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SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

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

DANDENONG FOOTHILLS: LOWER SLOPE AND VALLEY AREA

1.0 Statement of nature and key elements of landscape

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The Dandenong Foothills area is a visually sensitive area due to its proximity to slopes of the Dandenong Ranges which are recognised by the National Trust as a significant landscape.

The key elements of this landscape are:

- Areas of mature street trees and contributory gardens.
- Significant views to the Dandenong Ranges and important local views.
- The visual dominance of vegetation in many areas.
- The gently sloping terrain.
- The area's role as an extension of the Dandenong Ranges.
- The sparse nature of development in some parts of this area at the threshold with the Foothills backdrop, ridgeline and rural areas.

Special care needs to be taken to ensure that development is sited and designed to maintain the landscape character of the area, protecting view lines and retaining and planting vegetation to ensure a vegetated character is maintained and enhanced.

2.0 Landscape character objectives to be achieved

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To recognise the environmental and visual sensitivity of residential areas at the foothills of the Dandenong Ranges.

To ensure that development is compatible with the scale and character of existing development.

To ensure that development is sensitive to the natural characteristics of the land including slope, terrain and any remnant vegetation, and responds to bushfire risk.

To maintain vegetation as a key element of the foothills landscape.

3.0 Permit requirement

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Buildings and works

A permit is not required to extend an existing dwelling or construct buildings and works ancillary to a dwelling if:

- There is only one dwelling on the lot.
- The height of the building or works is less than 7.5 metres.
- Proposed excavation or filling is less than 1 metre in depth.
- Excavation or filling is not occurring within the Tree Protection Zone (TPZ) of vegetation that would require a permit for its removal, destruction or lopping under this clause. The radius of the TPZ is calculated for each tree by multiplying its trunk diameter x 12. The measurement of the trunk diameter is at 1.4 metres above ground.
- The external surfaces, including roofs or all buildings (but excluding solar panels), of all buildings are finished and maintained in non-reflective materials in colours that blend with the landscape.

Fences

A permit is required to construct:

- A front fence, unless the fence is 1.2 metres in height or less and is more than 50 per cent transparent.
- A side fence between a building and the street, unless the fence is 1.2 metres in height or less.

Vegetation

A permit is required to remove, destroy or lop a tree if it has a height of 5 metres or more or a trunk girth greater than 0.5 metre when measured at a height of 0.5 metres above adjacent ground level (on sloping ground to be taken on the uphill side of the tree base) or immediately above the ground for multi-stemmed trees. This does not apply to a tree that is:

- Listed in Table 1 of this schedule.
- Dead. This exemption does not apply to standing dead tree with a trunk girth of 0.4 metre or more at a height of 1.3 metres above ground level.
- A tree with its trunk within two metres of the main roof structure of an existing building used for accommodation (excluding a fence).
- A tree overhanging the roof of a building used for Accommodation, excluding outbuildings and works normal to a dwelling. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building consistent with the *Australian Standard® AS 4373 – 2007, 'Pruning of amenity trees'* .
- The minimum amount necessary to maintain a Minor utility installation in accordance with a current signed Memorandum of Understanding between Knox City Council and the relevant service provider.
- For maintenance pruning only and no more than 1/3 of the foliage of any branch is removed from any individual plant. This exemption does not apply to:
  - Pruning or lopping of the trunk of a tree or shrub.
  - Vegetation within a road or railway reserve.

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Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and design response for new buildings and works.

The site analysis should include a detailed site plan, photographs or other techniques and should accurately describe, as appropriate:

- The built form, scale, design and use of surrounding development.
- Solar access to the site and surrounding properties.
- Identified areas of environmental significance.
- Open space.
- Views to and from the site.
- Location of significant trees and vegetation.
- Drainage.
- Street frontage features such as poles, street trees and kerb crossovers.

- Any contaminated soils and filled areas, where known.
- Any other notable features or characteristics of the site.

The design response should explain how the proposed design:

- Derives from and responds to the site analysis; and
- Meets the objectives, strategies and requirements of this clause.

The design response should include correctly proportioned street elevations or photographs showing the development in the context of surrounding buildings and landscape.

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Landscape character

- Whether the proposed development will impact upon local views within the foothills and upon more distant views across the city and suburbs to the foothills of the Dandenongs.
- Whether the proposed development penetrates the tree canopy and protrudes above ridgelines.
- Whether the proposed development is of a high standard of architectural and landscape design that is sympathetic to nearby rural and natural landscapes.

Finishes

- Whether the proposed development will utilise non-reflective materials maintained in muted colours that blend with the landscape on external surfaces, including roofs of all buildings but excluding solar panels, to reduce its visual impact.

Height

- Whether buildings exceeding a height of 7.5 metres will have a detrimental impact on the key elements of the landscape and the landscape character objectives.

Landscaping

- Whether sufficient provision has been made for the planting of canopy trees and other vegetation to meet the landscape character objectives.
- Whether in areas subject to bushfire risks, that sufficient provision has been made to achieve landscape character objectives having regard to vegetation management requirements.

Vegetation

- Whether the existing high canopy trees will be retained.
- Whether buildings will be below the predominant tree canopy height.
- Whether vegetation will be retained and planting used to screen buildings.
- Whether creek corridors will be revegetated using indigenous plants.
- Whether habitats for native fauna, including wildlife corridors, will be identified and protected, and strengthened or created.
- Whether noxious and environmental weeds will be removed.
- Whether the planting of noxious and environmental weeds will be avoided.

- Whether adequate tree protection areas have been provided to protect retained vegetation from buildings or works (including paving), services and other infrastructure, unless demonstrated that there is no adverse effect to the tree's health to ensure its continuing contribution to landscape character.
- Whether any vegetation to be retained, removed, destroyed or lopped addresses the risk of bushfire to life and property.
- Where an area is subject to high bushfire risk, whether the vegetation outcome does not increase bushfire risk and considers ongoing bushfire protection measures.

Building on slopes

- Whether building on slopes greater than 20 per cent is appropriate.
- Whether the siting and design of development will follow the topography, avoid the need for earthworks and integrate with the landscape features of the area.
- Whether buildings will be sited on relatively low-lying positions.
- Whether buildings will be dispersed to allow trees to be planted among them.

Fences

- Whether the height, materials, construction and colour of fences respond to and maintain the landscape character of the area.

Table 1 - Species exempt from permit under Part 3.0 above

Botanical name	Common name
Acacia baileyana	Cootamundra Wattle
Acacia decurrens	Early Black Wattle
Acacia elata	Cedar Wattle
Acacia floribunda	White Sallow Wattle
Acacia longifolia subsp. longifolia	Sallow Wattle
Acer negundo	Box Elder
Acer pseudoplatanus	Sycamore
Arbutus unedo	Strawberry Tree
Chamaecytisus palmensis	Tagasate; Tree Lucerne
Coprosma repens	Mirror Bush
Coprosma robusta	Karamu
Cotoneaster species	Cotoneaster

Botanical name	Common name
Eriobotrya japonica	Loquat
Fraxinus angustifolia (also known as Fraxinus oxycarpa or Fraxinus rotundifolia), excluding the cultivar 'Raywood' subsp. angustifolia	Desert Ash, Caucasian Ash or Narrow-leafed Ash (excluding Claret Ash)
Hakea salicifolia	Willow-leaf Hakea
Ilex aquifolium	English Holly
Ligustrum species	Privets
Malus species	Apple
Melaleuca armillaris	Bracelet Honey Myrtle
Paraserianthes lophantha	Cape Wattle
Pinus pinaster	Maritime Pine
Pinus radiata	Montery (Radiata) Pine
Pittosporum undulatum	Sweet Pittosporum
Populus tremuloides	Quaking Aspen
Prunus cerasifera	Cherry-plum
Prunus laurocerasus	Cherry Laurel
Prunus lusitanica	Portugal Laurel
Prunus species	Apricot
Prunus species	Nectarine
Prunus species	Peach
Prunus species	Plum
Pyracantha species	Firethorns
Salix species	Willows
Viburnum tinus	Laurustinus