

Native vegetation in the Western Division

Although 95 per cent of the Western Division of NSW is uncleared, the composition and structure of vegetation communities has been modified as a result of the introduction of grazing and changed fire regimes.

The *Native Vegetation Act 2003* and *Native Vegetation Regulation 2005* commenced on 1 December 2005.

Under the *Native Vegetation Act 2003*, Catchment Management Authorities (CMAs) are responsible for assisting land managers with on-ground management and clearing of native vegetation. The Department of Natural Resources is responsible for monitoring and compliance functions.

Six CMAs operate within the Western Division: Western; Central West; Lachlan; Murray; Murrumbidgee; and Lower Murray-Darling CMA.

The Native Vegetation Act 2003

The *Native Vegetation Act 2003* sets a framework for:

- Ending broadscale clearing unless it improves or maintains environmental outcomes;
- Encouraging revegetation and rehabilitation of land with native vegetation; and
- Providing incentives for good land management.

The mechanism for implementing the new system is voluntary agreements between landholders and CMAs called Property Vegetation Plans (PVPs), and agreements between CMAs and landholders for grant funded projects.

Within NSW at least \$120 million is available to assist landholders to improve native vegetation health and sustainability through PVPs.

Key Definitions

The following are key features of the *Native Vegetation Act 2003*.

Clearing: Cutting down, felling, thinning, logging or removing native vegetation; killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation.

Regrowth: Regrowth in the Western Division is any vegetation that has regrown since the 1 January 1983. It does not include native vegetation that has regrown after unlawful clearing of remnant vegetation or after the clearing of remnant vegetation as a result of bushfires, floods, droughts or other natural events.

Remnant vegetation: Remnant vegetation is any native vegetation that is not regrowth.

Broadscale clearing: Clearing of any remnant native vegetation or protected regrowth.

What does the implementation of the Native Vegetation Act mean for the Western Division?

Exemptions for the Western Division under the *Native Vegetation Conservation Act 1997* (carried forward from the *Western Lands Act 1901*) no longer apply.

The *Native Vegetation Act 2003* has several types of permitted clearing including Routine Agricultural Management Activities (RAMAs) that cover a range of property management activities. The clearing of native vegetation in accordance with the RAMAs is permitted. Other permitted clearing includes clearing of non-protected regrowth. For definition of regrowth see previous page or refer to Info Sheet 4 - *Details about the new Native Vegetation Act 2003*.

A PVP or development consent is required for all other clearing. The CMA will be responsible for working with landholders to develop a PVP and assess development applications (DAs).

A cultivation permit will still be required under the *Western Lands Act 1901* where cultivation is involved on Western Lands grazing leases.

Invasive native scrub (woody weeds)

The 'woody weeds' exemption under the *Native Vegetation Conservation Act 1997* no longer applies.

Invasive native scrub (including woody weeds) that is classified as remnant vegetation or protected regrowth cannot be cleared (including thinning) without approval (except for excluded or permitted activities under the *Native Vegetation Act 2003*). Clearing approval can be sought through the preparation of a PVP or DA.

How is clearing of invasive native scrub assessed?

Clearing of native vegetation is assessed using the PVP Developer. The PVP Developer is a computer program that provides landholders, Landcare groups, local CMA staff and interested members of the public with access to the best available science and information on native vegetation in their district.

For proposals that only involve the clearing of invasive native scrub (INS), a targeted assessment using a specific module (INS Module) within the PVP Developer is available (see Info Sheet 9 - *Managing invasive native scrub*).

It is a simple and streamlined procedure designed to allow land managers to get on with the job, and recognises the importance of managing INS and encouraging groundcover and perennial pasture.

The INS module is applicable to a much wider range of species than was listed in previous woody weed and regrowth exemptions.

For example, in the Western CMA area, management of a broader range of species is possible under the INS provisions, including Coolibah, Yarran, Wilga, Emu Bush, Green Turkey Bush and Harlequin Fuchsia Bush species.

The PVP process in the Western Division

Ninety five per cent of the Western Division is Crown Land, held under Western Lands leases or various other Crown tenures. Administration of these lands is the responsibility of the Western Lands Commissioner and delegated staff of the Far West Region of the Department of Natural Resources.

The *Native Vegetation Act 2003* requires the consent of all owners of land before a PVP or DA is approved by a CMA. The Far West Region of the Department of Natural Resources holds the authority to provide owner's consent for all Crown tenures in the Western Division. Owner's consent will generally be provided unless there are unresolved compliance matters.

Where any clearing involves the subsequent cultivation of land in the Western Division, separate approvals are required under the *Native Vegetation Act 2003* and *Western Lands Act 1901*. Western Lands grazing leases require a Cultivation Consent under the *Western Lands Act 1901* if the leaseholder wishes to cultivate land to grow crops following clearing. The Department of Natural Resources is the sole consent authority for Cultivation Consents.

Property Vegetation Plans and incentives

Funds are available through CMAs for landholders wanting to manage invasive native scrub and undertake other management actions that result in improved native vegetation management.

\$120 million is available across NSW to assist landholders to improve native vegetation health and sustainability through PVPs.

Activities that lead to improved native vegetation and contribute to the management targets (and may therefore be eligible for funding) include:

- sustainable grazing management methods,
- managing total grazing pressure,
- alternative watering points and water point management,
- invasive native scrub (woody weed) control,

- rabbit control,
- rangeland reseeded,
- soil erosion control,
- control of weeds,
- establishment of conservation reserves,
- revegetating riverine areas, and
- riparian rehabilitation works.

Land managers who wish to undertake activities such as those listed above will be encouraged to apply for incentive funding. Projects involving native vegetation management may require a PVP. Your local CMA can provide further details of incentives and eligibility for incentive funding.

CMA contacts in the Western Division

Western CMA

Freecall: 1800 032 101
Principal Office - Cobar
62 Marshall Street
Cobar NSW 2835
T: 02 6836 1575

Lachlan CMA

Freecall: 1800 885 747
Principal Office - Forbes
2 Sheriff Street
Forbes NSW 2871
T: 02 6851 9500

Lower-Murray Darling CMA

Principal Office - Buronga
32 Enterprise Way
Buronga NSW 2739
T: 03 5021 9460

Murrumbidgee CMA

Principal Office - Wagga Wagga
43-45 Johnston Street
Wagga Wagga NSW 2650
T: 02 6923 0479

Central West CMA

Principal Office - Wellington
141 Percy Street
Wellington NSW 2820
T: 02 6840 7800

Murray CMA

Principal Office - Deniliquin
8-20 Edwardes Street
Deniliquin NSW 2710
T: 03 5881 9200

Department of Natural Resources contact in the Western Division

Far West Region

Head Office
45 Wingewarra Street
Dubbo NSW 2830
T: 02 6883 3000



New South Wales
Government

Native vegetation management in NSW

Native Vegetation Act 2003

For more information:

Contact your local CMA, or you may also:

Visit: www.nativevegetation.nsw.gov.au **Email:** info@nativevegetation.nsw.gov.au **Freecall:** 1800 237 012

Note: This information does not constitute formal legal advice. Please seek specific advice from your local CMA before undertaking any clearing.