

Landholders' guide to the regrowth vegetation code

September 2011



Prepared by:
Vegetation Management
Department of Environment and Resource Management
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1. What is this guide about?

The Landholders' guide to the regrowth vegetation code (the guide) has been prepared by the Department of Environment and Resource Management (DERM) to assist landholders understand and implement the regrowth vegetation code (the code).

This guide explains:

- the role of the code, within the vegetation management framework
- how regrowth vegetation is defined
- when the code applies
- specific requirements of the code.

The guide should always be read in conjunction with the code, available on the DERM website <www.derm.qld.gov.au>, to ensure any clearing of regulated regrowth vegetation is undertaken in compliance with the code. Penalties apply to any unlawful clearing under the code.

2. Which part of the vegetation management framework applies?

Clearing requirements under the vegetation management framework depend on the type of vegetation which will be cleared (i.e. regulated regrowth or remnant), and whether an exemption applies to the proposed clearing activity. Figure 1 represents how the regrowth laws fit within the broader vegetation management framework.

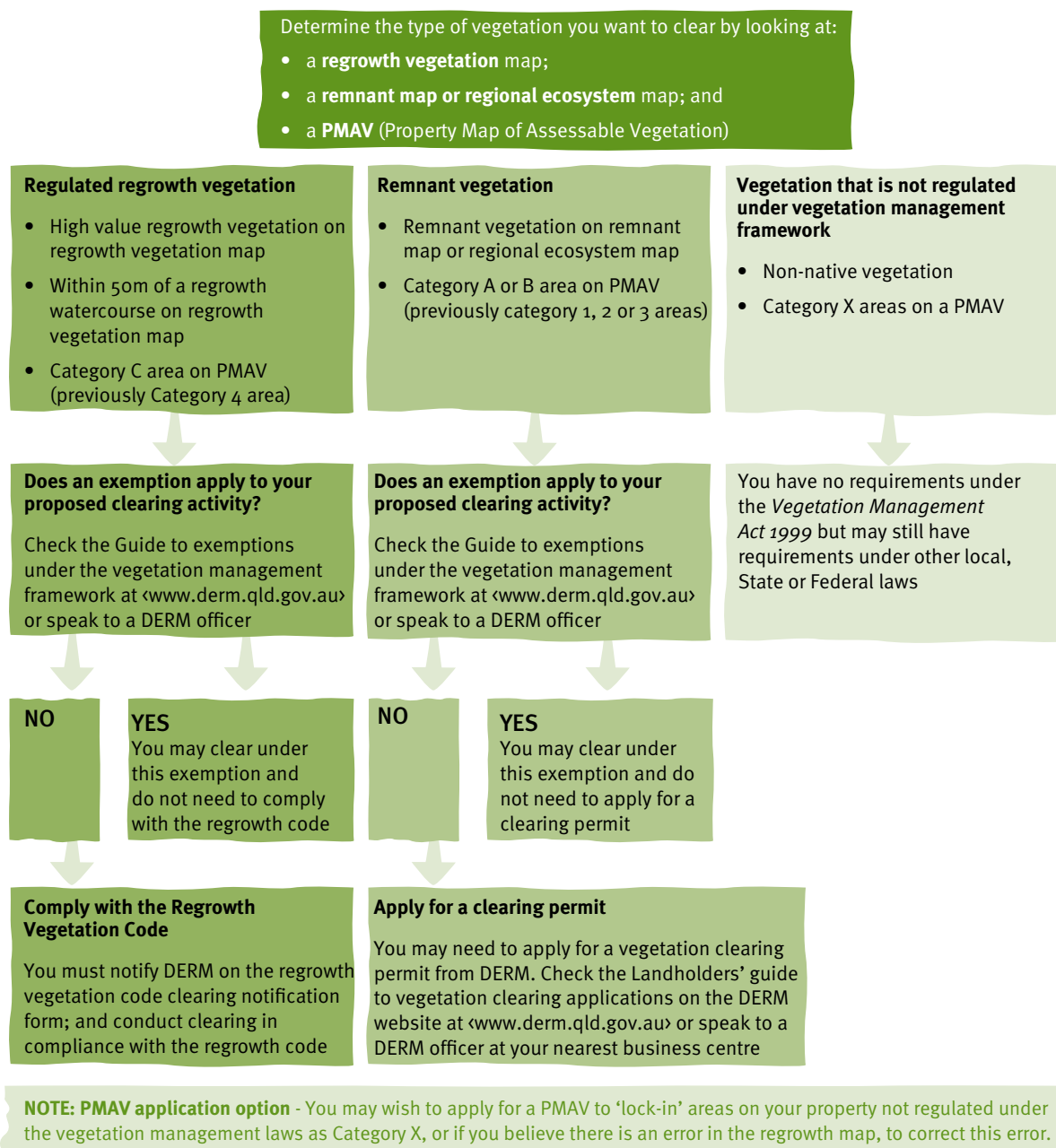


Figure 1: Regrowth laws and the vegetation management framework

3. What is regulated regrowth vegetation?

Regulated regrowth vegetation is regrowth vegetation that is one of the following:

- identified on the regrowth vegetation map as high value regrowth vegetation
- located within 50 metres (m) of a watercourse identified on the regrowth vegetation map as a regrowth watercourse
- contained in a category C area shown on a Property Map of Assessable Vegetation (PMAV)—previously shown as a Category 4 area.

The regrowth regulations only apply to freehold land, Indigenous land, and leasehold land for agriculture and grazing.

4. What is the regrowth vegetation map?

The regrowth vegetation map shows:

- high value regrowth vegetation
- regrowth watercourses
- other relevant features under the code, including:
 - essential regrowth habitat
 - Great Barrier Reef wetland protection areas
 - watercourses, with stream order indicated.

The regrowth vegetation map can be obtained from DERM's website at <www.derm.qld.gov.au> or from a DERM customer service centre (listed in Appendix 3). Please note a fee for a custom made map may apply.

When obtaining a copy of the regrowth map from DERM's website you will need a valid email address, and the lot or plan numbers or a central coordinate of the area you wish to obtain the map for.

Ensure you have a copy of the newest version of the regrowth vegetation map before planning to clear any vegetation.




High value regrowth vegetation on the map

High value regrowth vegetation comprises regional ecosystems that are endangered, of concern and least concern, and have not been cleared since 31 December 1989.

High value regrowth vegetation is shown on the regrowth vegetation map as displayed in Table 1.

If you have an area that you think is incorrectly mapped as high value regrowth, talk to a DERM officer from one of the service centres (listed in Appendix 3).


Table 1: High value regrowth on the regrowth vegetation map

Colour on the map		What it represents
Pink		High value regrowth vegetation containing endangered regional ecosystems
Orange		High value regrowth vegetation containing of concern regional ecosystems
Green		High value regrowth vegetation that is a least concern regional ecosystem

Regrowth watercourse vegetation on the map

Regrowth watercourse vegetation is all native woody vegetation that is located within 50 m of identified regrowth watercourses. The identified regrowth watercourses are in priority Great Barrier Reef catchments, and are shown on the regrowth vegetation map as maroon lines (refer to Table 2).

Table 2: Regrowth watercourses on the regrowth vegetation map

Colour on the map	What it represents
Maroon line	 Regrowth watercourse

Requirements for clearing regrowth watercourse vegetation are in Part 2 of the code. If there is no native woody vegetation in the regrowth watercourse area that you wish to clear, the code does not apply. For example, if the only plants in an area mapped as a regrowth watercourse are non-native (such as *Leucaena*), these can be cleared without having to refer to the code. Please refer to Section 10 (Regrowth watercourses) of the guide for specific information regarding these areas.

Important




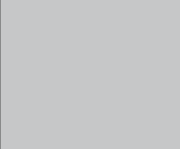

Any high value regrowth that is in, or adjacent to, a regrowth watercourse is subject to the high value regrowth requirements of the code, and not the regrowth watercourse vegetation requirements.

If you have a watercourse on your property that is not mapped as a regrowth watercourse (i.e. not maroon), clearing requirements may apply under the code if the watercourse is in, or adjacent to, high value regrowth vegetation or a category C area on a PMAV. These requirements are in Part 2 of the code.

Other information on the regrowth vegetation map

Other areas that are displayed on the regrowth vegetation map are identified in Table 3. Further information on these areas is provided in the sections of the guide referred to in Table 3. It is important to identify any of these areas on your property, as clearing may be restricted not only within these areas, but also around them.

Table 3: Other information on the regrowth vegetation map

Colour on the map*		What it represents
Blue diagonal hatching		Areas of essential regrowth habitat. Refer to Section 8.
Blue line		Areas that are a watercourse, but not a regrowth watercourse. Refer to Section 8.
Green horizontal hatching		Area that is a Great Barrier Reef wetland protection area. Refer to Section 8.
White		Non-remnant and non-high value regrowth vegetation on a regrowth vegetation map. Note that regrowth watercourse requirements may apply.
Grey		Remnant vegetation on the regrowth vegetation map. To view the regional ecosystems on your property you will need to view the regional ecosystem map. This code does not apply to remnant vegetation.
White with blue border		Category X on a PMAV, which is not regulated under the <i>Vegetation Management Act 1999</i> and the code does not apply.

*Colours only apply to the regrowth vegetation map—Version 2.1, and may vary on other maps.



5. When does the code apply?

The code applies to the clearing of regulated regrowth vegetation on freehold and Indigenous land and leasehold land for agriculture and grazing. A summary of when the code does and does not apply to vegetation clearing is provided in Table 4.

Note that where the code does not apply, there may be other legislative requirements you must comply with before clearing vegetation. The Landholders' guide to vegetation clearing applications provides further information on these requirements—available on DERM's website at <www.derm.qld.gov.au>.

The guide to exemptions under the vegetation management framework provides further information on whether your proposed clearing may be exempt—available on DERM's website <www.derm.qld.gov.au>.

Clearing may require approval under other legislation including, but not limited to, the:

- *Nature Conservation Act 1992*
- *Water Act 2000*
- *Environment Protection and Biodiversity Conservation Act 1999*
- other laws administered by local, state or federal governments (refer to Appendix 2).

Table 4: Summary of when the code does and does not apply

Clearing details	Does the code apply?
Clearing in an area mapped as remnant vegetation or shown on a PMAV as a category A or B area.	No—permits may be required
Clearing regulated regrowth vegetation for an extractive industry within a key resource area.	No
Clearing regulated regrowth vegetation for a significant community project.	No
Clearing regulated regrowth vegetation that is exempt development without needing to consider the code—for example, clearing: <ul style="list-style-type: none"> • certain widths for fire management lines, fire breaks and fences • to maintain infrastructure such as existing fences, infrastructure and roads. 	No
Clearing on land that is not freehold land, Indigenous land, or leasehold land for agricultural and grazing.	No—permits may be required
Clearing areas mapped as high value regrowth vegetation, which are not a regional ecosystem, or have been cleared since 31 December 1989. Although the code requirements do not apply, you must still notify DERM on the regrowth vegetation code clearing notification form of clearing in these areas.	No
Clearing regulated regrowth vegetation on land that is freehold land, Indigenous land, or leasehold land for agricultural and grazing and is not listed above.	Yes

6. How does the code work?

The code contains two parts that define the minimum requirements for clearing regulated regrowth vegetation. These are:

- clearing requirements for regulated regrowth vegetation (Part 2)
- exchange areas (Part 3)

Each part defines the required outcomes and practices that must be achieved to comply with the code. These are termed minimum requirements in the code.

The code also outlines recommended actions or practices, which are voluntary actions a landholder may take to enhance environmental outcomes on their property—Part 4.

You are exempt from requiring a permit under the *Vegetation Management Act 1999* to clear regulated regrowth vegetation if:

- you notify DERM of the proposed clearing on the *Regrowth vegetation code clearing notification form* (Appendix 4)
- clearing is consistent with the code.

If clearing cannot comply with the code, it cannot lawfully proceed.

Important

Although you do not need to apply for a permit before clearing regulated regrowth vegetation on leasehold land for agriculture and grazing, the State's commercial timber interests must first be considered. This means:

- you cannot clear *Santalum lanceolatum* (sandalwood); and
- if within a commercial timber local authority area (listed in Schedule 7 of the code) you will need to contact DERM before clearing, and comply with any written conditions or requirements relating to commercial timber.

To determine how the code applies to you, you will need to know the following:

- the type of regulated regrowth vegetation that you plan to clear
- the purpose of your clearing
- whether the clearing is inside or outside a restricted area
- in some circumstances, you will also need to know if your vegetation is an isolated area

Further information on the purpose of clearing, restricted areas, and small and isolated vegetation is provided in the guide.

Once you have worked out the type of vegetation, the purpose of clearing and whether the clearing is inside or outside a restricted area, you can determine the relevant code requirements for your clearing.

7. Clearing purposes

The code allows clearing for certain purposes such as for property management activities, and in some circumstances for any purpose (which includes broadacre clearing).

This section provides further explanation of clearing for:

- any purpose
- public safety and infrastructure
- an extractive industry
- control non-native plants or declared pests
- thinning
- encroachment.

Tables 5 and Table 6 provide a brief summary of the code requirements for each of these clearing purposes, in the different types of high value regrowth vegetation.

Table 5: Overview of clearing permitted in high value regrowth vegetation on freehold and Indigenous land

Table note: **X** represents not permitted to clear / **✓** represents permitted to clear.

Clearing activity	Endangered	Of concern	Least concern
Clearing for any purpose NOTE: These requirements can be used as an alternative for any of the other clearing purposes listed below	X Unless in small and isolated patches# outside of restricted areas*, and an exchange area is provided.	✓ Except within restricted area*	✓ Except within restricted area*
Clearing to establish necessary fence, firebreak, road or vehicular track, or to construct necessary built infrastructure	✓ Provide exchange area, and comply with Schedule 2	✓ If clearing in a restricted area*, provide exchange area and comply with Schedule 2	✓ If clearing in a restricted area*, provide exchange area and comply with Schedule 2
Clearing to the extent necessary for extractive industry	✓ Provide exchange area, and comply with Schedule 6	✓ If clearing in a restricted area*, provide exchange area and comply with Schedule 6	✓ If clearing in a restricted area*, provide exchange area and comply with Schedule 6
Clearing to ensure public safety	✓ Comply with Schedule 2	✓ Comply with Schedule 2	✓ Comply with Schedule 2

Clearing activity	Endangered	Of concern	Least concern
Clearing for encroachment	✓ Comply with Schedule 3	✓ Comply with Schedule 3	✓ Comply with Schedule 3
Clearing for thinning	✓ Comply with Schedule 4	✓ Comply with Schedule 4	✓ Comply with Schedule 4
Clearing to control non-native plants or declared pests	✓ Comply with Schedule 5	✓ Comply with Schedule 5	✓ Comply with Schedule 5

* Restricted areas are:

- essential regrowth habitat
- stream protection zones
- Great Barrier Reef wetland protection areas
- wetlands
- on slopes greater than 12 per cent.

Further information on small and isolated patches is provided in Section 9 of the guide.

Table 6: Overview of clearing permitted in high value regrowth vegetation on leasehold land for agriculture and grazing

Table note: ✗ represents not permitted to clear / ✓ represents permitted to clear.

Clearing activity	Endangered	Of concern	Least concern
Clearing sandalwood, or commercial timber in the shires listed in Schedule 7 of the code	✗ Unless in accordance with conditions from DERM in relation to commercial timber	✗ Unless in accordance with conditions from DERM in relation to commercial timber	✗ Unless in accordance with conditions from DERM in relation to commercial timber
Clearing for any purpose NOTE: These requirements can be used as an alternative for any of the other clearing purposes listed below	✗ Unless in small and isolated patches# outside of restricted areas*, and an exchange area is provided	✗ Unless in small and isolated patches# outside of restricted areas*, and an exchange area is provided	✓ Except within restricted area*
Clearing to establish necessary fence, firebreak, road or vehicular track, or to construct necessary built infrastructure	✓ Provide exchange area, and comply with Schedule 2	✓ Provide exchange area, and comply with Schedule 2	✓ If clearing in a restricted area*, provide exchange area and comply with Schedule 2
Clearing to the extent necessary for extractive industry	✓ Provide exchange area, and comply with Schedule 6	✓ Provide exchange area, and comply with Schedule 6	✓ If clearing in a restricted area*, provide exchange area and comply with Schedule 6
Clearing to ensure public safety	✓ Comply with Schedule 2	✓ Comply with Schedule 2	✓ Comply with Schedule 2

Clearing activity	Endangered	Of concern	Least concern
Clearing for encroachment	✓ Comply with Schedule 3	✓ Comply with Schedule 3	✓ Comply with Schedule 3
Clearing for thinning	✓ Comply with Schedule 4	✓ Comply with Schedule 4	✓ Comply with Schedule 4
Clearing to control non-native plants or declared pests	✓ Comply with Schedule 5	✓ Comply with Schedule 5	✓ Comply with Schedule 5

* Restricted areas are:

- essential regrowth habitat
- stream protection zones
- Great Barrier Reef wetland protection areas
- wetlands
- on slopes greater than 12 per cent.

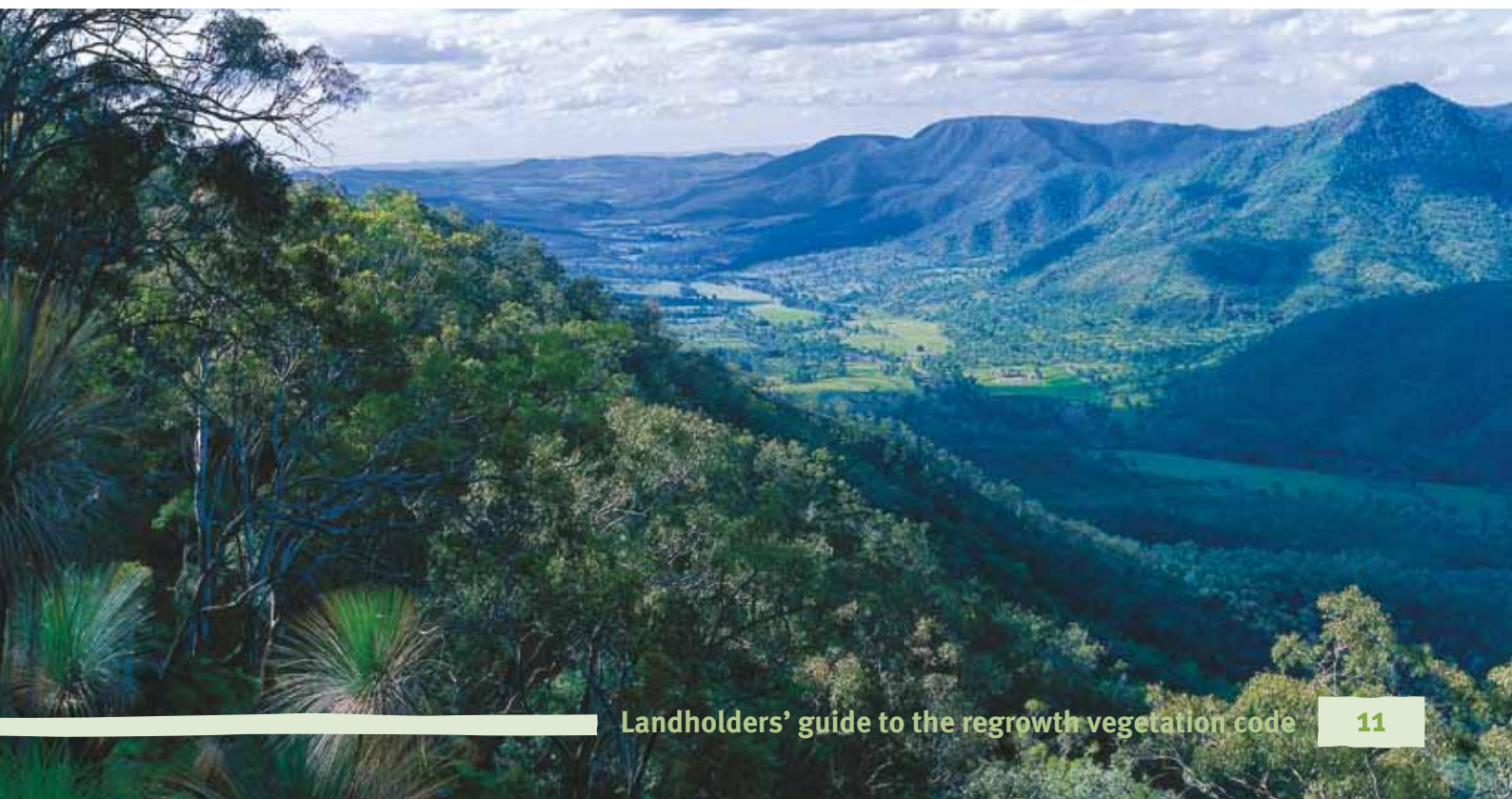
Further information on small and isolated patches is provided in Section 9 of the guide.

Clearing for any purpose

Clearing for any purpose could include clearing for agricultural or grazing activities (pasture improvement) and for any other purpose required in the area (infrastructure and fences).

Clearing to control non-native plants or declared pests

Where necessary, controlling declared pests is a basic management need and the code provides for clearing to control non-native plants or declared pests, under the *Land Protection (Pest and Stock Route Management) Act 1992*. Declared pests under this Act include declared pest plants and declared pest animals. A list and description of declared plants and pests is available from the Department of Employment, Economic Development and Innovation, on the Queensland Primary Industries and Fisheries website at <www.dpi.qld.gov.au>.



Clearing for thinning

Thinning refers to the selective clearing of regrowth vegetation to restore the vegetation to a more natural state, in terms of species composition and/or tree density. Regrowth vegetation can become dense and it is desirable to thin such vegetation to return the regrowth to a more natural state and promote its development.

In some circumstances natural processes such as prolonged dry periods or fire will reduce the density of vegetation, without the need for any other intervention. However, natural processes will not always be able to maintain desirable thicknesses and for this reason the code allows for the thinning of certain types of regrowth vegetation.

Some regional ecosystems such as rainforest, heathland, and dry scrub, are naturally thick or dense and cannot be thinned. These regional ecosystems are listed in Schedule 4 of the code (Table 6). To determine your bioregion, view the map of bioregions from DERM's website at <www.derm.qld.gov.au>.

Clearing for encroachment

Encroachment refers to the invasion of a grassland by native, woody vegetation to the extent that the area is no longer consistent with the description of the regional ecosystem. A full list of grassland regional ecosystems in which clearing is permitted is provided in Schedule 3 of the code (Table 5).



Clearing for public safety and infrastructure

There are situations where clearing of regulated regrowth vegetation will be necessary to ensure public safety or to build necessary infrastructure. If the proposed clearing does not meet one of the below exemptions, the code permits clearing to ensure public safety and to build necessary infrastructure.

Current exemptions provide for clearing to remove or reduce the imminent risk that vegetation poses of serious personal injury or damage to infrastructure. For built infrastructure, exemptions also provide for clearing to:

- construct a single residence and associated infrastructure
- establish a necessary firebreak to protect a building (not a fence, road or track) if clearing is limited to 1.5 times the tree height or 20 m, whichever is greater
- establish a necessary fire management line if the width is a maximum of 10 m (e.g. to provide access to a water supply for fire fighting or a track to break up an area into manageable units for fuel reduction burning)
- maintain infrastructure such as airstrips, buildings, fences, roads, stock yards, vehicular tracks, watering facilities and drains other than contour banks
- maintain a garden or orchard
- source construction material to repair infrastructure
- construct a necessary fence, road or track if clearing is limited to a maximum of 10 m
- construct necessary built infrastructure other than contour banks, fences, roads or tracks if the clearing is not to source construction material, and the total extent of clearing is a maximum of two hectares.

Exemptions may vary according to land tenure. For further information on exemptions you can view the guide to exemptions under the vegetation management framework from DERM's website at www.derm.qld.gov.au, or view Schedule 24 of the Sustainable Planning Regulation 2009.

Clearing for an extractive industry

There are situations where, because of the location of an extractive resource, clearing of high value regrowth vegetation or regrowth watercourse vegetation may be necessary to permit the development of an extractive industry.

The code permits clearing to establish an extractive industry in an area that is not in a key resource area for extraction and processing of material. Extractive industry development in a key resource area is exempt from the code requirements.

8. What are restricted areas?

The code protects critical parts of the landscape by specifying areas where regulated regrowth vegetation is to be retained, or compensated for clearing by providing an exchange area. These restricted areas are any of the following:

- essential regrowth habitat
- stream protection zones
- Great Barrier Reef wetland protection area
- wetlands
- slopes greater than 12 per cent.

Additional restrictions also apply in endangered and of concern regional ecosystems, in certain situations such as clearing in small and isolated patches (see Section 9 of this guide).

Essential regrowth habitat

Essential regrowth habitat is an area of vegetation that provides important habitat for species listed as endangered, vulnerable, rare or near threatened under the Nature Conservation (Wildlife) Regulation 2006.

When checking the regrowth map to see if the area of regrowth you want to clear is regulated, you should also check if the area you want to clear is shown with blue diagonal hatching on it. If it is, you will need to refer to the rules in the code for the clearing activity permitted in essential regrowth habitat for that particular regional ecosystem, and to determine whether an exchange area must be provided.

The code protects these areas by only allowing clearing for a limited range of specific purposes—such as for public safety, to establish necessary infrastructure, to thin, to manage encroachment, or to manage declared pests and non-native plants.

Areas of regulated regrowth vegetation that are essential regrowth habitat are shown on the regrowth vegetation map as blue hatched areas (diagonal lines running at a 45 degree angle). The hatching will appear over the top of the pink, orange or green areas on the map.

What if the mapped essential habitat is not essential habitat on the ground?

Clearing in an area mapped as essential regrowth habitat may not actually be essential habitat on the ground. This is due to an area of mapped essential habitat being defined on the basis that the vegetation contains:

- at least three essential habitat factors for the protected wildlife—which must include any essential habitat factors that are stated as mandatory for the protected wildlife in the essential regrowth habitat database; or
- the protected wildlife, at any stage of its life cycle.

A landholder can clear an area mapped as essential regrowth habitat without needing to consider specific requirements for essential regrowth habitat if they can prove that:

- less than three of the essential habitat factors, including any mandatory factor(s), apply to the area; and
- the species, at any stage of its life cycle, does not occur within the proposed clearing area.

For more information about essential habitat factors and the essential regrowth habitat database, visit DERM's website at www.derm.qld.gov.au

Stream protection zones

Vegetation along creeks, streams and rivers plays an important role in bank stability, maintaining water quality, providing wildlife habitat and maintaining biodiversity and ecological processes. The code protects these areas of regrowth vegetation by establishing stream protection zones where clearing of regulated regrowth vegetation is restricted in terms of both location and extent, and the purpose of the clearing.

Watercourses shown as a blue line on the regrowth vegetation map are not regrowth watercourses. Regrowth watercourses are shown as a maroon line on the regrowth map and are explained further in Section 10 of the guide.

Stream protection zones requirements exist in both areas of high value regrowth vegetation, and along regrowth watercourses. The size of stream protection zones and the rules for clearing within them vary according to the size of the stream. The larger the stream, the larger the protection zone needs to be to adequately protect it.

Stream size is typically represented by stream order, which is a numerical ordering system of each stream section based on its position in a catchment. Small streams that start in catchment headwaters are first order streams, and as they join other streams further down the catchment, they progressively get larger and become higher order streams.

If a stream runs through the area of regulated regrowth vegetation you want to clear, you will need to be aware of stream protection zone requirements. The following steps are used to determine a stream order:

Step 1—Determine the stream order

In most cases you will be able to determine the stream order of the relevant stream section by checking the regrowth map, which will have stream orders marked for each stream section. Stream orders are indicated by numbers one through six next to a stream section on the regrowth map.

If there is no stream order identified on the map, you will need to determine the stream order manually. To do this, identify the relevant stream on the regrowth vegetation map. Stream order is determined when two streams of the same order join, and the resulting stream becomes one stream order larger. If two streams of different order join, the resultant stream order is that of the larger stream. Refer to Figure 2 for a diagrammatic explanation of stream ordering.

For further information or advice on determining stream order, contact a DERM business centre (listed in Appendix 3).

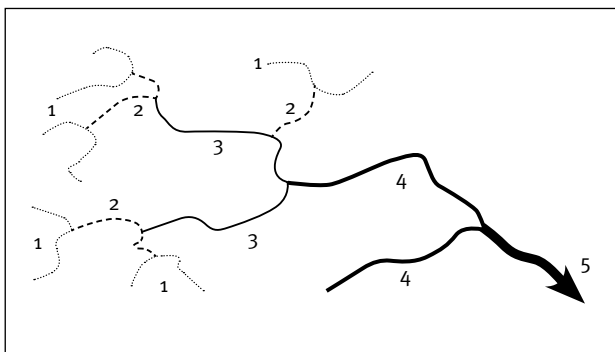


Figure 2: Diagrammatic explanation of stream ordering

Step 2—Determine the required width of the stream protection zone

Once you know the stream order of the relevant stream section, you can determine the required width of the stream protection zone from Table 4 in Schedule 1 of the code. These required widths are displayed below in Figure 3. The required width is measured from the defining bank of the watercourse.

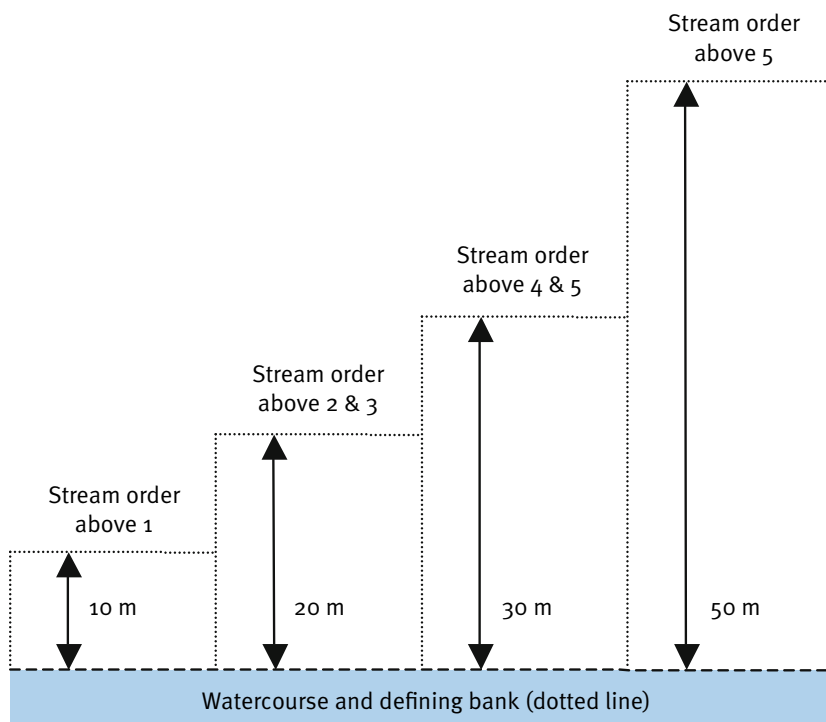


Figure 3: Stream protection zones

Step 3—Identify the defining bank

When you are ready to mark out the stream protection zone in the field, you will first need to identify and locate the defining bank from which you measure the protection zone.

The defining bank is either:

- the bank or terrace that confines water before flooding
- if there is no bank or terrace, the point where water is confined before flooding.

Landholders should use their local knowledge together with the visual evidence provided by banks, deposition zones and flood debris to determine the defining bank. Streams can be variable, so pick a mean line along the bank from which to measure the prescribed distance.

If in doubt, protect all watercourses, particularly those which are permanent or intermittent and are not just gullies (storm water channels).

Figures 4 and 5, below, provide examples of determining the defining bank, in situations where there is no apparent bank, only one bank, or more than one bank.

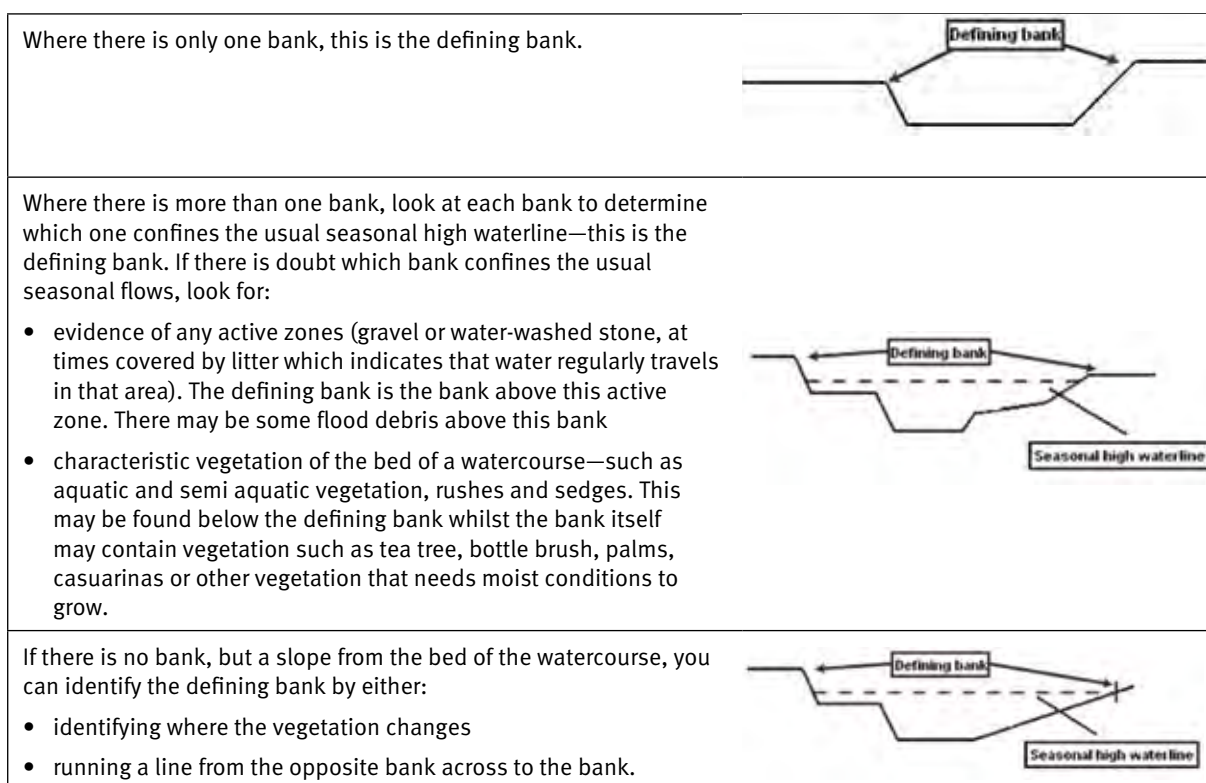


Figure 4: Determining the defining bank of a watercourse



Figure 5: Examples of defining banks

Step 4—Measure out the prescribed stream protection zone distance

Landholders should walk along the stream and periodically measure out the prescribed distance from the defining bank. This will define the outer boundary of the protection zone. In defining this protection zone, apply the following rules:

- where multiple streams/gullies occur in an area shown as a single stream on the watercourse map, apply specified protection to the largest stream
- anabranches must be assigned the same stream order as the main stream
- flood plains—sections of streams (mapped or unmapped) across flood plains—must be protected to the level of the stream that enters the flood plain.

Hint: Stream protection zone requirements apply only to native woody vegetation. If there is no native woody vegetation within the stream protection zone, there are no requirements for clearing.

Great Barrier Reef wetland protection areas



Great Barrier Reef wetland protection areas are shown on the regrowth vegetation map as areas with green horizontal hatching. These wetland protection areas are only within Great Barrier Reef catchment areas. These wetland protection areas consist of a wetland and the required buffer distance for the wetland.

The code only permits limited clearing activity within wetland protection areas. Landholders must follow these requirements for any wetland that occurs on their property. However, if an area mapped as a Great Barrier Reef wetland protection area does not actually contain a wetland on the ground, this is not a restricted area and the wetland protection area requirements will not apply.

You may also have wetlands on your property that are not mapped as being Great Barrier Reef wetland protection areas, but are identified on the ground. The requirements for these wetlands are outlined in the following section 'Wetlands'. Figure 6, below, provides an example of identifying and buffering both 'Great Barrier Reef wetland protection areas', and wetlands not mapped but identified on the ground.

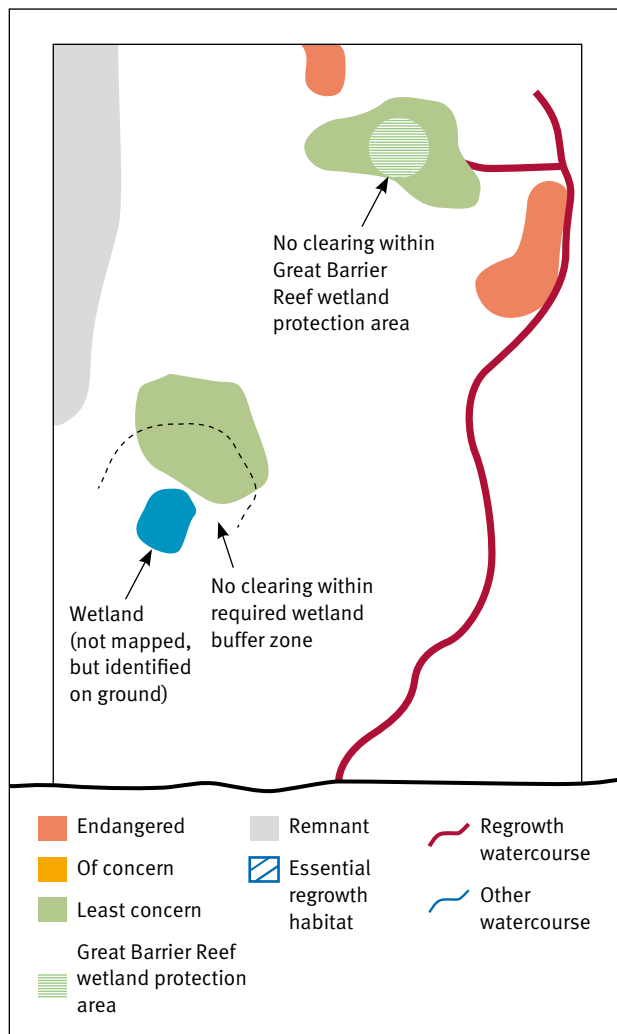


Figure 6: Example of identifying and buffering both Great Barrier Reef wetland protection areas, and wetlands that are not mapped, but identified on the ground

Wetlands

This section applies to wetlands that are not mapped (i.e. they are not Great Barrier Reef wetland protection areas) but are identified on the ground.

Wetlands perform important functions in the landscape, providing aquatic and terrestrial habitat, and filtering sediments, nutrients and other pollutants before entering watercourses. Wetlands include features such as a lake, swamp, marsh, wetland, waterhole, pool, billabong or spring.

Wetlands that are not within a Great Barrier Reef wetland protection area are not shown on the regrowth vegetation map. This means that you will need to identify any wetlands that exist on your property. Any wetland on your property will need to be protected through establishing a wetland protection area that measures 100 m in width around the wetland. The code only permits limited clearing activity within wetland protection areas.

The wetland protection zone should be measured from the defining bank. Further detail on identifying the defining bank can be found in the 'stream protection zone' section above. Figure 7 shows examples of wetland defining banks.



Figure 7: Examples of wetland defining banks

Please note that existing requirements under the *Vegetation Management Act 1999* still apply to any wetlands that occur in other mapped vegetation types (i.e. remnant regional ecosystems).

Hint:

- If a wetland on your property is mapped with green horizontal hatching, you will need to follow the requirements for a 'Great Barrier Reef wetland protection area'.
- If a wetland on your property is not mapped, but is identified on the ground, you will need to follow the 'wetland' requirements specified in the code.

Slopes greater than 12 per cent

Steep slopes are those with a slope of over 12 per cent. The code regulates clearing regrowth vegetation on steep slopes due to the risk of land degradation that clearing might cause. It can also be unsafe to operate machinery on steep slopes. Where steep slopes occur in areas of erodible soils, the risk of soil disturbance can increase. Caution should be exercised in these situations.

There are a variety of ways to measure or estimate slope steepness. You may have your own method of doing this. If you don't, here is a simple method to help you estimate the percentage of slope for a section of land.

If you are of average height (1.6–1.8 m) place a marker on the ground (your hat for example), and walk down the slope approximately 15 m. If you are looking down at the marker, it is fair to assume that the slope over that distance will be **less than** 12 per cent.

If this is the case, you can clear regulated regrowth in this area according to the requirements in the code. Alternatively, if you are looking up at the marker, the slope will be **more than** 12 per cent and clearing regulated regrowth in that area may not be permitted by the code.

You may also use a device that determines the slope of an area, such as a clinometer.

9. What is small and isolated vegetation?

There are two general scenarios where clearing can occur in relation to small and isolated vegetation. The first is for small isolated patches mapped as high value regrowth (see Requirement 1 in Part 2 of the code) and the second is for vegetation that is less than two metres high and is part of the regrowth watercourse vegetation (see Requirement 8 in Part 2 of the code).

Clearing small and isolated patches of high value regrowth vegetation

Regrowth mapping may include some very small and isolated patches of regrowth vegetation. These patches may be subject to edge effects such as weed infestation and may not be viable in the long term as a regional ecosystem. These isolated vegetation requirements apply in endangered regional ecosystems on freehold land, and endangered or of concern regional ecosystems on leasehold land. The code permits clearing of these isolated areas of vegetation where the area is located wholly or partially on a property, and is:

- less than four hectares (coastal areas) or eight hectares (western areas) in size; and
- more than 500 m from remnant vegetation, high value regrowth vegetation or areas that are a Category A, B or C area on a PMAV; and
- is not a restricted area, such as a stream protection zones, wetland protection areas, slopes greater than 12 per cent or areas of essential regrowth habitat.

If the clearing can occur under the code, an exchange area must be provided. Figure 8 below shows a scenario of isolated clearing with a suitable exchange area. See section 11 of the guide for the requirements for an exchange area.

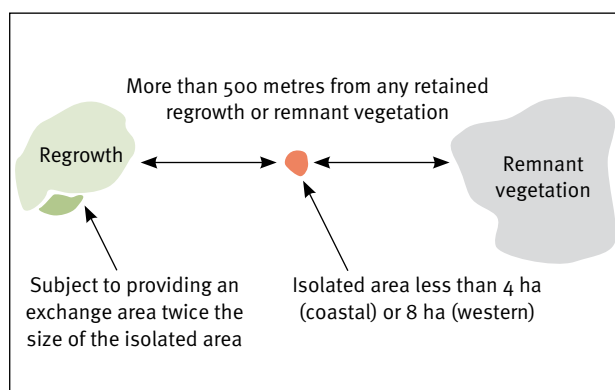


Figure 8: Clearing small isolated patches with an exchange area

Clearing vegetation that is isolated and less than two metres high in regrowth watercourse vegetation

Clearing of regrowth watercourse vegetation can already occur in areas outside the stream protection zone (see Schedule 1, Table 4 of the code for distances). In addition to this, there may be scenarios where isolated native vegetation less than two metres high occur. The code permits this vegetation to be cleared if it is not close to other intact vegetation. This ensures that landholders can manage the riparian zones more easily and prevent operations being affected by young regrowth.

As a result, the code allows clearing of vegetation within the stream protection zone if all of the following criteria are met:

- the vegetation is less than two metres high
- the vegetation is located more than 10 m away from remnant vegetation, high value regrowth vegetation or areas that are a Category A, B or C area on a PMAV, or stream protection zone vegetation that is two metres or more in height
- the vegetation is not within five metres of the defining bank

This area is especially important for riparian zone functioning to maintain both bank stability and water quality. All vegetation must be retained within five metres of the defining bank irrespective of its height, unless clearing is for public safety, necessary infrastructure, extractive industry, encroachment, thinning and control of non-native plants or declared pests.

Figure 9 below shows an example of how this scenario works.

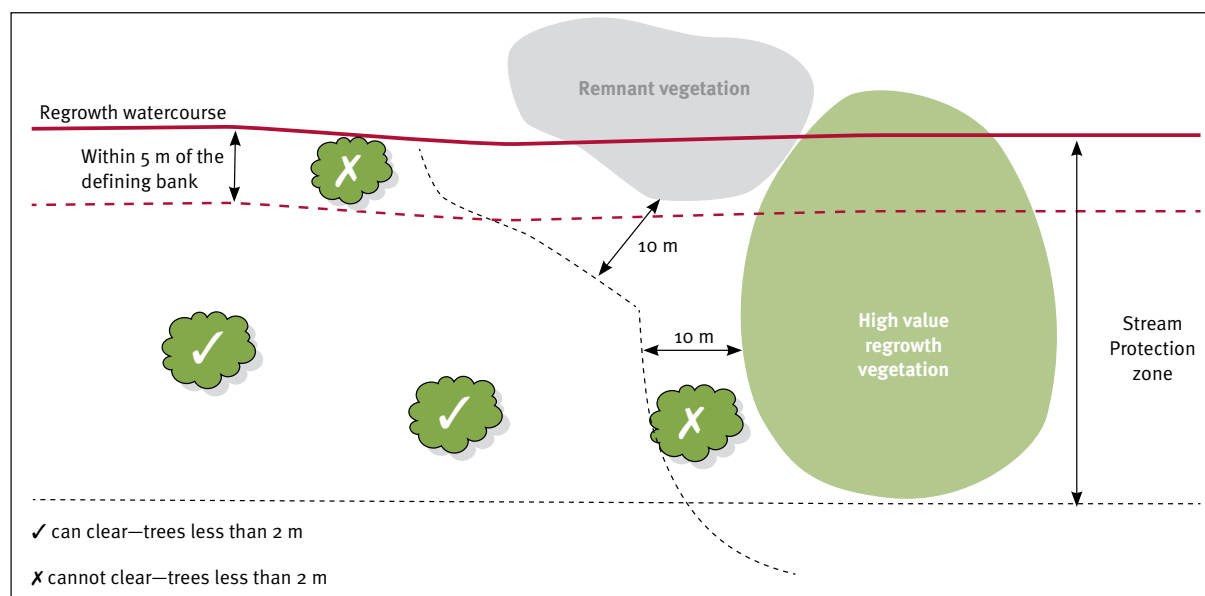


Figure 9: Clearing small and isolated regrowth watercourse vegetation

10. Regrowth watercourses

Regrowth watercourse vegetation is native woody vegetation located within 50 m of a watercourse identified on the regrowth vegetation map as a ‘regrowth watercourse’. Regrowth watercourses are particular watercourses in the Burdekin, Mackay Whitsunday and Wet Tropics Great Barrier Reef catchments.

Regrowth watercourses are shown as a maroon line on the regrowth vegetation map, and the code has separate requirements relating to the clearing of vegetation near these watercourses (see Section 2, Table 1 of the code: ‘Regrowth Watercourse Vegetation’).

Important: any high value regrowth that is in or adjacent to a regrowth watercourse is subject to the high value regrowth requirements of the code, and not the regrowth watercourse vegetation requirements.

The purposes for which clearing can occur are the same as those for high value regrowth. Refer to Section 7 of this guide for an explanation of each of the clearing purposes that are permitted.

Table 7, below, provides an overview of the requirements for clearing near regrowth watercourses. Appendix 5 provides a checklist of requirements when proposing to clear regrowth watercourse vegetation.

Table 7: Overview of clearing permitted in regrowth watercourse vegetation on freehold, Indigenous and leasehold land for agriculture and grazing

Clearing activity	Within stream protection zone	Outside stream protection zone
Clearing sandalwood or commercial timber (in the shires listed in Schedule 7 of the code) on leasehold land for agriculture and grazing	✗ Unless in accordance with conditions from DERM in relation to commercial timber	✗ Unless in accordance with conditions from DERM in relation to commercial timber
Clearing for any purpose NOTE: These requirements can be used as an alternative for any of the other clearing purposes listed below	✗ Unless in accordance with restrictions on vegetation isolation and height and distance from defining bank (see Section 9 for further details)	✓ Subject to commercial timber requirements on leasehold land.
Clearing to establish necessary fence, firebreak, road or vehicular track, or to construct necessary built infrastructure	✓ Comply with Schedule 2, and if on leasehold land, any commercial timber requirements	✓ Subject to commercial timber requirements on leasehold land
Clearing to the extent necessary for extractive industry	✓ Comply with Schedule 6, and if on leasehold land, any commercial timber requirements	✓ Subject to commercial timber requirements on leasehold land

Clearing activity	Within stream protection zone	Outside stream protection zone
Clearing to ensure public safety	✓ Comply with Schedule 2, and if on leasehold land, any commercial timber requirements	✓ Subject to commercial timber requirements on leasehold land
Clearing for encroachment	✓ Comply with Schedule 3, and if on leasehold land, any commercial timber requirements	✓ Subject to commercial timber requirements on leasehold land
Clearing for thinning	✓ Comply with Schedule 4, and if on leasehold land, any commercial timber requirements	✓ Subject to commercial timber requirements on leasehold land
Clearing to control non-native plants or declared pests	✓ Comply with Schedule 5, and if on leasehold land, any commercial timber requirements	✓ Subject to commercial timber requirements on leasehold land

In order to know the relevant stream protection zone, you will need to determine the stream order. Section 8 of this guide can be used to determine the relevant stream order and stream protection zone distances for a regrowth watercourse.

Although the code triggers clearing within 50 m of a regrowth watercourse, this is not the same as the stream protection zone. This means that you can clear regrowth vegetation within 50 m of the regrowth watercourse where it is outside the stream protection zone, or within a stream protection zone subject to the stated requirements (see Figure 10 below).

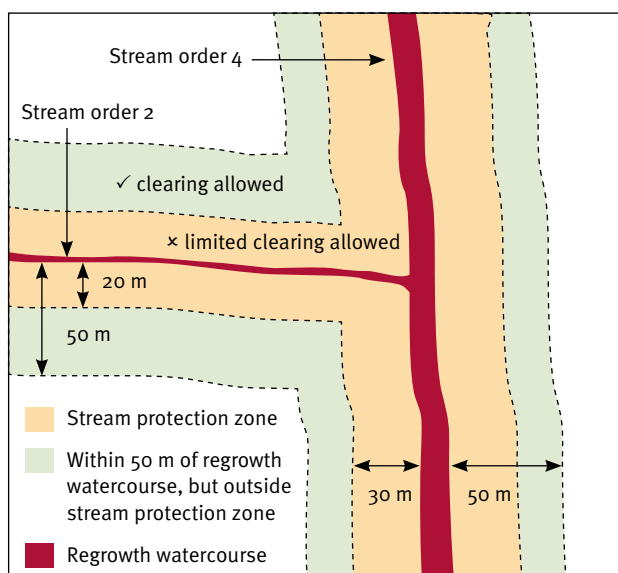


Figure 10: Example of stream protection zones for regrowth watercourses

11. What is an exchange area?

In some circumstances the code recognises the need to clear certain areas on a property for a purpose such as built infrastructure. This is acceptable provided the area lost is replaced by an exchange area.

Part 3 of the code sets out the minimum requirements that must be met to ensure that the regrowth selected as an exchange area will result in improved property or regional environmental outcomes.

Hint: An exchange area is not a vegetation management offset and relates only to clearing of high value regrowth vegetation under the regrowth vegetation code. Vegetation management offsets relate to clearing applications under the regional vegetation management codes.

Requirements for exchange areas

Requirement 1

The clearing of high value regrowth vegetation or Category C vegetation on a PMAV can only be exchanged for either:

- vegetation that can be cleared under Part 2, Requirement 4 of the code (see Table 8 below); or
- non-regulated regrowth vegetation that has not been cleared in the last 10 years or is two metres or more in height.

Table 8: Vegetation that can be cleared under the regrowth code that can be used as an exchange area

Part of the code	Tenure	Type of regulated regrowth vegetation	Exception
Part 2, Requirement 4	Freehold or Indigenous	Can carry out clearing for any purpose in: of concern; and least concern regional ecosystems.	However clearing can not occur in: <ul style="list-style-type: none">• essential regrowth habitat• stream protection zones• wetland protection areas
Part 2, Requirement 4	Leasehold for agricultural and grazing purposes	Can carry out clearing for any purpose in least concern regional ecosystems.	<ul style="list-style-type: none">• on slopes greater than 12 per cent.

This requirement ensures that the selected exchange area is not within any of the restricted areas where clearing is not permitted.

It also ensures that the selected exchange area comprises regrowth vegetation that is mature enough and has the features of a functioning ecosystem that will enable it to develop into remnant vegetation over time. Regrowth at least 10 years old has these qualities.

Landholders should note that this requirement allows for areas of Category X vegetation on a PMAV to be selected as an exchange area if it has not been cleared in the past 10 years.

Requirement 2

The ratio of the size of the exchange area to the size of the area cleared must be a minimum of 2:1, e.g. an exchange area of one hectare for a clearing area of 0.5 of a hectare.

This requirement ensures that the size of the exchange area provided is suitable and will adequately replace the cleared vegetation (see Figure 11 below).

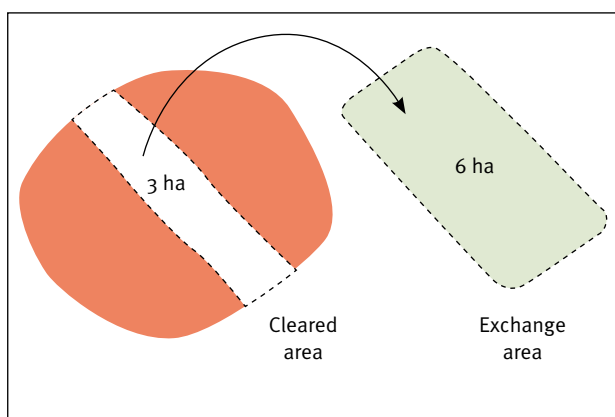


Figure 11: Example of an exchange area

Requirement 3

Exchange vegetation must be no less than 50 m wide and the total exchange area is a minimum of one hectare.

This requirement is based on scientific data about the size and shape of patches of vegetation that provide the best opportunity for viability and ecological functioning over time. This data suggests the following:

- wider areas of vegetation are more effective as corridors or connecting links than narrower areas. This is because narrow areas have longer edges and these areas tend to suffer more from damage from fire, weeds, insects, wind and other threats
- larger areas have a better chance of surviving than smaller areas, for similar reasons.

In deciding which area of regrowth vegetation to select as an exchange area, the following factors should be considered to ensure the area chosen provides an acceptable environmental outcome. The viability and ecological functioning of an area will be promoted if the selected area:

- retains or provides a corridor or link between remnant or regrowth vegetation
- increases the effective area of a patch of remnant or protected regrowth vegetation by retaining regrowth vegetation around or adjacent to protected vegetation
- establishes a stream or wetland protection area on a stream or wetland that is not currently protected.

Notifications and PMAVs for exchange areas

If an exchange area is required, the regrowth notification form must contain sufficient information to clearly indicate the location of the exchange area. Typically, you can provide a map or a set of GPS points showing the exchange area.

Once an exchange is provided, a PMAV can be made by DERM and it will show this area as a Category A area. This will ensure that the exchange area is protected and that any clearing is done in accordance with the requirements under the vegetation management framework. The PMAV will also create a record of the exchange area as part of DERM's ongoing monitoring of compliance with the code.

12. Preparing your notification

Once you have determined that your clearing meets all the minimum requirements of the code, you should follow the steps below to prepare the notification form:

Determine the location of the area you intend to clear and, where required, the exchange area

You will need to provide information that will allow DERM to accurately record the location and extent of both the area you want to clear and any exchange area that may also be required under the code. This means supplying enough information to define the boundaries of these areas.

If you plan to use GPS points, and you need more information on how to do this, an explanation is provided in Appendix 1 of this guide. Alternatively, you can contact your local DERM business centre for assistance (refer to Appendix 3).

Check for commercial timber interests

Leaseholders must contact DERM Vegetation Management Officers to determine if there will be any requirements or conditions on the proposed clearing in relation to commercial timber. Refer to the contact details for the relevant DERM business centres in Appendix 3. Schedule 7 of the code lists local authority areas where DERM has an interest in commercial timber, and you will need to contact DERM before clearing in these local authority areas as your property may contain commercial timber.

Notify DERM

Complete a regrowth vegetation code clearing notification form, available on the DERM website <www.derm.qld.gov.au>.

If you need to provide an exchange area, you will also have to provide the exchange area boundaries as part of your notification.

Notification form requirements:

1. **Personal details**—fill in your personal details in this section or if the property is owned by a company, include your name plus the company's name.
2. **Description of the land that you intend to clear**—this is to identify the land on which clearing will occur. Enter your lot plan details as found on your property rates notice (e.g. 3RP123456). If you own land with many parcels of land then it may be more efficient to attach a list if there is insufficient space.
3. **Type of clearing activity**—this section allows you to identify what clearing will be carried out. You may want to tick more than one box if appropriate.
4. **Location and extent of the land you intend to clear**—this will define the area that the clearing will be carried out in. If you intend to clear in more than one area, make a list and number or name the areas and supply a short description of what clearing purpose you plan to undertake in that specific area. There are five options that are available in this section.

Option 1: Allows you to identify the areas you wish to clear by supplying sufficient GPS points to identify the area. This area may be advantageous if you will need to supply an exchange area. To have a 2:1 exchange ratio it may be necessary to use a GPS to identify the size of the area you are clearing and thus the size of the area to be protected as an exchange area. It could also be the most appropriate method if notifying for building necessary infrastructure such as a fence, shed, dam, etc.

Option 2: You will need to be able to access an image based map of your property. An image based map is real life imagery such as an aerial photograph or satellite image. A GPS must then be used to identify five points that can be seen on the map. The five GPS points must be submitted with a short description of what can be seen at each point. The boundary of the area can then be marked on the map and sent in with your signed notification.

Option 3: If you have the ability to use computer mapping programs you may be able to provide a layer that can be used in a Geographical Information System. There are many advantages to using this system including its ability to save time in the field collecting data.

Option 4: If you already have your regrowth vegetation map you may be able to label the areas that you wish to clear on the map and submit the map with an explanation of what you intend to do with your signed notification.

Option 5: As it indicates, some other notification method that describes the area in which you intend to conduct your activity.

5. **Provision of an exchange area**—this will identify the location of any relevant exchange area for your clearing. If you intend to supply more than one exchange area, make a list and number or name the areas and supply a short description of which clearing area this relates to. The five options that are available for identifying the clearing area are also available for identifying exchange areas.
6. **Consent to provide exchange area**—this will identify that you have the consent of all owners to use an area of land as an exchange area. This is particularly important if planning to use an area that you do not own as an exchange area.

DERM will register all notifications

DERM will keep the information supplied in the notification form and maintain a register of location details of the proposed clearing that will be made available on DERM's website <www.derm.qld.gov.au>.

DERM has a responsibility to ensure compliance with the code. The information supplied in the form may be used to check whether any clearing complied with the code and the suitability of any exchange areas.

Example notifications

Example (see Figure 12 below)

Joe Bloggs has decided that he only wants to conduct some broadacre clearing on his leasehold land. In supplying the location of the area, Joe has decided to go with Option 4, which allows him to use the regrowth map that he has printed off the DERM website along with a description of the areas he wishes to clear. He has no need to provide GPS point in this option.

When filling in his notification, Joe has also decided to send DERM a letter explaining his assessment of the property and how he complies with the code:

Regrowth Vegetation clearing notification.

Joe Bloggs

Bloggs Road

BINGO 0000

Mobile 0123456789

19 January 2011

Attached is my notification to clear high value regrowth on my freehold property. My regrowth map, which is attached shows a large area of 'least concern' high value regrowth. I wish to clear this area for broadacre purposes to maintain the economic and productive viability of my property and plan to clear this area between February and April 2011.

The area I wish to clear contains no commercial timber species. I contacted DERM and in December 2010 received a letter saying I can clear with no commercial timber restrictions.

The regrowth map attached indicates that I have stream order 1, 2 and 3 waterways running through these areas. I will maintain a stream protection zone of 10 m from all stream order 1 and 20 m protection zone from the defining bank of all stream order 2 and 3 watercourses indicated on the regrowth map.

I have assessed the area and there are no areas of essential regrowth habitat or areas that have slopes above 12 per cent.

I do have several wetlands within the area I wish to clear. I will maintain a 100 m buffer zone from the defining bank around any wetlands in the clearing area.

I can be contacted via mobile phone or by post at the above details.

Yours sincerely

Joe Bloggs

Regrowth vegetation code clearing notification form

(S.19U (2) *Vegetation Management Act 1999*)

Form 19U Version 1.0

This form is required if you intend to clear regulated regrowth vegetation on your property that is not currently an exempt activity under the *Sustainable Planning Act 2009*. Clearing within regulated regrowth vegetation can occur once the landholder gives notice to the Department of Environment and Resource Management (DERM). Regulated regrowth vegetation may be cleared only in a way that complies with the regrowth vegetation code. You do not need to wait to receive notice from DERM that the notification was received before clearing can commence. Please lodge the form at a DERM business centre.

<p>1. Personal details</p> <p>All correspondence will be mailed to this address</p>	<p>Name of person giving notice (if a company, also provide a contact name):</p> <p>.....</p> <p>Contact Name: <u>JOE BLOAGS</u></p> <p>Phone number:</p> <p>Mobile phone: <u>0123456789</u></p> <p>Fax number:</p> <p>Postal address:</p> <p><u>BLOAGS ROAD</u></p> <p><u>BRINGA 4000</u></p> <p>.....</p>
<p>2. Description of the land that you intend to clear</p> <p>Attach a list if there is insufficient space</p>	<p>List the lot and plan of each parcel subject to clearing (e.g. 1 on RP12345):</p> <p>.....</p> <p>.....</p>
<p>3. Type of clearing activity</p> <p>You can tick multiple boxes if you are clearing for more than one purpose</p> <p>When you identify the location and extent of the land you intend to clear in section 4 please indicate the location of where each clearing purpose is going to be undertaken (example – mark all areas where thinning will be undertaken as area A and all areas where broadacre clearing will be undertaken as area B, etc.).</p>	<p>Please tick the relevant boxes for the clearing purpose(s) that will occur:</p> <p><input checked="" type="checkbox"/> Broadacre purposes</p> <p><input type="checkbox"/> Thinning</p> <p><input type="checkbox"/> Encroachment</p> <p><input type="checkbox"/> Ensure public safety</p> <p><input type="checkbox"/> An extractive industry</p> <p><input type="checkbox"/> Control non-native plants or declared pests</p> <p><input type="checkbox"/> Establishing a necessary fence, firebreak, road or vehicular track, or constructing necessary built infrastructure, and the clearing can not reasonably be avoided or minimised</p>

Regrowth vegetation code clearing notification form

<p>4. Location and extent of the land that you intend to clear</p>	<p>Please supply the information listed in any of the options below to allow the department to identify the location and extent of the proposed clearing. Please indicate, by ticking one of the boxes below, how you have defined the location and extent of the area to be cleared.</p> <p><input type="checkbox"/> Option 1—Supply sufficient GPS points using MGA94* coordinates and zone references to define the boundaries of the area and the total clearing area.</p> <p><input type="checkbox"/> Option 2—Supply a map showing:</p> <p>(i) the boundary of the area to be cleared on the image base</p> <p>(ii) five or more points visible in the image base</p> <p>(iii) the MGA94* coordinates and zone references for each point</p> <p>(iv) a description of the features that each point represents.</p> <p><input type="checkbox"/> Option 3—Provide a layer that can be used in a Geographic Information System</p> <p><input type="checkbox"/> Option 4—Identify on the Regrowth Vegetation Map areas subject to the clearing (Example - Mark 'Area A' on the map indicating that the area is subject to thinning.) Only use this option if the property in question is of a size on the Regrowth Vegetation Map that allows accurate identification of the clearing area.</p> <p><input type="checkbox"/> Option 5—Other (please describe)</p> <p>.....</p> <p>* MGA94 = Map Grid of Australia 1994</p>																								
<p>Only Complete Section 5 and 6 if you are providing an exchange area.</p>																									
<p>5. Provision of an exchange area</p> <p>Provide sufficient information to allow the department to identify where on the property the exchange area will be.</p> <p>Exchange areas may be a requirement of the Code and they are explained in the guide</p>	<p>List the lot and plan for the location of each exchange area required to replace the cleared area.</p> <p>.....</p> <p>Please supply the information listed in any of the options below to allow the department to identify the location and extent of the exchange area. Please indicate, by ticking one of the boxes below, how you have defined the location and extent of the exchange area.</p> <p><input type="checkbox"/> Option 1—Supply sufficient GPS points using MGA94* coordinates and zone references to define the boundaries of the area and the total clearing area.</p> <p><input type="checkbox"/> Option 2—Supply a map showing:</p> <p>(i) the boundary of the area to be cleared on the image base</p> <p>(ii) five or more points visible in the image base</p> <p>(iii) the MGA94* coordinates and zone references for each point</p> <p>(iv) a description of the features that each point represents.</p> <p><input type="checkbox"/> Option 3—Provide a layer that can be used in a Geographic Information System</p> <p><input type="checkbox"/> Option 4—Identify on the Regrowth Vegetation Map areas subject to the clearing (Example - Mark 'Exchange Area' on the map for the area). Only use this option if the property in question is of a size on the Regrowth Vegetation Map that allows accurate identification of the exchange area</p> <p><input type="checkbox"/> Option 5—Other (please describe)</p> <p>.....</p>																								
<p>5. Consent to provide exchange area</p> <p>The consent of all owners is required for land on which an exchange area is to be located.</p>	<table border="1"> <thead> <tr> <th>Lot and plan</th> <th>Owners name</th> <th>Signature</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>5.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table> <p>(all owners must provide a signature)</p>	Lot and plan	Owners name	Signature	Date	1.....	2.....	3.....	4.....	5.....
Lot and plan	Owners name	Signature	Date																						
1.....																						
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<p>8. Information Privacy Statement</p>	<p>This information will be used in accordance with the Department of Environment and Resource Management (DERM) <i>Information Privacy Plan</i> which can be found on the department's website: www.derm.qld.gov.au</p>																								

Regrowth vegetation code clearing notification form

7. Signature/s Signature of the person giving notice (from section 1)	Signature	Date	
	<i>Joe Blythe</i>	<i>10-10-10</i>	
Office use only	Date received	Receiving officer's name	Reference number/s

Figure 12: Example of completed regrowth notification form

13. Responsibilities after notification

The code has been developed to regulate clearing in a way that conserves regrowth vegetation and DERM may audit compliance against the code. This section explains responsibilities after notification.

Landholders' responsibilities

The landholder is responsible for complying with all aspects of the code. As such, they are responsible for development on their land, and must demonstrate:

- that they have made sufficient effort to make their staff and contractors aware of the code
- that they have supervised staff and contractors to ensure that they comply with their directions and the code.

It is not a defence for landholders to claim that they did not know what they had to do or that they made a mistake. Nor is it a defence to claim that the clearing was undertaken in contravention of their instructions unless they can provide evidence to support this claim.

Record keeping

Landholders and contractors are strongly advised to keep records showing their decision-making processes. These records may be in the form of plans, watercourse protection assessments, diary notes of discussions/directions given to operators, contracts, meeting notes, advice received at the time, and weather conditions.

It is recommended that these documents be filed in a clean and safe place that is readily accessible to you. In the event of any dispute or investigation of compliance with the code, these records can often be very valuable in supporting a person's defence of decisions that were made many months before and under very different circumstances to those prevailing at the time of any investigation.

Contractors' responsibilities

Contractors may be liable if they have breached the requirements of the code. This applies if they have physically committed the act or omission, or if they have in some way influenced another person to contravene the code.

If landholders or contractors are in doubt about the contents of the code, or obligations under it, they should contact DERM before carrying out any clearing operations.

DERM's responsibilities

DERM is responsible for ensuring compliance with the code. Voluntary compliance by landholders and contractors is DERM's preferred method of ensuring the new regrowth laws are complied with. However, DERM has a regulatory obligation to monitor and investigate non-compliance with the code and any other legislation it administers. As such, the department may from time to time, perform audits of the cleared sites.

When investigating a possible breach of the code, compliance officers will closely examine the actions taken by those involved and consider them in the context of the overall compliance with the code. This assessment will assist compliance officers in deciding whether regulatory action is required and, if so, to what extent.

Compliance actions could include a formal warning, restoration of the area or legal proceedings.

Appendix 1: Providing location and extent details of the clearing or exchange area as part of the notification

As part of any notification, landholders must provide sufficient information to accurately describe the location and extent of any clearing or exchange areas. The methods that a landholder could use to do this may vary based on the circumstances of the clearing. For example, if clearing was linear in nature (for a fenceline), then reference coordinates of the proposed clearing would be preferred. However, if clearing was to occur throughout an entire polygon on the regrowth vegetation map, it would be preferred if the landholder marked the exact polygon on the map as the location and extent of the clearing.

The examples below indicate how this information could be provided. These include:

- using an image base to show the area to be cleared/exchanged and five reference coordinates (GPS points) for DERM to spatially reference the area
- providing reference coordinates (GPS points) around the entire area of the clearing or exchange area
- providing a digital mapping layer of the clearing or exchange area—suitable for use in a Geographic Information System
- labelling a regrowth vegetation map with the proposed clearing/exchange areas. This may include marking an entire polygon as ‘Area A —subject to thinning’.

Example 1—Using an image map to show the location and extent of proposed clearing by defining the boundary of the area to be cleared on an image base

An image base is a real life image e.g. an aerial photograph or satellite image. You do not have to submit an original of the map—a colour photocopy is acceptable. The map should identify and include:

- grid coordinates for five or more fixed point features that are visible on the image base (e.g. the coordinates of property boundary corners, crossroads, dams and houses)
- a description of the features that each point represents
- the boundary of the area proposed for clearing.

You can determine the grid coordinates using a GPS unit.

To acquire the grid coordinates, check your GPS manual to ensure that your unit is in Map Grid of Australia 1994 coordinates (MGA94) mode, or World Geodetic System 1984 (WGS84) mode, and provide ‘grid coordinates or zone references’ for each point.

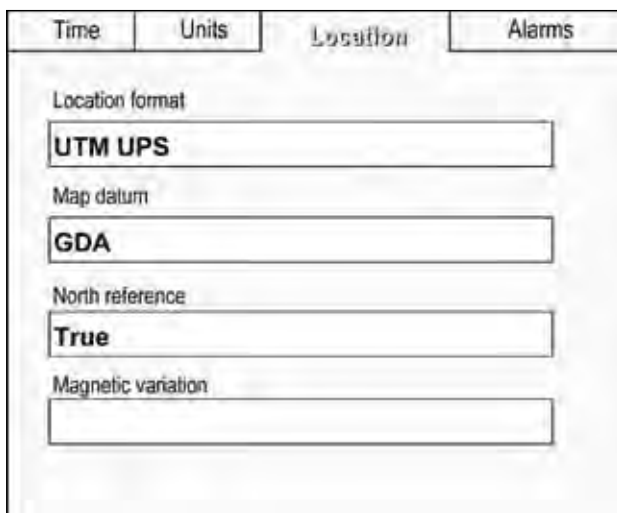


Figure 1: A set-up screen of a Garmin 76 GPS showing location format and map datum settings

To display coordinates in the correct format on your GPS, set the:

- datum or map datum to GDA94 or GDA (or WGS84 if you have an old GPS)—in either case, you must state the datum used
- units, position format, or location format (depending on what type of GPS you have) to UTM or UTM/UPS (see Figure 1).

The coordinate display will be similar to that in Figure 2. Not all units display a letter after the zone reference (J in the example shown below). You can include this in your application with the zone reference numeral (55 in the example shown below), but only the zone reference is essential.

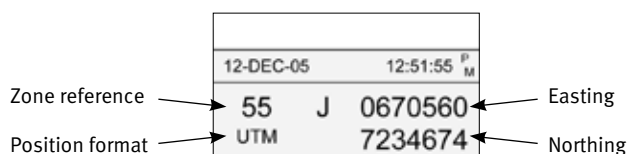


Figure 2: MGA94 coordinates displayed on a Garmin 76 GPS

Provide this information to DERM in a format similar to that shown in Table 1 below.

Table 1: Example of format for providing coordinates to DERM

Point	Description	Easting	Northing	Zone
1	NE corner of property boundary	0670560	7234674	55
2	Road crossing southern boundary fence	358438	7356704	55

Together with your map, these coordinates give DERM the information they need to determine exactly where you propose to clear and any exchange areas required under the code. All map details should be clearly visible with the naked eye and, wherever possible, should include:

- title (e.g. the property name)
- author's or applicant's name
- border
- north arrow
- legend describing exactly what the elements of the map represent
- scale bar or reference to help DERM to read the map.

Example 2—Define every boundary of the area you propose to clear using MGA94 coordinates

If you are unable to provide a map of the area you wish to clear or the required exchange area, you can use example 2. This includes providing DERM with information about the exact location of the area by either:

- providing a drawing, and a table of MGA94 coordinates and zone references, which define the clearing area. If this is a square, only four coordinates are required (see Figure 3 below), one for each corner. If the area is a more complex shape, you will need more coordinates to outline it (as in a dot to dot drawing); or
- providing a digital copy of a tracklog from a GPS unit defining the boundary of the area. You can provide this file digitally on a CD.

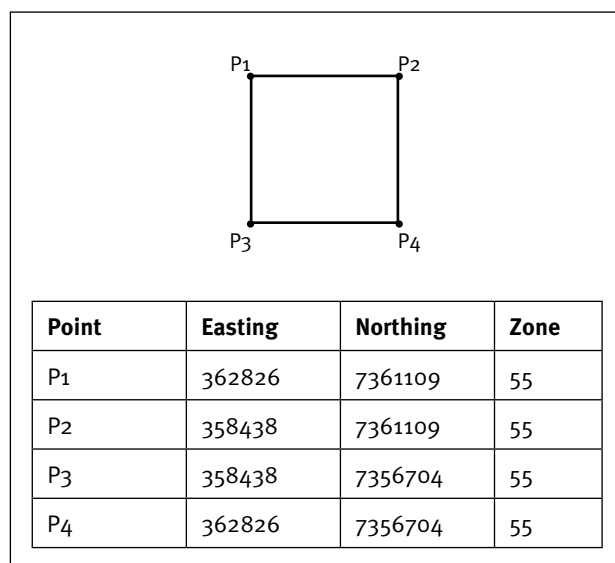


Figure 3: MGA94 coordinates and zone references

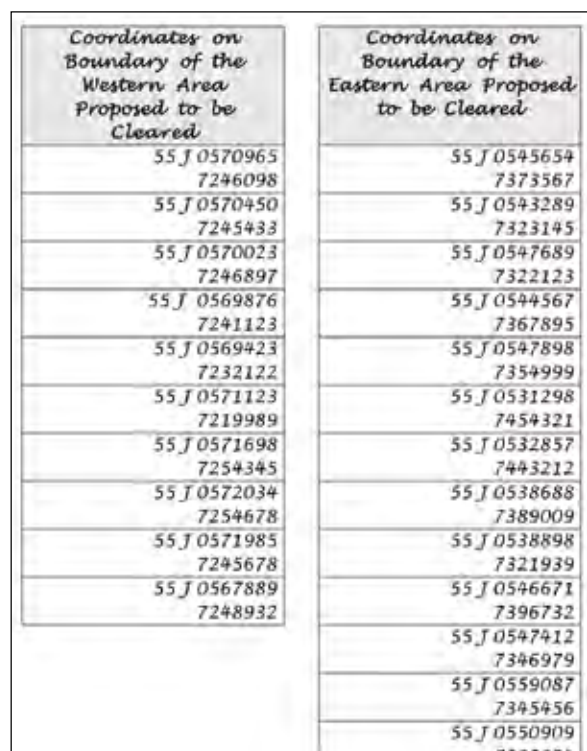


Figure 4: Using grid coordinates to describe every boundary of the proposed area of clearing

Example 3—Provide a digital mapping layer of the clearing area, suitable for use in a GPS

If possible, you are encouraged to provide digital mapping data as this reduces the time DERM needs to register your regrowth notification information. Digital mapping information supplied to the department must meet the following specifications:

- It must be projected using MGA94.
- File formats for line-work, polygons and points (vector data sets) must be one of the following:
 - ESRI shapefile or coverage
 - Mapinfo
 - CAD DXF
 - KML.
- File formats for graphics (e.g. aerial photographs, satellite imagery, other raster data sets like DEMs) must be one of the following:
 - Tiff or GeoTiff
 - Jpg or GeoJpg
 - Erdas Imagine IMG format (no BMP)
 - Arc grid.

Example 4—Label the polygons on the regrowth vegetation map where clearing/exchange areas are

This method should be used where clearing activities or exchange areas occur over entire polygons and no precise separation is required within the polygons. Examples of this situation may occur where an entire polygon is to be cleared for thinning. In that situation, the polygon to be thinned can be simply be marked on the regrowth vegetation map as 'Area A'. The map can then be included as part of the notification.

Similarly, this method could occur for exchange areas that are being proposed as part of a notification. If an entire polygon is to be exchanged because it could be cleared under any other purpose, it could simply be marked as 'Area B—area for exchange' on the regrowth vegetation map.

However if areas to be cleared or exchanged are only partially within a polygon, this method is not recommended.

Example 4—Label the polygons on the regrowth vegetation map where clearing/exchange areas are

This method should be used where clearing activities or exchange areas occur over entire polygons and no precise separation is required within the polygons. Examples of this situation may occur where an entire polygon is to be cleared for thinning. In that situation, the polygon to be thinned can be simply be marked on the regrowth vegetation map as 'Area A'. The map can then be included as part of the notification.

Similarly, this method could occur for exchange areas that are being proposed as part of a notification. If an entire polygon is to be exchanged because it could be cleared under any other purpose, it could simply be marked as 'Area B—area for exchange' on the regrowth vegetation map.

However if areas to be cleared or exchanged are only partially within a polygon, this method is not recommended.

Appendix 2: Other legislation

Other legislation, including the Acts listed below, may affect clearing activities. You should contact the business units below to determine if your clearing activity will be affected.

Note that all native plants in Queensland are protected under the *Nature Conservation Act 1992*. You must contact the nature conservation area in DERM before clearing vegetation.

Act(s)	Agency	Contact details
<i>Water Act 2000</i> <i>Wild Rivers Act 2005</i> <i>Soil Conservation Act 1986</i> <i>Aboriginal Cultural Heritage Act 2003</i> <i>Torres Strait Islander Cultural Heritage Act 2003</i> <i>Forestry Act 1959</i>	DERM	Ph: 13 QGOV (13 74 68)
<i>Nature Conservation Act 1992</i> <i>Environmental Protection Act 1994</i> <i>Coastal Protection and Management Act 1995</i> <i>Queensland Heritage Act 1992</i>	DERM	Ph: 1300 368 326 Email: palm@derm.qld.gov.au
<i>Fisheries Act 1994</i>	Department of Employment, Economic Development and Innovation	Ph: 13 25 23 Email: callweb@dpi.qld.gov.au
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Australian Government's Department of the Environment, Water, Heritage and the Arts	Ph: 1800 803 772
<i>Local Government Act 2009</i> <i>Sustainable Planning Act 2009</i>	Local government	Contact your nearest local government office

Appendix 3: Business centre contact information

Central West Region	
• Rockhampton	(07) 4938 4615
• Mackay	(07) 4967 0828
North Region	
• Townsville	(07) 4799 7126
South East Region	
• Bundaberg	(07) 4131 5754
• Gympie	(07) 5480 5333
• Ipswich	(07) 3884 5328
South West Region	
• Toowoomba	(07) 4529 1391

Appendix 4: Regrowth Vegetation Code clearing notification form

Department of Environment and Resource Management

Regrowth vegetation code clearing notification form (S.19U (2) Vegetation Management Act 1999) Form 19U Version 1.0	
<p>This form is required if you intend to clear regulated regrowth vegetation on your property that is not currently an exempt activity under the <i>Sustainable Planning Act 2009</i>. Clearing within regulated regrowth vegetation can occur once the landholder gives notice to the Department of Environment and Resource Management (DERM). Regulated regrowth vegetation may be cleared only in a way that complies with the regrowth vegetation code. You do not need to wait to receive notice from DERM that the notification was received before clearing can commence. Please lodge the form at a DERM business centre.</p>	
<p>1. Personal details</p> <p>All correspondence will be mailed to this address</p>	<p>Name of person giving notice (if a company, also provide a contact name): Contact Name: Phone number: Mobile phone: Fax number: Postal address: </p>
<p>2. Description of the land that you intend to clear</p> <p>Attach a list if there is insufficient space</p>	<p>List the lot and plan of each parcel subject to clearing (e.g. 1 on RP12345): </p>
<p>3. Type of clearing activity</p> <p>You can tick multiple boxes if you are clearing for more than one purpose</p> <p>When you identify the location and extent of the land you intend to clear in section 4 please indicate the location of where each clearing purpose is going to be undertaken (example – mark all areas where thinning will be undertaken as area A and all areas where broadacre clearing will be undertaken as area B, etc.).</p>	<p>Please tick the relevant boxes for the clearing purpose(s) that will occur:</p> <p><input type="checkbox"/> Broadacre purposes <input type="checkbox"/> Thinning <input type="checkbox"/> Encroachment <input type="checkbox"/> Ensure public safety <input type="checkbox"/> An extractive industry <input type="checkbox"/> Control non-native plants or declared pests <input type="checkbox"/> Establishing a necessary fence, firebreak, road or vehicular track, or constructing necessary built infrastructure, and the clearing can not reasonably be avoided or minimised</p>



Regrowth vegetation code clearing notification form

<p>4. Location and extent of the land that you intend to clear</p>	<p>Please supply the information listed in any of the options below to allow the department to identify the location and extent of the proposed clearing. Please indicate, by ticking one of the boxes below, how you have defined the location and extent of the area to be cleared.</p> <p><input type="checkbox"/> Option 1—Supply sufficient GPS points using MGA94* coordinates and zone references to define the boundaries of the area and the total clearing area.</p> <p><input type="checkbox"/> Option 2—Supply a map showing:</p> <p>(i) the boundary of the area to be cleared on the image base</p> <p>(ii) five or more points visible in the image base</p> <p>(iii) the MGA94* coordinates and zone references for each point</p> <p>(iv) a description of the features that each point represents.</p> <p><input type="checkbox"/> Option 3—Provide a layer that can be used in a Geographic Information System</p> <p><input type="checkbox"/> Option 4—Identify on the Regrowth Vegetation Map areas subject to the clearing (Example - Mark 'Area A' on the map indicating that the area is subject to thinning.) Only use this option if the property in question is of a size on the Regrowth Vegetation Map that allows accurate identification on of the clearing area.</p> <p><input type="checkbox"/> Option 5—Other (please describe)</p> <p>.....</p> <p>* MGA94 = Map Grid of Australia 1994</p>																								
<p>Only Complete Section 5 and 6 if you are providing an exchange area.</p>																									
<p>5. Provision of an exchange area</p> <p>Provide sufficient information to allow the department to identify where on the property the exchange area will be.</p> <p>Exchange areas may be a requirement of the Code and they are explained in the guide</p>	<p>List the lot and plan for the location of each exchange area required to replace the cleared area</p> <p>.....</p> <p>.....</p> <p>Please supply the information listed in any of the options below to allow the department to identify the location and extent of the exchange area. Please indicate, by ticking one of the boxes below, how you have defined the location and extent of the exchange area.</p> <p><input type="checkbox"/> Option 1—Supply sufficient GPS points using MGA94* coordinates and zone references to define the boundaries of the area and the total clearing area.</p> <p><input type="checkbox"/> Option 2—Supply a map showing:</p> <p>(i) the boundary of the area to be cleared on the image base</p> <p>(ii) five or more points visible in the image base</p> <p>(iii) the MGA94* coordinates and zone references for each point</p> <p>(iv) a description of the features that each point represents.</p> <p><input type="checkbox"/> Option 3—Provide a layer that can be used in a Geographic Information System</p> <p><input type="checkbox"/> Option 4—Identify on the Regrowth Vegetation Map areas subject to the clearing (Example - Mark 'Exchange Area' on the map for the area). Only use this option if the property in question is of a size on the Regrowth Vegetation Map that allows accurate identification of the exchange area</p> <p><input type="checkbox"/> Option 5—Other (please describe)</p> <p>.....</p>																								
<p>6. Consent to provide exchange area</p> <p>The consent of all owners is required for land on which an exchange area is to be located.</p>	<table border="1"> <thead> <tr> <th>Lot and plan</th> <th>Owners name</th> <th>Signature</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>5.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table> <p>(all owners must provide a signature)</p>	Lot and plan	Owners name	Signature	Date	1.....	2.....	3.....	4.....	5.....
Lot and plan	Owners name	Signature	Date																						
1.....																						
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3.....																						
4.....																						
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<p>8. Information Privacy Statement</p>	<p>This information will be used in accordance with the Department of Environment and Resource Management (DERM) <i>Information Privacy Plan</i> which can be found on the department's website: www.derm.qld.gov.au</p>																								

Regrowth vegetation code clearing notification form

7. Signature/s Signature of the person giving notice (from section 1)	Signature	Date	
Office use only	Date received	Receiving officer's name	Reference number/s

Appendix 5: Checklists of requirements for clearing regulated regrowth vegetation

Checklists have been developed as a quick reference guide to help you determine whether you have considered all the code requirements before clearing. Read through the checklist for the relevant clearing purpose and tick the requirements that apply once they have been met.

Part A: Checklists of requirements for clearing high value regrowth vegetation

Clearing for any purpose

The code requirements for clearing for any purpose vary depending on the conservation status of the vegetation and the tenure you are clearing on.

Tick	Checklist of requirements in endangered high value regrowth vegetation on freehold, Indigenous or leasehold land, or of concern high value regrowth vegetation on leasehold land
	Have you checked the regrowth vegetation map to check the location of regrowth vegetation, essential regrowth habitat and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Have you identified a relevant exchange area, in accordance with Part 3 of the code?
	Have you identified if you are in a coastal or western area?
	If in a coastal area, is the patch of regrowth vegetation less than four hectares in size?
	If in a western area, is the patch of regrowth vegetation less than eight hectares in size?
	Will the clearing be more than 500 m from any areas of remnant vegetation, high value regrowth vegetation or areas that are a Category A, B or C area on a PMAV?
	Have you identified the location of essential regrowth habitat?
	Have you identified streams and stream orders, and the relevant stream protection zone for each stream?
	Have you identified any slopes that are greater than 12 per cent?
	Have you identified any wetlands in the area and checked the required wetland protection zones? Note: The wetland protection zone buffer width requirements will depend on whether the wetland is within a Great Barrier Reef wetland protection area (identified on the regrowth map) or is not a mapped wetland, but identifiable on the ground.
	Will clearing be outside: <ul style="list-style-type: none"> • any area of essential regrowth habitat • any stream protection zone • any Great Barrier Reef wetland protection area • 100 m of any wetland • any area of 12 per cent slope or greater?
	Have you filled in your notification form and sent it to DERM?

How do I know if I am in a coastal area or western area?

Coastal areas include:

- a. Brigalow Belt subregions 1 (Townsville Plains), 2 (Bogie River Hills) and 14 (Marlborough Plains)
- b. Cape York Peninsula subregion 2 (Starke Coastal Lowlands)
- c. Einasleigh Uplands subregion 3 (Hodgkinson Basin)
- d. Central Queensland Coast bioregion
- e. Southeast Queensland bioregion
- f. Wet Tropics bioregion.

Western areas are those other than coastal areas.

Advice can be sought from DERM in identifying whether land is within a coastal or western area. You may also view the map of bioregions on the DERM website at <www.derm.qld.gov.au> and the figures located at the end of the regional vegetation management codes, which indicate the location of bioregions in more detail. Note however, that the regional vegetation management codes are used for the assessment of remnant vegetation clearing, and not regulated regrowth.

Tick	Checklist of requirements in of concern high value regrowth vegetation on freehold and Indigenous land, or least concern high value regrowth vegetation on freehold and Indigenous or leasehold land
	Have you checked the regrowth vegetation map to check the location of regrowth vegetation, essential regrowth habitat and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Have you identified the location of essential regrowth habitat?
	Have you identified streams and stream orders, and the relevant stream protection zone for each stream?
	Have you identified any slopes that are greater than 12 per cent?
	Have you identified any wetlands in the area and checked the required wetland protection zones? Note: The wetland protection zone buffer width requirements will depend on whether the wetland is within a Great Barrier Reef wetland protection area (identified on the regrowth map) or is not a mapped wetland, but identifiable on the ground.
	Will clearing be outside: <ul style="list-style-type: none"> • any area of essential regrowth habitat • any stream protection zone • any Great Barrier Reef wetland protection area • 100 m of any wetland • any area of 12 per cent slope or greater?
	Have you filled in your notification form and sent it to DERM?

Non-native plants and declared pests

The requirements for clearing to control non-native plants and declared pests under the code are explained in Schedule 5 of the code.

NOTE: the requirements for ‘clearing for any purpose’ can be used for this type of clearing as an alternative to the below requirements.

Tick	Checklist of requirements when clearing to control non-native plants and declared pests
	Have you checked the regrowth vegetation map to check the location of regrowth vegetation, and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Will clearing be limited to the extent necessary to: <ul style="list-style-type: none"> • control non-native plants or declared pests • provide access for control of non-native plants or declared pests if no suitable alternative route exists?
	Have you checked that there is no suitable alternative route for access to control the non-native plants or declared pests?
	Will all regulated regrowth vegetation (high value regrowth and regrowth watercourse vegetation) over 20 cm diameter at breast height be retained?
	Have you determined the non-native plant cover (percentage) and declared pest plant cover (percentage) for the area?
	Except where essential to access the declared pest or non-native plant, will all regulated regrowth vegetation (high value regrowth and regrowth watercourse vegetation) under 20 cm at diameter breast height be retained as follows: <ul style="list-style-type: none"> • 80 per cent of trees retained where there is less than 10 per cent non-native woody species crown cover; or • at least 50 per cent of trees retained where there is 10–50 per cent non-native woody species crown cover; or • retain between 0–50 per cent of trees where there is 50–100 per cent non-native woody species crown cover.
	Have you filled in your notification form and sent it to DERM?

What is the woody species crown cover?

The crown of a plant refers to the plant's aboveground parts including stems, leaves, and reproductive structures extending from the trunk or main stems. The crown cover can be measured based upon an aerial estimation of the outer edge of a plant's above ground parts. All the area within is treated as crown cover irrespective of gaps and overlaps. Refer to Figure 1 for guidance.

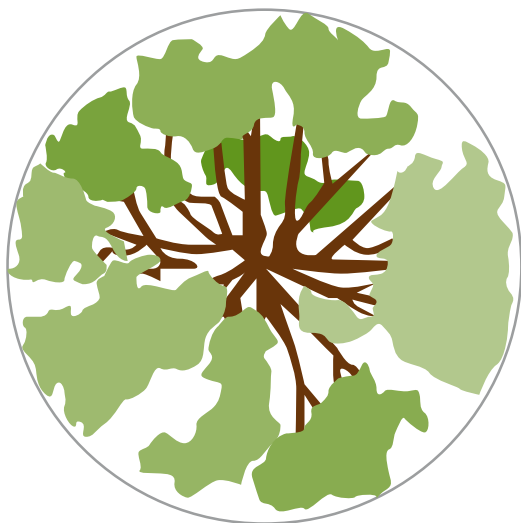


Figure 1: the black circle indicates the crown cover of this tree

Thinning

The requirements for thinning under the code are explained in Schedule 4 of the code.

NOTE: the requirements for ‘clearing for any purpose’ can be used for this type of clearing as an alternative to the below requirements.

Tick	Checklist of requirements when clearing for thinning
	Have you checked the regrowth vegetation map to check the location of regrowth vegetation, and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Will thinning occur in regional ecosystems that are not listed in Table 6 in Schedule 4 of the code?
	Has clearing been planned to retain all native woody trees over 20 cm diameter at breast height?
	Have you identified if you are in a coastal or western area?
	Have you identified which vegetation is indigenous to the bioregion?
	For native vegetation indigenous to the bioregion: Have you identified if you are in a coastal or western area? <ul style="list-style-type: none"> • If in a coastal area, has clearing been planned to retain a density of native woody trees less than 20 cm diameter at breast height evenly over each 50 x 50 metre area that equates to 125 trees per 0.25 hectares? • If in a western area, has clearing been planned to retain a density of native woody trees less than 20 cm diameter at breast height evenly over each 50 x 50 metre area that equates to 50 trees per 0.25 hectares?
	Have you identified streams in the area?
	Have you identified any wetlands in the area?
	Will mechanical clearing occur at least five metres from the defining bank of any stream or wetland?
	Have you filled in your notification form and sent it to DERM?

How do I know if I am in a coastal area or western area?

Refer to the ‘clearing for any purpose’ checklist section for information on identifying coastal and western areas.

How can I determine densities for trees under 20 cm diameter at breast height (dbh)?

It is important to remember that any thinning should be to return the area to a range of densities typical of the regional ecosystem. Table 1 explains the densities of vegetation that need to be retained under the code.

Table 1: Stem densities required for vegetation less than 20 cm dbh.

Area	Density per quarter hectare (0.25 ha)	Density per hectare	What does that mean on the ground
Coastal area	125 stems	500	One stem every 4 x 5 metres
Western area	50 stems	200	One stem every 7 x 7 metres

What kind of thinning techniques can I use?

Any mechanical thinning must not occur within five metres of any defining bank of any stream or wetland. Preventing mechanical clearing in these areas minimises the chances of sediment or erosion affecting the water quality of streams or wetlands. Figure 2 provides some examples of thinning techniques.

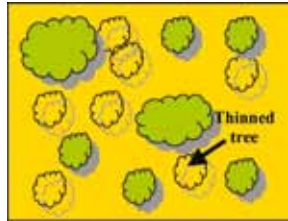
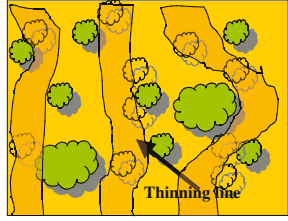
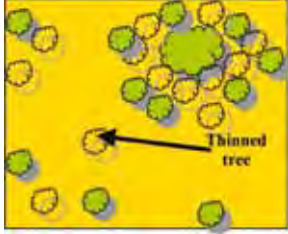
<p>Stem injection/tordon by specific spacing between trees in fairly even stands.</p> <p>For this coastal example, one immature tree can be retained every five metres. Stem injection could be applied to any stand and achieve an even spacing. However, machine thinning is affected by the machine type and tree density</p>	
<p>Machine thinning with a line thinning approach in fairly even stands.</p> <p>For coastal example, if this stand had an estimated 1000 immature trees per hectare, you can thin down to 500 trees per hectare. With a chopper roller, you could run lines (dodging the mature trees) and clear about half of the area.</p> <p>Alternatively, you could use a dozer and line thin by pushing trees over or out of the ground</p>	
<p>Thinning in uneven stands</p> <p>Where there are clumps and scattered immature trees across the general area, you must attempt to retain the immature trees evenly over hectare. In this case, you will need to treat the clump of trees differently to the general area. This means that the thinning ratio would be based upon the trees per hectare for the clump, and the trees per hectare for the general area</p>	

Figure 2: Examples of thinning techniques

Encroachment

The requirements for clearing for encroachment under the code are explained in Schedule 3 of the code.

NOTE: the requirements for ‘clearing for any purpose’ can be used for this type of clearing as an alternative to the below requirements.

Tick	Checklist of requirements when clearing for encroachment
	Have you checked the regrowth vegetation map to check the location of regrowth vegetation, and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Are you outside the South East Queensland, Wet Tropics or Central Queensland Coast bioregions? (see figure 3 below)
	Will the clearing occur in one of the regional ecosystem listed in Table 5 of the code?
	Will clearing be limited to either: <ul style="list-style-type: none"> • native woody vegetation that is less than 20 cm dbh and a recognised species of the regional ecosystem • species that are not part of the regional ecosystem?
	Have you identified streams and stream orders?
	Have you identified any wetlands in the area?
	Will mechanical clearing occur at least five metres from the defining bank of any stream or wetland?
	Have you filled in your notification form and sent it to DERM?

Where are the South East Queensland, Wet Tropics and Central Queensland Coast bioregions?

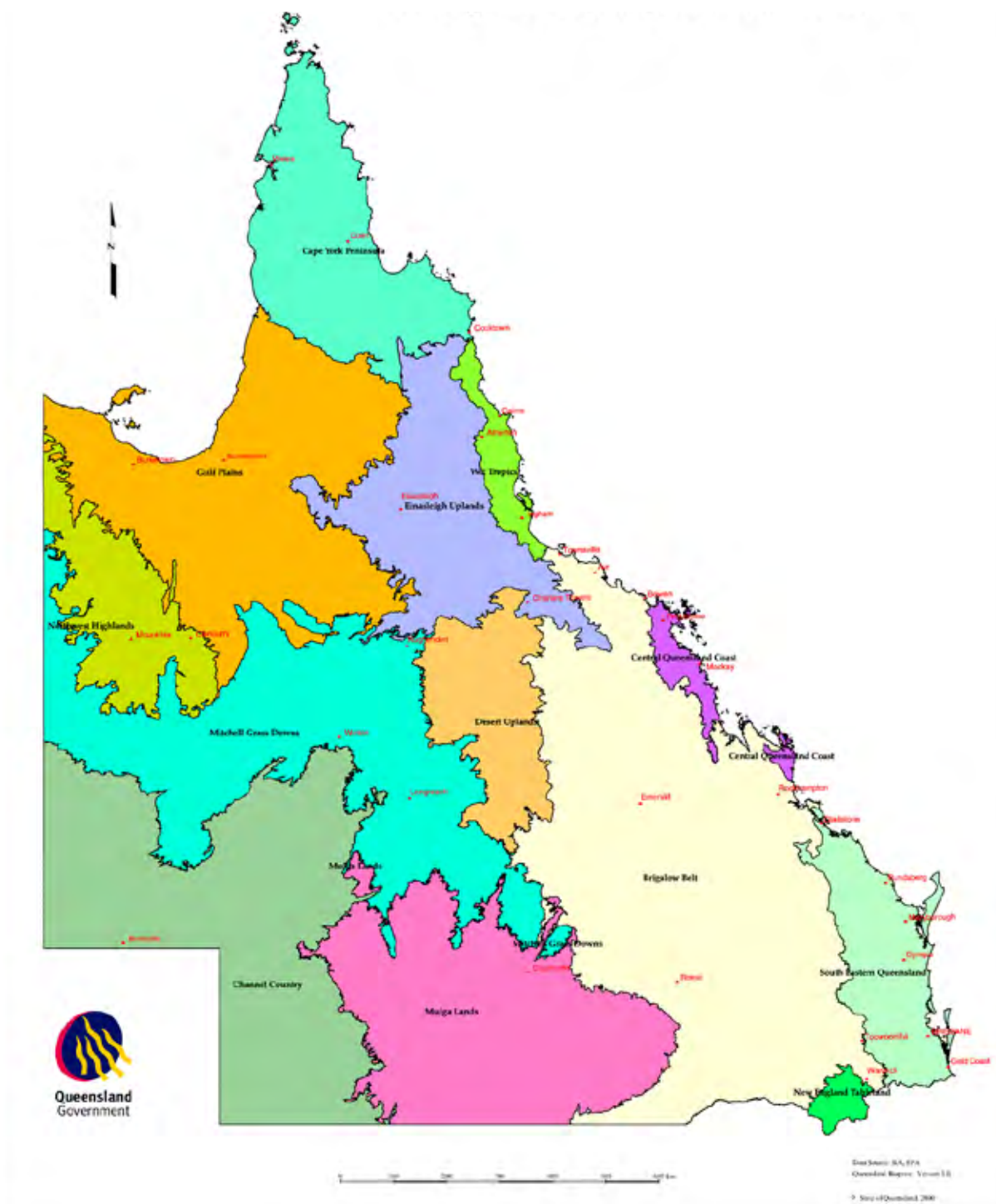


Figure 3: Queensland Bioregions

Where will I find information on recognised species of the regional ecosystem?

The full list of species for the relevant regional ecosystem is available on the DERM website <www.derm.qld.gov.au>. You can access this by entering the unique regional ecosystem number (i.e. 4.9.7) for a list of species found in that regional ecosystem.

Public safety and infrastructure

The requirements for public safety and infrastructure under the code are explained in Schedule 2 of the code.

Public safety on freehold and Indigenous or leasehold land

NOTE: the requirements for ‘clearing for any purpose’ can be used for this type of clearing as an alternative to the below requirements.

Tick	Checklist of requirements when clearing for public safety
	Have you checked the regrowth vegetation map to check the location of regrowth vegetation, and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Is the clearing limited to what is necessary to ensure public safety?
	Has clearing been planned to avoid causing: <ul style="list-style-type: none"> • mass movement • rill erosion • stream bank erosion • gully erosion • sheet erosion • wind erosion • scalding • any associated loss of chemical, physical or biological fertility?
	Have you filled in your notification form and sent it to DERM?

Infrastructure on freehold and Indigenous or leasehold land

NOTE: the requirements for ‘clearing for any purpose’ can be used for this type of clearing as an alternative to the below requirements.

Tick	Checklist of requirements when clearing for infrastructure
	Have you checked the regrowth vegetation map to check the location of regrowth vegetation, and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Is the clearing limited to the area needed to establish a necessary fence, firebreak, road or vehicular track, or constructing necessary built infrastructure?
	Have you checked that there is no suitable alternative location for this infrastructure?

Tick	Checklist of requirements when clearing for infrastructure
	<p>Has clearing been planned to avoid causing:</p> <ul style="list-style-type: none"> • mass movement • rill erosion • stream bank erosion • gully erosion • sheet erosion • wind erosion • scalding • any associated loss of chemical, physical or biological fertility?
	Have you identified a relevant exchange area?
	Have you filled in your notification form and sent it to DERM?

Extractive industry

The requirements for extractive industries under the code are explained in Schedule 6 of the code.

NOTE: the requirements for ‘clearing for any purpose’ can be used for this type of clearing as an alternative to the below requirements.

Tick	Checklist of requirements when clearing for an extractive industry
	<p>Is the extractive industry not in a key resource area? Note: If within a key resource area, the code does not apply.</p>
	Have you checked the regrowth vegetation map to check the location of regrowth vegetation, and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Have you checked that there is no suitable alternative extractive site or access route on the lot(s) where clearing of native vegetation can be avoided?
	<p>Will clearing be limited to the extent necessary for:</p> <ul style="list-style-type: none"> • dredging material from the bed of any waters • extracting rock, sand, clay, gravel, loam or other material from a pit or quarry • screening, washing, grinding, milling, sizing or separating material extracted from a pit or quarry • establishing infrastructure to permit access and any necessary screening, washing, grinding, milling, storage, dams and containment ponds reasonably associated with the extraction and processing of the material?
	Will clearing be staged in line with operational needs in a way that restricts clearing to the operational area current at the time?
	Will all necessary permits or authorities be obtained before clearing commences?
	Have you identified streams and stream orders, and the relevant stream protection zone for each stream?
	<p>Have you identified any wetlands in the area and checked the required wetland protection zones? Note: The wetland protection zone buffer width requirements will depend on whether the wetland is within a Great Barrier Reef wetland protection area (identified on the regrowth map) or is not a mapped wetland, but identifiable on the ground.</p>

Tick	Checklist of requirements when clearing for an extractive industry
	Has clearing in a stream protection zone, Great Barrier Reef wetland protection area or within 100 m of a wetland been planned to maintain bank stability and water quality?
	Have you identified a relevant exchange area (if one is required)?
	Have you filled in your notification form and sent it to DERM?

What do ‘staging in line with operational needs’ and ‘all necessary permits or authorities’ mean?

This means that clearing is to be restricted to the operational area that is current at the time of activities being undertaken. Clearing should only be carried out when it is required. It is also important that all other required permits or authorities from all relevant government agencies, including local, state, and federal government, are obtained before any clearing is carried out.

How can bank stability and water quality be maintained?

It is the responsibility of the person who is carrying out the clearing to take measures to maintain bank stability and water quality. This includes but is not limited to implementing sediment and erosion control plans to ensure the area is stable and water quality is not adversely affected by any clearing activity.

Part B: Checklists of requirements for clearing regrowth watercourse vegetation

Tick	Checklist of requirements for clearing regrowth watercourse vegetation
	Have you checked the regrowth vegetation map to check the location of regrowth watercourses, streams, and other relevant features?
	If on leasehold land for agriculture and grazing, will your clearing avoid the removal or disturbance of sandalwood (<i>Santalum lanceolatum</i>)?
	If on leasehold land for agriculture and grazing, in one of the shires listed in Schedule 7 of the code, have you contacted DERM and received written advice regarding commercial timber?
	Have you identified the defining bank of the watercourse?
	Have you identified the stream order and stream protection zone?
	Do you know if clearing will be inside or outside the stream protection zone?
	<p>Are you clearing for a specific purpose listed in the code (e.g. public safety or encroachment) or a general purpose?</p> <p>If for a specific purpose, and within a stream protection zone, is clearing compliant with the schedule requirements in the code?</p> <p>If for any purpose, and within a stream protection zone:</p> <ul style="list-style-type: none"> • is the vegetation under two metres high? • is the vegetation located 10 m or more from any area of remnant vegetation, high value regrowth vegetation or areas that are a Category A, B or C area on a PMAV? • is the vegetation located 10 m or more from stream protection zone vegetation that is two metres or more in height? • are you at least five metres from the defining bank?

Hint:

- If clearing for any purpose within a stream protection zone no native woody vegetation can be removed within five metres of the defining bank, irrespective of the height of the vegetation.
- Stream protection zone requirements apply only to native woody vegetation. If there is no native woody vegetation within the stream protection zone, this can be cleared.
- The relevant schedule requirements for specific purposes are the same as those above for 'high value regrowth' however no exchange area is required

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