

New river setbacks 'a setback to environment'

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Researchers from Macquarie University and RMIT have warned about potential major damage to the long-term health of rivers and the local environment following recent changes to New South Wales Government planning rules around development setbacks along watercourses.

In a critical review to be published in the *Environmental and Planning Law Journal*, Macquarie University's Professor Mark Taylor and Dr Peter Davies along with Dr Christopher Ives from RMIT's School of Global, Urban and Social Studies argue that recent regulatory changes relating to river banks are shifting the balance between environment protection and development interests in an adverse way.

The recent NSW Government changes have been made to provide greater "certainty" to property developers, but according to the authors they are coming "at the expense of certainty for environmental protection".

The principal changes were introduced on 1 July 2012:

- (i) A variation to the method used to measure the width of river setbacks – effectively narrowing river setbacks in most cases;
- (ii) A decision to merge these with additional spaces previously left available for a further vegetation buffer.

In some cases, a third or more of the buffer zone between river banks and development will now be removed.

Amongst the reasons for their concern, the researchers say:

- No scientific evidence has been provided to demonstrate that there will no be net loss of environmental quality and biodiversity, despite government assurances;
- The "new" [measurement system](#) is based on an antiquated method developed in the south-west United States in 1952, for a purpose other than watercourse and riparian protection.
- The method used to calculate river set-backs requires reliance on [topographical maps](#) that are often decades old, which do not reflect accurately the true conditions of contemporary rivers.

The "reforms" introduced by the NSW Government are contrary to existing knowledge and best practice with respect to river management and local amenity. These changes are likely to compound the problems identified in the most recent NSW State of the Environment Report (2012) that revealed NSW coastal river aquatic fish were in poor to poor to very poor condition and that 50% of riparian vegetation systems were classified as being below good condition.

Provided by Macquarie University

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