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C O N S U L T I N G



## **Development Application**

**17 Kidman Reid Drive  
Murray Downs  
MOORING**

**K1132**

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### Project Details

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## 1.0 Introduction

Price Merrett Consulting Pty Ltd (PMC) was engaged by Luke Kelly to provide planning support and submission of a development application to Murray River Council for a proposed Mooring site at 17 Kidman Reid Drive, Murray Downs.

This Report is provided in support of the Development Application to the Murray River Council for a boating facility for berthing a Pontoon Boat on the Murray River on Lot 10 DP859813. Development approval is sought for the establishment of a boating facility within the River Murray.

The proposal includes a boating facility as defined in the dictionary of the LEP for the purposes of berthing a pontoon boat.

The purpose of this report is to assist Council in its assessment of the application under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). As is required by the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) the report also includes a Statement of Environmental Effects that considers the impact of the development on the environment.

The proponent wishes to compliment his property and make full use of the nearby river environment by adding a personal mooring for his pontoon boat. The nearby marina at Murray Downs can offer safe security for the vessel however places are restricted and the owner seeks at liberty enjoyment of his vessel close to his own property.

## 2.0 The Site

### 2.1 Location and Site Description

The site for the proposal is located on the NSW bank of the Murray River approximately 2.5 kilometres upstream of Swan Hill. W1 Waterway zoning is applied due to the location of the proposed boating facility on the bank of the river.

The adjoining property is zoned R1 General Residential which contains a dwelling and is imposed by a Terrestrial Biodiversity planning control.



**Figure 1: Site (Google earth image 9/2024)**

The abutting residential area has previously been subject to disturbance through pedestrian access as the river bank is considered part of the garden environment associated with the dwelling. There is development and buildings located in the neighbouring area where the boating facility will be located.

The immediate area of the boating facility contains native vegetation consisting mainly of River Red gum trees and grasses or is the main channel of the River Murray.





**Figure 2: Lot boundary and planning layers**

## 2.2 Locality

The property at 17 Kidman Reid Drive is essentially flat with a slight slope to the river. The locality is a mix of residential and riverine land with several dwellings having been constructed along the river with grassy verges extending to the river bank.



**Figure 3: River bank image**



**Figure 4: Murray River view downstream of site**

### 2.3 Site Access

Access to the mooring site will be from the Lot 10 DP859813. The boating facility is closely associated with the dwelling constructed on the lot, and the landowner also owns the vessel.

### 2.4 Cultural Heritage

As part of the Due Diligence assessment the following AHIMS search result is provided.

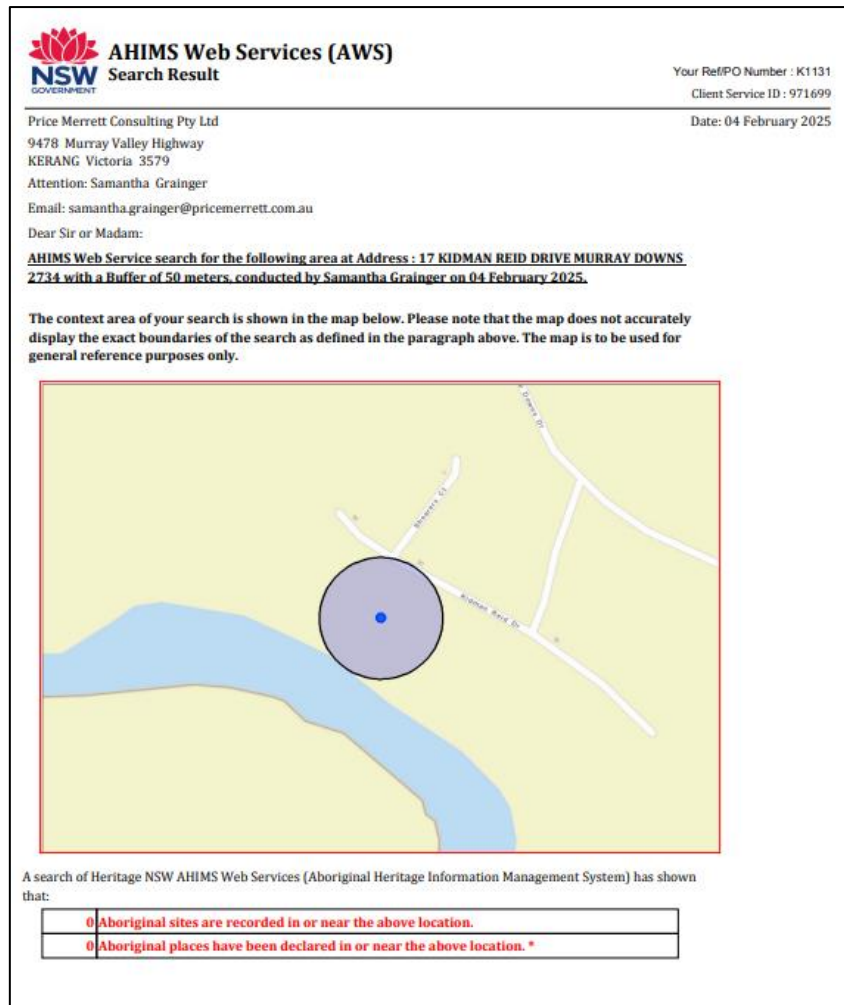
Step 1 – Will activity disturb ground surface?

Minimal disturbance is expected through the boring of 2 pine poles in the bank.

So progress to Step 2a

Step 2a. – AHIMS Database Search

Results as below



**Figure 5: AHIMS search result**

This has revealed no items, lands or artefacts known. Progress to Step 2b

Step 2b. – Site features for known landscapes Aerial photography across the course of 10 years has shown that the proposed siting is on a disturbed muddy riverbank area devoid of significant vegetation or the like. The owner advises that this area does not have any obvious signs of aboriginal relics and water flows regularly disturb parts of this area.

Notwithstanding this, all due skill and care will be taken when boring the piers to choose a site devoid of any rocky areas, check the flume brought up whilst boring regularly, and report should findings become obvious during this process.

Accordingly, no further work is required in the due diligence assessment at section 8 in the guidelines.



### 3.0 Proposal

Development approval is sought for the establishment of a boating facility for a pontoon boat. The proposal includes a single private berthing facility including two posts for tying off which will be sited on the river bank.

It is the landowner's intention to establish a boating facility in order for their pontoon boat to berth abutting their property where they live. The proposal will allow for the landowners to berth their pontoon abutting their property and for it to remain safe and secure when not in use on the river.

The establishment of the two posts themselves will not result in the removal of any vegetation. The berthing site has been located outside the existing vegetation on the riverbanks. The details of the berthing posts are included in the attached plan in support of the application and will be 5 meters wide catering for the pontoon boat that is 3 meters wide and 7.3 meters in length. The proposed berthing posts will be two 2.4m pine poles and will be situated 1m from the top of the high-water mark on the bank.

Vessel Dimensions: 7.3m x 3m x 2m high  
Rego# AFS964N



**Figure 6 : Pontoon Boat**

### 3.1 Site Amenity

There is no significant vegetation on the bank that needs removal. The mooring posts can easily be installed above the high-water mark on the river bank. The two posts in Figure 7: Post location on bank, indicate the location of the proposed posts that will be installed. The development of the berthing posts will be small scale with the use of the boating facility being low intensity. The location of the posts and berth will be sited so that no native vegetation will be removed as a result of their installation.

The location of the boating facility is considered to be appropriate as view lines both upstream and downstream are not obscured ensuring houseboats can manoeuvre safely. Berthing sites are not uncommon within the River Murray given that house boating is a significant attraction for Murray Downs and the surrounding districts given the climate and relaxed atmosphere offered in this area.



**Figure 7: Post location on bank**

Overall, the proposal is considered consistent with policy and worthy of support due to its location and the location of the existing dwelling on the land.

### 3.2 Application to Vary Development Standard Clause 4.6

A variation to the Standard Clause 4.6 of Wakool LEP 2013 we consider the following information may be relevant in this instance to Clause 6.7 Development on Riverbeds and banks and utilize Point 3 of Clause 4.6 and respond below.

Clause 4.6 Point 3 states:

Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—

*(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*

*(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

As outlined in Clause 6.7 of the Wakool LEP 2013 Development on riverbeds and banks:

Development consent must not be granted for the erection of a structure on land to which this clause applies unless the consent authority is satisfied of the following:

*a) that the proposed structure will not be located on an outside bend of the river.*

The river bend in this section is a fairly straight section of a slow meander and not a sharp looped bend. The gently sloping profile of the river in this section indicates river velocities are fairly slow and erosion is minimal in this area.

The proposed pine post moorings will be constructed on a bend in the Murray River. However, the mooring is only the erection of two pine poles on the upper level of the riverbank on a generally straight section of the river.

The development of the mooring posts will be small scale with the use of the mooring site being low intensity. The location of such posts and berth will be sited so that no native vegetation will be removed as a result of the installation of the mooring posts.

Only one mooring site will be installed at this site and it will be licenced and managed under the TfNSW regulations whilst also subject to NRAR enforcement of these regulations.

As outlined in SEPP Biodiversity Chapter 5 Clause 5.9: Specific Principles; Access:

*a) The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.*

Having the mooring in the proposed location will not hinder or alienate the resource for the public accessing and enjoying the Murray River. As the adjoining land is private, it is unlikely that any public access other than the landowner would be warranted.

The poles themselves will be on the bank of the river and will be positioned to ensure the optimum operation of the poles in securing the vessel. The poles are limited to two and will have no negative impact upon the public access available to the river or the ability to traverse the bank of the river. The poles therefore not impede access or alienate the land or its locality.

*b) Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.*

The proponent's property has direct access to the Murray River and has suitable waterbody for the vessel wishing permanent private mooring. The securing of the vessel will not result in permanent



occupation of the vessel at the mooring nor will the vessel be secured in a fixed position for extended periods for storage or living purposes.

#### 4.0 Planning Considerations

This property is affected by the provisions of the Murray River Council. The following details outline how this proposal complies with State and Local Shire planning framework and controls.

Planning Framework	
SEPP	
Chapter 5 of the Biodiversity and Conservation SEPP	
<p><b>5.1 Aims of this Chapter</b> The aims of this Chapter are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.</p> <p><b>5.2 Objectives of this Chapter</b> The objectives of this Chapter are—</p> <p>(a) to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray, and</p> <p>(b) to establish a consistent and co-ordinated approach to environmental planning and assessment along the River Murray, and</p> <p>(c) to conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.</p>	<p><b>The proposal includes a single private berthing facility including two poles for tying off which will be sited on the upper bank of the River Murray.</b></p> <p><b>The proposal will allow for the landowners to berth their pontoon abutting their property adjacent to the Murray River and for it to remain safe and secure when not in use on the river.</b></p>
<p><b>5.8 General principles</b> When this Part applies, the following must be taken into account—</p> <p>(a) the aims, objectives and planning principles of this Chapter,</p> <p>(b) any relevant River Management Plan,</p> <p>(c) any likely effect of the proposed plan or development on adjacent and downstream local government areas,</p> <p>(d) the cumulative impact of the proposed development on the River Murray.</p>	<p><b>The proposal will have no detrimental impacts on the river and consequently none on downstream local government areas</b></p>
<p><b>5.9 Specific principles</b> When this Part applies, the following must be taken into account—</p> <p>Access</p> <p>* The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.</p>	<p><b>A variation to the Development Standard is considered in Section 3.2.</b></p> <p><b>In considering the specific principles of this plan, the applicable item is access which states that boating facilities in the main channel (River Murray) should be for the purpose of short stay occupation only. The proposal is contained within the Murray River main channel, however the pontoon boats occupation of the site is</b></p>



Planning Framework	
<p>* Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.</p> <p>* Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.</p> <p>Bank disturbance</p> <p>* Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.</p> <p>Flooding</p> <p>* Where land is subject to inundation by floodwater—</p> <p>(a) the benefits to riverine ecosystems of periodic flooding,</p> <p>(b) the hazard risks involved in developing that land,</p> <p>(c) the redistributive effect of the proposed development on floodwater,</p> <p>(d) the availability of other suitable land in the locality not liable to flooding,</p> <p>(e) the availability of flood free access for essential facilities and services,</p> <p>(f) the pollution threat represented by any development in the event of a flood,</p> <p>(g) the cumulative effect of the proposed development on the behaviour of floodwater, and</p> <p>(h) the cost of providing emergency services and replacing infrastructure in the event of a flood.</p> <p>* Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources.</p> <p>Land degradation</p> <p>* Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.</p> <p>Landscape</p>	<p><b>considered short stay as it is not a permanent structure and therefore the proposal will not impact upon this policy stance.</b></p> <p><b>Having the mooring in the proposed location will not hinder or alienate the resource for the public accessing and enjoying the Murray River. The poles themselves will be on the bank of the river and will be positioned to ensure the optimum operation of the poles in securing the vessel. The poles are limited to two and will have no negative impact upon the public access available to the river or the ability to traverse the bank of the river.</b></p> <p><b>Houseboats and other larger vessels are relatively benign in their impact on the riverine environment because they are fully self-contained for waste (compared to campers on the river bank) and can dispose of waste through allocated disposal stations, and move at slow speed with little wake (compared to ski-boats).</b></p> <p><b>The boat does not require any gangways, steps, pontoons or infrastructure to access the vessel.</b></p> <p><b>The proposal will not alter the shape of the bank and no significant vegetation is required to be removed.</b></p> <p><b>The site is subject to inundation only in a major flood event (1 in 10 years plus). Being a floating vessel, it would not suffer any consequences from flooding. If a larger event is predicted the vessel can be removed. The fixed structure on the bank to secure the vessel would not be susceptible to erosion if inundated.</b></p> <p><b>The only land disturbance arising from the development is the installation of the anchoring point for the vessel. Following rehabilitation of the site at which this structure is to be placed, the bank should return to its previous state. No trees need to be removed to install this structure.</b></p>

## Planning Framework

\* Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.

### River related uses

\* Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray.

\* Development which would intensify the use of riverside land should provide public access to the foreshore.

### Settlement

\* New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located—

- (a) on flood free land,
- (b) close to existing services and facilities, and
- (c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.

### Water quality

\* All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.

### Wetlands

\* Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.

Land use and management decisions affecting wetlands should—

- (a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland,
- (b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects,
- (c) control human and animal access, and
- (d) conserve native plants and animals.

**No trees are to be removed as part of the development and hence no revegetation works are required.**

**The mooring site has an essential relationship with the river because it is associated with water craft. The 'foreshore' below the top of the bank does not offer any benefit to the public. There is no sandbank or other feature below the bank that the public might want to access.**

**The proposal will not result in any pollutants entering the river.**

**The site is not located within or near any wetland other than the riverine environment.**

**No pollution will result from the proposal as the development will be limited to the poles only and the boats will need to meet the necessary requirements of the NSW Waterways.**

Planning Framework	
PART 5.3 Planning Requirements and consultation	
<p>25 SINGLE MOORING</p> <p>Definition—</p> <p>A berth or apparatus located on or in the River Murray (but not in a grouped mooring area identified in a River Management Plan) which may be used for the purpose of storing only one vessel.</p> <p>Planning control—</p> <p>* Council consent.</p> <p>Consultation—Transport for NSW. Department of Planning, Industry and Environment.</p>	<p>The proposal is for a single mooring associated with the dwelling</p> <p><b>Council consent is required and consultation is required.</b></p>
Local Environmental Plan Wakool 2013	
Land Use Table	
Part 2	Permitted or prohibited development
<p><b>Zone W1</b></p> <p><b>Natural Waterway</b></p>	<ul style="list-style-type: none"> <li>• To protect the ecological and scenic values of natural waterways.</li> <li>• To prevent development that would have an adverse effect on the natural values of waterways in this zone.</li> <li>• To provide for sustainable fishing industries and recreational fishing.</li> </ul> <p><b>Permitted with consent</b></p> <p><i>Aquaculture; Emergency services facilities; Environmental facilities; Information and education facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities</i></p> <p><b>MOORING means a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel, but does not include a mooring pen.</b></p> <p><b>The boating facility can be permitted with consent</b></p>

Planning Framework	
<b>6.3</b> <b>Terrestrial Biodiversity</b>	<p>(1) The objective of this clause is to maintain terrestrial biodiversity by:</p> <ul style="list-style-type: none"> <li>(a) protecting native fauna and flora, and</li> <li>(b) protecting the ecological processes necessary for their continued existence, and</li> <li>(c) encouraging the conservation and recovery of native fauna and flora and their habitats.</li> </ul> <p>(2) This clause applies to land identified as “Biodiversity” on the <a href="#">Terrestrial Biodiversity Map</a>.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:</p> <ul style="list-style-type: none"> <li>(a) whether the development is likely to have: <ul style="list-style-type: none"> <li>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</li> <li>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</li> <li>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</li> <li>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</li> </ul> </li> <li>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</li> </ul> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> <li>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</li> <li>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</li> <li>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</li> </ul> <p><b>The development proposed will not have an impact upon the flora and fauna on the land. The land has been substantially modified over time through its clearing of vegetation.</b></p> <p><b>No additional modification will take place to land that has not already been modified.</b></p> <p><b>No tree removal will occur, nor habitat degradation via this proposal. There will be two posts installed to secure the vessel to via rope.</b></p> <p><b>The small scale of the development proposed combined with minimal site disturbance through the placement of the posts means that the environmental impact will not be significant.</b></p> <p><b>No trees are required to be removed to accommodate the mooring posts or to gain access to the vessel.</b></p>



Planning Framework	
<b>6.4 Riparian Lands and watercourses</b>	<p>(1) The objective of this clause is to protect and maintain the following—</p> <ul style="list-style-type: none"> <li>(a) water quality within watercourses,</li> <li>(b) the stability of the bed and banks of watercourses,</li> <li>(c) aquatic riparian habitats,</li> <li>(d) ecological processes within watercourses and riparian areas.</li> </ul> <p>(2) This clause applies to land—</p> <ul style="list-style-type: none"> <li>(a) identified as “Watercourse” on the <a href="#">Watercourse Map</a>, and</li> <li>(b) situated within 40 metres of the top of the bank of a watercourse (being a watercourse referred to in paragraph (a)).</li> </ul> <p>(3) In determining whether to grant development consent to carry out development on land to which this clause applies, the consent authority must consider whether or not the development—</p> <ul style="list-style-type: none"> <li>(a) is likely to cause any adverse impact on the following— <ul style="list-style-type: none"> <li>(i) the water quality and flows within a watercourse,</li> <li>(ii) aquatic and riparian species, habitats and ecosystems,</li> <li>(iii) the stability of the bed, shore and banks of a watercourse,</li> <li>(iv) the free passage of fish and other aquatic organisms within or along a watercourse,</li> <li>(v) any future rehabilitation of a watercourse and riparian areas, and</li> </ul> </li> <li>(b) will increase water extraction from a watercourse.</li> </ul> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <ul style="list-style-type: none"> <li>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</li> <li>(b) if that impact cannot be avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</li> <li>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</li> </ul> <p><b>The development proposed through the application is appropriate due to there being no impediment proposed through the application to the passage of fish or other aquatic organisms within the river. Protection and enhancement of the riverine environment is maintained as the pontoon boat is not considered permanent, nor is it likely to alter watercourses, cause bank erosion or impact on biodiversity or ecological values.</b></p>
<b>6.6 Development on River front areas</b>	<p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> <li>(a) to support the natural migration of the river channel, including riverine processes,</li> <li>(b) to protect and improve the bed and bank stability of rivers,</li> <li>(c) to maintain or improve the water quality of rivers,</li> <li>(d) to protect the amenity, scenic landscape values and cultural heritage of rivers, to protect public access to riverine corridors,</li> <li>(e) to conserve and protect riverine corridors, including wildlife habitat.</li> </ul> <p>(2) Despite any other provision of this Plan, development consent may be granted to development on land in a river front area only for the following purposes:</p> <ul style="list-style-type: none"> <li>(a) boat building and repair facilities, boat launching ramps, boat sheds, charter and tourism boating facilities or marinas,</li> </ul>

Planning Framework	
	<p>(b) the extension or alteration of an existing building that is wholly or partly in the river front area if the extension or alteration will be located no closer to the river bank than the existing building, environmental protection works,</p> <p>(d) extensive agriculture and intensive plant agriculture, environmental facilities, recreation areas and recreation facilities (outdoor),</p> <p>(f) water recreation structures.</p> <p>(3) Development consent must not be granted for a purpose specified in subclause (2) unless the consent authority is satisfied of the following:</p> <p>(a) that the development will contribute to achieving the objectives for the zone in which the land is located,</p> <p>(b) that the appearance of the development, from both the river and adjacent river front area, will be compatible with the surrounding area, that the development is not likely to cause environmental harm such as:</p> <p>(i) pollution or siltation of the river, or</p> <p>(ii) an adverse effect on surrounding uses, marine habitat, wetland areas, fauna or flora habitats, or</p> <p>(iii) an adverse effect on drainage patterns,</p> <p>(d) that the development will only cause minimal visual disturbance to the existing landscape, that continuous public access, and opportunities to provide continuous public access, along the river front and to the river, will not be compromised,</p> <p>(f) that any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained.</p> <p><b>The installation of the posts with a small footprint will create a tie point for the vessel, above the top of the bank and is not expected to impose on public access, impede river flows or adversely affect the surrounding environment.</b></p> <p><b>(a) Will be visually unobtrusive as will have a recreational craft attached to it most of time</b></p> <p><b>(b) Will not obstruct the bank and use of river and bank will not be restrained or restricted</b></p> <p><b>(c) Small footprint on land – will not cause any disturbance to matters listed.</b></p>

## Planning Framework

### 6.7 Development on river bed and banks of the Murray River

- (1) The objectives of this clause are as follows:
- (a) to manage and maintain the quality of water in the river,
  - (b) to protect the environmental values, scenic amenity and cultural heritage of the river, to protect the stability of the bed and banks of the river,
  - (d) to limit the impact of structures in or near the river on natural riverine processes and navigability of the river.
- (2) This clause applies to land comprising the bed of the river and up to the top of the bank of the river.
- (3) Development consent must not be granted to any development on land to which this clause applies unless the consent authority is satisfied of the following:
- (a) that the development is likely to contribute to achieving the objectives of the zone in which the land is located,
  - (b) that the development will not increase erosion, that the development is not likely to cause an adverse effect on riverine habitat or flora or fauna habitats,
  - (d) that the development will not cause an adverse effect on drainage or flow patterns.
- (4) Development consent must not be granted for the erection of a structure on land to which this clause applies unless the consent authority is satisfied of the following:
- (a) that the proposed structure will not be located on an outside bend of the river,
  - (b) that the appearance of the proposed structure, from both the river and any adjacent land, will be compatible with the surrounding area, that the development does not involve, and will not result in, the erection of more than one mooring per lot or per lots owned by the same owner or owners.

**A variation to the Development Standard is considered in Section 3.2.**

**The installation of the posts to secure the boat to will be located above the top of the bank and will not impose any negative impact on the environment.**

**The proposed berthing structure for tying up and securing the vessel is located on a relatively straight section of the bank. River width in this location is approximately 55m.**

**The proposed construction will not have an adverse effect on the natural values of the Murray allowing water to flow as the vessel is hinged and designed to float with the rise and fall of the water. Management of the vessel during variation of river levels will also be undertaken through the alteration of the lengths to the tether which will ensure minimal movement of the vessel on the bank.**

**The erection of posts is considered consistent with the surrounding area and will impose no more visible amenity than a fence post.  
The appearance of the moored vessel will only be visible to river traffic and is not considered to create any negative visual amenity.  
Only one mooring site is proposed.**

## Planning Framework

### Wakool Development Control Plan 2013

#### A.4.5 River Structures and Boating Facilities

- 1) Objective(s): To maintain the river corridor and waterway in its natural environment by restricting the use of the river for permanent moorings for houseboats and other commercially operated vessels in certain areas of key watercourses.
- 2) Regional Plan: Moorings, mooring pens, marinas, wharf or boating facilities, boat launching ramps, jetties, boat sheds, and water recreation structures require approval under the provision of Murray River Regional Environmental Plan No.2. Development may also require a River Application and/or Bed and/or Bank Application as required in Appendix 1.
- 3) Prohibited Areas: Council will not approve any applications for moorings, mooring pens, marinas, wharf or boating facilities, boat launching ramps, jetties, boat sheds, water recreation structures and/or ancillary works (including pump ashore facilities) in key watercourses designated on the Mooring Exclusion Map in Appendix 6 – Maps for Barham, Tooleybuc, and Moulamein (where it is incompatible with the appearance of the surrounding areas) UNLESS the uses listed are ancillary to an approved retail or commercial use and meet all other controls in WLEP2012 and this DCP.

**The location of the proposed mooring site is not in an exclusion zone.**





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