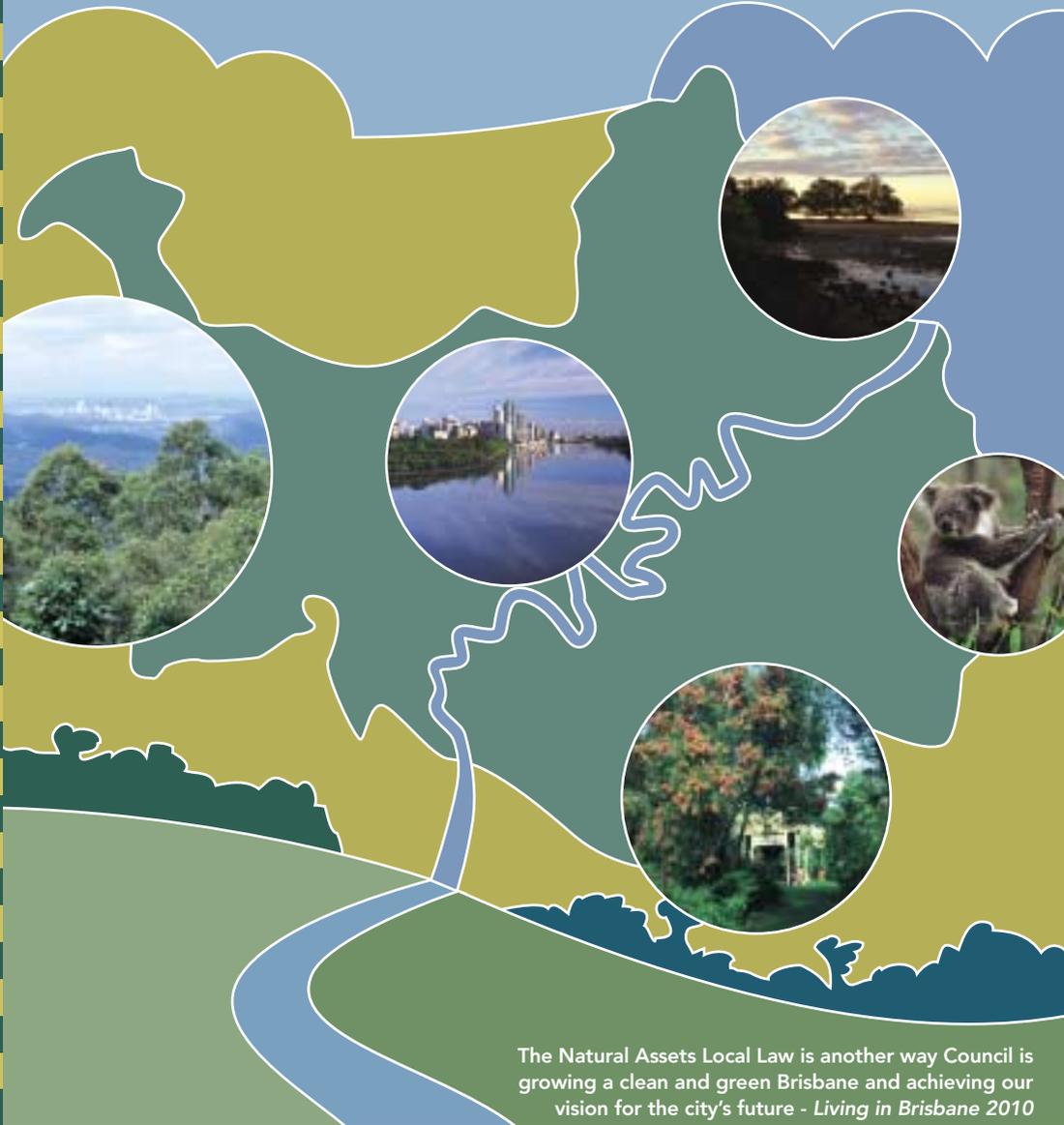


A GUIDE TO THE NATURAL ASSETS LOCAL LAW

Protecting our valuable natural assets

NOVEMBER 2003



The Natural Assets Local Law is another way Council is growing a clean and green Brisbane and achieving our vision for the city's future - *Living in Brisbane 2010*



Dedicated to a better Brisbane

Brisbane – a clean and green city

Protecting our valuable natural resources is the key to preserving our way of life, our wildlife and the intrinsic character of our city.

Brisbane City Council has introduced the Natural Assets Local Law 2003, significantly expanding the area of protected vegetation in the city.

This new Local Law will help protect our natural assets, including bushland areas, wetlands, waterway corridors and trees in urban areas. It will also allow better management of the impacts of weeds and hazardous vegetation. This will ensure future generations can enjoy the benefits of living in such a unique and beautiful city.

This guide provides comprehensive information about the new Local Law including:

- the types of vegetation protected on your land and Council land
- your rights and responsibilities
- activities that are exempt under the Local Law
- weed species that need to be managed
- hazardous vegetation.

The Local Law aims to balance the needs of landowners with environmental needs. It is about Council working with landowners to decide what vegetation will be retained or managed. It is not a development control.

Landowners must seek Council permission to clear protected vegetation, except for basic maintenance, weed control and emergency work. Exempt activities are explained in greater detail in this guide.

Penalties of up to \$37 500 for individuals and up to \$63 750 for companies apply if you remove or interfere with protected vegetation without approval from Council.

Further information

For further information on the Local Law, phone Council on 3403 8888, 24 hours, 7 days a week or visit www.ourbrisbane.com, click on the Brisbane City Council logo and search 'Natural Assets Local Law'.

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1.0

Introduction

Brisbane's beautiful, diverse natural environment helps make our city one of the most desirable places to live and work in Australia.

But with more people moving to Brisbane, there is greater pressure on the city's natural areas. We need to introduce measures to protect our most valuable vegetation.

In 1991, Council responded to strong community support on environmental issues by introducing Vegetation Protection Orders (VPOs). In the eight years before the introduction of the VPOs, 20 per cent of Brisbane's remaining bushland was cleared. VPOs have helped reduce the rate of bushland clearing in Brisbane by more than half.

This is a significant improvement, but we can do better.

We must act now - some of our important native vegetation communities are already close to extinction.



Our commitment to protecting Brisbane's natural assets

Council introduced the *Natural Assets Local Law 2003* as part of our ongoing commitment to protect the city's environment and to help grow a clean and green city.

This Local Law amalgamates and expands on four previous laws, to enable Council to effectively prevent the indiscriminate clearing of vegetation and to control weeds across Brisbane.



The objectives of the Local Law

The *Natural Assets Local Law 2003* will play a key role in protecting our bushland, waterways, wetlands and significant trees. It aims to:

- protect the biodiversity* of the city
- preserve natural landforms
- preserve the city's natural landscape character
- preserve vegetation of cultural and historical value
- improve weed management.

Development of the Local Law

The *Natural Assets Local Law* (Interim) was introduced in August 2002. Council made changes to address issues raised by the State Government and submissions from landholders and industry. The *Natural Assets Local Law 2003* is the result.

The most significant change to the Local Law is the introduction of two new categories of protected vegetation, *Significant Native Vegetation* and *Valued Urban Vegetation*, to replace the former *Significant Vegetation Communities* category. These new categories are explained in the next section of the guide.

Local Laws to protect vegetation are not new. Similar laws are in place in most cities and states in Australia.

The *Natural Assets Local Law 2003*, combined with Council's 'Keeping Brisbane Green' strategy, Biodiversity Strategy, Bushland Preservation Levy, Conservation Partnerships, Environmental Grants and other environmental programs will help us work together to preserve our valuable natural assets and grow a clean and green Brisbane.

*Biodiversity is the variety of lifeforms from species to ecosystems.

How will this Local Law benefit our city and its future?

2.0

Community feedback indicates that having a clean and green environment is one of the most important issues for our city's future. It is important to protect and manage our vegetation as it:

- contributes to the appearance of the city and property values
- consumes carbon dioxide and produces oxygen, making our air cleaner and helping to reduce greenhouse gases and slow global warming
- provides important habitats for many animal and plant species
- improves water quality by filtering out soil and water pollutants
- helps us manage stormwater run-off and soil erosion
- provides shade and cooling, reducing energy requirements
- reduces noise, dust, pollution, wind speeds and helps reduce the effects of UV radiation
- provides strong links with local history and culture.

It is important that we all work together to ensure future generations can enjoy the benefits that our natural assets provide.

How will the Local Law affect you?

The Local Law defines seven categories of protected vegetation. These categories identify the types of vegetation protected and the location of the vegetation (see section 3.1). Certain maintenance works are exempt under the Local Law.

If you are carrying out works on protected vegetation that is not covered by an exemption, you will need a permit from Council. Phone 3403 8888 for an application or download a copy by visiting www.ourbrisbane.com, clicking on the Brisbane City Council logo and searching 'Natural Assets Local Law'.

Under the Natural Assets Local Law, you will still be able to do the following.

Build a home, subdivide or develop land

The Local Law is not a land use or development control. You can still build a new home, subdivide or develop your land according to the provisions of the *Brisbane City Plan*. However, the Local Law

(along with complementary provisions in *City Plan*) requires landowners to work with Council when deciding what vegetation will be retained to provide the best possible environmental outcome.

Mow or slash your established lawn or pasture vegetation

You can still mow or slash your established lawn or pasture, as long as you have previously been mowing or slashing that area at regular intervals of not less than six months.

Building a boundary fence

You can build a boundary fence without a permit, as long as the clearing along the boundary is no more than three metres wide on either side, and the vegetation is not in a waterway corridor or wetland, or has a trunk greater than 20cm diameter (measured at 1 metre above natural ground level) or is a Significant Landscape Tree.

How will the Local Law affect you? cont.

Clearing protected vegetation from around an approved building

Depending on the size of your property, you may remove protected vegetation without a permit within a three or a six metre zone around your home, unless the protected vegetation is a Significant Landscape Tree.

Firebreaks

The boundary fence and house clearance zones will assist in managing fire risks. However, if you wish to clear more than these exemptions allow, you will need a permit. Council consults with the Queensland Fire and Rescue Service when dealing with fire management issues.

See section 3.3 for more information on exemptions.

To carry out work on protected vegetation that is not covered by an exemption, you will need to apply for a permit from Council. See Section 4 for information on how to make an application.

3.1 Categories of protected vegetation

The seven categories of protected vegetation under the Local Law are:

1. Council-controlled Vegetation
2. Vegetation Protection Order
 - a) Group of Trees
 - b) Vegetation of a Particular Class in a Particular Area
 - c) Vegetation of a Particular Species in a Particular Area
 - d) Vegetation of Any Nature in a Particular Area
 - e) Individual Tree
3. Significant Native Vegetation
4. Valued Urban Vegetation
5. Waterway Vegetation
6. Wetland Vegetation
7. Significant Landscape Trees

1. Council-controlled Vegetation (CCV)

This category protects any vegetation in or on any land or premises owned, controlled or occupied by Council. Under the Local Law it is an offence to:

- interfere with vegetation in or on Council-controlled land
- plant vegetation on Council-controlled land eg. a footpath, unless it is in accordance with a planting plan approved by Council. Contact Council on 3403 8888 to find out whether what you want to plant is compatible with an approved planting plan.

2. Vegetation Protection Order (VPO)

The original five VPO categories continue to operate according to their original terms. However, all VPOs are now subject to the exemptions contained in this Local Law. If your property was formerly affected by a VPO, then it still is.

The five VPO categories are:

- a) **Groups of Trees (GT)**
This category protects groups or stands of trees that are rare or of environmental or historical

significance, as long as they are 3 metres or greater in height.

b) **Vegetation of a Particular Class in a Particular Area (CV)**

Some vegetation has environmental value because it is part of our city's landscape character or is an important food source for wildlife. This category is designed to protect trees and shrubs without having to list each species.

c) **Vegetation of a Particular Species in a Particular Area (SP)**

Brisbane has many species of plants that are unique to our region and state. These valuable species are protected under this category. For example, hoop pines (*Araucaria cunninghamii*) in nominated areas are protected under this category because they are remnants of a previously widespread rainforest that has been cleared from most of Brisbane.

d) **Vegetation of Any Nature in a Particular Area (VE)**

Areas like our valuable melaleuca forests and remnant rainforest communities are so fragile that damaging any of the vegetation could mean

How will the Local Law affect you? cont.

threatening an entire ecosystem. The loss of vegetation, including the understorey, may threaten the long-term survival of wildlife species.

This category protects all trees, shrubs, groundcover and vines in a particular area. This includes the protection of dead material, such as a dead tree or hollow log where animals may roost or nest.

e) **Individual Tree (IT)**

Some individual trees are of such environmental, historical or community significance that they warrant life-long protection. Many of the impressive fig trees around Brisbane fit into this category.

Significant Native Vegetation and Valued Urban Vegetation

In response to public submissions on the interim Local Law, two new categories, **Significant**

Native Vegetation
and **Valued**
Urban

Vegetation
have
replaced

the former Significant Vegetation Communities category.

3. ***Significant Native Vegetation (SNV)**

The Significant Native Vegetation category protects all native vegetation on properties identified on the 'SNV 03' mapping layer. This mapping system was developed by Council for the *Natural Assets Local Law 2003*.

The SNV mapping layer identifies properties in areas where native vegetation communities remain relatively intact, eg. bushland acreage areas.

All native vegetation on SNV-affected properties is protected under the Significant Native Vegetation category. However, there are exemptions (in some cases) from the permit requirement for pruning your garden, mowing pastures, and cutting or removing trees around your house. See the 'Exemptions to the Local Law' section on page 11 for more information.

** All vegetation meeting the definitions above is protected on the entire property, including dead trees.*



4. *Valued Urban Vegetation (VUV)

The Valued Urban Vegetation category protects all vegetation (native and non-native) of landscape character or cultural/historical significance growing on properties identified on the 'VUV 03' mapping layer. This mapping system was developed by Council for the *Natural Assets Local Law 2003*.

The Valued Urban Vegetation layer identifies properties containing vegetation with significant landscape character or cultural values. In practical terms, Valued Urban Vegetation includes all mature trees eg. large mango trees, figs, gum trees and other

trees, which are visible throughout the neighbourhood, including from a public place eg. a road or park. Valued Urban Vegetation is mostly found in the built-up parts of the city and makes a significant contribution to the landscape character or cultural values of the neighbourhood or suburb.

If you are affected by the Valued Urban Vegetation category, and are not sure which trees on your property are protected, phone Council on 3403 8888.

**All vegetation meeting the objectives and definitions above is protected on the entire property.*

Note: the scale of the vegetation mapping used to create the Significant Native Vegetation and Valued Urban Vegetation layers has limitations when used at the individual property level. If you believe that the vegetation on your property doesn't meet the definitions explained in this guide,

please phone Council on 3403 8888 and ask to speak to a Natural Assets Local Laws officer. An officer may need to visit your property to check the Local Law as it relates to your property. If an anomaly is found, it will be corrected.

When in doubt, and unless it is an emergency, ring the Council first.

How will the Local Law affect you? cont.

5. Waterway Vegetation (WAV)

This category protects vegetation in waterway corridors, including the Brisbane River Corridor, as defined in *City Plan*. Waterway corridors are the corridors along a waterway indicated on *Planning Scheme Map 2* in *City Plan*.

The Brisbane River Corridor is measured:

- 20 metres horizontally from the high water mark on each side of the river within built up areas
- up to 100 metres horizontally from the high water mark on each side of the river outside built up areas.

Other waterway corridors are generally measured by flood regulation lines, where they exist, or a 30 metre setback from each side of the centre line of the waterway.

Note: under *City Plan*, development within waterway corridors, eg. building, filling or excavation, will also require a development application to Brisbane City Council. Phone 3403 8888 for more information.

Over time, *City Plan* is updated and the location of waterway corridors may change. These changes are advertised and are accompanied by public displays where you can check whether the changes affect your property.

6. Wetland Vegetation (WEV)

This category protects vegetation in wetland areas (as defined in *City Plan*) that are permanently or intermittently covered by water.

Wetlands extend to the seaward boundary of the coastal vegetation line and include areas of marine water that are less than 6 metres in depth at low tide.

They may be natural or artificial, static or slow flowing; fresh, brackish or saline, and include waterlogged soils, ponds, billabongs, lakes, forest swamps, marsh swamps, tidal flats, salt marsh, seagrass, estuaries and flood plains.

Artificial wetlands include Stormwater Quality Improvement Devices, farm dams, sand extraction sites and detention basins.

Note: under City Plan, development within wetlands may also require a development application to Brisbane City Council. Phone 3403 8888 for more information.

7. Significant Landscape Trees (SLT)

Large, established trees such as figs, jacarandas, poincianas and mango trees add to Brisbane’s unique landscape character.

Suburbs with established trees are generally considered more desirable to live in and properties are valued accordingly.

This category protects particular types of trees in areas designated as ‘Emerging Community’ areas under *City Plan* (these trees are protected in the ‘Emerging Community’ areas only and **not** the

whole city). See the table of species and sizes below.

Individual trees under Vegetation Protection Orders

For the purposes of better defining exempt activities, trees protected by VPOs under the VPO Individual Tree category are also defined as Significant Landscape Trees under the Local Law.

Significant Landscape Trees cannot generally be interfered with under

Protected Significant Landscape Trees in “Emerging Community” areas

Species	Common name	Dimensions
<i>Ficus-benjamina, obliqua, platypoda, microcarpa</i> var. <i>hillii, bengaliensis, macrophylla, religiosa, virens, watkinsiana</i>	Fig tree	100cm trunk diameter or larger*
<i>Mangifera indica</i>	Mango tree	80cm trunk diameter or larger*
<i>Delonix regia</i> <i>Jacaranda mimosifolia</i>	Poinciana Jacaranda	80cm trunk diameter or larger*
<i>Araucaria cunninghamii</i> <i>Araucaria bidwillii</i> <i>Agathis robusta</i>	Hoop pine Bunya pine Queensland Kauri pine	60cm trunk diameter or larger*
<i>Eucalyptus tereticornis</i> <i>Eucalyptus microcorys</i> <i>Eucalyptus racemosa</i>	Queensland blue gum or Forest red gum Tallow wood Scribbly gum	60cm trunk diameter or larger*

* Measured at a point one metre above the natural ground level.

How will the Local Law affect you? cont.

exemptions. If you need to prune or otherwise work on a Significant Landscape Tree, you will need a permit.

3.2 Vegetation management

Weeds and hazardous vegetation

Under the *Natural Assets Local Law 2003*, Council may serve notices on landowners to remove or prune hazardous vegetation. Hazardous vegetation is any vegetation that constitutes a fire, health or public safety hazard.

If you fail to properly manage weeds on your property, Council can also request you to remove those weeds.

If you fail to act on such a request, Council may undertake the works and recover the costs from you. See Section 5, 'Weeds - your responsibilities' for further details.

3.3 Exemptions to the Local Law

Council recognises that as a property owner with land where vegetation is protected, you may need to carry out regular maintenance works without continually making permit applications. A number of exemptions have been included in the Local Law identifying activities that will not require Council approval.

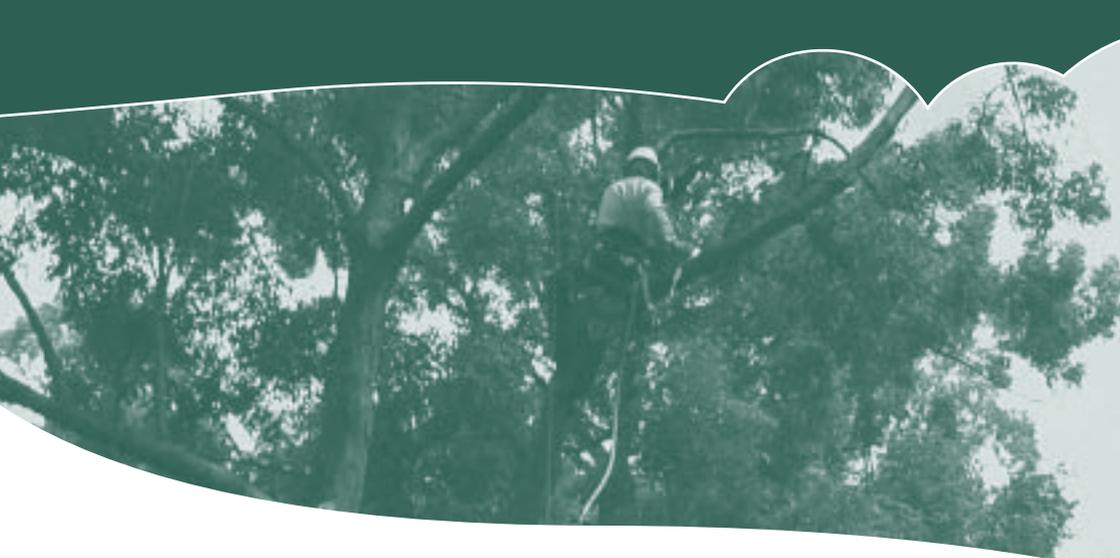
3.3.1 Exempt activities

A person may carry out work to protected vegetation without a permit, for the following reasons.

- Pruning of trees, **except a Significant Landscape Tree**, as long as no more than 20 per cent of the canopy of the tree is removed in any 12 month period and the tree is not left lopsided. All tree work must conform to Australian Standard 4373 : 1996 *Pruning of*



Lantana spp.
(declared weed)



Amenity Trees. Most arborists work to this standard. You can purchase a copy from Standards Australia
Tel: 1300 654 646.

- On a property *4000 square metres or less* in area – removal or pruning of a tree, **except a Significant Landscape Tree**, if the whole of its trunk is within **3 metres** of an approved building.
- On a property *greater than 4000 square metres* in area - removal or pruning of a tree, **except a Significant Landscape Tree**, if the whole of its trunk is within **6 metres** of an approved building.
- Mowing/slashing/grazing of yards, pastures and paddocks – as long as regular mowing or grazing was occurring before the introduction of the Local Law.
- Maintenance of a garden, **except if the work could damage a**

Significant Landscape Tree OR a tree with a trunk greater than 30 cm in diameter (measured 1 metre above the ground).

- Removal of weeds where the work is done without damage to adjacent protected vegetation, without disturbance to soil profiles and otherwise complies with guidelines for managing weeds issued by Council from time to time.
- Pruning to accommodate overhead or underground services in accordance with standards agreed between Council and the utility provider eg. Energex.
- The removal of vegetation due to an accident or emergency or where it is presenting an *immediate* hazard to life or property, for example, split tree trunks or leaning trees with broken roots and soil

How will the Local Law affect you? cont.

upheaval. In the case of an immediate hazard, photographic evidence will be required and you should inform Council as soon as possible.

3.4 Penalties

Protecting our natural areas for the future is essential for our city, its residents and wildlife. Penalties apply if individuals or corporations:

- interfere with protected vegetation without a permit from Council
- interfere with Council trees (including trees on footpaths), gardens or other vegetation
- plant trees on a footpath, unless it's part of an approved planting plan
- fail to comply with a Council directive, Compliance Notice or weed Eradication Notice.

Current maximum penalties per offence:

- Individual – up to \$37 500
- Corporation – up to \$63 750
- On-the-spot fines – \$375.

The current penalties are associated with the existing value of a penalty unit. The value of a penalty unit is subject to change by the State Government.

Council may also recover expenses incurred through the failure to comply with the Local Law.

Those responsible for any breach may also be required to carry out restoration, regeneration or replacement of the vegetation destroyed.

If you are in doubt, don't interfere with vegetation until you have sought advice from Council by phoning 3403 8888, unless it is an emergency.

How to make an application to carry out work on protected vegetation

4.0

You can make an application by lodging an 'Application To Carry Out Works (including interfere with) on Protected Vegetation' form with Council.

For an application form or general questions:

- visit your local Council Customer Service Centre
- visit www.ourbrisbane.com, click on the Brisbane City Council logo and search 'Natural Assets Local Law'
- phone Council's Contact Centre on 3403 8888, available 24 hours a day, 7 days a week.

Note: for application assessments, a Council officer may need to visit your property. To assist the application process and avoid delays, please provide as much detail as possible in your application.

If you wish to clear protected vegetation for agricultural or forestry reasons, you will need to contact the Department of Primary Industries and prepare a 'Farm and/or Forestry Management Plan' to accompany your application.

If your application is approved, you will receive a written permit and conditions from Council. Prior to commencing works, it is recommended that you advise other landowners who may be affected by any works you intend to carry out.

Other relevant legislation

Before making an application to Council, you should make sure that there are no other legal obligations. For instance, work in areas identified as a 'Regional Ecosystem' by the State Government or within the bed and banks of a watercourse, may require additional permits from the Department of Natural Resources and Mines. The State also controls mangroves and other vegetation growing on tidally-affected lands. Questions regarding vegetation in these areas should be directed to the Department of Primary Industries.

How to make an application to carry out work on protected vegetation cont.

Arborist's report

If you wish to carry out works on a Significant Landscape Tree or a tree protected by an 'individual tree' vegetation protection order, you may need to obtain the services of a professional arborist. Arborist reports are required when an application to remove trees needs to be fully evaluated. Arborists are tree specialists, who can provide you with a report advising of the options to properly manage your trees. For the purposes of this Local Law, an arborist who provides reports means a person who is trained to a minimum AQF level 5 in Arboriculture and insured for a minimum of \$10M.

How to find an arborist

- Look up the Yellow Pages telephone directory and search for 'Arboriculturists', 'Landscape Contractors', 'Tree Felling' and 'Tree Surgery'. Unfortunately, Council cannot recommend private contractors.

What should the arborist's report include?

The arborist's report should include:

- the name, address, telephone number, qualifications and experience of the arborist carrying out the inspection and reporting
- date of inspection
- name of the property owner and address of the property or properties containing the tree in question
- species, dimensions, and position of the tree
- condition, health and structural integrity
- methods and/or techniques used in the assessment
- analysis of options to manage any hazards or other problems
- management recommendations
- date of proposed works (if any).

The introduction of weeds into our gardens and natural areas has led to many native plants and animals being threatened by the highly competitive and invasive nature of these plants.

State legislation requires all councils and landowners to manage and control the introduction and spread of weeds.

Council spends millions of dollars a year on weed management in our natural areas, parks, waterways and road reserves. The Local Law will assist Council and landowners to better manage weeds across the city.

5.1 What is a weed?

Weeds include any plant species that have been identified as requiring monitoring or management in Council's *Operational Pest Management Plan* or declared by Council in a pest management plan.

This guide contains a list of weed species current as of July 2003. For an up-to-date list of weeds, phone Council on 3403 8888 or visit

www.ourbrisbane.com, click on the Brisbane City Council logo and search 'Natural Assets Local Law'.

There are two main categories of weeds:

- State Government declared pest plants
- weeds declared by Council.

The following section provides an easy-reference alphabetical guide to help you identify weeds on your property.

If you would like more information on weeds, phone Council on 3403 8888 for your free copy of the *Green Garden Guide*. It provides advice on effective methods for removing and disposing of weeds and colour photographs of the most common weeds.

Council also produces a series of native plant lists by suburb, to help you decide on what to replant when weeds are removed. The plants are selected on the basis they are not invasive and will enhance the environment.

5.2 Weed management

If you have weeds on your property, you should plan to control them in an environmentally responsible way.

If you fail to properly manage weeds on your property, Council may issue an 'Eradication Notice' for you to remove them. Under the Local Law, you must comply with this notice within the specified time or you will be fined. If you still don't comply, Council can commission a contractor to remove the weeds from your property and the cost will be billed to you with your next rates notice.

If weeds are growing in a protected vegetation area, they can be cleared without a permit, *providing* the work is done without damaging adjacent protected vegetation or disturbing soil profiles, and otherwise complies with guidelines for managing weeds as issued by Council from time to time.



5.3 State Government declared pest plants

Class 1 Pest Plants	
Common name	Species name
acacias non-indigenous to Australia	<i>Acacia</i> spp. other than <i>Acacia nilotica</i> and <i>Acacia farnesiana</i>
alligator weed	<i>Alternanthera philoxeroides</i>
anchored water hyacinth	<i>Eichhornia azurea</i>
badhara bush	<i>Gmelina elliptica</i>
bitou bush	<i>Chrysanthemoides monilifera</i> subsp. <i>rotundata</i>
bridal creeper	<i>Asparagus asparagoides</i>
Chilean needle grass	<i>Nassella neesiana</i>
Christ's thorn	<i>Ziziphus spina-christi</i>
Eurasian water milfoil	<i>Myriophyllum spicatum</i>
floating water chestnuts	<i>Trapa</i> spp.
gorse	<i>Ulex europaeus</i>
honey locust	<i>Gleditsia</i> spp. including cultivars and varieties
horsetails	<i>Equisetum</i> spp.
hygrophila	<i>Hygrophila costata</i>
kochia	<i>Kochia scoparia</i> syn <i>Bassia scoparia</i>
Koster's curse	<i>Clidemia hirta</i>
lagarosiphon	<i>Lagarosiphon major</i>
limnocharis	<i>Limnocharis flava</i>
Madras thorn	<i>Pithecellobium dulce</i>
mesquites	all <i>Prosopis</i> spp. and hybrids other than <i>Prosopis glandulosa</i> , <i>Prosopis pallida</i> and <i>Prosopis velutina</i>

Weeds – your responsibilities cont.

Common name	Species name
miconia	<i>Miconia</i> spp.
mikania vine	<i>Mikania</i> spp.
mimosa pigra	<i>Mimosa pigra</i>
myrica	<i>Myrica faya</i>
Peruvian primrose	<i>Ludwigia peruviana</i>
piper	<i>Piper aduncum</i>
red sesbania	<i>Sesbania punicea</i>
salvinia	<i>Salvinia</i> spp. other than <i>S. molesta</i>
Senegal tea	<i>Gymnocoronis spilanthoides</i>
serrated tussock	<i>Nassella trichotoma</i>
Siam weed	<i>Chromolaena odorata</i>
thunbergia	<i>Thunbergia annua</i> , <i>T. fragrans</i> & <i>T. laurifolia</i> .
water soldiers	<i>Stratiotes aloides</i>
willow	<i>Salix</i> spp. other than <i>S. babylonica</i> , <i>S. x calodendron</i> , <i>S. xreichardtii</i> and <i>S. chilensis</i> ; syn. <i>S. humboldtiana</i>
witch weeds	<i>Striga</i> spp. other than native species

Class 2 Pest Plants

Common name	Species name
African boxthorn	<i>Lycium ferocissimum</i>
American rat's tail grass	<i>Sporobolus jacquemontii</i>
annual ragweed	<i>Ambrosia artemisiifolia</i>
bellyache bush	<i>Jatropha gossypifolia</i>
cabomba	<i>Cabomba</i> spp.
chinee apple	<i>Ziziphus mauritiana</i>

Common name	Species name
fireweed	<i>Senecio madagascariensis</i>
giant Parramatta grass	<i>Sporobolus fertilis</i>
giant rat's tail grass	<i>Sporobolus pyramidalis</i> and <i>S. natalensis</i>
giant sensitive plant	<i>Mimosa invisa</i>
groundsel bush	<i>Baccharis halimifolia</i>
harrisia cactus	<i>Harrisia</i> spp.
hymenachne	<i>Hymenachne amplexicaulis</i>
mesquites	<i>Prosopis glandulosa</i> , <i>P. pallida</i> and <i>P. velutina</i>
mother of millions	<i>Bryophyllum delagoense</i> and <i>B. daigremontianum</i> x <i>B. delagoense</i> ; Syn. <i>Bryophyllum tubiflorum</i> and <i>B. daigremontianum</i> x <i>B. tubiflorum</i>
parkinsonia	<i>Parkinsonia aculeata</i>
Parramatta grass	<i>Sporobolus africanus</i>
parthenium	<i>Parthenium hysterophorus</i>
pond apple	<i>Annona glabra</i>
prickly acacia	<i>Acacia nilotica</i>
prickly pear	<i>Opuntia</i> spp. other than <i>O. ficus-indica</i>
rubber vine	<i>Cryptostegia grandiflora</i>
salvinia	<i>Salvinia molesta</i>
sicklepods	<i>Senna obtusifolia</i> , <i>Senna hirsuta</i> and <i>Senna tora</i>
thunbergia	<i>Thunbergia grandiflora</i>
tobacco weed	<i>Elephantopus mollis</i>
water hyacinth	<i>Eichhornia crassipes</i>
water lettuce	<i>Pistia stratiotes</i>

Weeds – your responsibilities cont.

Class 3 Pest Plants	
Common name	Species name
African fountain grass	<i>Pennisetum setaceum</i>
African tulip tree	<i>Spathodea campanulata</i>
aristolochia or Dutchman's pipe	<i>Aristolochia</i> spp. other than native species
asparagus fern	<i>Asparagus aethiopicus</i> 'Sprengeri', <i>A. africanus</i> and <i>A. plumosus</i>
athel pine	<i>Tamarix aphylla</i>
balloon vine	<i>Cardiospermum grandiflorum</i>
blackberry	<i>Rubus anglocandicans</i> , <i>Rubus fruticosus</i> agg.
broad-leaved pepper tree	<i>Schinus terebinthifolius</i>
camphor laurel	<i>Cinnamomum camphora</i>
Captain Cook tree	<i>Thevetia peruviana</i>
cat's claw vine	<i>Macfadyena unguis-cati</i>
Chinese elm	<i>Celtis sinensis</i>
harungana	<i>Harungana madagascariensis</i>
lantana (all species)	<i>Lantana</i> spp.
Madeira vine	<i>Anredera cordifolia</i>
pencil willow	<i>Salix chilensis</i> ; syn. <i>S. humboldtiana</i>
privets	<i>Ligustrum lucidum</i> and <i>L. sinense</i>
purple rubber vine	<i>Cryptostegia madagascariensis</i>
Singapore daisy	<i>Sphagneticola trilobata</i>
yellow bells	<i>Tecoma stans</i>

New declarations of plants and/or changes in plant declaration can occur at any time.

5.4 Weeds declared by Council

Noxious weeds	
<i>Common name</i>	<i>Species name</i>
cape spinach	<i>Emex australis</i>
caster oil plant	<i>Ricinus communis</i>
golden rod	<i>Solidago altissima</i>
Johnson grass	<i>Sorghum halepense</i>
khaki weed	<i>Alternanthera pungens</i>
needle burr or spiny amaranth	<i>Amaranthus spinosus</i>
prickly poppy	<i>Argemone ochroleuca</i>
red-head cotton bush	<i>Asclepias currasavica</i>
stinking roger	<i>Tagetes minuta</i>
wild aster	<i>Aster subulatus</i>
Environmental weeds	
Trees	
<i>Common name</i>	<i>Species name</i>
broad leaf privet	<i>Ligustrum lucidum</i>
cadaghi	<i>Corymbia torelliana</i>
cocos palm	<i>Syagrus romanzoffiana</i>
exotic pine	<i>Pinus spp.</i>
golden rain tree	<i>Koelreuteria elegans</i>
umbrella tree	<i>Schefflera actinophylla</i>
Shrubs	
<i>Common name</i>	<i>Species name</i>
easter cassia	<i>Senna pendular var. glabrata</i>
common Indian hawthorn	<i>Rhaphiolepis indica</i>
Japanese sunflower	<i>Tithonia diversifolia</i>
ochna	<i>Ochna serrulata</i>
small leaf privet	<i>Ligustrum sinense</i>

Weeds – your responsibilities cont.

Ground covers	
Common name	Species name
balsam (busy lizzie)	<i>Impatiens spp.</i>
bridal creeper	<i>Asparagus asparagoides</i>
fishbone fern	<i>Nephrolepis cordifolia</i>
live leaf	<i>Bryophyllum pinnatum</i>
mother in law's tongue	<i>Sansevieria trifasciata</i>
purple succulent	<i>Callisia fragrans</i>
Vines	
Common name	Species name
corky passion vine	<i>Passiflora suberosa</i>
Dutchman's pipe	<i>Aristolochia elegans</i>
Japanese honeysuckle	<i>Lonicera japonica</i>
mile-a-minute	<i>Ipomoea cairica</i>
morning glory	<i>Ipomoea indica</i>
Grasses	
Common name	Species name
pampas grass	<i>Cortaderia spp</i>



Morning Glory - Ipomoea indica
(Council declared weed)

How to nominate vegetation for protection

If you would like to nominate significant vegetation for protection, you will need to provide a written request to Council for a Vegetation Protection Order (VPO).

Address your written submission to:

**The Manager
Development and Regulatory
Services
Brisbane City Council
GPO Box 1434
BRISBANE Q 4001**

The request should include information on how the protection of the vegetation would meet the objectives of the Local Law, such as:

- protecting the biodiversity values of the city
- preserving natural landforms such as coastal areas, estuaries and steep slopes
- protecting the landscape character and cultural and historical values of the city.

Q. I already have vegetation covered under a Vegetation Protection Order (VPO). How does the Local Law add to or differ from this?

A. Vegetation Protection Orders (VPO) continue to protect vegetation under their original terms. However, the exemptions that were originally applicable under the old VPOs have been replaced by the exemptions under the Local Law. For further information, refer to the 'Exemptions to the Local Law' section on page 11.

Q. Do I have to apply for permission every time I wish to carry out work to protected vegetation?

A. Generally yes. However, there are a number of exemptions. For further information, refer to the 'Exemptions to the Local Law' section on page 11.

Q. Will the Local Law stop me from exercising my existing land use rights?

A. No. The Local Law is not a land use control. However, along with the *City Plan*, it does require landowners to consult

with Council to determine what vegetation should be retained during land development.

Q. Will the Local Law prevent me from subdividing my land?

A. No. The Local Law is not a land use control. However, it does require landowners to consult with Council to adopt a responsible approach in deciding what vegetation will be retained as part of your subdivision.

Q. My property falls within the Valued Urban Vegetation category – what vegetation on my land is protected?

A. The Valued Urban Vegetation category concentrates on the protection of large, healthy trees in urban areas, which are highly visible and make a significant contribution to the landscape character of the neighbourhood or suburb. If you are not sure which trees are protected on your land, phone Council on 3403 8888. A Local Laws Officer may need to visit your property to confirm what vegetation is protected. When in doubt, phone Council first before interfering with vegetation, unless it is an emergency.

Q. Do I apply for a permit to remove vegetation before or after I make an application for building a house?

A. It is best to apply before finalising your building plans, so that Council can discuss all necessary matters with you before you apply for a building approval.

Q. Do I apply for a permit to remove vegetation before or after submitting a development application?

A. You will need to apply for a permit in conjunction with any development application where protected vegetation is proposed to be affected.

Q. What does 'interfering with protected vegetation' mean?

A. Examples of interfering with protected vegetation include lopping, poisoning, ringbarking, damaging roots or undertaking changes to the drainage of the land that supports the vegetation.

Q. My property falls within a waterway corridor or wetland. How am I affected?

A. The vegetation growing within the waterway corridor or wetland area on your land is protected under the Local Law. While a range of exemptions apply, the removal of weeds in waterway corridors and wetland areas requires careful consideration of the potential soil erosion and siltation impacts of the works. Phone Council on 3403 8888 for further information on weed management.

Q. How do I know what types of weeds I have on my property?

A. A listing of the common types of weeds is included in the 'Weeds – your responsibilities' section on page 16. If you would like more information on weeds, phone Council on 3403 8888 for your free copy of the *Green Garden Guide*.

Q. I have protected vegetation on my property with weeds growing through it. If I am served a notice to remove these weeds, can I clear vegetation from the whole property?

A. No. A notice requiring the removal of weeds does not allow you to clear other protected vegetation. Seek advice from Council on 3403 8888 on the best methods of weed control.

Q. Can I clear any weeds without permission?

A. Yes, as long as the clearing works do not impact on adjacent protected vegetation, cause soil erosion or siltation of waterways. If you would like more information on weeds, phone Council on 3403 8888 for your free copy of the *Green Garden Guide*.

Q. Does the Local Law prevent me from mowing my grass?

A. Not unless you want to mow a protected vegetation area that has not been subject to regular mowing or slashing prior to the introduction of the

Local Law. If so, you will require a permit.

Q. Can I harvest my vegetable garden or prune my roses if the Local Law covers vegetation on my property?

A. Yes.

Q. I want to introduce stock, such as horses or cattle, onto my property in an area that has protected vegetation. Am I allowed to do so without a permit?

A. Only if that part of your property has been subject to the keeping of stock and/or grazing prior to the introduction of the Local Law. If not, you will need to get a permit.

Q. Can I use timber on my property for firewood and fencing?

A. To use timber on your property for firewood and fencing, you will need to make an application and get a permit. However, if your application is approved, you will not need to get a new permit every time.

Q. How do I apply to carry out work on protected vegetation?

- A. You can get an application form by:
- visiting a Customer Service Centre
 - visiting www.ourbrisbane.com, clicking on the Brisbane City Council logo and searching 'Natural Assets Local Law'
 - phoning Council on 3403 8888.

Q. When is a tree considered dangerous and what can I do about it?

- A. If a tree poses an immediate danger to life or property, for example, it has a split trunk or is leaning over with broken roots, it can be removed without Council approval. You will need to take a photo of the dangerous tree before it is disposed of, and send the photo in to Council. See the 'Exemptions to the Local Law' section on page 12. If in doubt, phone Council on 3403 8888 for advice.

Q. How do I manage my land to avoid or reduce the risk of bushfires?

- A. Council is aware of the need for fire protection. If the exemptions provided for boundary fencing and house clearance zones are not enough, you will need to make an application to Council to clear vegetation for fire management purposes. Council will assess your application with information provided by the Rural Fires Division of the Queensland Fire and Rescue Service.

Q. What if I'm advised to clear bushland on my property by an authorised Fire Warden?

- A. Landowners won't be penalised under the Local Law when complying with the requirements of other State Government legislation, such as fire breaks required by written notice from the Rural Fires Division of the Queensland Fire and Rescue Service.

Q. How do I find out more information on maintaining protected trees?

- A. Phone Council on 3403 8888 and ask to speak to a Natural Assets Local Law officer.

8.0

Are you interested in protecting Brisbane's natural assets?

If so, you can join one of the following Council environmental groups or support a bushland preservation initiative by phoning Council on 3403 8888.

- Habitat Brisbane** – join one of more than 120 Habitat Brisbane groups operating throughout the city. Local residents and community groups work together to restore local bushlands, wetlands and waterways.
- Land for Wildlife** – if you're a landowner you can play your part in protecting the environment by providing habitats for wildlife on your property. Owners of farms, bush

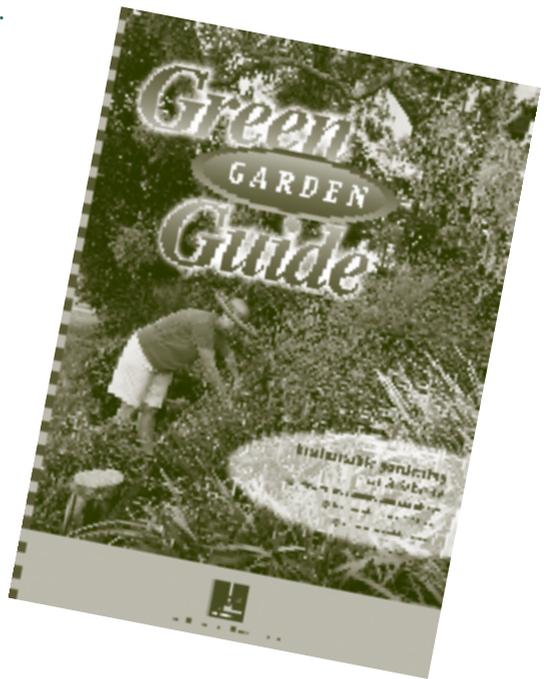
blocks, school grounds, golf courses and other areas with habitat value are eligible to join.

- Voluntary Conservation Agreement** – work with Council under a formal agreement to protect and preserve bushland on your property. Council offers financial incentives and other assistance in return.
- Volunteer Interpretative Guides** – are you committed, keen to learn and passionate about the environment? You can become a volunteer interpretative guide, helping residents and visitors to learn more about our precious natural resources.
- Catchment Groups** – join your local Catchment Group and assist in coordinating activities, such as restoration of waterway corridors or monitoring water quality. Help educate others and yourself on how to protect and enhance the ecological value of your local catchment.

With Council and the community working together now, we can ensure future generations enjoy the benefits we've come to expect from living in such a unique and beautiful city.

Create a sustainable garden

To help you create an ecologically-friendly and sustainable garden, pick up your free copy of the *Green Garden Guide* from any Council Customer Service Centre or by phoning Council on 3403 8888.





Protecting our valuable natural assets

Brisbane City Council introduced the Natural Assets Local Law 2003 as part of an ongoing commitment to protect our city's environment and to help grow a clean and green Brisbane.

**Brisbane City
Council**
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Phone: (07) 3403 8888

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