



**Landholder Guide:
Guidelines for Thinning of Native Vegetation under
the NSW Native Vegetation Regulation 2013**

DRAFT FOR DISCUSSION

About this guide

This guide is for NSW landholders who are considering thinning native vegetation on their property. In conjunction with the Ministerial Order – Thinning Native Vegetation, it forms a self-assessable code of practice that helps landholders to meet the legal requirements of the Native Vegetation Regulation 2013. If your situation does not fit within this code, you should discuss your options with your Local Land Services (LLS).

If you have a private native forestry (PNF) property vegetation plan (PVP) that applies to the area you intend to clear this code does not apply.

How to use the guide

This step-by-step guide takes you through the process of identifying and planning to thin native vegetation on your property.

This guide will help you understand how to meet the requirements of the self-assessable code that relate to:

- the **size, location and type of vegetation** that can be thinned
- **conditions for thinning**
- **notifying** your LLS office

If you would like assistance contact your LLS.

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Published by:

Office of Environment and Heritage for the NSW Government

59 Goulburn Street, Sydney NSW 2000

PO Box A290, Sydney South NSW 1232

Phone: (02) 9995 5000 (switchboard)

Phone: 131 555 (environment information and publications requests)

Phone: 1300 361 967 (national parks, general environmental enquiries, and publications requests)

Fax: (02) 9995 5999

TTY users: phone 133 677, then ask for 131 555

Speak and listen users: phone 1300 555 727, then ask for 131 555

Email: info@environment.nsw.gov.au

Website: www.environment.nsw.gov.au

Report pollution and environmental incidents

Environment Line: 131 555 (NSW only) or info@environment.nsw.gov.au

See also www.environment.nsw.gov.au

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Thinning native vegetation – at a glance

The table below outlines some of the questions you may have about thinning patches of native vegetation on your property and where you can go for more information.

Step 1. Identify	<ul style="list-style-type: none">•What is thinning? → Page 2•What can I thin? (size, type and location) → Page 2•How can I identify the vegetation formation? → Page 3
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Step 3. Plan	<ul style="list-style-type: none">•How much can I thin? → Page 6•How do I maintain stem density? → Page 7•Do I need to establish a set-aside area? → Page 8•Can I sell the product of my thinning? → Page 8
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Step 5. Clear	<ul style="list-style-type: none">•Fourteen days after you've notified the LLS, you can thin native vegetation in accordance with the requirements specified in the Ministerial Order and explained in this guide.

Step 1: Identify

What is thinning?

Thinning is the selective removal of individual trees and woody shrubs to:

- increase native pasture and groundcover growth
- reduce competition between trees and shrubs
- improve growth and maturation of retained trees
- assist regeneration and recruitment of other species of that vegetation community.

Thinning under the self-assessable code

Thinning native vegetation has been declared by the Minister for the Environment to be a routine agricultural management activity (RAMA) on all land in NSW to which the *Native Vegetation Act 2003* applies, which means you do not need permission to clear if vegetation is cleared in accordance with the conditions set out in the Ministerial Order and explained in this guide. Thinning may be done to improve localised livestock grazing capacity and native vegetation.

If you are unable to meet the conditions specified in this code of practice there may be other options available to you. These include: a streamlined assessment PVP for thinning; regrowth verification or change of regrowth date PVP; or in some instances the Invasive Native Species code of practice may be more suitable. Contact your Local Land Services office for further information or advice about your specific circumstances.

Thinning must not result in a change in land use.

What can I thin? (size, type and location)

You can thin native vegetation if it:

- includes trees or woody shrubs that are more than 1.3 metres high and have a stem up to 25 centimetres diameter at breast height over bark (DBHOB)
- is part of a nominated vegetation formation, see Table 1
- is on a patch of remnant vegetation more than 1 hectare in size.

Patches of vegetation of any size that are within 100 metres of each other that collectively add up to more than 1 hectare can also be thinned.

1: Identify

2: Check

3: Plan

4: Notify

5: Clear

How can I identify the vegetation formation?

Vegetation formations are used to describe vegetation throughout NSW. The 12 formations are distinguished based on vegetation structure and composition (e.g. canopy cover and growth form).

Thinning can be done in the six nominated vegetation formations described in Table 1.

Table 1: Vegetation formations

Vegetation formation	Nominated stem density per hectare (number) Stems less than 25 cm DBHOB	Nominated stem spacing per hectare (metres) Stems less than 25 cm DBHOB
Arid shrublands (acacia sub-formation)	100	10
Dry sclerophyll forests (shrub sub-formation)	200	7
Forested wetlands	150	9
Grassy woodlands	150	10
Semi-arid woodlands (grassy sub-formation)	100	10
Wet sclerophyll forests (grassy sub-formation)	200	7

An indicative map of these vegetation formations across NSW can be found in Appendix 1.

If you need assistance identifying the vegetation formation(s) on your property, contact your LLS.

1: Identify

2: Check

3: Plan

4: Notify

5: Clear

Step 2: Check

What if there are threatened trees or woody shrub species present?

If threatened tree species or woody shrubs are present you may need to apply to the LLS for a Property Vegetation Plan (PVP) as the Order does not cover thinning of threatened species listed under the *Threatened Species Conservation Act 1995*.

Photos of the threatened tree species in each vegetation formation can be found in Appendix 2.

If you need assistance identifying threatened tree species you can find more information at:

- the listing in the *Threatened Species Conservation Act 1995*
- your LLS (www.lls.nsw.gov.au)
- Plant Net, (<http://plantnet.rbgsyd.nsw.gov.au>)
- the Office of Environment and Heritage website (www.environment.nsw.gov.au/threatenedspecies)

Is the vegetation on vulnerable land?

Vulnerable land is steep, highly erodible or classed as a 'special category'. Appendix 3 shows vulnerable land in NSW. Use the navigation tool at ([website link to be inserted](#)) to find out if your property includes vulnerable land or contact your LLS.

Is the area visibly rocky, or are skeletal soils present?

If the vegetation you want to thin is on a visibly rocky area, skeletal soil, dune field or lunette it cannot be thinned.

NOTE TO READER:

Illustrated examples of lunettes, skeletal soils, visibly rocky soils and dune fields to be included in final draft.

Figure 1: Identifying areas that can't be thinned.

How can I work around a watercourse?

Riparian areas include land 30 metres from the high bank of a watercourse, an estuary or a wetland. If you are unsure you should contact your LLS. Riparian areas also include land classified as 'protected riparian land'. You may thin vegetation in riparian areas only by removing individual trees and woody shrubs without disturbing the soil or groundcover.

How do I check the density of the native vegetation patch?

You need to check the density of each individual patch you want to thin. If the area's *observed stem density* (for stems less than 25 centimetres DBHOB) is greater than the *nominated stem density* (for stems less than 25 centimetres DBHOB) you can thin.

To check the density of the native vegetation patch:

1. pick an area typical of the vegetation you intend to thin
2. mark out a plot 50 metres by 20 metres in the area
3. count all of the stems in the area that are less than 25 centimetres DBHOB
4. multiply this by 10 to convert the count to *observed stem density* (less than 25 centimetres DBHOB) of the different plots per hectare
5. repeat the process several times and calculate an average
6. compare your average *observed stem density* with the *nominated stem density* (less than 25 centimetres DBHOB) shown in Table 1.

NOTE TO READER:

Illustrated examples of lunettes, skeletal soils, visibly rocky soils and dune fields to be included in final draft.

Figure 2: Checking density of native vegetation.

Note: If the area has very thick vegetation it may be easier to start by dividing the *nominated stem density* (listed in Table 1) by 10. This will give you the minimum number of stems you need to keep in a 100 square metre patch. You should then count the number of stems less than 25 centimetres DBHOB in the patch to determine if the *observed stem density* is greater than the *nominated stem density*. If it is, you can proceed.

Native vegetation that can't be thinned in the coastal region (Zone 3)

If you are in a coastal area (Zone 3; see Figure 3), you cannot thin native vegetation unless it is from one of the following plant genera:

Acacia, *Allocasuarina*, *Angophora*, *Callitris*, *Casuarina*, *Corymbia*, *Eucalyptus* and *Melaleuca*.

1: Identify

2: Check

3: Plan

4: Notify

5: Clear

STEP 3: Plan

How much can I thin?

The amount you can thin depends on where your property is located. Figure 5 shows you how much you can thin per notification by NSW zone. If you're close to a boundary or you're unsure, use the navigation tool located at [\(link to be inserted\)](#) or contact your LLS.

1: Identify

2: Check

3: Plan

4: Notify

5: Clear

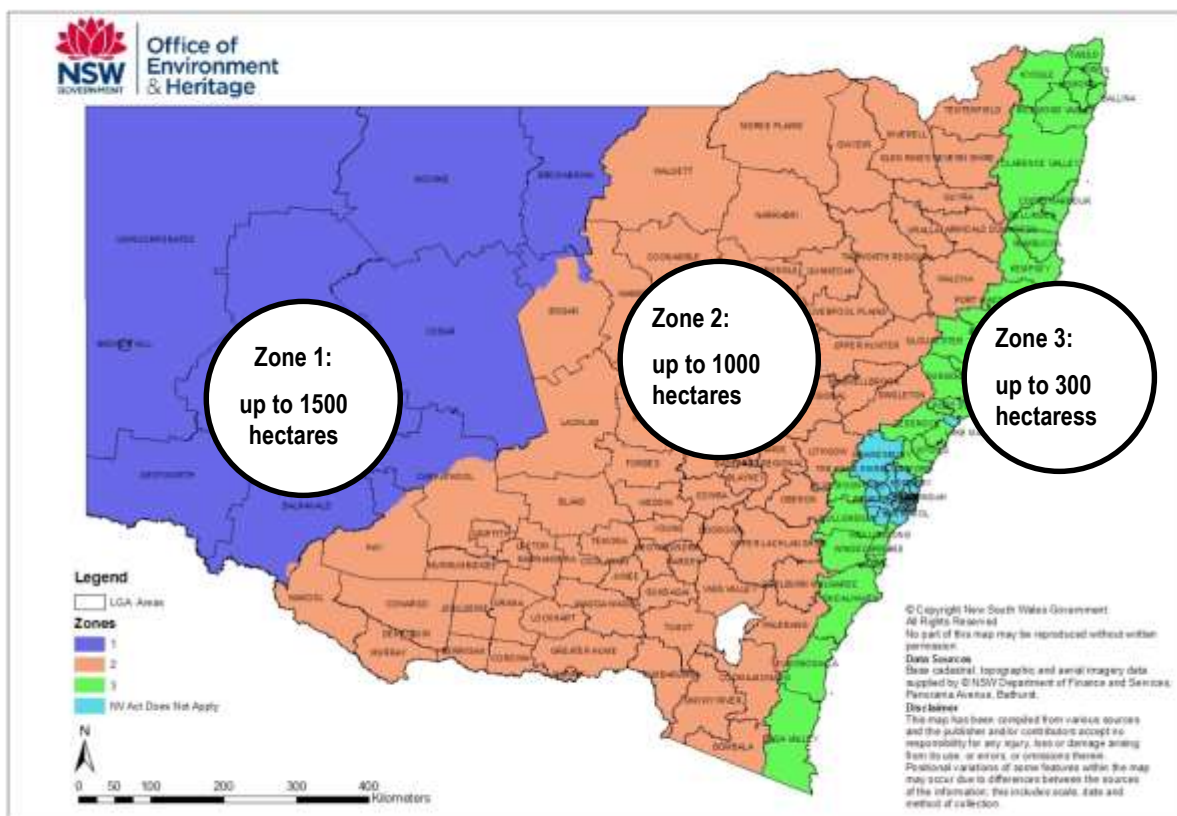


Figure 3: Permitted thinning by zone.

Thinning a patch of vegetation should be as targeted as possible and result in minimal disturbance to soil, groundcover and non-target plants. You can select any method other than chaining or roping to clear (unless you are in a riparian area).

If you're using chemicals follow the label.

Stacking product from thinning against mature trees or woody shrubs is not permitted because it could eventually lead to the death of the mature tree or woody shrub.

How do I maintain stem density?

To make sure you keep the nominated stem density per hectare, thin using the mosaic or spacing effect. Figure 5 shows some examples of what your clearing could look like.

Mosaic effect

The mosaic effect lets you use discretion around the number of stems you keep per hectare as it involves scattering and/or clumping the remaining stems.

Spacing effect

Spacing is a more structured approach as it sets a maximum distance or spacing between the kept stems. You'll need to keep the minimum spacing between the stems you keep per hectare as per the *nominated stem spacing*.

If the activities proposed are not permitted under the code you may need to apply for a PVP. You can elect whichever method you like provided you do not thin below the nominated stem density.



NOTE TO READER:

Additional illustrative examples to be included in final draft.



1: Identify

2: Check

3: Plan

4: Notify

5: Clear

Figure 4: Example of mosaic (clumping) and spacing effects.

Do I need to establish a set-aside area?

No. You do not need to establish a set-aside area, as long as you complete thinning in accordance with the Ministerial Order (and explained in this guide).

Can I sell the product of my thinning?

If you would like to thin for commercial forestry, you need a Private Native Forestry PVP from the Environmental Protection Authority (www.epa.nsw.gov.au).

1: Identify

2: Check

3: Plan

4: Notify

5: Clear



NOTE TO READER:

Additional diagram/schematic to be included in final draft showing vegetation structure and biodiversity before and after thinning native vegetation.



Figure 5: Before and after thinning.

STEP 4: Notify

What information will the LLS require?

Once you have considered conditions on your property and decided to thin, you'll need to notify the LLS of your plans at least 14 calendar days before starting. Once you have submitted your notification you will be given a copy of the notification details including a map.

Here is the type of information the LLS may need from you.

- name of property owner (or agent)
- name of person to carry out the thinning
- property location
- size of area to be thinned
- expected start date
- expected end date
- location of the area to be thinned
- is the area of thinning subject to a private native forestry property vegetation plan?

How do I notify the LLS?

You can notify by:

1. using the online Native Vegetation Notification System (link to be included)
2. downloading the notification form (link and form to be included) and sending it to the LLS
3. visiting the LLS office, they will complete the notification for you.

Why should I notify?

Notifying your LLS:

1. provides a safety net for you in case members of the community mistakenly report your clearing as illegal
2. provides an opportunity for LLS to offer extension services
3. provides a way to distinguish between lawful clearing under the self-assessable codes and unexplained and potentially unlawful clearing
4. enables government and the community to understand the overall amount of clearing occurring under the self-assessable codes.

Can I modify a notification?

Yes, you can modify your notification, even after your notification is submitted. To modify the notification using the online system, all you need to do is log back into the system, make the modifications and re-submit. Alternatively, you can contact your LLS and they can modify the notification on your behalf.

What happens to my notification if I sell my property or my property details change?

If you sell, subdivide or your property details change, you need to update those details by using the online system or contacting the LLS.

1: Identify

2: Check

3: Plan

4: Notify

5: Clear

Can I withdraw my notification?

Even after your notification is submitted, if you change your mind you can come back and withdraw your notification. This can only be done if you haven't commenced the clearing. An LLS Officer may contact you to discuss why you are withdrawing your notification.

Sticker space to be left here so LLS can insert individual contact details

What records do I need to keep?

Once you have submitted your notification you will be given a copy of the notification details including a map of the area to be thinned. You can also keep before and after photos of the clearing for your records along with the information collected in Step 2: Check.

1: Identify

2: Check

3: Plan

4: Notify

5: Clear

Useful terms

Density: The number of plants per hectare.

DBHOB: Diameter breast height over bark. The diameter of trees is measured in centimetres at 1.3 metres (roughly breast height) above the ground. The measurement is taken over the bark on the tree trunk.

Dunefield: An area with a hill or ridge of windblown sand.

Estuary: A semi-enclosed body of water with an open or intermittently open connection with the ocean. Water levels do not vary with the ocean tide (when closed to the sea) or vary in a predictable, periodic way in response to the ocean tide at the entrance (when open to the sea).

Forests: Areas, incorporating all living and non-living things, that are dominated by trees that can grow to at least 2 metres high with a canopy that covers 20% or more of the ground cover.

Landholding:

(a) a parcel of land, or

(b) several parcels of land which:

(i) are contiguous with one another or are separated from one another only

by a road, river, creek or other watercourse

(ii) constitute or are worked as a single property, irrespective of whether those parcels are held under the same title or different titles or titles of different kinds.

Local Land Services (LLS): The new regional service delivery bodies replacing Catchment Management Authorities, Livestock Health & Pest Authorities and incorporating agricultural advisory services previously provided by Agriculture NSW.

Lunettes: An elongated, gently recurved, low ridge consisting of sand or pelletised silt and clay, which has been built up by wind on the north eastern or eastern margin of an ephemeral freshwater or saline lake or closed depression. A lunette typically has a wave-modified slope towards the lake or depression. In NSW, lunettes occur mainly in the inland plains.

Mosaic: In an ecosystem, a scattered pattern of plant communities. It can also refer to different stages of growth within the plant community.

Keith vegetation formation: The top level of hierarchy in the classification structure established in Keith, David. (2004). *Ocean shores to desert dunes: The native vegetation of NSW and the ACT*. Vegetation formations are classified into broad groups based on structure and physiognomic features.

Private native forestry: Managing native vegetation on privately owned land or Crown land for sustainable timber production.

Property vegetation plan: A voluntary, legally binding agreement between a landholder and the Local Land Services.

Set-aside area: An area designated for conservation to balance the environmental loss associated with the clearing of paddock trees in cultivation.

Stem spacing: In this case, the maximum distance between the stems retained.

Skeletal soils: Soils that contain coarse fragments including gravels (2-75mm), stones (75 - 250mm), or boulders (>250mm)

Vulnerable land: Land that is declared as vulnerable land because it is either steep or highly erodible, protected riparian land or special category land. For more information refer to

<http://www.environment.nsw.gov.au/resources/vegetation/NativeVegetationAct.pdf>. Vulnerable land is shown at the state scale in appendix 4.

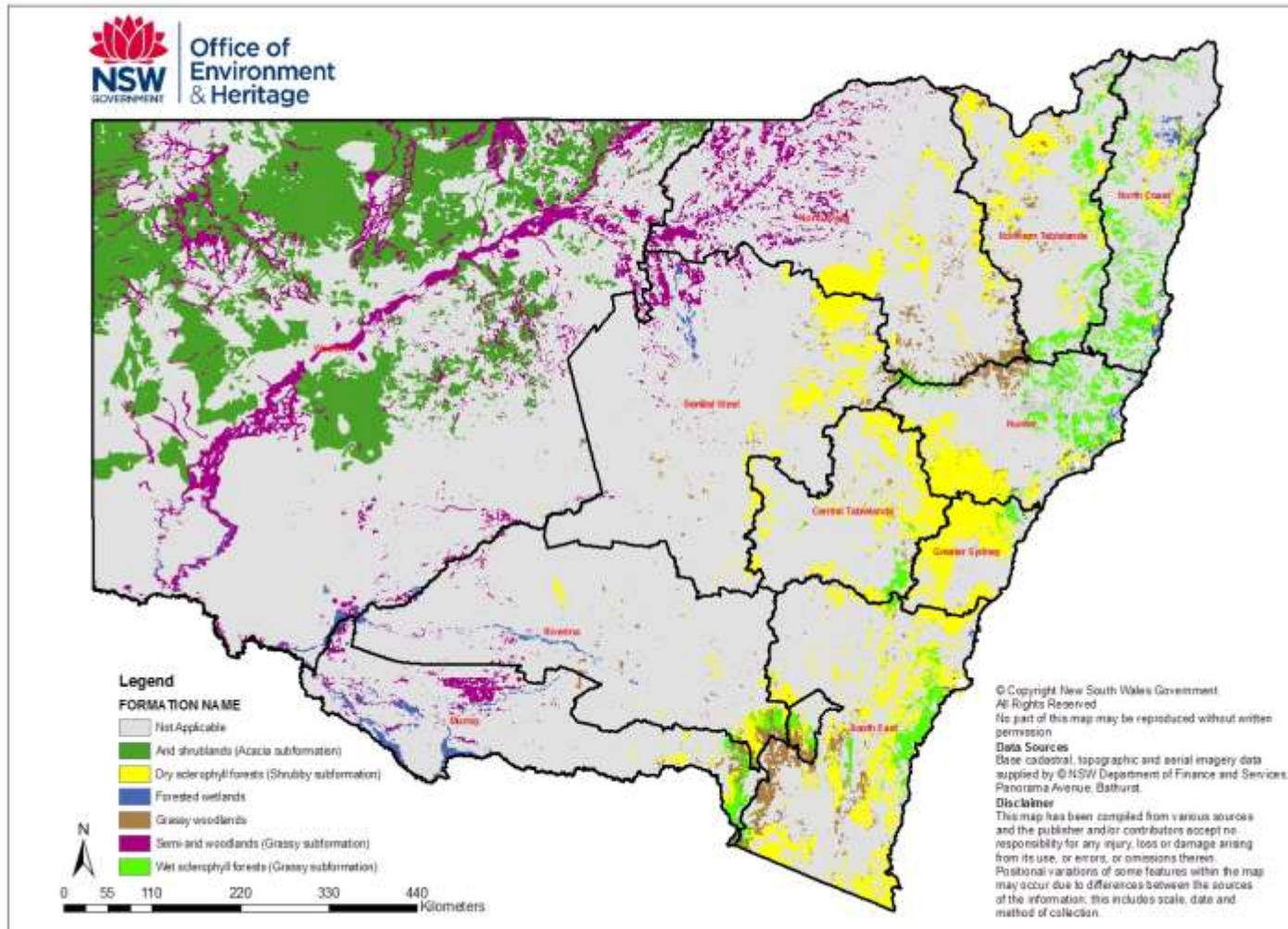
Watercourse: A stream or river of Strahler stream order 3 or above. The Strahler Stream Classification system assigns waterways an 'order' according to the number of its tributaries.

Wetland: Any type of shallow body of water (such as a marsh, billabong, swamp or sedgeland) that is: (a) inundated cyclically, intermittently or permanently with water, or (b) vegetated with wetland plant communities.

Woodland: A low-density forest forming open habitats with plenty of sunlight and limited shade. Woodlands may support an understory of shrubs and herbaceous plants including grasses.

Woody shrubs: Plants taller than 1.3 metres and with a measureable woody stem that are not part of the overstory of that vegetation formation.





Appendix 1: Mapped distributions of the relevant vegetation formations for use with the code across NSW








Note: The scale at which this map is produced means that it is indicative only. Landholders should confirm their vegetation formation before thinning.

Appendix 2: Photos of vegetation formations that can be thinned

Below are photos to assist landholders to determine whether the vegetation is one that is allowed to be thinned. If unsure contact your LLS.

Formation	Image	Formation	Image
Dry sclerophyll forest (shrub sub formation)		Semi arid woodland – grassy sub formation Coolibah Walgett	
Dry sclerophyll forest Stringybark		Grassy woodland – coastal Coastal example	

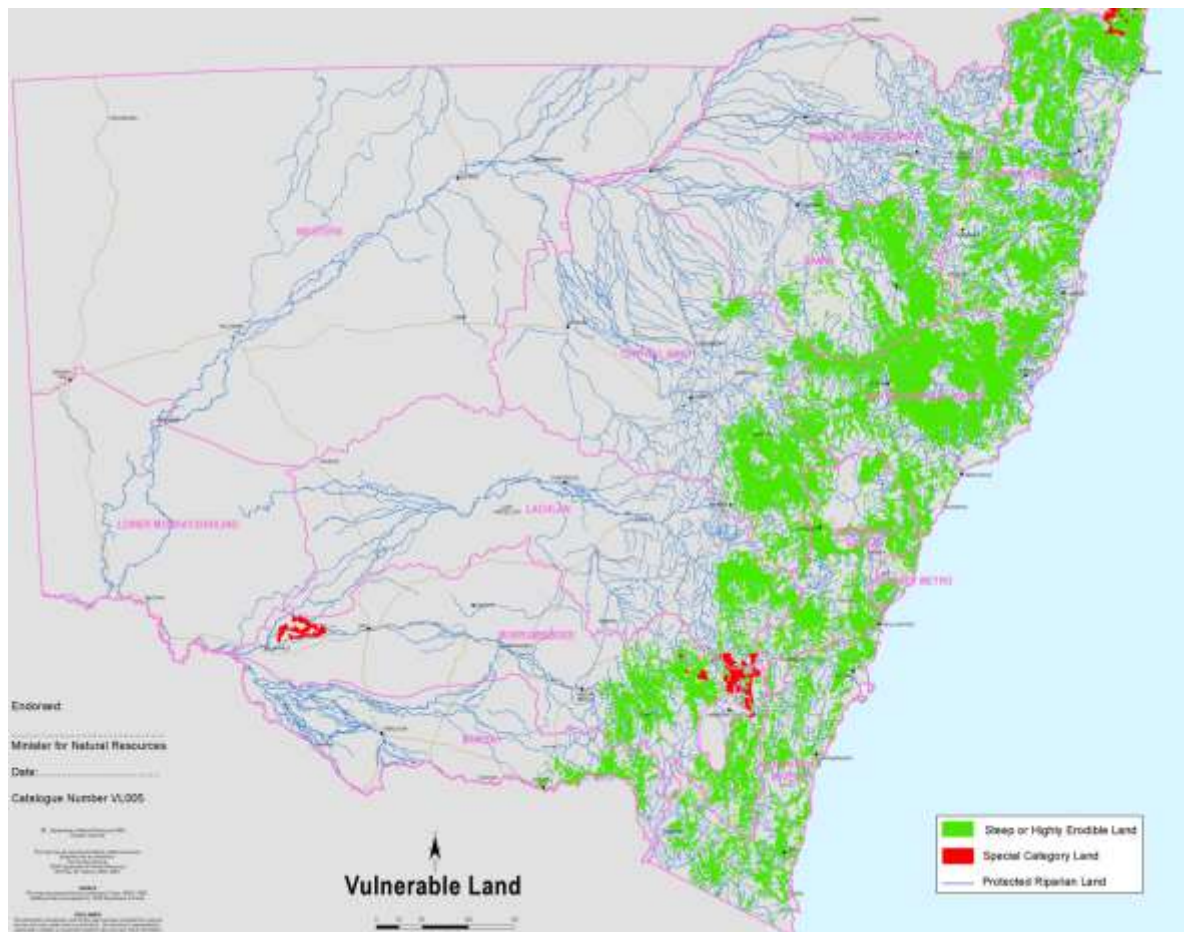
<p>Grassy woodland – inland</p>		<p>Arid shrublands (acacia sub-formation)</p>	
<p>Forested wetland – coastal</p>		<p>Forested wetland - inland</p>	
<p>Wet sclerophyll forest (Grassy sub-formation)</p>			

Appendix 3: Photos and description of threatened tree species in nominated vegetation formations

NOTE TO READER:

Additional illustrative photographs to be included in final draft.

Appendix 4: Vulnerable land map



Note: The scale at which this map is produced means that it is indicative only. Landholders should confirm their vegetation formation before thinning.

Want more information?

Contact your Local Land Services office for advice and support on choosing the right clearing type for your property.

Space left for sticky label for LLS to include individual details

Contact the Office of Environment and Heritage for more information on native vegetation

Contact details for appropriate OEH office will be included in the final version of this document.

Read the full Ministerial Order at:

www.environment.nsw.gov.au/resources/vegetation/20140278DraftOrderThinning.pdf