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Port Hinchinbrook Provisional Priority Development Area

Provisional Land Use Plan

February 2026

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1 Preliminary

1.1 Economic Development Act

The *Economic Development Act 2012* (the ED Act)¹ establishes the Minister for Economic Development Queensland (MEDQ) as a corporation sole to exercise the powers and functions of the ED Act.

The main purpose of the ED Act² is to facilitate economic development, development for community purposes, and the provision of diverse housing and premises for commercial or industrial uses. The ED Act³ seeks to achieve this by establishing MEDQ and providing for a streamlined planning and development framework for particular parts of the State declared as priority development areas (PDAs), including provisional PDAs (PPDAs).

1.2 Provisional Priority Development Area description

The Port Hinchinbrook Provisional Priority Development Area (PPDA) was declared by regulation on 10 November 2025.

The area of land in the PPDA is identified in Map 1.

1.3 Application of the Provisional Land Use Plan

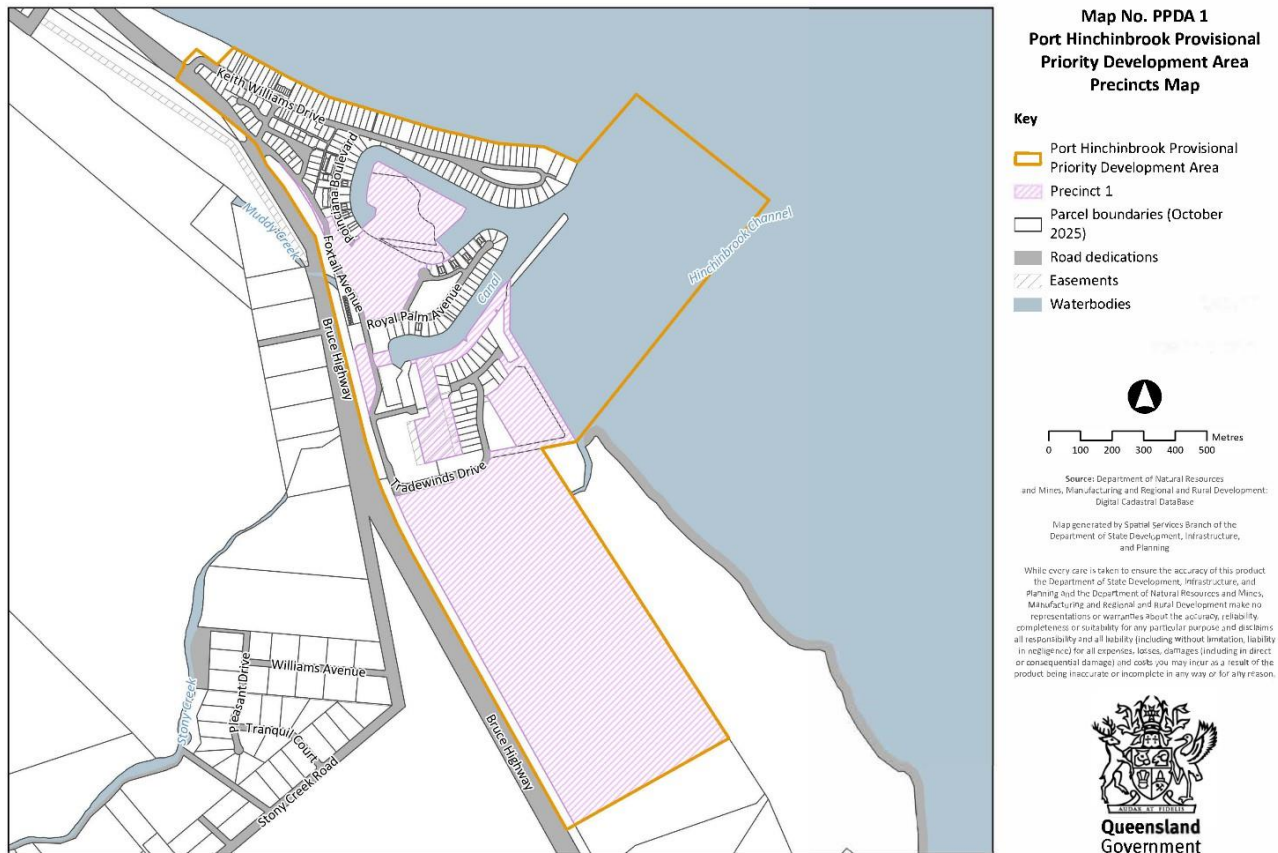
Development in the PPDA is regulated by the Provisional Land Use Plan (PLUP). The PLUP took effect on 19 February 2026.

¹ See section 8 of the ED Act.

² See section 3 of the ED Act.

³ See section 4 of the ED Act.

Map 1: Port Hinchinbrook PPDA Boundary and Precincts



1.4 Components of the PLUP

This PLUP consists of the following components:

1. Vision ([section 2](#)),
2. Development assessment procedures ([section 3](#)),
3. PPDA development requirements ([section 4](#)),
4. Categories of development ([section 5](#)),
5. Infrastructure requirements ([section 6](#)), and
6. Schedules ([section 7](#)).

1.4.1 Vision

The Vision establishes the overall outcomes to be achieved in the PPDA that:

- a. seek to achieve the main purpose of the ED Act for the PPDA, and
- b. provide the basis for the PPDA development requirements.

1.4.2 Development assessment procedures

The development assessment procedures outline matters relating to the interpretation and operation of the PLUP.

1.4.3 PPDA development requirements

The PPDA development requirements apply to all PDA assessable development and incorporate:

- a. PPDA-wide criteria, and
- b. precinct provisions.

1.4.4 Categories of development

The categories of development for all development within the PPDA are set out in section 5:

- a. Table 2 Column 1 - PDA accepted development which is development that does not require a PDA development approval under the ED Act, and
- b. Table 2 Column 2 - PDA assessable development which requires a PDA development permit. A PDA development permit is required to carry out PDA assessable development.⁴

1.4.5 Infrastructure requirements

This component identifies how infrastructure requirements will be determined for development. These must be considered in the preparation of PDA development applications.

1.4.6 Schedules

[Schedule 1](#) identifies PDA accepted development.

[Schedule 2](#) defines terms used in the PLUP.

⁴ See section 94(2) of the ED Act.

2.0 Vision

The PPDA will support Port Hinchinbrook realising its potential as a region-leading tourism destination. The PPDA will achieve this Vision by ensuring that appropriate infrastructure is provided and operated to support the continued development and ongoing use of Port Hinchinbrook. Historically, issues relating to the provision, funding and operation of infrastructure have been key impediments to the revitalisation of Port Hinchinbrook. The PPDA will provide a framework, and activate additional legal mechanisms, to enable those issues to be addressed.

The PLUP seeks to preserve and adopt existing development entitlements under the Cassowary Coast Regional Council's planning scheme (the Planning Scheme), which in turn incorporates the key historical approvals given for Port Hinchinbrook.

To overcome the historical infrastructure issues mentioned above, the PLUP also identifies an area, Precinct 1: Infrastructure, which is comprised of land required for key infrastructure to service the PPDA. The PLUP does not prevent development from occurring within Precinct 1 in accordance with the Planning Scheme, but seeks to ensure that any development does not prejudice the use of Precinct 1 for infrastructure purposes.

3.0 Development Assessment Procedures

3.1 Development consistent with the PLUP

PDA assessable development is consistent with the PLUP if it is consistent with all relevant PPDA development requirements set out in section 4.

However, development that is inconsistent with one or more of the relevant PPDA development requirements is consistent with the PLUP if:

- a. the development is an interim use that due to its nature, scale, form or intensity does not conflict with the vision for the PPDA (section 2.0); or
- b. both of the following apply:
 - i. the development does not conflict with the vision for the PPDA (section 2.0); and
 - ii. there are sufficient grounds to justify the approval of the development despite the non-compliance with the relevant PPDA development requirements.

In this section 'grounds' means matters of public interest which include the matters specified as the main purpose of the ED Act as well as:

- a. superior design outcomes, and
- b. overwhelming community need.

'Grounds' does not include the personal circumstances of an applicant, owner or interested third party.

3.2 Development inconsistent with the PLUP

Development that is inconsistent with the PLUP cannot be granted a PDA development approval ⁵.

PDA assessable development identified in Column 2B of Table 1 as prohibited development is inconsistent with the PLUP.

3.3 Plans of Development

Plans of Development (PoD) typically comprise maps, graphics and text that collectively demonstrate how proposed uses, works and reconfiguration of lots will contribute towards the achievement of relevant PPDA development requirements and the Vision for the PPDA⁶.

PoD may be used as both a master planning tool for a broader precinct and for the development of individual sites. PoD may include concept designs, deal with the sequencing of development and set criteria for PDA accepted development to be undertaken subsequently.

PoD should indicate the location and function of temporary and permanent uses and structures, and how these uses and structures will relate to each other. PoD cannot deal with land beyond the boundary of land subject to a particular PDA development application.

PoD are prepared by an applicant and may accompany a PDA development application for a material change of use or reconfiguring a lot. They may deal with any proposed use and any associated building work or operational work. Schedule 1 identifies development consistent with an approved PoD as PDA accepted development.

⁵ See section 86 of the ED Act.

⁶ For further advice on preparing a PoD refer to the applicable EDQ practice note.

3.4 Notice of applications

A PDA development application will require public notice if, in the opinion of MEDQ, the development:

1. may have adverse impacts on the amenity or development potential of adjoining land under separate ownership, or
2. is for a use or of a size or nature which warrants public notification, or
3. compromises the implementation of the PLUP.

3.5 State interests

Relevant matters of State interest have been considered in the preparation of the PLUP and will be considered further as part of the assessment of a PDA development application.⁸

3.6 Relationship with other legislation

In addition to assessment against this PLUP, development may require assessment against other legislation including, but not limited to, the *Transport Infrastructure Act 1994*, *Environmental Protection Act 1994*, *Nature Conservation Act 1992*, *Plumbing and Drainage Act 2018*, *Building Act 1975* and the *Planning Act 2016* (the Planning Act) including subordinate legislation and any relevant Commonwealth legislation such as the *Environmental Protection and Biodiversity Conservation Act 1999*.

Relevant local laws made under the *Local Government Act 2009* apply in the PPDA to the extent they are not replaced by a by-law made under the ED Act.

3.7 PPDA development requirements

The PPDA development requirements apply to all PDA assessable development and incorporate the PPDA-wide criteria (section 4.1) and the precinct provisions (section 4.2).

3.8 Relationship with *Cassowary Coast Regional Council planning scheme (Planning Scheme)*

This PLUP prevails to the extent of any inconsistency with the Planning Scheme⁹.

However, where the PLUP applies certain definitions of the Planning Scheme, this is not a conflict and is not inconsistent with the PLUP.

Where identified in a footnote of the PLUP, the Planning Scheme may be used as guidance material when assessing PDA development applications and applying the PPDA development requirements.

If there is a conflict between the PLUP and a planning instrument or assessment benchmarks prescribed by regulation under the Planning Act or another Act, the PLUP prevails to the extent of any inconsistency.

⁸ Section 87 of the ED Act states that any relevant State interest must be considered in deciding a PDA development application. For the purposes of addressing State interests in development assessment, the State Planning Policy (SPP) and State Development Assessment Provisions (SDAP), provide guidance in identifying if a State interest is relevant to the assessment of a PDA development application. For further advice on the consideration of State interests, refer to the Economic Development Queensland Practice note 14: State interests in development assessment in Priority Development Areas.

⁹ Section 71 of the ED Act.

3.9 Interim uses

An interim use is a land use that - because of its nature, scale, form or intensity - is not an appropriate long term use of the land but may be appropriate for a short or medium-term period as the PPDA develops.

A PDA development application for an interim use must demonstrate that the use will not prejudice or delay:

- a. an appropriate long term use,
- b. an appropriate intensity of development, or
- c. infrastructure delivery envisaged by the vision for the PPDA.

Relevant PPDA development requirements also apply to PDA assessable development that is an interim use.

MEDQ may impose a PDA development condition that limits the duration of an interim use.

Information to support a PDA development application for an interim use may include:

- a. a suitability assessment, and
- b. plans showing how the development could transition from the proposed interim use to an appropriate long term use.

4.0 PPDA Development Requirements

4.1 PPDA-wide criteria

Development complies with all applicable assessment benchmarks that would, in the absence of the PPDA, apply under the Planning Scheme.

4.2 Precinct 1: Infrastructure

Certain land in the PPDA is included in Precinct 1: Infrastructure. The spatial arrangement of Precinct 1 is shown on Map 1.

Where land subject to a PDA development application is partly within and partly outside of Precinct 1, Map 1 defines the spatial extent of where the Precinct 1 intent and development criteria are intended to apply.

4.3 Precinct intent

Precinct 1 is comprised of parcels of land that have been identified as being required for key infrastructure to support the development and operation of the PPDA. The final form and composition of the infrastructure will depend on detailed design. However, it is presently expected that the infrastructure for which the land comprising Precinct 1 is required will include a combination of roads, harbour and harbour works (including dredging and dredge spoil disposal), as set out in more detail in the below table.

Table 1: Precinct 1 Lots

Parcel	Required infrastructure	Intent
Lot 170 on SP177389	Harbour works – dredge spoil disposal	Existing spoil lot to be retained as a long term spoil management facility for long term waterway maintenance Repairs and improvements to be undertaken to existing bunds, and drainage systems, access roads and monitoring system. Improvements to be undertaken to spoil ponds along with pipe network, return drains, dewatering system, monitoring system and new access roads.
Lot 82 on SP177389	Harbour works – pipework for dredge spoil pumping	Lot historically used for pipework for pumping of dredge spoil to Lot 170 on SP177389. Existing pipe work to be maintained and maintenance access to be provided.
Lot 4 on SP168551	Harbour works – dredge spoil disposal	Lot historically used for spoil dumping. Remediation works to be undertaken to provide additional dredge spoil management capacity. Work to be undertaken to provide or improve bunds, return drain, dewatering system, monitoring system and access roads.

Parcel	Required infrastructure	Intent
Lot 98 on SP221610	Canals – boat maintenance basin and access channel	Long term dredging maintenance will be required. Cutter suction and/or suction dredge and pipeline to be utilised for long term dredge spoil disposal.
Lot 99 on SP339056	Harbour and harbour works	Land side parcel for harbour, and ancillary infrastructure. Intended to support recovery and ongoing use of the port facility (harbour), including critical facilities and service infrastructure such as towing/mooring, harbour management (berthing), water and fuel supply and waste management.
Lot 58 on SP116825	Harbour and harbour works (marina basin)	Long term dredging maintenance will be required. Cutter suction and/or suction dredge and pipeline to be utilised for long term dredge spoil disposal.
Lot 54 on SP115194	Harbour and harbour works (marina basin)	Long term dredging maintenance will be required. Cutter suction and/or suction dredge and pipeline to be utilised for long term dredge spoil disposal.

4.3.1 Development criteria

Development is of a nature, scale, form and intensity that does not prejudice the development of Precinct 1 for the provision of infrastructure necessary to support the use and development of the PPDA.

5.0 Categories of Development

Table 2: Categories of development

Column 1 – PDA accepted development	Column 2 – PDA assessable development	
	Column 2A – Permissible development	Column 2B – Prohibited development
Other than in Precinct 1: Infrastructure		
All development specified in Schedule 1	Any development not mentioned in column 1	Nil
Where in Precinct 1: Infrastructure		
All development specified in Schedule 1	Any development not mentioned in column 1 that MEDQ is satisfied will not prejudice the development of Precinct 1 for the provision of infrastructure necessary to support the use or development of the PPDA.	Any development not mentioned in column 1 or column 2A.

6.0 Infrastructure Requirements

Precinct 1: Infrastructure is comprised of parcels of land that have been identified as being required for key infrastructure to support the development and operation of the PPDA.

Otherwise, the details of specific infrastructure requirements to achieve the PPDA vision will be refined through further planning and through the development assessment process, which may include infrastructure being required by PDA development conditions and delivered as part of a development.

Infrastructure charges will be based on the applicable local government infrastructure charges instrument in force at the time a PDA development application is approved unless an infrastructure agreement is entered into between the applicant and MEDQ. Infrastructure delivered as part of the development may be eligible for an offset against the infrastructure charges.

7.0 Schedules

Schedule 1 – PDA accepted development

Table 3: PDA accepted development

Building work
Carrying out minor building work associated with a use that results in an increase in the gross floor area of the building(s) of less than 5% of the existing area, or 50m ² , whichever is the lesser.
Carrying out building work, where for demolition of a building or other structure.
Carrying out building work associated with an approved material change of use.
Carrying out building work associated with a material change of use that is PDA accepted development.
Reconfiguring a lot
Reconfiguring a lot for road widening and truncations required by a PDA development condition
Operational work
Operational work in accordance with the conditions of a PDA development approval.
Carrying out operational work that is clearing of vegetation, other than Significant Vegetation unless the clearing of Significant Vegetation is: <ul style="list-style-type: none"> i. carried out by or on behalf of a public-sector entity, or ii. carried out in accordance with the conditions of a PDA development approval for a material change of use or reconfiguring a lot.
Operational work involving engineering work and/or landscape work associated with a material change of use that is PDA accepted development.
Operational work involving filling or excavation where: <ul style="list-style-type: none"> i. involving cumulative filling or excavation of not more than 50m³ of material, or ii. top dressing to a depth of less than 100 vertical millimetres from ground level.
Carrying out operational work associated with placing an advertising device on premises where identified in table 10.10 of the <i>Cassowary Coast Regional Council Local Law No. 10 (Advertising Devices) 2022</i> as being assessed against that local law in column 2 or 4.
Carrying out operational work associated with decontamination of land where not involving the clearing of significant vegetation.
Plumbing and drainage work
All plumbing and drainage work.

Table 3: PDA accepted development

All aspects of development
Development prescribed in schedule 7 of the <i>Planning Regulation 2017</i> .
Development prescribed in schedule 6 of the <i>Planning Regulation 2017</i> , other than part 3, section 18 and part 5, section 28.
Development consistent with an approved plan of development.
Development that is or involves the undertaking of dredging or the depositing and storage of dredge spoil, where undertaken by or on behalf of a public sector entity
Telecommunications facility – where undertaken by or on behalf of a public sector entity, except when involving: <ul style="list-style-type: none"> a. works above the surface of the ground, or b. the erection, alteration or reconstruction of a building.
Utility installation – where undertaken by or on behalf of a public sector entity, except when involving: <ul style="list-style-type: none"> a. a maintenance depot, storage depot or other depot to service the utility installation, b. a waste management service, or c. the erection, alteration or reconstruction of a building.

Schedule 2 – Definitions

Unless defined below or in the *Economic Development Act 2012*, the definitions in section 7 and administrative terms in schedule 4 of the *Planning Regulation 2017* and schedule 1 of the *Cassowary Coast Regional Council planning scheme 2015* apply to all development.

Significant Vegetation means all living vegetation, except those listed as pest vegetation by State or local government, including its root zone that:

- a. are marine plants,
- b. is vegetation located in waterways and drainage corridors,
- c. is significant in its ecological value at local, state or national levels,
- d. maintains biodiversity,
- e. preserves natural landforms,
- f. contributes to the character of a landscape,
- g. has cultural or historical value,
- h. has amenity value, or
- i. occurs in a unique location or context and so provides a contribution to the landscape, including remnant native vegetation, important landmarks and trees which form part of an historic, garden, park or urban area.

Known Significant Vegetation within the PPDA includes:

- a. all vegetation located in waterways and drainage corridors (including marine plants)
- b. all trees in parks,
- c. street trees, and
- d. vegetation identified as a category A, B, C or R area on the Regulated Vegetation Management Map.