

Transition period grassland conservation assessment under the Local Land Services Act 2013

NUMBER	Groundcover assessment during transition period 2017	VERSION	1.0
AUTHORISED BY	Director, Policy and Science, Sustainable Land Management	AUTHORISED DATE	20/10/2017
ISSUED BY	Group Director, Sustainable Land Management, LLS	EFFECTIVE DATE	20/10/2017

Policy Statement

The aim of this policy is to provide guidance in assessing the conservation value of grasslands during the transition period before the Native Vegetation Regulatory Map (NVR map) is given regulatory effect.

Context

Part 5A Division 2 s60H (2) provides that land is taken to be category-1 land if the land contains low conservation grasslands. Management of category-1 land is exempt from regulation under the *Local Land Services Act 2013 (LLS Act)*.

Part 5A Division 2 s60F (3) of the *LLS Act* states that: ‘...an area is taken, during the transitional period, to be low conservation value grasslands if it comprises only groundcover whose clearing was permitted by section 20 of the *Native Vegetation Act 2003*’ (*NV Act*).

Section 20 of the *NV Act* states that clearing of native groundcover is permitted if:

- (a) the vegetation comprises less than 50% of indigenous species of vegetation, and
- (b) not less than 10% of the area is covered with vegetation (whether dead or alive), and
- (c) those percentages are calculated in accordance with the regulations (see Clearing of ground-cover calculations below).

Clearing of groundcover-calculations under the NV Act

The percentages referred to in section 20 of the Act are to be calculated in accordance with the following methodology:

- (a) the percentages are to be calculated by the landholder in a scientific and objective manner that is appropriate to the area proposed to be cleared and the species of vegetation that are present,
- (b) the calculation can only be made at the time of year when the proportion of the amount of indigenous vegetation in the area to the amount of non-indigenous vegetation in the area is likely to be at its maximum.

(2) The landholder must retain for at least 5 years after the clearing of native vegetation that comprises only groundcover a record of the calculation carried out for the purposes of this clause, consisting of:

- (a) a map showing the area that was the subject of the calculation, and
- (b) a record of the season in which the calculation was made, and
- (c) a statement as to how the calculation was made, and
- (d) photographs that clearly show the type of groundcover in the mapped area, taken at the time the calculation was made.

Clear guidance is needed so that LLS can assist landholders to assess groundcover during the transition period.

Scope

This policy applies to areas of the State to which the *LLS Act* has effect.

Policy Position

During the transitional period landholders are to assess groundcover consistent with either the step point or quadrat method outlined in the *LLS Fact Sheet - Assessing native groundcover*.

Roles and responsibilities

LLS has responsibility for ensuring landholders apply the Land Management framework consistent with the LLS Act

Legislation

Local Land Services Act 2013
Native Vegetation Act 2003

Related documents

OEH Factsheet - Using the Native Vegetation Regulation 2013 Self-Assessable Codes - Assessing groundcover see:

<http://www.environment.nsw.gov.au/resources/vegetation/150030-fs-groundcover.pdf>

Revision history

Version	Date issued	Notes	By
1	20/10/2017	N/A	Group Director



Review date

This policy will be reviewed in 6 months.

Contact

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