



#### 4.6.4 Natural Areas and Scenic Amenity Code

##### **Purpose**

The purpose of this Code is to ensure that areas of natural value/environmental significance and Scenic Amenity value throughout the Shire are retained and conserved in order to:

- maintain and improve landscape integrity and Scenic Amenity values;
- retain areas in their natural state and protect them from inappropriate, visually obtrusive development;
- protect areas as valuable natural, environmental and scenic areas which are an asset to the Shire;
- maintain areas for their combination of landscape elements which create the dominant landscape character of the Shire;
- protect fauna habitat and linkages;
- maintain and improve the ecosystem functions of aquatic systems;
- maintain essential ecological processes;
- protect Biodiversity; and
- protect the unique environmental values of the Shire which are of International significance.

##### **Applicability**

This Code applies to assessable development for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the World Heritage and Environs Locality

where the Designated Development Area (DDA) is within, or partially within, an area of \*Remnant Vegetation,

OR

the boundary of the DDA is within 50 metres of an area of \*Remnant Vegetation,

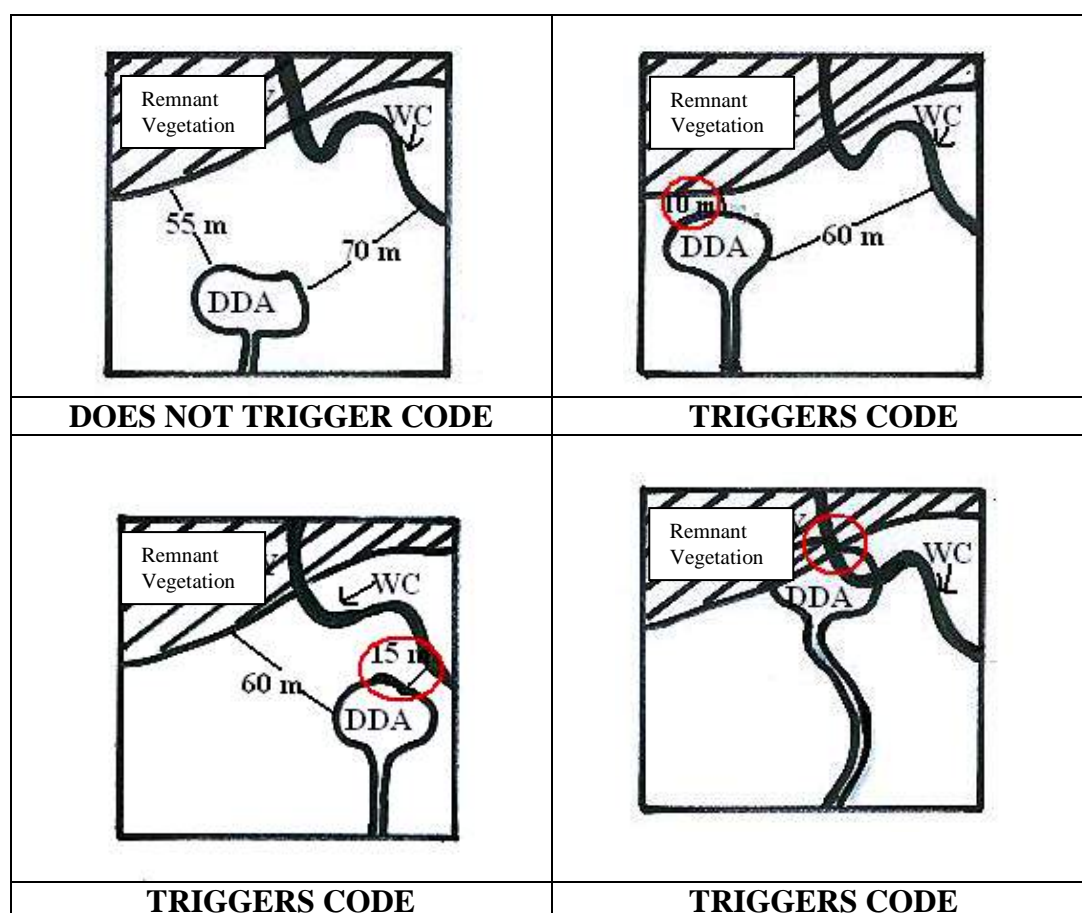
OR

the boundary of the DDA is within 50 metres of a \*Watercourse included in:

- Category 1 - Major Perennial Watercourse;
- Category 2 - Perennial Watercourse; or
- Category 3 – Minor Perennial Watercourse;

*\* as defined in the Administrative Definitions of this Planning Scheme*

SEE DIAGRAMS BELOW:



**NOTE:**

The boundary and the extent of Remnant Vegetation and the boundary of any Watercourse on a development Site is to be ground-truthed by Council prior to an application being made to Council<sup>48</sup>.

The accurate location of a DDA will be determined on a site specific basis to identify the boundary of existing vegetation and the location of any watercourse on the development site.

<sup>48</sup> The boundary and the extent of Remnant Vegetation and the boundary of any Watercourse on a development Site will be ground-truthed by Council at no cost to the landowner – refer to Planning Scheme Policy No. 8 – Natural Areas and Scenic Amenity.



## Elements of the Code

### *Development in Areas of Natural and Scenic Amenity Value*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P1 Where a development within a DDA triggers this Code, the natural and environmental values of the areas of Remnant Vegetation and/or Watercourse/s are protected from inappropriate development.</p>	<p>A1.1 Buildings/structures Access Roads/car parking, infrastructure and landscape/recreation facilities are constructed within the DDA identified on a Site Plan drawn to scale.</p> <p>A1.2 Where internal Roads are required to service the development, the Roads are located within a DDA identified on a Site Plan drawn to scale.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P2 Development does not adversely impact on the natural and environmental values and Scenic Amenity of areas identified as Remnant Vegetation and/or Watercourse/s.</p>	<p>A2.1 Where development occurs, it is located on that part of the Site which poses the least threat to the natural and environmental values and Scenic Amenity, for example:</p> <ul style="list-style-type: none"> <li>• adjacent to existing development;</li> <li>• within an existing cleared area;</li> <li>• within a disturbed area with little potential for rehabilitation;</li> <li>• within an area close to an Access Road;</li> <li>• removed from an identified area of important habitat.</li> </ul> <p>A2.2 Development within the DDA is sited to minimise visual intrusion on the Site and the surrounding landscape.</p> <p>A2.3 No continuous boundary fence lines or barriers are Erected on an approved development Site within a DDA identified on a Site Plan drawn to scale.</p>



	<p>A2.4 Infrastructure, such as water mains, sewers, electricity and telecommunication services, is sited underground, wherever reasonable, to protect Scenic Amenity, and is located within a DDA on a Site Plan drawn to scale.</p> <p>A2.5 Internal Roads associated with the development are designed and constructed to achieve a low speed environment.</p> <p>A2.6 Roads and infrastructure services do not cross the Setback area/riparian corridor; or if this is not possible, the number of crossings is minimised.</p> <p>A2.7 Setback areas/riparian corridors are provided in accordance with A4.1, A4.2, A4.3 and A4.4 below;</p> <p style="text-align: center;">AND</p> <p>The lowest intensity of development occurs adjacent to any Setback area/riparian corridor, and in the case of reconfiguration, larger lots are located adjacent to any Setback area/riparian corridor.</p> <p>A2.8 There is no fragmentation or alienation of any Remnant Vegetation.</p> <p>A2.9 Any natural, environmental or Scenic Amenity value of any balance area outside the DDA is protected.</p>
<p>P3 Any development involving filling and excavation minimises detrimental impacts on any aquatic environment.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



***Setback Areas/Riparian Corridors***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P4 Setback areas/riparian corridors adjacent to Watercourses are provided/maintained or re-established and revegetated with species endemic to the local area.</p>	<p>A4.1 For residential reconfiguration (Residential 1, Residential 2 or Rural Settlement Planning Area), Aquaculture, Tourist Activities, Industrial Activities and other large scale developments or development likely to have an impact on water quality of adjacent Watercourse/s any degraded sections of the Setback area/riparian corridor are revegetated with endemic species typical of the riparian corridor in the area.</p> <p>A4.2 Revegetation occurs in accordance with a Landscape Plan prepared by a suitably qualified professional in compliance with the requirements of Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity, Landscaping Code and Planning Scheme Policy No 7 – Landscaping.</p> <p>A4.3 The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where a riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> <li>• Category 1 – Major Perennial Watercourse – 30 metres</li> <li>• Category 2 – Perennial Watercourse – 20 metres</li> <li>• Category 3 – Minor Perennial – 10 metres,</li> </ul> <p style="text-align: center;">AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks outlined above.</p>



	<p style="text-align: center;">OR</p> <p>The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where no riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> <li>• Category 1 – Major Perennial Watercourse – 10 metres</li> <li>• Category 2 – Perennial Watercourse – 5 metres</li> <li>• Category 3 – Minor Perennial – 2.5 metres,</li> </ul> <p style="text-align: center;">AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks above.</p> <p>A4.4 Native vegetation within the Setback area/riparian corridor, other than identified noxious and environmental weeds, is retained.</p>
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*Use of Setback Areas/Riparian Corridors*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P5 Any use of a Setback area/riparian corridor does not adversely affect the integrity of the Setback area/riparian corridor.</p>	<p>A5.1 Only low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks, are located within the Setback area/riparian corridor.</p> <p>A5.2 The location of low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks within the Setback area/riparian corridor, does not affect the connectivity function and landscape/environmental or Scenic Amenity values of the Setback area/riparian corridor.</p>



***Retaining and Protecting Highly Visible Areas***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P6 Any development sited wholly or partially on land with a slope greater than 15% protects the Scenic Amenity values of the land from inappropriate and visually prominent development.</p>	<p>A6.1 Land with a slope greater than 15% and including Remnant Vegetation remains undeveloped and in its natural state.</p> <p>A6.2 Any development remains unobtrusive and sited below the tree line and ridge line.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>