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**SCHEDULE 2 TO THE INCORPORATED PLAN OVERLAY**

Shown on the planning scheme map as **IPO2**.

**Craigieburn North Employment Area Precinct Structure Plan**

**Purpose**

To conserve parts of Merri Creek for functioning, sustainable populations of Growling Grass Frog.

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 plan as it apply to the land unless otherwise agreed in writing by the Department of Environment, Land, Water and Planning.

**2.0 Conditions and requirements for permits**

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The requirements of the incorporated plan must be included in a permit.

**2.1 Protection of conservation areas and native vegetation during construction**

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Where a precinct structure plan applying to the land shows any part of the land as a conservation area or any type of native vegetation a permit allowing any type of buildings or works on that land must ensure that:

- Before the start of construction or carrying out of works the developer of the land must erect a fence that is:
  - 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
  - located the following minimum distance from the element to be protected:

| Element                           | Minimum distance from element  |
|-----------------------------------|--|
| <b>Conservation area</b>          | 2 metres   |
| <b>Patch of native vegetation</b> |  |
| <b>Scattered native tree</b>      | Twice the distance between the trunk and the edge of the tree canopy |

- During construction or works, 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 vegetation protection fence;
  - be constructed and designed to ensure that the conservation area or native vegetation is protected from adverse impacts during construction;

- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

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### Land Management Co-operative Agreement

A permit to subdivide land shown in the incorporated Craigieburn North Employment Area Precinct 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:

- Enters into an 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:
  - Must provide for the conservation and management of that part of the land shown as a conservation area in the Craigieburn North Employment Area 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 Precinct Structure Plan 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 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 a 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 administering the *Conservation, Forests and Lands Act, 1987*; or
  - another statutory authority.

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

## 3.0

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### Decision guidelines

Any endorsed program report applying to the land under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).