

26/04/2013  
C107**SCHEDULE 4 TO THE SIGNIFICANT LANDSCAPE OVERLAY**Shown on the planning scheme map as **SLO4****LAKE TYERS AND SURROUNDS****1.0****Statement of nature and key elements of landscape**29/07/2010  
C68

Lake Tyers is a complex inland water body with scenic landscape qualities of regional significance.

The lake is contained by steep natural escarpments, giving the landscape a dramatic edge that contrasts with the flat plains around Lake Tyers Beach. There are expansive views along the Ninety Mile Beach and to the Gippsland Lakes from high points along the escarpments.

The area attracts visitors from across the state for its natural beauty and scenic views, as well as for its recreation opportunities. The Ramsar Convention notes this landscape as a wetland system of international significance. The Register of the National Estate recognises the Aboriginal heritage values of this landscape, particularly as the site of the Lake Tyers Aboriginal mission and reserved land. The National Trust endorses this as a landscape that "... demonstrates the colonisation process of Gippsland, including the displacement of the Kurnai people".

**2.0****Landscape character objective to be achieved**29/07/2010  
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To maintain and strengthen indigenous vegetation cover throughout the landscape, particularly on prominent slopes to reduce the visual impact of the built form, and around all new developments to create linkages between existing bushland and forest parks and coastal vegetation.

To protect a vegetated and natural character at Lakes Tyers.

To protect locally significant views and vistas that contribute to the character of the landscape, including extensive and scenic outviews from Lake Tyers Beach across Ninety Mile Beach.

To ensure that development around the settlement of Lake Tyers does not impact on the characteristics of the landscape, including key views and viewing opportunities.

To minimise and reduce the visual intrusion of buildings and structures at the edge of Lake Tyers.

To ensure buildings and structures sit within, rather than dominate the landscape, especially adjacent to lakes, waterways and the coast.

To encourage landscape change that is consistent with the cultural heritage values of the area.

To minimise the visual impact of signage and other infrastructure, particularly on hill faces, in coastal areas and in other areas of high landscape values or visibility.

To ensure that the open rural character and scenic coastal features of this area are not dominated by plantation forestry.

To recognise, and protect, the landscape of Lake Tyers and surrounds as a place of significant Aboriginal cultural heritage value.

**3.0****Permit requirement**29/07/2010  
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A permit is required to remove, destroy or lop native vegetation except where exempt under Clause 52.17.

A permit is required to construct a fence other than a post and wire fence up to 1.8 metres in height.

A permit is not required for:

- Buildings and works for which an exemption applies under the provisions of an Environmental Significance Overlay applying to the land.
- An alterations or extension to an existing dwelling where all of the following are met:
  - The alterations and additions are single storey and no more than 5 metres in height above natural ground level; and,
  - the alterations and additions are no more than 50 square metres in additional floor area.
- A building used for agriculture, existing industry or utility installations where all of the following are met:
  - The floor area of the building is no more than 130 square metres; and,
  - The building is single storey and no more than 5 metres in height above natural ground level.
- An alteration or extension to a building used for agriculture, existing industry or utility installations where all of the following are met:
  - The alteration or extension is no more than 100 square metres in floor area; and,
  - the alterations and extensions are single storey and no more than 5 metres in height above natural ground level.
- Buildings and works associated with informal outdoor recreation.
- Works undertaken by a public authority relating to watercourse management, environmental improvements or infrastructure services.

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#### Decision guidelines

Before deciding on an application, the responsible authority must consider, where appropriate:

#### Native Vegetation Removal

- The impact of the vegetation removal on the valued character of the regionally significant Lake Tyers landscape.
- The species of vegetation, its age, health and growth characteristics.
- Whether the vegetation is isolated or part of a patch.
- The availability of sufficient unencumbered land to provide for offsets.
- The impact of the vegetation on the structural integrity of existing or future buildings, including foundations.
- Vegetation management requirements to reduce fire hazard, prevent erosion and maintain flood control measures.

#### Buildings and Works

- Whether the proposed development is sited and designed to maximise retention of existing vegetation, and provides for the planting of new native vegetation wherever possible.
- Whether the proposal includes the use of native vegetation in favour of exotic for all landscaping works in this area.
- Whether the proposal includes the use of low building forms integrated with topography and extensive landscaping of indigenous species to minimise visual intrusion in the foreground (up to 500 metres) of all key views and vistas.
- Whether the contrast between landscape and built development is minimised for any development greater than 500 metres from important scenic lookouts (e.g. from above Lakes Entrance).
- Whether the proposed development is set back a sufficient distance from lake edges to allow for the protection or reestablishment of riparian vegetation and to minimise overlooking of the foreshore.
- Whether the height and form of development at the lake edge of settlements is sensitive in scale to surrounding development, the surrounding landform and the visual setting of the settlement.
- In steep or hilly locations, whether buildings are designed to follow the contours or step down the site in order to minimise need for earthworks and whether buildings are articulated into separate elements to avoid visually dominant elevations.
- Whether the proposal reduces the impact of development on the landscape by grouping buildings and setting buildings back long distances from roads.
- Whether the proposed development is kept below the dominant tree canopy height.
- Whether any proposed pedestrian and vehicular access is sited in less visible or previously disturbed areas.
- The impact of developments visible from all key viewing corridors (e.g. touring routes, highways) and scenic lookouts on the open rural character of these views, and the availability of scenic views to the ocean, or lakes.
- The impact of developments visible from lakes on the natural vegetated character of escarpment edges.
- The need for the prominent lake escarpment landscape to become increasingly vegetated.
- In rural residential areas, whether the proposed development:
  - Uses permeable surfacing for all unbuilt areas to minimise surface run-off and to support vegetation;
  - Retains a continuous tree canopy and will result in the planting of new trees in a position where they will add to this canopy.
  - utilises vegetation for screening and to delineate property boundaries, instead of fencing;
  - provide open style fencing of a type traditionally used in rural areas i.e. post and wire (where fencing is necessary); and,
  - is located on the site to minimise views of the building from the main road.
- Whether the proposed development is an extension or alteration to a development already in existence on the land.

## 5.0

### Reference Documents

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

East Gippsland Shire Municipal Reference Document, *Coastal Spaces Landscape Assessment Study* (Planisphere, 2006).

The Siting and Design Guidelines for Structures on the Victorian Coast (Victorian Coastal Council, 1998).