



Biodiversity assessment and approvals navigator

Navigator: identifying your pathway for required biodiversity assessment and approvals

The *Biodiversity Conservation Act 2016*, *Local Land Services Act 2013*, *Environmental Planning and Assessment Act 1979* and the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* together regulate land management and biodiversity conservation in NSW.

Assessment and approval pathways for biodiversity impacts will depend upon the purpose, nature, location and extent of the vegetation clearing. In some cases you may be required to obtain development consent or a native vegetation clearing approval. You may need to engage an accredited assessor to prepare a Biodiversity Development Assessment Report in accordance with the Biodiversity Assessment Method and to submit that report with your application for consent or approval. In other cases you may not be required to obtain a Biodiversity Development Assessment Report but may need to obtain a permit from the local council to carry out clearing.

If you are required to obtain a Biodiversity Development Assessment Report, the conditions of an approval or consent will likely require you to retire biodiversity credits.

The requirement to obtain a Biodiversity Development Assessment Report in certain circumstances and for the conditions of a consent or approval to require the retirement of biodiversity credits is part of what is described as the Biodiversity Offsets Scheme.

What vegetation clearing assessment and approvals apply to me?

Use the below questions to navigate the land management and biodiversity conservation framework to figure out which approvals apply to your vegetation clearing.

Biodiversity Disclaimer

Summary page for printing

Question 1 - Are you carrying out a development that requires development consent from a council (under Part 4 of the Environmental Planning and Assessment Act 1979)?

Yes

Question 6a – Is your proposed development fulfilling the purpose of a subdivision that was approved prior to 25 August 2017 in a R1 to R4, RU5, B1 to B8 or IN1 to IN3 zone?

No

Question 6b – Will any part of your proposed development take place on land included on the Biodiversity Values Map?

No

Question 7a – Will your proposed development involve clearing native vegetation (not including ‘Category 1’ land under the Local Land Services Act 2013) in excess of the area clearing thresholds?

No

Question 8 – Is your proposed development likely to significantly affect threatened species or ecological communities, or their habitats, or being carried out in a declared area of outstanding biodiversity value?

No

No – You do not need to obtain a Biodiversity Development Assessment Report to submit with your development application. The consent authority (which may be your local council) will consider whether to grant development consent. Your application of the test under section 7.3 of the *Biodiversity Conservation Act 2016* and evidence that your proposal does not trigger the offset scheme threshold must be included with your development application.

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