



Information sheet

Sunshine Coast Planning Scheme 2014

Vegetation management

This information sheet has been prepared to provide a summary of the requirements for vegetation clearing under the *Sunshine Coast Planning Scheme 2014*.

What is vegetation clearing?

'Vegetation clearing' is defined as:

The destruction of vegetation or interference with its natural growth in any way including removing, clearing, slashing, cutting down, ringbarking, scar-barking, pushing or pulling over, poisoning (including by contamination), burning, flooding, draining or compacting of roots.

The term does not include:-

- (a) destruction of standing vegetation by stock;
- (b) lopping a tree by cutting or pruning its branches, provided that it does not involve:-
 - (i) removing the tree's trunk; or
 - (ii) cutting or pruning the tree's branches so severely that it is likely to die; or
 - (iii) mowing of grass or lawn.

Vegetation clearing is 'development' (operational work) under the *Sustainable Planning Act 2009* and is regulated by the *Sunshine Coast Planning Scheme 2014*. Vegetation clearing is no longer allowed to be regulated by a local law.

When is an application to council required for vegetation clearing?

Under the *Sunshine Coast Planning Scheme 2014*, vegetation clearing that is not defined as 'exempt vegetation clearing', requires a code assessable application to be made to Council.

What is 'exempt vegetation clearing'?

'Exempt vegetation clearing' is defined in Schedule 1 (Definitions) of the planning scheme. If you are proposing to clear vegetation as identified by this definition you will not need to make a development application to Council. Some examples of common exemptions include:

- Clearing for emergency works;
- Clearing for 'property maintenance activities' in the Rural zone;

- Clearing of pest or exotic species, provided certain conditions are met;
- Clearing on small lots not exceeding 1000m², subject to a small number of exceptions (e.g. the vegetation is identified as character vegetation in a local plan, or is on an identified heritage place).

For a full list of exemptions, refer to Schedule 1 (Definitions) of the *Sunshine Coast Planning Scheme 2014* and the Flow Chart for exempt vegetation clearing.

It is important to note that vegetation clearing which is exempt for the purposes of the planning scheme may be subject to assessment under State or Federal legislation.

Vegetation clearing associated with other development

Vegetation clearing is also classified as 'exempt vegetation clearing' where in accordance with a current development approval for:

- material change of use;
- reconfiguring a lot;
- other operational work; or
- building work associated with a dwelling house.

Proposed vegetation clearing associated with the development is assessed as part of the development application, generally against the provisions in the Biodiversity, waterways and wetlands overlay code which addresses matters such as the protection and enhancement of biodiversity values. Assessment may also be undertaken against the Works, services and infrastructure code which specifies requirements for clearing works (refer to Part 9 of the *Sunshine Coast Planning Scheme 2014*). A separate vegetation clearing application will not be required.

Under the overlays table of assessment in Part 5 of the planning scheme, the level of assessment for some self assessable uses is increased to code assessment where land is affected by the Biodiversity, waterways and wetlands overlay (e.g. dual occupancy). Clearing associated with these uses will be assessed against the overlay code as part of the code assessable development application.

Where the development being undertaken:

- does not require a development approval under the planning scheme (for example the use is identified as exempt or self assessable by the tables of assessment in Part 5 of the planning scheme); or
- is for building work not associated with a material change of use (other than for a dwelling house); and
- involves vegetation clearing which is NOT otherwise defined as 'exempt vegetation clearing' in Schedule 1 (Definitions);

then a development application for vegetation clearing (operational works) is required to be made to Council. The development application will be assessed against the provisions of the Vegetation management code in Part 9 of the *Sunshine Coast Planning Scheme 2014*.

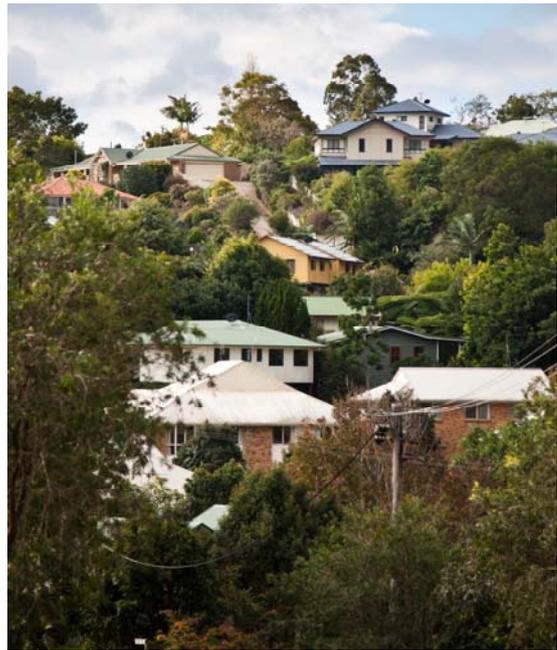
For example, vegetation clearing associated with the establishment of a new cropping use in the Rural zone may require an application to Council even though the change of use itself does not (cropping is identified as self assessable in the Rural zone under Part 5 Tables of assessment). This will however only be the case where no other exemptions apply under the definition of 'exempt vegetation clearing'.

Vegetation clearing associated with a dwelling house

Vegetation clearing associated with the establishment or extension of a dwelling house (other than a small extension classified as 'minor building work') which is on land subject to the Biodiversity, waterways and wetlands overlay (e.g. mapped native vegetation areas) is required to be assessed against the relevant provisions of the Biodiversity, waterways and wetlands overlay code.

The Biodiversity, waterways and wetlands overlay code includes self assessable provisions which relate specifically to clearing for dwelling houses. These provisions identify the amount and extent of clearing which is permissible. A development approval for building work for the dwelling house cannot be issued unless these provisions are complied with.

Where these outcomes are not complied with, a code assessable development application will be required to be submitted to Council.



Vegetation clearing that is not associated with other development

Vegetation clearing that is not associated with another type of development and which is not otherwise defined as 'exempt vegetation clearing' under Schedule 1 (Definitions), will require a development application for vegetation clearing (operational works) to be made to Council. The development application will be assessed against the provisions of the Vegetation management code in Part 9 of the *Sunshine Coast Planning Scheme 2014*.

The Vegetation management code addresses issues such as habitat and biodiversity values, water quality, character and amenity values and management of clearing works.

The application may also be required to be assessed against the relevant overlay code provisions where in an area mapped under the overlay (e.g. Biodiversity, waterways and wetlands overlay code, Flood hazard overlay code, Heritage and character areas overlay code, Landslide hazard and steep land overlay code, Scenic amenity overlay code and Water resource catchments overlay code).

Are biodiversity offsets required?

Where vegetation clearing cannot practically be avoided, a biodiversity offset may be required. Biodiversity offsets involve the provision of compensatory habitat, which may be located on or off the development site, to counterbalance the loss of habitat and other values as a result of the clearing.

The Vegetation management code and Planning scheme policy for biodiversity offsets provide details in relation to biodiversity offsets.

Biodiversity offsets only apply to vegetation clearing that is assessable development under the planning scheme, and are not required for self assessable vegetation clearing associated with a dwelling house.

Need further information?

For further information about the requirements for vegetation clearing, the *Sunshine Coast Planning Scheme 2014* is available on Council's website. Alternatively, you may contact Council directly with your enquiry.

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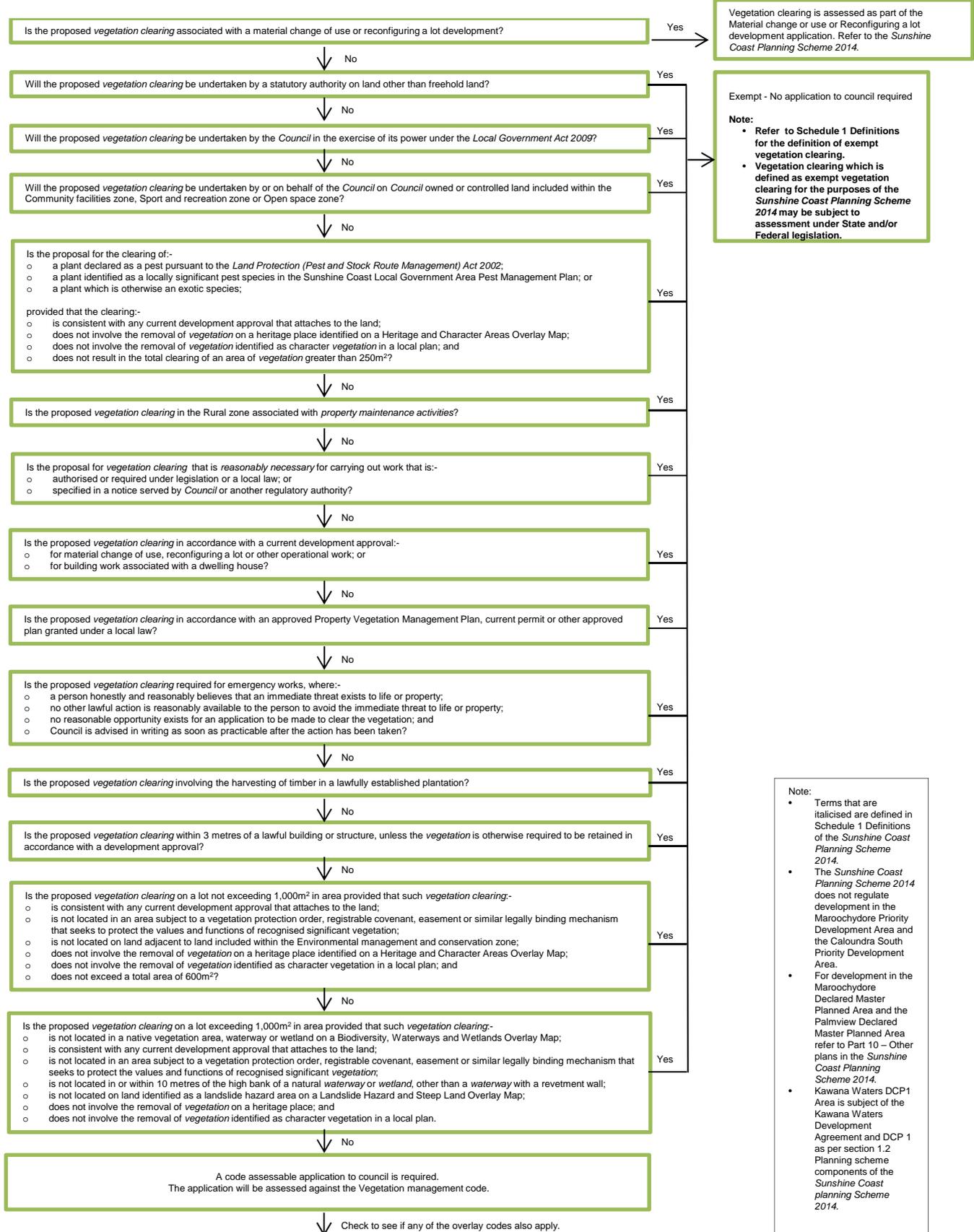
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Disclaimer

The contents of this information sheet deals with technical matters in a summary way only and has been prepared to assist the community to understand the *Sunshine Coast Planning Scheme 2014*. Please refer to the *Sunshine Coast Planning Scheme 2014* for further detail.

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Flow Chart for Exempt Vegetation Clearing: How to determine if vegetation clearing requires a development approval from Council



Note:

- Terms that are italicised are defined in Schedule 1 Definitions of the Sunshine Coast Planning Scheme 2014.
- The Sunshine Coast Planning Scheme 2014 does not regulate development in the Maroochydore Priority Development Area and the Caloundra South Priority Development Area.
- For development in the Maroochydore Declared Master Planned Area and the Palmview Declared Master Planned Area refer to Part 10 – Other plans in the Sunshine Coast Planning Scheme 2014.
- Kawana Waters DCP1 Area is subject of the Kawana Waters Development Agreement and DCP 1 as per section 1.2 Planning scheme components of the Sunshine Coast planning Scheme 2014.

If a code assessable application is required for operational works for vegetation clearing (not associated with a material change of use or reconfiguring a lot), it will be assessed against the Vegetation management code. The application may also require assessment against the overlay codes. Note: Refer to Schedule 2 Mapping for the overlay maps.

Check to see if the Biodiversity, waterways and wetlands overlay applies

Is the proposed *vegetation clearing* on land subject to the Biodiversity, waterways and wetlands overlay as identified on a Biodiversity, waterways and wetlands overlay map?

Yes → Biodiversity, waterways and wetlands overlay code applies

No. The Biodiversity, waterways and wetlands overlay code does not apply.

Check to see if the Flood hazard overlay applies

Is the proposed *vegetation clearing* within a Flood and inundation area as identified on a Flood hazard overlay map and involving any physical alteration to a *waterway* or floodway, including *vegetation clearing*?

Yes → Flood hazard overlay code applies

No. The Flood hazard overlay code does not apply.

Check to see if the Heritage and character areas overlay applies

Is the proposed *vegetation clearing* on a Local heritage place or State heritage place identified on a Heritage and character areas overlay map?

Yes → Heritage and character areas overlay code applies

No. The Heritage and character areas overlay code does not apply.

Check to see if the Landslide hazard and steep land overlay applies

Is the proposed *vegetation clearing* on Steep land or a Landslide hazard area as identified on a Landslide hazard and steep land overlay map?

Yes → Landslide hazard and steep land overlay code applies

No. The Landslide hazard and steep land overlay code does not apply.

Check to see if the Scenic amenity overlay applies

Is the proposed *vegetation clearing* on land subject to the Scenic amenity overlay as identified on a Scenic amenity overlay map?

Yes → Scenic amenity overlay code applies

No. The Scenic amenity overlay code does not apply.

Check to see if the Water resource catchments overlay applies

Is the proposed *vegetation clearing* within a Water resource catchment area as identified on a Water resource catchments overlay map?

Yes → Water resource catchments overlay code applies

No. The Water resource catchments overlay code does not apply.

