

# Protected plant clearing

Queensland's native plants are protected by law to help ensure their survival for current and future generations.

Queensland has over 14,000 native plant species, making it the most diverse state in Australia. Each one of these plants is a unique and valuable part of the state's rich biodiversity. Some plants are declining in numbers and are at risk of extinction. These plants are classified as critically endangered, endangered, vulnerable and near threatened under the *Nature Conservation Act 1992*.

## What is clearing?

Clearing means taking (e.g. removing or destroying) native plants from where they are growing.

## What is the flora survey trigger map?

The flora survey trigger map shows high risk areas for critically endangered, endangered, vulnerable or near threatened plants. That means one of these plants has been found in the area or that it contains habitat that is likely to have one or more threatened plants.

## How is the trigger map made?

The trigger map includes areas within 2km of where critically endangered, endangered, vulnerable or near threatened plants have been found, and areas where threatened plants are likely to be found based on having very similar habitat characteristics to locations where threatened plants have been recorded. These areas are limited to 'natural areas' i.e. areas mapped as remnant vegetation, regrowth vegetation, category 'A' areas under the *Vegetation Management Act 1999* (e.g. an offset area or areas subject to a restoration notice) and wetlands.

## What native plants can I clear?

If you want to clear native plants that are in your garden, the protected plant clearing laws do not apply as the plants are not 'in the wild'.

If you are outside a mapped high risk area on the flora survey trigger map, and you are not aware of any threatened and near threatened plants in the area, a flora survey or protected plant clearing permit is not required.

Many other activities are 'exempt', which means there are no requirements under the protected plant clearing laws, regardless of whether you are in a mapped high risk area or not. Exempt activities include:

- existing grazing (grazing is not impacted by the protected plant clearing laws unless clearing of native plants is proposed)
- clearing for firebreaks, or doing controlled burns to reduce fuel loads
- clearing to manage encroachment or manage weeds (where it is done in accordance with a vegetation clearing code under the *Vegetation Management Act 1999*)
- clearing for routine maintenance of infrastructure (such as buildings, roads, stockyards, fences and vehicular tracks).

Visit [www.qld.gov.au/protectedplantclearing](http://www.qld.gov.au/protectedplantclearing) for more information on clearing protected plants.



## Can I still carry out farming activities inside a high risk area?

The protected plant clearing laws are only about clearing native plants. These laws are not intended to prevent you from carrying on with your existing land uses if you are not proposing to clear native plants.

### Grazing

Existing grazing is not impacted by these laws. As long as clearing of native plants is not proposed, grazing is not affected regardless of whether the land is in a mapped high risk area or not.

### Timber

Harvesting in timber plantations is not impacted.

### Mining

The protected plant clearing laws include an exemption for taking protected plants by clearing for existing mining and petroleum leases granted prior to March 2014. For new mining proponents with an environmental impact statement (EIS) requirement, trigger maps showing the area is outside a high risk area, are valid for an extended period of five years from the day the terms of reference for the project is published. Mining proponents usually undertake extensive flora surveys as part of their EIS requirements.

## Under what circumstances do I need a flora survey or permit to clear?

If none of the above exemptions apply, and the native plants you propose to clear are in a mapped high risk area and 'in the wild' (e.g. bushland), there are requirements under the protected plant clearing laws. The first step is to decide if clearing is necessary.

If yes, you need to get a suitably qualified person to undertake a flora survey of the clearing impact area and to prepare a flora survey report. A suitably qualified person is typically an ecologist or botanist who meets the qualifications, experience and skills set out in the flora survey guidelines. The outcome of the flora survey will determine if you need a clearing permit or not.

The flora survey is at the expense of the property holder and will determine if you need a clearing permit or not. If the survey shows no threatened or near-threatened plants were found, the Department of Environment and Science charges no fee to remove the area from the map.

For more information on the requirements of the protected plant clearing laws, please visit [www.qld.gov.au/protectedplantclearing](http://www.qld.gov.au/protectedplantclearing).

