

Wet Tropics Management Plan 1998

Information Sheet No. 13

Local Government and the Wet Tropics Management Plan 1998

13.1 General Information

What is the Wet Tropics Management Plan?

It is subordinate legislation under the *Wet Tropics World Heritage Protection and Management Act 1993*.

What is the purpose of the Plan?

It is one of the management tools used by the Wet Tropics Management Authority to help conserve World Heritage values.

What are World Heritage values?

Natural heritage values for which the area was officially accepted for World Heritage listing. They relate to ecological, biological, evolutionary and scenic landscape values.

Where does the Plan apply?

Only to lands within the Wet Tropics World Heritage Area.

How does the Plan help conserve World Heritage values?

It regulates certain activities that have the potential to impact on World Heritage values or the enjoyment of those values.

What types of activities does the Plan regulate?

Destruction, disturbance or interference to natural values:

- native plants
- earth eg mining, excavation, quarries
- water eg dams, diverting water.

Introduction, spread, cultivation of environmental pests; and disposal of waste

- undesirable plants (defined in the Plan)
- undesirable animals (defined in the Plan)
- disposal of waste

Building and maintenance works

- building or maintaining a structure
- building or maintaining a road

Operation of motorised transport

- eg motor vehicles, motor boats, commercial flights below 1000ft

What are Wet Tropics zoning maps and how are they used?

The Plan divides the Area into four zones:

- Zone A - high in integrity and remote from disturbance.
- Zone B - mostly of high integrity but not necessarily remote from disturbance.
- Zone C - land on which, or adjacent to which, there is disturbance associated with community services infrastructure.
- Zone D - land on which there are, or are planned to be, developed visitor facilities.

As a general rule, more stringent restrictions apply in zone A, than in zone B.

How is the Wet Tropics Permit System administered?

A permit may be needed to undertake activities regulated in the WTMP.

Permit Processing is basically as follows:

- Application
- Assessment
- Notification.

The permit system will be administered jointly by the Wet Tropics Management Authority (WTMA) and the Queensland Parks and Wildlife Service. Application forms and information about applying for a Wet Tropics permit can be obtained at QPWS offices throughout the Wet Tropics region.

Where QPWS already issue a permit under their legislation, they may also be able to issue a Wet Tropics Permit for a limited range of activities. Applicants generally need only complete one application form, though a Wet Tropics supplementary information form may be required in addition to the usual QPWS applications in some circumstances.

The idea of these special arrangements with QPWS is to provide a 'one-stop shop' where a person can apply for a Wet Tropics Permit along with other approvals required by QPWS. Both applications can then be lodged at the same time and office, and in most cases will be assessed in that office.

How does the Plan affect other laws and regulations?

WTMP provisions do not give a right to undertake an activity otherwise regulated under another law.

13.2 What Implications are there for Land Use Planning and Development Assessment?

Local Government Planning Scheme

If there is any inconsistency between the WTMP and a Local Government Planning Scheme, the WTMP prevails to the extent of the inconsistency¹.

Development approvals

A local authority must not give approval for any development that is inconsistent with the WTMP².

¹ Section 49 *Wet Tropics World Heritage Protection and Management Act 1993*

² Section 50 *Wet Tropics World Heritage Protection and Management Act 1993*

IPA and IDAS

- initially development proposals within the World Heritage Area may be assessed under **two** separate approval processes, one under the WTMP and one under the *Integrated Planning Act* (IPA)
- eventually development assessment may be an integrated system under the IPA *Integrated Development Assessment System* (IDAS).
- assimilation will only involve activities defined as 'development' under IPA
- IDAS processing time lines will apply in these instances
- the Authority will be a 'concurrence agency' in relation to activities regulated under the WTMP ie. Any refusal or conditions supplied by the Authority must be applied by the IDAS 'assessment manager'
- prior to any assimilation of WTMP development assessment under IPA, local governments will be requested to advise people about the WTMP requirements where they are submitting development applications which relate to land within the World Heritage Area. Wet Tropics permits assessment time lines will 'mirror' IDAS time lines where possible.

13.3 What Implications are there for Planning, Development and Maintenance of Community Services Infrastructure such as Roadworks, Water supplies, Quarries?

Infrastructure Planning

- existing infrastructure has generally been assigned to zone C
- planning for infrastructure development should consider provisions under the Plan eg. zone maps
- infrastructure is generally not permitted in zone A or B
- exception: in zone B where development would result in reduction of net impacts
- special WTMP rezoning provisions (ie. rezoning from zone B to zone C) have been provided for local
- government for essential community infrastructure³

Infrastructure Development and Upgrades

Development works require a permit under the Plan.

Maintenance Works

Maintenance of Infrastructure:

Also requires a permit

- 'maintenance' permits have been issued with agreed 'codes of practice' as generic conditions for undertaking maintenance works.

Operation of Existing Infrastructure:

A permit is not required for the operation of community services infrastructure (e.g. operating water infrastructure, pumps, treatment systems) being lawfully operated by the government before 1st September 1998.

13.3 Land Management and the WTMP

Council owned freehold land in the World Heritage Area.

³ refer schedule 1 *Wet Tropics Management Plan 1998*

Some Councils own freehold blocks within the Area and as such are entitled to the same special considerations with respect to these blocks as other ordinary titleholders under the Plan.

Local Government Reserves

Councils act as Trustees for various reserves located within the Area such as camping reserves, recreation reserves, gravel, water supply and pipeline reserves, parks and scenic beauty spots, and general public purposes reserves. In some instances leases and various permits for activities on these reserves are issued by Councils as trustees. For any activities which are regulated by the Plan on these reserves, Councils will now be required to refer applications to the Authority for assessment under the Plan.

Local Government Pest Management Plans:

- Schedule 2 WTMP lists 'Undesirable Animals and Plants' with respect to the World Heritage Area
- special provisions apply in the WTMP relating to these undesirable animals and plants
- the Authority will seek local government support in having these lists incorporated under Local Government Pest Management Plans.

Further Information

What documentation can be provided to Local Government Councils?

Each Local Government in the region has been issued with:

- a set of zoning maps for the relevant local government area
- the *Wet Tropics Management Plan 1998*
- Authority's policy document *Protection through Partnerships*. This document provides background information and is a useful guide for implementation of the Plan.

What information are available for the local community?

- a range of information sheets and displays on the Plan are available at DNR and QPWS offices
- some of these information sheets are specially designed according to user groups
- the following is a list of the Information Sheets currently available or under preparation:

1. General information
2. Permit Application and Assessment
3. Information about 'Minor & Inconsequential Activities'
4. DNRM Lease, Licence and Permit Holders
5. Freehold Land in the World Heritage Area
6. Grazing in the World Heritage Area
7. Beekeeping in the World Heritage Area
8. Flying over the World Heritage Area
9. Commercial Tour Operations
10. Mining, Quarrying and Fossicking
11. Seed Collecting in the World Heritage Area
12. Undesirable Animals and Plants
13. Information for Local Government
14. Development and Maintenance of Infrastructure
17. 'Plain English' interpretation of the Plan

All private land holders (ie leasehold, freehold) were notified directly about permit requirements by WTMA during the phase-in period of the WTMP (1 September to 29 December).

For further information contact:

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