

19/01/2006
VC37

SCHEDULE 1 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO1**

SIGNIFICANT NATIVE VEGETATION

1.0

Statement of nature and significance of vegetation to be protected

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Areas identified in this scheme are considered significant because one or more of the following apply:

- The vegetation comprises important biodiversity links and corridors between large public land blocks of forest.
- The vegetation forms a link between a major block of vegetation and smaller remnant areas.
- The areas consolidate remnant corridors along streams.
- Areas are considered to be of high conservation significance containing diverse flora and fauna and/or threatened species or communities.
- Areas are representative of a depleted vegetation type in the region or State.

Vegetation to be protected includes native trees, understorey vegetation, heath and grasses.

2.0

Vegetation protection objective to be achieved

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To protect and ensure the long term future of significant native vegetation.

To ensure development and use does not impact on significant native vegetation.

To encourage regeneration of significant native vegetation.

To promote the use of locally indigenous plants for regeneration and revegetation.

To ensure siting and design of development and works maintains the physical and biological integrity of the natural system.

3.0

Permit requirement

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A permit is required to remove, destroy or lop native vegetation. This does not apply where:

- The vegetation is on the building side of a vertical line 2 metres from the outer edge of the roof of a building, except where an approved landscape plan or site plan specifies the retention of the vegetation.
- The vegetation is listed as an environmental weed in the incorporated document "*Environmental Weeds - Invaders of our Surf Coast, 2nd Edition (2002)*".
- The vegetation removal is in accordance with an approved Whole Farm Plan.
- The vegetation removal is within the Alcoa Lease Area and is necessary to undertake any use, works and development allowed under the *Mines (Aluminium Agreement) Act 1961* and is consistent with a management plan approved by the Secretary to the Department Sustainability and Environment.

Application requirements

An application to remove vegetation must:

- Indicate:
 - The total extent of native vegetation on the subject land;
 - The total extent of proposed clearing, destruction or lopping;
 - The location of any river, stream, watercourse, wetland or channel on the subject land; and
 - If relevant, the location of areas with a slope exceeding 20%.
- Specify the purpose of the proposed clearing.
- Demonstrate that the extent of removal, destruction or lopping of native vegetation has been reduced as much as is reasonable and practicable.
- Specify proposals for revegetation following disturbance, or for restoration of an alternate site, including proposed species and ground stabilisation.
- Include a report on the vegetation and habitat significance of the area and the vegetation to be removed, to the satisfaction of the Responsible Authority.

Referral of applications

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

4.0

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Decision guidelines

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

- Any comments by the Department Sustainability and Environment (DSE).
- The importance of using indigenous species of local provenance for revegetation.
- The need to retain remnant vegetation and conserve flora and fauna habitats including habitat corridors and biolinks.
- The need to maintain ecological processes and dynamics of the ecosystem in a local context.
- The value of the native vegetation in terms of physical and biological condition, rarity, variety and habitat quality.
- The need to maintain viable examples of vegetation communities.
- The need to maintain habitat corridors and to prevent the fragmentation of habitats and the degradation of native riparian habitats.
- The preservation of and the impact of soils and the need to prevent erosion.
- The purpose for the removal, destruction or lopping of native vegetation.
- The likely effect of removal, destruction or lopping of native vegetation on resident and migratory fauna and the need to retain trees (live and dead) with hollows for habitat value.
- The need to retain the connectivity in a local, regional, state or national context of linear remnants (vegetation along roadsides, unused roads, railway lines, rivers, streams and water channels), habitat corridors and biolinks.

- The need for fencing and off the native vegetation and other land management areas.
- The alternative options for carrying out development on land and the availability of alternative land outside the overlay area.
- The impacts on soil, water, flora, fauna, air and ecosystems.
- Pest plant and animal control.
- The future use of the land and whether it is appropriate to include conditions requiring restoration, regeneration, revegetation or other treatment of any part of the land.
- Whether an agreement under section 173 of the Act is appropriate providing for vegetation protection and/or management on the land.
- The existence or potential use of conservation covenants or other similar controls.
- DSE Action Statements for endangered species and communities and threatening processes.
- The relevant Regional Vegetation Plan and DSE Biodiversity Map.