

29 April 2025

Our reference: 2022.0415

Josh McKay
Town Planner
Murray River Council
PO Box 906
Moama NSW 2731

Sent via email: jmckay@murrayriver.nsw.gov.au

Dear Josh,

Re: Development Application | Murray River Adventure Trail: Barmah Lakes Kayak Launch

Hansen Partnership Pty Ltd acts on behalf Parks Victoria to lodge a Development Application seeking approval for the construction of a kayak launch at Barmah Lakes, Barmah National Park.

The kayak launch forms a critical component of the proposed Murray River Adventure Trail (MRAT), Stage 1. The MRAT is a multi-use adventure network following the course of the Murray River from Lake Hume to east of Mildura over approximately 1,040 kilometres. Stage 1 of the MRAT, i.e. Sections 8 to 11, follows the approximate path of the Murray River over 216 kilometres, between the Gulf Campground in Barmah National Park and the township of Koondrook in northern Victoria. Approval is being sought for the other MRAT components via Clause 52.30 State Projects application under the Victorian Planning System.

Please find enclosed the following documents lodged with the application:

- Completed Application Form dated 29 April 2025.
- Copies of Crown Land titles obtained 17 April 2025.
- Barmah Lakes Kayak Launch Design prepared by JJ Ryan Consulting dated 5 February 2025.
- Flora and Fauna Assessment prepared by Biosis dated 18 October 2024.
- Arboricultural Impact Assessment Report prepared by Oldmeadow Arboriculture dated 19 July 2024.

Overview of Proposal

It is proposed to install a kayak launch facility (Barmah Lakes Kayak Launch) adjacent to the Barmah Lakes Camping and Picnic Ground on the Victorian side of the river, with part of the structure extending into New South Wales waters.

The proposed location of works is facility adjacent to the Barmah Lakes Camping and Picnic Ground, a well-established day visiting area with toilet facilities and undercover tables. The only proposed works at this location is construction of a canoe launch. Figure 1 shows the proposed location of works.



Figure 1. Site Location Plan



Figure 2. Photograph of site

The proposed kayak launch structure comprises:

- A gangway, approximately 10m in length, extending from the bank to the river, designed to rise and fall with changing river levels.
- A floating pontoon, anchored by steel piles, which accommodates a transfer platform for safe kayak and canoe access.
- Timber mooring posts to provide tethering points for watercraft.
- Safety features such as a timber kick rail, non-slip fibre-reinforced mesh surfacing, and aluminium balustrading.

The floating pontoon construction is used in MRAT sites where the water moves more slowly and water level fluctuates less. The structure adjusts to river levels via buoyant modules and hinged joints, providing level water access at various river heights to respond to seasonal changes.

Although the main access point is within Victoria, a portion of the pontoon projects across the state border into NSW, where the river forms the state boundary. The proposal has therefore been developed with reference to relevant NSW planning objectives.



Figure 3: 3D View

Response to Murray Local Environmental Plan 2011

Land Zone



Figure 4. Extract from Murray Local Environment Plan 2011 Land Zoning Map

The part of the proposal that extends into NSW does so into a waterway designated with W1 zoning - Natural Waterways (figure 4), which has the following objectives:

- *To protect the ecological and scenic values of natural waterways.*
- *To prevent development that would have an adverse effect on the natural values of waterways in this zone.*
- *To provide for sustainable fishing industries and recreational fishing.*
- *To protect the Murray River from use and development that may be detrimental to the sustainability of the riverine environment.*

The proposal falls within the list of development types permitted with consent, specifically as a water recreation structure and/or jetty, subject to relevant assessment.

Additionally, the following clauses of the Murray Local Environmental Plan (LEP) are relevant to this proposal:

- 5.21 – Flood Planning
- 7.3 – Biodiversity protection
- 7.4 – Development on river front areas
- 7.5 – Riparian land and Murray River and other watercourses – general principles
- 7.6 – Additional provisions – development on riverbed and banks of the Murray and Wakool Rivers
- 7.7 – Wetlands

Planning Considerations

Having regard to the relevant provisions of the Murray LEP, the proposal should be supported for the following reasons:

- The proposed development is permissible with consent pursuant to the W1 zone, and the proposal aligns with the objectives of the zone, providing active and passive recreation, public access to the river, and sustainable tourism which protects the ecological and scenic values of the waterway.
- The proposed development will result in only minimal removal of native vegetation (understorey vegetation), with no trees proposed to be removed. The construction area does not intersect with any threatened ecological communities and is unlikely to significantly impact native fauna. Minor and localised disturbance from pile driving has been identified but will have negligible impact. We refer to the enclosed Flora and Fauna Assessment (FFA) prepared by Biosis for further detail.
- Oldmeadow Arboriculture's Arboricultural Impact Assessment Report comments that provided the pile driven piers are constructed outside of structural root zones, they should not adversely impact the health or useful life expectancy of retained trees. Refer to Oldmeadow's report for further detail.
- The proposal aligns with the objectives of Clauses 7.3, 7.4, 7.5, and 7.6 by being designed and sited to avoid impacts to biodiversity, avoid erosion, protect bed and bank stability, and minimise turbidity or sedimentation during construction. The piles will be driven using non-destructive techniques, and erosion control measures will be implemented during works.
- Pursuant to Clause 7.4, the development is likely to cause only minimal visual disturbance. The proposed structure is low-profile and neutral in colour, using timber materials to ensure visual compatibility with the natural setting. The gangway is removable in flood events and will not obstruct views or access. Additionally, there is no expected disturbance to adjacent uses, and the works will not obstruct river navigation, consistent with Clause 7.6.
- Pursuant to Clause 7.4, the development improves safe, formalised public access to the river for water-based recreation. The location has been selected to minimise impacts on riparian vegetation while providing a direct and accessible point for kayak users.
- Pursuant to Clause 7.5(4) and Clause 7.7(4), measures have been identified to avoid, and where necessary mitigate, environmental impacts. No significant long-term adverse impacts are anticipated. We refer to the enclosed Flora and Fauna Assessment (FFA) prepared by Biosis for further detail on mitigation measures.

Overall, the proposal provides a low-impact, strategically located recreation asset that enhances community access to the river while maintaining strong alignment with the Murray LEP's environmental and scenic protection provisions.

Response to Murray Development Control Plan

The proposal has also been assessed with regard to the Murray Development Control Plan (DCP). The relevant objectives and controls are detailed in the table below, as well as comment on how the proposal meets the controls or objectives.

Title and Objectives	Controls	Compliance and Comment
10.1 Visual Amenity <ul style="list-style-type: none"> To protect the visual amenity created by the natural river environment. To avoid works and structures that have a detrimental visual impact 	<ul style="list-style-type: none"> All structures and buildings are to be designed to minimise the visual impact on the natural environment. Buildings and structures are to utilise building materials and colours that blend with the natural environment. Bright or reflective colours (unless necessary for safety reasons) and materials will not be supported by Council. Landscaping of native riparian vegetation is to be used to soften visual amenity impacts but not used as a substitute for appropriate siting of buildings and structures in the river environment. 	The proposal has been designed to minimise visual impact on the natural river environment. The structure utilises low-profile, recessive design elements that are sympathetic to the surrounding landscape, including muted, non-reflective materials and finishes that blend into the riverine context, and ensuring minimal visual disruption. Given the existing vegetated surrounds, eco-tourism proposal, and minor nature of the works, extensive landscaping is not considered necessary.
10.2 Boat Ramps	N/A – No boat ramp proposed	N/A – No boat ramp proposed
10.3 Pontoons and Walkways <ul style="list-style-type: none"> To restrict floating pontoons, walkways and jetties on Rivers in Murray Shire. To preserve the riverine environment from unsightly, artificial structures that have a detrimental affect on the ecological river system. To ensure river structures do not impact on river traffic safety. 	<ul style="list-style-type: none"> Pontoons, walkways and jetties for private recreational use are not permitted. Pontoons and walkways will be assessed on their merits where they are fundamental and ancillary to large scale tourist developments. Pontoons and walkways may still be permissible within private waterways/marinas and to provide safe access to approved mooring sites. Pontoons and walkways for the placing of a water pumps will only be considered in exceptional circumstances where the pump is substantial and will service many properties. Walkways and landings are to be hinged to the high bank of the waterway and floating so they can rise and fall with the water levels. All works involving soil or vegetation disturbance shall be undertaken with adequate measures to prevent soil erosion and the entry of sediments into the adjacent waterway. Pontoons and walkways are to be fitted with reflective markers for the purposes of river navigation. 	The proposed pontoon and walkway are part of the Murray Adventure River Trail, a regionally significant public tourism initiative and not for private recreational use. The kayak launch includes a floating pontoon allowing adjustment with fluctuating river levels. Construction will include appropriate sediment and erosion control measures as outlined in the FFA prepared by Biosis, ensuring protection of the riverbank during works.
10.4 Retaining Walls	N/A – No retaining walls proposed	N/A – No retaining walls proposed
10.5 Stairs	N/A - No stairs proposed	N/A - No stairs proposed
10.6 Moorings <ul style="list-style-type: none"> To implement Council's mooring management plan. To control the approval of new moorings and ensure that new moorings are appropriately located. To ensure new moorings do not adversely impact on river traffic safety. 	<ul style="list-style-type: none"> Moorings can not be transferred from private marinas to the Murray River. The mooring is to be constructed at a stable point in the river i.e. at a site not prone to erosion or an outside bend of a river. Moorings are to be hinged to the high bank of the waterway and floating so they can rise and fall with the water levels. Deep water or weir pools are the preferred location for moorings. All works involving soil or vegetation disturbance shall be undertaken with adequate measures to prevent soil 	The kayak launch includes a floating pontoon allowing adjustment with fluctuating river levels. Construction will include appropriate sediment and erosion control measures as outlined in the FFA prepared by Biosis, ensuring protection of the riverbank during works.

<ul style="list-style-type: none"> To minimise the environmental impact caused by moorings. 	<ul style="list-style-type: none"> erosion and the entry of sediments into the adjacent waterway. All mooring locations are to be situated at a safe and appropriate location in consultation with relevant agencies. Applications are to detail compliance with the Mooring Management Plan. 	
10.7 Liability and Public Safety <ul style="list-style-type: none"> To protect the public from harm or injury from using approved river structures. 	<ul style="list-style-type: none"> All pontoons or walkways are to be provided with an engineer's certificate validating the structural integrity. All private structures are to have restricted access and appropriate signage to prohibit unauthorised use. Owners of public facilities are to supply Council with a copy of their public liability insurance. 	The proposed structure includes multiple safety features to protect public users, including handrails on the gangway, non-slip surfaces throughout, and secure connections to the riverbank to ensure stability in varying river conditions.
10.8 Landscaping <ul style="list-style-type: none"> To restore the riverine vegetation within the Murray Shire. To screen buildings and structures from the river. 	<ul style="list-style-type: none"> All development applications are to include a landscaping plan. Landscaping must utilise indigenous species of riparian vegetation. Where land is degraded, landscaping shall include measures to rehabilitate these areas. Landscaping must be designed to screen or at least soften the appearance of buildings and structures. 	Given the existing vegetated surrounds, eco-tourism proposal, and minor nature of the works, extensive landscaping is not considered necessary.
10.9 Unauthorised Structures	N/A – all proposed structures included in application	N/A – all proposed structures included in application

Conclusion

For the reasons contained within this submission, we submit that the proposal is consistent with the applicable planning controls and policies in Murray Shire, demonstrating appropriate siting, design, and environmental management measures that protect the visual and ecological values of the river environment while supporting a regionally significant recreational initiative. All relevant environmental considerations, including riparian habitat, water quality, and public safety, have been addressed through appropriate siting, construction methods, and mitigation measures.

We trust that the submitted information is to Council's satisfaction. Should you require any further clarification regarding the documentation submitted, please contact Tim Norton, Associate, on 03 9664 9807 or via email at tnorton@hansenpartnership.com.au.

Yours faithfully,
Hansen Partnership Pty Ltd



Gary Wissenden | **Director**