

02/10/2008
C48**SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO1****MORWELL NORTH-WEST DEVELOPMENT PLAN****1.0**02/10/2008
C48**Requirement before a permit is granted**

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority:

- For any building or works associated with the use of the land for agriculture.
- For extensions or alterations to an existing building or works.
- For the use and development of any social, community or educational facility.
- For the replacement of an existing dwelling.
- For subdivision of land to realign boundaries, create a road reserve or a subdivision which does not create an additional lot.

Prior to the grant of a planning permit, the Owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987. The agreement must provide for infrastructure contributions to be paid in respect of land prior to the issue of a Statement of Compliance in respect of the subdivision of that land.

The Agreement must require the payment of infrastructure contributions for:

- The acquisition of any land required for road reserve for a road that Council proposes to be funded by the contributions agreement. Where that road is proposed to be provided in an existing reserve wider than what presently exists, the infrastructure payment required must only relate to the additional width of the road reserve required. The contributions must be in the proportions set out in the development contributions tables in the approved development plan.
- The construction of any road that Council proposes is to be funded by the contributions agreement. If that road is by widening an existing road, then the infrastructure payment required must only relate to the difference between a road comprising the existing pavement width and a road comprising an 11 metre pavement and associated facilities. In the proportions set out in the development contributions tables in the approved development plan.
- The design and construction of stormwater drainage infrastructure including main drainage, wetlands and retarding basins as explained in the approved development plan.
- The improvement of the public open space identified in the approved development plan.
- The acquisition of land for public open space in the proportions set out in the development contributions tables in the approved development plan.
- The acquisition of land for storm water drainage purposes in the proportions set out in the development contributions tables in the approved development plan.
- Infrastructure associated with the proposed bus route.
- Traffic calming treatments.
- The walking and cycling network including safe crossing points on the abutting arterial roads (excluding footpaths along roads).

The Agreement must be prepared at the cost of the Owner and be to the satisfaction of the responsible authority.

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02/10/2008
C48

Requirements for development plan

A single Development Plan must be prepared for whole of the land to which this Schedule applies.

The Development Plan must have regard to the draft Morwell North-West Residential Precinct Development Plan, 2006.

The Development Plan must have regard to the Urban Design Good Practice Guideline – Meeting Healthy By Design® Objectives, 2008.

The Development Plan must be informed by a detailed site analysis of the natural, cultural and strategic context of the site and show, or include, the following matters to the satisfaction of the responsible authority:

- Proposed lot layout, sizes and density which provide opportunities for a diverse range of allotment sizes and housing types.
- Application of the principles of water sensitive urban design. A stormwater management plan must be prepared and submitted which provides for the protection of natural systems, integration of stormwater treatment into the landscape, protection of water quality, and reduction of run-off and peak flows.
- A 'Net Gain' assessment of any native vegetation to be removed having regard to Victoria's Native Vegetation Management: A Framework for Action, including how it is proposed to provide, manage and protect any necessary offsets.
- A landscape concept plan for all open space areas.
- Provision of a road network providing a high degree of connectivity and external and internal permeability. A functional road layout plan must be submitted showing the proposed road cross sections for all roads and integration with the existing and proposed arterial road network.
- The treatment of any interface with land used for industrial purposes.

The Development Plan must include:

- Development contributions tables including an equalisation table which identifies the proportion of each lot which is to be provided for road purposes, open space and stormwater drainage purposes. Once the Development Plan is approved incorporating the development contributions tables, the Development Plan (and the various tables) should not be amended without specific consideration of the impacts that changes to the Development Plan and the various tables will have on the ability of Council to deliver the road, public open space and stormwater infrastructure.
- A clause which explains how the equalisation of land and contributions for the various items of infrastructure is to operate.

The approved Development Plan may be amended to the satisfaction of the responsible authority.

Reference Documents

- *Draft Morwell North-West Residential Precinct Development Plan, 2006.*
- *Urban Design Good Practice Guideline – Meeting Healthy By Design® Objectives, 2008*