

Area Management Plan for the control of pest plants in the Dry Tropics region

Department of Natural Resources and Mines

October 2014 (as amended 27 July 2015)

This Area Management Plan (AMP) for the control of pest plants in the Dry Tropics region has been prepared by the Department of Natural Resources and Mines (DNRM) and:

- is registered as AMP 2014/006538 under the *Vegetation Management Act 1999*
- was approved by the delegate the Chief Executive administering the *Vegetation Management Act 1999* on 22 October 2014
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Contents

1. Introduction	1
1.1 Area of plan	1
1.2 Scope of plan	2
1.3 Pest species to which the plan applies	2
2. Management intent and management outcomes	3
3. Conditions	3
Appendix 1 – Other legislation	7
Appendix 2 – Area to which the AMP applies	8
Appendix 3 – Grasslands not regulated under the <i>Vegetation Management Act 1999</i>	9
Appendix 4 – Prescribed commercial timber species	10
Appendix 5 – Pest plant management resources	11
Appendix 6 – Progress report template for weed control in the dry tropics	12
Glossary	14

1. Introduction

Clearing under this Area Management Plan (AMP) is for the control of pest plants and should only be considered if the requirements of the *Managing Weeds: a self-assessable vegetation clearing code* cannot be met. This code can be found on the Department of Natural Resources and Mines (DNRM) website at <https://www.qld.gov.au/environment/land/vegetation/codes/>.

Clearing native vegetation in accordance with the conditions of this AMP will provide an alternative to gaining a development approval for managing pest plants. Landholders must notify DNRM that they are working under this plan and must meet the conditions stated in the plan. If the conditions of this AMP cannot be met then an application for development approval to clear native vegetation for the control of pest plants can be lodged with the State Assessment and Referral Agency, Department of State Development, Infrastructure and Planning (DSDIP). Alternatively, an application can be made for a separate AMP proposing different management techniques that enable effective pest plant control while achieving the purposes of the *Vegetation Management Act 1999*. This process can be led by landholder or natural resource management groups.

Note that this AMP refers to clearing activities under the *Vegetation Management Act 1999*. Other legislation including, but not limited to, the legislation listed in Appendix 1 may also affect your proposed clearing activities. *It is essential that you check with any relevant authority to determine if your proposal requires any further approvals.*

Explanations of words or terms underlined in the text can be found in the Glossary.

1.1 Area of plan

The area covered by this AMP is the dry tropical areas of northern Queensland and includes the majority of the Einasleigh Uplands, Gulf Plains and Northwest Highlands bioregions as well as significant areas of the Mitchell Grass Downs, Desert Uplands and northern Brigalow Belt bioregions. These areas have significant woody weed infestations where integrated management strategies are required. The area is shown in Appendix 2 and comprises of the following local government areas:

- Burdekin Shire Council
- Burke Shire Council
- Carpentaria Shire Council
- Charters Towers Regional Council
- Cloncurry Shire Council
- Croydon Shire Council
- Doomadgee Aboriginal Shire Council
- Etheridge Shire Council
- Flinders Shire Council
- Mareeba Shire Council
- McKinlay Shire Council
- Mount Isa City Council
- Richmond Shire Council
- Townsville City Council

1.2 Scope of plan

This AMP applies to clearing on freehold land, indigenous land, leasehold land, land that is a road under the *Land Act 1994* (road reserves) and crown land that is a boundary watercourse (boundary watercourses). Clearing on road reserves and within boundary watercourses is only to occur if the parcels are adjoining freehold, indigenous or leasehold lots that are subject to clearing under this AMP.

This AMP applies to clearing within areas shown on the Regulated Vegetation Management Map as Category B (remnant), Category C (regrowth), Category R (regrowth watercourse) and Category X (non-remnant) vegetation to allow the control of declared pests and non-native plants. Regulated Vegetation Management Maps can be obtained from the DNRM website (<https://www.qld.gov.au/environment/land/vegetation/map-request/>) or by contacting a DNRM Customer Service Centre.

Note that clearing native vegetation within a Category X area on freehold, indigenous and leasehold land can occur at any time without reference to DNRM. Land owner's consent, however, is required if clearing is to occur on crown land or on a road reserve. Clearing native vegetation within all vegetation categories for the control of pest plants on crown land is taken to be authorised by the chief executive administering the *Land Act 1994* if done in accordance with this plan. Any clearing in a road reserve, even if the road is unformed, must be authorised by the managing authority i.e. the local government for local roads or the Department of Transport and Main Roads for State-controlled roads and written evidence of consent provided to DNRM.

Clearing of native vegetation for weed control in grassland regional ecosystems listed in Appendix 3 is not regulated by the *Vegetation Management Act 1999* and may be done at any time without reference to DNRM. Note, however, that other legislation may regulate activities in these areas (see Appendix 1 for a list of other legislation).

This plan does not allow for clearing native vegetation for weed control in an area shown as a Category A area on the Regulated Vegetation Management Map. Any landholder wanting to clear in a Category A area should contact DNRM to determine if this is permissible.

Requirements for commercial timber on State land

On leasehold land, road reserves and crown land, landholders must contact the Department of Agriculture, Fisheries and Forestry (DAFF) before clearing in areas which may contain commercial timber, including sandalwood. Commercial timber species are listed in Appendix 4.

1.3 Pest species to which the plan applies

This AMP only relates to clearing native vegetation for the control of the pest plant species listed below.

Declared pests under the *Land Protection (Pest and Stock Route Management) Act 2002* covered by this plan:

- Athel Pine (*Tamarix aphylla*)
- Bellyache Bush (*Jatropha gossypifolia*)
- Captain Cook Tree/Yellow Oleander (*Thevetia peruviana*)
- Chinee Apple (*Ziziphus mauritiana*)
- Lantana (*Lantana camara*)

- Mesquite (*Prosopis* spp.)
- Parkinsonia (*Parkinsonia aculeate*)
- Prickly Acacia (*Acacia nilotica*)
- Rubber Vine (*Cryptostegia grandiflora*)
- Yellow Bells (*Tecoma stans*)

Non-native plants that are not declared but are covered by this plan:

- Calotrope (*Calotropis procera*)
- Neem Tree (*Azadirachta indica*)

Appendix 5 has links to best practice management documents for each of these pests and control methods should be chosen to suit the target pest and specific on-ground situation. The *Managing Weeds: a self-assessable vegetation clearing code* also provides guidance on appropriate machinery and techniques that can be used when working in environmentally sensitive areas.

2. Management intent and management outcomes

This plan will provide an alternative authorisation for landholders wishing to actively control pest plants within or on land adjoining their properties. It has been developed in line with the purposes of the *Vegetation Management Act 1999* and the principles and outcomes of the *State policy for vegetation management*.

It is recommended that an integrated approach to pest plant management be undertaken combining a number of weed control options such as mechanical clearing, slashing, burning and the use of herbicides. It is essential that any pest plant management includes planning, treatment, follow-up and monitoring for success.

The management intent of this plan is to:

1. Reduce the extent of pest plant infestations in the dry tropics;
2. Increase the effectiveness of managing common pest plant infestation routes;
3. Increase the productivity of degraded areas;
4. Improve the condition of regional ecosystems;
5. Maintain regional ecosystems in a remnant or near remnant state or in a state that will regenerate;
6. Maintain and restore ecological processes and biodiversity;
7. Minimise land degradation associated with pest plant control methods.

The conditions stated in this AMP will ensure that the intent of the AMP is achieved and that the following outcomes are met:

1. Clearing native vegetation is limited to the extent necessary to control the pest plants or to provide access for the control of the pest plants;
2. Clearing within and near wetlands and watercourses will protect water quality, bank stability, aquatic and terrestrial habitats;
3. Clearing will not result in land degradation through loss of soil structure or fertility, or expose acid sulphate soils;
4. Clearing will maintain or promote the natural floristic composition of the regional ecosystem.

3. Conditions

Weed management through vegetation clearing under this plan must comply with the following conditions. If the conditions of this AMP cannot be met then an application for development approval to clear native vegetation for the control of pest plants can be lodged with the State Assessment and Referral Agency, DSDIP. Alternatively, an application can be made for a separate AMP proposing different management techniques that enable effective pest plant control while achieving the purposes of the *Vegetation Management Act 1999*. This process can be led by landholder or natural resource management groups.

Notification and area requirements:

1. Landholders must notify DNRM of clearing under this plan.
Note: this can be done by visiting <https://www.qld.gov.au/environment/land/vegetation/area-plans/> or by contacting DNRM.
2. Clearing under this plan is restricted to freehold land, indigenous land, leasehold land, land that is a road under the *Land Act 1994* (road reserves) and crown land that is a boundary watercourse (boundary watercourses).
3. Clearing on road reserves or in boundary watercourses can only occur if the parcels are adjacent to freehold, indigenous or leasehold properties being cleared under this plan.
4. Land owner's consent must be obtained and written authorisation provided to DNRM prior to clearing on a road reserve.
Note: the land owner will either be the local government for locally controlled roads or the Department of Transport and Main Roads for State-controlled roads.
5. Clearing is limited to areas shown as a Category B, Category C, Category R or Category X area on the Regulated Vegetation Management Map.
Note: clearing in Category X areas on freehold, indigenous and leasehold land can occur for any purpose at any time without reference to DNRM. Clearing in Category X areas on road reserves and crown land requires authorisation from the managing authority.
6. Clearing under this plan does not authorise the clearing of any vegetation that would constitute a contravention of other laws. For example, approval must also be obtained from the Department of Agriculture, Fisheries and Forestry prior to clearing commercial timber species on leasehold land, road reserves and crown land.

Monitoring and reporting requirements:

7. Landholders must submit progress reports to DNRM annually.
Note: a template for the report is provided in Appendix 6.

Clearing requirements:

8. Recognised best practice clearing methods appropriate for the target pest plant species must be used and can include mechanical, chemical and manual methods.
Note: recognised best practice methods can be found in guidelines produced or published by Biosecurity Queensland, Weeds Australia, NRM bodies or a local authority. Appendix 5 provides links to some recognised best practice documents for each of the species covered under this plan.
Note: clearing to reduce a hazardous fuel load by fire can occur under an exemption listed in the Sustainable Planning Regulation 2009 and may be warranted for large infestations of pest plants that have high flammability. Landholders need to obtain all necessary fire permits from their local fire brigade prior to burning. The use of fire specifically to control pest plants that is not related to reducing a hazardous fuel load is not covered under this AMP. This can be done through a development approval or a separate AMP.

9. Clearing is limited to the extent necessary for the control of:

- a. Athel Pine (*Tamarix aphylla*);
- b. Bellyache Bush (*Jatropha gossypifolia*);
- c. Captain Cook Tree/Yellow Oleander (*Thevetia peruviana*);
- d. Chinee Apple (*Ziziphus mauritiana*);
- e. Lantana (*Lantana camara*);
- f. Mesquite (*Prosopis* spp.);
- g. Parkinsonia (*Parkinsonia aculeate*);
- h. Prickly Acacia (*Acacia nilotica*);
- i. Rubber Vine (*Cryptostegia grandiflora*);
- j. Yellow Bells (*Tecoma stans*);
- k. Calotrope (*Calotropis procera*);
- l. Neem Tree (*Azadirachta indica*);

or to provide access to these pest plants where no suitable alternative access exists.

10. Clearing for tracks to access infestations:

- a. must not to exceed 5 metres in width;
- b. must not contribute to soil erosion or exacerbate sediment run-off ;
- c. must have effective drainage measures in place, such as whoa boys and cross drains;
- d. running parallel to the defining bank of a watercourse or wetland must not be located within 10 metres of the defining bank;
- e. should be designed to cross the watercourse perpendicular to stream flow and be located in straight sections of the watercourse where banks are low and stable;
- f. must involve minimal box cutting of the ramp and have drainage elements that divert water off the ramp;
- g. where within a watercourse, must be set at bed level and not involve the excavation or filling of the bed;
- h. where no longer required, must be rehabilitated by facilitating natural re-generation or, where necessary, by active revegetation.

11. Clearing must not destabilise the banks of any watercourse.

Note: measures to prevent destabilisation include, but are not limited to, using a mix of non-mechanical and mechanical clearing methods to ensure that soil disturbance associated with mechanical clearing between the toe and top of the bank does not exceed 50% of an area and not using mechanical clearing methods within 5 metres of an area of bank instability, where bank slope is greater than 30% or in an area subject to high velocity water flows.

12. Sediment and erosion control measures must be used to minimise the impact and repair any degradation of the bed and banks of any watercourse or wetland resulting from clearing and the associated soil disturbance.

13. Ground cover (dead or alive) must be retained wherever possible after mechanical clearing by mulching or leaving debris where it falls unless reinfestation from stem pieces is likely or debris will block water flow within a watercourse.

14. All retained trees and habitat trees are to be retained.

Note: retained trees are trees and shrubs with a diameter at 1.3 metres above the ground of 20 centimetres or more. For multi-stemmed plants, the diameter is obtained by totalling the diameter of the two largest stems at 1.3m metres in height. Habitat trees are living trees with one or more visible hollows

of 10 centimetres or more in diameter that are positioned at least 2 metres above the base of the tree potentially used by hollow-dwelling fauna or nest trees which contain an active bird's nest or the nest of a raptor or other bird which utilises the same nest year after year.

15. Immature native trees and shrubs and other native woody vegetation, including small saplings, may only be cleared where necessary and when within a 2 metre radius from the edge of the canopy of the pest plant being targeted for removal, unless to provide access to an infestation if no suitable alternative access exists.
16. To conserve remnant vegetation, clearing by chemical application must comply with the following:
 - a. Aerial application of foliar applied herbicides is permitted only if the herbicide is selective, and will not destroy native woody vegetation.
 - b. Soil-absorbed broad spectrum herbicides must:
 - i. not be applied via aerial application;
 - ii. be targeted at pest plant infestations and not be applied indiscriminately on the ground;
 - iii. not be used within 50m of the defining bank either side of a wetland or watercourse or the distance specified on the approved label attached to the container of a registered product, whichever is the greater;
 - iv. only be used in areas where retained or habitat trees are more than 30 metres apart and must not be applied within the area between the base and drip line of a retained or habitat tree;
 - v. not be applied on slopes greater than 5% or on actively eroding sites.

Note: *As prescribed under the Chemical Usage (Agricultural and Veterinary) Control Act 1988, herbicides must be used in accordance with the approved label attached to the container of a registered product, in a way authorised by a permit pertaining to a product issued by the Australian Pesticides and Veterinary Medicines Authority (APVMA) or as prescribed under a regulation.*

Particular prescribed agricultural ERA products used in the Great Barrier Reef catchment areas must be used in accordance with the Chemical Usage (Agricultural and Veterinary) Control Regulation 1999. In particular, restrictions apply to the use of tebuthiuron by cattle grazing businesses in prescribed reef catchment areas. More information regarding the use of herbicides can be obtained by contacting the Queensland Department of Agriculture and Fisheries.

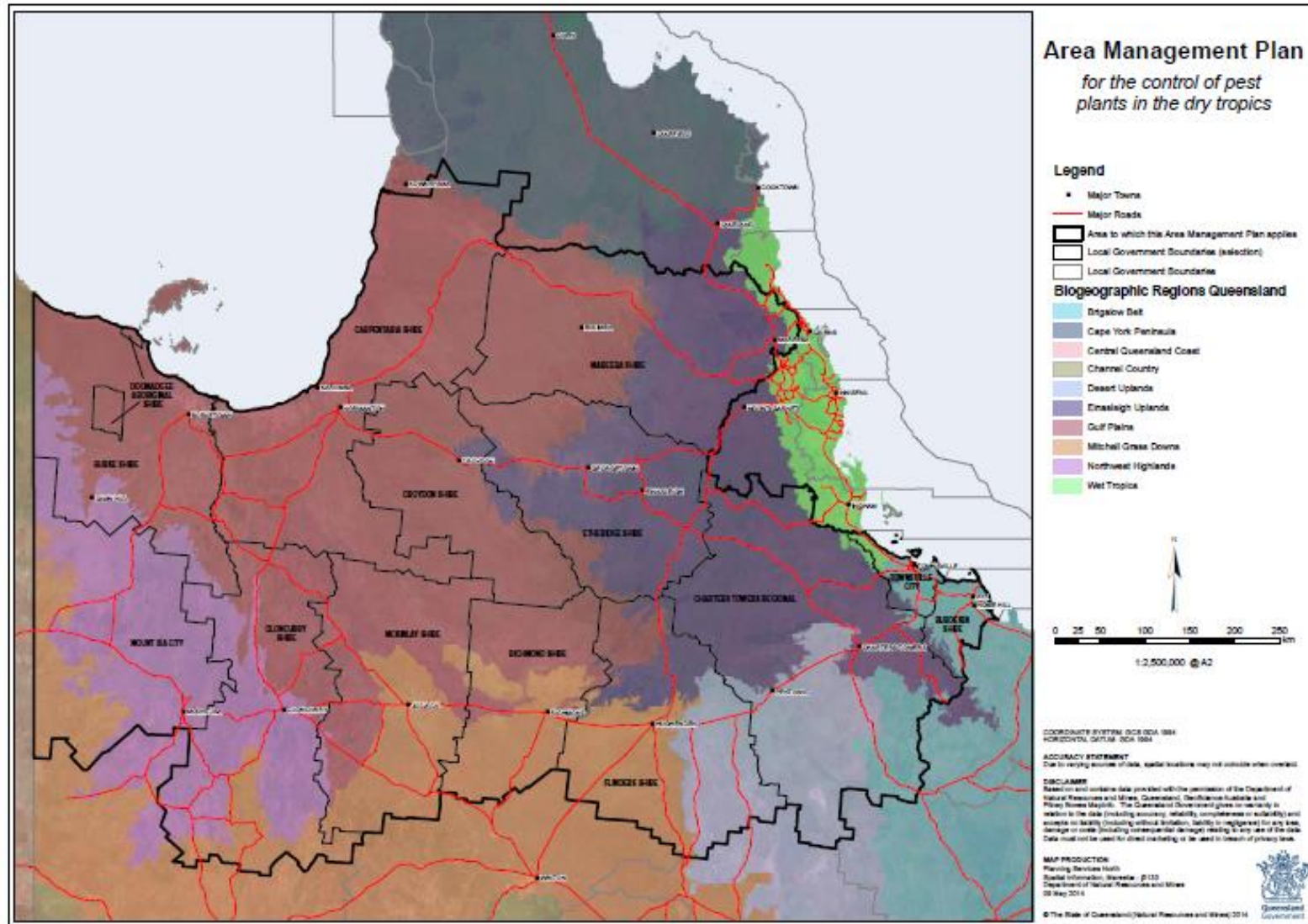
The aerial and ground distribution of herbicides is subject to the licensing provisions of the Chemical Usage (Agricultural and Veterinary) Control Act 1988.

17. Clearing within landzone 1, landzone 2 or landzone 3 in areas below the 5 metre Australian Height Datum must be carried out in accordance with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, and follow the management principles of the Soil Management Guidelines in the *Queensland Acid Sulfate Soil Technical Manual*.
18. Exotic species, including non-native pasture species, are not to be intentionally introduced to cleared areas.

Appendix 1 – Other legislation

Act(s)	Agency
<ul style="list-style-type: none"> • <i>Water Act 2000</i> • <i>Soil Conservation Act 1986</i> 	Department of Natural Resources and Mines
<ul style="list-style-type: none"> • <i>Aboriginal Cultural Heritage Act 2003</i> • <i>Torres Strait Islander Cultural Heritage Act 2003</i> 	Department of Aboriginal and Torres Strait Islander and Multicultural Affairs
<ul style="list-style-type: none"> • <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> • <i>Wild Rivers Act 2005</i> 	Department of Environment and Heritage Protection
<ul style="list-style-type: none"> • <i>Fisheries Act 1994</i> 	Department of Agriculture, Fisheries and Forestry.
<ul style="list-style-type: none"> • <i>Sustainable Planning Act 2009</i> 	Department of State Development, Infrastructure and Planning
<ul style="list-style-type: none"> • <i>Wet Tropics World Heritage Protection and Management Act 1993</i> • <i>Wet Tropics Management Plan 1998</i> 	Wet Tropics Management Authority
<ul style="list-style-type: none"> • <i>Environment Protection and Biodiversity Conservation Act 1999</i> 	Australian Government Department of the Environment
<ul style="list-style-type: none"> • <i>Local Government Act 1993</i> 	Local Government

Appendix 2 – Area to which the AMP applies



Appendix 3 – Grasslands not regulated under the Vegetation Management Act 1999

Weed control may be conducted in the grassland regional ecosystems listed below without a permit or notification. Regional ecosystem mapping for your property is available on the department's website (<https://www.qld.gov.au/environment/land/vegetation/map-request/>) or by contacting a DNRM Customer Service Centre. A description of these regional ecosystems can be obtained from the Department of Environment and Heritage Protection's website (<http://www.ehp.qld.gov.au/ecosystems/biodiversity/regional-ecosystems/index.php>).

Note that this AMP refers to clearing activities under the *Vegetation Management Act 1999*. It is essential that you check with any relevant authority to determine if your proposal requires any further approvals.

Bioregion	Regional Ecosystem
Northwest highlands	1.3.1
	1.9.1
Gulf Plains	2.3.3
	2.3.4
	2.3.32
	2.9.1
	2.9.2
Cape York Peninsula	3.1.7
	3.3.57
	3.5.29
	3.5.30
	3.8.4
	3.9.8
	3.11.19
	3.12.29
3.12.30	
Mitchell Grass Downs	4.3.14
	4.3.15
	4.3.16
	4.3.17
	4.3.18
	4.3.19
	4.4.1

Bioregion	Regional Ecosystem
	4.4.2
	4.9.1
	4.9.2
	4.9.3
	4.9.4
	4.9.5
Channel Country	4.9.20
	5.9.3
Mulga Lands	5.9.4
	6.3.14
Wet Tropics	6.3.15
	7.3.32
Einasleigh Uplands	7.11.39
	9.3.25
	9.3.26
Desert Uplands	9.8.13
	10.4.8
Brigalow Belt	11.3.21
	11.3.24
	11.4.4
	11.8.10
Southeast Queensland	12.8.27

Appendix 4 – Prescribed commercial timber species

Part 1 Trees of any diameter overbark

Common name	Botanical name
Sandalwood	<i>Santalum lanceolatum</i>

Part 2 Trees with a diameter overbark of more than 29cm at 1.3m above ground level

Common name	Botanical name
Blackbutt	<i>Eucalyptus pilularis</i>
Broad-leaved red ironbark	<i>Eucalyptus fibrosa</i> subsp. <i>fibrosa</i>
Caley's ironbark	<i>Eucalyptus caleyi</i>
Cooktown ironbark	<i>Erythrophleum chlorostachys</i>
Darwin stringybark	<i>Eucalyptus tetradonta</i>
Forest red gum	<i>Eucalyptus tereticornis</i>
Grey ironbark	<i>Eucalyptus drepanophylla</i>
Grey ironbark (in south)	<i>Eucalyptus siderophloia</i> (in south)
Gympie messmate	<i>Eucalyptus cloeziana</i>
Lemon-scented gum (sometimes also called spotted gum)	<i>Corymbia citriodora</i> subsp. <i>Citriodora</i>
Melville Island bloodwood	<i>Corymbia nesophila</i>
Narrow-leaved red ironbark	<i>Eucalyptus crebra</i>
River red gum	<i>Eucalyptus camaldulensis</i>
Rose gum	<i>Eucalyptus grandis</i>
Spotted gum	<i>Corymbia citriodora</i> subsp. <i>variegata</i>
Sugar gum	<i>Angophora costata</i>
Sydney blue gum	<i>Eucalyptus saligna</i>
Tallowwood	<i>Eucalyptus microcorys</i>
White mahogany	<i>Eucalyptus acmenoides</i>
White mahogany	<i>Eucalyptus apothalassica</i>
White mahogany	<i>Eucalyptus mediocris</i>
White mahogany	<i>Eucalyptus portuensis</i>
White mahogany	<i>Eucalyptus psammitica</i>
White stringybark	<i>Eucalyptus eugenioides</i>
White stringybark	<i>Eucalyptus mensalis</i>
White stringybark	<i>Eucalyptus reducta</i>
White stringybark	<i>Eucalyptus tindaliae</i>
Yellow box	<i>Eucalyptus melliodora</i>
Yellow jacket	<i>Eucalyptus bloxsomei</i>

Part 3 Trees with a diameter overbark of more than 19cm at 1.3m above ground level

Common name	Botanical name
White cypress pine	<i>Callitris glaucophylla</i>

Appendix 5 – Pest plant management resources

Common name	Botanical name	Web resource
Athel Pine	<i>Tamarix aphylla</i>	http://www.weeds.org.au/WoNS/athelpine/index.html
Bellyache Bush	<i>Jatropha gossypifolia</i>	http://www.weeds.org.au/WoNS/bellyachebush/
Calotrope	<i>Calotropis procera</i>	http://www.daff.qld.gov.au/plants/weeds-pest-animals-ants/weeds/a-z-listing-of-weeds/photo-guide-to-weeds/calotrope
Captain Cook Tree/ Yellow Oleander	<i>Thevetia peruviana</i>	http://www.daff.qld.gov.au/plants/weeds-pest-animals-ants/weeds/a-z-listing-of-weeds/photo-guide-to-weeds/captain-cook-tree-or-yellow-oleander
Chinee Apple	<i>Ziziphus mauritiana</i>	http://www.daff.qld.gov.au/plants/weeds-pest-animals-ants/weeds/a-z-listing-of-weeds/photo-guide-to-weeds/chinee-apple
Lantana	<i>Lantana camara</i>	http://www.weeds.org.au/WoNS/lantana/
Mesquite	<i>Prosopis spp.</i>	http://www.weeds.org.au/WoNS/mesquite/
Neem Tree	<i>Azadirachta indica</i>	http://www.daff.qld.gov.au/plants/weeds-pest-animals-ants/weeds/a-z-listing-of-weeds/photo-guide-to-weeds/neem-tree
Parkinsonia	<i>Parkinsonia aculeate</i>	http://www.weeds.org.au/WoNS/Parkinsonia/
Prickly Acacia	<i>Acacia nilotica</i>	http://www.weeds.org.au/WoNS/pricklyacacia/
Rubber Vine	<i>Cryptostegia grandiflora</i>	http://www.weeds.org.au/WoNS/rubbervine/
Yellow Bells	<i>Tecoma stans</i>	http://www.daff.qld.gov.au/plants/weeds-pest-animals-ants/weeds/a-z-listing-of-weeds/photo-guide-to-weeds/yellow-bells

Appendix 6 – Progress report template for weed control in the dry tropics

Notification reference		Date	
Contact name			
Contact number			
Property name, lot/plan	<p>Clearing will also occur on adjoining:</p> <input type="checkbox"/> road reserves Name of road if formed: _____ <input type="checkbox"/> land owner's consent has been provided (local council or DTMR) <input type="checkbox"/> crown land that is a boundary watercourse Name of watercourse: _____		
For State tenures	<input type="checkbox"/> approval for clearing commercial timber species has been obtained from DAFF		
Target pest plant species	<input type="checkbox"/> Athel Pine <input type="checkbox"/> Bellyache Bush <input type="checkbox"/> Calotrope <input type="checkbox"/> Captain Cook Tree/Yellow Oleander <input type="checkbox"/> Chinee Apple <input type="checkbox"/> Lantana <input type="checkbox"/> Mesquite <input type="checkbox"/> Neem Tree <input type="checkbox"/> Parkinsonia <input type="checkbox"/> Prickly Acacia <input type="checkbox"/> Rubber Vine <input type="checkbox"/> Yellow Bells		
Location of clearing	<input type="checkbox"/> a map with aerial imagery is attached showing the area that has been cleared for pest plant control OR <input type="checkbox"/> A list of GPS coordinates for the clearing area is attached		
Period of clearing (dates)			
Were there any problems meeting the conditions of the AMP?			
Did you get a good result using the AMP?			

Representative sites from the treatment area must be reported on

Site number (show location on map)	
Site description (general description of area prior to clearing e.g. weed density, location of watercourses and wetlands etc.)	
Photo numbers and directions (show photo points on map and attach photos to report)	
Initial or follow-up treatment?	<input type="checkbox"/> Initial treatment <input type="checkbox"/> follow-up treatment
Methods of clearing	
Were all retained and habitat trees retained?	
Were all immature trees and shrubs retained?	
Sediment and erosion control measures used on access tracks and in clearing area	
Where the clearing area was in landzones 1, 2 or 3, and below 5m AHD, what measures were used to prevent land degradation from acid sulphate soils?	
Were any non-native pasture species introduced intentionally to cleared areas?	

Glossary

Active revegetation: is the process of intentionally replanting and rebuilding the soil of disturbed land and may include sowing seeds, planting seedlings, fertilising, watering, weeding, re-contouring land, fencing off areas, mulching and other restorative activities.

Bed and banks: of a watercourse or wetland means land over which the water of the watercourse or wetland normally flows or that is normally covered by water, whether permanently or intermittently. It does not include land adjacent to the bed and banks that is from time to time covered by floodwater.

Biodiversity: means the variability among living organisms from all sources, including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part, and includes:

- (a) diversity within species and between species; and
- (b) diversity of ecosystems.

Category A area: is an area, other than a Category B area, Category C area, Category R area or Category X area, shown on the Regulated Vegetation Management Map as a Category A area that—

- (a) is any of the following—
 - a. a declared area;
 - b. an offset area;
 - c. an exchange area; or
- (b) has been unlawfully cleared; or
- (c) is, or has been, subject to—
 - a. a restoration notice; or
 - b. an enforcement notice under the Planning Act containing conditions about restoration of vegetation; or
- (d) has been cleared of native vegetation and in relation to the clearing a person has been found guilty by a court, whether or not a conviction has been recorded, of a clearing offence; or
- (e) the chief executive decides under section 20BA of the *Vegetation Management Act 1999* is a category A area.

Category B area: is an area, other than a Category A area, Category C area, Category R area or Category X area, shown on the Regulated Vegetation Management Map as a Category B area that—

- (a) contains remnant vegetation; or
- (b) the chief executive decides to show on the Regulated Vegetation Management Map as a Category B area; or
Note— The chief executive may decide under section 20AH of the *Vegetation Management Act 1999* to show an area on the regulated vegetation management map as a category B area even though the vegetation is not remnant vegetation.
- (c) if section 20AN of the *Vegetation Management Act 1999* does not apply to the area—
 - a. is a Land Act tenure to be converted under the *Land Act 1994* to another form of tenure; and
 - b. contains—

- i. an endangered regional ecosystem; or
- ii. an of concern regional ecosystem; or
- iii. a least concern regional ecosystem.

Category C area: is an area, other than a Category A area, Category B area, Category R area or Category X area, shown on the Regulated Vegetation Management Map as a Category C area that—

- (a) contains high value regrowth vegetation; or
- (b) the chief executive decides to show on the Regulated Vegetation Management Map as a Category C area.

Note— The chief executive may decide under section 20AI of the *Vegetation Management Act 1999* to show an area on the regulated vegetation management map as a category C area even though the vegetation is not high value regrowth vegetation.

High value regrowth vegetation means vegetation located-

- (a) on a lease issued under the *Land Act 1994* for agriculture or grazing purposes; and
- (b) in an area that has not been cleared since 31 December 1989 that is-
 - a. an endangered regional ecosystem; or
 - b. an of concern regional ecosystem; or
 - c. a least concern regional ecosystem.

Category R area: is an area, other than a Category A area, Category B area, Category C area or Category X area, shown on the Regulated Vegetation Management Map as a Category R area that is a regrowth watercourse area.

A regrowth watercourse area means an area located within 50m of a watercourse located in the Burdekin, Mackay Whitsunday or Wet Tropics catchments identified on the vegetation management watercourse map.

Category X area: is an area, other than a Category A area, Category B area, Category C area or Category R area, shown on the Regulated Vegetation Management Map as a Category X area unless the chief executive decides under section 20CA of the *Vegetation Management Act 1999* the area is not a category X area.

Clearing: for vegetation means to remove, cut down, ringbark, push over, poison or destroy vegetation in any way, including by burning, flooding or draining, but does not include destroying standing vegetation by stock, or lopping a tree.

Commercial timber: includes timber of a species listed in Appendix 4.

Defining bank: means the bank which confines the seasonal flows but may be inundated from time to time. This can be either the bank or terrace that confines the water before the point of flooding or, where there is no bank, the seasonal high waterline that represents the point of flooding.

Destroy: damaging vegetation in any way that causes death including to remove, cut down, ringbark, push over, poison or by burning, flooding or draining land.

Freehold land: includes land in a freeholding lease under the *Land Act 1994*.

Grassland regional ecosystems: means a regional ecosystem listed in Appendix 3.

Habitat trees: means a habitat or nest tree, where:

- (a) habitat trees are living trees with one or more visible hollows of 10 centimetres or more in diameter that are positioned at least 2 metres above the base of the tree. Habitat trees are trees used or potentially used by hollow-dwelling fauna.
- (b) nest trees which contain an active bird's nest or the nest of a raptor or other bird which utilises the same nest year after year.

Indigenous land: means, for regulating the clearing of vegetation, land held under a following Act by, or on behalf of or for the benefit of, Aboriginal or Torres Strait Islander inhabitants or purposes—

- (a) the *Aurukun and Mornington Shire Leases Act 1978*;
- (b) the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985*;
- (c) the *Aboriginal Land Act 1991*;
- (d) the *Torres Strait Islander Land Act 1991*;
- (e) the *Land Act 1994*.

Land degradation: includes the following—

- (a) soil erosion;
- (b) rising water tables;
- (c) the expression of salinity;
- (d) mass movement by gravity of soil or rock;
- (e) stream bank instability;
- (f) a process that results in declining water quality.

Landzone 1: means quaternary estuarine and marine deposits subject to periodic inundation by saline or brackish marine waters. Includes mangroves, salt pans, off-shore tidal flats and tidal beaches.

Landzone 2: means quaternary coastal dunes and beach ridges. Includes degraded dunes, sand plains and swales, lakes and swamps enclosed by dunes, as well as coral and sand cays.

Landzone 3: means quaternary alluvial systems. Including floodplains, alluvial plains, alluvial fans, terraces, levees, swamps, channels, closed depressions and fine textured palaeo-estuarine deposits. Also includes estuarine plains currently under fresh water influence, inland lakes and associated dune systems (lunettes).

Owner, of land: includes, generally—

- (a) for freehold land—the registered owner; or
- (b) for a lease under the *Land Act 1994*—the lessee; or
- (c) for indigenous land—the holder of title to the land; or
- (d) for a State-controlled road under the *Transport Infrastructure Act 1994*—the chief executive of the department in which that Act is administered; or
- (e) for a road controlled by a local government under the *Local Government Act 2009*—the local government.

Mechanical clearing: is the clearing of vegetation using machinery which disturbs the soil surface or uproots woody vegetation.

Regional ecosystems: means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil.

Regulated Vegetation Management Map: is the map certified by the chief executive as the Regulated Vegetation Management Map for a part of the State and showing the vegetation category areas for the part.

Remnant vegetation: means vegetation that is—

- (a) an endangered regional ecosystem; or
 - (b) an of concern regional ecosystem; or
 - (c) a least concern regional ecosystem; and
- forming the predominant canopy of the vegetation—
- a. covering more than 50% of the undisturbed predominant canopy; and
 - b. averaging more than 70% of the vegetation's undisturbed height; and
 - c. composed of species characteristic of the vegetation's undisturbed predominant canopy.

Retained trees: means trees and shrubs with a diameter at 1.3 metres above the ground of 20 centimetres or more. For multi-stemmed plants, the diameter is obtained by totalling the diameter of the two largest stems at 1.3m metres in height.

Sediment and erosion control measures: include, but are not limited to:

- (a) earthworks to re-instate the natural profile of disturbed banks;
- (b) use of scour aprons;
- (c) placing rocks or other natural fill in a watercourse to stop erosion and bank slumping;
- (d) timing works to after the wet season or in periods of no or low flow;
- (e) use of sediment traps to minimise impact on water quality;
- (f) selecting machinery appropriate for the task.

Vegetation: is a native tree or plant other than the following—

- (a) grass or non-woody herbage;
- (b) a plant within a grassland regional ecosystem prescribed under a regulation;
- (c) a mangrove.

Watercourses: means a river, creek or stream in which water flows permanently or intermittently—

- (a) in a natural channel, whether artificially improved or not; or
 - (b) in an artificial channel that has changed the course of the watercourse;
- and includes the bed and banks and any other element of a river, creek or stream confining or containing water. In the field a watercourse may be comprised of multiple channels or anabranches.

Watercourses regulated under this plan are shown on the Vegetation Management Watercourse Map.

Wetlands: means an area of land that supports plants or is associated with plants that are adapted to and dependent on living in wet conditions for at least part of their life cycle.

Wetlands regulated under this plan are shown on the Vegetation Management Wetland Map.



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