

21.05 ENVIRONMENT

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21.05-1 Environmental Values

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Context:

The natural environment of Murrindindi Shire is diverse, including a range of plant communities, land types and variations in the physical environment including aspect, elevation, geology, soils, landforms, rainfall and climatic zones. This natural environment forms the basis for the core economic activities in the municipality, primarily agriculture and tourism. The long term sustainable use and protection of the natural environment is critical for the continued economic and social well-being of the municipality.

The biodiversity of the municipality is one of its greatest assets. Remaining native vegetation on private land is highly fragmented and usually occurs in small or narrow linear remnants, creating problems for habitat connectivity. In highly fragmented landscapes, retention and protection of roadside and riparian vegetation is a key to the survival of many flora and fauna species, through providing the only connection between 'islands' of remnant vegetation.

The Goulburn, Yea and Acheron Rivers and tributaries and Lake Eildon are important water resources, providing a large proportion of the water supply in the Goulburn Broken catchment. The sustainable use of the catchment and waterways is vital for the municipality's long term economic, cultural and environmental wellbeing. Catchments are an integrated environmental system that requires protection and appropriate land use and management. Lake Eildon is a significant water, natural environment and tourism resource. The development of land abutting the lake needs to be carefully assessed, ensuring that water quality and visual amenity are not prejudiced.

Issues:

- Protection and enhancement of environmental features and values.
- Significance and appeal of public land in the municipality.
- Protection of waterways and water quality.
- Potential for contamination of surface and groundwater from onsite wastewater disposal systems.
- Presence of environmentally sensitive areas with significant biodiversity and recreation values, with a need for the protection of these areas and values.
- Threats to and pressure on ecosystems and species resulting from the 2009 bushfires.
- The contribution of native and exotic vegetation to the character of rural towns and settlements.
- Ongoing clearing of remnant native vegetation on private land and the need to protect this vegetation.
- Decreasing indigenous vegetation cover due to a number of development pressures such as land clearing, invasion of weeds and loss of habitat.
- A need to retain existing remnant and riparian native vegetation, including scattered paddock trees, to prevent the incremental loss of habitat and protect landscape character.

Objective 1: Environmentally sustainable land use and development:

- Develop and promote environmentally sustainable outcomes and protection of the natural environment in the use and development of land.

Strategies:

- Ensure that land use and development protects and enhances the natural environment and environmental features and values.
- Promote and facilitate sustainable land use and development, encouraging environmentally sustainable design and energy and water efficiency.
- Ensure that sites, places and features of natural, archaeological and cultural heritage are assessed and protected.

Objective 2: Waterways and catchment management:

- Protect and enhance waterway and catchment health.

Strategies:

- Promote environmentally sustainable development and land management practices that protect and enhance waterways and catchments.
- Ensure that development and onsite wastewater management is sited and designed to minimise any landscape and water quality impacts on waterways and Lake Eildon.
- Protect, enhance and promote the role of waterways, flood plains and wetlands in supporting healthy biodiversity.
- Encourage protection of waterways and environs through the retention and revegetation of native vegetation along them to minimise erosion, prevent sediment runoff, enhance water quality and improve riparian environmental health.
- Encourage protection of waterways and environs through improved land management practices such as noxious weed control and fencing off of waterways degraded by livestock.
- Ensure that development proposals do not impact detrimentally on the flow and quality of surface water and groundwater.

Objective 3: Biodiversity and native vegetation:

- Protect and enhance biodiversity and native vegetation assets and values.

Strategies:

- Protect and enhance the biodiversity assets and natural environmental values of local, state, national and international significance.
- Protect and retain native vegetation and enhance its contribution to biodiversity values.
- Protect, enhance and extend habitat and wildlife corridors across the landscape.
- Ensure that development is sited and designed to avoid and minimise removal of native vegetation.
- Retain, protect and enhance native vegetation, including roadside vegetation, remnant vegetation areas, large old paddock trees and revegetation areas.
- Prevent the ongoing and cumulative loss of native vegetation on both private and public land.
- Minimise any adverse impacts of development on landscape, environmental conservation and recreational values.
- Protect, rehabilitate and extend the integrity of habitat corridors across the landscape, particularly between private and public land.
- Encourage innovative environmental and native vegetation retention initiatives, including carbon farming and managing native vegetation offsetting to be applied within the municipality.

- Retain significant conservation values in roadside reserves through the application of the *Murrindindi Shire Council Rural Roadside Management Plan, 2014-2018*.

Implementation:

- Application of the Vegetation Protection Overlay to areas with identified significant native or exotic vegetation.
- Application of the *Rural Living Development Guidelines, Murrindindi Shire, 2004* to assess, protect and enhance environmental values through proposals for rural living use and development.

Further strategic work:

- Complete and implement a review of planning requirements and controls for the declared water supply catchment area north of Eildon.
- Complete and implement a review of the Environment Strategy 2011 – 2015.

Reference documents:

- *Environment Strategy 2011 – 2015*, Murrindindi Shire Council, 2011, as amended.
- *Goulburn Broken Regional Catchment Management Strategy 2013 – 2019*, Goulburn Broken Catchment Management Authority, 2013 (as amended) and supporting strategies.
- *Lake Eildon Land and On-Water Management Plan*, Goulburn Murray Water, 2012.
- *Murrindindi Shire Council Rural Roadside Management Plan, 2014-2018*.
- *Rural Living Development Guidelines, Murrindindi Shire*, Regional Planning Services and Ellen Hogan and Associates, 2004, as amended.

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Environmental risks

Context:

General environmental risks and constraints:

Natural environmental hazards present risks and constraints for land use and settlement in the municipality. Land use planning must fully address and carefully manage natural hazards such as bushfire risk, flooding, drought, biodiversity loss and climate change impacts, such as more frequent, intense or uncertain weather events. Climate change has the potential to have adverse impacts on the key industries of agriculture and tourism and on economic prosperity and viability in general.

Bushfire:

Murrindindi Shire is subject to bushfire hazard, particularly in the southern section. This hazard is due to the nature and extent of vegetation, topography, potential for extreme fire behaviour including crown fire, drought and climate change, the dispersed and ad-hoc nature of development and lack of infrastructure in some locations. It is critical that bushfire risk is fully considered in assessing any proposal in bushfire risk areas and that appropriate bushfire protection measures are identified and implemented before any use or development proceeds.

Strengthening the community's resilience to bushfire is a key objective for planning decision-making in the Shire.

The *Regional Bushfire Planning Assessment* (Hume Region, 2011) identifies that the bushfire hazard is most significant in the southern part of the Shire where settlements and homes are dispersed and located within or adjoining large areas of continuous forest, the topography steep and vehicle access can be difficult. The bushfire hazard is less significant in the northern areas of the municipality, although some larger areas of forested land and grasslands still pose a risk.

Flooding:

The catchments of the various rivers and streams within the municipality include areas of floodprone land where flooding has historically caused substantial damage to the natural and built environment. Flooding imposes substantial costs on individuals and the community. While significant costs are incurred by direct damage to public and private property, indirect costs to the community such as loss of productivity, displacement of residents, closure of roads, trauma and ill health are also significant.

Natural flooding of floodplains and their associated wetlands promote the health of rivers and floodplains and provide essential breeding habitats for bird and aquatic species. Sound floodplain management in the municipality is the critical means by which the economic, social and environmental risks associated with floodplain use and development can be minimised.

*Issues:**General environmental risks and constraints:*

- Ongoing pressure of climate change, its impact on ecosystems and species and associated flow on effects to agriculture and tourism.
- The challenge of climate change and the need for adaptive measures to address this issue.
- Preventing, containing and eradicating existing, new and emerging weed species and pest animals.
- Ongoing threats to agricultural productivity from extreme weather events associated with ongoing climate change, weeds and pest animal species.

Bushfire:

- Consideration of bushfire risk, including risk associated with settlement nearby forested land.

Flooding:

- Recognition of flooding risk in planning for the use and development of land.

Objective 1: General environmental risks and constraints:

- Recognise and minimise environmental risks and constraints in planning for the use and development of land.

Strategies:

- Ensure that environmental risks, constraints and hazards are fully considered in proposals for the use and development of land.
- Reduce vulnerability to climate change and extreme weather events.
- Consider and reduce the impacts of climate change in land use planning, including the use of initiatives such as fostering alternative energy sources, reducing greenhouse gas emissions, using environmentally sustainable development principles and carbon farming.
- Minimise the impact of pest plants and pest animals to protect environmental and biodiversity values and agricultural land.

Objective 2: Bushfire risk:

- Implement bushfire risk assessment and mitigation in land use planning.

Strategies:

- Ensure that decisions on strategic and settlement planning prioritise the protection of human life over other policy considerations and apply the precautionary principle when assessing the risk to life, property and community infrastructure from bushfire.
- Improve community safety by implementing an integrated response to bushfire management and settlement planning
- Direct future growth to existing townships to protect environmental values and improve community safety particularly from high bushfire risk.
- Ensure that development does not proceed unless the risk to life and property from bushfire can be reduced to an acceptable level and that bushfire protection measures can be implemented.
- Strengthen community resilience to bushfire by ensuring that bushfire protection measures are considered and given effect to in decision making.
- Implement bushfire risk assessment and mitigation measures to:
 - Reduce the overall bushfire risk to communities;
 - Support the rebuilding of communities devastated by the 2009 bushfires;
 - Minimise risk to life and property from bushfire through the appropriate location, design and management of uses and developments;
 - Ensure that bushfire protection measures are implemented for land uses and developments to ensure an acceptable bushfire risk level to life and property;
 - Integrate bushfire risk management and protection of human life in the consideration of land use and development.

Policy guidelines:

- Planning decisions support the recovery and rebuilding of communities affected by the 2009 bushfires, including the rebuilding of destroyed homes and damaged infrastructure and re-establishing vibrant commercial centres and opportunities for local employment.
- In areas affected by a bushfire hazard, all new use and development is located, designed and managed to reduce the risk to human life, property and community infrastructure from bushfire to an acceptable level, including through:
 - Considering the likely bushfire behaviour on a site and in the wider landscape;
 - Considering the condition, location and route of available vehicle access and their suitability for safe and efficient egress before and during a bushfire;
 - Ensuring all development can provide necessary bushfire protection measures, including through the design and construction of buildings, the creation of defensible space, the provision of a dedicated fire-fighting water supply and the need for fire authority access to and on the land;
 - The ability to implement and maintain necessary bushfire protection measures in conjunction with the on-going use of the land.
- Expansion of existing settlements, new subdivisions and uses that cater for vulnerable people only proceed where:
 - The risk to life, property and community infrastructure from bushfire is reduced to an acceptable level;
 - The need for future occupants to implement and maintain bushfire protection measures is minimised through the careful location, siting and design of new development;
 - The views of the relevant fire authority and, where relevant, public land managers are sought and taken into account in decision-making;

- The views of the Municipal Fire Management Planning Committee are sought on the potential risk to life, property and community infrastructure from bushfire, the ability to reduce the risk to an acceptable level through fire prevention activities, and the on-going resources that will be necessary to maintain those activities in conjunction with the on-going use of the land;
- Emergency management arrangements are considered in consultation with the relevant authorities and can be practically established and implemented, including through the actions of the emergency services, operators and future land owners. This includes the ability for people to access safer locations and locations of last resort.

Decision guidelines:

- Before deciding on an application to use or develop land the responsible authority will consider:
 - The bushfire hazard on the land and in the surrounding landscape and the level of risk it poses to human life, property and community infrastructure;
 - Whether necessary bushfire protection measures can be established and maintained in conjunction with the ongoing use of the land, including any mechanisms required to achieve this;
 - Any relevant approved state, regional and municipal fire prevention plans.

Objective 3: Flooding:

- Recognise flooding hazard and protect the functions of floodplains in planning for the use and development of land.

Strategies:

- Ensure that areas subject to flooding are properly identified and considered to prevent any inappropriate use or development of land subject to flooding risk.
- Minimise property damage associated with flooding.
- Maintain the flood carrying capacity, temporary storage function and environmental significance of floodplains and waterways.

Implementation:

- Application of the Bushfire Management Overlay to all land in the municipality that may be subject to extreme bushfire behaviour.
- Application of the Erosion Management Overlay to areas subject to significant soil erosion.
- Application of the Urban Floodway Zone, Flood Overlay and Land Subject to Inundation Overlay to recognise and protect floodprone areas.
- Guide proposals in areas affected by the Flood Overlay, Land Subject to Inundation Overlay or Urban Floodway Zone through the use of the *Murrindindi Local Floodplain Development Plan, Precinct of Goulburn River, May 2008*.
- Application of the Rural Living Development Guidelines, Murrindindi Shire, 2004 to assess and protect environmental risk areas through proposals for rural living use and development.

Further strategic work:

General environmental risks and constraints:

- Complete and implement a review of planning requirements and controls for the declared water supply catchment area north of Eildon.

Bushfire:

- Complete and implement bushfire protection measures, controls and exemptions in the planning scheme.

Reference documents:

- *Lake Eildon Land and On-Water Management Plan*, Goulburn Murray Water, 2012.
- *Goulburn Broken Regional Catchment Management Strategy 2013 – 2019*, Goulburn Broken Catchment Management Authority, 2013 (as amended) and supporting strategies.
- *Murrindindi Shire Council and Lake Mountain Alpine Resort Municipal Fire Management Plan, 2012*, as amended.
- *Regional Bushfire Planning Assessment*, Hume Region (2011), Department of Planning and Community Development.
- *Rural Living Development Guidelines*, Murrindindi Shire, Regional Planning Services and Ellen Hogan and Associates, 2004, as amended.
- *Murrindindi Shire Council and Lake Mountain Alpine Resort Municipal Emergency Management Plan, 2014*, as amended.

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Landscape and Built Environment

Context:

Murrindindi Shire has significant landscapes and built environments that form a key element of the municipality's character, appeal, lifestyle and economy. These features must be considered and protected in planning for the use and development of land.

Township precincts can be significant and form an essential part of town character. Some precincts warrant assessment and protection to ensure appropriate design of future development and to maintain the character and appearance of townships.

Lake Eildon has a significant environmental and landscape setting. Any use and development of land abutting the lake must be carefully managed to ensure that the environmental and landscape values of the lake are not compromised. Cathedral Ranges are a significant natural feature that also require careful siting and design of nearby development to protect the integrity of the ranges.

The Goulburn River is an important natural feature that has cultural and heritage significance. The river is designated as a heritage river under the *Heritage Rivers Act* 1992. The Yea Wetlands, forming part of the Yea River on the eastern side of the Yea township, and the National Heritage Place listed Yea Baragwanathia Flora Fossil Site, Limestone Road, Yea are significant landscape features and attractions in the Yea area.

Issues:

- Need to identify and protect key environments that may be sensitive to development, such as rivers and floodplains, highways, elevated slopes, Lake Eildon and significant natural features.
- A need to protect core built environmental features of identified townships.
- Importance of design and development of township entrances and streetscapes to respect and contribute towards township character and appearance.
- The need to protect the natural and heritage values of the Goulburn River.

Objective 1: Significant landscapes:

- Protect significant landscapes in planning for the use and development of land.

Strategies:

- Recognise and protect significant landscapes, including rivers and floodplains, highways, elevated slopes, Lake Eildon and significant natural features.
- Protect the environmental and landscape values of the Lake Eildon and Cathedral Ranges environs.
- Ensure that development is designed, sited and constructed to protect the environmental and landscape values of land surrounding Lake Eildon.
- Protect the natural and heritage river values of the Goulburn River.

Objective 2: Built environment:

- Protect built environmental features of identified townships.

Strategies:

- Encourage design and development of township entrances and streetscapes to respect the built environment, contribute to the overall appearance and character of the town and demonstrate civic pride.
- Support and encourage local 'place-based' initiatives that will provide direct economic benefit to individual towns and communities.
- Promote energy and water efficiency in design and development, including the use of water sensitive urban design principles.
- Facilitate the rebuilding and revitalisation in towns and communities affected by natural disasters, including the rebuilding of unique built environmental character in Marysville following the 2009 bushfires.

Implementation:

- Application of the Significant Landscape Overlay to areas with identified significant landscape.
- Implement recommended landscape and built environment improvements in accordance with any adopted relevant urban design framework / structure plan.
- Design and provide future roads and infrastructure in accordance with the *Infrastructure Design Manual*, in conjunction with relevant service authorities.

Further strategic work:

- Review the *Management of Significant Landscapes in Murrindindi and Baw Baw*, Planisphere, 2005, recommending any application of the Significant Landscape Overlay to key significant landscapes.

Reference documents:

- *Eildon Urban Design Framework*, Urban Enterprise Pty Ltd, August 2003.
- *Infrastructure Design Manual*, Infrastructure Design Manual Group (as amended).
- *Marysville and Triangle Urban Design Framework Report*, Roberts Day, 2009.
- *Murrindindi Shire Heritage Study*, Context Pty Ltd, 2011.
- *Yea Urban Design Framework*, Urban Enterprise Pty Ltd, August 2003.
- *Yea Structure Plan*, PLANIT Urban Design and Planning, 2014.

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The municipality has a diverse and colourful history and includes many sites and structures that are of heritage significance. Recognition and protection of locally significant heritage is important for the cultural integrity and character of the municipal community.

The *Murrindindi Shire Heritage Study, Context, 2011* considered a range of buildings, sites and trees of local significance, recommending that the Heritage Overlay be applied to key heritage places. In many cases, the recognition of a heritage place can enhance its economic use and performance.

Issues:

- The need to identify and protect buildings, sites and trees of local heritage significance.

Objective 1: Heritage places:

- Protect cultural heritage and heritage places of local significance.

Strategies:

- Identify and protect buildings, sites and trees of identified local heritage significance.
- Protect, manage and promote the cultural heritage of the municipality.
- Conserve the distinctive and often unique historic characteristics that contribute to the individual identity of communities within Murrindindi Shire and to the identity of the municipality as a whole.
- Ensure that the cultural significance of heritage places is not diminished by:
 - The loss of any fabric, which contributes to the significance of the heritage place or precinct;
 - Inappropriate new development.
- Promote the conservation of heritage places in accordance with the principles and procedures recommended by the Burra Charter.
- Encourage a 'best practice' and more consistent approach to the conservation of heritage places that is based upon a clear understanding of the reasons for their significance.
- Encourage high quality contemporary design that becomes a valued addition to heritage places.

Policy guidelines:

Heritage places:

- Significant and Contributory heritage places be conserved to, as appropriate:
 - Support the maintenance and preservation of heritage places;
 - Support the restoration or reconstruction of fabric where opportunities arise.
- The total demolition of Significant or Contributory heritage places be discouraged unless it can be demonstrated to the satisfaction of the responsible authority that, as appropriate:
 - The building is structurally unsound and cannot feasibly be repaired without undertaking significant alterations that would diminish the integrity of the building; and
 - The proposed replacement building embodies design excellence that is complementary in form, scale and materials to the elements of primary significance, but is clearly contemporary in approach.
- Demolition of part of a Significant or Contributory place may be considered when it can be demonstrated to the satisfaction of the responsible authority that its demolition or removal will not adversely affect the significance of the place and, as appropriate:

- It will assist in the long term conservation or maintenance of the place; or
- It will support the viability of the existing use of the place or will facilitate a new use that is compatible with the on-going conservation of the building; or
- It will upgrade the building to meet contemporary living standards such as improving energy efficiency.

New development:

- Preference be given to new development that, as appropriate, maintains and, where possible, enhances the setting of heritage places and the visual relationship between heritage places. This includes views of, and vistas to a heritage place from public places.
- The removal of non-significant alterations or additions be encouraged, particularly where this would assist in revealing the significance of the place.
- Preference be given to new development including alterations or additions to existing heritage places that, as appropriate:
 - Creatively interprets and responds positively to the historic context provided by the heritage place;
 - Is visually recessive and compatible in terms of its scale, siting, design, form and materials with the historic character and significance of the heritage place (including any associated building, trees or other significant elements);
 - Does not distort the historic evidence provided by heritage places by simply copying or reproducing historic styles or detailing;
 - Responds positively to special features such as views, vistas, mature vegetation and landmarks;
 - Includes landscaping that will enhance the historic cultural landscape character of a heritage place.
- The replacement of non-contributory buildings be encouraged with new development that responds more positively to the historic context provided by any nearby heritage place.
- Historic public realm features be conserved, such as basalt gutters, unmade roadside verges and mature street trees.

Subdivision:

- Preference be given to subdivision that is:
 - Compatible with the historic subdivision pattern found in an area; and/or
 - Maintains significant fabric associated with a heritage place on a single lot.

Advertising:

- Preference be given to advertising signs in traditional forms and locations on buildings, and that are limited in number.

Significant trees:

- The maintenance and management of significant trees be supported in a manner that ensures that they will survive in good condition according to their normally expected lifespan.
- Any future development adjacent to a significant tree will not have a detrimental impact upon the integrity and condition of the tree.

Application requirements:

The following information may be required to support an application, as appropriate:

- A report prepared by a suitably qualified heritage consultant, assessing the impact of the application upon the significance of the heritage place. This report should include:
 - As part of the site analysis, a description of the significant elements of the place, having regard to the relevant heritage place citation and how it has been considered in the preparation of the application;
 - If the application includes demolition, an assessment of whether the fabric is significant and, if so, provide reasons why it is to be removed;
 - An assessment of how the application will affect the significance of the heritage place.

A report may not be required if the works proposed are minor or, in the opinion of the responsible authority, are unlikely to have an adverse impact upon the heritage significance of the place.

- A Conservation Management Plan, heritage impact statement, or heritage report prepared in accordance with the Burra Charter for large or complex sites, or for major alteration or additions to or part or full demolition of places that are of individual significance, or for any other application that the responsible authority considers to raise significant heritage issues.
- A report prepared by a suitably qualified consultant that assesses the structural condition of a heritage place and whether or not any defects can be repaired or mitigated.
- An archaeological survey and assessment prepared by a suitably qualified consultant, which assesses the impact of an application upon potential archaeological deposits on the site.
- A report prepared by a suitably qualified consultant, which assesses the impact of an application upon any significant trees.
- Where the trees or gardens on the site have been identified as significant, a landscaping plan prepared by a suitably qualified consultant demonstrating how landscaping on the site will respond to the cultural landscape character and setting of the heritage place.

Decision guidelines:

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

- The significance of the heritage place or precinct and whether the proposed buildings or works will adversely affect the cultural significance of the heritage place or precinct.
- Whether the application has responded to the relevant design suggestions in *The Heritage Overlay: Guidelines for Assessing Planning Permit Applications*.
- Whether the proposed buildings or works will assist in the short or long term conservation of the place by:
 - Maintaining, protecting, restoring, repairing or stabilizing significant fabric;
 - Supporting the continued original use of the building by enabling it to be upgraded to meet present day requirements and standards, including improved energy efficiency;
 - Implementing works in accordance with a Conservation Management Plan that has been prepared to the satisfaction of the responsible authority and any other relevant organisation;
 - Allowing an alternative use when the original use of the building is no longer viable, or in accordance with a Conservation Management Plan.
- Whether the proposed buildings or works will have an adverse effect upon a significant tree, or any tree that contributes to the setting of a heritage place or precinct.

Implementation:

- Application of the Heritage Overlay to sites, buildings and trees of identified heritage significance in the *Murrindindi Shire Heritage Study, 2011*.
- Use the *Murrindindi Shire Heritage Study, 2011* and other reference documents to guide the assessment and determination of proposals made under the Heritage Overlay.

Reference documents:

- *Murrindindi Shire Heritage Study*, Context Pty Ltd, 2011.
- *The Heritage Overlay: Guidelines for Assessing Planning Permit Applications* (Public Draft February 2007).
- *Australia ICOMOS Charter for Places of Cultural Heritage Significance 1999* (the Burra Charter).