

## Removal of Native Vegetation

### What is meant by 'native vegetation'?

Native vegetation includes trees, shrubs and smaller herbs and grasses native to Victoria. It provides habitat for fauna and contributes to healthy ecosystems. The aim of controls relating to the removal of native vegetation is to ensure that there is no net loss in the contribution made by native vegetation to Victoria's biodiversity.

### Do I need a permit to remove native vegetation?

A permit may be required if you are planning to remove, destroy or lop native vegetation, including dead vegetation:

- for a development or subdivision
- on land over 4000 square metres in area (except where land is within an overlay control)
- on land of any area located in the following overlays:
  - Vegetation Protection Overlay
  - Significant Landscape Overlay
  - Environmental Significance Overlay
  - Erosion Management Overlay

We know the planning controls on the removal of native vegetation are very complex and there can be substantial penalties for the illegal removal of native vegetation so it is best to check the controls which apply in the Murrindindi Planning Scheme Clause 52.17 'Native Vegetation' before you start any clearance or construction works. Details are available from <http://planningschemes.dpcd.vic.gov.au/schemes/murrindindi> or by phoning the Planning Unit on (03) 5772 0317.

### Application requirements

Applications to remove native vegetation under Clause 52.17 are assessed under one of the following pathways:

- Low risk
- Moderate risk
- High risk

The amount of vegetation to be removed (in hectares or number of trees) and its location in the landscape determines which pathway would be used in assessing an application for a permit to remove native vegetation.

The Department of Environment, Land, Water and Planning (DELWP) has developed the *Native Vegetation Information Management Systems (NVIM)* to help applicants determine which pathway would be used for their application.

You will need to use this tool and submit the report as part of your application. Go to <http://www.depi.vic.gov.au/environment-and-wildlife/biodiversity/native-vegetation/native-vegetation-permitted-clearing-regulations/applications-for-permit-to-remove-native-vegetation> or contact DELWP on 136 186 if you are not able to complete this online.

### **Low risk-based pathway applications**

The *Permitted clearing of native vegetation – Low risk-based pathway permit applicant's kit* is available to assist landholders when preparing applications in the low risk-based pathway: [http://www.depi.vic.gov.au/\\_data/assets/pdf\\_file/0008/198962/Permitted-clearing-of-native-vegetation-Low-risk-permit-applicants-kit-March-2014.pdf](http://www.depi.vic.gov.au/_data/assets/pdf_file/0008/198962/Permitted-clearing-of-native-vegetation-Low-risk-permit-applicants-kit-March-2014.pdf)

### **Moderate and high risk-based pathway applications**

Additional information is required when preparing applications under the moderate and high risk-based pathways, including a habitat hectare report.

Further information is available in the following fact sheet:

[http://www.depi.vic.gov.au/\\_data/assets/pdf\\_file/0010/198964/Meeting-moderate-and-high-risk-based-pathway-application-requirements-March2014.pdf](http://www.depi.vic.gov.au/_data/assets/pdf_file/0010/198964/Meeting-moderate-and-high-risk-based-pathway-application-requirements-March2014.pdf)

### **Offsetting**

If a permit to remove native vegetation is granted, an offset which makes an equivalent contribution to Victoria's biodiversity will be required.

Offset requirements are determined in accordance with the *Permitted clearing of native vegetation – Biodiversity assessment guidelines*.

The offset requirement will outline:

- the type of offset
- the amount of offset
- any specific attributes the offset should have

The offset requirement will depend on what is lost by the removal of native vegetation allowed by your permit. A compliant offset must be guaranteed to the satisfaction of the responsible authority before the native vegetation is removed.

This could be either:

- A security agreement for the offset site that includes an onsite management plan
- Evidence of a secured third party offset, such as an allocated credit register extract from the native vegetation credit register

### **Assessment of applications**

Applications will be assessed by Council and may need to be referred to the Department of Environment, Land, Water and Planning (DELWP) for assessment as well.

### **Further assistance**

Support for the online assessment tool (NVIM) is available from DELWP on 136 186 or [nativevegetation.support@depi.vic.gov.au](mailto:nativevegetation.support@depi.vic.gov.au).

*This advice sheet is to be used as a general guide only. Council has made all reasonable effort to ensure the information provided in this is true and accurate. However, we recommend that you seek professional advice before acting or making decisions on the basis of this information. For any questions or clarification, please contact Council's Planning Unit on (03) 5772 0317.*