

MELBOURNE PLANNING SCHEME

Incorporated Plan

June 2016

Melbourne Water Permit Exemptions to the Schedule to Clause 43.01 for the Moonee Ponds Creek (HO1092)

1. Application

This Incorporated Plan applies to Heritage Overlay HO1092, the Moonee Ponds Creek and Infrastructure Precinct.

The Incorporated Plan lists planning permit exemptions for Melbourne Water to allow Melbourne Water to carry out maintenance activities and fulfil their obligations under the *Water Act 1989*.

2. Definitions

'Maintenance activities' & 'minor capital works' include activities such as:

Weeding, spraying, pruning, planting/revegetation, community planting events, erosion control, placement of rock, maintaining existing infrastructure and fixtures (e.g. re-lining waterways with like for like materials), litter removal, de-silting and fish barrier removal.

These activities along waterways are undertaken to create habitat, preserve drainage functions and improve values, including heritage values. These are routine works activities and not 'new development' projects.

'Statutory obligations under the *Water Act 1989*'

Melbourne Water is the designated caretaker of river health for the Port Phillip and Westernport region, and has responsibility for waterway management, regional drainage and floodplain management and the management of the environmental water reserves. Melbourne Water therefore has responsibility for ensuring that the rivers, wetlands and estuaries within the Port Phillip and Westernport region are protected and improved on behalf of the community.

'Temporary Signage' refers to signage erected along the waterway to manage public risk and inform the public of Melbourne Water's activities.

3. No planning permit required

This section provides specific exemptions for Melbourne Water, to the requirements for a planning permit required by Clause 43.01 - Heritage Overlay within the Melbourne Planning Scheme.

- *No planning permit is required by (or on behalf of) Melbourne Water to carry out maintenance activities, including minor capital works essential to Melbourne Water's statutory obligations under the Water Act 1989.*
- *No planning permit is required for temporary signage erected by (or on behalf of) a Melbourne Water.*

NOTE: Melbourne Water does not object to applying for a permit for major capital works likely to result in either a change in the form and/or the materials (e.g. bluestone pitcher lining) of the Moonee Ponds Creek.

NOTE: This Incorporated Plan does not provide exemptions for the requirement for a planning permit if required by any other provision of the Melbourne Planning Scheme.