

Heritage Rivers Bill

No.

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LEGISLATIVE ASSEMBLY

Read 1° 23 October 1991

(Brought in by Mr Crabb and Mr Pope)

A BILL

to make provision for the protection of particular parts of rivers and river catchment areas which have significant nature conservation, recreation, scenic or cultural heritage attributes, to amend the **Conservation, Forests and Lands Act 1987**, the **Land Conservation Act 1970** and the **Water Act 1989** and for other purposes.

Heritage Rivers Act 1991

The Parliament of Victoria enacts as follows:

1. *Purpose*

5 The purpose of this Act is to make provision for Victorian heritage rivers by providing for the protection of particular parts of rivers and river catchment areas in Victoria which have significant nature conservation, recreation, scenic or cultural heritage attributes and to make related amendments to other Acts.

2. *Commencement*

10 (1) This Act, other than section 20, comes into operation on a day or days to be proclaimed.

Section headings appear in bold italics and are not part of the Act (see **Interpretation of Legislation Act 1984**).

- (2) Section 20, is to be taken to have come into operation on the day on which item 26 in the Schedule to the **Water (Consequential Amendments) Act 1989** came into operation.

3. *Definitions*

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In this Act—

“**Central Plan Office**” means the Central Plan Office in the Department of Finance.

“**Heritage river area**” means land that is a heritage river area under section 5.

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“**Land Conservation Council**” means the Land Conservation Council established under the **Land Conservation Act 1970**.

“**Managing authority**” means a person or organisation responsible for the management of public land in a heritage river area or natural catchment area, whether or not that responsibility is exercised alone or together with any other person or authority.

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“**Natural catchment area**” means land that is a natural catchment area under section 6.

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“**Powered water craft**” means any water craft propelled by an internal combustion engine.

“**Public land**” means—

(a) unalienated land of the Crown including land permanently or temporarily reserved under section 4 of the **Crown Land (Reserves) Act 1978** and State forest, within the meaning of the **Forests Act 1958**, and parks within the meaning of the **National Parks Act 1975**; or

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(b) land vested in any public authority (other than a municipality or an Authority under the **Water Act 1989**, to the extent that the land vested in the Authority is within a sewerage

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district listed in Column 3 of Schedule 12 to that Act; or

(c) land vested in the Melbourne and Metropolitan Board of Works; or

5 (d) any other land declared to be public land by the Governor in Council under the **Land Conservation Act 1970**.

10 “**Water diversion**” means the taking of water under a bulk entitlement, licence to take and use water or agreement under the **Water Act 1989** or any other Act and any works associated with that taking.

“**Waterway**” has the same meaning as in the **Water Act 1989**.

4. *Crown to be bound*

15 This Act binds the Crown, not only in right of the State of Victoria, but also, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

5. *Heritage river areas*

20 Each area of land described in a part of Schedule 1 is a heritage river area under the name specified in that part.

6. *Natural catchment areas*

Each area of land described in a part of Schedule 2 is a natural catchment area under the name specified in that part.

25 7. *Powers and duties of managing authorities*

(1) A managing authority of a heritage river area must, in so far as it is consistent with the authority’s duty to manage the area responsibly—

30 (a) take all reasonable steps to ensure that the significant nature conservation, recreation, scenic or cultural heritage attributes of the area are protected; and

- (b) subject to paragraph (a), take all reasonable steps to provide opportunities for other recreational activities, landscape appreciation and education within the area; and
- (c) take all reasonable steps to ensure that that part of the river which is in the area is maintained without further interference with its free flowing state except as otherwise provided in this Act. 5

- (2) A managing authority of a natural catchment area must, in so far as it is consistent with the authority’s duty to manage the area responsibly, take all reasonable steps to ensure that the area is maintained in an essentially natural condition. 10
- (3) A managing authority has the power to do everything that is necessary or convenient for it to do to give effect to this Act. 15

8. *Management plans*

- (1) A managing authority of a heritage river area or natural catchment area must prepare a management plan for the area within 5 years of the area having been brought under the Act. 20
- (2) If a management plan is in existence at the time any area is brought under the Act it may be adopted by the managing authority, with or without amendment, as the management plan for the purposes of this section. 25
- (3) A management plan made or adopted under this section does not take effect until it is approved by the Minister.
- (4) A management plan may be amended or revoked by a managing authority with the approval of the Minister.
- (5) If a management plan has been revoked, the managing authority must make another management plan. 30

9. *Contents of management plans*

A management plan for a heritage river area or natural catchment area must state the way in which the managing

5 authority is to undertake its duties and exercise its powers under this Act and the management plan must be consistent with the purpose of this Act, the authority's duties and powers and any Land Conservation Council recommendations in respect of which notice has been given under section 10 (3) of the **Land Conservation Act 1970**.

10. ***Land and water uses which are not permitted in heritage river areas***

10 (1) An impoundment, artificial barrier or structure that impedes the passage of water fauna must not be constructed in a heritage river area specified in Column 1 of Schedule 3.

15 (2) There must not be a new water diversion in a heritage river area specified in Column 2 of Schedule 3.

20 (3) Any new water diversion from a waterway upstream from the lowest point of a heritage river area specified in Column 3 of Schedule 3 must not significantly impair the nature conservation, recreation, scenic or cultural heritage attributes of the area.

(4) Timber harvesting is not to be carried out in any heritage river area specified in Column 4 of Schedule 3.

11. ***Specific land and water uses for particular heritage river areas***

25 A heritage river area set out in Column 1 of Schedule 4 must be managed in accordance with the recommendation of the Land Conservation Council made under the **Land Conservation Act 1970** set out opposite that area in Column 2 of Schedule 4.

30 12. ***Land and water uses which are not permitted in natural catchment areas***

The carrying out of the following uses and activities must not be permitted or take place in a natural catchment area—

- (a) the clearing of indigenous flora;
- (b) the harvesting of timber;
- (c) the establishment of plantations;
- (d) mining;
- (e) mineral exploration, except in accordance with any recommendation of the Land Conservation Council in respect of which notice has been given under section 10 (3) of the **Land Conservation Act 1970**; 5
- (f) extractive industries;
- (g) the construction of new water storages or new water diversions; 10
- (h) the carrying out of waterway management;
- (i) the grazing of domestic animals;
- (j) the making of new roads or the upgrading of existing roads; 15
- (k) the discharging of effluent;
- (l) the introduction of non-indigenous species of fauna;
- (m) the stocking of the area with indigenous fauna, except for the purpose of conserving an indigenous species of fauna which would otherwise be at risk; 20
- (n) the use of powered water craft.

13. *Specific land and water uses for particular natural catchment areas*

A natural catchment area set out in Column 1 of Schedule 5 must be managed in accordance with the recommendation of the Land Conservation Council made under the **Land Conservation Act 1970** set out opposite that area in Column 2 of Schedule 5. 25

14. *Public land in a heritage river area or natural catchment area is not to be disposed of* 30

Public land in a heritage river area or natural catchment area must not be disposed of—

- (a) in the case of unalienated land of the Crown, by way of grant, conveyance or otherwise; or

- (b) in the case of land vested in a public authority, by way of transfer or conveyance without the approval of the Minister.

15. *Act to prevail over inconsistent provisions*

- 5 (1) Nothing in section 7 of this Act or in any other Act or in any instrument made, granted or issued under another Act is to be taken to authorise the carrying out of activities in a heritage river area or natural catchment area to the extent that the activities are prohibited, or the manner of carrying out the activities is regulated by or under—
- 10 (a) this Act; or
(b) an approved management plan; or
(c) a Land Conservation Council recommendation referred to in Schedule 4 or 5.
- 15 (2) An instrument made, granted or issued under any Act in contravention of sub-section (1) is void.

16. *Managing authority may act in an emergency*

- 20 In an emergency in which there is an immediate risk of personal injury or damage to property, the managing authority may carry out an activity prohibited, or act in a manner contrary to that permitted by or under—
- (a) this Act; or
(b) an approved management plan; or
25 (c) a Land Conservation Council recommendation referred to in Schedule 4 or 5.

17. *Power to enter into agreements*

- 30 A managing authority may enter an agreement with any other managing authority, government department or public statutory body of Victoria, the Commonwealth or any other State or Territory of the Commonwealth or with any other person or organisation with respect to the exercise of its powers under this Act.

18. Regulations

- (1) The Governor in Council may make regulations for or with respect to the following matters—
- (a) the control, management and use of heritage river areas and natural catchment areas; 5
 - (b) management plans;
 - (c) generally prescribing any other matter or thing required or permitted by this Act to be prescribed or necessary to be prescribed to give effect to this Act. 10
- (2) The regulations—
- (a) may be of general or limited application; and
 - (b) may differ according to differences in time, place or circumstances; and
 - (c) may leave any matter to be approved or determined by the Minister; and 15
 - (d) may impose penalties not exceeding 5 penalty units for a contravention of the regulations.

19. Amendment to the Conservation, Forests and Lands Act 1987 20

In Schedule 1 to the Conservation, Forests and Lands Act 1987, after “Forests Act 1958” insert “Heritage Rivers Act 1991”.

20. Amendment to the Land Conservation Act 1970

In paragraph (a) (ii) of the definition of “Public land” in section 2 (1) of the Land Conservation Act 1970, for “that has a sewerage district under that Act” substitute “, to the extent that the land vested in the Authority is within a sewerage district listed in Column 3 of Schedule 12 of that Act”. 25 30

21. Amendments to the Water Act 1989

- (1) In section 40 of the Water Act 1989, after paragraph (j) insert—

5 “(ja) Whether the proposed source of water is within a heritage river area or natural catchment area within the meaning of the **Heritage Rivers Act 1991** and whether there is any restriction on the use of the area under that Act;”.

(2) In section 68 of the **Water Act 1989**, after paragraph (c) insert—

“; and

10 (d) have regard to whether the site of the proposed works is within a heritage river area or natural catchment area within the meaning of the **Heritage Rivers Act 1991** and whether there is any restriction on the use of the area under that Act”.

SCHEDULES

SCHEDULE 1

HERITAGE RIVER AREAS

PART 1—MITTA MITTA RIVER HERITAGE AREA

All those pieces of land along the Mitta Mitta River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-3.

PART 2—OVENS RIVER HERITAGE AREA

All those pieces of land along the Ovens River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-4.

PART 3—HOWQUA RIVER HERITAGE AREA

All those pieces of land along the Howqua River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-5.

PART 4—BIG RIVER HERITAGE AREA

All those pieces of land along the Big River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-6.

PART 5—GOULBURN RIVER HERITAGE AREA

All those pieces of land along the Goulburn River shown bordered in blue excepting the land coloured yellow on the plan lodged in the Central Plan Office and numbered LEGL/91-7.

PART 6—WIMMERA RIVER HERITAGE AREA

All those pieces of land along the Wimmera River shown bordered in blue excepting the land coloured yellow on the plan lodged in the Central Plan Office and numbered LEGL/91-8.

PART 7—GENOA RIVER HERITAGE AREA

All those pieces of land along the Genoa River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-9.

PART 8—BEMM, GOOLENGOOK, ARTE AND ERRINUNDRA RIVERS HERITAGE AREA

All those pieces of land along the Bemm, Goolengook, Arte, and Errinundra Rivers and Errinundra River (East Branch) shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-10.

PART 9—SNOWY RIVER HERITAGE AREA

All those pieces of land along the Snowy and Little Rivers shown bordered in blue excepting the land coloured yellow on the plan lodged in the Central Plan Office and numbered LEGL/91-11.

SCHEDULE 1—*continued*

PART 10—SUGGAN BUGGAN AND BERRIMA RIVERS HERITAGE AREA

All those pieces of land along the Suggan Buggan and Berrima Rivers shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-12.

PART 11—UPPER BUCHAN RIVER HERITAGE AREA

All those pieces of land along the Upper Buchan River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-13.

PART 12—MITCHELL AND WONNANGATTA RIVERS HERITAGE AREA

All those pieces of land along the Mitchell and Wonnangatta Rivers shown bordered in blue excepting the land coloured yellow on the plan lodged in the Central Plan Office and numbered LEGL/91-14.

PART 13—THOMSON RIVER HERITAGE AREA

All those pieces of land along the Thomson River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-15.

PART 14—YARRA RIVER HERITAGE AREA

All those pieces of land along the Yarra River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-16.

PART 15—LERDERDERG RIVER HERITAGE AREA

All those pieces of land along the Lerderderg River shown bordered in blue excepting the land coloured yellow on the plan lodged in the Central Plan Office and numbered LEGL/91-17.

PART 16—AIRE RIVER HERITAGE AREA

All those pieces of land along the Aire River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-18.

PART 17—GLENELG RIVER HERITAGE AREA

All those pieces of land along the Glenelg River shown bordered in blue on the plan lodged in the Central Plan Office and numbered LEGL/91-19.

SCHEDULE 2

NATURAL CATCHMENT AREAS

PART 1—EAST GIPPSLAND COASTAL STREAMS CATCHMENT AREA

All those pieces of land in the catchments to the Red and Benedore Rivers, and Shipwreck, Easby and Seal Creeks, and areas between them, outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-20.

SCHEDULE 2—*continued*

PART 2—RODGER RIVER AND MOUNTAIN CREEK CATCHMENT AREA

All those pieces of land in the catchments to the Rodger River and Mountain Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-21.

PART 3—AVON RIVER CATCHMENT AREA

All those pieces of land in the catchments to the Avon, Turton and Dolodrook Rivers, and Ben Cruachan and Thiele Creeks, outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-22.

PART 4—O'SHANNASSY RIVER CATCHMENT AREA

All those pieces of land in the catchment to the O'Shannassy Reservoir outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-23.

PART 5—LOG BRIDGE CREEK CATCHMENT AREA

All those pieces of land in the catchment to the East Branch of the Log Bridge Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-24.

PART 6—MOUNT TABOR CREEK CATCHMENT AREA

All those pieces of land in the catchment to Mount Tabor Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-25.

PART 7—BANIMBOOLA CREEK CATCHMENT AREA

All those pieces of land in the catchment to Banimboola Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-26.

PART 8—DEVILS CREEK CATCHMENT AREA

All those pieces of land in the catchment to the Middle Branch of the Devils Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-27.

PART 9—YARRARABULA CREEK CATCHMENT AREA

All those pieces of land in the catchment to Yarrarabula Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-28.

PART 10—LONG JACK CREEK CATCHMENT AREA

All those pieces of land in the catchment to Long Jack Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-29.

SCHEDULE 2—*continued*

PART 11—WILLIAMS CREEK CATCHMENT AREA

All those pieces of land in the catchment to Williams Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-30.

PART 12—DOUBLE CREEK CATCHMENT AREA

All those pieces of land in the catchment to Double Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-31.

PART 13—GENOA RIVER TRIBUTARY CATCHMENT AREA

All those pieces of land in the catchment to the unnamed tributary to the Genoa River outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-32.

PART 14—WINNOT CREEK CATCHMENT AREA

All those pieces of land in the catchment to Winnot Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-33.

PART 15—ERRINUNDRA RIVER CATCHMENT AREA

All those pieces of land in the catchment to the East Branch of the Errinundra River outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-34.

PART 16—GATTAMURH CREEK CATCHMENT AREA

All those pieces of land in the catchment to Gattamurh Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-35.

PART 17—WALLABY CREEK CATCHMENT AREA

All those pieces of land in the catchment to Wallaby Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-36.

PART 18—MOUNT GELANTIPY CREEK CATCHMENT AREA

All those pieces of land in the catchment to Mount Gelantipy Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-37.

PART 19—MUSK CREEK CATCHMENT AREA

All those pieces of land in the catchment to Musk Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-38.

PART 20—BRODRIBB RIVER CATCHMENT AREA

All those pieces of land in the catchment of the headwaters of the Brodrubb River outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-39.

SCHEDULE 2—*continued***PART 21—STONY CREEK CATCHMENT AREA**

All those pieces of land in the catchment to Stony Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-40.

PART 22—WONGUNGARRA RIVER CATCHMENT AREA

All those pieces of land in the catchment of the headwaters of the Wongungarra River outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-41.

PART 23—BLUE RAG CREEK CATCHMENT AREA

All those pieces of land in the catchment to Blue Rag Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-42.

PART 24—PINNACLE CREEK CATCHMENT AREA

All those pieces of land in the catchment to the East Branch of Pinnacle Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-43.

PART 25—PUNCHEN CREEK CATCHMENT AREA

All those pieces of land in the catchment to Punchen Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-44.

PART 26—MOUNT VEREKER CREEK CATCHMENT AREA

All those pieces of land in the catchment to Mount Vereker Creek outlined in green on the plan lodged in the Central Plan Office and numbered LEGL/91-45.

SCHEDULE 3
Restricted land and water uses in heritage river areas

Column 1	Column 2	Column 3	Column 4
<i>No Impoundments artificial barriers or structures are to be constructed</i>	<i>No new water diversions</i>	<i>New Water diversions not to significantly impair attributes of area</i>	<i>No timber harvesting</i>
Mitta River Area	Mitta River Heritage Area	Genoa River Heritage Area	Mitta River Area
Ovens River Heritage Area	Suggan and Berrima River Heritage Area	Mitta River Heritage Area	Mitta River Heritage Area
Howqua River Heritage Area	Thomson River Heritage Area	Ovens River Heritage Area	Big River Heritage Area
		Howqua River Heritage Area	Wimmera River Heritage Area

SCHEDULE 3—*continued*

Column 1	Column 2	Column 3	Column 4
<i>No Impoundments artificial barriers or structures are to be constructed</i>	<i>No new water diversions</i>	<i>New Water diversions not to significantly impair attributes of area</i>	<i>No timber harvesting</i>
Goulburn River Heritage Area		Goulburn River Heritage Area	Genoa River Heritage Area
Genoa River Heritage Area		Bemm, Goolengook, Arte and Errinundra River Heritage Area	Bemm, Goolengook, Arte and Errinundra River Heritage Area
Bemm, Goolengook, Arte and Errinundra River Heritage Area		Snowy River Heritage Area	Suggan Buggan and Berrima River Heritage Area
Snowy River Heritage Area		Upper Buchan River Heritage Area	Upper Buchan River Heritage Area
Suggan Buggan and Berrima River Heritage Area		Mitchell and Wonnangatta River Heritage Area	Mitchell and Wonnangatta River Heritage Area
Upper Buchan River Heritage Area			Thomson River Heritage Area
Mitchell and Wonnangatta River Heritage Area		Yarra River Heritage Area	Yarra River Heritage Area
Thomson River Heritage Area		Lerderderg River Heritage Area	Lerderderg River Heritage Area
Aire River Heritage Area		Aire River Heritage Area	Aire River Heritage Area
Glenelg River Heritage Area		Glenelg River Heritage Area	Glenelg River Heritage Area

SCHEDULE 4

Specific land and water uses for particular heritage river areas

Column 1	Column 2
<i>Heritage River Areas</i>	<i>Land Conservation Council recommendations</i>
Ovens River Heritage Area—	A2 (m) (iii) timber-harvesting be permitted in the Lower Ovens forest, subject to the recommended principles and guidelines for river red gum harvesting operations

SCHEDULE 4—*continued*

Column 1 <i>Heritage River Areas</i>	Column 2 <i>Land Conservation Council recommendations</i>
Howqua River Heritage Area—	A3 (m) (iii) timber-harvesting continue where land status permits subject to prescriptions providing for a buffer around recreation routes and destinations
Big River Heritage Area—	A4 (m) (i) any new diversion of water only be permitted if its volume and timing, and the design of the offtake structure, do not significantly impair in-stream habitat conditions, the passage of in-stream fauna, or reduce scenic landscape value (ii) the volume and timing of any new diversion be such as to not significantly impair canoeing quality, but that if such impairment is likely, an economic assessment of the relative social benefits and costs be carried out
Goulburn River Heritage Area—	A5 (m) (iii) timber-harvesting be permitted in the Lower Goulburn forests below Murchison, subject to the recommended principles and guidelines for river red gum harvesting operations
Wimmera River Heritage Area—	A6 (m) (i) transfers between existing water users take place where appropriate, but no additional diversion of surface water shall be made in the Wimmera Basin (ii) increased allocations only be made where they can be achieved from water savings through schemes that improve water distribution efficiency, such as the piping of parts of the Wimmera-Mallee Stock and Domestic Supply System (iii) an adequate proportion of such water savings is to be allocated to environmental water requirements for the Wimmera River upstream of Lake Hindmarsh (iv) on completion of studies of the means of providing environmental water requirements along the Wimmera River and Outlet Creek to the terminal lakes, an adequate proportion of water savings is to be allocated to these requirements.
Snowy River Heritage Area—	A9 (m) (iii) timber-harvesting be permitted in the lower Snowy State forest part of the corridor, by selection felling at a low intensity, except within

SCHEDULE 4—*continued*

Column 1 <i>Heritage River Areas</i>	Column 2 <i>Land Conservation Council recommendations</i>
Thomson River Heritage Area—	the natural features zone, subject to minimisation of the impact on scenic landscapes viewed from the river and strategic vantage points, and in accordance with previous Council recommendations A13 (m) (iii) any new water diversions from tributary streams entering the corridor upstream from Cowwarr Weir only be permitted if their volumes, timing, and offtake do not significantly impair canoeing quality or native fish habitat, or reduce scenic landscape value
Yarra River Heritage Area—	A14 (m) (i) new impoundments, artificial barriers, or structures that impede the passage of in-stream fauna, or diversions of water from the river, only be permitted if their volumes, timing, and offtake do not significantly impair fish habitat conditions, canoeing quality, or scenic landscape value
Lerderderg River Heritage Area—	A15 (m) (i) new impoundments, artificial barriers, or structures that impede the passage of in-stream fauna, or diversions of water from the river only be permitted if their volumes, timing, construction, and release regime do not significantly impair riparian vegetation quality or scenic landscape value

SCHEDULE 5

Specific land and water uses for particular natural catchment areas

Column 1 <i>Natural Catchment Areas</i>	Column 2 <i>Land Conservation Council recommendations</i>
East Gippsland Coastal Streams	B1 (d) no alteration occur to the natural hydrological properties of these catchments (e) sites of botanical, zoological and geological/geomorphological significance be protected.
Rodger River and Mountain Creek	B2 (d) sites of botanical and zoological significance be protected.

SCHEDULE 5—*continued*

Column 1 <i>Heritage River Areas</i>	Column 2 <i>Land Conservation Council recommendations</i>
Avon River	B3 (d) Australian grayling habitat be protected by retaining free passage to the sea for migration, and maintaining water quality, flow, and in-stream habitat condition.
O'Shannassy River	B4 Note 1. This area includes the O'Shannassy Reservoir. From time to time it will be necessary for Melbourne Water to carry out reservoir maintenance and catchment management activities.
Winnot Creek	B14 Note. Management of this area should take into account its importance as habitat for the vulnerable southern barred frog and the giant burrowing frog.
