

Frequently asked questions

Why are we carrying out a statutory review?

The statutory review is a requirement of the legislation.

The statutory review is also an important opportunity to identify aspects of the native vegetation provisions in the Local Land Services Act that are working well, any issues, and whether any changes are needed to improve land management outcomes for landholders, the community and the environment.

The statutory review supports the principles of continuous regulatory improvement.

What will the statutory review consider?

Under Section 212 of the Local Land Services Act the Minister is to review the native vegetation provisions and determine:

- if the policy objectives of these provisions remain valid, and
- whether the provisions themselves remain appropriate for securing the objectives of this part of the Act.

The five-year statutory review will consider how well the native vegetation provisions of

the Act are working to meet the objective of the Act and if any areas need to be improved.

For more information on the scope of the statutory review, go to the [Terms of Reference](#).

What are the native vegetation provisions?

The key native vegetation provisions in the Local Land Services Act are:

- The requirement to prepare and publish a **Native Vegetation Regulatory Map** which categorises rural land.
- Three pathways for a landholder to manage native vegetation on their land in regulated rural areas:
 - **Allowable activities**
 - **The Land Management (Native Vegetation) Code,**
 - **Native Vegetation Panel.**
- **Offences and penalties** for carrying out illegal native vegetation clearing.
- The requirement to maintain a **public register** of authorisations under the Code.

Where do the native vegetation provisions apply?

The native vegetation provisions in Part 5A of the Local Land Services Act apply to rural land (land zoned as: RU1, RU2, RU3, RU4, RU6 but not RU5), with some exceptions.

Land that is not regulated by Part 5A includes:

- non-rural areas in the State, defined by the State Environmental Planning Policy (Biodiversity and Conservation) 2021
- National Parks and other conservation areas
- State Forests
- land in the Sydney or Newcastle metropolitan areas

About 43 million hectares of land in NSW is categorised as rural regulated land, which represents about 53% of the land area of NSW.

How will my feedback be considered?

Submissions will inform the five-year statutory review of Part 5A and Schedule 5A and Schedule 5B in the Act. The outcomes of the consultation process will be provided in the final review report.

When will the review be completed?

The Minister for Agriculture will table the final review report, including findings and recommendations in NSW Parliament in August 2023.

How does the statutory review relate to the statutory review of the Biodiversity Conservation Act?

The five-year statutory review of the native vegetation provisions of the Local Land Services Act 2013 is being carried out in conjunction with the five-year statutory review of the Biodiversity Conservation Act 2016. More information on the statutory

review of the Biodiversity Conservation Act can be found [here](#).

Local Land Services and the Department of Planning and Environment, and the respective Chairs of the independent expert panels, will consult with each other particularly where there is connection between relevant parts of the Local Land Services Act 2013 and the Biodiversity Conservation Act 2016.

Will the Land Management (Native Vegetation) Code be part of this review?

The statutory review is not a comprehensive review of the Land Management (Native Vegetation) Code (the Code) or the Local Land Services Regulation 2014. However, the review can make recommendations on changes to the Code and Local Land Services Regulation if it finds these changes are needed to meet the objective of Part 5A of the Local Land Services Act.

Where can I find more information?

You can find more information about the statutory review on the [Local Land Services website](#).