



Part 5 Domains

Division 2 Domains

Chapter 15 Conservation

1.0 Intent

The overall purpose of this domain is to assist in the permanent conservation of nature conservation values on land remaining in private ownership. This domain also intends to support the following:

- conservation of wildlife habitat areas of ecological significance;
- maintenance and enhancement of the recognised rural landscape quality of the hinterland;
- maintenance of a limited range of rural living choices that complement or support natural land management activity; and
- management of bushfire hazard to an acceptable level of risk for wildlife conservation and rural living.

This domain seeks to provide permanent areas of land for the protection of nature conservation values on land remaining in private ownership through the conservation of wildlife and wildlife habitat areas of ecological significance. It also seeks to conserve local native plant species and indigenous vegetation and identified wildlife habitat areas of major significance. The Place Code also seeks to maintain and enhance the recognised rural landscape quality of the hinterland, and provide for the management of bushfire hazard through acceptable levels of risk for wildlife conservation and rural living. In addition, it is intended to provide for limited residential use, in association with the management of privately owned land for the purposes of nature conservation.

2.0 Scope and Eligibility

This section is intended for all development subject to the Planning Scheme and located within the Conservation 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.

2.1 Eligibility for Inclusion in the Conservation Domain

Land must be nominated for inclusion in the Conservation Domain by the landowner. Council will only consider land that is of high conservation value for inclusion in this domain. To be eligible, the subject land must comply with the majority of the following criteria:

- it is included in **Planning Strategy Map PS1 – Land Use Themes**, as either Rural/Nature Conservation or Open Space/Nature Conservation;
- it contains areas of indigenous vegetation and wildlife habitat of ecological significance;
- it is contiguous with an existing area of indigenous vegetation and wildlife habitat, such as a Forest Reserve, National Park or other Conservation Reserve;
- it contributes in a material sense to the function of an existing wildlife habitat corridor, by linking major areas of indigenous vegetation;
- more than 80% of any individual lot must contribute to the subject land's ecological values; for example, more than 80% of any lot must be vegetated and exhibit wildlife habitat values; and
- it is degraded habitat either of conservation significance or critical to the maintenance, enhancement or viability of an ecologically significant area.



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
Where not occurring on that part of the site designated as a conservation area under a Statutory Covenant made in accordance with the <i>Land Titles Act 1994</i>.			
Conservation (natural area management) Family Day Care Home Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park Public Utility Special Accommodation	Home Office Stall Temporary Use	Bed and Breakfast Caretaker's Residence Detached Dwelling Family Accommodation Farm Forestry Home Occupation Telecommunications Facility n.e.i.	Agriculture Cafe Ecotourism Facility Farm Stay Minor Tourist Facility Tourist Cabins
Where occurring on that part of the site designated as a conservation area under a Statutory Covenant made in accordance with the <i>Land Titles Act 1994</i>.			
Conservation (natural area management) Low-Impact Telecommunications Facility Public Utility		Telecommunications Facility n.e.i.	

B: Material Change of Use Overlay Provisions

Exempt	Self Assessable	Code Assessable	Impact Assessable
Material Change of Use involving Building Work that:			
		exceeds two storeys due to the partial third storey and the GFA of the partial storey does not exceed 50% of the GFA of the storey immediately below	exceeds two storeys (except for a partial third storey with less than 50% of the GFA of the storey immediately below)
			exceeds one dwelling per lot
	is located on a site nominated as a Medium, High or Very High Risk Area on Overlay Map 16 – Areas of Unstable Soils and Areas of Potential Land Slip Hazard , and complies with the Acceptable Solutions of Constraint Code 16 – Steep Slopes or Unstable Soils	is located on a site nominated as a Medium, High or Very High Risk Area on Overlay Map 16 – Areas of Unstable Soils and Areas of Potential Land Slip Hazard , and alternative solutions to the Acceptable Solutions of Constraint Code 16 – Steep Slopes or Unstable Soils are proposed	



Exempt	Self Assessable	Code Assessable	Impact Assessable
	<p>is on a site located in a Medium or High Potential Bushfire Hazard Area, as identified on Overlay Map OM10 – Potential Bushfire Hazard Areas, and complies with the Acceptable Solutions of Constraint Code 2 – Bushfire Management Areas</p>	<p>is on a site located in a Medium or High Potential Bushfire Hazard Area, as identified on Overlay Map OM10 – Potential Bushfire Hazard Areas, and alternative solutions to the Acceptable Solutions of Constraint Code 2 – Bushfire Management Areas are proposed</p>	
	<p>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</p>	<p>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</p>	
		<p>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</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> <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>	



Exempt	Self Assessable	Code Assessable	Impact Assessable
			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
	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	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	

C: Operational Work – Changes to Ground Level

Exempt	Self Assessable	Code Assessable	Impact Assessable
Operational Work that involves extraction, excavation or fill that:			
		exceeds a volume of 100 cubic metres of fill or excavation, or is closer than 20 metres from the site boundary	
		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 is located on land which is the subject of a native title claim; 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> <p>a) Not illuminated, nor animated, does not exceed 5m², 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;</p> <p>b) Not illuminated, does not exceed 5m² and painted onto a blind or canopy;</p> <p>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;</p> <p>d) Not visible from any State-controlled road</p>	<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:			
	<p>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</p>	<p>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</p>	<p>results in the removal of, or damage to, vegetation over which a Vegetation Protection Order has been made by Council</p>



G: Reconfiguring a Lot

Exempt	Self Assessable	Code Assessable	Impact Assessable
Reconfiguring a Lot that:			
			results in one or more new lots
			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 Conservation 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 Conservation Domain.

Place Code	Specific Development Codes	Constraint Codes
Conservation Domain Place Code	2 Advertising Devices 34 Temporary Use 36 Vegetation Management 38 Working From Home	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 8 Flood Affected Areas 10 Nature Conservation 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) 16 Steep Slopes or Unstable Soils



4.2 Material Change of Use

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

Place Code	Specific Development Codes	Constraint Codes
Conservation Domain Place Code	4 Animal Husbandry 5 Aquaculture 7 Bed and Breakfast Tourist Accommodation 10 Caretaker's Residence 13 Detached Dwellings 15 Ecotourism Facility 16 Family Accommodation 17 Farm Forestry 18 Farm Stay 21 Landscape Work 23 Low Rise Commercial Tourist Accommodation 24 Office 25 Private Recreation 27 Retail and Related Establishments 33 Telecommunications Facilities 35 Tourist Cabins 36 Vegetation Management 38 Working From Home 39 Works for Infrastructure	1 Gold Coast Airport and Aviation Facilities 2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 7 Dam Catchment Areas 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 15 Service Roads (Pacific Motorway) 16 Steep Slopes or Unstable Soils 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 Conservation Domain.

Place Code	Specific Development Codes	Constraint Codes
Conservation Domain Place Code	11 Changes to Ground Level and Creation of New Waterbodies	2 Bushfire Management 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 7 Dam Catchment Areas 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 16 Steep Slopes and Unstable Soils



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 Conservation Domain.

Place Code	Specific Development Codes	Constraint Codes
Conservation Domain Place Code	2 Advertising Devices 21 Landscape Work 39 Works for Infrastructure	2 Bushfire Management 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 7 Dam Catchment Areas 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 16 Steep Slopes and Unstable Soils

4.5 Operational Work – Vegetation Clearing

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

Place Code	Specific Development Codes	Constraint Codes
Conservation Domain Place Code	36 Vegetation Management	3 Bushfire Management 4 Canals and Waterways 5 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 7 Dam Catchment Areas 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 16 Steep Slopes and Unstable Soils



4.6 Reconfiguring a Lot

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

Place Code	Specific Development Codes	Constraint Codes
Conservation 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	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 7 Dam Catchment Areas 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 15 Service Roads (Pacific Motorway) 16 Steep Slopes or Unstable Soils 17 Unsewered Land

5.0 Conservation Domain Place Code

5.1 Purpose

This code seeks to ensure land supporting recognised ecologically significant areas is retained and protected through appropriate management, building and landscape design and complementary ancillary activity management. This code also seeks to maintain and enhance the recognised landscape quality of the natural areas of the City by limiting the scale and appearance of development.

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-PC17 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-PC6 apply.

5.3 Development Requirements

Performance Criteria	Acceptable Solutions
Development that is Self Assessable, Code Assessable or Impact Assessable	
Building Height	
PC1 All buildings must be limited in height to reduce any impacts on the quality of the natural landscape. Building height must not result in a significant loss of visual amenity.	AS1 The building is a Class 1 and/or a Class 10 building and has a maximum of two storeys.



Performance Criteria	Acceptable Solutions
Building Setback	
<p>PC2</p> <p>All buildings 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 open space character of the area; the separation from neighbouring properties and from frontages to roads. 	<p>AS2</p> <p>All buildings are set back not less than ten metres from the frontage of the site and six metres from the side and rear boundaries of the site.</p>
<p>PC3</p> <p>All buildings must provide for setbacks from water courses/waterways, which are appropriate to ensure the protection of water quality in those watercourses and the riparian vegetation associated with those watercourses.</p>	<p>AS3</p> <p>All buildings are set back not less than 30 metres from the tip of the high bank of a waterway as identified on Overlay Map 11 (where no definable bank is present, the setback is to be measured from the normal water level).</p>
Accommodation Density	
<p>PC4</p> <p>Accommodation density must be low, in order so as to maintain and enhance the open space and nature conservation qualities and functions of the land.</p>	<p>AS4.1</p> <p>The maximum dwelling density does not exceed one dwelling per lot for permanent residences.</p> <p>AS4.2</p> <p>The maximum accommodation density, for tourist cabins is consistent with the Specific Development Code 35 – Tourist Cabins.</p>
Site Coverage	
<p>PC5</p> <p>The site coverage of all buildings must not result in a built form that is bulky and visually intrusive.</p>	<p>AS5</p> <p>The site coverage of all buildings is not greater than 10% of the site area.</p>
Vehicular Crossings	
<p>PC6</p> <p>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>AS6</p> <p>Driveways are designed and constructed in accordance with relevant sections of Planning Scheme Policy 11 – Land Development Guidelines.</p>
Development that is Code Assessable or Impact Assessable	
Building Height	
<p>PC7</p> <p>All buildings must be limited in height to reduce any impacts on the quality of the natural landscape. Building height must not result in a significant loss of visual amenity.</p>	<p>AS7.1</p> <p>The building is not more than 11.5 metres in height, has a maximum of three storeys, and is set back at a minimum of ten metres from all site boundaries.</p> <p>AS7.2</p> <p>The uppermost projection of all buildings is of a height that is not above the highest immediately adjoining ridgeline to the building envelope.</p>



Performance Criteria	Acceptable Solutions
Siting	
<p>PC8 The development must be located, having regard to the open space, nature conservation, outdoor recreation and landscape values of the site. Buildings must be sited to complement the natural landscapes and topographical features of the site and the surrounding open space 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>AS8 No acceptable solution provided.</p>
Ecologically Sustainable Design	
<p>PC9 All buildings must be designed and constructed to a high aesthetic standard and in an ecologically sustainable manner, to minimise any impact on the conservation values of the land.</p>	<p>AS9.1 The massing and proportions of new buildings are consistent with modern ecologically sensitive design practice.</p> <p>AS9.2 The external building materials and colours are non reflective and complement the surrounding natural setting.</p>
Landscape Work	
<p>PC10 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>AS10 No acceptable solution provided.</p>
<p>PC11 The car parking area must be designed and located to complement the character of the local area and must not dominate the street frontage.</p>	<p>AS11.1 The car parking area is:</p> <ul style="list-style-type: none"> a) set back a minimum of ten metres from the frontage of the site; b) integrated with the public access points of the building; and c) located to the side or the rear of the main building on the site. <p>AS11.2 Buffering is provided in the setback area between the frontage of the site and the car park.</p> <p>AS11.3 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 the surrounding open space area.</p>
Amenity Protection	
<p>PC12 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>AS12 No acceptable solution provided.</p>



Performance Criteria	Acceptable Solutions
<p>PC13</p> <p>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>AS13</p> <p>No acceptable solution provided.</p>
<p>Environment Protection</p>	
<p>PC14</p> <p>The use must not detrimentally impact on the natural environment, by way of:</p> <ul style="list-style-type: none"> a) loss of habitat; b) loss of soils or erosion; c) escape of wastes into the surrounding ecosystems, especially the contamination of water systems; d) changing existing ground levels; e) clearing of vegetation; f) release of excess nutrients into the surrounding ecosystems; g) excess heat and light spillage into the surrounding ecosystems; h) inappropriate fire management practices; i) introduction of pest and weed species. 	<p>AS14</p> <p>The development is consistent with an Environmental Management Plan, prepared by a competent person.</p>
<p>Waste Disposal</p>	
<p>PC15</p> <p>Disposal of effluent, generated by the use, must not result in any on site or off site contamination of soil and ground or surface waters.</p>	<p>AS15</p> <p>No acceptable solution provided.</p>
<p>PC16</p> <p>Disposal of solid waste, generated by the use, must not result in any on-site or off-site contamination of soil and ground or surface waters.</p>	<p>AS16</p> <p>All solid waste is disposed of off site.</p>
<p>Storage of Materials</p>	
<p>PC17</p> <p>Ancillary storage of goods or materials in open areas must be presented in a manner that does not detract from the visual amenity of the local area.</p>	<p>AS17.1.1</p> <p>Equipment, materials, machinery and/or tools of trade, used in any business, profession, trade or hobby, are housed in a Class 10 building as defined in the Building Code of Australia.</p> <p>OR</p> <p>AS17.1.2</p> <p>Equipment, materials, machinery and/or tools of the trade, used in any business profession, trade or hobby, are stored behind the front building setback of the property and effectively screened from view.</p>



5.4 Land Management Plan and Plan of Development Guidelines

All land included within the Conservation Domain must be controlled by an approved Management Plan. Any development must comply with the provisions of this Management Plan and an approved Plan of Development to be prepared in association with the Management Plan, to the satisfaction of Council, or its delegate. The Management Plan and the associated Plan of Development must accompany any request for the inclusion of land within the Conservation Domain.

The Management Plan and Plan of Development will have the following characteristics:

- be linked through reference to a Statutory Covenant signed by the land owner under the **Land Titles Act** to ensure the land is protected for conservation purposes;
- both apply to the entire lot to be included in the Conservation Domain;
- the Management Plan is to direct proposed activities, to ensure that its nature conservation values are protected;
- the Management Plan must make provision for the strict control of feral animals and any domestic animals to be accommodated on the site – this may include prohibition or restrictions on total numbers, as well as particular conditions for fencing and other access restrictions;
- the Plan of Development must clearly identify the location and extent of any buildings and their curtilage and any work that is intended to take place on the subject land;
- they must differentiate between the areas on the site to be dedicated to protection of nature conservation values and those that are to be used for ancillary and complementary activities, including residential use. In all cases, the areas to be dedicated to ancillary or complementary uses must not exceed 19% of the area of the relevant lot.