

Native vegetation removal in the farming and rural activity zones

Information sheet
2017



This information sheet provides general information about removing native vegetation in the farming and rural activity zones.

For detailed advice about your particular circumstances, please contact your local council planning department or the native vegetation team directly at nativevegetation.farming@delwp.vic.gov.au

Do I need a permit to remove native vegetation?

A planning permit is usually needed to remove, destroy or lop native vegetation (remove native vegetation) under Clause 52.17 of all Victorian planning schemes. However, there are some exemptions from this requirement.

What removal is exempt from needing a planning permit?

Some activities that you may be able to do without a planning permit include:

- removing native vegetation to build a boundary fence or maintain an existing fence on your land
- collecting fallen timber or remove small trees for personal use, such as firewood or fencing (small trees have a diameter of 40cm or less at breast height)
- grazing stock
- mowing or slashing grass for maintenance
- lopping and pruning native vegetation for maintenance

- removing regrowth that is less than 10 years' old
- removing planted native vegetation
- removing native vegetation around a dwelling for bushfire protection.

There are extra exemptions that apply to land in the Farming and Rural Activity zones. These exemptions mean you can remove **limited** native vegetation without a planning permit to:

- maintain existing agricultural buildings and works
- construct new agricultural buildings and works
- construct a new single dwelling.

Clause 52.17-7 exemptions listed in your local council's planning scheme are available at Planning Schemes Online at <http://planning-schemes.delwp.vic.gov.au/>

How do exemptions work?

To rely on an exemption from needing a permit to remove native vegetation:

1. Make sure the removal is eligible for the exemption, and that you can meet all the exemption conditions. These might include limits on how much native vegetation you can remove over a period of time.
2. Check if there are any other planning permit requirements that apply to the activity or development for which you want to remove native vegetation (e.g. an environmental overlay).
3. Make sure you only remove the minimum amount of native vegetation necessary.
4. If you are removing native vegetation on someone else's property or on public land, obtain the consent

Native vegetation clearing in the farming and rural activity zones

of the landowner or manager before you undertake any removal.

Before undertaking any native vegetation clearing under an exemption take photographs and keep records of correspondence from the council confirming that the clearance is exempt.

What if an environmental overlay applies to my property?

Local councils have environmental overlays in areas where there are important environmental assets or risks that need to be considered if native vegetation is proposed to be removed (such as erosion).

Where an environmental overlay is in place, some Clause 52.17-7 exemptions do not apply.

Overlays can also require additional information to be provided when applying for a planning permit.

A free interactive map shows if any overlays apply to your property. Go to Planning Maps Online and search for your property by entering your address at: <http://services.land.vic.gov.au/maps/pmo.jsp>.

You can then create and download a Planning Property Report that tells you what zones and overlays apply to your property. Once you know what zones and overlays apply to your land, you can look at the planning permit requirements in the relevant section of your planning scheme.

How do I avoid and minimise native vegetation removal?

Firstly, check if there are any other alternatives to locate your activities or development to avoid areas of native vegetation on your property. If this is not possible, consider changing the design of your activity or development to reduce the amount of native vegetation you need to remove.

Native vegetation should only be removed after all suitable alternatives to avoid removal have been considered and are not possible.

If removal cannot be avoided, then only the minimum amount necessary should be cleared.

By avoiding and minimising removing native vegetation you also reduce the cost of offsetting this clearing.

How do I apply for a planning permit to remove native vegetation?

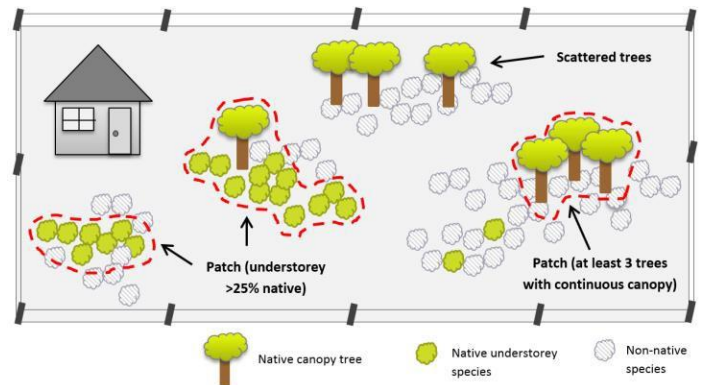
Before applying for a planning permit, you first need to map the native vegetation you want to remove using the online [Native Vegetation Information Management \(NVIM\) removal tool](#).

This tool provides a report that you submit as part of a planning permit application. The report provides

information about the assessment pathway for your application, and the offsets that you need to provide if you are granted a permit to remove native vegetation.

Once you have mapped your removal area and have your report, contact your local council planning department to apply for a planning permit.

The Applicants Guide explains how to use the NVIM removal tool and will help you to determine if the vegetation is native, how to identify a native canopy tree and its trunk circumference and classify whether vegetation is a patch or a scattered tree.



How do I offset native vegetation removal?

If a permit is granted to remove native vegetation, an offset is required to compensate for the impact that removal has on biodiversity.

If you have native vegetation on your property you may be able to use it to offset your removal. To do this you must be able to:

- put a legal agreement on the title of your property that commits to permanently protect the native vegetation
- manage the native vegetation by fencing it off and controlling weeds and pests
- give up the right to remove dead native vegetation within the offset area, including dead trees or fallen timber for personal use.

As a guide, you will need to protect and manage an area of native vegetation that is between two and four times bigger than area of native vegetation you remove.

This balances the risk that some of the predicted gain is not realised at the offset site. It also considers that the impact (or loss) is immediate while the gain is expected to be realised at a time in the future once security and This is due to the impact (or loss) is immediate while the gain is expected to be realised at a time in the future once the management actions have resulted in improved vegetation condition.

Native vegetation clearing in the farming and rural activity zones

Can I use paddock trees as an offset?

You can use paddock trees as an offset for removing native vegetation by fencing them off and ensuring each tree has another 5 healthy new trees established around it within 10 years.

How do I know if my native vegetation can be used as an offset?

You can use [the NVIM offset tool](#) to map an existing area of native vegetation on your property as a proposed offset site. The tool generates a report that shows whether the proposed offset site will meet your offset requirements.

What can I do if I have more offsets than I need?

You may be able to use excess offsets for any future removal you do. You also may be able to sell any excess offsets to others who remove native vegetation and require offsets.

What if I cannot provide offsets on my own land?

Instead of providing offsets on your own property, you can purchase offsets established on another person's property. The Department of Environment, Land, Water

and Planning (DELWP) accredits offset brokers who explain the process of buying and selling offsets and can help you find the offset you need.

Where can I find more information?

Most councils have information about applying for planning permits on their websites. Direct links to your council's website are here:

www.vic.gov.au/government-economy/local-councils/victorian-local-councils.html

For more information on applying for a planning permit to clear native vegetation see the *Applicant's guide – applications to remove, destroy or lop native vegetation* at: <https://www.environment.vic.gov.au/native-vegetation/>

For information about establishing and selling offsets and the contact details for DELWP accredited offset brokers see: <https://www.environment.vic.gov.au/native-vegetation/>

General information and resources are also available on the DELWP website:

<https://www.environment.vic.gov.au/native-vegetation/> or you can call the DELWP Customer Service Centre on 136 186.



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ISBN 978-1-76047-835-3 (pdf)

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