

## 9.4.10 Vegetation management code

### 9.4.10.1 Application

- (1) This code applies to assessing development for or involving Vegetation damage.

Note – Refer to the definition of Vegetation damage contained in Schedule 1.3.

- (2) When using this code, reference should be made to Part 5.

### 9.4.10.2 Purpose

- (1) The purpose of the Vegetation management code is to ensure that vegetation damage occurs in an appropriate and sustainable manner.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) vegetation is protected from inappropriate damage;
  - (b) where vegetation damage does occur it is undertaken in a sustainable manner;
  - (c) significant trees are maintained and protected;
  - (d) biodiversity and ecological values are protected and maintained;
  - (e) habitats for rare, threatened and endemic species of flora and fauna are protected and maintained;
  - (f) landscape character and scenic amenity is protected and maintained;
  - (g) heritage values are protected and maintained.

### 9.4.10.3 Criteria for assessment

Part A - Criteria for self-assessable and assessable development

**Table 9.4.10.3.a – Vegetation management – self-assessable and assessable development**

Performance outcomes	Acceptable outcomes
<b>For self-assessable and assessable development</b>	
<b>Vegetation damage</b>	
<p><b>PO1</b> Vegetation is protected to ensure that:</p> <ul style="list-style-type: none"> <li>(a) the character and amenity of the local area is maintained;</li> <li>(b) vegetation damage does not result in fragmentation of habitats;</li> <li>(c) vegetation damage is undertaken in a sustainable manner;</li> <li>(d) the regions biodiversity and ecological values are maintained and protected;</li> <li>(e) vegetation of historical, cultural and / or visual significance is retained;</li> <li>(f) vegetation is retained for erosion prevention and slope stabilisation.</li> </ul>	<p><b>AO1.1</b> Vegetation damage is undertaken by a statutory authority land that the statutory authority has control over;</p> <p>or</p> <p><b>AO1.2</b> Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government;</p> <p>or</p> <p><b>AO1.3</b> Vegetation damage other than referenced to in AO1.1 or AO1.2 is the damage of:</p> <ul style="list-style-type: none"> <li>(a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>; or</li> <li>(b) vegetation identified within the local governments register of declared plants pursuant to the local governments local laws; or</li> <li>(c) vegetation which is an exotic species; or</li> <li>(d) vegetation on a lot less than 800m<sup>2</sup>; or</li> <li>(e) vegetation is located within an urban area or</li> </ul>

Performance outcomes	Acceptable outcomes
	<p>the Rural residential zone and the trunk is located within six metres of an existing or approved building or structure or within 3 metres of a boundary fence; or</p> <p>(f) vegetation is located within the Rural zone and the trunk is located within ten metres of an existing or approved building or structure or within 3 metres of a boundary fence; or</p> <p>(g) vegetation is located within the Conservation zone or Environmental management zone and the trunk is located within 3 metres of an existing or approved structure, not including a boundary fence; or</p> <p>(h) vegetation which was planted for landscaping purposes; and</p> <p>(i) The damage is not the removal of a significant tree located on a site:</p> <p>(i) identified the potential landslip hazard area identified on the Potential landslip hazard overlay maps contained in Schedule 2; or</p> <p>(ii) identified within the coastal scenery zone on the Landscape values overlay maps contained in Schedule 2; or</p> <p>(iii) identified as a place of local significance on the Places of significance overlay maps contained in Schedule 2.</p> <p>or</p> <p><b>AO1.4</b> Vegetation damage that is reasonably necessary for carrying out work that is:</p> <p>(a) authorised or required under legislation or a local law;</p> <p>(b) specified in a notice served by the local government or another regulatory authority;</p> <p>or</p> <p><b>AO1.5</b> Vegetation damage for development where the damage is on land the subject of a valid development approval; and is necessary to give effect to the development approval;</p> <p>or</p> <p><b>AO1.6</b> Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the <i>Vegetation Management Act 1999</i> or current permit for the removal of vegetation granted under a local law;</p> <p>or</p> <p><b>AO1.7</b> Vegetation damage is undertaken on a lot within</p>

Performance outcomes	Acceptable outcomes
	<p>the Rural zone or Rural residential zone and the damage is for routine management, essential management or for property maintenance activities undertaken in accordance with a regular maintenance program;</p> <p>or</p> <p><b>AO1.8</b> Vegetation damage is essential for the survey of a property boundary by a licensed cadastral surveyor;</p> <p>or</p> <p><b>AO1.9</b> Vegetation damage is essential to the maintenance of an existing fire break;</p> <p>or</p> <p><b>AO1.10</b> Vegetation damage is essential to prevent interference to overhead service cabling;</p> <p>or</p> <p><b>AO1.11</b> Vegetation damage is part of a regular maintenance program for pruning to remove a portion of a tree that does not result in the removal of more than 15%, by volume, in any 12 month period;</p> <p>or</p> <p><b>AO1.12</b> Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the <i>Vegetation Management Act 1999</i>;</p> <p>or</p> <p><b>AO1.13</b> Vegetation damage is for a traditional Aboriginal or Torres Strait Islander cultural activity, other than a commercial activity;</p> <p>or</p> <p><b>AO1.14</b> Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i>.</p>
<p><b>PO2</b> Vegetation damaged on a lot does not result in a nuisance</p>	<p><b>AO2.1</b> Damaged vegetation is removed and disposed of at an approved site;</p>

Performance outcomes	Acceptable outcomes
	<p>or</p> <p><b>AO2.2</b> Damaged vegetation is mulched or chipped and used onsite.</p>
<p><b>PO3</b> Vegetation damage does not result in the removal of a healthy, significant tree from the streetscape.</p>	<p><b>AO3.1</b> Vegetation damage does not result in the removal of a significant tree from whichever is the greater of:</p> <ul style="list-style-type: none"> <li>(a) the setback between a building and the street front boundary; or</li> <li>(b) the area within six metres of the street front boundary.</li> </ul> <p>or</p> <p><b>AO3.2</b> Vegetation damage is undertaken by a statutory authority on land that the statutory authority has control over.</p>
<p><b>PO4</b> Vegetation damage on a lot identified on the Neighbourhood Character Overlay does not result in a negative impact on or detract from the streetscape.</p>	<p><b>AO4.1</b> Vegetation damage results in the removal of vegetation other than a significant tree.</p> <p>or</p> <p><b>AO4.2</b> Vegetation damage is undertaken by a statutory authority on land that the statutory authority has control over.</p>
<p><b>PO5</b> Vegetation damage on a lot identified on Places of significance does not result in a negative impact on the sites heritage values.</p>	<p><b>AO5.1</b> Vegetation damage results in the removal of vegetation other than a significant tree.</p> <p>or</p> <p><b>AO5.2</b> Vegetation damage is undertaken by a statutory authority on land that the statutory authority has control over.</p>