



## Land clearing in New South Wales (Part One)

The New South Wales Department of Environment and Climate Change is keen to ensure that both property owners, and prospective purchasers of property, are fully informed of obligations under the Native Vegetation Act 2003, to minimise the likelihood of illegal land clearing occurring.

One of the most important aspects of the Native Vegetation Act is that it aims to prevent broadscale clearing, unless the clearing improves or maintains environmental outcomes.

A consideration, when purchasing a property, is the existence of restrictions or encumbrances, such as property vegetation plans (PVP) or remedial directions which may affect the use of the land.

Remedial directions may place restrictions on land use and are issued where native vegetation has been cleared illegally or in a manner that causes an adverse affect on the environment.

Your local council is notified of remedial directions so that that information can be included when the council issues a certificate under Section 149(5) of the Environmental Planning and Assessment Act (the certificate is commonly known as a zoning certificate).

From the Government's point of view, protecting native vegetation reduces negative impacts on bio-diversity, salinity, threatened species, soils, riverbanks and water quality. Minimising native vegetation clearing is also essential for helping to reduce the effects of climate change.

Buying some land, and using it in any way you see fit, is a thing of the past. Nowadays, not only do you need to be aware of the use to which you can put the land, you also need to ensure that the previous owner(s) have not been in breach of the law which may impose restrictions on the land that you are about to buy.

At Everingham Solomons, we have the expertise to advise you regarding property enquiries to be made at the time of a proposed purchase, because *Helping You is Our Business*



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