

09/04/2009  
C74

## SCHEDULE 6 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO6**

### **Rosamond Road, Mitchell Street and Havelock Street, Maidstone**

#### **1.0**

19/01/2006  
VC37

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

Before a permit for residential subdivision or development of land at 87 Mitchell Street, Maidstone, can be issued, a Development Plan must be prepared to the satisfaction of the responsible authority. A planning permit can be considered and issued concurrently with the approval of a Development Plan for the land.

Before a Development Plan can be prepared:

- A Certificate of Environmental Audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An Environmental Auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of the Act that the environmental conditions of the land are suitable for a residential use, or would be suitable subject to certain specific work being done.
- An agreement between the responsible authority and owner under Section 173 of the *Planning and Environment Act 1987* will be prepared that provides for:
  - Not less than 3% of the land being set aside for public open space to the satisfaction of the responsible authority with respect to:
    - Its design
    - Construction
    - Maintenance period and
    - Transfer to Council
  - The provision of a public open space contribution of 2% of the site value of the land for the implementation of works for the Scovell Reserve

This agreement will provide for the forfeiture of any claim by the responsible authority for a Public Open Space contribution under the *Subdivision Act 1988*.

- An agreement between the responsible authority and owner under Section 173 of the *Planning and Environment Act 1987* will be prepared that provides for a contribution of \$510 per dwelling at the approval of a Building Permit towards general transport works within the Maribyrnong Maidstone area as depicted in draft Development Contributions Plan No 5.

#### **2.0**

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#### **Conditions and Requirements for Permits**

Any permit issued with or subsequent to the preparation and approval of a Development Plan must include a condition that:

- Prior to the commencement of any development a detailed landscape plan which identifies vegetation to be retained, removed, relocated and planted within the public realm and providing a landscape concept for the private realm, must be approved.

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The Development Plan must show:

- A detailed Site Analysis Plan showing the existing conditions of the subject land and adjoining properties.
- The proposed linkages between the land and adjoining land.
- The proposed road network and hierarchy, and pedestrian and bicycle paths.
- The proposed subdivision layout for the development, including details of lot mix, orientation and public open space.
- The provision of public open space and road verges.
- Three dimensional building envelopes for all lots.
- The provision of major physical infrastructure to accommodate the subdivision.
- A Landscape Concept Plan providing detail of:
  - The landscape treatments for public realm areas, including street trees and public park.
  - Guidelines for location of public realm lighting
  - Areas of permeable and non-permeable surfaces
  - Guidelines for front fencing.
- Design guidelines that address the following:
  - Dwelling typology and indicative style.
  - Materials and colours.
  - Treatment of interfaces with any adjoining non-residential use.
  - Integration of landscape treatments with the public realm.
- Ecologically Sustainable Development requirements on development providing for:
  - Lot layout and orientation for dwellings
  - Measures to reduce water usage
  - Passive solar and thermal design.
- Future development that abuts lots in Cathcart Street:
  - Being setback from the lots in accordance with Clause 54.04-1 of this Scheme.
  - Having no windows or balconies located above ground floor within 9m of the lots.
  - Having such a bulk that the lots will receive adequate sunlight in accordance with Clause 54.04-5 of this Scheme.

The Development Plan must take account of the relevant findings of the Traffic Engineering Assessment undertaken by Grogan Richards (March 2003) and the servicing report prepared by W P Brown (March 2003) or any other subsequent update of these reports to the satisfaction of the responsible authority.

**4.0**19/01/2006  
VC37**Consent to vary the Development Plan**

The Development Plan may be amended at the request or with the consent of the owner of the land. Any amendment must be to the satisfaction of the responsible authority.

## **5.0 Display of Development Plan**

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The responsible authority may display the Development Plan at the Maribyrnong Municipal Offices:

- For at least 21 days;
- By giving written notice of the display to the owners and occupiers of lots adjoining the land and any other person or agency that, in the opinion of the responsible authority, may be material affected.

The responsible authority may request further information before displaying the application.

Any amendment (other than a minor amendment) to the Development Plan may be displayed at the discretion of the responsible authority.

Before making a decision on the Development Plan, or any amendment to an approved Development Plan, the responsible authority may consider any submissions received as a result of the display of the Development Plan.