

## FACT SHEET

# Managing vegetation on private property – Hervey Bay

### How is vegetation clearing managed in Hervey Bay?

The Hervey Bay Planning Scheme 2006 regulates all vegetation clearing in Hervey Bay - from the removal of individual trees on suburban blocks, to larger scale vegetation clearing for new development or on rural land.

The State government also has requirements for the clearing of vegetation of State significance.

### How is significant vegetation protected by Council?

Significant areas of vegetation are included on the Natural Areas Overlay and the Wetlands and Waterways Overlay mapping which forms part of the Hervey Bay Planning Scheme.

The **Natural Areas Overlay** mapping includes all remnant vegetation (identified by the State government) along with areas of identified locally-significant vegetation such as koala habitat, habitat for protected plants and green corridors.

The **Wetlands and Waterways Overlay** mapping includes all natural waterways, wetlands and associated buffer areas and vegetation.

### Is my site on an Overlay Map?

Council's online mapping tool can be used to search for overlay mapping on specific properties.

To view the online mapping visit:  
<http://pdonline.frasercoast.qld.gov.au>.

### Do I need an approval to clear vegetation in Hervey Bay?

Vegetation clearing is classified as '**Operational Works**' and triggers either self assessment or code assessment depending on the location of the site and the nature of clearing proposed.

Vegetation clearing activities are generally **self assessable** (and do not require a planning application) where clearing is proposed within an approved building footprint, is related to bushfire management or is related to maintenance for rural properties with lawful agriculture/animal husbandry uses. For a full outline of instances where vegetation clearing is self assessable, refer to *Attachment A*.

Where clearing is not self assessable as per the above, it requires a **code assessable** development application. Such an application needs to be submitted to Council with the correct IDAS Application Forms and supporting material including assessment against the applicable code/s (typically the Natural Areas Overlay Code or Wetlands and Waterways Overlay Code).

### What State regulations apply to vegetation clearing in Hervey Bay?

#### **Remnant vegetation**

The State Government regulates vegetation removal across Queensland within areas of mapped remnant and regrowth vegetation under the *Vegetation Management Act 1999*, and specifically for development applications associated with a material change of use or reconfiguration of a lot.

For further information refer to:  
<http://www.derm.qld.gov.au/vegetation/clearing/mcurol.html>

To check whether a site includes remnant vegetation refer to:

[http://www.derm.qld.gov.au/wildlife-ecosystems/biodiversity/regional\\_ecosystems/introduction\\_and\\_status/regional\\_ecosystem\\_maps/](http://www.derm.qld.gov.au/wildlife-ecosystems/biodiversity/regional_ecosystems/introduction_and_status/regional_ecosystem_maps/)

### **Marine Plants and Mangroves**

All marine plants, including mangroves, are protected under the *Fisheries Act* 1994. The destruction, damage or disturbance of marine plants without approval from the Department of Primary Industries and Fisheries is prohibited.

Heavy penalties apply to any unauthorised disturbances. For further details refer to:  
[http://www.dpi.qld.gov.au/28\\_9125.htm](http://www.dpi.qld.gov.au/28_9125.htm)

### **Vegetation covenants**

Vegetation can also be protected under vegetation covenants registered under the *Land Title Act* 1994. Details of covenants are included on the land title and can be checked at the time of purchase. Information about covenants can also be obtained from Council.

### **Require Further Information?**

For further information about vegetation clearing in Hervey Bay, please contact Council's Duty Planner on 1300 79 49 29.

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## Attachment A: Vegetation Removal Triggers for Self Assessment

<p><b>Where the site is NOT identified on the Natural Areas or Wetlands and Waterway Overlay maps, vegetation clearing is self assessable where meeting the following criteria:</b></p>	<p><b>Where all or part of the site is within a Wetland Buffer or Waterway Buffer as identified on the Wetlands and Waterway Overlay mapping, vegetation clearing is self assessable where meeting the following criteria:</b></p>
<p>The site is located on land:</p> <ul style="list-style-type: none"> <li>with a slope no greater than 15%;</li> <li>not identified as a recharge or discharge area of salt-affected land; and</li> <li>not containing dispersive or sodic soils; and</li> </ul> <p>and, for vegetation clearing:</p> <ul style="list-style-type: none"> <li>within an approved building footprint, pool footprint or the footprint of associated infrastructure (1.1a); and/or</li> <li>necessary to remove danger to people or property, that is closer to an existing or approved building or pool than it is high (1.1b); and/or</li> <li>in a medium or high bushfire hazard area for a necessary firebreak within a distance of an existing or approved building less than 1.5 times the height of the vegetation or 20 metres whichever is the greater (1.1c); and/or</li> <li>of immature vegetation less than four (4) metres in height that is not remnant or high value regrowth vegetation on land within the Rural Zone and part of maintenance associated with an existing lawful agriculture or animal husbandry use (1.1d); and/or</li> <li>classed as pruning as per Australian Standard AS4373 (not including lopping or topping) (1.1e); and/or</li> <li>for maintenance/mowing of grass, shrubs and saplings less than two (2) metres tall where not remnant or high value regrowth vegetation (1.1f); and/or</li> <li>in a medium or high bushfire hazard area to establish a fire management line to a maximum width of ten (10) metres (1.1g); and/or</li> <li>within six (6) metres of an approved building footprint for a site in the Rural or Rural Residential Zones within four (4) metres of an approved building footprint in any other zone and with two (2) metres of an approved pool footprint where associated with a Detached Dwelling (1.1h); and/or</li> <li>outside the area nominated outside of (1.1h) above, on a lot less than 5,000m<sup>2</sup> where the girth of the tree is less than 50cm measured one (1) metre from the ground or the height of the tree is less than four (4) metres (1.1i).</li> </ul>	<p>For vegetation clearing:</p> <ul style="list-style-type: none"> <li>within an approved building footprint, pool footprint or the footprint of associated infrastructure (1.1a); and/or</li> <li>necessary to remove danger to people or property, that is closer to an existing or approved building or pool than it is high (1.1b); and/or</li> <li>in a medium or high bushfire hazard area for a necessary firebreak within a distance of an existing or approved building less than 1.5 times the height of the vegetation or 20 metres whichever is the greater (1.1c); and/or</li> <li>of immature vegetation less than four (4) metres in height that is not remnant or high value regrowth vegetation on land within the Rural Zone and part of maintenance associated with an existing lawful agriculture or animal husbandry use (1.1d); and/or</li> <li>classed as pruning as per Australian Standard AS4373 (not including lopping or topping) (1.1e); and/or</li> <li>for maintenance/mowing of grass, shrubs and saplings less than two (2) metres tall where not remnant or high value regrowth vegetation (1.1f); and/or</li> <li>in a medium or high bushfire hazard area to establish a fire management line to a maximum width of ten (10) metres (1.1g); and/or</li> <li>within six (6) metres of an approved building footprint for a site in the Rural or Rural Residential Zones within four (4) metres of an approved building footprint in any other zone and with two (2) metres of an approved pool footprint where associated with a Detached Dwelling (1.1h); and/or</li> <li>outside the area nominated outside of (1.1h) above, on a lot less than 5,000m<sup>2</sup> where the girth of the tree is less than 50cm measured one (1) metre from the ground or the height of the tree is less than four (4) metres (1.1i).</li> </ul>
<p><b>Where all or part of the site is within a Natural Area as identified on the Natural Areas Overlay mapping, vegetation clearing is self assessable where meeting the following criteria:</b></p>	<p><b>Where all or part of the site is within a Wetland or Waterway as identified on the Wetlands and Waterway Overlay mapping, vegetation clearing is self assessable where meeting the following criteria:</b></p>
<p>The site is located on land with a slope no greater than 15% and for vegetation clearing:</p> <ul style="list-style-type: none"> <li>within an approved building footprint, pool footprint or the footprint of associated infrastructure (1.1a); and/or</li> <li>necessary to remove danger to people or property, that is closer to an existing or approved building or pool than it is high (1.1b); and/or</li> <li>in a medium or high bushfire hazard area for a necessary firebreak within a distance of an existing or approved building less than 1.5 times the height of the vegetation or 20 metres whichever is the greater (1.1c); and/or</li> <li>of immature vegetation less than four (4) metres in height that is not remnant or high value regrowth vegetation on land within the Rural Zone and part of maintenance associated with an existing lawful agriculture or animal husbandry use (1.1d); and/or</li> <li>classed as pruning as per Australian Standard AS4373 (not including lopping or topping) (1.1e); and/or</li> <li>for maintenance/mowing of grass, shrubs and saplings less than two (2) metres tall where not remnant or high value regrowth vegetation (1.1f); and/or</li> <li>in a medium or high bushfire hazard area to establish a fire management line to a maximum width of ten (10) metres (1.1g).</li> </ul>	<p>For vegetation clearing:</p> <ul style="list-style-type: none"> <li>within an approved building footprint, pool footprint or the footprint of associated infrastructure (1.1a); and/or</li> <li>necessary to remove danger to people or property, that is closer to an existing or approved building or pool than it is high (1.1b); and/or</li> <li>in a medium or high bushfire hazard area for a necessary firebreak within a distance of an existing or approved building less than 1.5 times the height of the vegetation or 20 metres whichever is the greater (1.1c); and/or</li> <li>of immature vegetation less than four (4) metres in height that is not remnant or high value regrowth vegetation on land within the Rural Zone and part of maintenance associated with an existing lawful agriculture or animal husbandry use (1.1d); and/or</li> <li>classed as pruning as per Australian Standard AS4373 (not including lopping or topping) (1.1e); and/or</li> <li>for maintenance/mowing of grass, shrubs and saplings less than two (2) metres tall where not remnant or high value regrowth vegetation (1.1f).</li> </ul>