

Public access to Crown land to remove native vegetation along a boundary fence for wild dog management – Information for landholders

Landholders who wish to remove (clear) native vegetation on a neighbouring property must obtain the consent of their neighbour. In the case of public land boundaries, the landowner must obtain consent from the public land manager.

This fact sheet provides guidance to landowners preparing an application for consent to access adjoining public land to remove native vegetation for the construction or maintenance of a boundary fence for wild dog management.

The accompanying Application Form must be used to provide the information regarding the native vegetation that you propose to remove. This fact sheet provides important information to assist you in completing this Application Form.

What land does this fact sheet and Application Form apply to?

This fact sheet and Application Form apply to landholders seeking consent to access adjoining public land to remove native vegetation along fence lines for wild dog management. This includes State forest, Crown land reserves and unreserved Crown land. There may be additional requirements for land regulated by the *National Parks Act 1975*. This fact sheet and application form does not apply to roadsides which are generally managed by local government or VicRoads.

For what purposes can native vegetation on public land boundaries be removed?

The application form and the process set out in the fact sheet can only be used for landholders seeking consent for access to remove native vegetation on adjoining public land to construct or maintain a boundary fence for wild dog management.

A different process is used for landholder seeking consent to access public land to remove native vegetation for [bushfire protection](#).

How much native vegetation can be removed?

Planning schemes in Victoria include exemptions from requiring a permit to remove native vegetation in certain circumstances. These exemptions include for the removal of some native vegetation without a permit to construct and maintain boundary fences. Consent for access to remove native vegetation on public land is granted in line with the exemptions from requiring a permit.

The exemption allows for the removal of native vegetation along fence lines of up to a combined maximum width of four metres, without a permit.

An exemption also exists for pruning or lopping of native vegetation for maintenance. Consent can be sought for access to public land to prune or lop native vegetation that is overhanging a fence and threatening its operation. No more than one third of the foliage from any individual plant can be pruned or lopped under this exemption. This exemption does not apply to pruning or lopping of the trunk of a tree or shrub.

What must a landholder obtain before removing native vegetation on public land commences?

Landholders must obtain the consent to access public land from the relevant public land management agency by using the Application Form.

Can the forest produce removed, including live or dead vegetation and timber, be sold?

No. Commercial use of the removed vegetation is not permitted. Generally, you will be required to remove all debris from the public land (including any vegetation alive or dead) at your cost. However, the public land manager reserves the right to retain the forest produce resulting from any clearing for use within the public land.

Can public land tenants with a lease or licence apply for access to public land to remove native vegetation for the construction or maintenance of a boundary fence?

Yes. Lessees/licensees require the consent of the public land manager to access public land to remove

Public land access to remove vegetation along a boundary fence for wild dog management

native vegetation for the construction or maintenance of a boundary fence for wild dog management, within the lease/licence area.

What are the landholder's responsibilities when removing native vegetation on public land for wild dog management?

Landholders' responsibilities are:

- minimise the removal of native vegetation
- undertake the removal of native vegetation and bear all associated costs
- only remove, lop or destroy the native vegetation for which Public Land Manager consent to access the public land has been granted.
- remove the native vegetation once removed from the Public Land and lawfully dispose of it, unless the public land manager requires otherwise
- not use any herbicides, poisons or other chemicals to remove the native vegetation unless specifically authorised
- rehabilitate or compensate for any authorised impacts on native vegetation
- only enter the public land between the hours of 6am and 6pm
- clearly and accurately define the legal external boundary of your property and the public land
- the proposed clearing should be for the protection or establishment of a wild dog fence
- the proposed clearing is within a wild dog management zone
- comply with any applicable laws and safety requirements.

It should be noted that the public land manager reserves the right to revoke an authority granted where a landholder does not comply with the landholder's responsibilities identified in this document or breaches conditions of the authority.

Consent may not be granted for access to remove native vegetation in the following circumstances:

- the removal is more than the amount allowed in the fences and/or lopping or pruning exemptions
- the native vegetation proposed to be removed is protected by a legal agreement or covenant
- other laws may apply to the removal of native vegetation and require other approvals. For example under the Federal *Environment Protection and Biodiversity Conservation Act 1999* and the *Aboriginal Heritage Act 2006*
- the applicant does not indemnify the Public Land Manager from liability from their actions in clearing the vegetation
- the vegetation to be cleared is habitat for rare or threatened species
- if the proposed clearing is not for the protection of a wild dog fence
- if the proposed clearing is not within a wild dog management zone
- if the native vegetation proposed to be cleared does not pose a risk to the fence's maintenance
- the vegetation clearance works does not apply to fences that directly adjoin Crown land.

Where can I obtain an Application Form?

From the DELWP website or from a DELWP office.

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Public land access to remove vegetation along a boundary fence for wild dog management

Where do I send my Application Form?

Post your Application Form to:

Public land access for native vegetation removal

DELWP Transaction Centre

P.O. Box 879

Seymour VIC 3660

Or email your Application Form to:

transactioncentre@delwp.vic.gov.au

Further information

If you have further queries please contact:

- DELWP customer service centre on 136 186
- visit www.delwp.vic.gov.au

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