



New South Wales

Riverina Highlands Regional Vegetation Management Plan 2003

under the

Native Vegetation Conservation Act 1997

I, the Minister for Land and Water Conservation, make the following regional vegetation management plan under the *Native Vegetation Conservation Act 1997*.

JOHN AQUILINA, M.P.,

Minister for Land and Water Conservation

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Riverina Highlands Regional Vegetation Management Plan 2003

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Riverina Highlands Regional Vegetation Management Plan 2003

Part 1 Preliminary

1 Name of plan

This plan is the *Riverina Highlands Regional Vegetation Management Plan 2003*.

2 Commencement

This plan commences 3 months after it is published in the Gazette.

Note. It is intended that the operation of this plan should be reviewed by the Riverina Highlands Regional Vegetation Committee no later than 5 years after its commencement.

3 Definitions

(1) In this plan:

biolink means a link in vegetation in a largely cleared landscape critical for ecosystem function, including the movement of flora and fauna for the maintenance of viable populations.

clearing has the same meaning as in the Act.

native vegetation has the same meaning as in the Act.

plan of management for a regional linear reserve means a plan of management that identifies the conservation status of the reserve and sets out management regimes for the reserve.

regional linear reserve means land that is not regional protected land, but that is:

- (a) the site of a rail line that is treated by the Rail Infrastructure Corporation as a non-operational rail line for inspection purposes, or
- (b) a travelling stock reserve or route, or
- (c) dedicated for road purposes, or
- (d) a Crown road or reserve or a common.

regional protected land means land identified as such in clause 4.

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the Act means the *Native Vegetation Conservation Act 1997*.

the region means the part of the State designated under section 8 of the Act as the Riverina Highlands region.

unclassified land means all land to which this plan applies that is neither regional protected land nor within a regional linear reserve.

- (2) For the purposes of this plan, a reference to a map is to a map held in the office of the Department of Land and Water Conservation.

4 Regional protected land

- (1) The following land is identified as *regional protected land* for the purposes of the Act:
- (a) *regional protected land—steep and erodible land*, being land shown as steep or erodible land on the map marked “Riverina Highlands Regional Vegetation Committee—Regional Steep and Erodible Land”, and
 - (b) *regional protected land—streamsides*, being land that is not regional protected land—steep and erodible land, but that is situated within, or within 20 metres of, the bed or bank of a stream classified as being of a 3rd or higher order under the Strahler system when applied to the streams shown as lines on the relevant map. The *relevant map* is the most recent of the topographic maps of a scale of 1:25,000 for the land concerned published by and available from Land and Property Information.

5 Land to which this plan applies

This plan applies to all of the land in the region, subject to clause 6.

6 Land and clearing excluded by the Act

- (1) This plan does not apply to land excluded from the operation of the Act by section 9 of the Act.

Note. Section 9 excludes the following land:

- (a) land that is within a zone designated “residential” (but not “rural-residential”), “village”, “township”, “industrial” or “business” under an environmental planning instrument,
- (b) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies,
- (c) land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies,

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- (d) land that is a State forest, national forest, flora reserve or timber reserve under the *Forestry Act 1916*,
 - (e) land that is acquired under section 15 of the *Forestry Act 1916* for the purposes of a State forest (not being any such land that is acquired for the purpose of a timber plantation within the meaning of the *Timber Plantations (Harvest Guarantee) Act 1995*),
 - (f) land that is dedicated or reserved under the *National Parks and Wildlife Act 1974*,
 - (g) land that is acquired under section 145 of the *National Parks and Wildlife Act 1974* for the purpose of obtaining land for dedication or reservation under that Act or for the purpose of preserving, protecting and preventing damage to relics or Aboriginal places,
 - (h) land that is subject to a conservation agreement entered into under Division 7 of Part 4 of the *National Parks and Wildlife Act 1974*,
 - (i) land that is subject to an interim protection order made under Part 6A of the *National Parks and Wildlife Act 1974*,
 - (j) land to which an interim heritage order or listing on the State Heritage Register under the *Heritage Act 1977* applies,
 - (k) land that is critical habitat,
 - (l) Lord Howe Island.
- (2) This plan does not apply to clearing excluded from the operation of the Act by section 5 (4) or 12 of the Act.

Note. Section 5 (4) declares that clearing does not include sustainable grazing. Section 12 excludes the following types of clearing:

- (a) any clearing authorised under the *State Emergency and Rescue Management Act 1989* in relation to an emergency within the meaning of that Act,
- (b) any clearing authorised under the *Rural Fires Act 1997* in relation to any emergency fire fighting act within the meaning of that Act,
- (c) any clearing carried out in accordance with a bush fire management plan under the *Rural Fires Act 1997*,
- (d) any clearing authorised under the *Noxious Weeds Act 1993*,
- (e) any clearing carried out in accordance with a property management plan approved by the Director-General of National Parks and Wildlife for the purposes of the *Threatened Species Conservation Act 1995*,
- (f) any clearing authorised under a licence issued under Division 1 of Part 6 of the *Threatened Species Conservation Act 1995*,
- (g) any clearing that is, or that is part of, designated development within the meaning of the EPA Act,
- (h) any clearing authorised to be carried out under Division 3 or 4 of Part 7 of the *Fisheries Management Act 1994*,
- (i) any clearing authorised under a licence issued under Division 6 of Part 7A of the *Fisheries Management Act 1994*,
- (j) any clearing carried out in accordance with a licence issued under section 131 of the *National Parks and Wildlife Act 1974*,
- (k) any clearing authorised under the *Mining Act 1992*,
- (l) any clearing authorised under the *Petroleum (Onshore) Act 1991*,

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- (m) any clearing that consists of plantation operations within the meaning of the *Plantations and Reafforestation Act 1999* on an authorised plantation in accordance with any conditions of the authorisation and with the *Plantations and Reafforestation Code* under that Act,
- (n) any clearing that involves the removal or lopping of any tree or other vegetation in accordance with section 88 of the *Roads Act 1993*,
- (o) any clearing carried out in accordance with a consent under Division 3 of Part 9 of the *Roads Act 1993*,
- (p) any clearing carried out in accordance with a permit under Part 3A of the *Rivers and Foreshores Improvement Act 1948*,
- (q) any clearing carried out in accordance with a licence, permit, authority or approval under the *Water Act 1912*.

Part 2 Principles and objectives

7 Aim of Part 2

The aim of this Part is to declare principles and objectives that are required by Part 3 to be taken into consideration by the consent authority before granting consent for clearing.

8 Guiding principles

The guiding principles for the region are as follows:

- (a) that biodiversity within the region be maintained,
- (b) that native vegetation with high conservation value be protected and conserved,
- (c) that regional protected land—steep and erodible land be protected from land degradation,
- (d) that clearing contribute to the achievement of targets that will not result in a net loss in the types of native vegetation within the region and will achieve a net gain in native vegetation of the types that were depleted in the region at the commencement of this plan,
- (e) that riparian vegetation and regional streamsides within all regional protected land be protected,
- (f) that cultural heritage values be protected,
- (g) that water catchments be protected from salinity impacts in accordance with the principles of ecologically sustainable development within the meaning of the *Protection of the Environment Administration Act 1991*,
- (h) that recommendations made by, and any courses of action set out in, recovery plans and draft recovery plans (within the meaning of the *Threatened Species Conservation Act 1995*) be adhered to,
- (i) that recommendations in Schedule 1 for species be adhered to for the purpose of avoiding or reducing threats described in that Schedule for those species on land identified in that Schedule as primary habitat of those species,
- (j) that biolinks be conserved, managed and enhanced.

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Part 2 Principles and objectives

9 Primary objectives

- (1) The primary objectives of this plan for regional protected land—steep and erodible land are:
 - (a) to provide for the retention, protection, management and restoration of native vegetation in areas that are prone to erosion, and
 - (b) to mitigate and to prevent further land degradation.
- (2) The primary objectives of this plan for regional protected land—streamsides are:
 - (a) to provide for the conservation, management and rehabilitation of native vegetation on the land, and
 - (b) to mitigate and enhance water quality and riparian habitat values.
- (3) The primary objective of this plan for land within a regional linear reserve is to provide for the conservation, management and rehabilitation of native vegetation on the land so as:
 - (a) to provide corridors for the dispersal of flora and fauna and to link gene pools, and
 - (b) to conserve vegetation, particularly that cleared from other land within the region.
- (4) The primary objective of this plan for unclassified land is to provide for the conservation, management and enhancement of native vegetation on private property.

10 Biodiversity principles

- (1) The following principles are intended to maximise achievement of biodiversity within the region and to result in no net loss of biodiversity within the region:
 - (a) Retention of native vegetation is always preferable to clearing.
 - (b) The amount of clearing should be minimised.
 - (c) Clearing is to be undertaken in a manner that minimises harm and mitigates impact on native vegetation and associated wildlife.

- (d) Any clearing of native vegetation carried out after retention is maximised, harm minimised and impacts mitigated, is to be compensated, in accordance with the offset principles described in subclause (2) and the Department of Land and Water Conservation's publication *Guidelines: How to Minimise the Environmental Impacts of Clearing*.
- (2) The **offset principles** are as follows:
 - (a) Offsets must aim for long-term equilibrium that results in an environment of equal value to (or greater value than) that lost, with respect to the full range of floristic, structural and functional issues.
 - (b) Ratios applied in calculating offsets must be proportional to the immediate loss of biodiversity and of ecosystem function, and to the need to guarantee long-term survival.
 - (c) Compensation afforded by an offset should be as close as possible to the loss both in proximity and landscape function, while maximising restoration priorities.
 - (d) Offset values should be regionally-based to take account of climatic and geographical influences.
 - (e) The continuation of any offset should be guaranteed in perpetuity.
 - (f) The management of an offset should be guaranteed in perpetuity.
 - (g) Regeneration is always preferable to re-planting as an offset.

Note. The publication *Guidelines: How to Minimise the Environmental Impacts of Clearing* may be updated by the Department of Land and Water Conservation. It documents appropriate offset procedures that implement the offset principles.

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Clause 11 Riverina Highlands Regional Vegetation Management Plan 2003

Part 3 Clearing controls

Part 3 Clearing controls

11 Does clearing require development consent?

- (1) Clearing of regional protected land, and clearing of native vegetation on other land to which this plan applies, may be carried out only with development consent, except as provided by subclause (2).
- (2) Clearing of regional protected land, and clearing of native vegetation on other land to which this plan applies, may be carried out without development consent if it is clearing of a kind specified for the land under the heading “Allowed without development consent” in the Table in Schedule 2.
- (3) Consent must not be granted for clearing of regional protected land, or for clearing of native vegetation on other land to which this plan applies, if it is clearing of a kind specified for the land under the heading “Not allowed by this plan” in the Table in Schedule 2.

Note 1. Section 109B of the *Environmental Planning and Assessment Act 1979* (saving of effect of existing consents) provides that nothing in an environmental planning instrument prohibits, or requires a further development consent to authorise, the carrying out of development in accordance with a consent that has been granted and is in force, for example, a consent required by a regional vegetation management plan under the *Native Vegetation Conservation Act 1997* (that has been granted under the *Environmental Planning and Assessment Act 1979* and is in force).

Note 2. The Table in Schedule 2 lists, for all of the land to which this plan applies:

- (a) the clearing that may be carried out without development consent, and
- (b) the clearing that may be carried out only after development consent is obtained, and
- (c) the clearing that is not allowed by this plan.

12 Restrictions on certain clearing without consent

Clearing of any kind described in Schedule 4 must not be carried out without consent if there is a consent for clearing in force for the land. However, this requirement does not apply to public utility clearing, as described in Schedule 4.

13 Restrictions on granting consent

- (1) Before granting consent for the clearing of regional protected land or the clearing of native vegetation on other land, the consent authority must:

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- (a) take into consideration the guiding principles for the region as set out in clause 8 and be satisfied that the clearing will be consistent with those principles, and
 - (b) take into consideration the primary objectives of this plan for that land as set out in clause 9 and be satisfied that the clearing will be consistent with achieving those objectives, and
 - (c) take into consideration the principles intended to maximise achievement of biodiversity within the region as set out in clause 10, and
 - (d) take into consideration the following:
 - (i) cumulative impacts from the method of clearing and associated disturbance,
 - (ii) proposed management practices for the subject land,
 - (iii) any offsets that are proposed for the clearing to achieve no net loss in accordance with the Department of Land and Water Conservation's publication *Guidelines: How to Minimise the Environmental Impacts of Clearing*,
 - (iv) any property vegetation plans prepared for any adjoining or adjacent land,
 - (v) the results of any analysis of development consents already granted for clearing of or on any such land,
 - (vi) likely impacts on any wetlands and salinity,
 - (vii) likely visual impacts.

Note. Section 79C (1) (b) of the *Environmental Planning and Assessment Act 1979* requires a consent authority to take into consideration all likely impacts of proposed development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

- (2) The consent authority must also have regard to a property vegetation plan for the property that would be affected by the proposed clearing, and such other surveys and reports as the consent authority may consider appropriate, before granting consent:
 - (a) for any clearing that will involve more than 1 hectare of land, or
 - (b) for the clearing of any native vegetation that the consent authority is satisfied is of high conservation value, as defined in Schedule 3, whether or not on regional protected land.
- (3) If the land to which the development application relates consists of or includes, or is likely to consist of or include, a significant indigenous cultural site, the consent authority must:

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Part 3 Clearing controls

- (a) notify the Wiradjuri Council of Elders about the proposal, and
- (b) not grant consent before considering any comments made to the consent authority by that Council within 21 days of the date of notification.

14 Content of property vegetation plan

A property vegetation plan must comply with guidelines issued by the consent authority and include a map showing the following:

- (a) the boundaries of the property to which it relates,
- (b) the distribution of native vegetation on the property (including native vegetation communities, and any high conservation native vegetation and planted native vegetation),
- (c) any regional protected land,
- (d) areas proposed for clearing,
- (e) any conservation areas, being areas proposed for the conservation management of native vegetation,
- (f) any retention areas, being areas with native vegetation that are not proposed to be conservation areas or for clearing,
- (g) any revegetation areas, being areas that are proposed to be revegetated with native vegetation.

Schedule 1 Recommendations for certain species

(Clause 8 (i))

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Birds			
Powerful Owl <i>Ninox strenua</i>	Ecotone between closed and open forests	<ul style="list-style-type: none"> Reduction of prey numbers and loss of nesting sites through loss of hollow-bearing trees Clearing, degradation and fragmentation of forest habitat 	<ul style="list-style-type: none"> Retain large stands of native vegetation, especially those containing hollow-bearing trees that provide nesting sites Protect creek-side vegetation to protect roosting areas Retain an undisturbed buffer of native vegetation with a radius of at least 200 metres around known nest sites
Barking Owl <i>Ninox connivens</i>	Riparian, lower forest and woodland remnants	<ul style="list-style-type: none"> Clearing of woodland vegetation, particularly large hollow-bearing trees, for agriculture and firewood harvesting Frequent fire that leads to degradation of under-storey vegetation which is critical as habitat and foraging substrate for its prey 	<ul style="list-style-type: none"> Retain existing woodland and open forest remnant stands, especially those containing hollow-bearing trees that provide nesting sites Retain vegetation along watercourses to protect roosting areas Retain a buffer of native vegetation with a radius of at least 200 metres around known nest sites

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Schedule 1

Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Masked Owl <i>Tyto novaehollandiae</i>	Forests	<ul style="list-style-type: none"> Reduction of prey numbers and loss of nesting sites through loss of hollow-bearing trees 	<ul style="list-style-type: none"> Retain large stands of native vegetation, especially those containing hollow-bearing trees that provide nesting sites Retain a buffer of native vegetation with a radius of at least 200 metres around known nest sites
Bush Stone-Curlew <i>Burhinus grallarius</i>	Open grassy woodlands	<ul style="list-style-type: none"> Clearing, degradation and fragmentation of grassy woodland habitat Loss of under-storey habitat (eg native grasses, leaf litter, coarse woody debris) through grazing, burning, weed invasion Foxes and cats 	<ul style="list-style-type: none"> Retain existing vegetation along roadsides, in paddocks and in remnant stands Fence suitable woodland habitats, particularly those with unimproved pasture and an intact native ground plant layer Encourage good grazing management within remnants so as to maintain species diversity while limiting grass height. Some limited tree regeneration is appropriate Encourage landholders to increase the size of existing woodland remnants, to plant trees and to establish buffer zones of unimproved uncultivated pasture around woodland remnants

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
			<ul style="list-style-type: none"> • Limit firewood collection • Encourage landholders to leave fallen branches and debris on the ground beneath trees • Control foxes, particularly during breeding (November–January)
Olive Whistler <i>Pachycephala olivacea</i>	Moist forest (well reserved)—may be expanding with plantations	<ul style="list-style-type: none"> • Loss of fragmentation of moist forest/gully vegetation 	<ul style="list-style-type: none"> • Retain areas with suitable habitat
Painted Honeyeater <i>Grantiella picta</i>	Foothill migrants—associated with mistletoe in woodlands and dry forest, including Box-Ironbark and River Oak	<ul style="list-style-type: none"> • Clearing and degradation of open forests and grassy woodland habitat 	<ul style="list-style-type: none"> • Retain suitable foraging and nesting trees, including trees that host mistletoe • Encourage regeneration of habitat by fencing remnant stands
Black-chinned Honeyeater <i>Meliphreptus gularis gularis</i>	Ironbark communities; lower slopes Yellowbox/Whitebox Woodlands and River Red Gum	<ul style="list-style-type: none"> • Clearing, degradation and fragmentation of grassy woodland habitat • Degradation of grassy woodland habitat through activities such as heavy grazing and firewood collection 	<ul style="list-style-type: none"> • Retain stands of suitable open Box-Ironbark forest or woodland habitat • Encourage regeneration of feed/nesting trees by fencing remnant stands and new plantings • Retain and enhance riparian corridors • Identify areas where the species occurs regularly, and areas used occasionally as refuges

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Schedule 1 Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Brown Treecreeper <i>Climacteris picumnus vitoriae</i>	Open grassy woodlands	<ul style="list-style-type: none">• Clearing, degradation and fragmentation of grassy woodland habitat• Loss of under-storey habitat (eg native grasses, leaf litter, coarse woody debris) through grazing, burning, weed invasion• Loss of hollow-bearing trees that provide nesting sites	<ul style="list-style-type: none">• Retain existing woodland and open forest remnant stands, especially those containing hollow-bearing trees that provide nesting sites• Fence suitable woodland habitats, particularly those with unimproved pasture and an intact native ground plant layer• Encourage good grazing management within remnants which will maintain species diversity while limiting grass height. Some limited tree regeneration is appropriate• Encourage landholders to increase the size of existing woodland remnants, to plant trees and to establish buffer zones of unimproved uncultivated pasture around woodland remnants• Retain and enhance riparian corridors• Limit firewood collection• Encourage landholders to leave fallen branches and debris on the ground beneath trees

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Diamond Firetail <i>Stagonopleura guttata</i>	Grassy forests and woodlands	<ul style="list-style-type: none"> Clearing and degradation of open forests and grassy woodland habitat 	<ul style="list-style-type: none"> Retain and enhance stands of suitable open forest or open woodland with patches of shrubs within the remnant or nearby for nesting Encourage landholders to increase the size of existing woodland remnants, to plant trees and to establish buffer zones of unimproved uncultivated pasture around woodland remnants Identify areas where the species occurs regularly, and areas used occasionally (the species is a seed feeder)

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Schedule 1

Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Grey-crowned Babbler <i>Pomatostomus temporalis temporalis</i>	Grassy forests and woodlands with mature trees, some regeneration tall shrubs and an intact ground layer	<ul style="list-style-type: none">• Clearing and degradation of open forests and grassy woodland habitat	<ul style="list-style-type: none">• Retain and enhance stands of suitable open Box-Ironbark forest or woodland habitat• Maintain and enhance some tall shrubs and a multi-aged woodland• Fence suitable woodland habitats• Encourage good grazing management within remnants so as to maintain species diversity• Encourage regeneration of trees and scrub adjoining and between grey-crowned babbler colonies• Maintain large trees and logs on the ground• Identify areas where the species occurs regularly

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Hooded Robin <i>Melanodryas cucullate cucullate</i>	Grassy forests and woodlands with a mix of bare ground, groundcover and litter	<ul style="list-style-type: none"> • Clearing, degradation and fragmentation of grassy woodland habitat • Loss of under-storey habitat (eg native grasses, leaf litter, coarse woody debris) through grazing, burning, weed invasion • Foxes and cats 	<ul style="list-style-type: none"> • Retain and enhance stands of suitable open forest or woodland habitat, particularly of 100 hectares or more • Fence suitable woodland habitats • Encourage good grazing and other management within remnants so as to maintain and enhance species and structural diversity • Encourage landholders to increase the size of existing remnants, to plant trees and to establish buffer zones of unimproved uncultivated pasture around woodland remnants • Limit firewood collection • Encourage landholders to leave fallen branches and debris on the ground beneath trees

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Schedule 1 Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Speckled Warbler <i>Pyrrholaemus sagittate</i>	Grassy forests and woodlands	<ul style="list-style-type: none">• Clearing, degradation and fragmentation of grassy woodland habitat• Loss of under-storey habitat (eg native grasses, leaf litter, coarse woody debris) through grazing, burning, weed invasion• Foxes and cats	<ul style="list-style-type: none">• Retain existing vegetation along roadsides, in paddocks and in remnant stands• Fence suitable woodland habitats, particularly those with unimproved pasture and an intact native ground plant layer• Encourage good grazing management within remnants so as to maintain species diversity• Encourage the inclusion of tall shrubs such as wattles which degrade to form complex stick structures on the ground• Encourage landholders to increase the size of existing remnants, to plant trees and to establish buffer zones of unimproved uncultivated pasture around woodland remnants• Limit firewood collection• Encourage landholders to leave fallen branches and debris on the ground beneath trees

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Regent Honeyeater <i>Xanthomyza phrygia</i>	Ironbark communities; lower slopes Yellowbox/ Whitebox Woodlands and River Oak	<ul style="list-style-type: none"> • Clearing, degradation and fragmentation of habitat, in particular, logging of larger, mature trees in Box-Ironbark forests that provide reliable nectar and nesting sites • Poor regeneration of suitable foraging and nesting sites 	<ul style="list-style-type: none"> • Ensure some dense groundcover is maintained (the species is a ground nester) • Control foxes, particularly during breeding (August–January) • Retain and enhance stands of suitable open Box-Ironbark forest or woodland habitat • Encourage regeneration of feed/nesting trees by fencing remnant stands and new plantings • Encourage the planting of winter flowering ornamental eucalypts in towns and gardens in its range • Identify areas where the species occurs regularly, and those areas used occasionally as refuges. These include the Box-Ironbark forests of the region bounded by Tarcutta, Tumblong, Ellerslie, Humula and Kyeamba, especially the Tarcutta Hills

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Schedule 1

Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Swift Parrot <i>Lathamus discolor</i>	Winter migrant communities that feature winter flowering eucalypts; Ironbark communities; lower slopes Yellowbox/Whitebox Woodlands and River Oak	<ul style="list-style-type: none"> Clearing, degradation and fragmentation of habitat, in particular, logging of larger, mature trees in Box-Ironbark forests that provide reliable nectar sites 	<ul style="list-style-type: none"> Identify areas where the species occurs regularly, and those areas used occasionally as refuges Retain and enhance stands of suitable open Box-Ironbark forest or woodland habitat, including along roadsides and remnant stands in agricultural areas
Turquoise Parrot <i>Neophema pulchella</i>	Grassy forests and woodlands	<ul style="list-style-type: none"> Clearing of grassy woodland habitat Degradation of grassy woodland habitat through activities such as heavy grazing and firewood collection Illegal trapping of birds, which also often results in destruction of hollows Predation by foxes and cats Kills that occur when parrots feed on grain spilt onto roads 	<ul style="list-style-type: none"> Retain existing grassy woodland vegetation Maintain and enhance open structure of grassy woodlands (the species is a seed feeder) Limit habitat degradation by fencing remnant stands and managing grazing pressure Encourage regeneration of habitat by fencing remnant stands and new plantings Implement fox and cat control programs

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Superb Parrot <i>Polytelis swainsonii</i>	Woodlands across south-west slopes dominated by Blakely's Red Gum and Yellow Box	<ul style="list-style-type: none"> • Clearing of hollow-bearing nest trees • Clearing and degradation of feeding areas • Poor regeneration of nesting trees and food resources • Mass kills that occur when parrots feed on spilt grain on roads • Illegal trapping of birds, which also often results in destruction of hollows 	<ul style="list-style-type: none"> • Retain remnant vegetation, especially within 10 kilometres of nest sites • Retain mature hollow-bearing trees along roadsides, paddocks and remnant stands • Encourage regeneration of nesting and feed trees by fencing remnant stands and new plantings, and managing grazing pressure
Blue Billed Duck <i>Oxyura australis</i>	Large permanent wetlands and swamps; nests in Cumbungi or similar	<ul style="list-style-type: none"> • Potential threats include disruption to natural hydrological regimes, loss of habitat, clearing and grazing of Cumbungi, illegal hunting 	<ul style="list-style-type: none"> • Restore natural hydrological regimes • Protect breeding habitat
Square-tailed Kite <i>Lophoictinia isura</i>	Open forests and woodlands; stick nests near gullies	<ul style="list-style-type: none"> • Clearing of woodland habitat • Degradation of open forest and woodland habitat through activities such as heavy grazing and firewood collection 	<ul style="list-style-type: none"> • Retain existing open forests and woodland vegetation • Limit habitat degradation by fencing remnant stands and managing grazing pressure • Encourage regeneration of habitat by fencing remnant stands and new plantings

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Schedule 1

Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Pink Robin <i>Petroica rodingaster</i>	Wet forests (breeding range) and all forest types (non-breeding)	<ul style="list-style-type: none"> Clearing of habitat, particularly near creeks and/or gullies has greatly reduced the availability of suitable forests and woodland 	<ul style="list-style-type: none"> Protect forest and woodland habitat, particularly dense gully and creek-side vegetation Protect forest and woodland habitat normally utilised by the species outside the breeding season
Mammals			
Broad toothed Rat <i>Mastacomys fuscus</i>	Wet heathlands, mainly in sub-alpine regions but also at lower elevation; these habitats are well reserved within the Riverina Highlands region	<ul style="list-style-type: none"> Clearing and/or fragmentation of preferred habitat Global warming leading to lack of snow cover during the winter Predation from feral dogs, foxes and cats 	<ul style="list-style-type: none"> Protect habitat Control foxes
Brush-tailed Phascogale <i>Phascogale tapoatafa</i>	Box-Ironbark woodlands and forests; nests in hollow-bearing trees	<ul style="list-style-type: none"> Clearing and/or fragmentation of preferred habitat Loss of fallen trees on the forest floor due to inappropriate firewood collection Loss of hollow-bearing trees Predation from feral foxes, dogs and cats 	<ul style="list-style-type: none"> Maintain healthy ecosystems, particularly with a range of shrubs (size and species) and on areas of dissected topography Implement appropriate fox and feral dog control

Riverina Highlands Regional Vegetation Management Plan 2003

Recommendations for certain species

Schedule 1

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Koala <i>Phascolarctos cinereus</i>	Variety of forest and woodland types, though mainly in fertile valley floors and plains	<ul style="list-style-type: none"> • Clearing and/or fragmentation of preferred habitat • Predation from feral dogs and foxes • Road-kill caused by vehicular traffic 	<ul style="list-style-type: none"> • Retain and enhance suitable habitat and feed trees • Identify presence and core and potential koala habitat • Retain, revegetate and maintain vegetation corridors between feeding areas • Implement fox and feral dog control
Squirrel Glider <i>Petaurus norfolcensis</i>	Box-Ironbark woodlands and forests; River Red Gum woodlands; nests in hollow-bearing trees	<ul style="list-style-type: none"> • Clearing and/or fragmentation of preferred habitat • Loss of hollow-bearing trees • Reduction of preferred under-storey plants due to grazing and/or inappropriate use of fire • Predation from feral foxes, dogs and cats 	<ul style="list-style-type: none"> • Protect good habitat remnants, especially roadsides in Box country, the riparian zone with silver wattle and Box-Ironbark forests • Fox and feral dog control
Tiger Quoll <i>Dasyurus maculatus</i>	Variety of forest and woodland types, wherever there is suitable prey sources; shelters in complex rocky outcrops and in hollows of large fallen trees	<ul style="list-style-type: none"> • Competition with feral foxes and cats for preferred prey items • Loss of preferred den sites • Adverse changes in the relative availability of preferred prey sources • Road-kill caused by vehicular traffic • Poisoning during 1080-baiting campaigns carried out for feral dogs and foxes 	<ul style="list-style-type: none"> • Identify its presence and core habitats, especially areas of thick under-storey, hollow logs and rocky outcrops. Then undertake steps that mitigate against threats to these areas • Impose appropriate fox and feral dog controls

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Riverina Highlands Regional Vegetation Management Plan 2003

Schedule 1

Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Yellow-bellied Glider <i>Petaurus australis</i>	Variety of forest types, though mainly in fertile drainage lines; nests in hollow-bearing trees	<ul style="list-style-type: none"> • Clearing and/or fragmentation of preferred habitat • Changes in forest over-storey structure leading to loss of hollow-bearing trees, which provide essential shelter 	<ul style="list-style-type: none"> • Identify presence and core habitats. Then undertake steps that mitigate against threats • Plan forestry activities in a way that retains key shelter (such as protection of hollow-bearing trees, v-notched feed trees and surrounds)
Common Bent-wing Bat <i>Miniopterus schreibersii</i>	Forages in a variety of forest and woodland types; roosts in caves	<ul style="list-style-type: none"> • Clearing and/or fragmentation of preferred foraging habitat • Inadvertent destruction of cave roost sites • Inappropriate activities in the vicinity of roost caves, causing disruption of normal behaviour 	<ul style="list-style-type: none"> • Identify presence, breeding sites and core habitats. Then undertake steps that mitigate against threats such as damage to roost caves and surrounds
Greater Broad-nosed Bat <i>Scoteanax ruppellii</i>	Variety of forest and woodland types; predominantly coastal distribution (eastern New South Wales), at lower altitude in area; roosts primarily in tree hollows	<ul style="list-style-type: none"> • Clearing and/or fragmentation of preferred foraging habitat • Changes in forest over-storey structure resulting in loss of hollow-bearing trees, which provide essential shelter 	<ul style="list-style-type: none"> • Retain and enhance stands of suitable open Box-Ironbark forest or woodland habitat containing hollow-bearing trees

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Reptiles			
Little Whip Snake <i>Suta flagellum</i>	Natural grassland/grassy woodland; rocky/grassy slopes and flats; groundcover dependent, particularly rock and timber shelter sites in a natural grassy cover	<ul style="list-style-type: none"> • Loss of under-storey/ ground layer habitat • Rock removal 	<ul style="list-style-type: none"> • Retain and enhance rocky grassy woodlands with fallen timber on the ground
Pink-tailed Worm Lizard <i>Aprasia parapulchella</i>	Natural grassland/grassy woodland; rocky/grassy slopes; cryptic; groundcover dependent, particularly surface rock in Kangaroo Grass <i>Themeda triandra</i>	<ul style="list-style-type: none"> • Loss of under-storey/ ground layer habitat • Rock removal 	<ul style="list-style-type: none"> • Retain and enhance rocky grassy woodlands with fallen timber on the ground • Survey proposed development within natural rocky grasslands and other potential habitat • Make a comprehensive assessment of proposed development or activities within natural grassland and other potential habitat • Implement management guidelines on off-reserve land which supports <i>A. parapulchella</i>

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Schedule 1

Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Striped Legless Lizard <i>Delma impar</i>	Rocky/grassy slopes; groundcover dependent	<ul style="list-style-type: none"> • Loss of under-storey/ ground layer habitat • Habitat fragmentation • Overgrazing or replacement of native grasses. • Stock camps associated with rocky outcrops • Rock removal 	<ul style="list-style-type: none"> • Retain and enhance rocky grassy woodlands with fallen timber on the ground • Survey proposed development or activities within natural grassland and other potential habitat • Make a comprehensive assessment of proposed development or activities within natural grassland and other potential habitat • Implement management guidelines on off-reserve land which supports <i>D. impar</i>
Invertebrates			
Golden Sun Moth <i>Synemon plana</i>	Natural grassland/grassy woodland; groundcover dependent, requiring natural pastures dominated by wallaby grasses (<i>Austrodanthonia</i> spp.)	<ul style="list-style-type: none"> • Loss of under-storey/ ground layer habitat 	<ul style="list-style-type: none"> • Survey proposed development or activities within natural grassland and other potential habitat • Make a comprehensive assessment of proposed development or activities within natural grassland and other potential habitat • Implement management guidelines on off-reserve land which supports <i>S. plana</i>

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Frogs			
Northern Corroboree Frog <i>Pseudophryne pengilleyi</i>	Grassy bogs and soaks above 900 metres above sea level; nearly all populations are on State Forest and Kosciuszko National Park	<ul style="list-style-type: none"> • Potential threats include disruption to natural hydrological regimes, loss of habitat, disease • Disturbance to breeding sites by feral animals • Blackberry infestations 	<ul style="list-style-type: none"> • Protect breeding sites and surrounding vegetation • Protect breeding sites from siltation or drainage and blackberry infestations • Monitor known sites
Booroolong Frog <i>Litoria booroolongensis</i>	Rocky flowing mountain streams	<ul style="list-style-type: none"> • Potential threats include disruption to natural hydrological regimes, loss of habitat, disease and predation by introduced fish and terrestrial predators 	<ul style="list-style-type: none"> • Protect vegetation along mountain streams and restore natural flows
Southern Bell Frog <i>Litoria raniformis</i>	Permanent water/billabongs	<ul style="list-style-type: none"> • Potential threats include disruption to natural hydrological regimes, loss of habitat, disease and predation by introduced fish and terrestrial predators 	<ul style="list-style-type: none"> • Protect breeding sites, especially vegetation around pools and restoring natural flows
Plants			
Yass Daisy <i>Ammobium craspedioides</i>	Localised in high numbers; grassy woodlands	<ul style="list-style-type: none"> • Ploughing and pasture improvement • Changes in land use from rough grazing to more intensive agriculture or plantations 	<ul style="list-style-type: none"> • Locate populations and protect from major land-use changes, such as ploughing and pasture improvement

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Schedule 1

Recommendations for certain species

Threatened species (common name/ scientific name)	Primary habitat	Threats to habitat/species	Recommendations
Austral Pillwort <i>Pilularia novae hollandiae</i>	Shallow swamps, waterways and road table drains	<ul style="list-style-type: none">• Drainage of wet areas	<ul style="list-style-type: none">• Locate populations, identify threats (particularly disruption to drainage) and protect
Cotoneaster Pomaderris <i>Pomaderris cotoneaster</i>	Localised dry, shrubby open forests above or alongside rivers	<ul style="list-style-type: none">• Clearing and perhaps frequent fires	<ul style="list-style-type: none">• Locate populations, identify threats and protect from clearing
Phantom Wattle <i>Acacia phasmoides</i>	Localised; Woomargama/ Talmalmo	<ul style="list-style-type: none">• Clearing, heavy grazing and too frequent fires	<ul style="list-style-type: none">• Locate populations, and protect from clearing and other adverse development and activities
Woolly Ragwort <i>Senecio garlandii</i>	Sheltered pockets near rocky ridges especially Benambra, Yambla Range	<ul style="list-style-type: none">• Clearing, heavy grazing and too frequent fires	<ul style="list-style-type: none">• Locate populations, and protect from clearing, heavy grazing, too frequent fires and other adverse development and activities
Tumut Grevillea <i>Grevillea wilkinsonii</i>	Localised; in the Goobarragandra Valley	<ul style="list-style-type: none">• Grazing, weeds, competition from other natives and fire	<ul style="list-style-type: none">• No further clearing or grazing• Manage weeds and competition• Exclude fire from populations

Schedule 2 Clearing control table

(Clause 11)

Regional protected land—steep and erodible land

1 Allowed without development consent

Clearing of regional protected land involved in carrying out any of the following as defined in Schedule 4 and subject to any relevant conditions imposed in that Schedule:

- (a) maintenance of fence lines on regional protected land,
- (b) eucalyptus leaf cutting,
- (c) horticultural harvesting or pruning,
- (d) indigenous cultural practices,
- (e) minimal tree cutting,
- (f) noxious weed eradication,
- (g) public utility clearing,
- (h) regrowth removal (2 hectare maximum),
- (i) stock fodder provision.

2 Allowed after development consent is obtained

Any clearing of regional protected land not included in item 1 or 3.

3 Not allowed by this plan

- (1) Clearing, on any property in any one calendar year, of a total of more than 2 hectares of grassy white box woodland in good condition (as defined below), excluding any clearing allowed by item 1.
- (2) Clearing of any regional protected land within sites of threatened flora or ecological communities, being sites identified in recovery plans approved under Part 4 of the *Threatened Species Conservation Act 1995*, if not included in item 1.

Regional protected land—streamsides

1 Allowed without development consent

Clearing of regional protected land involved in carrying out any of the following as defined in Schedule 4 and subject to any relevant conditions imposed in that Schedule:

- (a) beneficial conservation management,
- (b) indigenous cultural practices,
- (c) noxious weed eradication,
- (d) public utility clearing,
- (e) maintenance of fence lines on regional protected land.

2 Allowed after development consent is obtained

- (1) Clearing from regional protected land of exotic vegetation, if not included in item 1.
- (2) Clearing from regional protected land of standing dead timber, if not included in item 1.
- (3) Clearing from regional protected land of vegetation for the construction of public utility infrastructure and rural structures on streamsides (including ramp sites, bridges and pumps), if not included in item 1.

3 Not allowed by this plan

Any clearing not included in item 1 or 2.

Land within a regional linear reserve

1 Allowed without development consent

Clearing of native vegetation involved in carrying out any of the following as defined in Schedule 4 and subject to any relevant conditions imposed in that Schedule:

- (a) beneficial conservation management,
- (b) indigenous cultural practices,
- (c) noxious weed eradication,
- (d) pest control,
- (e) public utility clearing.

2 Allowed after development consent is obtained

Any clearing of native vegetation, if not included in item 1 or 3.

3 Not allowed by this plan

- (1) Clearing, within any regional linear reserve in any one calendar year, of a total of more than 1 hectare of high conservation value native vegetation, excluding any clearing allowed by item 1.
- (2) In this item, *high conservation value native vegetation* means native vegetation that the consent authority is satisfied is of high conservation value, as defined in Schedule 3.

Unclassified land**1 Allowed without development consent**

Clearing of native vegetation involved in carrying out any of the following as defined in Schedule 4 and subject to any relevant conditions imposed in that Schedule:

- (a) clearing for rural structures on unclassified land,
- (b) eucalyptus leaf cutting,
- (c) horticultural harvesting or pruning,
- (d) indigenous cultural practices,
- (e) minimal tree cutting,
- (f) noxious weed eradication,
- (g) pest control,
- (h) planted native vegetation,
- (i) private native forestry,
- (j) public utility clearing,
- (k) regrowth removal,
- (l) stock fodder provision.

2 Allowed after development consent is obtained

Any clearing of native vegetation, if not included in item 1 or 3.

3 Not allowed by this plan

- (1) Except where included in item 1, clearing on any property in any one calendar year, of a total of more than 2 hectares of:
 - (a) grassy white box woodland in good condition, or
 - (b) grassy yellow box woodland in good condition, or
 - (c) River Red Gum communities,in each case, as defined below.
- (2) Clearing of native vegetation within sites of threatened flora or ecological communities, being sites identified in recovery plans approved under Part 4 of the *Threatened Species Conservation Act 1995*.

Definitions

In this Schedule:

crown separation is calculated, for the purpose of determining whether a woody native plant is included in a patch, by reference to the crown diameter of each individual woody native plant. In determining whether a woody native plant lies within the required crown separation of the nearest woody native plant (so as to be included in the patch), the crown diameter of the more outlying of those 2 plants (that is, outlying in relation to the native woody plant that is used as a starting point) is used. The boundary of the patch is the line that:

- (a) contains the projected crowns of all the woody native plants within the patch, and
- (b) joins the outer drip line of each outermost crown of the patch with that of the nearest outermost crown of the patch.

forb means a non-woody plant other than a grass, sedge or rush.

good condition means with relatively few weeds (including pasture grasses), with mostly native ground flora (including palatable, succulent plants), and containing large (standing and fallen, living and dead) hollow-bearing trees (which feature is not applicable in determining the condition of grasslands). That is, a community which is basically self-maintaining with minimal inputs.

grassland means vegetation dominated by grasses and forbs, with less than 10% tree and shrub cover.

grassy white box woodland in good condition means a remnant patch (or an area with evidence of the previous presence of a remnant patch) with an over-storey of mostly mature White Box trees and their associates (Yellow Box, Blakely's Red Gum, Apple Box, Red Stringybark), where maximum crown separation is less than two crown widths, the groundcover mainly is a rich flora of native grasses and forbs with at least 4 of the indicator high conservation value grassland species being present (see Table to Schedule 3).

Note. If White Box is absent, there must be species present that are strong evidence of its original presence.

grassy yellow box woodland in good condition means a remnant patch with an over-storey of mostly mature Yellow Box trees and their associates (White Box, Blakely's Red Gum, Apple Box, Red Stringybark, Candlebark, Snow Gum), where maximum crown separation is less than two crown widths, and the groundcover mainly is a rich flora of native grasses and forbs with at least 4 high conservation value grassland indicator species being present.

groundcover means any type of herbaceous vegetation.

patch (or ***clump***) means a group of 2 or more woody native plants, with each of those plants lying within not more than 2 crown widths of the nearest native woody plant.

River Red Gum communities means remnant patches with an over-storey of mostly mature River Red Gum trees where the average maximum crown separation is less than one crown width, and the groundcover is mainly native grasses and forbs.

Schedule 3 Native vegetation of high conservation value

(Clause 13 (2) (b))

Native vegetation is *of high conservation value* if:

- (a) it is within a wetland of international significance, a peatland bog, a stressed or significant river or a rare or threatened Australian plants site, or
- (b) it is a community of a depleted vegetation type (such as a broad vegetation type, or native vegetation in a grassland, wetland or sphagnum bog), being a type of which not more than 30% of the pre-1750 range has been retained, or
- (c) it is of a naturally rare or restricted vegetation type:
 - (i) of which less than 15% of the total in the region is within areas within the region reserved or dedicated under the *National Parks and Wildlife Act 1974* or otherwise effectively protected, or
 - (ii) that is not well represented in the region, or
- (d) it is identified in Schedule 1 as primary habitat for a threatened species of birds, mammals, reptiles, invertebrates, frogs or plants identified in that Schedule, the conservation of which species is mainly dependent on private land, or
- (e) it is within a biolink that is a critical link or corridor at a regional level, or an important link between large areas of different habitats or vegetation types, or it is a large block of native vegetation in a largely cleared landscape, or
- (f) it is in a riparian corridor or wetland, including a sphagnum bog, or
- (g) it comprises or is part of a grassland or grassy ecosystem that meets any of the criteria in items 1–3 of the Table to this Schedule within a one hectare unit, or
- (h) it has significant quality because the native vegetation is on a site in good condition with few weeds, mostly native ground flora and large hollow-bearing living or dead (standing or fallen) trees, particularly where the native vegetation communities are in good condition, or

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- (i) it is significantly viable because the native vegetation is on a resilient site or a site with high potential for restoration, whether or not only after minor changes to management, for example, of grazing regimes, or
 - (j) it is of cultural heritage significance because the native vegetation:
 - (i) is on a site of cultural heritage significance to the Wiradjuri or Walgalu people, such as a site that is listed, or has potential for being listed, for that reason on the National Parks and Wildlife Service's Aboriginal Heritage Information System, or
 - (ii) is included in paragraph (c) (i) or (ii) and is of high cultural significance to the Wiradjuri or Walgalu people, or
 - (k) it is within a part of a regional linear reserve:
 - (i) that is mapped and assessed as having a high conservation value in a current plan of management, or
 - (ii) that is not mapped or not so assessed in a current plan of management, and has not been excluded from being so mapped or assessed on the ground that it does not have high conservation value.

Table

Criteria	Species relevant to whether grassland or grassy ecosystem is of high conservation value
1 Native vegetation that contains one or more of:	
(a) the plant species, populations or ecological communities listed in Schedule 1, 2 or 3 to the <i>Threatened Species Conservation Act 1995</i> , or	
(b) the plant species listed in the <i>Rare or Threatened Australian Plants (ROTAP) List</i> (Briggs and Leigh 1995).	

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Schedule 3

Native vegetation of high conservation value

Criteria	Species relevant to whether grassland or grassy ecosystem is of high conservation value
2 Native vegetation that contains four or more of the species listed opposite.	Austral Bugle (<i>Ajuga australis</i>) Billy Buttons (<i>Craspedia variabilis</i>) Blue Devil (<i>Eryngium rostratum</i>) Blue Heron's-bill (<i>Erodium crinitum</i>) Blue Pincushion (<i>Brunonia australis</i>) Buttercups (<i>Ranunculus</i> spp.) Button Everlasting (<i>Helichrysum scorpioides</i>) Chamomile Burr-daisy (<i>Calotis anthemoides</i>) Chamomile Sunray (<i>Rhodanthe anthemoides</i>) Chocolate Lilies (<i>Dichopogon</i> spp.) Common and Clumped Everlastings (<i>Chrysocephalum</i> spp.) Finger Flower (<i>Cheiranthra cyanea</i>) Fringed Lilies (<i>Thysanotus</i> spp.) Golden Moth Orchid (<i>Diuris chryseopsis</i>) and all other orchids Grass Trigger Plants (<i>Stylidium graminifolium</i>) Hairy Buttons (<i>Leptorhynchus elongatus</i>) Leafy Daisy (<i>Brachyscome rigidula</i>) and other <i>Brachyscome</i> spp. Lemon Beautyheads (<i>Calocephalus citreus</i>) Milkmaids (<i>Burchardia umbellata</i>) Milkwort (<i>Polygala japonica</i>) Native Flax (<i>Linum marginale</i>) Native Yam or Murrnong (<i>Microseris lanceolata</i>) Purple Violet (<i>Viola betonicifolia</i>) Spur Velleia (<i>Velleia paradoxa</i>) Sticky Everlasting (<i>Bracteantha viscosa</i>) Vanilla Lilies (<i>Arthropodium</i> spp.) Yellow Burr-daisy (<i>Calotis lappulacea</i>)

Criteria	Species relevant to whether grassland or grassy ecosystem is of high conservation value
3 Native vegetation that contains: (a) six or more of the species listed opposite, or (b) a total of six or more species that include one or more of the species listed opposite and one or more of the species listed in item 2.	Blue Bells (<i>Wahlenbergia</i> spp.) Bulbine Lily (<i>Bulbine bulbinopsis</i>) Common Woodruff (<i>Asperula conferta</i>) Curved Rice-flower (<i>Pimelea curviflora</i>) Flax Lilies (<i>Dianella</i> spp.) Ivy Goodenia (<i>Goodenia hederacea</i>) Mat-rush (<i>Lomandra</i> spp.) Pale Sundew (<i>Drosera peltata</i>) Scaly Buttons (<i>Leptorhynchos squamatus</i>) Scrambled Eggs (<i>Goodenia pinnatifida</i>) Swamp Raspwort (<i>Haloragis heterophylla</i>) Vanilla Glycine (<i>Glycine tabacina</i>) Variable Plantain (<i>Plantago varia</i>) Yellow Rush-lily (<i>Tricoryne elatior</i>)

Schedule 4 Descriptions of exemptions

(Clause 12 and Schedule 2)

1 **Beneficial conservation management**

Management activities undertaken on land to ensure the maintenance and enhancement of the conservation values of the site, but limited to periodic grazing for grassland management, burning, weed removal and restoration of native ecosystems (in each case, in accordance with the *Beneficial Conservation Management Exemption Guidelines for Riverina Highlands* obtainable from the Department of Land and Water Conservation).

2 **Maintenance of fence lines on regional protected land**

- (1) The clearing of regional protected land for the maintenance of fence lines.
- (2) Any tree that is affected must have a diameter at breast height, within the meaning of the *Plantations and Reafforestation (Code) Regulation 2001*, of less than 50 centimetres, and be not more than ten metres from either side of the fence line.

Note. That Regulation states that “diameter at breast height” means the measurement of the diameter of a tree made:

- (a) at a height of 1.3 metres above ground level (measured from the ground level of the up slope side of the tree if the tree is on a slope), and
- (b) at right angles to the axis of the tree.

If the tree is branched or deformed at 1.3 metres above the ground level, the measurement must be taken at the nearest point above or below that point, where the tree becomes more cylindrical.

3 **Clearing for rural structures on unclassified land**

- (1) The clearing of native vegetation to a minimum extent if it is necessary for the construction, operation or maintenance of rural structures.
- (2) For the purposes of this item, ***rural structures*** includes farm dams, tracks, bores, windmills, fences, fence lines, stockyards, loading ramps, dwellings and sheds, but does not include temporary fences or temporary fence lines.

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- (3) Where the rural structure is a fence or track, clearing of native vegetation may be carried out up to a maximum of 10 metres either side of the fence or track. However, the clearing may include trees or limbs of trees outside that limit if they are likely to cause serious damage to the fence.
 - (4) Where the rural structure is a dwelling, this exemption applies to a maximum of 0.4 hectare.
 - (5) Any tree that is affected by lopping or other cutting under this item must have a diameter at breast height, within the meaning of the *Plantations and Reafforestation (Code) Regulation 2001*, of less than 50 centimetres.
 - (6) If more than 0.5 hectare of Yellow Box, Blakely's Red Gum, and/or White Box is to be removed in any calendar year, on any property, the activity may be carried out without consent only after notice has been given to the nearest office of the Department of Land and Water Conservation, prior to the commencement of any removal.
Note. Notice is relevant to monitoring potential impact on the habitat of the Superb and Swift Parrot.
 - (7) This item does not allow progressive clearing of the property so that it may be used for agriculture or otherwise.

4 Eucalyptus leaf cutting

In areas previously cut for eucalyptus oil leaf (for the purpose of distilling eucalyptus oil from the leaves), the cutting of *Eucalyptus dives* or *E. radiata* regrowth trees or coppice stems with a diameter at breast height, within the meaning of the *Plantations and Reafforestation (Code) Regulation 2001*, of less than 25 centimetres, but only for the purpose of distilling eucalyptus oil from the leaves.

5 Horticultural harvesting or pruning

Incidental clearing associated with harvesting or pruning operations in association with the management of an existing orchard, vineyard, or other horticultural enterprise, but not clearing for the establishment of an orchard, vineyard or other horticultural enterprise.

6 Indigenous cultural practices

The utilisation of native plant species for traditional Wiradjuri or Walgalu cultural purposes (such as for making tools, implements, food, fibre or medicine), but only for non-commercial use.

7 Minimal tree cutting

- (1) Where less than 40 stems occur in each individual hectare (10,000 square metres) of the property at the commencement of a calendar year, the cutting down of no more than two trees per hectare, up to a maximum of 10 trees for the whole property during the calendar year, if the timber is used (for example, for fence posts and firewood) only on the property on which they are cut down.
- (2) Where 40 or more stems occur in each individual hectare (10,000 square metres) of the property at the commencement of a calendar year, the cutting down during the calendar year of not more than 7 trees per hectare of the whole property, if the timber is used (for example, for fence posts and firewood) only on the property on which they are cut down.
- (3) The trees to be cut down must have a diameter at breast height, within the meaning of the *Plantations and Reafforestation (Code) Regulation 2001*, of less than 50 centimetres.
- (4) In this item, *stem* means a tree with a diameter at breast height, within the meaning of the *Plantations and Reafforestation (Code) Regulation 2001*, of 20 centimetres or more.
- (5) This item does not allow progressive clearing of a property so that it may be used for agriculture or otherwise.

8 Noxious weed eradication

- (1) The clearing of vegetation declared to be a noxious weed under the *Noxious Weeds Act 1993*.
- (2) The clearing of other vegetation in the course of destroying noxious weeds but only:
 - (a) to the minimum extent necessary to destroy noxious weeds, and
 - (b) in accordance with the *Noxious Weed Control Exemption Guidelines* obtainable from the Department of Land and Water Conservation.

9 Pest control

The clearing of vegetation to the minimum extent necessary for control of burrowing and den-making pests.

Note. Landholders may clear native vegetation to the minimum extent necessary for the control of pests within the meaning of Part 11 of the *Rural Lands Protection Act 1998* and for the control of foxes.

10 Planted native vegetation

The clearing of native vegetation planted for forestry, agriculture, agroforestry, woodlots, gardens and horticultural purposes.

11 Private native forestry

- (1) The clearing of native forest dominated by Alpine Ash (*Eucalyptus delegatensis*), Mountain Gum (*E. dalrympleana*), Ribbon Gum (*E. viminalis*), Eurabbie (*E. globulous* ssp. *bicostata*), Red Stringybark (*E. macrorhyncha*), Broad Leafed Peppermint (*E. dives*) or Narrow Leafed Peppermint (*E. radiata*) in the course of its being selectively harvested on a sustainable basis or managed for forestry purposes (timber production) consistent with the *Guidelines For Sustainable Harvesting of Dry to Moist Open Sclerophyll Forest within Riverina Highlands of New South Wales*, available from the Department of Land and Water Conservation.
- (2) The minimum forest tree crown cover, after harvesting, must be at least 40% of what would be expected for an undisturbed site characterised by similar tree species and in a similar location.
- (3) The volume harvested must not exceed the equivalent of an average of 3 cubic metres per hectare per annum over a period of 20 years or more.
- (4) This activity may be carried out without consent only if the Department of Land and Water Conservation has been given notice of the proposed clearing prior to the commencement of clearing.
- (5) Where the volume harvested will be more than 500 cubic metres of product in total on any contiguous landholding in any one year period, this activity may be carried out without consent only if a forestry management plan documenting forest management practices and harvesting operations has been prepared. If a forestry management plan is required for any clearing but is not produced at the request of the Director-General of the Department of Land and Water Conservation, this item does not allow the clearing until after it is produced.

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- (6) A ***forestry management plan*** should be prepared by a suitably qualified person and contain aerial photographs, topographic maps and written information that cover the following:
- (a) **Land information:**
 - (i) description of the area to which it relates,
 - (ii) a locality plan and identification of access roads,
 - (iii) identification of natural features (drainage lines, swamps, soil types, vegetation types, significant landscape, cultural and heritage values, threatened species etc),
 - (iv) identification of improvements (buildings, roads, bridges, drainage line crossings, fences, gates, powerlines, dams etc).
 - (b) **Tending/silviculture details:**
 - (i) the history and documentation of previous logging or disturbance,
 - (ii) a detailed description of vegetation types, growth and form characteristics,
 - (iii) an explanation of proposed noxious weed and pest animal controls,
 - (iv) a silviculture strategy, including a tree marking program,
 - (v) a fire management strategy.
 - (c) **Harvesting details:**
 - (i) a description of the location of harvesting operations, major snig tracks, and log dumps,
 - (ii) details of conservation measures, including number and type of trees to be protected, locations of drainage line crossings and exclusion areas, such as filter strips,
 - (iii) a description of the effect of weather restrictions on harvesting operations, and on road maintenance,
 - (iv) a timetable showing the period in which logging will occur,
 - (v) details about the intensity of the operation, species to be logged, types of machinery to be used, product types, and felling and extraction procedures,
 - (vi) details of health and safety measures.

12 Public utility clearing

Minimal clearing of regional protected land or native vegetation if necessary for the maintenance of public utilities (associated with the provision of power lines, transmission of electricity, water, gas, electronic communications or the like) or if there is imminent threat of personal injury or damage to property.

Note. *Imminent threat* is referred to in the *Rural Fires Act 1997*.

13 Regrowth removal

- (1) The removal of vegetation, whether seedlings or regrowth, of less than 10 years of age if the land has been previously cleared for cultivation, pasture or forestry plantation purposes, and is not part of a wetland. Any trees to be cleared must have a diameter at breast height, within the meaning of the *Plantations and Reafforestation (Code) Regulation 2001*, of less than 20 centimetres.
- (2) For areas of regional protected lands—steep and erodible land, regrowth can only be cleared to a maximum extent of two hectares per calendar year, on any property.
- (3) If more than 0.5 hectare of seedlings or regrowth of Yellow Box, Blakely's Red Gum, and/or White Box is to be removed in any calendar year, on any property, the activity may be carried out without consent only after notice has been given to the nearest office of the Department of Land and Water Conservation, prior to the commencement of any removal.

Note. Notice is relevant to monitoring potential impact on the habitat of the Superb and Swift Parrot.

- (4) This item does not allow progressive clearing of the property so that it may be used for agriculture or otherwise.

14 Stock fodder provision

- (1) The lopping of Kurrajong (*Brachychiton* spp.) and Wattles (*Acacia* spp.) for stock fodder within part of the region when NSW Agriculture's current *Regional Review of Seasonal Conditions and Outlook for Agriculture* indicates that part of the region is suffering from drought conditions.
- (2) The lopping must not cause irreversible damage to the remaining vegetation that is lopped.

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Schedule 4 Descriptions of exemptions

15 **Clearing by registered surveyors**

Survey activities necessary to carry out a survey as defined by the *Surveyors Act 1929* and the *Survey Co-ordination Act 1949*, but only if:

- (a) the surveying is carried out by or under the supervision of a registered surveyor or a surveyor authorised by the Surveyor General of New South Wales, and
- (b) the clearing is to the minimum extent necessary for the surveying concerned.

BY AUTHORITY