

# Managing native vegetation: A summary

Native Vegetation Regulations 2017 | 1 July 2017

Once you have established that the *Native Vegetation Act 1991* applies to your proposed clearance, use this summary of how to determine whether a regulation applies. If you find that a regulation does not apply, you can submit a clearance application under section 28 of the *Native Vegetation Act 1991*.

Table 1 below provides a brief summary of some of the actions you can do to manage native vegetation on your property.

Use this resource to find out more detailed information on our website, including the criteria that you must meet in complying with each regulation, and the requirements with an approval that you will need to consider BEFORE undertaking any activities on your property.

Table 1. Summary of *Native Vegetation Regulations 2017*

Reason to remove vegetation?	How much vegetation can be cleared? <i>*See Guide to Native Vegetation Regulations 2017 for all criteria that must be met</i>	Is approval from the NVC needed? <i>*See Guide to Native Vegetation Regulations 2017 for steps in the approval process</i>
<b>Property Maintenance</b>		
Around a building for building maintenance	Within 10 metres of a building.  Must have been constructed in accordance with any relevant development approval.  <i>A building</i> means a building or structure that is permanently fixed to land that cannot be moved without dismantling or destroying it.	No  Yes – if part of a subdivision, is considered under the subdivision regulation
Around a dwelling for fire prevention	Within 20 metres (not large trees) of a dwelling.  <i>A dwelling</i> is part of a building used as a self-contained residence.	No
	Large trees can be cleared within 20 metres of a dwelling	Yes (SA CFS)
Safety of people or property	Reasonable clearance of limbs or whole trees to remove risk. Applies to plants exceeding 2 metres in height.  Arborist report is required to be approved by the NVC before clearance can occur.	Yes
For a fence	For dividing a single property – total 5 metres width.  For dividing two properties, 5 metres either side of the fence.	No (notification only)  Yes – if part of a subdivision, is considered under the subdivision regulation
For a fence line fuel break	Total width 5 metres	No
Fuel reduction	To reduce combustible material on land	Yes (SA CFS)

Fuel breaks	Up to 20 metres wide on land used for primary production	Yes (SA CFS)
Walking track	Up to 0.5 metres in width for private use	No
Recreation track	For establishing or maintaining a track for recreational use of non-motorised vehicles	Yes
Vehicle track	Must not exceed 5 metres in width	No (notification only)  Yes – if part of a subdivision, is considered under the subdivision regulation
Commercial vehicle access track	Greater than 5 metres in width	Yes
Fire access track	Must not exceed 15 metres in width	Yes (SA CFS)
Maintain a dam	For repair and maintenance of a dam that is within the previous clearance envelope.  Consist of plants or parts of plants that have grown or regrown since the previous lawful clearance.	No
Roadside, rail corridor or railway crossing	Clearance can be undertaken on adjacent roadsides in association with another regulation (see the NVC Guidelines for Roadside Management), or as per a local council Roadside Management Plan (where one exists)	Yes (local council)
<b>Agricultural or Pastoral</b>		
Regrowth	That grown in the immediate 5 years past can be cleared for any purpose.	No
Regrowth to maintain agriculture, forestry or farming practices	That grown in the immediate 10 years past can be cleared to maintain agriculture, forestry or farming.	Yes
Grazing	Undertaken in the same manner and rate as immediate 10 years past.	No
	Undertaken in a manner and rate <u>not consistent</u> with the immediate 10 years past.  Must not permanently degrade native vegetation.	Yes
New dam	Applicable to pastoral land only	Yes
<b>Development and Infrastructure</b>		
Residential subdivision	For division of land for residential purposes including roads and other infrastructure.  All residual clearance (including clearance for the dwelling, around the dwelling, fences, vehicle tracks) must be incorporated into the clearance footprint for subdivisions, considered under this regulation.	Yes
New dwelling or building	For establishing a new dwelling or building that has development approval (not applicable to a subdivision).	Yes
Infrastructure	Maintenance within previous clearance envelope.  Consist of plants or parts of plants that have grown or regrown since the previous lawful clearance.	No
	New infrastructure or expansion of infrastructure.	Yes
Highways	Incidental to work undertaken by or on behalf of the Commissioner of Highways.	Yes
Major projects	Declared a major project under section 28 of the Development Act.	Approval under the Development Act  NVC approval over the SEB requirement

<b>Ecological Management</b>		
Plant and animal control	To control declared plants and animals under the Natural Resources Management Act.	No (notification only)
Natural resources management problems	To manage native vegetation having a detrimental effect on the management of natural resources.	No (notification only)
Ecological restoration	To conserve, manage or restore native species, native vegetation or ecological processes.	Yes
<b>Legislation</b>		
Electricity Act 1996, Emergency Management Act 2004, or Fire and Emergency Services Act 2005	For specified parts to which it applies, see the regulations.	No
<b>Collecting native vegetation</b>		
Firewood for personal use	At any one time not exceeding 6 cubic metres.  Must have a stem diameter of 30cm above the base of the plant of 20cm or less.  Must have permission from the landowner.	No
Seeds and specimens	Taking a cutting for propagation, or part of the plant to obtain the seeds.	No
Cultural activities	Taking of part of a plant by an Aboriginal person for non-commercial use.	No
<b>Mining</b>		
Operations	Incidental to operations authorised under a Mining Act or Petroleum and Geothermal Energy Act 2000.	No – approval granted under a Mining or PAGE Act  Yes – over the SEB requirement
Approved before 2003	Any clearance authorised before 25 August 2003.	No
Private mines	Any incidental clearance as long as mining operations have not discontinued for a period exceeding 12 months at any time after 21 November 1984.	No
Exploration	Any incidental clearance.	No – approval granted under a Mining or PAGE Act  Yes – over the SEB requirement (approved by DPC under delegation)

## For more information

### Native Vegetation Branch

Department of Environment,  
Water and Natural Resources

**T** (08) 8303 9777

**E** [nvc@sa.gov.au](mailto:nvc@sa.gov.au)

[www.environment.sa.gov.au/nativevegetation](http://www.environment.sa.gov.au/nativevegetation)