

How do I get a Property Vegetation Plan?

A Property Vegetation Plan (PVP) is a voluntary but legally binding agreement between a landholder and the local Catchment Management Authority (CMA).

A Property Vegetation Plan:

- > may be required when applying for native vegetation incentive funding
- > can be used to confirm whether any native vegetation meets the definition of regrowth so that a landholder can be confident they will not need future clearing approval
- > can be used to change the regrowth date of native vegetation to an earlier date provided that proof is provided of two previous clearing events associated with rotational farming
- > can be used to confirm whether existing rotational farming, grazing or cultivation practices meet the definitions of these in the *Native Vegetation Act 2003* (NV Act) so that future clearing approvals will not be required, or
- > is required when seeking to utilise offsets associated with clearing, when approval under the NV Act is required.

Benefits of a Property Vegetation Plan

- > PVPs give farmers security to plan and invest
- > PVPs for clearing provide certainty against any future changes to environmental planning instruments for a period of up to 15 years

- > PVPs avoid the need for separate approvals under the threatened species legislation
- > Continuing use PVPs provide landholders with certainty that existing land uses can continue
- > Incentive PVPs allow farmers to obtain funding to protect and restore native vegetation
- > PVPs allow farmers to offset any negative impacts of clearing, and
- > PVPs allow the clarification of the status of regrowth on a property.

How do I get a Property Vegetation Plan?

Contact your local CMA if you would like a PVP prepared for incentive funding or if you have a clearing proposal. An officer will contact you and arrange an on-site visit to discuss your proposal. The officer will work with you free of charge to help prepare a PVP.

The nature of the available site information will determine whether or not an on-site inspection is necessary for a PVP that certifies continuing use.

How long will a Property Vegetation Plan take to prepare?

The time taken to prepare a PVP depends upon the type of PVP being applied for, the size and nature of the site, and the complexity of any negotiated management actions. Your local CMA can estimate the time required once you contact them and discuss your plans.

How much does a Property Vegetation Plan cost?

Preparation of a PVP is free. The CMA will supply you with all the information you need, including giving you a high-definition satellite image of your proposal.

What information needs to be provided?

You will need to provide your local CMA with ownership and property details of the land, along with details of your proposal. You or your authorised representatives need to accompany the CMA officer on the property so that the plan can be prepared together.

How long does a Property Vegetation Plan last?

Clearing provisions contained in a PVP last up to 15 years giving landholders security for farm planning and investment.

Agreed management actions linked to offsets and incentives may continue for a longer period, including in perpetuity.

PVPs that do not include clearing can last for any time agreed to by the landholder and CMA.

A landholder can apply at any time to change a PVP if, for example, it is intended to modify farming practices.

Is a Property Vegetation Plan legally binding?

Yes.

Once agreed by the landholder, approved by the CMA and signed by both parties, a PVP is a legal agreement under both the *Native Vegetation Act 2003* and the *Threatened Species Conservation Act 1995*. It is binding for the agreed period.

A PVP is not affected by any changes to local or state planning rules or new listings of threatened species.

A PVP cannot be revoked unless it is breached.

What information will be made public about my Property Vegetation Plan?

There is a public register of approved PVPs that authorise broadscale clearing or that change the regrowth date. Locations of those that relate to clearing or changes to regrowth dates are available on a public website. PVP information that is available for inspection from the local CMA is limited to details of authorised clearing, any offsets involved and any revised regrowth date.

Does a Property Vegetation Plan still apply if the property is sold?

Yes.

A PVP is binding on the land even if the property is sold and will continue to apply until such time as a new plan is approved or the current plan expires. Some of the management actions (offsets) may continue to apply in perpetuity.

Can I find out if a property I want to buy has a Property Vegetation Plan?

Yes.

Each CMA maintains details of all PVPs within their area of operation. CMAs can provide bona fide prospective purchasers of land with an independent way to determine whether a PVP applies to that land.

Who needs to approve a Property Vegetation Plan?

A PVP is only valid if signed by the landholder and approved by the CMA. A landholder is defined under the Act as a person who owns land, is in occupation or possession of land or has management or control of land.

A leaseholder of land needs to obtain written agreement from the owner of the land before a PVP can be finalised. In the case of Crown land this is from the Department of Lands or in the Western Division from the Commissioner of Western Lands.

Similarly, the owner of leased land needs to obtain written agreement from the leaseholder prior to a PVP being approved.

Can more than one landholder be party to a Property Vegetation Plan?

Yes.

A PVP can apply over multiple properties as long as all landholders sign the agreement and all impacts and offsets are contained in the joint PVP.

Examples:

1. A group of neighbouring landholders want to develop and improve a wildlife corridor spanning all their properties. A joint PVP for the larger area may improve their funding prospects under the Catchment Action Plan.
2. Two members of the same family have properties that are in the same stream catchment but don't adjoin. The family has become interested in conservation farming utilising "tramline farming".

Both landholders need to clear paddock trees for improved machinery movement but one property does not contain enough area suitable for offsets. They agree to submit a joint PVP that will involve the offset shortfall on one of the family farms being made up on the other.
3. A landholder wants to clear a few trees to improve stock movement on the farm but the farm contains little other vegetation. A neighbour has a large area of regrowth but little grazing. They agree to submit a PVP with an area of regrowth on the second property used to offset clearing on the first. In exchange, the landholders may make a separate but private contractual arrangement. The private contractual arrangement will not be part of the PVP.

What does a Property Vegetation Plan look like?

A PVP consists of a photo-map of a property and a supporting document that details the agreed native vegetation management actions negotiated with the CMA.

How many Property Vegetation Plans can apply on a property?

Generally only one PVP applies to a property. A PVP can be varied to include additional areas or management actions for the property.

What if my property is in more than one CMA area?

Properties in more than one CMA area are eligible for a PVP. Simply contact your nearest CMA.



New South Wales
Government

Native vegetation management in NSW

Native Vegetation Act 2003

For more information:

Contact your local CMA, or you may also:

Visit: www.nativevegetation.nsw.gov.au **Email:** info@nativevegetation.nsw.gov.au **Freecall:** 1800 237 012

Note: This information does not constitute legal advice. Please seek specific advice from your local CMA before undertaking any clearing.