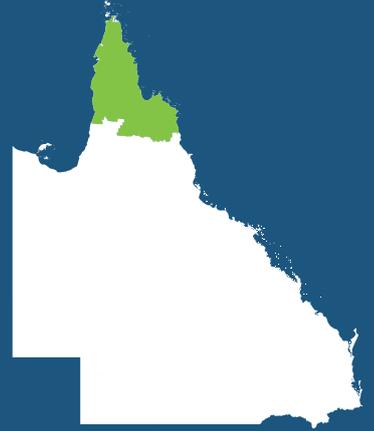


Cape York Regional Plan

Covering the local government areas of Aurukun, Cook, Hope Vale, Kowanyama, Lockhart River, Mapoon, Napranum, Northern Peninsula Area, Pormpuraaw, Wujal Wujal and Weipa Town Area



August 2014

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- Department of Environment and Heritage Protection
- Department of Agriculture, Fisheries and Forestry
- Department of Transport and Main Roads.

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Foreword



There is a determination in our government, led personally by the Premier, to ensure that we will do whatever we can to address the economic disadvantage in Cape York, especially in the Indigenous communities. The Cape York Regional Plan is about striking the right balance between facilitating appropriate economic development and protecting

Cape York's regionally important environmental areas.

Our government is intent on making every effort to normalise the economy in Cape York and provide Indigenous communities with an opportunity for jobs, home ownership, hope and economic growth—and that is happening across a range of departments.

The Cape York region is important to both Queensland and Australia. The region has outstanding natural areas of high environmental value, a diverse and rich Indigenous heritage and a wealth of natural assets, particularly mineral resources. Enabling sustainable economic development opportunities in the region, balanced with the protection of the Cape's important environmental areas, is a key priority of the Queensland Government.

Following community consultation on the draft plan, the Cape York community has confirmed that it wants to have a greater say in determining the areas that are most appropriate for development in this region.

The Cape York Regional Plan will give Traditional Owners and Indigenous communities on the Cape a real say and genuine economic opportunities. The plan will allow for the protection of areas that the community believes are worthy of protection and allows opportunities for other areas to be developed with a high level of input from local community members.

The Cape York Regional Plan identifies Strategic Environmental Areas (SEAs). Within these areas, a regional interest development approval is required for proposed resource developments, broadacre cropping and large-scale water storage (dams). Outside of the designated precincts, these activities are able to operate if they can show that they will not have a widespread or irreversible impact on the broader SEA.

Other development, including extractive resources, infrastructure, intensive animal husbandry, tourism activities and urban activities will be regulated through local government planning schemes. This provides local governments with the power to regulate development in these areas as they deem appropriate.

The making of the Cape York Regional Plan is not the end of the process, rather the beginning. Consistent with this feedback, I have made an undertaking to meet with the Cape York Regional Planning Committee (RPC) once a year to review the appropriateness of the need for other areas to be identified as Strategic Environmental Areas (SEAs).

This process will provide all stakeholders with an opportunity to make recommendations about the most appropriate land use designation for areas on the Cape based on the significance of environmental and cultural values and preferred economic opportunities.

For SEAs to be amended through this process, the proposed area must have the support of the relevant traditional owner groups and the relevant local government.

The next RPC meeting will be held in May 2015. I urge you to develop proposals in preparation for this meeting. The government will look very favourably on any amendments to the Cape York regional planning map 1 that have the support of the Cape York community.

This ongoing conversation with communities in the region will ensure that the plan reflects their needs.

Consistent with the Queensland Government's planning reform agenda, this plan provides greater autonomy to local government to ensure that communities have a real say in their future. Priority Living Areas (PLAs) are proposed to be established to enable the growth potential of the towns within the region.

I would like to acknowledge the important contribution of the RPC, particularly the mayors, who have assisted me in developing the policies in the plan.

The Honourable Jeff Seeney MP

Deputy Premier and
Minister for State Development, Infrastructure and Planning

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Executive summary

The Cape York Regional Plan (the plan) is one of the Queensland Government's new generation statutory regional plans providing strategic direction and policies to deliver regional outcomes that align with the state's interests in planning and development.

The plan identifies and interprets the state's interest in land use planning and development, as described in the State Planning Policy (SPP), for the Cape York region.

The Queensland Government recognises that local governments are best placed to undertake local planning. Consequently, the plan does not address all issues in the region, but plays a focused role in resolving competing state interests on a regional scale. Local governments are then able to guide and ensure the development of their towns and communities in the context of the surrounding environment and infrastructure networks.

The plan also acknowledges the wide range of views about land use matters in the region and establishes a process whereby proposed changes to the plan can be considered by the Cape York RPC on a yearly basis.

The plan has been developed in consultation with a diverse range of stakeholders and organisations. The contributions of the following individuals and groups are acknowledged:

- members of the Cape York RPC
- local government officers
- other non-government organisations and
- Queensland Government departments.

Regional policies

The plan establishes seven regional policies to address the region's most important issues affecting its economy, the natural environment and the land use certainty of key areas. The plan specifically provides direction to address competing state interests relating to:

- economic development, including agriculture and the resources sectors
- protection of significant environmental areas, and
- the growth potential of the region's towns.

The regional policies aim to:

Establish regional land use categories that balance economic development with environmental conservation

To manage competing economic and environmental state interests, the plan establishes regional land use categories that are used to signal the appropriateness of areas in the region for development opportunities. Although relevant approvals (e.g. development approvals, resource tenements and/or environmental approvals) are still required for proposals in all areas, the assessment of proposals is to be done in the context of the relevant regional land use category and the relevant land use policies.

The regional land use categories are as follows:

A **Strategic Environmental Area (SEA)** is an area that contains regionally significant values for biodiversity, cultural values, water catchments and/or ecological function. Development in SEAs will be supported only where it can be demonstrated that the development outcome does not present risk of irreversible or widespread impacts to the environmental attributes of the SEA.

SEAs are areas of regional interest under the *Regional Planning Interests Act 2014* (RPI Act). Resource activities and regulated activities proposed in these areas are subject to meeting the relevant assessment criteria.

Designated precincts identified in SEAs are those areas where significant biodiversity values (including the Steve Irwin Wildlife Reserve and the rivers and streams of the Wenlock, Archer, Stewart and Lockhart basins) or areas of high cultural heritage significance have been recognised for specific protection. Mining resource activities, broadacre cropping and water storage (dams) are unacceptable uses in a designated precinct, giving the highest level of protection to the precinct's natural and cultural features.

Other regionally important environmental areas (which may include areas of high cultural heritage significance) will be identified in the plan over time, subject to support from Traditional Owners, relevant local governments and consideration by the Cape York RPC on an annual basis.

National parks are recognised for their protection of the region's natural and cultural resources. However, these areas are also recognised as not being 'closed' to appropriate economic opportunities. Development and activities in national parks may be facilitated where they are ecologically sustainable activities that protect an area's natural condition and values.

Protect Priority Agricultural Land Uses while supporting co-existence opportunities for the resources sector

A **Priority Agricultural Area (PAA)** is identified in the plan to recognise and protect the region's existing strategic intensive agricultural area containing highly productive agricultural land uses. In a PAA, Priority Agricultural Land Uses (PALUs) are recognised as the primary land use and must be given priority over any other proposed land use.

PAAs are areas of regional interest under the RPI Act. Assessment and decision criteria have been developed to facilitate the co-existence of compatible resource activities with high value agricultural land uses in the PAA. These criteria will enable opportunities for economic diversity to ensure that Cape York develops as a resilient and prosperous region.

These criteria are implemented through the RPI Act and the Regional Planning Interests Regulation 2014 (RPI Regulation).

Provide certainty for the future of towns

Priority Living Areas (PLAs) provide certainty for towns in the region to grow.

The PLAs are designed to safeguard areas required for growth by providing opportunities for the identified towns to expand, as detailed in a local government planning instrument. PLAs ensure that these towns will not become encumbered by resources activities through the establishment of a buffer around the town growth areas.

PLAs are an area of regional interest under the RPI Act. The Act gives local governments the formal ability to provide advice to the Chief Executive about the appropriateness of a resource activity in a PLA.

Infrastructure and other state interests

The plan describes the region's priority infrastructure outcomes, outlines the state's interests in other planning and development matters and the associated challenges and opportunities in the region.

Chapter 1—Introduction

The region

The region, as shown in Figure 1, was designated as the Cape York regional plan area on 31 July 2012 and includes the following local government areas:

- Aurukun
- Cook
- Hope Vale
- Kowanyama
- Lockhart River
- Mapoon
- Napranum
- Northern Peninsula Area
- Pormpuraaw
- Wujal Wujal
- Weipa Town Area.



Figure 1: Local government areas within the Cape York region

Purpose of the plan

The purpose of the Cape York Regional Plan is to enhance the quality of life throughout the region by facilitating opportunities for appropriate economic development while recognising the need to protect Cape York's regionally important environmental areas.

The plan identifies and interprets the state's interests in land use planning and development, as described in the SPP, for the Cape York region.

The plan does this by evaluating and balancing competing state interests in a regional context. It provides more detailed regional guidance for some state interests to ensure they are addressed in a coordinated fashion across the region within local government planning schemes.

The plan achieves this purpose through a combination of:

- regional policies
- regional land use categories
- regional interest mapping
- supporting information about other matters relevant to land use planning in the region.

Key drivers for preparing the plan

The key drivers for preparing the plan are the Queensland Government's intentions to:

- improve and grow the region's economic development and diversity
- balance economic development with the protection of areas with important natural and cultural values
- replace the land use aspects of the Wenlock Basin, Archer Basin, Stewart Basin, and Lockhart Basin Wild River Area declarations
- reduce potential land use conflict and improve land use certainty for landholders and investors
- attract and secure resource sector development and investment
- facilitate and grow tourism pursuits across all areas of the region
- provide investment certainty for towns, businesses and regional communities
- identify regional infrastructure outcomes that will support economic and community growth and avoid the introduction of additional, unnecessary regulation
- recognise and respect the role of local government to plan for their local area.

Consultation with industry, community and local government confirmed the need for the plan to respond to these key drivers.

Structure of the plan

Chapter 1—Introduction

Outlines the plan's purpose, key drivers and structure.

Chapter 2—Application and effect

Describes the application of the plan in relation to local planning instruments, the plan's effect under the planning Act and other related regulatory frameworks. This chapter also introduces the implementation concepts to be used when implementing the plan to achieve the desired land use outcomes.

Chapter 3—The region

Provides a description of the region, its strengths and pertinent matters influencing planning and development of the region.

Chapter 4—Regional vision and regional land use categories

Establishes a regional vision and land use categories used in the plan to convey the Queensland Government's strategic intent for the region.

Chapter 5—Regional policies

Establishes the regionally-specific policies to guide state and local government planning and decision-making under planning legislation.

Chapter 6—Infrastructure

Identifies opportunities and challenges associated with the delivery of infrastructure in the Cape York region and establishes regional infrastructure priorities.

Chapter 7—State interests—planning guidance

Outlines guidance information that is pertinent to the state's interests in land use planning matters in the region relating to:

- housing and liveable communities
- economic growth
- environment and heritage
- hazards and safety.

Chapter 8—Implementation

Sets out the Cape York Regional Plan amendment process for SEAs.

Chapter 2—Application and effect

Queensland planning framework

The plan is part of a suite of policies and legislative instruments that guide land use planning and development in order to influence economic, social and environmental outcomes in Queensland (Figure 3).

The SPP sets out the state interests in planning and development. It applies to local governments when preparing or amending a local planning instrument and the state government when making or amending a regional plan.

The SPP is to be read in its entirety to address the state interests and in doing so, anticipates that each state interest cannot be applied in isolation or to the greatest extent possible, but that balancing needs to occur between interests to deliver the best planning outcomes.

While the Queensland Government considers land use planning to primarily be the responsibility of local government, the state has an interest in ensuring that broader regional outcomes are achieved through the application of state policy in local planning. To achieve this, the minister may consider the SPP and, as appropriate, prioritising, qualifying or resolving the state interests in a particular region as necessary by making or amending a regional plan.

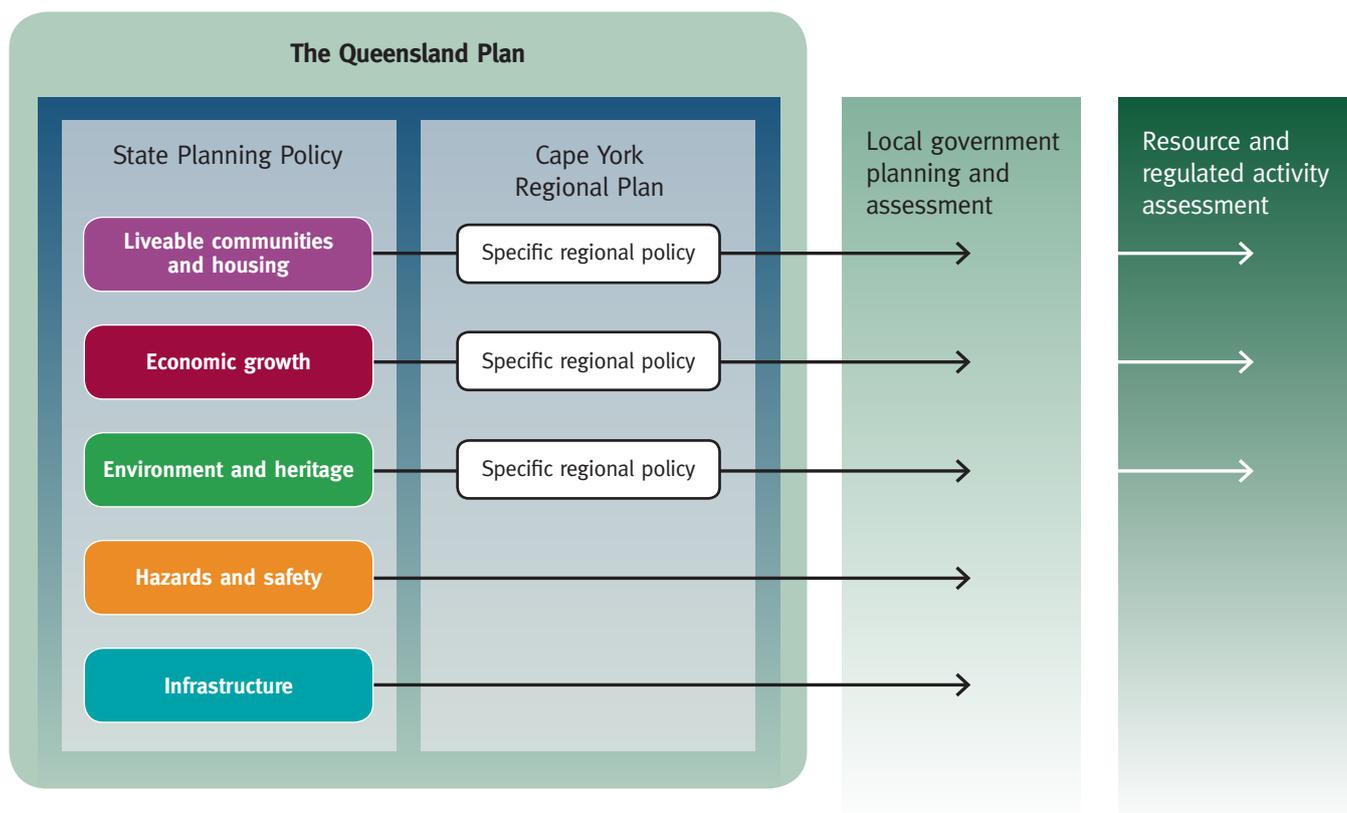


Figure 2: Indicative Queensland planning framework for the Cape York region

It is not necessary for a regional plan to provide regional policy about all state interests. The focus will typically be on those matters requiring specific regional guidance as determined to be relevant or necessary by the planning minister.

A regional plan can provide specific strategic direction and policies that perform a pivotal role in managing competing state interests in that region. The identification of regionally specific outcomes and policies in a regional plan about a matter of state interest will assist a local government to integrate the requirements of the SPP in plan-making or development assessment.

In making or amending a local planning instrument in the designated region, a local government is to reflect the regional outcomes and regional policies that assist in identifying the future regional land use pattern, infrastructure priority outcomes and state interests identified in Chapters 4, 5 and 6 of this plan.

In addition, the regional plan sets out the regional outcomes, policies and mapping of areas of regional interests relevant to the assessment of resource activity and regulated activity proposals under the RPI Act.

Preparing the plan

The planning Act sets out the steps that the planning minister must follow in preparing and making a regional plan. The key steps include:

- preparing a draft plan
- consulting with the RPC about the draft plan
- making the draft plan available for public consultation for a minimum of 60 business days
- considering all properly made submissions
- deciding to make or not make the plan.

The planning minister established an RPC to provide advice about the development and implementation of the plan. The RPC comprises the mayors of all local governments in the region and the Weipa Town Authority, six members of Parliament including the local member and key industry and community stakeholders across the region. The planning minister is the Chair of the RPC.

Local governments, as key stakeholders, have contributed important local and regionally specific information on behalf of local communities. State agencies have provided strategic direction to inform the preparation of the plan. Industry and community stakeholders have participated during preparation of the plan, providing advice and information relative to their sector's views.

Submissions were received during the 80 business-day consultation period (25 November 2013—25 March 2014) on the draft Cape York Regional Plan. All submissions received were considered in finalising the plan. Advice on regional issues raised through the consultation process was provided to the regional planning minister by the Department of State Development, Infrastructure and Planning (DSDIP).

Application

Managing competing state interests

The plan has examined a number of state interests to map the state government's land use priorities at the regional scale. As part of this process, different land use categories have been used to describe the strategic intent of the areas of the region. The land use category applied to a particular area may change following the yearly review process detailed in Chapter 8 of this plan.

The plan does not remove the need for assessment of applications at the local or site scale, with relevant statutory approvals still required for individual developments or activities (e.g. environmental or infrastructure approvals). Subsequent decisions against local government and state statutory requirements are to be made in the context of the strategic land use categories and policies outlined in this plan.

Economic benefits for the region and Queensland will be maximised through planning and assessment processes and instruments that promote appropriate land use, minimise land use conflict and protect strategic economic infrastructure in a manner that is consistent with this regional prioritisation of land use outcomes.

Effect

The plan is a state planning instrument prepared in accordance with the planning Act and is a statutory instrument under the *Statutory Instruments Act 1992*.

The plan applies to the area defined as the Cape York region and establishes land use categories and regional policies which are used to inform the:

- making and amending of a planning scheme
- assessment of development made assessable under the planning Act
- assessment of resource activities or regulated activities in an area of regional interest as defined under the RPI Act and outlined in Chapter 5 of the regional plan
- assessment of development regulated under other state legislation
- infrastructure planning, prioritisation and funding decisions by state and local governments and other infrastructure agencies.

The plan is also given effect by local government and the state government, appropriately reflecting the regional outcomes and associated regional policies in statutory decision processes, including those under:

- *Sustainable Planning Act 2009* (SPA)
- the RPI Act
- resource Acts
- the *Environmental Protection Act 1994*
- the *State Development and Public Works Organisation Act 1971*, or
- any other state legislation that may have a land use decision making role (e.g. Marine Parks, Nature Conservation Act, Vegetation Management Act).

Existing uses and approvals

The regional plan does not affect existing lawful land uses (e.g. resource tenements and environmental authorities) or development approvals that have not lapsed and were issued prior to the regional plan taking effect.

Local government planning and assessment

The regional plan advances the state interests in the SPP by providing regionally-specific policies to guide land use planning and development outcomes in the Cape York region.

Provisions have been included in Schedule 3 to assist local governments when they are making or amending a local planning instrument such as a planning scheme.

In making or amending a planning scheme, local government must ensure its planning scheme appropriately integrates the regional vision for Cape York by reflecting the regional policies in Chapter 5.

Where a local government is assessing a development proposal and the minister has not confirmed to the local government that the planning scheme appropriately reflects the regional plan, the development application is to be assessed against the regional plan to the extent the regional plan is not appropriately reflected in the planning scheme.

Assessment of resource activity or regulated activity

A resource activity or regulated activity that is proposed in an area of regional interest may require a regional interests development approval (RIDA) for the activity. In obtaining the RIDA, a proponent must satisfy the requirements of the RPI Act, the RPI Regulation and the policy intent of the regional plan.

Areas of regional interest as defined in the RPI Act to which the regional plan applies are:

- SEAs
- PAAs
- PLAs.

An application for a RIDA must be made to the Chief Executive of DSDIP. It will be assessed against the criteria contained in the RPI Regulation, with reference to the regional plan.

Development regulated outside of the planning Acts

Some significant development is not regulated under the planning Act. For example, activities in a marine park are regulated by the *Marine Parks Act 2004* and prescribed works or proposed development in a State Development Area is regulated by the *State Development and Public Works Organisation Act 1971*.

When project proponents and assessors consider development regulated under other legislation, they must, to the extent provided for under that legislation, give due regard and consideration to the regional plan.

Interpretation

Terms used in the regional plan are defined in Schedule 4.

Where a term is not defined in Schedule 4:

- a) for matters specific to the RPI Act, it has the meaning given in:
 - i) the RPI Act; or
 - ii) the RPI Regulation; or
 - iii) the ordinary meaning where that term is not defined in the RPI Act or the RPI Regulation;
- b) otherwise, it has the meaning given in:
 - i) the SPA; or
 - ii) the Sustainable Planning Regulation 2009 (SP Regulation); or
 - iii) the SPP; or
 - iv) the Standard Planning Scheme Provisions; or
 - v) the ordinary meaning where that term is not defined in the SPA, the SP Regulation, the SPP or the Standard Planning Scheme Provisions.

In the event a term has been assigned a meaning in more than one of the instruments listed in (a) and (b), the meaning contained in the instrument highest on the list will prevail.

Editor's notes

Sections marked as *Editor's notes* in Chapters 2 to 8 and Schedule 3 are provided for information purposes only and are non-statutory components (i.e. extrinsic material under the *Statutory Instruments Act 1992*).

Chapter 3—The region

The Cape York region

The plan area covers a large proportion of the Cape York Peninsula. It is boarded on three sides by oceanic waters with the tip of the peninsula being the northernmost point on the Australian continent. The peninsula is an extremely eroded, almost level, low plain dominated by meandering rivers and vast floodplains, with a maximum elevation of approximately 800 metres in the McIlwraith Range.

The region has an area of approximately 128 880 square kilometres and as at 30 June 2011, an estimated residential population of 16 977. It is expected that the population will reach approximately 20 658 by 2031.

The region has iconic natural areas and a variety of regional landscapes of high conservation value together with a rich Indigenous heritage and a wealth of natural assets, particularly mineral resources.

The regional landscape, development opportunities and social aspects of communities of the region are greatly influenced by a tropical monsoonal climate with very distinct wet and dry seasons.

Regional economy

Economic activity in the region is characterised by large-scale enterprises centred on mining (largely in the north-west), agriculture activity (cattle and intensive horticulture primarily in the south-eastern areas) and small- to medium-scale tourism enterprises. Other than these economic sectors in the region, the majority of businesses are small private sector enterprises (micro-businesses) in supporting industries (such as retail and supply) and social services.

Long-term economic resilience for the region will be dependent on the region's ability to expand and diversify its existing economic base.

Further development of the region's micro-business base has the potential to increase employment and economic activity across the region, as well as encouraging investment from outside the region in partnership with local communities and enterprises. The continued establishment of these businesses is important for the ongoing economic development of the region and complements the large-scale economic activity that currently occurs.

Resources

Growth in the mineral resources sector is triggering demand for service and supply industries, including engineering, construction, metals manufacturing activities and ancillary uses such as accommodation in the region. Mining can also provide economic opportunities for local communities through direct and indirect employment opportunities, royalties, compensation payments and investment in infrastructure and co-operative protection of the ecology and support for the development of physical and social infrastructure.

The geographic spread of known mineral resources, if capitalised, will help insulate the region's economy from downturns in particular commodities.

Exploration for additional resources may expand known resources and locate new resources with the potential to extend the productive life of the Cape York mineral endowment.

Agriculture

The agricultural industry plays an important role in the existing economy, supporting communities throughout the region. The region has existing strengths in grazing (which is the primary land use in the region), horticulture, commercial and recreational fishing, although catch limits are at capacity.

Cape York is an important cattle breeding region, with cattle transported outside of the region to access pastures for fattening, saleyards and processing facilities. There is potential for increased productivity of grazing properties, especially where improvements are made to:

- water and transport access
- investment and improvements to on-farm infrastructure
- agribusiness training
- supply chain efficiencies
- silvopastoral (grazing and timber) production system adoption.

Queensland's growing demand for food production means there are opportunities to build on the existing agricultural (particularly pastoral and horticultural) industries. There are also opportunities for specialised products and niche marketing and local/regional branding for low-weight, high-value products, native foods and remedies for export. Early season cropping on the Cape ensures crops ripen before their southern counterparts, providing a window of opportunity at the beginning of each season.

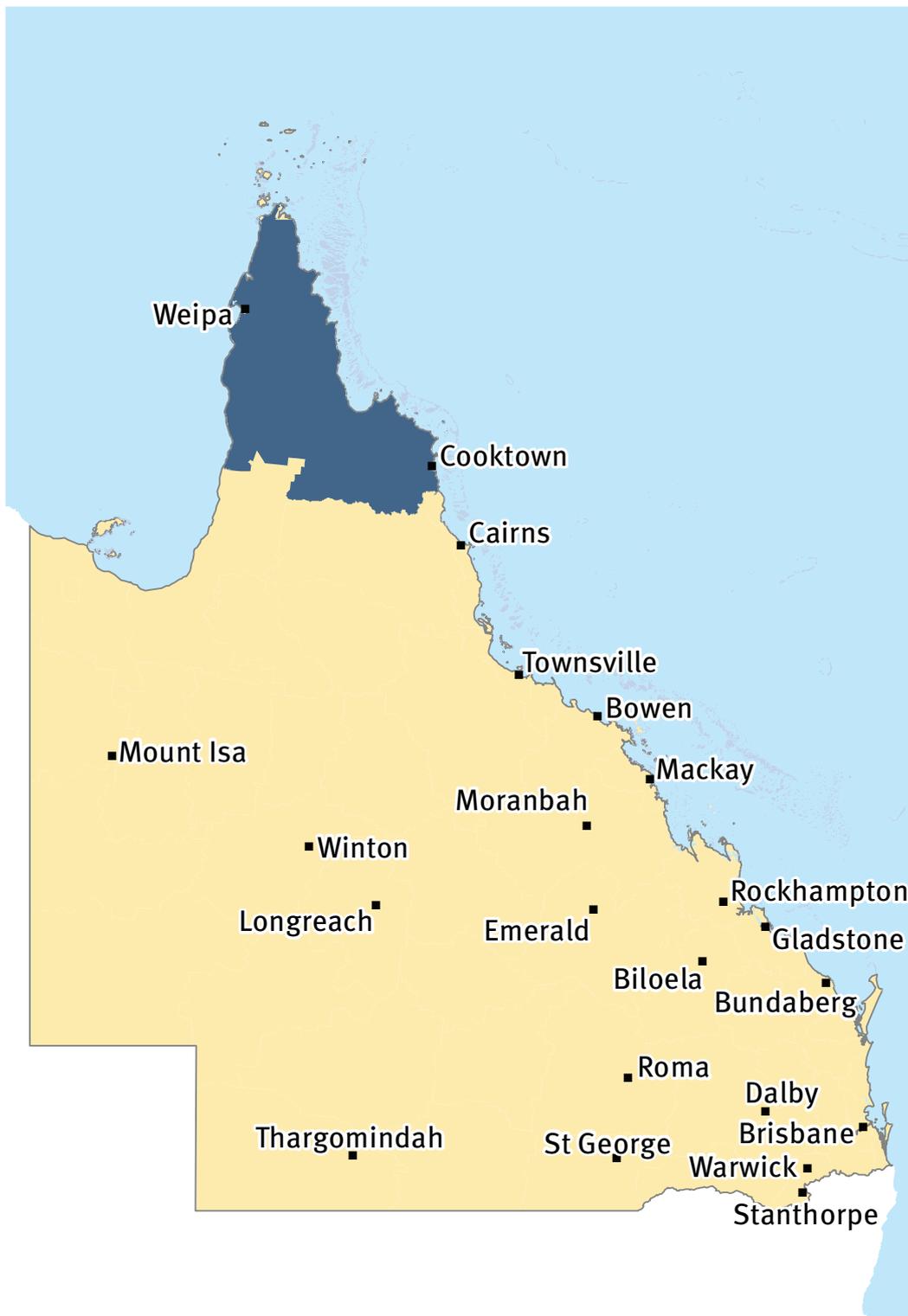


Figure 3: Queensland context of region

The diversification of these enterprises to capitalise on additional revenue streams is critical to their long-term sustainability.

The region also has substantial native forest resources that have the potential for increased exploitation, as existing forestry activities are small localised harvesting and processing industries.

Small-scale horticulture occurs around Lakeland Downs and Cooktown with a focus on bananas, sorghum, corn, legumes, melons and a range of tropical fruits. As demand for the range of agricultural products and food increases, the agricultural (particularly pastoral and horticultural) industries will make an important contribution to the growing economy on a local and regional scale. Biosecurity is a key issue for the continued viability of the horticultural industry. Cape York is relatively free of weeds and pests that are established in southern areas of the state, and the region is valuable as a 'buffer' to potential pests and diseases from neighbouring countries.

Due to the geographical location, climate and numerous ports, Cape York is at the front line of biosecurity pest and disease concerns for Australia. Maintaining confidence in Queensland's biosecurity systems is vital for ensuring agricultural productivity, economic growth and continued access to global markets.

The Far Northern Pest Quarantine Area (FNPQA) acts as a buffer against plant and animal pests and diseases of state and national concern which originate from countries to the north with the potential to establish and spread. This buffer is an important safeguard of Queensland's primary industries. Retention of the FNPQA will ensure it continues to protect Queensland's economy and agriculture.

Agricultural sector expansion, particularly in the southern area of the region including localities around Lakeland Downs and Cooktown, will require reliable access to water and expansion of support services including transport and administrative services to meet the economic and social needs of the region.

Tourism

The tourism industry consists largely of many small tourism operators who are responding to the strong domestic adventure-style tourism markets of self-drive, mature-aged people who want to experience the region's natural assets and its wilderness qualities, four-wheel drive adventures, Indigenous cultural activities and historic sites, to name a few of the primary attractions.

The region is considered to be one of Australia's great nature-based four-wheel drive assets and there are also existing markets for fly in/fly out fishing tours, bird watching and controlled feral animal hunting.

Cape York's natural assets and rich and diverse cultural heritage provide ideal foundations for the region to enhance its reputation as a tourism destination. There is strong tourism growth potential for high value tourism businesses such as ecotourism, wilderness experiences and adventure tourism activities, particularly surrounding self-drive four-wheel drive adventuring, organised group sport fishing travel, wildlife spotting, exploring land and waterscape features, cultural activities, historic sites and the natural environment.

There is a physical and functional link between the Cape's natural assets and biodiversity values and the tourism industry. Yet the key to the growth of this industry is ensuring safe and reliable access to these areas, improvement of infrastructure and standards (including tourist facilities), and a flexible development assessment system which recognises the unique challenges of conducting a tourism business in a relatively remote location.

The Queensland Government has developed *Destination Success*, a 20-year plan for tourism in partnership with the industry. This plan focuses on assisting to make Queensland Australia's number one tourism destination, with a statewide target of doubling annual overnight visitor expenditure to \$30 billion per year between 2010 and 2020. If areas such as Cape York are to contribute towards this growth, a 'proactive' approach to tourism development must be adopted.

Environment

Cape York is a remote, largely undisturbed area with outstanding biodiversity values, nationally and regionally-significant landscape features and numerous important sites of Indigenous and non-Indigenous cultural heritage. The extent and quality of environmental values that need to be managed in the context of current and future economic opportunities in the Cape York region is unique.

However, these areas also provide opportunities for economic benefit through sensitive development or activities in association with areas of high biodiversity significance.

Outside of current national parks, areas of high biodiversity and ecological value have been identified including endangered or of concern regional ecosystems, habitat for threatened species, significant wetlands, watercourses, fish habitat and mangroves, cultural heritage and spiritual sites and areas with exceptional visual, environmental, regional landscape or historical values.

These natural values are important for species survival across the region.

Significant Indigenous cultural values are also attached to the natural environments of the region and strong links have been maintained by the Indigenous community to Country and wildlife, with access to land and its resources crucial for cultural value maintenance.

Managing potential impacts on the region's environmental areas using a risk-based approach will assist in facilitating appropriate economic development on Cape York, while protecting critical environmental areas.

Rivers

The major rivers of Cape York are the lifeblood of the region's rural, tourism and other industries (e.g commercial and traditional fishing) and have contributed to the development of the region. These systems have had, and continue to have, the potential to provide significant economic benefits to the region.

Yet the rivers of Cape York are more than sources of water or areas of habitat for the region's flora and fauna. The rivers are an intrinsic feature of the region that have significant effects on how, where and under what conditions the communities of the region go about their lives. These rivers also have significant recreational benefits and environmental value for the region, primarily due to their low levels of physical alteration.

The influence of the region's rivers on everyday life has created unique cultural and heritage values (both Indigenous and non-Indigenous) for the region as well as being quality examples of the remaining intact 'natural rivers' in the state. However, rather than technical linkages to water flows, volumes or the mechanics of how materials move along river systems, it is the combination of undisturbed natural processes and intactness that provide the basis for sustaining the scenic and recreational appeal and cultural heritage value.

These values are acknowledged not only by the people of the region but also by others in Queensland and abroad.

Communities

The region is characterised by a remote and dispersed population, more than half of which are Indigenous. The region covers seven per cent of the state's land and has the equivalent of 0.4 per cent of the state population.

The key centres within the region are Cooktown and Weipa, housing nearly two-thirds of the population. Other small population centres are scattered throughout the 11 local government areas with most of the Indigenous population residing in these small centres.

Towns in the Northern Peninsula Area include future residential areas to accommodate residential growth, facilitate economic diversity and employment opportunities.

Economic opportunities and growth are expected to emerge in Hope Vale due to the benefits of mining, plantations and agriculture expansion.

Although Wujal Wujal is expected to grow in the next 20 years in part due to its proximity to Cairns, the town is constrained by flood-prone lands and steep slopes, limiting suitable land for development.

The expansion of towns such as Kowanyama and Pormpuraaw is also relatively constrained due to physical factors posed by important natural and cultural features, environmental and productive rural areas and land subject to flooding.

Ongoing investment in resource activities in the region may also place localised pressure on housing supply in some communities, including Weipa and Napranum, where expansion opportunities for new housing is limited. Opportunities for expansion in Napranum are constrained by adjacent mining activities, environmentally and culturally important places and land prone to temporary and permanent flood inundation.

Potential issues for local community development in the region include the provision of infrastructure that supports future growth, the availability (both attracting and retaining) of skilled labour and leveraging the benefits from resources and the environment to promote liveability of the region.

There is a need to ensure that local communities remain attractive to workers, making relocation a viable and meaningful alternative. Enhancing the liveability of the Cape York communities provides an opportunity for towns in the region to increase attraction and retention of workers and their families as permanent residents, having flow-on benefits to social and economic resilience of those communities.

Indigenous cultural values and connections

The region comprises a patchwork of ancestral Countries associated with Traditional Owner or Indigenous language-based areas. These areas are based on bio-physical and cultural values that change over time and consequently the region is home to sites and areas of rich Indigenous cultural significance and cultural practices that existed prior to, and have continued since, European settlement.

Some of these aspects are dealt with through the *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003*.

These Acts impose a duty of care on all persons/proponents when undertaking activities that may impact on areas of Aboriginal or Torres Strait Islander cultural heritage. Through these requirements, a sustainable balance between meeting the needs of communities, rural or industrial sectors and facilitating the continuation of Aboriginal and Torres Strait Islander culture, traditions and customs is sought.

Management of cultural values through this process does not exclude development in such areas, but that proposals are examined in the context of these cultural values to ensure that co-existence occurs to the greatest extent practicable.

Yet the spiritual connection held with the land by Indigenous communities is not limited to individual heritage places, but as the relationship between culture and landscape. The natural landscape, flora and fauna and resources of the region have formed the basis of traditional economies, practices and beliefs. Although considered as part of the plan's preparation, it was neither possible nor appropriate to map and/or identify the significance of areas that have cultural value to Indigenous persons across the region. However, consideration of Indigenous interests (including social, cultural, tenure and native title) will be central to the economic and sustainable development of the region.

Native title

Native title exists, or may exist, across much of the Cape York regional landscape. Native title recognises the communal, group or individual rights of certain Aboriginal and Torres Strait Islander people in relation to their pre-existing and continuing connection with land and/or waters according to their traditional laws and customs. The extent and aspects of native title may vary from one place to another and between different groups of Aboriginal and Torres Strait Islander peoples.

Under the *Native Title Act 1993* (Cth), governments must take account of native title rights and interests when undertaking land dealings and approving development proposals, known as 'future acts'. The Native Title Act sets out processes that must be followed before future acts are done on land where native title exists or may exist. Native title may continue to exist irrespective of whether or not there are any native title determination applications or determinations of native title in relation to the area.

The future act processes under the *Native Title Act 1993* (Cth) can be complex. However, these can be set aside where the parties work it out directly between themselves through a process called an Indigenous Land Use Agreement (ILUA). An ILUA results from the consultation and negotiations between a proponent (for example developers, miners, or lessees) and native title holders/registered native title claimants about the way proposed private rights and native title rights and interests will be exercised on the ground.

The state government may need to be a party to an ILUA in some circumstances. ILUAs allow people to negotiate flexible, pragmatic agreements to suit their particular circumstances. An ILUA can be negotiated over areas where native title has, or has not yet, been determined to exist. ILUAs are also able to deal with social, economic, environmental and cultural matters.

The *Native Title Act 1993* (Cth) does not set any time constraints for reaching the required agreement.

The regional plan has not considered tenure, nor prescribed rights (or prohibited activities) in the identification of the strategic planning outcomes being sought. Consequently, the plan does not extinguish native title rights nor is it inconsistent with the continued existence, enjoyment or exercise of native title. However, subsequent actions taken to change land uses in the region may require steps by proponents outside of the planning process to address native title.

Chapter 4—Regional vision and regional land use categories

Regional vision

The regional vision for Cape York describes the long-term aspirations of the region's communities for the future of their region, and establishes an overarching goal for the region.

The people of the region, industry and government work collaboratively to support sustainable economic development of the region, providing benefits for communities through employment opportunities, access to services and new local industry.

The region's unique and diverse environmental values are protected and enhanced, with the liveability of the region's towns improved through increased prosperity. Sustainable economic development, protection of environmental areas and enhancement of the cultural values of Indigenous people culminate in Cape York's distinctive regional identity.

The vision aligns with the relevant priorities of the Queensland Plan and extends a specific regional dimension to the state interests in planning and development (as expressed in the SPP) that are then expressed through the specific regional land use categories and the regional policies of the plan.

Regional land use categories

The regional plan allows for the allocation of land in the region into the following regional land use categories:

- SEAs
- national parks.

These regional land use categories establish the broad policy framework for achieving the regional vision and provide the context for the specific regional policies in Chapter 5 of the regional plan.

Strategic Environmental Areas (SEAs)

SEAs are areas where high ecological values may occur due to the collocation of multiple biodiversity features in conjunction with the landscape's topographical and hydrological features. In addition, SEAs can be areas that are recognised for specific Indigenous cultural heritage values of regional significance.

SEAs allow for development where the proposed uses can co-exist and do not risk irreversible or widespread impacts to the continuation of the area's integrity or cultural values.

Activities that risk irreversible or widespread impacts to the ecological integrity of the attributes detailed in Schedule 1 will not be allowed.

Designated precincts within SEAs are areas of significant biodiversity value and/or areas of high cultural heritage significance exist and should be afforded the highest level of protection in the SEA.

Editor's note

SEAs are not areas set aside to exclude all development or other economic activities from being considered. SEAs apply to three activity types that have the highest risk in the regional context and are therefore regulated by the state through the RPI Act. Other activities are regulated by local government planning schemes and the SPA.

National parks

National parks provide for the conservation and protection of the area's natural and cultural resources and conditions within the region. National parks can also provide opportunities for recreational, educational and commercial activities that do not undermine their nature conservation values.

Making up about 15 per cent of the region, national parks act as a natural asset that can increase economic opportunities in the region. Areas in and around national parks can facilitate appropriate commercial opportunities such as eco-tourism, short-term accommodation, recreation trails, camping and nature-based experiences. Development in these localities will need to align with the management principles of national parks generally and the particular values of the relevant national park area.

Editor's note

State information sources (maps and/or spatial data) on the environmental attributes, suitability/potential productivity of areas for economic development include:

- Cape York Biodiversity Planning Assessment and regional nature conservation values (www.ehp.qld.gov.au/ecosystems/biodiversity/rncv-request.php)
- Queensland Agricultural Land Audit—Chapter 4—Cape York (www.daff.qld.gov.au/environment/queensland-agricultural-land-audit)
- Cape York Peninsula Land Use Strategy (www.environment.gov.au/archive/erin/cyplus/index.html)
- Queensland Interactive Resource and Tenure website (<http://mines.industry.qld.gov.au/geoscience/interactive-resource-tenure-maps.htm>)
- Queensland Government Information Services (QGIS) (<http://dds.information.qld.gov.au/DDS/>)
- The Queensland Globe (www.dnrm.qld.gov.au/mapping-data/maps).

Areas of regional interest

Three areas of regional interest, for the purposes of the RPI Act, are identified in the Cape York region:

- SEAs
- PAAs
- PLAs.

Priority Agricultural Areas

PAAs contain significant clusters of what are considered to be the region's high value, intensive agricultural land uses, PALUs, and are identified on a regional scale.

PALUs are land uses included in the following classes of the Australian Land Use and Management Classification (see Glossary for further details):

- 3.3—Cropping
- 3.4—Perennial horticulture
- 3.5—Seasonal horticulture
- 4—Production from irrigated agriculture and plantations, or
- 5.1—Intensive horticulture.

To maintain a prosperous agricultural industry in the region, it is critical to ensure that there is no material loss of existing high yielding agricultural land to other development activities, particularly resource activity.

Land use conflict can have implications such as loss or encroachment on productive agricultural land, competition for access to water resources, and competition for freight and transport services.

Although many of the potential impacts between these sectors are addressed through existing assessment and regulatory processes at the local scale, the plan is able to provide additional protection for the region's highly productive agricultural area. The regional outcome and associated policies aim to protect existing agricultural land while supporting co-existence opportunities for the resource sector.

Priority Living Areas

A PLA is an area that includes the settlement area (urban residential, business, township and mixed-use zones and areas for future urban growth), rural residential areas associated with the settlement area and generally a two-kilometre buffer area around the settlement within which only those resource activities that are acceptable to the community may locate.

The purpose of establishing PLAs as areas of regional interest is to provide greater certainty for investment in the development of the region's settlement areas. This will be achieved through the assessment and approval process under the RPI Act.

Local governments are the primary facilitators in assisting their communities adapt to growth. One of the main processes that they can employ is by providing for an adequate supply of serviceable land to accommodate anticipated needs in the required scale and type for residential, retail, commercial and industrial land uses.

A local government's planning scheme can clearly identify areas for preferred development types and encourage investment in the region's towns.

The RPI Act provides the mechanism through which local government can assess the benefits and impacts of a resource activity proposed in a PLA. The local government is best placed to make a determination on the suitability of a resource activity locating in a PLA, having regard to the overall community wellbeing, amenity and future investment in, and development of, the PLA.

PLAs replace restricted areas (urban), as gazetted under the *Mineral Resources Act 1989* in 2011 (RA384), where deemed necessary or appropriate. Where a resource activity is proposed on land included in a PLA, the activity will need to demonstrate how it can comply with the requirements associated with the PLA. This initiative is not intended to replace or limit environmental impact assessment considerations (e.g. dust, noise, vibration etc.) to be assessed as part of an application for relevant environmental authorities.

Chapter 5 – Regional policies

The regional policies in this chapter of the regional plan provide specific direction about how the state's interests in land use planning and development should be achieved in Cape York. The regional policies are consistent with the regional aspiration and respond to the challenges of supporting sustainable economic development in the region and protecting Cape York's significant and diverse environmental values.

Planning schemes are required to reflect these policies. To the extent the regional plan is not appropriately reflected in a planning scheme, the regional plan is to be given effect by local authorities and state government agencies appropriately reflecting the regional policies in decision-making processes.

Some of the policies include maps of specific regional attributes or values. These maps have been prepared at the regional scale. As part of the process of reflecting the regional plan in a planning scheme, these maps should be reviewed and amended as necessary to reflect better knowledge and information at the local level.

The regional policies in this part of the plan relate to the following themes:

- Balancing economic development with environmental conservation.
- Protecting Priority Agricultural Land Uses while supporting co-existence opportunities for the resources sector.
- Providing certainty for the future of towns.

Balancing economic development with environmental conservation

The Cape York region has significant natural assets including areas of high conservation value, mineral resources, and agricultural and tourism potential. Facilitating appropriate, sustainable economic development opportunities that balance the protection of the Cape's environments is a key priority of the Queensland Government.

Regional policy 1

Provide for economic opportunities and appropriate development by facilitating opportunities for land uses that contribute to diverse economic and employment opportunities in the region.

Regional policy 2

Safeguard areas of significant biological diversity and ecological function (Map 1) by protecting the:

- integrity of the Steve Irwin Wildlife Reserve from incompatible activities
- ecological integrity of Strategic Environmental Areas from incompatible development.

Designated precincts in the region include the Steve Irwin Wildlife Reserve and the rivers and streams of the Archer, Wenlock, Stewart and Lockhart basins. These areas are widely recognised for their distinctive cultural and natural landscape features in the Cape York region.

Table 1 indicates the land use planning and assessment level of activities in the region.

Economic activities that are able to co-exist with the environmental attributes detailed in Schedule 1, allow for the sustainable development and exploitation of the region's natural resources and balance economic and social interests of the people in the region may be facilitated.

Areas in and around SEAs can facilitate appropriate commercial tourism opportunities such as eco-tourism, short term accommodation, recreation trails, camping and nature-based experiences. Development in these localities will need to co-exist with the environmental attributes detailed in Schedule 1.

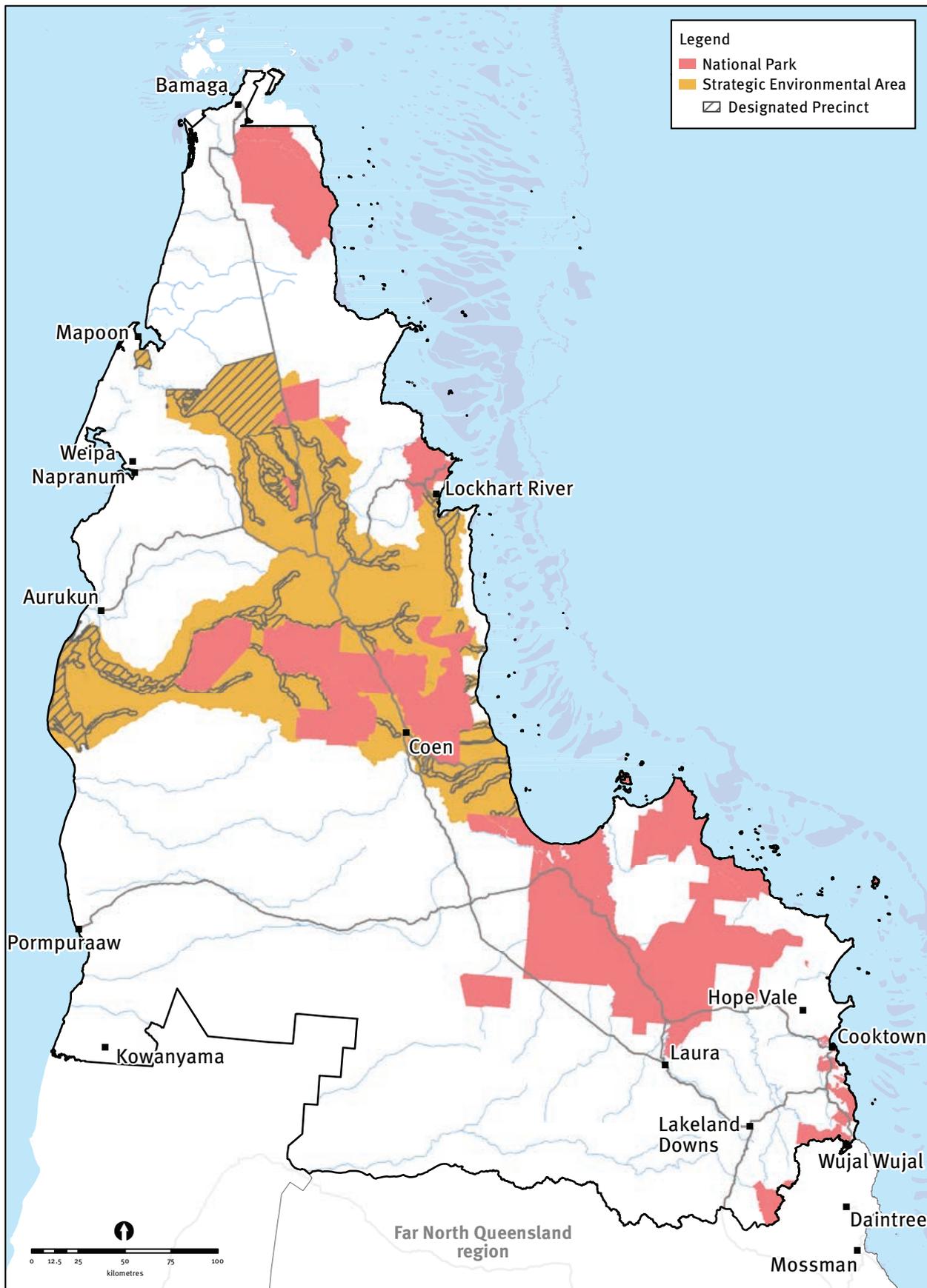
Editor's note

Consideration will be given to mining activities in SEAs other than designated precincts where on-ground evidence suggests that adverse environmental impacts can be avoided or minimised through appropriate conditioning.

Application of the strategic planning intent in the assessment of resource proposals and regulated activities will be implemented through the RPI Act and the RPI Regulation.

Regional policy 3

Planning schemes provide for potential recreation and commercial development opportunities that complement and contributes to the community value of national parks (Map 1).



Map 1: Regional land use categories

Region land use guide—Cape York

- Notes:**
1. Table 2 provides a non-definitive guide to the land use planning and assessment of activities within the region.
 2. Compliance with relevant legislation continues to apply.

| | | |
|-----------------------------------------|----------------------------|----------------------|
| Strategic Environmental Area | Designated precinct | National Park |
|-----------------------------------------|----------------------------|----------------------|

Table 1—activities requiring assessment under the *Regional Planning Interests Act 2014*

| | RIDA | Designated precinct | National Park |
|------------------------------|------|---------------------|---------------|
| • Broadacre cropping | RIDA | ✘ | n/a |
| • Mining resource activities | RIDA | ✘ | n/a |
| • Other resource activities | RIDA | RIDA | n/a |
| • Water storage (dam) | RIDA | ✘ | n/a |

Table 2—other typical activities requiring assessment by a local government planning scheme or state agency under the *Sustainable Planning Act 2009*

| | RIDA | National Park |
|-------------------------------------------------------------------------------------------|--------|---------------|
| • Extractive resources | LG(DA) | LG(DA) |
| • Infrastructure | LG(DA) | † |
| • Intensive animal husbandry | LG(DA) | † |
| • Tourism activities | LG(DA) | LG(DA) |
| • Urban activities (e.g. <i>residential, commercial, industrial, community facility</i>) | LG(DA) | † |

✘ **Unacceptable use**

† Compliance with relevant legislation and where necessary, development approvals obtained

RIDA Generally acceptable—regional interest development assessment

LG(DA) May require local government development approval under their planning scheme¹

Table 1: Regional land use guide

Protecting Priority Agricultural Land Uses while supporting co-existence opportunities for the resources sector

There is potential for competition between the resource and agricultural sectors for land, access to water resources and access to infrastructure in the region. Opportunities to build on existing agricultural industries need to be maintained along with growth in the resources sector in the region.

The plan addresses the state's interests by protecting existing agricultural land from land uses that compromise their long-term agricultural productivity and maximising opportunities for co-existence with other non-agricultural uses that do not diminish agricultural productivity.

Regional policy 4

Protect Priority Agricultural Land Uses within Priority Agricultural Areas.

Regional policy 5

Maximise opportunities for co-existence of resource and agricultural land uses in Priority Agricultural Areas.

To ensure that the high value agricultural land uses are not lost as a result of growth in the resources sector, the regional policies give priority to those key agricultural land uses that have been identified within the region's key agricultural area.

Currently there is no significant conflict between agricultural activities and the resources sector in the region. However, agricultural lands in the Lakeland Downs area are regionally significant and warrant inclusion as a PAA.

In the Lakeland Downs PAA (identified in Map 2), PALUs are to be given priority over any other proposed land use including proposals for resource activities. This is to ensure the continuation of the existing high value intensive agricultural land use is not threatened by development or resource activities.

Proposed resource activities are to be assessed against the PAA Assessment Criteria contained in the RPI Regulation. The intent of the PAA Assessment criteria is to preserve the PALUs, while, where appropriate, allowing resource activity to occur.

Providing certainty for the future of towns

Resource activities have the potential to reduce the availability of land for development of towns while also increasing the demand for housing and associated services. This creates challenges for increasing confidence in investment in the future growth and development of communities.

The plan addresses state interests by providing a regional context for the amenity and wellbeing of the region's major communities.

Regional policy 6

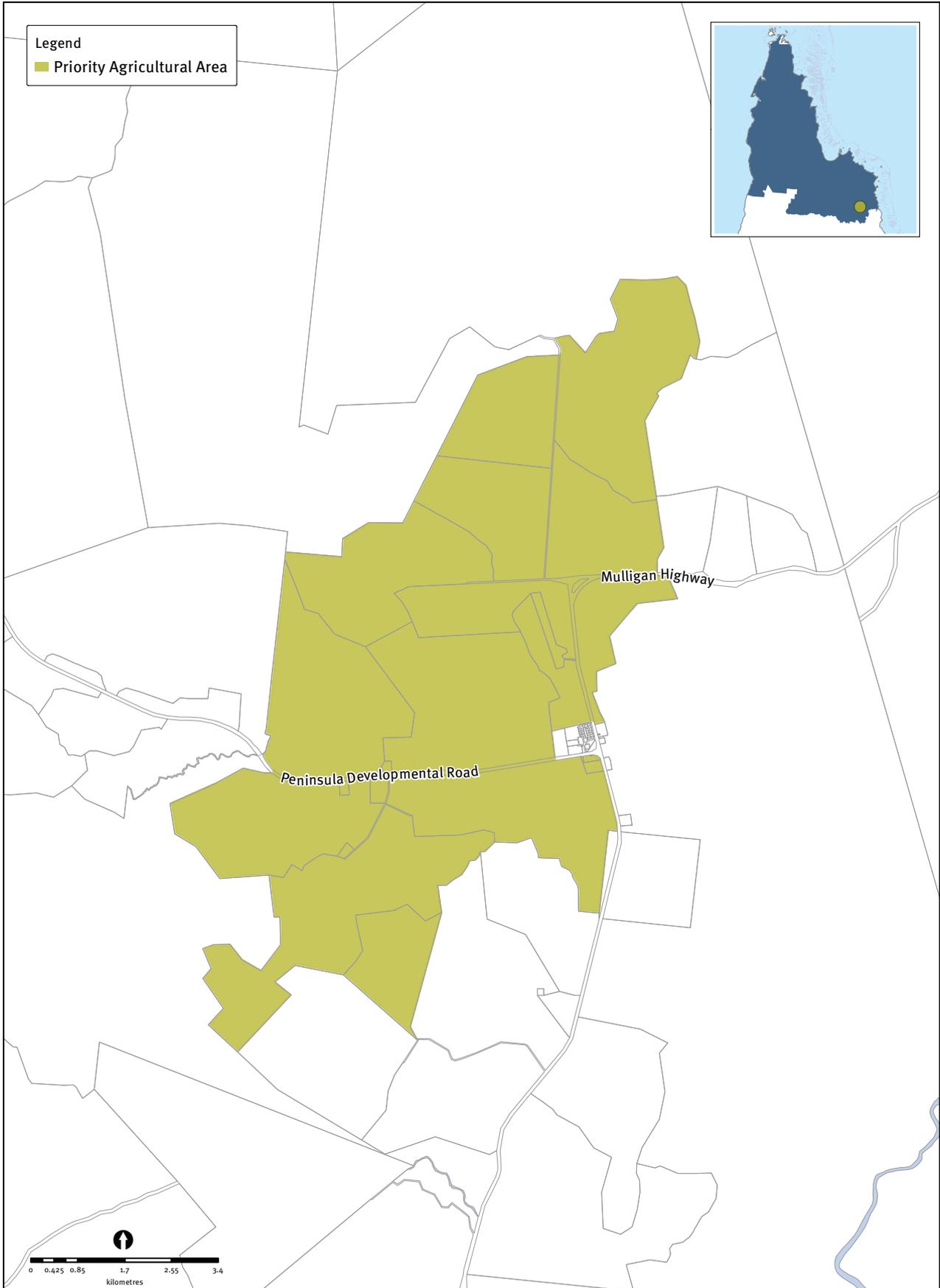
Safeguard the areas required for the growth of towns through establishment of Priority Living Areas (Maps 3 to 15, Schedule 2).

Regional policy 7

Provide for resource activities to locate within a Priority Living Area only where it meets the communities' expectations as determined by the relevant local government.

The liveability of the region faces a number of challenges including the potential adverse impacts of incompatible resource activities encroaching on some settlements. Liveability is also affected by other land use activities such as primary industries, industrial development and energy industries (including alternative energy production). These uses have the potential to impact on the amenity of communities through air, noise and other emissions such as vibrations and odour.

The liveability of the region's towns and their future development can be improved by providing greater assurance about the relative priority of certain land uses. Improving the level of certainty about where future investment in economic activities, particularly mining exploration and extraction can occur will benefit the commercial and resources sectors, as well as the sustainability and liveability of these settlements.



Map 2: Priority Agriculture Area (Lakeland Downs)

Chapter 6—Infrastructure

This chapter identifies priority outcomes for infrastructure to support economic growth in the region, in particular, supporting the growth or continuation of agricultural, resources and tourism activities and improving the connectivity of the region's communities.

The information provided will assist:

- local governments appropriately addressing the state's interest in infrastructure when preparing or amending their planning scheme, and
- infrastructure planning, prioritisation and funding decisions by state and local governments and other infrastructure agencies.

State infrastructure and services

The state government is interested in ensuring long-term outcomes for state infrastructure and services in the region and therefore expects planning and development outcomes to:

- maximise the benefits of investment in state infrastructure and services through integrated state and local land use planning
- protect state transport infrastructure, corridors and transport networks from the impacts of development to ensure their ongoing safe and efficient operation
- protect strategic airports, aviation facilities, defence facilities including RAAF Base Scherger and marine facilities from incompatible development to ensure their long-term safe and viable operation
- ensure a safe, secure and efficient water supply through the protection of water supply catchments, groundwater resources and water supply infrastructure.

Transport infrastructure and networks

The transport infrastructure servicing the region's remote communities (Figure 4) is served by a primary north-south road access route, local access roads and air and marine facilities of various scales. There is a notable reliance on sea and air modes for access to goods and services, particularly during the wet season where road access is regularly cut due to seasonal flooding. Freight and personal travel costs are high in the region as a result of the limited transport options, long distances and travel times, unreliable transport networks and poor infrastructure conditions.

The transport infrastructure and network base is a barrier to regional economic development and a key contributor to increased social isolation in the region.

The **priority outcome** sought for the region's transport networks is a program management approach to:

- improving the reliability and condition of transport networks for freight and people movement throughout the region
- multi-user infrastructure upgrades to support economic development in the region.

Roads

There are two primary state-controlled roads (SCR) forming the key access linkages within and external to the region. These are the 524 kilometre Peninsula Development Road (PDR) from Weipa to Lakeland and the 228 kilometre Mulligan Highway from Cooktown to Mareeba and connecting to the PDR at Lakeland. These roads provide community and tourism access, are used for various bulk and general freight tasks and the haulage of materials for roads maintenance and construction. The Mulligan Highway and PDR between Lakeland and Laura are sealed two-lane width roads. The PDR is mostly unsealed north of Laura, Coen and other smaller settlements located along its length. Local government-controlled access roads connect dispersed coastal communities and inland settlements to the SCR.

The PDR and other access roads in the region are subject to seasonal flooding and surface saturation, with road access from the south cut for months at a time. Improvements to the PDR and community access roads are critical for more efficient, affordable and safe freight and personal transport and for supporting economic growth aspirations.

Existing projects being undertaken by the Department of Transport and Main Roads that will provide additional direction on prioritising improvements/upgrade works in the Cape York region include:

- Far North Queensland Regional Action Plan
- Cape York and Torres Strait Transport Infrastructure Plan
- Peninsula Development Road Investment Plan.

Ports

Sea transport has an important role in the region. Many coastal and island communities rely on barges for freight of general cargo. Boat ramps are also an important part of community and industry infrastructure in the region supporting fishing and recreation.

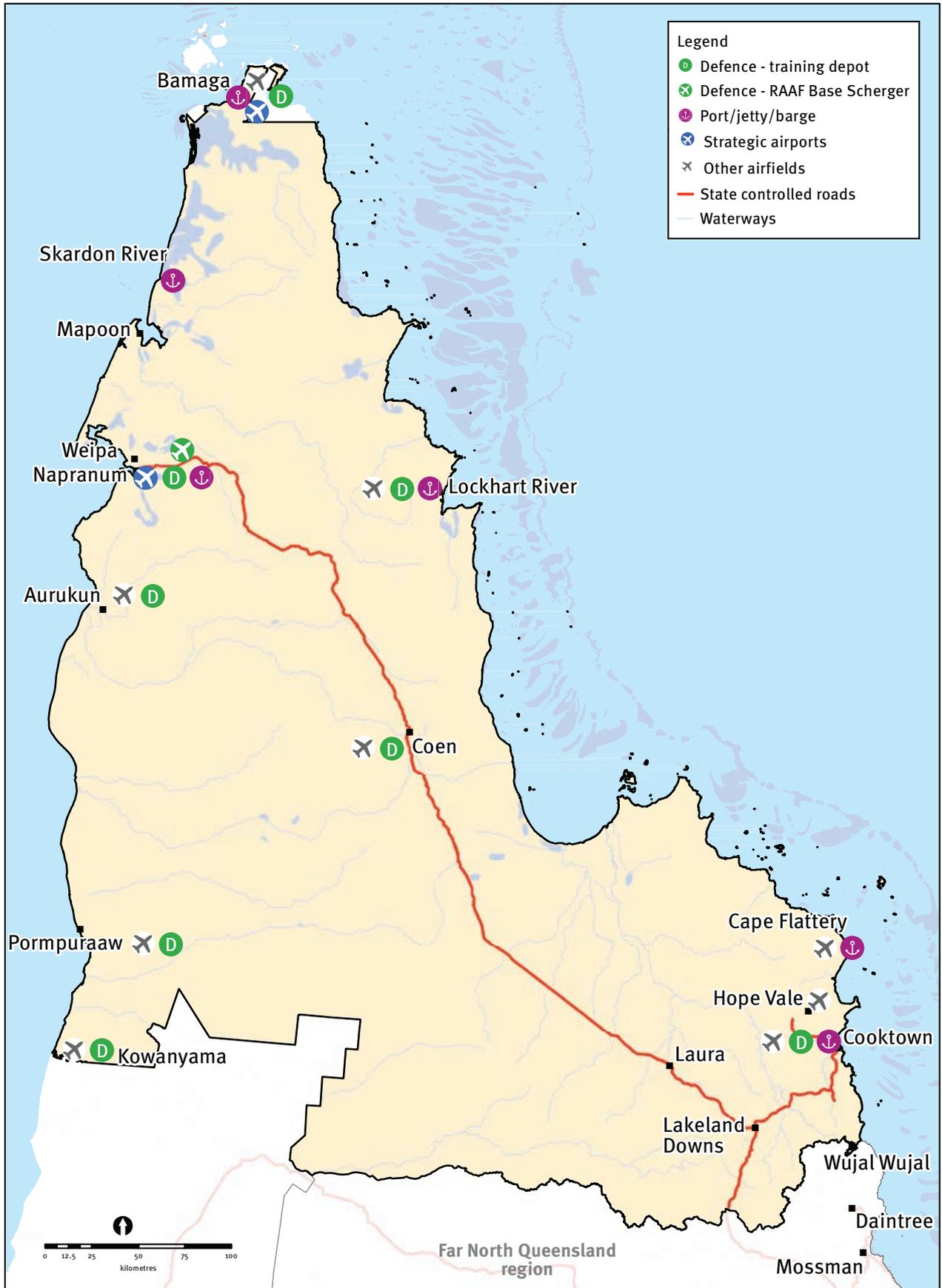


Figure 4: Infrastructure network within the Cape York region

There are five ports in the region, four of which are managed by the Far North Queensland Ports Corporation. The fifth, the Port of Weipa, is operated by North Queensland Bulk Ports Corporation. Of these, the region's key ports are:

Port of Weipa

The Port of Weipa is located on the north-west coast of the region and is the most northern bulk export port in Queensland.

The primary function of the port is to export bauxite from the Rio Tinto Alcan bauxite mine. However, the Port of Weipa also provides a range of ancillary port facilities that support operational needs and accommodates municipal facilities including a community centre, public boat ramp and sewage treatment plant.

The Port of Weipa has three wharves that provide berths to accommodate the movement of wet and dry bulk commodities, general cargo and livestock.

A total of 25.09 million tonnes of throughput was handled by the Port of Weipa in the 2011–2012 financial year. Of this throughput, 99.5 per cent was the export of bauxite, with the remainder fuel and general cargo.

Port of Cape Flattery

The Port of Cape Flattery is a trade port situated more than 200 kilometres north of Cairns on the southeast coast of the region. It is used for the export of silica sand from the Cape Flattery mine, and is operated by the Cape Flattery Silica Mines Pty Ltd.

The port consists of onshore silica sand handling and stockpiling facilities, a single trestle jetty with conveyor running from the mine to an offshore berth and ship loader. There is also a general purpose wharf for the import of fuel and other supplies for the mine and for the mooring of two line boats which assist in ship berthing.

The Port of Cape Flattery is isolated by a lack of a formed road for vehicular access and operates on a fly in/fly out basis from either Cairns or Cooktown with all supplies brought in by barge. A total of 1.77 million tonnes of throughput was handled by the Port of Cape Flattery in the 2011–2012 financial year.

Port of Quintell Beach

The Port of Quintell Beach servicing Lockhart River is a community port with a barge facility located on the north-east coast of the region, which services the needs of the Lockhart River community and remote grazing properties.

Improvements in road transport services to the surrounding area have meant a general reduction in the volume of cargo through the port. However, the area is not accessible by road for up to four months of the year during the wet season, necessitating supplies to be barged in for the surrounding communities.

A total of 2286 tonnes of general cargo was handled in the 2011–2012 financial year.

Seisia Jetty

Seisia Jetty and barge ramp are critical to supporting the community in the Northern Peninsula Area (NPA) of Cape York. The majority of freight to the NPA is transported by sea all year round. The Seisia Jetty is also a significant passenger terminal with approximately 30 000 passengers using the facility each year.

Airports

Air travel serves an important public transport role in the region due to the long distances between remote communities and the regular impacts of the annual wet season on the region's land transport network.

The region has a large number of airstrips/airports including:

- Aurukun Airport
- Coen Airport
- Cooktown Airport
- Edward River Airport (Pompuraaw)
- Kowanyama Airport
- Lizard Island Airport
- Lockhart River Airport
- Northern Peninsula Airport
- Weipa Airport
- RAAF Base Scherger.

Continuous improvements and upgrades to airports and air transportation across the region will provide improved access to a range of services (e.g. business, educational, medical, cultural) for remote and regional communities reducing their economic and social isolation.

RAAF Base Scherger is an important military airfield located 26 kilometres east of Weipa on the western side of Cape York Peninsula. It supports Air Force operations in Australia's north-eastern approaches. It is intended that the RAAF Base Scherger will be protected from incompatible development through the local government planning scheme.

Electricity

The regional and the national electricity distribution network extends into the south-east corner of the region to Cook Shire (servicing Cooktown through to the township of Laura) and the Wujal Wujal and Hope Vale Aboriginal shire councils. Outside the south-east corner, the region's communities are serviced by isolated systems which are not connected to the national grid and in numerous localities electricity is reliant on diesel generators.

Ergon Energy operates the distribution networks of the isolated systems and also operates the local distribution network in Napranum with power generated in Weipa by Rio Tinto Alcan's generator.

Electricity demand on the isolated systems in the region is expected to increase by 2–4 per cent per year to 2015–16. The cost associated with supplying electricity and maintaining the required electricity infrastructure to the region is higher than in less remote and sparsely populated regions, with these costs further exacerbated by regular maintenance to infrastructure resulting from cyclones and the wet season.

Priority outcomes sought for electricity infrastructure include:

- reinforcing electricity generation, transmission and distribution networks in response to forecast population and industry growth and increasing energy efficiency per capita.

Opportunities for leveraging electricity infrastructure to boost economic development include:

- *localised energy generation*—localised energy generation can be a viable option in some situations as an alternative to, or in addition to, connections to the transmission or distribution networks in remote communities
- *alternative resources and technologies*—investigating alternative and renewable technologies for energy generation in isolated communities is desirable to reduce the reliance on diesel generation.

Water

Water service providers, such as local governments and Sunwater, are responsible for delivering water supplies to community centres in the region.

Cook Shire is responsible for water supply to the communities of Cooktown, Coen, Lakeland and Laura. In the Northern Peninsula, Bamaga and its surrounding communities depend largely on the Jardine River for their water supplies through Sunwater while the Weipa Town Authority provides water supply services to Weipa, in which the water supply is sourced from a local aquifer. Town water supplies for Aurukun, Kowanyama, Lockhart River, Napranum, Pormpuraaw and Hopevale are obtained from a variety of both surface water and groundwater resources. A number of smaller communities throughout the Cape York region have their own water supply system.

However, the sparseness of the region's population and the distance between communities in the region has resulted in relatively limited water supply infrastructure for communities and industry.

The Jardine and Wenlock Rivers on the west coast, the Pascoe River and several smaller east coast waterways, and the Hann River are perennial river systems. However, most rivers in Cape York are ephemeral with intermittent flows. Some of these ephemeral rivers cease to flow for several months during winter and spring. The region can also be subject to extreme, cyclonically influenced floods and monsoonal rains in summer with the river systems and channels accommodating large variations in flow.

Consequently, groundwater bores, in-stream pumps, small weirs and dams, rainwater tanks and private groundwater bores are predominantly used to meet household water needs on larger properties and isolated commercial activities. In general, Cape York has abundant supplies of groundwater and this is a more reliable year-round source of water.

Priority outcomes sought for water include:

- improving the security and reliability of community water supplies in the region and their preparedness for future industry and population growth.

Opportunities for water development to support regional priorities:

- Consistent with the *Strategy for Delivering Water Resource Management in Cape York*, a water resource planning process will provide for long-term responsible and productive use of water resources by balancing economic, social and environmental outcomes and provide security and certainty to water users.

Community infrastructure

Economic growth and liveability in the region is not only dependent on the provision of an efficient and integrated network of infrastructure, but also services and technology that are adaptable and responsive to change.

The region has a range of social and local infrastructure servicing the needs of local communities including education, health, recreation and sport, cultural and community facilities and waste water infrastructure. For example, hospitals are located in Weipa and Cooktown, and 10 health care centres are distributed throughout the region.

The state government is interested in ensuring long-term outcomes for state infrastructure and services in the region and therefore expects planning and development outcomes to maximise the benefits of investment in state infrastructure and services through integrated state and local land use planning.

Telecommunications infrastructure in the region plays a significant role in bridging physical distances for remote communities, improving safety and enabling a variety of services to be delivered including distance education, health services and banking.

Telecommunications infrastructure also plays an integral role in modern businesses, enabling access to the internet, real time communication between companies and also innovative use of technology like telemetry. This infrastructure will become increasingly important for the region as businesses innovate through the use of technology.

Priority outcomes sought for community infrastructure include:

- optimising the use of existing assets to improve community liveability
- attracting telecommunication infrastructure investment to support innovation and technology that enhances industry productivity.

Opportunities for leveraging community infrastructure to boost economic development include:

- regionally-significant projects could assist in providing additional or different kinds of social infrastructure to support residents and non-resident populations (e.g. skills training). Longer term opportunities also exist where legacy infrastructure provided through significant resources projects could support the growth of other industries

- supporting regional communities to develop their attractiveness and long-term sustainability through development of social and local infrastructure and services, to encourage more workers to relocate their families to remote communities. For example, supporting tourism activities in the region through the provision of additional recreation facilities to key tourist and recreational localities
- co-investment in telecommunications infrastructure to expand the coverage of existing networks and bring forward proposed telecommunications infrastructure to remote communities throughout the region.

Defence facilities

Defence bases in the Cape York region directly support Australian Defence Force operations in Australia's northern approaches. Royal Australian Air Force Base Scherger is the largest and most significant of Defence's facilities in the region. It is one of three Air Force strategic 'bare bases', forming an umbrella of northern airbases to mount and sustain air operations. In addition to Royal Australian Air Force Base Scherger, Defence has a number of patrol bases spread throughout Cape York. These patrol bases provide support to the operational and training activities of the Army's Regional Surveillance Unit, the 51st Battalion, Far North Queensland Regiment.

Chapter 7—State interests—planning guidance

This chapter does not form policy that must be reflected by local governments from the region in their planning schemes. It is provided to assist in their planning scheme development by providing regional context on state interests relevant to land use planning in the region.

Housing and liveable communities

The majority of the region is characterised by a remote and sparsely dispersed population living in small towns. The region's towns range from small Indigenous and rural communities to the administrative and commercial centres of Cooktown (located in the south-east corner) and the mining town of Weipa (in the north-west).

The region's population is expected to increase during the planning period to 2031, although the overall population growth will be small in the statewide context. This growth however necessitates an additional housing supply so as to avoid overcrowding, particularly in Indigenous communities. The portion of mature aged persons (65+ years) across the region is also expected to double to 13 per cent by 2031, placing additional pressure on existing housing and services across the region.

A major challenge in acquiring home ownership in the region is the absence of secure individual title. Securing individual title is complex due to existing land administration processes and the need to address native title. Changes to land administration processes would likely improve opportunities for home ownership and economic development.

Ongoing investment in resource activities in the region may also place localised pressure on housing supply in some communities, including Weipa and Napranum, where expansion opportunities for new housing is limited.

Local governments are able to assist their communities in adapting positively to changes by providing for an adequate supply of serviceable land to accommodate the anticipated needs and type of residential, retail, sport and recreation, commercial, industrial, tourism and cultural land uses. In the majority of towns, this will also be dependent on the involvement of Traditional Owners and community title holders (e.g. prescribed body corporates) due to current tenure arrangements that exist in the region.

Well-informed planning is necessary to ensure that the delivery of services and the release of land for development is responsive to the needs of these growing communities, and is delivered in a timely and cost-effective manner.

Maintaining the liveability of the region's communities through the availability of affordable and diverse accommodation will also provide the opportunity to ensure that towns in the region attract and retain a higher proportion of workers and their families as permanent residents. This will have flow-on benefits for social and economic resilience and community vibrancy.

Economic growth

Opportunities for economic growth include building on the existing competitive strengths in mineral resources and related processing, agriculture, tourism and micro-businesses to underpin the region's future.

Building on the pastoral, agriculture, commercial fisheries and aquaculture food industries will support economic development throughout the region. This includes expanding service industries to support the region and new markets, and capitalising on forestry opportunities.

There are a number of key challenges that need to be factored into planning for economic growth, development and construction activities in the region. These include:

- remoteness, limited infrastructure and access to markets
- climatic conditions and seasonal water availability
- difficulties attracting investment due to land tenure/property types (currently being reviewed by the state)
- financial and technical capacity and capability
- small population and local market base.

In addition to private enterprises, the public sector including public administration, health, community services and education will remain an important source of employment in the region.

Government and corporate support and community momentum will be needed to capitalise on economic opportunities available to achieve self-sufficiency and to increase linkages with external markets. Long-term, sustainable growth in industries such as tourism and agriculture will be enhanced with improved transport infrastructure capacity and connectivity and supply of housing and accommodation for resident, non-resident and tourism populations.

Environment and heritage

The region forms part of the biological bridge between the Australian mainland and Papua New Guinea with a natural environment that has not been significantly modified by human development. The region's isolation from major population centres and transport routes has also helped to maintain its unique natural heritage values. Consequently, the region has outstanding environmental and heritage values that need to be appropriately managed within the context of current and future economic opportunities in the region.

The region's coastline abuts large areas of the Great Barrier Reef World Heritage Area and the Gulf coast waters, both of which have a high degree of natural integrity. The east coast catchments that flow into the reef lagoon are significantly shorter than those rivers in the west, and contain fewer permanent lagoons. Gulf flowing rivers have large flood plains with substantial wetlands, experience widespread flooding during summer, yet can have limited or no flow at other times.

Significant Indigenous cultural values are also attached to the natural environments of the region and strong links have been maintained by the Indigenous community with country, with access to land and its resources crucial for cultural maintenance and subsistence values. A number of rivers in the region are of cultural heritage significance for local groups.

These rivers often have a high level of naturalness associated with being largely unmodified systems. Opportunities for managing the potential for impacts on the cultural values and the water quality of these unmodified rivers are best achieved at the local scale and in consultation with relevant community members.

There are also opportunities to promote and enhance recreational and nature conservation benefits associated with these rivers.

The region also contains many natural and structural heritage values, with the region's towns and communities each maintaining its own unique heritage and sense of identity. The development of the region has been influenced by pastoralism, mining and WWII. Cooktown has a high concentration of historic places and the historic environment of the town is a notable aspect of its appeal for tourists. The ancient rock art sites throughout the Laura area are also of significant cultural heritage value to the region.

It is this cultural and structural heritage which connects the Cape York community to the past and strengthens the unique character and lifestyle of the region. Conservation of these structural and natural heritage values and their integration into an evolving community is critical in retaining this region's cultural identity.

Hazards and safety

The region is subject to a tropical monsoonal climate that is characterised by a long, warm to hot dry season, and a shorter hot, humid and intensive wet season each year. This annual monsoon season is a major constraining factor on the region as it impacts on travel and many economic and social activities with delivery of food and mail supplies regularly disrupted to virtually all areas. It isolates many properties and communities for approximately four to five months due to flooded roads. Air travel and freight can also be curtailed due to inundated airstrips and intensive thunderstorm activity.

Chapter 8—Implementation

The amendment process set out in this chapter is to enable areas to be included as a SEA, including a designated precinct within a SEA. This process will enable the communities of the region with an opportunity to determine the most appropriate land use category for an area in the Cape York regional context. This determination will be based on an evaluation of the environmental and cultural values of an area and its suitability for economic development.

The amendment process for potential changes to SEAs in the Cape York region will be facilitated through a 12-month review cycle involving an annual RPC meeting and a statutory consultation period. The review process may result in the inclusion of, amendment to or exclusion of land from a SEA.

For land to be considered through this process, the proposed area must satisfy the following requirements:

- has the support of the relevant traditional owner groups for inclusion in a SEA
- has the support of the relevant local government/s for inclusion in a SEA
- is not part of the Cape York Peninsula tenure resolution process.

Cape York communities and local governments will lead the preliminary consultation process with traditional owner groups prior to proposals being brought to the RPC. The Queensland Government will administer the ongoing amendment process.

Existing or future SEAs including designated precincts are to be areas of significant biodiversity or high cultural heritage significance with distinctive environmental values, cultural landscapes and natural features that should be safeguarded in the regional or state interest.

For the inclusion of, amendment to or exclusion of land in a SEA (including a designated precinct) a proposal would be assessed against the following criteria for a specified area:

- distinctive regional natural landscape feature (e.g. escarpment, waterway, mountain range)
- significant regional biodiversity values
- unique regional topographical and hydrological characteristics
- area of high cultural heritage significance.

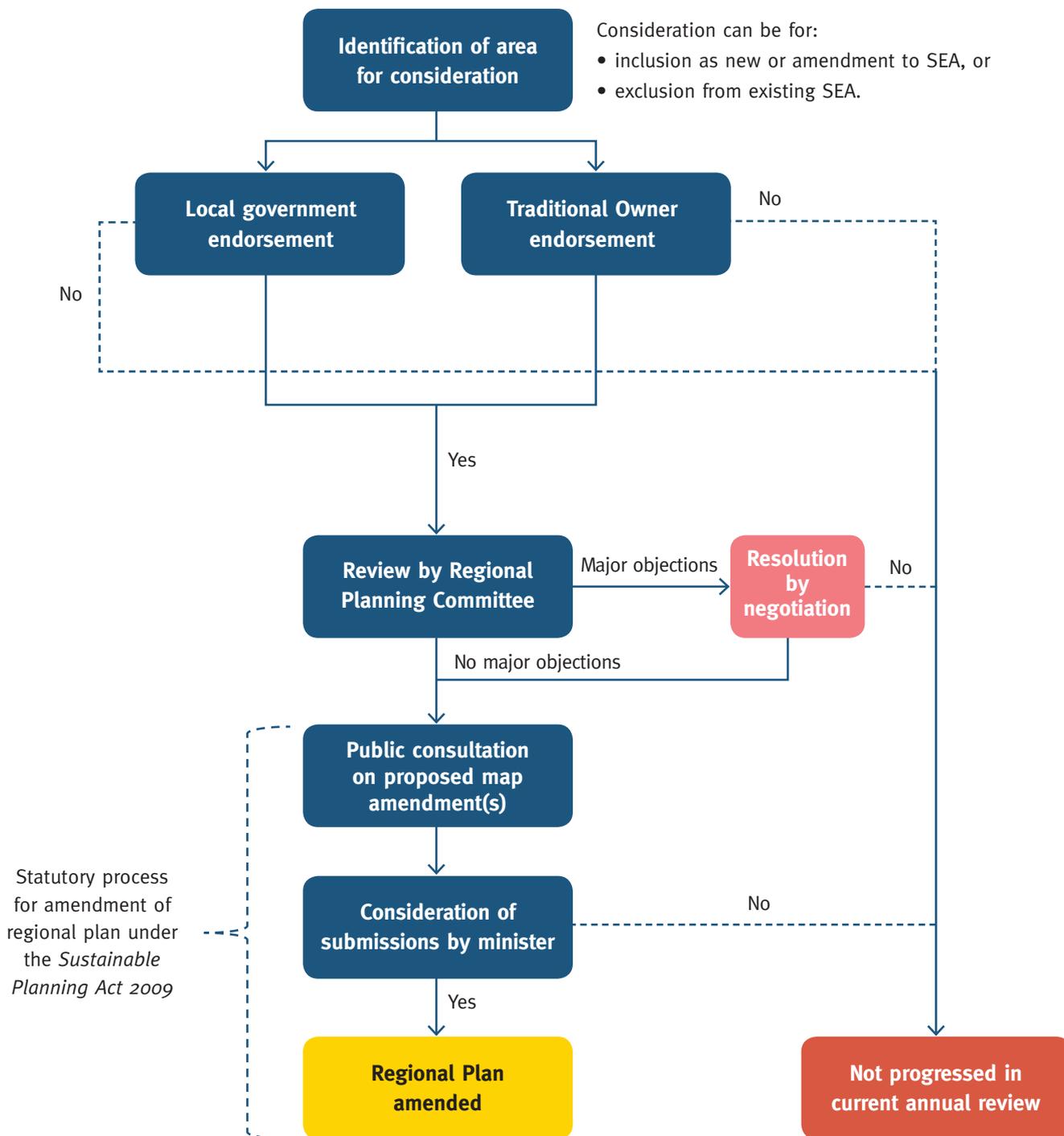


Figure 5: Amendment process for SEAs

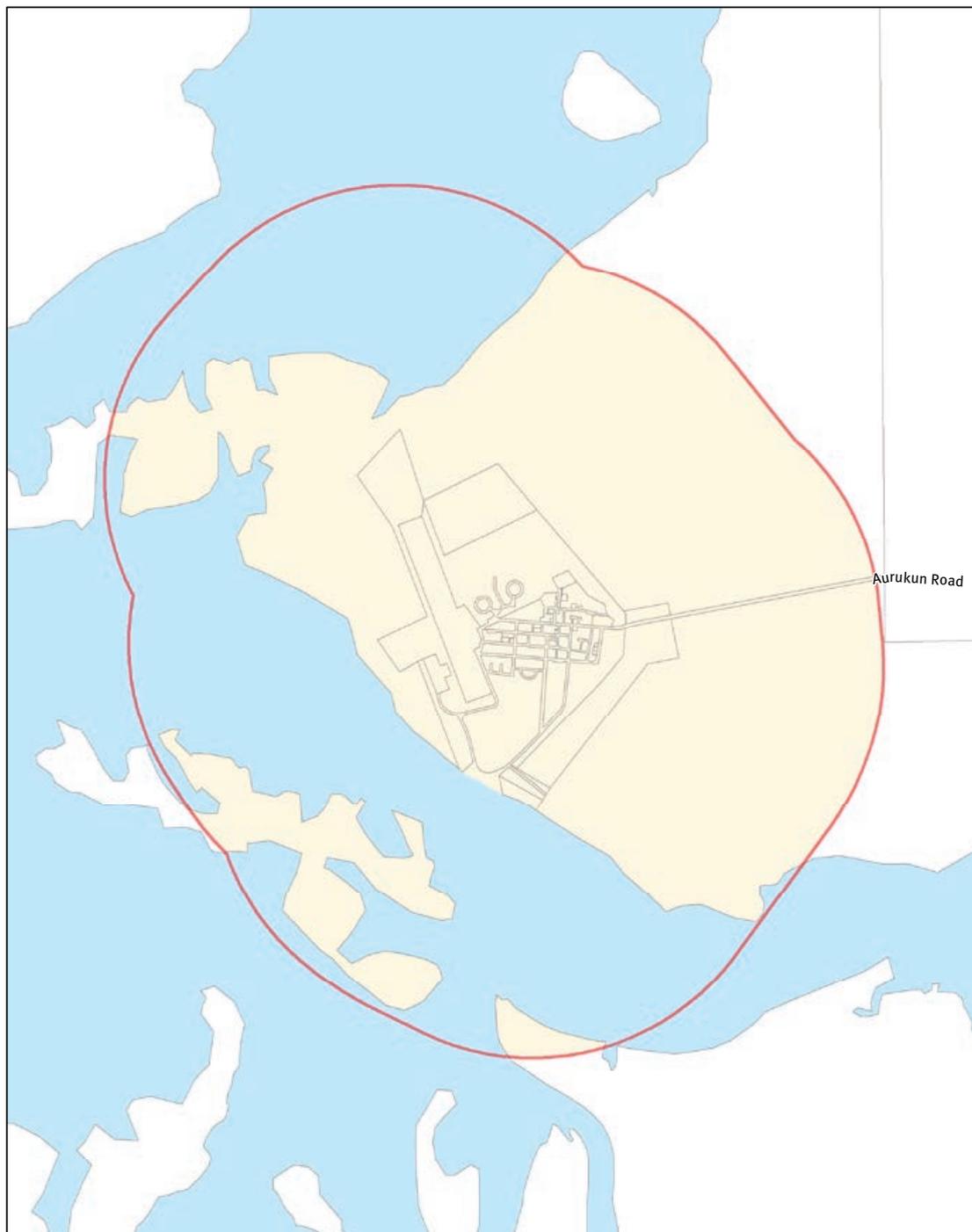
Schedule 1.

Strategic Environmental Area attributes

The following are the environmental attributes associated with the SEAs identified on Map 1:

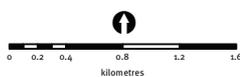
- the natural hydrologic processes of the area characterised by:
 - natural, unrestricted flows in and along watercourses and estuaries
 - overflow from watercourses onto the flood plains of the area, or the other way
 - natural flow paths of water across flood plains connecting waterholes, lakes and wetlands in the area
 - natural flow in and from groundwater and springs
- the natural geomorphic processes of the area characterised by:
 - natural erosion
 - the transport and deposit of sediment by water throughout the catchments and along the watercourse systems and estuaries
- the functioning riparian processes of the area characterised by native riparian vegetation associated with watercourses, estuaries, lakes, flood plains and wetlands
- the functioning wildlife corridors of the area characterised by:
 - natural habitat in the watercourse systems
 - permanent waterholes and springs
- the natural water quality in the watercourse channels and aquifers and on flood plains in the area characterised by physical, chemical and biological attributes that support and maintain natural aquatic and terrestrial ecosystems.

Schedule 2. Priority Living Areas



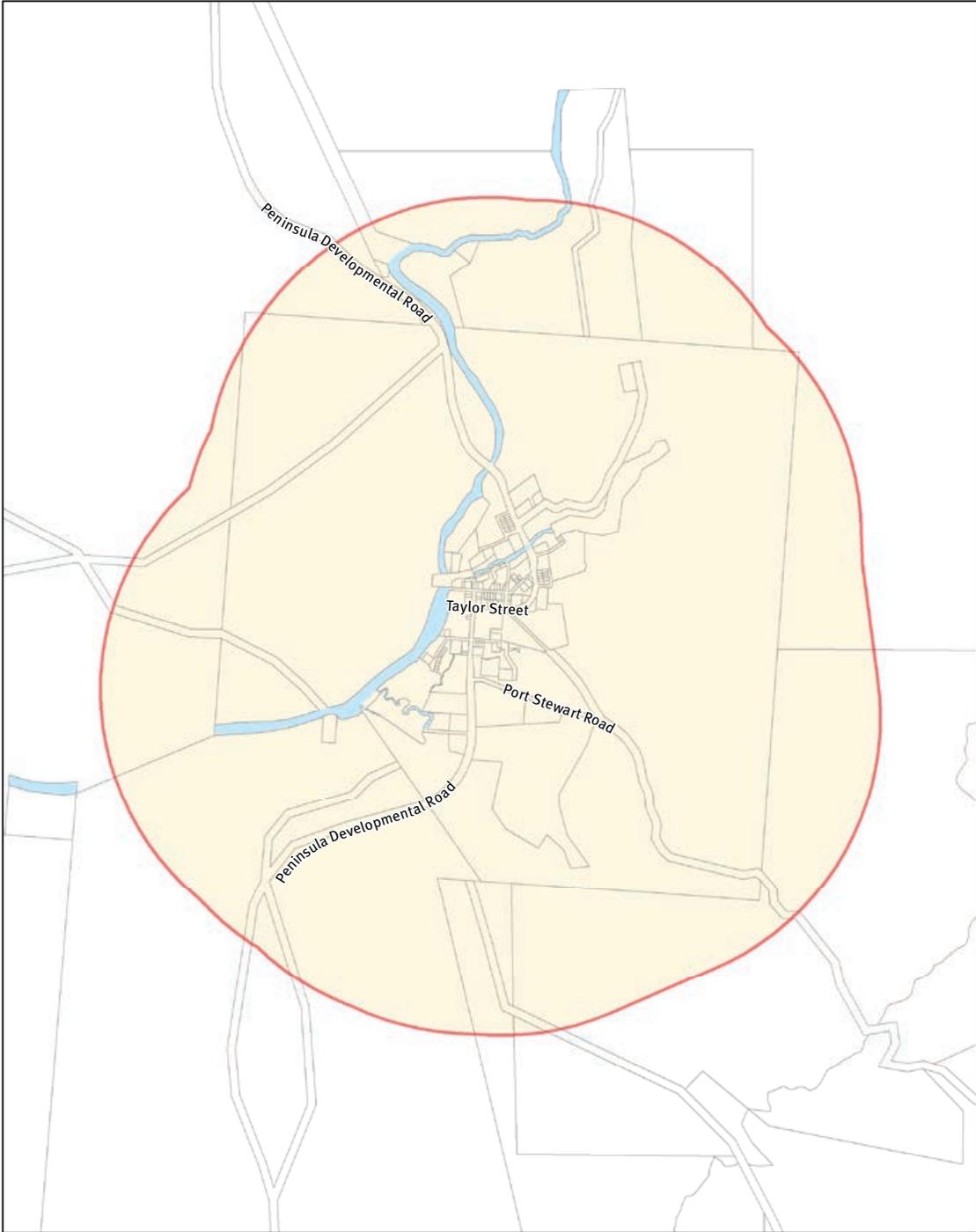
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Priority Living Area (PLA)

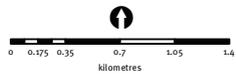


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Map 3: Priority Living Area (Aurukun Aboriginal Shire, Aurukun)



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■ Priority Living Area (PLA)

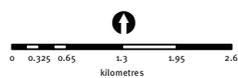


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Map 4: Priority Living Area (Cook Shire, Coen)

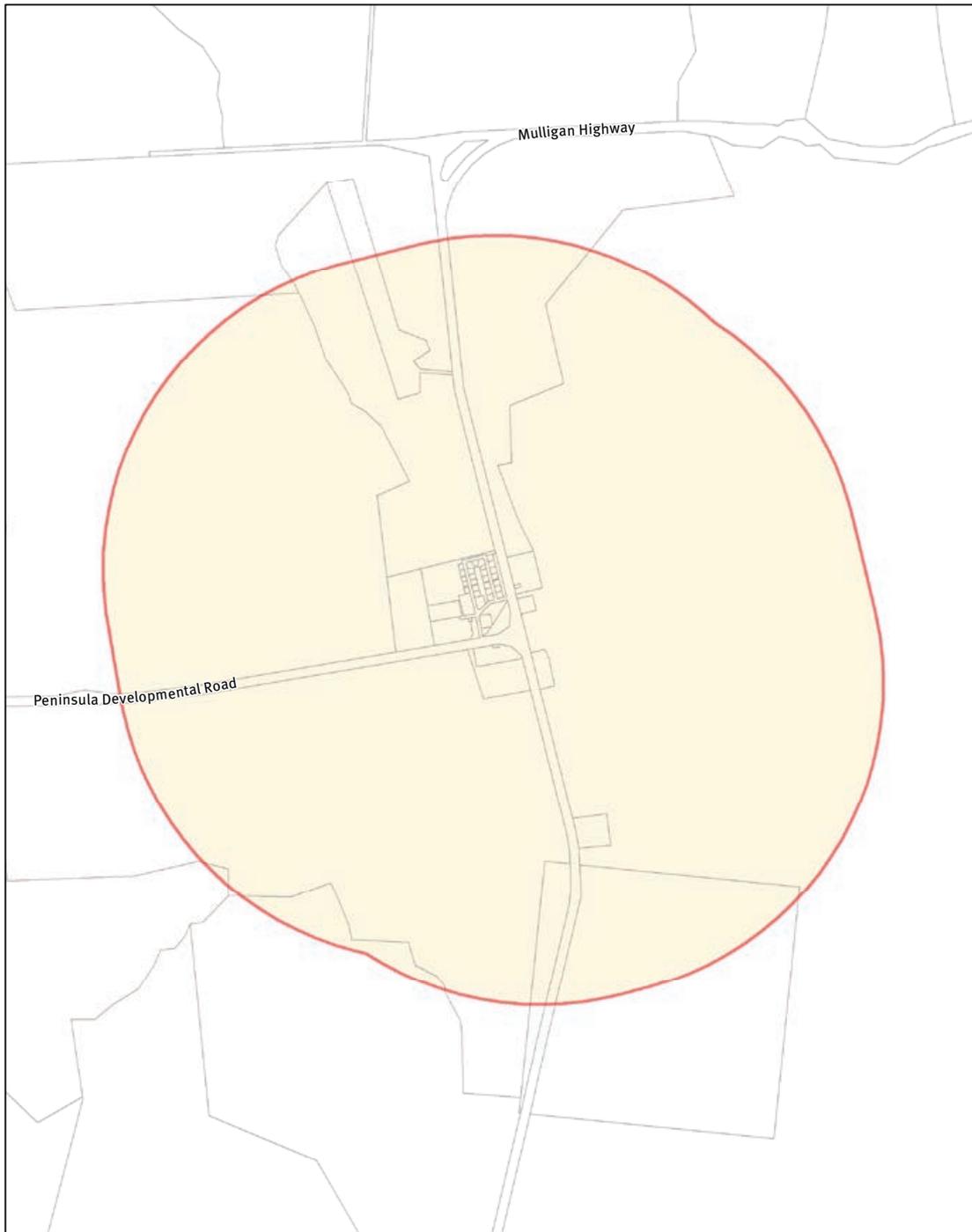


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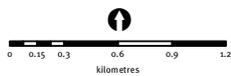


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Map 5: Priority Living Area (Cook Shire, Cooktown)



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 ■ Priority Living Area (PLA)

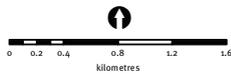


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Map 6: Priority Living Area (Cook Shire, Lakeland)

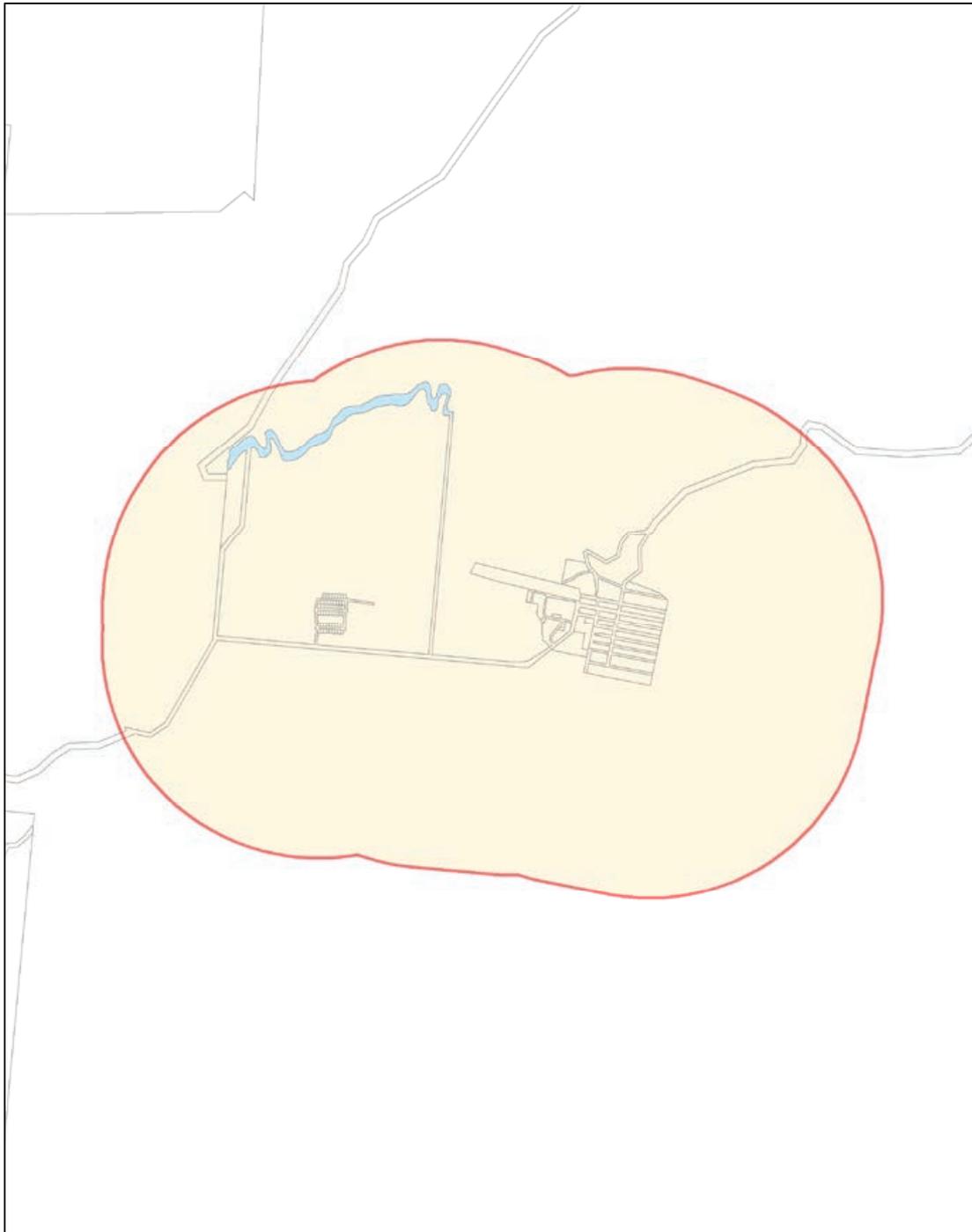


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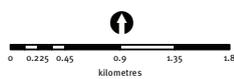


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Map 7: Priority Living Area (Cook Shire, Laura)

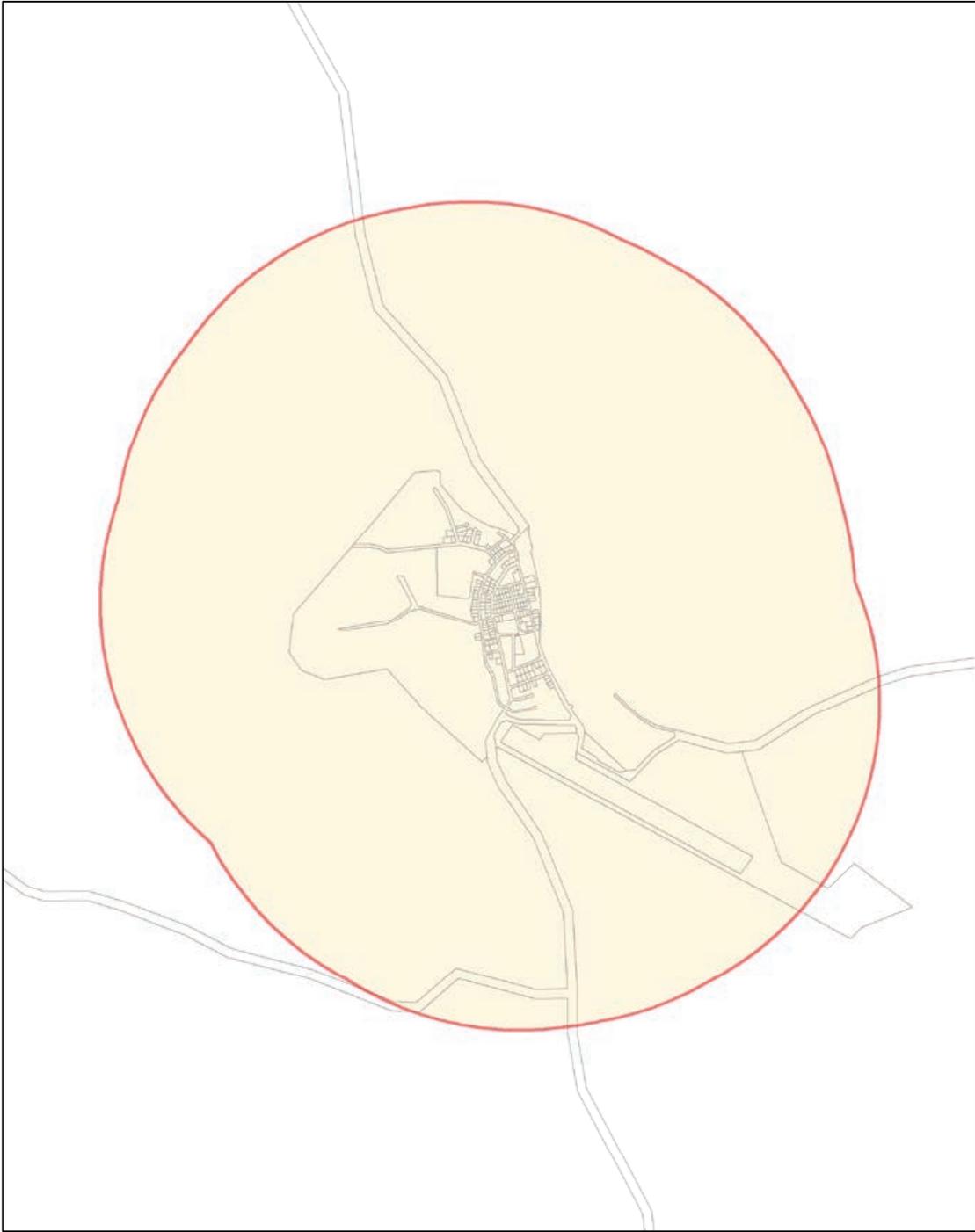


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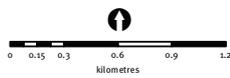
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Map 8: Priority Living Area (Hope Vale Aboriginal Shire, Hope Vale)



Legend

 Priority Living Area (PLA)

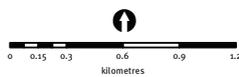


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Map 9: Priority Living Area (Kowanyama Aboriginal Shire, Kowanyama)

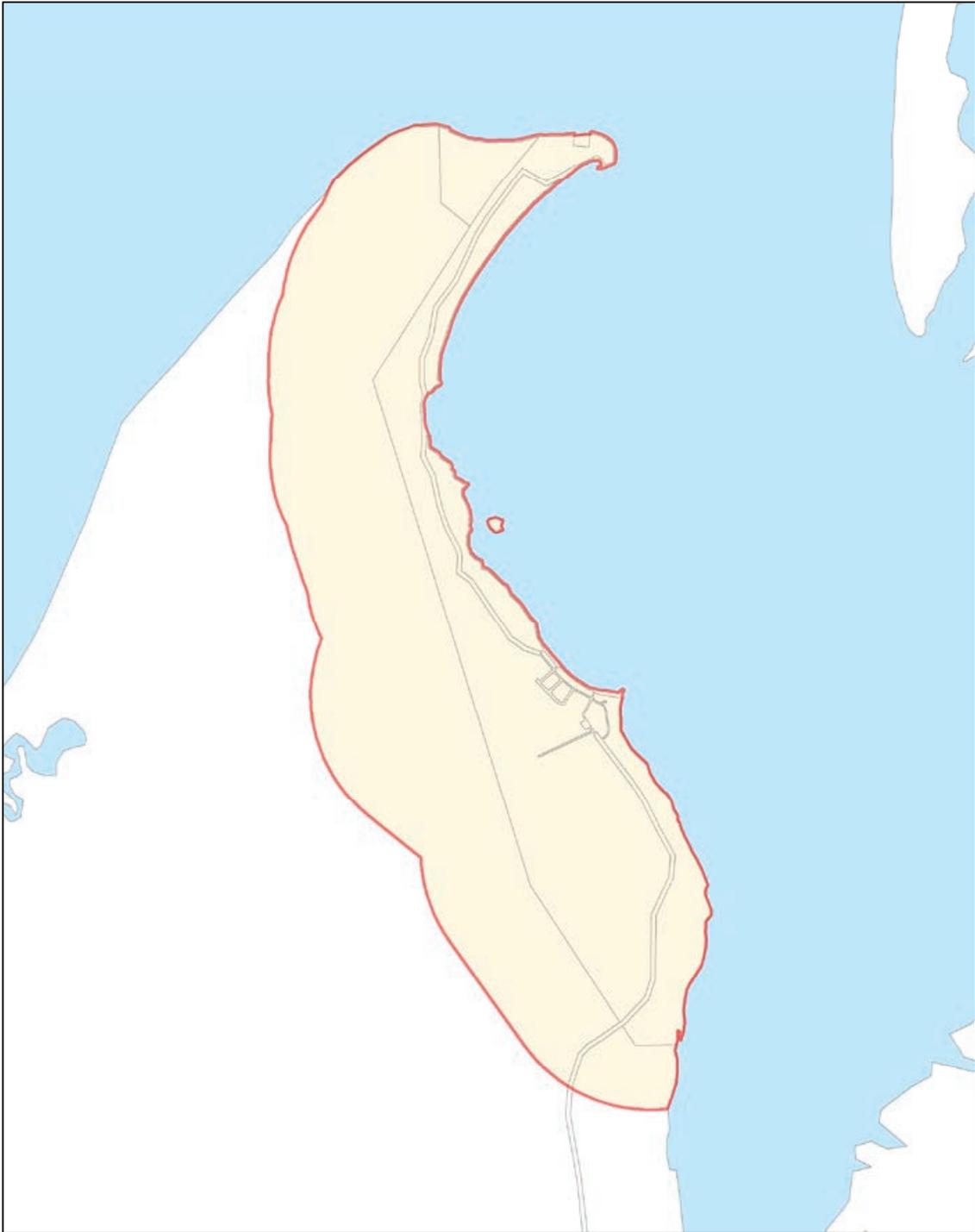


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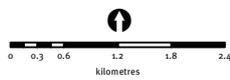


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Map 10: Priority Living Area (Lockhart River Aboriginal Shire, Lockhart River)



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■ Priority Living Area (PLA)

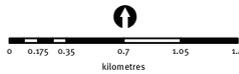


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Map 11: Priority Living Area (Mapoon Aboriginal Shire, Mapoon)

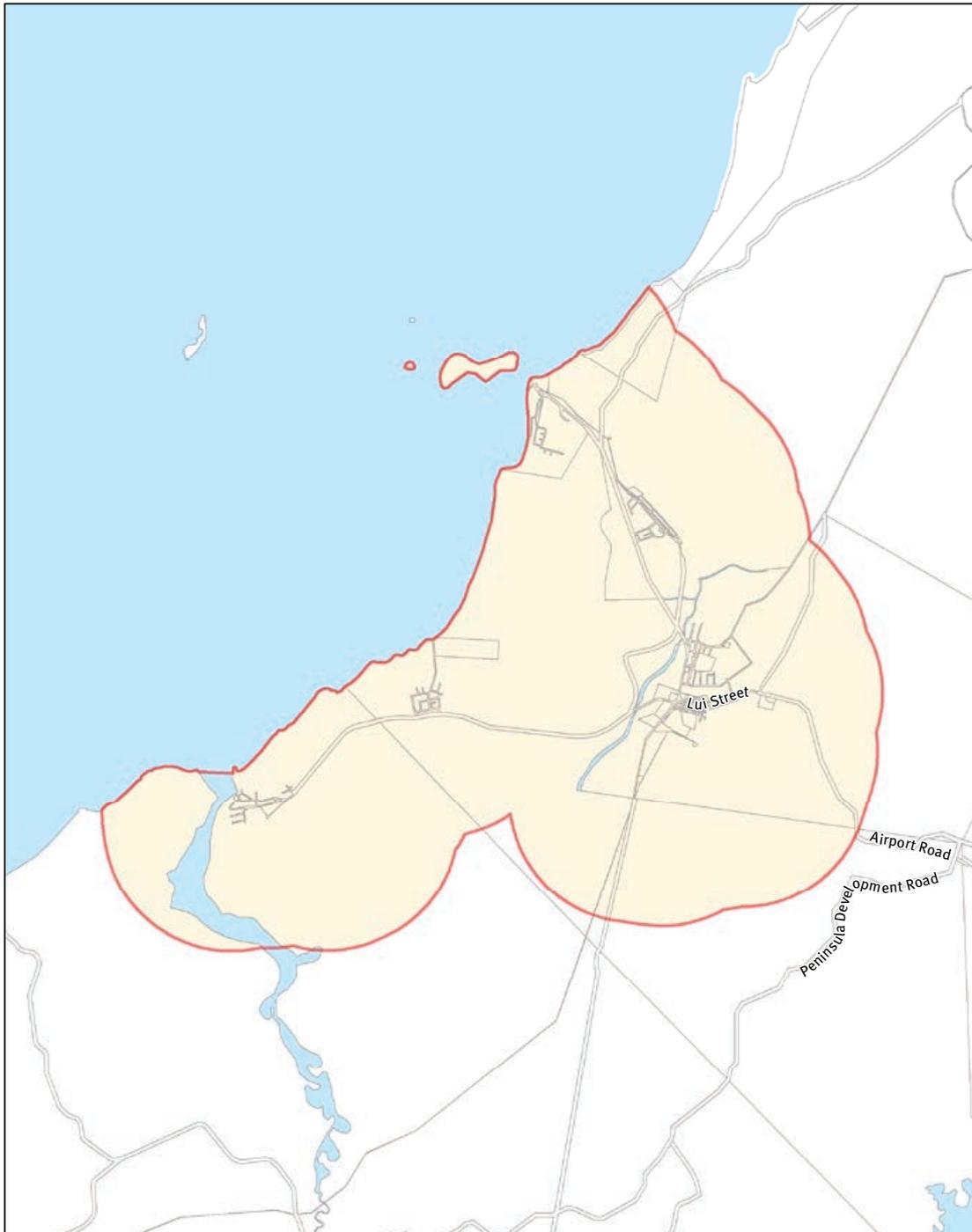


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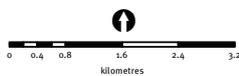
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Map 12: Priority Living Area (Napranum Aboriginal Shire, Napranum)



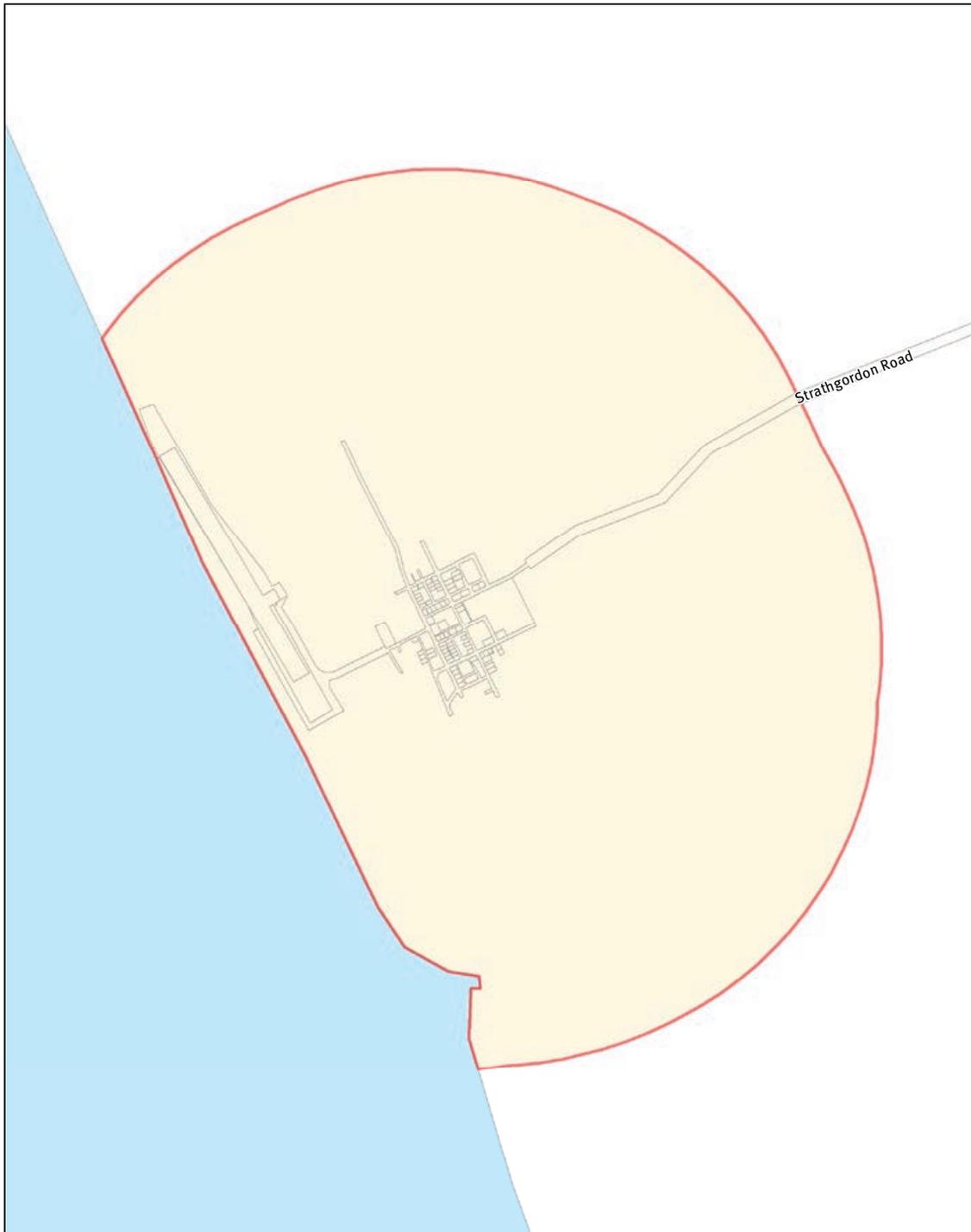
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■ Priority Living Area (PLA)



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Map 13: Priority Living Area (Northern Peninsula Area Region, Northern Peninsula)

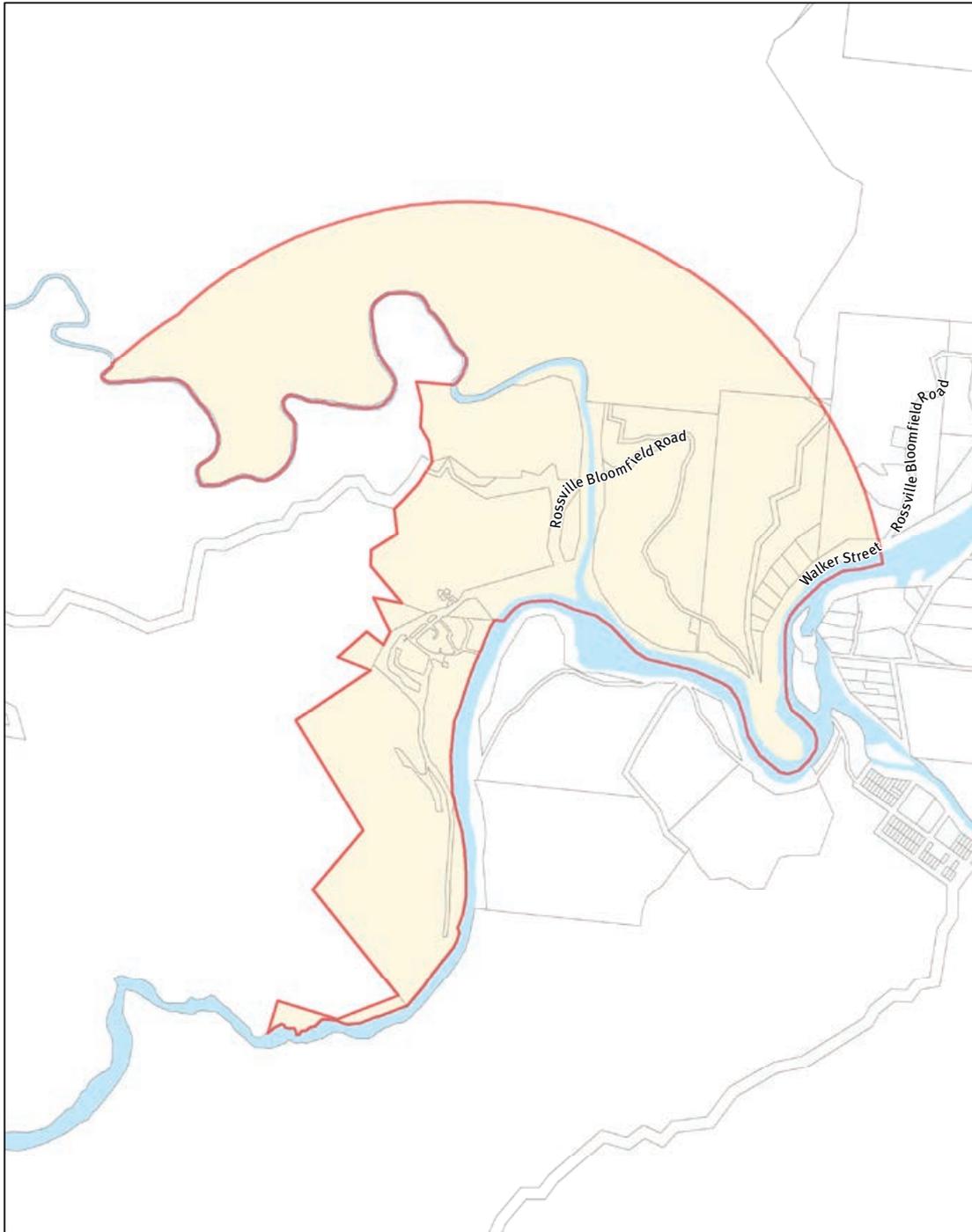


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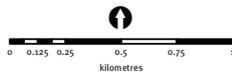


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Map 14: Priority Living Area (Pompuraaw Aboriginal Shire, Pompuraaw)



Legend
 Priority Living Area (PLA)



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Map 15: Priority Living Area (Wujal Wujal Aboriginal Shire, Wujal Wujal)

Schedule 3.

Making or amending a planning scheme

The local planning instrument is to appropriately reflect Maps 1 through 15. Where there is an inconsistency between the regional plan and a local planning instrument, the regional plan prevails to the extent of the inconsistency.

The regional plan provides a regional context and regionally specific policies to guide certain land use planning and development outcomes within the Cape York region.

A local planning instrument is to reflect the regional plan by:

- supporting Regional Policy 1 through maximising the zoning of land for economic activities or supporting land uses that are compatible with the environmental values of the area
- supporting Regional Policy 2 through the zoning of land or supporting land uses that are compatible with protecting the Steve Irwin Wildlife Reserve and other SEAs
- supporting Regional Policy 3 through the zoning of land or supporting land uses that complements and contributes to the values of national parks
- supporting Regional Policy 4 and 5 through enabling complementary development where land is located in a Priority Agricultural Area (PAA)
- supporting Regional Policy 6 and 7 for Priority Living Areas (PLA) through the identification of appropriate future urban growth areas and the development of criteria which reflects community expectations for resource activities within a PLA
- addressing the priority infrastructure outcomes identified in Chapter 6 through the planning and sequencing of development
- addressing the state interests and opportunities identified in Chapter 7 through the timely and cost-effective delivery of services and infrastructure, the sequenced provision of serviceable land and appropriate management and protection of cultural and environmental resources

Editor's note

Strategic Environmental Areas

Changes to SEAs will be facilitated through a 12-month review cycle involving an annual RPC meeting and a 30-day statutory consultation period.

SEAs may change over time as further and more detailed investigations of the specific environmental values of land within the SEAs take place. This may warrant amendments to be made to the SEA areas when the regional plan is reviewed.

Priority Agricultural Areas

PAA's may change over time. An amendment to the PAA's, including the addition of new PAA's, would be as part of an amendment or review of the regional plan.

Priority Living Areas

A key principle which underpins the PLAs is the ability for PLAs to be adjusted over time to accommodate changes in local planning, specifically to ensure the identified urban growth areas are afforded adequate protection. To enable this, it is proposed that PLAs be updated as local government planning schemes are amended.

Schedule 4.

Glossary

Editor's note

Terms indicated in brackets [] are defined in the glossary of the draft SPP, April 2013. In the final version of the regional plan, it is intended that the definitions for these terms will be consistent with the final version of the SPP.

Biodiversity see the standard planning scheme provisions

Bioregion means a region based on broad landscape patterns that reflect the major primary underlying geology, climate patterns and broad groupings of plants and animals

Biosecurity means the protection of the economy, environment and public health from negative impacts associated with pests, diseases and weeds

Ecotourism means a nature-based tourism that involves education about and interpretation of the natural environment and is managed to be ecologically sustainable

[Extractive resources] means natural deposits of sand, gravel, quarry rock, clay and soil extracted from the earth's crust and processed for use in construction. The term does not include a mineral as defined under the *Mineral Resources Act 1989*, section 6

Geomorphic processes means the natural erosion and the transport and deposition of sediments along a river system to coastal landscapes (e.g. estuaries, beaches), floodplains, or wetlands

[Heritage place] includes a world heritage property, national heritage place, Queensland heritage place or local heritage place

High cultural heritage significance means an area or natural landscape feature of regional cultural or historical significance to the Indigenous people of Cape York

Hydrologic processes mean the natural flow of water along a river system to the sea, wetlands and floodplains. This natural flow is in acknowledgement that water flow patterns may include periods of little or no flow and unrestricted flooding of floodplains, assisting in creating and maintaining healthy wetlands and groundwater systems

Intensive horticulture see the standard planning scheme provisions

[Matters of National Environmental Significance (MNES)] means the matters protected under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), ch 2, pt 3:

- world heritage properties

- national heritage places
- wetlands of international importance (listed under the Ramsar Convention) listed threatened species and ecological communities
- migratory species (protected under international agreements)
- Commonwealth marine areas
- the Great Barrier Reef Marine Park
- protection of the environment from nuclear actions (including uranium mines)
- a water resource, in relation to coal seam gas development and large coal mining development.

[National heritage place] means a national heritage place under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth)

National Park means an area either part or in full located within the designated region and prescribed under regulation as a National park or National park (Cape York Peninsula Aboriginal land) or National park (recovery)

[Natural hazard] means a naturally occurring situation or condition, such as a flood, bushfire, landslide or coastal hazard, including erosion prone areas and storm tide inundation areas, with the potential for loss or harm to the community, property or environment

Priority Agricultural Area (PAA) means an area identified as a priority agricultural area in Map 2

Priority Agricultural Land Use (PALU) means a land use included in class 3.3, 3.4, 3.5, 4 or 5.1 under the Australian Land Use and Management Classification Version 7, May 2010 published by the Department of Agriculture, Fisheries and Forestry ABARES, Australian Government

Priority Living Area (PLA) means an area identified as a priority living area in Maps 3 through 15

Resource acts means *Geothermal Energy Act 2010* (GE Act), *Geothermal Exploration Act 2009*, *Greenhouse Gas Storage Act 2009* (GHG Act), *Mineral Resources Act 1989* (MRA), *Petroleum Act 1923* (PA1923) and the *Petroleum and Gas (Production and Safety) Act 2004* (P&G Act)

State interest provisions means the relevant provisions detailed in the SPP in regard to making or amending a local planning instrument and designating land for community infrastructure or interim development assessment provisions for the respective state interest

Strategic Environmental Area (SEA) means an area identified as a strategic environmental area in Map 1 and may include a designated precinct

Topographical features means the surface features of a place or region

[Transport network] means the series of connected routes, corridors and transport facilities required to move goods and passengers and includes roads, railways, public transport routes (for example, bus routes), active transport routes (for example, cycleways), freight routes and local, state and privately-owned infrastructure

Water quality means the natural physical and chemical attributes of water within a river system and its receiving waters (i.e. estuary, wetland) such as turbidity, temperature, oxygen content, acidity, salinity and nutrients

[World heritage property] means a declared world heritage property under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth)

Acknowledgements

Regional Planning Committee

The Honourable Andrew Cripps MP, Minister for Natural Resources and Mines

The Honourable Glen Elmes MP, Minister for Aboriginal, Torres Strait Islander and Multicultural Affairs of Queensland

The Honourable Andrew Powell MP, Minister for Environment and Heritage Protection

The Honourable Steven Dickson MP, Minister for National Parks, Recreation, Sport and Racing

The Honourable John McVeigh MP, Minister for Agriculture, Fisheries and Forestry

Mr David Kempton MP, Assistant Minister for Aboriginal and Torres Strait Islander Affairs

Councillor Dereck Walpo, Mayor Aurukun Shire Council

Councillor Peter Scott, Mayor Cook Shire Council

Councillor Wayne Butcher, Mayor Lockhart River Aboriginal Shire Council

Councillor Greg McLean, Mayor Hope Vale Aboriginal Shire Council

Councillor Philemon Mene, Mayor Napranum Aboriginal Shire Council

Councillor Bernard Charlie, Mayor Northern Peninsula Area Shire Council

Councillor Richard Tarpencha, Mayor Pormpuraaw Shire Council

Abbreviations

DSDIP Department of State Development Infrastructure and Planning

LGA Local government area

PAA Priority Agricultural Area

PLA Priority Living Area

RPC Regional Planning Committee

SEA Strategic Environmental Area

SPA *Sustainable Planning Act 2009*

SPP State Planning Policy

Councillor Clifford Harrigan, Mayor Wujal Wujal Aboriginal Shire Council

Councillor Robert Holness, Mayor Kowanyama Aboriginal Shire Council

Councillor Peter Guivarra, Mayor Mapoon Aboriginal Shire Council

Mr Ian McNamara, Chair Weipa Town Authority (previously Peter McCulkin)

Mr Bob Frazer, Cape York Natural Resource Management

Mr Graham Elmes, AgForce

Ms Frances Hayter, Queensland Resources Council

Mr Andrew Picone, Australian Conservation Foundation

Ms Sarah Hoyal (substitute Angelika Ziehl) Cairns and Far North Environment Centre

Mr John Courtenay, Alliance for Sustainable Tourism

Ms Trish Butler Chief, Cape York Sustainable Futures

Mr Gerhardt Pearson, Balkanu Cape York Development Corporation P/L

Mr Noel Pearson, Cape York Partnerships

Mr Vance Wallin, Western Cape Chamber of Commerce

Mr Bernie Hogan, Association of Mining Exploration Companies

