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ABOUT THIS LAND USE PLAN

The *Transport Infrastructure Act 1994* requires port authorities to prepare and implement Land Use Plans to guide the future development and operations on their Strategic Port Land.

The Port of Weipa Land Use Plan articulates North Queensland Bulk Ports Corporation's (NQBP's) land use planning intentions at the Port of Weipa.

The commentary and requirements in the Port of Weipa Land Use Plan will provide direction to development proponents and facilitate NQBP's efforts to regulate future operations consistently and appropriately.

The intent of the Port of Weipa Land Use Plan is to facilitate the future development of NQBP's Strategic Port Land at the Port of Weipa.

In accordance with the provisions of the Transport Infrastructure Act 1994, the Port of Weipa Land Use Plan will:

- specify the existing and proposed Strategic Port Land holdings at the Port of Weipa
- identify the current and proposed uses of the land
- coordinate and integrate the core matters that are relevant to the Port of Weipa
- identify the Desired Environmental Outcomes for the Port of Weipa
- include measures to help achieve the Desired Environmental Outcomes for the Port of Weipa.

The outcomes of the Port of Weipa Land Use Plan will be achieved through the designation of appropriate land use precincts over Strategic Port Land and defining the Desired Environmental Outcomes that are sought for development within those areas.



PURPOSE OF THE PORT OF WEIPA LAND USE PLAN

The Port of Weipa Land Use Plan provides the planning framework for development on all Strategic Port Land at the Port of Weipa. It also takes into consideration land use designations under Cook Shire Council's Planning Scheme (as adopted in 2007) and Weipa Town Authority's planning scheme, namely, the 'Advisory Development Plan' (as adopted in 1996).

The Port of Weipa Land Use Plan has been developed to:

- be respectful of the area's traditional owners
- consolidate the use of existing infrastructure and development
- optimise the benefits of future development
- look to facilitate the needs and concerns of the local and regional community
- consider the interface with adjoining areas
- be considerate of the existing environment and natural processes.

The Port of Weipa Land Use Plan replaces the Port of Weipa Strategic Plan which was approved in 1995.

The *Transport Infrastructure Act 1994* requires ports to review and prepare a new Land Use Plan at least every eight years. Therefore, the Port of Weipa Land Use Plan is intended to have a life of eight years, at which time a new Land Use Plan would be prepared and implemented.





BACKGROUND

ABOUT THE TOWN OF WEIPA

Weipa is a small coastal community located on the north-west coast of the Cape York Peninsula, approximately 800km from Cairns.

Facilitated by the *Commonwealth Aluminium Corporation Pty Limited Agreement Act 1957* (the Comalco Act), Weipa's economic and population growth has been predominantly linked to bauxite mining activities in the region.

There is an Indigenous Land Use Agreement (ILUA) over the mining lease areas. The ILUA was registered with the National Native Title Tribunal under the *Native Title Act 1993* on 24 August 2001. The Agreement is between 11 Traditional Owner Groups, four Shire Councils (Aurukun, Napranum, Mapoon and New Mapoon), Comalco (now Rio Tinto Alcan), the Queensland State Government and the Cape York Land Council on behalf of the Native Title Parties. The 11 Traditional Owner Groups are Alngith, Anathangayth, Ankamuthi, Peppan, Taepadhighi, Thanikwithi, Tjungundji, Warranggu, Wathayn, Wik and Wik-Way and Yupungathi.

Today, Weipa is the largest community on the Cape York Peninsula, with an estimated 5,000 permanent residents. Weipa provides many services and is a base for a number of government agencies in the region.

ABOUT THE PORT OF WEIPA

The Port of Weipa is managed by NQBP and is critically important for the Weipa township and broader region.

The Port limits and current NQBP land holdings at Weipa are illustrated in the Appendices. The Port's dry land is located on the northern bank of the Embley River. The Port's substantial wet area extends down the Embley River into Albatross Bay.

To support their large onshore bauxite processing and stockpiling facilities at Weipa, NQBP leases the demised premises and licences the surrounding areas within much of its landholdings to Rio Tinto Alcan.

NQBP also has areas for tug berthing facilities, port services and administration, commercial activities, storage facilities, live export facilities, government operations and other ancillary uses.

PORT TRADE

The Port of Weipa's primary commodity is bauxite, mined and exported by Rio Tinto Alcan. Rio Tinto Alcan's Weipa bauxite mining operations have experienced steady growth in the last decade and are the world's largest with over 25 million tonnes being exported through the port in 2011/2012. The mines are linked to the exporting facilities via rail and road access.

The majority of bauxite mined in Weipa is shipped to Gladstone for processing, while some product is shipped directly to the international market.

The Port of Weipa also caters for the loading and unloading of fuel, general cargo and livestock. The annual total volume of these products varies, as a reflection of the changing nature of underlying economic, social and environmental conditions.

PORT FACILITIES

There has been considerable private and public sector investment in port infrastructure at the Port of Weipa to support the importing and exporting needs of the region. The Port is accessible by a shipping channel with a declared depth of -11.1m LAT. NQBP intends to deepen the existing shipping channel to -12.6m LAT. The shipping channel will be maintained through an annual maintenance dredging program.

The Port of Weipa's three wharves provide four berths that accommodate the loading and unloading of wet and dry bulk commodities, general cargo and livestock.

The Port of Weipa provides for a range of ancillary port facilities that support operational needs. The Port also accommodates municipal facilities including a community centre, public boat ramp and sewage treatment plant. Whilst not core port activities, these facilities are located on Strategic Port Land and provide important services to the Port and community.

NOBP'S ADMINISTRATION OF THE PORT OF WEIPA

NQBP manages seaport facilities integral to the export and import trade demands and economic growth of Queensland and Australia.

NQBP was formed as a result of the 2008 Queensland Government Review of the Queensland Port Network Structure. On 1 July 2009, NQBP was given management responsibility for the Ports of Hay Point, Abbot Point, Mackay and Weipa, and the non-trading Port of Maryborough.

NQBP is a Government Owned Corporation, a company under the *Corporations Act 2001* and the *Government Owned Corporations Act 1993*, and a Port Authority under the *Transport Infrastructure Act 1994*.

The Port's land holdings at Weipa are currently held by NQBP. As the Port Authority for the Port of Weipa, NQBP is responsible for:

- strategic port planning
- port business development
- port infrastructure development
- environmental management and marine pollution (within port limits)
- port security and safety
- port efficiency
- maintaining navigable depths for shipping
- issuing licences, leases and permits to other organisations for use of port land, infrastructure and facilities.

PORT OF WEIPA'S RELATIONSHIP WITH THE WEIPA TOWN AUTHORITY AND COOK SHIRE COUNCIL

NQBP's Strategic Port Land is located adjacent to land included within the Weipa Town Area and the local government area of Cook Shire Council. The Weipa Town Area is administered by the Weipa Town Authority, which is a division of Rio Tinto Alcan Pty Ltd, that has responsibilities under the Comalco Act for delivering local government functions to the management of the Town.

While Strategic Port Land is not subject to the Weipa Town Authority's 'Advisory Development Plan' or Cook Shire Council's Planning Scheme, it is important that the Port's proposed land use outcomes are consistent and compatible with the development that is in and around the Port.

PORT OF WEIPA'S RELATIONSHIP WITH AURUKUN AND NAPRANUM SHIRE COUNCILS

A small part of the Port of Weipa Strategic Port Land abuts land governed by Aurukun and Napranum Shire Councils. As with the land governed by Weipa Town Authority and Cook Shire Council, it is important that current land uses and future proposed development at the Port of Weipa is compatible with the development in these neighbouring areas.

COORDINATING AND INTEGRATING THE CORE MATTERS

The *Transport Infrastructure Act 1994* specifies that the core matters must be coordinated and integrated into the Land Use Plan. Core matters relate to land use and development, port facilities and valuable features.

As part of the Statement of Proposals, NQBP outlined the primary issues with the core matters. The following primary issues, relevant to the Port of Weipa, were identified in the assessment of core matters:

- managing potential impacts of conflicting land uses
- providing support for future growth required to maintain the Port's significant economic contribution
- · optimising port accessibility via road and water
- managing existing non-port-related land uses on Strategic Port Land
- protecting ecologically sensitive areas in the vicinity of the Port.



To coordinate and integrate the core matters into the Land Use Plan, the primary issues must be addressed. The table below outlines the variety of land use planning measures that will be used to respond to the primary issues.

PRIMARY ISSUES	RESPONSE				
Managing Land Use Conflicts	The avoidance of potential land use conflicts is integral to the sustainable growth of the Port of Weipa. To ensure future port development is appropriate, the Land Use Plan contains Desired Environmental Outcomes that outline NQBP's development expectations in each port precinct and provide a framework to guide the future environment and land uses. The Precinct Plan reflects development and operational restrictions.				
Supporting Future Growth	The Land Use Plan encourages new trade-related development to capitalise on existing infrastructure. This is articulated in the Desired Environmental Outcomes and in the 'Intent' that supports the Precinct Plan. Trade-specific development (such as loading and unloading facilities) would not occur in the 'Support Services' precinct unless the development cannot be accommodated within the Port Industry precinct.				
Optimising Port Accessibility	Efficient port access is critical to the port, both now and into the future. Whilst outside of the Land Use Plan's scope, NQBP will continue to work with the relevant owners and managers of port access infrastructure to identify when and if improvements are required and how access corridors may be protected.				
Managing Existing Non-Port-Related Development on Strategic Port Land	The ability to use Strategic Port Land for non-port-related development is limited under the <i>Transport Infrastructure Act 1994</i> . However, NQBP will continue to support existing non-port-related uses such as government and voluntary organisations at the Port of Weipa. Primarily, NQBP must continue to perform its functions as a Port Authority under the <i>Transport Infrastructure Act 1994</i> , in making land available for the establishment, management and operation of effective and efficient port				
	facilities, port services, and ancillary services required for the functioning of the Port of Weipa. Any development decision that could impact the existing non-port-related land uses will be made in discussion with the community.				
Environmental and Cultural Heritage Protection	All future development will be considerate of the environmental and cultural heritage values of the area. The Land Use Plan specifically outlines NQBP's expectations for the protection of these values. Future development that cannot clearly comply with these expectations will require further scientific, environmental or cultural heritage investigations. NQBP will not support development that does not satisfy the principles for environmental and cultural heritage protection. NQBP's Development Code requires future development to effectively address environmental management and cultural heritage values at the Port of Weipa.				

PLANNING MEASURES EMPLOYED BY THE LAND USE PLAN

To address the primary issues and core matters, the Land Use Plan contains a Development Vision, Desired Environmental Outcomes and a Precinct Plan.

The Development Vision is a declaration from NQBP about our land use planning direction and our commitment to existing and future stakeholders at the Port of Weipa. The Development Vision provides the basis for the Land Use Plan.

The Desired Environmental Outcomes are broad statements that guide future development and operations on Strategic Port Land. The Desired Environmental Outcomes outline NQBP's expectations and will facilitate development proponents' efforts to develop and operate responsibly.

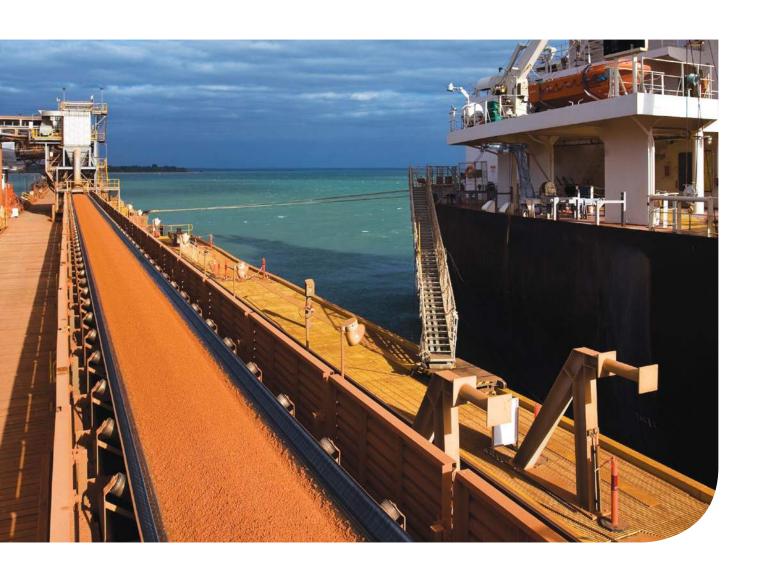
The Precinct Plan addresses the next level of detailed site planning, by defining the Intent and Indicative Uses for each port precinct. The Precinct Plan directs future development, outlines development and operational restrictions and protects the social and environmental value of the area.

To support the Land Use Plan, NQBP has prepared a Development Code. The Development Code articulates the operational and technical requirements for development on Strategic Port Land. The Development Code supports the intent of the Desired Environmental Outcomes and the Precinct Plan.

All new development and operations (and significant increases in intensity and scale) must comply with the Land Use Plan and the **Development Code** and will be subject to the requirements of a range of Queensland legislation including, but not limited to, the *Sustainable Planning Act 2009*, the *Environmental Protection Act 1994* and the *Aboriginal Cultural Heritage Act 2003*.

Furthermore, any new development proposed which may have an impact on Matters of National Environmental Significance may also be subject to the *Environment Protection and Biodiversity Conservation Act 1999* at the Commonwealth level.

Note: The Development Code will **not** be a statutory component of the Land Use Plan. The Development Code operates in conjunction with the Land Use Plan to definitively guide the form and structure of development on Strategic Port Land.





"To facilitate the growth and diversification of Weipa's economy through effective land use planning and responsible development management of Strategic Port Land."

DESIRED ENVIRONMENTAL OUTCOMES

The Desired Environmental Outcomes seek to achieve the development vision. All new development and operations on Strategic Port Land must achieve the following Desired Environmental Outcomes:

DESIRED ENVIRONMENTAL OUTCOME 1: ECONOMIC STRENGTH AND RESILIENCE

To enhance the role of the Port in furthering the growth and diversification of Weipa's economy by:

- enhancing existing trade-related development, infrastructure and facilities
- managing future development in an orderly and systematic manner
- · responding to market demands and stakeholder needs
- encouraging tailored infrastructure and development solutions
- encouraging synergies with local and regional industries
- promoting industries that provide employment opportunities for the regional population.

DESIRED ENVIRONMENTAL OUTCOME 2: COMMUNITY

To strengthen the community by:

- requiring all development and operations to be safe
- enhancing the cooperative interface between NQBP, the Weipa Town Authority and Cook Shire Council
- operating in a respectful and amicable manner
- maintaining a good relationship with the community and the Port's tenants
- requiring development to be regulated to avoid or minimise adverse impacts on sensitive land uses
- maintaining Indigenous and non-Indigenous cultural heritage values.

DESIRED ENVIRONMENTAL OUTCOME 3: NATURAL ENVIRONMENT

To uphold the integrity of the natural environment by:

- protecting natural environmental processes
- maintaining as far as practical the scenic and environmental values of the foreshore, whilst acknowledging the existence of a major world export port
- promoting the incorporation of sustainable technologies and procedures into new development
- committing to monitoring environmental performance and impacts
- developing appropriate planning provisions to regulate potential air, noise, odour, light, water and contamination issues
- requiring tenure to be effectively managed
- requiring development to comply with Local, State and Commonwealth environmental legislation.

PRECINCT PLAN

Strategic Port Land at the Port of Weipa consists of three land use precincts:

- Port Industry
- Support Services
- Offshore Port Infrastructure.

The Precinct Plan can be found in Appendix 2.

The Precinct Plan illustrates the extent of the different precincts. The commentary below outlines the Intent of each precinct and lists the Indicative Uses that would be appropriate within each precinct.

During the life of this plan, land may be acquired or disposed based on need and/or prior commitments. Such acquisitions or disposals will be subject to Ministerial approval.

PORT INDUSTRY

INTENT

The primary intent of the Port Industry precinct is to support the trade-related needs of the region. This precinct will accommodate development and activities that facilitate the importing and exporting of commodities. Non-industrial uses are permitted in this precinct if they are ancillary to the primary development or activity. If there is no immediate trade-related development, this precinct may also accommodate other land uses on an interim basis. These interim land uses must satisfy the Desired Environmental Outcomes.

INDICATIVE USES

The following uses are consistent with the intent of the Port Industry precinct:

- wet and dry bulk stockpiling facilities
- wet and dry bulk loading and unloading facilities
- live cattle handling facilities
- hardstand areas
- warehouse
- maintenance and repair activities
- packing and unpacking operations
- facilities to service and store vessels
- storage and distribution activities.

SUPPORT SERVICES

INTENT

The primary intent of the Support Services precinct is to accommodate the uses that support the operations of the Port of Weipa. Industrial development and activities may be accommodated in this precinct where it cannot be accommodated elsewhere within the Port Industry precinct. Uses that are not specifically support uses or industrial uses would be permitted in this precinct where they are ancillary to the primary development or activity. If there is no immediate development to support the operations at the Port of Weipa, this precinct may also accommodate other land uses on an interim basis. These interim land uses must satisfy the Desired Environmental Outcomes.

INDICATIVE USES

The following uses are consistent with the intent of the Support Services precinct:

- tugs and pilot bases
- · transport operations
- · fuel depots (port-related)
- port management and logistics centres
- government and voluntary organisations
- maintenance and repair activities
- indicative uses associated with the 'port industry' precinct where they cannot be accommodated in that precinct.

OFFSHORE PORT INFRASTRUCTURE

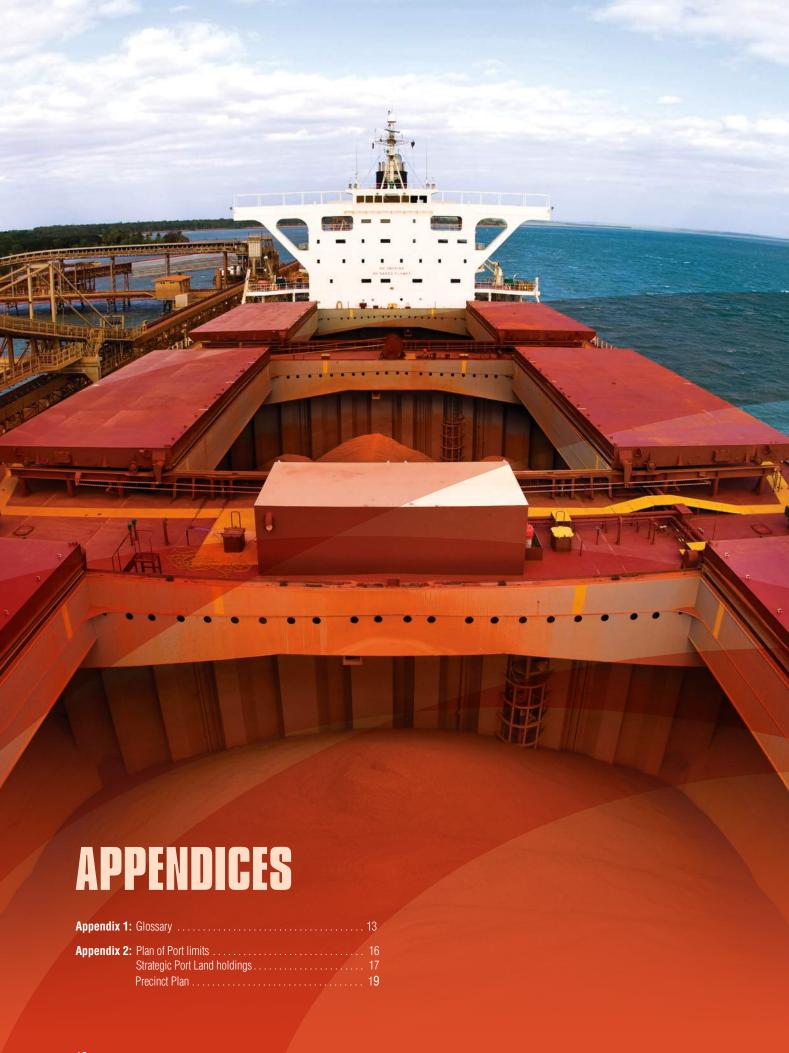
INTENT

The primary intent of the Offshore Port Infrastructure precinct is to accommodate the development and infrastructure essential to supporting the Port of Weipa's primary trade-related activities. Development and infrastructure in this precinct would accommodate navigation, accessibility and the storage, loading and unloading of cargo, commodities and people, or other port-related activities.

INDICATIVE USES

The following uses are consistent with the intent of the Offshore Port Infrastructure precinct:

- wet and dry bulk loading and unloading facilities
- navigational channels
- swing basins
- berth pockets
- navigational aids
- wharves
- jetties
- pontoons
- boat ramps
- maintenance and repair activities
- other marine and port-related development and infrastructure.



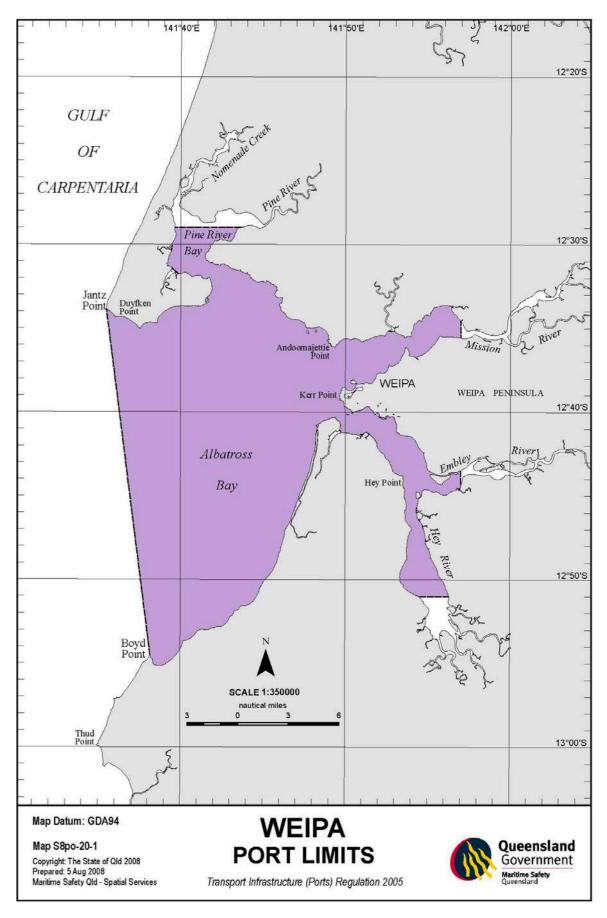
APPENDIX 1: GLOSSARY

TERM	MEANING					
Bauxite	A rock that is the principle ore of aluminium. Australia is the largest producer of bauxite in the world					
Break Bulk	Packaged, but non-containerised cargo shipped as a unit, for example bags, bales, barrels, or pallets.					
Core Matters	As defined under the Transport Infrastructure Act 1994: In relation to a land use plan (including its preparation), means each of the following matters— (a) land use and development; (b) port facilities; (c) valuable features.					
Comalco Act	Means the Commonwealth Aluminium Corporation Pty Limited Agreement Act 1957 (Qld).					
Dead Weight Tonnage	The amount of weight a ship is carrying.					
Desired Environmental Outcomes	A set of principles that establish the economic, social and environmental framework to guide future development at the Port.					
Development Code	NQBP's document that articulates the operational and technical requirements for development on Strategic Port Land.					
Development Vision	A statement in the Land Use Plan that summarises the desired development outcomes for the Port that is informed by and represent the Desired Environmental Outcomes.					
Dry Bulk	Unpackaged or loose, homogenous non-liquid materials such as bauxite, cement, coal or grain.					
Functions of Port Authorities	As defined under the <i>Transport Infrastructure Act 1994</i> : (1) The functions of a port authority are— (a) to establish, manage, and operate effective and efficient port facilities and services in its port; and (b) to make land available for— (i) the establishment, management and operation of effective and efficient port facilities and services in its port by other persons; or (ii) other purposes consistent with the operation of its port; and (c) to provide or arrange for the provision of ancillary services or works necessary or convenient for the effective and efficient operation of its port; and (d) to keep appropriate levels of safety and security in the provision and operation of the facilities and services; and (e) to provide other services incidental to the performance of its other functions or likely to enhance the usage of the port; and (f) without limiting any other paragraph of this subsection, in relation to Strategic Port Land of the following port authorities— (i) the Far North Queensland Ports Corporation Limited—to provide or arrange for the development and use of its Strategic Port Land at Cairns for residential and tourist accommodation; (ii) the Far North Queensland Ports Corporation Limited—to plan or carry out works in relation to the development and use of Strategic Port Land under subparagraph (i); and (g) to perform any other functions conferred on it under this or another Act or under the regulations.					
General Cargo	Unpackaged goods suitable for loading in general non-specialised stowage areas (such as pipes or timber) or packaged goods suitable for loading in standard shipping containers (such as boxes or pallets).					

TERM	MEANING					
Key Issues	Aspects important in the consideration of port planning that may not necessarily fall under the definition of Core Matters.					
Land Use and Development	As defined under the <i>Transport Infrastructure Act 1994</i> : includes each of the following—					
	(a) the location of, and the relationships between, the land uses in the area;					
	(b) the current effects of land use in the area;					
	(c) the likely effects of any proposed development of the land;(d) the accessibility to the area.					
Land Use Plan	As defined under the <i>Transport Infrastructure Act 1994</i> , a plan that:					
	(a) specifies details of the port authority's Strategic Port Land, future Strategic Port Land, current and proposed uses of the land;					
	(b) coordinates and integrates the core matters relevant to the land use plan;					
	(c) identifies the desired environmental outcomes for the land;					
	(d) includes measures that will help achieve the desired environmental outcomes.					
Land Use Precinct	A defined area within the Port Land Use Plan designated for certain land uses.					
Lowest Astronomical Tide	The height of water at the lowest possible theoretical tide; lowest levels which can be predicted to occur under average meteorological conditions.					
NQBP	North Queensland Bulk Ports Corporation Limited.					
Port Authority	As defined under the <i>Transport Infrastructure Act 1994:</i>					
	(a) means a port authority established under section 268 or a body declared to be a port authority under a regulation under section 274A; but					
	(b) does not include a port authority that has been abolished under section 270 or for which the declaration has been revoked under a regulation under section 274A.					
Port Facilities	As defined under the <i>Transport Infrastructure Act 1994:</i>					
	(1) (a) of a port authority, means the facilities or land that are—					
	(i) owned or controlled by—					
	(A) the port authority; or					
	(B) if the port authority is a GOC port authority—a wholly owned subsidiary of the port authority; and					
	(ii) used in the operation or strategic management of the port authority's port; or					
	(b) of a port entity other than a port authority, means the facilities or land that are—					
	(i) owned or controlled by a port entity other than a port authority, or leased or licensed to or occupied by, or constructed, managed, provided or maintained by a port entity other than a port authority; and					
	(ii) used or intended to be used in connection with the management, operation, development, maintenance of, or access to, the port entity's port.					
	(2) For subsection (1)(b), a lease or licence of land or facilities granted, or other provision for the use of or access to land or facilities made, by a port entity other than a port authority for the benefit of a person is to be disregarded.					
	(3) Port facilities for a port entity other than a port authority also include land or facilities prescribed by regulation to be port facilities.					
	(4) Port facilities for a port entity other than a port authority do not include land or facilities prescribed by regulation not to be port facilities.					

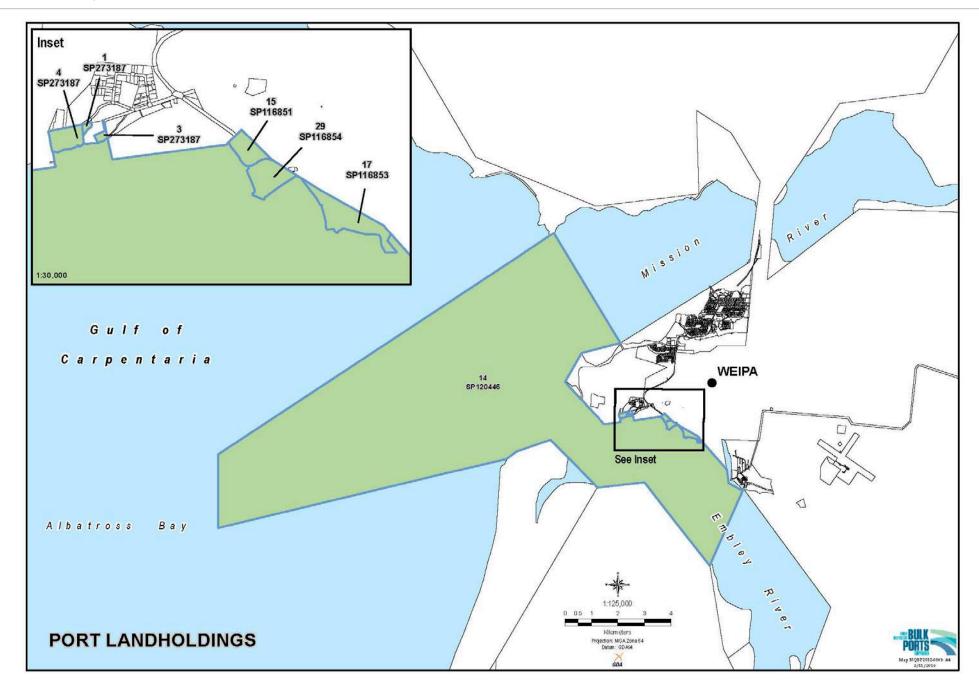
TERM	MEANING				
Port Limits	The extent of a Port Authority (or other port entities) responsibility, as set out in Schedule 1 of the <i>Transport Infrastructure Act 1994</i> .				
Port Services	As defined under the Transport Infrastructure Act 1994: the following services relating to the management of a port area or port facilities— (a) monitoring and management of the movement of vessels, vehicles, goods and people in the port area; (b) services in relation to port facilities; (c) services in relation to dredging; (d) services in relation to reclaiming land; (e) management, monitoring or administration of the use of, and access to, port facilities; (f) security services and security monitoring services in the port area; (g) services relating to the safety of persons or things in the port area; (h) services relating to the preservation of the environment; (i) issuing, and monitoring the use of, security identification; (j) traffic control services; (k) emergency services; (l) processing applications, reporting information and attending to other administrative matters for the management of the port.				
Quayside	The area adjacent to a quay or wharf.				
Strategic Port Land	As defined under the <i>Transport Infrastructure Act 1994:</i> Land that is identified in a land use plan as 'Strategic Port Land', where the land use plan has been approved under the Transport Infrastructure Act 1994.				
Throughput	Volume of product exported and/or imported through the port in a given time period.				
Valuable Features	As defined under the Sustainable Planning Act 2009: (a) resources or areas that are of ecological significance, including, for example, habitats, wildlife corridors, buffer zones, places supporting biological diversity or resilience, and features contributing to the quality of air, water (including catchments or recharge areas) and soil (b) areas contributing significantly to amenity, including, for example, 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, including, for example, 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 (d) resources or areas of economic value, including, for example, extractive deposits, fishery resources, forestry resources, water resources, sources of renewable and non-renewable energy and good quality agricultural land.				
Wet Bulk	Unpackaged, homogenous liquid materials such as oil, petroleum or molasses.				

APPENDIX 2: PLANS OF PORT LIMITS, STRATEGIC PORT LAND HOLDINGS AND THE PRECINCT PLAN



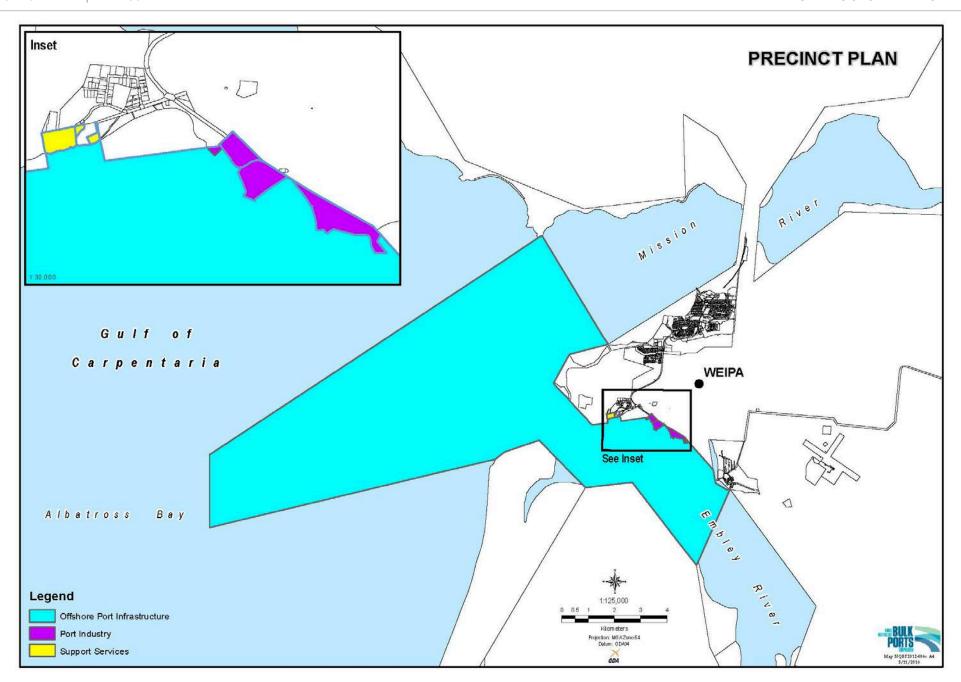
Real property description	Tenure	Area (ha)	Current Use	Future Use
Lot 14 on SP120446	Perpetual Lease	9,534.00	Offshore Infrastructure	Offshore Infrastructure
Lot 15 on SP116851	Perpetual Lease	5.95	Port Industry	Port Industry
Lot 17 on SP116853	Freehold	14.21	Port Industry	Port Industry
Lot 29 on SP116854	Freehold	9.12	Port Industry	Port Industry
Lot 1 on SP273187	Freehold	0.55	Support Services	Support Services
Lot 3 on SP273187	Freehold	0.98	Support Services	Support Services
Lot 4 on SP273187	Freehold	5.75	Support Services	Support Services

PORT OF WEIPA | LAND USE PLAN STRATEGIC PORT LAND HOLDINGS



PORT OF WEIPA | LAND USE PLAN

STRATEGIC PORT LAND HOLDINGS



PORT OF WEIPA



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