

30/04/2009
C54**SCHEDULE 4 TO THE VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO4

LENEVA VALLEY AND BARANDUDA RETAINED NATIVE VEGETATION AREAS**1.0**30/04/2009
C54**Statement of nature and significance of vegetation to be protected**

Areas of indigenous native vegetation, including trees, shrubs, herbs and groundcovers within the Leneva Valley and northern most section of the Kiewa Valley are an intrinsic part of the areas unique landscape and environmental character.

Adequate areas of native vegetation and linkages between areas of vegetation are required to ensure ecological processes can be sustained alongside future residential and commercial development of the area.

Larger blocks of native vegetation and remnant patches play an important role in sustaining ecological processes and biodiversity by forming core habitat areas and complex wildlife corridor links across the valley. Wildlife links have been degraded by historic native vegetation removal and other past management practices and now require protection and enhancement to ensure ecological processes can be sustained.

Key corridor areas consisting of remnant patches, isolated remnants and some cleared land combine to form strategic links across the Leneva Valley and northern most section of the Kiewa Valley. Some areas of existing native vegetation require retention whilst adjoining cleared areas need enhancement through diverse indigenous revegetation to secure key corridor links through development areas. Strategic wildlife corridor links required to sustain ecological processes have been identified in the WRENS report (Wodonga Retained Environmental Network Strategy, 2006). The mapping of this VPO in the planning scheme is a reflection of the WRENS plan. The vegetation comprises threatened Ecological Vegetation Classes (EVCs) and the nationally listed community Box-Gum Grassy Woodland (ex. White Box Grassy Woodland). The remnant vegetation provides habitat for a range of species including arboreal mammals, birds and bats. Threatened species known to occur in this area include the Squirrel Glider, Brush-tailed Phascogale and some threatened bird species in the FFG listed Victorian Temperate Woodland Bird Community.

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

- The vegetation comprises important biodiversity habitat, links and corridors between larger blocks of vegetation and isolated remnants.
- The location of the land is such that it is an important link between a major block of vegetation and smaller remnants.
- The land and species occurring in the area would benefit from revegetation with suitable indigenous plants to consolidate strategic links between major blocks of vegetation and smaller remnants and enhance ecological processes.
- The areas consolidate corridors along streams and waterways.
- Areas are considered to be of high conservation significance containing threatened species or communities and/or diverse flora and fauna.
- Areas are representative of threatened vegetation types in the region or State.

Vegetation to be protected includes indigenous native trees, live or dead, native understorey vegetation including shrubs, herbs, grasses and forbs.

2.0

05/04/2007
C37(Part 1)

Vegetation protection objective to be achieved

- To protect and conserve the environmental systems, biodiversity, native vegetation, habitat areas, land and soil stability, drainage patterns and water quality of the area as it develops into an urban area.
- To ensure development and use does not impact on significant native vegetation by the incremental removal of remnant vegetation or inappropriate development in identified areas.
- To ensure siting and design of development and works maintains the physical and biological integrity of the natural system.
- To protect and ensure the long term future of significant native vegetation by protecting and enhancing ecological processes in particular provision of adequate habitat to allow occupancy and movement of populations of native fauna through the area.
- To encourage regeneration of remnant native vegetation.
- To promote the use of appropriate indigenous plants in landscaping and revegetation works.
- To ensure that native vegetation removal that meets the decision guidelines and is approved for removal is subject to appropriate impact mitigation such as replanting.
- To protect and maintain or improve the viability of habitats, threatened species and indigenous vegetation communities, including Box-Gum Grassy Woodland (ex. White Box Grassy Woodland) .
- To maintain and enhance the landscape connectivity provided by the vegetation corridors included in the overlay that facilitates the movement and dispersal of species of native flora and fauna.
- To achieve high landscape quality on roadsides.
- Use of the protected landscape areas for native vegetation offsets and other biodiversity focused revegetation projects.

3.0

05/04/2007
C37(Part 1)

Permit requirement

A permit is not required for:

- The removal of non-native vegetation.

4.0

05/04/2007
C37(Part 1)

Referral requirements

All permit applications are to be referred to the Department of Sustainability and Environment under section 55 of the *Planning and Environment Act 1987*.

5.0

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Application requirements

The following information is to be submitted with any permit application:

- Indicate the total extent and condition of the native vegetation, including trees, shrubs, herbs and groundcovers proposed for removal, including a census of all trees (planted or otherwise) proposed for removal, and state the size (diameter at breast height) and species of these trees.

- Indicate any native vegetation existing adjacent to the site.
- Specify the purpose of the proposed clearing;
- Must demonstrate that the key principles of net gain have been adhered to and that the amount of clearing has been reduced to the minimum extent necessary, and that there are no alternative locations for the proposed works.
- Provide a report on the vegetation proposed to be cleared and habitat significance of the vegetation.
- Provide details' regarding the implementation of offsets, which should include the following: planning of offset works, details of what will be done, site specific management actions, map/plan of proposed works including proposed location, timeframe for implementing offset works, and ongoing protection and maintenance of offsets.
- Applications must make reference to consideration of the 3 step approach with regard to the retention of native vegetation. This is to demonstrate that the proposal has considered: 1 Avoiding clearing of native vegetation, 2 Minimising impact, 3 Identifying appropriate offsets (to achieve Net Gain).

6.0

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Decision Guidelines

Before deciding on an application, the responsible authority must consider the relevant Native Vegetation Precinct Plan, being the Wodonga Retained Environmental Network Strategy, September 2006 in addition to,

- Any comments by the Department of Sustainability and Environment;
- The Government's policy on native vegetation, Victoria's Native Vegetation, a Framework for Action, and any relevant supporting guidelines.
- Whether the 'three-step approach' to native vegetation, as outlined in the Framework, has been implemented, including alternatives for subdivision layouts.
- The role of native vegetation in conserving the flora and fauna and in providing food and habitat for native fauna
- The alternative options for carrying out development on the land and whether sufficient investigation has been made to utilise land that is not affected by this overlay;
- The need to retain native vegetation if it is rare or supports rare species of flora or fauna or where it forms part of a wildlife corridor
- The need to ensure that no works or development will occur within 20 metres of tree trunks or twice the diameter of the canopy whichever is the greater;
- The suitability of the site for restoration of vegetation, and its importance as a site for strategic revegetation.
- The habitat value of dead trees and logs.
- The effect of the proposal on understorey plants, including native grasses.
- The effect of the proposed works on local populations of threatened flora and fauna species, and on threatened ecological communities.
- The opinion of the Commonwealth Department of Environment and Heritage in regard to Matters of National Environmental Significance under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999.
- The need to retain the connectivity of linear remnants (vegetation along roadsides, unused roads, rivers, streams and water channels), habitat corridors and biolinks).

- The need to maintain ecological processes and dynamics of the ecosystem in a landscape 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 impacts of any proposed clearing on soil, water, flora, fauna, air and ecosystems.
- The need to, where appropriate, include conditions requiring permanent protection, restoration, regeneration, revegetation or other management of any part of the land to achieve a 'net gain' offset consistent with relevant State wide policy and guidelines (e.g. DNRE 2002).
- The importance of using indigenous species of local provenance for revegetation.
- The need to fence off or otherwise protect areas of native vegetation to be retained to avoid impacts.
- Whether an agreement under section 173 of the Act is appropriate providing for vegetation protection and/or management on the land.
- DSE Action Statements for endangered species and communities, and threatening processes.
- The relevant Regional Native Vegetation Plan and DSE Biodiversity Map.
- The siting of recreational assets such as pedestrian and bike paths, shelters and parking areas within the VPO shall be in accordance with the principles of Victoria's Native Vegetation Management – A Framework for Action (DNRE, 2002).
- The effects of clearing or road works on native understorey plants including native grasses.
- The sensitive location of driveways or crossings over road reserves.
- The presence of large trees or trees with hollows potentially used for habitat.
- The significance of the vegetation in terms of quality, diversity and rarity.

Reference documents and technical reports

Wodonga Retained Environmental Network Strategy (September 2006.). WRENS report

Department of Sustainability & Environment (2003). Action Statement for the Squirrel Glider (*Petaurus norfolcensis*). Flora & Fauna Guarantee Action Statement No. 166 DSE, Melbourne.

Department of Natural Resources and Environment (2002). Victoria's Native Vegetation Management; A Framework for Action. DNRE, Melbourne.

Department of Natural Resources and Environment (1997). Action Statement for the Brush-tailed Phascogale (*Phascogale tapoatafa*). Flora & Fauna Guarantee Action Statement No. 79 DNRE, Melbourne.

Endangered Species Scientific Subcommittee (2000). Commonwealth Listing Advice on White Box Grassy Woodland.

<http://www.deh.gov.au/biodiversity/threatened/communities/grassy-white-box.html>

North East Catchment Management Authority (2003) North East Native Vegetation Plan. NECMA, Wodonga

NSW NPWS (2004) Draft Recovery Plan for Grassy White Box Woodlands – a report for the Commonwealth Department of Environment and Heritage

Prober S.M. and Thiele K.R.(1993). The ecology and genetics of remnant White Box Grassy Woodlands in relation to their conservation. *Victorian Naturalist* **110**, 30-36.

Relevant flora and fauna databases.