

SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

FORMER PAKENHAM CONSOLIDATED SCHOOL SITE

11-15 MAIN STREET, PAKENHAM

1.0

Conditions and requirements for permits

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

The Federation Oak Tree must not be cut, lopped, damaged, poisoned, injured, removed or destroyed without the prior written consent of the responsible authority (which consent must not be unreasonably withheld) except in the case of an emergency where there is immediate danger to any person or property so that immediate pruning or removal of a part of the tree is required to prevent death or injury to any person or property.

Any member of the public must not be prevented from having access to the Federation Oak Tree, provided always that the owner of the land may erect fencing around the tree and construct a defined pathway to the tree from Main Street (or any other road which Council has approved in writing) with the prior written consent of the Council (which consent must not be unreasonably withheld) and, if the Council consents to such fencing and pathway, the owner may restrict members of the public to the area within the fence surrounding the tree and to the pathway.

The owner of the land must, as soon as reasonably practicable after the date of issue of this permit, carry out a feature site survey in respect of the whole of the land to identify all site features, including trees, which are to be retained on the land and must use all reasonable endeavours to retain the trees identified by that survey wherever practicable.

A reserve must be created on that part of the land zoned Residential 2. This reserve must be no less than 3 metres wide (which will be included in any plan of subdivision of the land zoned Residential 2 and be shown as a reserve which vests in the Council upon registration of that plan) between the Residential 2 Zone and McGregor Road so as to prevent the owners of any residential land from having direct access from the Residential 2 Zone to McGregor Road, except for one residential street, located approximately halfway between Duncan Drive and Rogers Street, which Council will allow to be created to give access to McGregor Road from the Residential 2 Zone in such position as is first approved by Council in writing, which approval must be expressed as being given pursuant to this condition.

Vehicle access from Wadsley Avenue to the land zoned Business 1 will not be permitted, except with the written consent of the Council and must only use Wadsley Avenue for the purpose of vehicle access to the part of the land zoned Residential 2.

The land must be subdivided to accord with the zone boundaries.

2.0

Requirements for development plan

The development plan must provide for:

- Building setbacks from the boundaries of the land.
- Appropriate landscape buffer strips along the boundaries of the land.
- Vehicle access to and from the land.