

24/06/2010
C44**SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO1** and referred to as the Murray River Corridor (the “corridor”).

MURRAY RIVER CORRIDOR**1.0****Statement of environmental significance**24/06/2010
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The overlay affects public and private land in non-urban areas and is defined by the Land Subject to Inundation Overlay Control or 100 metres from the Murray River whichever is greater.

The SPPF and the MSS identify the Murray River as an asset of national and state significance. The River serves a variety of environmental, economic, social, recreational and tourist functions. It is a common strategy, at all levels of government, that the River must be protected and enhanced. Unlike NSW, there is very little private land with frontage to the Murray River in Victoria. Typically, within Victoria there is a crown reserve extending from the winter level water mark on the Victorian side of the river. This reserve is known as the Murray River Public Purposes Reserve (approximately 60 metres wide) and it was established by an Order in Council in 1881 under the provisions of the Land Act 1869 to permanently preserve the Murray River frontage for the free and full use of all its citizens. The Murray River (on the Victorian side) is one of the few major rivers in the world retaining unimpeded access for most of its length.

Principles of ecologically, economically and socially sustainable development are particularly important along the Murray River corridor. These principles include the management of domestic and other effluent and storm water to protect and enhance water quality as well as the maintenance and improvement of the landscape values on both sides of the River. The corridor of the river (as defined by the extent of this overlay and by Regional Environment Plan No. 2 in NSW) also performs an important role in maintaining flora and fauna habitats. Threatening processes occur at various locations along the river system. These processes include erosion, changed hydrological regimes, native vegetation decline, pollution of ground and surface water, groundwater accession and salinisation and soil acidity, and adverse effects on the quality of land and water habitats.

The remaining native riverine forests, woodlands and wetlands that adjoin the waterway of the Murray River are critically important for the maintenance of water quality, biodiversity, wildlife habitat and scenic beauty. It is the visual and landscape qualities of this environment that are the basis for the demand for tourist and recreation development as well as the expansion of rural, residential and urban areas. The river corridor has become an increasingly important tourist destination for local, interstate and international travellers. To meet the need of tourist and recreational pursuits, some developments need to be located on or along its foreshores. Other developments which have no relationship with the Murray River or that could impact on water quality are more suitably located out of the corridor entirely. The visual impact of buildings in the riverine landscape can be lessened by the retention of existing native vegetation and by the planting of appropriate vegetation species. Flooding along the Murray River, which can be devastating in its effect on life and property, is a natural phenomenon that is essential for the well-being of riverine ecosystems. The prevention of inappropriate development in the Murray River floodplain is important for the protection of natural flooding regimes and for reducing the social and economic impacts that flooding imposes. Human activities have altered the character of the Murray River corridor and have left an important legacy of Aboriginal and European sites and precincts of cultural, heritage and tourism significance which should be protected and enhanced.

A co-ordinated and co-operative approach to planning and management of the River corridor is required to protect its significant values; and to prevent conflict arising from agricultural

development, urban development, tourism and recreation development along the waterway and on adjoining land.

References:

Siting and Design Guidelines for Water Diversion Works on or across Crown land.

2.0

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Environmental objectives to be achieved

- To protect the environs of the Murray River recognising its importance for nature conservation, flooding, economic development, recreation and tourism.
- To prevent use and development of land adjoining the river from degrading water quality.
- To promote consistent planning and management along the River corridor.
- To prevent the loss of riparian flora and fauna, biodiversity, habitat and wetland environments.
- To protect the values and role of the Murray River reserves and other public land as floodplains and as buffer areas for nutrients and other pollutants.
- To restrict inappropriate use and development on land adjoining and near the River.
- To assess the use or development of land adjoining the Murray River corridor according to the capacity of the proposal to protect the environmental and landscape qualities of the River environs in accordance with sustainable development principles.
- To specifically address land degradation processes including erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salinisation and soil acidity, and adverse effects on the quality of land and water habitats.
 - to ensure that buildings are sited a sufficient distance from the Murray River so as to:
 - maintain and improve water quality;
 - minimise hazard risk and the redistributive effect on floodwater associated with the erection of buildings on the floodplain;
 - protect the scenic landscape of the riverine corridor;
 - improve bank stability; and
 - protect biodiversity and conserve wildlife habitat.

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Permit requirements

A permit is not required for:

- Mooring poles for boats
- A subdivision that does not increase the number of lots and results in lots that are no smaller than the minimum subdivision size of the zone control.
- The removal, destruction or lopping of vegetation for public works, including public roads and water authority works.

A planning permit is required for:

- A fence that has the potential to impede floodwaters as defined by the responsible authority.

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Decision guidelines

When considering an application in the area affected by this overlay, the responsible authority must be satisfied of the following, as appropriate. The responsible authority may seek the views of relevant parties (including agencies) before determining an application.

Access

- Whether alienation or obstruction of the waterway and the foreshore resource by or for private purposes is minimised.

Bank disturbance

- Whether disturbance to the shape of the bank and riparian vegetation is minimised.
- Whether human access to the bank of the Murray River minimises the adverse impacts on the stability of the bank and on vegetation.
- Whether stock access to the bank of the Murray River minimises the adverse impacts on the stability of the bank and on vegetation.
- Whether development of riverfront land is minimises bank disturbance.
- Whether it is appropriate for any approval to include permit conditions which ensure that any bank disturbance is minimised and where possible, restores the natural appearance of the river bank.

Building setbacks and design

- Whether buildings (other than buildings dependent on a location adjacent to the River such as a ramp, pump shed or jetty) are set back a distance of at least 100 metres from the river bank or from an existing river levee.
- Whether buildings are designed so as to complement the natural environment generally in accordance with the River Murray Landscape Guidelines (Built Structures) and the Siting and Design Guidelines for Water Diversion Works on or across Crown Land.

Earthworks

- Whether earthworks obstruct natural flow paths or drainage lines.

Effluent disposal

- Whether septic tanks are appropriate:
 - within this overlay area;
 - on flood liable land;
 - where the watertable is within 2 metres of the surface;
 - in close proximity to a sensitive natural environment;
 - if seasonably low evapotranspiration is common; or
 - on soils of low permeability;
 - Whether alternate EPA approved systems are preferred to septic tanks or package sewerage treatment plants;
- Whether excess stormwater should be disposed of on-site and away from any septic absorption area.

Heritage

- Whether development is designed so as to protect and enhance historic and archaeological sites and the natural and cultural heritage of the river environs.
- The views of the traditional owners of the land.

Land degradation

- Whether it is appropriate for any approval to include permit conditions which specifically address land degradation processes including erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of land and water habitats.

Landscape

- Whether it is appropriate for any approval which has a visual impact on the riverine landscape to include permit conditions which lessen that impact by requiring the planting of a variety of appropriate vegetation species (preferably indigenous) and by other means as appropriate.

River related activity and development

- Whether development which does not have an essential relationship with the river is set back from the bank of the Murray River, preferably outside the overlay area.
- Whether it is appropriate for any approval within this overlay area to include permit conditions which provide for and facilitate public access to the foreshore.

Subdivision

- Whether any subdivision (or re-subdivision) of land within a Farming Zone increases the existing number of lots.

Water quality

- Whether it is appropriate for any approval on land affected by this overlay to include permit conditions which improve the quality of water in the Murray River and reduce the prospects of pollution caused by salts, nutrients chemicals, sediments, wastes and other pollutants from entering the Murray River.

Wetlands

- Whether it is appropriate for any approval affecting wetlands within the overlay area to include permit conditions which:
 - provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland;
 - address the potential impact of surrounding land uses and incorporate measures such as vegetated buffer areas which counteract any adverse effects;
 - control human and animal access;
 - prevent negative impacts to wetland water quality; and
 - conserve native plants and animals.