

## Factsheet: What is the Native Vegetation Regulatory Map?

The Native Vegetation Regulatory (NVR) Map was prepared by the Office of Environment and Heritage under Part 5A of the *Local Land Services Act 2013 (LLS Act)* and supporting regulation.

### Staged Release of Map Categories:

The map categories will be published and come into full effect in stages as follows:

Stage 1a: Category 2 - Vulnerable Land and Category 2 - Sensitive Land mapping came into force on 25 August 2017 and has full regulatory effect. These categories are available on the Map Viewer - [www.lmbc.nsw.gov.au/nvrmap](http://www.lmbc.nsw.gov.au/nvrmap)

Stage 1b: Category 1 – Unregulated Land and Category 2 – Regulated Land mapping layers will initially be published as a draft and will not have regulatory effect. The release of Stage 1b layers of the NVR map has been delayed and is awaiting final government consideration and approval. Further advice about when these categories will become available on the Map Viewer - [www.lmbc.nsw.gov.au/nvrmap](http://www.lmbc.nsw.gov.au/nvrmap) will be announced soon.

Stage 2: Category 1 – Unregulated Land and Category 2 – Regulated Land mapping will commence with full regulatory effect at least 6 months after the commencement of Stage 1b.

Stage 1 is referred to in the *LLS Act* as the transition period. To view the NVR Map or find out more about the NVR map go to: [www.environment.nsw.gov.au/biodiversity/regulatorymap.htm](http://www.environment.nsw.gov.au/biodiversity/regulatorymap.htm)

The NVR Map generally covers rural land in NSW. It categorises land into areas where native vegetation clearing can occur without approval under Part 5A of the *LLS Act* (unregulated land or “Category 1”) or where clearing of native vegetation may be carried out, if in accordance with Part 5A of the *LLS Act* (regulated land or “Category 2”).

Two sub-categories of Category 2 are also shown on the NVR Map - Vulnerable Regulated Land and Sensitive Regulated Land on which additional restriction on clearing native vegetation applies.

The NVR Map also shows Excluded Land where Part 5A of the *LLS Act* does not apply (including generally urban areas, national park estate and environmental conservation areas and State forestry land).

The NVR Map is available via a map viewer portal at [www.lmbc.nsw.gov.au/nvrmap](http://www.lmbc.nsw.gov.au/nvrmap).

### 1. Transitional arrangements:

During the transition period (stage 1b as described above) when the NVR map Category 1 and Category 2 – Regulated Land layers do not have regulatory effect, landowners are responsible for determining the correct categories on their land, in accordance with the *LLS Act*.

Contact your Local Land Services office for assistance with this process.

### 2. Native Vegetation Regulatory Map comes into full effect:

After the NVR Map comes into force (and the transition period is concluded) the NVR Map categories will guide the application of the *LLS Act*, Regulation and Land Management (Native Vegetation) Code.

The NVR Map will be updated regularly including:

- Annual updates reflecting new or improved data
- More frequent updates capturing new information such as code certification and set-aside sites
- Changes resulting from Map Reviews

### What are the different colours on the map?

| Colour | Category                             | Definition   | What land management activities can I do under Part 5A of the LLS Act 2013?  |
|--------|--------------------------------------|--|--|
| Blue   | Category 1 Unregulated Land          | Generally rural land where clearing is not regulated by Part 5A of the <i>LLS Act</i> . Other legislation may apply.   | Native vegetation can be cleared without requiring any approval under Part 5A of the <i>LLS Act</i> .  |
| Yellow | Category 2 Regulated Land            | Rural land where clearing is regulated and can be carried out, if in accordance with Part 5A of the <i>LLS Act</i> . This may include complying with the Code and allowable activities.  | Clearing of native vegetation may be carried out if the clearing is; for an allowable activity, authorised by the Land Management (Native Vegetation) Code, carried out in accordance with a Panel approval under Division 6 of the <i>LLS Act</i> or authorised under certain other legislation.  |
| Orange | Category 2 Vulnerable Regulated Land | Rural land where clearing of native vegetation is more restricted than on other Category 2 land. This includes steep and highly erodible lands, riparian land and special category land (as declared). Non-native and dead vegetation is also regulated in these areas   | Clearing may be carried out for some limited allowable activities. Clearing may still be authorised by the Land Management (Native Vegetation) Code but with additional limitations. Clearing may be carried out if authorised by a Panel approval under Division 6 of the <i>LLS Act</i> or under certain other legislation.  |
| Pink   | Category 2 Sensitive Regulated Land  | Rural land where clearing of native vegetation is more restricted than on other Category 2 land. This includes lands that are sensitive lands due to factors such as; the presence of wetlands, rainforests, critically endangered plants and ecological communities, or land that is subject to protection covenants such as conservation or incentive property vegetation plans. | Clearing cannot be carried out under the Land Management (Native Vegetation) Code.<br><br>Allowable activities are limited.<br><br>Clearing may be carried out if authorised by a Panel approval under Division 6 of the <i>LLS Act</i> or under certain other legislation.  |
| Grey   | Excluded Land                        | Land not regulated by Part 5A of the <i>LLS Act</i> . This land includes generally urban areas, national park estate and environmental conservation areas and state forestry land.   | Part 5A of the <i>LLS Act</i> does not apply to this land. Other legislation and legislative instruments may apply to this land including the <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> (Vegetation SEPP) and the <i>National Parks and Wildlife Act 1974</i> . The Vegetation SEPP will regulate native vegetation clearing on certain excluded land. |

### Check the NVR Map regularly

Due to ongoing refinements and updates to the NVR Map you should always check if the map has changed before undertaking any clearing activities on your property. The Map Viewer, [www.lmbc.nsw.gov.au/nvrmap](http://www.lmbc.nsw.gov.au/nvrmap), will allow you to print a date stamped version of the map. It is recommended that you print a copy of the map for your records prior to undertaking any vegetation clearing works.

### How do I seek a review if I don't agree with the way my land is categorised on the NVR Map?

If you disagree with the categorisation of your land you can apply to the Office of Environment and Heritage for a review. A Map Review allows you to provide further information to reviewers so that they can undertake further assessment of the categorisation of your land. Before you apply for a Map Review it is recommended that you get a Category Explanation Report (CER) for your landholding. A CER explains the reasons for the inclusion of land in certain categories on the NVR Map within the area identified by the applicant.

### Information

Further information about Category Explanation Reports and the Map Review process is available at <http://www.environment.nsw.gov.au/biodiversity/regulatorymapreview.htm> or by contacting the Map Review Team: 02 6363 8700 or [map.review@environment.nsw.gov.au](mailto:map.review@environment.nsw.gov.au)

Further information about the NSW Biodiversity Reforms and the NSW Native Vegetation Regulatory Map can be found on the Land Management Website <http://landmanagement.nsw.gov.au>