

Accepted development vegetation clearing code

Clearing for infrastructure

Effective 7 February 2020

Published on Resources Disclosure Log
RTI Act 2009

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Landholders are encouraged to familiarise themselves with the Acts and regulations relevant to their operations, and to seek advice from the department if required.

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Glossary

The following list of technical terms and their definitions are essential to understanding this accepted development vegetation clearing code (code). Where used in the text, the terms are italicised and bold. All other terms in the text that are italicised and bold, and are not included in the below table have the meaning provided for in the *Vegetation Management Act 1999*¹.

Term	Definition
<i>Acid sulfate soil</i>	Is soil, sediment or other material containing iron sulfides and/or acidity generated by their breakdown.
<i>Airstrip</i>	Is an area of land <i>cleared</i> and prepared for the landing and take-off of aeroplanes and that complies with either of the following: • Current Australian Government Civil Aviation Safety Authority guidelines (CASA) - or - Royal Flying Doctors Service Requirements for Queensland
<i>Boundary fence</i>	Is a fence which runs along the property boundary as marked on the Digital Cadastral Database (DCDB) or surveyed property plan.
<i>Coastal lot</i>	Is a lot that falls partly or entirely within any of the following: • Brigalow Belt subregions 1 (Townsville Plains), 2 (Bogie River Hills) and 14 (Marlborough Plains) • Cape York Peninsula subregion 2 (Starke Coastal Lowlands) • Einasleigh Uplands subregion 3 (Hodgkinson Basin) • Central Queensland Coast bioregion • Southeast Queensland bioregion • Wet Tropics bioregion
<i>Contour bank</i>	Is an earthen structure constructed across slopes used to intercept runoff before it concentrates and starts to cause erosion, after which it is safely channelled into stable grassed waterways, natural depressions or grassed areas adjacent to a paddock.
<i>Crossing</i>	Is a <i>vehicular track, road, internal fence, boundary fence</i> or other <i>linear infrastructure</i> that crosses a <i>watercourse</i> or <i>drainage feature</i> . Note: A <i>crossing</i> does not run parallel to a <i>watercourse</i> or <i>drainage feature</i> .
<i>Dedicated road</i>	Is land dedicated, notified or declared to be a <i>road</i> for public use, or taken under an Act, for the purpose of a <i>road</i> for public use.

¹ A list of terms defined in the *Vegetation Management Act 1999* is available in the [General guide to the vegetation clearing codes: Accepted development vegetation clearing codes](#).

Term	Definition
Defining bank	Is the bank that confines the seasonal flows, but which may be inundated by flooding from time to time, and can be either: - the bank or terrace that confines the water before the point of flooding or - where there is no bank, the seasonal high water line that represents the point of flooding.
Drainage and erosion control structure	Is an earthen built structure associated with a vehicular track, internal fence, boundary fence, firebreak, fire management line or linear infrastructure for the purpose of reducing erosion or directing run-off and/or capturing sediment. For example, a whoa boy and its associated sediment basin is a drainage and erosion control structure. Note: For the purposes of this code, it does not include contour banks.
Ecological processes	Is the range of natural processes which maintain an ecosystem, including but not limited to: - hydrological processes - soil development - nutrient cycling - chemical processes including storage of nutrients - decomposition and cycling of organic matter - pollination and seed production - seed dispersal - predator-prey relationships - germination and recruitment of species - the carbon cycle and stability of atmospheric carbon. - habitats for flora and fauna (such as particular regional ecosystems, logs, rocks, debris, leaf litter, nectar, hollow bearing trees, food and shelter).
Environmental offset	See the Environmental Offsets Act 2014, section 7(2) .
Exempt clearing work	Has the meaning given in Schedule 24 (Dictionary) of the Planning Regulation 2017 Note: A list of exempt clearing work is available at: www.qld.gov.au.
Fire management line	Is a pathway, track or road , or fence line clearing, which can be used to access water for fire-fighting, divide the property into sub-units to allow a fuel reduction burning program to be carried out, and/or divide the property into sub-units to allow for back burning in the event of a wildfire.

Term	Definition
Firebreak	Under this code, is a strip of land which has been cleared and is located immediately adjacent to infrastructure, excluding boundary fences, roads, vehicular tracks, internal fences, irrigation channels or contour banks .
Habitat tree	Is a living or dead standing native tree that contains either: - one or more visible hollows positioned at least two metres above the base of the tree² - or - an active bird's nest or the nest of a raptor or other bird that uses the same nest each year.
Helipad	Is an area of land that is cleared and prepared for the landing and take-off of helicopters and complies with either: - Current CASA guidelines - or - The Royal Flying Doctors Service Requirements for Queensland
Impact area	Is the total area to be cleared in a category C area or category R area that requires an exchange area to be legally secured under section 4.5 of this code. Note: the total area to be cleared includes the area below the limit specified in this code and the area that exceeds the specified limit in this code.
Internal fence	Is a fence other than a boundary fence .
Irrigation channel	Is an excavated channel that transfers water between a source and areas which require irrigation. The channel may be lined with material such as concrete or flexible membrane to prevent seepage and erosion.
Immature koala habitat tree	Means a koala habitat tree that is all of the following: - is located in a koala habitat area - is not a mature tree or habitat tree - is two metres or more in height.
Koala habitat area	See the Nature Conservation (Koala) Conservation Plan 2017, section 7B .
Koala habitat tree	See the Nature Conservation (Koala) Conservation Plan 2017, schedule 2 (Dictionary) .

² **Habitat trees** are used, or potentially used, by hollow-dwelling fauna.

Term	Definition
Koala offset	Means an environmental offset under the <i>Environmental Offsets Act 2014</i> provided for a matter of State environmental significance mentioned in schedule 2, section 6(3) or 6(4) of the <i>Environmental Offset Regulation 2014</i> that is in relation to a koala habitat area .
Landholder	Is (where relevant): - the registered proprietor of freehold land - a lessee of freehold land, subject to the consent of the freehold owner to make a notification - a lessee of a lease under the <i>Land Act 1994</i> provided that the clearing is consistent with the purposes of the lease - a sub-lessee of a lease under the <i>Land Act 1994</i> subject to the consent of the lessee to make a notification and provided that the clearing is consistent with the purposes of the lease - a licensee or permittee under the <i>Land Act 1994</i> provided that the clearing is consistent with the conditions of the licence or permit - the holder of the title or tenure to the land. Note: For the purposes of section 3 of this code, a reference to a landholder includes a reference to a third party who has notified to clear under this code in accordance with section 2 of this code.
Landholder consent	Is any of the following: - A written agreement between a third party and a landholder to enter, access and undertake clearing or other works on the land - For a state controlled road, a permit approved under section 50 or 62 of the <i>Transport Infrastructure Act 1994</i> - For a dedicated road, the written agreement of the road authority under section 102(2) of the <i>Electricity Act 1994</i> - Another power or permit provided under a State, Commonwealth or Local law for an officer or an entity to enter, access and undertake clearing or other works on the land (for example section 102 of the <i>Electricity Act 1994</i>).
Land zones	Are categories that describe the major geologies, associated landforms and geomorphic processes in Queensland. The land zone can be identified by the middle number in the three digit regional ecosystem identification code. For example—the regional ecosystem identified by the code 12.3.4 is in land zone 3 .
Linear infrastructure	Means a structure built or used for any purpose that is linear in nature. This includes but is not limited to, a pipeline, telecommunication line, or power line. For the purpose of this code, it does not include roads and vehicular tracks, an internal fence line or boundary fence line, irrigation channels, contour banks, fire management lines or firebreaks.

Term	Definition
Non-coastal lot	Are all lots other than a coastal lot .
Non-linear infrastructure	Means a building, or other structure, built or used for any purpose that is not linear infrastructure . This includes but is not limited to, residential housing and associated structures, commercial and industrial buildings and structures, a stock yard, shed, feed pad, dam, windmill, solar panels, water tank, or telecommunication tower. For the purposes of this code it does not include airstrips or helipads .
Recognised best practice methods	Are any of the following: • A method recognised by a State or Federal government agency to prevent increased soil erosion and instability, stabilise soil erosion and instability and prevent increased sediment run-off. This includes a guide such as the Soil Conservation Guidelines for Queensland (3rd edition), a fact sheet or other advice published or provided by a State or Federal government agency. • The Best Practice Erosion and Sediment Control Document, IECA, 2008.
Regional ecosystem structure category	Is a vegetation density category that is allocated to each regional ecosystem . It can be found within the Regional Ecosystem Description Database on the Queensland Government website or in a Vegetation Management Property Report for the lot, which can be requested at: www.qld.gov.au .
Road authority	Is for: • a State-controlled road under the <i>Transport Infrastructure Act 1994</i>— the chief executive under the Act or • all dedicated roads other than those declared as a state-controlled road under the <i>Transport Infrastructure Act 1994</i> — the local government.
Road, vehicular track	Is a pathway providing permanent or temporary vehicular or pedestrian access.

Term	Definition
Salinity expression area	Is an area containing more than one of the following salinity indicators: • Plant species tolerant of saline conditions, shallow water tables or poor drainage (waterlogging)³ • Wet areas in lower parts of the landscape or bare soil (soil scalding) • Dieback of larger trees in low, wetter parts of the landscape (outside drought conditions or the effects of fire) • Salt accumulations on the surface (often white and powdery, sometimes crystalline) • Areas of shallow groundwater ⁴
Seasonal high water line	Is a zone that represents the usual peak seasonal flow level and can be identified by deposition, debris or characteristic vegetation zonation.
Soil erosion and instability	Is the occurrence of gully erosion greater than 30 centimetres in depth, landslips, a scarp, soil scalding or stream bank slumping.
Threatening process	Is a process that includes but is not limited to: • fragmentation • climate change • weather events • weed and pest (animal and plant) infestations • fire • disease • land degradation (e.g. erosion, acid sulfate soil or salinity issues) • predation
Weed	Is any of the following: • A non-native plant⁵ • Restricted or prohibited matter declared under the <i>Biosecurity Act 2014</i> • Cadaghi (<i>Corymbia torelliana</i>) and Umbrella Tree (<i>Schefflera actinophylla</i>) in Southeast Queensland bioregion

³ For example—*Melaleuca* spp. (in particular *Melaleuca bracteata* and *Melaleuca quinquenervia*), *Sporobolus* spp. (in particular saltwater or marine couch), *Salsola australis* (soft roly-poly), *Sclerolaena* spp. (in particular prickly roly-poly), *Cyperus* spp. (sedges), *Juncus* spp. (rushes), *Atriplex* spp. (saltbushes), *Paspalum* spp. (water couch), *Enchylaena tomentosa* (ruby saltbush), *Sesuvium portulacastrum* (purslane), *Tecticornia* species (samphires), *Phragmites* spp.

⁴ A water table less than 5 metres from the surface would generally be considered as shallow for this purpose. One mechanism to identify this is from a nearby bore.

⁵ The Census of the Queensland Flora, which is undertaken annually by the Queensland Herbarium, provides a current list of plants considered non-native to Queensland. Further information can be found on the Queensland Government website at www.qld.gov.au (search for “flora census”).

1 Introduction

The [Vegetation Management Act 1999](#) (Vegetation Management Act), in conjunction with the [Planning Act 2016](#) (Planning Act) and subordinate legislation, regulates the **clearing of remnant vegetation** and **regulated regrowth vegetation**. This code, which was made by the Minister on 23 December 2019 (effective 7 February 2020) in accordance with section 19O of the Vegetation Management Act and the [State Policy for Vegetation Management](#), is approved as an accepted development vegetation clearing code under part 2, section 3 of the [Vegetation Management Regulation 2012](#).

Clearing in accordance with this code is accepted development under schedule 7, part 3, section 12 of the Planning Regulation 2017.

***Note:** Other legislation may also affect **clearing** activities. Before you notify the Department of Natural Resources, Mines and Energy (DNRME) of your intention to **clear vegetation** under this code, it is strongly recommended that you contact the relevant agencies listed in [Appendix 1](#) to determine whether your proposed **clearing** activity is allowable under other local, state and federal laws.*

1.1 Purpose

The purpose of this code is to regulate the **clearing of remnant vegetation (category B areas)** and **regulated regrowth vegetation (category C areas and category R areas)** to establish or expand infrastructure in accordance with requirements designed to meet the objectives outlined in [section 1.3](#). If the **clearing** does not comply with this code, it is classified as either assessable or prohibited development under the Planning Act and may be subject to the relevant offence provisions.⁶

***Note:** All sections of this code are mandatory and to ensure you are compliant with this code, you **must** satisfy the requirements in **all** sections. If your intended **clearing** is in a **category B area** and will not comply with this code, you may be able to apply for a **development approval**. Contact DNRME on 135 VEG (135 834) for further information.*

⁶ DNRME uses satellite imagery to monitor compliance with vegetation management legislation.

1.2 Scope

This code applies to the **clearing** of **vegetation** in a **category B area**, **category C area** and **category R area** that is on any of the following land tenures:

- **Freehold** land
- **Indigenous land**
- Leasehold land granted under the Land Act
- Unallocated state land⁷ under the Land Act—**clearing must** be carried out, or authorised to be carried out by the chief executive administering the Land Act
- Trust land (other than **indigenous land** under the Land Act)—**clearing must** be consistent with the purpose of the trust land and **must** be carried out, or authorised to be carried out by the trustee
- A non-tidal boundary watercourse under the Land Act—access **must** be granted by the adjoining **landholder** and **clearing must** be carried out, or authorised to be carried out by the chief executive administering the Land Act
- **Dedicated roads.**

This code also applies to **clearing** of **vegetation** in a **category X area** on **dedicated roads**.

This code authorises **clearing** for the following types of infrastructure only:

- **Boundary fences**
- **Internal fences**
- **Roads** or **vehicular tracks**
- **Contour banks**
- **Drainage and erosion control structures**
- **Irrigation channels**
- Other **linear infrastructure**
- **Airstrip** or **helipads**
- Telecommunication towers
- Other **non-linear infrastructure**
- **Firebreaks**
- **Fire management lines**

⁷ A tidal boundary watercourse under the Land Act is dealt with as unallocated State land for the purposes of this code.

Note: This code sets **clearing** area and width limitations for different types of infrastructure, **vegetation** and tenures. If your intended **clearing** for a particular infrastructure type exceeds the area or width limitations for the relevant tenure outlined in this code, and is in a **category B area**, you may be able to apply for a **development approval**.

This code **does not** apply to the following activities:

- **Clearing** inconsistent with a condition of a **development approval** that remains enforceable.
- A **development approval** for a material change of use or reconfiguring a lot is required under the Planning Act, other than a **development approval** for a material change of use for a telecommunication tower.
- **Clearing** inconsistent with a condition applied by the Coordinator General for a coordinated project under the *State Development and Public Works Organisation Act 1971*.
- **Clearing of vegetation** that is **exempt clearing work** under schedule 21 of the Planning Regulation 2017 except where schedule 21 refers to **clearing** under this code.
- **Clearing of vegetation** that complies with schedule 7, part 3, section 13 of the Planning Regulation 2017 being operational work for necessary firebreaks or fire management lines.

Note: Before notifying to **clear** under this code, you should check whether your intended **clearing** activity qualifies as **exempt clearing work**⁸. If your **clearing** qualifies as **exempt clearing work**, you can **clear** without a notification or approval under the vegetation management framework.

1.3 Objective

The objective of this code is that **clearing** to establish or expand infrastructure achieves the following environmental outcomes:

- Avoids and minimises **impacts** on **remnant vegetation** and regulated **regrowth vegetation**
- Prevents **land degradation**
- Maintains **ecological processes** and **biodiversity**
- Maintains bank stability, water quality and habitat of **wetland**, **watercourse** and **drainage features**
- Maintains **regional ecosystems**

⁸ A list of **exempt clearing work** is available at: www.qld.gov.au.

1.4 Commencement date

This code became effective on 7 February 2020, replacing the following superseded code:

- *Clearing for infrastructure effective 21 June 2019*

Notifications made under the superseded Managing clearing for necessary property infrastructure code effective 21 June 2019 continue to be valid and allow you to clear provided you comply with all requirements of this code (effective 7 February 2020).

Note: *If you notified under the superseded Managing clearing for necessary property infrastructure code effective 21 June 2019, you do not need to re-notify under this code unless you want to do additional clearing to that already notified, or the notification has expired.*

1.5 Assistance

Queensland Government staff are available to help **landholders** meet their obligations so if—after reading this code—you have questions or want to make sure you are doing the right thing, contact DNRME by calling 135 VEG (135 834) or emailing vegetation@dnrme.qld.gov.au.

2 Notification requirements

Before any **clearing** is undertaken under this code, DNRME **must** be notified of your intended **clearing** activity by either:

1. the **landholder**⁹
or
2. a third party¹⁰.

Note: *If you are a third party making a notification over someone else's land, you need the **landholder's consent** to enter, access and undertake **clearing** or other works on their land.*

2.1 Notification process

1. If your intended **clearing** requires legally securing an **exchange area** in accordance with [section 4.5](#) of this code, before notifying, first legally secure the **exchange area**.

⁹ This includes a person authorised to notify on the **landholder's** behalf, such as someone who holds a power of attorney.

¹⁰ For example, a mining company seeking to clear a utility corridor on private land.

2. Complete the online or hard copy notification form, which requires that you provide certain information, including:
 - a. contact details
 - b. the lot on plan on which the activity is proposed
 - c. the tenure of the property (i.e. whether **freehold**, leasehold, or other)
 - d. information that clearly identifies the location of the intended **clearing**.
3. Lodge the completed form with DNRME.
4. Receive confirmation of your notification from DNRME before commencing **clearing**.

***Note:** If you are notifying online, you should receive an email within 10 minutes that confirms receipt of your notification.*

2.2 Notification limitations

1. Each notification is limited to a single lot. If your property consists of multiple lots, you may lodge a notification for each lot.
2. Each notification is limited to one type¹¹ of infrastructure. If you wish to **clear** for multiple types of infrastructure, you may lodge a notification for each type of infrastructure.
3. A notification remains in effect for two years from the date DNRME issues confirmation of your notification¹².

3 Compliance requirements

To comply with this code, you **must** do all of the following:

1. Notify DNRME in accordance with the notification requirements ([section 2](#) of this code).
2. Conduct your **clearing** activity in accordance with all of the **clearing** requirements ([section 4](#) of this code).
3. Keep all of the following records and make them available to DNRME on request:
 - a. appropriate records detailing the **recognised best practice methods** employed in [section 4.4.1](#) of this code
 - b. appropriate records detailing the progress and effectiveness of all **exchange area** works and management actions, if relevant
 - c. if you have contracted another person to undertake the **clearing** on your behalf:
 - i. contractor details (name, address, contact details)
 - ii. instructions to contractors including the location, date and time the instructions were given.

¹¹ For example if, on the same lot, **clearing** is required for a **road**, **boundary fence**, and two different types of **non-linear infrastructure** such as a feedlot and a windmill, then four separate notifications must be made.

¹² Notifications do not transfer on title. If you have recently purchased the property and intend to undertake **clearing** activities in **remnant vegetation** or **regulated regrowth vegetation**, you must first notify DNRME.

4 Clearing requirements

Clearing must comply with all the following:

1. Avoid and minimise practice in [section 4.1](#)
2. **Clearing** requirements in [section 4.2](#), if you are **clearing** on land other than a **dedicated road**
3. **Clearing** requirements in [section 4.3](#), if you are **clearing** on a **dedicated road**
4. Soil and water quality protections in [section 4.4](#)
5. **Exchange area**¹³ requirements in [section 4.5](#), if section 4.2 or section 4.3 requires you to legally secure an **exchange area**

4.1 Avoid and minimise

Clearing is only permitted under this code if all of the following apply:

1. The infrastructure is necessary.
2. The infrastructure cannot reasonably be located in **category X areas** or existing **cleared areas**¹⁴.

Where it is not reasonable to locate the infrastructure entirely in **category X areas** or existing **cleared areas**, you **must** apply the 'avoid and minimise' principles to the location and extent of **clearing** in the following order:

1. Locate as much of the **clearing** in **category X areas** or existing **cleared areas** as reasonably possible.
2. Locate as much of the remaining **clearing** in a **category C area** or **category R area** where reasonably possible.
3. Where necessary to **clear** in a **category B area**, locate the **clearing** within **least concern regional ecosystems** where reasonably possible.
4. Take all possible steps to avoid, or if avoidance is not possible, minimise to the greatest extent possible, **clearing**:
 - a. in riparian protection zones listed in Appendix 2, Table C
 - b. in **essential habitat**
 - c. in a **koala habitat area**
 - d. of **immature koala habitat trees**
 - e. of **habitat trees**.

¹³ Before undertaking **clearing** that requires legally securing an **exchange area**, it is recommended that independent legal and financial advice is obtained regarding the impact of any subsequent certification of a **property map of assessable vegetation (PMAV)** or **declared area** (voluntary).

¹⁴ It may not be reasonable to locate the **clearing** in **category X areas** or existing **cleared areas** due to the nature of the infrastructure or the landscape.

Example: Clearing for an internal fence to enable property management or improve land condition is an example of necessary infrastructure. Clearing for a road or vehicular track when an existing fire management line has already been cleared and provides access, is not necessary infrastructure and would not comply with the code.

4.2 Clearing requirements on land other than a dedicated road

Clearing on land other than a **dedicated road must** comply with either of the following:

1. **Clearing** in a **category B area must** comply with all of the **clearing** requirements listed in Table 1, relevant to the type of infrastructure listed in column A
or
2. **Clearing** in a **category C area** or **category R area must** comply with all of the requirements in Table 1 relevant to the type of infrastructure listed in column A, **unless**:
 - a. an **exchange area** is legally secured in accordance with section 4.5; or
 - b. the **clearing** is in a **koala habitat area** and a **koala offset** is secured for the extent of the **clearing**.

Table 1: Clearing requirements for infrastructure on land other than a dedicated road

Column A - Type of infrastructure	Column B - Clearing requirements
Boundary fences	Clearing must not result in any of the following¹⁵: Clearing that exceeds 10 metres in width on the landholder's side of the property boundary¹⁶. - The widening of an existing cleared area on the landholder's side of the property boundary to more than 10 metres in width.
Roads, vehicular tracks, internal fences, irrigation channels or contour banks	Clearing must not result in any of the following¹⁷: Clearing that exceeds 10 metres in width. - The widening of an existing cleared area to more than 10 metres in width. Clearing must not occur within any of the following areas: 10 metres of the defining bank of a wetland. 10 metres of a defining bank of a watercourse or drainage feature unless the clearing is for a road, vehicular track or internal fence and a crossing is required.
Drainage and erosion control structures	Clearing must not exceed 900 square metres (e.g. 30 metres x 30 metres) in total per drainage and erosion control structure .
Linear infrastructure other than boundary fences, roads, vehicular tracks, internal fences, irrigation channels or drainage and erosion control structures.	Clearing must not result in any of the following¹⁸: Clearing that exceeds the width limits in Appendix 2, Table A. - The widening of an existing cleared area to more than the width limits in Appendix 2, Table A. Clearing must not occur within 10 metres of the defining bank of a wetland. Clearing must not occur within 10 metres of a defining bank of a watercourse or drainage feature unless a crossing of the watercourse or drainage feature is required.
Firebreaks	Clearing is only permitted if the firebreak is located on a non-coastal lot¹⁹. Clearing must not result in any of the following: Clearing that exceeds 30 metres in width - The widening of an existing firebreak to more than 30 metres in width

¹⁵ **Clearing** in a **koala habitat area** may be regulated under the *Nature Conservation Act 1992* framework. To seek further information contact the Department of Environment and Science (see [Appendix 1](#) for contact details).

¹⁶ A **landholder** can only **clear** on the property for which they are responsible.

¹⁷ **Clearing** in a **koala habitat area** may be regulated under the *Nature Conservation Act 1992* framework. To seek further information contact the Department of Environment and Science (see [Appendix 1](#) for contact details).

¹⁸ **Clearing** in a **koala habitat area** may be regulated under the *Nature Conservation Act 1992* framework. To seek further information contact the Department of Environment and Science (see [Appendix 1](#) for contact details).

¹⁹ On **coastal lots** and **non-coastal lots**, **clearing** for a necessary **firebreak** to protect infrastructure, other than a fence, **road** or **vehicular track**, is **exempt clearing work** if the maximum width of the **firebreak** is 1.5 times the height of the tallest **vegetation** next to the infrastructure, or 20 metres, whichever is wider.

Column A - Type of infrastructure	Column B - <i>Clearing</i> requirements
Fire management lines	<i>Clearing</i> in a category C area or category R area , must not exceed 10 metres in width.
Airstrips and helipads	1. <i>Clearing</i> must not occur within a riparian protection zone specified in Appendix 2 Table C ²⁰ .
Non-linear infrastructure other than airstrips and helipads	1. All of the following apply to <i>clearing</i> in a category B area²¹: a. <i>Clearing</i> must not exceed 5 hectares in total. b. The total combined area <i>cleared</i> of endangered regional ecosystems and of concern regional ecosystems must not exceed the area limits in Appendix 2, Table B. c. <i>Clearing</i> in essential habitat must not exceed the area limits in Appendix 2, Table B. d. <i>Clearing</i> of a least concern regional ecosystem must not exceed 2 hectares if the regional ecosystem has a sparse, very sparse, dense or mid-dense structure category. e. <i>Clearing</i> of a least concern regional ecosystem must not exceed 5 hectares if the regional ecosystem has a grassland structure category. f. <i>Clearing</i> must not occur within a riparian protection zone specified in Appendix 2, Table C. 2. Where applicable, all of the following apply to <i>clearing</i> in a category C area and a category R area²²: a. <i>Clearing</i> greater than 2 hectares in a category C area or a category R area must not occur in any of the following areas: i. Essential habitat; ii. Riparian protection zones specified in Appendix 2, Table C; unless: 1. an exchange area that complies with section 4.5 of this code is legally secured; or 2. the <i>clearing</i> is in a koala habitat area and a koala offset is secured for the extent of the <i>clearing</i>. b. Total combined <i>clearing</i> in a category C area or a category R area must not exceed 10 hectares, unless: i. an exchange area that complies with section 4.5 of this code is legally secured; or ii. the <i>clearing</i> is in a koala habitat area and a koala offset is secured for the extent of the <i>clearing</i>.

²⁰ ***Clearing*** in a **koala habitat area** may be regulated under the *Nature Conservation Act 1992* framework. To seek further information contact the Department of Environment and Science (see [Appendix 1](#) for contact details).

²¹ ***Clearing*** in a **koala habitat area** may be regulated under the *Nature Conservation Act 1992* framework. To seek further information contact the Department of Environment and Science (see [Appendix 1](#) for contact details).

²² ***Clearing*** in a **koala habitat area** may be regulated under the *Nature Conservation Act 1992* framework. To seek further information contact the Department of Environment and Science (see [Appendix 1](#) for contact details).

Note: If you intend to **clear** native **vegetation** in a **watercourse**, you may need a riverine protection permit. For further information visit www.business.qld.gov.au or contact your closest DNRME office.

4.3 Clearing requirements on a dedicated road

Note: If you are clearing on a **road**, you need **landholder's consent** from the **road authority** to enter, access and undertake **clearing** or other works on the **road**.

Clearing on a **dedicated road** must comply with either of the following:

1. **Clearing** must be necessary to implement a development approval²³.
2. **Clearing** in a **category B area** on a **dedicated road** must comply with all of the **clearing** requirements listed in Table 2.
3. **Clearing** in a **category C area**, **category R area** or **category X area** must comply with all of the clearing requirements listed in Table 2, **unless** an **exchange area** is legally secured in accordance with section 4.5.

Table 2: Clearing requirements for infrastructure on a dedicated road

Infrastructure on a dedicated road	Clearing requirements
All	1. Clearing must not exceed the width limits in Appendix 2, Table A. 2. Clearing must not exceed the area limits in Appendix 2, Table B. 3. Clearing must not occur within any of the following areas: a. 10 metres of the defining bank of a wetland b. 10 metres of a defining bank of a watercourse or drainage feature unless a crossing of the watercourse or drainage feature is required.

4.4 Soil and water quality protections

When **clearing**, all of the following apply:

1. **Recognised best practice methods** must be employed to:
 - a. prevent increased **soil erosion and instability** resulting from the **clearing**

²³ For example, **clearing** which has not been considered as part of the development approval, but is required to provide access to an adjacent or nearby development that is authorised by the development approval.

- b. stabilise **soil erosion and instability** which has resulted from the **clearing**
 - c. prevent increased sediment run-off entering a **wetland, watercourse or drainage feature** as a result of the **clearing**.
2. **Clearing** is **not** permitted within 100 metres of a **salinity expression area** unless the **clearing** is in a **category C area** or a **category R area** and an **exchange area** that complies with [section 4.5](#) of this code is legally secured.
3. In **land zone** 1, 2 or 3 where the elevation is less than five metres above sea level, topsoil **must not** be mechanically disturbed to a depth greater than 30 centimetres, **unless acid sulfate soils** are managed consistent with both of the following:
 - a. State Planning Policy, Department of Infrastructure, Local Government and Planning, 2017
 - b. Soil Management Guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science Information Technology Innovation and the Arts 2014.

4.5 Exchange areas

An **exchange area must** be legally secured where **clearing** does not meet the **clearing** requirements in Table 1 or Table 2, or where it is required in section 4.4.2, unless a **Koala offset** is secured for the area.

Exchange areas must comply with all of the following:

1. The **exchange area must** be located in a **category X area, category B area, category C area** or **category R area**.
2. The **exchange area must** contain a predominant native woody vegetative layer which is at least two metres in height.
3. The **exchange area must** be consistent with one of the three options listed in Table D (Appendix 3).
4. The **exchange area must** be legally secured using the relevant mechanism outlined in Table D (Appendix 3), before commencement of **clearing the impact area**.
5. The **exchange area must** be located within the same **bioregion** as the **impact area**, or where it is not reasonably possible, located in an adjacent **bioregion**.
6. The **exchange area must** be located and configured in a way that ensures it remains in the landscape despite **threatening processes**.
7. The **exchange area must** be shown as a **category A area** on the **regulated vegetation management map** until the area becomes **remnant vegetation** and is mapped as a **category B area** on the **regulated vegetation management map**.
8. The **exchange area must** be managed in accordance with a management plan.
9. The management plan²⁴ for the **exchange area must** include all of the following:

²⁴ The level of detail required in a management plan will depend on the nature and scale of the activity being undertaken.

- a. Property owner's details
- b. Description of the area/s the subject of the **exchange area**, including spatial coordinates or shapefile and a map showing the location and extent
- c. The management objective, which **must** be either of the following:
 - i. If the **exchange area** is located in a **category X area**, **category C area** or **category R area**—to return the **exchange area** to **remnant vegetation** (a **category B area** on the **regulated vegetation management map**) as soon as possible and within 20 years
or
 - ii. If the **exchange area** is located in a **category B area**—to achieve the nominated substantial conservation outcome or address the nominated significant **land degradation** issue as soon as possible
- d. Description of the works / management actions that will be undertaken to achieve the management objective, including the methods, timing, frequency, intended benefits etc.
- e. The conservation outcomes that will be achieved by the works / management actions
- f. Description of the management actions that will be undertaken to ensure that the effects of the works do not result in **land degradation**.
- g. Details of who is responsible for all works and management actions, and the estimated length of time the area/s will be managed
- h. Monitoring and auditing processes including adaptive management approaches to rectify negative results from the monitoring and auditing processes
- i. Record keeping process for retaining appropriate records for monitoring and auditing processes.

Appendix 1—Other relevant legislation

Activity	Legislation	Agency	Contact details
Interference with overland flow Earthworks, significant disturbance	<i>Water Act 2000</i> <i>Soil Conservation Act 1986</i>	Department of Natural Resources, Mines and Energy (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dnrme.qld.gov.au
Indigenous cultural heritage	<i>Aboriginal Cultural Heritage Act 2003</i> <i>Torres Strait Islander Cultural Heritage Act 2003</i>	Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)	Ph: 13 QGOV (13 74 68) www.datsip.qld.gov.au
Mining and environmentally relevant activities Infrastructure development (coastal) Heritage issues Protected plants and protected areas ²⁵	<i>Environmental Protection Act 1994</i> <i>Coastal Protection and Management Act 1995</i> <i>Queensland Heritage Act 1992</i> <i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) www.des.qld.gov.au
Interference with fish passage in a watercourse, mangroves Forest activities ²⁶	<i>Fisheries Act 1994</i> <i>Forestry Act 1959</i>	Department of Agriculture and Fisheries (Queensland Government)	Ph: 13 25 23 www.daf.qld.gov.au
Matters of National Environmental Significance including listed Threatened Species and Ecological Communities	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Department of the Environment, (Australian Government)	Ph: 1800 803 772 www.environment.gov.au
Development and planning processes	<i>Planning Act 2016</i> <i>State Development and Public Works Organisation Act 1971</i>	Department of State Development, Manufacturing, Infrastructure and Planning (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dsdmip.qld.gov.au
Road corridor permits	<i>Transport Infrastructure Act 1994</i>	Department of Transport and Main Roads (Queensland Government)	Ph: 13 QGOV (13 74 68) www.tmr.qld.gov.au
Local government requirements	<i>Local Government Act 2009</i> <i>Planning Act 2016</i>	Your relevant local government office	

²⁵ In Queensland, all plants that are native to Australia are protected plants under the [Nature Conservation Act 1992](#), which endeavours to ensure that protected plants (whether whole plants or protected plants parts) are not illegally removed from the wild, or illegally traded. Prior to clearing, you should check the flora survey trigger map to determine if the **clearing** is within a high-risk area by visiting www.des.qld.gov.au. For further information or assistance on the protected plants flora survey trigger map for your property, please contact the Department of Environment and Science on 13QGOV (13 74 68) or email palm@des.qld.gov.au.

²⁶ Contact the Department of Agriculture and Fisheries before clearing:

- any sandalwood on state-owned land (including leasehold land)
- on **freehold** land in a 'forest consent area'
- more than five hectares on state-owned land (including leasehold land) containing commercial timber species listed in parts 2 or 3 of Schedule 6 of the Vegetation Management Regulation 2012 and located within any of the following local government management areas - Banana, Bundaberg Regional, Fraser Coast Regional, Gladstone Regional, Isaac Regional, North Burnett Regional, Somerset Regional, South Burnett Regional, Southern Downs Regional, Tablelands Regional, Toowoomba Regional, Western Downs Regional.

Appendix 2—Clearing limits and riparian protections

Table A: Clearing width limits

For powerlines	
Bare conductor – line voltage	Clearing widths on each side of the centre line
33 kV, 22kV or 11kV	10 metres
19.1kV, 12.7kV or 11kV Single Wire Earth Return Line	7.5 metres
Low Voltage Open Wire Line	5 metres
Aerial bundled cable (ABC) and covered conductor – line voltage	Clearing widths on each side of the centre line
33 kV, 22kV or 11kV	3 metres
Low Voltage ABC Line	1.5 metres, however the clearing width may be extended to 3 metres on one side where vehicular access is required.
For all other linear infrastructure	
Regional ecosystem structure category	Clearing width limits
Dense and mid-dense	10 metres
Sparse and very sparse	20 metres
Grassland	25 metres

Table B: Clearing area limits

Regional ecosystem structure category	Clearing area limits
Dense and mid-dense	0.5 hectares
Sparse and very sparse	2 hectares
Grassland	5 hectares

Table C: Riparian protection zones*

Water feature	Riparian protection zone
Wetland	100 metres
Watercourse and drainage feature	
Stream order [†] 1 or 2	10 metres
Stream order 3 or 4	25 metres
Stream order 5 or more	50 metres

Notes:

* The riparian protection zone includes the area between the **defining banks** of the **watercourse, drainage feature** or **wetland**, plus the specified distance measured from the **defining bank** away from the water body.

[†] Stream order is shown on the vegetation management supporting map.

Appendix 3—Exchange area requirements

Table D: Requirements for exchange areas

Exchange area requirements	Size of exchange area	Required mechanisms to legally secure and manage the area ²⁷
Option 1: The area to be used as the exchange area is a category X area, is dominated by native vegetation more than 10 years of age, is a functioning regional ecosystem which occurs in the same bioregion as the impact area, and is at least one of the following: • The same pre-clear regional ecosystem/s as the impact area • A higher pre-clear regional ecosystem status (e.g. endangered or of concern) than the values of the impact area • Within 50 metres of the defining bank of a watercourse • Within 50 metres of the defining bank of a wetland • In a location that creates a corridor of at least 100 metres in width between regional ecosystems that are mapped as either a category A area and/or a category B area on the regulated vegetation management map, which are each at least 4 hectares in size and 100 metres in width • An area that adjoins either an area mapped as a category A area and/or a category B area on the regulated vegetation management map which is at least 4 hectares in size • Another area of environmental significance to flora or fauna under other State or Commonwealth legislation.	Equal to the impact area, or 1 hectare, whichever is the greater	Property Map of Assessable Vegetation (PMAV) that shows the area to be used as the exchange area as a category A area and management plan or Declared area (voluntary)²⁸ and management plan

²⁷ Note that both— a declaration made under section 19F of the *Vegetation Management Act 1999* and its associated management plan; and a **Property Map of Assessable Vegetation** (PMAV) that contains a **category A area**— transfer on title.

²⁸ A Guide to voluntary declarations under the *Vegetation Management Act 1999* is available at www.qld.gov.au.

Option 2: The area to be used as the exchange area is a category X area and is at least one of the following: • The same pre-clear regional ecosystem/s as the impact area or • a higher pre-clear regional ecosystem status (e.g. endangered or of concern) than the values of the impact area • Within 50 metres of the defining bank of a watercourse • Within 50 metres of the defining bank of a wetland • In a location that creates a corridor of at least 100 metres in width between regional ecosystems that are mapped as either a category A area and/or a category B area on the regulated vegetation management map, which are each at least 4 hectares in size and 100 metres in width • An area that adjoins either an area mapped as a category A area and/or a category B area on the regulated vegetation management map, which is at least 4 hectares in size • Another area of environmental significance to flora or fauna under other State or Commonwealth legislation.	Double the impact area, or 1 hectare, whichever is the greater	Declared area (voluntary) and management plan
Option 3: The area to be used as the exchange area is a category X area, a category B area, a category C area or a category R area, and with specific management actions will achieve all of the following: • a substantial conservation outcome or address a significant land degradation issue • remnant vegetation status. An example of a 'substantial conservation outcome' includes restoring: • key habitat for an endangered species listed under State or Commonwealth legislation • an area that is severely weed infested and is an endangered regional ecosystem • the ecological integrity of a Ramsar listed wetland²⁹ • a threatened ecological community listed under State or Commonwealth legislation • an area within or adjacent to a World Heritage property or listed on the National Heritage List for natural values. An example of addressing a significant land degradation issue includes stabilizing and restoring the stream bank of a watercourse that has evidence of mass failure.	Three times the impact area, or 1 hectare, whichever is the greater	Declared area (voluntary) and management plan

²⁹ A list of Ramsar wetlands is available at www.environment.gov.au

List of exempt clearing work

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IMPORTANT:

This document lists exempt clearing work under the *Planning Regulation 2017* and the *Vegetation Management Act 1999*. Some clearing work may be made assessable development by a local government planning scheme, or may require approval under another Act or a local law. Landholders are encouraged to familiarise themselves with the Acts and regulations relevant to their operations, and to seek advice from the local government.

This version reflects amendments to the *Planning Regulation 2017* made by the *Natural Resources and Other Legislation Amendment Act 2019* in May 2019.

For more information, please visit www.dsdmip.qld.gov.au

Introduction

The following tables provide a list of exempt clearing work.

The following three steps will assist you to determine if your proposed activity is exempt clearing work:

1. Locate the applicable table below that relates to your land tenure (e.g. freehold, leasehold etc.)
Note: Table 1 applies to all land tenures generally.
2. Find any applicable clearing activity / purpose in the first column of the table.
3. Check the Regulated Vegetation Management Map or regional ecosystem mapping to determine if the mapped vegetation category or status of remnant vegetation for the proposed clearing area is listed in the second column of the table. These maps are available on the Department of Natural Resources, Mines and Energy (DNRME) website at www.qld.gov.au.

For further information call **135 VEG (135 834)**

email vegetation@dnrme.qld.gov.au

or search 'Vegetation Management' on www.qld.gov.au

Table 1: Exempt clearing work on land generally

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
- Clearing under a development approval for a material change of use or reconfiguring a lot, if the approval is given for a development application and: a. for which the chief executive is a referral agency for clearing vegetation; or b. relates to a lot of less than 5 ha – for which a local government is the assessment manager. - Clearing vegetation in an area declared under the <i>Vegetation Management Act 1999</i>, section 19F if the clearing is carried out under the management plan for the area and for either: a. one or more of the following purposes listed in section 22A of the <i>Vegetation Management Act 1999</i>: - controlling non-native plants or declared pests; - ensuring public safety; - fodder harvesting; - managing thickened vegetation; - clearing for encroachment; - necessary environmental clearing; or b. establishing a necessary fence, firebreak, road or vehicular track and the clearing can not reasonably be avoided or minimised. - Clearing vegetation under a land management agreement for a lease under the <i>Land Act 1994</i>, and for one or more of the following purposes listed in section 22A of the <i>Vegetation Management Act 1999</i>: a. controlling non-native plants or declared pests; b. ensuring public safety; c. relevant infrastructure activities where the clearing can not reasonably be avoided or minimised; d. fodder harvesting; e. managing thickened vegetation; f. clearing for encroachment; g. necessary environmental clearing. - A traditional Aboriginal or Torres Strait Islander cultural activity, other than a commercial activity. - A resource activity as defined under the <i>Environmental Protection Act 1994</i>, section 107.	- Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> - Category B - Category C - Category R

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
• Development for geothermal exploration carried out under a geothermal exploration permit under the <i>Geothermal Energy Act 2010</i>. • Clearing vegetation, for an airport-related purpose, on airport premises. • An activity under the <i>Fire and Emergency Services Act 1990</i>, section 53, 68 or 69. • An activity under: a. the <i>Electricity Act 1994</i>, section 101 or 112A; or b. the <i>Electricity Regulation 2006</i>, section 17. • An activity authorised under the <i>Forestry Act 1959</i>. • Clearing vegetation on premises in an area for which an area management plan under the <i>Vegetation Management Act 1999</i>, section 20J is in force at the time of the clearing if: a. the owner of the premises, within the meaning of that Act, or a person authorised by the owner, does the clearing; and b. the clearing complies with the area management plan, including any condition of the plan requiring the owner to give notice of the clearing to the chief executive of the department in which that Act is administered. • Clearing vegetation on land stated in the <i>Forestry Act 1959</i>, section 55 (1) (b), (c) or (d) to the extent the clearing is for accessing and extracting quarry material for road works under the <i>Transport Infrastructure Act 1994</i>. • Clearing vegetation for the construction or maintenance of infrastructure stated in schedule 5 of the <i>Planning Act 2016</i>, if: a. The clearing is on designated purposes; or b. the infrastructure is government supported transport infrastructure. • Clearing vegetation in an area for which a disaster situation declaration has been made if the clearing: a. is necessary to prevent or minimise: ▪ loss of human life, or illness or injury to humans; or ▪ property loss or damage; or ▪ damage to the environment; and b. happens during the period that started when the disaster situation declaration was made and ends on the later of the following days:	

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
▪ the day that is one year after the day on which the disaster situation declaration was made; ▪ another day decided by the chief executive by written notice. • Clearing vegetation that is necessary to carry out a cadastral survey of an existing property boundary, a geotechnical survey or a geological survey if the area cleared is: a. for an area in which a survey is conducted—a maximum area of 10m²; and b. for an area necessary for reasonable access to an area in which a survey is conducted—a maximum of 10m wide. • Clearing vegetation that is necessary to remediate contaminated land recorded in the environmental management register or contaminated land register. • Clearing vegetation that is necessary to carry out activities authorised to be carried out at land on which an abandoned mine exists under the <i>Mineral Resources Act 1989</i>, section 344A. • Clearing vegetation to which the <i>Vegetation Management Act 1999</i> does not apply to or affect. • Clearing vegetation for the construction or maintenance of infrastructure stated in schedule 5 of the <i>Planning Regulation 2017</i> if: a. the clearing is on designated premises; or b. the infrastructure is government supported transport infrastructure.	
Clearing an area of vegetation within a watercourse or lake for an activity (other than an activity relating to a material change of use or reconfiguring a lot) if the clearing is: a. subject to an approval process, and is approved under the Act or another Act; b. a necessary or unavoidable consequence of an activity allowed by a permit given under section 221 of the Water Act; or c. a necessary and unavoidable consequence of an activity carried out under the 'Riverine Protection Permit Exemption Requirements'.	• Clearing under a self-assessable vegetation clearing code other than Category A OR • Less than 0.5ha of Category B (Least Concern regional ecosystems only) OR • Less than 0.5ha of Category X, C or R.

Table 2: Exempt clearing work on freehold and Indigenous land

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
For any purpose.	Category X
- For a forest practice. - For residential clearing, where: a. the building work for the dwelling that necessitates the clearing is carried out: - under a development permit; or - by, or for, the State or a public sector entity; or b. the dwelling that necessitates the clearing is for public housing. - For establishing or maintaining a necessary firebreak to protect infrastructure¹, other than a fence, road or vehicular track, if the maximum width of firebreak is 1.5 times the height of the tallest vegetation next to the infrastructure¹, or 20m, whichever is the wider. - For establishing a necessary fire management line up to 10m wide. - Necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure¹. - For reducing hazardous fuel loads by fire under the <i>Fire and Emergency Services Act 1990</i>. - Necessary for maintaining infrastructure¹ including core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, water facilities and constructed drains other than contour banks, unless the clearing is for sourcing construction material. - For maintaining a garden or orchard, provided the predominant canopy trees are retained. - By the owner of freehold land to source construction timber to maintain infrastructure¹ on any land of the owner, if: a. the clearing does not cause land degradation; and b. restoration of a similar type to, and to the extent of, the removed trees, is ensured. - For development related to priority development areas.	- Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> - Category B - Category C - Category R
- To establish a necessary fence, road or vehicle track up to 10m wide. - To establish necessary built infrastructure¹ (including core airport infrastructure) other than contour banks, fences, roads or vehicular tracks if:	- Category B (Least Concern regional ecosystems only) - Category C - Category R

a. the clearing is not to source construction timber; b. the total area cleared is less than 2ha; and c. the total area covered by the infrastructure¹ is on less than 2ha. • By the owner of freehold land to source construction timber for establishing infrastructure¹ on any land of the owner, if: a. the clearing does not cause land degradation; and b. restoration of a similar type to, and to the extent of, the removed trees, is ensured.	
• Clearing conducted under an accepted development vegetation clearing code. • On indigenous land only, clearing required for gathering, digging or removing forest products for use under the <i>Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984</i>, section 62.	• Category B • Category C • Category R
For an urban purpose (e.g. residential, industrial, sporting, recreational or commercial) in an urban area.	• Category B (Least Concern or Of Concern regional ecosystems only) • Category C • Category R
• Clearing for an extractive industry in a Key Resource Area. • Clearing for a Significant Community Project.	• Category C • Category R

Table 3: Exempt clearing work on leasehold land for agriculture and grazing

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
For any purpose.	Category X
- For residential clearing, where: a. the building work for the dwelling that necessitates the clearing is carried out: - under a development permit; or - by, or for, the State or a public sector entity; or b. the dwelling that necessitates the clearing is for public housing. - For establishing or maintaining a necessary firebreak to protect infrastructure¹, other than a fence, road or vehicular track, if the maximum width of firebreak is 1.5 times the height of the tallest vegetation next to the infrastructure¹, or 20m, whichever is the wider. - For establishing a necessary fire management line up to 10m wide. - Necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure¹. - For reducing hazardous fuel loads by fire under the <i>Fire and Emergency Services Act 1990</i>. - Necessary for maintaining infrastructure¹ including core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, water facilities and constructed drains other than contour banks, unless the clearing is for sourcing construction material. - For maintaining a garden or orchard, provided the predominant canopy trees are retained. - By the lessee to source construction timber to repair infrastructure¹ on the land, if: a. the infrastructure¹ is in need of immediate repair; b. and the clearing does not cause land degradation; and c. restoration of a similar type to, and to the extent of, the removed trees, is ensured.	- Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> - Category B - Category C - Category R
- To establish a necessary fence, road or vehicle track up to 10m wide. - To establish necessary built infrastructure¹ (including core airport infrastructure) other than contour banks, fences, roads or vehicular tracks if:	- Category B (Least Concern regional ecosystems only) - Category C

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
a. the clearing is not to source construction timber; b. the total area cleared is less than 2ha; and c. the total area covered by the infrastructure¹ is on less than 2ha. • By the lessee to source construction timber, other than commercial timber, for establishing necessary infrastructure¹ on the land, if: a. and the clearing does not cause land degradation; and b. restoration of a similar type to, and to the extent of, the removed trees, is ensured.	• Category R
Clearing conducted under an accepted development vegetation clearing code.	• Category B • Category C • Category R
• Clearing for an extractive industry in a Key Resource Area. • Clearing for a Significant Community Project.	• Category C • Category R

Table 4: Exempt clearing work on leasehold land other than a lease for agriculture and grazing

Clearing activity/purpose	Applicable vegetation category / status or clearing requirement / limitation
For any purpose consistent with the purposes of the lease.	• Category R • Category X
Consistent with the purposes of the lease, and is one of the following: • for residential clearing, where: a. the building work for the dwelling that necessitates the clearing is carried out: ▪ under a development permit; or ▪ by, or for, the State or a public sector entity; or b. the dwelling that necessitates the clearing is for public housing; • for establishing or maintaining a necessary firebreak to protect infrastructure¹, other than a fence, road or vehicular track, if the maximum width of firebreak is 1.5 times the height of the tallest vegetation next to the infrastructure¹, or 20m, whichever is the wider; • for establishing a necessary fire management line up to 10m wide; • necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure¹; • for reducing hazardous fuel loads by fire under the <i>Fire and Emergency Services Act 1990</i>; • necessary for maintaining infrastructure¹ including core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, water facilities and constructed drains other than contour banks, unless the clearing is for sourcing construction material; or • for maintaining a garden or orchard, provided the predominant canopy trees are retained.	• Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> • Category B • Category R
Consistent with the purposes of the lease, and is one of the following: • to establish a necessary fence, road or vehicle track up to 10m wide. • to establish necessary built infrastructure¹ (including core airport infrastructure) other than contour banks, fences, roads or vehicular tracks if: a. the clearing is not to source construction timber; b. the total area cleared is less than 2ha; and c. the total area covered by the infrastructure¹ is on less than 2ha.	• Category B (Least Concern regional ecosystems only) • Category R

Clearing activity/purpose	Applicable vegetation category / status or clearing requirement / limitation
Clearing conducted under an accepted development vegetation clearing code where the clearing is consistent with the purposes of the lease.	• Category B • Category R
Clearing in an urban area for an urban purpose (e.g. residential, industrial, sporting, recreational or commercial) where the clearing is consistent with the purposes of the lease.	Category B (Least Concern or Of Concern regional ecosystems only)

Table 5: Exempt clearing work on land dedicated as a road under the Land Act 1994

Clearing activity/ purposes	Applicable vegetation category / status or clearing requirement / limitation
Clearing vegetation that is carried out by a local government, or by or for the chief executive (transport).	• Category R • Category X
Clearing vegetation that is carried out by a local government, or by or for the chief executive (transport), and is necessary to construct or maintain road transport infrastructure or to source construction material for roads.	• Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> • Category B
Clearing vegetation that is carried out by a local government to remove: a. vegetation that is not native vegetation; or b. in accordance with a biosecurity plan made by the local government under the <i>Biosecurity Act 2014</i>.	• Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> • Category B • Category R • Category X
Clearing vegetation that is: • necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure; • by fire under the <i>Fire and Emergency Services Act 1990</i> to reduce hazardous fuel loads; • necessary to maintain infrastructure located on the road, other than fences; • necessary to maintain an existing boundary fence to the maximum width of 3m; • necessary for reasonable access to adjoining land from the formed road for a maximum width of 10m; or • necessary to maintain a firebreak or garden located on the road.	• Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> • Category B • Category R • Category X
Clearing conducted under an accepted development vegetation clearing code.	• Category B • Category R

Table 6: Exempt clearing work on trust land under the *Land Act 1994* (other than indigenous land)

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
Consistent with achieving the purposes of the trust, any vegetation clearing carried out, or authorised to be carried out, by the trustee.	• Category R • Category X
Consistent with achieving the purposes of the trust, clearing vegetation carried out, or authorised to be carried out, by the trustee: • for establishing or maintaining a necessary firebreak to protect infrastructure¹, other than a fence, road or vehicular track, if the maximum width of firebreak is 1.5 times the height of the tallest vegetation next to the infrastructure¹, or 20m, whichever is the wider; • for establishing a necessary fire management line up to 10m wide; • necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure¹; • for reducing hazardous fuel loads by fire under the <i>Fire and Emergency Services Act 1990</i>; • necessary for maintaining infrastructure¹ including core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, water facilities and constructed drains other than contour banks, unless the clearing is for sourcing construction material; • for maintaining a garden or orchard, provided the predominant canopy trees are retained; • to remove vegetation that is not native vegetation; or • is in accordance with a relevant biosecurity plan under the <i>Biosecurity Act 2014</i>.	• Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> • Category B • Category R • Category X
Clearing in an urban area for an urban purpose (e.g. residential, industrial, sporting, recreational or commercial) where the clearing is consistent with achieving the purposes of the trust, and is carried out, or authorised to be carried out, by the trustee.	Category B (Least Concern or Of Concern regional ecosystems only)

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
Consistent with achieving the purposes of the trust, clearing carried out, or authorised to be carried out, by the trustee: - to establish a necessary fence, road or vehicle track up to 10m wide; or - to establish necessary built infrastructure¹ (including core airport infrastructure) other than contour banks, fences, roads or vehicular tracks if: - the clearing is not to source construction timber; - the total area cleared is less than 2ha; and - the total area covered by the infrastructure¹ is on less than 2ha.	Category B (Least Concern regional ecosystems only)
Clearing conducted under an accepted development vegetation clearing code where the clearing is consistent with achieving the purposes of the trust, and the clearing is carried out, or authorised to be carried out, by the trustee.	- Category B - Category C - Category R

Table 7: Exempt clearing work on unallocated State land

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
Clearing for any purposes carried out, or authorised to be carried out, by the chief executive administering the <i>Land Act 1994</i> .	• Category R • Category X
Clearing carried out, or authorised to be carried out, by the chief executive administering the <i>Land Act 1994</i>: • for establishing or maintaining a necessary firebreak to protect infrastructure¹, other than a fence, road or vehicular track, if the maximum width of firebreak is 1.5 times the height of the tallest vegetation next to the infrastructure¹, or 20m, whichever is the wider; • for establishing a necessary fire management line up to 10m wide; • necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure¹; • for reducing hazardous fuel loads by fire under the <i>Fire and Emergency Services Act 1990</i>; • necessary for maintaining infrastructure¹ including core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, water facilities and constructed drains other than contour banks, unless the clearing is for sourcing construction material; • for maintaining a garden or orchard, provided the predominant canopy trees are retained; • to control declared pests or vegetation that is not native vegetation; or • for development related to priority development areas.	• Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> • Category B • Category R
Clearing carried out, or authorised to be carried out, by the chief executive administering the <i>Land Act 1994</i>: • to establish a necessary fence, road or vehicle track up to 10m wide; or • to establish necessary built infrastructure¹ (including core airport infrastructure) other than contour banks, fences, roads or vehicular tracks if: a. the clearing is not to source construction timber; b. the total area cleared is less than 2ha; and c. the total area covered by the infrastructure¹ is on less than 2ha.	Category B (Least Concern regional ecosystems only)

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
Clearing conducted under an accepted development vegetation clearing code carried out, or authorised to be carried out, by the chief executive administering the <i>Land Act 1994</i> .	• Category B • Category R

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Table 8: Exempt clearing work on a land subject to a licence or permit under the *Land Act 1994*

Clearing activity / purpose	Applicable vegetation category / status or clearing requirement / limitation
Clearing for any purpose carried out by the licensee or permittee.	- Category R - Category X
Clearing carried out by the licensee or permittee: - for establishing or maintaining a necessary firebreak to protect infrastructure¹, other than a fence, road or vehicular track, if the maximum width of firebreak is 1.5 times the height of the tallest vegetation next to the infrastructure¹, or 20m, whichever is the wider; - for establishing a necessary fire management line up to 10m wide; - necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure¹; - for reducing hazardous fuel loads by fire under the <i>Fire and Emergency Services Act 1990</i>; - necessary for maintaining infrastructure¹ including core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, water facilities and constructed drains other than contour banks, unless the clearing is for sourcing construction material; - for maintaining a garden or orchard, provided the predominant canopy trees are retained; or - for development related to priority development areas.	- Category B - Category R
Clearing carried out by the licensee or permittee: - to establish a necessary fence, road or vehicle track up to 10m wide; or - to establish necessary built infrastructure¹ (including core airport infrastructure) other than contour banks, fences, roads or vehicular tracks if: a. the clearing is not to source construction timber; b. the total area cleared is less than 2ha; and c. the total area covered by the infrastructure¹ is on less than 2ha.	Category B (Least Concern regional ecosystems only)
Clearing in an urban area for an urban purpose (e.g. residential, industrial, sporting, recreational or commercial) carried out by the licensee or permittee.	Category B (Least Concern or Of Concern regional ecosystems only)
Clearing conducted under a self-assessable vegetation clearing code carried out by the licensee or permittee.	- Category B - Category R

ⁱ Infrastructure, for this exemption, includes a building, or other structure, built or used for any purpose.

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