

Guide to using the weeds code

Accepted Development Vegetation Clearing Code
Managing Weeds

Effective 7 February 2020

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Contents

About this guide	2
Common abbreviations used in this document	2
Further information	2
Managing weeds	3
Scope	3
What is a weed?	3
Managing weeds	4
Clearing for access	6
Mechanical clearing	8
Chemical clearing	9
Controlled burning for weed management	11
Soil and water quality protection measures	12
Rehabilitation	12

About this guide

This guide has been developed to help landholders operate under the Accepted Development Vegetation Clearing Code: Managing Weeds. 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 weeds code. It provides supplementary information, and is designed to be read in conjunction with the weeds 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
- Weeds code = Accepted Development Vegetation Clearing Code: Clearing native vegetation to manage weeds
- RE = regional ecosystem
- All terms in this guide have the meaning provided in the Weeds code or the [Vegetation Management Act 1999](#).

Further information

For more information:

- call 135 VEG (135 834)
- email vegetation@dnrme.qld.gov.au
- search 'Vegetation Management' on www.qld.gov.au.

Links to other resources

[Accepted development vegetation clearing codes](#)

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

Related resources

Wilson, P. R. and Taylor, P.M. (2012) Land Zones of Queensland. Queensland Herbarium, Queensland Department of Science, Information Technology, Innovation and the Arts, Brisbane.

Managing weeds

The current Accepted Development Vegetation Clearing Code: Managing Weeds (the weeds code) became effective on 7 February 2020. This replaces the Managing weeds code dated 21 June 2019.

TIP *Previous notifications (since 21 June 2019) continue to be valid and allow clearing under the weeds code. While the notification limits have changed for the weeds code 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 native vegetation for weed management on your property using the weeds 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.

You may also be able to apply for a development approval to manage weeds under the *Planning Act 2016*. There is no fee for a development application to clear native vegetation to manage weeds. Further information on development approvals is available online at www.qld.gov.au (search for 'development approvals to clear native vegetation').

Scope

The Weeds code applies in category B areas, category C areas and category R areas. The code cannot be used in a Category A area.

This code authorises necessary clearing of native vegetation to do the following:

- Provide access to an area requiring weed control, where no other suitable access exists
- Undertake weed management activities, where the clearing of native vegetation cannot be avoided.

Please note that a notification under the code does not authorise clearing of protected plants under the *Nature Conservation Act 1992*.


What is a weed?

Under the weeds code a weed is defined as any of the following:

- a non-native plant
- restricted or prohibited matter declared under the *Biosecurity Act 2014*
- Cadaghi (*Corymbia torelliana*) and Umbrella Tree (*Schefflera actinophylla*) in Southeast Queensland bioregion.

The code applies to the clearing of native vegetation required to control weeds. You only need to notify over areas where native vegetation will be cleared to manage weeds or to provide access to weeds.

TIP *To determine if a plant is a native or non-native plant, consult the Queensland Herbarium Census of Queensland Flora. This provides a list of all known native and naturalised species of plants, algae, fungi and lichens in Queensland. The census is available on the Queensland Government website www.qld.gov.au (search 'census of Queensland flora').*

 *There are two fact sheets available on how to identify a restricted or prohibited matter under the Biosecurity Act at www.business.qld.gov.au (search 'prohibited invasive plants' and 'restricted invasive plants')*

Managing weeds

Weeds have significant impacts on primary industries, natural ecosystems, and human and animal health.

Controlling weeds is rarely achieved by a single method. Effective weed control usually requires a planned and integrated sequence of actions over time. Methods permitted under this code (subject to requirements) include:

- manual methods - hand pulling or using hand tools to pull, grub or fell
- mechanical methods - using a tractor or other machine to slash, do brush cutting, or disturb the soil surface or uproot woody vegetation
- chemical methods – including selective methods (stem injection, cut stump), and non-selective methods (foliar spray or soil applied herbicides)
- weed management burning - to reduce the weed infestation or provide access to a weed infestation.

Landholders should plan their weed control to be practical and effective while limiting the extent and impacts of clearing native woody vegetation.

The method of weed control you choose is dependent upon a number of factors that include the:

- weed involved - for example its ecology and the recognised control methods
- nature of the infestation –control of a few isolated small bushes differs from tall, dense, prickly weed plants that are climbing over the trees
- extent of the infestation – control of a small patch of groundsel bush differs from controlling weed spread across many hectares
- terrain and accessibility – steep, rough terrain or dense vegetation may limit the choices
- economics and resources – the method has to be matched to the economics of control
- integration with other land management e.g. integrating with grazing management.

Your local council may be able to help identify weed species that are most important to control for your area, and may offer advice and assistance.

Requirements for clearing native vegetation

The clearing of native vegetation under this code is only permitted for any of the following purposes:

- to undertake necessary weed management using an 'effective weed management method'
- to provide access to the weed management area where no other suitable access exists.

Clearing area limits

The area limit for clearing for weed management 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 South East Queensland (SEQ) Regional Plan area. If your lot is located in the SEQ Regional plan area and koala habitat is mapped on your lot, then the clearing is limited to 10 hectares per lot for each notification made.

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 following area limits per notification apply:

- for coastal lots and non-coastal lots where the lot size is 100 hectares or less - 50 hectares per lot

- for coastal lots where the lot size is greater than 100 hectares - 50 per cent of lot area or 200 hectares per lot, whichever is the lesser
- for non-coastal lots where the lot size is greater than 100 hectares - 50 per cent of lot area or 400 hectares per lot, whichever is the lesser.

TIP *'Coast lots' and 'Non-coastal lots' are defined in the weeds code based on sub-regions. You can find out the sub-region of your property by ordering a Vegetation Management Property Report from the Queensland Government website www.qld.gov.au (search for vegetation maps).*

For more information on koala habitat protections see the [General guide to accepted development vegetation clearing codes](#), or seek guidance from the Department of Environment and Science on Koala habitat protections on the details below.

 **Department of Environment and Science – Koala protection**
E: SEQKoalaStrategy@des.qld.gov.au
W: environment.des.qld.gov.au/wildlife/animals/living-with/koalas
P: 13QGOV (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 (search for 'vegetation management maps').

Example notification limitations

Example 1: If your lot is a coastal lot, and has an area of 150 hectares, the maximum area under a single notification is 75 hectares — as 50 per cent of the area of the lot is less than 200 hectares.

If your lot is a non-coastal lot and has an area of 2500 hectares, the maximum area under a single notification is 400 hectares, given that 400 hectares is less than 50 per cent of the total area of the lot.

Example 2: You notified the department of your intention to clear native vegetation necessary to manage weeds on 25 hectares on 17 March 2019. You undertook this activity from April to May 2019. You undertook a self-audit, and the results indicate your activity was consistent with the code practices. In June 2019 you decide to undertake further weed management activities that requires native vegetation clearing. Because you have undertaken a self-audit, and the results indicate the area managed satisfies the code, you can notify DNRME of your intention to clear native vegetation for weed management in another area of your lot.

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 weeds 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.

Section limitations

Section 4 of the Weeds code sets out the limitations to clearing native vegetation. Sub-sections in the code provide detailed requirements for the following:

- Effective weed management methods (section 4.1)
- Clearing for access (section 4.2)
- Mechanical clearing (section 4.3)
- Chemical clearing (section 4.4)
- Controlled burning (section 4.5)
- Soil and Water Quality Protections (section 4.6)
- Rehabilitation requirements (section 4.7)

Effective weeds management methods

Generally an effective weed management method is one that is published by a State, Federal or Local government agency as an effective weed management method that ensures ecological processes for the native vegetation is maintained, and advances the restoration of the regional ecosystem.

TIP *For additional information on weed identification and best practice methods for controlling a specific weed contact your local council, your local natural resource management (NRM) body or Biosecurity Queensland at www.daf.qld.gov.au*

TIP *Weed fact sheets published by the Department of Agriculture and Fisheries provide information and some options for controlling different types of weeds. These fact sheets are available at www.daf.qld.gov.au (search 'invasive plant and animal fact sheets') or call Biosecurity Queensland on 13 25 23.*

The code only allows clearing that is necessary and reasonable given the nature and extent of the weed infestation, terrain and economics of weed control. Examples of inappropriate use of mechanical clearing for weed control would include:

- clearing mature trees to remove a climbing weed such as Rubber Vine (*Cryptostegia grandiflora*) or Cats Claw Creeper (*Macfadyena unguis-cati*) when the weed can be treated using selective techniques such as cut stump or stem injection
- clearing native vegetation to treat ground layer infestations of a herbaceous species such as Parthenium (*Parthenium hysterophorus*) when weed control activities would be more effective using chemical spraying and other management methods
- the use of a machine to clear scattered plants, when chemical control would be much more selective and do little or no damage to native vegetation.

It is recommended you use effective weed management methods to encourage the regeneration of native species. This can include follow up treatment that is necessary and appropriate to ensure the treatment of any missed or unsuccessfully treated plants, as well as new pest plants germinating from seed in the soil. It may not be appropriate to use the same method as the initial treatment when treating new germinating pest plants. Your weed management methods should also promote the regeneration of native species. For more information on how to manage the weed management area for regeneration, refer to the rehabilitation section of this guide.

Clearing for access

Wherever possible, use existing property tracks and fence line clearings to access weed infestations. If no suitable access exists and vehicular or machinery access is essential, a weed control access track may be constructed through native vegetation.

An access track constructed for weed management must not result in clearing:

- exceeding 5 meters in width
- mature trees
- habitat trees, unless it is necessary to remove a dead habitat tree that poses a safety risk
- of an immature koala habitat tree in a koala habitat area (SEQ Regional Plan area only), unless the area is managed in a way that is conducive to natural regeneration of the number of immature koala habitat trees cleared
- within a wetland, a watercourse or a drainage feature, or within 10 meters of their defining banks, unless a crossing is required.

Example clearing of immature koala habitat trees

You notify to conduct clearing for weed management on your lot which is located in the SEQ Regional Plan area and contains mapped koala habitat. You want to treat a lantana infestation that is surrounded by a dense regional ecosystem. There is no existing property tracks to access the weed infestation so it is necessary for you to clear several native trees of the *Eucalyptus* genera. You notice these trees are above two metres in height but do not meet the code definition for a mature tree or habitat tree. They are immature koala habitat trees so after clearing you are required to manage the cleared area in a way that allows the natural regeneration of the number of immature koala trees cleared.

Habitat trees are:

- living or dead standing native trees that contain one or more visible hollows positioned at least two metres above the base of the tree
- an active bird's nest
- the nest of a raptor or other bird that uses the same nest each year.

Immature koala habitat trees are:

- trees of the *Corymbia*, *Melaleuca*, *Lophostemon* or *Eucalyptus* genera that are edible by koalas or trees of a type typically used by koalas for shelter, including, for example, trees of the *Angophora* genus
- two metres or more in height
- not habitat trees or mature trees

TIP For more information on habitat trees, watch the [video on identifying habitat trees](#). For more information on Koala habitat protections see the [General guide to accepted development vegetation clearing codes](#).



Photo: Use existing paths to access weed infestations

Mechanical clearing

Mechanical clearing includes the clearing of vegetation using a machine and any attachments such as a blade or thinning bar. These methods are permitted under the weeds code where they are an effective weed management method for the specific weed and the situation, and where they meet the requirements of section 4.3 of the code.

Mechanical clearing for weed control must not use a chain or cable linked between two tractors, bulldozers or other traction vehicles, as chaining will not allow for targeted control and retention of mature and habitat trees.

To minimise off-target damage and to allow the regional ecosystem to recover, mechanical clearing for weed management must only remove immature trees and shrubs (including small saplings and ground covers) within a 1.5 metre radius of the canopy of the weed targeted for removal, and only where necessary.



Photo: Skid steer loader removes Cha-om (*Senegalia insuavis*)

Source: Department of Agriculture and Fisheries

Mechanical clearing of native vegetation must not disturb more than 50 per cent of the ground cover, or result in any hectare having less than 50 per cent ground cover (whether alive or dead) unless after the clearing the weed management area is rehabilitated in accordance with the requirements specified in section 4.7 of the Code. This is to ensure that ground cover is maintained and the chances of erosion and land degradation are minimised.

Mechanical clearing of native vegetation for weed management must retain vegetation that exhibits the full range of species typical of the regional ecosystems for the area. This is to ensure that the regional ecosystem has retained representatives of all species and sizes and is in a good condition to recover and provide resilience against weed infestation in future.

When conducting mechanical clearing on a lot in the SEQ Regional Plan area that contains a koala habitat area, the code only allows the clearing of immature koala habitat trees where the area is managed in a way that supports the natural regeneration of the number of immature koala habitat trees cleared.

Wetland, watercourse or drainage features can be easily damaged and require the use of a less damaging, more selective weed control method. Table 2 of the weeds code details the limitations on mechanical clearing undertaken near a riparian protection zone. If clearing in the riparian protection zone is required, it must not occur within 2 metres of the defining bank unless the area is rehabilitated in accordance with section 4.7 of the weeds code.

Chemical clearing

The control of weeds using herbicide is often part of an effective weed control program. Weeds often respond best to chemical suppression as an initial treatment of infestation however, it is important to use the correct product and application type for the particular weed species and stage of growth.

Chemical clearing includes the application of foliar herbicides by hand, or by aerial application using a plane or drone. It also includes use of root-absorbed broad spectrum herbicides. The weeds code prohibits chemical clearing in a number of situations. Any chemical clearing must be an effective weed management method for the specific weed and the situation, and must meet the requirements of section 4.4 of the weeds code.

Clearing using herbicides must retain mature trees, habitat trees and at least 50 percent of immature trees distributed in a pattern as natural as possible.

Habitat trees are living or dead standing native trees that contain one or more visible hollows positioned at least two metres above the base of the tree, or an active bird's nest or the nest of a raptor or other bird that uses the same nest each year.

When conducting chemical clearing on a lot in the SEQ Regional Plan area that contains a koala habitat area, the code only allows the clearing of immature koala habitat trees where the area is managed in a way that supports the natural regeneration of the number of immature koala habitat trees cleared.

TIP For more information on habitat trees, watch the [video on identifying habitat trees](#). For more information on koala habitat protections see the [General guide to accepted development vegetation clearing codes](#)

Aerial application

Section 4.4 of the weeds code only permits aerial application where the herbicide is a foliar herbicide and:

- the product directions for application, and the safety and use conditions specified by the Australian Pesticides and Veterinary Medicines Authority provides for aerial application
- it is selective and does not destroy any mature or habitat trees
- it is not used within 50 metres of the defining bank of a wetland
- it is applied in accordance with the approved product label, or the safety and use conditions specified by the Australian Pesticides and Veterinary Medicines Authority. This includes any specified distances from a wetland, watercourse or drainage feature. A reference to “waterways” on the label should be taken to refer to a watercourse, wetland or drainage feature mentioned in the weeds code.

Root absorbed broad spectrum herbicides

Section 4.4 of the weeds code does not allow the use of root absorbed broad spectrum herbicides in a range of situations, including no aerial application; and no application with 30 metres of a mature tree or habitat tree or within two times the height of a mature tree or habitat tree, whichever is the greater.

Section 4.4 also requires that the product label of the root absorbed broad spectrum herbicide be taken into account, and used as the limit if it contains more stringent restrictions. For example, if the product label states that the herbicide should not be used within 150 metres of a riparian area, then this overrides the 100 metres buffer in the weeds code, and must be complied with. To help identify wetlands, watercourses and drainage features, see the [General guide to accepted development vegetation clearing codes](#).

Section 4.4 of the weeds code also requires that root absorbed broad spectrum herbicides are applied in accordance with safety and use conditions specified by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

The APVMA provides a range of helpful information about chemical product regulation, safety, and how to use and interpret product labels correctly.

This Prickly Acacia (*Acacia nilotica*) was chemically treated using the basal bark method and the emerging seedlings growing after the death of the parent plant will now be treated with another weed control method (foliar spray method).



Photo: Prickly Acacia treated with herbicide and surrounding emergent juvenile plants

Source: Department of Agriculture and Fisheries

TIP For information on herbicides, product labels and conditions of use, visit the [Australian Pesticides and Veterinary Medicines Authority website](#)

Controlled burning for weed management

Weed management burning involves strategically burning to manage weeds.

The weeds code allows burning to manage weeds where it is done in accordance with a number of requirements, including obtaining a fire permit, retaining mature and habitat trees, and undertake activities in accordance with fire guidelines for the regional ecosystem (RE).

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 and search 'exempt clearing work' for further information on exemptions.

Regional ecosystem fire guidelines

Section 4.5 of the weeds code requires weed management burning to be undertaken in accordance with fire guidelines relevant to the RE. It further requires that you use guidelines mentioned in the [REDD](#).

Example fire guideline for the RE 11.8.4 (taken from REDD)

SEASON: Late wet to early dry season when there is good soil moisture. Early storm season or after good spring rains.

INTENSITY: Low to moderate with occasional high intensity fire, particularly where seedlings or saplings are overabundant.

INTERVAL: 1-3 years.

STRATEGY: Apply a mosaic across the landscape at a range of intervals to create varying stages of post-fire response. Burn 30-60% at the property level.

ISSUES: A significant issue to the retention of open grasslands is invasion of trees and shrubs following long periods of fire absence, low frequency of fire or fire applied repeatedly too early in the burning season. Woody thickening is exacerbated by stock grazing combined with repeated early season burns. Crimson finch, star finch and golden-shouldered parrot may be threatened by woody thickening. To mitigate against the impact of late dry season fires, commence burning early in the season and continue through the dry to break up continuity of fuels across the landscape. Invasive high biomass grasses can promote fire and increase severity. Variation in burn seasons and short fire frequencies promote bird diversity.

Conserving mature and habitat trees

Section 4.5 of the weeds code requires that weed management burning limits 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.

The fire guidelines for each RE can be used to identify an appropriate burning regime that will retain mature and habitat trees. The guidelines also highlight sensitive woody species known to occur in the RE.

For example, the fire guideline for the RE 5.7.9 mentions 'Some Acacias can be fire sensitive (e.g., *A. shirleyi*, *A. aneura*) and may be killed by high intensity fire'. In these situations, careful planning is required to ensure mature individuals of sensitive species are retained.

Soil and water quality protection measures

Soil and water quality protections are covered in section 4.6 of the weeds code. Please see [General guide to accepted development vegetation clearing codes](#) for further information on protections for soil and water quality.

Rehabilitation

The weeds code requires areas on native vegetation to be rehabilitated if they have been cleared in order to manage weeds, in the following circumstances:

- clearing inside or within two metres of the defining bank of a watercourse, wetland or drainage feature

- clearing that disturbs more than 50 per cent of the ground cover, or results in any hectare having less than 50 per cent ground cover, whether dead or alive.

Rehabilitation requirements are set out in section 4.7 of the code. Please see [General guide to accepted development vegetation clearing codes](#) for further information on rehabilitation.