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A new approach to
land management and
conservation in NSW

Land management and the Native Vegetation Regulatory Map

New regulations, tools and products that set out how the new land management framework will operate under the *Biodiversity Conservation Act 2016* and *Local Land Services Amendment Act 2016* are currently on exhibition.

Land Management

The Land Management (Native Vegetation) Code allows landholders to undertake clearing that supports more productive farming methods and systems, while responding to environmental risks. Changes have been made to the publicly exhibited code metrics settings to respond to public feedback. Following consultation, the Code has been simplified for landholders with improved environmental protections and productivity outcomes. Allowable activities have been modified to improve clarity and certainty in their application on rural land.

There have also been some changes to the way set-aside areas will be established and managed. A public register of set-aside areas will be established containing set-aside management obligations. Set-aside obligations will remain in perpetuity.

More information about the Land Management (Native Vegetation) Code can be found in the related fact sheet.

Native Vegetation Regulatory Map

The Local Land Services Amendment Act 2016 (LLSA Act) enables the Chief Executive of the Office of Environment and Heritage (OEH) to prepare a Native Vegetation Regulatory (NVR) Map. The Map will show rural land where:

- » clearing of native vegetation can occur without approval (“category 1 – unregulated land”)

- » unless authorised under certain other legislation, requires authorisation (“category 2 – regulated land”).

The NVR Map will also show two sub categories of regulated land:

- » Vulnerable regulated land.
- » Sensitive regulated land.

Landholders will be able to seek a review of the category of their land. The draft LLSA Regulation provides detail about the landholder review process including information required as part of a review application, fees and timeframes applying to the reviews. If dissatisfied with the outcome of the review by OEH, landholders will be able to appeal to the Land and Environment Court.

Government will be consulting with targeted stakeholders over the coming months to further develop and test drafts of the Map. It is intended that the draft Map will be published online and formal landholder review provisions will begin, once the reform package commences in August. The regulatory effect of the Map is likely to commence in 2018.

Government is currently developing the Grasslands and other Groundcover Assessment Method to determine how these areas will be reflected in the NVR Map. The method will be peer reviewed and targeted consultation undertaken before it takes effect. Additional details regarding the categories and provisions under the NVR Map are provided in the submission guide.

Biodiversity – certification and strategic land-use mapping pilots

In partnership with local landholders, Local Land Services (LLS) will pilot development of strategic biodiversity-certification applications in two rural areas. This will provide an opportunity to investigate the practicality of biodiversity-certification as an option in a regional/agricultural context.

Concurrently, LLS will pilot development of a regional strategic land-use map, using existing data to identify land that is (or is likely to be) of high, moderate and low conservation value at a landscape scale and land that is likely to be suitable for high-value agricultural development. The map could be used by landholders, LLS and others to inform decisions about conservation and agricultural development.

Vegetation State Environmental Planning Policy (SEPP)

The reform package includes a new Vegetation SEPP to protect native vegetation in urban areas and provide a more robust scheme for council permits for clearing.

The Vegetation SEPP will apply to land in Sydney and urban zones across NSW, and all environmental conservation and management zones.

The Explanation of Intended Effect (EIE) for the Vegetation SEPP explains how the proposed SEPP will regulate the clearing of vegetation in urban and environmental zoned areas where the clearing does not otherwise require development consent under the *Environmental Planning & Assessment Act 1979* (EP&A Act). The EIE for the Vegetation SEPP is currently on exhibition.

More information

Additional detail on the exhibited products, tools and Regulations are provided in the supplementary information and stakeholders may wish to consider these when making a submission.

Have your say

We want to hear from you about the proposed Regulations for land management and the NVR Map. You can have your say online at <http://landmanagement.nsw.gov.au/haveyoursay/> or send your written submission to: Land Management and Biodiversity Conservation Reforms Office of Environment and Heritage PO Box A290 Sydney South NSW 1232. **Submissions close on 21 June.**

