

01/06/2017  
C114**SCHEDULE 2 TO THE SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLO2**.

**BUSH AND SEMI-BUSH RESIDENTIAL AREAS****1.0**19/01/2006  
VC37**Statement of nature and key elements of landscape**

The Shire of Nillumbik Neighbourhood Character Study identifies the importance of vegetation and the relationship between buildings and the landscape to the character of an area. The areas covered by this overlay have a natural bush setting, where native vegetation dominates the skyline and gardens are mostly indigenous and native plantings combined with remnant vegetation. There is little or no evidence of the boundary between private and public property and the grounds of properties are indistinguishable from the continuous bushland that characterises the area. Buildings in these areas are sited so as to minimise disruption to the land form and to native vegetation and are generally obscured from the street. The key elements of this landscape are:

- The visual dominance of native vegetation including substantial indigenous trees and understorey species that creates a bushland character.
- Buildings are obscured from view from the street and are sited with minimal excavation and disturbance to the natural landform.
- Dwellings and other buildings are designed and coloured to blend in with the bushland landscape.
- Gardens are continuous with roadside and surrounding property vegetation where there are no solid fences and fencing, if present, is usually of post and wire construction.

**2.0**19/01/2006  
VC37**Landscape character objective to be achieved**

- To provide for housing in a residential location in a bushland setting.
- To provide for sensitive siting of buildings and works, access and earthworks and by the restoration of native vegetation where considered appropriate.
- To provide for conservation and enhancement of the environmental values of the area.
- To ensure that the development of land and the removal of native vegetation are not detrimental to the natural environment and character of the area.
- To minimise the threats to the natural environment through the unnecessary removal of vegetation in these areas.

**3.0****Permit requirement**01/06/2017  
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A permit is required to construct a fence. This does not apply:

- If the fence is of post and wire construction; or
- If the fence is a transparent safety fence for a swimming pool located in the immediate vicinity of the swimming pool.

A permit is required to remove, destroy or lop native vegetation. This does not apply:

- If the lopping of vegetation is undertaken to assist its regeneration; or

- If the vegetation is dead or
- To the partial removal of branches directly overhanging dwellings, garages or outbuildings; or
- If the vegetation is identified as a pest plant in the Shire of Nillumbik Environmental Weed List 2009 as incorporated in this scheme; or
- If the vegetation is *Kunzea leptospermoides* (Yarra Burgan) and is being removed for fire prevention purposes.

A permit is not required to construct a building or carry out works for:

- An outbuilding or structure other than a tennis court, normal to a dwelling or the extension of a dwelling where
  - the height of any part of the outbuilding, structure or extension is no more than 7.5 metres above the natural surface of the ground directly below it; and
  - the outbuilding, structure or extension is not located between the existing dwelling and the front property boundary (taken from the nearest point to the property frontage);and
  - the outbuilding, structure or extension is more than 5 metres from the base of any substantial native tree.
- Works on the roof of a dwelling, outbuilding or structure normal to a dwelling, that extend less than one metre above the existing roof line.
- Swimming pools or spas where all work is:
  - at a distance of more than 5 metres from the base of any substantial native tree and
  - the pool or spa is not located between the existing dwelling and the front property boundary (taken from the nearest point to the property frontage).
- New driveways where the surface is porous and the excavation is less than 500mm in depth and is undertaken at a distance of more than 5 metres from the base of a substantial native tree.
- Any excavation less than 500mm in depth where the excavation is undertaken at a distance of more than 5 metres from the base of any substantial native tree.
- All paving other than driveways where excavation does not exceed 500mm in depth and is at a distance of more than 5 metres from the base of any substantial native tree.

For the purpose of this clause a substantial native tree means a tree indigenous to Victoria that has a trunk circumference greater than 0.5m at one metre above ground level.

#### 4.0

#### Decision guidelines

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Before deciding on an application to subdivide land, construct a building or carry out works, the responsible authority must consider, as appropriate:

- The role of the vegetation in contributing to the character and appearance of the area.
- The objectives and recommendations of the *Nillumbik Siting and Design Guidelines*.
- Any other design and siting guidelines adopted by the responsible authority.
- The need to screen buildings and structures to maintain the character of the area.

**5.0 Reference Documents**

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Shire of Nillumbik Neighbourhood Character Study 2000 and Nillumbik Residential Design Guidelines 2001 (Amended 2003).