

Native Vegetation Removal Fact Sheet



South Gippsland
Shire Council

When removing native trees and vegetation, you'll likely need a Planning Permit (in most instances). This is to ensure our natural environment and the wildlife that live in it are protected.

As a general rule, you should be avoiding removal all together, but if you cannot, you must remove the **minimum amount necessary**.

Is a planning permit required for all native vegetation removal works?

No. Plenty of common works that involve native vegetation removal do not need a planning permit.

When is a planning permit not required?

The South Gippsland Planning Scheme states that a permit is not required if native vegetation is needed for the following reasons:

- Emergency works*
- Pruning and maintenance*
- Boundary Fences*
- Dead Vegetation*
- Non-native vegetation and Bracken fern.
- Land surveying.
- Bushfire protection.

** Limits apply – if you are unsure, contact Council to discuss your needs.*

Need more information or help?

Please contact Council on
5662 9200 or
council@southgippsland.vic.gov.au
and ask to speak to one of our
Planning Officers.

How much does a planning permit cost?

The application cost depends on the amount of vegetation you need to remove and if it relates to domestic purposes.

Please contact the Statutory Planning team for more details.

On the next page, we have some handy information on likely situations and your best way forward. As always you can reach out to Council for help.

I have safety concerns about a tree on my land.

A planning permit is not required. An 'Emergency Works' exemption gives you (the landowner) the right to trim a branch or lop a tree "to the minimum extent necessary" if it poses an immediate danger.

I want to prune native trees on my land.

A planning permit is not required for pruning and general maintenance works, but limits apply.

The 'Lopping and Pruning for Maintenance' exemption doesn't apply to the trunk of a native tree, but does allow up to one-third of a tree canopy to be removed as part of general maintenance works.

I want a tree on someone else's land to be pruned or removed.

You cannot remove vegetation from land you don't own. This includes:

- A nature strip.
- A public roadside or road reserve area.
- A railway reservation area.
- Private land not in your ownership.

If you have concerns or want to request maintenance works on public land, please contact Council.

For concerns about native vegetation on neighbouring land, Council can assist with clarifying your rights and your neighbours and give you advice on how to chat to your neighbour about those concerns.

I want to remove dead trees.

You can do this at any time. However, the 'Dead Vegetation' exemption does not apply to dead trees that are still standing and have a large trunk diameter (40 centimetres or more at 1.3 metres above ground level). These could still be a habitat for native wildlife.

I want to remove non-native plants or weeds.

A planning permit is not required for removing weeds. In most situations, you won't need a permit to remove or destroy non-native vegetation such as pine trees. However, if your land is within a designated *Special Water Supply Catchment Area*, a planning permit is required to remove non-native trees located within 30 metres of a waterway, wetland, flood plain or reservoir.

I need to install a new boundary fence.**

A permit is not required for native vegetation removal related to installing or maintaining a land boundary fence, but limitations apply. The 'Fencing' exemption only applies to a boundary fence between land in different ownership – not to internal fencing on rural properties.

You can however remove up to a maximum of 3 metres width on your side of the boundary fence if needed. If clearing on both sides, the total combined cleared area cannot exceed 4 metres.

Don't remove vegetation from your neighbour's land without their approval.

If you don't need a fence, please don't build one. Keep your existing native trees and shrubs or plant new ones. All of us can help protect and restore the natural 'look and feel' of South Gippsland.

I want to remove trees for reasons not listed.

A planning permit may be required. Please call Council to discuss what you're hoping to do. Council staff can advise you if the amount of native vegetation removal would be covered by an exemption or if a planning permit is required.

Bushfire Protection

If your land is located in the Bushfire Management Overlay (BMO), you have the right to protect your home by removing native vegetation because it can act as fuel for a bushfire.

However, there are still rules around the amount of native vegetation you can remove depending on the age of your home.

For homes built before 18 November 2021:

- The 10/50 rule applies.
- In this case, a planning permit isn't required to remove:
 - » A tree within 10 metres of your home.
 - » A shrub within 50 metres of your home.

For homes built after 18 November 2021:

- The 10/50 rule doesn't apply.
- Check your Planning Permit to:
 - » Refer to the Bushfire Management Plan in your permit.
 - » Landowners have a legal duty to ensure your land complies with all conditions of your permit at all times, including the Bushfire Management Plan.

*****Boundary Fence rules apply in coastal towns.***

Venus Bay, Tarwin Lower, Waratah Bay and Sandy Point all have boundary fence design rules to help protect the natural environment and charm of these towns as they grow.

A Planning Permit is required for a front or side boundary fence other than traditional 'Post and Wire Fence' construction.

Landowners have the right to build a solid fence (such as a timber paling or metal panel fence) on your rear boundary and side boundaries.