



Part 5 Domains

Division 2 Domains

Chapter 13 Marine Industry

1.0 Intent

The primary purpose of this domain is to facilitate boat building and repairs and other activities which require access to a substantial body of water or a watercourse. Light marine product fabrication and fishing industry activity, including seafood processing, are considered appropriate in this domain. Facilities provided in the domain include marinas, slipways and boat storage areas.

This domain is intended to protect appropriate marine industry areas as significant investment and employment opportunities for the Gold Coast City. Key objectives of this domain include:

- effective use of all land within the Marine Industry Domain for marine industry or ancillary activities that are directly related to a major marine industry development;
- protection of the watercourses and marine environments that interface with marine industry activities from degradation of water quality;
- protection of the adjacent environments, including Marine Park areas and areas close to JAMBA, CAMBA and RAMSAR sites, from degradation of ecological values;
- effective separation of marine industry activity with significant amenity impacts from sensitive uses including residential uses and any precincts dedicated to tourist and retail activity;
- establishment and maintenance of foreshore pedestrian linkages through the marine precincts; and
- achievement of a distinctive built form that promotes the maritime character of the domain.

2.0 Scope

This section is intended for all development subject to the Planning Scheme and located within the Marine Industry Domain area indicated in **Part 9, Division 4 – Domain Maps**.

The Table of Development, indicated in **Clause 3.0**, identifies the level of assessment for development occurring within this domain.

Other codes that may be relevant to the assessment of the development are listed in **Clause 4.0**.

It should be noted that self assessable development complies with the intent of this domain and therefore need only comply with the Place Code and any other identified relevant codes.

3.0 Table of Development

Note: *This table must be read in conjunction with the explanation provided in Part 5, Division 1, Chapter 2 – Using Domains.*

A: Material Change of Use

Exempt	Self Assessable	Code Assessable	Impact Assessable
Agriculture Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Open Sports Ground Park Public Utility	Caretaker's Residence Estate Sales Office Manufacturer's Shop Minor Aquaculture Premises where the GFA is less than 100m ² Shop where only for marine goods and services which are used in any water based activity Take-Away Food Premises Temporary Use	Apartment where located above ground floor level Brothels Cafe where located above ground floor level Car Park Convenience Shop Laundromat Restaurant where located above ground floor level Service Station where fuel is sold directly to on-water marine craft	Cafe n.e.i. Commercial Services Fuel Depot Hostel Accommodation where located above ground floor level Marina Place of Worship Restaurant n.e.i. Resort Hotel Service Industry where directly related to waterfront industry activity



Exempt	Self Assessable	Code Assessable	Impact Assessable
	Warehouse where directly associated with waterfront industry	<p>Shop where the GFA is less than 100m²</p> <p>Telecommunications Facility n.e.i.</p> <p>Tourist Shop where located above ground floor level</p> <p>Transport Terminal (water based transport)</p> <p>Waterfront Industry excluding Fish and Seafood Processing and Storage</p>	<p>Service Station n.e.i.</p> <p>Shop n.e.i.</p> <p>Tavern</p> <p>Tourist Facility</p> <p>Tourist Shop n.e.i.</p> <p>Transit Centre</p> <p>Waterfront Industry Fish and Seafood Processing and Storage</p>

B: Material Change of Use Overlay Provisions

Exempt	Self Assessable	Code Assessable	Impact Assessable
Material Change of Use involving Building Work that:			
			exceeds three storeys or 12.5 metres in height
			exceeds one dwelling per 300m ² of site area for individual lots
	is on a site identified on Overlay Map OM13 – Building Setback Line from Canals and Waterways as being affected by a waterway building setback, and is in compliance with the Acceptable Solutions of Constraint Code 3 – Canals and Waterways	is on a site identified on Overlay Map OM13 – Building Setback Line from Canals and Waterways as being affected by a waterway building setback, and alternative solutions to the Acceptable Solutions of Constraint Code 3 – Canals and Waterways are proposed	
		is on or adjoins a site listed on the Queensland Heritage Register (Queensland Heritage Act 1992) or the Register of the National Estate (Australian Heritage Commission Act 1975) or the National Trust of Queensland list	
		is within or adjoins an allotment containing places, sites, or landscapes of indigenous cultural heritage significance listed on the Queensland Heritage Register – Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987 ; OR	



Exempt	Self Assessable	Code Assessable	Impact Assessable
		<p>is located on land which is the subject of a native title claim;</p> <p>OR</p> <p>is located on land that is known to the owner and/or the developer to be of indigenous cultural heritage value</p>	
			<p>would result in a residential dwelling being located within 500 metres of a lot containing an extractive industry operation or resource (hard rock quarrying) or within 200 metres of a lot containing an extractive industry operation or resource (sand and gravel operations), as defined on Overlay Map OM23 – Extractive Resources</p>
	<p>is on a site identified on the Domain Maps as being affected by Future Road Requirement and complies with the Acceptable Solutions of Constraint Code 4 – Car Parking, Access and Transport Integration</p>	<p>is on a site identified on the Domain Maps as being affected by Future Road Requirement and alternative solutions to the Acceptable Solutions of Constraint Code 4 – Car Parking, Access and Transport Integration are proposed</p>	

C: Operational Work – Changes to Ground Level

Exempt	Self Assessable	Code Assessable	Impact Assessable
Operational Work that involves extraction, excavation or fill that:			
		<p>exceeds a volume of 100 cubic metres of fill or excavation, or is closer than five metres from the site boundary</p>	
		<p>is within or adjoins an allotment containing places, sites, or landscapes of indigenous cultural heritage significance listed on the Queensland Heritage Register – Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987;</p> <p>OR</p> <p>is located on land which is the subject of a native title claim;</p>	



Exempt	Self Assessable	Code Assessable	Impact Assessable
		OR is located on land that is known to the owner and/or the developer to be of indigenous cultural heritage value	

D: Operational Work – Advertising Device

Exempt	Self Assessable	Code Assessable	Impact Assessable
	<p>Advertising Device that is:</p> <ul style="list-style-type: none"> a) Not illuminated, nor animated, does not exceed 20m², painted on or securely attached to a fence, wall or awning fascia and does not extend beyond the extremities thereof, including an outward projection of less than 30mm; b) Not illuminated, does not exceed 20m² and painted onto a blind or canopy; c) Not illuminated Bunting, Home Business, Real Estate Vendors, Security, Flag and Vertical Banner Sign where the total area of signage per street frontage does not exceed 0.6m²; d) Not visible from any State-controlled road 	<p>Advertising Devices n.e.i.</p>	

E: Operational Work – Infrastructure and Landscape Work

Exempt	Self Assessable	Code Assessable	Impact Assessable
Minor Landscape Work		Landscape Work n.e.i.	
Landscape Work associated with a Detached Dwelling or a Caretaker's Residence		Works for Infrastructure	



F: Operational Work – Vegetation Clearing

Exempt	Self Assessable	Code Assessable	Impact Assessable
Vegetation Clearing that:			
	results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and complies with the Acceptable Solutions of Specific Development Code 36 – Vegetation Management	results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and alternate solutions to the Acceptable Solutions of Specific Development Code 36 – Vegetation Management are proposed	results in the removal of, or damage to, vegetation over which a Vegetation Protection Order has been made by Council

G: Reconfiguring a Lot

Exempt	Self Assessable	Code Assessable	Impact Assessable
Reconfiguring a Lot that:			
		results in no lots with an area less than 1,000m ² ; OR entails only a Community Title Subdivision (including Standard Format Plans and/or Volumetric Lots), or a Volumetric Lot within a building, or a leasehold subdivision of an existing or approved development	results in one or more lots with an area less than 1,000m ²
			would create the potential for a residential dwelling to be located within 500 metres of a lot containing an extractive industry operation or resource (hard rock quarrying) or within 200 metres of a lot containing an extractive industry operation or resource (sand and gravel operations), as defined on Overlay Map OM23 – Extractive Resources

4.0 Relevant Codes

Codes relevant for development assessment in the Marine Industry Domain are listed below. The Place Code applies in all cases. A Specific Development Code will only apply if that specific development is proposed. A Constraint Code will only apply where the proposed development is directly impacted by the constraint that is the subject of that code.



4.1 Self Assessable Development

The following codes apply to development that is self assessable in the Marine Industry Domain.

Place Code	Specific Development Codes	Constraint Codes
Marine Industry Domain Place Code	2 Advertising Devices 10 Caretaker's Residence 14 Display Homes and Estate Sales Offices 21 Landscape Work 27 Retail and Related Establishments 34 Temporary Use 36 Vegetation Management	3 Canals and Waterways 4 Car Parking, Access and Transport Integration 8 Flood Affected Areas 10 Nature Conservation

4.2 Material Change of Use

The following codes apply to development that is code or impact assessable **Material Change of Use** in the Marine Industry Domain.

Place Code	Specific Development Codes	Constraint Codes
Marine Industry Domain Place Code	8 Brothels 10 Caretaker's Residence 14 Display Homes and Estate Sales Offices 15 Ecotourism Facility 19 High Rise Residential and Tourist Accommodation 21 Landscape Work 22 Low Rise Apartment Building 23 Low Rise Commercial Tourist Accommodation 24 Office 25 Private Recreation 27 Retail and Related Establishments 31 Service Stations 33 Telecommunications Facilities 36 Vegetation Management 37 Vehicle Sales 38 Working From Home 39 Works for Infrastructure	1 Gold Coast Airport and Aviation Facilities 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 12 Rail Corridor Environs 13 Road Traffic Noise Management 14 Sediment and Erosion Control 17 Unsewered Land

4.3 Operational Work – Changes to Ground Level

The following codes apply to development that is code assessable **Operational Work – Changes to Ground Level** (extracting gravel, rock, sand or soil from the place where it occurs naturally, or excavating or filling that materially affects premises or their use) in the Marine Industry Domain.

Place Code	Specific Development Codes	Constraint Codes
Marine Industry Domain Place Code	11 Changes to Ground Level and Creation of New Waterbodies	3 Canals and Waterways 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control



4.4 Operational Work – Advertising Devices, Landscape Work and Infrastructure

The following codes apply to development that is code assessable **Operational Work – Advertising Devices** (placing an Advertising Device on premises), **Landscape Work** (undertaking Landscape Work in, on, over or under premises that materially affects premises or their use) or **Infrastructure** (undertaking Works for Infrastructure) in the Marine Industry Domain.

Place Code	Specific Development Codes	Constraint Codes
Marine Industry Domain Place Code	2 Advertising Devices 21 Landscape Work 39 Works for Infrastructure	3 Canals and Waterways 4 Car Parking, Access and Transport Integration 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control

4.5 Operational Work – Vegetation Clearing

The following codes apply to development that is code assessable **Operational Work – Vegetation Clearing** in the Marine Industry Domain.

Place Code	Specific Development Codes	Constraint Codes
Marine Industry Domain Place Code	36 Vegetation Management	6 Cultural Heritage (Indigenous) 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control

4.6 Reconfiguring a Lot

The following codes apply to development that is code or impact assessable **Reconfiguring a Lot** in the Marine Industry Domain.

Place Code	Specific Development Codes	Constraint Codes
Marine Industry Domain Place Code	11 Changes to Ground Level and Creation of New Waterbodies 21 Landscape Work 28 Reconfiguring a Lot 36 Vegetation Management 39 Works for Infrastructure	3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 12 Rail Corridor Environs 13 Road Traffic Noise Management 14 Sediment and Erosion Control 17 Unsewered Land



5.0 Marine Industry Domain Place Code

5.1 Purpose

This code seeks to promote the efficient use of marine industry land whilst providing for appropriate buffers and environmental protection measures to mitigate potential impacts on adjoining marine ecosystems and any adjoining non-compatible land uses.

5.2 Application

5.2.1 The Place Code contained in this domain applies to development indicated as self, code or impact assessable in the Table of Development at **Clause 3.0**.

5.2.2 Performance Criteria PC1-PC18 apply to all code and impact assessable development in this domain. For development identified as self assessable in **Clause 3.0**, only the Acceptable Solutions to Performance Criteria PC1-PC5 apply.

5.3 Development Requirements

Performance Criteria	Acceptable Solutions
Development that is Self Assessable, Code Assessable or Impact Assessable	
Building Height	
<p>PC1 All buildings must be of a height which is in keeping with the marine industry character of the surrounding area. Building height must not result in a significant loss of visual amenity.</p>	<p>AS1 The building is not more than 12.5 metres in height and has a maximum of three storeys.</p>
Building Setback	
<p>PC2 All buildings and ancillary uses must provide for setbacks from the street frontage and the side and rear boundaries which are appropriate for:</p> <ol style="list-style-type: none"> the efficient use of the site; the character of the Marine Industry Domain; the separation from neighbouring properties and from frontages to roads; the visual amenity of the local area. 	<p>AS2.1 All buildings or structures are set back not less than ten metres from the primary road frontage of the site and seven metres from any other roads.</p> <p>AS2.2 The site abuts a residential use or public open space area and all buildings and structures are set back not less than three metres from that common boundary.</p>
Accommodation Density	
<p>PC3 The accommodation density must complement the scale of marine industry development in the local area.</p>	<p>AS3 The accommodation density does not exceed one dwelling per 300m² of site area.</p>
Site Coverage	
<p>PC4 The site coverage of all buildings and associated structures must allow for sufficient space between buildings, whilst facilitating a consolidated marine industrial area.</p>	<p>AS4 The building site is not greater than 70% of the site area, unless a specific development code provides for a lesser site coverage.</p>
Vehicular Crossings	
<p>PC5 Vehicular crossings associated with the development must be designed and constructed to ensure:</p> <ol style="list-style-type: none"> a safe footpath environment; safe vehicular access to the property; appropriate hydraulic performance of the stormwater infrastructure; no damage to vehicle or road infrastructure; minimal loss of on-street parking spaces; continued amenity of the neighbourhood. 	<p>AS5 Driveways are designed and constructed in accordance with relevant sections of Planning Scheme Policy 11 – Land Development Guidelines.</p>



Performance Criteria	Acceptable Solutions
Development that is Code Assessable or Impact Assessable	
Building Height	
<p>PC6 All buildings must be of a height which is in keeping with the marine industry character of the surrounding area. Building height must not result in a significant loss of visual amenity.</p>	<p>AS6 The building or structure is more than 12.5 metres in height, is ancillary to the buildings on site, and does not contain any office, restaurant, residential or retail floor space.</p>
Siting	
<p>PC7 All buildings must be sited to complement the natural landscapes and topographical features of the site and the surrounding marine industry area, having regard to:</p> <ul style="list-style-type: none"> a) significant views and vistas; b) natural water systems; c) remnant vegetation. d) a site analysis prepared in accordance with Planning Scheme Policy 17 – Site Analysis. 	<p>AS7 No acceptable solution provided.</p>
<p>PC8 All car park areas must be sited to ensure that they do not dominate the street frontage of the development and provide safe public access to buildings.</p>	<p>AS8.1 Ground level car park areas are separated from the main activity undertaken on the site.</p> <p>AS8.2 Visitor car parking spaces are located adjacent to the public access to the building.</p>
Building Appearance	
<p>PC9 All buildings and structures must be designed to high aesthetic standards and to complement the character of the local area, having regard to:</p> <ul style="list-style-type: none"> a) building massing and materials; b) functional needs of marine industry and ancillary activities. 	<p>AS9.1 The massing and proportion of the building is consistent with adjoining marine industry buildings.</p> <p>AS9.2 The front facade of the building is constructed with brick, colorbond, concrete, glass or similar materials, and is not constructed with corrugated iron, galvanised iron or steel.</p>
Advertising Devices	
<p>PC10 All signage should be complementary to the design and style of the buildings on the site on which it is located and to signs and development on adjoining sites. All advertising devices must be designed and constructed to complement the local character of the area.</p>	<p>AS10.1 All buildings, with a commercial use component, contain signage envelopes on the exterior of the frontages of the building structure to enable the signage requirements of the end use business operation to be satisfied.</p> <p>AS10.2 Such signage envelopes allow for signage which does not dominate the facade and which complements the design of the building.</p> <p>AS10.3 Freestanding signs complement the design of the buildings to which they relate, do not dominate the streetscape of a locality, are compatible with signage on adjoining sites and clearly identify the product or business being promoted.</p>



Performance Criteria	Acceptable Solutions
Landscape Work	
<p>PC11 Landscaping proposals for new development must clearly contribute to the protection and enhancement of the existing dominant visual features of the local area.</p>	<p>AS11 No acceptable solution provided.</p>
<p>PC12 A site, which abuts a residential use or public open space area, must provide for landscaped buffer areas to provide a visual and acoustic barrier between the two uses.</p>	<p>AS12.1 A landscaped buffer is provided within the full setback area and includes screen planting and mounding. AS12.2 The site abuts a residential use, and a screen fence is provided along the common boundary.</p>
<p>PC13 All ground level car parking, open space and buffer areas must be landscaped and maintained to complement the character of the local area and any adjoining residential or public open space areas.</p>	<p>AS13 The car park area, open space and buffer areas of the lot are landscaped with design and use of plant species generally consistent with that of adjacent and nearby lots. The design may incorporate extensive paved areas for pedestrian use.</p>
Amenity Protection	
<p>PC14 The proposed use must not detract from the amenity of the local area, having regard, but not limited, to the impact of:</p> <ul style="list-style-type: none"> a) noise; b) hours of operation; c) traffic; d) lighting; e) signage; f) visual amenity; g) privacy; h) odour and emissions. 	<p>AS14 No acceptable solution provided.</p>
<p>PC15 The proposed development must take into account and seek to ameliorate any negative aspects of the existing amenity of the local area, having regard, but not limited, to the existing impact of:</p> <ul style="list-style-type: none"> a) noise; b) hours of operation; c) traffic; d) lighting; e) signage; f) visual amenity; g) privacy; h) odour and emissions. 	<p>AS15 No acceptable solution provided.</p>



Performance Criteria	Acceptable Solutions
Environmental Impact	
<p>PC16 All development must not adversely impact on the surrounding ecological systems, having regard to:</p> <ul style="list-style-type: none"> a) water quality; b) air quality; c) soil quality, d) disturbance to the marine habitat. 	<p>AS16.1 The development is a waterfront industry and capable of berthing vessels, and provides sewage pump out facilities and separate facilities for the disposal of other liquid wastes, including contaminated bilge water.</p> <p>AS16.2 The development does not discharge pollutants into surrounding or adjoining waterbodies.</p> <p>AS16.3 The development does not create leachate problems.</p> <p>AS16.4 The development does not disturb the ecological balance of the marine habitat.</p>
Visual Amenity	
<p>PC17 All goods, materials, machinery or tools stored on site must be located to maintain the visual amenity of the local area and have minimal impact to residents within or adjacent to the development.</p>	<p>AS17.1.1 A Class 10 building is used to house any equipment, materials, machinery or tools of trade used in the marine industry activity.</p> <p>OR</p> <p>AS17.1.2 The outdoor storage of any equipment, materials, machinery or tools of the trade used for the marine industry activity is located not less than three metres from the primary road frontage and/or waterway frontages, and screened from view external to the site.</p>
Traffic and Access	
<p>PC18 The level of traffic generated by the industrial development must not result in unacceptable impacts on the surrounding road network, having regard to:</p> <ul style="list-style-type: none"> a) safety; b) operation; c) capacity. 	<p>AS18 A traffic impact analysis has been undertaken by a suitably qualified and experienced person which identifies the expected traffic movements generated by the proposal, any associated impacts on the road network, and any work that will be required to address the identified impacts.</p>

6.0 Other Relevant Requirements

The Department of Primary Industry (DPI) advises that, if a development site contains marine plants protected under the **Fisheries Act 1994**, a permit under Section 51 of the **Fisheries Act 1994** must be obtained prior to commencement of any works. A marine plant includes the following:

- a plant (a tidal plant) that usually grows on or adjacent to tidal land whether it is living or dead, standing or fallen;
- material of a tidal plant, or other plant material on tidal land; and
- a plant or material of a plant prescribed under a management plan or regulation to be a marine plant.

A marine plant does not include a declared plant under the **Rural Lands Protection Act 1985**. Included in this definition are mangroves, seagrass, algae, saltcouch (*Sporobolus*), saltmarsh and samphire vegetation species.

In addition, any development in, or adjacent to, Fish Habitat Areas declared under the **Fisheries Act 1994** may require further approvals under that legislation.