

# PROPOSED CHANGES TO SIGNIFICANT LANDSCAPE OVERLAY

---

Impact of proposed changes on ' [REDACTED ] '

Supporting presentation to submission dated 10 May 2024

16 May 2024

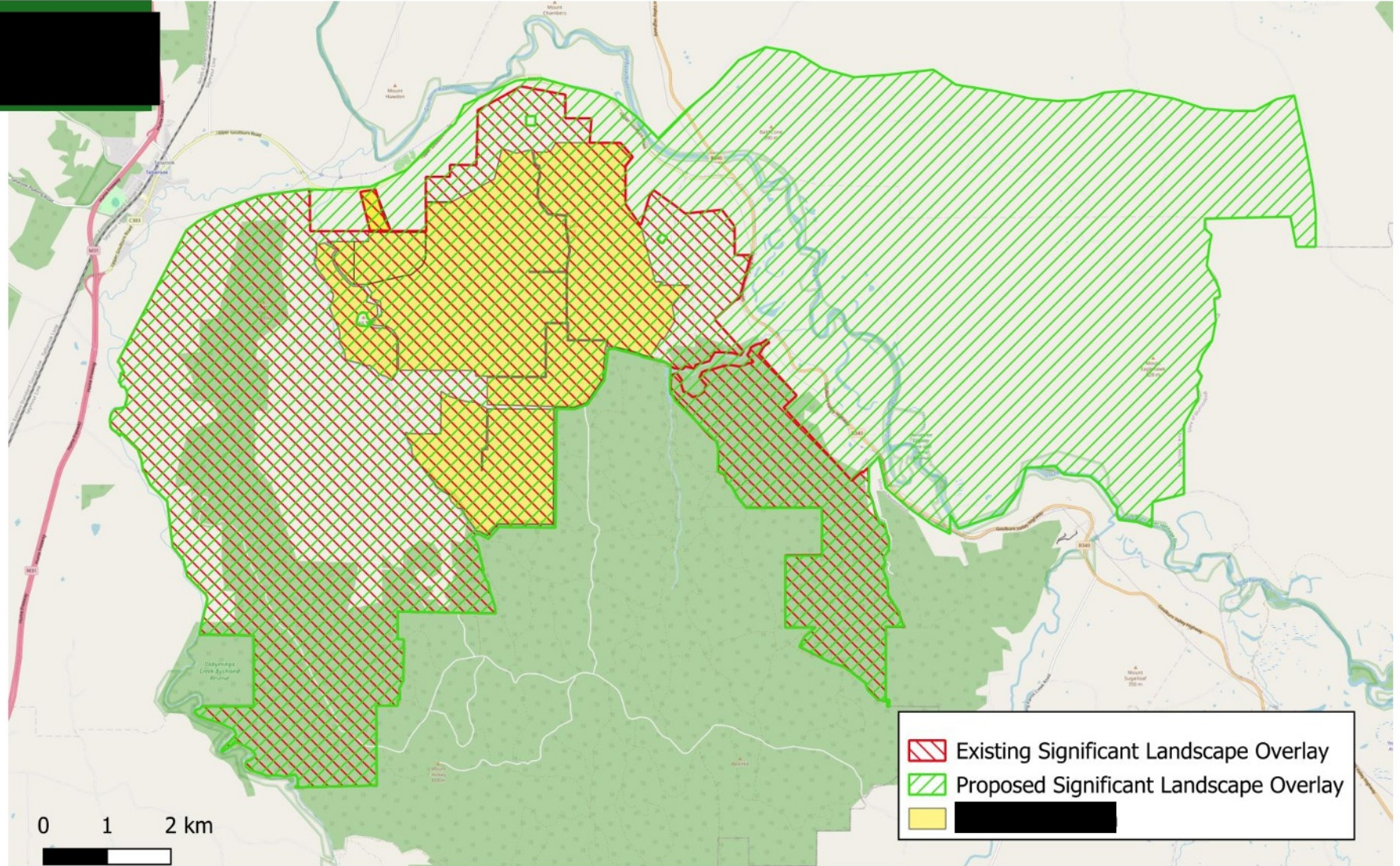




within both the existing and proposed Significant Landscape Overlay areas



Will be significantly impacted by proposed changes in permit requirements



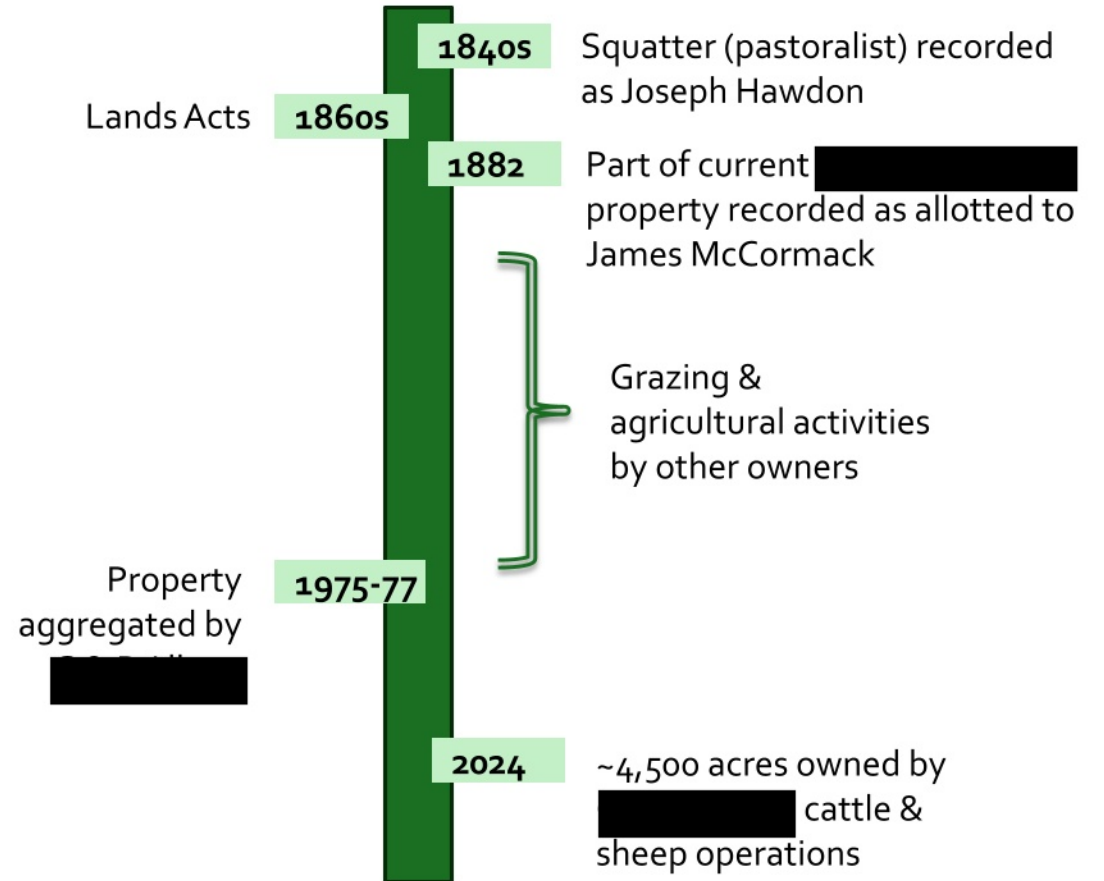
# Continuous farming and grazing for 180+ years

Current owners are fifth and longest owners of property



1970s images of [redacted] during early years of [redacted] ownership

Represents significant investment over a lifetime of work



## ' [REDACTED] ' - overview

- ~1,820 Ha of freehold title
- Amalgamated by [REDACTED] ~ 50 years ago
  - Holdings owned by [REDACTED] family entities ([REDACTED]  
[REDACTED] Pty Ltd)
- Mixed farming activities carried on since 1975 comprising cattle breeding & grazing, sheep farming for fine wool production, cropping comprising forage and hay production.
- Early activities also included thoroughbred horse breeding
- Extensive agricultural infrastructure developed over decades
- Livelihood for [REDACTED], employment for many local families

# Extensive Farm Infrastructure

- 3 dwellings
- 5 major agricultural and storage buildings
- ~20 water storage dams, 3 windmills, ~15 water storage tanks including a bank of 6 designated firefighting-only tanks
- 3 x cattle stockyards
- 1 shearing shed
- ~50-75 km of boundary and internal post & wire fences and associated gates and laneways
- Extensive farm & fire access track network
- ~2,860 acres of improved pasture



Behind the slopes are expansive open areas (~3,200 acres) of arable land not visible from Upper Goulburn Road



with hay crop at

The open areas of arable land and grazing pasture have been developed and improved over more than 100 years



Some of [redacted] current herd of Angus cattle



# Oat Forage Crop



Oat forage crop undersown with clover - early



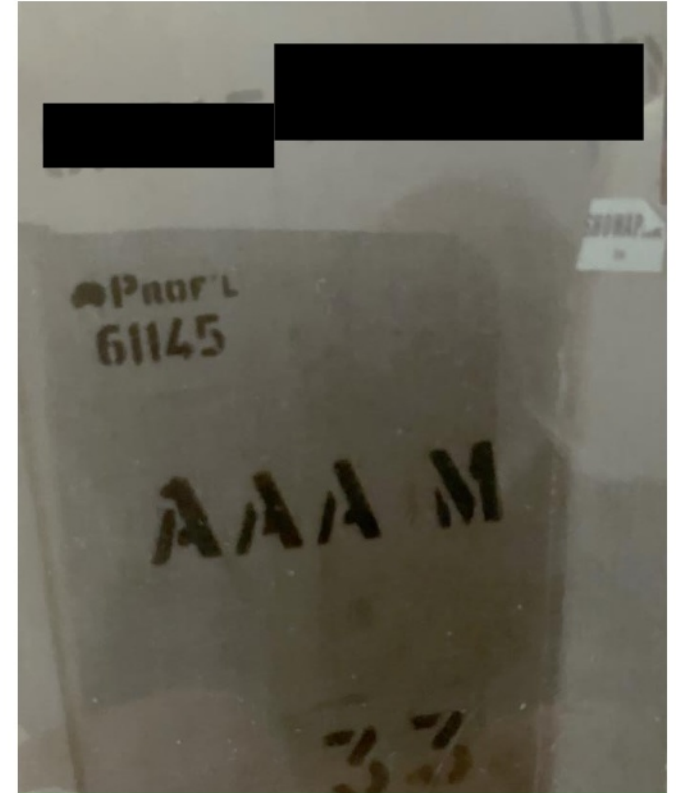
Oat forage crop undersown with clover - middle



Oat forage crop undersown with clover – near forage time



Throwing the first [REDACTED] AAA Merino fleece



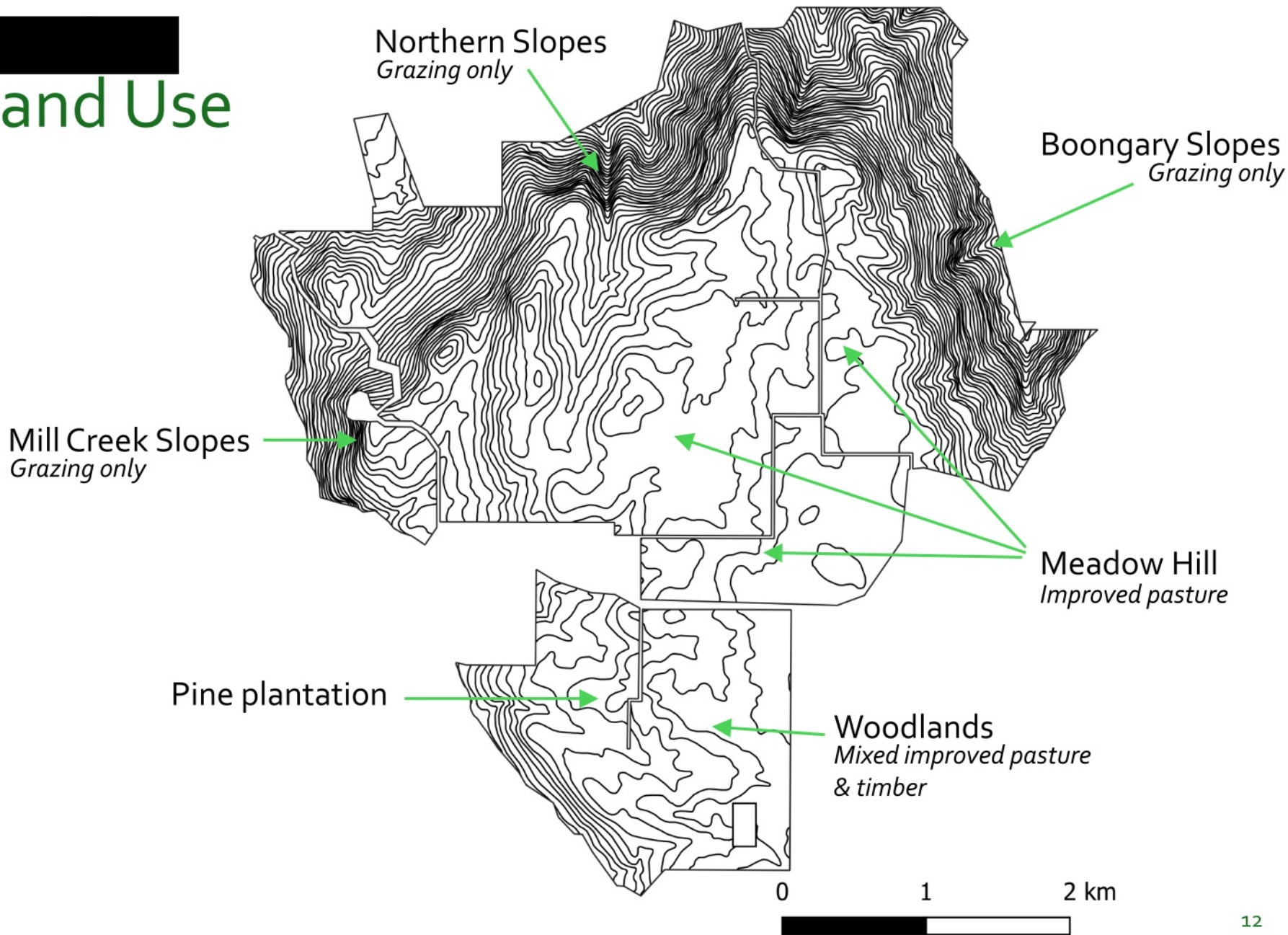
First bale AAA Merino



Stud Limousin Herd

# Contours/Land Use Overview

Property Elevation Map  
(10 metre contours)



# Pastures developed and improved over decades

Portion	Approx Area	Improved pasture (est)	Description	Comment
Meadow Hill	2,376 Acres (962 Ha)	2,000 Acres (809 Ha)	Improved pasture	Fertile soils, improved arable grazing land suitable for forage and hay crops
Woodlands	856 Acres (346 Ha)	400 Acres (162 Ha)	Mixed improved pasture & timber	Fertile soils, improved pasture with areas of timber re-growth
Boongary Slopes	765 Acres (310 Ha)	360 Acres (146 Ha)	Grazing	Fertile soils with clover pasture established via aerial fertiliser and seed application.
Mill Creek Slope	210 Acres (85 Ha)	100 Acres (40 Ha)	Grazing	Fertile soils with clover pasture established via aerial fertiliser and seed application.
Northern Slopes	348 Acres (140 Ha)		Grazing	Poor soils, suitable only for grazing
Pine Plantation	20 Acres (8 Ha)		Radiata pine plantation	Established early 2000's

# Issues with Proposed SLO

- A planning scheme cannot prevent the continuation of a lawfully existing use
- The imposition of conditions under the proposed SLO would prevent the continuation of the existing use
- Beyond scope / Improper purpose / *Ultra vires*
- Effective forced re-vegetation
- Substantially increased bushfire risk and reduced bushfire amelioration
- Economic decline of township and regional infrastructure, loss of employment and livelihood for many rural families

# Proposed SLO Ignores Importance of Agriculture

- Protection of rural amenity removed from SLO objectives
- Landscape and visual impact significantly emphasised throughout SLO – no regard for agricultural or grazing activities
- Word count demonstrates lack of balance throughout the document

## Visual characteristics

Word	Number of occurrences
Landscape	19
View	13
Visual	8
Natural	5
Scenic	2

## Rural or agricultural matters

Word	Number of occurrences
Agriculture/al	7
Rural	2
Grazing, Cattle, sheep, crop	0
Livestock	1
Profit, viability, economic, income, livelihood, employment	0

# Existing SLO Objectives v Proposed SLO Objectives

Existing SLO – Objective	Proposed SLO
<p>Protect the natural landscape, <b>rural amenity</b> and environmental significance of the Tallarook Ranges.</p> <p>Maintain and protect the diversity of landscapes, native fauna, remnant vegetation and sites of historical, botanical and zoological significance.</p> <p>Encourage the development of tourism oriented activities complementing the special nature of the Tallarook Ranges.</p> <p>Protect the Ranges and the surrounding landscapes from visual intrusion and inappropriate development.</p> <p>Maintain passive recreational use of the land for the enjoyment of all visitors</p>	<p>To protect and manage the landscape character and visual significance of the Tallarook Ranges, Cherry Tree Ranges and Trawool Valley.</p> <p>To minimise the visual impact of development on the landscape, including views of the ranges and across the valley, from key viewing corridors that traverse the area.</p> <p>To ensure that elevated hill faces and ridgelines remain free from bulky development, so that views to elevated areas reveal the natural form of topography and vegetation against the sky and are not dominated by buildings.</p> <p>To ensure that development demonstrates a high standard of design and responds to the identified character and significance of the surrounding landscape.</p> <p><b>To avoid the removal of native vegetation.</b></p>

 Protection of rural amenity removed from SLO objectives

 New and unworkable objective to avoid removal of native vegetation



# Permit requirements compared

Existing SLO –	Proposed SLO
<p>A permit is <b><u>not required</u></b> for Removal, destruction or lopping of dead vegetation, exotic vegetation or native vegetation if seedlings or regrowth are less than 10 years old and the land is being re-established or maintained for cultivation or pasture, the minimum extent of native vegetation necessary for the construction, operation or maintenance of a fence, or the removal, destruction or lopping of native vegetation as a result of grazing domestic stock or moving stock along a road.</p>	<p>A permit <b><u>is required</u></b> to remove, destroy, or lop <b><i>any</i></b> native vegetation.</p>
<p>A permit is <b><u>not required</u></b> for Any agricultural development or activity, including cultivation, dam, fencing, water tanks and water bores.</p>	<p>A permit <b><u>is required</u></b> to construct a fence, <b><u>except</u></b> for:</p> <ul style="list-style-type: none"> <li>• A post and wire fence up to 1.8 metres in height.</li> <li>• A fence below 1 metre in height.</li> <li>• Livestock yard fencing</li> </ul> <p>A permit is <b><u>not required</u></b> for:</p> <ul style="list-style-type: none"> <li>• A water tank.</li> <li>• Construction of a farm access track</li> </ul>

# Permit requirements compared (continued)

Existing SLO	Proposed SLO
<p>A permit is <b><u>not required</u></b> for Development of an outbuilding of less than 120 square metres in floor area (and where the total floor area of all outbuildings does not exceed 200 square metres), the slope of the land is less than 15 per cent, no removal of native trees or shrubs is required, earthworks are less than 2,000 square metres and the development site is not within 100 metres of a waterway, to the satisfaction of the responsible authority.</p>	<p>A permit is <b><u>not required</u></b> for:</p> <ul style="list-style-type: none"> <li>• A building used for agriculture or an alteration or extension to a building used for agriculture that is an open-sided rural structure.</li> </ul>
<p>A permit is <b><u>not required</u></b> for Any alterations or additions to an existing dwelling or outbuilding, provided the proposed building is not within 100 metres of a waterway, the slope of the land is less than 15 per cent, the proposed floor area is not greater than 100 per cent of the existing floor area, there is no increase in building height, all external building materials are of nonreflective materials, no removal of native trees or shrubs is required, and earthworks are less than 2,000 square metres, to the satisfaction of the responsible authority.</p>	<p>A permit is <b><u>not required</u></b> for :</p> <ul style="list-style-type: none"> <li>• An alteration or extension to an existing dwelling up to 100 square metres in floor area, provided it does not increase the overall height of the building.</li> <li>• A building used for agriculture or an alteration or extension to a building used for agriculture where all the following are met:             <ul style="list-style-type: none"> <li>• The building is constructed using external materials and finishes that minimise its visibility in the landscape, such as natural timber, subdued colours, or galvanised iron; the total floor area of the buildings is no more than 200 square metres;</li> <li>• the building is single storey and no more than 5 metres in height above natural ground level; and,</li> <li>• the building is not sited on a ridgeline, or on the upper slopes of a hill face so that it protrudes above a ridgeline</li> </ul> </li> </ul>

# New Permit requirements significantly impede Sound Agricultural Practice & Economic Viability

- Existing land use is agricultural
- Best practice for agricultural operations requires timely and ongoing action to maintain, remediate and improve all aspects of the agricultural property
- Proposed new permit requirements are unworkable
- New permit requirements are proposed to apply to
  - Eradication of seedlings necessary to protect property value and function  
*(this permit requirement will have the effect of forcing revegetation with natives)*
  - Removal of vegetation for safety, maintenance and fire risk management purposes
  - Cultivation activities
  - Construction of dams & bore
  - Agricultural development or activities

# Effective forced re-vegetation of native species

- New permit requirements will have the effect of bringing about the re-vegetation of natives as:
  - Requirement for permit totally impractical
  - Native species prevalent on property are prolific seeders
  - Without ongoing removal whole property would ultimately be re-vegetated with native species – pastures, access tracks, etc lost to scrub regrowth

# Implications of permit requirement to remove *any* native vegetation

- Regrowth eucalypts & wattles are prevalent throughout [REDACTED] and self seed in our pastures every year requiring ongoing eradication
- This year we had ~5,000 Red Gum seedlings in a 10 acre area of our Upper Goulburn Road front paddock
- Black Wattle (identified by Mitchell Shire as an invasive species) have proliferated over the last 4 years by way of seed and will continue to do so in the future
- Stringy Bark, Messmate, Burgan (*White Teatree*) and other native species on the property are also prolific seeders
- Eradication of seedlings to maintain pasture is an ongoing business imperative to enable continuing operations and protect the value of our property

**It is totally impractical to require a permit to carry out constant ongoing maintenance (eradication)**

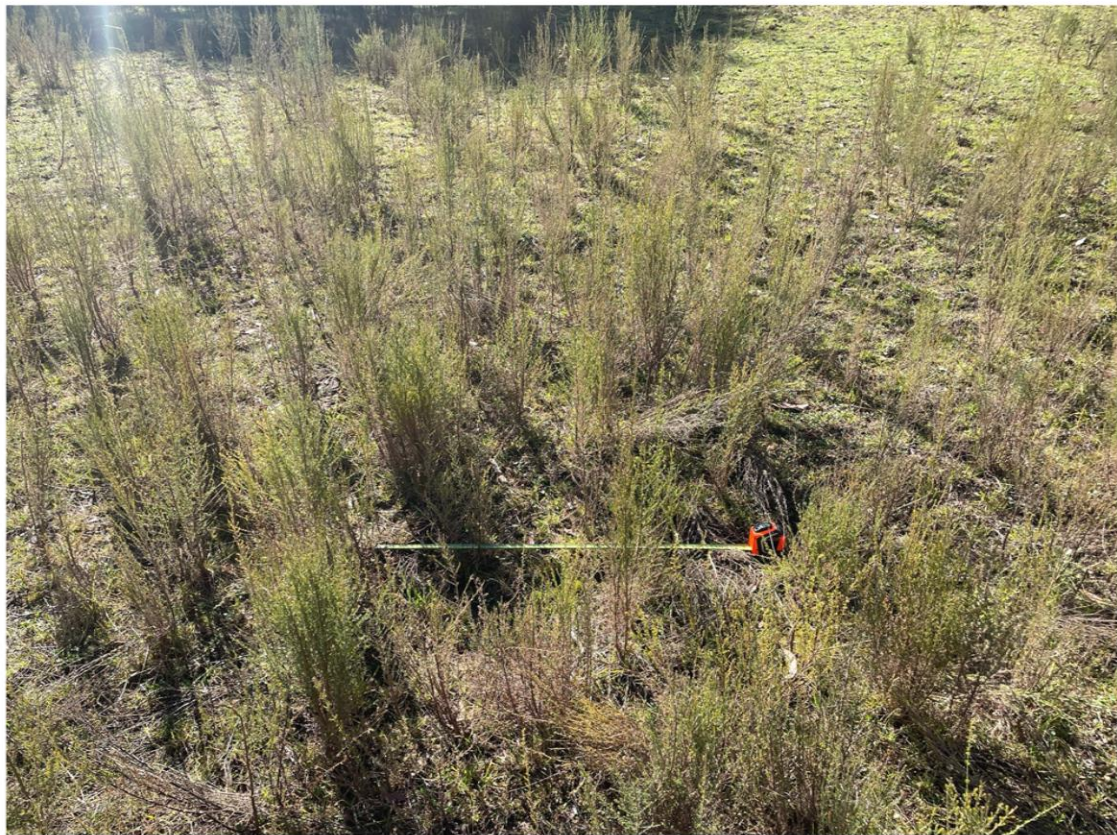
Redgum seedlings recently  
poisoned



Burgan (White Teatree)  
seedlings



Other native self-sown seedlings





# Further implications of new restriction on removing *any* native vegetation

- The requirement for a permit to remove “**any**” native vegetation is unworkable as it would also capture the following activities:
  - Fallen trees regularly need to be removed from roads, tracks, farm buildings, fences, etc following storms, floods, etc
  - Sensitive and active management of native vegetation requires removal of branches, trees etc
- Sound bushfire risk management requires clear buffer zones around dwellings and structures, pastures, fire access tracks need to be maintained clear of vegetation.
  - The requirement for a permit to remove “**any**” native vegetation
    - impedes risk amelioration strategies; and
    - increases bushfire risk by increasing potential fuel load

# Permit Requirement Exemptions in Existing SLO Should be Retained

Specific permit exemptions should be retained as follows:

"A permit is **not required** for:

- Removal, destruction or lopping of dead vegetation, exotic vegetation or native vegetation if seedlings or regrowth are less than 10 years old and the land is being re-established or maintained for cultivation or pasture, the minimum extent of native vegetation necessary for the construction, operation or maintenance of a fence, or the removal, destruction or lopping of native vegetation as a result of grazing domestic stock or moving stock along a road.
- Any agricultural development or activity, including cultivation, dam, fencing, water tanks and water bores."