



Local Land  
Services  
Northern Tablelands

# Managing Native Vegetation on a Rural Property under *Local Land Services Act 2013*

Ian Trow – Senior Land Services Officer – Land Management Team – Northern Tablelands Local Land Services –  
[ian.trow@lls.nsw.gov.au](mailto:ian.trow@lls.nsw.gov.au) - 0437630686

# Land Management Framework commenced 25 August 2017.



## NSW Biodiversity Offsets Scheme and Land Management Framework Biodiversity Assessment and Approval Pathways for Local Government

4 August 2020

Does the proposal involve vegetation clearing or other biodiversity impacts (s6.3 BC Act)?

If yes, start at Part 4 Local Development Pathway and work through the flowchart from left to right.

If no, this flowchart does not apply.\*\*

### PART 4 LOCAL DEVELOPMENT PATHWAY

Does the proposal require development consent under Part 4 of the EP&A Act?

Y

CONSIDER BIODIVERSITY AS PART OF DA PROCESS

Check if any exemptions apply

- c34A certification (BC (S&T) Regulation)
- s7.3(4) subdivision exemption (BC Regulation)

BOS entry requirements under BC Act

Is the proposal likely to significantly affect threatened species (TS)? (s7.2 BC Act)

- Is there native vegetation clearing or a prescribed biodiversity impact on land mapped on the Biodiversity Values Map? \* OR
- Does the clearing of native vegetation exceed the area threshold? OR
- Is it likely to significantly affect TS or ecological communities or their habitats, according to the TS Test of Significance?

Y

BOS applies

A BDAR must be prepared by an accredited assessor.

Is the proposal likely to have a Serious and Irreversible Impact (SAII) on entities at risk, as determined by Council?

Y

Council MUST refuse to grant development consent.

N

The proposal requires Council approval.\*\*  
Reduced credit obligations require DPIE concurrence.

N

Continue DA process to assess and approve the proposal in accordance with the EP&A Act.

N

The proposal requires Council approval.\*\*

### PART 5 ACTIVITY PATHWAY

Does the proposed activity require an environmental assessment (EA) under Part 5 of the EP&A Act?

Y

CONSIDER BIODIVERSITY AS PART OF EA PROCESS

BC Act requirements

Is the proposed activity likely to significantly affect TS? (s7.2 BC Act)

- Will it be carried out in a declared Area of Outstanding Biodiversity Value (AOBV)? OR
- Is it likely to significantly affect TS or ecological communities or their habitats, according to the TS Test of Significance?

Y

FURTHER ASSESSMENT IS REQUIRED (TWO (2) OPTIONS AVAILABLE)

Proposed activity is likely to significantly affect TS.

Prepare a Species Impact Statement (SIS).

OR

Opt into BOS  
BDAR must be prepared by an accredited assessor.

Proposed activity requires DPIE concurrence prior to Council approval.\*\*

Proposed activity requires Council approval.\*\*  
If Council decides to reduce the credit obligation it must publish reasons why.

N

Continue Council EA process to assess and approve the activity in accordance with the EP&A Act.

N

Proposed activity requires Council approval.\*\*

### LLS ACT PATHWAY (NON-DA)

Is the proposed clearing located in a Rural Zone (except R5 and RU5) or a Deferred Matter area outside the Sydney Metropolitan Area and Newcastle LGA?

Y

LLS ACT MAY APPLY TO THE PROPOSED CLEARING. PLEASE CONTACT LLS FOR FURTHER ADVICE.

LLS Act requirements

What is the land categorisation as mapped on the Native Vegetation Regulatory Map under the LLS Act?

Transitional arrangements: Where a land category is not mapped, land categories still apply.

Category 1 Exempt Land (Not regulated)

Y

Clearing is not regulated and approval is not required under LLS Act.\*\*  
A BC licence from DPIE may be required.

Y

Clearing may be authorised and undertaken in accordance with an allowable activity or Code requirements.\*\*

Category 2 Regulated Land  
If the proposed clearing is not authorised (or does not require authorisation) under other legislation listed in s600 LLS Act, is the proposed clearing an allowable activity?

Is or can the proposed clearing be certified or otherwise authorised under the Land Management (Native Vegetation) Code 2018?\*\*\*

Y

Division 6 approval required  
BOS applies  
A BDAR must be prepared by an accredited assessor.

Clearing requires approval from the Native Vegetation Panel (NVP) under Part 5A, Division 6 of LLS Act or Part 4 of Vegetation SEPP.\*\*  
A BDAR must be prepared and an assessment of social, economic and environmental impacts.

N

A permit is required for the proposed clearing from Council.\*\*

N

The proposed clearing is located within a Non-Rural zone (including R5 and RU5) or within the Sydney Metropolitan Area or Newcastle LGA.

Authority under the Vegetation SEPP is not required for the proposed clearing in some circumstances (cl8):

- Is it part of an activity that has approval under other legislation as defined by s600 LLS Act or authorised under Part 5B (Private Native Forestry) LLS Act? OR
- Is the vegetation dying or dead and not required as habitat of native animals? OR
- Is the vegetation a risk to human life or property? OR

Do transitional provisions apply? The proposed clearing is associated with transitional provisions within R5, E2, E3 and E4 zones in relevant LGAs as described in cl27 Vegetation SEPP

N

PROPOSED CLEARING MAY REQUIRE AUTHORITY

BC Act requirements

Does the proposed clearing exceed the BOS threshold?

- Is there native vegetation clearing or a prescribed biodiversity impact on land mapped on the Biodiversity Values Map? \* OR
- Does the clearing of native vegetation exceed the area threshold?

Y

Part 4 Vegetation SEPP approval required

BOS applies  
A BDAR must be prepared by an accredited assessor.

A permit is required for the proposed clearing from Council.\*\*

N

Council Development Control Plan (DCP) applies

Does Council's DCP declare the vegetation proposed to be cleared?  
NOTE: A DCP may declare both native and non-native vegetation.

Y

Authority is not required under Vegetation SEPP for the proposed clearing.\*\*  
A BC licence from DPIE may be required.

N

Authority is not required under Vegetation SEPP for the proposed clearing.\*\*  
A BC licence from DPIE may be required.

\* Note: Prescribed Impacts are defined under cl6.1 BC Regulation. \*\* Note: Other legislative requirements may also be considered. \*\*\* Note: Clearing of dead and non-native vegetation on Category 2 Vulnerable Lands is also regulated.



# Landholder Enquiries

1- Allowable Activities

2-Options that may be available under the Land Management (native vegetation) Code 2018

**The first check for landholders is to view their landholding on the Transitional Native Vegetation Regulatory Map**

# Native Vegetation Regulatory Map



Native Vegetation Regulatory Map Viewer

Home

< Start here...

## What's New?

- The transitional Native Vegetation Regulatory (NVR) map was last updated on the 26 March 2021.
- The annual review of the transitional NVR map was exhibited for public comment from 10 February to 12 March 2021. Following the exhibition period the updated map was published on 26 March 2021. The annual review resulted in some re-categorisation of certain areas (rural lands) across most NSW Local Government Areas.

For more detailed information about updates to the map go [here](#).

Click on the **Layers** tab below to open the map legend. Map Layers can be ticked on or off in the map legend.

## Determining land categories not displayed on the map

Transitional arrangements are in place until a comprehensive NVR map with all the land categories is published. During the 'transitional period', landholders are responsible for determining the categorisation of their land in accordance with section 60F of the LLS Act.

Land not categorised on the transitional NVR map viewer is still bound by provisions of the legislation and you may require approval to clear land in these areas.

If you require assistance determining which categories apply to any unmapped areas on your landholding or what clearing approvals may be required, contact the Local Land Services office in your area.

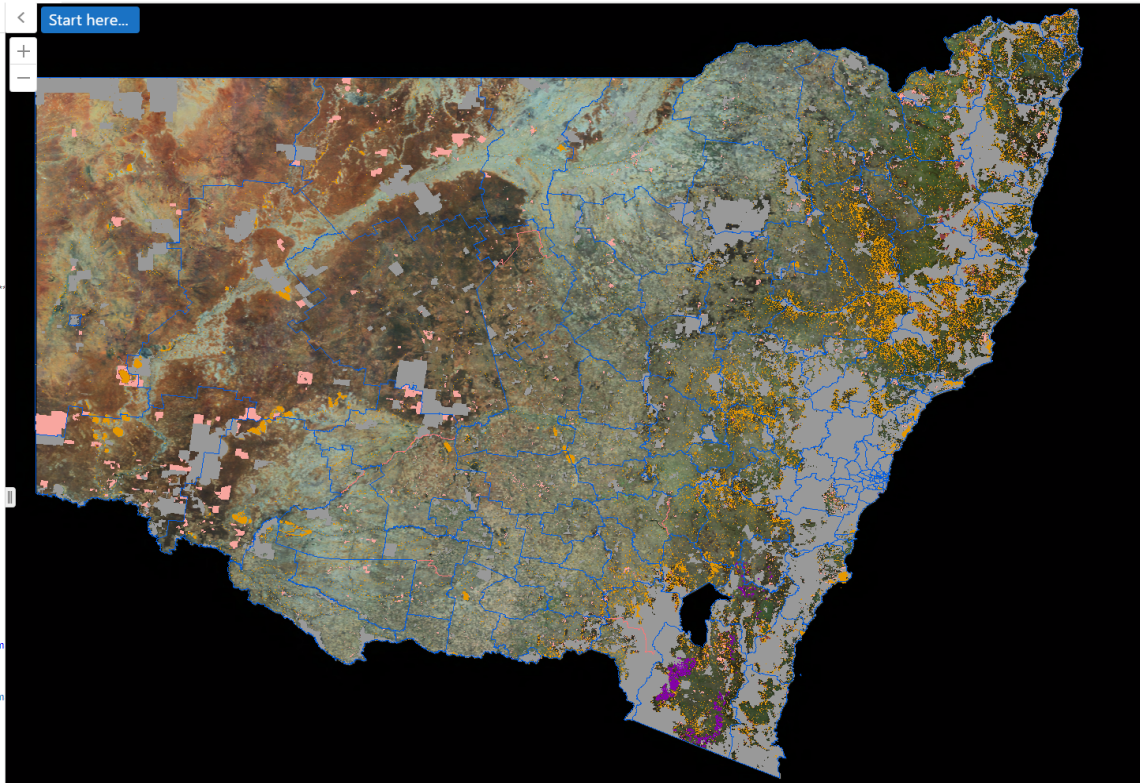
**Map Review:** Landholders can formally request a property scale review of the transitional NVR map where they believe the published map categories contain errors and may need to be re-categorised.

For more information about the Native Vegetation Regulatory map go to:

<https://www.environment.nsw.gov.au/biodiversity/regulatorym>

For more information about the map review process go to:

<https://www.environment.nsw.gov.au/biodiversity/regulatorym>



Just google NVR Map viewer and this map should come up

An aerial photograph of a landscape, likely a forested area, with several irregular yellow-shaded regions. These regions are scattered across the terrain, following some of the natural contours and possibly indicating specific land parcels or areas of interest. The background is a mix of green and brown, suggesting vegetation and bare ground or roads.

Category 2

**Vulnerable Regulated  
Land**

A satellite-style map showing a large, irregularly shaped area of green land, which is identified as 'Category 2 Sensitive Regulated Land'. The land is surrounded by a light pinkish-tan background. The map includes several thin, light-colored lines representing roads or boundaries. The text 'Category 2' is positioned above the main title, and a scale bar is located in the bottom left corner.

Category 2

# Sensitive Regulated Land

0 0.3 0.6km



Excluded Land  
**From LLS Act**



## What land categories are not currently shown on this map

- Category 1 Exempt - This is land that has a history of cultivation/cropping or a history of agricultural intensification.
- Category 2 Regulated Land – This is land that has historically been used for sustainable grazing on a mixture of native and exotic pasture grass species.
- It is expected that the full native Vegetation Regulatory map with all land Categories shown will be released to the public at some stage. (Note: this map is operated by Department of Environment and Heritage Group)





Category 2 - Regulated Land

Category 1 - Exempt Land



# Allowable Activities

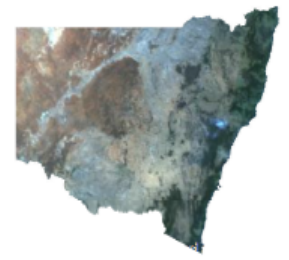
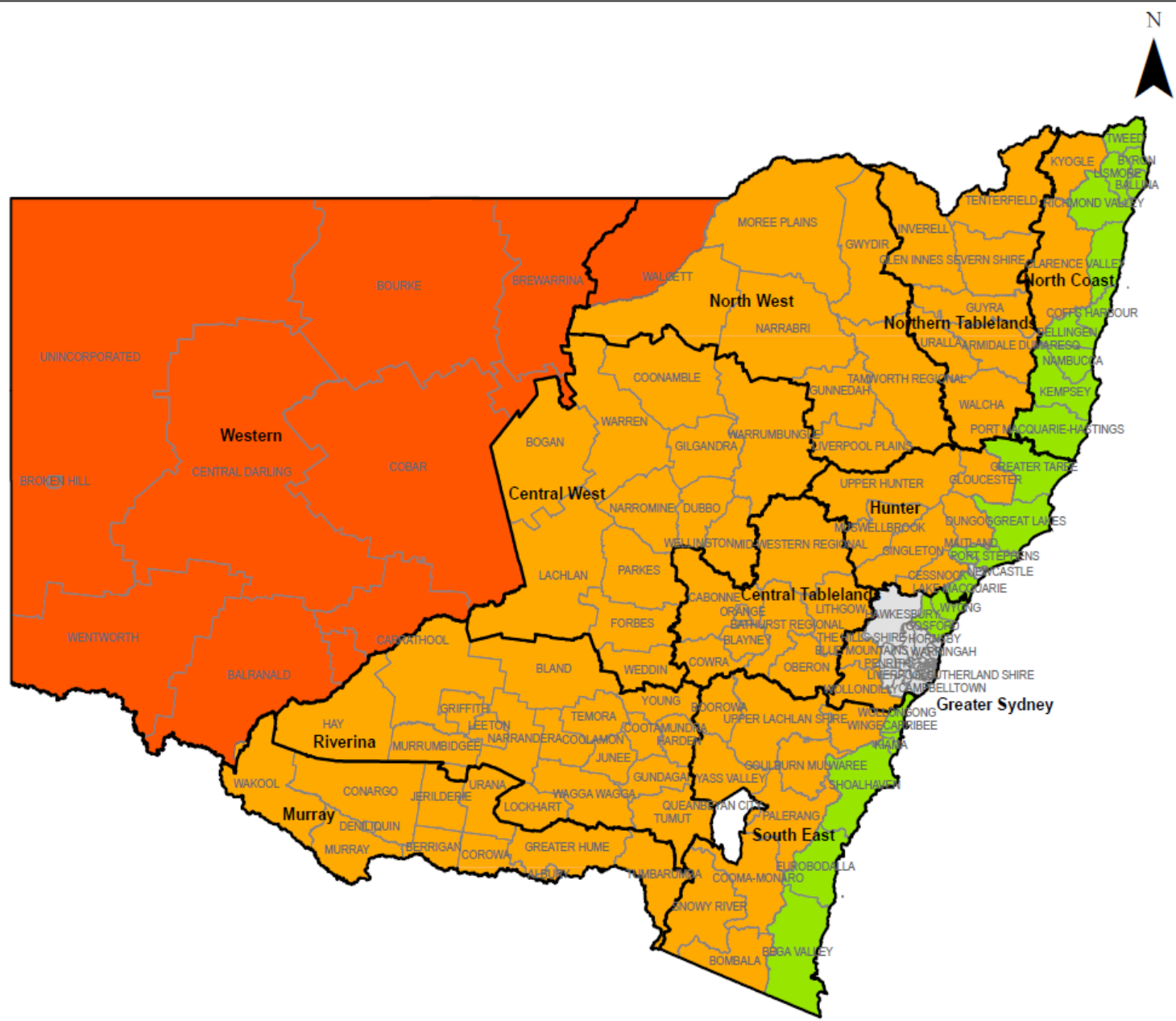
No prior approval required



# Allowable Activity Zones

## Legend

- Allowable Activity Zones**
- Central/Tablelands Zone
  - Coastal Zone
  - Western Zone
  - Excluded
  - LGA
  - NSW LLS Regions



Data has been extracted from digitized field information. The State of New South Wales and the Local Land Services and its employees, officers, agents or servants are not responsible for the result of any actions taken on the basis of the information contained on this map or for any errors, omissions or inaccuracies contained in this map.

Map created by Local Land Services, base data supplied by the © NSW Department of Finances and Services Reference data ©

Copyright New South Wales Government, All Rights Reserved. No part of this map may be reproduced without written permission.

# Allowable Activities

(In central zone on Regulated Land)

- ▶ Sustainable grazing
- ▶ Imminent risk
- ▶ Fence lines (maximum of 30 meters total clearing width)
- ▶ Construction timber and Collection of firewood for personal use
- ▶ Farm sheds (check no approval required from Council)
- ▶ Environment protection works.
- ▶ Farm tracks and roads
- ▶ Private Power Lines and Phone lines
- ▶ Airstrips
- ▶ Traditional aboriginal cultural activities

# Allowable Activities

## Vulnerable and Sensitive Land (Central Zone)

- ▶ Imminent Risk
- ▶ Sustainable Grazing
- ▶ Fence lines (greatly reduced clearing distances- maximum of 6 meters)
- ▶ Environmental protection works
- ▶ Farm tracks, if the track is necessary for access and the route of the track minimises clearing.



Local Land  
Services  
Northern Tablelands

# Land Management (Native Vegetation) Code 2018



- Part 1 – Preliminary
- Part 2 – Invasive Native Species
- Part 3 – Pasture Expansion
- Part 4 – Continuing use
  - Part 5 – Equity
- Part 6 Farm Plan



# Good News

- Local Land Services have staff available to assist landholders with enquiries for vegetation management.
  - You will need to submit and Expression of Interest form to get your case started.
- The Land Management team are always happy to take a call from landholders to discuss their planned work. This can often be sorted out over the phone with a follow up information email.





## Bad News

- On return of the Expression of Interest it will be a minimum of six Months before we are able to visit your landholding
- This is due to current landholder demand and the Covid hangover.
- By submitting an EoI will ensure your place on the client list



Whatever you do it is recommended to keep records of your work including photos and diary entries.



## Key Points

- Native Vegetation Regulatory map – have a look at your own property
  - Allowable activities available for landholders
- Options available under Land Management (Native Vegetation) Code 2018



- Tenterfield - Andrew Davidson – 0427 673 212  
[andrew.davidson@lls.nsw.gov.au](mailto:andrew.davidson@lls.nsw.gov.au)
- Tenterfield – Adam Little – 0477 545 131  
[adam.little@lls.nsw.gov.au](mailto:adam.little@lls.nsw.gov.au)
- Glen Innes - Ian Trow – 0437 630 686  
[ian.trow@lls.nsw.gov.au](mailto:ian.trow@lls.nsw.gov.au)
- Inverell – Jess Ten Brink - 0408 571 453  
[jess.ten.brink@lls.nsw.gov.au](mailto:jess.ten.brink@lls.nsw.gov.au)