

10/10/2019  
C153egip**SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO1.

**TAMBO-BAIRNSDALE ROADSIDE VEGETATION PROTECTION NETWORK****1.0**10/10/2019  
C153egip**Statement of nature and significance of vegetation to be protected**

Significant areas of native vegetation are located along roadsides within Government road reserves. These areas are often important remnants of native vegetation that previously extended over adjacent private land now generally cleared for agriculture or rural style residential development.

Remnant roadside vegetation provides important fauna habitat and wildlife corridors, often linking larger areas of remnant native vegetation. Remnant roadside vegetation also contributes significantly to landscape and aesthetic values in rural areas.

Conservation and enhancement of these areas is important to and generally supported by the local community

**Background documents**

*Roadside Management Plan* (East Gippsland Shire Council, 1995).

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Proposed C153egip**Vegetation protection objectives to be achieved**

The Tambo-Bairnsdale Roadside Vegetation Protection Network overlay seeks to protect high conservation value roadside vegetation within Government road reserves from:

- The potential adverse impacts of establishing access through roadside vegetation located between the carriageway and adjacent private land.
- The potential adverse impacts of road maintenance and construction activities.

The overlay objective is:

- To ensure that development of access to private land, and road maintenance and construction activities occur so as:
  - To conserve areas of vegetation with high conservation value by minimising the extent of vegetation loss.
  - To conserve and enhance fauna habitat and habitat corridors by minimising the extent of vegetation loss and encouraging regeneration of indigenous species.
  - To preserve existing trees and other vegetation where it contributes to high landscape and aesthetic values.

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C153egip**Permit requirement**

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

For the provision of access and the construction of services to property where that access or service is located in cleared corridors negating the need to remove, destroy or lop any vegetation and where the access or service is located to the satisfaction of the responsible authority.

- For the removal of vegetation that is dead.
- For the removal of the minimum extent of vegetation necessary for the maintenance of existing fence lines along the road reserve boundary.
- For the removal of the minimum extent of vegetation necessary for the maintenance of existing fence lines along the road reserve boundary.

- 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 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 must demonstrate how any relevant Decision Guidelines have been incorporated so as to avoid or minimise impact to high conservation value roadside vegetation.

An application should 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.
  - Adjacent roads and any unused road easements.
  - Area where removal of vegetation is to be undertaken.
  - Type and condition of vegetation that is proposed to be removed or cleared.

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#### Application requirements

None specified.

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#### Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- 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 roadside vegetation.
  - Conserve and enhance fauna habitat and habitat corridors.
  - Protect and enhance the visual amenity and landscape quality in areas of natural beauty and rural areas.
- The need to assess alternative options regarding the removal of vegetation 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.
- The need to have regard to the Roadside Management Plan, (East Gippsland Shire Council, 1995) and as updated from time to time.

#### 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.

**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.