

01/06/2017
C114**SCHEDULE 3 TO THE SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLO3**.

BUSH GARDEN CHARACTER**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 the buildings and the landscape to the character of an area. The areas covered by this overlay have a bush garden character that is dominated by mature native and indigenous trees and planted bush style gardens. Dwellings in these areas are set among the trees and are sited so as to minimise disruption to the landform and vegetation. Buildings maintain the patterns of orientations and setbacks of adjoining properties and the streetscape. There is usually little or no delineation of front property boundaries.

The key elements of this landscape are:

- the visual dominance of vegetation including large native and indigenous trees and bush garden planting.
- the way in which the majority of development sits within the landscape with minimal excavation, and dwellings are partly obscured from view
- the hillsides appear to be covered by trees even when developed with houses.
- dwellings with colours that blend with the landscape.
- a general lack of front fencing.

2.019/01/2006
VC37**Landscape character objectives to be achieved**

- To retain the dominance of vegetation cover in keeping with the bush garden character.
- To ensure that development is compatible with the scale, setbacks and character of existing development.
- To ensure that development is sensitive to the natural characteristics of the land including slope, terrain, services and any existing vegetation.
- To ensure that development does not penetrate the tree canopy.
- To ensure that the health of existing trees is not jeopardised by new development.

3.001/06/2017
C114**Permit requirement**

A permit is required to remove, destroy or lop any substantial tree. This does not apply to the pruning of a tree for regeneration or ornamental shaping or the removal of dead trees or dead limbs or the partial removal of limbs and branches directly overhanging dwellings, garages and outbuildings or the removal of *Kunzea leptospermoides* (Yarra Burgan) for fire prevention purposes.

A permit is required to construct a front fence.

A permit is not required to construct a building or carry out works provided all the following requirements are met:

- The height of any part of a building is no more than 7.5 metres above the natural surface of the ground directly below it; and
- The building or works are at least 5 metres from the base of any substantial tree.

For the purpose of this clause a substantial tree is defined as vegetation that has a trunk circumference greater than 0.5m at one metre above ground level.

4.0

19/01/2006
VC37

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the proposed development conforms with the preferred character of the area as stated in the relevant Shire of Nillumbik Neighbourhood Character Study brochure for the area;
- The scale, shape, bulk, design (including height and siting) and external finishes of any buildings and works and the impacts of these on the landscape qualities of the area.
- Whether the proposal retains existing high canopy trees, keeps buildings below the predominant tree canopy height and is sited below the ridge line.
- Whether the topography of the locality and the predominant tree canopy height enables higher buildings to be accommodated within the landscape and that the proposed development does not detrimentally affect long distance vistas and views, including views across river valleys.
- Whether the proposed development minimises excavation.
- The extent to which the proposal maintains the vegetation dominated streetscapes and vistas, including views across river valleys.
- The need to ensure new buildings and works, including driveways fit within the landscape and topography of the land.
- Whether front fences are commonly provided in the street and the style of fence.
- The need for additional landscaping and screen planting to maintain the existing and preferred landscape qualities identified in the Neighbourhood Character Study.
- Whether the proposed development contributes to increased housing diversity within proximity to the Eltham Major Activity Centre and transport nodes/routes.

5.0

19/01/2006
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Reference Documents

- Shire of Nillumbik Neighbourhood Character Study, 2000
- Nillumbik Residential Design Guidelines 2001 (Amended 2003)