

# Guide to using the managing regulated regrowth code

Accepted Development Vegetation Clearing Code  
Managing regulated regrowth vegetation

Effective 7 February 2020

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# About this guide

This guide has been developed to help landholders operate under the Accepted Development Vegetation Clearing Code: Managing regulated regrowth vegetation (regrowth code). It refers to the *Vegetation Management Act 1999* and the *Planning Act 2016*, which jointly regulate the clearing of native vegetation in Queensland.

The guide is not intended to be exhaustive. It only deals with operating under the regrowth code. It provides supplementary information, and is designed to be read in conjunction with the regrowth code, and with the [General guide to accepted development vegetation clearing codes](#) (which provides information about the notification process, landholder obligations, and technical information that applies to all codes).

Landholders are also encouraged to familiarise themselves with the local, state and federal Acts and Regulations that apply to their operations.

## Common abbreviations used in this document

- VM Act = Vegetation Management Act 1999
- Code = accepted development vegetation clearing code
- DNRME = Department of Natural Resources, Mines and Energy
- Regrowth code = Accepted Development Vegetation Clearing Code: Managing regulated regrowth vegetation
- RE = regional ecosystem
- All terms in this guide have the meaning provided in the regrowth code or the [Vegetation Management Act 1999](#).

## Further information

For more information:

- call 135 VEG (135 834)
- email [vegetation@dnrme.qld.gov.au](mailto:vegetation@dnrme.qld.gov.au)
- search 'Vegetation Management' on [www.qld.gov.au](http://www.qld.gov.au).

## Links to other resources

[Accepted development vegetation clearing codes](#)

[General guide to accepted development vegetation clearing codes](#)

# Managing regrowth code

The current regrowth code is came into effect on 7 February 2020. This replaces the Managing regulated regrowth code dated 21 June 2019.

**TIP** *Previous notifications (since 21 June 2019) continue to be valid and allow clearing under the regrowth code. While the notification limits have changed for the Regrowth code (managing regrowth density) you can continue to clear for the area already notified. However, you must comply with the requirements of the new code.*

If you intend to clear regulated regrowth vegetation in category C areas and category R areas on your property using the regrowth code, you must notify DNRME before clearing and meet the requirements of the code. If you have already notified DNRME (since 21 June 2019) you do not need to renotify unless you want to do additional clearing to that already notified, or the notification has expired.

If the clearing required for managing regrowth is outside the scope of the regrowth code you may be able to apply for a development approval to clear for infrastructure under the *Planning Act 2016*.

## Scope

The regrowth code applies to clearing regulated regrowth vegetation in category C areas and category R areas that is on any of the following land:

- Freehold land
- Indigenous land
- Leasehold land granted under the *Land Act 1994* for agriculture or grazing purposes—clearing on a lease must be consistent with the purpose of the lease
- Land subject to an occupational licence under the *Land Act 1994*.

**TIP** *Before notifying and clearing under the regrowth code, check whether your clearing qualifies as [exempt clearing works](#) under the *Planning Regulation 2017*.*

This regrowth code authorises clearing for the following purposes:

- managing regrowth density
- coordinated projects
- agriculture
- to address a public safety risk<sup>1</sup>.

This regrowth code **does not** apply where clearing is inconsistent with either of the following:

- a condition of a development approval that remains enforceable
- a condition applied by the Coordinator General for a coordinated project.

Further information on development approvals is available online at [www.qld.gov.au](http://www.qld.gov.au) (search for 'development approvals to clear native vegetation').

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<sup>1</sup> Clearing that is necessary to remove or reduce the 'imminent risk' that the vegetation poses of serious personal injury or damage to infrastructure is exempt clearing works under the *Planning Regulation 2017*. 'Imminent risk' means the risk is likely to happen at any moment. Clearing to address a public safety risk under this code provides for situations which do not involve an imminent risk.

## General Requirements

### Soil and water quality protections

Soil and water quality protections apply to clearing for coordinated projects, agriculture, to address a public safety risk or managing regrowth density. Please see the [General guide to accepted development vegetation clearing codes](#) for further information on soil and water quality protections and guidelines.

### Essential habitat

Essential habitat protections apply to clearing for coordinated projects, agriculture and to address a public safety risk. See the [General guide to accepted development vegetation clearing codes](#) for more information on how to identify essential habitat.

### Koala habitat areas

Koala habitat protections apply to clearing for agriculture and managing regrowth density. These requirements only apply to lots in the South East Queensland (SEQ) Regional Plan area that contain mapped koala habitat areas. For more information on koala habitat protections in SEQ, see the [General guide to accepted development vegetation clearing codes](#) or seek guidance from the Department of Environment and Science on koala habitat protections.



*Department of Environment and Science – koala protection*

**E:** [SEQKoalaStrategy@des.qld.gov.au](mailto:SEQKoalaStrategy@des.qld.gov.au)

**W:** <https://environment.des.qld.gov.au/wildlife/animals/living-with/koalas>

**P:** 13 QGOV (13 74 68)

To find out whether there is Koala habitat on your property (SEQ only), download a property report from [www.qld.gov.au](http://www.qld.gov.au) (search for 'vegetation management maps').

### Clearing in corridors

The regrowth code prohibits clearing of a category C area or category R area where clearing will result in two or more environmentally sensitive areas from being disconnected. These environmentally sensitive areas include category B areas, category A areas, wetlands, essential habitat and koala habitat areas. The code does not allow clearing in corridors less than 100 metres in width (Figure 1) or clearing that reduces the width of vegetation to less than 100 metres (Figure 2). These requirements apply to clearing for a coordinated project, to address a public safety risk and agriculture<sup>2</sup>.

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<sup>2</sup> Corridor requirements for koala habitat areas only apply to clearing for agriculture.

However, necessary clearing in corridors may be undertaken if the clearing is for coordinated projects or to address a public safety risk and an exchange area is secured. See below for further details on exchange areas for coordinated projects and to address a public safety risk.

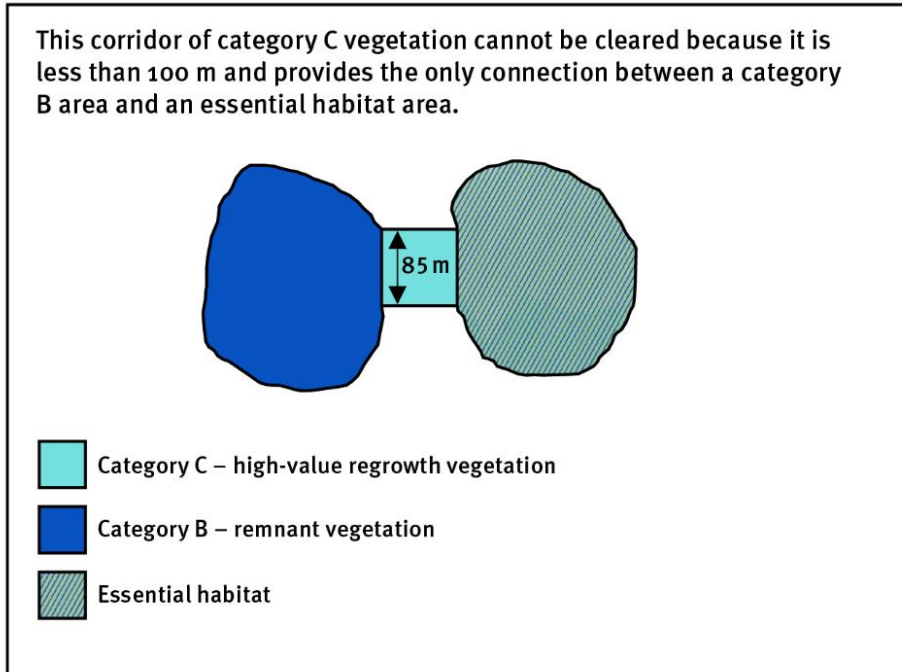


Figure 1: Clearing not permitted in a corridor with a width of less than 100 metres

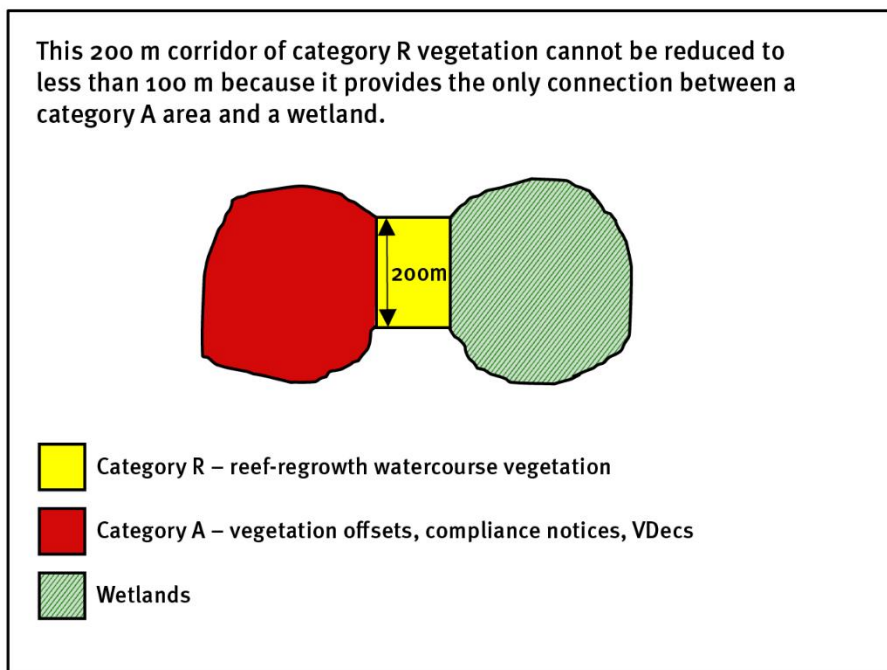


Figure 2: Clearing cannot reduce the width of a corridor to less than 100 metres


# Managing regrowth density

## What is managing regrowth density?

Managing regrowth density is the selective clearing of immature woody species and does not involve complete vegetation removal or removal of an entire vegetation layer, such as the clearing of all low shrubs and immature trees. The selective clearing is aimed at removing vegetation that has thickened over time to restore the regional ecosystem's natural structure and function, and prevent loss of biodiversity.

Prior to European settlement, the woody vegetation has naturally expanded and contracted over time, due to seasonal conditions and periodic burning.

Since European settlement, land management has largely removed fire from the environment and the introduction of sheep and then cattle, has resulted in the progressive increase in density of woody vegetation in certain native ecosystems.

 *The regrowth code does not allow clearing to make improved pasture for grazing*

## Managing regrowth density definition

Managing regrowth density is defined in the regrowth code as the selective clearing of vegetation at a locality to:

- restore the floristic composition and range of densities typical of the regional ecosystem in the bioregion in which it is located
- and
- maintain ecological processes and prevent loss of biodiversity.

## Common terms for the managing regrowth density definition

### Locality

Locality in the context of the regrowth code means the area notified under the regrowth code to be managed for regrowth density.


### Floristic composition

Floristic composition is the variety and abundance of plant species within the RE. This is generally provided in regional ecosystem (RE) descriptions available in the regional ecosystem description database (REDD). While these lists are not exhaustive, they provide a good indication of what to expect.

### Range of densities

Range of densities is the number of trees that naturally occur in a regional ecosystem that has not thickened. In the regrowth code density is determined by the structure category of the regional ecosystem. Guidance is provided below on how to identify REs and their structural categories.

### Bioregion

 *Guidance on bioregions is provided in the [General guide to accepted development vegetation clearing codes](#).*



## Ecological processes

A list of ecological processes is provided in the regrowth code glossary.

## Managing regrowth density notification area limits

Each notification made for managing regrowth density is limited to:

- a. for an SEQ lot that has one or more koala habitat areas mapped on the lot – for each notification made: 10 hectares per lot  
and
- b. for all other lots (including an SEQ lot that has no koala habitat areas mapped on the lot) – for each notification made: 100 hectares per lot.

The area limit for managing regrowth density depends on whether there is koala habitat mapped on the lot that is intended for clearing. Koala habitat areas only apply to some lots located in the SEQ Regional Plan area. If your lot is located in the SEQ Regional plan area **and** koala habitat is mapped on your lot, then clearing is limited to 10 hectares per lot per notification.

If you are located outside the SEQ Regional Plan area, or you are located in the SEQ Regional Plan area and there is **no** koala habitat mapped on your lot, the code limits clearing to 100 hectares per lot per notification.

For more information on koala habitat protections see the [General guide to accepted development vegetation clearing codes](#). To find out whether there is koala habitat on your property (SEQ only), download a property report from [www.qld.gov.au](http://www.qld.gov.au) (search for 'vegetation management maps').


There is no limit on the number of notifications you may lodge per lot; however, before lodging a subsequent notification you will need to conduct a self-audit of clearing under the previous notification to ensure it was compliant with the regrowth code.

**TIP** *You are not required to submit the self-audit to DNRME but you must retain the audit and make it available to DNRME upon request.*

See the [General guide to accepted development vegetation clearing codes](#) for more information on how to lodge a notification.


## Regional ecosystems that can be managed for regrowth density

Clearing to manage regrowth density is only permitted under the regrowth code in certain REs. If the RE is not permitted under the regrowth code you cannot manage regrowth density in these areas.

 *See Appendix 2 of the regrowth code for a list of the prescribed REs in which managing regrowth density may occur.*

## Vegetation that can be cleared to manage regrowth density

In some REs where managing regrowth density is permitted under the regrowth code, clearing is limited to low shrubs only. No immature trees can be cleared in these REs. A 'low shrub' is any native woody vegetation less than two metres in height.

 See Appendix 2 of the regrowth code for a list of the prescribed REs in which managing regrowth density is limited to the clearing on low shrubs only.

## How to manage regrowth density

The first step in managing regrowth density is calculating if the regional ecosystem in the area you are intending to selectively clear, has at least the minimum number of immature trees to indicate thickening has occurred. The second step is to selectively clear the immature native species that have thickened while retaining at least the minimum number of immature trees and other vegetation needed to restore the regional ecosystem to its natural density and composition.

### Step 1 – Calculate the regional ecosystem density


#### How to identify regional ecosystems

It's important that you identify the regional ecosystems and their structure category for your property before you start any clearing to ensure you meet the requirements of the regrowth code. This can be done by downloading a Vegetation Management property report for your property or viewing your property on the Queensland Globe (online). For more information on mapping and regional ecosystems see the [General guide to accepted development vegetation clearing codes](#).

#### How to calculate immature tree density

Once you have identified the regional ecosystem(s) that you are intending to manage for regrowth density, you must ensure that they meet the minimum density requirements in Table 3 of the regrowth code before you commence any clearing. The structure category of your regional ecosystem (i.e. very sparse, sparse or mid-dense) will determine how many immature trees per hectare must be present within the RE (over the area notified) for clearing to occur. See [General guide to accepted development vegetation clearing codes](#) for more information on how to calculate immature tree density.


 A YouTube video for Measuring Tree density is available [here](#).

 **TIP** Before clearing, we recommend that you calculate and record the number of immature trees per hectare. This is to assist you in retaining records to demonstrate thickening.

### Step 2 – Retain vegetation in the regional ecosystem

#### Plant sizes and species

Before clearing you should identify the range of plant species and sizes that occur in the regional ecosystem over the area notified. When you begin selective clearing make sure that the species you are retaining are consistent with that RE. The regional ecosystem description database (REDD) describes the species composition and characteristic species of each RE. If you are unsure about the species on your property, contact DNRME on **135 VEG (135 834)**.

 **TIP** The Queensland Herbarium also provides plant identification services, information and advice on Queensland's plant species and vegetation. You can contact the Queensland Herbarium on **(07) 3199 7699**.

## Mature trees and habitat trees

The regrowth code provides definitions and characteristics of mature trees and habitat trees. All mature trees and habitat trees must be left standing when managing regrowth density.

To identify mature trees measure their trunk diameter at 1.3 metres above the ground. To identify habitat trees you will need to observe the presence of certain characteristics, for example, any visible hollows at least two metres above the base of the tree.

**TIP** For more information on habitat trees, watch the [video on identifying habitat trees](#).

## How to identify immature trees

An immature tree is any native woody vegetation (other than a mature tree or habitat tree) that is two metres or more in height. Identifying immature trees requires that you firstly identify mature trees and habitat trees (as described above). All other trees two or more metres in height are immature trees.

## Number of immature trees per hectare

When managing regrowth density you must retain at least the minimum number of immature trees per hectare in Table 4 of the regrowth code. The structure category of your regional ecosystem (i.e. very sparse, sparse or mid-dense) will determine how many immature trees per hectare must be retained in the area notified for that RE.

## Target low shrub species

A low shrub is any native vegetation less than two metres in height. The target low shrub species is a species that comprises more than 50 per cent of the ground cover in the area notified. At least 10 per cent of this species must be retained when managing regrowth density. A technique for estimating groundcover or low shrub density is available in the [General guide to accepted development vegetation clearing codes](#).

## Clearing methods

Clearing to control regrowth density may involve any of the following methods:

- mechanical clearing using slashing, brush cutting and machinery which disturbs the soil surface or uproots woody vegetation
- certain types of chemical clearing
- burning to manage regrowth density, by carefully planning the timing, intensity, interval, timing, and lighting pattern of the fire.

After the initial clearing, you may continue to use the above methods to manage regrowth density during the two year notification period, as long as all of the requirements of the regrowth code continue to be satisfied including the minimum threshold for retention of immature trees.

## Mechanical clearing

The regrowth code prohibits mechanical clearing using a chain or cable linked between two tractors, bulldozers or other traction vehicles. However, other mechanical clearing methods such as a single dozer with a blade may be permitted in the circumstances where all requirements of the regrowth code can be met by using the clearing method.

For mechanical clearing limitations in particular REs and areas under the regrowth code see Table 1 below.

**Table 1: Mechanical clearing limitations for managing regrowth density**

Areas where mechanical clearing must not occur	Additional guidance available
Certain regional ecosystems	A regional ecosystem where there is a practice limitation stating: 'mechanical methods not permitted'. See the "Limitations" column in Appendix 2 of the regrowth code.
Inside or within specified distances from the defining bank of wetlands, watercourses or drainage features.	See <a href="#">General guide to accepted development vegetation clearing codes</a> for relevant terms and mapping.  Refer to Table 5 of the code for specified distances.
On slopes greater than 15%	See <a href="#">General guide to accepted development vegetation clearing codes</a> for further explanation on measuring slope.
Within 50 metres of soil erosion and instability	See <a href="#">General guide to accepted development vegetation clearing codes</a> for further explanation of soil erosion and instability.

To help identify watercourses, drainage features, wetlands, soil erosion and instability, and slope, refer to the [General guide to accepted development vegetation clearing codes](#).

When clearing using mechanical methods you must make sure that no debris is pushed up against the trunks of these trees because this can result in the death of the tree.

## Chemical clearing to manage regrowth density

Chemical clearing refers to clearing of vegetation by using methods such as basal bark, cut stump or stem injection techniques. Aerial or root absorbed broad spectrum herbicide application is not permitted.

## Burning to manage regrowth density

Burning to manage regrowth density is a burn that is planned and undertaken for the purpose of managing the natural regrowth density, and restores the range of plant species, size classes, and vegetation densities typical of the regional ecosystem. A regrowth management burn is not for the purpose of reducing hazardous fuel loads. A fire to reduce hazardous fuel loads is [exempt clearing works](#) and is used to reduce the fire intensity to protect property and infrastructure in the event of an uncontrolled fire. This type of fire is aimed at reducing the fuel load while the managing regrowth burn is aimed at maintaining the regional ecosystem's natural structure and function.

Fire permits can be obtained by contacting your local fire warden, [Rural Fire Service Queensland](#).

**TIP** *Under Schedule 21 of the Planning Regulation 2017 controlled burns to reduce hazardous fuel loads is [exempt clearing work](#) under the vegetation management framework. See [www.qld.gov.au](http://www.qld.gov.au) and search 'exempt clearing work' for further information on exemptions.*

A regrowth management burn must limit the likelihood of damage to mature trees and habitat trees. This can be achieved by ensuring the timing, intensity and fire lighting pattern are implemented appropriately.

For guidance on how to achieve this refer to the Regional Ecosystem Description Database (REDD) at [www.qld.gov.au](http://www.qld.gov.au). After you have downloaded the database identify the regional ecosystem on your property and the corresponding "Fire guideline" section in the database. This will identify the appropriate fire season, intensity, interval and strategy to use for the regrowth management burn. An example of these fire guidelines is shown below.

For information on how to determine what regional ecosystem is on your property see the [General guide to accepted development vegetation clearing codes](#).

**Example fire guideline for the RE 11.11.6 (taken from REDD version 11.0)**

**SEASON:** Early dry season when there is good soil moisture, with some later fires in the early storm season or after good spring rains.

**INTENSITY:** Various.

**INTERVAL:** Most intervals between 5-10 years, with no shrubby woodlands receiving two consecutive intervals of < 6 years.

**STRATEGY:** Once boundaries of the planned burning area are secure, ignite across the landscape in a patchwork, rather than continuous ignition strips. Use topographical features to help create a patchily burnt landscape. Where shrubby woodlands occur within a broader grassy landscape, attempt to burn the shrubby woodland during every second fire rotation in the grassy woodland, by burning early breaks around the shrubby areas. In sites with a history of wildfires recurring within 5 years, patchy burning in a few small strategic locations at 3 or 4 year intervals may reduce the incidence of extensive wildfires, while ensuring most shrubby woodland areas remain unburnt for > 5 years.

**ISSUES:** Shrubby woodlands require longer fire intervals than grassy woodlands, because of the presence of fire-killed shrubs and the time required for post-fire regrowth to return to a mature structure. The seedlings of many fire-killed shrubs (such as some wattles) require 5 years or more before they mature. The creation of a fine-scale patchy mosaic can be more difficult to achieve in shrubby compared to grassy woodlands. Ensure seedlings of fire-killed shrubs mature and persist in the woodland, and ensure several years of mature shrubby woodland structure before the subsequent fire.

# Coordinated projects and public safety risk

A coordinated project is a project declared as a coordinated project under the *State Development and Public Works Organisation Act 1971*.

Public safety risk is where vegetation occurs in an area in which the public frequent that threatens the public with injury or danger. An example of public safety risk is where regrowth vegetation is blocking the safe visibility on the bend of a private road on your property. This lack of visibility on the bend could cause an accident in the event that two vehicles collide and threatens the public with injury or danger.

This is different to clearing that is necessary to remove or reduce the 'imminent risk' that the vegetation poses of serious personal injury or damage to infrastructure. This is [exempt clearing works](#) under the *Planning Regulation 2017*. 'Imminent risk' means the risk is likely to happen at any moment. An example of imminent risk is where a tree has been damaged by a cyclone and is leaning over a house and may fall over at any moment.

**TIP** Under Schedule 21 of the *Planning Regulation 2017* clearing to reduce an imminent risk that vegetation poses to people or property is [exempt clearing work](#) under the vegetation management framework. See [www.qld.gov.au](http://www.qld.gov.au) and search 'exempt clearing work' for further information on exemptions.

Clearing to address a public safety risk under the regrowth code provides for situations which do not involve an imminent risk.

## Avoid and minimise

The regrowth code has avoid and minimise requirements for coordinated projects. See the [General guide to accepted development vegetation clearing codes](#) for more information on these requirements.

## Exchange area requirements

Where clearing under the regrowth code for coordinated projects or public safety risk will exceed the area limits or occur in sensitive areas, an exchange area must be legally secured prior to clearing.

Exchange areas are a mechanism similar to environmental offsets. The intent of exchange areas are to return/achieve a permanent environmental outcome to compensate the impact of the clearing. This involves the exchange area being legally secured and managed under a plan to ensure the exchange area delivers an equivalent conservation or biodiversity benefit.

For information about how to legally secure an exchange area refer to the [General guide to accepted development vegetation clearing codes](#).


# Agriculture

Agriculture is defined as broad-acre cropping or horticulture, the regrowth code specifies which plants and crops can be commercially cultivated and harvested for agriculture.

If you have an existing cleared area or a category X area that is suitable for agriculture, you must locate your agriculture in this area. However, if there are no existing cleared areas or category X areas suitable for agriculture, you may locate the clearing in a category C area or category R area and follow the requirements of the regrowth code. The 'avoid and minimise' guidance in the [General guide to accepted development vegetation clearing codes](#) may assist you in deciding where to locate your clearing.

## Identifying agricultural land class A and B

Clearing for agriculture can only be undertaken on areas mapped as agricultural land class A or B. An agricultural land class A and B map is provided as an attachment to the vegetation management property report. This map identifies if there is class A or B land mapped on your property. Please see [General guide to accepted development vegetation clearing codes](#) for further information on how to obtain mapping for your property.

 *To request a map or report, use the online request form at [www.qld.gov.au](http://www.qld.gov.au) (search for 'vegetation management maps').*

## Clearing limitations for agriculture

Clearing for agriculture under the regrowth code is limited to a maximum of 10 hectares in total for both category C areas and category R areas combined per lot (including a maximum one hectare in category R areas). Once you reach this limit, no further notifications for clearing for agriculture can be made under the regrowth code.

The clearing limit of 10 hectares includes clearing for agriculture under the regrowth code (in effect from 21 June 2019) by a former landholder.

 *Contact DNRME on 135 VEG (135 834) if you are unsure of any prior clearing for agriculture on your property.*

The regrowth code also prohibits clearing for agriculture in sensitive areas (described in Table 2).

**Table 2: Clearing for agriculture limitations**

Areas where clearing must not occur	Additional guidance available
Essential habitat	See <a href="#">General guide to accepted development vegetation clearing codes</a> for guidance on identifying essential habitat
Koala habitat area	See <a href="#">General guide to accepted development vegetation clearing codes</a> for information on koala habitat protections in SEQ.
Endangered regional ecosystems Of concern regional ecosystems	See <a href="#">General guide to accepted development vegetation clearing codes</a> for an explanation of the vegetation management status of regional ecosystems
Riparian protection zones	Refer to the buffers listed in Table 2 of the regrowth code.  See <a href="#">General guide to accepted development vegetation clearing codes</a> for information on how to identify the defining bank and buffer area.  Stream order mapping is available on the vegetation management watercourse and drainage feature map.

On slopes greater than 5% for annual agriculture	See <a href="#">General guide to accepted development vegetation clearing codes</a> for further explanation on measuring slope.
On slopes greater than 10% for perennial agriculture.	

## Clearing in islands

An island is any mapped regulated vegetation (any combination of a category A, category B, category C or category R area) that is less than 10 hectares in size and is further than 200 metres from any other regulated vegetation. This includes islands that are within or straddle lot boundaries. Islands provide significant ecological value as stepping stones for native fauna. Clearing for agriculture cannot occur in an island.

The regrowth code also prohibits the creation of an island. This means that when clearing for agriculture you must not reduce vegetation to less than 10 hectares in size when it is further than 200 metres from any other regulated vegetation.