



# Guide to the draft Native Vegetation Regulatory map

Department of Climate Change,  
Energy, the Environment and Water

## Acknowledgement of Country

Department of Climate Change, Energy, the Environment and Water acknowledges the Traditional Custodians of the lands where we work and live.

We pay our respects to Elders past, present and emerging.

This resource may contain images or names of deceased persons in photographs or historical content.

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# Introduction of the Native Vegetation Regulatory map

This guide provides information about:

- the draft Native Vegetation Regulatory map
- how to access the map and map support services
- the land categories identified in Part 5A of the *Local Land Services Act 2013* (LLS Act) and Part 14 of the *Local Land Services Regulation 2014* (LLS Regulation)
- how the map is made.

The *Local Land Services Act 2013* (LLS Act) designates rural areas of the state where the clearing of native vegetation is or is not regulated.

The LLS Act requires the Environment Agency Head in the Department of Climate Change, Energy, the Environment and Water (the department) to prepare and publish a Native Vegetation Regulatory (NVR) map.

The draft Native Vegetation Regulatory (NVR) map is provided for landholder information. It provides a visual representation of the categories of land defined and outlined in the LLS Act and LLS Regulation. The map provides guidance to landholders about where categories of land described in the legislation occur. The land categories will help you determine if an approval is required under the Land Management (Native Vegetation) Code 2018 (Land Management Code) or if allowable activities can be utilised to clear vegetation.

The land categories displayed on the draft NVR map are predominantly determined by activities that have occurred prior to the commencement of the LLS Act. After commencement of the legislation, land categories can only be changed in certain circumstances. This can include the issue of certain certificates under the Land Management Code or the map review process. The NVR map can also be updated when new or improved information or data is available, an error is found on the map or following a successful legal appeal.

The transitional period and the transitional NVR map continue to be in force. Information about the transitional period is detailed in the below.

# The Native Vegetation Regulatory map release stages

Since commencement of the LLS Act in August 2017, transitional arrangements have been in place for identifying category 1–exempt and category 2–regulated land. The transitional arrangements continue to be in place while the NVR map is draft and will continue to apply until a final comprehensive NVR map is published.

## Stage 1 – transitional Native Vegetation Regulatory map

Section 60F of the LLS Act provides for transitional arrangements to be in place to allow for the preparation of a draft native vegetation regulatory map. The transitional NVR map was published in August 2017 and will remain in force until the transitional period is ended. The transitional NVR map displays only category 2 vulnerable regulated land, category 2 – sensitive regulated land and excluded land - these 3 land categories are aligned on both the transitional and draft NVR map and remain in-force.

## Stage 2 – draft Native Vegetation Regulatory map

During the transitional period Stage 1 and Stage 2 publications of the NVR map (transitional and draft) are published concurrently. The draft NVR map is available for landholder review and information across all areas of New South Wales. The draft NVR map allows you to view all land categories identified in the LLS Act and Regulation, and described in this Guide.

## Stage 3 – ending the transitional period

When the community has had sufficient time to access the draft NVR map for their property, a final NVR map will be published. This will end the transitional period and all categories, currently designated under the legislation, will also be designated as displayed on the map.






Landholders can continue to seek a map review of their land categorisation at any time for all 3 NVR map publication stages. The Stage 3 version of the NVR Map will continue to be a dynamic product that will be continuously updated and improved when new information becomes available. Refinement through the map review process is an important way landholders can contribute to map accuracy improvements.

# The draft native vegetation regulatory map

A draft NVR map, displaying all land categories identified in the LLS Act and Regulation, is available for landholder review across all areas of New South Wales. The draft NVR map allows you to view all of the land categories on your property. Landholders can request a map review for the NVR map at any time. See below for more information about map reviews.

You can use the draft NVR Map viewer to view land categories mapped on your property.

Land identified on the draft Native Vegetation Regulatory map includes:

-  **category 1-exempt land**
-  **category 2-regulated land**
-  **category 2–vulnerable regulated land**
-  **category 2–sensitive regulated land**
-  **excluded land (*Part 5A of the LLS Act does not apply to excluded land*)**

# Using the native vegetation regulatory map online viewer

The draft NVR maps can be viewed online. Open the map viewer and read the information provided in the Home Panel for important information about the map and how to use the viewer to find more information about the map categories applied to your property.

If you need assistance using the map viewer refer to our *How to use the native vegetation regulatory map viewer guide*.

When you have located your property on the map viewer, you can use the **Layers** panel to see which map categories have been applied to your property.

To find out more about the map categories on your property you can use the map viewer **Identify Tool** to pinpoint specific areas on the map to find out more about the category source groups that contribute to the map category in that specific area.

Over 170 different data sets are used to build the draft NVR map categories. These datasets have been sorted into groupings. Your property may contain one or more of these dataset groupings.

**Appendix A – Identify Tool Results** provides a comprehensive list of the groupings and the various datasets contained in each.

You can request a category explanation report for more detailed information about the categories mapped on your property. A category explanation report provides detailed information about each of the map categories applied to your property and which datasets contributed to those map categories.



# Land category summaries for the map layers:

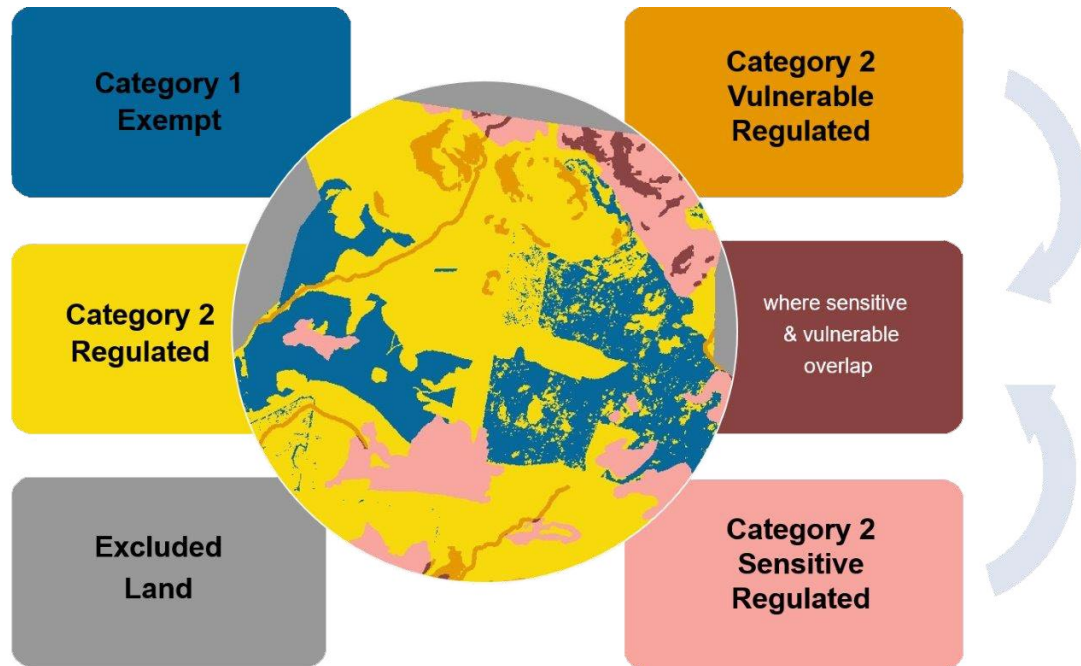


Figure 1 Land categories displayed on the NVR map

## Category 1–exempt land

### How is category 1–exempt land displayed on the draft NVR map?

Category 1–exempt land is displayed on the draft NVR map as blue ■

### What is category 1–exempt land?

Some areas in New South Wales are substantially cleared of native vegetation. This clearing may have occurred many decades ago or may include lawful and authorised clearing in more recent times.

These types of land are identified in the LLS Act and on the draft map as category 1–exempt land and include:

- land cleared of native vegetation as at 1 January 1990
- land lawfully cleared between 1 January 1990 and 25 August 2017, including authorisations under the *Native Vegetation Conservation Act 1997* and the *Native Vegetation Act 2003* (property vegetation plan clearing, clearing authorised under a NV Act Ministerial Order [Paddock Tree Code])
- native vegetation identified as regrowth in a property vegetation plan issued under the NV Act where a regrowth date was specified

- land containing low conservation value grasslands or groundcover; see below for more information about how grasslands are assessed and categorised, and assessing grasslands and non-woody vegetation
- biodiversity certified land under the *Biodiversity Conservation Act 2016*.

These clearing events are identified by scientists reviewing a range of satellite imagery and other available data. More information is available on the scientific methods for the detection of clearing events in the Map Method Statement available on the NVR map webpage.

Native vegetation that comprises grasslands or other non-woody vegetation is taken to have been significantly disturbed or modified (and therefore cleared) only if the following apply:

- there is variation in structure or composition, or both, of non-woody vegetation detected using aerial or satellite images
- the variation is consistent with management of pasture or crops sustained for a period of at least 12 months on more than one occasion before August 2017
- the variation is not caused only by grazing
- the variation occurred between 1 January 1990 and 25 August 2017.

### How is category 1–exempt land mapped?

The process for mapping category 1–exempt lands captures detectable, significant changes in the extent of vegetation or type of land use across the landscape, indicating the land was lawfully cleared.

A range of satellite and aerial imagery captured between 1990 and 25 August 2017 is reviewed by expert scientists to identify and map significant disturbance. This information on vegetation and land use change is combined with land mapped as:

- low conservation value grasslands or ground cover
- native vegetation identified as regrowth in a property vegetation plan issued under the *Native Vegetation Act 2003*, where a regrowth date was specified
- biodiversity certified land under the *Biodiversity Conservation Act 2016*.

The category mapping is not produced by a computer algorithm.

For more information about what data sets are used in category 1–exempt land mapping, see Appendix A. Detailed information about data and technology used on the NVR map is described in the Map Method Statement.

## Category 2–regulated land

### How is category 2–regulated land displayed on the draft NVR map?

Category 2–regulated land is displayed on the draft NVR map as yellow 

### What is category 2–regulated land?

Category 2–regulated land applies to areas that are reasonably believed to still contain native vegetation or land that has been protected and managed by legislative prescription in the LLS Act and Regulation.

Land is designated as category 2–regulated land if the Environment Agency Head reasonably believes that the land was:

- not cleared of native vegetation as at 1 January 1990 or unlawfully cleared of native vegetation after 1 January 1990
- containing native vegetation grown or preserved using public funds. This includes incentive or conservation property vegetation plans (PVP) issued under the *Native Vegetation Act 2003* that may have expired
- subject to an expired remedial action to restore or protect the biodiversity values of the land
- in the proximity area of a coastal wetland or littoral rainforest areas of the coastal zone under the *Coastal Management Act 2016*
- subject to (or previously subject to) a private native forestry plan under either the *Forestry Act 2012* or the *Native Vegetation Act 2003*
- containing medium conservation value grasslands – see below for more information about how grasslands are assessed and categorised
- containing low conservation grasslands beneath the canopy or drip line of woody vegetation (being woody vegetation that satisfies the criteria for classification of the land as category 2–regulated land)
- the land is a travelling stock reserve (unless the land is located in the Western Division of the state)
- the land is otherwise prescribed by the LLS Regulation as category 2–regulated land.

### How is category 2–regulated land mapped?

The process for mapping category 2–regulated lands involves expert scientists reviewing a range of satellite and aerial imagery captured between 1990 and 25 August 2017 to verify that land has not been significantly disturbed or cleared of native vegetation before 1 January 1990 or unlawfully cleared of native vegetation after 1 January 1990.



This information on vegetation extent and land use is combined with land mapped under the other legislative criteria.

For more information about what data sets are used in category 2–regulated land mapping, see Appendix A.

Detailed information about data and technology used on the NVR map is described in the Map Method Statement.

## Category 2–vulnerable regulated land

### How is category 2–vulnerable regulated displayed on the NVR map?

Category 2–vulnerable regulated land is displayed as orange  on the draft and transitional NVR maps. It is displayed as brown  on areas where it overlaps with category 2–sensitive regulated land.

### What is Category 2–vulnerable regulated land?

Some areas of New South Wales, such as steep slopes and land along the edge of rivers, creeks and other waterways known as riparian land, are vulnerable to soil erosion, salinity, sedimentation and landslip.

These lands play an important role in maintaining productive and stable soils along with healthy and vibrant waterways.

These lands have been protected for many years and were originally defined as ‘Protected Lands’ under the *Soil Conservation Act 1938*. This Act provided protection to these areas and first introduced the regulation of clearing vegetation on land susceptible to erosion or otherwise environmentally sensitive areas.

Over time, the use and naming of these land classifications has flowed through various natural resource management legislation and is now identified in the LLS Act and on the NVR map as category 2–vulnerable regulated land.

Category 2–vulnerable land on the NVR map will include:

- **steep or highly erodible land:** land with a slope >18 degrees and/or where soil characteristics, slope and erosivity of rainfall present a high erosion risk
- **protected riparian land:** land within 20 metres of the bed or bank of a named natural watercourse or waterbody. This land provides; filters that keep our streams clean, habitat for many species of flora and fauna and in many cases, are the only remaining natural corridors in the landscape
- **special category land:** exists over some areas of New South Wales considered to be environmentally sensitive or at environmental risk and includes land vulnerable to soil erosion, salinity, sedimentation and/or landslip.

### How is category 2–vulnerable regulated land mapped?

The 3 elements of category 2–vulnerable regulated land mapping are developed using a combination of existing data sets and technologies:

- protected riparian land is identified through mapping land at defined distances to existing rivers and streams



- steep and highly erodible land identifies land with a slope >18 degrees using a surface model enhancement digital elevation mapping model
- special category lands mapping is generated using digitised data from scanned rectified topography maps converted from original Soil Conservation Service maps.

For more information about what data sets are used in category 2-vulnerable regulated land mapping see Appendix A.

Detailed information about data and technology used on the NVR map is described in the Map Method Statement.

## Category 2–sensitive regulated land

### How is category 2–sensitive regulated displayed in the NVR map?

Category 2–sensitive regulated land is displayed as pink  on the transitional and draft NVR map. It is displayed as brown  in areas overlapping with category 2–vulnerable regulated land.

### What is category 2–sensitive regulated land?

Some environmentally significant or sensitive areas of New South Wales are already protected under a range of local, state and Commonwealth Government legislation, agreements or conditions of consent. These areas are identified in the draft and transitional NVR maps as **category 2–sensitive regulated land** to ensure they continue to be protected.

Category 2–sensitive regulated land is described in the LLS Regulation as land:

- where the Environment Agency Head reasonably believes it to contain:
  - old growth forest
  - rainforest
  - critically endangered ecological communities
  - critically endangered plants
  - core koala habitat
  - high conservation value grasslands or other groundcover which can be assessed using the Interim Grasslands and other Groundcover Assessment Method (IGGAM) – see below for more information about how grasslands are assessed and categorised
  - land recommended for declaration as areas of outstanding biodiversity value
  - Ramsar wetlands within the meaning of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*
  - land described as Coastal Wetlands in the coastal zone referred to in the *Coastal Management Act 2016*
  - land described as Littoral Rainforest in the coastal zone referred to in *the Coastal Management Act 2016*

- land is subject to an approved conservation measure that was the basis for other land being biodiversity certified.
- land contained in the following types of agreements:
  - biodiversity stewardship agreement made under the *Biodiversity Conservation Act 2016*
  - conservation agreement made under the *Biodiversity Conservation Act 2016*
  - wildlife refuge agreement made under the *Biodiversity Conservation Act 2016*
  - conservation Agreement made under the *National Parks and Wildlife Act 1974*
  - Trust Agreement made under the *Nature Conservation Trust Act 2001*
  - conservation areas made under Southern Mallee Landuse Agreements
  - Registered Property Agreement made under the *Native Vegetation Conservation Act 1997*
  - Incentive or Conservation Property Vegetation Plans made under the *Native Vegetation Act 2003*
- land required to be set aside, offset or retained as a condition of development consent or subject to a remedial direction, including:
  - land required to be set aside under a code compliant certificate made under the Land Management (native vegetation) Code 2018
  - land currently subject to a remedial action to restore or protect biodiversity values
  - land required to be set aside under a Ministerial Order made under the *Native Vegetation Act 2003*
  - land established as an Offset in a Property Vegetation Plan made under the *Native Vegetation Act 2003*
  - land contains native vegetation that is required to be retained under a plantation authorisation made under the *Plantations and Reafforestation Act 1999*
  - the land is, by a condition of a development consent or approval under the *Environmental Planning and Assessment Act 1979* that has been notified to the Environment Agency Head, required to be set aside for nature conservation, for re-vegetation of native vegetation or as a native vegetation offset.

## How is category 2–sensitive regulated land mapped?

Data for mapping category 2–sensitive regulated land is sourced from a variety of places.

In some cases, mapping developed under other legislation is imported directly into the NVR map, e.g. Coastal Management SEPP mapping or core koala habitat mapping from the local or state government agency responsible for its generation and maintenance.

Land subject to individual landholder agreements that is required to be designated as category 2–sensitive regulated land (e.g. conservation agreements or areas set aside

under a Land Management Code agreement) are directly imported into the map when the agreements are finalised.


Other mapping, for example, critically endangered plant mapping and critically endangered ecological communities mapping, is created by expert threatened species scientists using an approved scientific method.

See Appendix A for more information about what data sets are used in category 2-sensitive regulated land mapping.

Detailed information about data and technology used to produce this category on the NVR map is described in the Map Method Statement.

## Excluded land

### How is excluded land displayed on the NVR map?

Excluded land is displayed as grey  on the NVR map. Part 5A of the LLS Act does not apply to excluded land.

### What is excluded land?

The NVR map does not apply to some lands in New South Wales. These lands are generally non-rural, such as urban and industrial areas, or contain land that forms part of the national park and state forest estates.

Excluded land can also contain areas zoned for environmental or other conservation purposes. Excluded land can include:

- Sydney and Newcastle metropolitan local government areas of: Bayside, City of Blacktown, Burwood, Camden, City of Campbelltown, Canterbury-Bankstown, Canada Bay, Cumberland, City of Fairfield, Georges River, City of Hawkesbury, Hornsby, Hunter's Hill, Georges River, Inner West, Ku-ring-gai, Lane Cove, City of Liverpool, Mosman, Newcastle, North Sydney, Northern Beaches, City of Parramatta, City of Penrith, City of Randwick, Rockdale, City of Ryde, Strathfield, Sutherland Shire, City of Sydney, The Hills Shire, Waverley, City of Willoughby, Woollahra.
- land within the following environmental planning instrument zones: Zone RU5 Village, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B1 Neighbourhood Centre, Zone B2 Local Centre, Zone B3 Commercial Core, Zone B4 Mixed Use, Zone B5 Business Development, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone B8 Metropolitan Centre, Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone IN1 General Industrial, Zone IN2 Light Industrial, Zone IN3 Heavy Industrial, Zone IN4 Working Waterfront, Zone MU1 Mixed Use, Zone IN4 Working Waterfront, Zone SP1 Special Activities, Zone SP2 Infrastructure, Zone SP3 Tourist, Zone SP4 Enterprise, Zone SP5 Metropolitan Centre, Zone RE1 Public Recreation, Zone RE2 Private Recreation, Zone C2 Environmental Conservation, Zone C3 Environmental Management, Zone C4

Environmental Living, Zone W3 Working Waterways or Zone W4 Working Waterfront

- national park estate and other conservation areas including:
  - wilderness areas
  - national parks
  - flora reserve
  - state heritage listed areas
  - areas of outstanding biodiversity value
  - critical fisheries habitat
  - world heritage property
  - land dedicated or reserved under the *Crown Lands Act 1989* for the purpose of conservation and/or vegetation protection
  - state forest and timber reserves
  - Lord Howe Island

## How is excluded land mapped?


Various spatial datasets are used to define excluded land, including:

- zoning maps from all NSW local environment plans
- NSW local government areas
- national parks and state forest estates
- areas of outstanding biodiversity value
- wilderness areas declared under the *Wilderness Act 1987*
- NSW Crown land and State Heritage Register data.

Detailed information about data and technology used to produce this category on the NVR map is described in the Map Method Statement.

## The Monaro Werriwa Advisory Layer

### How is the Advisory Layer displayed on the map?

The Monaro Werriwa Advisory Layer is displayed as purple crosshatch on the draft NVR map. 

The advisory layer is not an NVR Map category. The advisory layer indicates where the Monaro and Werriwa critically endangered ecological communities may occur.

These critically endangered ecological communities are classified as 'grassy woodlands' as they are characterised by a tree layer that is eucalyptus dominant, but sparse. 'Grassy woodlands' contain an absence of hard-leaved shrubs, and are also characterised by their diverse groundcover grasses and herbs.

Both the Monaro and Werriwa critically endangered ecological communities are woodland to low open woodland characterised by a sparse to very sparse layer of trees; predominantly snow gum (*Eucalyptus pauciflora*).



The Monaro Critically Endangered Ecological Community is co-dominated by ribbon gum (*Eucalyptus viminalis*), and the Werriwa Critically Endangered Ecological Community is co-dominated by candlebark (*Eucalyptus rubida* sub sp *rubida*).

The function of the Advisory Layer is to alert landholders to the potential for critically endangered ecological communities to occur. Clearing critically endangered ecological communities is generally not permitted and there are restrictions to the use of clearing provisions under the LLS Act.

Local Land Services can provide further advice about the restrictions and potential incentive programs.

# Category explanation reports

The draft NVR map viewer allows you to identify the category grouping applied to your land. Download the *How to use the map viewer* guide for information about accessing the map, finding your landholding and using the identify tool to provide information about the categories applied to your land.

You can request a category explanation report if you need more detailed information about the NVR map categories applied to your landholding. This report provides detailed information about the different data layers applicable to your landholding and explains the basis for the inclusion of land in certain categories on the NVR map.

A category explanation report contains a list of published layers contributing to the categorisation of your land and detailed maps identifying the area covered by those layers.

For information about requesting a category explanation report, go to the *Request a free map review* webpage.



# Refining the map for your property

The draft NVR map is a dynamic product designed to be continuously updated and improved. We acknowledge landholder participation in the map assessment process can improve map accuracy.

The map is created using the best available data and satellite technologies. However, as the landholder, you may be able to provide valuable information on the history or land management activities undertaken on your property.

If you consider the draft NVR map incorrectly categorises your land, you can request a review of the map categories. This will allow you to provide supporting information for our team to further assess the map categorisation and to potentially recategorise your land.

Only people who own, lawfully occupy, lease or manage land can request a map assessment for that land. Information that can be used to prove direct association to a landholding can include a local government rates notice, title certificate/search, or a lease agreement.

When requesting a review of the native vegetation regulatory map, you must provide supporting information demonstrating why you think there should be a change. This allows the department to consider if the categorisation of your land needs to be amended.

Supporting information may include:

- a map of the area you want reviewed
- the reasons for review
- historical land management information, such as approximate dates of past clearing or cultivation events
- previous clearing approvals, such as a certificate issued under the land management code or a property vegetation plan
- other farm records or photos that may help with the review.

It is recommended that you contact the Map Review Team to discuss your concerns before requesting a review of the map.

# Grasslands

## Assessment of grasslands and non-woody vegetation on your property

Grasslands can be categorised as either category 1–exempt (low conservation value), category 2–regulated (medium conservation value) or category 2–sensitive regulated land (high conservation value).

The NVR Map Method using remote sensing technology to detect past use and clearing. However, it is recognised that activity on grasslands and non-woody vegetation is more difficult to detect remotely.

The legislation has defined on-ground methods to undertake assessments of these landscapes where further refinement is required.

There are a number of ways in which grassland can be categorised on the NVR. In some cases, it may be possible to request a map review to re-apply the Map Method.

There are 5 criteria defined under cl114(1) of the LLS Regulation that are considered when assessing whether the land has been significantly disturbed or modified. The 5 criteria are:

- there has been a detectable variation (from information obtained from aerial or satellite imagery) in the structure or composition, or both, of non-woody vegetation
- that variation is consistent with management of pasture or crops for agricultural purposes
- that variation has been sustained for at least 12 months on more than one occasion before the commencement of Part 5A of the Act
- that variation has not been caused only by grazing on the land
- that variation occurred (from information obtained from aerial or satellite imagery) between 1 January 1990 and the date of commencement of Part 5A of the Act.

In this instance, you will be required to provide supporting land use information for the period between 1990 and 2017. This allows the assessor to focus on the available imagery within specified timeframes to look for variations caused by agricultural land management activities.

The following methods of assessment require an onsite assessment.

- The Interim Grasslands and other Groundcover Assessment (IGGAM) method is used to determine whether your land contains low, medium or high conservation value grasslands. This is a field-based assessment. Assessments will identify the conservation value of grasslands and determine the land categorisation on the map. If you use the IGGAM you will be required to supply information when applying for a map review to change the categorisation of the NVR Map.

- The Land Management Code 2018 (Land Management Code) Part 5 Division 2 – Clearing compromised native groundcover. The Land Management Code requires an assessment of the groundcover and allows approved clearing in certain circumstances. This changes the land category on the NVR map. Local Land Services can provide further information about using the Land Management Code. You may be required to supply documents and records with a request for a map review to change the categorisation of the NVR Map.

During the transitional period, you may also undertake a field assessment to determine low conservation value grasslands using the method defined in s20 of the *Native Vegetation Act 2003* (repealed) and cl 62 of the *Native Vegetation Regulation 2013* (repealed).

If you use this option, the onus is on you to determine the land categorisation and to hold the records that support your decision.

Self-assessment steps need to be undertaken before a clearing event, so you can demonstrate that you cleared the land due to assessing it as meeting the definition of 'low conservation grasslands'.

For the category to be changed on the draft NVR map, you need to demonstrate that an assessment has been undertaken in accordance with clause 62 of the *Native Vegetation Regulation 2013* and submit records to support a map review.

If you have self-assessed your land under the transitional arrangements, the NVR map will not be changed unless you apply for a map review.

You may submit a map review request accompanied with a record of the information upon which you relied and a map showing the areas you assessed.

The Map Review Team will then consider if you have met all of the criteria and if the land categorisation can be changed.

# Building and updating the native vegetation regulatory map

## How was the draft map built?

The LLS Act requires the Environment Agency Head to publish information about the scientific method used to prepare the NVR map. The NVR map method statement and appendices have been peer-reviewed and are available online, as required by the legislation. The NVR map method contains detailed information about how the NVR map is made.

The map is not produced by a computer algorithm. Rather, each category in the maps has been developed using a combination of scientific assessment using multiple lines of enquiry done by expert mapping scientists and the application of various data sets and criteria as specified in the LLS Act.

The mapping process is designed to capture detectable, significant changes in the extent of vegetation or type of land use across the landscape, indicating that there has been, or is ongoing, agricultural use of the land since 1 January 1990. It is not designed to determine if vegetation is native or exotic.

The expert mapping scientists bring together multiple data sets, including satellite and aerial imagery, land use mapping, local council zonings and woody vegetation extent mapping.

Additional information regarding existing threatened species and ecological communities mapping are then used to refine the determination of the map category.

There are around 170 different data sets used to build the NVR map. Using multiple lines of evidence, across multiple years, rather than a single 'snapshot' of data, provides high level spatial and visually accurate data.

## The maps are updated regularly

It is the responsibility of the Environment Agency Head to regularly maintain and update the NVR map.

The land categories displayed on the NVR map are predominantly determined by activities that have occurred prior to the commencement of the LLS Act.

After commencement of the legislation land categories can only be changed in certain circumstances. This can include the issue of certain certificates under the Land Management Code or the map review process.

The NVR map can also be updated when new or improved information or data is available, an error is found on the map or following a successful legal appeal.

Land management activities approved under other legislation may recategorise the NVR map including:

- identification of land lawfully cleared after August 2017, including clearing of land authorised by a currently in-force Property Vegetation Plan made under the *Native Vegetation Act 2003*, or cleared in accordance with an approved development consent
- a change of land status under an environmental planning instrument requiring exclusion or inclusion to a certain land category on the map
- certain agreements or funding arrangements applied under other legislation, e.g. private land conservation agreements, private native forestry or biodiversity certification
- expiry of agreements applied under other legislation
- code certifications and notifications under the Land Management Code 2018.

Note: Only certain parts of the Land Management Code authorises re-categorisation of land on the NVR map (See Table 1 below).

### When re-categorisation changes are applied to the NVR map

The NVR map is regularly updated. When new information or data is available it is considered for inclusion in the NVR map. This may include when the map is changed via the map review process.

Some land is authorised to be recategorised on the NVR map by notifications or certificates issued under the Land Management Code. However, this only occurs when certain conditions of the notification or certificate are met, such as when clearing has occurred.

Table 1 below describes the specific parts of the Land Management Code that change the map category.

If you have a specific need for the NVR map to be updated you can apply for a Map Review, e.g. you are planning to sell your property.

Routine map updates will continue to occur as more data and information is received over time.

**Table 1 Application of Land Management Code to the Native Vegetation Regulatory map**

<b>Land Management (Native Vegetation) Code 2018</b>		<b>NVR map category Changes</b>	
<b>Part</b>	<b>Division</b>	<b>Treatment area</b>	<b>Set aside area</b>
Part 2 Invasive Native Species	Division 1 Low impact clearing of invasive native species	No change	Not applicable
Part 2 Invasive Native Species	Division 2 Moderate impact clearing of invasive native species	No change	Not applicable
Part 3 Pasture Expansion	Division 1 Uniform thinning of woody native vegetation (notification)	No change	Not applicable
Part 3 Pasture Expansion	Division 2 Uniform thinning of woody native vegetation (certification)	No change	Not applicable
Part 3 Pasture Expansion	Division 3 Mosaic thinning of woody native vegetation	No change	Not applicable
Part 4 Continuing Use	Division 1 Managing woody native regrowth in managed native pastures	No change	Not applicable
Part 4 Continuing Use	Division 2 Continuation of land management activities undertaken after 1990	No change	Not applicable
Part 4 Continuing use	Division 3 Continuation of rotational activity undertaken prior to 1990	Yes	Not applicable
Part 5 Equity	Division 1 Removing native vegetation from paddock trees	Yes	Not applicable
Part 5 Equity	Division 2 Clearing compromised native groundcover	Yes	Not applicable
Part 5 Equity	Division 3 Removing native vegetation from small areas	Yes	Yes
Part 5 Equity	Division 4 Removing native vegetation from regulated rural land	Yes	Yes
Part 6 Farm Plan	Division 1 Removing native vegetation from paddock tree areas	Yes	Yes
Part 6 Farm Plan	Division 2 Removing native vegetation from regulated rural areas	Yes	Yes



# Land management activities that do not recategorise the native vegetation regulatory map

There are some land management activities that do not recategorise the NVR map. These include:

- clearing without authorisation
- clearing undertaken using allowable activities as listed under the LLS Act. Allowable activities cover a range of routine land management activities associated with agriculture and other common practices in rural areas but does not change land categorisation on the NVR map
- clearing authorised under other legislation. Section 600 of the LLS Act allows for clearing under a suite of other legislation. For example, clearing authorised under the *Rural Fires Act 1997*. Clearing authorised under this provision does not change the land categorisation on the NVR map.

## Managing native vegetation on your land

If you need information about undertaking any new land management activities including clearing vegetation on your property, please seek advice from Local Land Services.

## Contact us

If you need more detailed information about land category mapping on your property please contact the Map Review Team at [map.review@environment.nsw.gov.au](mailto:map.review@environment.nsw.gov.au) or on 1800 001 490.

# More information

- [Biodiversity Conservation Act 2016](#)
- [Bionet Threatened Biodiversity Profiles](#)
- [Draft Native Vegetation Regulatory Map viewer](#)
- [How to use the native vegetation regulatory map viewer](#)
- [Interim Grasslands and other Ground Cover Assessment Method](#)
- [Land Management \(Native Vegetation\) Code 2018](#)
- [Land Management Code Part 5 Division 2 – Clearing compromised native groundcover](#)
- [Land management in NSW](#)
- [Local Land Services](#)
- [Local Land Services Act 2013](#)
- [Local Land Services: Land Management Framework fact sheets](#)
- [Local Land Services Regulation 2014](#)
- [Native Vegetation Act 2003](#)
- [Native Vegetation Regulation 2013](#)
- [Native vegetation regulatory map method statement appendices](#)
- [NVR map method statement](#)
- [Request a free map review](#)
- [Threatened ecological communities](#)
- [Transitional Native Vegetation Regulatory Map Viewer](#)
- [Western Lands Act 1901](#)

# Appendix A – Data sets combined to create the native vegetation regulatory map categories

The types of information required to develop each map category are set out in **Part 5A of the *Local Land Services Act 2013*** and in **Part 14 of the *Local Land Services Regulation (LLS) 2014***.

The below tables are not intended to provide a comprehensive summary of every type of land that may be included in each category. For more information about NVR map categories, see Land category summaries for the draft map layers above, request a category explanation report or contact the Map Review Team.

## Category 1–Exempt

The **Identify Tool** function in the draft NVR map viewer provides more information about why land is mapped under certain map categories. The Identify Tool group names are listed in **column A** and **column B** lists the various sets of information that may be included in these groups. The types of information used to develop each map category are set out in **Part 5A of the *Local Land Services Act 2013*** and in **Part 14 of the *Local Land Services Regulation (LLS) 2014***.

The Identify Tool is not intended to provide a comprehensive summary of every type of land that may be included in each category. For more information about NVR map categories see Land category summaries for the map layers above or Category explanation reports or contact the Map Review Team.

Category 1–exempt land is displayed on the draft NVR map as blue 

A – Identify Tool category source group	B – What is included in this group?
Categorisation based on vegetation clearing history at 1 January 1990; and between 1 January 1990 and 25 August 2017	Land identified as cleared of native vegetation as at 1 January 1990 or lawfully cleared between 1 January 1990 and 25 August 2017

**A – Identify Tool category source group****B – What is included in this group?**

Clearing authorised under land management agreement

Land containing authorised clearing under a land management agreement – agreements can include:

- approvals to clear under the *Native Vegetation Conservation Act 1997* clearing consent
- clearing approved under a Property Vegetation Plan (PVP) under the *Native Vegetation Act 2003* including broadscale clearing or Paddock Tree Clearing PVPs
- PVPs relating to regrowth identification, verification or change of date issued under the *Native Vegetation Act 2003*
- Native Vegetation Regulation 2013 Ministerial Order (Paddock Tree Code) clearing
- *Native Vegetation Act 2003* Routine Agricultural Activity (RAMA) – approved clearing under the Increased Infrastructure
- Width or Local Government RAMAs
- Land identified as cleared under a Land Management (Native Vegetation) Code 2018 Treatment Area

Biodiversity certified land

Biodiversity Certified Land under Part 8 the *Biodiversity Conservation Act 2016*

Land management provision

- Land assessed as low conservation value grassland under transitional arrangements LLS Act s60F(3) (s20 *Native Vegetation Act 2003* and clause 62 *Native Vegetation Regulation 2013*)
- Land assessed as low conservation value grassland under the Interim Grasslands and other Groundcover Assessment Method
- Groundcover assessed as significantly disturbed or modified under cl 114(2) of the *Local Land Services Regulation 2014*

## Category 2–Regulated Land

The **Identify Tool** function in the draft NVR map viewer provides more information about why land is mapped under certain map categories. The Identify Tool group names are listed in **column A** and **column B** lists the various sets of information that may be included in these groups. The types of information used to develop each map category are set out in **Part 5A of the Local Land Services Act 2013** and in **Part 14 of the Local Land Services Regulation (LLS) 2014**.

The Identify Tool is not intended to provide a comprehensive summary of every type of land that may be included in each category. For more information about NVR map categories see Land category summaries for the map layers above or Category explanation reports or contact the Map Review Team.

Category 2–regulated land is displayed on the draft NVR map as yellow 

A – Identify Tool category source group	B – What is included in this group?
Categorisation based on vegetation clearing history at 1 January 1990; and between 1990 and 25 August 2017	Land identified as not cleared of native vegetation as at 1 January 1990 or unlawfully cleared between 1 January 1990 and 25 August 2017
Coastal Management Act Littoral Rainforest	Littoral Rainforest – Coastal Management SEPP – proximity area
Coastal Management Act Wetlands	Coastal Wetlands – Coastal Management SEPP – proximity area
Land management agreement	<p>Land managed under Land Management agreement requirements including requirements to retain or set aside vegetation or not change land use in the long term under:</p> <ul style="list-style-type: none"> <li>• the <i>Native Vegetation Conservation Act 1997</i> clearing and thinning consents requiring retention of vegetation</li> <li>• the <i>Native Vegetation Act 2003</i> Property Vegetation Plans including: Invasive native scrub PVP, Thinning PVP; Incentive PVP (expired), or Clause 28 of the Native Vegetation Regulation 2005</li> <li>• Native Vegetation Regulation 2013 Ministerial Orders (Thinning Code) or Ministerial Order (Invasive Native Species Code)</li> </ul>
Land management provision	<p>Areas which may include land where:</p> <ul style="list-style-type: none"> <li>• native vegetation was grown or preserved with the assistance of public funds including but not limited to, Saving our Species sites, Catchment Management Authority and Local Land Services incentive funded conservation and management contracts; Green Army 20 million trees</li> </ul>

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- actions were undertaken to restore or protect biodiversity values
  - land unlawfully cleared of native vegetation
  - land is subject to current or expired Private Native Forestry (PNF) activity
  - land assessed as moderate conservation value grassland under the Interim Grasslands and other Groundcover Assessment Method
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Travelling Stock Reserve



Travelling Stock Reserve – Central and Eastern Coast

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## Category 2–Sensitive Regulated Land

The **Identify Tool** function in the NVR map viewer provides more information about why land is mapped under certain map categories. The Identify Tool group names are listed in **column A** and **column B** lists the various sets of information that may be included in these groups. The types of information used to develop each map category are set out in **Part 5A of the Local Land Services Act 2013** and in **Part 14 of the Local Land Services Regulation (LLS) 2014**.

The Identify Tool is not intended to provide a comprehensive summary of every type of land that may be included in each category. For more information about NVR map categories see Land category summaries for the map layers above or Category explanation reports or contact the Map Review Team.

Category 2–sensitive regulated land is displayed as pink  on the draft and transitional NVR map. It is displayed as brown  on areas where it overlaps with category 2–vulnerable regulated land.

A – Identify Tool category source group	B – What is included in this group?
Coastal Management Act Littoral Rainforest	Littoral Rainforest – Coastal Management SEPP – core area
Coastal Management Act Wetlands	Coastal Wetlands – Coastal Management SEPP – core area
Critically endangered plants and/or ecological communities	The land has been mapped by the Environment Agency Head as land containing critically endangered ecological communities or critically endangered plants under the <i>Biodiversity Conservation Act 2016</i>
Identified koala habitat	Land identified as koala habitat in a plan of management made under <i>State Environmental Policy No 44 – Koala Habitat Protection</i> for the following local government areas: Ballina, Bellingen, Coffs Harbour, Kempsey, Lismore, Port Macquarie–Hastings, Port Stephens
Land management agreement	Areas managed under Land Management agreement requirements including requirements to retain or set aside vegetation under other acts including: <ul style="list-style-type: none"> <li>• land set aside under a Ministerial Order – Paddock Tree Code of Practice – Native Vegetation Regulation 2013</li> <li>• land subject to a Conservation or Incentive Property Vegetation Plan – <i>Native Vegetation Act 2003</i></li> <li>• Land identified as an offset under a Property Vegetation Plan under the <i>Native Vegetation Act 2003</i> or set aside under the Native Vegetation Regulation 2013</li> </ul>

A – Identify Tool category source group	B – What is included in this group?
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- land identified as a managed area set aside – Local Government Routine Agricultural Management Activity (RAMA) *Native Vegetation Act 2003*
- land subject to conditions to require the conservation of the land through the prohibition of grazing and active conservation management where the land is in the Southern Mallee Planning Group Region
- land identified as a conservation agreement under the *Biodiversity Conservation Act 2016* including biodiversity stewardship agreements, conservation agreements and wildlife refuge agreements
- land required to be set aside under the Land Management (Native Vegetation) Code 2018

Land management provision

Areas which may include land where:

- it is subject to a Biodiversity Certified Conservation Measure under the *Biodiversity Conservation Act 2016*
- land where actions are to be undertaken to restore or protect biodiversity values
- native vegetation required to be retained as a condition of authorisation for Plantation operations under the *Plantations and Reafforestation Act 1999*
- land assessed as high conservation value grassland under the Interim Grasslands and other Groundcover Assessment Method

Identified old growth forest

- Land assessed as old growth forest under the protocols for re-evaluating old growth forest/rainforest on private property
- Mapping of old growth forest for the purpose of the Comprehensive Regional Assessment under the National Forest Policy Statement

Identified rainforest

- Land assessed as rainforest under the protocols for re-evaluating old growth forest/rainforest on private property
- Mapping of rainforest forest for the purpose of the Comprehensive Regional Assessment under the National Forest Policy Statement

Ramsar wetlands



Land declared as Ramsar Wetland under the *Environment Protection and Biodiversity Conservation Act 1999*



## Category 2–Vulnerable Regulated Land

The **Identify Tool** function in the NVR map viewer provides more information about why land is mapped under certain map categories. The Identify Tool group names are listed in **column A** and **column B** lists the various sets of information that may be included in these groups. The types of information used to develop each map category are set out in **Part 5A of the Local Land Services Act 2013** and in **Part 14 of the Local Land Services Regulation (LLS) 2014**.


The Identify Tool is not intended to provide a comprehensive summary of every type of land that may be included in each category. For more information about NVR map categories see Land category summaries for the map layers above or Category explanation reports or contact the Map Review Team.

Category 2–vulnerable regulated land is displayed as orange  on the transitional and draft NVR maps. It is displayed as brown  on areas where it overlaps with category 2–sensitive regulated land.

A – Identify Tool category source group	B – What is included in this group?
Riparian land	<b>Vulnerable Regulated Land – Riparian</b> within 20m of the bed or bank of a named natural watercourse or waterbody
Steep land > 18 degrees or highly erodible	<b>Vulnerable Land – Steep or Highly Erodible</b> – land with a slope >18 degrees and/or a high erosion risk
Special category lands	<b>Vulnerable Land – Special Category</b> – environmentally sensitive or at environmental risk and includes land vulnerable to soil erosion, salinity, sedimentation and/or landslip

## Excluded Land

The Identify Tool function in the draft NVR map viewer provides more information about why land is mapped under certain map categories. The category source group for Excluded land is labelled in the Identify Tool as Excluding land zoning and tenures.

Excluded land is displayed as grey  on the draft NVR map. Part 5A of the LLS Act does not apply to excluded land.

A – Identify Tool category source group	B – What is included in this group?
Excluding land zoning and tenures	<p>Land excluded from the operation of the <i>Local Lands Services Act 2013</i> because it is in Sydney or Newcastle metropolitan areas, is a specific land zoning where the Act does not apply, or it is national park or State Forest estate and other conservation areas.</p> <p>Land mapped as excluded on the NVR map includes the following areas:</p> <ul style="list-style-type: none"><li>• Sydney and Newcastle metropolitan areas</li><li>• Environmental Planning Instrument Land Zonings – Zone RU5 Village, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B1 Neighbourhood Centre, Zone B2 Local Centre, Zone B3 Commercial Core, Zone B4 Mixed Use, Zone B5 Business Development, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone B8 Metropolitan Centre, Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone IN1 General Industrial, Zone IN2 Light Industrial, Zone IN3 Heavy Industrial, Zone IN4 Working Waterfront, Zone MU1 Mixed Use, Zone IN4 Working Waterfront, Zone SP1 Special Activities, Zone SP2 Infrastructure, Zone SP3 Tourist, Zone SP4 Enterprise, Zone SP5 Metropolitan Centre, Zone RE1 Public Recreation, Zone RE2 Private Recreation, Zone C2 Environmental Conservation, Zone C3 Environmental Management, Zone C4 Environmental Living, Zone W3 Working Waterways or Zone W4 Working Waterfront</li><li>• land reserved under the <i>National Parks and Wildlife Act 1974</i> including national parks, a historic site, a state conservation area, a regional park, a karst conservation reserve, a nature reserve, an Aboriginal area</li><li>• state forests, timber reserves or flora reserves under the <i>Forestry Act 2012</i></li></ul>

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- land dedicated or reserved under the *Crown Lands Act 1989* where the dedication or reservation purpose is for conservation and/or vegetation protection
  - Land to which an interim heritage order or listing on the stage heritage register under the *Heritage Act 1997* applies
  - World Heritage property within the meaning of the *Environment Protection and Biodiversity Conservation Act 1999*
  - declared wilderness areas under the *Wilderness Act 1987*
  - Lord Howe Island
  - land to which an interim protection order under Part 11 (Regulatory compliance mechanisms) of the *Biodiversity Conservation Act 2016* applies
-