

# **Accepted development vegetation clearing code**

## **Necessary environmental clearing**

**Effective 22 November 2023**

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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 relevant agency if required.*

## Glossary

The following table of technical terms and their definitions are essential to an understanding of this accepted development vegetation clearing code (code). Any terms used in this code not included in the below Glossary table have the meaning provided for in the [Vegetation Management Act 1999](#)<sup>1</sup>.

Term	Definition
Acid sulfate soils	Are soils, sediments or other materials containing iron sulfides and/or acidity generated by their breakdown.
Channel diversion	Is clearing that is necessary to divert a section of an existing natural watercourse or drainage feature in a way that replicates the existing watercourse or drainage feature (the new channel).
Contaminant	Is a gas, liquid, solid or energy source, including radioactivity and electromagnetic radiation which is located outside its area of origin.
Contaminant removal	Are activities to remove a contaminant, including pre-removal preparation works and post removal stabilisation works.
Dedicated road	See section 93 of the <a href="#">Land Act 1994</a> .
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: <ul style="list-style-type: none"> <li>• the bank or terrace that confines the water before the point of flooding or</li> <li>• where there is no bank, the seasonal high water line that represents the point of flooding.</li> </ul>
Diameter	Is the width of a tree trunk measured at 1.3 metres above the ground.
Ecological processes	Is the range of natural processes which maintain an ecosystem, including but not limited to: <ul style="list-style-type: none"> <li>• hydrological processes</li> <li>• soil development</li> <li>• nutrient cycling</li> <li>• chemical processes including storage of nutrients</li> <li>• decomposition and cycling of organic matter</li> <li>• pollination and seed production</li> <li>• seed dispersal</li> <li>• predator-prey relationships</li> <li>• germination and recruitment of species</li> <li>• the carbon cycle and stability of atmospheric carbon.</li> <li>• habitats for flora and fauna (such as particular regional ecosystems, logs, rocks, debris, leaf litter, nectar, hollow bearing trees, food and shelter).</li> </ul>
Environmental offset	See the <a href="#">Environmental Offsets Act 2014</a> , section 7(2).
Exempt clearing work	Has the meaning given in Schedule 24 (Dictionary) of the <a href="#">Planning Regulation 2017</a> . <u>Note:</u> A list of exempt clearing work is available at: <a href="http://www.qld.gov.au">www.qld.gov.au</a> (search 'exempt clearing work').

<sup>1</sup> 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. The general guide is available online at [www.qld.gov.au](http://www.qld.gov.au) (search 'General guide to the vegetation clearing codes').

Term	Definition
Felling	Is the cutting of vegetation using equipment that retains the root of the vegetation in the ground, such as a handsaw, axe, brushcutter or chainsaw. The term does not include using a dozer or tractor or other type of machinery to push vegetation.
Flood	Is an overflow of water rising above the defining banks of a wetland, watercourse or drainage feature.
Flood preparation	Are activities to reduce the likelihood or impacts of a flood.
Ground cover	Is any plant matter, either dead or alive, woody or non-woody, that covers the surface of the ground (either attached or detached). For example grasses, shrubs, tree and grass leaf litter, twigs, logs, branches etc.
Habitat tree	Is a living or dead standing native tree that contains either: <ul style="list-style-type: none"> <li>• one or more visible hollows positioned at least two metres above the base of the tree<sup>2</sup></li> <li>or</li> <li>• an active bird's nest or the nest of a raptor or other bird that uses the same nest each year.</li> </ul>
Immature tree	Is any native woody vegetation (other than a mature tree or habitat tree) that is two metres or more in height.
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 <a href="#">section 4.6</a> of this code.  <u>Note:</u> 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.
Immature koala habitat tree	Means a koala habitat tree that is all of the following: <ul style="list-style-type: none"> <li>• is located in a koala habitat area</li> <li>• is not a mature tree or habitat tree</li> <li>• is two metres or more in height.</li> </ul>
Koala habitat area	See the <a href="#">Nature Conservation (Koala) Conservation Plan 2017, section 7B.</a>
Koala habitat tree	See the <a href="#">Nature Conservation (Koala) Conservation Plan 2017, schedule 2 (Dictionary).</a>
Koala offset	Means an environmental offset under the <a href="#">Environmental Offsets Act 2014</a> provided for a matter of State environmental significance mentioned in schedule 2, section 6(3) or 6(4) of the <a href="#">Environmental Offset Regulation 2014</a> that is in relation to a koala habitat area.
Land restoration	Are activities to prepare, stabilise and rehabilitate an area of land degraded by any of the following issues: <ul style="list-style-type: none"> <li>• Soil erosion or instability</li> <li>• A salinity expression area</li> <li>• Acid sulfate soils</li> </ul>

<sup>2</sup> Habitat trees are used, or potentially used, by hollow-dwelling fauna.

Term	Definition
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.
Landholder	<p>Is (where relevant):</p> <ul style="list-style-type: none"> <li>• the registered proprietor of freehold land</li> <li>• a lessee of freehold land, subject to the consent of the freehold owner to make a notification</li> <li>• a lessee of a lease under the <a href="#">Land Act 1994</a> provided the clearing is consistent with the purposes of the lease</li> <li>• a sub-lessee of a lease under the <a href="#">Land Act 1994</a> subject to the consent of the lessee to make a notification and provided the clearing is consistent with the purposes of the lease</li> <li>• a licensee or permittee under the <a href="#">Land Act 1994</a> provided the clearing is consistent with the conditions of the licence or permit</li> <li>• the road authority for a dedicated road</li> <li>• the holder of the title or tenure to the land.</li> </ul>
Mature tree	<p>Is a native tree that is:</p> <ul style="list-style-type: none"> <li>• a <i>Eucalyptus</i>, <i>Corymbia</i>, <i>Lophostemon</i> or <i>Angophora</i> species ('gum' or 'box' trees) with a single trunk or several trunks with a diameter of 30 centimetres or more</li> <li>• another tree species such as a wattle, with— a single trunk with a diameter of 20 centimetres or more; or several trunks with a diameter of 25 centimetres or more.</li> </ul> <p>(If there are several trunks, add the diameters of the largest two trunks.)</p>
New channel	Is a channel constructed to replace a section of a watercourse or drainage feature.
Pre-clearing photographs	Are photographs taken to document the necessity for necessary environmental clearing and retained as a record for auditing and compliance purposes.
Recognised best practice methods	Is 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 <a href="#">Soil Conservation Guidelines for Queensland (3<sup>rd</sup> edition)</a> , a fact sheet or other advice published or provided by a State or Federal government agency.
Regional ecosystem structure category	Is a vegetation density category that is allocated to each regional ecosystem. It can be found within the Vegetation Management Regional Ecosystem Description Database on <a href="http://www.qld.gov.au">www.qld.gov.au</a> (search 'VM REDD') or in a Vegetation Management Property Report for the lot, which can be requested at <a href="http://www.qld.gov.au">www.qld.gov.au</a> (search 'property report').
Road authority	<p>Is for:</p> <ul style="list-style-type: none"> <li>• a State-controlled road under the <a href="#">Transport Infrastructure Act 1994</a>— the chief executive under the Act</li> <li>or</li> <li>• all dedicated roads other than those declared as a state-controlled road under the <a href="#">Transport Infrastructure Act 1994</a> — the local government.</li> </ul>

Term	Definition
Salinity expression area	Is an area containing <u>more than one</u> of the following salinity indicators: <ul style="list-style-type: none"> <li>• Plant species tolerant of saline conditions, shallow water tables or poor drainage (waterlogging)<sup>3</sup></li> <li>• Wet areas in lower parts of the landscape or bare soil (soil scalding)</li> <li>• dieback of larger trees in low, wetter parts of the landscape (outside drought conditions or the effects of fire)</li> <li>• Salt accumulations on the surface (often white and powdery, sometimes crystalline)</li> <li>• Areas of shallow groundwater<sup>4</sup></li> </ul>
Seasonal high water line	Is the zone that represents the usual peak seasonal flow level and can be identified by deposition, debris or characteristic vegetation zonation.
Self-audit	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 Necessary Environmental Clearing, which is available at <a href="http://www.qld.gov.au">www.qld.gov.au</a> (search 'self-audit form').
Soil erosion or instability	Is the occurrence of gully erosion greater than 30 centimetres in depth, landslips, a scarp, soil scalding or stream bank slumping.
Stream order	Means a numerical ordering classification of each stream segment according to its position within a catchment <sup>5</sup> . Streams are watercourses and drainage features shown on the vegetation management watercourse and drainage feature map.
Threatening process	Is a process that includes but is not limited to: <ul style="list-style-type: none"> <li>• fragmentation</li> <li>• climate change</li> <li>• weather events</li> <li>• weed and pest (animal and plant) infestations</li> <li>• fire</li> <li>• disease</li> <li>• land degradation (e.g. erosion, acid sulfate soil or salinity issues)</li> <li>• predation.</li> </ul>
Weed <sup>6</sup>	Is any of the following: <ul style="list-style-type: none"> <li>• Restricted or prohibited matter declared under the <a href="#">Biosecurity Act 2014</a></li> <li>• A non-native plant</li> <li>• A "Native and naturalised" plant that is not native to the bioregion.</li> </ul>

<sup>3</sup> For example—*Melaleuca* spp. (in particular *Melaleuca bracteata* and *Melaleuca quinquenervia*), *Sporobolus virginicus* (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), *Enchylaena tomentosa* (ruby saltbush), *Sesuvium portulacastrum* (purslane), *Tecticornia* species (samphires), *Phragmites* spp.

<sup>4</sup> 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.

<sup>5</sup> Further information on identifying stream orders is available in the General guide to the vegetation clearing codes: Accepted development vegetation clearing codes. The general guide is available online at [www.qld.gov.au](http://www.qld.gov.au) (search 'General guide to the vegetation clearing codes').

<sup>6</sup> The Census of the Queensland Flora and Fungi, which is updated annually by the Queensland Herbarium, identifies plants considered "Native in Queensland", or "Native and naturalised" for particular bioregions in Queensland. The Census will include non-native plants as either: "Formerly naturalised", "Doubtfully naturalised" or "Naturalised in



# 1 Introduction

The [Vegetation Management Act 1999](#) (Vegetation Management Act), in conjunction with the [Planning Act 2016](#) (Planning Act) and subordinate legislation, regulates clearing of remnant vegetation and regulated regrowth vegetation. This code, which was made by the Minister on 5 September 2023 (effective 22 November 2023) in accordance with section 19O of the Vegetation Management Act and the [State Policy for Vegetation Management](#)<sup>7</sup>, is approved as an accepted development vegetation clearing code under section 3 of the [Vegetation Management Regulation 2023](#).

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 your intended vegetation management activities. Before you notify the Department of Resources 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 necessary environmental clearing of remnant vegetation (category B areas) and regulated regrowth vegetation (category C areas and category R areas) in accordance with requirements designed to meet the objectives outlined in [section 1.3](#). If 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.<sup>8</sup>

*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 operate under an area management plan or apply for a development approval (both of these options are free of charge for necessary environmental clearing). Contact the Department of Resources on 135 VEG (135 834) for further information.*

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Queensland". Plants that are "Native and naturalised" for particular bioregions in Queensland, are non-native for the remaining bioregions. Further information can be found on the Queensland Government website at [www.qld.gov.au](http://www.qld.gov.au) (search for 'flora and fungi census').

<sup>7</sup> The State Policy for Vegetation Management is available at [www.qld.gov.au](http://www.qld.gov.au) (search 'state policy for vegetation management')

<sup>8</sup> The Department of Resources uses satellite imagery to monitor compliance with vegetation management legislation.

## 1.2 Scope

This code applies to the necessary environmental clearing of vegetation in a category B area, category C area and category R area<sup>9</sup> that is on any of the following:

- Freehold land
- Indigenous land
- Leasehold land granted under the [Land Act 1994](#)
- A dedicated road
- Unallocated state land under the [Land Act 1994](#)
- Trust land (other than Indigenous land) under the [Land Act 1994](#)
- Land subject of an occupation licence under the [Land Act 1994](#)
- Land that is property of the state under the [Land Act 1994](#), section 9, 13A(1) or 13A(2)

This code authorises clearing in category B areas, category C areas and category R areas for any of the following purposes:

- Land restoration
- Flood preparation
- Contaminant removal<sup>10</sup>

This code authorises clearing in category C areas and category R areas for channel diversion.

This code does not apply to any of the following activities:

- Clearing that is inconsistent with a condition of a development approval under the Planning Act that remains enforceable.
- Clearing in category B areas for which a material change of use or reconfiguration of a lot approval is required under the Planning Act.
- 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.

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<sup>9</sup> Any areas cleared under this code will remain mapped as a category B area, category C area or category R area, as relevant, on the regulated vegetation management map.

<sup>10</sup> Where contaminated land is listed in the environmental management register or contaminated land register, which are both administered by the Department of Environment and Science, clearing vegetation to allow for remediation of the contaminated land is classified as exempt clearing work under schedule 21 of the [Planning Regulation 2017](#).

*Note: Before notifying to clear under this code, you should check whether your intended clearing activity qualifies as exempt clearing work<sup>11</sup>. 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 necessary environmental clearing achieves the following environmental outcomes:

- Prevents or restores land degradation
- Maintains or restores ecological processes and biodiversity
- Maintains or restores bank stability, water quality and habitat of wetland, watercourse and drainage features
- Maintains or restores regional ecosystems

### 1.4 Commencement date

This code became effective on 22 November 2023, replacing the following superseded code:

- Necessary environmental clearing (effective 7 February 2020)

Any current notifications made under the superseded *Necessary environmental clearing* code effective 7 February 2020 continue to be valid and allow you to clear provided you comply with all requirements of this code (effective 22 November 2023).

*Note: If you notified under the 7 February 2020 superseded code, 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. From 22 November 2023, you must however ensure you undertake the clearing in accordance with the requirements of this code.*

### 1.5 Assistance

Queensland Government staff are available to help you understand your obligations, so if – after reading this code – you have questions or want to make sure you are doing the right thing, contact the Department of Resources by calling 135 VEG (135 834) or emailing [vegetation@resources.qld.gov.au](mailto:vegetation@resources.qld.gov.au)

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<sup>11</sup> A list of exempt clearing work is available at: [www.qld.gov.au](http://www.qld.gov.au)

## 2 Notification requirements

Before any clearing is undertaken under this code, the Department of Resources must be notified of your intended clearing activity by either:

1. the landholder<sup>12</sup>  
or
2. a third party.

*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 4.6](#), before notifying, first legally secure the exchange area.
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 the Department of Resources.
4. Receive confirmation of your notification from the Department of Resources before commencing clearing.

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

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<sup>12</sup> This includes a person authorised to notify on the landholder's behalf, such as someone who holds a power of attorney

## 2.2 Notification limitations

1. A 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 the area limits specified in [section 4.2](#) of this code.
3. A notification remains in effect for two years from the date the Department of Resources issues confirmation of your notification<sup>13</sup>.
4. You may make a subsequent notification for necessary environmental clearing. 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 the Department of Resources.

*For example: You notified the department of your intention to clear 1 hectare of native vegetation to remediate some eroded gullies in a sparse regional ecosystem on 19 January 2019. You cleared and stabilised the 1 hectare. You undertook a self-audit, and the results indicate your activity was consistent with the code requirements, and the area has started to revegetate. In October 2019, you consider restoring other areas of gully erosion on your property. Because you have undertaken a self-audit, and the results indicate the area cleared satisfies the code, you can notify the Department of Resources of your intention to undertake further necessary environmental clearing on your lot.*

## 3 Compliance requirements

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

1. Notify the Department of Resources in accordance with the notification requirements (see [section 2](#)).
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 these records available to Resources upon request:
  - a. Pre-clearing photographs and GPS coordinates of the location the pre-clearing photographs were taken.
  - 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:

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<sup>13</sup> Notifications do not transfer on title. If you have recently purchased the property and intend to undertake clearing for necessary environmental clearing in remnant vegetation or regulated regrowth vegetation, you must first notify the Department of Resources.

- i. contractor details (name, address, contact details)
  - ii. instructions to contractors, detailing location, date and time.
- d. For areas that must be rehabilitated in accordance with [section 4.5](#) of this code, annual photographs and associated GPS coordinates of the rehabilitation and revegetation outcomes.

## 4 Necessary environmental clearing

Clearing must comply with all of the following:

1. Relevant clearing requirements in [section 4.1](#)
2. Clearing limits in [section 4.2](#)
3. Vegetation retention requirements in [section 4.3](#)
4. Soil and water quality protections in [section 4.4](#)
5. Rehabilitation requirements in [section 4.5](#)
6. Exchange area<sup>14</sup> requirements in [section 4.6](#), if either [section 4.2](#) or [section 4.4](#) requires you to legally secure an exchange area.

### 4.1 Clearing requirements

Clearing is only permitted under this code where it satisfies one or more of the following:

1. Land restoration requirements - [section 4.1.1](#)
2. Flood preparation requirements - [section 4.1.2](#)
3. Contaminant removal requirements - [section 4.1.3](#)
4. Channel diversion requirements – [section 4.1.4](#)

#### 4.1.1 Land restoration requirements

Clearing for land restoration is only permitted where all of the following are satisfied:

1. The land degradation issue is threatening, or will threaten human health, land productivity, landscape integrity, ecosystem structure and function, habitat for protected wildlife<sup>15</sup> or infrastructure condition.
2. The land degradation issue and vegetation preventing land restoration is identified by pre-clearing photographs and GPS coordinates.

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<sup>14</sup> 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).

<sup>15</sup> This includes species protected under the [Nature Conservation Act 1992](#).

### 4.1.2 Flood preparation requirements

Clearing for flood preparation must only occur where all of the following are satisfied:

1. The area has been subject to previous flood events which has threatened human health, land productivity or infrastructure condition.
2. Vegetation within the defining banks of a watercourse or drainage feature is causing the accumulation of silt and/or debris, or preventing flood preparation.
3. Future flood risk is increased by the accumulation of silt and/or debris.
4. Future flood events will threaten human health, land productivity or infrastructure condition.
5. The vegetation causing the increased flood risk or preventing flood preparation is identified by pre-clearing photographs and GPS coordinates of the location that the pre-clearing photographs are taken.

*Note: If you intend to clear native vegetation for flood preparation, you may need a riverine protection permit. Further information is available at [www.business.qld.gov.au](http://www.business.qld.gov.au), (search 'riverine protection permit' or contact a Department of Regional Development, Manufacturing and Water office.*

### 4.1.3 Contaminant removal requirements

Clearing for contaminant removal under this code is only permitted where all of the following are satisfied:

1. A contaminant is threatening, or will threaten human or animal health, land productivity, landscape integrity, ecosystem structure and function, habitat for protected wildlife or infrastructure condition.
2. Vegetation is preventing contaminant removal.
3. The contaminant, and the vegetation preventing contaminant removal, is identified by pre-clearing photographs and GPS coordinates.

### 4.1.4 Channel diversion requirements

Clearing for channel diversion under this code is only permitted where all of the following are satisfied:

1. Clearing must not occur in a category B area.
2. Clearing is located in category X areas or existing cleared areas as reasonably possible.
3. Take all possible steps to avoid, or if avoidance is not possible, minimise to the greatest extent possible, clearing:
  - a. in essential habitat
  - b. of habitat trees
  - c. of immature koala habitat trees

- d. in a koala habitat area
- 4. A watercourse or drainage feature requires diversion for either of the following reasons:
  - a. The watercourse or drainage feature in its present location is no longer functioning<sup>16</sup>, or will no longer function in the future.
  - b. There is a high likelihood that the watercourse or drainage feature remaining in its current location will lead to, or is leading to, an adverse environmental outcome<sup>17</sup>.
- 5. Pre-clearing photographs and GPS coordinates identify both of the following:
  - a. The section of the watercourse or drainage feature requiring diversion.
  - b. The vegetation which needs to be cleared to allow for the diversion.
- 6. The new channel must achieve all of the following:
  - a. replicate the existing physical form<sup>18</sup> of the diverted section of watercourse or drainage feature
  - b. be vegetated with species typical of the diverted section of watercourse or drainage feature
  - c. return water to a watercourse or drainage feature.

*Note: If you intend to clear native vegetation for channel diversion, you may need a riverine protection permit. Further information is available at [www.qld.gov.au](http://www.qld.gov.au) (search 'riverine protection permit'), or contact a Department of Regional Development, Manufacturing and Water office.*

## 4.2 Clearing limits

The following sections apply different limits to clearing for different purposes under this code. Clearing must comply with all limits for the relevant clearing purpose.

### 4.2.1 Clearing for land restoration

All of the following apply to clearing for land restoration:

1. Clearing is only permitted where land restoration is reasonable, given the extent of the issue and the surrounding terrain.
2. Clearing must not occur using a chain or cable linked between two machines.
3. Clearing in a category B area must not exceed the area limits in Table 1.

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<sup>16</sup> For example, where an extractive industry will excavate material from both sides of a watercourse, and leave the watercourse higher than the surrounding area.

<sup>17</sup> For example, where a watercourse is transporting water through a contaminated or highly eroded area.

<sup>18</sup> This includes but is not limited to length, width, depth, grade, substrate type (e.g. sand or gravel) and bank slope.



4. Clearing in a category B area is not permitted within the riparian protection zones specified in Table 2 unless it is less than 0.5 hectares in size.

## 4.2.2 Clearing for contaminant removal

All of the following apply to clearing for contaminant removal:

1. Clearing is only permitted where contaminant removal is reasonable, given the extent of the issue and the surrounding terrain.
2. Clearing must not occur using a chain or cable linked between two machines.
3. Clearing must not exceed the limits in Table 1, unless the clearing is within a category C area or category R area and an exchange area that complies with [section 4.6](#) of this code is legally secured.
4. Clearing within the riparian protection zones specified in Table 2 must not exceed 0.5 hectares unless the clearing is within a category C area or category R area and an exchange area that complies with [section 4.6](#) of this code is legally secured.

## 4.2.3 Clearing for flood preparation

All of the following apply to clearing for flood preparation:

1. Clearing is only permitted where flood preparation is reasonable and necessary, given extent of the issue and the surrounding terrain.
2. Clearing must be undertaken by felling only.
3. Clearing must not exceed 100 square metres.
4. Clearing is not permitted outside the defining banks of a watercourse or drainage feature.

## 4.2.4 Clearing for channel diversion

All of the following apply to clearing for channel diversion<sup>19</sup>:

1. Clearing is only permitted where channel diversion is reasonable, given the extent of the issue and the surrounding terrain.
2. Clearing must not occur in a category B area.
3. Clearing must not occur using a chain or cable linked between two machines.
4. Clearing must not exceed the width limits in Table 1 unless:
  - a. an exchange area that complies with [section 4.6](#) of this code is legally secured; or
  - b. the clearing is in a koala habitat area and a koala offset is secured for the extent of the clearing.

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<sup>19</sup> 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).

## 4.2.5 Clearing for access

All of the following apply to clearing to provide access for land restoration, flood preparation, contaminant removal or channel diversion:

1. Clearing must not exceed 10 metres in width.
2. Clearing is not permitted within 10 metres of the defining bank of a wetland, watercourse or drainage feature, unless it is required to provide necessary access across the wetland, watercourse or drainage feature.

**Table 1: Clearing limits for land restoration, contaminant removal or channel diversion**

Regional ecosystem structure category	Clearing area limits for land restoration or contaminant removal	Clearing width limits for channel diversion
Dense and mid dense	0.5 hectares	10 metres
Sparse and very sparse	2 hectares	20 metres
Grassland	5 hectares	25 metres

**Table 2: Riparian protection zones\***

Water feature	Riparian protection zone
Wetland	100 metres
Watercourse and drainage feature	
Stream order <sup>†</sup> 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.

<sup>†</sup> Stream order is shown on the vegetation management supporting map.

## 4.3 Vegetation retention requirements

All of the following apply:

1. Clearing must result in the retention of all mature trees and habitat trees unless retention either:
  - a. prevents land restoration other than the restoration of an area degraded by scalding or a salinity expression area;
  - b. prevents contaminant removal;
  - c. prevents flood preparation; or
  - d. for a dead habitat tree - poses a safety risk.
2. Clearing must not result in damage to, or debris pushed up against, mature trees or habitat trees.

## 4.4 Soil and water protections

When clearing, all of the following apply:

1. Recognised best practice methods must be employed to:
  - a. prevent increased soil erosion or instability resulting from the clearing
  - b. stabilise soil erosion or 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. In land zones 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<sup>20</sup>
  - b. [Soil Management Guidelines in the Queensland Acid Sulfate Soil Technical Manual](#), Department of Science Information Technology Innovation and the Arts 2014<sup>21</sup>.

## 4.5 Rehabilitation requirements

After the clearing and associated works, the area cleared must be rehabilitated by undertaking all of the following steps<sup>22</sup>:

1. Stabilise the area to prevent soil erosion or instability.
2. Prepare the area so it is in a state that is conducive to the re-establishment of native vegetation. This may involve excluding browsing animals, controlling weeds, establishing appropriate soil moisture level, ripping, mulching or covering with topsoil.
3. Revegetate with species that make up the natural floristic composition of the regional ecosystem. This may involve planting seedlings, natural regeneration or direct seeding. For any clearing of immature koala habitat trees– the area is managed in a way that is conducive to natural regeneration of the number of immature koala habitat trees cleared.
4. Maintain the area in a way that is conducive to achieving the revegetation outcomes outlined in Table 3. This may involve excluding browsing animals, controlling weeds, maintaining an appropriate soil moisture level or mulching.
5. Achieve the ground cover percentage and immature tree density in the timeframes outlined in Table 3.

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<sup>20</sup> Available online at [www.qld.gov.au](http://www.qld.gov.au) (search 'State Planning Policy').

<sup>21</sup> Available online at [www.qld.gov.au](http://www.qld.gov.au) (search 'Guidance materials for acid sulfate soils').

<sup>22</sup> For channel diversion, the rehabilitation requirements apply to both the diverted section of the original channel and the new channel. The revegetation of the new channel must be vegetated with species typical of the diverted section of watercourse or drainage feature.

**Table 3: Revegetation outcomes for area cleared**

Regional ecosystem structural category of vegetation cleared	Ground cover % required within 12 months after clearing	Ground cover % / immature tree density required within 36 months after clearing
Grassland	70% ground cover	80% ground cover
Very sparse	70% ground cover	200 immature trees/hectare
Sparse	70% ground cover	300 immature trees/hectare
Mid-dense	70% ground cover	500 immature trees/hectare
Dense	70% ground cover	700 immature trees/hectare

## 4.6 Exchange areas

An exchange area must be legally secured where clearing does not meet the clearing requirements in section 4.2.2 or 4.2.4, 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 meters in height.
3. The exchange area must be consistent with one of the three options listed in Table A (Appendix 2).
4. The exchange area must be legally secured using the relevant mechanism outlined in Table A (Appendix 2), 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 plan<sup>23</sup> for the exchange area must include:
  - 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:

<sup>23</sup> The level of detail required in a management plan will depend on the nature and scale of the activity being undertaken.

- 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.

## 5 Appendix 1—Other relevant legislation

Activity	Legislation	Agency	Contact details
Interference with overland flow Earthworks, significant disturbance	<i>Water Act 2000</i>	Department of Regional Development, Manufacturing and Water (Queensland Government)	Ph: 13 QGOV (13 74 68) <a href="http://www.rdmw.qld.gov.au">www.rdmw.qld.gov.au</a>
Earthworks, significant disturbance	<i>Soil Conservation Act 1986</i>	Department of Resources (Queensland Government)	Ph: 13 QGOV (13 74 68) <a href="http://www.resources.qld.gov.au">www.resources.qld.gov.au</a>
Indigenous cultural heritage	<i>Aboriginal Cultural Heritage Act 2003</i> <i>Torres Strait Islander Cultural Heritage Act 2003</i>	Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts (Queensland Government)	Ph. 13 QGOV (13 74 68) <a href="http://www.dsdsatsip.qld.gov.au">www.dsdsatsip.qld.gov.au</a>
Mining and environmentally relevant activities Infrastructure development (coastal) Heritage issues	<i>Environmental Protection Act 1994</i> <i>Coastal Protection and Management Act 1995</i> <i>Queensland Heritage Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) <a href="http://www.des.qld.gov.au">www.des.qld.gov.au</a>
Protected plants and protected areas <sup>24</sup>	<i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 1300 130 372 (option 4) <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a> <a href="http://www.des.qld.gov.au">www.des.qld.gov.au</a>
Koala mapping and regulations	<i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) <a href="mailto:Koala.assessment@des.qld.gov.au">Koala.assessment@des.qld.gov.au</a> <a href="http://www.des.qld.gov.au">www.des.qld.gov.au</a>
Interference with fish passage in a watercourse, mangroves Forest activities <sup>25</sup>	<i>Fisheries Act 1994</i> <i>Forestry Act 1959</i>	Department of Agriculture and Fisheries (Queensland Government)	Ph: 13 25 23 <a href="http://www.daf.qld.gov.au">www.daf.qld.gov.au</a>
Matters of National Environmental Significance including listed Threatened Species and Ecological Communities	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Department of Climate Change, Energy, the Environment and Water (Australian Government)	Ph: 1800 803 772 <a href="http://www.dcceew.gov.au">www.dcceew.gov.au</a>

<sup>24</sup> 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.qld.gov.au](http://www.qld.gov.au) (search 'flora survey trigger map'). 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](mailto:palm@des.qld.gov.au).

<sup>25</sup> 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 1 of the [Vegetation Management Regulation 2023](#) 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.

<b>Activity</b>	<b>Legislation</b>	<b>Agency</b>	<b>Contact details</b>
Development and planning processes	<i>Planning Act 2016</i> <i>State Development and Public Works Organisation Act 1971</i>	Department of State Development, Infrastructure, Local Government and Planning (Queensland Government)	Ph: 13 QGOV (13 74 68) <a href="http://www.statedevelopment.qld.gov.au">www.statedevelopment.qld.gov.au</a>
Road corridor permits	<i>Transport Infrastructure Act 1994</i>	Department of Transport and Main Roads (Queensland Government)	Ph: 13 QGOV (13 74 68) <a href="http://www.tmr.qld.gov.au">www.tmr.qld.gov.au</a>
Wet Tropics World Heritage Area	<i>Wet Tropics World Heritage Protection and Management Act 1993</i>	Wet Tropics Management Authority	Ph: (07) 4241 0500 <a href="http://www.wettropics.gov.au">www.wettropics.gov.au</a>
Local government requirements	<i>Local Government Act 2009</i> <i>Planning Act 2016</i>	Your relevant local government office	

## Appendix 2—Exchange area requirements

**Table A: Requirements for exchange areas**

Exchange area requirements	Size of exchange area	Required mechanisms to legally secure and manage the area <sup>26</sup>
<p><b>Option 1:</b> 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:</p> <ul style="list-style-type: none"> <li>• The same pre-clear regional ecosystem/s as the impact area</li> <li>• A higher pre-clear regional ecosystem status (e.g. endangered or of concern) than the values of the impact area</li> <li>• Within 50 metres of the defining bank of a watercourse</li> <li>• Within 50 metres of the defining bank of a wetland</li> <li>• 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</li> <li>• 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</li> <li>• Another area of environmental significance to flora or fauna under other State or Commonwealth legislation</li> </ul>	<p>Equal to the impact area, or 1 hectare, whichever is the greater</p>	<p>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)<sup>27</sup> and management plan</p>

<sup>26</sup> 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.

<sup>27</sup> A Guide to voluntary declarations under the [Vegetation Management Act 1999](#) is available at [www.qld.gov.au](http://www.qld.gov.au) (search 'voluntary declaration guide').



Exchange area requirements	Size of exchange area	Required mechanisms to legally secure and manage the area <sup>26</sup>
<p><b>Option 2:</b> The area to be used as the exchange area is a category X area and is at least one of the following:</p> <ul style="list-style-type: none"> <li>• The same pre-clear regional ecosystem/s as the impact area</li> <li>• A higher pre-clear regional ecosystem status (e.g. endangered or of concern) than the values of the impact area</li> <li>• Within 50 metres of the defining bank of a watercourse</li> <li>• Within 50 metres of the defining bank of a wetland</li> <li>• 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</li> <li>• 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 size which is at least 4 hectares in size</li> <li>• Another area of environmental significance to flora or fauna under other State or Commonwealth legislation</li> </ul>	Double the impact area, or 1 hectare, whichever is the greater	Declared area (voluntary) and management plan
<p><b>Option 3:</b> 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:</p> <ul style="list-style-type: none"> <li>• a substantial conservation outcome or address a significant land degradation issue</li> <li>• remnant vegetation status.</li> </ul> <p>An example of a 'substantial conservation outcome' includes restoring:</p> <ul style="list-style-type: none"> <li>• key habitat for an endangered species listed under State or Commonwealth legislation</li> <li>• an area that is severely weed infested and is an endangered regional ecosystem.</li> <li>• the ecological integrity of a Ramsar listed wetland<sup>28</sup></li> <li>• a threatened ecological community listed under State or Commonwealth legislation</li> <li>• an area within or adjacent to a World Heritage property or listed on the National Heritage List for natural values.</li> </ul> <p>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</p>	Three times the impact area, or 1 hectare, whichever is the greater	Declared area (voluntary) and management plan

<sup>28</sup> A list of Ramsar wetlands is available at <https://www.dcceew.gov.au>