



Department of Environment, Land, Water and Planning

7 Taylor Street, Epsom
Box 3100, Bendigo DC, VIC 3554
Telephone: 035430 4444
DX 214506
loddonmallee.planning@delwp.vic.gov.au

Ref: SP481224
20220905 ps

Mr Peter Douglas
Co-ordinator Strategic Planning
Mildura Rural City Council
PO Box 105
Mildura Vic 3502

Dear Mr Douglas

MILDURA PLANNING SCHEME – AMENDMENT C117MILD REZONING OF LOWER MURRAY WATER LAND – RIVER AVENUE KOORLONG

Thank you for your letter dated 22 July 2022 to the Minister for Environment and Climate Action regarding the above planning scheme amendment.

The following response from the Department of Environment, Land, Water and Planning (DELWP) comprises the consolidated views of DELWP (excluding the Planning group). The Planning group will provide separate input at the appropriate time.

The subject land is zoned Public Use Zone and is affected by the Development Design Overlay (DDO7) and the Environmental Significance Overlay (ESO3) Overlay under the Mildura Planning Scheme.

The amendment proposes to rezone the land from Public Use Zone 1 – Service and Utility to Farming Zone.

Comments

The department provides the following comments based on the information provided in the Explanatory Report for Amendment C117mild:

Native vegetation

The approximate 65-hectare property has areas of native vegetation that are visible from aerial mapping. Although only the trees are clearly visible, it is expected there is also native understorey and groundcover on the site. It is not known if an ecological assessment has been conducted on the property and there is no discussion in the Explanatory Report of any assessments being done as part of the preparation of this Amendment.

There is an approximate 20-hectare mapped wetland (11479) located wholly within the property. Mapped wetlands are considered a patch of native vegetation in the *Guidelines for the removal, destruction and lopping of native vegetation*, DELWP 2017.

The modelled Ecological Vegetation Class (EVC) on the property is Chenopod Mallee (EVC158) which is considered as being vulnerable in the Murray Mallee Bioregion.

The future use of the land for horticulture or other agricultural activities will impact on native vegetation and Biodiversity.

Clause 12.01 - Biodiversity

The Explanatory Report has considered Clauses 13 and 14 of the Mildura Planning Scheme however has not addressed Clause 12 which considers Biodiversity and Landscape Values including Clause 12.01 Biodiversity and Clause 12.03 Water Bodies and Wetlands.

Environmental Assessment

It may be beneficial for an environmental assessment to be undertaken to determine the extent and significance of naïve vegetation of the property to allow for the appropriate zoning or overlays to ensure the protection of the existing biodiversity values on the site.

Response

The Department of Environment, Land, Water and Planning wishes to advise that it does not support the proposed amendment as exhibited on the following ground:

- The proposed amendment does not adequately address the requirements of Clause 12 of the Mildura Planning Scheme.

The department is prepared to consider an amendment that provides adequate protection for the Biodiversity values of the site through appropriate zoning or overlays.

If you have any questions regarding this matter, please contact the Planning and Approvals team via p&a.north@delwp.vic.gov.au

Yours sincerely



Tim Norden

Program Manager
Planning and Approvals

21 September 2022