

17/10/2013
C146**SCHEDULE 5 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO5**.

MARIBYRNONG RIVER VALLEY AND ENVIRONS**1.0 Statement of environmental significance**17/10/2013
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The Maribyrnong River extends from its source above the Organ Pipes National Park through Keilor, Essendon, Footscray and Yarraville to where it meets the Yarra River near the West Gate Bridge.

The character of the river as it flows through the municipality of Brimbank is of a natural river with a remote and natural non urban character.

The upper river valley, including Sydenham Park supports and connects significant areas of a range of native grasslands, escarpment shrublands and woodlands and provides a habitat for a range of mammals, reptiles and bird species. This section of the river also supports a small agricultural section, market gardens. As the river moves through the township of Keilor, it becomes a major feature of the regionally significant Brimbank Park and the adjoining Council owned park, recreation and trail network. Further south, through the steep valleys of the Sunshine North, the river becomes more urbanised with new residential development occurring in the River Valley Estate.

Maribyrnong River Valley Design Guidelines, May 2010 focuses on the characteristics of the river valley that need to be conserved, repaired or enhanced. To help guide future development, the river has been divided into seven 'lengths', each with a preferred character type.

The *Brimbank Green Wedge Management Plan 2010* identifies the environmental and cultural heritage assets of the river environs and the impacts of the adjoining horticultural and recreational uses abutting the river.

2.0 Environmental objective to be achieved17/10/2013
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To protect the ecological values of the Maribyrnong River and its environs, from loss and degradation.

Strategies

- 1.1 Avoid earth works and minimise cut and fill of embankments adjoining the river.
- 1.2 Landscape design, revegetation works, groundwater/stormwater design and earthworks should limit any adverse impacts on water run-off, weed invasion, exotic species introduction and land erosion.
- 1.3 Ensure the replanting of native/indigenous vegetation of the river environs.

Objective 2

To improve the health and quality of the waterway

Strategies

- 2.1 Ensure there is no loss of floodplain storage as a result of buildings and works.
- 2.2 Support low water consumption activities adjacent to the river and discourage uses with high water needs.

- 2.3 For new agricultural use require a water assessment/water plan to identify consumption and discharge needs, without compromising the health of the waterway.
- 2.4 Support storm water and irrigation run-off harvesting and treatment.
- 2.5 Ensure new development and works minimises runoff into the waterway and any runoff is adequately treated prior to entering the waterway to ensure water quality of the river is not affected in accordance with best practice environmental management.

Open Space and Access

Objective 3

To provide a publically managed vegetation and habitat corridor along the length of the river.

Strategies

- 3.1 Subdivision and development should provide for a vegetated corridor along the length of the River that reflects the relevant Ecological Vegetation Class.

Objective 4

To provide and improve existing open space links and connections to and from the river with adjoining community facilities, open space trails and the regional open space network.

Strategies

- 4.1 Ensure opportunities for integration and connections of the Maribyrnong River trails and pathways with other existing and proposed trails are maintained.
- 4.2 Construction of access paths and trails should be in accordance with the AusRoads Trail Standards and the Melbourne Water Shared Pathways Guidelines (Jan 2009) or equivalent local documents.
- 4.3 Ensure passive and active recreational open space areas are located to minimise disturbance to environmentally significant areas, with transparent/open style fencing and/or appropriate landscape buffers.

Objective 5

Provide for public access from surrounding areas to the waterway and open space corridor.

Strategies

- 5.1 Ensure public access provides clear visual links between the river and the hinterland.
- 5.2 Ensure the siting of public access avoids removal and disturbance of biodiversity and culturally significant areas.
- 5.3 Limit public and livestock access to areas identified as high value biodiversity areas defined with appropriate fencing, access ways and signage.
- 5.4 Access along the river side should be safe, visually clear and provide access for all abilities.

Vegetation, Landscape Character and Views

Objective 6

To protect the long term survival and viability of remnant native vegetation.

Strategies

- 6.1 Conserve significant vegetation and discourage the removal and damage of remnant vegetation.

- 6.2 Ensure suitable fencing is provided to protect remnant vegetation from pest and weed infestation.
- 6.3 Provide suitable buffers for fire protection works and site access.

Objective 7

To ensure planting and revegetation reinforces the preferred character of the river.

Strategies

- 7.1 Landscaping and revegetation works adjacent to the river should consist of the use of appropriate local native species and provide habitat for local fauna.
- 7.2 Plants used for landscaping and revegetation should be of local provenance, plants germinated from seed or cutting sourced from a local, remnant population and be reflective of the relevant Ecological Vegetation Class in accordance with the Department of Environment and Primary Industry benchmarks.
- 7.3 Planting should not include any environmental weeds as specified in Table 1 to this Schedule or as proclaimed as weeds under the Catchment and Land Protection Act 1994.
- 7.4 Within the Melbourne Airport Environs Overlay area, planting should not include any bird attracting species.

Objective 8

To maintain and protect views along the river corridor, including escarpments and other highly visible areas from visually intrusive development.

Strategies

- 8.1 Landscaping and revegetation works should not obscure, but enhance visual corridors to and from the hinterland to the river.
- 8.2 Landscape and revegetation works should visually reinforce clear access ways to and from the river.
- 8.3 Ensure buildings and works do not impinge on views along the waterway corridor.
- 8.4 Fencing must be a minimum of 50% transparency. Fence design, materials and transparency should be appropriate to the landscape setting of the river corridor and provide opportunities for visual interaction and views along the waterway.

Objective 9

To protect natural landforms and geological features along the waterway.

Strategies

- 9.1 All development and works should avoid disturbance to any natural features, landforms or sites of geological significance.
- 9.2 Ensure buildings and works do not contribute to erosion and disturbance to the river.
- 9.3 Ensure the protection of the natural gradient and landform of the river banks, avoid earth works and prevent cut and full embankments adjoining the top of escarpments.

Built form

Objective 10

To minimise the visual impact of buildings and works on the river corridor.

Strategies

- 10.1 Ensure buildings and works adjoining the river are sited and designed and utilise muted building materials and colours, to minimise visibility on the river corridor and trails.
- 10.2 Require landscaping to screen buildings and works and assist in the creation of a continuous band of planted landscape adjacent to the river.
- 10.3 Building materials and colours should reflect the natural setting of the river.

Objective 11

Ensure building development provides a positive frontage with the river corridor.

Strategies

- 11.1 Buildings should be oriented to front the open space along the waterway corridor.
- 11.2 Buildings should be designed to increase natural surveillance of the waterway corridor.
- 11.3 Development should retain and enhance the local natural landforms and the bank profile of the river.

3.0 Permit requirement

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A permit is required to construct a building or to construct or display a sign.

Buildings and works

The requirement for a permit to construct a building or to construct or carry out works does not apply to the following:

- Undertaking routine maintenance and repairs to existing buildings and works.
- Construction of a building or carrying out works by a public authority (or agent for a public authority) for:
 - ongoing management, operation and maintenance of a minor utility
 - ongoing management of fire breaks
 - ongoing management and operation of effluent treatment
 - regulation of the flow of water in a watercourse
 - environmental protection and enhancement of the creek corridor
 - regulation or mitigation of flooding from the creek
 - the purpose of access pathways and trails

Vegetation

A permit is not required to remove, destroy, prune or lop:

- Environmental weeds identified in Table 1 to this Schedule or as proclaimed as weeds under the Catchment and Land Protection Act 1994.
- Vegetation to maintain existing access or to open space, access tracks, pedestrian trail/paths, public safety, to maintain a plant's horticultural health, to maintain fire breaks or to construct or maintain a property boundary fence for protection of a minor utility installation.

- The removal of non-indigenous plants in preparation for revegetation or native vegetation management works by or on behalf of a municipal council or public authority or water management agency.

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Application requirements

An application to subdivide land, construct a building or construct or carry out works must be accompanied by the following information as appropriate:

- A site plan to scale showing lot boundaries, setbacks of existing and proposed buildings and works, driveways and vehicle parking and loading areas, external storage and site service areas, proposed landscape areas and the location of any easements, native and exotic vegetation and the vegetation to be removed.
- Applications for buildings and works should include an Environmental Construction Management Plan that will provide, but not be limited to the following information:
 - The location, species and value of existing native vegetation on site.
 - How buildings or works will not compromise remnant native vegetation.
 - How buildings or works will not compromise the creek corridor landscape or natural landform.
 - How the development will protect the existing ecological values of the creek corridor.
 - How buildings or works will not threaten stream processes or water quality.
 - Proposed measures to minimise the extent of stream bank disturbance and runoff.
 - The need to stabilise disturbed areas by engineering works or vegetation.
 - Construction vehicle access.
- Building elevations drawn to scale.
- Existing and proposed finished site levels.
- The gradient and location of the top and toe of all cut and fill batters
- The location, height and materials of construction of existing and proposed retaining walls.
- Floor plan layouts and finished floor levels.
- A landscape plan showing existing and new vegetation, retaining walls and fencing
- The proposed external building materials, finishes and colours.
- Details of the location of the proposed method of sewage, stormwater, sullage and effluent disposal.
- For buildings and works associated with an agricultural or horticultural use, a Land Management Plan detailing how stormwater and land use runoff is to be collected, treated and/or reused.

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Decision guidelines

Before deciding on a permit to construct a building or fence or carry out works or subdivide land, or remove, destroy or lop native vegetation, the responsible authority must consider, as appropriate:

- The strategies for each objective.

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement.
- The *Maribyrnong River Valley Design Guidelines April 2010*.
- *Brimbank Green Wedge Management Plan August 2010*.
- The views of the water authority or Melbourne Water.

Reference Documents

- *Maribyrnong River Valley Design Guidelines(April 2010)*
- *Brimbank Green Wedge Management Plan August 2010*.

Table 1 to Schedule 5 Environmental Weeds

Species name	Common Name
<i>Agapanthus orientalis</i>	Agapanthus
<i>Agave sp</i>	Agave
<i>Aloe sp</i>	Aloe
<i>Anredera cordifolia</i>	Madeira Vine
<i>Berkheya rigida</i>	African thistle
<i>Beta vulgaris</i>	wild beet
<i>Carduus spp.</i>	Slender Thistle
<i>Chamecytismus proliterus</i>	Tree lucern
<i>Crataegus monogyna</i>	Hawthorn
<i>Cynadon dacctylon</i>	Couch
<i>Diptatherum miliaceam</i>	Rice Millet
<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
<i>Melaleuca armillaris</i>	Bracelet Honey Myrtle
<i>Opuntia sp.</i>	Cactus/prickly pear
<i>Polygala myrtifolia</i>	Myrtle leaf milkwort
<i>Prunus sp.</i>	Cherry
<i>Stenotaphrum secundatum</i>	Buffalo grass
<i>Thinopyrum ponticum</i>	Tall Wheat grass