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## SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**

### CROSSWAY BAPTIST CHURCH – 2-18 AND 27-29 VISION DRIVE AND 709 Highbury Road, Burwood East

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

A permit must include the following conditions, as appropriate to the application:

- The land at 27-29 Vision Drive, Burwood East must only be used for the purposes of a commercial car park and for car parking associated with the use of the land located at 2-18 Vision Drive and 709 Highbury Road, Burwood East to the satisfaction of the responsible authority.
- The commercial car park on the land at 27-29 Vision Drive, Burwood East must be available to the general public and the office uses within the Tally Ho Business Park between normal daytime office hours Monday-Friday (inclusive) to the satisfaction of the responsible authority.
- The owner of the land at 27-29 Vision Drive, Burwood East must enter into an agreement with Council under section 173 of the *Planning & Environment Act 1987* requiring that the owner of the land:
  - constructs and maintains public access between Vision Drive and land in Wesley Court in accordance with the Endorsed Plans to the satisfaction of the responsible authority;
  - maintains an appropriate public liability insurance policy in an amount to the satisfaction of the responsible authority;
  - indemnify and release Council from any liability from any damage, loss or the like as a result of or incidental to the use of the land at 27-29 Vision Drive, Burwood East for a commercial car park; and
  - pays Council's costs incurred in the preparation, drafting, finalisation, engrossment, execution and registration of the agreement.

A permit application must include the following, as appropriate:

- Effective facade and landscape treatments to soften the south elevation of the commercial car park at 27-29 Vision Drive, Burwood East to ensure the amenity of nearby residential properties.
- Effective screening of the bi-level car park to the west of the church, to ensure the amenity and privacy of adjoining residential properties.
- A detailed landscape plan showing all proposed landscaping. At least 50% of all proposed planting should be indigenous species.
- Any signage, which must be unobtrusive and in accordance with Clause 22.02.
- External lighting effects, which must be unobtrusive and not cause detriment to the amenity of neighbouring residential areas.
- An Environmentally Sustainable Development Management Plan and Green Travel Plan.

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The development plan must show or provide for:

**Buildings and works**

- The extent and location of building envelopes.
- The layout, height to AHD level, elevations, floor area and seating capacity of all buildings and works.
- Cross sections including all multi-level car parking areas.
- Indicative external materials, finish and colours of all buildings and works, including screening measures to protect the amenity and privacy of adjoining residential properties.
- The proposed use of each building.
- Building heights that are generally consistent with the MYOB building at 12 Wesley Court, allowing for a higher architectural feature element at the corner of Springvale Road and Vision Drive.
- A minimum building setback of 5.0 metres from the Springvale Road boundary at 2-18 Vision Drive and 709 Highbury Road.
- A minimum building setback of 8.0 metres from the western boundary at 2-18 Vision Drive and 709 Highbury Road.
- A minimum building setback of 10 metres from the southern boundary of 709 Highbury Road
- A minimum building setback of 10 metres from the southern boundary of 27-29 Vision Drive
- The stages in which the land is to be developed, including landscaping.
- The location of all vehicle and pedestrian access ways, including ingress and egress to and from the site.

**Management**

- A Management Plan, which must outline:
  - Methods for controlling and maintaining open space.
  - Provision for waste storage and disposal, hours of operation, security, deliveries, noise control and traffic flow.
- Details for the operation and management of the car and bicycle parking areas

**Traffic and transport**

- Traffic management and traffic control works considered necessary on the land and affected roads, including consideration of signalisation of the intersection of Springvale Road and Vision Drive.
- The stages in the development in which the traffic management and control works internal and external to the land are to be undertaken
- Traffic Management Plan, which must include:

- The location, layout and accessways of all car and bicycle parking areas
- Car parking with a ratio of 0.3 spaces to each seat or a lesser figure to the satisfaction of the responsible authority.
- Provision for loading and unloading facilities of vehicles and means of access to them.
- The expected number of trips generated by staff and visitors and for deliveries and service vehicles to the site.

### **Landscaping**

- The location of all open space, identifying areas accessible to the public.
- Proposed landscape precincts, with indicative themes.
- Effective landscaping to provide a visual screen to adjoining residential areas and to soften the appearance of buildings, roads and car parking areas.

### **Environmentally Sustainable Development**

- The design and building techniques to be used that are consistent with environmentally sustainable development (ESD) principles.

### **Use**

- The land at 27-29 Vision Drive, Burwood East to only be used for the purposes of a commercial car park available to the general public and the office uses within the Tally Ho Business Park between normal daytime office hours Monday-Friday (inclusive), except that on weekday evenings and on a Saturday and Sunday, the Crossway Baptist Church may use the land for their own car parking purposes.
- The land at 27-29 Vision Drive, Burwood East with a pedestrian link to the land in Wesley Court, Burwood East.

### **Display of development plan**

Before deciding whether to approve a development plan or any substantial amendment to an approved development plan, the responsible authority must display the plan for public comment.

The development plan or any substantial amendment to the development plan must be displayed for a minimum period of 14 days. The responsible authority must take account of any comments received in response to display of the development plan or any substantial amendment to an approved development plan.

### **3.0 Decision Guidelines**

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Before deciding on a development plan or planning permit application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether it is generally in accordance with:

- *Tally Ho Major Activity Centre Urban Design Framework, 2007*

### **4.0 Reference documents**

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*Tally Ho Major Activity Centre Urban Design Framework, 2007*