

15/08/2013  
C169

## SCHEDULE 2 TO THE INCORPORATED PLAN OVERLAY

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

### **Black Forest Road South Precinct Structure Plan**

#### Purpose

To conserve parts of Lollypop Creek and Black Swamp for functioning, sustainable populations of Growling Grass Frog.

To facilitate development of recreation and infrastructure associated with adjoining urban land uses.

To implement the Black Forest Road South Precinct Structure Plan.

### **1.0**

15/08/2013  
C169

#### **Requirements before a permit is granted**

A permit granted must be generally in accordance with the *Black Forest Road South Precinct Structure Plan* unless otherwise agreed in writing by the Department of Environment and Primary Industries (DEPI).

An application which includes construction of a road or pedestrian bridge within the area on Plan 2 – Future Urban Structure within the *Black Forest Road South Precinct Structure Plan* as ‘Encumbered Land for Conservation’ must be accompanied by an Environmental Assessment Plan which addresses the following:

- A detailed environmental assessment to inform the alignment of any proposed road or pedestrian crossing of the Growling Grass Frog Category 1 habitat. The Environmental Assessment must show the location of all bridge footings and impacts of the siting and construction works to the satisfaction of the DEPI.
  - A planning permit application on land containing or abutting the Lollypop Creek Corridor or its tributaries and environs must be accompanied by a plan that shows:
- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance.
- Recreation facilities to be provided within public open space.
- Stormwater facilities that are compliant with the relevant approved drainage strategy.
- The retention and removal of vegetation and any revegetation.
  - This requirement may be waived by the responsible authority.

### **2.0**

15/08/2013  
C169

#### **Conditions and requirements for permits**

The conditions below must be applied to a permit for subdivision or buildings and works on land within the conservation area shown in the incorporated document unless the DEPI has confirmed in writing that the conditions have previously been met.

### **2.1**

15/08/2013  
C169

#### **Construction of road or pedestrian bridge infrastructure in the conservation area**

Any permit which would allow construction of a road or pedestrian bridge within the area on Plan 2 – Future Urban Structure within the *Black Forest Road South Precinct Structure Plan* as ‘Encumbered Land for Conservation’ must contain the following conditions unless otherwise agreed to in writing by the DEPI:

- Before any works associated with a road or pedestrian bridge crossing of the Growling Grass Frog conservation area start, a Construction Environmental Management Plan must be prepared to the satisfaction of the DEPI and be approved by the responsible authority.
- The Construction Environmental Management Plan must include:
  - Overall environmental objectives for construction and techniques for achieving the environmental objectives.
  - Construction timing and management techniques to protect environmental values before, during and after construction.
  - Management of construction impacts on habitat types present in the work zone
  - Proposed monitoring systems.
  - Identification of possible risks of operational failure and response measures to be implemented.
  - Day to day management requirements for development works.
- The development must be conducted in accordance with the endorsed Construction Environmental Management Plan at all times. All actions specified in the endorsed plan must be completed and/or implemented within the specified timeframes to the satisfaction of the responsible authority and the DEPI.

## 2.2

15/08/2013  
C169

### Securing the conservation area

Any permit granted for subdivision that will impact on land that includes 'Area for Growling Grass Frog Category 1 habitat' as identified in Plan 6 – Threatened Species Action Plan of the *Black Forest Road South Precinct Structure Plan* must contain the following conditions unless otherwise agreed to in writing by the DEPI:

- Unless the land included within the 'Area for Growling Grass Frog Category 1 habitat' identified on Plan 6 – Threatened Species Action Plan of the *Black Forest Road South Precinct Structure Plan* has been voluntarily transferred into the Crown Reserve System, the Owner must enter into a legally binding, in perpetuity, on-title agreement with the Secretary to the DEPI under Section 69 of the *Conservation Forests and Lands Act 1987* prior to the commencement of works on the land unless otherwise agreed to in writing by the DEPI. The agreement must provide for the protection of the conservation area.
  - The landowner must pay the reasonable costs of preparation, execution and registration of the agreement.

## 2.3

15/08/2013  
C169

### Salvage, translocation and compensatory fees associated with the removal of native vegetation and habitat

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

- The Protocol for the Salvage Translocation of Threatened Species in Melbourne's Growth Corridors (Department of Sustainability and Environment, 2012) must be implemented to the satisfaction of the DEPI.

## 2.4

15/08/2013  
C169

### Decision guidelines

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