

## Wet Tropics Management Authority Board policy statement:

### Disposal of timber felled within the Wet Tropics of Queensland World Heritage Area

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#### Purpose

If timber is felled within the Wet Tropics World Heritage Area (the Area), its method of subsequent disposal is not a matter controlled by the Wet Tropics Management Authority's (the Authority) current regulations. This policy is intended to provide guidance in circumstances in which removal of felled timber may be allowed or permitted.

#### Background

Disposal of timber felled within the Area may result from human interference (such as trees felled because of permitted or allowed activities; or illegal harvesting), or because of natural events. Storms and cyclones have the potential to bring down large quantities of timber along roadsides and in other accessible areas. It is considered for the purposes of this policy that the cause of timber fall is not material.

#### Policy position

This policy applies across the Area regardless of tenure.

1. Felled or fallen timber is to be either generally left untouched in situ (e.g. where it has fallen safely in the forest and is not a safety concern) or otherwise disposed of in the local Area.

Trees or tree limbs should be reduced in size and distributed as 'coarse woody debris' in the immediate area to retain nutrients and to create habitats for vertebrate and invertebrate fauna. Placement of coarse woody debris should be such that it does not impact natural or scenic amenity values. If the volume of coarse woody debris is too large for disposal in the immediate area (i.e. would smother vegetation or create a fire hazard), it should be dispersed across a wider area. Timber which is accessible and of a nature that may attract unauthorised removal should be cut up to a size small enough that would discourage interest in illegal removal (eg chipping valuable timber species).

These conditions should be considered in all activity and maintenance permits issued under the [Wet Tropics Management Plan 1998](#)<sup>1</sup> (the Management Plan) where works will involve felling of larger trees. Permit conditions usually require disposal at the site. However, permission may be sought from the Authority for removal from the area.

As Queensland Parks and Wildlife Service (QPWS) are delegates under s.30 of the Management Plan, any works undertaken by QPWS also require compliance with these conditions.

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<sup>1</sup> <https://www.legislation.qld.gov.au/view/html/inforce/current/sl-1998-0161>

2. The removal of timber from the Area would only be approved by the Authority in exceptional circumstances:
  - where disposing of this timber in situ may have negative impacts on the [Outstanding Universal Value](#)<sup>2</sup> of the Area
  - where a natural event results in large quantities of fallen timber strewn along walking trails
  - where it poses a safety risk
  - where it may smother vegetation at the site of disposal
  - where it could enhance conditions for wildfire (increased fuel load).
3. Where timber has been illegally harvested from within the Area, it may be kept for evidentiary purposes. Irrespective of whether it was harvested and transported to a storage site outside the Area or removed and kept for evidentiary purposes by the investigating team, its method of subsequent disposal is not a matter controlled by the Authority's current regulations. However, for example, following compliance actions, the Authority has previously agreed to the removal of timber from the Herberton Range (2001) and Shipton's Flat (2021), which were felled during illegal harvesting operations and removed to protect the evidence.

## Interpretation

### Wet Tropics legislation

Destroying\* a forest product\*\* is prohibited within the Area under the [Wet Tropics World Heritage Protection and Management Act 1993](#)<sup>3</sup> (the Act) unless exempted under a regulation, such as through provisions of the Management Plan. If timber is legally removed from the Area, its method of subsequent disposal is not a matter controlled by the Authority's current regulations.

\* 'destroying', in relation to a forest product, under the *Wet Tropics World Heritage Protection and Management Act 1993* means removing, clearing, killing, cutting down, felling, digging up, pushing over, pulling over, poisoning, ringbarking, topping, lopping, burning or damaging the forest product.

\*\* 'forest product', under the *Wet Tropics World Heritage Protection and Management Act 1993* means native plant, which means a plant that was not originally introduced to Australia by human intervention.

Provisions for destroying forest product under the Management Plan include:

- s.30 as a consequence of an activity undertaken by the nature conservation chief executive
- s.31 as a consequence of an activity undertaken by the Authority
- s.33 as part of an activity permitted under the Management Plan
- s.41 and s.42 as part of a Cooperative Management Agreement, where the activity contributes to the achievement of the primary goal\*\*\* of the management of the Area.

\*\*\* 'the primary goal' is to provide for the implementation of Australia's international duty for the protection, conservation, presentation, rehabilitation and transmission to the future generations of the Area within the meaning of the World Heritage Convention.

Activities undertaken under s.30 and s.31 must still be considered against the assessment criteria of the Management Plan as if they were the subject of permit applications.

### Other legislative considerations

The [Nature Conservation Act 1992](#)<sup>4</sup> (NCA) (Qld) and the [Forestry Act 1959](#)<sup>5</sup> (Qld) regulate the disposal of timber from protected areas and State forests respectively. Within protected areas, permits can be issued to destroy vegetation under the NCA (for example, to clear a road or powerline corridor). In such cases the timber is not permitted to be removed from the protected area unless there are exceptional circumstances.

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<sup>2</sup> <https://www.wettropics.gov.au/outstanding-universal-value>

<sup>3</sup> <https://www.legislation.qld.gov.au/view/html/inforce/current/act-1993-050>

<sup>4</sup> <https://www.legislation.qld.gov.au/view/html/inforce/current/act-1992-020>

<sup>5</sup> <https://www.legislation.qld.gov.au/view/html/inforce/current/act-1959-058>

The [Environment Protection and Biodiversity Conservation Act 1999](https://www.legislation.gov.au/Series/C2004A00485)<sup>6</sup> (EPBC) (Cwlth) regulations prohibit commercial forestry operations within the Area unless ministerial consent is obtained. Where timber has been removed from the Area for purposes other than commercial forestry (such as protection of evidence), the subsequent disposal is not regulated under the EPBC. While the Commonwealth Minister for the Environment and Water has a broad ability to consent to the commercial removal of forest products from the Area, the Management Plan limits the ability to remove native plants.

#### Community considerations

Some sectors of the community have expressed concern that not utilising fallen or felled timber is a waste of a scarce (rainforest species) and valuable resource. Alternative community views consider that allowing timber removal would be contrary to the principles of World Heritage management established at the time of listing when commercial forestry was prohibited by Commonwealth regulation.

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#### **Approval**

Board Meeting Number 42  
16–17 August 2001

#### **Updated**

Board meeting 123  
1 June 2023

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<sup>6</sup> <https://www.legislation.gov.au/Series/C2004A00485>