

~~28/05/2024~~
~~699gelg~~ Proposed C106gelg

SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO3.

CAPE BRIDGEWATER AND CAPE NELSON

1.0 Statement of nature and key elements of landscape

~~46/10/2014~~
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The spectacular cliffs, pristine bays and dramatic coastal scenery of Cape Bridgewater and Cape Nelson are unique in Victoria and combine to make a landscape of ~~state significance~~ State significance.

The capes are listed by the National Trust for their dramatic coastal forms, with the huge bulk of the capes separated by the low-lying Bridgewater Bay.

The towering cliffs, which are the highest in the State, provide an unusually dramatic edge to the rural hinterland where, in places, native vegetation comes right down to the water's edge.

~~The capes are listed by the National Trust for their dramatic coastal forms, with the huge bulk of the capes separated by the low-lying Bridgewater Bay. The towering cliffs, which are the highest in the state, provide an unusually dramatic edge to the rural hinterland where, in places, native vegetation comes right down to the water's edge.~~ There are notable views of the capes from the Great South West Walk along the beach, and along the coast from high points at the top of the cliffs. Cape Bridgewater is a remnant of a volcanic crater.

The visual ~~significance~~ significance of the landscape is enhanced by high cultural and environmental values. ~~Blue Whales, Humpback Whales, Southern Right Whales~~ whales, humpback whales, southern right whales, dolphins and orcas frequent the area, and there are also some little penguins, seal colonies and gannet rookeries. Each of the capes is of high geomorphological and geological ~~significance~~ significance, with a number of rare features such as blowholes, shore platforms, ~~petrified forests and sea caves are of great interest to academics and visitors alike. There are extensive Aboriginal sites throughout the area and the Cape Nelson Lighthouse settlement is significant as an intact example of a Victorian light station~~ limestone solution pipes named 'the petrified forest', and sea caves.

There are many Aboriginal sites of note throughout the area.

The Cape Nelson Lighthouse settlement is significant as an intact example of a Victorian lightstation.

The coastal landscape has ~~recently~~ experienced ~~significant~~ significant visual change due to the introduction of wind turbines ~~in this locality~~.

2.0 Landscape character objectives to be achieved

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To protect and enhance the coverage of indigenous coastal vegetation and cultural vegetation patterns throughout the rural hinterland to ensure that it is a dominant feature of the landscape.

~~To protect cultural vegetation patterns throughout the rural hinterland.~~

~~To protect locally significant views and vistas which contribute to the character of the landscape.~~

To ~~retain the~~ protect locally significant views and vistas which contribute to the character of the landscape, including retaining the dominant natural landscape character and sense of isolation at ~~the~~ coastal cliffs and edges and ~~the~~ with clear views to the ocean.

To minimise visual clutter of the hinterland landscape with built development to retain open spaces that provide views to the coast, capes and hinterland, recognising that existing wind turbines do not set the scale for other forms of development.

To retain natural landforms and indigenous vegetation as an essential component of the character of the rural hinterland.

To preserve an appropriate landscape setting for features of cultural ~~or heritage significance~~ and heritage significance, including the Cape Nelson Lighthouse Station.

To recognise that the wind turbine towers on the capes do not set the scale for other forms of development.

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 6m above natural ground level.~~
- ~~A dwelling has a height of less than 6 metres above natural ground level.~~
- ~~Works are for agricultural purposes, including raised bed cropping, stock grazing, unlicensed dams and associated supporting farming infrastructure.~~
- ~~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.~~
- ~~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:

- ~~Vegetation removal for works associated with the maintenance of a minor utility installation~~ Construct a fence, except transparent fences (e.g. timber post, rail, wire fencing) and solid fencing below 1.5 metres in height.
- ~~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 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.~~

- Vegetation required to be lopped or removed for works associated with the maintenance of a minor utility installation.
- 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 setback of:
 - 500 metres from the edge of the coastal cliffs or dunes;
 - and 500 metres from the Great South West Walk.
 - a dwelling with a height of less than 6 metres above natural ground level and a setback of:
 - 500 metres from the edge of the coastal cliffs or dunes;
 - and 500 metres from the Great South West Walk.
- 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

28/05/2021 - / - / - -
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~~that considers the existing landscape context including topography, vegetation (species, location and character), and views to the site from roads, settlements, and publicly accessible waterways ~~and~~, recreation, and tourism locations.
- A landscape plan that demonstrates the use of ~~locally appropriate species (e.g. indigenous or non-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 proposed~~ development provides for the planting of new ~~shelter belts utilising an shelterbelts utilising~~ indigenous species suitable ~~to the local area~~ for the locality.
- ~~In~~ Whether development in coastal areas, ~~whether development is sited sparsely~~ is sparsely sited, minimising visibility from the roads and the Great South West Walk ~~and, whilst~~ maximising the retention of coastal vegetation.
- Whether the proposed development is located so as not to intrude into open views to the ocean, capes, headlands ~~or, and~~ cultural or heritage significance sites, including the Cape Nelson Lighthouse Station.
- Whether the visual intrusion of the proposed development is minimised in landscapes visible ~~in the~~ within the foreground (up to 500 metres) of the Great South West Walk.
- ~~Development on~~ Whether development is located away from the coastal side of the Great South West Walk ~~should be strongly discouraged~~.
- ~~The confinement of development~~ Whether development is confined to existing coastal settlements wherever possible ~~and the avoidance of any development atop, and avoids any development on~~ cliffs and coastal landforms that are visible from roads, beaches and recreation locations.
- ~~In circumstances where development can not be avoided on ridge tops, whether the proposed development~~ Whether development located on ridges and cannot be relocated elsewhere is:
 - ~~Is~~ located to avoid the loss of vegetation; and
 - ~~Includes~~ includes buildings or structures constructed of lighter coloured materials to minimise visibility against the sky.
- Whether ~~the proposed development includes the use of low~~ development has regard to *Coastal Spaces Landscape Assessment Study, Planisphere 2006*, ~~open style fencing (e.g. post and wire) appropriate to the area~~ 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)~~