

02/08/2012
C41**SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO1**.

WATERWAY, WETLANDS AND LAKES ENVIRONS**1.0**19/01/2006
VC37**Statement of environmental significance**

The Murray River has local, regional, state, national and international significance. The river and environs are an important water supply, tourism, recreational, landscape, cultural and environmental asset. It is essential that the Murray River and its environs be maintained and enhanced as a major resource for these assets. All waterways in the municipality form a vital part of the Murray Darling Basin.

The intensity of development on riparian and riverfront land can result in increased flood hazards, conflicts among recreational uses, loss of riparian vegetation and wildlife habitat, loss of visual amenity and a decline in water quality. Leveebanking, stream modification and construction of water storages for irrigation and domestic water supply has altered flow levels and flooding regimes.

Lakes and wetlands systems are integral to the maintenance of natural, cultural and catchment values associated with major rivers in the municipality and the riparian environments of the Murray River. The lakes and wetlands system in Swan Hill Rural City has outstanding ecological, catchment and recreational values.

Water quality is critical to the riparian environment of waterways and water bodies. Water quality is also vital for other values and uses, such as recreation, tourism, visual landscape, urban water supply, stock and domestic water supply, and irrigation usage.

2.019/01/2006
VC37**Environmental objective to be achieved**

- To protect and enhance the natural environment and cultural heritage qualities of the Murray River and its anabranches as a major waterway of local, regional, state, national and international significance
- To maintain the quality and availability of water within waterways and water bodies
- To ensure that any use, development or works in the environs of waterways, wetlands and lakes are of a scale, character and form that is compatible with the high environment quality of these systems
- To promote tourist and recreational activities in the vicinity of watercourses, wetlands and lakes subject to the design, siting and landscaping of development to protect the values of these environments
- To protect and enhance the biodiversity, ecological, and cultural values of waterway, wetland and lake environments
- To protect the visual and environmental qualities of waterways, wetlands and lakes, restricting the use and development of land in these areas to maintain these qualities
- To maintain the ability of waterways to carry natural flows
- To prevent the erosion and siltation of waterways and adjoining land
- To provide for the use and development of land adjacent to Lake Boga for tourist and recreational purposes, while protecting the natural beauty and amenity of the area

3.002/08/2012
C41**Permit requirement**

A permit is not required for:

- Any building or works located more than 100 metres from Murray River and 60 metres from any other waterway, wetland or lake.
- Any effluent disposal system or line located more than 60 metres from a waterway, wetland, lake or water supply channel in any unsewered area.
- Repairs and routine maintenance to existing buildings and works.
- Alterations or additions to an existing dwelling or building, provided any addition is not located any closer to the waterway, wetland or lake than the existing dwelling or building and that the size of the existing dwelling or building is not increased by more than 100 percent of its existing size.
- Works undertaken by Swan Hill Rural City, a government department or a public authority for municipal purposes, stream improvement, drainage, channel repairs, flooding regulation, erosion control, water supply, sewerage supply, telecommunications or minor utility installation.
- Buildings or works associated with a minor utility installation, low impact telecommunications facility or passive recreation.
- A fence.
- Buildings and works to the minimum extent necessary for actions undertaken by or on behalf of the Roads Corporation in the construction of the Swan Hill Bridge replacement project and associated works.
- Removal, destruction or lopping of any vegetation, including dead vegetation to the minimum extent necessary for actions undertaken by or on behalf of the Roads Corporation in the construction of the Swan Hill Bridge replacement project and associated works.

4.0

19/01/2006
VC37

Referral of permit applications

Any application of the kind listed below must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause:

An application for development and/or works within:

- 30 metres of a Goulburn Water channel or drain, Goulburn Murray Water land or infrastructure asset.
- 60 metres of a lake or waterway.
- 100 metres of the Murray River.
- 50 metres of any public land managed by the Department of Sustainability and Environment.

An application for subdivision creating lots less than 40 hectares.

An application for development associated with Intensive animal husbandry.

5.0

19/01/2006
VC37

Decision guidelines

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

Murray River:

- Whether the proposed development has a demonstrated, essential relationship with the Murray River and the location of development is set back as far as possible from the bank of the Murray River.

- The need for development adjoining the main channel of the Murray River to be for public purposes.

All waterways, wetlands and lakes:

- The existing use and development of the land and the reason for development to support that use.
- Impact on and protection of:
 - water quality, including reduction of pollution from salts and nutrients
 - environmental and biodiversity values of land and water
 - erosion and siltation
 - ability to maintain natural flows and water levels
 - salinity risk
 - landscape and visual quality
 - recreational and tourism values.
- Maintenance of existing remnant vegetation, and the desirability of protecting this vegetation by excluding stock to enhance environmental values.
- The need to stabilise and revegetate waterway, wetland and lake environs with indigenous species.
- The need to avoid the obstruction of any waterway, wetland or lake and keeping disturbance to any waterway or riparian environment to a minimum.
- The need to avoid the alienation of any waterway, wetland or lake for private purposes and measures to increase public access to them.
- Potential impact on surrounding land uses, including measures to reduce any adverse effects on this land, including landscaping and provision of vegetation buffers.
- The desirability of achieving as large setbacks as possible for development and works from waterways, wetlands and lakes, with a preferred minimum setback of 50 metres.
- The effectiveness of proposed wastewater disposal systems, based on assessment in accordance with the Environment Protection Authority guideline *Land capability assessment for onsite domestic wastewater management*, the *Septic Tank Code of Practice*, Environment Protection Authority, and the *State Environment Protection Policy (Waters of Victoria)*.
- Relevant reference documents listed in clause 21.05.