

26/04/2013  
C107**SCHEDULE 5 TO THE VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO5.

**FLANAGAN ISLAND AND FRASER ISLAND VEGETATION PROTECTION AREAS****1.0**19/01/2006  
VC37**Statement of nature and significance of vegetation to be protected**

Flanagan Island and Fraser Island are located in Reeve Channel of the Gippsland Lakes. The islands are characterised by a diverse range of wetland, salt marsh, shrub land and woodland vegetation types.

Vegetation contributes significantly towards aesthetic values of the area.

Vegetation also plays an important role in stabilising the potentially erodible island landforms, particularly the shorelines.

Reference: Gippsland Lakes Coastal Action Plan, Gippsland Coastal Board, 1999.

**2.0**19/01/2006  
VC37**Vegetation protection objective to be achieved**

The Flanagan Island and Fraser Island Vegetation Protection Overlay seeks to conserve high conservation value vegetation and vegetation with high landscape value.

The overlay objective is to ensure that development occurs so as:

- To conserve areas of high conservation value vegetation by minimising the extent of vegetation loss.
- To preserve existing trees and other vegetation where it contributes to high landscape values of the area.
- To conserve and enhance fauna habitat by minimising the extent of vegetation loss and encouraging regeneration of indigenous species.
- To reduce the risk of soil erosion and degradation of water quality by minimising the extent of vegetation loss.

**3.0**26/04/2013  
C107**Permit requirement**

A permit is required to remove, destroy or lop any vegetation. This does not apply in the following circumstances:

- Vegetation that is dead.
- The minimum extent of vegetation necessary for the maintenance of existing fences.
- For the removal or lopping of the minimum extent of vegetation necessary for regular maintenance carried out by or on behalf of a public authority, government department or municipal council.
- For the removal, destruction or lopping of any vegetation deemed unsafe by a suitably qualified arborist and/or to the satisfaction of the responsible authority.
- For activities conducted on public land by or on behalf of the Department of Sustainability and Environment under the relevant provisions of the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Land Act 1958*, the *Crown Land (Reserves) Act 1978* or the *Forests Act 1958*.

All applications to remove, destroy or lop any vegetation should demonstrate how any relevant Decision Guidelines have been incorporated so as to avoid or minimise impact to high conservation value vegetation and high landscape values.

An application must also be accompanied by the following information, as appropriate:

- Description of the purpose for which the removal, destruction or lopping of vegetation is to be undertaken.
- Detailed scale map of the subject land indicating north and showing:
  - Property boundaries and dimensions.
  - Area where removal of vegetation is to be undertaken, existing cleared area, and area to be retained as vegetation.
  - Type and condition of vegetation that is proposed to be removed or cleared.
  - All waterways, drainage lines and wetlands.
  - Adjacent roads and any unused road easements.
- Any native fauna known to be present on or near the subject land.

#### **4.0**

26/04/2013  
C107

#### **Referral of applications**

All applications to remove, destroy or lop any vegetation must be referred to the Department of Sustainability and Environment for comment, unless in the opinion of the responsible authority the proposal satisfies any requirements or conditions previously agreed in writing between the responsible authority and the Department of Sustainability and Environment.

#### **5.0**

26/04/2013  
C107

#### **Exemption from notice and review**

An application to remove, destroy or lop any vegetation in association with uses in Section 1 of the Zone applying to the land 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 appeal rights of Section 82(1) of the Act.

#### **6.0**

26/04/2013  
C107

#### **Decision guidelines**

Before deciding on an application, in addition to the Decision guidelines in Clause 42.02-4, the responsible authority must consider, as appropriate:

- The extent to which the vegetation sought to be removed or cleared contributes towards the need to:
  - Conserve and enhance areas of high conservation value vegetation.
  - Conserve and enhance fauna habitat.
  - Protect and enhance the visual amenity and landscape quality of the area.
  - Minimise the risk of soil erosion, sedimentation and degradation of water quality.
- The need to assess alternative options regarding the removal of vegetation, so as to better achieve the Overlay objectives.
- The need to undertake revegetation with appropriate indigenous species to offset any loss of environmental values resulting from the works or development.