

## Vegetation & Tree Clearing on Private Land

The protection of native vegetation is controlled by State and Local Governments, and in some cases, the Commonwealth Government.

The laws are complex and may take some time to get a formal answer as to whether particular vegetation is protected or otherwise.

Prior to any vegetation clearing, check with both the State Government and Council for any restrictions that may apply. Severe penalties apply for illegal clearing.

### Step 1 - State Vegetation Protection Legislation

The *Vegetation Management Act 1999* is Queensland's primary state legislation that protects remnant and regrowth vegetation on freehold land and state land, as well as certain non-remnant vegetation on state land.

If you would like to know whether you need a permit to clear vegetation under this state legislation, contact the Department of Natural Resources and Mines on 137468 or visit the DNRM website. Vegetation Maps are available on-line by entering Lot and RP details.

<http://www.dnrm.qld.gov.au/land/vegetation-management>

### Step 2 - Council Planning Schemes

Since Amalgamation, Council has operated under three Planning Schemes being the previous Beaudesert, Ipswich and Boonah Council areas.

**Beaudesert (Shire)** - Exemptions that may apply for clearing approved under the amended *Vegetation Management Act 1999* and this should be checked with DNRM. Council's Planning Schemes will have effect unless the work is *Exempt Clearing* (see over), and Council approval is required prior to any clearing. If in doubt, contact Council's Planning Department for details.

**Boonah (Shire)** - Contact Council for details  
**Ipswich (City)** - Contact Council for details

### Please have the following information when enquiring about your property:

- Location & size of property (Lot & RP)
- Building or Environmental Envelopes
- Tree species affected (native /non-native)
- Size and number of trees affected
- Distance to buildings, boundaries & watercourses
- The purpose for clearing
- The results of the DNRM check

A detailed response to a tree clearing enquiry may involve officer research before a reply can be given. Should development approval (Operational Works Permit) be required, an application will need to be lodged with Council's Technical Services Department.

### Further Information

Council's local laws and planning schemes are available for viewing and can be downloaded from Council's website.

Current as at 01 May 2014



## Beaudesert (Shire) Area Only Exempt Clearing

**Exempted Clearing** means the clearing of vegetation-

**(a)** that has been approved under the *Nature Conservation Act 1992* or *Water Act 2000*; or

**(b)** within an approved building envelope; or

**(c)** within 25 metres from the outer most projection of a building which is an existing house or an approved house where the building approval was granted prior to the commencement of this instrument; or

**(d)** within 5 metres of an existing permanent fixed structure which is a lawful use for the-

- (i) keeping and stabling of horses, cattle or other similar animals including the storage of feed for those animals; or
- (ii) storing or parking of a heavy vehicle, tractor, machinery or implement used in or ancillary to the lawful use of the land for agriculture; or
- (iii) storing or parking a car, a motorised vessel or a heavy vehicle; or

**(e)** within 5 metres of a lawfully constructed facility that is used for outdoor entertainment ancillary to a house; or

**(f)** essential management or routine management on a lot in the Rural Zone; or

**(g)** on a lot less than 2000 m<sup>2</sup> in area; or

**(h)** consistent with the guideline on vegetation management under powerlines between the Local Government and an electricity distribution entity; or

(i) involving incineration, if the clearing is in accordance with-

(A) a fire use plan approved by the Queensland Fire and Rescue Service and the Local Government; and

(B) a permit to light a fire granted by a fire warden under the Fire and Rescue Services Act 1990; or

(ii) not involving incineration, if the clearing is in accordance with a fire safety plan approved by the Queensland Fires and Rescue Service and the Local Government; or

**(i)** within an area that is no greater than 3 metres in width from-

(i) a fence which is situated on or near the boundary of a lot; or

(ii) the alignment of a proposed fence which is to be situated on or near the boundary of a lot and the clearing of vegetation results from the construction of the fence; or

**(j)** which is located within a Local Government road which is constructed for use by a motor vehicle and the clearing is reasonably necessary to prevent an interference by that part of the vegetation located within the Local Government road with the safe movement of traffic or the safe use of the Local Government and the clearing is approved by the Local Government; or

**(k)** which is necessary for the construction of Community Infrastructure which is a lawful use; or

**(l)** within an area that is no greater than 5 metres in width where the clearing of vegetation results from the construction within the area of a driveway, track or other area which—

(i) provides the only vehicular access from a road to-

(A) an existing dwelling which is a lawful use; or

(B) a building envelope approved pursuant to a development approval; or

(C) a dwelling where a development permit to clear vegetation has

been granted to enable the carrying out of Building Work for the dwelling; or

(D) the site of an approved house where the building approval was granted prior to the commencement of this instrument.

**(m)** for the establishment of above or underground services; or

**(n)** for an approved building which is yet to be constructed; or

**(o)** to access a building site for which a building has been approved.

### Customer Service Centres

Beaudesert Administration Centre, 82 Brisbane St

Boonah Customer Service Centre, 70 High St

Tamborine Mountain Customer Service Centre, Cnr Main Street and Yuulong Rd

Telephone 07 5540 5111 [www.scenicrim.qld.gov.au](http://www.scenicrim.qld.gov.au) [mail@scenicrim.qld.gov.au](mailto:mail@scenicrim.qld.gov.au)