



Queensland

Wet Tropics (Review) Amendment Management Plan 2020

Subordinate Legislation 2020 No. 176

made under the

Wet Tropics World Heritage Protection and Management Act 1993

Contents

		Page
1	Short title	6
2	Commencement	6
3	Management plan amended	6
4	Replacement of s 4 (Inspection of maps and other documents) .	6
	4 Publication and inspection of zoning map and other documents	6
5	Amendment of s 5 (Forms)	7
6	Amendment of s 6 (Management zones)	7
7	Replacement of s 7 (Extent of zones)	7
	7 Zoning map	7
8	Amendment, relocation and renumbering of s 8 (Procedure for amending zoning map)	8
9	Amendment, relocation and renumbering of s 9 (Rezoning of land to accommodate essential community services infrastructure)	9
10	Replacement of pt 2, divs 2–5	10
	Division 2 Management purposes of zones	
	10 Management purposes of zone A	10
	11 Management purposes of zone B	10
	12 Management purposes of zone C	11
	Division 3 Procedures for rezoning land and amending zoning map	

Contents

	Subdivision 1	General rezoning and amendment procedures	
	13	Application of subdivision	12
	15	Procedure for amending zoning map for particular purposes	12
	16	Criteria for minor change to zone boundary	13
	Subdivision 2	Special rezoning procedures	
	Division 4	Other matters	
	18	Register of amendments of zoning map	14
11		Amendment of s 22 (Controls under the Act and this plan)	15
12		Amendment of s 23 (Control of native title rights)	16
13		Amendment of s 26 (Other prohibited activities)	16
14		Amendment of s 27 (Activities allowed in all zones)	18
15		Insertion of new ss 27A–27C	20
	27A	Keeping a dog or cat	20
	27B	Keeping honey bees	21
	27C	Operating a motor vehicle on particular roads	22
16		Amendment of s 28 (Activities with minor and inconsequential impact)	23
17		Replacement of s 29 (Certain activities by land-holders or native title holders)	24
	29	Particular allowed activities by persons with an interest in land	24
18		Amendment of s 30 (Certain activities by chief executive)	26
19		Amendment of s 32 (Activities may be carried out under permit)	26
20		Replacement of s 33 (Activities permitted in all zones)	27
	33	Activities permitted in all zones	27
21		Amendment of s 34 (Certain activities in zones C and D)	29
22		Amendment of s 35 (Certain activities by land-holders or native title holders)	30
23		Amendment of s 37 (Activities in protected area)	31
24		Amendment of s 38 (Activities in zone B that may reduce impacts on the area)	31
25		Replacement of s 39 (Activities to obtain information for a rezoning application)	32
	39	Activities to prepare assessment or obtain information or documents for the authority	32
26		Replacement of pt 3, div 5, hdg (Negotiations and variation of controls under agreements)	33

27	Amendment of s 40 (Authority must negotiate)	33
28	Insertion of new pt 3, div 5, sdiv 2, hdg	33
29	Amendment of s 41 (Cooperative management agreements) . .	34
30	Replacement of ss 42 and 43	35
42	Matters for consideration for proposed cooperative management agreement	35
43	Effect of cooperative management agreement on plan	36
43A	Inconsistency between cooperative management agreements	37
43B	Carrying out particular permitted activity under cooperative management agreement	37
43C	Relationship between cooperative management agreement and zoning map	38
43D	Registration of cooperative management agreement	38
31	Amendment of s 44 (Exemption of certain activities that destroy forest products)	39
32	Insertion of new pt 4, div 1A	39
	Division 1A Preliminary	
44A	Application of part	39
44B	Definition for pts 4 and 5	40
33	Amendment of s 45 (Application for permit)	40
34	Amendment of s 47 (Authority may ask for more information) . .	40
35	Amendment of s 51 (Conditions)	41
36	Amendment of s 52 (Security)	42
37	Replacement of ss 55 and 56	42
55	Purpose of division	42
56	World heritage values and integrity of the area	43
38	Amendment of s 57 (Precautionary principle)	45
39	Amendment of s 58 (Prudent and feasible alternatives)	45
40	Replacement of s 59 (World heritage values)	45
59	Aboriginal tradition	45
41	Amendment of s 60 (Community considerations)	45
42	Amendment of s 61 (Carrying capacity)	46
43	Amendment of s 62 (Guidelines)	46
44	Replacement of pt 4, div 4, hdg (Permit applications for particular activities)	46
45	Insertion of new s 62A	47
62A	Purpose and application of division	47

Contents

46	Amendment of s 63 (Domestic activities)	47
	63 Prescribed domestic activities	47
47	Insertion of new s 63A	48
	63A Building additional residence or ancillary outbuilding	49
48	Amendment of s 64 (Defence activities)	49
49	Replacement of s 65 (Roadworks)	50
	65 Building community services infrastructure or other road	50
50	Amendment of s 66 (Activities being carried out immediately before commencement day)	51
51	Amendment of s 69 (Review of decision)	51
52	Amendment of s 76 (Definitions)	52
53	Amendment of s 77 (Permit entities)	52
54	Amendment of s 83 (Evidence about zoning maps)	52
55	Insertion of new s 84	52
	84 Plan amendments exempted from particular preparation and approval procedures—Act, s 52	52
56	Insertion of new pt 8	53
	Part 8 Transitional provisions for Wet Tropics (Review) Amendment Management Plan 2020	
	85 Definitions for part	53
	86 Keeping or grazing animals	53
	87 Activity for protecting lives or preventing injuries other than for an emergency	54
	88 Translocating a crustacean or fish	54
	89 Using motorised aircraft for commercial purposes	55
	90 Reconfiguring a lot	55
	91 Registration of existing cooperative management agreements	56
	92 Undecided permit application	56
	93 Undecided rezoning application	57
	94 References to previous provisions in documents	57
57	Replacement of sch 1, hdg (Rezoning applications by local government)	58
58	Amendment of sch 1, s 1 (Local government may apply for rezoning)	58
59	Insertion of new sch 1, s 1A	58
	1A Request for environmental impact assessment and other information and documents	59

60	Amendment of sch 1, s 2 (Dealing with the application)	60
61	Amendment of sch 1, s 3 (Decision on application)	61
62	Amendment of sch 1, s 4 (Review of authority’s decision)	62
63	Amendment of sch 1, s 5 (Appeal from authority’s decision on review)	63
64	Replacement of sch 2 (Undesirable plants and animals)	63
	Schedule 2 Undesirable plants	63
	Schedule 2A Particular undesirable animals	67
	Schedule 2B Regional ecosystem numbers for rainforest areas	68
65	Amendment of sch 3 (Dictionary)	70

[s 1]

1 Short title

This management plan may be cited as the *Wet Tropics (Review) Amendment Management Plan 2020*.

2 Commencement

This management plan commences on 11 September 2020.

3 Management plan amended

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

4 Replacement of s 4 (Inspection of maps and other documents)

Section 4—

omit, insert—

4 Publication and inspection of zoning map and other documents

- (1) This section applies in relation to—
 - (a) the zoning map; or
 - (b) another document, if the authority is required under a provision of this plan to ensure the document is available for inspection under this section.
- (2) The authority must ensure—
 - (a) the zoning map or other document—
 - (i) is published on the authority’s website; and
 - (ii) may be inspected free of charge, during office hours at the authority’s head office and any other places the authority considers appropriate; and

- (b) a copy of the zoning map, or a part of the zoning map, or the other document may be purchased from the authority for a reasonable fee.

5 Amendment of s 5 (Forms)

Section 5, editor's note—

omit.

6 Amendment of s 6 (Management zones)

- (1) Section 6(1), 'zone D'—

omit.

- (2) Section 6(2)—

omit, insert—

- (2) Each zone is established according to the management purposes of the zone stated in division 2.

7 Replacement of s 7 (Extent of zones)

Section 7—

omit, insert—

7 Zoning map

- (1) Each zone is shown on the zoning map prepared and held by the authority in digital electronic form.
- (2) Subject to subsection (3)—
 - (a) the exact location of the boundary of a zone shown on the zoning map is held in digital electronic form by the authority; and
 - (b) the information held in digital electronic form can be reduced or enlarged to show the details of the boundary of the zone.

[s 8]

- (3) The zoning map may include other information to help to identify the exact location of the boundary of a zone.

Example of other information—

The zoning map may identify the exact location of the boundary of a zone by reference to a stated distance from a geographical feature, road or structure shown on the map.

8 Amendment, relocation and renumbering of s 8 (Procedure for amending zoning map)

- (1) Section 8, heading, after ‘map’—

insert—

generally

- (2) Section 8, before subsection (1)—

insert—

- (1A) This section applies for amending the zoning map other than under section 15 or schedule 1, section 3.

- (3) Section 8(1), from ‘A zoning map may’ to ‘with’—

omit, insert—

The zoning map may be amended only by complying with the procedure (the ***applied amendment procedure***) under

- (4) Section 8(2)—

omit.

- (5) Section 8(1A) and (1)—

renumber as section 8(1) and (2).

- (6) Section 8(5)—

omit, insert—

- (5) The authority may prepare guidelines about matters the authority may consider for amending

the zoning map under this section.

- (6) If the authority prepares guidelines under subsection (5)—
- (a) the authority may have regard to the guidelines for—
 - (i) considering any submissions made in response to a draft zoning map; and
 - (ii) preparing a final zoning map; and
 - (b) the authority must ensure the guidelines are available for inspection under section 4.
- (7) In this section—

draft zoning map means a draft zoning map required to be prepared under the applied amendment procedure.

final zoning map means a final zoning map required to be prepared under the applied amendment procedure.

- (7) Section 8, as amended—

relocate to part 2, division 3, subdivision 1, as inserted under this management plan, and *renumber* as section 14.

9 Amendment, relocation and renumbering of s 9 (Rezoning of land to accommodate essential community services infrastructure)

- (1) Section 9(1), ‘A zoning map’—

omit, insert—

The zoning map

- (2) Section 9(2), after ‘government’—

insert—

or State government entity

- (3) Section 9, as amended—

[s 10]

relocate to part 2, division 3, subdivision 2, as inserted under this management plan, and *renumber* as section 17.

10 Replacement of pt 2, divs 2–5

Part 2, divisions 2 to 5—

omit, insert—

Division 2 Management purposes of zones

10 Management purposes of zone A

- (1) The main management purpose of zone A is to protect and conserve the world heritage values and integrity of land in the zone.
- (2) Other management purposes of zone A are—
 - (a) if land in the zone is disturbed—to restore and enhance the world heritage values and integrity of the land if, and to the extent, it is reasonably practicable; and
 - (b) to enable visitors to access parts of the land in the zone to appreciate and enjoy the area.

11 Management purposes of zone B

- (1) The main management purpose of zone B is to protect and conserve the world heritage values and integrity of land in the zone.
- (2) Other management purposes of zone B are—
 - (a) if land in the zone is disturbed—to restore and enhance the world heritage values and integrity of the land if, and to the extent, it is reasonably practicable; and
 - (b) to enable visitors to access parts of the land in the zone to appreciate and enjoy the area; and

- (c) to be a buffer between zone A and community services infrastructure.

12 Management purposes of zone C

- (1) The main management purposes of zone C are—
 - (a) to protect and enhance the world heritage values and integrity of the land in the zone, subject to paragraphs (b) and (c); and
 - (b) subject to paragraph (c), to accommodate—
 - (i) community services infrastructure and visitor infrastructure; and
 - (ii) particular existing uses of parts of the zone shown on the zoning map; and
 - (c) to minimise any adverse impact of any activities allowed to be carried out in the zone on the world heritage values and integrity of the land in the zone.
- (2) Another management purpose of zone C is to ensure, so far as is reasonably practicable, that any visitor infrastructure on land in the zone is built and maintained in a way that—
 - (a) is ecologically sustainable; and
 - (b) is sensitively integrated into the surrounding landscape; and
 - (c) enhances visitors' understanding and appreciation of the natural and cultural heritage of the area.

Division 3 Procedures for rezoning land and amending zoning map

Subdivision 1 General rezoning and amendment procedures

13 Application of subdivision

- (1) This subdivision applies if the authority proposes to rezone land in the area or amend the zoning map for another purpose.
- (2) However, this subdivision does not apply to rezoning of land in the area to which section 17 and schedule 1 apply.

15 Procedure for amending zoning map for particular purposes

- (1) The authority may amend the zoning map (the *old zoning map*) under this section for any of the following purposes—
 - (a) to show land in the area that is the subject of a registered cooperative management agreement;
 - (b) to make a change to the boundary of a zone that is a minor change under section 16;
 - (c) to show the location of existing community services infrastructure not shown on the zoning map, and to insert or change the boundary of a zone by reference to the location of the community services infrastructure;
 - (d) to change the boundary of a zone the authority is satisfied is incorrectly shown on the zoning map by reference to the actual location of a geographical feature, road or structure;
 - (e) to correct a minor error or make another change that is not a change of substance.
- (2) The authority may amend the old zoning map

by—

- (a) preparing another zoning map (the *new zoning map*) that replaces the old zoning map; and
 - (b) publishing the new zoning map on the authority's website.
- (3) The new zoning map commences on the day the zoning map is published under subsection (2)(b) or the later day stated on the zoning map.
 - (4) A failure to ensure the new zoning map is available for inspection under section 4 does not invalidate or otherwise affect the new zoning map.
 - (5) In this section—
existing community services infrastructure means community services infrastructure that—
 - (a) existed immediately before 1 September 1998 and has continued in existence since that day; or
 - (b) has been lawfully built under this plan.

16 Criteria for minor change to zone boundary

- (1) For section 15(1)(b), a proposed change to the boundary of a zone is a minor change if the authority considers the change is minor having regard to—
 - (a) the size of the area of land that will be affected by the change (the *affected land*); and
 - (b) the activities (the *new activities*) that are proposed to be carried out on the affected land after the change is made; and
 - (c) the likely impact of carrying out the new activities, including—

[s 10]

- (i) the extent to which the affected land is likely to be disturbed; and
 - (ii) the impact on the world heritage values and integrity of land in the area.
- (2) The authority may prepare guidelines about matters that may be relevant for deciding whether a proposed change to the boundary of a zone is a minor change under subsection (1).
- (3) If the authority prepares guidelines under subsection (2)—
 - (a) the authority may have regard to the guidelines in deciding whether a proposed change to the boundary of a zone is a minor change; and
 - (b) the authority must ensure the guidelines are available for inspection under section 4.

Subdivision 2 Special rezoning procedures

Division 4 Other matters

18 Register of amendments of zoning map

- (1) The authority must keep a register of amendments of the zoning map under this section.
- (2) If the zoning map (the *old zoning map*) is amended under section 14 or 15 or schedule 1, section 3, the authority must—
 - (a) record in the register—
 - (i) for a significant amendment—brief details of the basis on which the old zoning map was amended; and

- (ii) for an amendment only under section 15(1)(e)—full details of the amendment; and
- (iii) the day the replacement map for the old zoning map commences; and
- (b) for a significant amendment—keep the old zoning map, or the part of that map that has been amended, in the register.
- (3) The authority must ensure the register, including each old zoning map or part kept under subsection (2)(b), is available for inspection under section 4.
- (4) In this section—
 - replacement map*, for the old zoning map, means—
 - (a) if the old zoning map was amended under section 14—the final zoning map mentioned in section 14(3); or
 - (b) if the old zoning map was amended under section 15—the new zoning map mentioned in section 15(2)(a); or
 - (c) if the old zoning map was amended under schedule 1, section 3—the amended zoning map mentioned in section 3(7) of the schedule.

significant amendment means an amendment other than an amendment only under section 15(1)(e).

11 Amendment of s 22 (Controls under the Act and this plan)

- (1) Section 22(3)(c), editor’s note, ‘Editor’s note’—
omit, insert—

Note

- (2) Section 22(4), from ‘or other’ to ‘varying’—

omit, insert—

with the authority changing

12 Amendment of s 23 (Control of native title rights)

- (1) Section 23, heading, ‘Control of’—

omit, insert—

Relationship with

- (2) Section 23—

insert—

- (3) In this section—

ordinary title has the meaning given by the *Native Title Act 1993* (Cwlth).

13 Amendment of s 26 (Other prohibited activities)

- (1) Section 26(1), from ‘an agreement’ to ‘42’—

omit, insert—

a registered cooperative management agreement

- (2) Section 26(1)(a), ‘, killing’—

omit.

- (3) Section 26(1)(b), after ‘keeping’—

insert—

or grazing

- (4) Section 26(1)—

insert—

(ba) translocating a crustacean or fish;

- (5) Section 26(1)(f) to (i)—

omit, insert—

-
- (f) building or maintaining community services infrastructure, visitor infrastructure or another structure;
 - (g) building or maintaining a road, other than a road that is community services infrastructure;
 - (h) disposing of waste;
 - (i) operating a waste facility;
- (6) Section 26(1)(l) and (m)—
omit, insert—
- (l) flying a motorised aircraft less than 1,000ft above the area, or landing a motorised aircraft, for commercial purposes;
 - (m) reconfiguring a lot, if the reconfiguration would be assessable development for which a local government would be the assessment manager.
- (7) Section 26(1)(ba) to (m)—
renumber as section 26(1)(c) to (n).
- (8) Section 26(1), penalty—
omit, insert—
- Maximum penalty—
- (a) for subsection (1)(a), (c), (d), (e), (f), (g), (h) or (j)—165 penalty units; or
 - (b) for subsection (1)(b) or (i)—100 penalty units; or
 - (c) for subsection (1)(k), (l), (m) or (n)—50 penalty units.
- (9) Section 26(2), ‘subsection (1)’—
omit, insert—
- subsection (1), other than (1)(m),

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

- (1) Section 27, heading, ‘Activities’—

omit, insert—

Particular activities

- (2) Section 27, after ‘following activities’—

insert—

in the wet tropics area

- (3) Section 27(a)(i)—

omit, insert—

- (i) protecting the life of, or preventing injury to, a person, if the activity is carried out in an emergency; or

- (4) Section 27(b)—

omit, insert—

- (b) maintaining a firebreak that existed immediately before 1 September 1998 or was lawfully established under this plan;

- (5) Section 27(c) and editor’s note—

omit.

- (6) Section 27(e), after ‘rainforest’—

insert—

area

- (7) Section 27(g)—

omit.

- (8) Section 27(h), from ‘animals’ to ‘rainforest,’—

omit, insert—

cattle, other than in a rainforest area,

- (9) Section 27(j), ‘the commencement day’—

omit, insert—

1 September 1998

(10) Section 27(k) and (l)—

omit, insert—

(k) disposing of general waste in a container provided by the land-holder for that purpose, subject to section 29 as it applies to the land-holder disposing of waste;

Example for paragraph (i)—

a member of the public disposing of food waste in a rubbish bin on land in a protected area if the bin is provided by the land-holder for that purpose

(l) flying a motorised aircraft, for commercial purposes, less than 1,000ft above the area if—

(i) ascending while taking-off from a place outside the area; or

(ii) flying at a level that is reasonably necessary for safety purposes; or

(iii) descending to land at a place outside the area.

Note—

See also section 23.

(11) Section 27(d) to (l)—

renumber as section 27(c) to (j).

(12) Section 27—

insert—

(2) In this section—

cattle means European cattle or zebu cattle.

preventing injury, to a person, includes, if the person has been injured, reducing the injury or preventing further injury.

15 Insertion of new ss 27A–27C

After section 27—

insert—

27A Keeping a dog or cat

- (1) A person may keep a dog or cat on land in the wet tropics area if—
 - (a) the land is private land or land in relation to which native title exists; and
 - (b) the person is the land-holder or native title holder or has the permission of the land-holder or native title holder to keep the dog or cat; and
 - (c) for land in a rainforest area—the person keeps the dog or cat within the curtilage of a residence on the land; and
 - (d) the person keeps the dog or cat in a way that—
 - (i) complies with the relevant local laws; and
 - (ii) otherwise minimises the risk of the dog or cat threatening native animals (the *relevant risk*).
- (2) A person keeps a dog or cat in a way that minimises the relevant risk if the person keeps the dog or cat—
 - (a) indoors or within a securely enclosed area; or
 - (b) for a dog—restrained by a leash; or
 - (c) in another way that minimises the relevant risk.
- (3) For subsection (2)(c), the authority may prepare guidelines about the ways a cat or dog may be kept that minimise the relevant risk.

-
- (4) If the authority prepares guidelines under subsection (3), the authority must ensure the guidelines are available for inspection under section 4.
- (5) In this section—
- native animals* means animals that are native wildlife under the *Nature Conservation Act 1992*.
- threatening*, native animals, includes attacking, chasing, hunting, injuring, preying on and stalking the animals.

27B Keeping honey bees

- (1) A person may keep honey bees on land in the wet tropics area if—
- (a) the land is private land or land in relation to which native title exists but is not in a rainforest area; and
 - (b) the person is the land-holder or native title holder or has the permission of the land-holder or native title holder to keep the honey bees; and
 - (c) the person keeps the honey bees in a way that—
 - (i) complies with the *Biosecurity Act 2014*; and
 - (ii) otherwise minimises the risk of the bees swarming (the *relevant risk*).
- (2) A person keeps honey bees in a way that minimises the relevant risk if—
- (a) the person ensures—
 - (i) the bee colony is divided into 2 or more units as the swarming season approaches; and

- (ii) additional honey supers for brood rearing and honey storage are provided as reasonably required; and
 - (iii) old or failing queen bees are replaced as reasonably necessary; or
- (b) the person keeps the bees in another way that minimises the relevant risk.
- (3) For subsection (2)(b), the authority may prepare guidelines about the ways honey bees may be kept that minimise the relevant risk.
- (4) If the authority prepares guidelines under subsection (3), the authority must ensure the guidelines are available for inspection under section 4.

27C Operating a motor vehicle on particular roads

- (1) A person may operate a motor vehicle in the wet tropics area—
 - (a) on a road shown on the zoning map; or
 - (b) on a road in a protected area; or
 - (c) on a road in a State forest or timber reserve.
- (2) Without limiting section 24(a)—
 - (a) the operation of a motor vehicle on a road mentioned in subsection (1)(b) is subject to any restriction under the *Nature Conservation Act 1992*, including, for example, a restriction under a nature conservation regulatory notice; and
 - (b) the operation of a motor vehicle on a road mentioned in subsection (1)(c) is subject to any restriction under the *Forestry Act 1959*, including, for example, a restriction under a forestry regulatory notice.
- (3) In this section—

forestry chief executive means the chief executive of the department in which the *Forestry Act 1959* is administered.

forestry regulatory notice means a notice, displayed by the forestry chief executive under the *Forestry Act 1959*, section 34AA, regulating the use of a vehicle in a State forest or timber reserve.

nature conservation regulatory notice means a sign or marking, erected or placed by the nature conservation chief executive under the *Nature Conservation Act 1992*, regulating the use of a vehicle in a protected area.

State forest see the *Forestry Act 1959*, schedule 3.

timber reserve see the *Forestry Act 1959*, schedule 3.

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

- (1) Section 28(1), after ‘activity’—

insert—

in the wet tropics area

- (2) Section 28(1)(b), ‘area’s integrity’—

omit, insert—

world heritage values and integrity of the area

- (3) Section 28(2), after ‘out’—

insert—

on the land

- (4) Section 28(2)(c), ‘lawful access’—

omit.

- (5) Section 28(2)(d), ‘or camping’—

omit.

[s 17]

(6) Section 28(2)(e), after ‘consumption’—

insert—

while in the area

(7) Section 28(3)—

omit, insert—

(3) However, subsection (1) does not allow a person to—

(a) fly a motorised aircraft less than 1,000ft above the area, or land a motorised aircraft, for commercial purposes; or

(b) reconfigure a lot, if the reconfiguration would be assessable development for which a local government would be the assessment manager.

(4) For subsection (1), the authority may prepare guidelines about activities that may be carried out in a way that complies with subsection (1).

(5) If the authority prepares guidelines under subsection (4), the authority must ensure the guidelines are available for inspection under section 4.

17 Replacement of s 29 (Certain activities by land-holders or native title holders)

Section 29—

omit, insert—

29 Particular allowed activities by persons with an interest in land

(1) A land-holder holding freehold title to land in the area may carry out an allowed activity for the land so far as the land-holder is entitled to carry out the activity under the land-holder’s title.

(2) A native title holder for land in the area may carry out an allowed activity for the land so far as the

native title holder is entitled to carry out the activity under the native title holder's native title.

- (3) A government holding an interest in land in the area may carry out an allowed activity for the land so far as the government is entitled to carry out the activity on the land.
- (4) A person may, under the permission of a land-holder, native title holder or government mentioned in subsection (1), (2) or (3), carry out an allowed activity for the land to which the subsection relates so far as the land-holder, native title holder or government may carry out the activity under the subsection.
- (5) In this section—

allowed activity, for land in the area, means—

- (a) an activity on the land for the protection, conservation or rehabilitation of the world heritage values and integrity of the area; or
- (b) operating a motor vehicle on a lawful access road for the land; or
- (c) disposing of commercial waste or domestic waste consisting of organic matter, or green waste, on the land, if the waste is disposed of in a way that causes the least adverse impact on the world heritage values and integrity of the land; or

Examples of ways of disposal for paragraph (c)—

- burying, composting
- (d) storing general waste, other than general waste to which paragraph (c) applies, on the land, if—
 - (i) the waste is stored in a way that does not impact the world heritage values and integrity of the land; and

[s 18]

- (ii) the waste is stored temporarily and removed from the area for disposal at reasonable intervals.

commercial waste see the *Environmental Protection Regulation 2019*, schedule 19, part 2.

domestic waste see the *Environmental Protection Regulation 2019*, schedule 19, part 2.

green waste see the *Environmental Protection Regulation 2019*, schedule 19, part 2.

18 Amendment of s 30 (Certain activities by chief executive)

- (1) Section 30, ‘chief executive’—

omit, insert—

nature conservation chief executive

- (2) Section 30(1), ‘area if’—

omit, insert—

area in the wet tropics area if

19 Amendment of s 32 (Activities may be carried out under permit)

- (1) Section 32(1), ‘(permitted activities)’—

omit, insert—

(each a *permitted activity*)

- (2) Section 32(3)(b), ‘this section’—

omit, insert—

this division

- (3) Section 32(3)(b), editor’s note, ‘Editor’s note’—

omit, insert—

Note

20 Replacement of s 33 (Activities permitted in all zones)

Section 33—

*omit, insert—***33 Activities permitted in all zones**

- (1) A permit may be issued to a person to carry out any of the following activities on land in the wet tropics area—
 - (a) an activity the person was lawfully carrying out immediately before the 2020 amendment day;
 - (b) an activity the person has a native title right or interest to carry out;
 - (c) maintaining community services infrastructure, visitor infrastructure or another structure;
 - (d) maintaining a road, other than a road that is community services infrastructure;
 - (e) clearing vegetation around a structure or road to the extent necessary for its appropriate use, if the structure or road—
 - (i) existed immediately before 1 September 1998; or
 - (ii) has been lawfully built under this plan;
 - (f) building limited visitor infrastructure;
 - (g) establishing a firebreak;
 - (h) an activity for protecting the life of, or preventing injury to, a person, other than an activity carried out in an emergency;

Example for paragraph (h)—

clearing vegetation to make a space that can be used in the future as a landing place for a rescue helicopter in an emergency

- (i) an activity for the protection, other than the urgent protection, of property;

Example for paragraph (i)—

removing a decaying tree that may in the future pose a risk of damaging a nearby residence if it is not removed

- (j) collecting seeds and other propagules;
- (k) destroying a forest product to conserve or rehabilitate the area;

Example for paragraph (k)—

A particular habitat requires management by fire to conserve native plants of a particular species in the habitat. A permit would be required to lop, dry and burn the plants to allow them to propagate in the habitat.

- (l) destroying a forest product to improve the presentation of the area for visitors;

Example for paragraph (l)—

lopping the regrowth of native plants that are obscuring the view from a lookout used by visitors to the area

- (m) disposing of an undesirable plant;
- (n) translocating a crustacean or fish, other than a fish of a species mentioned in schedule 2A, part 1;
- (o) bringing a dog into the area for conserving or managing the area;

Example for paragraph (o)—

bringing a working dog into the area to muster cattle so that the cattle can be removed from the area

- (p) using a motorised aircraft, for commercial purposes, to—
 - (i) take-off from, or land in, the area; or
 - (ii) fly at less than 1,000ft above the area, other than as reasonably necessary for safety purposes;

-
- (q) reconfiguring a lot, if the reconfiguration is assessable development for which a local government is the assessment manager;
 - (r) operating a motor vehicle on a lawful access road for the land—
 - (i) to conserve, protect or rehabilitate land in the area; or
 - (ii) to carry out scientific research; or
 - (iii) to the extent reasonably necessary to carry out another permitted activity mentioned in this section.
- (2) In this section—
preventing injury, to a person, see section 27(2).

21 Amendment of s 34 (Certain activities in zones C and D)

- (1) Section 34, heading ‘zones C and D’—

omit, insert—

zone C

- (2) Section 34, ‘or D’—

omit.

- (3) Section 34(a) and (b)—

omit, insert—

- (a) building community services infrastructure, developed visitor infrastructure or another structure;
- (b) building a road, other than a road that is community services infrastructure;
- (ba) dismantling community services infrastructure or developed visitor infrastructure;

- (4) Section 34(c), after ‘rainforest’—

insert—

area

- (5) Section 34(ba) to (e)—
renumber as section 34(c) to (f).

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

- (1) Section 35, heading—
omit, insert—

35 Domestic activities by person with an interest in land

- (2) Section 35(1), ‘ordinary title’—
omit, insert—

freehold title

- (3) Section 35(3) to (5)—
omit, insert—

- (3) A permit may be issued to a government holding an interest in land in the area to carry out a domestic activity on the land so far as the government is entitled to carry out the activity on the land.
- (4) A permit may be issued to another person to carry out a domestic activity on land in the area under the permission of a land-holder or native title holder for, or a government holding an interest in, the land, if a permit to carry out the activity could be issued under this section to the land-holder, native title holder or government.
- (5) In this section—
domestic activity, for land, means—
- (a) a prescribed domestic activity for the land;
or
- (b) building an ancillary outbuilding on the land.

prescribed domestic activity, for land, means any of the following activities carried out, or to be carried out, on the land—

- (a) building a residence;
- (b) clearing or building a pedestrian or vehicular access to a residence on the land;
- (c) installing infrastructure for any of the following for domestic use—
 - (i) an electricity supply;
 - (ii) a water supply;
 - (iii) telecommunications;
- (d) extracting water for domestic use;
- (e) establishing a garden or orchard, other than for commercial purposes.

23 Amendment of s 37 (Activities in protected area)

- (1) Section 37, ‘Minister’—

omit, insert—

nature conservation Minister

- (2) Section 37—

insert—

- (2) In this section—

nature conservation Minister means the Minister administering the *Nature Conservation Act 1992* in relation to protected areas.

24 Amendment of s 38 (Activities in zone B that may reduce impacts on the area)

- (1) Section 38(2) and (3), ‘area’s integrity’—

omit, insert—

world heritage values and integrity of the area

[s 25]

- (2) Section 38(3), from ‘intended’ to ‘purpose of zone B’—
omit, insert—
management purposes of zone B

25 Replacement of s 39 (Activities to obtain information for a rezoning application)

Section 39—

omit, insert—

39 Activities to prepare assessment or obtain information or documents for the authority

- (1) This section applies if—
- (a) the authority asks a local government or State government entity (each the *relevant entity*) to prepare an environmental impact assessment or give the authority other information or documents under schedule 1, section 1A; or
 - (b) the authority asks a person (also the *relevant entity*) to prepare an environmental impact assessment or give the authority other information or documents under section 41(6) or 47(1).
- (2) A permit may be issued to the relevant entity to carry out an activity that the authority considers is reasonably necessary to prepare the environmental impact assessment or give the information or documents.
- (3) Subsection (2) applies whether or not the activity is consistent with the management purposes of the zone where the activity is proposed to be carried out.

26 Replacement of pt 3, div 5, hdg (Negotiations and variation of controls under agreements)

Part 3, division 5, heading—

omit, insert—

Division 5 Controls under agreements

Subdivision 1 Negotiating agreements

27 Amendment of s 40 (Authority must negotiate)

(1) Section 40(1)(a), ‘group’—

omit, insert—

a group of persons

(2) Section 40(1)(b)—

omit.

(3) Section 40(1)(c)—

renumber as section 40(1)(b).

(4) Section 40(2), example, from ‘a cooperative’ to ‘division’—

omit, insert—

the authority and the person entering into a cooperative management agreement under section 41

28 Insertion of new pt 3, div 5, sdiv 2, hdg

After section 40—

insert—

Subdivision 2 Cooperative management agreements

29 Amendment of s 41 (Cooperative management agreements)

(1) Section 41, heading and subsection (1)—

omit, insert—

41 Entering into a cooperative management agreement

(1) This section applies if the authority has negotiated under section 40(2) with a person or a group of persons mentioned in section 40(1)(a).

(1A) The authority and the person, or group of persons, may enter into a cooperative management agreement for this section under which—

(a) the person or group agrees to contribute in some way to achieving the primary goal, including, for example, in either or both of the following ways—

(i) by rehabilitating, or improving the presentation of, particular land in the area;

(ii) by not carrying out an activity on particular land in the area the person or group could otherwise lawfully carry out under this plan; and

(b) the authority agrees—

(i) to give a stated consideration to the person or group; or

(ii) that the person or group may carry out an activity the person or group could not otherwise lawfully carry out under this plan.

(1B) Without limiting subsection (2), if the exercise of the person's or group's rights concerning land in the area could adversely affect the world heritage values and integrity of the land, the agreement may provide for changing the way this plan

applies to the person or group.

- (2) Section 41(2), ‘subsection (1)’—

omit, insert—

subsection (2) or (3)

- (3) Section 41(1A) to (7)—

renumber as section 41(2) to (9).

30 Replacement of ss 42 and 43

Sections 42 and 43—

omit, insert—

42 Matters for consideration for proposed cooperative management agreement

- (1) This section applies to the authority for—
- (a) deciding whether or not to enter into a cooperative management agreement under section 41 (a *proposed agreement*); or
 - (b) deciding the provisions the authority may agree to include in a proposed agreement.
- (2) Without limiting section 41, the authority must have regard to the following matters—
- (a) the potential impact of any activities that may be carried out under the proposed agreement on the world heritage values and integrity of the area;
 - (b) the ecological sustainability of—
 - (i) any activities that may be carried out under the proposed agreement; and
 - (ii) any proposed uses of the land the subject of the proposed agreement (the *proposed agreement land*);

Note—

See also paragraphs 90 and 119 of the operational guidelines.

- (c) the rights or interests of any land-holder or native title holder in the proposed agreement land;
 - (d) the Aboriginal tradition of any Aboriginal people particularly concerned with the proposed agreement land;
 - (e) an activity that has been, or is being, lawfully carried out on the proposed agreement land, other than an activity to which paragraph (c) or (d) is relevant.
- (3) A failure to comply with subsection (2) does not invalidate or otherwise affect a cooperative management agreement, or a provision of a cooperative management agreement, entered into under section 41.
 - (4) The authority may prepare guidelines about considering a matter mentioned in subsection (2) and any other matter it may consider relevant for entering into a cooperative management agreement under section 41.
 - (5) If the authority prepares guidelines under subsection (4), the authority must ensure the guidelines are available for inspection under section 4.

43 Effect of cooperative management agreement on plan

- (1) This section applies if the authority and a person, or a group of persons, enter into a cooperative management agreement under section 41.
- (2) This plan applies to the person or group of persons subject to the cooperative management agreement.

- (3) If the cooperative management agreement is entered into by the land-holder or native title holder for the agreement land, this plan also applies subject to the agreement in relation to the land.
- (4) This section applies subject to sections 43A to 43D.

43A Inconsistency between cooperative management agreements

- (1) This section applies if—
 - (a) a cooperative management agreement has been entered into under section 41 for particular agreement land (the *earlier agreement*); and
 - (b) a cooperative management agreement is later entered into under section 41 (the *later agreement*) for the agreement land, or part of the agreement land, to which the earlier agreement relates; and
 - (c) there is an inconsistency between the earlier agreement and the later agreement.
- (2) The earlier agreement prevails to the extent of the inconsistency.

43B Carrying out particular permitted activity under cooperative management agreement

- (1) This section applies if a cooperative management agreement entered into under section 41 provides for carrying out a permitted activity, other than an activity to which section 37 applies, under a permit on the agreement land.
- (2) Part 4 applies in relation to applying for, and issuing, a permit to carry out the permitted activity, other than to the extent (if any) expressly provided for under the cooperative management

agreement.

- (3) However, this section does not limit or otherwise affect the operation of—
 - (a) section 48, 49, 53, 54 or 64; or
 - (b) part 5.

43C Relationship between cooperative management agreement and zoning map

- (1) This section applies if there is an inconsistency between a cooperative management agreement entered into under section 41 and the zoning of the agreement land as shown on the zoning map because—
 - (a) an activity that may be carried out on the land consistently with the management purposes of the zone is prohibited under the agreement; or
 - (b) an activity that may not be carried out on the land consistently with the management purposes of the zone is allowed under the agreement.
- (2) The cooperative management agreement prevails to the extent of the inconsistency.

43D Registration of cooperative management agreement

- (1) The authority must keep a register of cooperative management agreements entered into under section 41.
- (2) If the authority and a person, or a group of persons, enter into a cooperative management agreement under section 41, the authority must—
 - (a) register the agreement by keeping a copy of the agreement in the register of cooperative management agreements; and

- (b) ensure each cooperative management agreement registered under paragraph (a) is available for inspection under section 4.
- (3) Despite subsection (2)(b) and section 4, the authority must ensure any publicly available part of the register does not include the residential or email address, phone number or signature of a person who has entered into a cooperative management agreement with the authority.

31 Amendment of s 44 (Exemption of certain activities that destroy forest products)

- (1) Section 44(b)—

omit, insert—

- (b) a registered cooperative management agreement.

- (2) Section 44, editor's note, 'Editor's note'—

omit, insert—

Note

32 Insertion of new pt 4, div 1A

Part 4, before division 1—

insert—

Division 1A Preliminary

44A Application of part

This part applies if a permit may be issued to a person to carry out an activity—

- (a) under part 3, division 4; or
- (b) as provided for under a cooperative management agreement to which section 43B relates.

44B Definition for pts 4 and 5

In this part and part 5—

application includes a request (however called) to carry out a permitted activity made under a cooperative management agreement to which section 43B relates.

33 Amendment of s 45 (Application for permit)

Section 45(1)—

omit, insert—

- (1) The person may apply to the authority for a permit to carry out the activity in the area.

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

- (1) Section 47(1), after ‘notice’—

insert—

(the *initial notice*)

- (2) Section 47(2) to (4)—

omit, insert—

- (2) The initial notice must state a reasonable period of at least 90 days for giving the information or documents.

- (3) Section 47(5)(a), ‘area’s integrity’—

omit, insert—

world heritage values and integrity of the area

- (4) Section 47(6), from ‘law’ to ‘documents’—

omit, insert—

law (an *existing EIA*)

- (5) Section 47—

insert—

-
- (7) Subsection (6) applies if—
- (a) the applicant gives the authority an environmental impact assessment, including an existing EIA; and
 - (b) the authority considers the assessment does not adequately address a matter relevant to deciding the application.
- (8) The authority may, by written notice (the *supplementary notice*), ask the applicant to give the authority, within a stated period of at least 30 days, another environmental impact assessment, but only to address the matter stated in the supplementary notice.
- (9) If the authority asks for and obtains an environmental impact assessment under subsection (6), the authority may not ask for another assessment under this section.
- (10) The authority may, by written notice (the *extension notice*) to the applicant, extend the period stated for giving information or documents in the initial notice or supplementary notice.
- (11) The authority must not unreasonably refuse a request from the applicant for an extension mentioned in subsection (8).
- (12) If the applicant does not give the authority information or documents within the period required by the initial or supplementary notice, or if extended, the extension notice, the application lapses.
- (6) Section 47(5) to (12)—
renumber as section 47(3) to (10).

35 Amendment of s 51 (Conditions)

- (1) Section 51(2)(a)—
omit, insert—

[s 36]

- (a) avoid, minimise, mitigate or monitor any adverse impact the proposed activity might have on the world heritage values and integrity of the area; or

(2) Section 51(2)—

insert—

- (c) contribute to achieving the primary goal, including, for example, by carrying out the proposed activity in association with another activity (an ***associated activity***).

Example of a condition for an associated activity—

A proposed development on land will have a minor adverse impact on world heritage values. A permit is issued on the condition that, as part of the development, the applicant must construct a viewing platform to enhance the presentation of the land to visitors.

(3) Section 51—

insert—

- (4) A permit holder must not contravene a condition of the permit.

Maximum penalty—165 penalty units.

36 Amendment of s 52 (Security)

Section 52(2)(a), ‘integrity’—

omit, insert—

world heritage values and integrity

37 Replacement of ss 55 and 56

Sections 55 and 56—

omit, insert—

55 Purpose of division

This division provides for the principles and criteria that apply generally for the authority

deciding an application for a permit to carry out a proposed activity, including, if it is decided to issue a permit, the conditions of the permit.

56 World heritage values and integrity of the area

- (1) The most important consideration for deciding the application is the potential impact of the proposed activity on the world heritage values and integrity of the area.
- (2) The authority must decide the application in a way that minimises the potential impact of the proposed activity, including, in particular, any potential impact relating to existing or proposed community services infrastructure, visitor infrastructure or roads, on the world heritage values and integrity of the area.
- (3) Without limiting subsection (2), the authority must have regard to—
 - (a) the management purposes of—
 - (i) the zone in which the proposed activity is to be carried out; and
 - (ii) any other zone in which there is land that may be affected by the proposed activity; and
 - (b) the extent to which the proposed activity is consistent with the statement of outstanding universal value for the area; and
 - (c) the potential impact of the proposed activity on—
 - (i) threatened wildlife and near threatened wildlife under the *Nature Conservation Act 1992* and its habitat; and
 - (ii) natural ecological processes; and
 - (iii) the scenic amenity of the area, including, in particular, the degree of

[s 37]

visual dominance of the activity or of any change to the landscape caused by the activity; and

- (d) the ecological sustainability of the proposed activity;

Note—

See also paragraphs 90 and 119 of the operational guidelines.

- (e) the potential cumulative impact on the area's world heritage values and integrity of the proposed activity and any other activity that is, or may be, lawfully carried out in the area, including, in particular—

(i) the proximity of the activities; and

(ii) the extent to which the activities may affect the same or similar world heritage values and conditions of integrity.

Example of operation of paragraph (e)—

For deciding an application for a permit for reconfiguring a lot on land, the authority may consider the potential impact of not only the reconfiguration but also other activities (including, for example, further subdivision or development) that a person may seek to carry out on the land or at a nearby location if the permit were to be issued.

- (4) Also, without limiting subsection (2), the authority must consider any action that could be taken to—

(a) avoid, minimise, mitigate or monitor any adverse impact the proposed activity may have on the world heritage values and integrity of the area; or

(b) rehabilitate the area while carrying out the proposed activity or after it has ended; or

(c) contribute to achieving the primary goal.

- (5) In this section—

proximity, of activities, means the proximity in which the activities are carried out in time or place.

38 Amendment of s 57 (Precautionary principle)

Section 57, editor's note, 'Editor's note'—

omit, insert—

Note

39 Amendment of s 58 (Prudent and feasible alternatives)

Section 58(3)—

omit, insert—

- (3) In deciding whether an alternative is prudent, the authority must consider the potential impact of the alternative on the world heritage values and integrity of the area compared to that of the proposed activity.

40 Replacement of s 59 (World heritage values)

Section 59—

omit, insert—

59 Aboriginal tradition

- (1) The authority must have regard to the effects a proposed decision may have on the Aboriginal tradition of Aboriginal people particularly concerned with land in the area.
- (2) This section does not limit section 60 as it relates to Aboriginal people.

41 Amendment of s 60 (Community considerations)

Section 60(a)—

insert—

[s 42]

- (iii) if a permit has already been issued to a person to carry out an activity (the ***existing activity***) on the land—the likely effect on the permit holder carrying out the existing activity;

42 Amendment of s 61 (Carrying capacity)

Section 61(2), definition *carrying capacity*, paragraph (a), ‘land’s integrity’—

omit, insert—

world heritage values and integrity of the land

43 Amendment of s 62 (Guidelines)

(1) Section 62(2)—

insert—

(d) having regard to Aboriginal tradition.

(2) Section 62(3)—

omit, insert—

- (3) If the authority prepares guidelines under subsection (1), the authority must ensure the guidelines are available for inspection under section 4.

44 Replacement of pt 4, div 4, hdg (Permit applications for particular activities)

Part 4, division 4, heading—

omit, insert—

Division 4

**Additional criteria for
deciding permit**

45 Insertion of new s 62A

Before section 63—

insert—

62A Purpose and application of division

- (1) This division provides for criteria that apply for the authority deciding an application for a permit to carry out a proposed activity mentioned in this division, including, if it is decided to issue a permit, the conditions of the permit.
- (2) This division, other than section 63, applies in addition to division 2.

46 Amendment of s 63 (Domestic activities)

- (1) Section 63, heading and subsections (1) and (2)—

omit, insert—

63 Prescribed domestic activities

- (1) This section applies in relation to an application for a permit to carry out a prescribed domestic activity on land (the *permit land*) in the area.
- (2) The authority must issue the permit if satisfied—
 - (a) it is not prudent and feasible to carry out the prescribed domestic activity on land outside the area; and
 - (b) for an application to build a residence—
 - (i) the residence is an authorised residence; and
 - (ii) a residence has not already been built on the permit land; and
 - (iii) only 1 residence will be built on the permit land under the permit; and
 - (iv) no other residence is proposed to be built on the permit land; and

[s 47]

(c) for an application to clear or build a pedestrian or vehicular access to a residence—

(i) the residence is an authorised residence; and

(ii) the clearing or building will be carried out only on the permit land.

(2A) This section is not limited by division 2.

(2) Section 63(3)(a), editor's note, 'Editor's note'—

omit, insert—

Note

(3) Section 63(3)(b), example—

omit, insert—

Examples for paragraph (b)—

1 For an application to build a residence, the authority may issue the permit on conditions about the size, design and siting of the residence so as to cause the least impact on the world heritage values and integrity of the area.

2 For an application to build a vehicular access to a residence, the authority may issue the permit on a condition about where the access must be situated so as to cause the least impact on the world heritage values and integrity of the area.

(4) Section 63(4), definition *authorised residence*—

omit, insert—

prescribed domestic activity means a prescribed domestic activity under section 35.

(5) Section 63(2A) to (4)—

renumber as section 63(3) to (5).

47 Insertion of new s 63A

After section 63—

insert—

63A Building additional residence or ancillary outbuilding

- (1) This section applies in relation to—
 - (a) an application for a permit to build a residence on land in the area, other than an application for which a permit must be issued under section 63; or
 - (b) an application for a permit to build an ancillary outbuilding on land in the area.
- (2) The authority may issue the permit if satisfied—
 - (a) it is not prudent and feasible to build the residence or ancillary outbuilding on land outside the area; and

Example for paragraph (a)—

If part of the land on which the applicant proposes to build the residence or outbuilding is outside the area, the authority would need to be satisfied it is not prudent and feasible for the applicant to build the residence or outbuilding on that part of the land.

- (b) for an application for a permit to build a residence—the residence is an authorised residence; and
- (c) for an application for a permit to build an ancillary outbuilding—the outbuilding is to be ancillary to a residential use carried out, or to be carried out, on premises where an authorised residence is, or is to be, situated.

48 Amendment of s 64 (Defence activities)

Section 64, before ‘The authority’—

insert—

- (1) This section applies if the authority considers a proposed activity may affect, or be affected by,

[s 49]

the Commonwealth carrying out defence activities on land in the area.

49 Replacement of s 65 (Roadworks)

Section 65—

omit, insert—

65 Building community services infrastructure or other road

- (1) This section applies in relation to an application for a permit to build in the area—
 - (a) community services infrastructure; or
 - (b) a road, other than a road that is community services infrastructure.
- (2) The authority may issue the permit if satisfied—
 - (a) building the community services infrastructure or road would not have a net adverse impact on the world heritage values and integrity of the area; or
 - (b) there is no prudent and feasible alternative to building the community services infrastructure or road.
- (3) Also, if the authority considers building the community services infrastructure or road is likely to require canopy clearing, the authority may issue the permit only if satisfied—
 - (a) it is necessary to build the infrastructure or road to—
 - (i) protect public safety; or
 - (ii) allow vehicle access to a residence; or
 - (iii) allow electricity, telecommunications services or water to be supplied to a residence; or

- (iv) carry out another activity the authority considers necessary to manage the area under this plan; or
 - (b) the infrastructure or road will reduce the impact on the area's world heritage values and integrity of other activities that are, or are likely to be, carried out; or
 - (c) there is no prudent or feasible alternative to the canopy clearing for building the infrastructure or road.
- (4) The authority must decide the application in a way that, to the greatest possible extent, ensures the community services infrastructure or road is built only on land that is already cleared or otherwise degraded.

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

Section 66, 'commencement day'—

omit, insert—

2020 amendment day

51 Amendment of s 69 (Review of decision)

Section 69—

insert—

- (3) Subsection (4) applies if the original permit decision relates to a permitted activity provided for under a cooperative management agreement to which section 43B relates.
- (4) For subsection (2), part 4 applies as affected by the cooperative management agreement under section 43B(2).

52 Amendment of s 76 (Definitions)

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

omit, insert—

Water Act 2000

53 Amendment of s 77 (Permit entities)

Section 77(2), ‘chief executive’—

omit, insert—

nature conservation chief executive

54 Amendment of s 83 (Evidence about zoning maps)

(1) Section 83, heading, ‘maps’—

omit, insert—

map

(2) Section 83, ‘a zoning map,’—

omit, insert—

the zoning map, or a part of the zoning map,

55 Insertion of new s 84

After section 83—

insert—

84 Plan amendments exempted from particular preparation and approval procedures—Act, s 52

For section 52(2)(c) of the Act, an amendment of a provision in part 8 or schedule 2, 2A or 2B may be made under section 52(2) of the Act.

56 Insertion of new pt 8

Before schedule 1—

insert—

**Part 8 Transitional provisions
for Wet Tropics
(Review) Amendment
Management Plan 2020**

85 Definitions for part

In this part—

initial period, for carrying out an activity, means—

- (a) the period starting on the 2020 amendment day and ending 4 months after that day; or
- (b) if within the 4 months a person applies for a permit to carry out the activity, the period ending on—
 - (i) for an application that lapses—the day the application lapses; or
 - (ii) otherwise—the day the application is decided.

previous, in relation to a provision of this plan, whether or not identified, means the provision as in force immediately before the 2020 amendment day.

86 Keeping or grazing animals

- (1) This section applies if, immediately before the 2020 amendment day, a person was—
 - (a) keeping a previous undesirable animal on land in the area under previous section 27(g); or

- (b) grazing an animal on land in the area under previous section 27(h).
- (2) The person may continue, under previous section 27(g) or (h), to keep or graze an animal, of the type being kept or grazed, on the land in the initial period.
- (3) Previous section 27(g) and (h) and previous schedule 2, part 2 continue to apply for keeping or grazing an animal under subsection (2) as if the *Wet Tropics (Review) Amendment Management Plan 2020* had not commenced.
- (4) In this section—
keeping, an animal on land, includes allowing the animal to enter and remain on the land.
previous undesirable animal means an animal that was an undesirable animal under previous schedule 2, part 2.

87 Activity for protecting lives or preventing injuries other than for an emergency

- (1) This section applies if—
 - (a) before the 2020 amendment day, a person had started to carry out an activity in the area for protecting the lives of, or preventing injuries to, persons, other than for an emergency; and
 - (b) the person had not finished carrying out the activity immediately before the 2020 amendment day.
- (2) The person may continue to carry out the activity in the initial period.

88 Translocating a crustacean or fish

- (1) This section applies if—

- (a) before the 2020 amendment day, a person held an authority issued under the *Fisheries Act 1994* authorising the person to translocate a crustacean or fish in the area; and
 - (b) the authority was in force immediately before the 2020 amendment day.
- (2) The person may translocate the crustacean or fish in the area under the authority while the authority is in force.
- (3) This section applies despite section 26(1)(c) but does not authorise a person to translocate a fish of a species mentioned in schedule 2A, part 1 in the area.

89 Using motorised aircraft for commercial purposes

- (1) This section applies if, immediately before the 2020 amendment day, a person was carrying on a business involving using a motorised aircraft to take-off from, or land in, the area.
- (2) Despite section 26(1)(m), the person may use a motorised aircraft, for commercial purposes, to take-off from, or land, in the area in the initial period.

90 Reconfiguring a lot

- (1) This section applies if, before the 2020 amendment day—
 - (a) a person made a development application to a local government for the reconfiguration of a lot in the area; and
 - (b) a development approval was given for the reconfiguration.
- (2) Section 26(1)(n) does not apply in relation to the

reconfiguration of the lot under the development approval.

(3) In this section—

development application see the *Planning Act 2016*, schedule 2.

development approval see the *Planning Act 2016*, section 49(1).

91 Registration of existing cooperative management agreements

(1) This section applies in relation to an existing cooperative management agreement.

(2) On the 2020 amendment day, the authority must register the cooperative management agreement under section 43D(2)(a).

(3) For subsection (2), section 43D(2) applies as if the existing cooperative management agreement had been entered into on the 2020 amendment day.

(4) In this section—

existing cooperative management agreement means a cooperative management agreement that—

(a) was entered into under section 41 as in force before the 2020 amendment day; and

(b) was in force immediately before the 2020 amendment day.

92 Undecided permit application

(1) This section applies if—

(a) before the 2020 amendment day, an application for a permit was made; and

- (b) immediately before the 2020 amendment day, the application had not lapsed and had not been decided.
- (2) The following provisions continue to apply for dealing with and deciding the application as if the *Wet Tropics (Review) Amendment Management Plan 2020* had not commenced—
 - (a) previous section 47;
 - (b) previous section 51(2);
 - (c) previous part 4, divisions 2 and 4.

93 Undecided rezoning application

- (1) This section applies if—
 - (a) before the 2020 amendment day, an application was made under previous schedule 1, section 1(2); and
 - (b) immediately before the 2020 amendment day, the application had not been decided.
- (2) Previous schedule 1 continues to apply for dealing with and deciding the application as if the *Wet Tropics (Review) Amendment Management Plan 2020* had not commenced.
- (3) For subsection (2), the references in schedule 1, section 3(3)(c) to part 4, division 1 and part 4, divisions 2 to 4 are taken to be references to previous part 4, division 1 and previous part 4, divisions 2 to 4 respectively.

94 References to previous provisions in documents

- (1) A reference in a permit or other document to a previous provision of this plan may, if the context permits, be taken to be a reference to the corresponding provision for the previous provision.

[s 57]

(2) In this section—

corresponding provision, for a previous provision, means a provision of this plan that is substantially the same as or equivalent to the previous provision.

57 Replacement of sch 1, hdg (Rezoning applications by local government)

Schedule 1, heading—

omit, insert—

Schedule 1 Rezoning for essential community services infrastructure

section 17

58 Amendment of sch 1, s 1 (Local government may apply for rezoning)

(1) Schedule 1, section 1, heading—

omit, insert—

1 Application for rezoning to provide for essential community services infrastructure

(2) Schedule 1, section 1(1) and (2), after ‘local government’—

insert—

or State government entity

(3) Schedule 1, section 1(2)(a), ‘zoning maps’—

omit, insert—

zoning map

59 Insertion of new sch 1, s 1A

Schedule 1—

insert—

1A Request for environmental impact assessment and other information and documents

- (1) The authority may, by written notice (the *initial notice*), ask the applicant to give the authority either or both of the following within the relevant information period—
 - (a) an environmental impact assessment meeting stated terms of reference for the proposed activity;
 - (b) other information or documents relevant to deciding the application.
- (2) The applicant may comply with an initial notice asking for an environmental impact assessment by giving the authority, within the relevant information period, a copy of an environmental impact assessment for the proposed activity prepared to comply with another law (an *existing EIA*).
- (3) Subsection (4) applies if—
 - (a) the applicant gives the authority an environmental impact assessment, including an existing EIA; and
 - (b) the authority considers the assessment does not adequately address a matter relevant to deciding the application.
- (4) The authority may, by written notice (the *supplementary notice*), ask the applicant to give the authority, within the relevant information period, another environmental impact assessment, but to address only the matter stated in the supplementary notice.
- (5) If the authority asks for and obtains an environmental impact assessment under subsection (4), the authority may not ask for another assessment under this section.

[s 60]

- (6) The authority may, by written notice (the *extension notice*), extend the relevant information period stated in the initial notice or supplementary notice.
- (7) The authority must not unreasonably refuse a request from the applicant to extend the relevant information period.
- (8) If the applicant does not give the authority an environmental impact assessment or other information or documents within the relevant information period, the application lapses.
- (9) In this section—
relevant information period means—
 - (a) for an initial notice—the period, of at least 90 days after the notice is given, stated in the notice; or
 - (b) for a supplementary notice—the period, of at least 30 days after the notice is given, stated in the notice.
 - (c) for an extension notice—the extended period stated in the notice.

60 Amendment of sch 1, s 2 (Dealing with the application)

- (1) Schedule 1, section 2, heading, ‘Dealing with’—
omit, insert—
Giving public notice of
- (2) Schedule 1, section 2(1)—
omit.
- (3) Schedule 1, section 2(3)(b), ‘local government’—
omit, insert—
applicant
- (4) Schedule 1, section 2(2) and (3)—

renumber as schedule 1, section 2(1) and (2).

61 Amendment of sch 1, s 3 (Decision on application)

- (1) Schedule 1, section 3(2)(a)(i), ‘amended zoning maps’—
omit, insert—
an amended zoning map
- (2) Schedule 1, section 3(2)(a)(ii), (8), (12)(a) and (14), ‘maps’—
omit, insert—
map
- (3) Schedule 1, section 3(3)(b)—
omit, insert—
 - (b) the authority is satisfied it is necessary for the applicant to carry out the activity to provide for the community services infrastructure; and
- (4) Schedule 1, section 3(3)(c), (5), (6) and (8), ‘local government’—
omit, insert—
applicant
- (5) Schedule 1, section 3(3)(c), ‘the plan’—
omit, insert—
this plan
- (6) Schedule 1, section 3(7), from ‘prepare’ to ‘amended to’—
omit, insert—
prepare a zoning map (an ***amended zoning map***), amended to
- (7) Schedule 1, section 3(9)(a)—
omit, insert—
 - (a) a copy of the amended zoning map; and
- (8) Schedule 1, section 3(12), ‘maps are’—

omit, insert—

map is

- (9) Schedule 1, section 3(13), ‘maps commence’—

omit, insert—

map commences

- (10) Schedule 1, section 3(15), definition *reviewable decision*, paragraph (a), ‘maps’—

omit, insert—

map

62 Amendment of sch 1, s 4 (Review of authority’s decision)

- (1) Schedule 1, section 4(2), ‘local government may ask’—

omit, insert—

applicant may, within the review request period,
ask

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

omit, insert—

applicant

- (3) Schedule 1, section 4(6), after ‘submissions’—

insert—

(the *review decision period*)

- (4) Schedule 1, section 4—

insert—

- (7) However, the review decision period may be extended—

(a) by the Minister under subsection (8); or

(b) by agreement between the authority and the applicant.

- (8) The Minister may, by written notice to the authority and the applicant, extend the review

decision period to a stated day if—

- (a) the authority has asked the Minister to extend the period; and
 - (b) the Minister is satisfied the extension is reasonable having regard to—
 - (i) the nature of the application; and
 - (ii) any other matter relevant to the authority's capacity to decide the application.
- (9) In this section—

review request period means—

- (a) 60 days after the applicant is given notice of the reviewable decision under section 3(6); or
- (b) if a longer period is agreed between the authority and the applicant—the longer period.

63 Amendment of sch 1, s 5 (Appeal from authority's decision on review)

Schedule 1, section 5(2), 'local government'—

omit, insert—

applicant

64 Replacement of sch 2 (Undesirable plants and animals)

Schedule 2—

omit, insert—

Schedule 2 Undesirable plants

schedule 3, definition *undesirable plant*

anil indigo (*Indigofera suffruticosa*)
ant tree (*Triplaris weigeltiana*)
anzac flower (*Montanoa hibiscifolia*)
Arabian coffee (*Coffea arabica*)
ardisia (*Ardisia elliptica*)
balsam pear (*Momordica charantia*)
bamboo (*Bambusa balcooa* or *Bambusa vulgaris*)
blue snakeweed (*Stachytarpheta jamaicensis*)
Brazilian nightshade (*Solanum seafortianum*)
brillantaisia (*Brillantaisia lamium*)
buddleia (*Buddleja madagascariensis*)
butterfly tree (*Bauhinia monandra*)
calopo (pasture legume) (*Calopogonium mucunoides*)
caltrop (*Tribulus terrestris*)
Caribbean pine (*Pinus caribaea*)
castor oil bush (*Ricinus communis*)
cat's claw creeper (*Dolichandra unguis-cati*)
ceara rubber tree (*Manihot glaziovii*)
centro (pasture legume) (*Centrosema pubescens*)
Chinese glory bower (*Clerodendrum chinense*)
clitoria (*Clitoria laurifolia*)
Clyde road grass (*Paspalum virgatum*)
coral berry (*Ardisia crenata* or *Rivina humilis*)

coral tree (*Erythrina x sykesii*)
creeping river grass (*Echinochloa polystachya* cv. *Amity*)
cucumber tree (*Parmentiera aculeata*)
devil's trumpet (*Datura stramonium*)
downy thornapple (*Datura innoxia*)
East Indian mahogany (*Chukrasia tabularis*)
elephant grass (*Pennisetum purpureum*)
elodea (*Elodea canadensis*)
fierce thornapple (*Datura ferox*)
fishpole bamboo (*Phyllostachys bambusoides*)
giant bramble (*Rubus alceifolius*)
giant reed (*Arundo donax*)
glow vine (*Saritaea magnifica*)
glycine (*Neonotonia wightii*)
golden dewdrops (*Duranta repens*)
golden shower (*Cassia fistula*)
grader grass (*Themeda quadrivalvis*)
granadilla (*Passiflora quadrangularis*)
grewia (*Grewia asiatica*)
guinea grass (*Megathyrsus maximus*)
hairy thornapple (*Datura wrightii*)
Hindu thornapple (*Datura metel*)
hiptage (*Hiptage benghalensis*)
Indian plum (*Flacourtia jangomas*)
itch grass (*Rottboellia cochinchinensis*)
ivy gourd (*Coccinia grandis*)
Japanese honeysuckle (*Lonicera japonica*)

Japanese sunflower (*Tithonia diversifolia*)
Java plum (*Syzygium cumini*)
knobweed (*Hyptis capitata*)
leucaena (*Leucaena leucocephala* subsp. *leucocephala*)
Liberian coffee (*Coffea liberica*)
lion's tail (*Leonotis nepetifolia*)
long john tree—see ant tree
milkweed (*Euphorbia heterophylla*)
mistflower (*Ageratina riparia*)
molasses grass (*Melinis minutiflora*)
morning glory (*Ipomoea* spp.)
mother-in-law's tongue (*Sansevieria trifasciata*)
native thornapple (*Datura leichhardtii*)
navua sedge (*Cyperus aromaticus*)
neem tree (*Azadirachta indica*)
pagoda flower (*Clerodendrum paniculatum*)
Panama rubber (*Castilla elastica*)
para grass (*Urochloa mutica*)
perennial horsegram (*Macrotyloma axillare*)
persian shield (*Perilepta dyeriana* syn. *Strobilanthes*)
pink snakeweed (*Stachytarpheta mutabilis*)
praxelis (*Praxelis clematidea*)
puero (pasture legume) (*Pueraria phaseoloides*)
raintree (*Samanea saman*)
red ivy (*Hemigraphis colorata*)

sanchezia (*Sanchezia parvibracteata*)

sky flower—see golden dewdrops

snakeweed (*Stachytarpheta x adulterina* or *Stachytarpheta x trimenii*)

spiny emex (*Emex australis*)

stinking passionflower (*Passiflora foetida*)

sweet prayer plant (*Thaumastochloa danielii*)

syngonium (*Syngonium podophyllum*)

thorny poinciana (*Caesalpinia decapetala*)

turbine vine/oliliqu'i (*Turbina corymbosa*)

Venezuelan pokeweed (*Phytolacca rivinoides*)

wandering jew (*Tradescantia* spp.)

white beech (*Gmelina arborea*)

wild petunia (*Ruellia caerulea*, *Ruellia simplex* or *Stephanophysum longifolium*)

wild tobacco bush (*Solanum mauritianum*)

yellow allamanda (*Allamanda cathartica*)

yellow granadilla (*Passiflora laurifolia*)

yellow guava (*Psidium guajava*)

Schedule 2A Particular undesirable animals

section 33(1)(n) and schedule 3, definition *undesirable animal*

Part 1

Fish

cichlid (all species)
guppy (*Poecilia reticulata*)
mosquito fish (*Gambusia holbrooki*)
tilapia (*Tilapia mariae*)

Part 2 Other animals

cane toad (*Bufo marinus*)
cat (*Felis catus*)
cattle (*Bos taurus*)
chital deer (*Axis axis*)
dog (*Canis familiaris*)
exotic earthworm (*Pontoscolex corethrurus*)
fallow deer (*Dama dama*)
fox (*Vulpes vulpes*)
goat (*Capra hircus*)
honey bee (*Apis mellifera*)
pig (*Sus scrofa*)
rabbit (*Oryctolagus cuniculus*)
red deer (*Cervus elaphus*)
rusa deer (*Cervus timorensis*)
water buffalo (*Bubalis bubalis*)
zebu cattle (*Bos indicus*)

Schedule 2B Regional ecosystem numbers for rainforest areas

schedule 3, definition *rainforest area*

3.11.3, 3.11.4

3.12.5, 3.12.21

7.1.4

7.2.1 to 7.2.6

7.3.3, 7.3.4, 7.3.10, 7.3.12, 7.3.17, 7.3.19,
7.3.23, 7.3.25, 7.3.28

7.3.35 to 7.3.37

7.3.38, 7.3.42, 7.3.43, 7.3.49, 7.3.50

7.5.2

7.8.1 to 7.8.3

7.8.4

7.8.11 to 7.8.15

7.11.1 to 7.11.3

7.11.5, 7.11.7, 7.11.8, 7.11.10, 7.11.12 to
7.11.14

7.11.23 to 7.11.25

7.11.27 to 7.11.31

7.12.1, 7.12.2, 7.12.6, 7.12.7, 7.12.9

7.12.10 to 7.12.13

7.12.16, 7.12.17

7.12.19 to 7.12.24

7.12.26, 7.12.38 to 7.12.40

7.12.42 to 7.12.50

7.12.52, 7.12.66, 7.12.68

9.11.9

9.12.8, 9.12.34

65 Amendment of sch 3 (Dictionary)

- (1) Schedule 3, definitions *area*, *build*, *commencement day*, *community services infrastructure*, *general waste disposal facility*, *government*, *integrity*, *lawful access road*, *mine*, *motor vehicle*, *ordinary title*, *regulated waste disposal facility*, *road*, *undesirable plant*, *world heritage values*, *zone* and *zoning map*—

omit.

- (2) Schedule 3—

insert—

2020 amendment day means the day the *Wet Tropics (Review) Amendment Management Plan 2020* commences.

agreement land, in a provision about a cooperative management agreement entered into under section 41, means the land the subject of the agreement.

ancillary outbuilding means a class 10a building under the *Building Act 1975* that is, or is to be, ancillary to a residential use carried out, or to be carried out, on the premises where the building is, or is to be, situated.

Examples of types of ancillary outbuildings—

garage, shed

application, for parts 4 and 5, see section 44B.

area means the wet tropics area unless a contrary intention appears.

assessable development see the *Planning Act 2016*, section 44(3).

assessment manager see the *Planning Act 2016*, schedule 2.

authorised residence means a residence that is lawfully built or a proposed residence, the building of which has been approved by the relevant local government.

build includes—

- (a) for community services infrastructure, visitor infrastructure, or another structure—install, replace all or part of, and extend, the infrastructure or structure; and
- (b) for a road—upgrade the road.

community services infrastructure means—

- (a) infrastructure for supplying electricity; or

Example—

power cable

- (b) infrastructure for supplying telecommunications services; or

Examples—

communications cable, communications tower

- (c) infrastructure for supplying water; or

Examples—

pipeline, water supply reservoir

- (d) infrastructure, other than a road, for supplying transport services; or

Examples—

air strip, boat ramp, helipad, jetty, rail line

- (e) a road that—

- (i) is open to or used by the public and is developed for, or has as 1 of its uses, the driving or riding of motor vehicles; or

- (ii) is dedicated to public use.

developed visitor infrastructure—

- (a) means infrastructure designed and constructed mainly for—

- (i) presenting the area to visitors or informing visitors about the area; or

Examples—

information shelter, lookout

- (ii) assisting the hygiene, safety or shelter of visitors in the area; or

Examples—

public toilet facility, waste disposal area

- (iii) allowing visitors to enjoy, and stay temporarily in, the area; or

Examples—

- camp ground
- tourist accommodation built and maintained consistently with the management purposes of zone C

- (iv) otherwise—the use of visitors in the area; but

Examples—

barbecue facility, picnic facility

- (b) does not include—

- (i) community services infrastructure; or
(ii) limited visitor infrastructure; or
(iii) a road.

existing use, of land, see section 54(7) of the Act, definition *existing use*.

firebreak means a cleared area, other than a road, that is used only to control fire.

general waste see the *Environmental Protection Regulation 2019*, schedule 19, part 2.

government—

- (a) means the Commonwealth, the State or a local government; and
(b) includes an entity of the Commonwealth, the State or a local government.

integrity, of the area or land in the area, means

integrity within the meaning of the operational guidelines and as described in the statement of outstanding universal value for the area.

lawful access road, for land—

- (a) means a road or track that—
 - (i) is situated on the land or provides access to the land; and
 - (ii) existed immediately before 1 September 1998 or was lawfully built under this plan; but
- (b) does not include—
 - (i) a road shown on the zoning map; or
 - (ii) a walking or cycling track.

limited visitor infrastructure means infrastructure, other than a road, designed and constructed—

- (a) for any of the following purposes—
 - (i) providing access for visitors to the area;
Example—
 - a walking or cycling track
 - (ii) presenting the area to visitors or informing visitors about the area;
Examples—
 - information board, small-scale viewing platform
 - (iii) assisting the hygiene, safety or shelter of visitors in the area; and
Examples—
 - small-scale toilet facility, visitors' shelter
- (b) to ensure the infrastructure and its use by visitors have a low impact on the world

heritage values and integrity of land in the area.

Examples of the operation of paragraph (b)—

- 1 A walking or cycling track includes a boardwalk to minimise the impact of visitors walking or cycling on parts of the track that may otherwise be subject to erosion.
- 2 A walking or cycling track includes a footbridge crossing a gully containing native plants that might otherwise be damaged by visitors walking or cycling on the track.
- 3 A camping platform is established in a camping area to limit the places where visitors may camp and minimise the impact of disturbance to the camping area.

management purposes, of a zone, means the management purposes for the zone under part 2, division 2.

motor vehicle see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

motorised aircraft does not include an aircraft that—

- (a) is—
 - (i) remotely piloted or otherwise controlled; or
 - (ii) able to be programmed to independently fly a particular route; and
- (b) can not carry a person.

nature conservation chief executive means the chief executive of the department in which the *Nature Conservation Act 1992* is administered in relation to protected areas.

operational guidelines means the document called ‘Operational Guidelines for the Implementation of the World Heritage Convention’, developed by the world heritage

committee and published on UNESCO's website.

permit holder means a person who holds a permit.

permitted activity see section 32(1).

property map of assessable vegetation see the *Vegetation Management Act 1999*, section 20AK.

rainforest area means an area shown on a property map of assessable vegetation that is designated by a regional ecosystem number mentioned in schedule 2B.

regional ecosystem number means the regional ecosystem number established for a regional ecosystem under the Regional Ecosystem Description Database.

Note—

The Regional Ecosystem Description Database is kept by the Queensland Herbarium and is available on the Queensland Government website.

registered cooperative management agreement means a cooperative management agreement registered under section 43D(2)(a).

residence means a class 1a building under the *Building Act 1975*.

road—

(a) includes—

- (i) a vehicular track, bridge or causeway;
and
- (ii) a constructed carpark; but

Example of a type of road for this plan—

a lawful access road

(b) does not include a walking or cycling track.

State government entity means a government entity under the *Public Service Act 2008*, section 24, but does not include a government owned corporation.

statement of outstanding universal value, for the area, means the Statement of Outstanding Universal Value for the area adopted by the world heritage committee in St. Petersburg in 2012.

Note—

The statement of outstanding universal value for the area is published on the authority's website.

this plan means this management plan.

translocating, a crustacean or fish, means—

- (a) bringing the crustacean or fish into the area and releasing it into a watercourse in the area; or
- (b) taking the crustacean or fish from a watercourse in the area and releasing it in another watercourse in the area.

undesirable plant means a plant mentioned in schedule 2.

visitor infrastructure means—

- (a) developed visitor infrastructure; or
- (b) limited visitor infrastructure.

walking or cycling track means a track that is built, established or maintained for walking or cycling.

waste facility see the *Environmental Protection Regulation 2019*, schedule 19, part 2.

watercourse—

- (a) means a creek, impoundment, lake, river or stream in which water flows intermittently or permanently; and
- (b) includes the bed and banks of the creek, impoundment, lake, river or stream.

world heritage committee means the World Heritage Committee established under the World Heritage Convention.

world heritage values, of the area or land in the area, means the natural heritage described in the statement of outstanding universal value for the area and contained in the area or land.

zone means a management zone mentioned in section 6 and identified on a zoning map under section 7.

zoning map means—

- (a) the map mentioned in section 7(1); and
- (b) if the map is amended under part 2, division 3—the map as amended.

- (3) Schedule 3, definition *undesirable animal*, paragraph (a), ‘schedule 2’—

omit, insert—

schedule 2A

- (4) Schedule 3, definition *upgrade*, ‘the commencement day’—

omit, insert—

1 September 1998

- (5) Schedule 3, definition *upgrade*—

insert—

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

ENDNOTES

- 1 Approved by the Governor in Council on 27 August 2020.
- 2 Notified on the Queensland legislation website on 28 August 2020.
- 3 The administering agency is the Department of Environment and Science.

© State of Queensland 2020