

9.4.9 Vegetation management code

9.4.9.1 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.

9.4.9.2 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.

9.4.9.3 Criteria for assessment

Part A - Criteria for self-assessable and assessable development

Table 9.4.9.3.a – Vegetation management – self-assessable and assessable development

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
Vegetation damage	
<p>PO1 Vegetation is protected to ensure that:</p> <ul style="list-style-type: none"> (a) the character and amenity of the local area is maintained; (b) vegetation damage does not result in fragmentation of habitats; (c) vegetation damage is undertaken in a sustainable manner; (d) the regions biodiversity and ecological values are maintained and protected; (e) vegetation of historical, cultural and / or visual significance is retained; (f) vegetation is retained for erosion prevention and slope stabilisation. 	<p>AO1.1 Vegetation damage is undertaken by a statutory authority land that the statutory authority has control over;</p> <p>or</p> <p>AO1.2 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>AO1.3 Vegetation damage other than referenced to in AO1.1 or AO1.2 is the damage of:</p> <ul style="list-style-type: none"> (a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>; or (b) vegetation identified within the local governments register of declared plants pursuant to the local governments local laws; or (c) vegetation which is an exotic species; or (d) vegetation on a lot less than 800m²; or

Performance outcomes	Acceptable outcomes
	<p>(e) vegetation is located within an urban area or 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> <ul style="list-style-type: none"> (i) identified the potential landslip hazard area identified on the Potential landslip hazard overlay maps contained in Schedule 2; or (ii) identified within the coastal scenery zone on the Landscape values overlay maps contained in Schedule 2; or (iii) identified as a place of local significance on the Places of significance overlay maps contained in Schedule 2. <p>or</p> <p>AO1.4 Vegetation damage that is reasonably necessary for carrying out work that is:</p> <ul style="list-style-type: none"> (a) authorised or required under legislation or a local law; (b) specified in a notice served by the local government or another regulatory authority; <p>or</p> <p>AO1.5 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>AO1.6 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>

Performance outcomes	Acceptable outcomes
	<p>AO1.7 Vegetation damage is undertaken on a lot within 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>AO1.8 Vegetation damage is essential for the survey of a property boundary by a licensed cadastral surveyor;</p> <p>or</p> <p>AO1.9 Vegetation damage is essential to the maintenance of an existing fire break;</p> <p>or</p> <p>AO1.10 Vegetation damage is essential to prevent interference to overhead service cabling;</p> <p>or</p> <p>AO1.11 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>AO1.12 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>AO1.13 Vegetation damage is for a traditional Aboriginal or Torres Strait Islander cultural activity, other than a commercial activity;</p> <p>or</p> <p>AO1.14 Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i>.</p>
PO2	AO2.1

Performance outcomes	Acceptable outcomes
<p>Vegetation damaged on a lot does not result in a nuisance</p>	<p>Damaged vegetation is removed and disposed of at an approved site;</p> <p>or</p> <p>AO2.2 Damaged vegetation is mulched or chipped and used onsite.</p>
<p>PO3 Vegetation damage does not result in the removal of a healthy, significant tree from the streetscape.</p>	<p>AO3.1 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"> (a) the setback between a building and the street front boundary; or (b) the area within six metres of the street front boundary. <p>or</p> <p>AO3.2 Vegetation damage is undertaken by a statutory authority on land that the statutory authority has control over.</p>
<p>PO4 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>AO4.1 Vegetation damage results in the removal of vegetation other than a significant tree.</p> <p>or</p> <p>AO4.2 Vegetation damage is undertaken by a statutory authority on land that the statutory authority has control over.</p>
<p>PO5 Vegetation damage on a lot identified on Places of significance does not result in a negative impact on the sites heritage values.</p>	<p>AO5.1 Vegetation damage results in the removal of vegetation other than a significant tree.</p> <p>or</p> <p>AO5.2 Vegetation damage is undertaken by a statutory authority on land that the statutory authority has control over.</p>