

5.3. WET TROPICS MANAGEMENT PLAN SUBMISSION TO WTMA

REPORT AUTHORS

Nicola Learmond, Sustainability Officer
Paul Hoye, Manager Environment and Planning

DEPARTMENT

Environment and Planning

RECOMMENDATION

That Council resolves to support and submit the attached Wet Tropics Management Plan Review Submission to the Wet Tropics Management Authority.

EXECUTIVE SUMMARY

The Wet Tropics Management Authority has invited Douglas Shire Council to provide a submission regarding the Wet Tropics Management Plan Review - Phase Two.

BACKGROUND

The Wet Tropics Management Plan 1998 is Queensland law and applies only to areas within the Wet Tropics World Heritage Area. The purpose of the Plan is to help protect World Heritage values, these are natural heritage values as described in the World Heritage listing and relate to ecological, biological, evolutionary and scenic landscape values. It includes land use controls through the regulation of a range of activities which have the potential to impact on World Heritage values or the enjoyment of those values. Council previously provided a submission on the first round of the Wet Tropics Management Plan review back in June 2017.

Current Plan

1. Land Zoning

The current Plan divides the World Heritage Area into four zones which are managed for different purposes:

- Zone A: most pristine, most remote, least disturbed.
- Zone B: largely pristine, less remote, often with some disturbances of World Heritage values.
- Zone C: land associated with community services infrastructure.
- Zone D: land associated with existing or potential visitor facilities.

More stringent land-use restrictions apply in Zone A, followed by Zone B, C and D. For example, new infrastructure is generally prohibited in Zones A and B.

2. Road Classifications

The current Plan has five road classifications, these are:

- Highways
- Local access roads
- Presentation (unrestricted) roads
- Presentation (restricted) roads
- Management roads

A permit is required for use of motor vehicles on presentation (restricted) roads and management roads.

3. Cooperative Management Agreements

Agreements between WTMA and a person or native title holder to allow the entity to carry out an activity otherwise not legal under the Plan. For example, the 'Cooperative Management Agreement for the Pink Zone' is a Traditional Owner agreement with WTMA covering several areas near China Camp.

Proposed Plan

1. Land Zoning

The proposed Plan divides the World Heritage Area into three zones which are managed for different purposes. The definitions of zones has also been updated.

- Zone A: protect and conserve, enable visitor access to parts of the land and provide limited visitor infrastructure.
- Zone B: protect and conserve, enable visitor access to parts of the land, provide limited visitor infrastructure and provide a buffer between Zone A and C.
- Zone C: accommodate community service infrastructure and visitor infrastructure.

Where land is zoned as B, local government authorities can request land be downgraded to Zone C for the purpose of providing community infrastructure.

2. Road Classifications

The proposed plan has three road classifications, these are:

- State-controlled road – public roads managed by State Government.
- Local government road – public roads managed by local government authorities.
- Presentation road – combines the old presentation (unrestricted) and presentation (restricted) roads.

3. Cooperative Management Agreements

The existing Cooperative Management Agreements will continue to operate, however WTMA have said that it will be looking to 'refresh' these agreements in the future.

Additional Information

Additional information can be found on the WTMA Plan Review website:

<https://www.wettropics.gov.au/PlanReview>

COMMENT

The following documents have been reviewed in the preparation of the submission:

1. [Wet Tropics World Heritage Protection and Management Act 1993](#)
2. [Wet Tropics Management Plan 1998](#)
3. [Wet Tropics \(Review\) Amendment Management Plan 2019](#)
4. [Wet Tropics Management Plan Review Phase 2](#) - Consultation brochure

5. [Current Plan zoning maps](#)
6. [Proposed Plan zoning maps](#)
7. [Consultation with Rainforest Aboriginal People document](#)
8. [Cooperative management agreement information guide for Rainforest Aboriginal People](#)
9. [Draft Wet Tropics Strategic Plan 2020-2030](#)
10. [Douglas Shire Planning Scheme 2018](#)
11. Cooperative Management Agreement for the Pink Zone - *DSC records*
12. DSC Wet Tropics Permit No: WTMA14006 – *DSC records*
13. DSC WTMA Submission Phase One June 2017 – *DSC records*

Attachment One details the submission.

PROPOSAL

That Council resolves to support and submit the attached Wet Tropics Management Plan Review Submission to the Wet Tropics Management Authority.

FINANCIAL/RESOURCE IMPLICATIONS

None at this stage.

SUSTAINABILITY IMPLICATIONS

- Economic:** The proposed Plan appears to mostly impose further restrictions on Council, land owners and business owners who have assets or interests located within the World Heritage Area.
- Environmental:** The proposed Plan aims to protect the Wet Tropics World Heritage Area through stronger land use controls and regulation of activities.
- Social:** The proposed Plan appears to restrict the use of some roads and the land-use activities a landholder can engage in.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2014-2019 Initiatives:

Theme 2 - Building a Sustainable Economic Base

2.2.5 - Expand tourism and agricultural business opportunities and benefits through collaborative planning and promotion.

2.4.1 - Collaborate and support Indigenous communities to identify opportunities for social enterprise.

Theme 4 - Engage, Plan, Partner

4.2.3 - Work with regional, state, national and international stakeholders to promote beneficial partnerships to support strong, resilient and sustainable communities.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Advocate Supporting communities and groups by advocating for certain actions from other organisations (usually other levels of government)

CONSULTATION

Internal: Environment & Planning, Infrastructure, Project Office, Property, Water & Wastewater, Management Team.

External: China Camp resident, Noah resident, WTMA Planning Officer.

COMMUNITY ENGAGEMENT

The ability to submit a submission to WTMA is available to all.

ATTACHMENTS

1. WTMA Submission April 2019 **[5.3.1]**

WET TROPICS MANAGEMENT PLAN REVIEW – PHASE 2

*A submission to the Wet
Tropics Management
Association*

16 April 2019

DOUGLAS **SHIRE**
COUNCIL

*Improving Environmental Performance
Ngaral Kulji Bubungu – Eastern Kuku Yalanji
Pulmpa dakit jarral-a-kaling – Yirrganydji*

Ordinary Council Meeting - 16 April 2019

Table of Contents

Glossary.....	1
Introduction.....	2
Phase Two Submission.....	2
1. Water Intake Assets	3
2. Roads	4
3. Tracks and Trails.....	5
4. Future Development Areas.....	5
5. Return to Country Aspirations	6
6. Powerlines Infrastructure	6
7. Consultation Process	7
Appendix One	8
Appendix Two.....	9
Additional Information.....	10

Glossary

DSC	Douglas Shire Council
Plan	Proposed Wet Tropics Management Plan
WHA	World Heritage Area
WTMA	Wet Tropics Management Authority

Introduction

The Douglas Shire is a place of spectacular beauty. It includes pristine rainforests (including littoral rainforests) and a diversity of cultural, economic and environmental values. The natural beauty of the region underpins our economy, with 1.2 million tourists visiting the Shire every year. Douglas Shire Council (DSC) recognises this, as we seek to provide safe, accessible and liveable communities.

DSC has reviewed the proposed changes to the Wet Tropics Management Plan (the Plan) and has prepared the following Phase Two submission to the Wet Tropics Management Authority (WTMA).

Phase Two Submission

DSC made a submission to WTMA under the Phase One consultation period in June 2017. On request DSC subsequently provided WTMA with a geospatial dataset detailing DSC water, wastewater, road and bridge assets located within the World Heritage Area (WHA).

DSC acknowledges the work WTMA has undertaken since the Phase One consultation and has reviewed the updated Plan mapping and associated documents. DSC has a number of comments and action requests under the following seven headings: 1. Water Intake Assets; 2. Roads; 3. Tracks and Trails; 4. Future Development Areas; 5. Return to Country Aspirations; 6. Powerline Infrastructure; 7. Consultation Process.

1. Water Intake Assets

DSC is committed to providing safe, accessible, acceptable and affordable water to residents located within the Douglas Shire reticulated network. Water security is of critical importance to DSC. In the last twelve months alone the Douglas Shire experienced four major weather events (March 2018, December 2018, January 2019 and March 2019) and for the first time in history water restrictions were required to be raised to Level Three. These events have put significant strain on Douglas Shire's critical water infrastructure. In order to improve water security, DSC is reviewing water infrastructure and investigating resiliency options. To provide the flexibility required to utilise new technology for the purpose of improving sustainable water security, DSC requests that the three existing water intake locations do not have areas of Zone A in the revised Plan.

Action	Location	Existing Zone	WTMA Proposed Zone	DSC Request
1.1	Lot & Plan: 94ST237 Rex Creek Intake	B / C	A / C	The Rex Creek Intake is the principle water supply for Douglas Shire. The proposed Zone C area reflects Council's current water infrastructure and is accepted by DSC. The proposed Zone A area is not deemed acceptable by DSC and it requests that all areas of 94ST237 which are not proposed Zone C are classified as Zone B.
1.2	Lot & Plan: 1SP140636 Whyanbeel Intake	B / outside of WHA	A / outside of WHA	The Whyanbeel intake is becoming an increasingly important intake for water supply in the Douglas Shire. The proposed Zone A area is not deemed acceptable by DSC and it requests that all areas of 1SP140636 within the World Heritage Area are classified as Zone B.
1.3	Lot & Plan: 80SP224299 Daintree Intake	B / C	A /C	The proposed Zone C area reflects Council's current water infrastructure and is accepted by DSC. The proposed Zone A area is not deemed acceptable by DSC and it requests that all areas of 80SP224299 which are not proposed Zone C are classified as Zone B.

2. Roads

DSC acknowledges that WTMA has updated a number of roads following the Phase One consultation. This includes updating the road classifications of the Mossman Daintree Road (State-controlled Road), Cape Tribulation Road (Local government road) and the CREB Track (Local government road). DSC requests that the classification of the Zig Zag Road is updated, this was mentioned in the DSC Phase One submission, however it is noted that there is a similar named road located within Wujal Wujal which may have caused some confusion. DSC has enclosed a map of the location of the Zig Zag Road in **Appendix One**.

Action	Road	Existing Zone	WTMA Proposed Zone	DSC Request
2.1	Zig Zag Road ¹	C	A	<p>DSC requests that the Zig Zag Road is classified as a Local Government Road.</p> <p>The Zig Zag Road provides the only access to a number of Douglas Shire residents. The road is an important direct link from the CREB Track to the Cape Tribulation Bloomfield Road, reducing the travel time by approximately one hour compared to travelling through the township of Wujal Wujal. The road also has the potential to be further utilised under the Return to Country Plans included in the Douglas Shire Planning Scheme 2018, explored further in Item 5: Return to Country Aspirations within this submission. DSC currently maintains this road.</p>
2.2	10 Mile Road	B	A/B	<p>DSC requests that the 10 Mile Road is classified as a Local Government Road.</p> <p>The 10 Mile Road provides the only access to Douglas Shire residents. DSC currently maintains this road.</p>

¹ Previously referred to as the Zig Zag Track in DSC's Phase One submission, however the correct name is 'Zig Zag Road'.

3. Tracks and Trails

DSC believes there is a clear need for recreational trails and tracks to be mapped and defined in the Plan and maintenance permitted to continue. There are a number of existing integral tracks within the Douglas Shire which are utilised for recreational activities, such as hiking, trail running and mountain biking for residents and visitors. The concern is that if tracks and trails are not represented in the Plan there will no longer be a comprehensive public overview of all tracks and trails located within the WHA. The proposed Wet Tropics (Review) Amendment Management Plan 2019 states that for zones A and B a key management purpose is ‘to enable visitors to access parts of the land in the zone to appreciate and enjoy the area’. DSC sees the removal of tracks and trails from the Plan to be inconsistent with this management purpose and encourages WTMA to consider a new classification of road named ‘Trails’.

Action	Road	Existing Zone/road	WTMA Proposed Zone	DSC Request
3.1	Bump Track; East Black Mountain Road (Twin Bridges)	Presentation (restricted)	Zone A	DSC requests that a new classification of road is created in the Plan named ‘Trails’. The definition of a Trail should allow for recreational use (hiking, trail running and mountain biking), track maintenance and vehicle access for sporting events.

4. Future Development Areas

DSC acknowledges that WTMA has accommodated for a number of future tourism development areas following the Phase One consultation, including a Presentation Road to Roaring Meg in the China Camp area. DSC also acknowledges and welcomes the proposed change in Zone A’s definition to allow for ‘limited visitor infrastructure’.

During the Phase One consultation period DSC indicated that the proposed Wangetti Trail should be accommodated for in the Plan. On 8 April 2019 the State Government released the Wangetti Trail Alignment (including proposed infrastructure) for public consultation. The proposed Wangetti Trail consists of 94km of trails between Palm Cove and Port Douglas. DSC encourages WTMA to review the trail alignment found here:

<https://ditid.mysocialpinpoint.com.au/wangetti-trail-alignment>

Action	DSC Request
4.1	DSC requests further information on the types of ‘visitor infrastructure’ which would be allowable in Zones A, B and C of the Plan.
4.2	DSC requests that WTMA review and accommodate for the Proposed Wangetti Trail alignment and associated infrastructure, which has been recently released by the State Government.

5. Return to Country Aspirations

DSC recognises that WTMA has considered Traditional Owner aspirations in the Plan, provided a number of 'Rainforest Aboriginal People' factsheets and liaised directly with a number of groups who hold existing Cooperative Management Agreements. Despite this, DSC believes the proposed Plan should be more consistent with the initiatives contained in the Douglas Shire Planning Scheme 2018 and its proposed Return to Country Local Plan (**Appendix Two**) to ensure they are not diminished through the proposed zone changes.

It is acknowledged that a number of the precincts in the Douglas Shire and Wujal Wujal areas currently hold Cooperative Management Agreements. DSC is concerned that WTMA intends to 'refresh' those Cooperative Management Agreements (detailed on the Plan website Action 2.2). This has created a great deal of uncertainty for Traditional Owners as they review the proposed zoning changes, where large proportions of land have been reclassified from Zone B to Zone A.

Action	DSC Request
5.1	DSC requests WTMA to review the Return to Country Local Plan (Appendix Two) and extend Zone B to the following precincts: <ul style="list-style-type: none"> • Precinct 1 = Bulban • Precinct 2 – Dawnvale • Precinct 3 – Buru • Precinct 4 – Zig Zag Yards Camp • Precinct 5 – Degarra • Precinct 6 – Kalkandamal • Precinct 7 – Kaba Kada • Precinct 8 - Daintree

6. Powerlines Infrastructure

Powerline infrastructure is not the responsibility of DSC, however DSC recognises that there are a number of existing powerlines which have not been appropriately represented in the proposed Plan. Areas which may need to be reconsidered may include locations in close proximity to Pretty Beach, north of Oak Beach and south of Wonga Beach. DSC requests that WTMA liaise directly with electricity provider, Ergon Energy to ensure powerlines are properly accommodated for in the Plan.

Action	DSC Request
6.1	DSC requests that WTMA liaise with Ergon Energy to ensure powerlines are properly accommodated for in the Plan.

7. Consultation Process

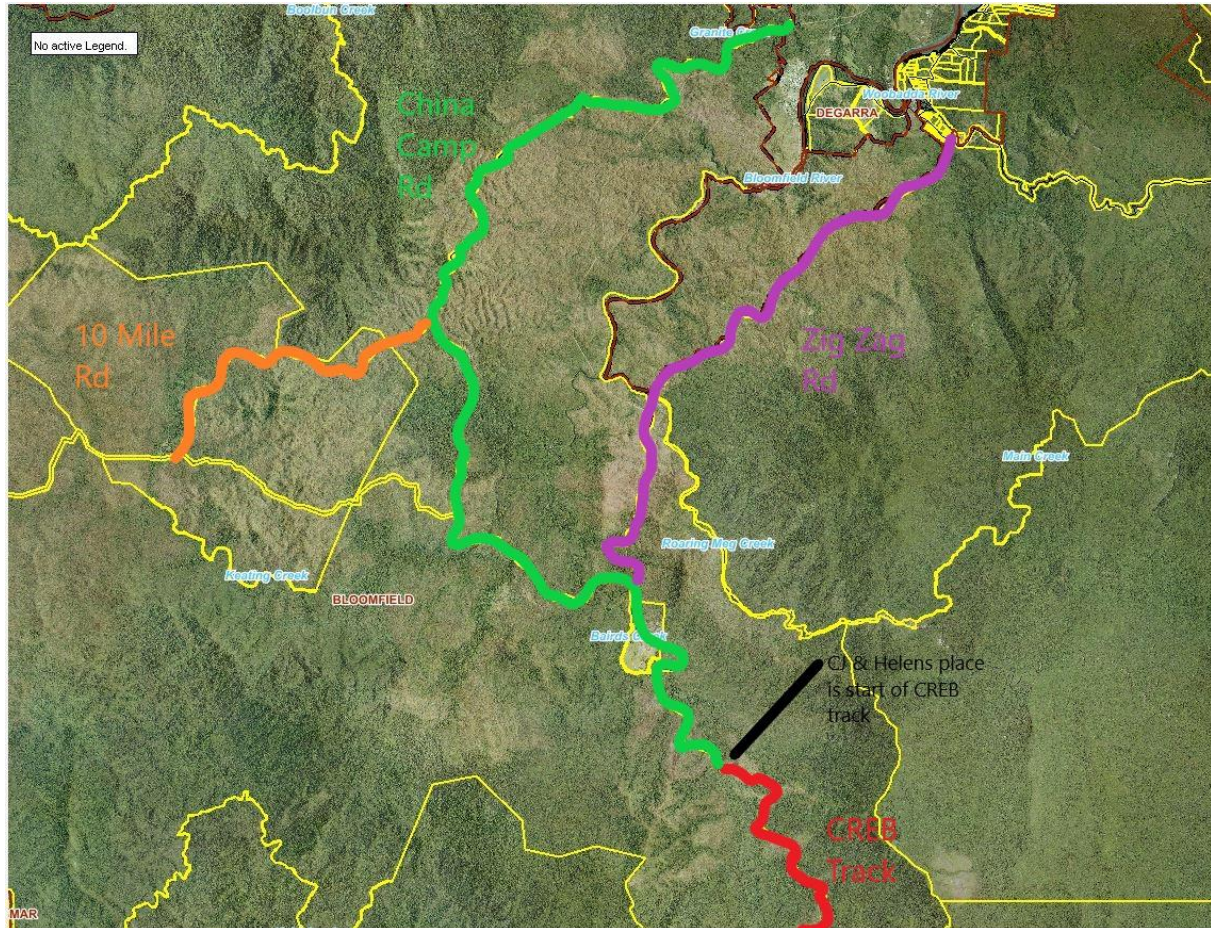
In the drafting of this submission, DSC reviewed over 10 documents (including legislation, existing Cooperative Management Agreements and factsheets) and three versions of Plan mapping (existing, Phase One proposed and Phase Two proposed). In addition, DSC had phone conversations with a number of Douglas Shire residents impacted by the proposed Plan changes. In general DSC believes that the Phase One and Two consultation processes could have been facilitated better by WTMA.

DSC is concerned that it appears that not all residents impacted by the proposed Plan have been formally notified by WTMA. DSC requests that WTMA ensures that all Douglas Shire residents located within the WHA are formally notified prior to any Plan changes being adopted.

Action	DSC Request
7.1	DSC requests that WTMA ensure all Douglas Shire residents/tenants/leasees located within the WHA are formally notified prior to any changes being adopted.

Appendix One

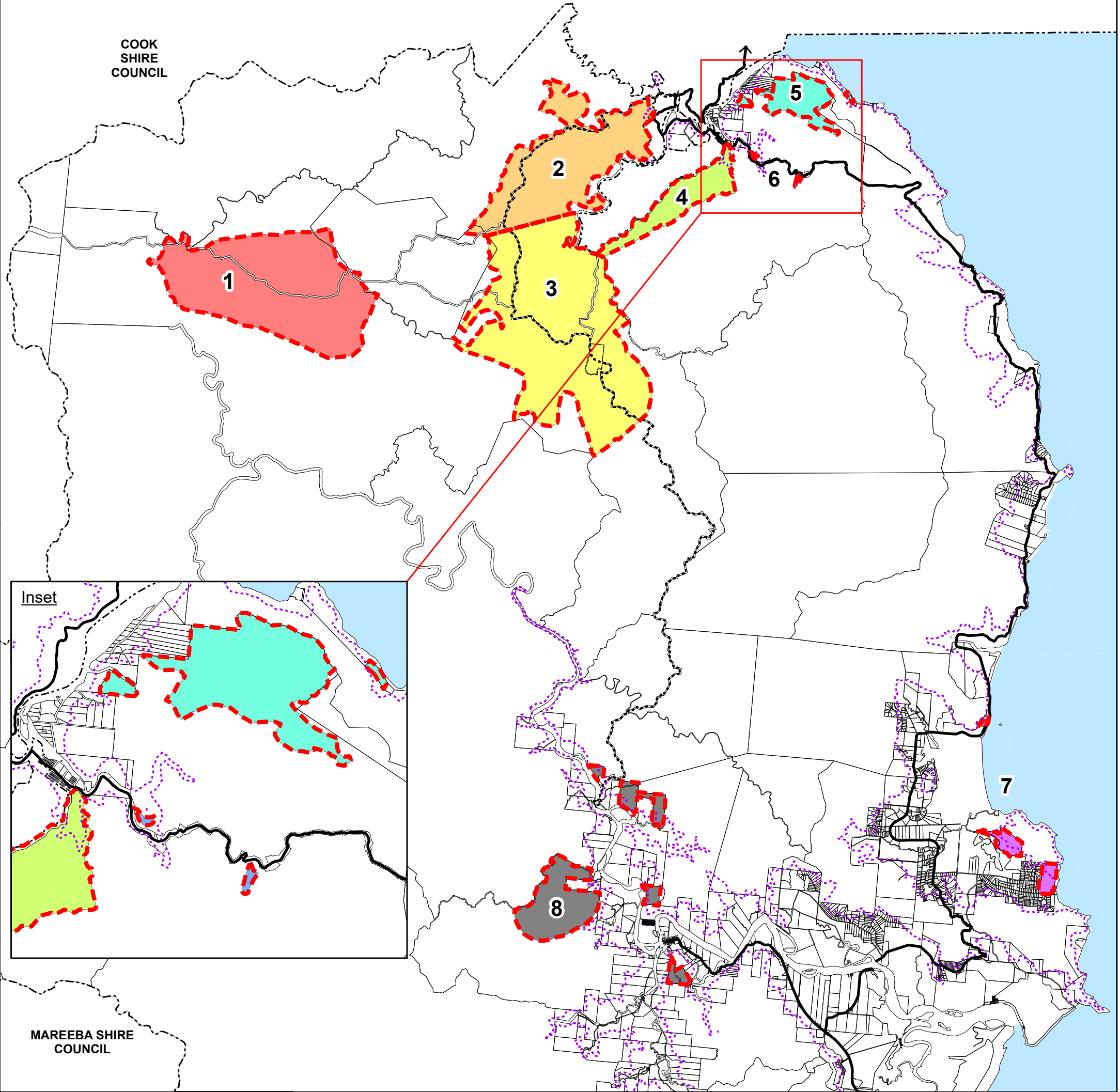
Location Map: Zig Zag Road



Appendix Two

Douglas Shire Council Planning Scheme 2018 - Return to Country: Local Plan Map Sheet

Local Plan Map Sheet - LPM-007



Return to Country
Local Plan Precincts

Other Map Layers:

- Local Government

Boundaries
- Property

Boundaries
- (11/02/2017)
- Ocean

Local Plan Precincts:

- Local Plan Boundary
- Major Road Connections
- Creb Track
- 60 metre contour
- Precinct 1 - Bulban
- Precinct 2 - Dawnvale
- Precinct 3 - Buru
- Precinct 4 - Zig Zag Yards Camp
- Precinct 5 - Degarra
- Precinct 6 - Kalkandamal
- Precinct 7 - Kaba Kada
- Precinct 8 - Daintree

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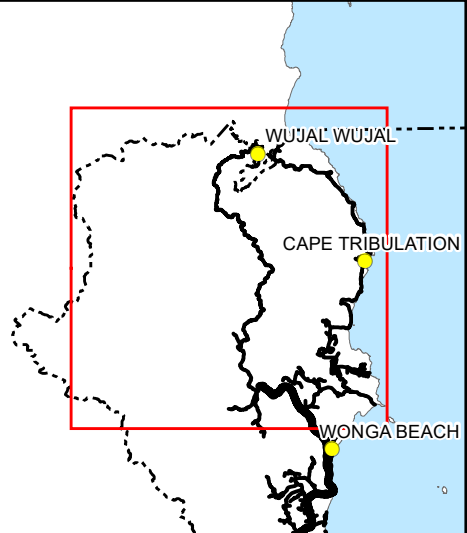
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hello@mangoesmapping.com.au

Projection: MGA94 Zone 55
Approx. Scale @ A3
1:160,000

0 2 4 6 Kms

Overview:



Additional Information

For further information on this submission please contact:

Nicola Learmond

Sustainability Officer

Douglas Shire Council

Nicola.Learmond@douglas.qld.gov.au

07 4099 9444