



Wild rivers

Draft Indigenous summary guide

The aim of the wild rivers program is to preserve the natural values and health of the river system. This is best achieved by applying wild river requirements to certain types of new development that may impact on the natural values in wild river areas.

Wild river requirements apply to new development activity in a wild river area irrespective of the land tenure or the person doing the development.

This guide provides a summary of a range of wild river issues likely to be of interest to Indigenous people. For the full requirements you should read the specific wild river declaration, the *Wild Rivers Act 2005* and the Wild Rivers Code.

Contact a Wild Rivers Officer (phone 4039 8281 or email wild.rivers@nrw.qld.gov.au) if you:

- want more information about possible wild river requirements or how to interpret this summary guide for your country or community
- have aspirations for your land that may be impacted by wild river requirements.

What is a wild river?

A wild river is a river system that has all, or almost all, of its natural values intact. That is, the river system has been subjected to very little disturbance or development instream or within its catchment. The natural values of importance to a wild river are:

- the river is flowing freely and is well connected to associated floodplains and shallow aquifers (hydrology)
- the bed and banks are stable with a natural movement of sediments along the river to estuaries and floodplains (geomorphology)
- the water quality is sufficient to meet human and ecological needs
- there are trees, shrubs and sedges to protect stream banks and to provide food and habitat for native animals (riparian vegetation)

- there are connected areas of natural habitat within and along the river system for native animals to move within their natural ranges (wildlife corridors).

Wild rivers are important because they:

- sustain healthy ecosystems for our native plants and animals
- support 'clean and green' economic activities, including eco-tourism
- support important social values, such as recreation and a clean environment
- help preserve the integrity of river-based cultural sites
- ensure local communities have access to good quality water.

Wild river areas

A wild river area usually covers the entire catchment or drainage basin. It has a clearly defined boundary and includes a number of special areas for management purposes. These are:

- *High preservation area*: the area within and up to one kilometre each side of the river, its major tributaries and special off-stream features, such as a wetland.
- *Preservation area*: the area outside of the high preservation area.
- *Floodplain management area*: the key parts of a floodplain that are strongly connected to the river's natural hydrology. Such an area may overlap a high preservation area and a preservation area.
- *Subartesian management area*: the area of a subartesian aquifer that is strongly connected to the river's natural hydrology. Such an area may overlap a high preservation area and a preservation area.
- *Designated urban area*: an area that covers any town or village in the wild river area. Such an area may overlap a high preservation area and a preservation area.



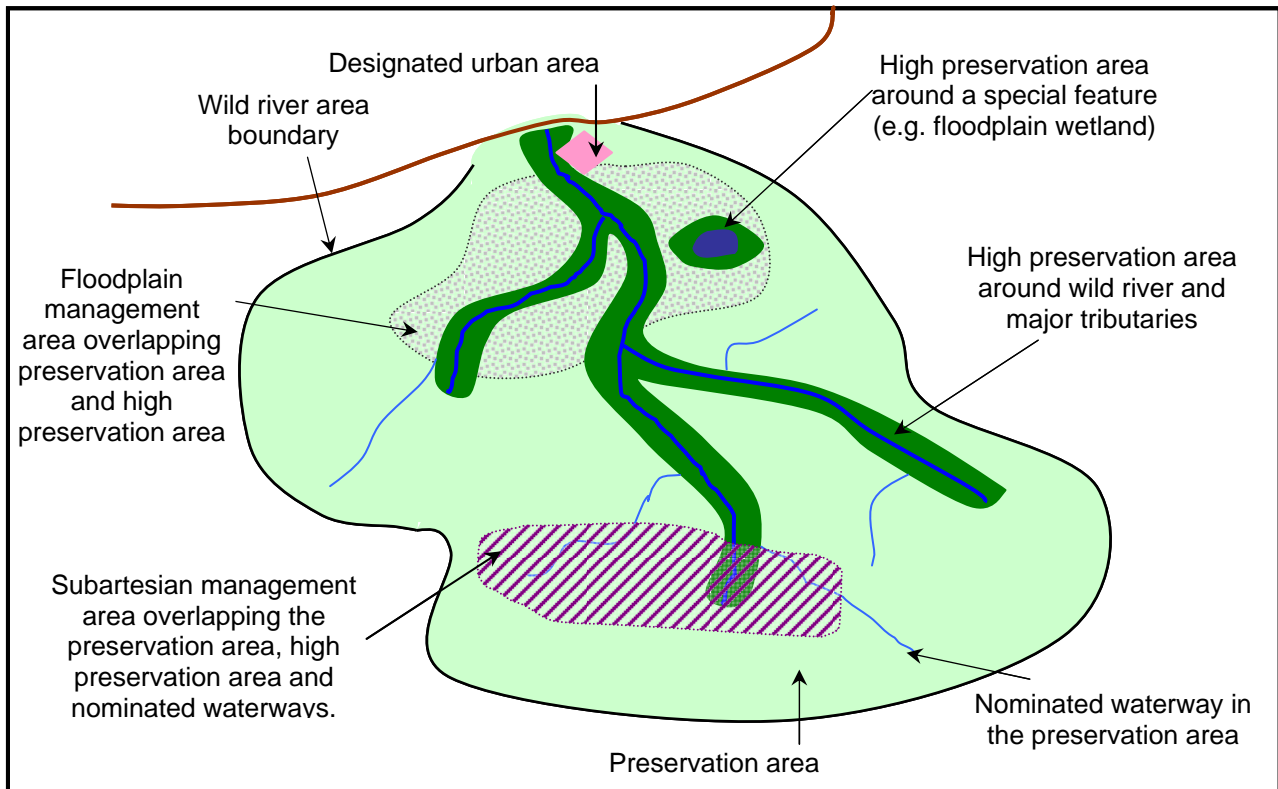


Figure 1- Wild river management areas

Figure 1 demonstrates how these management areas are shown in a wild river area.

A wild river area can also contain *nominated waterways*. These are secondary tributaries or streams within a preservation area that have been identified for wild river purposes. They can be tidal and non-tidal.

New development controls and wild river requirements will vary in different management areas.

A wild river declaration is a legal process that is undertaken under the Wild Rivers Act. It describes the wild river area, the special management areas and any nominated waterways. It also lists any constraints on the taking of natural resources and any wild river requirements for new development that is not prohibited in the wild river area.

The preparation of a wild river nomination and declaration is a consultative process. Traditional owners and other Indigenous interest groups are key stakeholders who are consulted to help identify the management areas.

Impact on economic opportunities

While economic development opportunities are not stopped by a wild river declaration, the declaration ensures they occur in such a way that the wild river's natural values are preserved.

Preserving the natural values will support development that benefits from a 'clean and green' image (e.g. organic meat export, commercial fishing and ecotourism).

How a wild river declaration would affect different development proposals is described in the A-Z summary in this guide.

Common wild river requirements

The Wild Rivers Code has a number of outcomes that must be met by a development before it can be approved. These outcomes are linked to preserving the wild river's natural values.

A wild river declaration will not affect a native title claim process.

A-Z summary of wild river requirements

Aquaculture

In a preservation area, new aquaculture development is subject to the Wild Rivers Code. In a high preservation area, new aquaculture development is not permitted. Aquaculture does not include recreational or traditional fishing, or mudcrabbing.

Cultural heritage

A wild river declaration does not affect the cultural heritage in a wild river area, or the functioning and operation of the *Aboriginal Cultural Heritage Act 2003*.

Dams and weirs (in-stream)

All new in-stream dams or weirs in a preservation area are subject to the Wild River Code. New in-stream dams and weirs are not permitted in a high preservation area.

Dams (off-stream)

There are no wild river requirements for the construction of a new off-stream dam outside a floodplain management area or a high preservation area. An off-stream dam (such as a gully dam) is one that catches overland flow. It is not a ring tank or 'turkey nest', which only stores water.

Depending on the size, location and purpose, off-stream dams in a high preservation area or floodplain management area may require a permit.

No permit is generally required for small scale off-stream dams for stock or domestic purposes.

Didgeridoos

There are no wild river requirements for the collection of didgeridoo or boomerang pieces on freehold or State leasehold land in a wild river area.

Fencing

A wild river declaration does not affect the building or maintenance of a fence. However, you may need a permit for any native vegetation clearing in a high preservation area for a new fence, including clearing to source fencing materials.

Firebreaks

A wild river declaration does not affect the clearing of native vegetation for firebreaks in a preservation area. In a high preservation area, the clearing of a new firebreak essential to the management of the property does not need a permit, provided:

- the firebreak is to protect infrastructure, such as buildings (but not fences or roads) – is not wider than 20m or 1.5 times the tallest tree (next to the infrastructure)
- the fire management line is no wider than 10m
- the use of fire to reduce hazardous fuel loads is in accordance with the *Fire and Rescue Services Act 1990*.

Fishing

The only requirement for recreational fishing in a wild river area is that any live bait being used must have been caught in that river system. For example, using live prawns that are not native to the wild river area is prohibited. There are no wild river requirements for the use of dead bait.

Fish traps

There are no wild river requirements for traditional fish traps in a wild river area.

Forest products

There are no wild river requirements for collecting the following forest products in a wild river area:

- honey
- native animal life (includes nests, shelters)
- timber products generally taken from fallen trees (fuel wood, sawn wood and sleepers)
- fossil remains and relics
- specialty pieces (didgeridoo and boomerang blanks, craft wood and boat knees).

On State lands, the establishment of new plantations and the harvesting of log timber or sandalwood in native forests, are subject to wild river requirements. This does not apply to forest products on freehold land.

Grazing

There are no wild river requirements or constraints for the grazing of livestock on pastures or near rivers. There is no requirement to fence off streams. New developments for grazing enterprises such as stock dams, fences, tracks, crossings and stockyards, are covered in more detail in the *Wild rivers guide for graziers*.

Houses, outstations and other buildings

New buildings (including houses, cottages, and sheds) erected in a wild river area will be subject to the Wild Rivers Code if a development permit is required by the local council.

Indigenous ranger program

Further announcements about this program will be made in the near future.

Land tenure

A wild river declaration does not affect the existing land tenure or the process for renewing a lease.

National parks

A wild river declaration may affect the management plan for a national park within the wild river area. The park's management plan must be consistent with the wild river declaration or provide a greater level of protection for the area.

A wild river declaration has no impact on traditional owners' participation in the development of such management plans.

Recreational activities

There are no wild river requirements for boating and camping in a wild river area. This includes the small-scale storage of fuel and refuelling of boats within or near rivers and lakes.

River and creek crossings

In a high preservation area and in nominated waterways, new vehicle and stock river and creek crossings (that require authorisation) are subject to the Wild Rivers Code.

Specified works

Specified works are generally structures such as roads, railways, pipelines, cableways as well as boat ramps and jetties.

Specified works are subject to assessment under the Wild Rivers Code if they involve other activities listed in this guide.



Tourist developments

New tourism facilities (e.g. a resort or caravan park) built outside a designated urban area would be subject to the Wild River Code only if a development permit is required under the local council's planning scheme or if it involves vegetation clearing in a high preservation area. In a designated urban area, these requirements do not apply, but a vegetation clearing permit may still be required.

Traditional activities

There are no wild river restrictions on traditional Indigenous activities, such as camping, fishing, hunting and conducting ceremonies (or traditional fire management).

Vegetation clearing

Wild river requirements apply to native vegetation clearing in a high preservation area and within watercourses throughout the wild river area. You can only apply for a clearing permit for certain purposes.

Water supply

A wild river declaration does not affect water entitlements and permits that were in existence in the wild river area at the time of the declaration.

A declaration will set the total amount and the purposes for which water can be allocated in that part of a wild river area not covered by a water resource plan. Water for stock or domestic purposes can still be taken.

There are no wild river requirements on the pumping or diverting of water from a stream or aquifer in the wild river area. However, the Water Act provisions do still apply.

Weed and pest management

There are no wild river requirements for the removal or destruction of declared non-native weeds and pests or for controlling feral animals in a wild river area. The normal Land Protection (Pest and Stock Route Management) Act provisions still apply.