SCHEDULE 7 TO THE INCORPORATED PLAN OVERLAY

**DD/MM/YYYY
proposed GC28**

Shown on the planning scheme map as IPO7.

 Donnybrook/Woodstock PRECINCT STRUCTURE PLAN

Purpose

To give effect to the *Donnybrook/Woodstock Precinct Structure Plan*.

To provide for the long term preservation and regeneration of River Redgum Grassy Woodland and native habitat areas of significant environmental value.

To conserve parts of Darebin and Merri Creeks for functioning, sustainable populations of Growling Grass Frog.

To protect and manage land for nature conservation, Growling Grass Frog conservation and Open Space conservation in a manner consistent with the *Biodiversity Conservation Strategy for Melbourne’s Growth Corridors*.

To facilitate development of recreation and infrastructure associated with adjoining urban land uses.

1.0 General accordance with incorporated plans

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A permit granted must be generally in accordance with the incorporated plans. A permit may be granted for a development which is not generally in accordance with the incorporated *Donnybrook/Woodstock Precinct Structure Plan* if the responsible authority and the Department of Environment, Land, Water and Planning are satisfied that the permit will not prejudice the orderly planning of the area having regard to the objectives of the Wollert Precinct Structure Plan April 2015.

2.0 Conditions and requirements for permits

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The requirements of the incorporated *Donnybrook/Woodstock Precinct Structure Plan* must be included in a permit.

Any permit for subdivision or buildings and works must contain the following conditions:

 Kangaroo Management Plan

Before the certification of the plan of subdivision and the commencement of any works, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority

 Salvage and Translocation

*The Salvage and Translocation Protocol for Melbourne’s Growth Corridors* (Department of Environment and Primary Industries, 2014) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

 Environmental Management Plans

A planning permit for subdivision or buildings or works on land shown as a conservation area in the incorporated *Donnybrook/Woodstock Precinct Structure Plan* must include the following condition:

* The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment, Land, Water and Planning unless otherwise agreed by the Department of Environment, Land, Water and Planning.

 Protection of conservation areas and native vegetation during construction

Prior to the commencement of works in or around a conservation area, scattered native tree or patch of native vegetation, a conservation area/vegetation protection fence must be constructed that is:

* highly visible
* at least 2 metres in height
* sturdy and strong enough to withstand knocks from construction vehicles
* kept in place for the whole period of construction
* located the following minimum distance from the element to be protected:

|  |  |
| --- | --- |
| Element | Minimum distance from element |
| Conservation area  | 2 metres from the edge of the area |
| Scattered tree  | The distance as shown in the incorporated precinct structure plan (Section 4.6) |
| Patch of native vegetation  | 2 metres from the edge of the area |

Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:

* be located not less than 15 metres from a waterway;
* be located outside the required vegetation protection fence;
* be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
* be carried out under direct supervision of a suitably qualified ecologist or arborist; and,
* not be undertaken if the qualified ecologist or arborist who is familiar with the requirements of the incorporated precinct structure plan is of the opinion that the various activities presents a risk to any vegetation within a conservation area.

 Land Management Cooperative Agreement

A permit to subdivide land shown in the incorporated *Donnybrook/Woodstock Structure Plan* as including a conservation area must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:

* Enter into a *Land Management Cooperative Agreement* with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the *Conservation Forests and Lands Act 1987*, which:
* Provides for the conservation and management of that part of the land shown as a conservation area in the incorporated *Donnybrook/Woodstock Precinct Structure Plan*; and
* May include any matter that such an agreement may contain under the *Conservation Forests and Lands Act 1987*.
* Makes application to the Registrar of Titles to register the agreement on the title to the land.
* Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this condition does not apply to land or any lot or part of a lot within a conservation area identified in the incorporated Precinct Structure Plan that:

* is identified in the incorporated Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
* is identified in the incorporated Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
* is within a Conservation Area identified in the incorporated Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment, Land, Water and Planning for conservation purposes; or
* is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
* the Secretary to the Department of Environment, Land, Water and Planning;
* the Minister for Environment and Climate Change; or
* another statutory authority.

to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

 Within 50 metres of Conservation Areas

Before the development starts, a Conservation Interface Plan must be submitted to and approved by the Secretary to the Department of Environment, Land, Water and Planning which addresses how any development within 50 metres of any Conservation Area shown in the precinct structure plan will be managed. The endorsed Conservation Interface Plan must be implemented to the satisfaction of the responsible authority.

3.0 Decision guidelines

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Before deciding on an application to remove, destroy or lop vegetation the responsible authority must consider:

* The conservation and enhancement of the area including visual amenity.
* Preservation of and impact on the natural environment and the need to prevent erosion.
* The preservation and protection of significant vegetation and habitat.
* The management of vegetation to minimise fire hazard.