

2 October 2017

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Review of Draft Lindum Vale Precinct Structure Plan Area

Project no. 23453

Further to your request, we have reviewed the Lindum Vale Precinct Structure Plan (PSP) and the Native Vegetation Precinct Plan (NVPP) (dated August 2017) both of which are currently on display for public consultation as part of the exhibition of Amendment C205 to the Hume Planning Scheme. Please note, we have not reviewed the Infrastructure Contributions Plan (ICP) for the precinct, as it is currently not available for public comment and will form part of a separate planning scheme amendment.

The draft PSP and draft NVPP

We understand the Lindum Vale precinct is located at the north-western edge of the Urban Growth Boundary, is approximately 144 hectares (ha), and covers four parcels of land. We understand that Satterley has the development rights over Parcels 1 and 2 identified in the draft PSP.

The PSP specifies that the precinct will provide for approximately 1,500 dwellings on a range of lot sizes, and amongst other things, sets aside land for a large waterway and drainage reserve (RBWL-01), a range of small and larger local parks (LP-01 to 10), and areas for landscape value/tree retention (LV-01 to 12). Land in the south east corner of the precinct is to be set aside as a conservation reserve (CR-01) to protect Grassy Eucalypt Woodland and Golden Sun Moth habitat both of which are protected under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).

The NVPP sets out the native vegetation to be retained and removed without requiring a planning permit and the associated offset requirements for the removal of native vegetation. Table 2 and 4 in the NVPP identify a total of 23 scattered trees to be retained. Tables 3 and 4 identify eight (8) remnant patches and 48 scattered trees that can be removed without requiring a planning permit. Only General Offsets (1,456 units) are required for the removal of native vegetation within the precinct, which are available for purchase via the over-the-counter BushBroker system.

Results of the review

Based on our review of the exhibited PSP and NVPP, we make the following comments:

Conservation Reserve

1. The PSP allocates 4.88ha of land as Conservation Reserve (CR-01) in the south east corner of the precinct to protect Commonwealth listed grasslands and grassy woodland. This is consistent with the

current referral under the EPBC Act originally lodged by MAB Corporation and now controlled by Satterley which specifies that this area encompasses all of the Grassy Eucalypt Woodland that is present on the site, and setting this land aside will avoid adverse impacts to the aforementioned community. We note that Requirement R34 of the PSP allows for the provision of public paths and infrastructure within the conservation area. The PSP should include a concept plan to provide guidance as to the path network within the Conservation Reserve (CR-01) to enable its seamless interconnection into the open space network. To avoid impacts relevant to the EPBC Act no infrastructure may be provided within the areas identified as Grassy Eucalypt Woodland.

2. The NVPP requires that the Conservation Reserve (CR-01) is managed in accordance with an offset management plan that meets the requirements of the *Native vegetation gain scoring manual*, and identifies Hume City Council (p. 17) as being responsible for managing the Conservation Reserve. We suggest that Satterley confirm who is responsible for preparing the offset management plan, and to seek clarification on the timing for Hume City Council to take on management responsibilities, through the exhibition period.

No biodiversity basis for the Inter-urban Break

3. We note the inclusion of a substantial local open space area along Mount Ridley Road and the associated objectives and requirements within the PSP. The draft PSP sets aside approximately 5.7ha for local parks (LP-01 and LP-02) and landscape values (LV-11 and LV-12) along the southern boundary of the precinct. We note that the footprint of this local open space area is not driven by the retention of biodiversity qualities, and as such there is no biodiversity-based imperative to set aside that land and restrict development.

Inconsistent native vegetation identified for removal/retention

4. We note that there is significant inconsistency in the designation of tree removal and retention across the exhibited PSP and NVPP documents, which is in part due to the inclusion of the landscape value category. This inconsistency creates confusion and uncertainty regarding planning permit triggers to remove this native vegetation. The relevant plans within the exhibited PSP and NVPP should be revised to show consistent tree retention and removal across the precinct and should be circulated for public comment. Satterley should reserve its right to make a further submission on tree retention/removal following review of any revised plans.

Native vegetation along Mickleham Road

5. There is limited existing native vegetation along the eastern edge of Mickleham Road, and it is therefore unclear how objective O3 and requirement R6 (pg.11 and p.17 of the draft PSP, respectively) can be implemented. There appears to be limited opportunity to make enhancements to the existing native vegetation or to provide an appropriate landscaping and built form interface. We suggest that Satterley seek further clarification of these aspects of the draft PSP through the exhibition period.

Irrigation of River Red Gums

6. We note the recurring theme in the PSP relating to the use of irrigation through subdivision and road design to sustain the health of retained biodiversity values, particularly River Red Gums (O19 p.13 and G36 p.37). The River Red Gums on the site have evolved, adapted and survived in an agricultural landscape that would not have provided them with increased water availability therefore any change in the available water needs to be carefully considered. We note that there is no supporting documentation which sets out how the irrigation of the trees would be managed in terms of land designation, ownership and ongoing maintenance and in the absence of this information the inclusion of the associated guidelines and requirements in the PSP are premature. Satterley should

request any background documentation that the Victorian Planning Authority (VPA) has relied upon to support the inclusion of these guidelines and requirements.

Minor revisions

7. We note a number of minor revisions that should be made to the exhibited versions of the PSP and NVPP to improve clarity. All references to "conservation area" within the draft PSP and NVPP should be replaced with "conservation reserve" to ensure consistency and the title of Appendix 7.4 should be amended to read "Trees to be Retained or Removed South West".

In summary, a number of matters require further clarification through the exhibition period, in particular those related to the apparent inconsistencies between the PSP and NVPP; native vegetation along Mickleham Road; and the roles, responsibilities and timing for the preparation of an offset management plan and management responsibilities for the conservation reserve.

Please feel free to contact me to clarify any matters or discuss the project further.

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