

Managing native vegetation after a bushfire emergency



This fact sheet provides guidance for landholders on native vegetation management in rural areas once a bushfire emergency has passed. A bushfire emergency is one which endangers or threatens the safety or health of people or animals, destroys or damages property or causes essential services to fail or be significantly disrupted.

Can I remove a tree or other living native vegetation that may be presenting a safety risk following a bushfire?

You may lop parts of the tree that are damaged by fire where it does not kill the tree, without approval from Local Land Services.

You may also clear native vegetation, including trees, considered reasonably necessary to remove or to reduce an imminent risk of serious personal injury or damage to property. Imminent risk is taken to mean 'an immediate danger to persons or property'.

An example of the use of the imminent risk allowable activity would be felling trees (or lopping branches) that have burnt as a result of bushfire and are in danger of falling and causing serious injury or property damage.

Clearing must be undertaken to the minimum extent necessary and must be undertaken in a manner that minimises the risk of soil erosion. Clearing for a firebreak is not imminent risk and may be conducted under other provisions of the *Local Land Services Act 2013*. Options for managing woody native regrowth and for thinning native vegetation following a bushfire are covered by the usual land management rules under the Land Management Framework.

What can I do to 'clean up' burnt vegetation including fallen timber following a bushfire?

You may remove any timber that has fallen and is on the ground, without approval from Local Land Services. You may also remove any tree that is still standing if it is reasonably necessary to remove or reduce an imminent risk of serious personal injury or damage to property, as outlined previously in this fact sheet.

You may lop parts of the tree that are damaged by fire where it does not kill the tree, without approval from Local Land Services.

A tree that is burnt but alive and does not pose an imminent risk is subject to the usual land management rules.

Please check the Rural Boundary Clearing Code and associated tool, which helps rural landholders in identified areas to prepare for fire or help prevent fires from spreading. It allows up to 25 metres to be cleared on a boundary of a holding that is within the Boundary Clearing Code Vegetation Map.

The Boundary Clearing Tool will help you identify if the Code applies to your landholding.

Scan the QR code or visit www.rfs.nsw.gov.au/plan-and-prepare/boundary-clearing-tool to find out how the scheme works and access the tool.



Can I remove standing 'dead' vegetation?

You may remove a tree if it is reasonably necessary to remove or to reduce an imminent risk of serious personal injury or damage to property. In non-emergency situations and where there is no risk to people or property, the usual land management rules apply.

If a dead tree is on vulnerable regulated land (for example, on a steep slope or in a riparian zone), approval may be required to remove it and you should seek advice from your nearest Local Land Services office.

You are encouraged not to clear 'dead' trees until you are sure the trees will not naturally regenerate. This can take months depending on weather conditions. Most native vegetation is well adapted to survive fire, especially mature Eucalypt species.

For advice or to arrange a property visit to help you make the right decision please call Local Land Services on 1300 795 299 or visit your nearest Local Land Services office.

Can I clear burnt groundcover?

Where native groundcover has been burned, you are required to give it an opportunity to regrow. Burning is not considered authorised clearing, meaning that burnt groundcover is subject to usual land management rules, unless otherwise authorised. If groundcover was native vegetation prior to burning, approval may be required to clear. Contact your Local Land Services office for more information and advice on your specific circumstances.



What if I need to clear non-burnt vegetation to get to an area impacted by the fire?

You can clear a track on your property, to the minimum extent necessary without needing approval. Maximum track widths of 15 metres in the Coastal Zone, 30 metres in the Central Zone and 40 metres in the Western Zone apply.

Scan the QR or visit lls.nsw.gov.au/land-management-resources code for more resources and information on the zones and allowable activities.



What can I do with native vegetation following a bushfire if my property is not zoned rural?

Landholders in non-rural areas should contact their local council to conduct an inspection of the affected vegetation.

Information in this fact sheet refers to land classified as regulated rural areas.

If you are not sure of the classification of your land, you should contact Local Land Services on 1300 795 299.

Note: Any clearing referred to in this fact sheet requires the permission of the owner of the impacted land before undertaking any activities. Information in this fact sheet refers to clearing of regulated rural areas under the *Local Land Services Act 2013*.

Scan the QR or visit lls.nsw.gov.au/land-management-resources code for information on obtaining other approvals and more resources.



Note: Information in this fact sheet refers to land classified as regulated rural areas. If you are not sure of the classification of your land you should contact Local Land Services on 1300 795 299. Native vegetation is any plants native to NSW including trees, understorey plants, groundcover and plants occurring in a wetland. A plant is native to NSW if it was established in NSW before European settlement.



Want to know more?

We're here to help.

Find us online: lls.nsw.gov.au

You'll find other land management and native vegetation resources including fact sheets on our website.

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

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

Visit us: drop into your nearest Local Land Services office.