

Accepted development vegetation clearing code

Clearing to improve agricultural efficiency

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 understanding the 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](#)¹.

Term	Definition
Broadacre cropping	<p>Is the commercial cultivation and harvest of:</p> <ul style="list-style-type: none"> • sugar cane and tea • plants for oil, such as canola, mustard and sunflower • plants for fibre, such as cotton and hemp • cereal or pseudo cereal plants such as (including any forage varieties): wheat, rice, barley, oats, rye, chia, triticale, sorghum, quinoa, maize and millets • pulses or leguminous plants such as: lupins, chickpeas, cowpea, faba beans, field peas, mung beans, navy beans, soybeans, lentils, peanuts, guar, dolichos and lucerne. <p><u>Note:</u> Does not include growing pasture to be grazed by livestock.</p>
Defining bank	<p>Is the bank that confines the seasonal flows, but which may be inundated by flooding from time to time, and can be either:</p> <ul style="list-style-type: none"> • the bank or terrace that confines the water before the point of flooding or • where there is no bank, the seasonal high water line that represents the point of flooding.
Ecological processes	<p>Is the range of natural processes which maintain an ecosystem, including but not limited to:</p> <ul style="list-style-type: none"> • hydrological processes • soil development • nutrient cycling • chemical processes including storage of nutrients • decomposition and cycling of organic matter • pollination and seed production • seed dispersal • predator-prey relationships • germination and recruitment of species • the carbon cycle and stability of atmospheric carbon • habitats for flora and fauna (such as particular regional ecosystems, logs, rocks, debris, leaf litter, nectar, hollow bearing trees, food and shelter).
Existing cropped area	<p>Is an area that has been cropped or harvested for annual or perennial horticulture or broadacre cropping, at least three times in the ten year period prior to notification under this code.</p>
Horticulture	<p>Is the commercial cultivation of plants for harvesting including fruits (e.g. berries, grapes and nuts), vegetables, flowers, stems, roots or leaves, and commercial cultivation of turf grass species for turf harvesting.</p>

¹ A list of terms defined in the [Vegetation Management Act 1999](#) is available in the General guide to the vegetation clearing codes: Accepted development vegetation clearing codes. The general guide is available online at www.qld.gov.au (search 'General guide to the vegetation clearing codes').

Term	Definition
Island	Is any mapped regulated vegetation 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.
Landholder	Is (where relevant): <ul style="list-style-type: none"> • the registered proprietor of freehold land • a lessee of freehold land, subject to the consent of the freehold owner to make a notification • a lessee of a lease under the Land Act 1994 provided the clearing is consistent with the purposes of the lease • a sub-lessee of a lease under the Land Act 1994 subject to the consent of the lessee to make a notification and provided the clearing is consistent with the purposes of the lease • a licensee or permittee under the Land Act 1994 provided the clearing is consistent with the conditions of the licence or permit • the holder of the title or tenure to the land.
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.
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 Soil Conservation Guidelines for Queensland (3rd edition) , a fact sheet or other advice published or provided by a State or Federal government agency.
Regulated vegetation	Is a category A area, category B area, category C area or category R area.
Salinity expression area	Is an area containing <u>more than one</u> of the following salinity indicators: <ul style="list-style-type: none"> • Plant species tolerant of saline conditions, shallow water tables or poor drainage (waterlogging)² • Wet areas in lower parts of the landscape or bare soil (soil scalding) • Dieback of larger trees in low, wetter parts of the landscape (outside drought conditions or the effects of fire) • Salt accumulations on the surface (often white and powdery, sometimes crystalline) • Areas of shallow groundwater³
Seasonal high water line	Is a zone that represents the usual peak seasonal flow level and can be identified by deposition, debris or characteristic vegetation zonation.
Soil erosion and instability	Is the occurrence of gully erosion greater than 30 centimetres in depth, landslips, a scarp, soil scalding or stream bank slumping.

² For example—*Melaleuca* spp. (in particular *Melaleuca bracteata* and *Melaleuca quinquenervia*), *Sporobolus* spp. (in particular 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), *Chloris* spp. (Rhodes grasses), *Cynodon dactylon* (common couch), *Enchylaena tomentosa* (ruby saltbush), *Sesuvium portulacastrum* (purslane), *Tecticornia* species (samphires), *Phragmites* spp.

³ 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.

Term	Definition
Stream order	Means a numerical ordering classification of each stream segment according to its position within a catchment ⁴ . Streams are watercourses and drainage features shown on the vegetation management watercourse and drainage feature map.
Superseded codes	<p>Includes the following:</p> <ul style="list-style-type: none"> • <i>'Managing clearing to improve operational efficiency of existing agriculture'</i> (effective 2 December 2013) accepted development vegetation clearing code; and • <i>'Clearing to improve agricultural efficiency'</i> (effective 21 June 2019) accepted development vegetation clearing code.

⁴ 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 (search 'General guide to the vegetation clearing codes').

1 Introduction

The [Vegetation Management Act 1999](#) (the Vegetation Management Act), in conjunction with the [Planning Act 2016](#) (the Planning Act) and subordinate legislation, regulates the clearing of remnant vegetation and regulated regrowth vegetation. This code, which was made by the Minister on 5 September 2023 (effective 22 November 2023) in accordance with section 19O of the Vegetation Management Act and the State Policy for Vegetation Management⁵, 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 clearing 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 clearing of remnant (category B areas) and regulated regrowth vegetation (category C areas and category R areas) to improve agricultural efficiency in accordance with requirements designed to meet the objectives outlined in [section 1.3](#).

If clearing to improve agricultural efficiency does not comply with all of the requirements of this code, it is classified as either assessable or prohibited development under the Planning Act and may be subject to the relevant offence provisions⁶.

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.

1.2 Scope

This code applies to the clearing of vegetation in category B, category C or Category R areas that are on any of the following:

- Freehold land

⁵ The State Policy for Vegetation Management is available at www.qld.gov.au (search 'state policy for vegetation management').

⁶ The Department of Resources uses satellite imagery to monitor compliance with vegetation management legislation.

- Indigenous land
- Leasehold land granted under the [Land Act 1994](#) for agricultural and grazing purposes
- Land subject of an occupation licence under the [Land Act 1994](#).

This code does not apply to:

- clearing on land that is not freehold or indigenous land, leasehold land granted under the [Land Act 1994](#) for agricultural and grazing purposes, or land that is the subject of an occupation licence under the [Land Act 1994](#)
- clearing that is inconsistent with a condition of a development approval under the Planning Act that remains enforceable
- clearing for which an approval is otherwise required under the Planning Act, such as a material change of use approval
- clearing in an endangered regional ecosystem or an of concern regional ecosystem.

1.3 Objective

The objective of this code is that clearing to improve agricultural efficiency achieves the following environmental outcomes:

- Avoids and minimise impacts on remnant vegetation and regulated regrowth vegetation
- Prevents land degradation
- Maintains ecological processes and biodiversity
- Maintains bank stability, water quality and habitat of wetland, watercourse and drainage features
- Maintains regional ecosystems.

1.4 Commencement date

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

- *Clearing to improve agricultural efficiency* (effective 21 June 2019)

Any current notifications made under the superseded *Managing clearing to improve agricultural efficiency* code effective 21 June 2019 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 21 June 2019 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.

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 of the following:

1. the landholder⁷
or
2. a third party.

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

2.1 Notification process

1. Complete the online or hard copy notification form, which requires that you provide certain information, including:
 - a. contact details
 - b. the lot on plan on which the activity is proposed
 - c. the tenure of the property (i.e. whether freehold, leasehold or other)
 - d. information that clearly identifies the location of the intended clearing.
2. Lodge the completed form with the Department of Resources.
3. 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.

⁷ 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.
2. If your property consists of more than one lot, you may lodge a notification for each lot.
3. A notification remains in effect for two years from the date the Department of Resources issues confirmation of your notification⁸.
4. Once the maximum clearing limit per lot under [section 4.2](#) of this code has been reached, no further notifications can be made and no further clearing can be undertaken on the lot under this code⁹.

Note: If you or another person have previously cleared 10 hectares on the lot under this code or the superseded codes, no further clearing is permitted under this code.

3 Compliance requirements

To comply with this code, you must:

1. notify the Department of Resources in accordance with the notification requirements ([section 2 of this code](#))
2. conduct your clearing in accordance with all of the clearing requirements ([section 4 of this code](#))
3. keep the following records if you have contracted another person to undertake the clearing on your behalf, and make these records available to the Department of Resources upon request:
 - a. contractor details (name, address, contact details)
 - b. instructions to contractors, detailing location, date and time.

4 Clearing requirements

Clearing can only occur if it is undertaken in accordance with all requirements in sections 4.1 to 4.3.

4.1 Operational efficiency

Clearing must only be undertaken under this code where either of the following are satisfied:

1. The clearing is to:
 - a. straighten edges or margins of an existing cropped area

⁸ Notifications do not transfer on title. If you have recently purchased the property and intend to undertake clearing activities in regulated regrowth vegetation or remnant vegetation, you must first notify the Department of Resources.

⁹ This clearing limitation is calculated by including any and all clearing on the lot under this code or any superseded codes by any former landholder or any third party.

- b. provide for installation of irrigation systems or maximising efficiencies of existing irrigation systems, within or adjacent to an existing cropped area.

Example 1: You would like to clear the vegetation around an existing cropped area. One margin of the cropped area is not straight. The opposite margin is straight. You would like to clear vegetation along both margins to expand the cropped area. You are only permitted to clear vegetation along the margin that is not straight, to straighten it (or to provide for the installation or maximisation of irrigation systems).

4.2 Clearing limits

1. Clearing must not occur in:
 - a. endangered regional ecosystems
 - b. of concern regional ecosystems
 - c. essential habitat
 - d. a riparian protection zone specified in Table 1
 - e. an island.
2. For each lot, clearing must not exceed any of the following area limits¹⁰:
 - a. 5 hectares in category B areas combined in total under this code or any superseded codes
 - b. 1 hectare in category R areas
 - c. 10 hectares of category B areas, category C areas or category R areas combined in total under this code or any superseded codes.

Example: You have an existing cropped area that does not have straight edges — there is native vegetation which prevents your irrigation equipment from evenly distributing water across the cropped area — and you did not clear under the superseded code.

The native vegetation you would like to clear to improve agricultural efficiency is comprised of 2 hectares of a category B area, 5 hectares of a category C area and 0.5 hectares of a category R area. Because the proposed clearing is less than 5 hectares in the category B area, less than 1 hectare in the category R area and less than 10 hectares in combined total, if you comply with all other requirements of this code, you may clear to straighten the edge of the existing cropped area.

¹⁰ This clearing limitation is calculated by including any and all clearing on the lot under this code or any superseded codes by any former landholder or any third party.

Table 1: Riparian protection zones

Water feature	Riparian protection zone*
Wetland	100 metres
Watercourse and drainage features	
Stream order [†] 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.

† Stream order is shown on the vegetation management supporting map.

4.3 Soil and water quality protections

When clearing, all of the following apply:

1. Recognised best practice methods must be employed to:
 - a. prevent increased soil erosion and instability resulting from the clearing
 - b. stabilise soil erosion and instability which has resulted from clearing
 - c. prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing.
2. Clearing must not occur within either of the following areas:
 - a. 100 metres of a salinity expression area
 - b. In land zone 1, 2 or 3 where the elevation is less than five metres above sea level.

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) www.rdmw.qld.gov.au
Earthworks, significant disturbance	<i>Soil Conservation Act 1986</i>	Department of Resources (Queensland Government)	Ph: 13 QGOV (13 74 68) www.resources.qld.gov.au
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) www.dsdsatsip.qld.gov.au
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) www.des.qld.gov.au
Protected plants and protected areas ¹¹	<i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 1300 130 372 (option 4) palm@des.qld.gov.au www.des.qld.gov.au
Koala mapping and regulations	<i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) Koala.assessment@des.qld.gov.au www.des.qld.gov.au
Interference with fish passage in a watercourse, mangroves Forest activities ¹²	<i>Fisheries Act 1994</i> <i>Forestry Act 1959</i>	Department of Agriculture and Fisheries (Queensland Government)	Ph: 13 25 23 www.daf.qld.gov.au
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 www.dcceew.gov.au

¹¹ 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 (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.

¹² 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.

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