



Notifying to manage native vegetation under the Land Management Code

This fact sheet provides guidance to landholders on how to submit a notification to remove native vegetation under the *Local Land Services Act 2013* and the *Land Management (Native Vegetation) Code 2018* (the Code).

Overview

Certain types of native vegetation removal under the *Local Land Services Act 2013* and the Code are considered to be low impact activities and do not require landholders to obtain certification from Local Land Services prior to clearing. In these situations, you may notify us of your intent to clear at least 14 days before clearing.

This fact sheet outlines the information you need to submit a valid notification and the options for submitting a notification

What vegetation removal can be notified?

The following land management activities are considered to be low impact activities and only require a notification to be submitted to us prior to clearing. Notifications can be submitted by you, with or without our assistance.

- **Low impact clearing of invasive native species** - allows the removal of certain invasive native species (the species must be listed as invasive in the Code for the relevant region).
- **Uniform thinning of woody native vegetation** - allows the thinning of woody trees and shrubs to promote native groundcover. The vegetation formations that may be thinned and the conditions of that thinning are specified in the Code.
- **Clearing compromised native groundcover** - allows the removal of groundcover that is less than 50% native species. The Code set outs the method for calculating the percentage and the record keeping requirements.

Removal of native vegetation from paddock tree areas is also notifiable, but will require assistance from us to prepare the maps and documentation.

The removal of native vegetation from paddock tree areas refers to the removal of one paddock tree area for each 50 hectares of landholding in any 12 month period. The landholding must

contain at least 10% remnant native vegetation and clearing must not reduce the extent of native vegetation to below 10% of the landholding. Paddock tree areas are areas of native vegetation less than 500 square metres and surrounded by Category 1 – exempt land (see definition below).

For more information about the requirements for clearing by notification, refer to the Code at www.legislation.nsw.gov.au/regulations/2018-83.pdf. Also [see our fact sheet](#) other approvals that may also be required. Find it on our website at lls.nsw.gov.au/land-management under 'Fact sheets'.

Who can notify Local Land Services?

A landholder or manager (who is not the owner of the land) can notify us of intended clearing. However, in either case, all landowners must give their written consent for the vegetation removal and a declaration confirming that is required.

How do I notify Local Land Services?

The landholder must notify at least 14 days prior to the clearing.

Want to know more?

We're here to help

Find us online: lls.nsw.gov.au. You'll find other land management resources including fact sheets

Call us: 1300 795 299 and ask for an officer to advise you on land management

Email us: slm.info@lls.nsw.gov.au

See us: drop into your nearest Local Land Services office



**Local Land
Services**

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Local Land Services processes notifications but does not approve them. We may contact you after receiving your notification to provide additional advice and to ensure the notification is valid. You can notify by:

- [Downloading a notification form](http://www.lls.nsw.gov.au/land-management) at www.lls.nsw.gov.au/land-management under 'Landholder forms'.
- Completing the notification form in full and returning the signed form with a map showing the location of the landholding and the intended vegetation removal area. All details and requirements are listed in the form. The form is submitted to slm.notifications@lls.nsw.gov.au

Alternatively, you can contact your nearest Local Land Services office and we can help you with the notification process.

Once you have submitted a notification, you will receive an email confirming the notification has been received and a map of the area where vegetation may be removed.

It is the responsibility of the landholder to ensure the clearing complies with the Code and all relevant legislation. Alternatively, instead of notifying, a voluntary certification option is available if you would like us to certify that the intended clearing is in accordance with the Code.

What information do I need to provide?

You are required to complete the relevant notification form and provide a legible map showing the landholding and the intended clearing area.

Information required in the notification form includes:

- Details about the landholding and clearing area, e.g. the names of all landowners listed on title, the area (in hectares) intended to be cleared.
- Type of clearing for example for compromised groundcover or paddock tree areas
- All Lot/DP numbers in the landholding.
- A declaration that all landowners have given their written consent for the intended clearing.

Unless specifically authorised under the Code, a notification cannot be made over land that is being managed under a different part of the Code. For example, if a mosaic thinning Code certificate is in place over an area, an invasive native species notification cannot be made over the same land in order to further thin stem density in retained patches.

Can I get help to submit a notification?

You can contact us and one of our officers can help you with the notification process by:

- Undertaking a site visit if requested
- Providing information and advice about application of the Code, and consideration of other relevant legislation
- Confirming regulated land types and vegetation community types
- Assisting with completion of the notification form
- Developing a notification map showing the location of the landholding and the intended clearing area

- Obtaining any additional information
- Assisting you to submit the notification to the email address

What are the benefits of notification?

- Notification is a simple process
- No set asides are required
- It provides legal certainty where vegetation is removed in accordance with the Code and legislation
- If you seek assistance from us it's also an opportunity for you to talk to us about other land management options

How long does a notification last?

A notification has effect for 15 years from the date on which the notification is made or until the land changes ownership (see below).

Can I modify a notification?

Yes, even after your notification is submitted, you can modify it. This may involve withdrawing the current notification and then submitting a new one. Contact us for more information.

Can I withdraw a notification?

Yes, even after your notification is submitted, you can withdraw it. This requires that no clearing has been undertaken under the notification to be withdrawn.

You can withdraw a notification by

- Downloading a '[Withdraw notification form](http://www.lls.nsw.gov.au/land-management)' at www.lls.nsw.gov.au/land-management under 'Landholder forms'
- Completing the withdraw notification form and returning it to us. All details and requirements are listed in the form. One of our officers can help you complete the form and/or submit it
- Upon receipt of a '[Withdraw notification form](http://www.lls.nsw.gov.au/land-management)', we will check the details on the form and send an email to you confirming that the notification is withdrawn



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What happens if the land changes ownership?

If the land changes ownership the notification is no longer valid and has no effect. The new landowner would be required to submit a new notification if he or she wanted to continue the same management activities covered in the notification. If you have sold your property you can inform your nearest Local Land Services office or send an email to slm.notifications@lls.nsw.gov.au

What if I have multiple properties?

If you have multiple properties which you work as a single property, you may be able to treat them as one landholding for the purpose of submitting a notification, although this may affect future notifications and certifications. (See the box at right for further definition of a landholding). You can also contact your nearest Local Land Services office to enquire if your properties meet the requirements to qualify as a single landholding.

What records do I need to keep?

Once you have submitted your notification you will be given a copy of the notification details, including a map of the area where vegetation will be removed. We recommend you also keep before and after photos of the area for your records. There are additional record-keeping requirements if you submit a notification to remove compromised groundcover. These requirements are set out in the '[Compromised Groundcover Notification Form](#).'

What happens to the information I provide?

Your information will be stored in a secure database and treated in strict confidence. It will not be made available to the public, nor is it noted on the title of the landholding.



More information is available online including:

- [Land Management \(Native Vegetation\) Code 2018: https://www.legislation.nsw.gov.au/regulations/2018-83.pdf](https://www.legislation.nsw.gov.au/regulations/2018-83.pdf)
- [Local Land Services Act 2013 https://www.legislation.nsw.gov.au/#/view/act/2013/51](https://www.legislation.nsw.gov.au/#/view/act/2013/51)
- [Local Land Services Regulation 2014: https://www.legislation.nsw.gov.au/#/view/regulation/2014/1](https://www.legislation.nsw.gov.au/#/view/regulation/2014/1)

Definitions

A full definition of *Category 1 - Exempt Land* can be found at <https://www.legislation.nsw.gov.au/regulations/2018-83.pdf>

In general it meets the following criteria:

- Land cleared of native vegetation as at 1 January 1990 or lawfully cleared after 1 January 1990
- Low conservation grasslands
- Land containing only low conservation groundcover (not being grasslands)
- Native vegetation identified as regrowth in a Property Vegetation Plan under the repealed Native Vegetation Act 2003
- Land bio-certified under the Biodiversity Conservation Act 2016

Invasive native species – species identified as invasive native species in Schedule 1 of the Code for the region in which the clearing is proposed.

Landholding – includes several parcels of land (whether held under the same title, different titles or different kinds of titles) that constitute or are worked as a single property and that: (a) are contiguous with one another or are separated only by a road, river, creek or other watercourse, or (b) are certified in writing by Local Land Services to be in the same sub-bioregion and within sufficient proximity to one another so as to constitute a single landholding.

Landholder – means a person who is the owner of the land or who, whether by reason of ownership or otherwise, is in lawful occupation or possession, or has lawful management or control of the land.

Paddock tree area – means an area of Category 2- regulated land that is less than 500 square metres and is completely surrounded by Category 1- exempt land.

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