

--/--/---
Proposed C241wsea

SCHEDULE 8 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO8**.

SHENSTONE PARK PRECINCT STRUCTURE PLAN

1.0 Requirement before a permit is granted

--/--/---
Proposed C241wsea

None specified.

2.0 Permits not generally in accordance with incorporated plan

--/--/---
Proposed C241wsea

A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Secretary to the Department of Environment, Land, Water and Planning, and the responsible authority is satisfied that the development will not prejudice the orderly planning of the area having regard to the objectives of the incorporated *Shenstone Park Precinct Structure Plan*.

3.0 Conditions and requirements for permits

--/--/---
Proposed C241wsea

The requirements of the incorporated *Shenstone Park Precinct Structure Plan* must be included in a permit.

Condition - Salvage and Translocation

A planning permit for subdivision, buildings or works must include the following condition:

The Salvage and Translocation Protocol for Melbourne's Growth Corridors (Department of Environment, Land, Water and Planning, 2017) must be implemented in the carrying out of development to the satisfaction of the secretary to the Department of Environment, Land, Water and Planning.

Condition - Environmental Management Plans

A planning permit for subdivision, buildings or works on land shown as a conservation area in the incorporated *Shenstone Park Precinct Structure Plan* must including the following condition:

The subdivision, buildings or works must not commence until an Environmental Management Plan has been approved to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Condition - Protection of conservation areas and native vegetation during construction

A permit to subdivide land, construct a building or carry out works, where the *Shenstone Park Precinct Structure Plan* shows the land, or abutting land, including a conservation area or a patch of native vegetation or a scattered tree must contain the following conditions:

Before the commencement of buildings or works within or on or within 30m of land abutting a conservation area shown on Plan 3 of the *Shenstone Park Precinct Structure Plan* as a conservation area, the permit holder must erect a vegetation protection fence around any conservation area, patch of native vegetation or scattered tree identified for retention, or vegetation identified for salvage in the incorporated Shenstone Park Precinct Structure Plan. The fence must be:

- highly visible
- at least 2 metres in height
- sturdy and strong enough to withstand knocks from construction vehicles
- in place for the whole period of construction occurring within 30m of the conservation area, patch of native vegetation or scattered tree
- located a minimum distance from:

Element	Minimum distance from element
Conservation area	0.5 metres
Scattered tree	The distance as shown in the incorporated <i>Shenstone Park Precinct Structure Plan</i> (section 4.6)
Patch of native vegetation	2 metres

During the undertaking of buildings or works, all activities must be excluded from occurring within the protection fencing, unless otherwise agreed to by the Department of Environment, Land, Water and Planning.

Construction stockpiles, fill, machinery, vehicle parking, excavation and works or other activities associated with the buildings or works must be designed and constructed to ensure that the conservation area, scattered trees or patches of native vegetation identified for retention in the incorporated Precinct Structure Plan are protected from adverse impacts during construction.

Requirement - Land Management Co-operative Agreement

A permit to subdivide land on land shown in the incorporated *Shenstone Park Precinct Structure Plan* as including a conservation area shown on Plan 3 of the Precinct Structure Plan as a BCS 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:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the *Conservation Forests and Land Act 1987*, which:
 - Must provide for the conservation and management of that part of the land; and
 - May include any matter that such an agreement may contain under the *Conservation Forests and Land 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 clause does not apply to land of any lot or part of a lot within the conservation area shown on Plan 3 of the incorporated *Shenstone Park Precinct Structure Plan* as a BCS conservation area, that:

- is identified in a 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 a Park 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 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.

4.0

Decision guidelines

--/--/---
Proposed C241wsea

The following decision guidelines apply to an application for a permit under Clause 43.03 which is not generally in accordance with the incorporated plan, in addition to those specified in Clause 43.03 and elsewhere in the Scheme which must be considered, as appropriate, by the responsible authority:

- Any endorsed program report applying to the land under Part 10 of the Environmental Protection and Biodiversity Conservation Act 1999 (Cth).
- The incorporated *Shenstone Park Precinct Structure Plan*.

5.0

Preparation of the incorporated plan

--/--/---
Proposed C241wsea

None specified.