

List of exempt clearing work

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IMPORTANT: As a result of the new *Planning Act 2016*, which commenced on 3 July 2017, there are a number of changes to the vegetation management framework. This includes:

- Self-assessable vegetation clearing codes, which are now known as acceptable development vegetation clearing codes; and
- Exemptions, which are now known as exempt clearing works.

For more information, please visit www.dilgp.qld.gov.au

Introduction

The following tables provide a list of exempt clearing work.

The following three steps will assist you to determine if your proposed activity is exempt clearing work:

1. Locate the applicable table below that relates to your land tenure (e.g. freehold, leasehold etc.) Note: Table 1 applies to all land tenures generally.
2. Find any applicable clearing activity / purpose in the first column of the table.
3. Check the Regulated Vegetation Management Map or regional ecosystem mapping to determine if the mapped vegetation category or status of remnant vegetation for the proposed clearing area is listed in the second column of the table. These maps are available on the Department of Natural Resources and Mines (DNRM) website at www.dnrm.qld.gov.au

For further information contact your closest business centre. Refer to the DNRM website for a list of business centres.

Table 1: Exempt clearing work on land generally

Clearing activities / purpose	Vegetation category on the Regulated Vegetation Management Map / vegetation status on regional ecosystem mapping
<ul style="list-style-type: none"> • Clearing under a development approval for a material change of use or reconfiguring a lot, if the approval is given for a development application—and (a) for which the chief executive is a concurrence agency for clearing vegetation or, (b) if the lot is less than 5 ha – for which a local government is the assessment manager. • Clearing vegetation in an area declared under the <i>Vegetation Management Act 1999</i>, section 19F if the clearing is carried out under the management plan for the area. • Clearing vegetation under a land management agreement for a lease under the <i>Land Act 1994</i>. • A traditional Aboriginal or Torres Strait Islander cultural activity, other than a commercial activity. • A resource activity as defined under the Environmental Protection Act, section 107. • Any aspect of development for geothermal exploration carried out under a geothermal exploration permit under the <i>Geothermal Energy Act 2010</i>. • Any aspect of development for core airport infrastructure on airport land. • An activity under the <i>Fire and Emergency Services Act 1990</i>, section 53, 68 or 69. • An activity under— (a) the <i>Electricity Act 1994</i>, section 101 or 112A; or (b) the <i>Electricity Regulation 2006</i>, section 17. • For a state-controlled road under the <i>Transport Infrastructure Act 1994</i>— (a) road works carried out on the State-controlled road; or (b) ancillary works and encroachments carried out under section 50 of that Act. • Clearing, for routine transport corridor management and safety purposes, on existing rail corridor land, new rail corridor land, non-rail corridor land or commercial corridor land (within the meaning of the <i>Transport Infrastructure Act 1994</i>) that is not subject to a commercial lease. • Any activity authorised under the <i>Forestry Act 1959</i>. • Clearing vegetation on land in an area for which an area management plan under the <i>Vegetation Management Act 1999</i>, section 20J is in force at the time of the clearing if— 	<ul style="list-style-type: none"> • Category A area unless stipulated by the department on a notice issued under the <i>VMA or Planning Act 2016</i> • Category B • Category C • Category R

<ul style="list-style-type: none"> (a) the clearing is done by the owner of the land, within the meaning of the <i>Vegetation Management Act 1999</i>, or a person authorised by the owner; and (b) the clearing is done in accordance with the area management plan; and (c) the owner has given the chief executive notice of the clearing under the <i>Vegetation Management Act 1999</i>, section 20W. • Clearing vegetation on land mentioned in the <i>Forestry Act 1959</i>, section 55(1)(b), (c) or (d) to the extent the clearing is for accessing and extracting quarry material for road works under the <i>Transport Infrastructure Act 1994</i>. Any activity authorised under the <i>Forestry Act 1959</i>, including clearing to access and extract quarry materials for road works under the <i>Transport Infrastructure Act 1994</i>. • Clearing vegetation for the construction or maintenance of infrastructure stated in schedule 5 of the <i>Planning Regulation 2017</i> if: <ul style="list-style-type: none"> (a) the clearing is on designated premises; or (b) the infrastructure is government supported transport infrastructure. • Clearing vegetation in an area for which a disaster situation declaration has been made if the clearing— <ul style="list-style-type: none"> (a) is necessary to prevent or minimise— <ul style="list-style-type: none"> (i) loss of human life, or illness or injury to humans; or (ii) property loss or damage; or (iii) damage to the environment; and (b) happens during the period that started when the disaster situation declaration was made and ends on the later of the following days— <ul style="list-style-type: none"> (i) the day that is 1 year after the day on which the disaster situation declaration was made; or (ii) another day decided by the Chief Executive by written notice. • Clearing that is necessary to carry out a cadastral survey of an existing property boundary, a geotechnical survey or a geological survey if the area cleared is – <ul style="list-style-type: none"> (a) for an area in which a survey is conducted—a maximum area of 10m by 10m; and (b) for an area necessary for reasonable access to an area mentioned in paragraph (a)—a maximum of 10m wide. • Clearing necessary to remediate contaminated land recorded in the environmental management register or contaminated land register. 	
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<ul style="list-style-type: none"> • Clearing necessary to carry out activities authorised to be carried out at land on which an abandoned mine exists under the <i>Mineral Resources Act 1989</i>, section 344A • Clearing vegetation to which the <i>Vegetation Management Act 1999</i> does not apply. • Clearing within a watercourse or lake for an activity (other than for an Material Change of Use or Reconfiguration of a Lot) if, <ul style="list-style-type: none"> a) <ul style="list-style-type: none"> (i) approved under the <i>Planning Act 2016</i> or another Act; or (ii) a necessary and unavoidable consequence of an activity authorised by a permit issued under the <i>Water Act 2000</i>, s269; or (iii) a necessary and unavoidable consequence of an activity carried out under the document called 'Riverine Protection Permit Exemption Requirements' approved by the chief executive that administers the <i>Water Act 2000</i>. 	<ul style="list-style-type: none"> • Less than 0.5 ha of Category X • Less than 0.5 ha of Least Concerned Regional Ecosystem shown as Category B • Less than 0.5 ha of Category C • Less than 0.5 ha of Category R • Clearing under a self-assessable vegetation clearing code other than Category A
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Table 2: Exempt clearing work on freehold and Indigenous land

Clearing activities / purpose	Vegetation category on the Regulated Vegetation Management Map / vegetation status on regional ecosystem mapping
<ul style="list-style-type: none"> • For any purpose 	<ul style="list-style-type: none"> • Category X
<ul style="list-style-type: none"> • To build a single residence and reasonably associated buildings and structures on a lot when a development permit has been issued for the residence. • To establish or maintain a necessary fire break to protect infrastructure if the maximum width of fire break is 1.5 times the height of the tallest adjacent tree or 20 m, whichever is the greater. • To establish a necessary fire management line up to 10 m wide. • To maintain a garden or orchard provided the canopy trees are retained. • Necessary to remove or reduce imminent risk of serious personal injury or damage to infrastructure posed by the vegetation. • By fire under the <i>Fire and Emergency Services Act 1990</i> to reduce hazardous fuel load. • Necessary to maintain infrastructure including airstrips, buildings, fences, helipads, roads, stock yards, water facilities and constructed drains other than contour banks. 	<ul style="list-style-type: none"> • Category A area unless stipulated by the department on a notice issued under the VMA or Planning Act 2016 • Category B • Category C • Category R

<ul style="list-style-type: none"> By the lessee to source construction timber to maintain infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	
<ul style="list-style-type: none"> To establish a necessary fence, road or vehicle track up to 10 m wide. To establish necessary built infrastructure other than contour banks, fences, roads or vehicular tracks where the total clearing is less than 2 ha and total extent of the infrastructure is on less than 2 ha. By the lessee to source construction timber to establish necessary infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	<ul style="list-style-type: none"> Least Concern Regional Ecosystem shown as Category B Category C Category R
<ul style="list-style-type: none"> Clearing conducted under an accepted development vegetation clearing code. 	<ul style="list-style-type: none"> Category B Category C Category R
<ul style="list-style-type: none"> Clearing for an extractive industry in a Key Resource Area. Clearing for a Significant Community Project. 	<ul style="list-style-type: none"> Category C Category R

Table 3: Exempt clearing work on leasehold land for agriculture and grazing

Clearing activities / purpose	Vegetation category on the Regulated Vegetation Management Map / vegetation status on regional ecosystem mapping
<ul style="list-style-type: none"> For any purpose 	<ul style="list-style-type: none"> Category X
<ul style="list-style-type: none"> To build a single residence and reasonably associated buildings and structures on a lot when a development permit has been issued for the residence. To establish or maintain a necessary fire break to protect infrastructure if the maximum width of fire break is 1.5 times the height of the tallest adjacent tree or 20 m, whichever is the greater. To establish a necessary fire management line up to 10 m wide. To maintain a garden or orchard provided the canopy trees are retained. Necessary to remove or reduce imminent risk of serious personal injury or damage to infrastructure posed by the vegetation. By fire under the <i>Fire and Emergency Services Act 1990</i> to reduce hazardous fuel load. 	<ul style="list-style-type: none"> Category A area unless stipulated by the department on a notice issued under the VMA or Planning Act 2016 Category B Category C Category R

<ul style="list-style-type: none"> Necessary to maintain infrastructure including airstrips, buildings, fences, helipads, roads, stock yards, water facilities and constructed drains other than contour banks. By the lessee to source construction timber to maintain infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	
<ul style="list-style-type: none"> To establish a necessary fence, road or vehicle track up to 10 m wide. To establish necessary built infrastructure other than contour banks, fences, roads or vehicular tracks where the total clearing is less than 2 ha and total extent of the infrastructure is on less than 2 ha. By the lessee to source construction timber to establish necessary infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	<ul style="list-style-type: none"> Least Concern Regional Ecosystem shown as Category B Category C Category R
<ul style="list-style-type: none"> Clearing conducted under an accepted development vegetation clearing code. 	<ul style="list-style-type: none"> Category B Category C Category R
<ul style="list-style-type: none"> Clearing for an extractive industry in a Key Resource Area. Clearing for a Significant Community Project. 	<ul style="list-style-type: none"> Category C Category R

Table 4: Exempt clearing work on leasehold land other than a lease for agriculture and grazing

Clearing activities/purpose	Vegetation category on the Regulated Vegetation Management Map/vegetation status on regional ecosystem mapping
<ul style="list-style-type: none"> For any purpose consistent with the purposes of the lease. 	<ul style="list-style-type: none"> Category R Category X
<ul style="list-style-type: none"> Consistent with the purposes of the lease, to build a single residence and reasonably associated buildings and structures on a lot when a development permit has been issued for the residence. Consistent with the purposes of the lease, to establish or maintain a necessary fire break to protect infrastructure if the maximum width of fire break is 1.5 times the height of the tallest adjacent tree or 20 m, whichever is the greater. Consistent with the purposes of the lease, to establish a necessary fire management line up to 10 m wide. 	<ul style="list-style-type: none"> Category A area unless stipulated by the department on a notice issued under the VMA or Planning Act 2016 Category B Category R

<ul style="list-style-type: none"> • Consistent with the purposes of the lease, to maintain a garden or orchard provided the canopy trees are retained. • Consistent with the purposes of the lease, necessary to remove or reduce imminent risk of serious personal injury or damage to infrastructure posed by the vegetation. • Consistent with the purposes of the lease, by fire under the <i>Fire and Emergency Services Act 1990</i> to reduce hazardous fuel load. • Consistent with the purposes of the lease, necessary to maintain infrastructure including airstrips, buildings, fences, helipads, roads, stock yards, water facilities and constructed drains other than contour banks. • Consistent with the purposes of the lease, by the lessee to source construction timber to maintain infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	
<ul style="list-style-type: none"> • Consistent with the purposes of the lease, to establish a necessary fence, road or vehicle track up to 10 m wide. • Consistent with the purposes of the lease, to establish necessary built infrastructure other than contour banks, fences, roads or vehicular tracks where the total clearing is less than 2 ha and total extent of the infrastructure is on less than 2 ha. • Consistent with the purposes of the lease, by the leaseholder to source construction timber to establish necessary infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	<ul style="list-style-type: none"> • Least Concern Regional Ecosystem shown as Category B • Category R
<ul style="list-style-type: none"> • Consistent with the purposes of the lease, clearing conducted under an accepted development vegetation clearing code. 	<ul style="list-style-type: none"> • Category B • Category R
<ul style="list-style-type: none"> • Consistent with the purposes of the lease, in an urban area for an urban purpose (e.g. residential, industrial, sporting, recreational or commercial). 	<ul style="list-style-type: none"> • Least concern or of concern regional ecosystem shown as Category B • Category R

Table 5: Exempt clearing work on a road under the Land Act 1994

Clearing activities/ purposes	Vegetation category on the Regulated Vegetation Management Map/vegetation status on regional ecosystem mapping
<ul style="list-style-type: none"> • Carried out by a local government, or by or for the chief executive (transport), and is necessary to construct or maintain 	<ul style="list-style-type: none"> • Category A area unless stipulated by the department on a notice

road transport infrastructure or to source construction material for roads.	<p>issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i></p> <ul style="list-style-type: none"> • Category B • Category C • Category R • Category X
<ul style="list-style-type: none"> • Carried out by a local government, or by or for the chief executive (transport), and is a Category R area or Category X area. 	<ul style="list-style-type: none"> • Category R • Category X
<ul style="list-style-type: none"> • Carried out by a local government to remove— <ul style="list-style-type: none"> (i) declared pests in compliance with the local government’s pest management plan under the <i>Biosecurity Act 2014</i>; or (ii) vegetation that is not native vegetation. • Necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure. • By fire under the <i>Fire and Emergency Services Act 1990</i> to reduce hazardous fuel load. • Necessary to maintain infrastructure located on the road, other than fences. • Necessary to maintain an existing boundary fence to the maximum width of 3m. • Necessary for reasonable access to adjoining land from the existing formed road for a maximum width of 10m; or • Necessary to maintain an existing firebreak or garden located on the road. 	<ul style="list-style-type: none"> • Category A area unless stipulated by the department on a notice issued under the <i>Vegetation Management Act 1999</i> or <i>Planning Act 2016</i> • Category B • Category R
<ul style="list-style-type: none"> • Clearing conducted under an accepted development vegetation clearing code. 	<ul style="list-style-type: none"> • Category B • Category R

Table 6: Exempt clearing work on trust land (other than indigenous land)

Clearing activities / purpose	Vegetation category on the Regulated Vegetation Management Map / vegetation status on regional ecosystem mapping
<ul style="list-style-type: none"> • Consistent with achieving the purposes of the trust, any clearing carried out, or authorised to be carried out, by the trustee. 	<ul style="list-style-type: none"> • Category R • Category X
<p>Consistent with achieving the purposes of the trust, clearing carried out, or authorised to be carried out, by the trustee:</p>	<ul style="list-style-type: none"> • Category B • Category R • Category X

<ul style="list-style-type: none"> to establish or maintain a necessary fire break to protect infrastructure if the maximum width of fire break is 1.5 times the height of the tallest adjacent tree or 20 m, whichever is the greater to establish a necessary fire management line up to 10 m wide to maintain a garden or orchard provided the canopy trees are retained necessary to remove or reduce imminent risk of serious personal injury or damage to infrastructure posed by the vegetation by fire under the <i>Fire and Emergency Services Act 1990</i> to reduce hazardous fuel load necessary to maintain infrastructure including airstrips, buildings, fences, helipads, roads, stock yards, water facilities and constructed drains other than contour banks to source construction timber to maintain infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	
<p>Consistent with achieving the purposes of the trust, clearing carried out, or authorised to be carried out, by the trustee to remove –</p> <ul style="list-style-type: none"> (i) declared pests in compliance with the local government’s pest management plan under the <i>Biosecurity Act 2014</i>; or (ii) vegetation that is not native vegetation. 	<ul style="list-style-type: none"> Category R Category X
<p>Consistent with achieving the purposes of the trust, clearing carried out, or authorised to be carried out, by the trustee:</p> <ul style="list-style-type: none"> in an urban area for an urban purpose (e.g. residential, industrial, sporting, recreational or commercial). 	<ul style="list-style-type: none"> Least concern or of concern regional ecosystem shown as Category B
<p>Consistent with achieving the purposes of the trust, clearing carried out, or authorised to be carried out, by the trustee:</p> <ul style="list-style-type: none"> to establish a necessary fence, road or vehicle track up to 10 m wide. to establish necessary built infrastructure other than contour banks, fences, roads or vehicular tracks where the total clearing is less than 2 ha and total extent of the infrastructure is on less than 2 ha to source construction timber to establish necessary infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	<ul style="list-style-type: none"> Least concern regional ecosystem shown as Category B
<p>Consistent with achieving the purposes of the trust, clearing carried out, or authorised to be carried out, by the trustee:</p> <ul style="list-style-type: none"> clearing conducted under an accepted development vegetation clearing code. 	<ul style="list-style-type: none"> Category B Category R

Table 7: Exempt clearing work on unallocated State land

Clearing activities / purpose	Vegetation category on the Regulated Vegetation Management Map/vegetation status on regional ecosystem mapping
<p>Clearing carried out, or authorised to be carried out, by the chief executive administering the <i>Land Act 1994</i>, for any purpose.</p>	<ul style="list-style-type: none"> • Category R • Category X
<p>Clearing carried out, or authorised to be carried out, by the chief executive administering the <i>Land Act 1994</i>:</p> <ul style="list-style-type: none"> • to establish or maintain a necessary fire break to protect infrastructure if the maximum width of fire break is 1.5 times the height of the tallest adjacent tree or 20 m, whichever is the greater • to establish a necessary fire management line up to 10m wide • to maintain a garden or orchard provided the canopy trees are retained • necessary to remove or reduce imminent risk of serious personal injury or damage to infrastructure posed by the vegetation • by fire under the <i>Fire and Emergency Services Act 1990</i> to reduce hazardous fuel load • necessary to maintain infrastructure including airstrips, buildings, fences, helipads, roads, stock yards, water facilities and constructed drains other than contour banks • to source construction timber to maintain infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared • to control declared pests or vegetation that is not native vegetation • in a priority development area. 	<ul style="list-style-type: none"> • Category B • Category R
<p>Clearing carried out, or authorised to be carried out, by the chief executive administering the <i>Land Act 1994</i>:</p> <ul style="list-style-type: none"> • to establish a necessary fence, road or vehicle track up to 10 m wide • to establish necessary built infrastructure other than contour banks, fences, roads or vehicular tracks where the total clearing is less than 2 ha and total extent of the infrastructure is on less than 2 ha 	<ul style="list-style-type: none"> • Least Concern Regional Ecosystem shown as Category B

<ul style="list-style-type: none"> to source construction timber to establish necessary infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	
<ul style="list-style-type: none"> Clearing carried out, or authorised to be carried out, by the chief executive administering the <i>Land Act 1994</i>. Conducted under an accepted development vegetation clearing code. 	<ul style="list-style-type: none"> Category B Category R

Table 8: Exempt clearing work on a land subject to a licence or permit under the Land Act 1994

Clearing activities / purpose	Vegetation category on the Regulated Vegetation Management Map/ vegetation status on regional ecosystem mapping
Clearing carried out by the licensee or permittee for any purpose.	<ul style="list-style-type: none"> Category R Category X
Clearing carried out by the licensee or permittee: <ul style="list-style-type: none"> to establish or maintain a necessary fire break to protect infrastructure if the maximum width of fire break is 1.5 times the height of the tallest adjacent tree or 20m, whichever is the greater to establish a necessary fire management line up to 10m wide to maintain a garden or orchard provided the canopy trees are retained necessary to remove or reduce imminent risk of serious personal injury or damage to infrastructure posed by the vegetation by fire under the <i>Fire and Emergency Services Act 1990</i> to reduce hazardous fuel load necessary to maintain infrastructure including airstrips, buildings, fences, helipads, roads, stock yards, water facilities and constructed drains other than contour banks to source construction timber to maintain infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared in a priority development area. 	<ul style="list-style-type: none"> Category B Category R
Clearing carried out by the licensee or permittee: <ul style="list-style-type: none"> to establish a necessary fence, road or vehicle track up to 10 m wide. 	<ul style="list-style-type: none"> Least Concern Regional Ecosystem shown as Category B

<ul style="list-style-type: none"> • To establish necessary built infrastructure other than contour banks, fences, roads or vehicular tracks where the total clearing is less than 2 ha and total extent of the infrastructure is on less than 2 ha. • To source construction timber to establish necessary infrastructure if the clearing does not cause land degradation and an area is restored similar to the cleared. 	
<p>Clearing carried out by the licensee or permittee:</p> <ul style="list-style-type: none"> • in an urban area for an urban purpose (e.g. residential, industrial, sporting, recreational or commercial). 	<ul style="list-style-type: none"> • Least concern or of concern regional ecosystem shown as Category B
<p>Clearing carried out by the licensee or permittee:</p> <ul style="list-style-type: none"> • conducted under a self-assessable vegetation clearing code. 	<ul style="list-style-type: none"> • Category B • Category R

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