Accepted development vegetation clearing code

Managing encroachment

Effective 21 June 2019
Table of contents

Glossary ................................................................................................................................................. 3
1 Introduction ................................................................................................................................... 7
   1.1 Purpose .......................................................................................................................................... 7
   1.2 Scope ............................................................................................................................................. 8
   1.3 Objective ......................................................................................................................................... 8
   1.4 Commencement date ..................................................................................................................... 9
   1.5 Assistance ...................................................................................................................................... 9
2 Notification requirements ............................................................................................................ 9
   2.1 Notification process ...................................................................................................................... 10
   2.2 Notification limitations ................................................................................................................... 10
3 Compliance requirements ......................................................................................................... 11
4 Clearing requirements ............................................................................................................... 12
   4.1 Demonstrating encroachment ...................................................................................................... 13
   4.2 General clearing limitations ........................................................................................................ 13
   4.3 Mechanical clearing ...................................................................................................................... 13
   4.4 Chemical clearing ......................................................................................................................... 14
   4.5 Encroachment management burning ........................................................................................... 15
   4.6 Soil and water quality protections ............................................................................................... 15
Appendix 1— Other relevant legislation ........................................................................................... 16
Landholders are encouraged to familiarise themselves with the Acts and regulations relevant to their operations, and to seek advice from the department if required.
Glossary

The following 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

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aerial application</strong></td>
<td>Is the application of herbicide from an aircraft or drone.</td>
</tr>
<tr>
<td><strong>Defining bank</strong></td>
<td>Is the bank that confines the seasonal flows, but which may be inundated by flooding from time to time, and can be either:</td>
</tr>
<tr>
<td></td>
<td>• the bank or terrace that confines the water before the point of flooding or</td>
</tr>
<tr>
<td></td>
<td>• where there is no bank, the <em>seasonal high water line</em> that represents the point of flooding.</td>
</tr>
<tr>
<td><strong>Diameter</strong></td>
<td>Is the width of a tree trunk measured at 1.3 metres above the ground.</td>
</tr>
<tr>
<td><strong>Ecological processes</strong></td>
<td>Is the range of natural processes which maintain an ecosystem, including but not limited to:</td>
</tr>
<tr>
<td></td>
<td>• hydrological processes</td>
</tr>
<tr>
<td></td>
<td>• soil development</td>
</tr>
<tr>
<td></td>
<td>• nutrient cycling</td>
</tr>
<tr>
<td></td>
<td>• chemical processes including storage of nutrients</td>
</tr>
<tr>
<td></td>
<td>• decomposition and cycling of organic matter</td>
</tr>
<tr>
<td></td>
<td>• pollination and seed production</td>
</tr>
<tr>
<td></td>
<td>• seed dispersal</td>
</tr>
<tr>
<td></td>
<td>• predator-prey relationships</td>
</tr>
<tr>
<td></td>
<td>• germination and recruitment of species</td>
</tr>
<tr>
<td></td>
<td>• the carbon cycle and stability of atmospheric carbon</td>
</tr>
<tr>
<td></td>
<td>• habitats for flora and fauna (such as particular regional ecosystems, logs, rocks, debris, leaf litter, nectar, hollow bearing trees, food and shelter).</td>
</tr>
<tr>
<td><strong>Encroachment management burn</strong></td>
<td>Is a burn that is planned and undertaken for the purpose of managing <em>encroachment</em>, and which restores the range of plant species, size classes, and vegetation densities typical of the <em>regional ecosystem</em>.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong> An <em>encroachment management burn</em> is not for the purpose of reducing hazardous fuel loads.2</td>
</tr>
</tbody>
</table>

---

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..

2 Reducing hazardous fuel loads by fire under the *Fire and Emergency Services Act 1990*, is exempt clearing work.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Exempt clearing work</strong></td>
<td>Has the meaning given in Schedule 24 (Dictionary) of the Planning Regulation 2017.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong> A list of <em>exempt clearing work</em> is available at: <a href="http://www.qld.gov.au">www.qld.gov.au</a>.</td>
</tr>
<tr>
<td><strong>Grove</strong></td>
<td>Is a patch of native woody <em>vegetation</em> present in <em>historical imagery</em>.</td>
</tr>
<tr>
<td><strong>Habitat tree</strong></td>
<td>Is a living or dead standing native tree that contains either: <em>one or more visible hollows positioned at least two metres above the base of the tree</em> or <em>an active bird’s nest or the nest of a raptor or other bird that uses the same nest each year.</em></td>
</tr>
<tr>
<td><strong>Historical imagery</strong></td>
<td>Is an aerial photograph or satellite image used to demonstrate <em>encroachment</em> that was taken more than 15 years ago.</td>
</tr>
</tbody>
</table>
| **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 *Land Act 1994* provided that the *clearing* is consistent with the purposes of the lease  
  - a sub-lessee of a lease under the *Land Act 1994* 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 *Land Act 1994* 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.  
  - 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 *Electricity Act 1994*). |

---

3 *Habitat trees* are used, or potentially used, by hollow-dwelling fauna.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land zones</strong></td>
<td>Are categories that describe the major geologies, associated landforms and geomorphic processes in Queensland. The <em>land zone</em> can be identified by the middle number in the three digit regional ecosystem identification code. For example, the <em>regional ecosystem</em> identified by the code 12.3.4 is in <em>land zone</em> 3.</td>
</tr>
<tr>
<td><strong>Mature tree</strong></td>
<td>Is a native tree that is:</td>
</tr>
<tr>
<td></td>
<td>• a <em>Eucalyptus, Corymbia, Lophostemon</em> or <em>Angophora</em> species (<em>gum</em> or <em>box</em> trees) with a single trunk or several trunks with a <strong>diameter</strong> of 30 centimetres or more</td>
</tr>
<tr>
<td></td>
<td>• another tree species such as a wattle, with— a single trunk with a <strong>diameter</strong> of 20 centimetres or more; or several trunks with a <strong>diameter</strong> of 25 centimetres or more.</td>
</tr>
<tr>
<td></td>
<td>(If there are several trunks, add the <strong>diameters</strong> of the largest two trunks.)</td>
</tr>
<tr>
<td><strong>Mechanical clearing</strong></td>
<td>Is the <strong>clearing of vegetation</strong> using any of the following methods:</td>
</tr>
<tr>
<td></td>
<td>• <strong>Slashing</strong></td>
</tr>
<tr>
<td></td>
<td>• <strong>Brush cutting</strong></td>
</tr>
<tr>
<td></td>
<td>• Machinery which disturbs the soil surface or uproots woody <strong>vegetation</strong>.</td>
</tr>
<tr>
<td><strong>Pre-clearing photographs</strong></td>
<td>Are photographs taken to document the presence of <em>encroachment</em> prior to clearing and retained as a record for auditing and compliance purposes.</td>
</tr>
<tr>
<td><strong>Recent imagery</strong></td>
<td>Is an aerial photograph or satellite image used to demonstrate <em>encroachment</em> that was taken less than 15 years ago.</td>
</tr>
<tr>
<td><strong>Recognised best practice methods</strong></td>
<td>Is a method recognised by a State or Federal government agency to prevent increased <strong>soil erosion and instability</strong>, stabilise <strong>soil erosion and instability</strong> 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.</td>
</tr>
<tr>
<td><strong>Regulated regrowth vegetation</strong></td>
<td>Is <strong>vegetation</strong> contained in a <strong>category C area</strong> or <strong>category R area</strong>.</td>
</tr>
<tr>
<td><strong>Root-absorbed broad spectrum herbicides</strong></td>
<td>Are broad spectrum herbicides that are primarily absorbed by the roots of plants, rather than the shoots.</td>
</tr>
</tbody>
</table>

---

4 Examples of *root-absorbed broad spectrum herbicides* are hexazinone (Velpar) or tebuthiuron (Graslan). Glyphosate is not considered a *root absorbed broad spectrum herbicide*.  

Managing encroachment, Department of Natural Resources, Mines and Energy, 2019
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Salinity expression area</strong></td>
<td>Is an area containing more than one of the following salinity indicators:</td>
</tr>
<tr>
<td></td>
<td>• Plant species tolerant of saline conditions, shallow water tables or poor drainage (waterlogging)</td>
</tr>
<tr>
<td></td>
<td>• Wet areas in lower parts of the landscape or bare soil (soil scalding)</td>
</tr>
<tr>
<td></td>
<td>• Dieback of larger trees in low, wetter parts of the landscape (outside drought conditions or the effects of fire)</td>
</tr>
<tr>
<td></td>
<td>• Salt accumulations on the surface (often white and powdery, sometimes crystalline)</td>
</tr>
<tr>
<td></td>
<td>• Areas of shallow groundwater.</td>
</tr>
<tr>
<td><strong>Seasonal high water line</strong></td>
<td>Is the zone that represents the usual peak seasonal flow level, identifiable by deposition, debris or characteristic vegetation zonation.</td>
</tr>
<tr>
<td><strong>Self-audit</strong></td>
<td>Is an assessment made either by the landholder, a person who cleared under the code on behalf of the landholder, or a third party to evaluate whether the clearing is consistent with this code, using the department’s self-audit form for Managing Encroachment, which is available at <a href="http://www.qld.gov.au">www.qld.gov.au</a>.</td>
</tr>
<tr>
<td><strong>Soil erosion and instability</strong></td>
<td>Is the occurrence of gully erosion greater than 30 centimetres in depth, landslips, a scarp, soil scalding or stream bank slumping.</td>
</tr>
</tbody>
</table>

---

5 For example—Melaleuca spp. (in particular Melaleuca bracteata and Melaleuca quinquenervia), Sporobolus spp. (in particular saltwater or marine couch), Salsola kali (soft roly-poly), Sclerolaena spp. (in particular prickly roly-poly), Cyperus spp. (sedges), Juncus spp. (rushes), Atriplex spp. (saltbushes), Halosarcia spp. (samphires), Chloris spp. (Rhodes grasses), Cynodon dactylon (common couch), Enchylaena tomentose (ruby saltbush), Sesuvium portulacastrum (purslane), Tecticornia species (samphires), Phragmites spp.

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

The Vegetation Management Act 1999 (the Vegetation Management Act), in conjunction with the Planning Act 2016 (the Planning Act) and subordinate legislation, regulates the clearing of remnant vegetation and regulated regrowth vegetation. This code, which was made by the Minister on 5 June 2019 (effective 21 June 2019) 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 qualifies as exempt clearing work under schedule 21 of the Planning Regulation 2017.

Note: Other legislation may also affect your intended vegetation management 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 manage the encroachment of native woody vegetation into regulated grassland regional ecosystems, in accordance with requirements designed to meet the objectives outlined in section 1.3.

Encroachment means a woody species that has invaded an area of a grassland regional ecosystem to an extent the area is no longer consistent with the description of the regional ecosystem.

If clearing to manage encroachment does not comply with all of the requirements of this code, it is classified as either assessable or prohibited development under the Planning Act and may be subject to the relevant offence provisions.7

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 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.

7 DNRME uses satellite imagery to monitor compliance with vegetation management legislation.
1.2 Scope
This code applies to the clearing of vegetation in category B areas, category C areas or category R areas\(^8\) only.

This code applies over land that is any of the following tenure:

- **Freehold** land
- **Indigenous land**
- State-owned leasehold land granted for agricultural or grazing purposes issued under the *Land Act 1994* (the Land Act)
- Land subject of an occupation licence under the Land Act.

This code only applies to the **regional ecosystems** listed in Table 1, section 4.

This code does not apply to:

- clearing in a **category B area**, **category C area** or **category R area** on:
  - a stock route
  - a road
  - state-owned leasehold land granted under the Land Act for purposes other than agriculture or grazing
  - other state land tenures such as a state lease, licence (other than occupation licenses under the Land Act), permit to occupy, trustee lease or trustee permit issued under the Land Act.
- clearing that is inconsistent with a condition of a development approval that remains enforceable.

---

Clearing of encroachment in exempt grassland regional ecosystems\(^9\) is not regulated by the Vegetation Management Act and can be undertaken without notifying under this code.

1.3 Objective
The objective of this code is that clearing to manage encroachment achieves the following environmental outcomes:

- Restores and maintains **regional ecosystems** to their typical floristic composition
- Prevents **land degradation**

---

\(^8\) Any areas cleared under this code to manage encroachment will remain mapped as a category B area, category C area or category R area, as relevant, on the regulated vegetation management map.

\(^9\) Exempt grassland regional ecosystems are those listed in Schedule 5 of the Vegetation Management Regulation 2012.
• Restores and maintains ecological processes and biodiversity
• Maintains of bank stability, water quality and habitat of wetlands, watercourses and drainage features
• Maintains regional ecosystems.

1.4 Commencement date
This code became effective on 21 June 2019, replacing the previous code for Managing encroachment dated 2 December 2013.

From the commencement date of this code, notifications made under the superseded code are no longer valid.

If you wish to manage encroachment on your property using an accepted development vegetation clearing code, you will need to lodge a new notification and meet the requirements of this code.

Note: Even if you have been managing encroachment under the superseded Managing encroachment code, to continue to clear you will need to notify under this code and comply with the requirements of this code.

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\textsuperscript{10} or
2. a third party\textsuperscript{11}.

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

\textsuperscript{10} This includes a person authorised to notify on the landholder’s behalf, such as someone who holds a power of attorney.

\textsuperscript{11} For example, a mining company seeking to clear a utility corridor on private land.
2.1 Notification process

1. 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

2. Lodge the completed form with DNRME.

3. 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. A notification is limited to a single lot. Each notification is limited to 400 hectares.

2. A notification remains in effect for two years from the date DNRME issues confirmation of your notification.\(^{12}\)

3. If your property consists of multiple lots, you may lodge a notification for each lot.

   For example: Your property is comprised of two lots, and both have regional ecosystems in which managing encroachment can occur. It is possible to notify DNRME that you intend to manage encroachment on each lot, up to a maximum of 400 hectares on each lot.

4. You may make a subsequent notification to clear to manage encroachment. However, before lodging the notification, you must undertake a self-audit to ensure that the clearing already undertaken has satisfied the code requirements. If the results of the self-audit indicate that your clearing is consistent with the requirements in this code, you may renotify. Otherwise, you should contact DNRME.

---

\(^{12}\) 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.
For example: You notified DNRME of your intention to manage *encroachment* across an area of 400 hectares on 17 June 2019. You cleared the 400 hectares over the months from July to November 2019. You undertook a *self-audit*, and the results indicate your *clearing* was consistent with the code requirements. In August 2020 you need to manage additional *encroachment*. Because you have undertaken a *self-audit*, and the results indicate the area *cleared* satisfies the code, you can notify DNRME of your intention to manage *encroachment* across another area of your lot.

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* in accordance with all of the requirements (section 4 of this code).
3. Keep all of the following records and make them available to DNRME upon request:
   a. *pre-clearing photographs* required by section 4.1, noting the date and associated GPS coordinates
   b. *historical imagery* and *recent imagery* used to demonstrate *encroachment*
   c. the name of the invading native woody species causing the *encroachment* issue
   d. for chemical *clearing* methods, the herbicide used and details on how and where it was applied
   e. if you have contracted another person to undertake the *clearing* on your behalf:
      i. contractor details (name, address, contact details)
      ii. instructions to contractors, detailing location, date, time and species
4. Keep all *self-audit* results, where relevant, and make them available to DNRME upon request.

*Note: To monitor your compliance with the code, it is recommended that you undertake a self-audit after clearing a small portion of the total area. If the results indicate that there are compliance issues, discontinue the clearing activity and contact DNRME for assistance or advice on how to proceed.*
4 Clearing requirements

1. Under a single notification, the total area of any lot that is cleared to manage encroachment must not exceed 400 hectares.

2. Clearing is only permitted where both of the following apply:
   a. The area is a regional ecosystem listed in Table 1.
   b. A native woody species has invaded the regional ecosystem, to an extent that it is no longer consistent with the description of the regional ecosystem.

An example of when natural floristic composition and structure has changed is where a native woody species has caused an increase in canopy cover beyond that consistent with the regional ecosystem, and reduced the abundance of native grasses.

Information about floristic composition and vegetation structure for each regional ecosystem can be found on the Regional Ecosystem Description Database (REDD) at www.qld.gov.au.

<table>
<thead>
<tr>
<th>Table 1: Regional ecosystems to which this code applies</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.3.56</td>
</tr>
<tr>
<td>3.3.60</td>
</tr>
<tr>
<td>3.3.61</td>
</tr>
<tr>
<td>3.12.32</td>
</tr>
</tbody>
</table>

3. Encroachment of the invading native woody species within the regional ecosystem must be demonstrated in accordance with section 4.1.

4. Clearing to manage the invading native woody species must then comply with all of the following:
   a. General clearing limitations in section 4.2
   b. Clearing method restrictions in section 4.3 (mechanical clearing), section 4.4 (chemical clearing) and section 4.5 (controlled burning)
   c. Soil and water quality protections in section 4.6
4.1 Demonstrating encroachment

Before notifying DNRME of your intention to clear under this code, you must be able to demonstrate that encroachment has occurred using the following process:

1. Compare historical imagery and recent imagery which cover the same area and are at the same scale. The historical imagery and the recent imagery must exhibit both of the following:
   a. Evidence of scale
   b. Identifiable areas of woody vegetation, grasses and/or bare earth
2. Identify encroachment by locating the invading woody vegetation present in recent imagery, that is absent in historical imagery.
3. Locate four sites around the perimeter of the encroachment area on the ground representing each cardinal direction and record GPS coordinates at each site, noting the site and coordinates on the recent imagery.
4. Take two pre-clearing photographs at each site in the following sequence:
   a. Photo one—taken facing away from the encroachment
   b. Photo two—taken facing towards the encroachment

4.2 General clearing limitations

When clearing, all of the following applies:

1. Clearing must target the invading native woody species causing the encroachment.
2. Clearing must retain both:
   a. mature trees
   b. habitat trees unless it is necessary to remove a dead habitat tree that poses a safety risk
3. Clearing must not result in debris pushed up against any mature tree or habitat tree.
4. Clearing must not occur within a grove, unless it is undertaken by controlled burning methods in accordance with section 4.5.

4.3 Mechanical clearing

Mechanical clearing is not permitted within any of the following areas:

1. A riparian protection zone (Table 2)
2. 10 metres from the trunk of a habitat tree
3. 50 metres of an area of soil erosion or instability
4. Slopes greater than five per cent
5. A regional ecosystem that occurs on land zone 1
### Table 2: Riparian protection zones

<table>
<thead>
<tr>
<th>Water feature</th>
<th>Riparian protection zone*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>20 metres</td>
</tr>
<tr>
<td>Stream order† 1 or 2</td>
<td>10 metres</td>
</tr>
<tr>
<td>Stream order 3 or 4</td>
<td>15 metres</td>
</tr>
<tr>
<td>Stream order 5 or more</td>
<td>20 metres</td>
</tr>
</tbody>
</table>

**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.

### 4.4 Chemical clearing

When chemical *clearing*, all of the following applies:

1. **Aerial application** of any herbicide is *not* permitted.
2. Chemical *clearing* is *not* permitted within five metres from the trunk of a *mature tree* or *habitat tree*.
3. Chemical *clearing* using *root-absorbed broad spectrum herbicides* *must* comply with all of the following:
   a. The herbicide *must* be applied in accordance with the approved product label, and the safety and use conditions specified by the Australian Pesticides and Veterinary Medicines Authority.
   b. The application of the herbicide is *not* permitted within any of the following areas:
      i. *regional ecosystem* 11.4.11, 11.8.11
      ii. 10 metres from the trunk of a *mature tree* or *habitat tree*, or at least two times the height of the *mature tree* or *habitat tree*, whichever is the greatest
      iii. 30 metres from a *grove*
      iv. 100 metres of the *defining bank* of a *wetland, watercourse* or *drainage feature*, or any distance specified on the approved product label or the safety and use conditions specified by the Australian Pesticides and Veterinary Medicines Authority, whichever is the greater.
4.5 Encroachment management burning

For an **encroachment management burn**, all of the following applies:

1. Prior to undertaking an **encroachment management burn**, all necessary fire permits must be obtained.\(^{13}\)

2. An **encroachment management burn** must be conducted in such a way (timing, weather, fuel load and lighting pattern) to limit the likelihood of damage to **mature trees** and **habitat trees**.

3. An **encroachment management burn** must be undertaken in accordance with the fire guideline for the **regional ecosystem**, as outlined in the Regional Ecosystem Description Database (REDD) at [www.qld.gov.au](http://www.qld.gov.au).

**Note:** Burning to reduce hazardous fuel loads in accordance with a permit under the Fire and Emergency Services Act 1990 is **exempt clearing work**. You do not need to notify or conduct your burn in accordance with this accepted development vegetation clearing code when reducing hazardous fuel loads by fire under the Fire and Emergency Services Act 1990.

4.6 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**
   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** must not occur within 100 metres of a **salinity expression area**.

3. In **land zone** 3, where the elevation is less than five metres above sea level, top soil must not be mechanically disturbed to a depth greater than 30 centimetres.

---

\(^{13}\) Fire permits can be obtained by contacting your local fire warden, [Rural Fire Service Queensland](http://www.qld.gov.au).
### Appendix 1— Other relevant legislation

<table>
<thead>
<tr>
<th>Activity</th>
<th>Legislation</th>
<th>Agency</th>
<th>Contact details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indigenous cultural heritage</td>
<td>Aboriginal Cultural Heritage Act 2003, Torres Strait Islander Cultural Heritage Act 2003</td>
<td>Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)</td>
<td>Ph. 13 QGOV (13 74 68) <a href="http://www.datsip.qld.gov.au">www.datsip.qld.gov.au</a></td>
</tr>
<tr>
<td>Infrastructure development (coastal)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heritage issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interference with fish passage in a watercourse, mangroves</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest activities15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Road corridor permits</td>
<td>Transport Infrastructure Act 1994</td>
<td>Department of Transport and Main Roads (Queensland Government)</td>
<td>Ph: 13 QGOV (13 74 68) <a href="http://www.tmr.qld.gov.au">www.tmr.qld.gov.au</a></td>
</tr>
<tr>
<td>Local government requirements</td>
<td>Local Government Act 2009, Planning Act 2016</td>
<td>Your relevant local government office</td>
<td></td>
</tr>
</tbody>
</table>

---

14 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](http://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.

15 Contact the Department of Agriculture and Fisheries before clearing:

- any sandalwood on state-owned land (including leasehold land)
- on leasehold 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.