

28/06/2012
C120**SCHEDULE 2 TO THE INCORPORATED PLAN OVERLAY**

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

ROCKBANK NORTH PRECINCT STRUCTURE PLAN**Purpose**

The purpose of this Incorporated Plan Overlay is to give effect to the objectives, requirements, guidelines and conditions of the Rockbank North Precinct Structure Plan.

1.0**Requirement before a permit is granted**28/06/2012
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Development on land in the Conservation Management Plan Area shown on Map 1 of this Schedule and Plan 5- Biodiversity and Threatened Species Action Plan in the *Rockbank North Precinct Structure Plan* must be undertaken in accordance with the relevant management actions as outlined in the approved Conservation Management Plan.

The Rockbank North Conservation Management Plan may be amended to the satisfaction of the Department of Sustainability and Environment.

The subdivision of land within or adjoining the Conservation Management Plan area must accord with the Conservation Management Plan boundary as shown on Map 1 to this Schedule and Plan 5 - Biodiversity and Threatened Species Action Plan in the *Rockbank North Precinct Structure Plan*.

An application for development of land in the Conservation Management Plan area as shown on Map 1 to this Schedule and Plan 5 – Biodiversity and Threatened Species Action Plan in the *Rockbank North Precinct Structure Plan*, must demonstrate that it is in accordance with the approved Rockbank North Conservation Management Plan.

2.0**Conditions and requirements for permits**28/06/2012
C120**Conditions - all permits****Growling Grass Frog**

Works on land in the Conservation Management Plan area shown on Map 1 of this Schedule and Plan 5 – Biodiversity and Threatened Species Action Plan in the *Rockbank North Precinct Structure Plan* must be undertaken in accordance with the approved Rockbank North Conservation Management Plan (CMP).

Unless the land included within the CMP area as shown on Plan 5 - Biodiversity and Threatened Species Action Plan of the *Rockbank North Precinct Structure Plan* has been voluntarily transferred into the Crown Reserve System, the Owner must:

- Enter into a legally, binding on-title agreement with the Secretary of the Department of Sustainability and Environment under Section 69 of the Conservation Forest and Lands Act 1987 prior to the commencement of works on the land. The agreement must provide for the following:
 - Protection of the conservation area
 - The landowner to undertake all pre-construction maintenance and monitoring (Phase One) actions in accordance with the approved CMP

- The landowner granting Department of Sustainability and Environment (or its nominee) rights of access to undertake habitat works (Phase Two) and any additional actions as required.
- The landowner to undertake ongoing maintenance and monitoring activities (Phase Three) in perpetuity as outlined in the approved CMP.

The land owner must pay the reasonable costs of preparation, execution and registration of the agreement.

Striped Legless Lizard

Before, during and after the carrying out of any construction of any buildings or carrying out of works or removal of native vegetation, the requirements of the *Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011)*; and *Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011)* must be implemented and complied with to the satisfaction of the Secretary of the Department of Sustainability and Environment.

Conditions - permits relating to property 6 on Map 1 to Schedule 2 to Clause 43.03

Prior to the commencement of any works, a fully costed *Matted Flax Lily translocation and/ or propagation and ex situ conservation plan* must be prepared to the satisfaction of the Department of Sustainability and Environment. The plan must then be submitted to and endorsed by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit.

Design Requirements

A bicycle lane must be provided along the Beattys Road reservation and across Kororoit Creek to enable connection to the east of the OMR. This can be accommodated as part of the road reservation or off-road.

Design of paths, bridges, and boardwalks in the drainage corridor (both Kororoit Creek and drainage corridor) must be above the 1:10 year flood level (if running parallel to the corridor). Pedestrian bridges across the Kororoit Creek and drainage corridor must be above the 1:100 year flood level. Where a 1:100 year flood level crossing is not achievable, measures on the approach of the creek or drainage corridor must be installed to the satisfaction of Melbourne Water.

Any public infrastructure or trails located within the Kororoit Creek corridor must be designed to minimise disturbance to habitat zones, and generally in the locations outlined in the Growling Grass Frog Conservation Management Plan prepared for the Precinct unless the Conservation Management Plan is amended to the satisfaction of DSE

Any passive open space areas within the Kororoit Creek corridor must be designed to minimise disturbance to any habitat zones or existing/created Growling Grass Frog habitat.

Development must not encroach upon the 1:100 year flood level. This does not apply to the pathways, fences, playground equipment and active recreation reserves and bbq/picnic areas.

3.0

Decision guidelines

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How the application complies with an approved Conservation Management Plan applying to the land pursuant to an approval to take a controlled action in accordance with the Delivering Melbourne's Newest Sustainable Communities Program Report, December

2009 under Part 10 of the *Environment Protection and Biodiversity Act 1999* (Commonwealth).

Map 1 to Schedule 2 to Clause 43.03

