

POLICY 6.2

APPLICATIONS FOR CLEARING OF NATIVE VEGETATION

OBJECTIVE

To provide parameters to assist Shire staff in responding to the relevant state Department in relation to Applications to Clear Native Vegetation, without the requirement for the matter to be referred to Council.

POLICY

Scope

This policy relates to all “General Rural” zoned land within the Shire of Gingin.

Policy Statement

Applications for the clearing of native vegetation are dealt with under the *Environmental Protection Act 1986*. Such applications are referred by the responsible State Department to the relevant local government, which is then required to advise whether it supports the application or not.

The Shire of Gingin does not have the expertise required to assess and determine the potential environmental impacts of proposals to clear native vegetation, and this is the responsibility of the relevant Department. The role of the Shire of Gingin is to consider applications for clearing of native vegetation in terms of potential land use planning impacts.

1. In view of the above statements, the following general protocols shall apply:
 - a. Where a referral is received in respect to a land clearing proposal for the purpose of accommodating a land use which is permitted under the provisions of Local Planning Scheme No. 9 (LPS 9), the Administration will advise that the Shire of Gingin has no objection to the proposed clearing.
 - b. Where a referral is received in respect to a land clearing proposal which under the provisions of LPS 9 requires Council consideration, then such application for clearing shall be considered simultaneously with the application for development approval. Council’s position in respect to the clearing proposal will be determined by virtue of its support or otherwise for the proposed development.
 - c. Where a referral is received with respect to a land clearing proposal and the clearing is associated with a land use:
 - i. Which, under the provisions of LPS 9, requires development approval; and
 - ii. where no such approval either exists or has been applied for,the relevant department will be advised that any proposal for land clearing is premature in the absence of a development approval.

2. Where a referral is received with respect to land clearing which relates to a land use that is not permitted under LPS 9, the Department shall be advised that the application for land clearing will not be considered.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Environmental Protection Act 1986 Part 5 Division 2 – Clearing of native vegetation</i>
Industry Compliance	N/A
Organisational Compliance	N/A

POLICY ADMINISTRATION

Review Cycle	2 years	Next Review	2026
Department	Regulatory & Development Services (Planning)		

Version	Decision Reference	Synopsis
1.	07/12/2004 Item 10.1.1	Policy adopted.
2.	19/04/2011 Item 11.2.2	Policy reviewed without amendment.
3.	20/02/2024 Item 12.3	Policy reviewed and amended.