

## 44.02 SALINITY MANAGEMENT OVERLAY

Shown on the planning scheme map as **SMO** with a number (if shown).

### Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To identify areas subject to saline ground water discharge or high ground water recharge.

To facilitate the stabilisation of areas affected by salinity.

To encourage revegetation of areas which contribute to salinity.

To encourage development to be undertaken in a manner which brings about a reduction in salinity recharge.

To ensure development is compatible with site capability and the retention of vegetation, and complies with the objectives of any salinity management plan for the area.

To prevent damage to buildings and infrastructure from saline discharge and high watertable.

### 44.02-1 Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Subdivide land.
- Remove, destroy or lop any vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the vegetation has been planted for pasture, timber production or any other crop.
  - To any action which is necessary to keep the whole or any part of any vegetation clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998.
  - To any action necessary to remove, destroy or lop vegetation situated within electricity supply easements in accordance with any code of practice prepared in accordance with Part 8 of the Electricity Safety Act 1998 in order to minimise the risk of bushfire ignition in the proximity of electricity lines.
  - If the vegetation presents an immediate risk of personal injury or damage to property.
  - If the removal, destruction or lopping of vegetation is necessary for emergency access or emergency works by a public authority or municipal council.
  - If the removal, destruction or lopping of vegetation is necessary for fire fighting measures, periodic fuel reduction burning, or the making of fire breaks up to 6 metres wide.
  - To the removal of ground fuel within 30 metres of a building.
  - If the removal, destruction or lopping of vegetation is in accordance with a fire prevention notice under:
    - Section 65 of the Forests Act 1958.
    - Section 41 of the Country Fire Authority Act 1958.
    - Section 8 of the Local Government Act 1989.
  - To the removal, destruction or lopping of the minimum extent of vegetation necessary for establishing sight-lines for the measurement of land by surveyors in the exercise of their profession, and if using hand held tools.
  - If the vegetation is proclaimed as a noxious weed or is bracken (*Pteridium esculentum*).
  - If the removal, destruction or lopping of vegetation is in accordance with a notice under the Catchment and Land Protection Act 1994.

- If the vegetation is burgan (*Kunzea ericoides* (previously *Leptospermum phyllicoides*)) or manuka (*Leptospermum scoparium*) and is on land which meets each of the following conditions:
  - It is outside the Metropolitan Region.
  - It is more than 30 metres from a waterway.
  - It is being re-established or maintained for cultivation or pasture.
  - Ground slopes are less than 30 percent.
- To the removal, destruction or lopping of the minimum extent of vegetation necessary to remove burrows for vermin control subject to in the case of native vegetation removal the written agreement of an officer of the Department responsible for administering the Flora and Fauna Guarantee Act 1988. The total area in one ownership to be destroyed must not exceed 10 hectares.
- To the removal, destruction or lopping of vegetation necessary for mineral exploration or mining authorised by an approved work plan and in accordance with an authority to commence work issued under the Mineral Resources Development Act 1990.

#### **44.02-2 Application requirements**

An application must be accompanied by the following information, as appropriate:

- The source of water supply.
- Water use requirements and effluent or water disposal provision.
- Any existing vegetation proposed to be removed.
- Details of the species, location and density of any proposed landscaping.
- The water balance under the current land use and any proposed land use.
- Title and ownership details.
- Topographic information including natural contours of the land, highlighting significant ridges, hill tops and crests, slopes in excess of 25 percent (1:4), low lying areas, drainage lines, waterways, springs, dams, lakes, wetlands and other environmental features on or in close proximity to the subject area.
- Geology types.
- Location and area of outcropping bedrock.
- Soil types.
- Size and location of high recharge areas and discharge areas from the site inspection, soil types, soil depth, and soil percolation rates/infiltration.
- Size and location of discharge areas and areas of high salinity risk from the site inspection, including the identification of shallow watertable within 3 metres of the surface (depth to watertable), and soil salinity from soil tests or vegetative indicators.
- Area of land and the proportion of the development site identified as high recharge or discharge areas.
- Location, species and condition of existing vegetation (both native and exotic species).
- Existing degraded areas and recommendations for land management practices and remedial works required to overcome any existing or potential land degradation.

#### **44.02-3 Referral of Applications**

Before deciding on any application, the responsible authority must refer the application and any site capability report to the Department of Sustainability and Environment under Section 55 of the Planning and Environment Act, 1987 unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Department of Sustainability and Environment.

#### **44.02-4 Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The State Environmental Protection Policy, (Waters of Victoria).
- The Regional Landcare Plan applicable to the catchment.
- The Catchment Salinity Management Plan to the particular catchment.
- A Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995.
- The need to augment tree planting and the establishment of deep-rooted, high water-use pasture species to reduce rainfall accessions to the watertable in high recharge areas.
- The need for planting of salt-tolerant species to stabilise and lower ground water levels in discharge areas.
- The need for stock-proof fencing of discharge and high discharge areas to enable effective stock management for site stabilisation.
- Any proposed landscaping and the need to preserve existing vegetation, particularly in high recharge and high discharge areas.
- Any land management plan, works program, or farm plan applicable to the land.
- The design, siting and servicing of the development and the extent of earthworks.
- The appropriateness of the proposed use or development having regard to the sensitivity and constraints of the land and the capability of the land to accommodate the use or development.

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**Notes:**

*Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.*

*Check the requirements of the zone which applies to the land.*

*Other requirements may also apply. These can be found at Particular Provisions.*