

01/06/2017  
C114**SCHEDULE 4 TO THE SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLO4**.

**GARDEN COURT 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 Municipal Strategic Statement and the Neighbourhood Character Study establish that the character of the Shire is heavily dependent upon the indigenous and native vegetation, often to a greater extent than the form of buildings. The areas covered by this overlay have a garden court character. The future preferred character of these areas is identified as being related to the setting of residential development within the predominantly native vegetation. It is intended that in typical streetscapes substantial native trees dominate the skyline and are common in gardens and roadside reservations. It is also important to the character that the delineation between the public domain and private land remains indistinct and that solid front fences are not constructed.

The key elements of this landscape are:

- the visual dominance of vegetation in long distance views, the skyline of streetscape views and front gardens.
- the way in which the majority of development sits within the landscape with minimal excavation.
- dwellings with colours that blend with the landscape.
- a general lack of front fencing.

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

- To retain and encourage the dominance of trees in keeping with the character of Nillumbik and the future preferred character of the garden court precincts.
- To ensure that development is sensitive to the natural characteristics of the land including slope, terrain, services and any existing vegetation.
- To ensure that the health of existing trees is not jeopardised by new development.

**3.0**01/06/2017  
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 the building or works are more than 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 proposed development minimises excavation.
- The extent to which the proposal maintains the vegetation dominated streetscapes and vistas, including views across 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.

#### 5.0

19/01/2006  
VC37

#### Reference Documents

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