



# Statement of Proposal for Land Use Plan

PORT OF CAPE FLATTERY

MAY 2015

## FORWARD

The Port of Cape Flattery Statement of Proposal has been prepared to provide clear guidance on core matters that Ports North will consider in the preparation of a new Land Use Plan for the Port of Cape Flattery. This Statement of Proposal has been prepared in accordance with the requirements of the *Transport Infrastructure Act 1994*.

## PORTS NORTH

Far North Queensland Ports Corporation Limited, trading as Ports North, is a Queensland Government Owned Corporation responsible for the development and management of the declared Ports of Cairns, Cape Flattery, Karumba, Mourilyan, Skardon River, Quintell Beach, Thursday Island, Burketown and Cooktown.

Ports North's operations and facilities are vital to the economic development of the regional centres they service and the State's tourism and export performance.

Our ports handle bulk shipments of sugar, molasses, silica sand, zinc, fuel, fertiliser, log product, livestock and general cargo.

Ports North also has extensive marina and tourism facilities, particularly in Cairns.

Ports North has a range of strategic land holdings, including approximately 207 hectares of freehold and 807 hectares of leasehold strategic port land and properties across its ports.

The shareholding Ministers are the Honourable Curtis Pitt, Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships; and the Honourable Mark Bailey, Minister for Main Roads, Road Safety and Ports, and Minister for Energy and Water Supply.

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# INTRODUCTION

## PURPOSE OF THE STATEMENT OF PROPOSAL

Ports North has commenced the preparation of a new Land Use Plan for the Port of Cape Flattery. This Statement of Proposal is the initial step in this process.

The Statement of Proposal is primarily a consultation tool that provides the opportunity for the community and port stakeholders to gain an understanding of the future development and management of the Port.

The consultation period for the Statement of Proposal allows the public to contribute towards planning for the Port's future. The Statement of Proposal also outlines how the Land Use Plan may be structured so as to comply with requirements of the *Transport Infrastructure Act 1994*.

## WHAT IS A LAND USE PLAN?

A Land Use Plan is the primary planning instrument for strategic port land under the *Transport Infrastructure Act 1994*. Strategic port land is not subject to the planning scheme for Hope Vale Aboriginal Shire. As such, the Land Use Plan is utilised by Ports North to assess and manage new development by establishing a planning framework that identifies desired outcomes sought to be achieved on strategic port land, the identification of land use precincts and preferred land uses and supporting development regulations. By implementing the Land Use Plan, Ports North seeks to facilitate development that is ecologically sustainable and addresses the existing and emerging needs of Cape York and key port stakeholders.

## ABOUT THE PORT OF CAPE FLATTERY

The Port of Cape Flattery is located approximately 200 kilometres north of Cairns on a headland on the Cape York Peninsular. The port limits extend from between Lookout Point in the north to the southern end of the Port.

The Port exports silica sand from the Cape Flattery Mine and is operated by the Cape Flattery Silica Mines Pty Ltd, the world's largest producer and exporter of silica sand.

The Port comprises of handling and stockpiling facilities, and a 500m single trestle jetty and conveyor running from the mine to an offshore berth and ship loader. The Port also includes a general purpose wharf for the import of fuel and other supplies for the mine and for the mooring of two line boats which assist in ship berthing.

### REGIONAL CONTEXT

The Port of Cape Flattery is located on a vast and sparsely populated Cape York Peninsular. Cairns is the nearest city, with Hopevale and Cooktown the closest towns. The regional economy is dominated by the mining industry and with the landscape dominated by cattle grazing. Government is the main industry employer in the region, with growth in nature-based tourism.



Figure 1: Location Context

## CORE MATTERS

The Port of Cape Flattery Land Use Plan will be prepared in accordance with the statutory provision of the *Transport Infrastructure Act 1994*. It will set out Ports North's planning and development intents for its strategic port land at the Port of Cape Flattery, giving careful consideration to core matters, being land use and development, port facilities and valuable features.

### LAND USE & DEVELOPMENT

Land use and development includes identifying the location of, and relationship between, the land uses in the area; the current effects of land use in the area; the likely effects of any proposed development on the land and the accessibility to the area.

The Port of Cape Flattery is a Other Mining Exports Port under the Queensland Ports Strategy and includes handling and storage facilities for silica sand as well as general cargo. Within this context, it is important that the Port appropriately accommodates and plans for future growth in natural resource exports.

The Land Use Plan will include a series of sound planning principles, in the form of desired environmental outcomes that will underpin decision making for future development. The Land Use Plan is also anticipated to utilise a precinct-based approach to port planning to ensure development is appropriately sited, in the best position to capitalise on port infrastructure and assets; considerate of adjoining land uses and sensitive areas surrounding and within port limits.

Furthermore, in December 2013, the State Government introduced the State Planning Policy which identifies matters of state interest in land use planning and development. As required, the Land Use Plan will incorporate and reflect matters of State Interest as identified in the State Planning Policy.

### PORT FACILITIES

Port facilities are facilities that are owned and controlled by Ports North and can include, but is not limited to, wharves, shipping channels, berths, ship building facilities and dry docks, bulk loading and unloading facilities harbours and boat ramps and terminals. Ports North is committed to ensuring the efficient use of, and access to, existing facilities as well as considering growth potential for new facilities.

Effective land use planning is critical to ensure that future capital investment in response to trade demand and capacity triggers does not compromise or adversely impact on existing uses, adjoining land areas or possible future growth and expansion of the Port. The Land Use Plan will address the extent and location of proposed infrastructure, having regard to existing infrastructure networks, their capacities and growth potential.

### VALUABLE FEATURES

Valuable features include the following terrestrial and aquatic matters:

- resources of areas that are of ecological significance;
- areas contributing significantly to amenity;
- areas or places of cultural heritage significance; and
- resources and areas of economic value.

The Port of Cape Flattery and surrounding port limits comprise of a diverse range of ecosystems. Habitats of significance include the Great Barrier Reef World Heritage Area, Crystal Creek, Blackwater Creek, foredunes, sandy beaches, rocky shores, mangrove and tidal wetlands, seagrass meadows and coral reefs. These habitats support a range of flora and fauna, including a number of threatened and/or migratory species. The Port is also located within the traditional lands of the Dingaal, Nguurruumungu and Thanil people.

The Land Use Plan will address how the Port will appropriately manage impacts on valuable features, with identified valuable features appropriately maintained and protected. Where relevant or where proposed development has the potential to impact on valuable features, mitigation measures will be included in the development requirements of the Land Use Plan.

Furthermore, in December 2013, the State Government introduced the State Planning Policy which identifies matters of state interest in land use planning and development. As required, the Land Use Plan will incorporate and reflect matters of State Interest as identified in the State Planning Policy.

## Coastal Environment

Inter-tidal habitats closest to the Port consist of sandy beaches, boulder beaches and low rocky platforms, and includes hermit crabs, snails on the sandy shores, barnacles snails, rock oyster, limpets and chitons on boulder beaches, and mussels, barnacles, oysters and cnidarians on rocky platforms. Sandy beaches to the north of the Port also provide important turtle nesting areas.

Seagrass meadows are located in the inter-tidal areas north of Cape Flattery and Point Lookout. Dugong have been recorded off Cape Flattery, particularly in the northern regions of port limits as well as various turtle species.

Coral reefs in the port area include both inshore reefs and coastal fringing reefs, with fringe reefs supporting typical reef species assemblages. Narrow coastal fringing reefs front part of the north facing portion of Cape Flattery and much of the east facing part of Flattery Beach, which extends to Point Lookout.

Deep offshore areas from Cape Flattery are generally worked by prawn trawlers.

## COASTAL VEGETATION

Mangrove wetlands are a feature of the port area and are the dominant type of vegetation along sheltered foreshore areas with sand/mud substrate between Cape Flattery and the mouth of Blackwater Creek.

## Marine Parks and Areas of Significance

The Great Barrier Reef World Heritage Area covers the waters to the low water mark along the coastline. The Port of Cape Flattery itself is not included within the World Heritage Area; however its port limits are within the area. The Great Barrier Reef Marine Park is also located along the coastline. The Port and immediate surrounding waters around the headland are outside the limits of the marine park; however the remaining port limits within Flattery Harbour are identified within the General Use Zone and the area adjoining the coastline within the Habitat Protection Zone under the Great Barrier Reef Marine Park Zoning Plan 2003. Decapolis Reef, which is located in the north-eastern limits of the Port is within the Marine National Park Zone.

The federal government has indentified a number of endangered species within the area which include the southern cassowary, gouldian finch, golden-shouldered parrot, buff-breasted button quail, painted snipe, semon's leaf-nosed bat, bare-rumped sheath-tail bat, greater large-eared horseshoe bat, lace-eyed frog, waterfall frog, armoured mistfrog, mountain mistfrog, common mistfrog, northern quoll, spotted-tailed quoll, northern bettong, loggerhead turtle, leatherback turtle, pacific ridley turtle and blue whale.

There are no RAMSAR sites within port limits.

## Natural Hazard Risk and Resilience

The Port of Cape Flattery is within an area identified as subject to bushfire risk and erosion hazard.

## Indigenous Cultural Heritage

The Port of Cape Flattery is located within the traditional country of the Dingaal and Nguurruumungu people, whose sea and country encompasses Hopevale, Cooktown and Lizard Island. Two native title claims, both on behalf of the Dingaal people, which affect both the Port's strategic port land and port limits have been registered but have yet to be determined. No areas of cultural significance have been identified within the Port. Ports North is committed to ensuring that the cultural values of significant heritage sites are protected and enhanced and the Dingaal, Nguurruumungu and Thanil people are engaged regarding future development of strategic port land.

## FORM OF THE NEW LAND USE PLAN

In accordance with the requirements of the *Transport Infrastructure Act 1994*, Ports North is required to prepare a new Land Use Plan for its strategic port land holdings.

In accordance with the Act, the Land Use Plan must identify:

- Port's North strategic port land;
- land Port's North proposes to become strategic port land;
- the current and proposed use of strategic port land;
- core matters relevant to the Land Use Plan;
- desired environmental outcomes; and
- measures that will help achieve the desired environmental outcomes.

The various elements of the Land Use Plan will be used in the ongoing management and assessment of future development on strategic port land. These are outlined below.

### DESIRED ENVIRONMENTAL OUTCOMES

A series of desired environmental outcomes will be established for the Port of Cape Flattery which will likely address:

- economic development;
- essential facilities and infrastructure;
- natural environment;
- community; and
- character and urban design.

### SCHEDULE OF STRATEGIC PORT LAND

The schedule of strategic port land identifies all land holding that a strategic port land or future strategic port land.

Ref	Description		Area	Tenure	Present Use
1	Lot 9	BS223	105,600 m <sup>2</sup>	Freehold	Port Handling Activities
2	Lot 10	BS224	177,000 m <sup>2</sup>	Freehold	Port Handling Activities
3	Lot 11	BS268	24,900 m <sup>2</sup>	Leasehold	Port Handling Activities

### ACTIVITIES AND LAND USES

This section will identify the current and future activities and land uses on strategic port land. The Land Use Plan will divide the Port's strategic port land into a series of precincts which will accommodate a range of developments and operations. The precincts will effectively organise land use and ensure incompatible development and operations are separated and, if necessary buffered. The range of developments and operations that can be accommodated within each precinct will be identified in a table of assessment. The table of assessment will also identify if development is exempt, self assessable, assessable or prohibited.

### DEVELOPMENT REQUIREMENTS

This section will include a series of standards which will be the mechanism for implementing the desired environmental outcomes and ensuring core matters are appropriately addressed during the development assessment decision-making process.

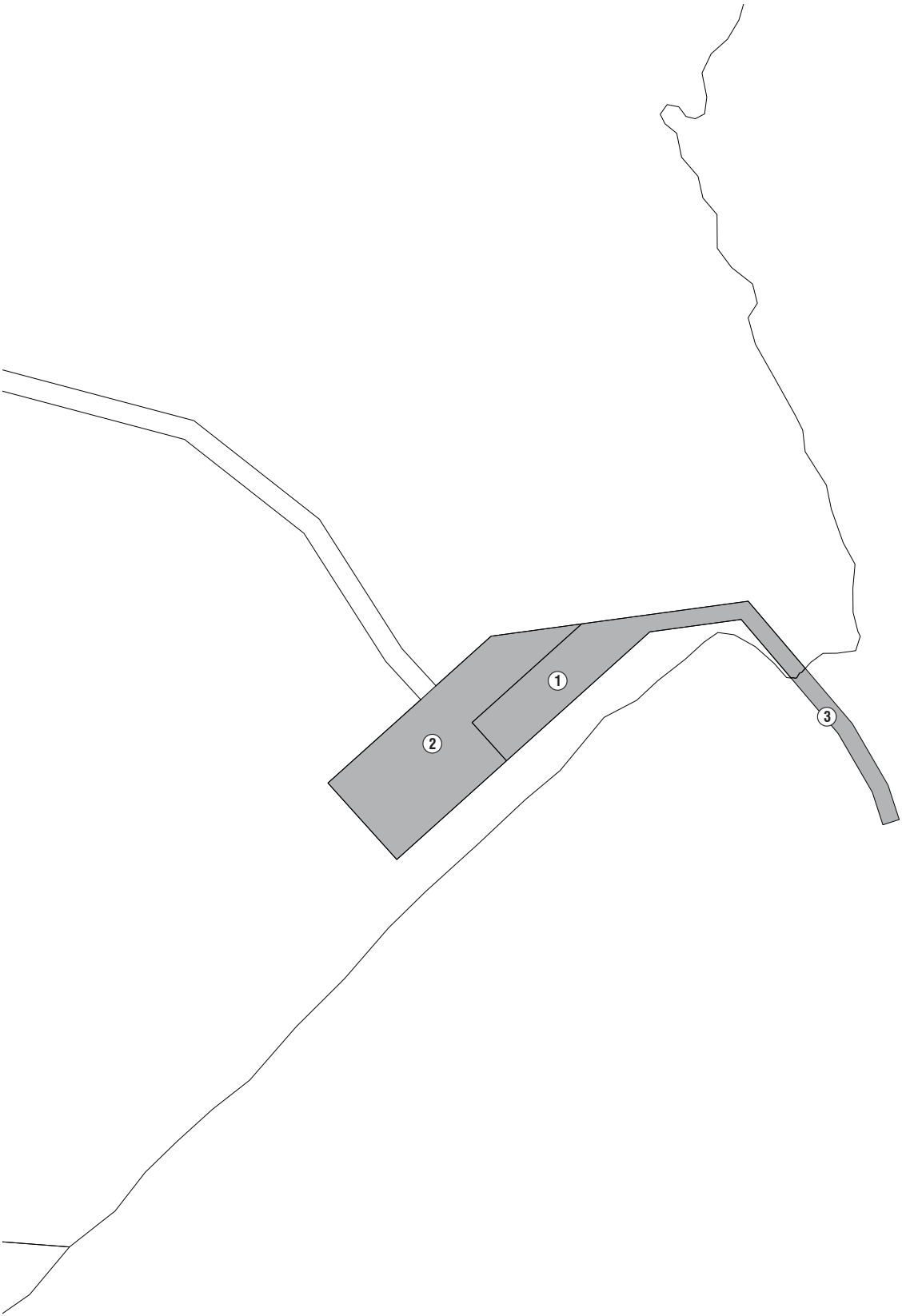


Figure 2: Strategic Port Land

