

Allowable activities for landholders



This fact sheet provides guidance for landholders seeking to clear native vegetation (which includes trees, shrubs and grasses or other groundcover) for the purpose of undertaking common agricultural practices in rural areas using allowable activities.

Note: Rural land is defined as land zoned as RU1, RU2, RU3, RU4, RU6 and deferred matters. RU5 is considered not to be rural land. Clearing for allowable activities does not require approval under the *Local Land Services Act 2013*.

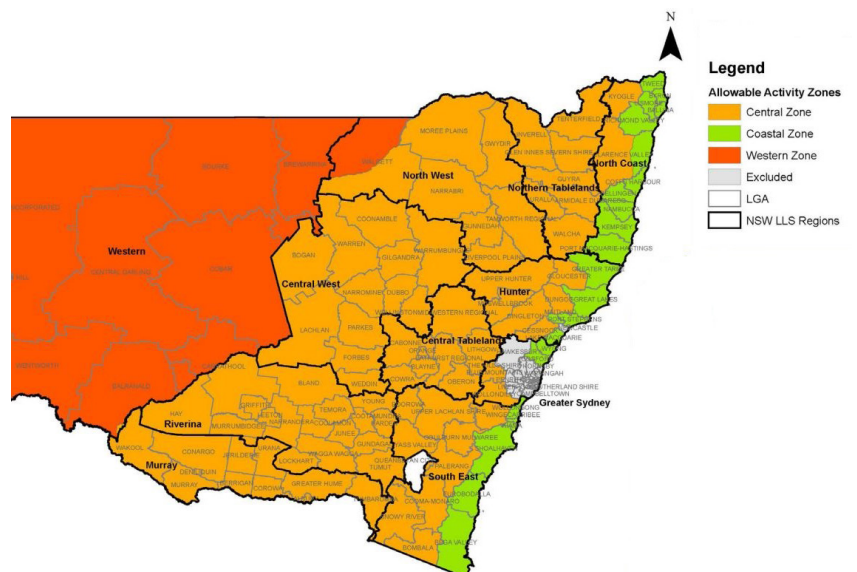
It is important to note that the use of allowable activities does not re-categorise the land.

Overview

Under the Land Management Framework, you have greater flexibility and discretion to efficiently undertake low risk routine land management activities.

You should only clear for an allowable activity to the minimum extent necessary (that is the minimum you need to clear for the type of activity). Also, clearing undertaken for allowable activities on a landholding must only be carried out by you as the landholder, or on your behalf unless specifically stated otherwise. All other required statutory approvals must be obtained before clearing for a work (an activity), building or structure commences.

There are 3 allowable activity zones in NSW – the western, central and coastal zones. The maximum clearing distances for allowable activities are different for each zone. On Category 2 – vulnerable regulated land, or Category 2 – sensitive regulated land, general allowable activities may be limited (see table below for clearing distances) or not permitted. To determine your land category visit www.environment.nsw.gov.au/native-vegetation-regulatory-map



Maximum clearing distances for rural infrastructure

Clearing for rural infrastructure must be undertaken to the minimum extent necessary (i.e. the minimum you need to clear for the type of activity) to build and maintain rural infrastructure.

The following table outlines the maximum clearing distances for rural infrastructure.

Zone	Clearing distance
Western	40 metres
Central	30 metres
Coastal	15 metres
Small holdings (any zone)	12 metres
Vulnerable and sensitive regulated land	6 metres

A small holding is a single landholding, with the same ownership, of less than 10 hectares (in the central and coastal zones) or less than 40 hectares (in the western zone).

Airstrips

You may clear native vegetation for the construction, operation or maintenance of an airstrip provided the clearing is limited to the minimum required to meet civil aviation standards.

Construction timber

You can clear native vegetation to obtain timber for the purpose of the construction, operation or maintenance of rural infrastructure on the same land from which the native vegetation was cleared.

The clearing must not cause land degradation (erosion, sediment translocation, reduction in water quality). The native vegetation to be cleared must not be a threatened species or be part of a threatened ecological community (TEC) or be the habitat of a threatened species.

Clearing is not allowed if the timber could be obtained from other allowable activities or from clearing under the Land Management (Native Vegetation) Code 2018.

Environmental protection works

You are allowed to clear native vegetation for environmental protection works, such as works associated with the rehabilitation of land towards a natural state or works to protect land from environmental degradation, including re-vegetation, bush regeneration, wetland protection works, erosion protection works, dune restoration.



Clearing under this allowable activity does not extend to coastal protection works as defined by the *Coastal Protection Act 1979*.

Firebreaks

If you are in the western zone, you may clear native vegetation to a distance of 100 metres where the vegetation is predominantly a mallee species. This does not apply in the coastal and central zones.

Firewood collection

You can clear native vegetation for firewood for use on the same land or other land you own.

Firewood may be collected for non-commercial use on Category 2 – regulated land, Category 2 – vulnerable regulated land or Category 2 – sensitive regulated land.

Firewood may not be collected in areas of Category 2 – vulnerable regulated land and Category 2 – sensitive regulated land where the vegetation is within a buffer distance from a water body.

Clearing for firewood must not occur if the firewood could be obtained from other allowable activities or from clearing associated with the Land Management (Native Vegetation) Code 2018. Native vegetation cleared for firewood must not be a threatened species, be part of a TEC or be the habitat of a threatened species.

Imminent risk

You can clear native vegetation considered reasonably necessary for the purposes of removing or reducing an imminent risk of serious personal injury or damage to property. Imminent means likely to occur at any moment, not at some undefined point in the future.



Planted native vegetation

You can clear planted native vegetation provided it was not planted with the assistance of public funds.

Mulga species for stock fodder on a landholding

In the western area you can clear mulga plants (*Acacia aneura*) for feeding stock that are kept on the same landholding from which the native vegetation is cleared. Under this allowable activity:

- the clearing must not exceed 50% of the total area of mulga on the land holding in any 10 year period
- cleared mulga remains on the ground where it is cleared or is windrowed along a contour on the landholding
- clearing does not result in remaining mulga plants being over 20 metres apart
- clearing does not cause land degradation or the introduction of non-native vegetation.

Private power lines

You can clear native vegetation that is reasonably necessary for the construction, operation or maintenance of privately owned power lines on private land.

Sustainable grazing

This is the sustainable grazing of native vegetation (such as grasses or other groundcover) that does not result in the long term decline in the structure and composition of native vegetation (refer to the [Sustainable Grazing Allowable Activity Guideline](#) for more information). Management of grasslands includes the over-sowing or fertilisation of grasslands.

Traditional Aboriginal cultural activities

You can clear native vegetation for traditional Aboriginal cultural activities provided the clearing is not for commercial purposes.

Want to know more?

Our website has more information, resources and factsheets on land management, or you can get in touch with your local team today.



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