



Exemptions for maintaining and establishing infrastructure

Table 1 – Maintaining existing infrastructure and firebreaks

ACTIVITY	Clearing to maintain infrastructure (buildings, yards, fences, tracks, water facilities, etc)		
	Clearing by the land owner to source construction timber to maintain infrastructure on any land of the owner. Clearing does not cause land degradation and area restored similar to cleared area.		
	Clearing by the lessee of leasehold land to source construction timber to repair infrastructure on the leased block only. Restoration of a similar type and extent of removed trees required. Clearing does not cause land degradation.		
	Clearing to maintain firebreak to protect infrastructure other than a fence (up to 20 metres or 1.5 times height of tallest vegetation)		
Legislation	Category	Exemption	Comments
<i>Qld Vegetation Management Act 1999</i>	PMAV (white area)	n/a	Can clear for any purpose and any area. Check for other requirements by Local Govt or other Departments.
	Category X (white)	✓	Check for other requirements by Local Govt or other Departments.
	Category B – least concern (green)	✓	If clearing beyond exemption provisions, refer to Table 1 in Accepted Development Vegetation Clearing Code (ADVCC) for Property Infrastructure. Fire breaks up to 30 metres in non-coastal areas and clearing inside boundary fences up to 10 metres. Requires free prior notification form to the Dept.
	Category B – of concern (orange)	✓	
	Category B – endangered (pink)	✓	
	Category C – high value regrowth (light blue)	✓	
	Category R – reef regrowth watercourse	✓	
	Essential Habitat –(blue diagonal stripes)	check details	Habitat factors for protected wildlife. Retain nest & habitat trees.
<i>Qld Nature Conservation Act 1992</i>	Protected plant high risk area (blue dots)	✓	
<i>Aust Govt - EPBC Act 1999</i>	Matters of National Environmental Significance (MNES)	✓ (if ongoing maintenance activity)	MNES examples are Ramsar wetlands, Great Barrier Reef, nationally threatened species and communities, listed migratory species, etc.
Other	Eg. Local Govt overlays, Environmental Covenants or Forestry Agreements	Check details, as these may overlay state and national requirements.	

N/a = not applicable. **NOTE: Exempted activities do not require prior notification to the Qld Govt DNRME.**



Table 2 – To establish NEW infrastructure, fencing and fire breaks

ACTIVITY	Clearing to establish new infrastructure (buildings, yards, water facilities, etc) if less than 2ha.			
	Clearing to establish new necessary fence, road, track (up to 10m wide).			
	Clearing by the owner of freehold land to source construction timber to establish infrastructure on any land of the owner. (# Not in 'of concern' or 'endangered' Category B vegetation)			
	Clearing by the lessee of leasehold land to source construction timber to establish infrastructure on the leased block only. (# Not in 'of concern' or 'endangered' Category B vegetation)			
	Clearing to establish a firebreak to protect infrastructure other than a fence (20m or 1.5 times height of tallest vegetation) or establish a fire management line (up to 10m)			
Legislation	Category	Exemption	Clearing code	Comments
<i>Qld Vegetation Management Act 1999</i>	PMAV (white area)	n/a	n/a	Can clear for any purpose and area.
	Category X (white)	✓		
	Category B – least concern (green)	✓		Refer to Table 1 in ADVCC for property infrastructure, if clearing beyond exemption width for firebreak or boundary fence.
	Category B – of concern (orange)		YES	ADVCC for property infrastructure, tracks and fencelines in 'of concern' and 'endangered' Category B vegetation
	Category B – endangered (pink)		YES	https://www.qld.gov.au/environment/land/vegetation/codes . #Not for sourcing construction timber. Requires prior-notification to Qld Govt.
	Category C – high value regrowth (light blue)	✓		
	Category R – reef regrowth watercourse	✓		
	Essential Habitat – (blue diagonal stripes)	check details		Habitat factors for protected wildlife in regulated remnant and regrowth vegetation. Retain nest & habitat trees.
<i>Qld Nature Conservation Act 1992</i>	Protected plant high risk area (blue dots)	Flora survey may be required on all above categories (except for establishing a firebreak or fire management line). Check details https://www.ehp.qld.gov.au/licences-permits/plants-animals/protected-plants/agriculture-primary-industries-sector.html		
<i>Aust Govt - EPBC Act 1999</i>	Matters of National Environmental Significance MNES -.	Self-referral process for new farm activities that may have significant impact on MNES (Ramsar wetlands, GBR, nationally threatened species and communities, listed migratory species, etc). http://www.environment.gov.au/epbc/information-for/farmers . Relevant to clearing developments rather than fenceline clearing, etc.		
Other	Local Govt overlays, Environmental Covenants or Forestry Agreements	Check details, as these may overlay state and national requirements.		

N/a = not applicable. **NOTE: Exempted activities do not require prior notification to the Qld Govt DNRME.**



Legislation	Requirements
<p><i>Aboriginal Cultural Heritage Duty of Care</i></p>	<p>Check before soil disturbing activities in areas <u>never</u> cleared before (Category 5).</p> <p>Features likely to have cultural heritage significance include scarred or carved trees, quarries and artefact scatters, occupation sites with stone tools and shell middens, ceremonial places, wells, springs, wetlands, hill and mound formations, etc.</p> <p>If relevant - check cultural heritage database, consult with Aboriginal party for the area. Stop work if an activity exposes a 'cultural heritage find'. Clearing activities for an emergency (eg. bushfire or natural disaster) can continue. Duty of Care Guidelines available from https://www.datsip.qld.gov.au/people-communities/aboriginal-torres-strait-islander-cultural-heritage/cultural-heritage-duty-care</p>