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SCHEDULE 5 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO5**.

LINDUM VALE PRECINCT STRUCTURE PLAN

1.0

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Requirement before a permit is granted

None specified.

2.0

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Permits not generally in accordance with incorporated plan

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 *Lindum Vale Precinct Structure Plan*.

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Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

Development applications on land within the conservation reserve

All applications must be accompanied by the following information to the satisfaction of the responsible authority:

- A written statement, conducted by a suitably qualified and experienced person, demonstrating how the proposal will ensure that there is no net loss of habitat for ecological communities and species.
- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Recreation facilities to be provided within public open space.
- Storm water facilities that are compliant with the relevant approved drainage strategy.
- The retention and removal of vegetation and any re-vegetation.
- A Conservation Management Plan, prepared to the satisfaction of the responsible authority, the plan must provide for:
 - Early securing, fencing and establishment of interpretive signage of the land from subdivision construction activity,
 - Protection of all areas proposed for conservation rehabilitation, re-vegetation and landscaping, pest plant and animal control, soil stabilisation, on-going maintenance and timing and staging of all works.
 - Where land is to be used for vegetation offset purposes the Conservation Management Plan must define the biodiversity improvement works and actions.
 - Where applicable, the Plan shall quantify the extent offset gain to be achieved commensurate with the Permitted Clearing of Native Vegetation – Biodiversity Assessment Guidelines.

Conditions – Subdivision where land is shown as a conservation reserve

A permit for subdivision where land is required for a conservation reserve must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for a conservation reserve must be borne by the permit holder.
- Land required for a conservation reserve must be transferred to or vested in Hume City Council with any designation (e.g. conservation reserve) nominated by Hume City Council.

Conditions - Biodiversity and threatened species

Any permit for subdivision, or to construct a building or construct or carry out works must contain the following conditions:

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.

Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land or a permit granted to construct a building or carry out works, where the *Lindum Vale Native Vegetation Precinct Plan* shows the land, or abutting land, including a conservation reserve or a patch of native vegetation or a scattered tree must contain the following conditions:

- Prior to the commencement of works in or around a conservation area, scattered native tree or patch of native vegetation, the developer of the land must erect a protective fence 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; and
 - Located the following minimum distance from the element to be protected:

Element	Minimum distance from element
Conservation reserve	2 metres from the edge of the area
Scattered tree	Twice the distance between the tree trunk and the edge of the canopy
Patch of native vegetation	2 metres from the edge of the patch

- 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 protective 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; 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 reserve.

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Decision guidelines

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

HUME PLANNING SCHEME

- The *Lindum Vale Precinct Structure Plan*.
- The *Lindum Vale Native Vegetation Precinct Plan*.
- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- Measures to protect and enhance native vegetation and native fauna habitat.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.

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Preparation of the incorporated plan

None specified.