

State Planning Policy – state interest guidance material

# Strategic ports

July 2017



The State of Queensland, July 2017 Published by the Department of Infrastructure, Local Government and Planning,  
1 William Street, Brisbane Qld 4000, Australia.



**Licence:** This work is licensed under the Creative Commons CC BY 4.0 Australia licence. To view a copy of the licence, visit <http://creativecommons.org/licenses/by/4.0/>. Enquiries about this licence or any copyright issues can be directed to the department by email to [info@dilgp.qld.gov.au](mailto:info@dilgp.qld.gov.au) or in writing to PO Box 15009, City East Qld 4002.

**Attribution:** The State of Queensland, Department of Infrastructure, Local Government and Planning.

The Queensland Government supports and encourages the dissemination and exchange of information. However, copyright protects this publication. The State of Queensland has no objection to this material being reproduced, made available online or electronically but only if it is recognised as the owner of the copyright and this material remains unaltered.



The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone the Queensland Department of Infrastructure, Local Government and Planning on 13 QGOV (13 74 68).

**Disclaimer:** While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not take into account individual circumstances or situations. Where appropriate, independent legal advice should be sought.

An electronic copy of this report is available on the Department of Infrastructure, Local Government and Planning's website at [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).

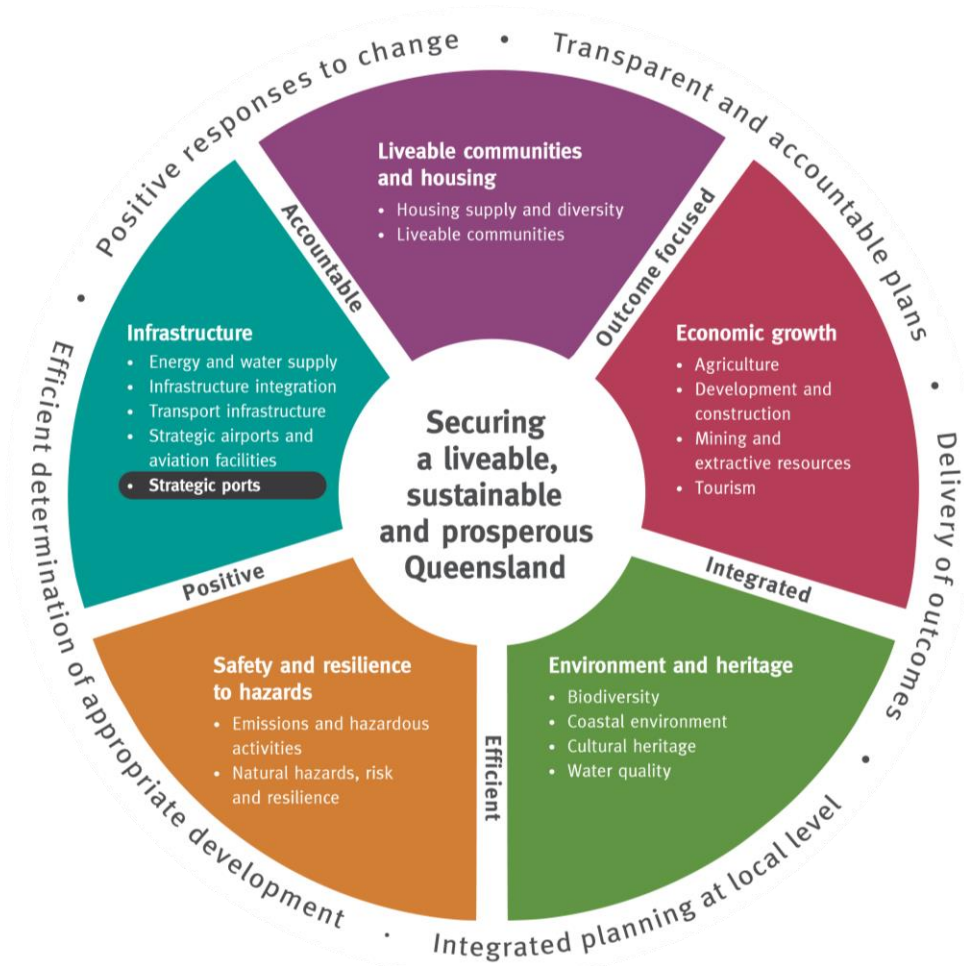
## Using the SPP state interest guidance material

The Queensland Government established the State Planning Policy (SPP) to define the matters of state interest in land-use planning and development. State interests in the SPP consist of a state interest statement, state interest policies and, where applicable, assessment benchmarks.

This guidance material has been prepared to support the implementation of the SPP and the interpretation of the *Strategic ports* state interest. Although the SPP broadly applies to a range of activities undertaken by state and local governments, the guidance material is particularly focused on assisting local governments when making or amending a local planning instrument and when applying the assessment benchmarks (to the extent relevant).

The SPP does not prioritise one state interest over another and thus provides flexibility for decision makers to respond to specific regional and local circumstances. This allows for the state interests to be considered in their entirety rather than as individual or separate priorities. State interests are to be considered in the context of the guiding principles in the SPP, which promote an *outcome focused, integrated, efficient, positive* and *accountable* planning system.

The SPP guidance material is intended to be read in conjunction with the SPP and the relevant state interest. The SPP guidance material is not statutory in its effect and does not contain any new policy requirements. It is not mandatory for local governments to use the guidance material; it is provided to assist with the interpretation and application of the state interest policies and the assessment benchmarks contained in the SPP.



The SPP guidance material is structured as follows:

**Part A: Understanding the state interest** – This section briefly explains why a particular matter is a matter of state interest, describes the purpose of the relevant state interest statement and defines the core concepts associated with the state interest.

**Part B: Integrating the state interest policies** – This section provides background and further explanation for each of the state interest policies defined in the SPP. It also provides examples and options regarding how to appropriately integrate each state interest policy into a local planning instrument.

**Part C: Mapping** – This section identifies and explains the mapping layers contained in the SPP Interactive Mapping System (IMS) relevant to a particular state interest. It also clarifies how a local government can locally refine state mapping in certain instances and outlines where online mapping for the state interest can be accessed (if relevant).

**Part D: Applying assessment benchmarks** – In accordance with the Planning Regulation, an assessment manager or referral agency must have regard to the SPP when assessing a development application. For some state interests, there are also specific assessment benchmarks that must be used by a local government for development assessment. This section outlines the development applications to which the assessment benchmarks apply and how a development application may demonstrate compliance with these benchmarks, to the extent that these are relevant. The assessment benchmarks contained in this section will apply to assessable development in addition to any assessment benchmarks contained in a local planning instrument, to the extent of any inconsistency.

**Part E: Example planning scheme provisions** – This section provides example planning scheme provisions that a local government may choose to adopt, or to adapt, when making or amending a local planning instrument. It is important to note that the example planning scheme provisions provided may only be in relation to a particular aspect of a state interest, rather than addressing all of the particular state interest policy requirements.

**Part F: Supporting information** – This section provides a list of technical resources that a local government may wish to refer to when making or amending a planning scheme. This section also provides a glossary of terms and acronyms used throughout the SPP guidance material.

Where text in this guidance material is in a coloured text box, it is an excerpt from the SPP and is either the state interest statement, state interest policy or the assessment benchmarks applicable to the *Strategic ports* state interest.

Any queries related to the SPP guidance material or the SPP should be sent to:  
[SPP@dilgp.qld.gov.au](mailto:SPP@dilgp.qld.gov.au)

## Contents

Using the SPP state interest guidance material.....	i
Part A: Understanding the state interest .....	5
Part B: Integrating the state interest policies .....	5
Part C: Mapping .....	16
Part D: Applying assessment benchmarks .....	18
Part E: Example planning scheme provisions.....	19
Part F: Supporting information .....	22

## Part A: Understanding the state interest

### State interest statement

The operation of strategic ports and priority ports is protected and their growth and development is supported.



### Background

Queensland ports provide a vital connection to global markets, facilitating the import and export of goods and materials that are integral to the Queensland economy and our quality of life. Furthermore, Queensland's sea ports support continued growth of the state's economy and Australia's national defence system.

To achieve this growth, it is important that development does not impact on the safe and efficient operation of Queensland's sea ports and that port operations do not result in unintended social and environmental impacts on communities close to ports. Occupants of sensitive land uses, in particular, need to be considered in relation to the environmental emissions generated by port operations. Sensitive land uses are defined in the Planning Regulation 2017.

To help achieve these outcomes, the SPP applies to those local government areas that contain, or are affected by, a strategic port identified in Table 3 of the SPP and which are set out in Table 1 below. Some strategic ports are also identified in the tables as priority ports.

Local government planning and development outcomes must, for priority ports, appropriately integrate the policy provisions for strategic ports (policies 1 to 6), in addition to policy 7. If there is any inconsistency or conflict between policy 7 and policies 1 to 6, policy 7 prevails in relation to priority ports.

### Core concepts

#### Strategic ports

A strategic port is a port that is considered by the state government to be an essential component of the national and state transport network and supply chain, or the national defence system. A port is a strategic port for the purposes of the SPP if it meets either of the following criteria (defined in the *Transport Infrastructure Act 1994*):

- has 'strategic port land' located at the facility
- has 'core port land' located at the facility.

Land within the boundary of a strategic port is subject to a separate land-use planning process under the *Transport Infrastructure Act 1994*, and is outside the scope of the local government's planning scheme.

#### Priority ports

The *Sustainable Ports Development Act 2015* (SPDA) was passed by the Queensland Parliament in November 2015 to sustainably manage port-related development in and adjoining the Great Barrier Reef World Heritage Area (GBRWHA).

The SPDA declared the ports of Gladstone, Abbot Point, Townsville and Hay Point/Mackay as priority ports, and will optimise the use of existing infrastructure and

address operational, economic, environmental relationships, as well as surrounding land uses, through port master plans and port overlays.

Once a master plan and/or port overlay commences for a priority port under the SPDA these plans provide further requirements to be considered in addition to the requirements for a strategic port. Currently, no master plans for priority ports have been made under the SPDA.

It is the role of the SPDA to provide for the protection of the GBRWHA through managing port-related development, including dredging and disposal of capital dredge spoil material, in and adjacent to the GBRWHA. The role of the SPP is in relation to port-related land-use planning and development.

In a master planned area, the port overlay may state the level of assessment that applies to development, assessment benchmarks for assessable development, and matters an assessment manager must have regard to in assessing development.

**Table 1: Strategic ports (priority ports marked \*)**

Strategic port	Port authority	Local government area	Other local government areas impacted
<b>Abbot Point*</b> Includes: <ul style="list-style-type: none"> <li>Bowen Wharves (Lots 308 &amp; 309 on SP118066)</li> </ul>	North Queensland Bulk Ports Corporation	Whitsunday Regional Council	
<b>Brisbane</b>	Port of Brisbane Pty Ltd	Brisbane City Council	Moreton Bay Regional Council
<b>Bundaberg</b> Includes: <ul style="list-style-type: none"> <li>Town Reach locality (in Bundaberg CBD) (Lot 271 on SP140277, Lot 277 on SP147695, Lots 283-285 on SP140276)</li> </ul>	Gladstone Ports Corporation	Bundaberg Regional Council	
<b>Cairns</b> Includes: <ul style="list-style-type: none"> <li>Green Island Jetty (Lot 188 on SP122863)</li> <li>Yorkey’s Knob Marina (Lots 24-26 on SP122863)</li> <li>Possible ferry terminal, currently vacant – directly opposite Cairns Port (Lots 1-4 on C19823)</li> <li>Swallows Landing – ship cargo facilities and wharf facilities approx. 7km south of Cairns Port (Lot 151 on NR4172)</li> </ul>	Ports North	Cairns Regional Council	



Strategic port	Port authority	Local government area	Other local government areas impacted
<b>Cape Flattery</b>	Ports North	Hope Vale Aboriginal Shire Council	
<b>Gladstone*</b> Includes: <ul style="list-style-type: none"> <li>• Conveyor belt bridge between South Trees Island and Boyne Island (Lot 70 on CTN1855)</li> <li>• Fisherman's Landing Locality 2km north-west of main Fisherman's Landing facility (Lot 92 on DS654)</li> </ul>	Gladstone Ports Corporation	Gladstone Regional Council	
<b>Hay Point*</b>	North Queensland Bulk Ports Corporation	Mackay Regional Council	
<b>Karumba</b>	Ports North	Carpentaria Shire Council	
<b>Lucinda</b>	Port of Townsville Limited	Hinchinbrook Shire Council	
<b>Mackay*</b> Includes: <ul style="list-style-type: none"> <li>• Slade Island (Lot 583 on CI3457)</li> </ul>	North Queensland Bulk Ports Corporation	Mackay Regional Council	
<b>Mourilyan</b>	Ports North	Cassowary Coast Regional Council	
<b>Rockhampton (Port Alma)</b> Includes: <ul style="list-style-type: none"> <li>• Lot 96 on DS186, 11km west of main Port Alma site</li> </ul>	Gladstone Ports Corporation	Rockhampton Regional Council	Gladstone Regional Council
<b>Thursday Island</b>	Ports North	Torres Shire Council	
<b>Townsville*</b>	Port of Townsville Limited	Townsville City Council	
<b>Weipa</b>	North Queensland Bulk Ports Corporation	Weipa Town Authority	Aurukun Shire Council Cook Shire Council Napranum Aboriginal Shire Council

**Note:** Where the strategic port includes an area of land that is not immediately apparent as a part of that strategic port, a description of that additional area is provided in column 1 of the table. In many cases this occurs where there is a parcel of land that is geographically separated or distant from what would commonly be considered the main part of that strategic port.



## Part B: Integrating the state interest policies

When making or amending a local planning instrument, each local government is required to consider all state interests in the SPP and appropriately integrate those state interests applicable to their local area.

Appropriately integrating a state interest requires all state interest policies to be considered by a local government, but it does not necessarily mean a local government must address each and every state interest policy when making or amending a local planning instrument. For example, if a local government needs to balance competing state interests in a local planning instrument, it may not be possible to address all policies for a particular state interest.

This balancing of state interests may mean that the planning scheme preferences one state interest policy over another. This outcome will be considered as part of the state interest review, and ministerial approval means the approach taken by the local government in balancing the state interest policies is endorsed by the state. This section provides examples for how to appropriately integrate each state interest policy for the *Strategic ports* state interest.

## State interest policy 1

All strategic ports:

**Strategic ports, and associated strategic port land and core port land, are identified.**

### Background

Strategic port land and core port land are terms defined in the *Transport Infrastructure Act 1994*. Strategic port land is land included in a port authority's current approved land-use plan. Currently, the only core port land is Brisbane core port land.

Strategic port land and Brisbane core port land are not subject to a local planning instrument under the *Planning Act 2016*.

Identifying strategic port land and core port land clarifies where a local government planning scheme applies, and where the port land-use plan applies. It also provides an opportunity to define the extent of port operations, helping apply state interest policies 2 to 7.

### How to appropriately integrate the policy

- 1.1 Identify in a local planning instrument the location of a strategic port in the local government area (see Table 1). This could be achieved by including overlay mapping in the scheme showing the location of strategic port or core port land for the port.
- 1.2 Identify strategic port land and core port land in the port authority's land-use plan for the relevant strategic port. Local governments can obtain mapping of strategic port land and core port land from the state government via the SPP IMS ([www.dilgp.qld.gov.au/planning/state-planning-instruments/spp-interactive-mapping-system.html](http://www.dilgp.qld.gov.au/planning/state-planning-instruments/spp-interactive-mapping-system.html)). Local governments can also obtain lists of lot and plan details for strategic ports from the relevant port authority.

## State interest policy 2

### All strategic ports:

Development complements the role of a strategic port as an economic, freight and logistics hub, and enhances the economic opportunities that are available in proximity to a strategic port.

### Background

Local governments should promote the use of land surrounding strategic ports for development that gains economic advantage from being near a strategic port, or supports the role of the strategic port as a critical freight and logistics hub.

Land and development surrounding a strategic port should provide opportunities to enhance the role of the strategic port as a critical freight and logistics hub.

### How to appropriately integrate the policy

2.1 Encourage complementary land uses near the port. Complementary land uses may include a range of industrial and commercial uses such as warehousing, freight handling, transport and logistics depots, container yards and marine industry precincts.

## State interest policy 3

### All strategic ports:

**Strategic ports are protected from development that may adversely affect the safety, viability or efficiency of existing and future port operations.**

## Background

Port operations generate environmental emissions such as noise, vibration, air particulates and light. Development that is not designed and located to mitigate the impacts of environmental emissions may damage the viability and efficiency of existing and future port operations. For example, a reduction in, or constraint on, the operating hours of a port might result from a perceived need to mitigate the impact of noise on nearby residential areas.

The strategic framework and land-use strategies in a local planning instrument should ensure land uses are appropriately sited and designed to mitigate adverse impacts on the development from environmental emissions generated by port operations and to recognise also that ports may involve the storage or use of hazardous materials. Development should not prevent port operations from expanding or intensifying in the future.

Development has the potential to impact adversely on the safety of port operations. Development that is not designed and constructed to avoid safety risks to port operations and infrastructure can cause disruption to operations at the port, damage to the port infrastructure, and physical harm to people.

Development also has the potential to create a hazard to maritime safety. It is essential that any development does not interfere with the functioning of an aid to navigation. Aids to navigation are devices that ship captains use to guide their vessels safely in and out of port. Some aids to navigation, such as leads and lights, are located on land and therefore have the potential to be adversely affected by surrounding development. Certain types, patterns and colours of outdoor lighting may also interfere, or be confused with, an aid to navigation. Being able to clearly see an aid to navigation is essential to the safe operation of vessels on waterways.

## How to appropriately integrate the policy

3.1 Establish or maintain a buffer between development on strategic port land or core port land and any sensitive land use on surrounding land.

Buffers are an effective way of providing separation between the operational areas of a strategic port and sensitive land uses. This separation ensures that ports are able to operate safely and efficiently, and lessens the risk of adverse impacts on surrounding development from environmental emissions or a safety incident at the port.

The buffer may be made up of:

- land to be maintained in a generally undeveloped state (e.g. grazing land)
- conservation areas
- land zoned for the development of compatible land uses, such as industrial and commercial uses, including warehousing, freight handling, transport and logistics depots, container yards and marine industry precincts.

- 3.2 Recognise the buffer area in the planning scheme's strategic framework and protect it from development for uses that would compromise its integrity.
- 3.3 Through zoning, local plans and overlays, establish development assessment requirements to support the intended purpose of the buffer area.
- 3.4 Ensure development and landscaping near a port does not interfere with an aid to navigation or create a hazard to maritime safety. Development and associated landscaping must not:
  - obstruct sight lines to an aid to navigation
  - restrict access to an aid to navigation for maintenance purposes
  - emit electrical or electro-magnetic emissions, which may impede the operation of an aid to navigation
  - remove any material that may destabilise the aid to navigation.
- 3.5 Include provisions in the planning scheme to ensure that any lighting associated with structures does not interfere with or resemble an aid to navigation. Provisions may include the following outcomes:
  - shielding lights
  - avoiding flood lighting
  - avoiding coloured or flashing lights.
- 3.6 Obtain information about the type and location of aids to navigation critical to the operations at a strategic port from the nearest Maritime Safety Queensland regional office [www.msq.qld.gov.au/About-us/How-to-contact-us/Regions](http://www.msq.qld.gov.au/About-us/How-to-contact-us/Regions)

## State interest policy 4

### All strategic ports:

**Development is located and designed to mitigate adverse impacts on the development from environmental emissions generated by port operations.**

## Background

Port operations generate environmental emissions such as noise, air particulates (including dust) and light. If not properly managed, emissions can have adverse impacts on the health, wellbeing and quality of life of surrounding communities. Port authorities, planning authorities and developers each have a role in ensuring the community's exposure to environmental emissions generated by ports is reduced to acceptable levels.

Potential sources of emissions generated by port operations include industrial-type activities occurring on port land, and emissions from ships berthed at the port.

The Queensland Government is currently developing a standard methodology for modelling the area of land affected by environmental emissions generated by port operations. When developed, it is the government's intent for the standard methodology to be used to model the extent of impacts from a port. The outputs of such studies will then be used to produce overlays for inclusion in a local planning scheme.

In the interim, local governments are encouraged to work with the relevant port authority (for noise and air particulates) and harbour master (for light) to determine the likely area of land adversely impacted by environmental emissions.

## How to appropriately integrate the policy

- 4.1 Include provisions in the strategic framework that acknowledge the community and economic value of the strategic port, and support its ongoing and safe operation through protection from any encroachment by development that would be adversely affected by the environmental emissions generated from port operations.
- 4.2 Include provisions to ensure that all new development is appropriately sited and designed to mitigate adverse impacts on the development from environmental emissions generated by port operations. The sensitivity of land uses to environmental emissions generated by port operations may vary and the land-use planning should respond accordingly.
- 4.3 Identify areas of land in the local government area that are adversely affected by environmental emissions generated by a strategic port (for example, by using an overlay).
- 4.4 Ensure land affected by environmental emissions from a strategic port is developed for compatible development where possible. If development that may be adversely impacted by environmental emissions from port operations cannot be avoided in the overlay area, the risk of adverse impacts must be mitigated with building treatments, such as air conditioning or mechanical ventilation, to minimise the effects of emissions and to achieve acceptable levels of amenity.

The extent to which land in a local government area is impacted by noise, air and light emissions generated by a strategic port will differ depending on such factors as:

- port location and proximity to current or future development areas
- port activity types (current and future)
- type of commodities being handled by the port
- frequency of ship movements at the port
- variations of port activities within a year (e.g. due to seasonal factors)
- meteorological effects (e.g. direction and strength of prevailing winds)
- current and future port capacity and any proposed port operations.

Land impacted by the above factors should be included in a zone or overlay that reflects these limitations on development and seeks to reduce potential for future land use conflicts.

The degree to which land is affected by environmental emissions from port operations will ultimately determine the amount of mitigation required and the mix of measures to be adopted in order to achieve an acceptable level of amenity.

Different strategies may be more or less practicable or desirable, depending on the specifics of the development proposal and/or the stage of the land-use planning process. Local governments should consider adopting planning measures that will result in the most effective means of achieving acceptable levels of amenity given any project-specific or site-specific opportunities or constraints.

Mitigating the impacts of environmental emissions can be achieved through:

- **buffers** – establishing or maintaining a buffer between development on strategic port land or core port land and any sensitive land use on land surrounding a strategic port. A local planning scheme should require code or impact assessment for land uses (particularly sensitive land uses) in this interface area.
- **separation distances/setbacks** – locating development (particularly new sensitive land uses) on land that is appropriately separated from a port (where possible)
- **topography** – using the natural topography to prevent line of sight between the emission source and a new sensitive land use
- **site design** (building location and orientation) – locating emission-sensitive components of the development furthest from the port (for example, in a mixed use development placing residential buildings furthest from, and commercial and retail spaces closest to, the port); orientating buildings so that outdoor living areas are shielded from the source of emissions
- **building design/layout** – designing the internal layout of a building so that emission-sensitive rooms are located furthest from the port (for example, ensuring bedrooms and other habitable areas in the development are placed on the side of the building furthest from the port); designing the internal layout of a building so that less sensitive rooms (such as garages, laundries, bathrooms, corridors etc.) are placed on the side of the building closest to the port to act as a buffer; minimising the number of doors and windows that can be opened on the side of the building closest to the port
- **screening** – constructing fences, barriers, mounds and screens may be appropriate where space allows and there is no significant adverse impact on the amenity of a locality
- **landscaping** – vegetation buffers placed between emission-sensitive buildings and ports may mitigate impacts caused by air particle and dust emissions and light spill.



## State interest policy 5

### All strategic ports:

**Key transport corridors (including freight corridors) linking strategic ports to the broader transport network are identified and protected.**

## Background

Strategic ports need to be linked to the broader transport network for their operations to be viable. Without roads and railways, goods would not be able to be transported to the port for export or from the port to where the products are required.

## How to appropriately integrate the policy

- 5.1 Identify in the strategic framework of a local planning instrument the two key transport infrastructure and corridors (including key freight routes) linking a strategic port to the broader transport network.
- 5.2 Reflect in the planning instrument the key transport infrastructure and existing and future transport corridors linking a strategic port to the broader transport network. For example, strategic framework mapping can depict the location of key transport infrastructure and transport corridors linking a strategic port to the broader transport network in the local government area at a broader level.

## State interest policy 6

### All strategic ports:

Statutory land use plans for strategic ports and the findings of planning and environmental investigations undertaken in relation to strategic ports are considered.

## Background

Development of strategic and core port land is regulated by port land-use plans, which port authorities are required to prepare under the *Transport Infrastructure Act 1994*.

A port land-use plan includes:

- general information about the type and quantity of cargo handled by the port
- information about existing strategic port land and how the land is currently used and proposed to be used in future
- information about long-range planning for the strategic port including details of land that is proposed to become strategic port land or core port land and future operational conditions (e.g. plans to expand operations by increasing throughput or handling new types of cargo).

Local governments can obtain a copy of the port land-use plan for a strategic port in their local government area from the relevant port authority's website. Table 1 identifies which port authority is responsible for land-use planning at each strategic port. Local governments should use the information contained in a port land-use plan to inform planning for development on neighbouring land.

## How to appropriately integrate the policy

- 6.1 Consider when preparing a planning scheme the content of land-use planning undertaken for strategic ports. The planning scheme should take into account existing land uses for strategic and core port land adjoining or neighbouring the local government area and how that land is dealt with by the port land-use plan.

## State interest policy 7

### Priority ports:

**For priority ports, development is also consistent with the requirements of priority port master plans and priority port overlays as these are approved under the *Sustainable Ports Development Act 2015*.**

## Background

The *Sustainable Ports Development Act 2015* (SPDA) introduced a strategic planning process for Queensland's priority ports to provide for the protection of the Great Barrier Reef World Heritage Area (GBRWHA) through managing port-related development in and adjacent to the GBRWHA. Table 1 identifies which strategic ports are regulated as priority ports.

The SPDA provides for the development of master plans that establish a long-term vision for the future development of priority ports.

This approach will involve identifying land and infrastructure critical to the effective operation of the port network that is beyond the boundaries of existing strategic port land. This may include local government areas and also land in state development areas or priority development areas. It allows for the consideration and management of marine and land-based impacts, and economic, environmental, cultural and social values.

As part of this priority port master planning regulatory framework, the port overlay is used to implement the master plan through port-related development. The SPDA identifies that the port overlay prevails to the extent of any inconsistency with the local government planning scheme and that an assessment manager's decision must not be inconsistent with the port overlay.

Where a priority port master planned area encompasses land subject to a planning scheme, the port overlay may contain matters an affected local government must consider in making or amending relevant local planning instruments. The port overlay may also state the level of assessment that applies to development, state assessment benchmarks for assessable development, and matters an assessment manager must have regard to in assessing development.

Under the SPDA, the Minister making or amending a master plan for each priority port must issue a notice of proposal to each local government whose local government area includes the priority port. This notice will provide the opportunity to consider the potential implications of the master plan and the port overlay on the local government area and its planning scheme as these instruments are prepared.

Local government planning and development outcomes must, for priority ports, appropriately integrate the policy provisions for strategic ports (policies 1 to 6), in addition to policy 7. For priority ports, policy 7 prevails to the extent of any inconsistency with policies 1 to 6, and the priority port master plan and overlay prevail to the extent of any inconsistency with the requirements for a strategic port.

For further information on priority port master planning, please review:

<http://www.statedevelopment.qld.gov.au/resources/ports/priority-ports-guideline-nov-2016.pdf>

## How to appropriately integrate the policy

- 7.1 Ensure local planning instruments reflect the long-term strategic vision and land-use intent identified in a master plan, once the master plan is made under the SPDA. If a finalised port overlay states matters that an affected local government must consider in making or amending a local planning instrument, the instrument must demonstrate that these matters have been considered in accordance with the requirements of the SPDA.

## Part C: Mapping

To support the SPP, wherever possible and to the extent relevant, matters of state interest are spatially represented as layers included in the SPP IMS. The mapping is necessary to help local government, the community and industry understand and interpret where and how state interest policies and assessment benchmarks included in the SPP apply. Several mapping layers contained in the SPP IMS are prepared by entities other than the Department of Infrastructure, Local Government and Planning and may serve an additional purpose outside the Queensland planning system. Where relevant, the SPP IMS represents the single point of truth for the spatial representation of the state interests expressed in the SPP.

Appendix 1 of the SPP identifies three categories of mapping layers provided or referred to in the SPP IMS that are intended to be used in one of the following ways:

- Category 1** – State mapping layers that must be appropriately integrated in a local planning instrument in a way that achieves the relevant state interest policy.
- Category 2** – State mapping layers that must be appropriately integrated, and can be locally refined by a local government in a local planning instrument in a way that achieves the relevant state interest policy.
- Category 3** – State mapping layers that are provided for local government information purposes only.

The SPP IMS is located at: [www.dilgp.qld.gov.au/spp-mapping](http://www.dilgp.qld.gov.au/spp-mapping).  
Any queries related to the SPP mapping should be sent to [mappingenquiries@dilgp.qld.gov.au](mailto:mappingenquiries@dilgp.qld.gov.au).

This section provides clarity regarding the mapping layers on the SPP IMS relevant to the *Strategic ports* state interest.

### Mapping layers

Strategic ports	
Purpose	To identify the location of strategic ports.
Mapping category	Category 1
Data custodian	Department of Transport and Main Roads
Head of power	<i>Transport Infrastructure Act 1994</i>

Priority ports	
Purpose	To identify the location of priority ports*.
Mapping category	Category 1
Data custodian	Department of State Development
Head of power	<i>Sustainable Ports Development Act 2015</i>

\*Mapping available later in 2017.

## Part D: Applying assessment benchmarks

The SPP does not contain any specific assessment benchmarks for the *Strategic ports* state interest.

However, for the purposes of development assessment, the assessment manager must have regard to the SPP (including the *Strategic ports* state interest statement and policies) in accordance with the Planning Regulation 2017, where the planning scheme has not appropriately integrated the state interest. The SPP applies as a matter to have regard to where the assessment manager considers these matters are relevant to the proposed development and only to the extent of any inconsistency with the planning scheme.

## Part E: Example planning scheme provisions

Example planning scheme provisions for the *Strategic ports* state interest have been prepared. Local governments may choose to adopt or otherwise adapt these when making or amending a planning scheme.

The example planning scheme provisions should not be regarded as the only way to reflect the *Strategic ports* state interest appropriately. It is not intended that a local government would use these model provisions verbatim, as tailoring to local context is an essential part of adopting the SPP.

Where a local government seeks to adopt the example planning scheme provisions, variations will be required to reflect the local circumstances, opportunities and aspirations of each local government area.

### Example code: Port protection

If a local government seeks to apply this code it should determine (in consultation with the relevant port authority) the extent of areas in the vicinity of the strategic port:

- where lighting associated with development has the potential to interfere with an aid to navigation, in consultation with the relevant harbour master
- where development has the potential to interfere with an aid to navigation or associated signal
- that are adversely affected by noise, air particles and/or dust emissions generated by port activities.

The code can then be applied to these areas (for example, as an overlay or through integration of the code provisions into a local plan or zone code).

#### Application

This code applies to the area identified in a port protection overlay or in a precinct or local plan code.

#### Purpose

- (1) The purpose of the port protection code is to ensure that strategic ports are protected from development that may adversely affect the safety, viability or efficiency of existing and future port operations and that port operations do not result in unintended social and environmental impacts on communities surrounding ports.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development is sited and designed to:
    - avoid lighting that has the potential to interfere with an aid to navigation connected with a strategic port
    - avoid interference with an aid to navigation or associated signal connected with a strategic port
    - mitigate adverse impacts on the development from environmental emissions generated by port operations.



Table 2: Assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes
<b>Lighting</b>	
<b>PO1</b> Development in the vicinity of a strategic port does not interfere with an aid to navigation or associated signals.	<b>AO1.1</b> Development ensures that at all times, all lights on or above the development site do not interfere with safe navigation in surrounding waterways by: <ol style="list-style-type: none"> <li>(1) shielding lights to prevent glare or reflection</li> <li>(2) avoiding flood lighting, which may reduce the visibility of aids to navigation</li> <li>(3) avoiding flashing or flickering lights, which may be confused with aids to navigation</li> <li>(4) avoiding coloured lights such as green, blue or red lights, which may be confused with aids to navigation.</li> </ol>
	<b>AO1.2</b> Lighting complies with section 3 of AS 4282–1997 Control of the obtrusive effects of outdoor lighting.
<b>Navigation aids</b>	
<b>PO2</b> Development in the vicinity of a strategic port does not interfere with an aid to navigation or associated signals.	<b>AO2.1</b> Development does not remove any material that may destabilise an aid to navigation, including ground tackle.
	<b>AO2.2</b> Development does not create any temporary or permanent obstruction of an aid to navigation. <i>Note: Where development has the potential to obstruct the line of sight to an aid to navigation or interfere with the functioning of an aid to navigation, an aid to navigation management plan is required.</i>
	<b>AO2.3</b> Development maintains the sight line of an aid to navigation that crosses the land clear of obstructions. <i>Note: Where development has the potential to obstruct the line of sight to an aid to navigation or interfere with the functioning of an aid to navigation, an aid to navigation management plan is required.</i>
	<b>AO2.4</b> Development ensures ongoing access to an aid to navigation for maintenance purposes.
	<b>AO2.5</b> Development does not result in electrical or electro-magnetic emissions, which may impede the operation of an aid to navigation.
<b>Noise</b>	
<b>PO3</b> Sensitive land uses adversely affected by noise emissions from a strategic port are sited and designed to achieve an acceptable level of amenity.	<b>AO3.1</b> Habitable rooms in a sensitive land use meet the acoustic quality objectives outlined in schedule 1 of the Environmental Protection (Noise) Policy 2008.
<b>Air particulates and dust</b>	
<b>PO4</b> Sensitive land uses adversely affected by airborne particulates and dust from a strategic port are sited and designed to achieve an acceptable level of amenity.	No acceptable outcomes are provided.

## Glossary of terms

**Aid to navigation** – see the *Transport Operations (Marine Safety) Act 1994*, section 104. Note:

- (1) An aid to navigation is a device designed to be used for navigation or the guidance or mariners, including a device to help in–
  - (a) fixing a ship's position, or
  - (b) deciding a safe course for a ship, or
  - (c) warning a ship of dangers or obstructions.Examples – beacon, buoy, light, lighthouse, marine mark, radio aid or signal.
- (2) An aid to navigation includes any structure or equipment ancillary to the aid to navigation.  
Examples – the battery house providing a lighthouse with power or lifesaving equipment that is part of an aid to navigation.
- (3) An aid to navigation does not include a device on board a ship.

**Aid to navigation management plan** includes information on changes to and potential obstructions of existing aids to navigation resulting from the proposed development project for all stages of the proposal life cycle, to ensure safety of navigation at all times.

**Sensitive land use** – see schedule 24 of the Planning Regulation 2017.

## Part F: Supporting information

- Queensland Ports Strategy, port master plans and the Trade Statistics for Queensland Ports Report  
[www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Trade-statistics-for-Queensland-ports](http://www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Trade-statistics-for-Queensland-ports)
- Priority port master planning  
[www.statedevelopment.qld.gov.au/resources/ports/priority-ports-guideline-nov-2016.pdf](http://www.statedevelopment.qld.gov.au/resources/ports/priority-ports-guideline-nov-2016.pdf)
- Information about the type and location of aids to navigation critical to the operations at a strategic port can be obtained from the nearest Maritime Safety Queensland regional office  
[www.msq.qld.gov.au/About-us/How-to-contact-us/Regions](http://www.msq.qld.gov.au/About-us/How-to-contact-us/Regions)
- Environmental impact statements for specific projects at a strategic port are available from the Department of State Development  
[www.statedevelopment.qld.gov.au/assessments-and-approvals/current-eis-projects.html](http://www.statedevelopment.qld.gov.au/assessments-and-approvals/current-eis-projects.html)
- Supporting technical reports as part of priority port master planning, and the Trade Statistics for Queensland Ports Report include further information about current port operations and future directions  
[www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Trade-statistics-for-Queensland-ports](http://www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Trade-statistics-for-Queensland-ports)
- Environmental impact statements for specific projects at a strategic port are available from the Department of State Development  
[www.statedevelopment.qld.gov.au/assessments-and-approvals/current-eis-projects.html](http://www.statedevelopment.qld.gov.au/assessments-and-approvals/current-eis-projects.html)

**State Planning Policy**  
PO Box 15009  
City East Qld 4002  
**tel** 13QGOV (13 74 68)  
**email** [SPP@dilgp.qld.gov.au](mailto:SPP@dilgp.qld.gov.au)  
[www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au)