PORT OF TOWNSVILLE
delivering sustainable prosperity

Port of Lucinda

Draft Land Use Plan

Citation and Commencement

This Land Use Plan may be cited as Port of Lucinda Land Use Plan 2022.

The Land Use Plan for the Port of Lucinda was approved by the Minister for Transport and Main Roads on *Day month year.*

A notice was published in the Government Gazette No. number on *day Month Year*

The Land Use Plan for the Port of Lucinda commenced on *day month year*.

Port of Townsville Limited

Port of Townsville Limited is a Queensland Government Owned Corporation responsible for the development and management of the declared Ports of Townsville and Lucinda.

Our vision is to be Australia's Port for the future creating value for our customers and shareholders and prosperity for our communities and value for our customers and shareholders, through world-leading sustainable operations.

The Townsville Port imports containers and general cargo, motor vehicles, tyres, as well as bulk products such as cement, sulphuric acid, fertiliser, sulphur, zinc concentrate and petroleum products. It exports general cargo, containers, timber, cattle, tallow, refined metal products, as well as bulk products sugar, molasses, fertiliser and mineral concentrates (zinc, copper, lead).

The Port of Lucinda exports raw sugar grown in the Herbert district.

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1. INTRODUCTION

1.1. Role of Port Authority

The Port of Townsville Limited ('Port') is a Queensland Government Owned Corporation responsible for the development and management of the declared Ports of Townsville and Lucinda. Lucinda Port is situated about 100 kilometres north of Townsville and has a land and sea jurisdiction in excess of 118 square kilometres.

The Port was created as a port authority and landowner under TIA to:

- establish, manage and operate effective and efficient Port facilities and services
- make land available for:
    - the establishment, management and operation of effective and efficient Port facilities and Port services by other persons; or
    - other purposes consistent with the operation of the Port;
- provide or arrange for the provision of ancillary services or works necessary or convenient for the effective and efficient operation of the port;
- keep appropriate levels of safety and security in the provision and operation of the port facilities and port services;
- provide other services incidental to the performance of the Ports other functions, or likely to enhance the usage of the port;
- perform any other functions and exercise any other powers conferred on the Port under the *Transport Infrastructure Act 1994* (Qld), the *Government Owned Corporations Act 1993* (Qld) or another Act; and
- carry out any activity that is incidental to the attainment of the objects set out above.

1.2. Purpose of the Land Use Plan

The Port of Lucinda Land Use Plan 2022 (LUP 2022) is a statutory instrument prepared under the *Transport Infrastructure Act 1994* (Qld) (TIA). The LUP 2022 manages land use and development considerations, and provides a framework for the management and assessment of development on strategic port land and in the strategic port land tidal area at the Port of Lucinda. The LUP 2022 is administered by the TIA and is an assessment benchmark under the *Planning Act 2016* (Qld) (Planning Act). The LUP 2022 applies to all land, waterways and tidal areas within Port's strategic port land boundaries in accordance with the TIA and the Planning Act.

In accordance with 285(4) of the TIA, the Port of Lucinda LUP:

- Specifies the Strategic Port Land (SPL) in Figure 4 and Appendix B, including the current and proposed uses of the land.
- states that no additional land is proposed as strategic port land;
- in Section 1.3, coordinates and integrates the core matters relevant to the LUP
- in Section 3.2, identifies desired environmental outcomes for the land through the Strategic Vision, Objectives and Desired Outcomes
- in Section 5, includes measures that will help achieve the desired environmental outcomes, expressed as purpose, outcomes, and where relevant, assessment benchmarks for each precinct within the SPL.

Development on strategic port land or in strategic port land tidal areas is not subject to a local categorising instrument (such as the Hinchinbrook Planning Scheme under section 287 of the TIA). Therefore, the LUP 2022 is the principal tool for land use planning and assessment of development on strategic port land or in strategic port land tidal areas at the Port of Lucinda.

All new development on strategic port land and in strategic port land tidal areas must comply with the provisions of the LUP 2022. The LUP 2022 includes a code which provides performance criteria and acceptable solutions to ensure development delivers the strategic outcomes sought by the LUP.

The LUP will be supported by additional Sustainable Port Guidelines, which are not formal codes under the LUP, but will be used for any assessment by the Port for any proposed development. The guidelines will be implemented separately to the LUP and is available on the Port's website (www.townsvile-port.com.au).

1.3. Coordinating and Integrating Core Matters

The TIA specifies that core matters must be coordinated and integrated into the LUP 2022. Core matters relate to land use and development, port facilities and valuable features (refer Section 2 and 3).

All new development and operations must comply with the LUP 2022 and will be subject to the requirements of a range of State legislation, including (but not limited to) the Planning Act, the *Environmental Protection Act 1994* (Qld) (EP Act), the *Queensland Heritage Act 1992* (Qld) (QH Act), the *Aboriginal Cultural Heritage Act 2003* (Qld) (ACH Act) and/or the *Torres Strait Islander Cultural Heritage Act 2003* (Qld) (TSICH Act).

Additionally, any new proposed development that has, will have, or is likely to have a significant impact on a Matter of National Environmental Significance (MNES) will also be subject to the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act).

1.4. Land Use Plan Structure

The structure of the Land Use Plan is illustrated in **Figure 1**.

Figure 1 - Structure of the Port of Lucinda Land Use Plan

1.4.1. Hierarchy of the Land Use Plan 2022

Where there is inconsistency between provisions within the LUP 2022, the following rules apply:

- The strategic framework prevails over all other components to the extent of the inconsistency for assessable development.
- The precinct intent, specific outcomes and consistent land uses prevail over the development codes to the extent of the inconsistency.

1.5. Legislative Context

1.5.1. Transport Infrastructure Act 1994 (Qld)

The TIA provides for and supports effective integrated planning and efficient management of a system of transport infrastructure. Among other things, one of the objectives of the TIA is to allow the State to have a strategic overview of the provision and management of all transport infrastructure, including ports.

The TIA is the principal legislation that establishes a system of land use planning for strategic port land. The strategic port land of the Port of Lucinda is shown in **Figure 4** and **Table 6**.

Port of Townsville Limited is the port authority for the Port of Lucinda, and one of its primary functions is to establish, manage and operate effective and efficient port facilities and services, in accordance with the TIA.

The TIA requires port authorities to prepare and implement port land use plans to regulate the planning and development of their strategic port land. Port land use plans are required to be reviewed and updated at least every eight years or as required to ensure the land use plan responds appropriately to changes at the local, regional and State level.

This LUP 2022 has been prepared in accordance with these statutory requirements of the TIA.

1.5.2. Planning Act 2016 (Qld)

The Planning Act is Queensland's principal planning legislation which establishes an efficient, effective, transparent, integrated, coordinated, and accountable system for land use planning, development assessment and related matters that facilitates the achievement of ecological sustainability. The Port of Lucinda is located in the Hinchinbrook Shire Council (HSC) local government area. While strategic port land is not subject to the provisions of a local planning instrument, it is important that Port's vision for the Port of Lucinda aligns with the general intent of the Hinchinbrook Shire Planning Scheme so that land use planning and development within the region is considered in a coordinated and consistent manner.

The *Planning Regulation 2017* (Qld) (Planning Regulation) prescribes development assessment matters, including development that is assessable under the Planning Act, as well as the relevant Assessment Manager, referral agencies and assessment benchmarks that apply to assessable development.

The Planning Regulation designates the following assessment benchmarks for port authorities:

a) *If the port authority is the Assessment Manager – the land use plan for the strategic port land; and*
b) *Where the chief executive of the port authority is a Referral Agency – the port authority functions under chapter 8, part 3 of the TIA.*

1.5.3. State Development and Public Works Organisation Act 1971 (Qld)

The *State Development and Public Works Organisation Act 1971* (Qld) (SDPWO Act) provides for State planning and development through a coordinated system of public works organisation, for environmental coordination, and for related purposes. Under the SDPWO Act, a streamlined process is provided for the assessment of coordinated projects and the management of land and infrastructure assets in a development assessment process separate to the requirements of the LUP 2022. In doing so, the SDPWO Act seeks to facilitate timely, coordinated and environmentally responsible land use and infrastructure planning to support Queensland's economic and social development.

The SDPWO Act includes provisions for the planning, establishment and regulation of State Development Areas (SDAs) by the Coordinator-General, with the approval of the Governor in Council and the involvement of the Minister administrating the SDPWO Act. SDAs are areas typically established to promote economic development in Queensland.

1.6. State Interests

1.6.1. State Planning Policy

The State Planning Policy (SPP) expresses the Queensland Government's interests in, and policies for, a range of land use planning matters. It provides a policy framework for planning outcomes across Queensland by requiring that these state interests are delivered through local government planning schemes and regional plans. The SPP outlines 17 state interests, arranged under five broad themes.

Under the Planning Act, the State Planning Policy 2017 (SPP) is a state planning instrument and a key component of the Queensland land use planning system. The SPP expresses the State's interests (as defined under the Planning Act) in land use planning and development and is required to be integrated into regional plans and local planning instruments.

While the LUP 2022 is not a local planning instrument pursuant to section 8 of the Planning Act, or a local categorising instrument pursuant to section 43 of the Planning Act, section 286 of the TIA requires that port land use plans must not adversely affect State interests. The relevant State interests set out in the SPP have been integrated into the LUP 2022.

Table 1 – State Planning Policy 2017 integration with the LUP 2022

STATE INTEREST	LUP 2022 INTEGRATION
Economic Growth	
Agriculture	The LUP 2022 recognises the agricultural industry as important to the economic prosperity of the Hinchinbrook region, and supports the provision of effective and efficient port facilities, which function as critical supply chain infrastructure to support industry growth.
Development and construction	The LUP 2022 supports development and construction by regulating the planning and development of strategic port land. The LUP 2022 sets out a port vision and Desired Environmental Outcomes (DEO's) for the Port of Lucinda, and identifies land use precincts and land uses which are consistent with the intent of each precinct. The LUP 2022 also sets out a development code to ensure development delivers the strategic outcomes being sought.
Mining and extractive resources	This State interest has not been fully integrated within the LUP 2022. There are no Key Resource Areas or areas identified as having mineral, coal, petroleum or gas resources within the Port of Lucinda. However, the LUP 2022 recognises the mining industry as important to the economic prosperity of the region.
Tourism	The LUP 2022 recognises and supports growth of the tourism industry including, but not limited to, encouraging opportunities for nature based tourism and recognising the scenic value of the Port of Lucinda trestle jetty.
Environment and Heritage	
Biodiversity	The LUP 2022 recognises the rich biodiversity of the Hinchinbrook region, including areas within and surrounding the Port of Lucinda that have important terrestrial and marine ecological values and features, including but not limited to matters of environmental significance. The LUP 2022 identifies land use precincts having regard to important environmental

STATE INTEREST	LUP 2022 INTEGRATION
	areas and values, and sets out a development code to ensure potential environmental impacts and risks are assessed and managed. Further to this, the Buffer and conversation precinct is located and developed to identify and conserve areas of high value.
Coastal environment	The LUP 2022 includes provisions to ensure development appropriately responds to coastal processes and hazards, including the predicted effects of climate change. The LUP 2022 prioritises waterfront land for coastal dependent development.
Cultural heritage	The LUP 2022 considers potential impacts to cultural heritage and ensures appropriate management strategies are implemented in accordance with the *Australian Underwater Cultural Heritage Act 2018* (Cth), QH Act, ACH Act, Aboriginal Cultural Heritage Duty of Care Guidelines.
Water quality	The LUP 2022 includes provisions to ensure that development is appropriately located, designed and operated to avoid or minimise potential impacts to land, stormwater, groundwater and waterways (including tidal waters) and the ecosystems that depend on these.
Safety and Resilience to Hazards	
Emissions and hazardous activities	The LUP 2022 includes provisions that ensure development is appropriately located, designed and operated to avoid or minimise potential impacts associated with emissions and hazardous activities on sensitive land uses, and avoid reverse amenity impacts on major infrastructure and industry. The LUP 2022 also includes provisions to ensure management of land uses that involve the storage or transport of hazardous or flammable materials. The LUP 2022 includes provisions for acid sulfate soils, including requirements for identification and management.
Natural hazards, risk and resilience	The LUP 2022 includes provisions to ensure development appropriately responds to natural hazards and risks to protect people and property, having regard to bushfire, flood, landslide, storm tide inundation and erosion prone areas.
Infrastructure	
Energy and water supply	The LUP 2022 supports the provision of major electricity infrastructure and bulk water supply infrastructure to ensure development at the Port of Lucinda is serviced with infrastructure in accordance with relevant standards. The LUP 2022 also supports the development and supply of renewable energy and sustainable practices.
Infrastructure integration	The LUP 2022 provides for the efficient use of corridors and opportunities to integrate and co-locate with existing infrastructure in a manner that maximises resource efficiency and avoids obstructing the future use of the surrounding land.
Transport infrastructure	The LUP 2022 integrates the transport infrastructure state interest to the extent that it relates to existing and future transport corridors. The LUP 2022 seeks to ensure the safe, efficient and orderly integration of development with existing transport infrastructure, having regard to key transport corridors, transport modes and the surrounding road network. Parts of the SPL are located adjacent to a state controlled road (Lucinda Point Road). Development at the Port will need to consider potential impacts on a state controlled road in terms of access, traffic, stormwater and flooding.
Strategic airports and aviation facilities	There are no nearby airports or aviation facilities close to the Port of Lucinda.
Strategic ports	The Port of Lucinda is one of the State's strategic ports. The LUP 2022 is a statutory land use plan prepared under the TIA to manage land use and development considerations and provide a framework for the management of strategic port land and strategic port land tidal areas at the Port of Lucinda.

STATE INTEREST	LUP 2022 INTEGRATION
Liveable Communities and Housing	
Liveable communities	The LUP 2022 includes provisions to ensure development is appropriately located, designed and operated to promote community wellbeing and quality of life having regard to the appropriate and coordinated provision of infrastructure and services, and the need for safety of people and property. The LUP 2022 also includes provisions to ensure development appropriately responds to valuable features, including environmental areas, landscapes and amenity, heritage places and artefacts of cultural significance.
Housing supply and diversity	This State interest has not been integrated within the LUP 2022. Whilst section 285(4) of the TIA requires that a port land use plan coordinate and integrate core matters, these core matters do not include the provision of land for housing or well-serviced housing.

1.6.2. North Queensland Regional Plan

The Port of Lucinda forms part of the North Queensland region which includes the Local government Areas of Townsville, Burdekin, Hinchinbrook, Charters Towers and Palm Island (refer to **Figure 8**). The State Government recently produced the North Queensland Regional Plan which is a statutory planning framework for the region. This Plan seeks to drive land use outcomes at a regional scale. The Hinchinbrook Shire is identified as a 'Priority Agricultural Area' and includes key industries being the sugar mills, as depicted in Figure 8, which sourced from North Queensland Regional Plan document. The Port of Lucinda is featured in the Plan as a key port providing a key commodity linkage for export of sugar overseas. This is illustrated in the Figure 9 which is a figure map sourced from the North Queensland Regional Plan document showing the key inter-regional connectivity for the North Queensland region.

North Queensland Regional Plan was implemented in 2020, therefore this LUP aligns with the visions and goals of the North Queensland Regional Plan where relevant.

1.6.3. Reef Plan 2050

The Reef Plan 2050 is aimed at ensuring the Great Barrier Reef is sustained as a living natural and cultural wonder of the world. In 2015, the Australian and Queensland Governments released the Reef 2050 Long Term Sustainability Plan. In response to the first five-yearly review, the Australian and Queensland governments released the Reef 2050 Long Term Sustainability Plan 2021-2025 in December 2021.

Under Reef Plan 2050, the Reef 2050 Water Quality Improvement Plan 2017-2022 has been developed with an aim of improving the quality of water flowing from the catchments into the adjacent reef. This 5-year plan has relevance to Port of Lucinda as all waters within Port limits area are within the Great Barrier Reef World Heritage Area (GBRWHA). As such current operations and future development within the SPL must consider the quality of water flowing into the World Heritage Area waters. The LUP aims to achieve this through water quality and stormwater assessment criteria in the Port Development Code.

1.7. Local Planning Instruments

1.7.1. Hinchinbrook Shire Planning Scheme 2017

The Port of Lucinda is nestled alongside the Hinchinbrook Shire local government area (refer to **Figure 11**). Hinchinbrook covers an area of 2882 square kilometres and incudes a population of approximately 11,500. The landscape of the shire features a patchwork of sugar cane farms with a series of small towns and villages dotted throughout. Ingham is the key business and social centre of the shire. The Shire is bordered by rain forested mountain ranges along its southern, western and northern borders. These ranges drain into a network of rivers/creeks that meander to the coast. The Herbert River is the largest waterway which connects into the southern portion of the Hinchinbrook channel. The coastal environs feature long sandy beaches separated by creek/river inlets and associated low lying riparian/wetlands area, which are considered vital ecosystems to the coastal areas and the Great Barrier Reef. The sugar industry is the

backbone of the shire's economy but features a growing tourism sector that is capitalising on the shires unique natural assets including Wallaman Falls.

Consistent with the TIA, Hinchinbrook Shire Council Planning Scheme 2017 designates the Strategic Port Land as 'not subject to Planning Scheme'. Figure 10 shows the current Hinchinbrook Planning Scheme Zonings for Lucinda. Most of the land is zoned 'General Residential' which reflects the coastal village feel of the town. Through liaison with Hinchinbrook Shire Council the Port aims to align with the strategic intent and outcomes of the Hinchinbrook Shire Council Planning Scheme for Lucinda.

1.7.1.1. Hinchinbrook Coastal Adaptation Strategy

At the time of preparing the LUP, Hinchinbrook Shire Council had released for public comment a draft version of their Coastal Hazard Adaption Strategy named 'Hinchinbrook Coast 2100'. The purpose of the Strategy is to protect future generations from the increased coastal hazards that are predicted to evolve over the 50-100 years. These hazards include sea level rise from the effects of Climate Change and storm tide inundation from more severe tropical cyclones, and erosion, therefore undertaking the appropriate planning now will ensure future generations can live in a more resilient community. Current scientific predictions indicate the sea level will rise 0.8m by 2100. The Port of Lucinda is located within the coastal environment, therefore LUP considers the risks from sea level rise.

Mapping sourced from the Hinchinbrook Coast 2100 document (refer to **Figure 12**) indicates the SPL lands are generally not located within an area which requires land raising, protective structures, or inundation protection. The frontage to the east of the existing wharf is designated as 'Monitor and regenerate'.

2. PORT PROFILE

2.1. Port of Lucinda

The Port of Lucinda is identified as one of the State's 15 strategic ports, reflecting its contribution to providing important supply chain connections to global markets that support the Queensland economy. The Port has remained central to the economic development of the region. The Port is committed to a strong relationship with the Hinchinbrook Shire's community and the wider region to ensure the port continues to support the growth and development potential of the region.

The Port of Lucinda includes a mix of infrastructure, facilities and operations which are conducted by the Port and commercial businesses. The Port provides infrastructure and services for domestic and international trade and is primarily a bulk-commodity port, shipping on average approximately 550,000 tonnes of sugar and general cargo per year.

The Port of Lucinda supports the sugar industry from the Herbert district and surrounds and provides barge and transport services to surrounding islands and communities, typically to Palm Island. The Port comprises on-shore sugar handling and storage facilities, and a single trestle jetty and conveyor extending 5.76km to an off-shore berth and ship loader. Separate storage and handling areas exist for the barge services.

The Port of Lucinda is primarily dedicated to the export of raw sugar from the Herbert River sugar-growing district (refer to Figure 3). The Port of Lucinda comprises on-shore sugar handling and storage facilities, and a single trestle jetty and conveyor running out to an offshore berth with ship-loader facilities. The jetty extends for 5.76 kilometres and dips 1.2 metres over its length as it follows the curvature of the earth. The port terminal is owned by Sugar Terminals Limited (STL) and is managed by Queensland Sugar Limited (QSL).

As one of Queensland's six bulk sugar terminals, the Port of Lucinda's primary role in the bulk sugar industry network is to receive, store and export raw sugar to domestic and international customers. The Port of Lucinda also serves a secondary role in servicing nearby Palm Island, by facilitating weekly return-trip general cargo services.

Trade throughput at the Port of Lucinda for recent financial years is detailed in **Table 2**.

Table 2 - Port of Lucinda Trade throughput for recent financial years

Commodity	2016/17	2017/18	2018/19	2019/20	2020/21
Sugar Export	606,456	575,013	647,685	588,417	546,858
Number of Cargo Vessels to Port	15	15	15	13	12

Established in 1958, the Lucinda terminal is comprised of three product storage sheds with a combined storage capacity of around 230,000 tonnes of raw sugar.

The Port is committed to continuing to:

- work with Lucinda Bulk Sugar Terminal, a subsidiary of Queensland Sugar Limited (QSL) to ensure the long-term strength in sugar exports; and
- investigate options, as demand requires, for additional facilities and services at the Port of Lucinda to support future growth in the local area.

2.2. Land subject to the Land Use Plan (Strategic Port Land)

As a port authority, Port can identify land within its port area and its port limits, to be its strategic port land. Strategic port land is defined by a port authority through its land use plan. Strategic port land is identified as such because of its primary role in accommodating port land uses.

The land subject to this LUP which is described as Strategic Port Plan (SPL) is described in Appendix B and shown in Figure 4.

Port has not identified any land under this LUP 2022 that is intended to become strategic port land during this plan period.

2.3. Port Facilities

Port facilities include all port land, transport infrastructure, wharves, shipping and navigation infrastructure as well as the product storage and handling facilities required to operate the Port. Port is committed to ensuring the efficient use of, and access to, existing facilities as well as considering growth potential for new facilities which is essential to the sustainable growth and development of the Port.

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. Land use planning for infrastructure requires consideration of the extent and location of proposed infrastructure, having regard to existing infrastructure networks, their capacities, and thresholds for augmentation.

Road access to the Port of Lucinda is via Lucinda Point Road. It is intended this will remain the primary road transport corridor to and from the Port. Rail access to the Port is via the local cane rail network. No other rail access to the Port exists. It is envisaged this route will remain as the primary rail transport corridor to and from the Port.

The Port of Lucinda comprises on-shore sugar handling and storage facilities, and a single trestle jetty and conveyor running out to an off-shore berth and ship-loader. The port terminal is owned by Sugar Terminals Limited (STL) and is managed by Queensland Sugar Limited (QSL).

In addition to the above facilities, the Port of Lucinda also has a barge ramp which services the primary barge operation to Palm Island. There is also a publicly accessible jetty and foreshore area which is utilised for recreational activities (e.g. fishing) by the public. There is a small port office with electricity supplied by the Ergon Energy network and potable water supplied by Hinchinbrook Shire Council water treatment plants nearby. The small port office has an independent septic tank, with the sewage from the STL operations directed to the Lucinda sewage treatment plant.

Port monitors trade and business growth potential to ensure infrastructure capacity is capable of meeting demand. Port is committed to implementing the necessary planning and business initiatives to ensure that the facilities and services at the Port of Lucinda are efficient, reliable, and adequately meet the needs and expectations of current and future customers.

2.4. Valuable Features

Valuable features include land and aquatic resources and areas of significance due to their ecological, historical or economic contribution to the surrounding region.

Specifically, valuable features are defined under the TIA to include the following:

a) resources or areas that are of ecological significance such as habitats, wildlife corridors, buffers zones, places supporting biological diversity or resilience and features contributing to the quality of air, water (including catchments or recharges areas) and soil;

b) areas contributing significantly to amenity such as areas of high scenic value, physical features that form significant visual backdrops or that frame or define places or localities, and attractive built environments;

c) areas or places of cultural heritage significance such as areas or places of indigenous cultural significance or aesthetic, architectural, historical, scientific, social or technological significance, to the present generation or past or future generations; and

d) resources or areas of economic value such as extractive deposits, fishery resources (including aquaculture), water resources, forestry resources, water resources, sourced of renewable and non-renewable energy and good quality agricultural land.

The Valuable features relevant to the Port of Lucinda are detailed below in **Table 3**:

Table 3 – Valuable Features relevant to the LUP 2022

Valuable Feature	Description
Ecological Significance	Hinchinbrook Channel, flanked on one side by the Wet Tropics World Heritage Area and on the other side by Hinchinbrook Island National Park and the Great Barrier Reef Marine Park (refer to **Figure 7**), which are both World Heritage areas, is a rare example of an intact coastal ecosystem supporting a high diversity of wildlife. Several areas with environmental significance surround the Port area, as outlined below:
Marine Parks and Marine Areas of Significance	Part of the Port limits are within the Great Barrier Reef Marine Park (GBRMP) General Use A Zone; however no port infrastructure is within the GBRMP as it lies more than 750 metres away from the closest point of the offshore berth. Part of the Port Limits are within the State Governments Great Barrier Reef Coast Marine Park (GBRCMP) General Use, Conservation Park and Habitat protection zones. No port infrastructure is within proximity to these zones. All waters within Port limits area are within the Great Barrier Reef World Heritage Area (GBRWHA), which extends beyond the boundary of Great Barrier Reef Marine Park to the mean low water mark along the Great Barrier Reef coastline. The GBRMP and GBRCMP boundaries in relation to the Port limits and the Strategic Port Lands are depicted in Figure 5. The GBRWHA boundary is depicted in Figure 7**Error! Reference source not found.**. Two dugong protection areas within the local area have been declared by the Great Barrier Reef Marine Park Authority. As shown in Figure 6 Zone A (Hinchinbrook) area is north of the Port and Zone B (Taylors Beach) is south of the Port. A Fish Habitat Areas (FHA – 024 and 028) under the *Fisheries Act 1994* (Qld) also lies outside port limits, to the southwest and north west respectively of the port in the Hinchinbrook Channel.
Nearby National Parks	As shown on Figure 7, the following National Parks are in the Lucinda area: • Hinchinbrook Island National Park • Girringun National Park • Orpheus Island National Park • Halifax Bay Wetlands National Park
Seagrass	Seagrass and mangrove communities play an important role in providing nursery grounds for juvenile fish, prawns, and crabs. These juveniles later contribute to the fisheries stock of these species which is an important contribution to both the local and broader ecosystems. Seagrass also provides a food source for several important species, including dugong and some turtles. Seagrass communities occur in the lower intertidal and shallow areas of the port limits, including the nearby Hinchinbrook Channel. The closest seagrass meadow to the offshore berth is located on part of the large sandbank near Lucinda Point.
Marine Fauna	Hinchinbrook Channel, the Great Barrier Reef Marine Park, together with coastal areas of the adjacent Wet Tropics World Heritage Area and Hinchinbrook Island National Park, represents a relatively large area of biologically diverse and intact coastal habitat. The channel and mangrove creeks on the mainland and Hinchinbrook Island support several marine animals / mammals that have been prescribed in the schedules of the

Valuable Feature	Description
	Nature Conservation (Wildlife) Regulation 2006 (Qld) as either rare or vulnerable. Such animals include: • Australian Snub Fin Dolphin (*Orcaella heinsohni*) • Estuarine crocodiles • Green and loggerhead turtles • Indo-Pacific hump-back dolphins • Dugongs
Intertidal Sand and Mud Flats	The mid-tidal zone of the coastline is dominated by mangrove forests, although most of the mangroves at Lucinda lie outside the port area. Sixteen mangrove species have been identified in the area, the most dominant of which is the *Ceriops tagal*. These mangroves provide important habitat for breeding, nurseries, and shelter for marine organisms at various stages of their life cycles. Extensive sandbanks occur in the port region, with the largest extending approximately 2.5 kilometres east of Lucinda Point and immediately south of the conveyor jetty. Sediments on this unvegetated bank are mobile, with these sand banks supporting colonies of yabbies, sand-bubbler crabs and other infaunal organisms commonly associated with sandy environments.
Fisheries and Aquaculture	Dungeness Creek is popular with recreational fishers seeking estuarine, coastal and reef fishing opportunities in the area. Commercial fishers also regularly use moorings adjacent to the inshore wharf at Lucinda and in Hinchinbrook Channel as anchorages while working in the area. Licensed commercial fishers operate in the region between Lucinda and Tully.
Coastal Vegetation	The Herbert River to the west of the port is the largest river system in the Cardwell-Hinchinbrook region. The coastal plain of the Herbert River has fringing riparian corridors dominated by complex mesophyll vine forest. Extensive areas of native vegetation have been previously removed for agricultural use of the land. Nearby Hinchinbrook Island, which is a national park, contains a wide diversity of vegetation types, including mountain heath and shrubland, paperbark swamps, mesophyll vine forests and vine forests intermixed with eucalypts and acacia. Following feedback from the Statement of Proposal consultative process in early 2021, Port engaged a consultant to undertake a preliminary ecological assessment of the property Lot 390/SP108489 in May 2022 to compare Regional Mapping information with on ground ecology. Site inspections confirmed the presence of RE 7.2.3 along Dungeness Road and extending into Lot 390 (Biodiversity Australia, 2021). The mangrove forest (7.1.1) does not extend as far as that shown in the Queensland Government Vegetation management regional ecosystem map. None of the vegetation communities on site equates to a threatened ecological community listed under the EPBC Act. The entire site, particularly the mangrove and beach front areas provide habitat for migratory species. Similarly, Lot 402 on CWL3218 was surveyed in May 2021 to compare regional mapping with on ground ecology. Lot 402/CWL3218 is primarily represented by a low dune community, while the broad swale to the east on Lot 391/L4694 supports an ephemeral / semi-permanent wetland. The wetland is mapped as a MSES high ecological significance wetland and extends into the northern portion of Lot 402/CWL3218 (Biodiversity

Valuable Feature	Description
	Australia, 2021). There are no watercourses, rock outcrops or other significant features on the site. The majority of this block (Lots 402/CWL3218, 407/CWL3308, 391/L4694, 10/L46930) is mapped as having MSES regulated vegetation, being category B endangered or of concern vegetation. Mapping identifies 2.58 ha of category B of concern vegetation on the study site. Site surveys confirmed the presence of two 'of concern' regional ecosystems. • 7.2.3 - *Corymbia tessellaris* and/or *Acacia crassicarpa* and/or *C. intermedia* and/or *C. clarksoniana* woodland to closed forest on beach ridges (predominantly Holocene) • 7.2.8 - *Melaleuca leucadendra* (weeping tea tree) open forest to woodland. Sands of beach origin.
Scenic Significance	A rich marine environment, extensive mangrove wetlands, lush vegetation including rainforest and rugged mountains make the area a place of outstanding natural beauty. The nearby Greater Palm Group of Islands is an exquisite example of this, providing serene tropical rainforest and beautiful reefs offshore. The Lucinda Trestle Jetty is also considered of scenic significance given its uniqueness, as one of the longest of its type in the world, dipping 1.2 metres over its length as it follows the curvature of the earth. Due to the above attributes, tourism is seen as a growth industry in the Hinchinbrook region and is actively promoted by the State Government.
Cultural Heritage	The area is of importance to the Warhamay-Banjin and Nyawaygi peoples. Records indicate there were frequent movement of canoes and peoples between the mainland and Hinchinbrook Island and other islands to the north and south. Several archaeological sites are present in the region, in particular the Scraggy Point Fishtrap complex on Hinchinbrook Island which is listed on the Register of the National Estate. To date there have been no places of particular cultural heritage significance identified on Strategic Port Land.
Areas of Economic Value	The Port of Lucinda is of social and economic importance at local, regional and state levels. The Port provides benefits to the local community, with port operations and local employment. The Lucinda locality is well recognised for its wealth of fisheries resources, with several industries relying on this to generate income – namely local caravan parks and charter boat companies. The surrounding Hinchinbrook community houses several sugar mills, which produce sugar that is exported through the port. These include the Victoria Mill and Macknade Mill, the oldest established raw sugar mill in Queensland, with a combined average annual production of approximately 5 million tonnes of cane.

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2.4.1. Response to Valuable Features in the Land Use Plan

The purpose of identifying valuable features is to ensure their consideration, prioritisation and protection through planning principles where relevant and practicable. Where relevant or where the proposed development has the potential to impact on valuable features, mitigation strategies will be required to be considered as part of a proponent's development application.

The valuable features identified in this LUP will be appropriately maintained and protected. Any conflicts between port uses and valuable features will be appropriately mitigated through the following means:

1. Development requirements included within the LUP seek to minimise any adverse impacts on the valuable features (e.g. limit runoff).
2. Detailed requirements for any future development on Strategic Port Land outlined in the Sustainable Port Guidelines, including but not limited to:
    a. stormwater management plans;
    b. environmental management plans;
    c. sustainable development guidelines;
    d. landscaping guidelines; and
    e. traffic management plans.
3. Recognition and conservation of heritage values of the existing built form.
4. Establish and maintain good working relationships with the traditional owner representatives.
5. Maintaining open discussions between the Port, the Hinchinbrook Shire Council, State agencies and community members, regarding development on port land.

3. STRATEGIC FRAMEWORK

3.1. Port of Lucinda Strategic Vision

Based on the background information gathered as well as engagement with stakeholders the Port has developed a Strategic vision statement:

'The Port of Lucinda will continue to be a pivotal economic driver for the Hinchinbrook region through its role as the primary export hub for the region's sugar industry, whilst seeking to support developments that increase diversification and growth of industries and tourism, while continuing to protect the Outstanding Universal value of the Great Barrier Reef World Heritage Area and managing the potential impacts on environmental, social, and cultural values.'

The strategic framework ensures that the DEOs are considered in the delivery of this planning vision for strategic port land for the life of this LUP 2022. Although each of the DEOs can be read individually, collectively they provide the strategic intent for the Port of Lucinda port area to provide a balanced direction for development and operations.

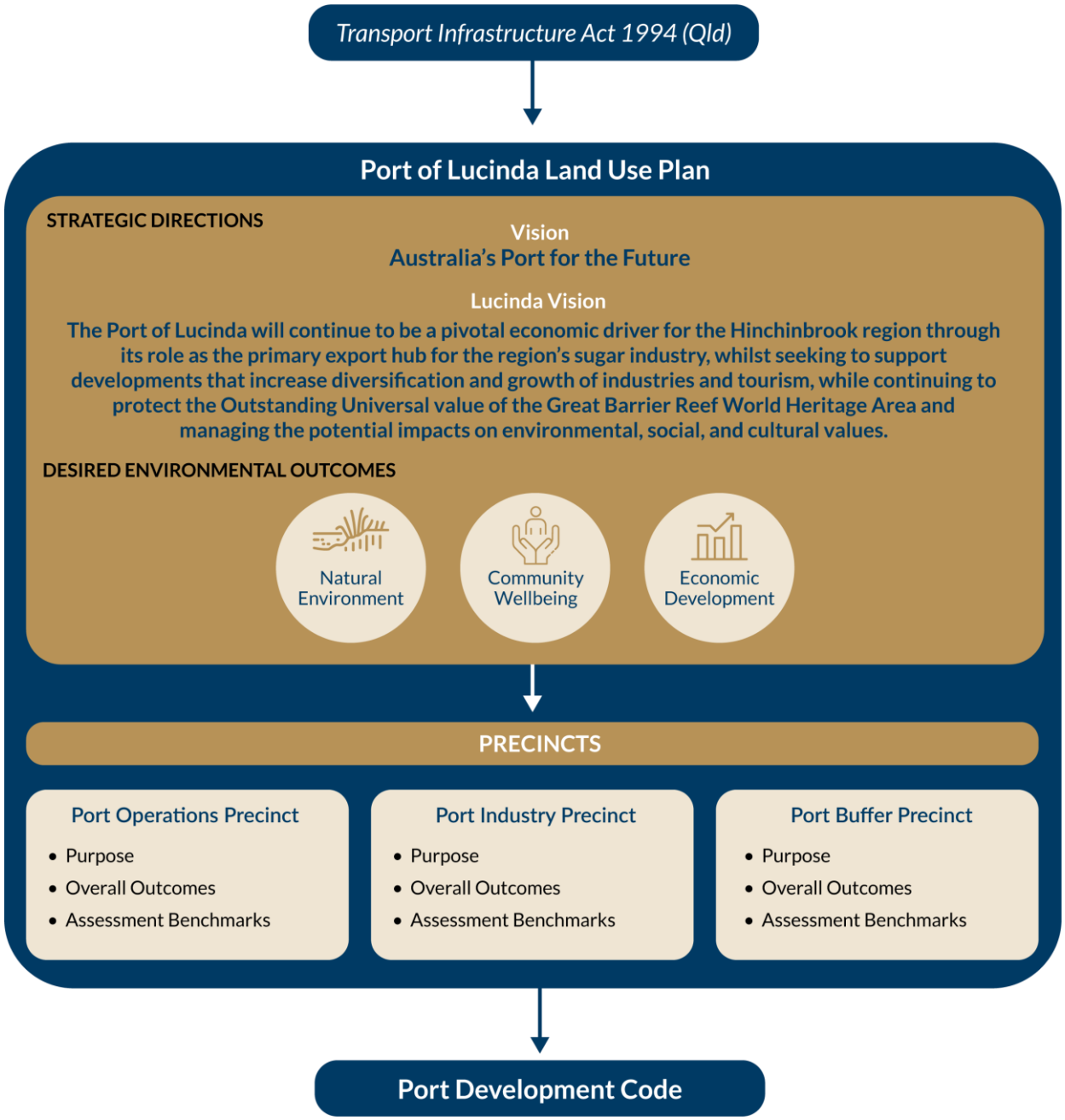

Figure 2 – Strategic Framework for implementing the Port of Lucinda Land Use Plan

3.2. Desired Environmental Outcomes

The DEOs set the policy direction for the LUP 2022, form the basis for ensuring appropriate development occurs on strategic port land and integrate the core matters (i.e. land use and development, port facilities and valuable features) as stipulated by the TIA. The DEOs consist of three themes based upon the strategic intent above, which are:

- Natural Environment
- Community Wellbeing
- Economic Development

Natural Environment

In its operation of the Port of Lucinda, Port continues its commitment to ecologically sustainable development and manages strategic port land in an environmentally responsible manner. The DEOs for the natural environment are:

- *engaging with relevant Commonwealth, state and local authorities to protect the environmental and social values of the Port of Lucinda and adjacent areas of the natural environment;*
- *reviewing port developments, including major maintenance projects and transport corridors to ensure they minimise amenity impacts on nearby residents and the community and meet appropriate environmental criteria to minimise impacts on the natural environment;*
- *ensuring environmental management plans are in place for port developments to minimise impacts on environmental quality and amenity surrounding the port; and*
- *applying environmental policies and practices and the promotion and incorporation of high standards of environmental performance into port planning, development and operational activities;*
- *Development provides open space and environmental buffers between port operations and important ecological values.*
- *Development considers principles of sustainable design and incorporates high energy efficiency and renewable energy outcomes.*
- *Development considers the potential impact of natural hazards and climate change to people and property, and includes an appropriate layout and design to mitigate against potential impacts where possible.*
- *The disturbance of acid sulfate soils is avoided where possible or managed to protect the environment, people and property.*

Community Wellbeing

As the land manager of the Port of Lucinda, Port maintains its role as a good corporate citizen and carries out its operations in a socially responsible manner. The DEOs for community wellbeing are:

- *Operations within the SPL are controlled to minimise emissions and operate as a 'good neighbour.'*
- *Heritage places, landscapes and artefacts of cultural significance, either in built form or natural sites, are an important part of the fabric of the Hinchinbrook region.*
- *Development within the Port of Lucinda considers potential impacts to cultural heritage and ensures appropriate management strategies are implemented in accordance with the ACH Act, Aboriginal Cultural Heritage Duty of Care Guidelines; and*
- *Continued improvement in providing public infrastructure/access to foreshore areas*

Economic Development

The Port of Lucinda is important State government infrastructure which must remain commercially viable and continue to contribute to the local, regional, state and national economies as well as returning profits to the State government (via Port, as a Government Owned Corporation). The management and operation of the Port of Lucinda will focus upon facilitating trade through the Port of Lucinda and maximising the region's prosperity. The DEOs for economic development are:

- *grouping of compatible land uses to achieve synergies to maximise existing and planned infrastructure;*
- *protecting and maintaining the Port's role as a key economic generator for the community and region;*
- *facilitating developments to increase economic opportunities at the Port of Lucinda;*

- *development optimises the utilisation of, and return on, Strategic Port Land;*
- *supporting developments that increase diversification and growth of industries and trade through the Port of Lucinda; and*
- *supporting the significance of tourism and commercial values of the area.*

4. DEVELOPMENT ASSESSMENT

While the TIA establishes the jurisdiction for the Port to prepare the LUP for the Port of Lucinda, the process by which development on port land is approved is governed by the Planning Act. Under the Planning Act, the Port Authority is the assessment manager for development on its respective strategic port land. Certain developments may also require other approvals as identified in Schedule 10 of the *Planning Regulation 2017* and referral to the State government for assessment and approval.

4.1. Landowner consent and tenure

As the Port is the landowner for all SPL, consent must be obtained from the Port prior to any development on Port land or waters. This includes new development and modifications to existing developments. The proponent must submit a Land Owner Request form to the Port's planner. This usually occurs once tenure has been obtained through a lease, sub-lease or permit to occupy from the Port's property team.

4.2. Development definition

Under the Planning Act development is defined as any of the following:

- carrying out building work
- carrying out plumbing or drainage work
- carrying out operational work
- reconfiguring a lot
- making a material change of use of premises.

4.3. Categories of Development

The LUP 2022 is the relevant assessment benchmark for development on strategic port land and in strategic port land tidal areas. Development on strategic port land and in strategic port land tidal areas is categorised as either accepted or assessable within this LUP 2022, in accordance with section 44 of the Planning Act and schedule 10, section 20 of the Planning Regulation. The LUP 2022 does not include any prohibited development.

4.2.1 Accepted development

Accepted development is development on strategic port land or in strategic port land tidal areas for which a development approval under the LUP 2022 is not required. The LUP 2022 provides for two types of accepted development. These are:

- 'Accepted', where the categories of assessment tables identify the development is not assessable, therefore does not require assessment against any provisions under the LUP 2022.
- 'Accepted, subject to requirements' where the categories of assessment tables identify the development is not assessable, subject to the development being able to comply with the relevant stated assessment requirements under the LUP 2022.

For the purposes of the LUP 2022, development that is identified as accepted development under Schedule 7 of the Planning Regulation is also accepted development under the LUP 2022. Where development is accepted in Schedule 7 and also 'Accepted, subject to requirements' in the LUP 2022, only the requirements in Schedule 7 apply.

4.2.2 Assessable development

Assessable development on strategic port land or in strategic port land tidal areas requires development approval. Schedule 10, Part 13, Division 5 of the Planning Regulation states that development on strategic port land (as it relates to the Port of Lucinda, which is not a priority port pursuant to the *Sustainable Ports Development Act 2015* (Qld)), is assessable if either:

a) the land use plan for the strategic port land states the development is assessable development; or
b) the development is a material change of use that is inconsistent with the land use plan.

Assessable development on strategic port land, where for a material change of use and/or operational work, is subject to code assessment as prescribed under Schedule 10, Part 13, Division 5, Subdivision 2 (or as amended) of the Planning Regulation with the assessment benchmark being the LUP 2022.

Assessable development for a material change of use that is inconsistent with the LUP 2022 also triggers referral to the Minister responsible for administering the TIA, for assessment against section 287A of the TIA (Schedule 10, Part 13, Division 5, Subdivision 3 of the Planning Regulation {or as amended}).

In some circumstances, Port functions as a Referral agency under Schedule 10, Part 13, Division 3 (or as amended) of the Planning Regulation (where the chief executive of the port authority is the referral agency). In this Referral agency capacity, Port may choose to apply this LUP 2022 as a policy where it considers a matter is relevant to the development.

For the purposes of the Planning Regulation, the following LUP 2022 land use precincts are considered urban areas:
- Port industry precinct
- Port Operations precinct

4.2.3 Building works, and plumbing and drainage works

For development that is for building work and plumbing and drainage works as defined in Schedule 2 of the Planning Act, Port does not act as either Assessment Manager or Referral agency and these works are not assessed under the LUP 2022.

Building works, depending on the nature and size, may be self-assessable or code assessable development. In all cases, building works are assessed by a Building Services Authority registered Building Certifier.
Note: The Port does not act as an Assessment Manager for Building Work. Building works are assessed by a registered Building Certifier.

Plumbing and drainage works may be assessable development (notifiable or compliance assessable) depending on the nature of the works. Plumbing and drainage works are assessed by Hinchinbrook Shire Council.
Note: The Port does not assess plumbing and drainage works, which must be lodged with the Local Government

4.2.4 Reconfiguring a lot

For development that is for reconfiguring a lot as defined in Schedule 2 of the Planning Act, Port does not act as either Assessment Manager or Referral agency and these works are not categorised under the LUP.

Reconfiguring a lot on designated Strategic Port Land is accepted development.

Note: Reconfiguring a Lot of land under the Land Title Act 1994 (freehold land) which is Strategic Port Land is not regulated by the local government planning scheme.

Reconfiguring a Lot of land under the Land Act 1994 (such as leasehold land or unallocated state land) is managed through the Land Act 1994 by the Department of Resources (DoR).

4.4. Categories of Assessment

The tables in this section identify where development is accepted and assessable. The tables in this section also provide the relevant LUP 2022 requirements for accepted and assessable development.

4.4.1. Interpreting the tables

Accepted
Where development is listed as accepted in **Table 4** and **Table 5**, it does not require development approval and therefore does not require assessment against any provisions under the LUP 2022.

Accepted, subject to requirements
Where development is listed as accepted, subject to requirements in **Table 4** and **Table 5**, the development does not require development approval under the LUP 2022 where the development can demonstrate compliance with the Acceptable Solutions (AS) set out in the relevant provisions column. Where development is listed as accepted, subject to requirements in **Table 4** and **Table 5** and the development cannot comply with one or more of the ASs set out in the relevant provisions column, the development becomes assessable development and requires code assessment.

Code assessment
Where development is listed as requiring code assessment in **Table 4** and **Table 5**, the development will be assessed against the items set out in the relevant provisions column. When assessing development that is subject to code assessment, the following decision-making hierarchy applies.

If development:

- Meets all the ASs related to a performance outcome (PO) —it complies with the PO;
- Does not meet all the ASs related to a PO, but meets the corresponding PO—it complies with that part of the code;
- Does not meet the ASs or POs of a code, but meets the purpose and overall outcomes for the code—it complies with the code;
- Does not meet the ASs, POs, or purpose and outcomes for the code—it does not comply with the code;
- Does not comply with one or more code, but can demonstrate compliance with the precinct intent and outcomes, strategic framework (vision and DEOs), Port will assess the development application on its merits having regard to the whole of the LUP 2022.

It is noted that under a bounded assessment subject to the provisions of the Planning Act, where development does not comply with a code or is in conflict with provisions within the benchmark (LUP 2022) and compliance cannot be achieved by the imposition of reasonable and relevant development conditions, the development application may be refused.

4.4.2. Material change of use

Material Change of Use of Premises
A material change of use over a premises on strategic port land is 'accepted development' where listed in **Table 4**, and where the Port has provided written confirmation. The Port will issue written confirmation where it is satisfied the proposed development meets the relevant assessment criteria outlined in **Table 4**. For other circumstances, the material change of use will trigger code assessment and will be subject the assessment criteria outlined in **Table 4**.

Material Change of Use for an Environmentally Relevant Activity
Material change of use for an Environmentally Relevant Activity (ERA) is code assessable where the ERA is a concurrence ERA and there is no suitable existing development permit for the material change of use.

Table 4 – Material Change of Use Category of Assessment Table

USE	CATEGORY OF ASSESSMENT	ASSESSMENT CRITERIA
Port Operations Precinct		
Community use, where for coastal dependent activities Emergency service Substation Temporary construction hardstand or laydown area Utility installation	Accepted subject to requirements, otherwise Code Assessable.	For Accepted development subject to requirements, • The intent, specific outcomes and consistent land uses for the precinct • Acceptable solutions AS19.1, AS21.1, AS31.1, AS 32.1, AS32.2, AS40.1, AS47.1, AS47.2, AS48.1 of the Port Development Code For Code Assessment: • The intent, specific outcomes and consistent land uses for the precinct • Port development code
Landing Loading and unloading infrastructure, product storage sheds and related activities Marine industry, where for the service or servicing of vessels Passenger terminal Port infrastructure Port services – Maintenance Dredging Port services – Pilotage and other support services Renewable energy facility, where for ocean, wave or tidal energy Research and technology industry	Code Assessable	• The intent, specific outcomes and consistent land uses for the precinct • Port development code
Port Industry Precinct		
Community use, where for coastal dependent activities Emergency service Park Substation Temporary construction hardstand or laydown area Utility installation	Accepted subject to requirements, otherwise Code Assessable.	For Accepted development subject to requirements: • The intent, specific outcomes and consistent land uses for the precinct • Acceptable solutions AS19.1, AS21.1, AS31.1, AS 32.1, AS32.2, AS40.1, AS47.1, AS47.2, AS48.1 of the Port Development Code For Code Assessment: • The intent, specific outcomes and consistent land uses for the precinct • Port development code

USE	CATEGORY OF ASSESSMENT	ASSESSMENT CRITERIA
Office Landing Loading and unloading infrastructure, product storage sheds and activities Marine industry, where for the service or servicing of vessels Passenger terminal Port infrastructure Port services – Maintenance Dredging Port services – Dredged material placement or reclamation Port services – Pilotage and other support services Renewable energy facility, where for ocean, wave or tidal energy Research and technology industry	Code Assessable	• The intent, specific outcomes and consistent land uses for the precinct • Port development code
Port Buffer		
Community use Environmental facility Emergency services Nature based tourism Park Utility installation	Code Assessable	• The intent, specific outcomes and consistent land uses for the precinct • Port development code
All Precincts		
Any material change of use that is an inconsistent use for the relevant precinct Note: Refer to section 5 of this Land Use Plan for clarification Any undefined use or use not listed	Code assessment Note: Triggers referral under the Planning Regulation for assessment by the Minister responsible for administering the TIA against section 287A of the TIA.	• The intent, specific outcomes and consistent land uses for the precinct • Port development code

4.4.3. Other development

Table 5 identifies the categories of assessment for other development under the LUP 2022.

Operational Work for Tidal Works, or Work within the Coastal Management District
Operational Work for tidal works is code assessable development.

Operational Work
Operational work is accepted subject to requirements development.

Note: Various forms of Operational Work are assessable under the Planning Regulation 2017- refer to Schedule 10

Table 5 – Other development Category of Assessment Table

USE	CATEGORY OF ASSESSMENT	ASSESSMENT CRITERIA
All Precincts		
Navigational aids or signage	Accepted subject to requirements	Acceptable solutions AS23.1, AS26.1, AS28.1, AS 29.1, AS31.1, AS40.2 of the Port development code
Excluded tidal works	Accepted subject to requirements	Acceptable solutions AS23.1, AS26.1, AS28.1, AS 29.1, AS29.2, AS31.1 of the Port development code
Tidal works, where not excluded tidal works	Code assessment	Acceptable solutions AS23.1, AS26.1, AS27.1, AS28.1, AS29.1, AS29.2, AS47.1, AS47.2, AS48.1 of the Port development code
Operational work involving placing an advertising device on premises	Accepted subject to requirements Otherwise, assessable development - code assessment	Acceptable solutions AS20.1, AS30.1, AS31.1, AS47.1, AS47.2, AS48.1 of the Port development code Port development code
Operational work involving excavating and filling	Accepted subject to requirements if: a) Undertaken by or behalf of a public sector entity; or b) Involving: i) Excavating or filling of greater than 5m³^ but not more than 50m³ of material; and ii) Filling of not more than 10m³ with an average depth not more than 150mm above natural ground level; and iii) Excavating to a depth of not more than 1m; and iv) Filling does not cause ponding of overland runoff flows on adjacent land. Otherwise, assessable development - code assessment	Acceptable solutions AS9.1, AS18.1, AS19.1, AS21.1, AS29.1, AS29.2, AS40.1, AS44.1, AS47.1, AS47.2, AS48.1, AS53.1 of the Port development code Port development code
Operational work involving engineering work or landscaping work associated with a material change of use	Accepted, subject to requirements	Acceptable solutions AS19.1, AS21.1, AS39.1, AS39.2, AS40.1, AS53.1 of the Port development code
Operational work involving engineering work or landscaping work not associated with a material change of use, where not considered minor works.	Code assessment	Port development code
Operational work not otherwise specified in this table	Code assessment	Port development code

Table note: Any Operational work in a road reserve is regulated by either the Department of Transport and Main Roads or HSC through the HSC Planning Scheme, including but not limited to, engineering work, landscaping and access driveways.

^ Minor excavations less than 5m³ require an Excavation Permit from the Port.

5. LAND USE PRECINCTS

Land use precincts organise the LUP 2022 in a way that designates the location of preferred (consistent) land uses and delivers the DEOs and strategic intent at a specific site level. The LUP 2022 identifies three land use precincts (refer to **Figure 13**). The boundaries of each of these land use precincts reflects the current and future land use intent and specific outcomes for the Port of Lucinda. The LUP 2022 land use precincts are:

- Port Operations – for areas which includes ship operational areas, load out facilities including the conveyor and port offices;
- Port Industry – for example areas which includes supporting areas such as storage sheds, offices, barge ramps as well as the public accessible jetty and foreshore area; and
- Port Buffer – for areas which are intended to maintain and conserve naturally vegetated areas which enable a transitional buffer from the Port operational and industry areas to the neighbouring conservation reserves.

The intent, specific outcomes and consistent uses for each precinct are contained within the following sections. Mapping showing the location and extent of each land use precinct is provided in the land use plan precinct maps contained in Appendix C.

5.1. Port Operations Precinct

Designates areas of strategic port land identified for core port infrastructure and facilities required for effective and efficient operation of the Port. This precinct includes the existing port wharfs and conveyor facilities.	
Intent	• be appropriately located, designed and managed to maintain the Port's current and future operational requirements; • be integrated with supporting infrastructure and land uses; • maintain safety and compatibility with surrounding uses; and • avoid adverse impacts on the environment.
Outcomes	• development maintains and enhances the effective and efficient utilisation of waterfront areas; • development improves cargo handling and cargo transfer efficiencies; • development encourages increased trade through the Port of Lucinda; • development maximises the effective and efficient utilisation of infrastructure and Port facilities; • development maintains and protects existing and future port operations from incompatible uses; • development is located, designed and managed to maintain safety of people; and • development is located, designed and managed to avoid environmental impacts.
Consistent land uses	• Community use, where for coastal dependent activities • Emergency service • Landing • Loading and unloading infrastructure and activities • Marine industry, where for the service or servicing of vessels • Passenger terminal • Port infrastructure • Port services – Dredging • Port services – Pilotage and other support services • Renewable energy facility, where for ocean, wave or tidal energy • Research and technology industry • Substation

	• Temporary construction hardstand or laydown area • Utility installation.

5.2. Port Industry Precinct

Designates areas of strategic port land identified for a range of industrial uses which directly support the import and export of cargo and contribute to the effective, efficient and sustainable management and growth of the port.	
Intent	• be appropriately located, designed and managed to maintain the Port's current and future operational requirements; • be integrated with supporting infrastructure and land uses; • maintain safety and compatibility with surrounding uses; and • Incorporate controls to minimise adverse impacts on the environment.
Outcomes	• development encourages increased trade through the Port; • development maximises the effective and efficient utilisation of port infrastructure and facilities; • development effectively utilises existing transport infrastructure and corridors. • development improves port efficiency by optimising supply chains or logistical benefit. • development maintains and protects existing and future port operations from incompatible uses; • development is appropriately located, designed and managed to minimise environmental impacts; • development is located, designed and managed to maintain safety of people and security of the port; and • foreshore areas intended for public recreation will be retained with ongoing maintenance of relevant infrastructure e.g. jetties.
Consistent land uses	• Community use, where for coastal dependent activities • Emergency service • Landing • Loading and unloading infrastructure and activities • Marine industry, where for the service or servicing of vessels • Office • Passenger terminal • Park • Port infrastructure • Port services – Dredging • Port services – Dredged material placement or reclamation • Port services – Pilotage and other support services • Renewable energy facility, where for ocean, wave or tidal energy • Research and technology industry • Substation • Temporary construction hardstand or laydown area • Utility installation.

5.3. Port Buffer Precinct

Designates areas of strategic port land identified as having ecological significance, as well as areas that separate port operations from surrounding sensitive land uses.	
Intent	• The Port Buffer precinct is intended to provide a buffer between the operational port areas and adjacent land uses, or maintain existing areas of ecological significance. Development is generally not supported in this precinct, other than for minor or temporary activities.
Outcomes	• Development ensures that open space and environmental buffers are provided between port facilities and nearby sensitive land uses as well as ecological values. • Accommodates public access for the local community where safe and environmentally responsible • Development ensures that habitat corridors are maintained and enhanced by avoiding fragmentation of matters of environmental significance. • Development provides opportunities for educational or interpretative experience of the environment, where possible. • Development maintains and protects current and future port operations.
Consistent land uses	• Community use • Environmental facility • Emergency services • Nature based tourism • Park • Utility installation.

6. PORT DEVELOPMENT CODE

The purpose of the Port Code is to provide common criteria for development on Strategic Port Land and waters.

The Port Code is intended to ensure that:

- Land-sea interface areas are designed and operated in a way that maximises the efficiency of cargo handling;
- Transport integration is designed to support efficiencies in cargo storage and handling;
- Any potential impacts on the environment are minimised and/or are avoided; and
- Any significant environmental values of the area, including waterways and wetlands, are protected.

6.1.1. Application

The Port Code applies to all Land Use Plan Zones and Precincts at the Port of Lucinda.

In this Code "development" means— (a) carrying out— (i) building work; or (ii) plumbing or drainage work; or (iii) operational work; or (b) reconfiguring a lot; or. (c) making a material change of use of premises.

6.1.2. Assessment Criteria

The purpose of the code will be achieved through the following Assessment Criteria. The Acceptable Solutions for each Performance Outcome applies to all Precincts, unless expressly stated otherwise within the Acceptable Solution.

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
Building Design, Site Layout and Access	
PO1 Buildings and ancillary structures are sited, and of a scale, consistent with the surrounding development.	**AS1.1** No part of any building or structure shall be within 6m of any road-frontage lease boundary and 3m from any secondary road frontage.
PO2 Development is located and designed to ensure it maintains or enhances the scenic values and landscape character of the precinct, including, but not limited to, the values of any adjacent environmental areas and amenity of nearby sensitive land uses.	**AS2.1** Although no maximum building height is specified, building height should be similar to surrounding development and will not result in significant loss of visual amenity.
	AS2.2 Development ensures that the hours of operation are: a) Consistent with reasonable expectations for the use and are consistent with the purpose of the precinct; and b) Controlled so that the development does not impact upon the amenity of nearby sensitive land uses.
PO3 The site coverage of all buildings and associated structures must allow for sufficient: • building setbacks; • capable of having solar panels; • landscaping; • car parking; • loading and unloading areas; and • vehicle manoeuvring and access.	**AS3.1** The building footprint is not to exceed 75% of the site and the site designed considering the requirements of the *Sustainable Port Guidelines*.

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
PO5 Buildings and ancillary structures must function efficiently and safely.	**AS5.1** Building materials used must be appropriate for a marine and industrial environment.
	AS5.2 A formal entry must be provided to all buildings, designed to address, be visible and accessible from, the principal road frontage.
	AS5.3 Identifiable office facilities must be located at the front of the site and include an outdoor staff recreation area.
PO6 Ground level geotechnical conditions are verified to a sufficient engineering standard to allow for imposed loadings.	**AS6.1** All ground level pavements, slabs and hardstand areas have been certified by a Registered Professional Engineer of Queensland to withstand proposed loadings of buildings, vehicles, structures and container stacking where applicable.
PO7 Site access and parking is provided on site to meet operational, employee and customer needs and be safe and effective.	**AS7.1** Appropriate driveways and crossovers are provided according to the type of vehicles expected to access the site.
	AS7.2 Provision is made to ensure all vehicles entering a site do not queue across footpaths or onto external roads and are exclusively accommodated within the lease boundary.
	AS7.3 Internal circulation roads do not conflict with parking areas. All circulation and parking areas allow for the safe manoeuvring of all vehicles according to AUSTROADS or other standard vehicle manoeuvring template confirmed by the Port.
	AS7.4 Parking must be provided on site to accommodate all vehicles (i.e. employees, operational and/or visitors) in accordance with the *Sustainable Port Guidelines*.
PO8 All traffic associated with the development must comply with controls and measures in a Traffic Management Plan.	**AS8.1** A traffic management plan has been submitted to the Port in accordance with the *Sustainable Port Guidelines* prior to works being undertaken.
Flooding	
PO09 Premises or structures subject to risk of inundation or damage through flood or storm surge and including all premises and land situated below 4 metres AHD are designed, constructed and maintained with appropriate flood and storm surge immunity to reduce potential property damage and to ensure public safety.	**AS9.1** Development is designed to minimise the risk or flooding during a 1% AEP flood and storm surge event.
	AS9.2 Buildings are located and designed so that floor levels are 500mm above the 1% AEP flood and storm event
PO10 Proposed developments will need to consider the potential to adapt its design, operational activity etc. if climate impacts accelerate or increase during the life of the business activity.	**AS10.1** No acceptable outcome is prescribed, compliance with performance criteria is mandatory.
PO11 Flooding and drainage characteristics upstream or downstream of the site, or on adjoining/adjacent lands are not worsened.	**AS11.1** Development impacts are to be appropriately modelled utilising the Ports existing hydraulic model, or approved alternative model, to demonstrate no

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
	worsening flooding impacts from proposed development works.
Stormwater Drainage Network	
PO12 Stormwater management incorporates engineering and water sensitive urban design techniques and avoids adverse impacts from water quantity, flow rates and duration and frequency in receiving waters, having regard to: • channel, bed and bank stability; • aquatic and riparian ecosystems; and • hydrological functions.	**AS12.1** Stormwater flow control measures are to be implemented in accordance with the *Sustainable Port Guidelines*.
PO13 The stormwater drainage network has sufficient capacity to safely convey stormwater run-off from the site.	**AS13.1** Development drainage networks are to be designed, constructed, and operated in accordance with the *Sustainable Port Guidelines*.
PO14 Stormwater drainage is designed and constructed to convey stormwater flow resulting from the relevant design storm under normal operating conditions.	**AS14.1** Stormwater drainage design is to achieve the stormwater flow capacity requirements of *the Sustainable Port Guidelines*.
PO15 The stormwater drainage network is designed to function in the event of a minor system blockage.	**AS15.1** The major drainage network is to be designed to cater for 50% blockage in the minor drainage network without causing inundation of building floor levels, or worsening flooding or drainage impacts on upstream or downstream properties.
PO16 Stormwater resulting from roofed and hardstand areas is collected and discharged in a manner that does not adversely affect the stability or the use of adjacent land.	**AS16.1** Roof and surface run-off is managed to be directed to a lawful point of discharge.
PO17 The stormwater drainage network is designed to function in the event of tidal influence.	**AS17.1** The minor drainage network to the lawful point of discharge is to incorporate a tidal flap/tidal control/backflow prevention system appropriate to the drainage network and environment.
PO18 Development is not to adversely impact the safety of the Port's stormwater drainage network outside of the leased area.	**AS18.1** Safety in design of the stormwater drainage system must comply with the *Sustainable Port Guidelines*. **AS18.2** In all cases, the use of inlet or outlet screens on hydraulic structures, such as stormwater pipe and culverts, should be assessed on a case-by-case basis. It is important to acknowledge and assess both the beneficial and adverse consequences of such screens, including the potential impacts on local flooding and wildlife migration.
Infrastructure & Services	
PO19 Developments have access to services to meet operational, employee and customer needs.	**AS19.1** Sites can access required services including: • potable water; • sewerage/trade waste; • stormwater drainage; • power; • telecommunications; and

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
	• fire fighting water.
PO20 Buildings are designed to minimise impacts on existing services.	**AS20.1** Ensure the position of any structures do not adversely affect the operation of existing infrastructure, or place any loads on: • potable water supply mains; • sewer or stormwater systems; • power services; • telecommunication and fibre optic services; and • ancillary port user services.
PO21 Infrastructure, utilities and services, accommodate future planned development of any other infrastructure and/or services.	**AS21.1** The design and operation of all infrastructure, utilities and services do not compromise planned future land uses and infrastructure, and include: • appropriate alignments on and off site; • appropriate locations on and off site; • appropriate discharge and/or connection points; and • sufficient 'additional' design capacity. • conduits to enable the future provision of fibre-optic cabling and other 'smart-wiring'.
PO22 Fire hydrants and boosters are in locations that enable the provision of water and pressure for use by the Queensland Fire and Emergency Service.	**AS22.1** Fire hydrants and boosters shall comply with the design standards of the BCA and Townsville City Council including the referenced CTM Water Alliance Design and Construction Code.
Marine Infrastructure and Tidal Works	
PO23 Marine Infrastructure and tidal works must not have any adverse impacts on port operations.	**AS23.1** Marine infrastructure and tidal works must not: • interfere with the operation of ships entering or leaving the Port; • impede existing navigational channels; or • interfere with stevedoring operations at the Port.
	AS23.2 A Marine Operations Plan must be provided to Port to cover both the construction and on-going operation of the marine infrastructure. This plan is to include measures to ensure the marine safety of simultaneous marine activities by one or more unrelated contractors, proponents or Port users.
	AS23.3 An Emergency Management Plan must be provided that addresses the following as a minimum: Cyclone response procedures; Fire; Person overboard; and Oil or chemical spill.
Dredging Requirements	
PO24 As per the *Sustainable Port Development Act 2015*, all capital dredge material is to be placed on land, and not returned to tidal waters.	**AS24.1** No acceptable outcome is prescribed, compliance with performance criteria is mandatory.
PO25 Any maintenance dredge material destined for unconfined ocean placement is:	**AS25.1** No acceptable outcome is prescribed, compliance with performance criteria is mandatory.

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
• demonstrated to be safe with regard to the protection of the marine environment by meeting the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version; and • supported by a monitoring and management plan that protects the marine environment and that complies with the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version.	
Coastal zone / Coastal Erosion	
PO26 Tidal works does not increase the risk of coastal erosion; or impact upon the structural integrity of sea wall / rock revetments.	**AS26.1** No acceptable solution is prescribed, compliance with performance criteria is mandatory.
PO27 Tidal works and development within the coastal zone is designed and located to minimise susceptibility to, and the impacts of, storm tide inundation and erosion.	**AS27.1** Structures used for the manufacture or storage of hazardous materials in bulk are designed to prevent the intrusion of waters from a defined storm tide event.
PO28 Tidal works and development within the coastal zone are designed to ensure they can continue to function safely following extreme weather events.	**AS28.1** Tidal works and development within the coastal zone meet relevant building and engineering standards.
Water quality	
PO29 Design, construction and development maintains the environmental values of the surrounding waters.	**AS29.1** All works (construction, operation, maintenance) avoids the release of contaminants to tidal waters.
	AS29.2 All Tidal works and development within the coastal zone meet the Queensland Water Quality Objectives.
Lines & Signs	
PO30 All signage and line markings must be consistent with Port standards.	**AS30.1** All signage and line marking must comprehensively address the *Sustainable Port Guidelines* as part of the application.
Lighting	
PO31 All lighting is to: • contribute to the overall amenity of the streetscape and the port; • enable a safe and secure working; environment; and • be energy efficient.	**AS31.1** All lighting must not interfere with navigational or other safety lighting and comprehensively address the *Sustainable Port Guideline* as part of the application.
PO32 Outdoor lighting must be provided for safety and security where required, minimising adverse impact on surrounding development, operations, community or sensitive environmental areas including fauna.	**AS32.1** Lighting levels must be provided in a manner sufficient to meet operational requirements and to meet the relevant Australian Standards, without causing light spill to adjoining properties.
	AS32.2 Appropriate lighting must be provided at key locations such as pedestrian paths, driveways, parking areas, building entrances / exits, so to identify and provide safe access for employees and visitors.
	AS32.3 For new facilities or upgrades to existing facilities that include night time operations, a Light Pollution

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
	assessment must be completed by an appropriately qualified and experienced light pollution expert to identify light pollution sensitive receptors and assess light pollution risk to sensitive receptors with reference to the National Light Pollution Guidelines for Wildlife January 2020 (Department of Environment and Energy, 2020).
Fencing and Security	
PO33 All fencing provides security and/or separation to the public without adversely affecting overall amenity and streetscape quality and injuring fauna.	**AS33.1** Activities undertaken on site that may pose a direct physical hazard or potential hazard to the public are fenced and gated so that access is restricted.
	AS33.2 All security fencing which includes barbed wire is designed to include fauna friendly fence tags to minimise potential hazards to fauna such as birds and bats.
Safety and Hazards Management	
PO34 A development must not pose a safety risk or fire hazard to adjoining development or property.	**AS34.1** The proposed structure and/or works meet all legislative requirements and/or Australian Standards regarding safety and risk management including required firefighting infrastructure.
PO35 Construction sites are managed and operated to ensure a safe workplace for onsite employees.	**AS35.1** The Proponent and its appointed contractors are required to ensure that a workplace plan that meets the requirements of Queensland *Work Health and Safety Act 2011* is developed and implemented during construction.
PO36 All developments on port land and waters must comply with controls and measures in a Safety Management Plan.	**AS36.1** A Safety Management Plan has been submitted to the Port prior to operations being undertaken.
PO37 Risks and hazards associated with the storage or transport of toxic, dangerous/hazardous or flammable materials: • must satisfy all Local, State and Commonwealth legislation and/or requirements; and • does not endanger any person or the natural or built environment.	**AS37.1** Storage of any toxic, dangerous/hazardous or flammable materials is appropriately separated from surrounding sensitive land uses and licensed and managed in accordance with: • *Work Health and Safety Regulations 2011* • Relevant Australian Standards; and • Australian Code for the Transport of Dangerous Goods by Road or Rail.
	AS37.2 Areas where toxic and/or dangerous/hazardous substances are stored or used, must be contained within appropriate tanks or vessels with secondary containment bunds that meet the relevant Australian Standard.
	AS37.3 Spill kits and equipment must be provided suitable to materials being stored and in sufficient quantity relative to the volume being stored.
	AS37.4 A safety / hazard management plan, risk contour maps, or any other plan identifying risks and relevant safety and emergency procedures must be provided to Port.

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
	AS37.5 Any Major Hazard Facility (MHF) is required to be referred to SARA for State referral agency assessment.
Sustainability	
PO38 The development supports the principles of sustainable development and incorporates sustainability measures into the development design and operations.	**AS38.1** Comprehensively address the *Sustainable Port Guidelines* as part of the application.
Landscaping and 1 million trees	
PO39 Landscaping: • is of a high quality that focuses on all road and other public space frontages to enhance the overall amenity of the streetscape; • is maintained to a high level; • is designed to require limited watering and maintenance; and • is integrated with the site's stormwater management system.	**AS39.1** The landscaped area of the site is a minimum of 5% of the leased area. **AS39.2** Comprehensively address the *Sustainable Port Guidelines* as part of the application.
Heritage Protection	
PO40 Development avoids, minimises or manages disturbance to places of identified heritage significance.	**AS40.1** No acceptable solution is prescribed, compliance with performance criteria is mandatory.
Biosecurity	
PO41 Development does not contravene any Australian quarantine or customs legislative requirements.	**AS41.1** Development complies with any requirements of the Commonwealth Department of Agriculture and Water Environment (DAWE), and associated Commonwealth legislation. Should the Port consider it appropriate, the application may be referred to DAWE for Advice Agency assessment.
PO42 Proponent meets the General Biosecurity Obligation under Queensland's *Biosecurity Act 2014*.	**AS42.1** The Proponent, employees and contractors must: • take all reasonable and practical steps to prevent or minimise each biosecurity risk; • minimise the likelihood of causing a biosecurity event and limit the consequences if such an event is caused; and • prevent or minimise the harmful effects a risk could have, and not do anything that might make any harmful effects worse.
Environmental Management	
PO43 Development ensures environmental harm or nuisance is not caused at sensitive land uses and receiving environments and avoids, minimises and/or manages any emissions including, but not limited to: a) Odour; b) Fumes; c) Dust; d) Light;	**AS43.1** Development complies with the provisions of the *Environmental Protection Act 1994* and associated regulations and policies to: a) Achieve the acoustic quality objectives set out in the Environment Protection (Noise) Policy 2019; and b) Achieve the air quality objectives set out in the Environmental Protection (Air) Policy 2019.

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
e) Noise; and f) Vibration.	**AS43.2** The Proponent must provide an environmental assessment identifying all emissions and impacts from the development and details on the actions to be taken to minimise any adverse impacts of the development, including the cumulative impact of the development.
	AS43.3 Noise generating plant and equipment is appropriately enclosed, shielded or acoustically treated and operated (e.g. hours of operation).
	AS43.4 For ERA50 bulk material handling (bulk materials and minerals), the Proponent must demonstrate compliance with the Department of Environment and Science (DES) standard conditions for all operators at the Port of Townsville.
PO44 All developments on port land and waters must comply with controls and measures in an Environmental Management Plan.	**AS44.1** Construction and operational EMPs have been submitted to the Port in accordance with the Sustainable Port Guideline prior to works being undertaken.
PO45 Development is designed and operated in accordance with the waste and resource management hierarchy: a) Avoid; b) Reduce; c) Reuse; d) Recycle; e) Recover; f) Treat; and g) Dispose.	**AS45.1** No acceptable outcome is prescribed, compliance with performance criteria is mandatory.
PO46 Waste and spillage from loading and unloading activities does not enter stormwater drainage systems or tidal waters.	**AS46.1** No acceptable outcome is prescribed compliance with performance criteria is mandatory.
Flora and Fauna	
PO47 Works avoid or minimise impacts on flora and fauna.	**AS47.1** No vegetation clearing is to occur without appropriate approval from the relevant administrating authority if required. Permits under Queensland legislation, may be required for certain vegetation clearing/maintenance, including: • Removal, destruction or damage of marine plants; or • Native Vegetation clearing.
	AS47.2 If works meet the requirements of the Accepted Development Requirements under the Planning Act; evidence is to be provided to the Port prior to works commencing.
Acid Sulphate Soils	
PO48 All works are to avoid disturbing acid sulphate soils where practical and are managed to avoid or minimise the release of acid or metal contaminants if disturbed.	**AS48.1** Management of acid sulphate soils is to be consistent with the Queensland Acid Sulphate Soil Technical Manual: Soil Management Guidelines.

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
Contaminated Land	
PO49 Development and operation of sites does not result in the contamination of the site, underlying groundwater or off-site environmental impacts.	**AS49.1** A Baseline Contamination Survey is to be prepared and submitted to the Port prior to any construction activities commencing in accordance with relevant Queensland Contaminated Land Guidelines and the National Environment Protection (Assessment of Site Contamination) Measure 1999.
	AS49.2 Where a site is listed on the Environmental Management Register (EMR) or Contaminated Lands Register (CLR), all works shall incorporate practices (to be detailed in the Construction EMP and Operational EMP) to minimise environmental impacts from contamination.
	AS49.3 Where there is potential for groundwater impacts, a groundwater monitoring program must be put in place and sufficient on-going monitoring undertaken to demonstrate minimal impact on groundwater quality as a result of on-site activities.
	AS49.4 In accordance with the Department of Environment and Science (DES) Operational Policy for PFAS, foam extinguishers are to be fluorine free. Proponents who utilise C6 purity fire systems must provide supporting information to Port that the arrangement meets the DES Operational Policy.
PO50 The development site can be remediated, and land rehabilitated upon cessation of activities.	**AS50.1** An Exit Contamination Survey is to be prepared and submitted to the Port prior to surrender of the tenure agreement in accordance with relevant Queensland Contaminated Land Guidelines and the National Environment Protection (Assessment of Site Contamination) Measure 1999.
	AS50.2 Where contamination is identified, a Remedial Action Plan is developed and implemented by a Suitably Qualified Person in consultation with the Port.
Stormwater Water Quality	
PO51 Development is to avoid pollutants entering and being transported with stormwater runoff and does not adversely impact on the quality of receiving waters.	**AS51.1** Stormwater quality treatment measures are implemented in accordance with the *Sustainable Port Guidelines.*
	AS51.2 Pollutant load reductions are achieved in accordance with the *Sustainable Port Guidelines*.
PO52 Development does not discharge waste water to a stormwater system, waterway, or external to the site unless demonstrated to be best practice environmental management for the site, and has appropriate regard for: • cumulative effects; • the applicable water quality objectives for the receiving waters;	**AS52.1** Waste water management measures are implemented in accordance the *Sustainable Port Guidelines*.

PERFORMANCE OUTCOME	ACCEPTABLE SOLUTION
• adverse impact on ecosystem health of receiving waters; and • in waters mapped as being of high ecological value, the adverse impacts of such releases and their offset.	
Sediment and Erosion	
PO53 Adverse impacts of construction or operational activities on stormwater quality are avoided or minimised using best practice environmental management for erosion and sediment control.	**AS53.1** Sediment and erosion control measures are implemented in accordance with the *Sustainable Port Guidelines*.

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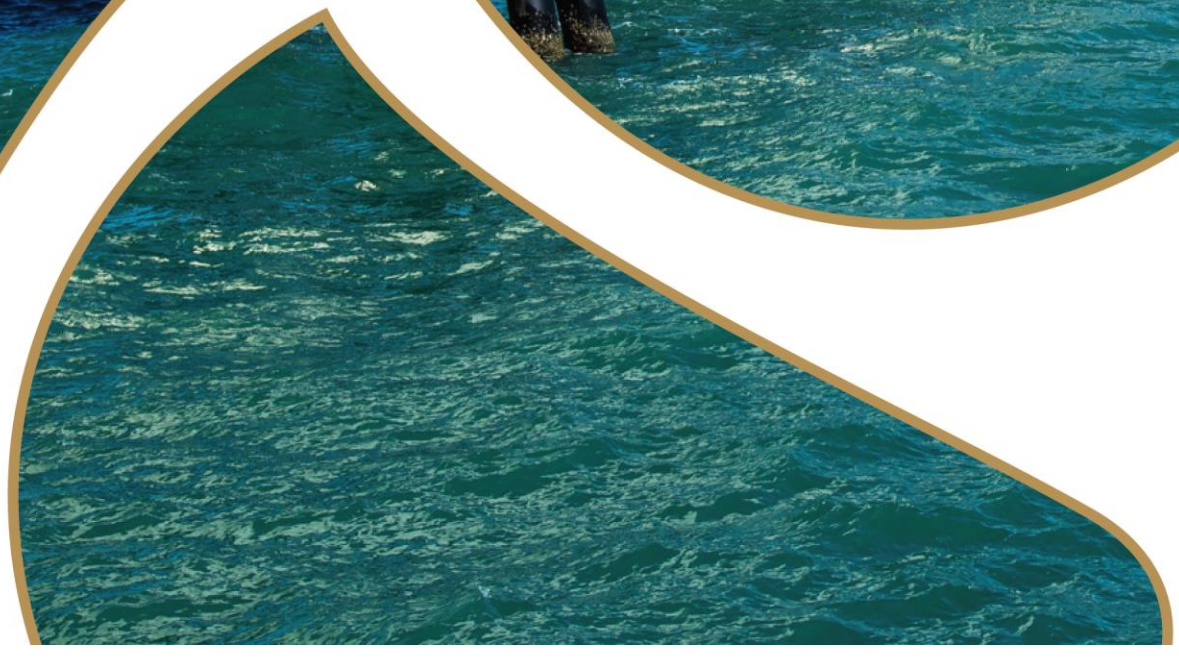
APPENDIX A
Definitions



7. APPENDIX A – DEFINITIONS

7.1. Use Definitions

Use definitions have a particular meaning for the purpose of the LUP. Any use not listed is an undefined use.

USE	DEFINITION	EXAMPLE
Emergency Services	Premises used by government bodies or community organisations to provide essential emergency services or disaster management services including management support facilities for the protection of persons, property and the environment.	*State Emergency Service Facility* *Ambulance Station* *Fire Station* *Police Station* *Emergency Management Support Facility* *Evacuation Centre*
Environmental Facility	Facilities used for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value.	*Nature-Based Attraction* *Walking Track (main including seating, boardwalks)*
Food & Drink Outlet	Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site.	*Snack Bar* *Takeaway*
Landing	A structure for mooring, launching, storage and retrieval of vessels where passengers embark and disembark.	*Boat Ramp* *Jetty* *Pontoon*
Marine Industry	Premises used for waterfront based marine industries involved in any activity relating to the manufacturing, storage, repair or servicing of vessels and maritime infrastructure.	*Boat Building* *Boat Repairs* *Boat Storage*
Office	Premises used for government, management or administrative services where no goods or materials are made, sold or hired.	*Australian Customs & Border Protection Service* *Australian Quarantine & Inspection Service* *Australian Volunteer Coast Guard* *Government Office* *Port Authority Office* *Shipping Agent*
Park	Premises accessible to the public generally for free sport, recreation and leisure, and may be used for community events or other community activities. Facilities may include children's playground equipment, informal sports fields and ancillary vehicle parking and other public conveniences.	*Local park,* *Public foreshores* *Public jetty*

USE	DEFINITION	EXAMPLE
Port Services	Premises used for the following: the arrival and departure of vessels; the movement of passengers or goods on or off vessels; any ancillary activities directly servicing the needs of passengers and visitors or the housing, servicing, maintenance and repair of vessels.	*Bulk Cargo Storage & Distribution* *Cattle Loading Facility* *Commercial Shipping Support Facility (towage/refuelling/service/repair)* *Fertilizer Loading Facility* *Fuel Storage and Handling Facility* *Marina* *Passenger Terminal* *Sand/Mineral Storage and Loading Facility* *Wharves & Docking Facilities*
Telecommunications Facility	Premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.	*Telecommunication Tower*
Utility Installation	Premises used to provide the following services: • supply or treatment of water, hydraulic power or gas • sewerage, drainage or stormwater services • transport services including road, rail or water • waste management facilities or • network infrastructure. The use includes maintenance and storage depots and other facilities for the operation of the use.	*Pumping Station* *Sewerage Treatment Plant* *Water Treatment Plant*
Warehouse	Premises used for the storage and distribution of goods, whether or not in a building.	*Cargo Distribution* *Warehouse*

7.2. Administrative Definitions

Administrative definitions assist with the interpretation of the LUP but do not have a meaning in relation to a use.

TERM	DEFINITION
Acid sulfate soils	Means soils, sediments, or other materials containing iron sulfides and/or acidity generated by their breakdown. Note – these materials are environmentally benign when left undisturbed in an aqueous, anoxic environment, but when exposed to oxygen, the iron sulfides break down, releasing large quantities of sulfuric acid and soluble iron. Both substances have considerable ability to degrade the natural and built environment, and the acid can mobilise other pollutants such as arsenic, lead and zinc
Adjoining premises*	Premises that share a common boundary, including premises that meet at a single point on a common boundary.
Ancillary use	A use that is directly associated with and subordinate to the primary use of the land.
Annual exceedance probability (AEP)	Means the likelihood of occurrence of a flood of a given size or larger in any one year; usually expressed as a percentage. Note – For example, if a peak flood discharge of 500 cubic metres per second has an AEP of five per cent, it means that there is a five per cent risk (i.e. probability of 0.05 or a likelihood of one in 20) of a peak flood discharge of 500 cubic metres per second or larger occurring in any one year. The AEP of a flood event gives no indication of when a flood of that size will occur next.

TERM	DEFINITION
Areas of environmental significance	Areas of environmental significance are identified: Biodiversity areas, Wetlands, Waterways and riparian corridors and declared fish habitat areas. These areas are identified on the Natural areas overlays maps contained in Schedule 2. Note – Areas of environmental significance include Matters of National environmental significance, Matters of State environmental significance and Matters of local environmental significance.
Australian height datum (AHD)	The datum used for the determination of elevations in Australia. The determination uses a national network of bench marks and tide gauges, and sets mean sea level as zero elevation.
Basement*	A space • between a floor level in a building and the floor level that is immediately below it, and • no part of which is more than 1 metre above ground level.
Buffer	An area required for ecological, acoustic, scenic amenity or potential hazard protection purposes that incorporates a separation distance and associated landscaping, structures and works: • between different land uses; or • from a major noise source; or • from a conservation area or a public recreation area; or • from a wetland, waterway or waterbody.
Building height*	If specified: • the vertical distance, measured in metres, between the ground level and the highest point on the roof of the building, other than a point that is part of an aerial, chimney, flagpole or load bearing antenna; or • the number of storeys in the building above ground level. Note – Refer to administrative definition for roof height.
Coastal processes	Means the natural processes of the coast including sediment transport to and along the coast; fluctuations in the location and form of the foreshore, beach, dunes and associated ecosystems; waves, tides; changes in sea-level and coastal hazards (for example, storm tide), ecological processes (for example, migration of plant and animal species) and the natural water cycle (for example coastal wetlands' role in filtration and flood mitigation).
Gross floor area*	The total floor area of all storeys of a building measured from the outside of the external walls and the centre of any common walls of the building, other than areas used for: • building services, plant or equipment, or • access between levels, or • ground floor public lobby, or • a mall, or • the parking, loading and manoeuvring of vehicles, or • unenclosed private balconies whether roofed or not.
Ground level*	The level of the natural ground, or, if the level of the natural ground has changed, the level as lawfully changed.
Hazardous material	A substance with potential to cause harm to persons, property or the environment because of one or more of the following: • the chemical properties of the substance; • the physical properties of the substance; • the biological properties of the substance. Without limiting the first paragraph, all dangerous goods, combustible liquids and chemicals are hazardous materials. Note – definition from the *Dangerous Goods Safety Management Act 2001*.
Heavy rigid vehicle	A rigid or articulated motor vehicle or omnibus which has three or more axles and a gross vehicle mass of greater than 8 tonnes.

TERM	DEFINITION
Landscaping	Landscaping incorporates trees, shrubs and groundcovers, including: • planting of trees, hedges, shrubs and lawn; • laying out of gardens; • paving of pathways or courtyards; • water features. Landscaping also includes: • the formation and construction of footpaths and verges; • street tree planting.
Marine-dependent	Means uses or development that requires land adjoining the foreshore and access to tidal water to function. The term does not include residential development, waste management facilities (landfills, sewerage treatment plants) or transport infrastructure (other than for access to the coast). Editor's note: marine-dependent use and development may include: • Industrial and commercial facilities such as ports, harbours and navigation channels and facilities, aquaculture involving marine species, desalination plants, tidal generators, erosion control structures and beach nourishment • Tourism facilities for marine (boating) purposes or that are part of an integrated development proposal incorporating a marina.
Roof height	The vertical distance between the upper most point of the exterior wall of the building and highest point of the building roof (apex) or parapet at any point but not including non-load bearing antenna, aerial, chimney, flagpole or the like. Roof height is contained within the Building height. Note – Refer to administrative definition for Building height.
Sensitive land use	Means the following uses: • caretakers accommodation; • child care centre; • community care centre; • community residence; • detention facility; • dual occupancy; • dwelling house; • dwelling unit; • educational establishment; • health care services; • hospital; • hotel; • multiple dwelling; • non-resident workforce accommodation; • relocatable home park; • residential care facility; • resort complex; • retirement facility; • rooming accommodation; • rural workers accommodation; • short-term accommodation; • tourist park. Where development is for an Adult store, sensitive land use means the following uses: • child care centre; • place of worship; • educational establishment (where catering for children of primary and secondary school age).

TERM	DEFINITION
Setback*	For a building or structure, the shortest distance measured horizontally from the outer most projection of a building or structure to the vertical projection of the boundary of the lot where the building or structure is.
Site*	The land that the development is to be carried out on. Examples – If development is to be carried out on part of a lot, the site of the development is that part of the lot If development is to be carried out on part of 1 lot and part of an adjoining lot, the site of the development is both of those parts.
Site cover*	The portion of the site, expressed as a percentage, that will be covered by a building or structure, measured to its outermost projection, after the development is carried out, other than a building or structure or part of a building or structure that is • in a landscaped or open space area, including for example a gazebo or shade structure; • basement that is completely below ground level and used for car parking area, or • the eaves of a building, or • a sun shade.
Structure	Includes a constructed element that has a built presence on or above land. It includes a wall or fence and anything fixed to or projecting from a building, wall, fence or other structure.
Temporary use*	A use that is carried out on a non-permanent basis and does not involve the construction of or significant changes to permanent buildings or structures.
Ultimate development*	For an area or premises, the likely extent of development that is anticipated to be achieved in the area, or on the premises, if the area or premises are fully developed.
Urban purposes*	A purposes for which land is used in cities or towns, a) including residential industrial, sporting, recreation and commercial purposes, but b) not including rural residential, environmental, conservation, rural, natural or wilderness area purposes.
Vegetation	An individual tree or trees, plants and any other organisms of vegetable origin, not including marine plants.

Note – * denotes a definition included in the Planning Regulation 2017.

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APPENDIX B
Register of Strategic Port Land

8. APPENDIX B – REGISTER OF STRATEGIC PORT LAND

Table 6 - Strategic Port Land Property Descriptions

No	Real Property Description	Area (m²)	Current Tenure	Precinct	Current land use
1	Lot 386 on CP905073	5,831	Freehold	Port Industry	Public recreational land
2	Lot 389 on CP905073	112,500	Freehold	Port Industry	Port industry uses including bulk storage
3	Lot 392 on SP136302	60,490	Freehold	Port Industry	Port industry uses
4	Lot 388 on SP117560	18,070	Freehold	Port Industry	Access road, foreshore recreational areas, community services.
5	Lot 393 on SP136302	5,084	Freehold	Port Industry	Port industry uses
6	Lot 402 on CWL3218	31,770	Freehold	Port Industry	Vacant land
7	Lot 548 on SP118067	152,400	Perpetual Lease	Port Operations	Existing jetties and marine operations
8	Lot 387 on CWL3085	180,000	Perpetual Lease	Port Operations	Jetty and wharf for ship loading of sugar products
9	Lot 313 on CWL2280	405	Reserve	Port Buffer	Conservation
10	Lot 390 on SP108489	19,580	Perpetual Lease	Port Buffer	Buffer/conservation

Land descriptions are current as at April 2022

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APPENDIX C
Land Use Plan Mapping

9. APPENDIX C – LAND USE PLAN MAPPING

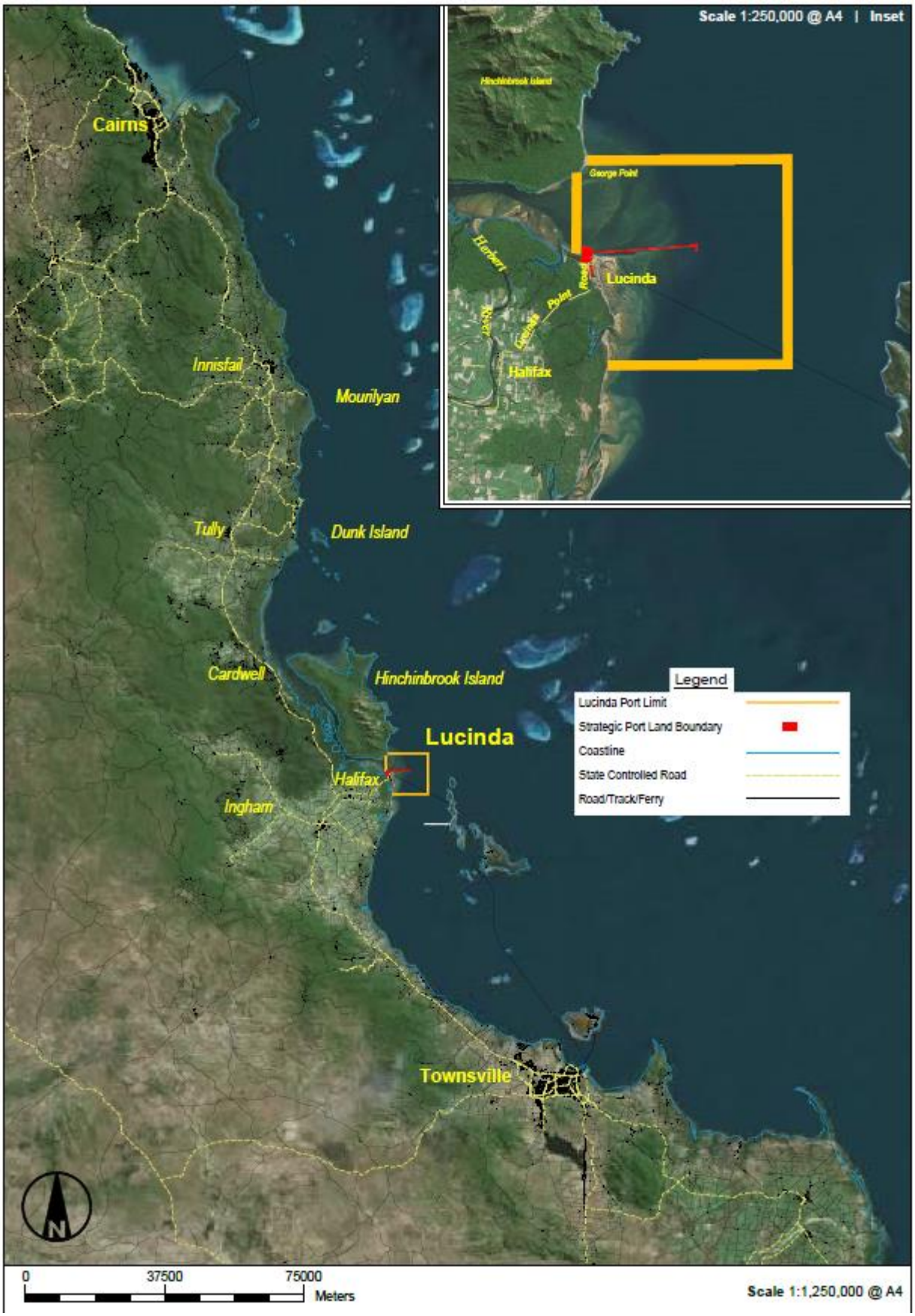


Figure 3 - Locality Plan

Figure 4 - Strategic Port Lands Boundary Map

Figure 5 - Marine Parks Boundary Maps

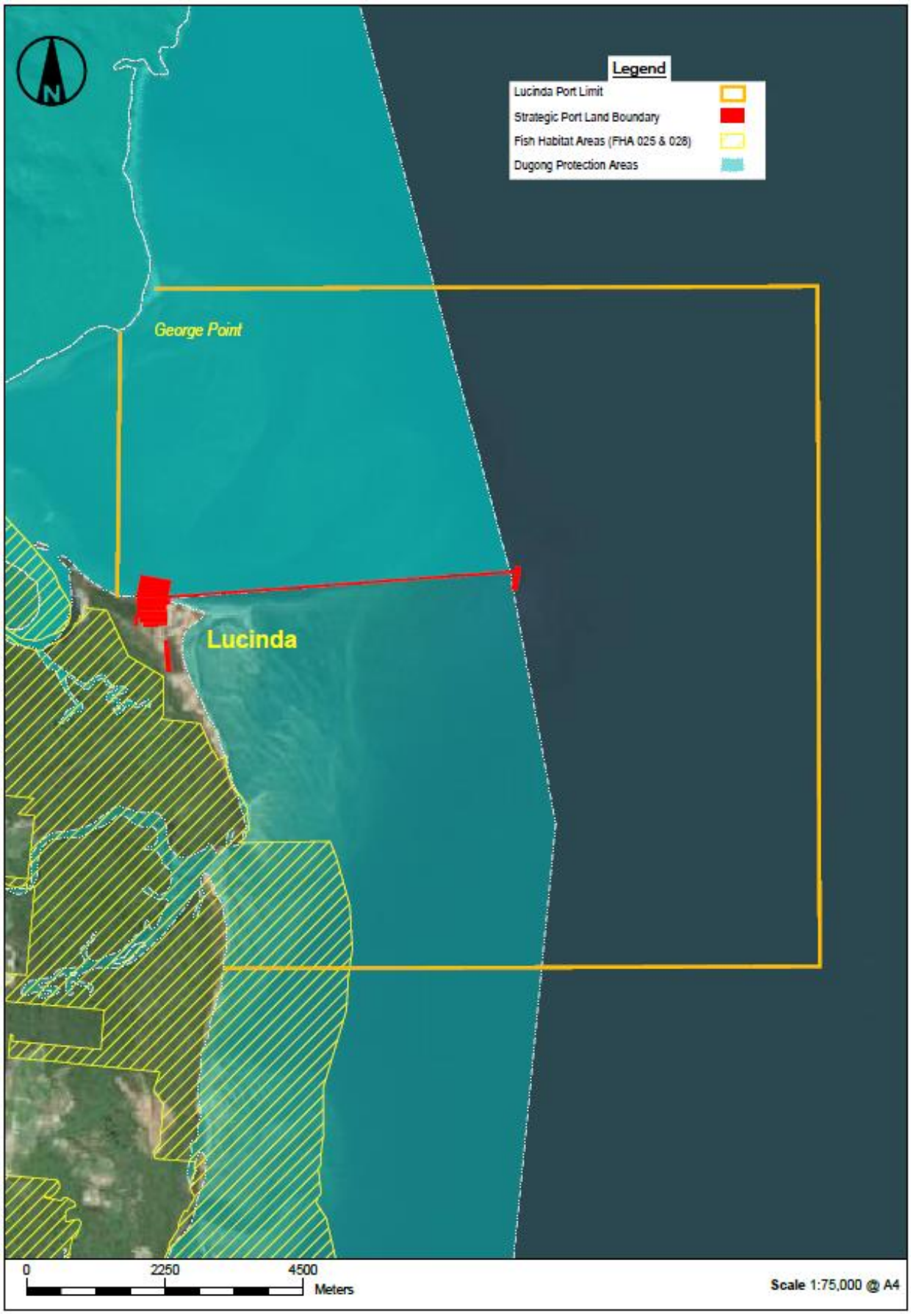


Figure 6 - Areas of Marine Ecological Significance

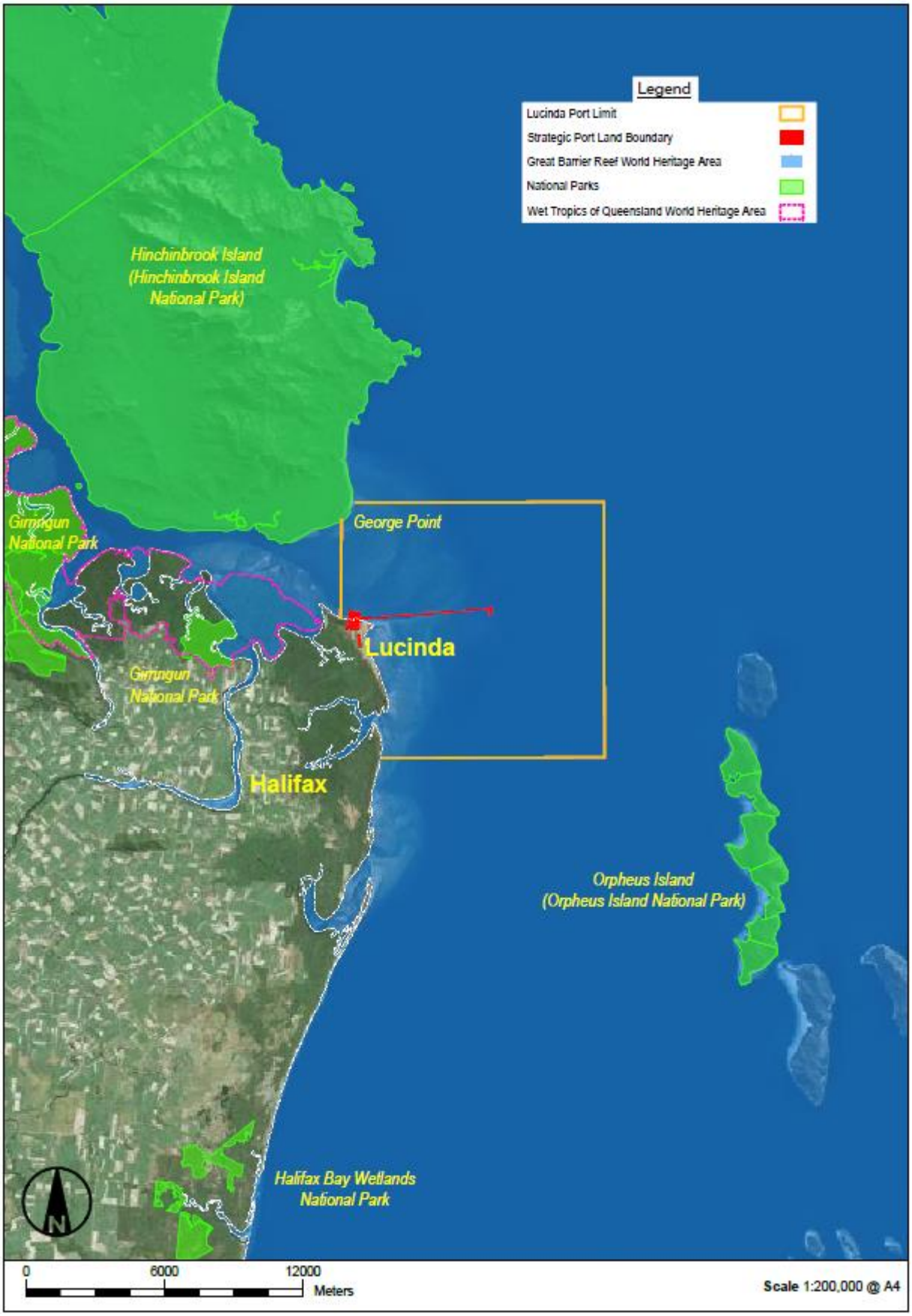
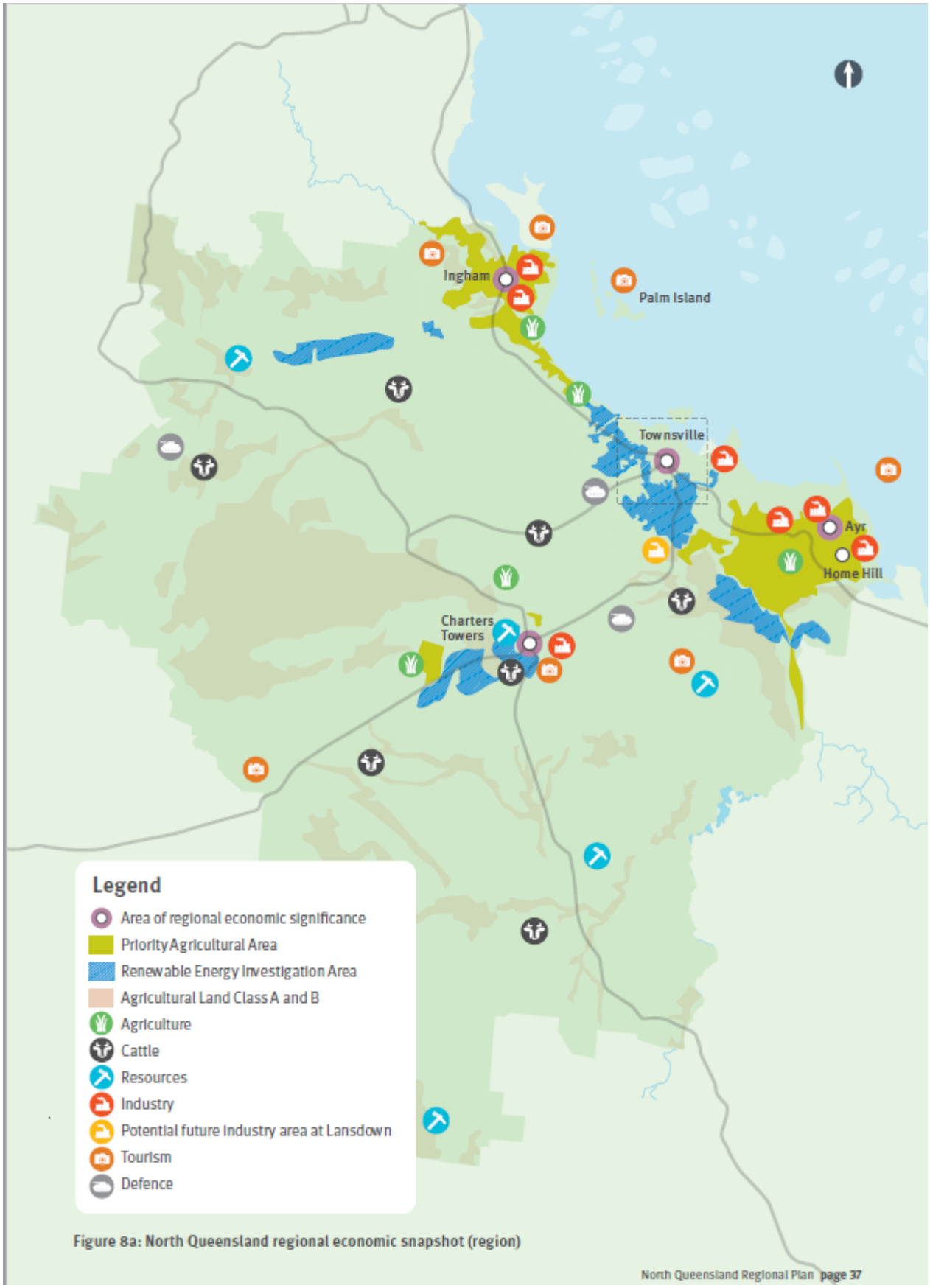


Figure 7 - National Parks and World Heritage Area Boundary

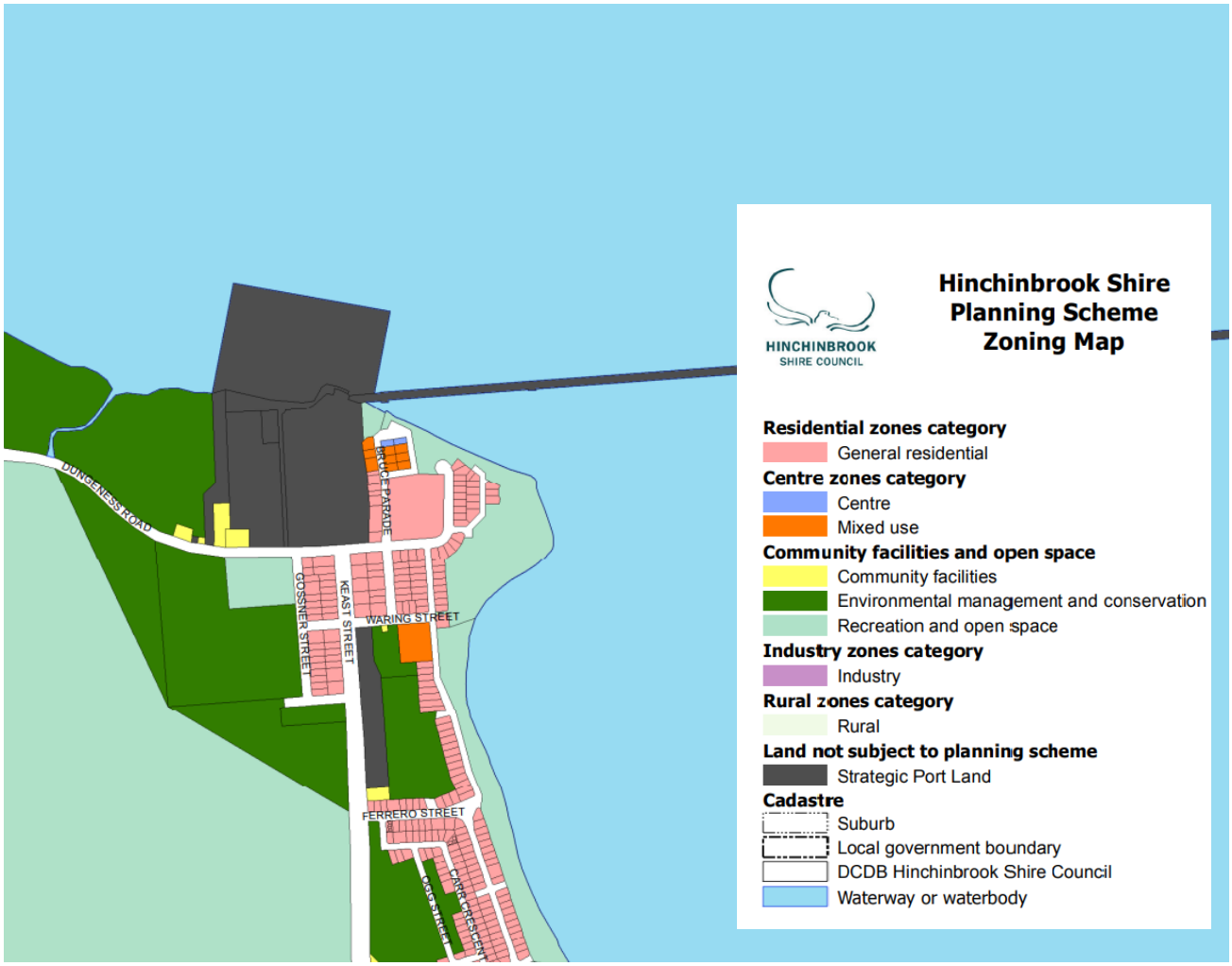


Source: North Qld Regional Plan March 2020

Figure 8 - North Queensland Region Economic Snapshot

Source: North Qld Regional Plan March 2020

Figure 9 - North Queensland Regional Plan map of key inter-regional connectivity



Source: Hinchinbrook Shire Planning Scheme 2017

Figure 10 - Hinchinbrook Shire Planning Scheme 2017 Zone Map (Lucinda)

Figure 11 - Local Government Area Boundaries

Figure 12 - Coastal Hazard Adaption Strategy Mapping for Lucinda (Source: Hinchinbrook Coast 2100)

Figure 13 - Precinct Plan

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