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## **SCHEDULE 13 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO13**

### **NORTH SALE DEVELOPMENT PLAN AREA**

#### **1.0**

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#### **Objectives**

To create an integrated and coordinated development whilst achieving high quality land use outcomes.

To create a vibrant new community with a distinct character and sense of place.

To create an efficient, safe, and legible network for vehicles, pedestrians, and cyclists.

To identify and ensure the provision of all key items of infrastructure necessary to facilitate the effective and efficient servicing and functioning of the North Sale Development Plan area.

To ensure opportunities for expansion are provided for through the design of allotments and access networks.

#### **2.0**

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#### **Requirement before a permit is granted**

A permit may be granted to use or subdivide land, construct a building or construct, or carry out works to the satisfaction of the responsible authority where it does not prejudice the intended outcomes of the North Sale Development Plan (2018).

#### **3.0**

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

The following conditions and requirements apply to permit applications to subdivide the land, where appropriate:

##### Conditions:

- A condition requiring the preparation and approval of a Construction Management Plan prior to the commencement of any works.
- A condition requiring the preparation and approval of a Bushfire Management Plan prior to the commencement of works. The plan must demonstrate how the required bushfire protection measures will be met and implemented on an ongoing basis.
- A condition requiring that any new development must include the following bushfire protection measures:
  - All development must be setback a minimum distance of 19 metres from any bushfire hazard, including internal reserves.
  - Any vegetation located within the required setback must be managed to the following defensible space standard:
    - Grass must be short cropped and maintained during the declared fire danger period.

- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
  - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
  - Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
  - Shrubs must not be located under the canopy of trees.
  - Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
  - Trees must not overhang or touch any elements of the building.
  - The canopy of trees must be separated by at least 2 metres.
  - There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- A perimeter road must be provided within the subject land along the northern and eastern boundaries between the grassland hazards and future lots.
  - The proposed road layout must connect to the existing road network and established residential areas.
  - Non-combustible fencing must be provided between any grassland hazards and proposed lots.
- A condition requiring that before certification, building envelopes must be provided on the plan of subdivision for any lots that require vegetation to be managed for the purpose of defensible space.
  - Where a subdivision will abut an interim bushfire hazard the required construction management plan must identify the land management measures to be undertaken by the developer to reduce the risk from fire, enable emergency access and specify an area of 19 metres between the edge of development and any non-developed areas where vegetation must be managed to a low threat condition.
  - A condition requiring that any landscaping proposed within proposed public open space reserves must be designed and implemented to ensure it does not result in a bushfire hazard through the establishment of classifiable vegetation as defined under *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2018).
  - A condition stating that prior to the issue of a statement of compliance the permit holder must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* to provide for the following:
    - a) to secure a contribution towards the funding of required key infrastructure in accordance with the North Sale Infrastructure Funding Arrangement - Final Report (or as amended);

- b) to ensure future owners are aware of the obligation to implement the requirements of the Bushfire Management Plan, including compliance at all times during the fire danger period;
  - c) to ensure that any future developments are to be comprised of non-reflective building materials. If it is later found that lights or glare endangers the safety of aircraft operations, Defence may require the lighting to be extinguished or suitably modified;
  - d) to ensure that any future development of the land complies with the extraneous lighting controls detailed in the CASA Manual of Standards (MOS-139) Aerodromes. Outdoor luminaries with no upward light component (e.g., 'aero-screen' type fittings) should be used for any outdoor lighting to minimise potential conflict with aircraft operations; and
  - e) to ensure that any future development is undertaken in accordance with any obligations specified in a Statement of Environmental Audit applying to the land.
- Any other condition as deemed appropriate by the responsible authority, which the planning permit should take account of based on the specific characteristics of the land and requirements of any relevant external and service authorities.

#### Requirements:

An application for a planning permit to subdivide land must be accompanied by the following information, where appropriate:

- A site analysis plan.
- The proposed subdivision layout and any proposed staging.
- A town planning report outlining how the proposed development responds to the Planning Policy Framework, and other relevant sections of the Wellington Planning Scheme including Clause 56.
- A report outlining how the proposed development is consistent with the objectives and requirements of the North Sale Development Plan (2018).
- Evidence of any contamination remediation by an accredited EPA auditor.
- A bushfire hazard assessment that identifies any bushfire hazard, its vegetation type and slope on or within 150m of the development plan boundary.
- A bushfire management plan that demonstrates how the required bushfire protection measures will be met.
- A stormwater management plan.
- A Traffic Impact Assessment and Management Plan for the proposed development prepared by a suitably qualified person.
- Details of the availability and connection to relevant utility services.

- Any other matters as deemed appropriate by the responsible authority, which the planning permit should take account of based on the specific characteristics of the land.

#### **4.0 Requirements for development plan**

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Any approved development plan may be amended to the satisfaction of the responsible authority.

The development plan must:

- identify the key infrastructure requirements for the North Sale Development Plan area, and
- be supported by a shared funding mechanism to ensure that key infrastructure with shared benefits is equitably funded by the various development proponents.