

Division 4 – Assessment Criteria for the Catchment Protection Overlay

6.10 Catchment Protection Overlay Code

The provisions in this division comprise the Catchment Protection Overlay Code. They are:

- compliance with the Catchment Protection Overlay Code (section 6.11);
- overall outcomes for the Catchment Protection Overlay Code (section 6.12)
- specific outcomes for probable solutions for the Catchment Protection Overlay Code (section 6.13)

6.11 Compliance with the Catchment Protection Overlay Code

Development that is consistent with the specific outcomes in section 6.13 complies with the Catchment Protection Overlay code

6.12 Overall Outcomes for the Catchment Protection Overlay Code

- (a) The overall outcomes are the purpose of the Catchment Protection Overlay Code
- (b) The overall outcomes sought for the Catchment Protection Overlay Code are the following:
 - (i) The environmental values and natural assets within catchments, including drinking water catchments, waterways and receiving environments, including coastal resources are protected and enhanced;
 - (ii) Development does not adversely impact on declared Fish Habitat Areas or oyster industry beds.

6.13 Specific Outcomes and Probable Solutions for the Catchment Protection Overlay Code

The specific outcomes sought for the Catchment Protection Overlay Code are included in column 1 of table 6.3. Probable solutions for code assessable development are included in column 2 of table 6.3.

Table 6.3	
Catchment Protection Overlay Code (Part 6 Division 4)	
Column 1	Column 2
Specific Outcomes	Probable Solution
Assessment of Retention of Significant Vegetation	
<p>SO1 Significant Vegetation is retained and consolidated so as to:</p> <ol style="list-style-type: none"> (a) Protect the Shire’s nature conservation and aesthetic values; (b) Maintain a healthy and productive agricultural environment including protection from salinity, erosion and land degradation; (c) Maintain and enhance water quality, in-stream and riparian habitat, to protect Potable Water Catchments; (d) Maintain and enhance water quality and riparian vegetation in order to protect freshwater aquatic ecosystems and receiving systems, particularly estuarine and marine environments; (e) Provide a linkage with existing Nature Conservation areas; and (f) Maintain natural ecosystem functions and assist in the control of weeds and pests. 	<p>S1.1 No solution provided.</p>
<p>Note: To fulfil the vegetation retention solutions, a Property Vegetation Management Plan, prepared in accordance with Planning Scheme Policy</p>	

Table 6.3	
Catchment Protection Overlay Code (Part 6 Division 4)	
Column 1	Column 2
Specific Outcomes	Probable Solution
<i>6 Ecological Assessment may be required.</i>	
<p>SO2 The environmental values of Significant Vegetation, Wetlands and Waterways are maintained by:</p> <p>(a) Retention of Significant Vegetation and vegetation associated with Wetlands and Waterways;</p> <p>(b) Consolidating and linking existing Significant Vegetation.</p>	<p>S2.1 Revegetation utilises local native species that reflect the structural and floristic diversity of Significant Vegetation, Waterway or Wetland vegetation on the site or surrounds and assists in consolidating and linking existing Significant Vegetation.</p> <p>Note: <i>Revegetation should be undertaken progressively during construction and completed one (1) month after construction is completed.</i></p>
Bank Stability and In-Stream Habitat	
<p>SO3 Bank stability and in-stream habitat is protected from degradation and maintained or improved at a standard commensurate with pre-development environmental conditions.</p>	<p>S3.1 No solution provided.</p>
Buffering of Waterways and Wetlands	
<p>SO4 Protect and maintain waterway corridors and their hydrologic, water quality and ecological function by:</p> <p>(a) Providing adequate buffers to waterways; and</p> <p>(b) Protecting natural drainage channels and riparian habitat; and</p> <p>(c) Providing adequate habitat connectivity between waterways.</p>	<p>S4.1 Development is set back from the edge of the top of the bank or HAT level (whatever is greater) of a Waterway or Wetland a distance of:</p> <p>(a) At least forty (40) metres to all Catchment Protection Minor Waterways;</p> <p>(b) At least one hundred (100) metres to Wetland Protection Areas.</p> <p>(c) At least one hundred (100) metres to Catchment Protection Major Waterways.</p> <p>S4.2 Constructed or artificial waterways that are to discharge into existing waterways should have a minimum vegetated buffer width of:</p> <p>(a) 10.0 metres for a constructed freshwater, marine, estuarine or brackish waterway.</p> <p>(b) 40.0 metres for freshwater constructed waterways greater than 1.0 metre excavation depth.</p> <p>(c) 100.0 metres for marine or estuarine constructed waterways greater than 1.0 metre excavation depth.</p> <p>Note: <i>It may be appropriate for the setback to incorporate vegetated areas or areas to be rehabilitated. Refer to Planning Scheme Policy 14 Landscaping for details to include in revegetation plans.</i></p> <p>Note: <i>Classification of a constructed waterway, with regard to determining buffer width, is dependant upon the type of waterway that the constructed waterway discharge will be received by (i.e. if a constructed waterway discharges directly into a marine or estuarine waterway the constructed waterway will be considered a marine/estuarine waterway (regardless of water quality attributes of the constructed waterway)).</i></p> <p><i>When a constructed waterway is to discharge into another currently unmapped constructed waterway the buffer width is determined by the buffer width of the receiving constructed waterway.</i></p>
<p>SO5 Protect and maintain the environmental</p>	<p>S5.1 No solution provided.</p>

Table 6.3	
Catchment Protection Overlay Code (Part 6 Division 4)	
Column 1	Column 2
Specific Outcomes	Probable Solution
<p>values of receiving environments by:</p> <p>(a) Reducing the cumulative impact of pollutant transport and deposition;</p> <p>(b) Protecting higher order streams and ephemeral waterways; and</p> <p>(c) Providing successive buffering of waterways between freshwater, estuarine and marine environments.</p>	
Drainage and Other Works	
<p>SO6 The natural hydrological regimes of Waterways and Wetlands, are maintained.</p> <p>Note: <i>Natural hydrological regimes include natural water quality, quantity and groundwater conditions including sub-surface drainage paths. The purpose of maintaining these regimes is to protect and encourage natural recharge rates to aquifers and contributions to base flow in streams (environmental flows).</i></p> <p>Note: <i>Development should be carried out in accordance with an approved hydrological assessment report that ensures any changes to overland flow or groundwater do not adversely affect the hydrological conditions or water quality within a waterway or receiving waterway. A site based stormwater management plan may be required in accordance with Planning Scheme Policy 19 Stormwater.</i></p>	<p>S6.1 The height of groundwater tables is not altered and natural seasonal height fluctuations maintained.</p>
<p>SO7 Development does not increase the discharge or movement of groundwater and associated contaminants, such as iron, aluminium, nutrients or total organic carbon, to a waterway or to a place where contaminants may be transported to a waterway.</p>	<p>S7.1 Development works maintain or enhance groundwater aquifer interactions with waterways to a standard commensurate with pre-development environmental conditions.</p>
<p>SO8 The natural water quality of specific waterway types is protected.</p> <p>Note: <i>The natural water quality characteristics of individual waterways vary between waterway types. In order to protect and maintain the environmental values of individual waterways, these characteristics need to be considered when determining water quality management solutions.</i></p>	<p>S8.1 No solution provided.</p>
<p>SO9 Significant Vegetation and Wetlands are retained.</p>	<p>S9.1 Infrastructure does not traverse Significant Vegetation.</p> <p>S9.2 Roads adjacent to Significant Vegetation and Wetlands incorporate traffic</p>

Table 6.3	
Catchment Protection Overlay Code (Part 6 Division 4)	
Column 1 Specific Outcomes	Column 2 Probable Solution
	<p>calming devices to minimise disturbance to wildlife.</p> <p>S9.3 Wildlife under/overpasses are provided to facilitate wildlife movement.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Note: Refer to the Planning Scheme Policy 6 Ecological Assessment which contains information about designing infrastructure to facilitate wildlife movement.</p> </div>
<p>SO10 The biodiversity of specific vegetation types associated habitat values, in particular endangered, vulnerable or rare species is protected or enhanced.</p>	<p>S10.1 Vegetation corridors between significant vegetation and other vegetation are maintained or provided.</p>
Erosion Prone Areas	
<p>SO11 Natural coastal processes are able to be managed and life and property are protected from development by ensuring that:</p> <p>(a) Development does not occur within Erosion Prone Areas, except for temporary or relocatable structures for safety or recreational purposes (eg. picnic tables, barbeques, walking trails, bikeways, lookouts and elevated decks) associated with a development can be located within erosion prone areas;</p> <p>(b) Existing intensities of development are not exceeded; and</p> <p>(c) Existing building alignments of neighbouring properties are not exceeded.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Note: Statutory erosion prone area plans made under the Coastal Protection and Management Act 1995 can be viewed at Council.</p> </div>	<p>S11.1 No solution provided.</p>
Protection of Potable Water Catchments	
<p>SO12 Development within a Potable Water Catchment (as identified in Schedule 3) maintains or enhances the water quality and integrity of water resources by:</p> <p>(a) minimising land degradation and disturbance to dispersive soils;</p> <p>(b) preventing the release of sediment and nutrients into waterways;</p> <p>(c) maximising groundcover retention and retaining and where possible consolidating and linking significant vegetation adjoining waterway buffers, on ridge lines, vegetated slopes and in stormwater recharge areas.</p>	<p>S12.1 No solution provided.</p>