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SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO1.

WATERWAY ENVIRONS

1.0

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Statement of environmental significance

Water quality in the lower end of the Loddon catchment has declined since European settlement and land development. The North Central Regional Catchment Strategy reports the existence of a number of threats that impact on the health of watercourses and wetlands, particularly in the lower end of catchments.

The environmental condition of waterways has declined as a consequence of levee banking, stream modification and construction of water storages for irrigation and domestic water supply which has altered flow levels and flooding regimes.

The Murray River and its tributaries comprise major waterways of local, state, national and international significance.

Waterway management is linked to water quality and flooding. Several strategies have been developed to reverse the trend of the declining condition of watercourses. Schedule 1 to the Environmental Significance Overlay supports the implementation of water management strategies for the Loddon and Avoca catchments.

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Environmental objective to be achieved

To maintain the quality and quantity of water within the waterway.

To protect and enhance the natural environment of the Murray River and its tributaries.

To ensure that the use of land and the construction and carrying out of any buildings and works in waterway environs are of a scale, character and form which is compatible with the high environmental quality of the waterway system and surrounds.

To protect and enhance the biodiversity, ecological values and cultural values and the visual landscape quality of the waterway environs.

To maintain the ability of streams and waterways to carry natural flows.

To prevent erosion of banks, streambeds and adjoining land and the siltation of waterways, drains and other features.

To protect and encourage the long term future of flora and fauna habitats along waterways.

To prevent pollution and increased turbidity of water in natural waterways.

To prevent increased surface run-off or concentration of surface water run-off leading to erosion or siltation of waterways.

To conserve existing wildlife habitats close to natural waterways and, where appropriate, to allow for generation and regeneration of habitats.

To ensure that waterway environments maintain a volume, quality and seasonal pattern of water flow that conserves natural processes and conditions.

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Permit requirement

A permit is not required for:

- Any building or works located more than 100 metres from the bank of the waterway, drainage line or channel.
- Repairs and routine maintenance to existing buildings and works.
- Works undertaken by a public authority to:

- Regulate flooding.
- Construct or redirect a waterway.
- Buildings and works associated with:
 - A Minor utility installation.
 - Passive recreation.

4.0

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Decision guidelines

Before deciding on any application under this overlay area, the responsible authority must give notice of an application of the kind listed below in accordance with section 52 (1) (c) of the Act to the authority specified in Clause 66.06 or a schedule to that clause:

- An application for buildings or works within 100 metres of the Murray River.
- An application for buildings or works within 50 metres of any public land managed by the Department of Environment, Land, Water & Planning or Parks Victoria.

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

- The effect of any relevant State Environment Protection Policy.
- In relation to the Murray River, whether the proposed development has a demonstrated essential relationship with the Murray River and the new development is located and set back as far practicable from the bank of the Murray River.
- The existing use and development of land and the reason for additional or proposed development in relation to that use.
- The possible effect of the development on the quality and quantity of water.
- The potential for flooding to occur and the effect of any possible flooding on any development.
- The proper management of the land as a floodplain.
- The conservation of natural habitats.
- The preservation of and impact on soils and the need to prevent erosion.
- The protection of the area for its recreation value.
- The effect of any development on the flow of flood waters and flood control measures.
- The need to prevent or reduce the concentrated diversion of floodwater or stormwater.
- The conservation of natural habitats and the preservation of native fauna, fish and other aquatic life.