

# Clearing Trees and Native Vegetation

## - Do You Need Approval?



*In most cases, clearing vegetation or cutting down trees will require approval from your local Council or the Catchment Management Authority.*

*This Factsheet aims to help you understand which agencies you will need approval from before you commence any clearing.*

### Types of vegetation clearing

Clearing includes cutting down, poisoning, ring-barking, burning, bulldozing and uprooting vegetation. Lopping, topping or significant pruning is also controlled in some instances.

### Clearing in urban areas

Your local Council regulates clearing in urban areas that are zoned 'residential', 'village', 'township', 'industrial' or 'business'. Before you begin any clearing or damage trees it is recommended you contact Council to find out if there is there is a Tree Preservation Order (TPO) or a local plan which will require you to get Council consent before clearing.



### Clearing in rural areas

Clearing in 'rural' and 'rural residential' zoned areas is regulated under the Native Vegetation Act 2003. Permission is needed from the Catchment Management Authority (CMA) to clear native vegetation which is remnant vegetation or protected regrowth, unless the clearing is for a 'routine agricultural management activity', as defined under the Act, or the clearing has been approved already as part of an application to build a single house.

In some rural areas it will be necessary to get permission for clearing from Council in addition to the CMA. Council will be able to tell you if they have a TPO or local plan that requires you to get additional Council approval for clearing in rural areas.

If you need approval from both Council and the CMA, it is recommended that you obtain approval from the CMA before obtaining approval from Council as it may cost you more if you lodge a Development Application (DA) with Council without first seeking advice regarding any clearing from the CMA.

For further information or to gain approval for clearing in rural areas please contact your local CMA on 4930 1030 or visit [www.cma.nsw.gov.au](http://www.cma.nsw.gov.au)

## Other types of permission you may need

Clearing which involves burning will require additional approval under the Protection of the Environment Operations Act in most local government areas. In some situations and times of year a safety permit from the Rural Fire Service will be required also. Please contact your local Council or local Rural Fire Service office for further information.

Clearing that is likely to have a significant impact on nationally listed threatened species and ecological communities, migratory species, Ramsar Wetlands, or World or National Heritage Areas will need to be referred to the Federal Government for approval under the Environmental Protection and Biodiversity Conservation Act 1999. Visit [www.environment.gov.au](http://www.environment.gov.au) or call 02 6274 1111 for further information.

Clearing which is likely to affect threatened species listed under the Threatened Species Conservation Act will need approval. Clearing approved under the Native Vegetation Act will not need additional consent under the Threatened Species Act. Please contact Council or your local CMA for further information .

Clearing of mangroves, seagrasses or other marine vegetation requires permit approval by the Department of Industry and Investment (previously called the Department of Primary Industries) Contact 1300 550 474 for further information.

## Penalties for unauthorised clearing

Failure to obtain appropriate approvals for vegetation clearing can result in fines ranging from \$600 on-the-spot fines, for minor breaches, to court imposed fines of up to \$1.1million for significant breaches.



## Why retain native vegetation?

Native vegetation provides many values to our community, economy and environment which is why there are so many laws relating to its protection. Some of the benefits of keeping and protecting native vegetation include:

- Shade;
- Visual amenity;
- Privacy and wind screening;
- Food and shelter for native birds and animals;
- Improves surrounding air, water and soil quality;
- Reduces carbon in the atmosphere and the effects of climate change; and
- Preserves natural resources for future generations;

For further information about clearing approval requirements and ways to protect native vegetation on your property please contact your local Council.

