



Department of Environment,
Land, Water & Planning

8 Nicholson Street
East Melbourne Victoria 3002

Tony Marks
Acting Director Outer Melbourne
Victorian Planning Authority
tony.marks@vpa.vic.gov.au

BY EMAIL ONLY

Dear Tony,

Exhibition of Amendment C106mth to the Mitchell Planning Scheme (Beveridge North West Precinct Structure Plan)

Thank you for the opportunity to provide comment on the above planning scheme amendment. The Department of Environment, Land, Water and Planning (DELWP) has reviewed the documents associated with the amendment and provides the attached submission.

DELWP generally supports the draft documents subject to changes outlined in the submission. Please note there are two changes required that are particularly important to the implementation of the Melbourne Strategic Assessment Program including the need for the Precinct Structure Plan to have a native vegetation retain and remove plan and the need for a specific exemption to be included in Clause 52.17.

We look forward to continuing to work cooperatively with the Victorian Planning Authority and are available to discuss our submission.

If you have any questions, please contact James Walsh, Project Officer on (03) 8392 5446 or at james.walsh@delwp.vic.gov.au

Yours sincerely

Michael Ward
Team Leader, Precinct Structure Planning

18, 10, 2019

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Beveridge North West Precinct Structure Plan

Submission by the Department of Environment, Land, Water and Planning, Melbourne Strategic Assessment Team to the Draft Beveridge North West Precinct Structure Plan

Item	Comment	Model content
Biodiversity and Threatened Species	The adjacent note is to be included within the PSP as an introduction to the Biodiversity and Threatened Species section.	<p>Note to be included:</p> <p><i>Operation of Commonwealth Environmental Laws</i></p> <p><i>The Commonwealth Department of Environment and Energy has granted an approval for urban development in Melbourne's Growth Corridors under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). This approval covers the Beveridge North West Precinct.</i></p> <ul style="list-style-type: none"> <i>Provided the conditions of this approval are satisfied, individual assessment and approval under the EPBC Act is not required.</i>
PSP Plans	<p>A Native Vegetation Retention & Removal plan needs to be included in the PSP. The plan should ensure consistency with the following DELWP data:</p> <ul style="list-style-type: none"> Time stamping native vegetation data Scattered tree data <p>Time stamping native vegetation and scattered tree data can be accessed through the Victorian government open data portal at: www.data.vic.gov.au</p>	<p>The following note should be included under the legend on the Native Vegetation Retention and Removal Plan:</p> <p><i>Native vegetation requirements are specified at Clause 52.17 and its schedule in this planning scheme. This plan must be read in conjunction with those provisions.</i></p> <p>If any native vegetation is shown to be retained the following note needs to be include:</p> <p><i>Native Vegetation shown outside of BCS conservation areas in Plan XX is exempt from habitat compensation fees under the Biodiversity Conservation Strategy where it meets the criteria for retaining native vegetation in the 'Guidance Note for implementing the Biodiversity Conservation Strategy for Melbourne's Growth Corridors,' to the satisfaction of DELWP.</i></p>

Beveridge North West Precinct Structure Plan

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Schedule to clause 52.17 Native Vegetation	<p>As part of the planning scheme amendment associated with the PSP, changes to the schedule to Clause 52.17 Native Vegetation need to be made. These changes are required so that a planning permit is not required to clear native vegetation where it is carried out in accordance with the approvals made pursuant to section 146B of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) and the Native Vegetation Retention and Removal Plan. This exemption is an important mechanism in turning off standard native vegetation regulations.</p>	<p>Area: <i>Land shown as UGZ3 or IPO4</i></p> <p>Exemption: <i>All native vegetation removal, destruction or lopping of which is required for any development that is subject to and carried out in accordance with 'Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013' made pursuant to section 146B of the Environment Protection and Biodiversity Conservation Act 1999 (Cth).</i></p> <p><i>This does not apply to native vegetation or scattered trees identified as to be retained in a precinct structure plan incorporated in this scheme.</i></p>
Standard note to be included within the UGZ and IPO	<p>DELWP require the following note to be included in the relevant schedules to the Urban Growth Zone (UGZ3) and Incorporated Plan Overlay (IPO4) applying to the Beveridge North West precinct structure plan area.</p> <p>See Schedule 4 to Clause 37.07 of the Mitchell Planning Scheme for an example.</p>	<p>Note to be included: <i>Operation of Commonwealth Environmental Laws. On 5 September 2013 an approval under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval. Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC Act is not required.</i></p>