

19/01/2006
VC37**SCHEDULE 1 TO THE VEGETATION PROTECTION OVERLAY**Shown on the planning scheme map as **VPO1****REMNANT VEGETATION****1.0**19/01/2006
VC37**Statement of nature and significance of vegetation to be protected**

Remnant native vegetation has high conservation, landscape and recreation significance. There are large areas of native vegetation on public land and private land in Swan Hill Rural City, particularly along the river systems such as the Murray River. Retention of native vegetation is critical to catchment health and management, contributing significantly to water quality, salinity control, erosion control and biodiversity. Remnant vegetation usually has mature trees and trees with hollows, shrublands and grassland which are vital for fauna conservation and biodiversity.

Native vegetation coverage on private land has declined markedly since European settlement. Retention of remnant native vegetation on private land is critical to the biodiversity and environment of the municipality and region. This remnant vegetation provides critical biodiversity linkages between other remnant vegetation on both private and public land.

Sites of Victorian Rare or Threatened Species of Flora and Fauna have been identified and mapped in the municipality. A number of depleted and threatened vegetation communities exist within the Rural City of Swan Hill, including Pine buloke woodland, Belah woodland and various grassland communities. Remnant native vegetation is critical for the continued health and survival of threatened fauna species, such as the Regent Parrot, the Carpet Python and the Plains-Wanderer.

The Regent Parrot, *Polytelis anthoepplus monarchoides*, is vulnerable to extinction in both Victoria and Australia. In Victoria, breeding is restricted to the floodplain of the Murray River downstream of the Wakool Junction, and Outlet Creek downstream of Lake Hindmarsh. The Regent Parrot is listed on the Victorian *Flora and Fauna Guarantee Act* 1988 as threatened. The Regent Parrot is listed on the Federal *Environment Protection and Biodiversity Conservation Act* 1999 as vulnerable to extinction. Native vegetation including dead vegetation is significant habitat for Regent Parrot.

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VC37**Vegetation protection objective to be achieved**

- To protect remnant native vegetation and habitat, including understorey, and facilitate revegetation of native vegetation.
- To protect and enhance native habitat, particularly areas providing habitat or potential habitat for rare or threatened flora and fauna species.
- To encourage and maintain biodiversity and linkages between existing remnant vegetation.
- To recognise the catchment-wide land and water management benefits of native vegetation retention.
- To provide a 'net gain' principle for native vegetation in Swan Hill Rural City.
- To retain native vegetation in any land use or development proposal when there is an alternative to native vegetation removal.
- To protect and enhance native vegetation used by Regent Parrot for habitat.
- To implement the principles and environmental objectives of the *Victorian Native Vegetation Management: A Framework for Action* and *Victoria's Biodiversity Strategy*.

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19/01/2006
VC37

Permit requirement

A permit is required to remove, destroy or lop any native vegetation, including any dead trees that are standing.

A permit is not required for:

- Works undertaken by Swan Hill Rural City, a government department or a public authority for municipal purposes, stream improvement, drainage, channel repairs, flooding regulation, erosion control, water supply, sewerage supply, telecommunications or minor utility installation.

Any application to remove, destroy or lop any native vegetation must include:

A. A report that outlines and addresses:

- A full description of the proposal, including an outline of why the native vegetation is proposed to be removed.
- An assessment of the flora and fauna significance of the native vegetation.
- All decision guidelines in this overlay and schedule.

B. Plans indicating:

- Existing site and natural features.
- Location of proposed native vegetation removal or destruction.

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19/01/2006
VC37

Notice of permit applications

Notice of application of the kind listed below must be given in accordance with Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause:

- In an area of high or very high conservation value under the Victorian Native Vegetation Management: A Framework for Action, 2002.
- If the native vegetation is identified as threatened flora and habitat or providing habitat for threatened fauna under the Flora and Fauna Guarantee Act 1988.
- If the native vegetation is identified in a depleted, endangered or vulnerable ecological vegetation class identified in the Department of Sustainability and Environment ecological vegetation communities mapping.
- If the area of native vegetation to be removed is 4,000 square metres or greater.
- If the native vegetation is within 50 metres of any public land managed by the Department of Sustainability and Environment.
- If the native vegetation is within 100 metres of the Murray River.

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19/01/2006
VC37

Decision guidelines

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

- The purpose of native vegetation removal or destruction and the need to seek alternatives to native vegetation removal or destruction.
- The flora and fauna significance of native vegetation.
- Objectives and principles of relevant regional vegetation plans, regional catchment strategies, Victorian Native Vegetation Framework and *Victoria's Biodiversity Strategy*.

- The impact on and need to conserve native vegetation in depleted, endangered or vulnerable ecological vegetation classes identified in the Department of Sustainability and Environment and Catchment Management Authority Ecological Vegetation Class (EVC) mapping.
- Retention of remnant native vegetation that is identified as threatened flora and habitat or providing habitat for threatened fauna under the *Flora and Fauna Guarantee Act 1988*.
- Measures to minimise the impact on remnant native vegetation, including dead and hollow-bearing trees.
- When native vegetation removal is being considered, the need for compensatory planting.