



Allowable activities - Environmental Protection Works

This factsheet provides guidance to landholders considering removal of native vegetation under the Environmental Protection Works allowable activity in order to rehabilitate land towards its natural state.

Overview

Allowable activities cover a range of routine land management activities associated with agriculture and other common farming practices in rural areas. Removing native vegetation for allowable activities does not require approval under the *Local Land Services Act 2013*. However, other approvals may be required, refer to the table on page 3 for further information.

Environmental Protection Works include:

- re-vegetation or bush regeneration works
- wetland protection works
- erosion protection works
- dune restoration works
- ecological burning
- controlling weeds.

Environmental Protection Works do not include coastal protection works (within the meaning of the *Coastal Management Act 2016*).

Removing vegetation undertaken for allowable activities on a property must only be carried out by you as the landholder, or on your behalf unless specifically stated otherwise.

Where can I use the Environmental Protection Works allowable activity?

Clearing vegetation for *Environmental Protection Works* can be applied to native vegetation on Category 2 - regulated land.

Environmental Protection Works may also apply to non-native vegetation on Category 2 - Vulnerable or Category 2 - Sensitive land but restrictions apply.

Contact Local Land Services for guidance.

Environmental Protection Works are not permitted on Land covered by a Private Native Forestry Plan. For further advice please contact a Local Land Services Private Native Forestry officer.

Check if you have Category 2 - Vulnerable regulated land and Category 2 - Sensitive regulated on this map www.lmsbc.nsw.gov.au/Maps/index.html?viewer=NVRMap

You should only clear using an allowable activity to the minimum extent necessary and in a manner that minimises the risk of soil erosion.

Want to know more?

We're here to help

Online: lls.nsw.gov.au/land-management

You'll find other land management resources including fact sheets

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

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

Drop into your nearest Local Land Services office



Local Land
Services

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Examples of Environmental Protection Works

Environmental Protection Works include a broad range of land, soil and vegetation management actions reasonably necessary to rehabilitate land towards its natural state.

Revegetation and bush regeneration works

These works are aimed at helping the recovery and restoration of an ecosystem that has been degraded and may include activities such as revegetation of land with local native plants. A key focus of restoration is to return structure, composition and function to native vegetation areas. This leads to improved viability, species richness and habitat resources. Some removal of native vegetation may be required to undertake this work and must be to the minimum extent necessary.

Wetland protection works (including streams & estuarine)

These works are aimed at rehabilitating and improving the condition of wetlands including streams and estuarine areas. Wetlands are mapped as Category 2 - Vulnerable land and there are restrictions on removal of any type of vegetation (native and exotic). Removal of vegetation should only occur in a way that does not disturb the soil or groundcover and you may need to stage the works to manage risk. You should seek professional advice from suitably qualified experts prior to undertaking wetland protection works. Local Land Services and the Soil Conservation Service can assist.

Erosion protection works

These works may require removal of native and other vegetation to construct structures to reduce soil erosion or deep ripping to alleviate soil compaction, improve water infiltration and promote native groundcover. You should seek professional advice from suitably qualified experts prior to undertaking works. Local Land Services and the Soil Conservation Service can assist.

Ecological burning

Ecological or prescribed fire management may have an impact on native vegetation and should be carefully planned and implemented to improve condition of native vegetation structure, diversity and extent. You should seek advice and approvals from relevant organisations such as the Rural Fire Service prior to an ecological burn.

Control of weeds

Weeds have the same status as native vegetation on Category 2 - vulnerable land. The control of weeds may be undertaken under the Environmental Protection Works allowable activity however limitations may apply relating to soil disturbance and extent of removal. You should seek professional advice from suitably qualified experts prior to undertaking works. Local Land Services and the Soil

Conservation Service can assist.

Dune Restoration works

These works are restricted to coastal areas and require consent from your local council under the Coastal Management SEPP. No consent required by Local Land Services.

Planning for Environmental Protection Works

Local Land Services strongly recommends that you prepare a plan of works prior to using the Environmental Protection Works allowable activity. You should plan ahead and retain relevant approvals and documentation when using the environmental works allowable activity.

You are responsible for ensuring all approvals are obtained and records are maintained. Local Land Services can assist in providing access to resources, advice and examples of planning documents that could be used as templates in appropriate circumstances.

Local Land Services recommends that you include the following in an Environmental Protection Works plan of works:

1. A description of the proposed activity and environmental outcome to be achieved. Consider the factors that may be driving degradation in the activity area.
2. Location of the proposed activity including a map marking the area of planned works is recommended.
3. Complex projects may require several stages to complete. Consideration of each stage is recommended. For example, Stage 1 - remove environmental weeds, Stage 2 - construct temporary erosion and sediment control works, Stage 3 - Revegetation with local native species. List any appropriate objectives for production outcomes in the same area, where planned.
4. Best Practice Guidelines and methods that will be applied. These should be referenced where possible.
5. Other approvals relevant. Include a record of all checks and consultations made in the decision making process.
6. Timing of the works. Include staged timeframes, where planned.
7. Person/s undertaking the work. Aim for a suitable level of contractor accreditation, experience or supervision where necessary.
8. Suggested monitoring and follow up actions likely to be required and schedule for the longer term.

Your nearest Local Land Services Office can be found at www.lls.nsw.gov.au or by calling 1300 795 299. Ask for an officer to help you with land management.

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Other approvals that may apply when using Environmental Protection Works allowable activity

Removal of native vegetation using the *Environmental Protection Works* allowable activity does not require approval under the *Local Land Services Act 2013 (LLS Act) 2013*. However, other approvals may be required from other organisations such as the Office of Water, Rural Fire Service and/or your local council. Other legislation that may apply to your environmental works proposed activity is outlined in the table below. Local Land Services may be able to assist you in contacting the relevant agencies responsible for each legislation.

Legislation	Revegetation & Bush Regeneration Works (Ecological Restoration)	Wetland protection works (including streams & estuarine)	Erosion protection works	Dune Restoration works	Ecological burning	Control of weeds
Water Management Act (2000)		✓	✓			✓
Environmental Planning and Assessment Act 1979 Local Environment Plan	✓	✓	✓	✓	✓	✓
Protection of the Environment Operations Act 1997		✓	✓			
Biodiversity Conservation Act 2016	✓	✓	✓	✓	✓	✓
Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)	✓	✓	✓	✓	✓	✓
National Parks And Wildlife Act 1974	✓	✓	✓	✓	✓	✓
Coastal Management Act 2016	✓	✓	✓	✓	✓	✓
State Environmental Planning Policy (Coastal Management) 2018	✓	✓	✓	✓	✓	✓
Biosecurity Act 2015	✓	✓	✓	✓	✓	✓
Pesticides Regulation 2017	✓	✓	✓	✓	✓	✓
Rural Fires Act 1997 Rural Fires Regulation 2002 Bushfires and Environmental Assessment Amendment Act 2002					✓	
Agricultural and Veterinary Chemicals Code Act 1994	✓	✓	✓	✓	✓	✓
Surveying and Spatial Information Act 2002			✓			