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 699gelg Proposed C106gelg

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1.

GLENELG RIVER ESTUARY AND SURROUNDS

1.0 Statement of nature and key elements of landscape

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The Glenelg River Estuary and ~~Surrounds~~surrounds is a regionally significant landscape as the confluence of the Glenelg River estuary, the Southern Ocean, and the coastal edge.

The Glenelg River Estuary has a wild and windswept character that is dominated by the intersection of its strong landscape elements—, including the sea, beaches, sand dunes, and remnant vegetation. It is open and uncluttered, with the settlement of Nelson nestled discreetly within the landscape, its buildings largely concealed by vegetation. The strong coastal edge is dominated by sandy beaches, providing a contrast with the dunes and lakes behind. This type of landscape is increasingly rare on the Victorian coast.

The landscape’s visual significance is enhanced by environmental and visitor attractions. The ~~estuary is listed on the Register of the National Estate for its tidal reach, which is one of the longest in Victoria, and~~Glenelg River Estuary is the longest in Victoria extending 75 km from its mouth near Nelson and flowing through the Lower Glenelg National Park and the Discovery Bay Coastal Park. It is a Ramsar wetland of international significance with a gazetted boundary under the *Environment Protection and Biodiversity Conservation Act 1999*. Nelson is the starting point for one of the most well known long distance walks in Victoria—, the Great South West Walk. In addition, the ~~area~~Glenelg River Heritage Area is listed ~~in the Heritage Rivers Act~~under the *Heritage Rivers Act 1992* for ~~its scenic and cultural value, and because it has many sites of Aboriginal heritage significance, particularly on the coast~~high natural, cultural and landscape values.

2.0 Landscape character objectives to be achieved

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To protect locally significant views and vistas, to the ocean, the Glenelg River Estuary and other natural landforms from Nelson-Portland Road, the Great South West Walk and other publicly accessible locations.

To protect the indigenous coastal vegetation and ensure that it is the dominant feature of the landscape when viewed from the foreshore.

To retain the undeveloped and vegetated character of coastal dunes, waterways and estuaries near the coastal edge of this landscape.

To minimise any increase in development visible above the dunes and coastal vegetation outside settlements, when viewed from the beach, foreshore or offshore: **by discouraging:**

~~To discourage buildings set high on dunes or development that will be visible on the skyline.~~

- buildings set high on dunes.
- development that will be visible on the skyline.
- buildings set on visible ridge lines and visually prominent hill faces.

~~To discourage ridge tops and visually prominent hill faces from being visually dominated by buildings.~~

To encourage vegetated landscape edges to the settlement of Nelson, which soften the interface of built and rural areas, and avoids expansion of built areas beyond current boundaries.

3.0

Permit requirement

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Buildings and works

A permit is ~~not required to construct a building or construct or carry out works where any of the following apply~~ required to:

- ~~A building is for agricultural purposes and it has a combined gross floor area less than 70 square metres and a height less than 6 metres above natural ground level.~~
- ~~A dwelling has a height of less than 6 metres above natural ground level.~~
- ~~Buildings are set back a minimum of 500 metres from the edge of the coastal cliffs or dunes.~~
- ~~Buildings are set back a minimum of 500 metres from the Great South West Walk (outside the settlement of Nelson).~~
- ~~Buildings are setback a minimum of 100 metres from the Glenelg River and Estuary.~~
- ~~Works are for agricultural purposes, including raised bed cropping, stock grazing, unlicensed dams and associated supporting farming infrastructure.~~
- ~~Transparent fences (e.g. timber post, rail, wire fencing).~~
- ~~Solid fencing below 1.5 metres in height.~~
- ~~Works undertaken by a public authority relating to water management or environmental improvements.~~
- ~~The development is by or on behalf of the public land manager and is generally in accordance with plans approved under the *Coastal Management Act 1995*, the *National Parks Act 1975* or the *Crown Land (Reserves) Act 1978*.~~

Vegetation

A permit is required to remove any vegetation, this does not apply to:

- ~~Construct a fence, except transparent fences (e.g. timber post, rail, wire fencing) and solid fencing below 1.5 metres in height.~~
~~Vegetation removal for works associated with the maintenance of a minor utility installation.~~
- ~~Vegetation that has been planted or grown as a result of direct seeding or Crop raising or Grazing animal production. This exemption does not apply where a planning permit, consent under other legislation, or funding conditions require the vegetation to be retained.~~
- ~~Remove any vegetation, except:~~
 - ~~Vegetation required to be lopped or removed for works associated with the maintenance of a minor utility installation.~~~~Vegetation to be removed or destroyed to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road, subject to authorisation from the relevant public land manager. This exemption only applies to properties which share a common boundary with the road reserve. The maximum total width of vegetation permitted to be removed or destroyed under this exemption is 6 metres. This exemption does not apply where there is a practical opportunity to site the access way to avoid the removal or destruction of vegetation.~~
 - ~~To remove any vegetation to enable the construction or maintenance of up to 6 metre wide vehicle access across a road reserve from a property boundary to a public road, subject to authorisation from the relevant public land manager, unless there is a practical opportunity to site the access to avoid the removal or destruction of vegetation.~~
 - ~~To remove dead vegetation.~~
 - ~~To lop or remove non-native vegetation, if it includes:~~

- pruning, hedging or mowing.
 - vegetation less than 6 metres in height with a trunk diameter of less than 40cm at 1.3 metres above ground level.
- ~~Vegetation recognised by the Department of Environment, Land, Water and Planning as an environmental weed for that locality.~~
 - ~~Dead vegetation:~~
 - ~~Vegetation removed or destroyed as a result of grazing by domestic stock including the removal or destruction of vegetation on unused roads specified under Section 400 of the *Land Act 1958*.~~
 - ~~Vegetation removed or destroyed as a result of stock movements on roads. This exemption does not apply to the removal or destruction of vegetation as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.~~
 - ~~In the case of non-native vegetation:~~
 - ~~The lopping or mowing of vegetation.~~
 - ~~Vegetation which is less than 6 metres in height.~~
 - ~~Vegetation that has a trunk diameter of less than 40 centimetres when measured at a height of 1.3 metres from the ground immediately at the base of the trunk.~~

A permit is not required to:

- Construct buildings that are:
 - for agricultural purposes with a combined gross floor area less than 70 square metres and a height less than 6 metres above natural ground level with a minimum setback of:
 - 500 metres from the edge of the coastal cliffs or dunes;
 - 500 metres from the Great South West Walk; and
 - 100 metres from the Glenelg River and Estuary.
 - a dwelling with a height of less than 6 metres above natural ground level and a minimum setback of:
 - 500 metres from the edge of the coastal cliffs or dunes;
 - 500 metres from the Great South West Walk; and
 - 100 metres from the Glenelg River and Estuary.
- Undertake works by a public authority relating to water management or environmental improvements.
- Undertake development by or on behalf of the public land manager that is generally in accordance with plans approved under the *Marine and Coastal Act 2018*, the *National Parks Act 1975* or the *Crown Land (Reserves) Act 1978*.

4.0 Application requirements

28/05/2024 - / - / - -
699gelg Proposed C106gelg The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A detailed site evaluation which considers the existing landscape context including topography, vegetation (species, location and character), and views to the site from roads, settlements, publicly accessible waterways ~~and~~, recreation, and tourism locations.
- A landscape plan that demonstrates the use of ~~locally appropriate species (e.g. indigenous or species appropriate for the locality, including~~ non-invasive native/-exotic plants that are a feature of the character of the area), and how the affected area will be remediated after ~~the~~ development.

5.0

Decision guidelines

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The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development encroaches into ~~landscapes~~ or is visible within 500 metres of scenic coastal viewpoints ~~and lookouts. New buildings should be discouraged in landscapes visible within 500 metres of~~, lookouts, and the Great South West Walk (outside the ~~settlement~~ urban area of Nelson) ~~or designed and sited to low in slopes, among vegetation and with a form that conforms to topography and retains natural and/or rural character.~~
- Whether the development is designed and sited:
 - low on slopes;
 - amongst vegetation; and
 - has a form conforming to the topography of the land retaining natural and/or rural character.
- Whether development sited outside of the urban area of Nelson:

~~Whether any further expansion of the settlement of Nelson emphasises the retention of views and vegetation, and discourages intrusion into currently undeveloped areas visible from Portland-Nelson Road, Beach Road and the Glenelg River.~~

 - retains views and vegetation.
 - intrudes into undeveloped areas visible from the Portland-Nelson Road, Beach Road, and the Glenelg River.
- Whether development located within the urban area of Nelson is set back a sufficient distance:

~~That development within Nelson encouraged to be set well back from the Glenelg River so that it is not visible behind indigenous landseaping from the river edge.~~

 - from the Glenelg River so that it is not visible behind indigenous vegetation from the river edge.
 - to allow for the protection or rehabilitation of a substantial area of riparian vegetation.
- ~~Whether buildings near the Glenelg River and estuary are low scale and set back a sufficient distance to allow for the protection or rehabilitation of a substantial zone of riparian vegetation. Whether buildings near the Glenelg River Estuary are low scale.~~
- ~~Where~~ Whether the development within the coastal strip ~~cannot be prevented, that it is:~~
 - ~~Is~~ sited on the inland slope of dunes (~~avoid buildings protruding and does not protrude above the dune ridgeline~~);
 - ~~Is set among existing vegetation, maximising~~ sufficiently set amongst existing vegetation and maximises the retention of indigenous coastal vegetation;
 - Utilises appropriate indigenous vegetation to further integrate the development with the landscape:

- ~~Is~~ utilising appropriate indigenous vegetation to integrate the development into the landscape; designed to follow the natural contours or step down the site ~~and avoid visually dominant elevations;~~
- sited to avoid visually dominant elevations;
- ~~Minimises~~ minimising overlooking of the foreshore; and
- ~~Avoids access in~~ avoiding access into highly visible or undisturbed areas.

Whether development has regard to *Coastal Spaces Landscape Assessment Study, Planisphere 2006*, in particular the relevant Character Area Paper.

~~In considering any application for development the responsible authority shall have regard to matters contained in the *Glenelg Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study, Planisphere 2006*, in particular the relevant Character Area Paper.~~

6.0 Background documents

~~State Overview Report, Coastal Spaces Landscape Assessment Study (Planisphere, 2006)~~

~~Glenelg Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study (Planisphere, 2006)~~