

Managing Vegetation under Local Law 6

What is 'clearing'?

'Clearing' is defined under the *Vegetation Management Act 1999* and means to remove, cut down, ringbark, push over, poison or destroy vegetation in any way (including by burning, flooding or draining).

How is vegetation protected in Redlands Coast?

Vegetation is managed and protected in a number of different ways:

- Redland City Plan 2018, through the environmental significance overlay;
- *Local Law 6 – Protection of Vegetation*, through Vegetation Protection Orders (VPO) and Tree Protection Areas (TPA);
- Covenants;
- Under the conditions of a development approval;
- Through State legislation, such as the *Vegetation Management Act 1999* and *Planning Regulation 2017*.

Information can be found on Council's [website](#).

Redland City Plan 2018

Council's City Plan mapping shows where the environmental significance overlay applies to individual properties. Development on properties within the overlay must avoid or minimise impacts on native vegetation. If your property is covered by the overlay, you may need a development approval to clear vegetation. Information how to prepare and submit an application can be found on Council's [website](#). Council offers a [fact sheet](#) for Vegetation Clearing against our City Plan.

Development Conditions

If the vegetation is protected under a condition of a development approval, you may need to submit a change application to Council to amend the condition/s of the existing approval. Information on how to prepare and submit an application can be found on Council's [website](#).

The tables in this fact sheet provide guidance for landowners who want to clear vegetation.

Local Law 6 (LL6)

Southern Moreton Bay, Coochiemudlo and North Stradbroke Island properties:

Vegetation on the Southern Moreton Bay Islands and North Stradbroke Island has significant environmental, amenity and cultural values, and vegetation clearing may be restricted to protect and enhance these values.

VPOs 11 and 12 protect significant vegetation on freehold land on the Islands. Particular protections also apply across Coochiemudlo Island and Amity Point under TPAs 7 and 8, to protect the character and amenity values provided by vegetation.

Mainland properties:

Vegetation on various properties on the mainland is protected by Vegetation Protection Orders (VPO) or Tree Protection Areas (TPA) for environmental, amenity and cultural values.

To determine whether these VPO or TPA apply to your property, contact Council. You may need to obtain a permit under LL6 to carry out clearing if a VPO or TPA applies. LL6 sets out how you can do this. You can access the permit application [here](#).

Use Red-e-map to determine if a property has vegetation protected by LL6 or City Plan:

Go to www.redland.qld.gov.au

1. Select 'online services'
2. Select 'Use Red-e-map' (you will need to agree the terms and conditions)
3. From the search bar, enter the property address and select from the drop-down.
4. **Local Law 6** – tick **Environmental** and then open the ribbon to release a sub-menu and tick **Veg Protection Layer**.
 - TPA numbers will display on the screen.
 - VPO will show as red hatching across the property.

5. **City Plan (Environmental Significance)** – click on the property in Red-e-map and from the information box, click on the ‘Click here for Development.i hyperlink.
- The property address will display.
 - Click on the **Details** button to produce a Property Report.
 - If the property has the Environmental Significance overlay, refer to the fact sheet under the heading of Redland City Plan 2018.

LEGISLATION	POTENTIAL REQUIREMENT	POTENTIAL EXEMPTION
Environmental significance overlay	Development application Permit under LL6 Approval under State legislation	For essential management under the Planning Regulation 2017
LL6 (VPO or TPA)	Permit under LL6 Approval under State legislation	LL6 permitted damage
Development condition	Change application in accordance with the Planning Act 2016	Not applicable
State legislation	Contact the relevant State government agency	

Do any exemptions apply?

The following table sets out the circumstances under which you may not need approval from Council or the State government for clearing. The exemptions under LL6 only apply where it is reasonably necessary to carry out the activity and the removal of vegetation must be minimised. Council can provide guidance on what is reasonably necessary.

ACTIVITY	STATE LEGISLATION	LOCAL LAW 6
Bushfire hazard management	For <i>essential management</i> to establish or maintain a firebreak or fire management line Note – contact Council or the Department of Natural Resources, Mines and Energy to check if your clearing is <i>essential management</i>	To establish or maintain a firebreak within three (3) metres of the property boundary Note – clearing to establish a firebreak must be minimised and may be achieved by removing undergrowth only, whilst retaining established trees

ACTIVITY	STATE LEGISLATION	LOCAL LAW 6
Protection of buildings, dwellings, other structures	<p>For <i>essential management</i> to:</p> <ul style="list-style-type: none"> Remove or reduce an imminent risk of damage to infrastructure Maintain infrastructure <p>Note – whether vegetation poses an imminent risk must be determined by a Council officer or qualified arborist</p>	<p>Within ten (10) metres of an existing dwelling house</p> <p>Within three (3) metres of an existing or approved building or structure, other than a dwelling house</p> <p>Pruning of dead branches or limbs reasonably likely to cause damage to any existing or approved building</p> <p>Note – whether vegetation is reasonably likely to cause damage, must be determined by a Council officer or qualified arborist</p>

ACTIVITY	STATE LEGISLATION	LOCAL LAW 6
Protection of persons	<p>For <i>essential management</i> to remove or reduce an imminent risk of serious personal injury</p> <p>Note – whether vegetation poses an imminent risk must be determined by a Council officer or qualified arborist</p>	<p>If vegetation is actually or potentially dangerous</p> <p>Pruning of dead branches or limbs reasonably likely to cause injury or death</p> <p>Note – whether vegetation is actually or potentially dangerous, or is reasonably likely to cause injury or death, must be determined by a Council officer or qualified arborist</p>
Fencing and surveying	<p>For <i>essential management</i> to maintain fences</p> <p>Note – contact Council or the Department of Natural Resources, Mines and Energy to check if your clearing is <i>essential management</i></p>	<p>Within three (3) metres of the boundary to erect or maintain a dividing fence, or for a survey of the boundary.</p> <p>Note - removal of vegetation is to be minimised, with the removal of undergrowth vegetation only, whilst retaining established trees. Contact Council with regards to removing established trees.</p>

What do I do if I want to clear vegetation on my property?

It is important to contact Council for assistance. Council can help you determine whether an approval is required and step you through the application process. Penalties may apply if clearing is undertaken without the correct approval.

You should also check with the State government prior to clearing vegetation. Vegetation clearing is regulated under the *Queensland Vegetation Management Act 1999* and the *Planning Act 2016* and other State legislation. It is recommended that you check with the Department of Resources in case a permit is required to clear vegetation on your property. You are also required to contact the Department to notify them when you are undertaking exempt clearing. You can contact the Department on 135VEG (13 58 34) or email vegetation@resources.qld.gov.au

Disclaimer This fact sheet is intended to help people gain an understanding of the Redland City Plan and is a GUIDE ONLY. The content of this fact sheet is not intended to replace the provisions of the Redland City Plan.