



Queensland

Wet Tropics Amendment Management Plan (No. ..) 2009

Subordinate Legislation 2009 No. ...

made under the

Wet Tropics World Heritage Protection and Management Act 1993

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1 Short title

This management plan may be cited as the *Wet Tropics Amendment Management Plan (No. ..) 2009*.

2 Regulation amended

This management plan amends the *Wet Tropics Management Plan 1998*.

3 Amendment of s 6 (Management zones)

Section 6(2), from ‘integrity’ to ‘disturbance,’—
omit.

4 Amendment of s 8 (Procedure for amending zoning map)

- (1) Section 8(6)—
omit, insert—
- ‘(6) Subsections (3) and (4) do not apply to the zoning maps taking effect on the plan amendment day.’.
- (2) Section 8(7), ‘day they commence’—
omit, insert—
‘plan amendment day’.

5 Amendment of s 9 (Rezoning of land to accommodate essential community services infrastructure)

Section 9(2), ‘local government’—
omit, insert—
‘CSI provider’.

6 Omission of s 10 (Land included in zone)

Section 10—
omit.

7 Amendment of s 12 (Management purpose)

Section 12, from ‘zone A is,’—

omit, insert—

‘zone A is—

- (a) for the land in the zone to be used only for the conservation and presentation of the area; and
- (b) to the greatest possible extent—
 - (i) to protect the integrity of the land in the zone; and
 - (ii) if the land in the zone is disturbed—to restore the land to its natural state.’.

8 Omission of s 13 (Land included in zone)

Section 13—

omit.

9 Amendment of s 14 (Intended physical and social setting)

Section 14(a) to (c)—

omit, insert—

- ‘(a) the land be generally of high ecological integrity; and
- (b) there be no obvious disturbance associated with modern technological society; and
- (c) there be no obvious management presence.’.

10 Amendment of s 15 (Management purpose)

Section 15, from ‘zone B is,’—

omit, insert—

‘zone B is—

- (a) for the land in the zone to be used for the conservation and presentation of the area; and
- (b) to the greatest possible extent—

[s 11]

- (i) to protect and enhance the integrity of the land in the zone; and
- (ii) if the land in the zone is disturbed—to restore the land to its natural state; and
- (c) for the land to be subject to rezoning applications under schedule 1.’.

11 Omission of s 16 (Land included in zone)

Section 16—

omit.

12 Amendment of s 17 (Intended physical and social setting)

Section 17(a), from ‘, other’ to ‘visitor facilities’—

omit, insert—

‘or community facilities’.

13 Amendment of s 18 (Management purpose)

(1) Section 18(b)—

renumber as section 18(c).

(2) Section 18(a), from ‘, other’—

omit, insert—

‘or community facilities; and

(b) for land that was cleared before the commencement of the plan—to accommodate activities permitted in zone C; but’.

14 Omission of s 19 (Land included in zone)

Section 19—

omit.

15 Amendment of s 21 (Management purpose)

Section 21(a), ‘presenting’—

omit, insert—

‘the presentation of’.

16 Amendment of s 26 (Other prohibited activities)

(1) Section 26(1)(a), ‘, killing’—

omit.

(2) Section 26(1)—

insert—

‘(ba) translocating a fish or a crustacean;’.

(3) Section 26(1)(m), ‘natural’—

omit.

(4) Section 26(1)—

insert—

‘(n) a restricted activity in a restricted area other than in compliance with a restricted activity notice.’.

(5) Section 26(1), Maximum penalty, paragraph (a), after ‘subsection (1)(a),’—

insert—

‘(ba),’.

(6) Section 26(1), Maximum penalty, paragraph (c), ‘or (m)’—

omit, insert—

‘, (m) or (n)’.

17 Amendment of s 27 (Activities allowed in all zones)

(1) Section 27(a)(i), before ‘protection’—

insert—

‘urgent’.

- (2) Section 27, after paragraph (a)—

insert—

‘Example for paragraph (a)(i)—

A person may clear an area to allow a helicopter to land if the clearing is necessary to urgently evacuate an injured person.’.

- (3) Section 27(c), from ‘other than’—

omit, insert—

‘other than a road—

- (i) shown as a ‘presentation (restricted)’ road or ‘management’ road; or

Note—

The roads depicted on the zoning maps on which a person may operate a motor vehicle under this subparagraph include all sealed or gravel roads that appear to be trafficable and for which there is no indication that they are closed to the public.

- (ii) where a gate or notice has been placed indicating operating motor vehicles on the road is prohibited; or

- (iii) where a notice has been placed indicating operating a motor vehicle on the road requires a permit;’.

- (4) Section 27(g)—

omit, insert—

‘(g) for private land, other than rainforest—

- (i) keeping a cat or dog if the cat or dog is kept by an owner of the land or a person with the permission of the owner in a way that does not pose a threat to native animals and the keeping is otherwise lawful; or

- (ii) keeping cattle if the keeping is otherwise lawful;

(ga) for land in relation to which native title exists, other than rainforest—

-
- (i) keeping a cat or dog if the cat or dog is kept by a native title holder for the land or a person with the permission of the native title holder in a way that does not pose a threat to native animals and the keeping is otherwise lawful; or
 - (ii) keeping cattle if the keeping is otherwise lawful;
 - (gb) for land that is rainforest and on which there is a residence—keeping a cat or dog on the land only if the cat or dog is kept within the curtilage of the residence;’.
- (5) Section 27(h), ‘animals’—
omit, insert—
‘cattle’.
- (6) Section 27(i)—
omit, insert—
‘(i) mining under—
 - (i) a licence, permit or other authority—
 - (A) issued or given under the *Mineral Resources Act 1989*; and
 - (B) in force immediately before the plan amendment day; or
 - (ii) a licence, permit or other authority mentioned in subparagraph (i) that is renewed after the plan amendment day, if the mining is carried out within 10 years after the licence permit or other authority is renewed.’.
- (7) Section 27(l)—
omit.
- (8) Section 27—
insert—
- ‘(2) In this section—
cat means an undesirable animal that is a cat.
cattle means an undesirable animal of the species—

- (a) *Bos indicus* (zebu cattle); or
- (b) *Bos taurus* (European cattle).

dog means an undesirable animal that is a dog.

native animal means any taxon or species of animal indigenous to Australia.’.

18 Amendment of s 28 (Activities with minor and inconsequential impact)

- (1) Section 28(2)(d), ‘or camping’—
omit.
- (2) Section 28(2)(e), after ‘consumption’—
insert—
‘while in the area’.
- (3) Section 28(3)(a), ‘a large’—
omit, insert—
‘an’.
- (4) Section 28(3)—
insert—
‘(d) an activity mentioned in section 33(1)(j) or (k).’.

19 Amendment of s 33 (Activities permitted in all zones)

- (1) Section 33(a), from ‘before’—
omit, insert—
‘before—
 - (i) the commencement day; or
 - (ii) the plan amendment day;’.
- (2) Section 33(i), ‘killing or’—
omit.
- (3) Section 33(j)(ii), after ‘conservation’—

insert—

‘or heritage’.

(4) Section 33(j)—

insert—

(iii) to carry out the activity mentioned in paragraph (f);
or

(iv) for the conservation, protection or rehabilitation of
the area; or

(v) for scientific research; or

(vi) to maintain community services infrastructure;

(5) Section 33—

insert—

(l) an activity for the protection of life or property;

(m) translocating a fish or a crustacean;

(n) bringing a dog that is an undesirable animal into the area
for conservation or management purposes;

(o) a restricted activity under a restricted activity notice.

‘(2) In this section—

associated structure includes a structure—

(a) for the presentation of an area; or

(b) that minimises the impact of walking on the integrity of
an area; or

(c) providing for the hygiene, information, safety or shelter
of visitors to the area.

maintain, for community services infrastructure, includes to
maintain and decommission the infrastructure.’.

**20 Amendment of s 35 (Certain activities by land-holders or
native title holders)**

Section 35(5), definition *domestic activity*—

[s 21]

insert—

‘(e) establishing infrastructure for an electricity supply or water supply or telecommunications for domestic use.’.

21 Amendment of s 39 (Activities to obtain information for a rezoning application)

Section 39(2), ‘local government’—

omit, insert—

‘CSI provider’.

22 Amendment of s 42 (Other agreements varying plan controls)

Section 42(2), ‘the plan’s’—

omit, insert—

‘this plan’s’.

23 Insertion of new pt 3, div 7

After section 44—

insert—

‘Division 7 Restricted activity declarations

‘44A Application of div 7

‘This division applies for an activity other than a prohibited act.

Note—

See section 56 (Prohibited acts) of the Act and sections 25 (Destroying forest products), 26 (Other prohibited activities) and 44 (Exemption of certain activities that destroy forest products).

‘44B Declaration of restricted activity

‘(1) The authority may declare an activity for all or part of the area (the *restricted activity area*) to be a restricted activity by

erecting or displaying a notice (a *restricted activity notice*) at or near an entrance to the restricted activity area.

- ‘(2) However, the authority may act under subsection (1)—
 - (a) only for a reason mentioned in section 44C; and
 - (b) if section 44D applies—only after the consultation process mentioned in section 44D has been completed.
- ‘(3) The restricted activity notice must—
 - (a) be easily visible to passers-by; and
 - (b) state the restricted activity to which the notice applies; and
 - (c) identify the limits of the restricted activity area to which the notice applies; and
 - (d) state that a contravention of a requirement of the notice is an offence against the Act and the maximum penalty for the offence.
- ‘(4) When the notice is erected or displayed, the authority—
 - (a) must publish a copy of the notice on the authority’s website; and
 - (b) may publish the notice in other ways the authority considers appropriate.
- ‘(5) If the authority is satisfied the reason for making the declaration no longer exists, the authority must remove the restricted activity notice as soon as practicable.

Note—

See also section 44E(2) (When declarations end).

‘44C Reasons for declaring restricted activity

‘The authority may declare a restricted activity only if the authority reasonably believes the declaration is necessary or desirable—

- (a) to protect the integrity of the area; or

- (b) to protect significant natural resources of the area; or
- (c) to enable the recovery or rehabilitation of the area.

‘44D Consultation with stakeholders about declarations

- ‘(1) This section applies if the nature or extent of a relevant activity being conducted, or to be conducted, would be significantly affected by the making of a declaration under section 44B.
- ‘(2) However, this section does not apply if the declaration is to be made—
 - (a) to protect the integrity of the area; or
 - (b) to protect significant natural resources of the area.
- ‘(3) The authority must give a person carrying out a relevant activity the person is entitled to carry out a notice stating the following—
 - (a) consideration is being given to the making of a declaration under section 44B;
 - (b) the matters mentioned in section 44B(3)(b) to (d);
 - (c) that the person is invited to make written submissions in relation to the proposed declaration.
- ‘(4) The submissions must be made to the authority—
 - (a) at an address stated in the notice; and
 - (b) within the period, of at least 20 business days, stated in the notice.
- ‘(5) The authority must consider all submissions received in response to the notice.
- ‘(6) In this section—

relevant activity means—

 - (a) an activity lawfully carried out under division 3 or 4 or an agreement entered into under section 41 or 42; or
 - (b) an activity carried out by a person who is the holder of a licence, permit or other authority under another Act.

‘44E When declarations end

- ‘(1) A declaration made under section 44B ends on the day the authority removes the restricted activity notice for the area.
- ‘(2) When the restricted activity notice for a restricted activity is removed, the authority must—
 - (a) remove the copy of the notice on the authority’s website; and
 - (b) publish notice of the removal in the same way the authority published the notice under section 44B(4)(b).’.

24 Amendment of s 47 (Authority may ask for more information)

Section 47(2)(b), ‘90’—
omit, insert—
‘60’.

25 Amendment of s 51 (Conditions)

Section 51(2)(a), ‘or monitor’—
omit, insert—
‘, mitigate, monitor or offset’.

26 Amendment of s 56 (Most important consideration)

- (1) Section 56, heading, after ‘consideration’—
insert—
‘—**impact on area’s integrity**’.
- (2) Section 56(2), ‘, and the remoteness,’—
omit.

27 Amendment of s 59 (World heritage values)

- (1) Section 59(3)(a)(i)—

omit, insert—

‘(i) listed threatened species prescribed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) or threatened wildlife prescribed under the *Nature Conservation Act 1992*; and’.

(2) Section 59(4)(a), ‘or monitor’—

omit, insert—

‘, mitigate, monitor or offset’.

(3) Section 59(4)(a), ‘integrity; or’—

omit, insert—

‘integrity; and’.

28 Amendment of s 63 (Domestic activities)

(1) Section 63(1)(a), after ‘residence’—

insert—

‘on a parcel of land, if there is no other authorised residence on the land’.

(2) Section 63(1)—

insert—

‘(e) establish infrastructure for an electricity supply or water supply or telecommunications for domestic use.’.

(3) Section 63(2)—

omit, insert—

‘(2) The authority must issue the permit if satisfied there is no prudent and feasible alternative to carrying out the activity on the parcel of land outside the area.’.

29 Amendment of s 64 (Defence activities)

(1) Section 64, ‘on’—

omit, insert—

‘in relation to’.

- (2) Section 64, before ‘The’—

insert—

‘(2)’.

- (3) Section 64—

insert—

- ‘(1) This section applies to an application for a permit by the Commonwealth to carry out a defence activity in relation to land in the area.’.

30 Amendment of s 65 (Roadworks)

- (1) Section 65, heading, ‘Roadworks’—

omit, insert—

‘**Community services infrastructure**’.

- (2) Section 65(1)—

omit, insert—

- ‘(1) The authority may issue a permit to build community services infrastructure only if—

(a) building the infrastructure under the permit would not have a net adverse impact on the integrity of the area; and

(b) there is no prudent and feasible alternative.’.

- (3) Section 65(2), ‘roadworks’—

omit, insert—

‘building community services infrastructure’.

- (4) Section 65(3), ‘for roadworks’—

omit, insert—

‘for building community services infrastructure’.

- (5) Section 65(3), ‘the roadworks’—

[s 31]

omit, insert—

‘the infrastructure’.

- (6) Section 65(3)(a), ‘are’—

omit, insert—

‘is’.

- (7) Section 65(4)—

omit, insert—

- ‘(4) In this section—

build, for community services infrastructure, includes—

- (a) extend the infrastructure; and
- (b) install the infrastructure; and
- (c) replace the infrastructure or part of it; and
- (d) if the infrastructure is a road—upgrade the road.’.

31 Amendment of s 66 (Activities being carried out immediately before commencement day)

- (1) Section 66, heading, after ‘commencement day’—

insert—

‘**or plan amendment day**’.

- (2) Section 66(1), after ‘commencement day’—

insert—

‘or plan amendment day’.

32 Amendment of s 76 (Definitions)

Section 76, definition *relevant Minister*, fourth dot point, ‘*Water Resources Act 1989*’—

omit, insert—

‘*Water Act 2000*’.

33 Insertion of new pts 8 and 9

After section 83—

insert—

‘Part 8 Amendment of plan

‘84 Stated amendment of plan—Act, s 52

An amendment to schedule 2 of this plan may be made under section 52(2)(c) of the Act if the amendment is to—

- (a) add an undesirable plant or undesirable animal; or
- (b) delete an undesirable plant or undesirable animal; or
- (c) change an entry for an undesirable plant or undesirable animal.

Editor’s note—

Schedule 2 (Undesirable plants and animals)

‘Part 9 Transitional provisions for Wet Tropics Amendment Management Plan (No. ...) 2009

‘85 Definitions for pt 9

‘In this part—

initial period means the period ending 60 days after the plan amendment day.

permitted activity means an activity that may be carried out in the area under a permit other than an activity that may be carried out under a permit immediately before the plan amendment day.

Note—

See section 33(a) (Activities permitted in all zones).

'86 Activities requiring permits

- '(1) A person does not commit an offence against this plan by carrying out a permitted activity, without a permit, during the initial period.
- '(2) Also, if a person applies during the initial period for a permit to carry out a permitted activity, the person does not commit an offence against this plan by carrying out the activity at any time before—
 - (a) if the application lapses—the day the application lapses; or
 - (b) otherwise—the day written notice of the original permit decision is given to the person under section 53.

'87 Time for deciding applications made during initial period

- '(1) This section applies to an application—
 - (a) for a permit to carry out a permitted activity; and
 - (b) made during the initial period.
- '(2) Section 49 applies to the application as if the reference to the sixtieth day were a reference to the one hundred and eightieth day.

Editor's note—

Section 49 (Due day for deciding applications)

'88 Expiry

This part expires 2 years after the plan amendment day.'

34 Amendment of sch 1 (Rezoning applications by local government)

- (1) Schedule 1, heading, 'by local government'—
omit.
- (2) Schedule 1, section 1, heading, 'Local government'—

omit, insert—

‘CSI provider’.

- (3) Schedule 1, section 1(1)(a) and (2), ‘local government’—

omit, insert—

‘CSI provider’.

- (4) Schedule 1, section 2(1)(a) and (b) and (3)(b), ‘local government’—

omit, insert—

‘CSI provider’.

- (5) Schedule 1, section 2(1)(b), (2) and (3)(b), after ‘information’—

insert—

‘or documents’.

- (6) Schedule 1, section 2(2) and (3)—

renumber as section 2(3) and (4).

- (7) Schedule 1, section 2—

insert—

- ‘(2) The CSI provider may comply with the requirement under subsection (1)(a) by giving a copy of an environmental impact assessment for the proposed activity prepared to comply with another law and, if the applicant complies with the requirement in that way, the authority—

(a) may not require the applicant to give another assessment; but

(b) may ask for other information or documents.’.

- (8) Schedule 1, section 3(3)(b), from ‘for’ to ‘area’—

omit.

- (9) Schedule 1, section 3(3)(c), (5), (6) and (8), ‘local government’—

omit, insert—

‘CSI provider’.

- (10) Schedule 1, section 3(3)(c), ‘of the plan’—
omit, insert—
 ‘of this plan’.
- (11) Schedule 1, section 4(2) and (3), ‘local government’—
omit, insert—
 ‘CSI provider’.
- (12) Schedule 1, section 4(4) to (6)—
renumber as schedule 1, section 4(6) to (8).
- (13) Schedule 1, section 4—
insert—
 ‘(4) Also, the request must be made within 60 days after the notice mentioned in section 3(6) is given to the CSI provider.
 ‘(5) The authority may, at any time, extend the period for making the request.
 ‘(9) However, the period mentioned in subsection (8) may be extended—
 (a) if the authority asks the Minister to extend the period—by the Minister; or
 (b) if the authority and CSI provider agree to extend the period.
 ‘(10) The Minister may, under section (9)(a), extend the period if the Minister is satisfied the extension would be reasonable, having regard to—
 (a) the nature of the application; and
 (b) any other matter relevant to the authority’s capacity to properly decide it.
 ‘(11) If the Minister extends the period, the Minister must give written notice of the extension including the period of the extension to the authority and the CSI provider.’.
- (14) Schedule 1, section 5(2), ‘local government’—

omit, insert—
‘CSI provider’.

35 Amendment of sch 2 (Undesirable plants and animals)

Schedule 2, part 1, table—

omit, insert—

‘Species	Family	Common name
<i>Acacia farnesiana</i>	MIMOSACEAE	cassie flower
<i>Acacia nilotica</i>	MIMOSACEAE	prickly acacia
<i>Ageratina riparia</i>	ASTERACEAE	mistflower
<i>Allamanda cathartica</i>	APOCYNACEAE	yellow allamanda
<i>Alternanthera philoxeroides</i>	AMARANTHACEAE	alligator weed
<i>Ambrosia artemisiifolia</i>	ASTERACEAE	annual ragweed
<i>Andropogon gayanus</i>	POACEAE	gamba grass
<i>Annona glabra</i>	ANNONACEAE	pond apple
<i>Anredera cordifolia</i>	BASELLACEAE	madeira vine
<i>Ardisia crenata</i>	MYRSINACEAE	coral berry
<i>Ardisia elliptica</i>	MYRSINACEAE	ardisia
<i>Argyreia nervosa</i>	CONVOLVULACEAE	woolly morning-glory
<i>Aristolochia elegans</i>	ARISTOLOCHIACEAE	Dutchman’s pipe
<i>Aristolochia odoratissima</i>	ARISTOLOCHIACEAE	fragrant Dutchman’s pipe
<i>Aristolochia ringens</i>	ARISTOLOCHIACEAE	Dutchman’s pipe
<i>Arundo donax</i>	POACEAE	giant reed

'Species	Family	Common name
<i>Asparagus aethiopicus</i> <i>cv. Sprengeri</i>	ASPARAGACEAE	ground asparagus fern
<i>Asparagus africanus</i>	ASPARAGACEAE	climbing asparagus fern
<i>Asparagus plumosus</i>	ASPARAGACEAE	climbing asparagus fern
<i>Azadirachta indica</i>	MELIACEAE	neem tree
<i>Bambusa balcooa</i>	POACEAE	bamboo
<i>Bambusa vulgaris</i>	POACEAE	bamboo
<i>Bauhinia monandra</i>	CAESALPINIACEAE	butterfly tree
<i>Brillantaisia lamium</i>	ACANTHACEAE	brillantaisia
<i>Bryophyllum daigremontianum</i>	CRASSULACEAE	mother-of-millions
<i>Bryophyllum delagoense</i>	CRASSULACEAE	mother-of-millions
<i>Bryophyllum pinnatum</i>	CRASSULACEAE	resurrection plant
<i>Bryophyllum x houghtonii</i>	CRASSULACEAE	hybrid mother-of-millions
<i>Buddleja madagascariensis</i>	BUDDLEJACEAE	buddleia
<i>Cabomba caroliniana</i>	CABOMBACEAE	cabomba
<i>Caesalpinia decapetala</i>	CAESALPINIACEAE	thorny poinciana
<i>Cardiospermum halicacabum</i>	SAPINDACEAE	balloon vine
<i>Cascabela thevetia</i>	APOCYNACEAE	yellow oleander
<i>Cassia fistula</i>	CAESALPINIACEAE	golden shower

'Species	Family	Common name
<i>Castilla elastica</i>	MORACEAE MORACEAE	Panama rubber
<i>Chromolaena odorata</i>	ASTERACEAE	Siam weed
<i>Chukrasia tabularis</i>	MELIACEAE	east Indian mahogany
<i>Cinnamomum camphora</i>	LAURACEAE	camphor laurel
<i>Clerodendrum paniculatum</i>	LAMIACEAE	pagoda flower
<i>Clidemia hirta</i>	MELASTOMATACEAE	Koster's curse
<i>Coccinia grandis</i>	CUCURBITACEAE	ivy gourd
<i>Coffea arabica</i>	RUBIACEAE	Arabian coffee
<i>Coffea liberica</i>	RUBIACEAE	Liberian coffee
<i>Cryptostegia grandiflora</i>	ASCLEPIADACEAE	rubber vine
<i>Cyperus aromaticus</i>	CYPERACEAE	navua sedge
<i>Datura ferox</i>	SOLANACEAE	fierce thornapple
<i>Datura inoxia</i>	SOLANACEAE	downy thornapple
<i>Datura leichhardtii</i>	SOLANACEAE	native thornapple
<i>Datura metel</i>	SOLANACEAE	Hindu thornapple
<i>Datura stramonium</i>	SOLANACEAE	devil's trumpet
<i>Datura wrightii</i>	SOLANACEAE	hairy thornapple
<i>Echinochloa polystachya</i> cv. <i>amity</i>	POACEAE	creeping river
<i>Eichhornia crassipes</i>	PONTEDERIACEAE	water hyacinth

'Species	Family	Common name
<i>Elephantopus mollis</i>	ASTERACEAE	tobacco weed
<i>Elodea canadensis</i>	HYDROCHARITACEAE	elodea
<i>Emex australis</i>	POLYGONACEAE	spiny emex
<i>Erythrina x sykesii</i>	FABACEAE	coral tree
<i>Euphorbia heterophylla</i>	EUPHORBIACEAE	milkweed
<i>Flacourtia jangomas</i>	FLACOURTIACEAE	Indian plum
<i>Gmelina arborea</i>	LAMIACEAE	white beech
<i>Grewia asiatica</i>	SPARRMANNIACEAE	grewia
<i>Harungana madagascariensis</i>	CLUSIACEAE	harungana
<i>Hiptage benghalensis</i>	MALPIGHIACEAE	hiptage
<i>Hymenachne amplexicaulis</i>	POACEAE	hymenachne
<i>Hyptis capitata</i>	LAMIACEAE	knobweed
<i>Indigofera suffruticosa</i>	FABACEAE	anil indigo
<i>Jatropha gossypifolia</i>	EUPHORBIACEAE	bellyache bush
<i>Lantana camara</i> var. <i>camara</i>	VERBENACEAE	lantana
<i>Lantana montevidensis</i>	VERBENACEAE	creeping lantana
<i>Leonotis nepetifolia</i>	LAMIACEAE	lion's tail
<i>Leucaena leucocephala</i> subsp. <i>leucocephala</i>	MIMOSACEAE	leucaena
<i>Ligustrum sinense</i>	OLEACEAE	Chinese privet
<i>Limnocharis flava</i>	LIMNOCHARITACEAE	limnocharis

'Species	Family	Common name
<i>Lonicera japonica</i>	CAPRIFOLIACEAE	Japanese honeysuckle
<i>Macfadyena unguis-cati</i>	BIGNONIACEAE	cat's claw creeper
<i>Macrotyloma axillare</i>	FABACEAE	perennial horsegram
<i>Manihot glaziovii</i>	EUPHORBIACEAE	ceara rubber tree
<i>Megathyrsus maximus</i>	POACEAE	guinea grass
<i>Melinis minutiflora</i>	POACEAE	molasses grass
<i>Miconia calvescens</i>	MELASTOMATACEAE	miconia
<i>Miconia racemosa</i>	MELASTOMATACEAE	
<i>Mikania micrantha</i>	ASTERACEAE	mile-a-minute
<i>Mimosa diplotricha</i> var. <i>diplotricha</i>	MIMOSACEAE	giant sensitive plant
<i>Opuntia monacantha</i>	CACTACEAE	prickly pear
<i>Parkinsonia aculeata</i>	CAESALPINIACEAE	parkinsonia/ Jerusalem thorn
<i>Parmentiera aculeata</i>	BIGNONIACEAE	cucumber tree
<i>Parthenium hysterophorus</i>	ASTERACEAE	parthenium weed
<i>Paspalum virgatum</i>	POACEAE	Clyde road grass
<i>Passiflora foetida</i>	PASSIFLORACEAE	stinking passionflower
<i>Passiflora laurifolia</i>	PASSIFLORACEAE	yellow granadilla
<i>Passiflora quadrangularis</i>	PASSIFLORACEAE	granadilla
<i>Pennisetum purpureum</i>	POACEAE	elephant grass

'Species	Family	Common name
<i>Phyllostachys bambusoides</i>	POACEAE	fishpole bamboo
<i>Phytolacca rivinoides</i>	PHYTOLACCACEAE	Venezuelan pokeweed
<i>Pinus caribaea</i>	PINACEAE	Caribbean pine
<i>Pistia stratiotes</i>	ARACEAE	water lettuce
<i>Praxelis clematidea</i>	ASTERACEAE	praxelis
<i>Psidium guajava</i>	MYRTACEAE	yellow guava
<i>Pueraria montana</i> var. <i>lobata</i>	FABACEAE	kudzu
<i>Ricinus communis</i>	EUPHORBIACEAE	castor oil bush
<i>Rivina humilis</i>	PHYTOLACCACEAE	coral berry
<i>Rottboellia cochinchinensis</i>	POACEAE	itch grass
<i>Rubus alceifolius</i>	ROSACEAE	giant bramble
<i>Sagittaria platyphylla</i>	ALISMATACEAE	arrowhead
<i>Salvinia molesta</i>	SALVINIACEAE	salvinia
<i>Sansevieria trifasciata</i>	AGAVACEAE	mother-in-law's tongue
<i>Saritaea magnifica</i>	BIGNONIACEAE	glow vine
<i>Schinus terebinthifolia</i>	ANACARDIACEAE	broad-leaved pepper tree
<i>Senna hirsuta</i>	CAESALPINIACEAE	hairy senna
<i>Senna obtusifolia</i>	CAESALPINIACEAE	sicklepod
<i>Senna tora</i>	CAESALPINIACEAE	Java bean

'Species	Family	Common name
<i>Solanum mauritianum</i>	SOLANACEAE	wild tobacco bush
<i>Solanum seaforthianum</i>	SOLANACEAE	Brazilian nightshade
<i>Spathodea campanulata</i>	BIGNONIACEAE	African tulip tree
<i>Sphagneticola trilobata</i>	ASTERACEAE	Singapore daisy
<i>Sporobolus jacquemontii</i>	POACEAE	American rat's tail grass
<i>Sporobolus natalensis</i>	POACEAE	giant rat's tail grass
<i>Sporobolus pyramidalis</i>	POACEAE	giant rat's tail grass
<i>Stachytarpheta jamaicensis</i>	VERBENACEAE	blue snakeweed
<i>Stachytarpheta mutabilis</i>	VERBENACEAE	pink snakeweed
<i>Stachytarpheta x adulterina</i>	VERBENACEAE	
<i>Stachytarpheta x trimenii</i>	VERBENACEAE	
<i>Stevia ovata</i>	ASTERACEAE	roundleaf candyleaf
<i>Syngonium podophyllum</i>	ARACEAE	syngonium
<i>Syzygium cumini</i>	MYRTACEAE	Java plum
<i>Themeda quadrivalvis</i>	POACEAE	grader grass
<i>Thunbergia alata</i>	ACANTHACEAE	black-eyed Susan
<i>Thunbergia grandiflora</i>	ACANTHACEAE	blue clock vine
<i>Thunbergia laurifolia</i>	ACANTHACEAE	clock laurel vine

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'Species	Family	Common name
<i>Tithonia diversifolia</i>	ASTERACEAE	Japanese sunflower
<i>Tribulus terrestris</i>	ZYGOPHYLLACEAE	caltrop
<i>Triplaris weigeltiana</i>	POLYGONACEAE	long john/ant tree
<i>Turbina corymbosa</i>	CONVOLVULACEAE	turbine vine/oliliqu'i
<i>Urochloa mutica</i>	POACEAE	para grass
<i>Ziziphus mauritiana</i>	RHAMNACEAE	chinee apple'.

36 Amendment of sch 3 (Dictionary)

(1) Schedule 3—

insert—

'agency means—

- (a) the Commonwealth, the State, or another State, or a local government; or
- (b) an instrumentality or agent of the Commonwealth, the State, or another State, or a local government.

community facilities means facilities for the community.

Examples—

boat ramps, parkings, rifle ranges, waste collection or disposal areas

community services infrastructure provider means an agency responsible for providing community services infrastructure.

CSI provider means community services infrastructure provider.

fire break means an area that is—

- (a) cleared; and
- (a) used to control fire; and
- (b) not a road.

plan amendment day means the day the *Wet Tropics Amendment Management Plan (No. ...) 2009* commences.

presentation, of an area, includes—

- (a) exhibiting the area; and
- (b) creating awareness and understanding of the natural significance of the area.

proposed activity, for schedule 1, see schedule 1, section 1.

rainforest means rainforest described on maps WTMA (2008) edition 1, 1:50000 *Vegetation of the Wet Tropics of Queensland* held by the authority.

restricted activity means an activity declared under section 44B to be a restricted activity.

reviewable decision, for schedule 1, see section 3(15).

translocating means—

- (a) taking into the area and releasing into a watercourse in the area; or
- (b) taking from a watercourse in 1 part of the area and releasing into a watercourse in another part of the area.

watercourse—

- (a) means a creek, impoundment, lake, river or stream in which water flows intermittently or permanently; and
 - (b) includes the bed and banks and other element of the creek, impoundment, lake, river or stream.
- (2) Schedule 3, definition *motor vehicle*, ‘*Traffic Act 1949*’—
omit, insert—
‘Transport Operations (Road Use Management) Act 1995’.
 - (3) Schedule 3, definition *undesirable plant*, paragraph (c)—
omit, insert—
‘(c) a declared pest plant under the Land Protection (Pest and Stock Route Management) Act 2002.’.
 - (4) Schedule 3, definition *upgrade*—

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insert—

‘(e) for a road that is not sealed—seal the road.’.

ENDNOTES

- 1 Approved by the Governor in Council on . . .
- 2 Notified in the gazette on . . .
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Environmental Protection Agency.