erosion and that all works must be appropriately stabilised.

Noise and vibration emissions associated with the proposed facility are expected to be limited to the initial construction phase. Noise generated during the construction phase is anticipated to be of short duration and accord with the standards outlined in the relevant EPA guidelines. The applicant has advised that on-going noise emanating from the equipment is comparable with a domestic air conditioning unit, which is not unreasonable in this rural setting.

Response to Objections

Seven objections, including one petition have been received to date. It is noted that Clause 52.19-3 states:

An application under any provision of this scheme to use or develop land for a Telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the Telecommunications facility is funded, or partly funded, by:

- *The Commonwealth through the Mobile Black Spot Program;*
- *or The State of Victoria.*

This facility is funded under the Mobile Black Spot Program as such any issue with regard to the telecommunications facility is exempt from review and rights, the application was advertised due to the native vegetation removal.

A response to the key issues and concerns is provided below:

Inappropriate infrastructure on narrow road

The objectors raised concerns with this type of infrastructure being on a narrow road and the potential maintenance or trucks protecting the asset in a bushfire causing issues and any obstructions in this location will impact on the evacuation of the area.

The proposed use does not require significant maintenance and the proposed facility has been offset from the road allowing any maintenance vehicles to be accommodated on the site and will not pose a threat to surrounding residents. The proposed infrastructure will improve communications in the area, which will provide vital infrastructure in a bushfire emergency and will not impact on surrounding properties evacuation.

Native Vegetation removal

The objectors raised concerns with the amount of vegetation removed for the erection of the facility.

This issue has been discussed above, although the proposed facility that is required in this location, as part of the Commonwealth Black Spot program, will be over an area of 10 metre by 10 metres, the vegetation removal has been minimised to accommodate the infrastructure. This can be appropriately offset to allow an appropriate balance between providing vital communications infrastructure and the removal of native vegetation.

The applicant has considered several other suitable sites in the location and whilst some of these sites were void of native vegetation, the visual impact would have been considered inappropriate. Furthermore, the applicant has determined that coverage will be better achieved at the subject site.

Visual Impact

Whilst it is acknowledged that the facility will be visible from adjoining land, it is not considered to have an unreasonable adverse impact given the setbacks from title boundaries and nature of the surrounding rural allotments. The facility will be setback approximately 90 metres from the nearest dwelling, which is surrounded by vegetation and is not unreasonable in this rural context. Expansive views are still maintained to and the proposed infrastructure is partially obscured by the established vegetation along the common boundary.

The simple form of the structure combined with partial screening by established vegetation will help to minimise impact on the immediate and wider site context.

A condition of approval will require that external materials must be non-reflective.

Cardinia Shire's Liveability Plan 2017-2029

Cardinia Shire's Liveability Plan has been developed to provide a clear framework for public health planning within the Shire, and it has a number of goals and actions relating to policy domains that include active travel, education, employment and housing. The application is considered consistent with this Plan as the provision of improved telecommunications coverage supports increased safety, improved social cohesion and economic development.

Decision Guidelines

The proposal is consistent with the PPF and LPPF, the purpose of the zone and relevant provisions. The proposal does not undermine the orderly planning of the area and the siting, design and visual impact of the facility is considered appropriate when regard is given to the social and economic benefits provided by improved and enhanced telecommunications.

CONCLUSION

The proposed facility, comprising a 30 metre high monopole with attached antennas and equipment cabinets has been located in a site which meets visual amenity issues which meets the ability to ensure adequate coverage is achieved. The proposal satisfies the requirements of the Code of Practice for Telecommunications Facilities in Victoria, whilst also addressing coverage deficiencies within the local area.

The proposal is also consistent with the stated objectives of the Cardinia Planning Scheme and, in particular, Clause 52.19 relating to telecommunications facilities. It is not considered to be detrimental to the amenity of the surrounding area, although visible, has been sited and designed to provide an appropriate balance between visual impacts and the provision of improved services for the wider site context.

It is therefore recommended that a Notice of Decision for planning permit T190287 be issued for buildings and works and native vegetation removal in association with a telecommunications facility at 145 High Street, Guys Hill VIC 3807 subject to the following conditions:

CONDITIONS

1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

2. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
3. The exterior colour and cladding of the telecommunication facility must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the equipment shelter, including the roof, must be of a non-reflective nature.
4. Electromagnetic energy emissions must comply with the Australia Radiation Protection and Nuclear Safer Agency (ARPANSA).
5. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
6. Trees 3, 4, 5, 6 and 7 are approved for removal as recommended in the *Arboricultural Assessment and Report, 145 High Street Guys Hill, 3/9/19 by Tree Logic Ref. 010210*. These trees must be marked onsite prior to removal to provide clear demarcation to trees that will be retained.
7. Tree protection measures described in Section 7 of the *Arboricultural Assessment and Report, 145 High Street Guys Hill, 3/9/19 by Tree Logic Ref. 010210* must be followed and form part of this permit. All references to 'should' in the arborist report are to be considered 'must'.
8. Before works start, a fence must be erected around any tree shown for retention on the endorsed plan. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of $12 \times$ the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the trees, excepting the approved area of encroachment for construction as shown on endorsed plans to the satisfaction of the Responsible Authority. The protection fence must be constructed of chain mesh or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:
 - a. vehicular access.
 - b. trenching or soil excavation.
 - c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
 - d. entry and exit pits for underground services.
 - e. any other actions or activities that may result in adverse impacts to retained native vegetation.
9. Prior to the issue of a Statement of Compliance an *Integrated Land Management Plan* that provides for the protection and management of 0.065 hectares of native vegetation must be submitted to and approved by the Responsible Authority, and registered on title.
 - a. The *Integrated Land Management Plan* must include:
 - i. Location of protected area of native vegetation on a scaled site plan.
 - ii. Wildlife friendly fencing to exclude any stock if present. Wildlife friendly fencing entails:
 1. Plain post and wire fencing design with a maximum of five (5) strands.
 2. Barbed wire strands cannot be used for the top or bottom wires contained in the fence.

3. The bottom wire in the fence must be located 40-60cm above the ground to facilitate movement of small mammals.
 - iii. Control all noxious weed species and environmental weeds (listed in the schedules to the Environmental Significance Overlay). Noxious weeds are not to occupy more than 5% of ground cover within the fenced zone.
 - b. The owner must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987*, which provides for works in accordance with the endorsed *Integrated Land Management Plan* of this permit.
 - c. The works described in the *Integrated Land Management Plan* must be completed within three months of completion of development/works, and maintained in perpetuity to the satisfaction of the Responsible Authority.
10. Before any native vegetation is removed, to offset the removal of 0.065 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:
- a. A general offset of 0.005 general habitat units:
 - i. located within the Port Phillip and Westernport CMA boundary or the Cardinia Shire municipal district
 - ii. with a minimum strategic biodiversity score of at least 0.245.
 - iii. and 12 large trees
 - b. Evidence that the required offset for the development has been secured must be provided to the satisfaction of the Responsible Authority. This evidence is one or both of the following:
 - i. an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site. The applicant must provide the annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

AND/OR

 - ii. credit extract(s) allocated to the permit from the Native Vegetation Credit Register. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning

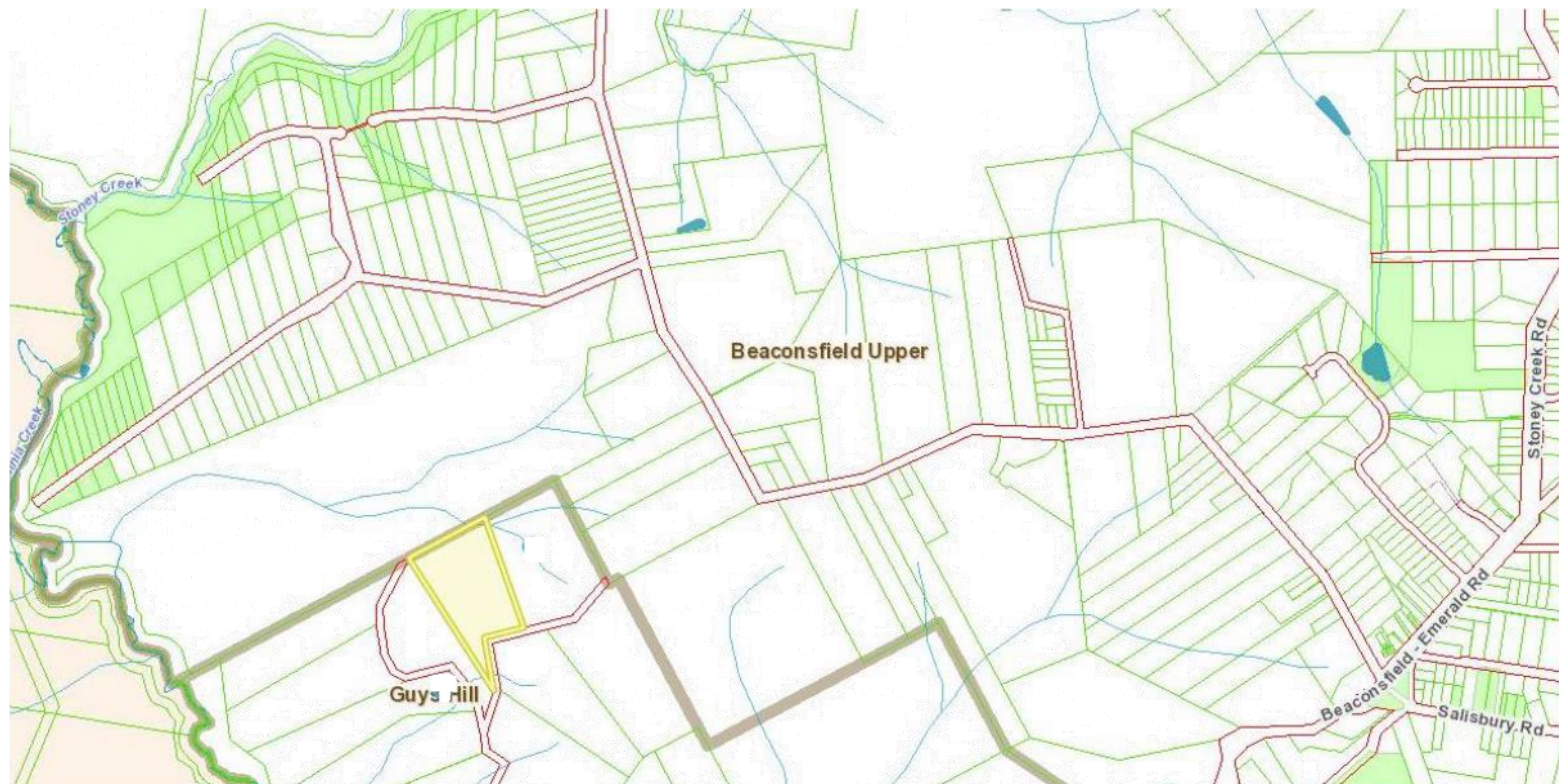
Expiry:

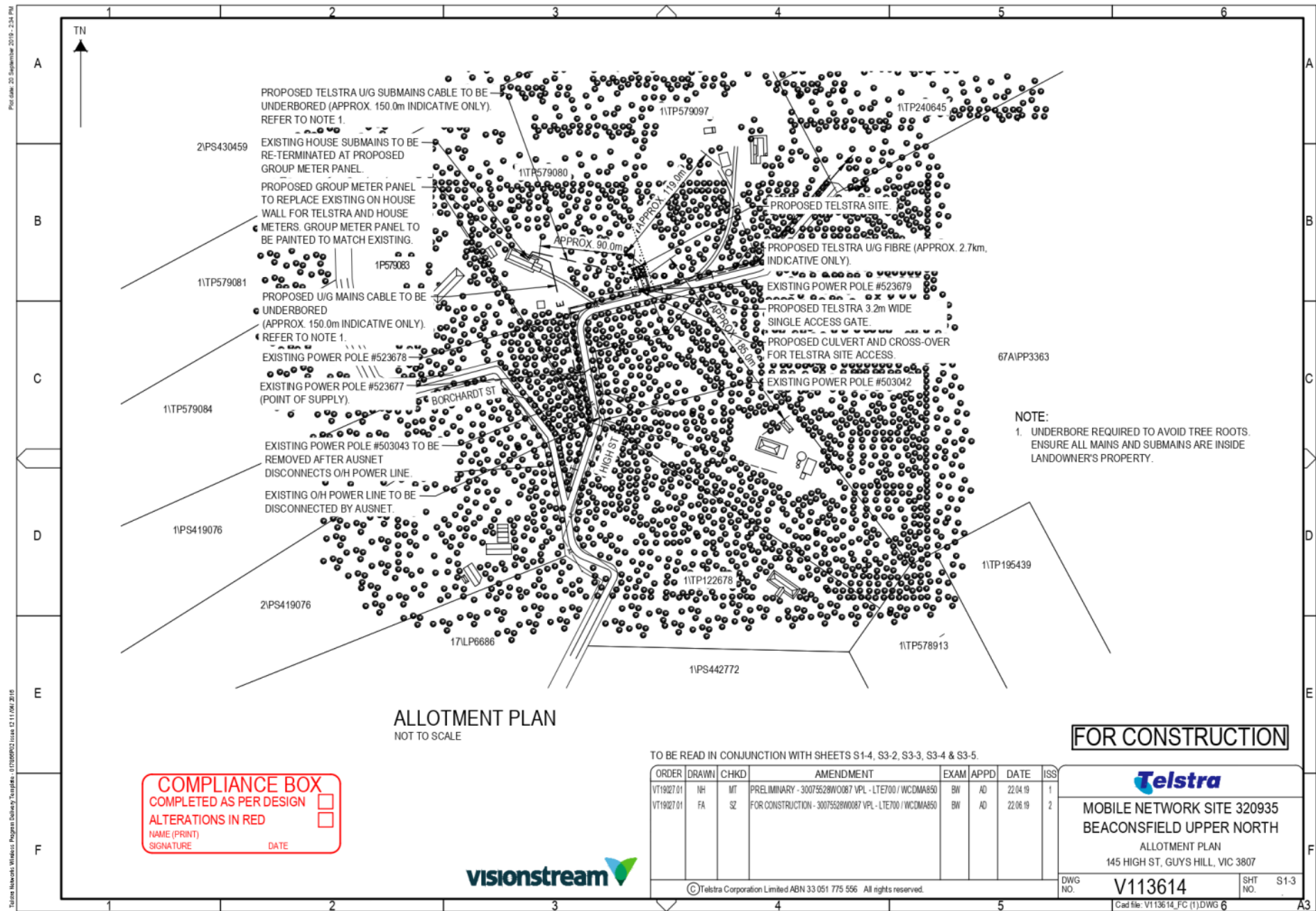
A permit for the development and use of land expires if—

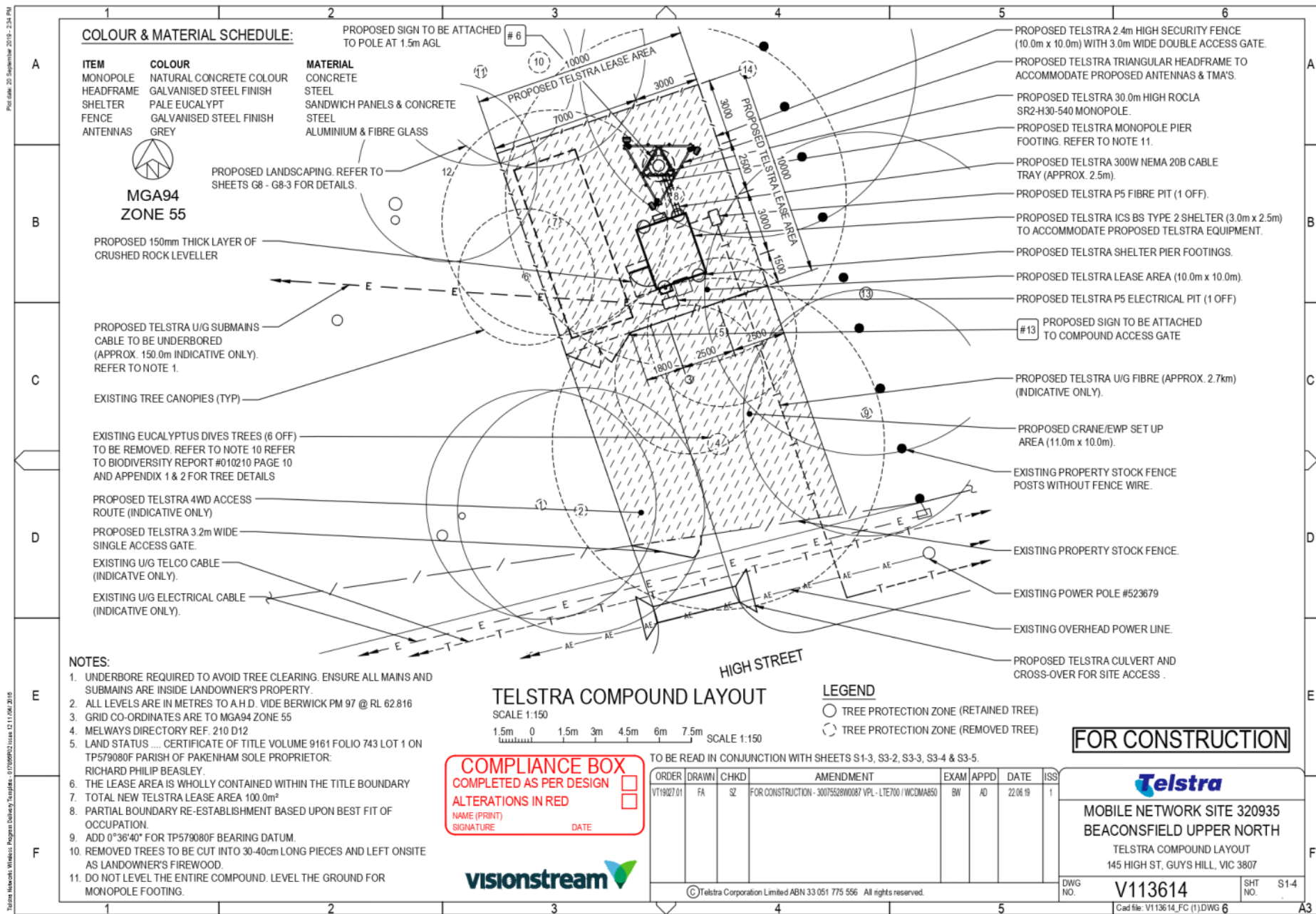
- a) the development does not start within **two (2) years** after the issue of the permit; or
- b) the development is not completed within **four (4) years** after the issue of the permit.

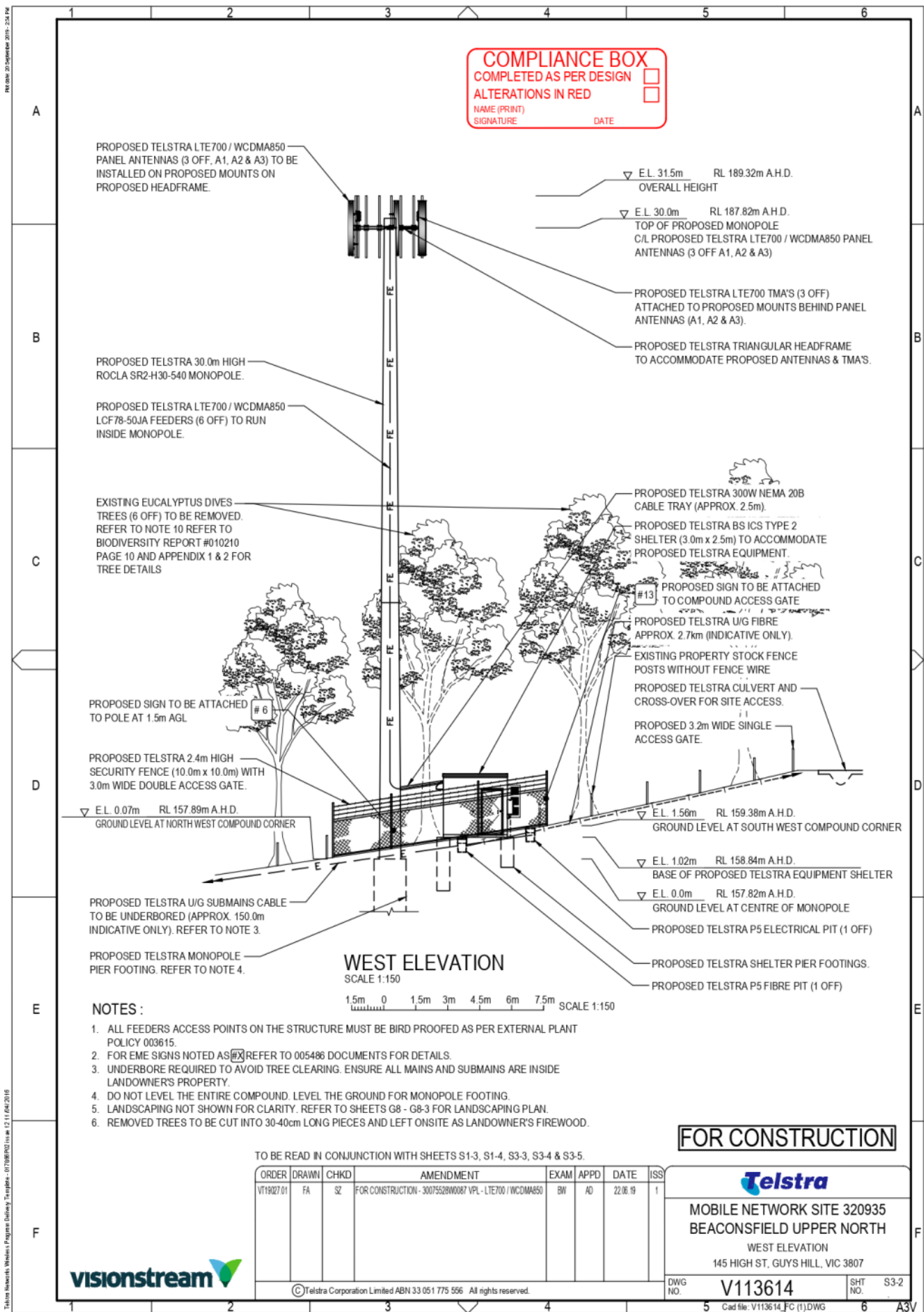
In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

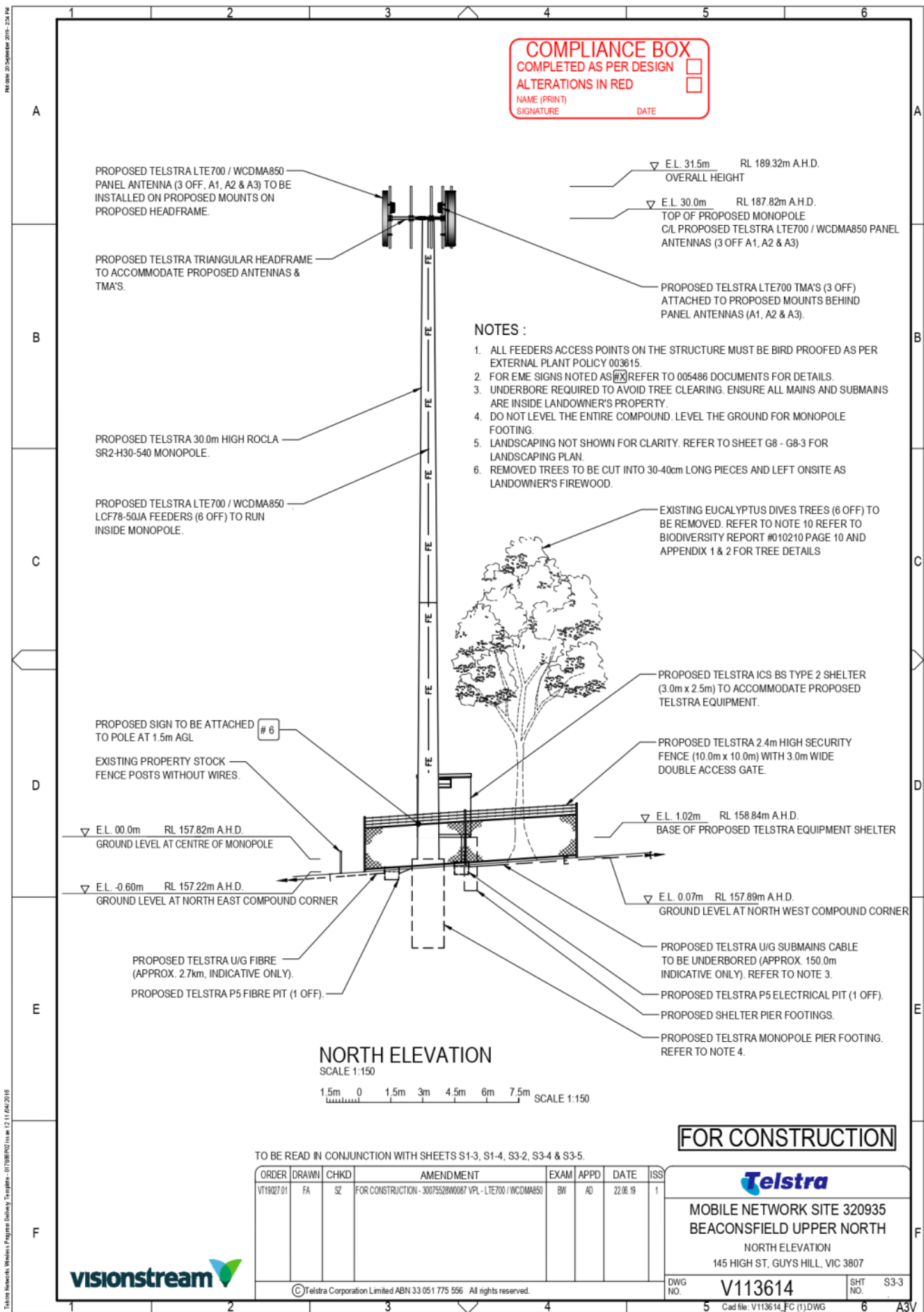
Location map

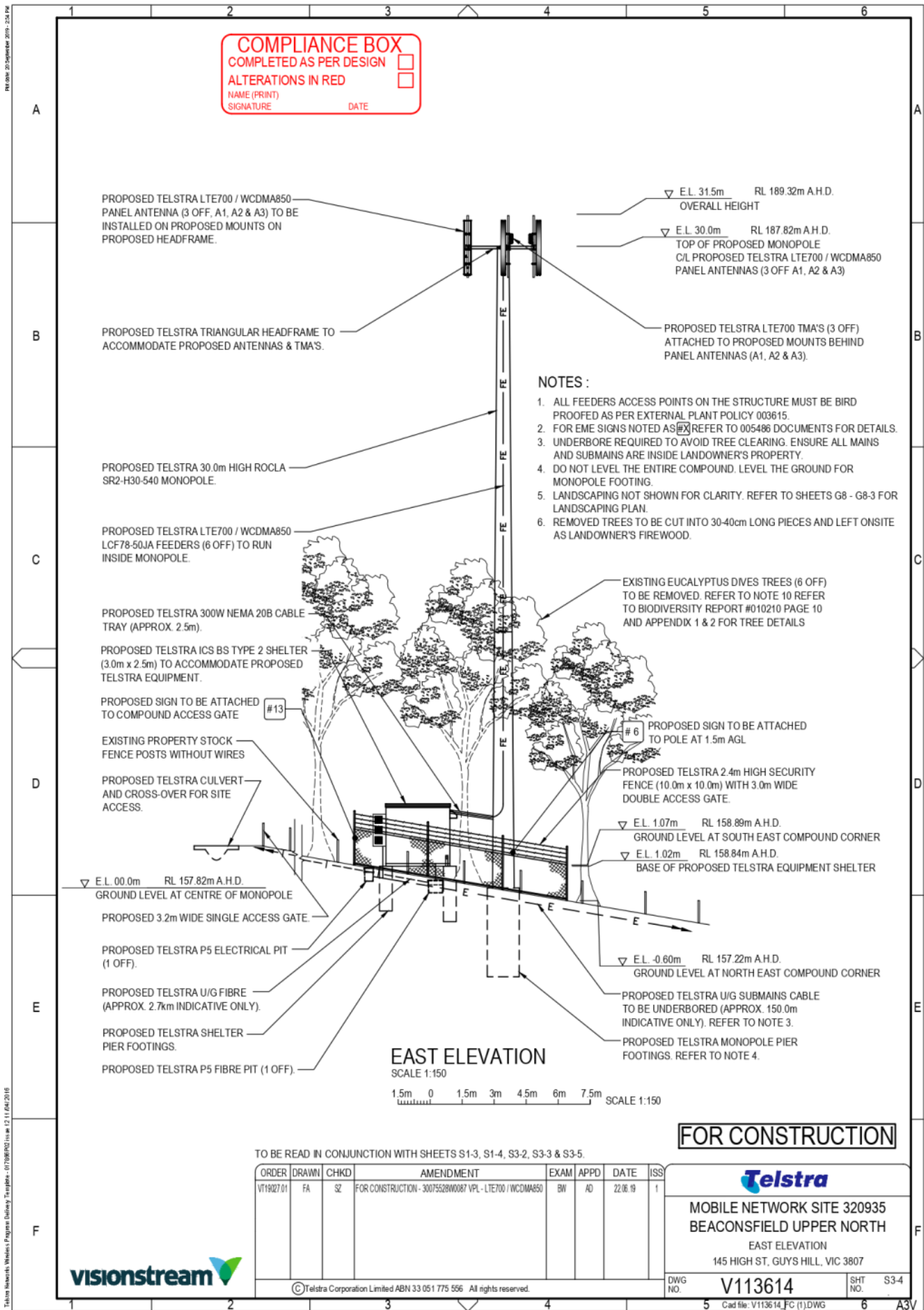


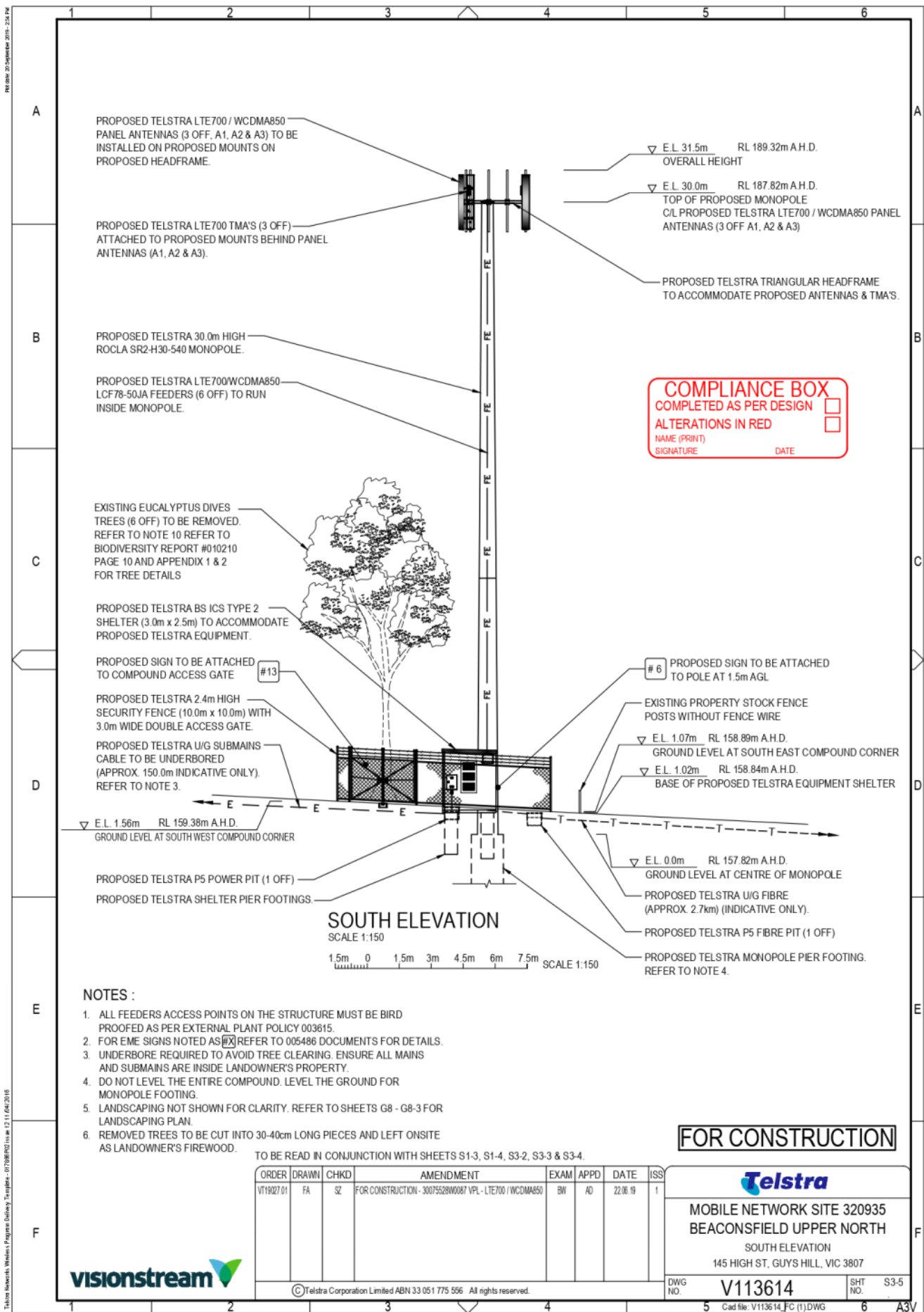


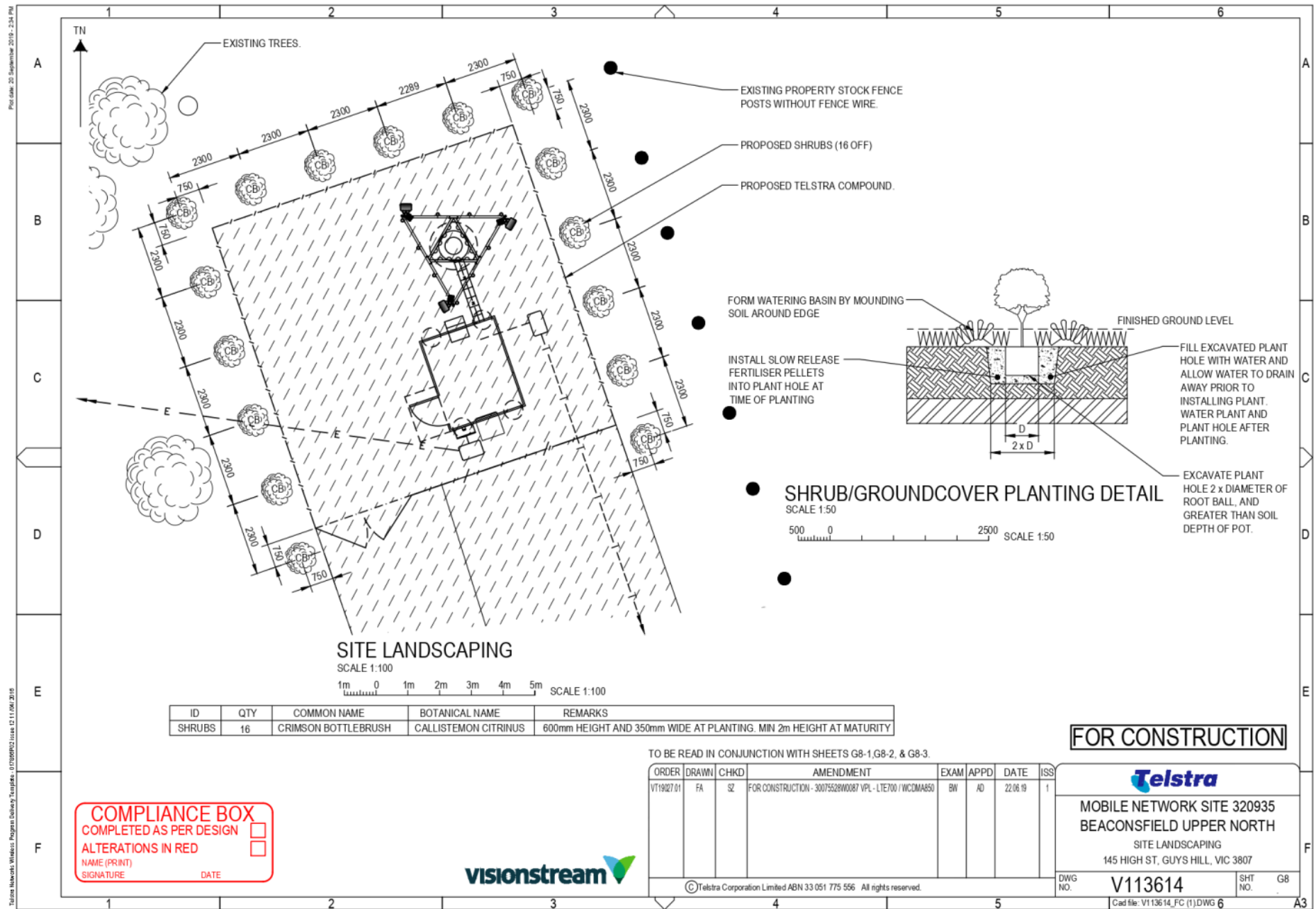












Plot date: 20 September 2019 - 2:54 PM

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1 GROUND WORKS

1.1 GENERAL

TOPSOIL TO COMPLY WITH AS 4419 'SOILS FOR LANDSCAPING' & ASTM D5268-07 'STANDARD SPEC FOR TOPSOIL'. SOIL CONDITIONER TO AS 4454 'COMPOSTS, SOIL CONDITIONERS & MULCHES'.
TEST BOTH IMPORTED & SITE OBTAINED TOPSOIL & POTTING MIXES TO AS 1289 (METHODS OF TESTING SOIL) & AS 3743. TOPSOIL TO CONTAIN ORGANIC MATTER 6-8% BY MASS & HAVE SANDY LOAM TEXTURE TO AS 4419.
SOIL ORGANIC MATTER TO BE 6-8% BY MASS.
IMPORTED TOPSOIL MIX TO COMPLY WITH THE FOLLOWING:

- CONTAIN ORGANIC MATTER WHICH SUPPORTS PLANT LIFE.
- COMPONENTS TO BE EVENLY DISTRIBUTED THROUGHOUT THE MIX.
- MIXES TO BE MECHANICALLY SCREENED PRIOR TO DESPATCH USING SCREEN SIZE: <25mm.
- THE MIX IS TO BE MOIST BUT STILL FREE FLOWING & OF SUCH MOISTURE CONTENT THAT WATER CANNOT BE SQUEEZED FROM IT BY HAND.
- MATERIAL TO BE VOID OF INGREDIENTS WHICH DISPLAY HIGH SHRINKAGE TENDENCIES.
- FREE OF ACID ODORS (INCLUDING THOSE CAUSED BY EXCESSIVE AMMONIA OR ORGANIC ACIDS), CHEMICALS & TOXINS DETRIMENTAL TO PLANTS & HUMAN TOUCH CONTACT.
- FREE OF STONES, CLAY LUMPS, WEEDS AND WEED PROLOGUES INCLUDING CYPRUS ROTUNDAS (NUT-GRASS TUBERS), TREE ROOTS, STICKS, RUBBISH, SHARP ITEMS & OTHER FOREIGN MATTER.
- FREE OF PESTS AND DISEASES SUCH AS PATHOGENIC ORGANISMS E.G. PHYTOPHTHORA SPP AND THE LARVAL STAGE OF INSECT PESTS

1.2 TOPSOIL SPREADING

TOPSOIL TO BE GRASSED AND TUFTED AREAS: 100mm (MIN) THICK.
TOPSOIL TO PLANTING AREAS: 200mm (MIN) THICK (ADD 75mm TO THIS MIN THICKNESS FOR PLANTING AREA CROWN). CROWN TOPSOIL IN PLANTING AREAS.
LIGHTLY CONSOLIDATE TOPSOIL TO A SMOOTH SURFACE, FREE FROM LUMPS OF SOIL AND ROOTS, READY FOR PLANTING.
PROGRESSIVELY LAYER (MAX 100mm COMPACTED THICKNESS) & TAMP TOPSOIL TO PREVENT VOIDS & SUBSIDENCE. PREVENT EXCESS COMPACTION.
ADD NEW TOPSOIL TO SUBSIDED TOPSOIL (INCLUDING DURING THE DEFECTS LIABILITY PERIOD) TO BRING THE TOPSOIL BACK UP TO DOC LEVELS.

1.3 CULTIVATION

CULTIVATE TO LOOSEN THE EXISTING GROUND TO SUBSEQUENTLY RECEIVE TOPSOIL.
CULTIVATION DEPTH FOR SUBSEQUENT GRASSED AREAS: 150mm DEEP.
CULTIVATION DEPTH FOR SUBSEQUENT PLANTS & PLANTING AREAS: 200 DEEP.
BREAK-UP CULTIVATED EARTH SO THAT PIECES ARE LESS THAN 50mm. REMOVE STONES EXCEEDING 50mm, AND ANY OTHER DELETERIOUS MATERIAL FROM CULTIVATED EARTH INCLUDING ROOTS, STICKS, WEEDS

2 SOFT LANDSCAPING

2.1 MATERIAL COMMON DETAIL

PROVIDE PLANT LIFE IN HEALTHY CONDITION, WITHOUT SCARRING OR DEFORMATIONS. ESTABLISH PLANT LIFE FOR OPTIMUM GROWTH FOR THE ENVIRONMENTAL CONDITIONS.
CONTINUOUSLY WORK TO KEEP PLANT LIFE FREE OF DISEASE, AND FREE OF PLANT (WEEDS) & ANIMAL PESTS. IMMEDIATELY REPLACE FAILED PLANTING.

2.2 MULCH

PROVIDE MULCH TO AS 4454 'COMPOSTS, SOIL CONDITIONERS & MULCHES'. MULCH TO BE FREE OF DELETERIOUS AND EXTRANEEOUS MATTER INCLUDING SOIL, WEEDS, STICKS, ROOTS.
MULCH TO BE SIEVED TO SIZE TO PREVENT ACCUMULATION OF MULCH FINES.
SPREAD MULCHES EVENLY TO A MIN DEPTH OF 75mm, UDO. GRADE THE FINISHED SURFACE EVENLY. DO NOT PLACE MULCH IN CONTACT WITH STEMS OF PLANTS.
MULCH TYPES - PINE OR LOCAL COMMON EUCALYPTUS SPECIES

2.3 FERTILIZER

DELIVER FERTILIZER TO SITE IN SEALED BAGS, BRANDED WITH THE FERTILIZER TYPE & MANUFACTURER NAME.

COMPLIANCE BOX

COMPLETED AS PER DESIGN ☐

ALTERATIONS IN RED ☐

NAME (PRINT) _____

SIGNATURE _____ DATE _____

FOR CONSTRUCTION

TO BE READ IN CONJUNCTION WITH SHEETS G8, G8-2, & G8-3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
VT1902701	FA	SZ	FOR CONSTRUCTION - 30075528W0087 VPL - LITE/100 / WCDMA850	BW	AD	22.06.19	1

Telstra

MOBILE NETWORK SITE 320935
BEACONSFIELD UPPER NORTH
SITE LANDSCAPING NOTES SHEET 1
145 HIGH ST, GUYS HILL, VIC 3807

DWG NO. **V113614** SHT NO. G8-1

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3 PLANTING

3.1 PLANT QUALITY

PLANTS TO HAVE WELL-BALANCED BRANCHING FOLIAGE TYPICAL OF THEIR SPECIES FOR THE SEASON.
 PLANTS TO BE FREE FROM PESTS, DISEASES, PHYSIOLOGICAL DISORDER & NUTRITIONAL DEFICIENCY, AND BE SUBSTANTIALLY FREE FROM EVIDENCE OF ANY PREVIOUS DISORDER.
 PLANTS SHALL HAVE BEEN GROWN IN THEIR FINAL CONTAINERS IN ENVIRONMENTAL CONDITIONS SIMILAR TO THAT EXPECTED FOR WHERE THEY WILL BE PLANTED, FOR MIN 42 DAYS BEFORE SITE DELIVERY.
 PLANTS TO BE PLANTED IN THE SUN ARE TO BE PREVIOUSLY 'SUN GROWN' OR 'SUN HARDENED', FOR MIN 42 DAYS BEFORE SITE DELIVERY.
 SITE DELIVER PLANTS IN PATHOGEN FREE, WEED FREE MEDIUM.
 PLANT ROOTS TO BE UNDAMAGED, UNRESTRICTED, WELL-PROPORTIONED IN RELATION TO THE SIZE OF THE PLANT & SUITABLE FOR TRANSPLANTATION.
 LEGIBLY LABEL EACH PLANT BY BOTANICAL NAME, COMMON 20% OF THE LESSER FOLIAGE SIDE. NORTH ASPECT OF TREES IN THE NURSERY TO BE IDENTIFIED & TREES PLANTED WITH THIS SIDE FACN NAME & PLANT CHARACTERISTICS, ON A DURABLE WEATHER-PROOF TAG. TREE STOCK: NOT TO HAVE CO-DOMINANT STEMS. TO HAVE CROWN FOLIAGE SYMMETRY WITH NO SIDE EXCEEDING NORTH.

3.2 PLANT CONTAINERS

PROVIDE PLANTS IN NEW OR STERILIZED RECYCLED POLYPROPYLENE CONTAINERS OR POLYTHENE BAGS OF POTTING MEDIA VOLUMES, SIZED AS FOLLOWS, UDO:

HEIGHT (mm)	POT DIAMETER (mm)	POTTING MEDIA VOLUME (TIES DRY)
150	140	2
200	200	4
300	300	13
400	400	45
450	400	76
500	500	104

3.3 PLANTING

EXCAVATE PLANTING HOLES TO A SIZE THAT ALLOWS THE FOLLOWING MIN AMOUNT OF TOPSOIL BACKFILL BENEATH & AROUND THE PLANT ROOT SYSTEM, UDO:

PLANT HEIGHT AT TIME OF PLANTING (EXCLUDING THE ROOT BALL-mm)	THICKNESS/DEPTH OF TOPSOIL AROUND THE ROOT BALL
0-300	100
300-500	150
500-1000	200
1000-2000	250
2000-2500	350
2500-3000	450
OVER 3000	550

THOROUGHLY WATER PLANTS IMMEDIATELY BEFORE PLANTING. THOROUGHLY WATER THE PLANTING HOLE IMMEDIATELY BEFORE PLANTING.
 REMOVE PLANTS FROM CONTAINERS WITH MIN SOIL LOSS & ROOT DISTURBANCE. LIGHTLY BRUSH THE ROOT BALL SURFACE TO LOOSEN ROOT ENDS.
 POSITION PLANTS IN THE CENTER OF PLANTING HOLES. SET PLANTS PLUMB & AT A LEVEL FOR NATURAL RELATIONSHIP OF THE PLANT WITH THE GROUND SURFACE.
 PLACE SLOW RELEASE PROLONGED RELEASE TYPE FERTILIZER AROUND PLANTS AT THE TIME OF PLANTING.
 BACKFILL WITH TOPSOIL TO BE FIRM AROUND THE PLANT WITHOUT AIR POCKETS. DISH THE SOIL AROUND PLANTS FOR WATER CAPTURE (DISH DIAMETER TO MATCH POT DIAMETER OR ROOT BALL). FOR PLANTS TO BE OVER 2000mm TALL AT MATURITY, VERTICALLY EMBED IN THE BACKFILL, A 75mm DIA 300mm LENGTH OF BLACK COLOUR, SLOTTED AGRICULTURAL COMMENCE PLANTING IMMEDIATELY AFTER SITE DELIVERY.
 IF UNFORESEEN PLANTING DELAY OCCURS, TRANSPLANT PLANTS INTO LARGER POTS.
 DO NOT PLANT IN UNSUITABLE WEATHER CONDITIONS INCLUDING EXTREME HEAT, COLD, WIND, RAIN.
 ARRANGE SUFFICIENT OFF-SITE PLANT QUANTITIES TO ALLOW FOR ON-SITE PLANT FAILURES TO AVOID DELAY.
 REPLACE DEAD OR DYING PLANTS WITHIN THE SITE AREA DURING THE PERIOD BETWEEN ON-SITE START & THE END OF THE DEFECTS LIABILITY PERIOD. REPLACE DAMAGED PLANTS WITHIN THE SITE AREA DURING THE PERIOD BETWEEN ON-SITE START & PRACTICAL COMPLETION.

TO BE READ IN CONJUNCTION WITH SHEETS G8, G8-1 & G8-3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
VT1902701	FA	SZ	FOR CONSTRUCTION - 30075528W0087 VPL - LTE/700 / WCDMA850	BW	AD	22.06.19	1

COMPLIANCE BOX
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 ALTERATIONS IN RED ☐
 NAME (PRINT) _____
 SIGNATURE _____ DATE _____

FOR CONSTRUCTION

Telstra
 MOBILE NETWORK SITE 320935
 BEACONSFIELD UPPER NORTH
 SITE LANDSCAPING NOTES SHEET 2
 145 HIGH ST, GUYS HILL, VIC 3807

visionstream

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4 COMPLETION

4.1 STAKES & TIES

PLANTS WITH STEMS OR TRUNKS TO BE STAKED TO GIVE PLANT SUPPORT. STAKES TO BE STRAIGHT, UNDAMAGED, HAVE FLAT TOP ENDS & POINTED DRIVING ENDS. STAKES & COMPONENTS (TIES, CAPS) TO BE OF A NEUTRAL & NATURAL COLOUR (IE GREY, BLACK, BROWN) WHICH CAN BE ACHIEVED BY PAINTING. CAP ALL STAKES AFTER THEIR PLACEMENT, WITH A NEUTRAL & NATURAL COLOURED WIRED-ON PLASTIC SAFETY CAPS. SINGLE STAKES TO BE POSITIONED BEHIND THE PLANT (IE OPPOSITE THE LIKELY PEDESTRIAN TRAFFIC SIDE), DOUBLE STAKES TO BE POSITIONED EVENLY APART & PARALLEL TO THE LIKELY PEDESTRIAN TRAFFIC SIDE, TRIPLE STAKES TO BE POSITIONED EVENLY APART WITH 2 STAKES POSITIONED BEHIND THE PLANT (IE OPPOSITE THE LIKELY PEDESTRIAN TRAFFIC SIDE). POSITION STAKES OUTSIDE OF THE TOPSOIL ZONE PART OF THE PLANTING HOLE. TIE PLANT TO EACH STAKE AT THE TOP 10% OF THE EXPOSED TO VIEW STAKE. TIE ALSO AS REQUIRED TO STRAIGHTEN THE STEM OR TRUNK. REMOVE STAKES & TIES NO LONGER REQUIRED TO SUPPORT THE PLANT, AT THE END OF THE DEFECTS LIABILITY PERIOD. STAKES TO COMPLY WITH THE FOLLOWING TABLE, UDO:

PLANT HEIGHT (AT TIME OF OPENING -mm)	STAKE NUMBER	STAKE SIZE (mm)	STAKE IN GROUND DEPTH/EXPOSED HEIGHT	TIES & TYPE
1500-1800	3	50x50 HWD	400/1200	HESSIAN
1800-2400	3	50x50 HWD	600/1800	HESSIAN

PLASTIC TIES: PROPRIETARY TIES.
STEEL ROPE TIES: 3mm DIA GALV STEEL WIRE ROPE, CUT ENDS STEEL CLAMPED, TURNBUCKLE TENSION ADJUSTMENT, PLASTIC GUARDS AGAINST TRUNK, THE LOOP DIA AROUND TRUNK TO BE 3 TIMES THE DIA OF THE TRUNK AT THAT TIE POINT.

4.2 MAINTENANCE

MAINTAIN CONSTRUCTION WORK. AFTER PRACTICAL COMPLETION, MAINTAIN THE WORK FOR 12 WEEKS TO THE DOC STANDARD.

MAINTENANCE INCLUDES:

- WATERING, FERTILIZING, PEST & DISEASE CONTROL.
- MOWING, WEEDING, AERATING, REMOVAL OF CUTTINGS
- PRUNING (TO AS 4373), THE INTENTION OF PRUNING BEING TO MAINTAIN HEALTHY FOLIAGE OR REMOVE DAMAGED GROWTH.
- MAINTAINING STAKES & TIES.
- REPLACING DAMAGED OR FAILED PLANTING.
- TOP DRESSING & SOIL REPLACEMENT/RE-TOPPING, MULCH MAINTENANCE.

COMPLIANCE BOX
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ALTERATIONS IN RED ☐
NAME (PRINT) _____
SIGNATURE _____ DATE _____

FOR CONSTRUCTION

TO BE READ IN CONJUNCTION WITH SHEETS G8, G8-1 & G8-2.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
VT19027.01	FA	SZ	FOR CONSTRUCTION - 30075528W0087 VPL - LITE/700 /WCDA850	BW	AD	22.06.19	1

Telstra

MOBILE NETWORK SITE 320935
BEACONSFIELD UPPER NORTH
SITE LANDSCAPING NOTES SHEET 3
145 HIGH ST, GUYS HILL, VIC 3807

DWG NO. **V113614** SHT NO. **G8-3**

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Guys Hill Telecommunications Tower Biodiversity Impact Assessment

Visionstream



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DOCUMENT TRACKING

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Template 2.8.1

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1. Introduction

Eco Logical Australia has been engaged by Visionstream on behalf of Telstra to undertake an ecological assessment for the proposed construction of a telecommunications tower and associated infrastructure in Guys Hill, Victoria.

This report has been prepared to support the application for a planning permit to remove native vegetation due to the proposed development. This includes assessment of the impacts in accordance with the Victorian 'Guidelines for the removal, destruction or lopping of native vegetation' (the Guidelines)¹ as well as other relevant environmental legislation.

2. Project description

Telstra is seeking to construct a telecommunications tower and associated infrastructure at 145 High Street, Guys Hill, Victoria. The installation will consist of a telecommunications tower, access route and associated infrastructure, along with a proposed work area for crane operation, covering a total of 210m² (10m x 21m).

This report does not include an assessment of works outside the immediate construction site, including installation of above or underground cables or poles.

New mobile phone towers and towers over 5 m tall cannot be considered low impact facilities under the *Telecommunications (Low-impact Facilities) Determination 2018* and are therefore not exempt from state environmental approval. Consequentially, an assessment under Victoria's 'Guidelines for the removal, destruction or lopping of native vegetation' (the Guidelines) and other relevant state and commonwealth environmental legislation is required.

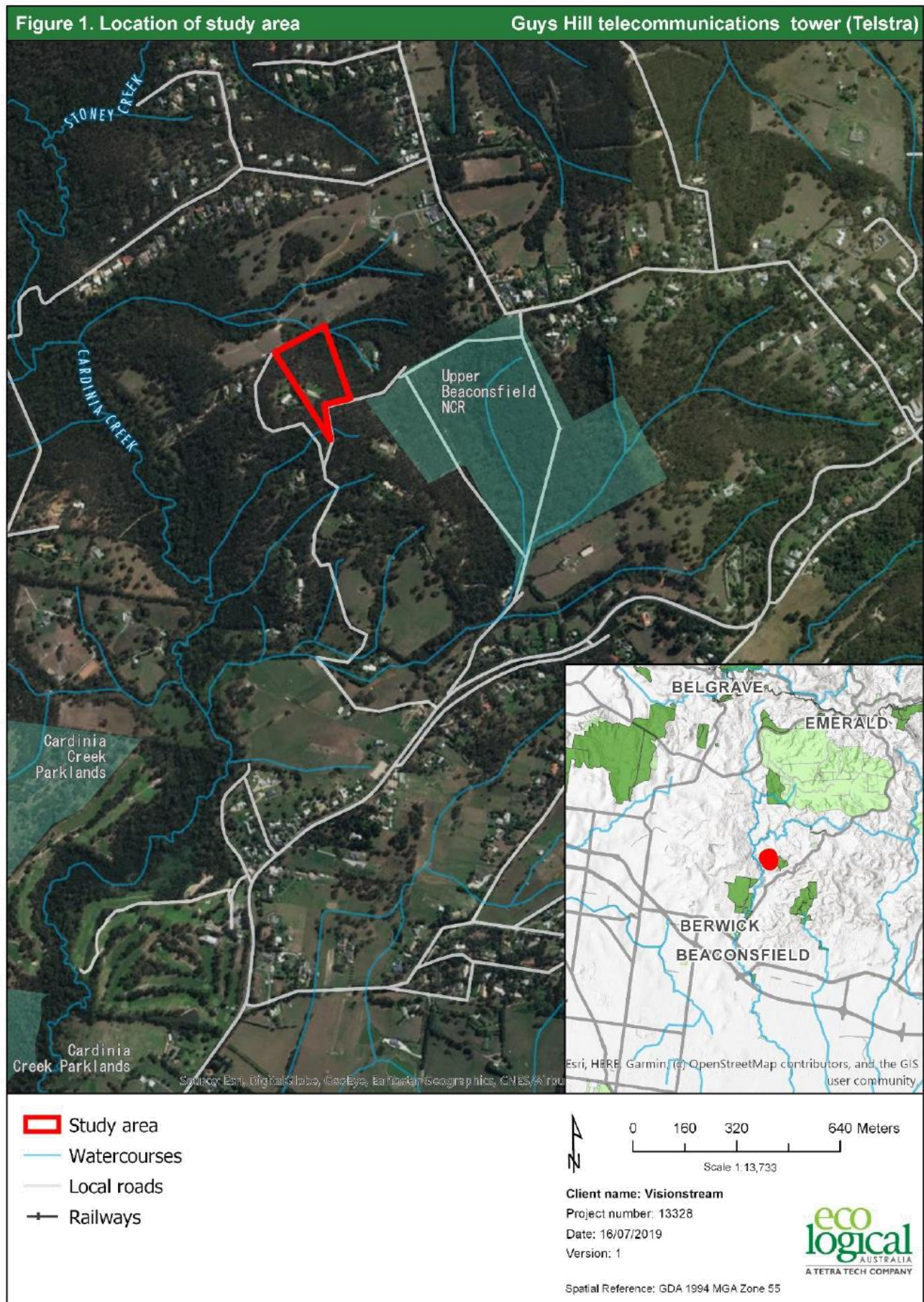
3. Study area

The assessment study area is based on design plans prepared by Visionstream (Appendix E), which show the site located in part of the property at 145 High Street, Guys Hill (Figure 1). The following zones and overlays apply to the parcel within the study area:

Zones	Rural conservation Zone (RCZ)
Overlays	Bushfire management overlay (BMO), Environmental significance overlay (ESO1)

¹ DELWP 2017. *Guidelines for the removal, destruction or lopping of native vegetation*. State of Victoria Department of Environment, Land, Water and Planning 2017, Melbourne.

Bushfire Designated Bushfire Prone Area



4. Methods

4.1 Database and literature review

Relevant information sources were reviewed to identify the presence or likely occurrence of biodiversity values across the study area and surrounds. This included online databases (e.g. Victorian Biodiversity Atlas, Protected Matters Search Tool and Planning Maps Online), spatial datasets (e.g. modelled vegetation and habitat extent), previous reports and relevant environmental legislation, regulations and policies. All searches were undertaken on an investigation area covering a 10-kilometre radius of the study area.

4.2 Field Surveys

A field survey of the study area was undertaken by ELA Ecologists on 28 June 2019. Features of ecological significance that were recorded include remnant and introduced vegetation, fauna habitat and any sightings or evidence of significant species. During the field assessment, a Vegetation Quality Assessment was also undertaken on all areas of remnant vegetation to enable losses to be calculated under the permitted clearing regulations should impacts be unavoidable.

4.3 Likelihood of occurrence

The likelihood of occurrence is a determination of the potential for threatened flora, fauna or communities to be present and make significant use of the relevant study area. The ranking of a species as having either no, low, medium, or high likelihood, or as being present, is determined by assessing information contained in public biological datasets (e.g. past records and species distribution models), considering species habitat requirements (including surrounding habitat connectivity) and field observations. Rationale is provided in Appendix 2 to support each species ranking. Species ranked as medium, high or present have been investigated in further detail for the possibility of targeted surveys. The determinations of a species likelihood provided are not absolute, rather they represent a species' potential to occur in the relevant study area.

4.4 Impact analysis

Based on the results of desktop study and field survey and the proposed construction extent and method, the direct and indirect impacts to biodiversity were determined. The analysis is informed by relevant standards, policies and guidelines, such as the permitted clearing guidelines and AS 4970-2009 Protection of trees on development sites, and considers the significance of the value being impacted and the spatial and temporal extent of the impact. The results of the impact analysis are used to inform environmental implications of the project under relevant national and State legislation.

4.5 Study limitations

Field assessments were undertaken over one day in Winter. This is not generally accepted as the optimal time to undertake biodiversity surveys, as it may be insufficient for detecting migratory, seasonally emergent or cryptic species. In such cases, a conservative approach has been taken with the determination based on the suitability of the habitat and recent records on or near the study area.

5. Results

5.1 Vegetation and habitat

The Department of Environment, Land, Water and Planning's (DELWP) Ecological Vegetation Class (EVC) modelling indicates the study area supports Lowland Forest (EVC 16) and Grassy Forest (EVC 128), with Damp Heathy Woodland (EVC 793) and Damp Forest (EVC 29) adjacent.

Based on the field survey, vegetation within the study area comprised a patch of remnant Lowland Forest (EVC 16) (Figure 6). This was present at the proposed tower site and surrounding area, comprising an overstorey of Eucalypts, a sparse shrub layer of heaths, and a dense grass and herb layer in the understorey. The Eucalypt species Messmate stringybark *Eucalyptus obliqua* and Broad-leaf peppermint *Eucalyptus dives* were co-dominant in the overstorey; neither of these species were recruiting. The mid-storey was mostly absent, with few scattered Wattles *Acacia spp.* and Common Heath *Epacris impressa*. Common Flat-pea *Platylobium obtusangulum* was the dominant woody species, forming a low shrubby covering over much of the site. A high diversity of species was present in the understorey, including grass species Wire Rapiet-sedge *Lepidosperma semiteres* and Kangaroo grass *Themeda triandra*, herbs such as Button everlasting *Coronidium scorpioides* and Ivy-leaf Violet *Viola hederacea*, Bracken fern *Pteridium esculentum*, and many emerging orchids and lilies with Small Mosquito Orchid *Acianthus pusillus* and Small Tongue Orchid *Cryptostylis leptochila* abundant. Introduced species present included a scattered and sparse presence of Ribwort *Plantago lanceolata* and Panic Veldt-grass *Ehrharta erecta*.

Lowland forest within the study area is likely to provide suitable habitat for a range of common native fauna species. Messmate and Broad-leaf peppermint may offer nesting opportunities for birds. These and other flowering trees and shrubs provide blossoms and fruits for common native birds species, as well as harbouring insects which are an important foraging resource. No hollow-bearing trees were recorded within the study area. A moderate cover of leaf litter over a damp soil provides refuge for small frogs and lizards. No small or large logs were observed within the study area.

In accordance with the Guidelines, the following additional values were considered in the context of the proposed development and potential removal of vegetation.

Value	Details
Protection of land and water	The removal of 0.065 hectares of vegetation from the site is unlikely to substantially impact land or water values. The site is not located near any waterbodies, and the vegetation to be removed represents a small portion of a larger patch of intact lowland forest which will be retained.
Landscape features	<p>The vegetation proposed for removal has been identified as a notable landscape feature under Environmental Significance overlay 1, Northern Hills (ESO1), of the local planning scheme.</p> <p>The aim of ESO1 is to protect and enhance significant environmental and landscape values in the area, to ensure siting of works does not adversely impact on environmental values and addresses environmental hazards and risks.</p> <p>The information contained in this report is intended to be adequate to address the requirements of ESO1, further details are given in section 6.</p>
Protected under Aboriginal Heritage Act 2006	Trees within the study area are not considered protected under the <i>Aboriginal Heritage Act 2006</i> .

5.2 Significant species and communities

A likelihood of occurrence of rare and threatened species was undertaken based on past records, species distribution models and on-ground habitat assessments. The assessment identified 144 national or state significant species considered likely to occur within a 10-kilometre radius of the study area. Of the 144 species, 72 were fauna and 72 flora. Suitable habitat was identified during the field survey for four fauna species, and three flora species (Table 1). All other species were considered unlikely to be present within the study area, based on nearby records and level of disturbance within and near the study area.

No flora species or genera protected under the *Flora and Fauna Guarantee Act 1988* (FFG Act) were recorded on public land within the study area. Several orchid species, including FFG listed species, are also considered unlikely to be present in the study area, as the field survey was conducted in their peak flowering time and they were not observed during the current field assessment.

Table 1. Significant species likely to occur within the study area

Species	Status	Likelihood of occurrence	Location of Habitat	Use of study area
White-throated Needletail <i>Hirundapus caudacutus</i>	DELWP advisory List	Moderate	Lowland Forest	Foraging over forest
Powerful Owl <i>Ninox strenua</i>	DELWP advisory List, FFG Act	Moderate	Lowland Forest	Foraging over forest
Southern Toadlet <i>Pseudophryne semimarmorata</i>	DELWP advisory List	Moderate	Lowland Forest	Foraging, refuge, breeding
Sooty Owl <i>Tyto tenebricosa</i>	DELWP advisory List, FFG Act	Moderate	Lowland Forest	Foraging over forest
Velvet Apple-berry <i>Billardiera scandens</i>	DELWP advisory List	Moderate	Lowland Forest	Growth and reproduction
Wine-lipped Spider-orchid <i>Caladenia oenochila</i>	DELWP advisory List	Moderate	Lowland Forest	Growth and reproduction
Green Leek-orchid <i>Prasophyllum lindleyanum</i>	DELWP advisory List, FFG Act	Moderate	Lowland Forest	Growth and reproduction
Red-tip Greenhood <i>Pterostylis clivosa</i>	DELWP advisory List	Moderate	Lowland Forest	Growth and reproduction

5.2.1 Significant Communities

A review of the PMST and DELWP vegetation community mapping identified two significant communities with a natural or modelled distribution covering the project area (DoEE 2019). This included the EPBC Act listed Natural Damp Grassland of the Victorian Coastal Plains and White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological communities.

No significant communities are present in the study area as the vegetation onsite did not meet the associated condition thresholds.



Figure 2: Lowland Forest within the study area



Figure 3: Groundcover of lowland forest within the study area



Figure 4: Large tree to be removed



Figure 5: Small trees to be removed



6. Impacts and implications

6.1 Native vegetation

Potential impacts to native vegetation includes the removal of 0.065 ha of Lowland Forest (EVC 16) and one large tree, from one patch which covers the entire study area.

The area of 'lost' native vegetation shown on Figure 6 includes the construction area required for the infrastructure and vehicle access to the site, a 1 metre buffer zone to protect surrounding retained vegetation from impacts, and the consequential loss of additional trees where there was a 10% or greater encroachment into the tree protection zone.

Avoidance and Minimisation

The study area and local vicinity is heavily vegetated and there are no viable alternative sites within the immediate vicinity that would not have a similar impact on native vegetation. Furthermore, the site is located within an area of Lowland Forest (EVC 16) which has a 'Least Concern' conservation status within the Highlands – Southern Fall bioregion. In addition, approximately half of the total area of vegetation removed is considered consequential losses due to encroachment within tree protection zones.

To minimise the impacts of the proposed works, the "area of disturbance" shown on figure 2 is to be fenced, and no impacts to vegetation are to occur outside of this zone. The following mitigation measures recommended to ensure indirect impacts are avoided and/or minimised include:

- Clearly demarcate approved areas for native vegetation removal prior to works commencing by establishing temporary fencing around the edge of the impact zone to protect the surrounding vegetation from impact. Fencing must be of a good standard to ensure all vehicles, equipment and materials (including stockpiles) are excluded from the area. Fencing to be signed "No-Go Zone".
- Use areas within the construction zone or previously cleared areas for laydown and turn around points only.
- Conduct construction activities in dry conditions, where practicable. Avoid wet or muddy areas during activities where practicable.
- Ensure that any re-used topsoil does not contain any weed plant material or other wastes.
- Isolate topsoil taken from areas supporting noxious or environmental weeds to ensure it is not re-used on the site and is disposed of appropriately.
- Waste that cannot be re-used or recycled to be transported and disposed of at appropriate EPA licensed facilities.
- Revegetate all temporary works areas with native understorey species found onsite.

Offsets

The proposed loss from patches is 0.065 hectares of native vegetation. Based on the *Guidelines for the removal, destruction or lopping of native vegetation*, an offset of **0.051 general habitat units** will be required to compensate for this loss. This offset must meet the following criteria:

- be located within the Port Phillip and Westernport CMA or Cardinia Shire Council area

- have a minimum strategic biodiversity score of 0.440, and
- protect at least one large tree.

For further details, see the native vegetation removal report attached in **Appendix B**.

6.1.1 Implications

Prior to works commencing, a Planning Permit from the Cardinia Shire Council will be required for the removal of native vegetation under Clause 52.17 of the local planning scheme. A response to the application requirements and Native vegetation removal report is provided in Appendix 2.

6.2 State Significant species

Suitable habitat for four state significant fauna species was identified within the study area. Based on the proposed removal of 0.065 ha of vegetation along the roadside edge of the forest area, indirect impacts to a single large tree, and a lack of any tree hollows within the study area or surrounding forest, the works are considered unlikely to have a significant impact on the extent of foraging habitat within the landscape or availability of nesting resource for these species.

Suitable habitat for four state significant flora species was also recorded, each of these are considered to have a moderate likelihood of occurrence within the study area.

Implications

Given the application falls under the intermediate assessment pathway, there are no implications for potential impacts to DELWP advisory listed species.

6.3 Environmental Significance overlay (ESO1) Northern Hills

The Environmental Significance Overlay (ESO 1) Northern hills applies to the study area. A permit under ESO 1 is required for the proposed Telecommunications Tower within the study area, as the proposed project will result in the removal of Native Vegetation.

The Environmental objective to be achieved under ESO 1 is:

- *“To protect and enhance the significant environmental and landscape values in the northern hills area including the retention and enhancement of indigenous vegetation.*
- *To ensure that the siting and design of buildings and works does not adversely impact on environmental values including the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity.*
- *To ensure that the siting and design of buildings and works addresses environmental hazards including slope, erosion and fire risk, the protection of view lines and maintenance of vegetation as the predominant feature of the landscape.*
- *To protect and enhance biolinks across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.”*

In addressing the above objectives, the proposed development does not significantly impact ecological values and processes as defined under the “Environmental Significance overlay (ESO1) Northern Hills”. There will be limited loss of native vegetation and no substantial impact on ecological connectivity (biolinks), ecosystem health, areas of botanical or zoological significance or water quality and quantity.

The information contained in this report is intended to be adequate to address Council’s requirements for ESO1 where native vegetation is proposed to be removed. Information about the quality and extent of native vegetation is provided in Section 5, and displayed in Figures 2-6. Further information about vegetation removal and the landscape is provided in Appendix A.

7. Next steps

Prior to construction commencing, a Planning Permit from the Cardinia Shire Council will be required for the removal of 0.065 ha of native vegetation under Clause 52.17 of the local planning scheme. The permit application will need to show consideration of Victoria’s Native Vegetation Removal Regulations, including the requirement to avoid and minimise impacts, and secure an offset of **0.051 general habitat units**. The application will fall under the ‘intermediate assessment pathway’ under the regulations.

8. References

Department of the Environment 2013. Matters of National Environmental Significance: Significant impact guidelines 1.1.

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Department of Environment Land Water and Planning 2018. *Victorian Biodiversity Atlas*. Available: <https://vba.dse.vic.gov.au/vba/index.jsp>

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Department of Environment and Primary Industries 2013. *Biodiversity Assessment Guidelines: Permitted clearing of native vegetation*.

Department of Environment and Primary Industries 2014. *Advisory List of Threatened Plant in Victoria*.

Department of Sustainability and Environment 2009. *Advisory List of Threatened Invertebrate Fauna in Victoria*.

Department of Sustainability and Environment 2013. *Advisory List of Threatened Vertebrate Fauna*.

'SWIFFT - State Wide Integrated Flora and Fauna Teams'. <https://www.swifft.net.au/>

Appendix A Applicant's response

The following information is provided as a response to the application requirements for the removal of native vegetation under the intermediate pathway, in accordance with Schedule 52.17 of the Cardinia Shire planning scheme and the *Planning and Environment Act 1987*.

1. Native vegetation to be removed or lost

Assessment pathway	Basic
Description	A small patch of Lowland Forest (EVC 16)
Location	145 High Street, Guys Hill
Extent	0.065 hectares
Condition score	0.68
Location category	Location 1
Modelled habitat	Not applicable
Offset	0.051 general habitat units
Offset requirements	0.440 Minimum strategic biodiversity value score Port Phillip and Westernport Catchment Management Authority (CMA) or Cardinia Shire

2. Topographic and land information

Topography	The study area is located in an area of undulating terrain. The 0.065 ha occupies a relatively flat location close to the crest of the hill. The terrain slopes gently down to the north. The slope away from the study area to the south-west is steeper but does not exceed 20%.
Water bodies and features	No water bodies were observed within the local vicinity.
Saline discharge areas	None observed.
Erosion risk	Negligible. The proposed project will not substantially impact the soil structure of the study area and impacts will not be ongoing.

3. Photographs of vegetation

Lowland forest patch within the study area



One large tree within the patch



4. Additional vegetation clearance or approvals

Not applicable – there is no known application to remove native vegetation at the property in the past five years.

5. Avoid and minimise statement

Mitigation measures recommended to ensure indirect impacts are avoided and/or minimised include:

- Clearly demarcate approved areas for native vegetation clearing prior to clearing works commencing. Establishing temporary fencing around the edge of the impact zone to protect the surrounding forest area from impact. Fencing must be of a good standard to ensure all vehicles, equipment and materials (including stockpiles) are excluded from the area. Fencing to be signed “No-Go Zone”.
- Use previously cleared areas only for laydown and turn around points.
- Conduct construction activities in dry conditions, where practicable. Avoid wet or muddy areas during activities where practicable.
- Minimise activities that cause soil disturbance
- Ensure that any re-used topsoil does not contain any weed plant material or other wastes.
- Isolate topsoil taken from areas supporting noxious or environmental weeds to ensure it is not re-used on the site and is disposed of appropriately.
- Ensure vehicle, equipment and clothing (boots) hygiene upon entering and leaving the site to limit the spread of weed propagules and soil pathogens e.g. appropriate wash down procedure.
- Use barrier matting or mulch on areas of disturbed ground as quickly as possible following disturbance to limit weed invasion and erosion.
- Waste that cannot be re-used or recycled to be transported and disposed of at appropriate EPA licensed facilities.

6. Property management plans

Not applicable - There is no property vegetation plan for this parcel of land.

7. Defendable space statement

Not applicable – the removal of native vegetation is not required to create defendable space for bushfire mitigation.

8. Native Vegetation Precinct Plan considerations

Not applicable - There is no native vegetation precinct plan covering this parcel of land.

9. Offset statement

See attached

10. Site assessment report

Not applicable – this application requirement does not apply to the intermediate assessment pathway

11. Impacts to rare or threatened species habitat

Not applicable – this application requirement does not apply to the intermediate assessment pathway

Appendix B Native vegetation removal report