

***Wet Tropics World Heritage Protection And
Management Act 1993
Wet Tropics Management Plan 1998***
Determination of Permit Application



Wet Tropics Permit

Wet Tropics Permit No: WTMA04005

The Wet Tropics Management Authority (the Authority), having considered the proposed activity described above and, in accordance with Part 4 Division 2 of the *Wet Tropics Management Plan 1998* (Wet Tropics Plan), having taken into account to the fullest extent possible all matters likely to impact on the integrity of the Wet Tropics Area as a result of the proposed activity, **by this permit authorises:**

Applicant: Queensland Department of Main Roads

Address: PO Box 6185
Cairns QLD 4870

Permitted Activity(s): S. 34. (b) - Building a road.
S. 34. (d) - Excavating, grading, quarrying or otherwise interfering with earth.

Location: Kennedy Highway between Smithfield and Kuranda within the Wet Tropics of Queensland World Heritage Area (Kuranda Range Road)

Valid from: 26 September 2007 to 31 December 2030

unless sooner cancelled, amended or suspended by prior notice in writing. **This permit is subject to the conditions specified in the attached Schedule 1.**

A handwritten signature in blue ink on a light-colored, lined background. The signature reads "Andrew Mackean".

.....
Delegate of
Wet Tropics Management Authority
Date: 26 September 2007

Schedule 1

Conditions of Approval

- 1 The Queensland Department of Main Roads (DMR) shall construct an upgrade of that section of the Kennedy Highway between Smithfield and Kuranda (known as the Kuranda Range Road) that is within the Wet Tropics World Heritage Area in accordance with the design provided by DMR as supporting documentation to the permit application dated 30 September 2004 and subsequent documentation provided to the Authority in response to requests for additional information, in particular the *Integrated Transport Study for the Kuranda Range Road Impact Assessment Study (IAS)* and its *Addendum - Volume 2 Figure 5 Sheets 1-2*.
- 2 DMR must construct the bridges designated BD05, BD22 and BD23 using top down and/or ground level access methodology¹. The choice of the final construction methodology is to be based on:
 - the nature and significance of the natural values to be protected;
 - the likely impacts on those natural values for both forms of construction; and
 - impact mitigation strategies designed to provide optimal connectivity outcomes as construction proceeds.
- 3 Prior to the commencement of construction DMR must submit to the Authority for approval a plan for the sequencing of the stages of road construction. The plan must demonstrate that bridges designated BD05, BD22 and BD23 are given priority in the sequencing of stages in construction. Construction must not commence until the plan is approved. The approved plan must be implemented.
- 4 Prior to construction DMR must submit to the Authority for approval strategies to enhance the ecological connectivity² of the Wet Tropics World Heritage Area. This strategy must address:
 - a monitoring and mitigation strategy addressing all the matters outlined in Table 4.4.2 and Table 4.4.3 of the Executive Summary in the *Integrated Transport Study for the Kuranda Range Road IAS Further Information Report* (September 2006)
 - a fence and funnel strategy designed to exclude fauna from the road and to funnel fauna to appropriate areas designed to allow fauna safe passage under the road.

These strategies are to include consideration of the temporal impacts associated with road construction. Construction must not commence until the strategy is approved. The approved strategy must be implemented.

¹ **Ground level access** means construction of vehicular access tracks to bridge piers and abutments with minimal clearing and minimal canopy disturbance as detailed in Section 6.14.6 of the IAS Addendum.

Top down method means overhead construction via purpose made steel gantries that enable bridges to be built with minimal disturbance to vegetation at any strata as detailed in Section 6.14.6 of the IAS Addendum.

² **Ecological connectivity** means the functional continuity of landscapes, habitat and biological processes.

- 5 DMR must submit to the Authority for approval a Master Environmental Management Plan (MEMP). The MEMP shall describe how the environmental management strategies will be implemented, monitored and reported at each of the following phases of the project:
 - investigations;
 - design;
 - construction and rehabilitation; and
 - operation and maintenance.
- 6 DMR must provide a report describing how the conditions of this permit have been complied with:
 - i) on July 1 of each year after the commencement of construction;
 - ii) following the completion of key construction stages or activities as documented in the sequencing plan; and
 - iii) on July 1 annually for 5 years following the practical completion of construction as defined in the sequencing plan and then every 3 years for the next 6 years.
- 7 Should DMR wish to carry out any activity other than in accordance with the plans described in Conditions 1, 3, 4, and 5 above, the Department must submit to the Authority for approval a request to revise the plan. If the Authority approves the revised plan, DMR must implement that revised plan.
- 8 Should the Authority believe it reasonable and necessary for the better protection of the Wet Tropics World Heritage Area to do so, the Authority may request DMR to make specific revisions to the plans approved in Conditions 1, 3, 4, and 5 above. DMR must comply with the Authority's request to revise the plan. If the Authority approves the revised plan, DMR must implement that revised plan.
- 9 If at any time after 4 years from the date of this approval or 3 years from the date of the approval of a sequencing plan described in Condition 3, the Authority notifies DMR in writing that the Authority is not satisfied that there has been substantial commencement of the Kuranda Range Road upgrade project, the project must not thereafter be commenced without the written agreement of the Authority.
- 10 DMR is to engage a suitably qualified independent person or organisation approved by the Authority to undertake regular audits of environmental compliance with the approved MEMP described in Condition 5. Audit reports must be provided to the Authority describing how the environmental management regime has been complied with:
 - i) on July 1 of each year after the commencement of construction;
 - ii) following the completion of key construction stages or activities as document in the sequencing plan; and
 - iii) on July 1 annually for 5 years following the practical completion of construction as defined in the sequencing plan and then every 3 years for the next 6 years.
- 11 DMR shall ensure that officers of the Authority can access the site for the purposes of undertaking inspections of the project, provided notification of the request is made in writing (or by email) at least 24 hours prior to the time of inspection.

Schedule 2

Infrastructure Location

Location	Infrastructure
Kennedy Highway Smithfield to Kuranda within the Wet Tropics of Queensland World Heritage Area (Kuranda Range Road)	New sections of highway/road, upgrade of existing highway/road and associated bridges and support structures (to four lane standard) and road furniture.

REASONS FOR THE DECISION

Pursuant to section 53 (2), this decision was based on the following reasons:

- the application was properly made under the Plan and a decision is required on the application within the timeframe set out in the Plan;
- the proposal is an activity which has been assessed pursuant to Part 4 Division 2 as having minimal impacts on the World Heritage Values of the subject land provided it is undertaken in accordance with the conditions attached to the permit.

If you are not satisfied with the above conditions you may ask the Authority to review this decision but you must notify your request in writing within 60 days of this notice, indicating the reasons for the request and any other information you consider relevant.

The Authority will review the decision as soon as practicable and notify you of the outcome. If you are still not satisfied, you may appeal to the Planning and Environment Court against the decision.