

# Scenic Landscapes Policy

Version 1.0

Division:  
Section:

Planning and Regulation  
Strategic Planning and Urban Design

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# Scenic Landscapes Policy

## Purpose

The purpose this Policy is to ensure that the natural beauty of the Tweed's scenic landscapes is considered at all levels of decision making concerning the use, modification or development of land or any of its existing improvements, whether carried on by the private or public sector.

This Policy will ensure that a potential for detrimental visual impact is evaluated and measures taken to mitigate and manage those impacts in order to preserve or restore affected or lost scenic quality and/or views.

## Background

Protecting Tweed's unique and outstanding scenic landscapes lies at the core of the community aspirations articulated and embodied in Tweed Council's adopted Community Strategic Plan 2017-2027, as well as those broader principles espoused in State and Commonwealth policy and legislation and attaching to the wider responsibility and obligation of managing the area's World Heritage status.

Tweed Council is currently preparing a Scenic Landscape Strategy and Toolkit which will be the leading policy for evaluating the impact on scenic landscapes in association with the use, modification or development of land, or any of its existing improvements. Applying a robust and legible methodology will assist with the identification of the scenic view or vista, its significance and the preferred management option for its protection, management or enhancement.

## Policy Statement

Any regulatory or strategic decision concerning the use, modification or development of land or any of its existing improvements is to take into account the following:

- Deliver the Tweed community's aspirations, priorities and values to preserve and enhance the unique landscape and scenic amenity, as central to the identity of the Tweed and sense of place, for the benefit of current and future generations.
- Respect and maintain the integrity of national and international recognition of the Tweed's outstanding environmental significance, in accordance with relevant arrangements and conventions.
- Lead by promoting and demonstrating best practice sustainable development and ongoing management of the built and natural environment.
- Set principles for visual impact analysis for decisions under consideration relating to potential or perceived impacts of the use, modification or development of land or any of its existing improvements.

## Definitions

**Views** are generally narrow view corridors that are defined in length or width by terrain, vegetation or buildings or other structures in the landscape.

**Vistas** are broader or panoramic landscape views or a sequence or combination of views, often seen from elevated ground and defined by considerable physical or geographical features such as ridgelines, escarpments or valleys.

**Scenic landscapes or scenery** is the composition of landscape attributes and comprises natural features and land cover, land-uses and cultural modifications which collectively characterise an area within a view or vista.

**Scenic quality** is a combination of factors including the arrangement of physical features, patterns of land use and its components, the observer's position in the landscape and the degree of enjoyment derived from what is seen.

## Policy Application

Any regulatory or strategic decision concerning the use, modification or development of land or any of its existing improvements is to take into account the evaluation guideline below to assess visual impacts and incorporate appropriate mitigation or management measures in order to achieve the Scenic Management Principles.

## Evaluation Guideline

- Step 1. Define the visual character of the existing landscape character and proposed development or works on land and its visual catchment including scale, size, outcome and any ongoing operations.
- Step 2. Define and assess the potential visual impact of the project both on the site, locality and view fields likely to be affected.
- Step 3. Identify if and how the relevant legislation and policy requirements will be met, e.g. LEP land zone objectives and DCP controls, particularly with respect site and locality view fields.
- Step 4. Consult affected community and viewers of the subject land to identify their visual quality goals ie. the landscape attributes and visual elements they prefer to protect, rehabilitate or enhance.
- Step 6. Identify and adopt appropriate management measures that deliver the identified visual quality goals, as they relate to the project including siting, height, form, colour, materials or vegetation landscaping.

The outcome of a visual impact evaluation should provide a clear understanding of how the proposed development will protect or enhance the scenic amenity and visual landscape character of the locality ie. preferred visual resources and features, particularly for any significant views affected; and where this cannot be achieved, the report should recommend how negative impacts will be mitigated, managed and controlled.

Where a proposed project is located within a visually sensitive site or viewshed and/or likely to have significant visual impact, a suitably qualified and experienced landscape professional is required to undertake this evaluation and engage with community on visual quality goals.

### **Scenic Management Principles**

The suggested considerations are discretionary components to be considered in the context of how potential visual impacts of a proposed development or land use and ongoing management addresses the objectives of this Policy as a whole, and not in isolation.

#### **Protect, restore and create views from public places**

- Protect and restore views by ensuring that development, structures and vegetation are sited, designed and managed to blend with and complement the landscape values of surrounding environment, having regard to building size, height, bulk, siting, site coverage and external materials, colours and reflectivity values.
- Design development and maintenance of infrastructure with the view to provide visitors with unobstructed and captivating views of incredible environment.
- Where practical alternative locations exist, buildings or other development structures should not be located on or near ridgelines where the building would form a silhouette against the sky when viewed from the highly trafficked roads or any other significant viewing point.
- Create new viewing opportunities from roads, footpaths and cycling trails, employing landscaping measures to improve degraded viewing locations and screen visual detractors.
- The height of buildings or structures should not protrude above the tree canopy, be visually prominent or obstruct views or surrounding streetscape when viewed from any significant public viewing point.

#### **Protect Scenic Landscape Integrity**

- Ensure the design and siting of new development contributes to visual elements of the landscape and importantly, does not become the dominant characteristic of the landscape character area or viewshed.

#### **Complement existing valued landscape character attributes**

- Ensure siting, design, and management of development located in key viewsheds blends with and/or adds to existing values and attributes of the landscape unit and surrounding environment.

#### **Retain and restore unique landforms in their natural state**

- Protect the dramatic and exceptional landform elements of Wollumbin/Mt Warning, distinctive caldera elements (including ridgelines, peaks, hillsides, steep slopes,

ravines) and coastal formations (headlands and bluffs) that provide a dominant backdrop for views and vistas.

- Avoid development that penetrates the established skyline or horizon. Where avoidance is not possible, implement other measures to minimise the contrast and visibility of the penetrating structure.

### **Manage vegetation**

- Protect the consistency and integrity of vegetated areas. Consider the visual impact of interruption to vegetated ridgelines through contrast in colour and form.
- Retain the distinctive vegetation characteristics of the area and streetscape, as critical to landscape character and identity of the locality.
- Minimise the removal and encourage planting and landscaping of preferred and native plant communities such as tree canopies, heathlands and understorey vegetation cover particularly in public and prominent areas, on ridgelines, along water courses, in areas of environmental or habitat significance, and on land subject to landslip or erosion.
- Improve access to and visibility of scenic attractions through landscaped space and vegetation management.
- Protect and encourage vegetation that screens or softens the appearance of existing or proposed buildings visible from significant public viewing points;

### **Avoid key feature disruption**

- Avoid siting structures and other visual elements of a proposed development in the central line of sight to landscape features visible from public viewing locations, particularly where they fall in the fore-ground or middle-distance zone.
- Where re-siting is not an option and elements of a development fall in the central viewing field of a landscape feature, they should not compete with major visual elements of the landscape feature.

### **Urban design and architectural features**

- Architectural form, massing and articulation of buildings or structures should complement or add to the elements which give local communities their distinctive style and character.
- Encouraging a reasonable sharing of views between new and established urbanised properties, particularly for views of a significant landscape feature, including Mt Warning/Wollumbin and the Caldera escarpment rim, the ocean and coastal shoreline, forest and mountains, rivers and estuaries and notable cultural landscape features.

## **Related Legislation**

This policy should be read in conjunction with current statutory and strategic requirements, planning provisions and development control requirements including:

- Tweed Local Environmental Plan 2000
- Tweed Local Environmental Plan 2014
- Tweed City Centre Local Environmental Plan 2012
- Tweed Development Control Plan 2008, including but not limited to:
  - A1 – Residential and Tourist Development Code
  - A4 – Advertising and Signage
  - A5 – Subdivision Design Manual
  - A16 – Preservation of Trees or Vegetation
  - A17 – Business, Enterprise Corridor & General Industrial Zones
  - A18 – Heritage

This policy may relate to the following Council policies, protocols and guidelines – this list is not exhaustive:

- Open Space Strategy (Draft)
- Telecommunications Facilities on Council Owned Land Version 1.3
- My Local Native Garden - A planting guide to promote biodiversity in Tweed Shire
- Architectural Roof Features - Practice Note
- Design Unit Quality Manual, Version 1.0
- Driveway Access to Property Guidelines v1.2 March 2008  
Environmental Design Guidelines for Council Facilities, v1.0 July 2008
- Tweed River Domestic Structures Strategy 2008

## **Compliance**

This Policy applies to any member staff responsible for making a decision or reporting to a matter through the Business Paper for Council's consideration in relation to regulatory or strategic decision concerning the use, modification or development of land or any of its existing improvements.

By way of example, this includes matters such as:

- Infrastructure including roads, telecommunications towers and transmission lines, and community buildings and structures.
- Public (Council-managed) land including open and recreational space environments, lookouts and streetscapes.
- Development applications.
- Local Environmental Plans and Development Controls Plan.

- Strategic Land-use Policy, such as a Locality Plan, Strategy or similar.

## **Forms**

N/A

## **Review Period**

This Policy will be reviewed in association with the approval and adoption of the Tweed Scenic Landscape Strategy, once adopted by Council.

## **Useful Links**

[Tweed Shire Council website](#)

[Office of Local Government](#)

[Australia's Green Cauldron – Commonwealth National Landscapes Program](#)

[Department of Environment and Energy - World Heritage Places](#)

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Version Control:

<b>Version History</b>		
<b>Version #</b>	<b>Summary of changes made</b>	<b>Date changes made</b>
1.0	Incorporate draft policy in document	09 May 2018



## Policy Background

Tweed Shire's many magnificent scenic landscapes, particularly the outstanding Mount Warning/Wollumbin vista, bring great benefit to our current and future community; including:

- the visual joy and source of health and well-being for our residents,
- a sense of community identity,
- the enormous tourism assets to our local and regional economies, and
- the potential to attract high value businesses to this incredible landscape.

Local and international community values to protect and promote these landscapes are recognised and conveyed in various local, state, federal and international strategies and programs as follows:

### 1. The Tweed Community Strategic Plan 2017 – 2027

Vision for the Tweed is "to be recognised for its desirable lifestyle, strong community, unique character and environment and the opportunities its residents enjoy".

- 1.1 Natural resource management. Goal: Protect and manage the environment and natural beauty of the Tweed for current and future generations, and ensure that ecological sustainability and climate change consideration underpin decision making in Council. Action: Lead and engage the community to enhance awareness and improve sustainable management of the environment.
- 1.4. Managing Community growth. Goal: Plan for sustainable development which balances economic, environmental and social considerations. Action: Promote good design in the built environment. Protect and manage the Tweed's unique character and world heritage scenic landscapes.
- 3.2. Places. Goal: Provide places for people to live, work, visit, play and enjoy the Tweed. Action: Promote the distinctive character and diverse identities of Tweed's towns and villages.

### 2. North Coast Regional Plan 2036

*Vision:* The best region in Australia to live, work and play thanks to its spectacular environment and vibrant communities.

*Goal 1:* the most stunning environment in NSW. Action.....

### 3. Australia's Green Cauldron – The Commonwealth Government National Landscape program

Australia's Green Cauldron spatially encompasses the Tweed Shire in full, with Mt Warning/Wollumbin and the Caldera escarpment rim as iconic features of its central

core. It also recognises the diversity of landscape character features as a “mysterious melting pot and truly eclectic destination” comprising:

- A chain of national parks and rainforest reserves including World Heritage listed Gondwana Rainforests;
- Mountain forests that give way to secluded, spectacular marine environments, beaches and reefs;
- Culturally diverse towns and villages demonstrating strong and energetic identities and community commitment to sustainability and conservation values demonstrated in agricultural, recreational, development and commercial practices; and
- Ancient cultural and spiritual landscape of significance to Aboriginal Australians.

As one of 16 iconic landscapes of Australia, “Australia's Green Cauldron” is promoted by Tourism Australia to local and international tourist markets. A key directive of the program is to strengthen the appreciation of world heritage values by providing local and visitor experiences at important viewing sites that go beyond local or regional best practice.

#### **4. Gondwana Rainforests of Australia: Volcano Shield and Border Groups – Australia’s National Heritage List**

Gondwana Rainforests of Australia - a series of rainforest national parks and reserves in central eastern Australia which - was included in the National Heritage List in 2007, as one of 15 World Heritage places considered “National Treasures of outstanding environmental heritage and high conservation value” under national legislation.

The Gondwana Rainforests are located in the Tweed Shire in the Wollumbin (Mt Warning) National Park, Numinbah Nature Reserve, Limpinwood Nature Reserve and Mebbin National Park. Other reserves are found in neighbouring jurisdictions which offer dramatic vistas of the Tweed Shire, including Springbrook and Lamington National Parks in South-East Queensland, Border Ranges National Park in Kyogle Shire NSW, and Nightcap National Park in Lismore Shire NSW.

The *Environment Protection and Biodiversity Conservation Act 1999* is the statutory instrument for implementing Australia’s obligations under a number of multilateral environmental agreements including the World Heritage Convention. It provides for the preparation of management plans which set out the significant heritage aspects of the place and how the values of the site will be managed.

Importantly, this Act also aims to protect matters of national environmental significance from impacts even if they originate outside the property or if the values of the property are mobile (as in fauna). It thus forms an additional layer of protection designed to protect values of World Heritage properties from external impacts.

These world-heritage listed areas are also identified in the Tweed Local Environmental Plan 2014 as heritage items.

## 5. UNESCO World Heritage Gondwana Rainforests of Australia

The Gondwana Rainforests of Australia, previously known as Central Eastern Rainforest Reserves of Australia, were inscribed to the United Nations Educational, Scientific and Cultural Organisation World Heritage List in 1986 and extended in 1994, due to their outstanding and universal natural heritage.

The Gondwana Rainforests satisfied criteria and values associated with the preservation of outstanding examples of significant natural beauty and environmental sensitivity, including:

- Record of the past – showing the major stages of the earth's evolutionary history and some of the oldest elements, most significant numbers and centres of survival of flora and fauna from ancient lineages linked to the break-up of Gondwana;
- Window to the future – showing significant geological progresses, biological evolution and man's interaction with his natural environment, with the integrity of the caldera shield of the Tweed Shield volcano as a notable feature; and
- Hotpots of biodiversity - the most important and significant habitats for threatened species and biological diversity from the point of view of science and conservation.

Several factors can challenge efforts to protect key scenic resources and landscape values from potential impacts of development and land-use activities, including:

- the extent and diversity of landscape character types and visual resources that are visible from many elevated and accessible viewing locations across the Tweed;
- the subjective nature of defining scenic values or measuring scenic quality;
- the increasing tourism demand to preserve and enhance these landscapes whilst delivering high quality visitor experiences;
- increasing population and changing economic pressures placing demands for urban expansion and land-use conflicts with scenic landscapes; and
- existing, and in some cases, competing land use planning and development policies and regulations across a range of jurisdictions.