

25/07/2019  
C106well**SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO1.

**NATIVE VEGETATION PROTECTION AREAS****1.0**25/07/2019  
C106well**Statement of nature and significance of vegetation to be protected**

All native vegetation in this area is significant and is to be protected for all or most of the following reasons:

- The vegetation includes remnant grassland or significant vegetation that is classified as depleted, rare or threatened at a bioregional level.
- The area provides habitat for rare or threatened flora or fauna species or communities as identified in the Environment Protection & Biodiversity Conservation Act 1999 or the Flora and Fauna Guarantee Act 1988.
- The vegetation has significant remnant habitat value and contributes towards a complex network of wildlife corridors.
- The vegetation makes a valuable contribution towards the sustainable management of the land and assists in preventing erosion, salinity and degradation of water quality.
- The high level of vegetation cover makes a valuable contribution to the aesthetic values and character of the area.

**Background documents**

*Victoria's Native Vegetation Management: A Framework For Action* (Department of Natural Resources & Environment, 2002) (as amended).

*(Draft) West Gippsland Native Vegetation Plan* (West Gippsland Catchment Management Authority & Department of Natural Resources & Environment, 2000) (as amended).

**2.0**25/07/2019  
C106well**Vegetation protection objectives to be achieved**

- To ensure that native vegetation of high conservation value is conserved and protected by minimising the extent of vegetation loss caused by inappropriate use and development.
- To preserve existing native trees and other native vegetation where it contributes to high landscape and aesthetic values of the area.
- To ensure that new development is sensitively designed and sited in a manner which respects the environmental characteristics of the area.
- To conserve and enhance wildlife habitat and habitat corridors by minimising the extent of native vegetation loss and encouraging the regeneration and replanting of locally indigenous species through replanting.
- To reduce the risk of soil erosion, salinity, and degradation of water quality by minimising native vegetation loss.

**3.0**25/07/2019  
C106well**Permit requirement**

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

- Where the vegetation is located within a building envelope specified on an approved Plan of Subdivision or on an approved Outline Development Plan.
- If the vegetation is dead and is less than 5 metres in height.
- To activities conducted on public land by or on behalf of the Department of Sustainability & Environment under the relevant provisions of the *Reference Areas Act 1978*, the *Natural Parks*

## WELLINGTON PLANNING SCHEME

*Act 1975, the Fisheries Act 1995, the Wildfire Act 1975, the Land Act 1958, the Crown Land (Reserves) Act 1978 and the Forests Act 1958.*

- To an action listed in the table below where it occurs on land described in the table and is subject to the conditions specified.

Land	Action	Condition
<b>Land affected by the Vegetation Protection Overlay through Amendment:  C24 - Buckley's Island Rd &amp; Woodside</b>	Remove, destroy or lop native vegetation within 10 metres of a dwelling or farm shed.	The building must have lawfully existed prior to the operative date of the relevant amendment (see List of Amendments following Clause 72.04).
	Remove, destroy or lop the minimum extent of native vegetation necessary to maintain farm structures, utilities and infrastructure.	The structures, utilities and infrastructure must have lawfully existed prior to the operative date of the relevant amendment (see List of Amendments following Clause 72.04).
	Remove, destroy or lop native vegetation as a result of grazing by domestic livestock.	The grazing must have been lawfully established prior to the operative date of the relevant amendment (see List of Amendment following Clause 72.04). Any conditions which currently apply must be met.

All applications to remove, destroy or lop any native vegetation must be accompanied by a report which provides the following information:

- The purpose of the proposed removal, destruction or lopping of vegetation.
- Demonstration that the extent of removal, destruction or lopping of vegetation cannot be avoided and has been reduced as much as is reasonable and practicable.
- A vegetation management plan that indicates waterways, drainage lines, wetlands; the total extent, species and condition of vegetation on the land; and the extent of the proposed removal, destruction or lopping of vegetation to be removed.
- An assessment of the significance of existing vegetation corridors and their value as a refuge or habitat for resident or migratory wildlife on the land and adjoining land.
- An assessment of soil erosion, salinity prevention, and ground stabilisation measures.
- An assessment of watercourse protection measures.
- An assessment of wildfire protection measures.
- An assessment of eradication of environmental weed infestation measures, to prevent degradation of the site.
- An assessment of the measures required for the protection of the site from domestic pets, vermin and livestock grazing.
- An assessment of the impact of the removal, destruction or lopping of vegetation on the aesthetic values and character of the area.
- A landscape plan that shows the extent of revegetation works proposed to be undertaken on the land or adjoining land.

**4.0**25/07/2019  
C106well**Application requirements**

None specified.

**5.0**25/07/2019  
C106well**Decision guidelines**

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

- Whether there are alternatives to the removal of native vegetation, which better achieves the Overlay objectives.
- The extent to which the native vegetation sought to be removed, destroyed or lopped contributes towards the need to:
  - Conserve and enhance areas of vegetation having high conservation value, as determined by the background documents *Victoria's Native Vegetation Management: A Framework For Action* (Department of Natural Resources and Environment, 2002) (as amended) and the *(Draft) West Gippsland Native Vegetation Plan* (West Gippsland Catchment Management Authority & Department of Natural Resources and Environment, 2000) (as amended) in terms of its physical and biological condition, rarity, variety and species.
  - Conserve and enhance resident and migratory wildlife habitat and habitat corridors and the need to retain all types of vegetation including understorey vegetation, native grasses and ground litter for habitat value.
  - Protect and enhance the visual amenity and landscape quality of the area.
  - Minimise the risk of soil erosion, sedimentation, wildfire and degradation of water quality.
  - Prevent invasion after the use and/or development from noxious and environmental weeds, vermin, domestic pets and livestock grazing.
- The need to work towards the State Government's policy of achieving a net gain in the extent and quality of native vegetation throughout Victoria.
- Whether there is a need to undertake revegetation with appropriate indigenous species of local provenance to offset any loss of environmental values resulting from the use and/or development, or to replace key non-indigenous vegetation where this is important to the aesthetic values of a particular site.