20/01/2026
VC278

SCHEDULE 8 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO8** .

MERRI CREEK (MERRI MERRI) REACH 1 – HEATHCOTE JUNCTION TO CRAIGIEBURN

1.0 Statement of nature and key elements of landscape

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Merri Creek (Merri Merri) is a major tributary of Birrarung (Yarra River). Rising within the foothills of the Great Dividing Range at Heathcote, it traverses rural and urban areas north of Melbourne to its confluence with Birrarung at Dight's Falls. Merri Creek is a significant natural system, approximately 76 kilometres in length, of high ecological, cultural, recreational and heritage value.

Flowing through Wurundjeri Woi-wurrung Country, Merri Creek and its landscape hold deeply embedded cultural and spiritual significance for Wurundjeri Woi-wurrung people. Merri Creek is recognised and respected as a living, integrated, natural entity, with Wurundjeri Woi-wurrung people retaining ongoing custodial and reciprocal responsibilities to care for Baany-Biik (Water Country), just as the waterway and its lands continue to support the lives of the people, plants and animals living on it.

Merri Creek and its surrounds were a rich source of food, medicines and resources harvested by Wurundjeri Woi-wurrung people prior to and during early colonial settlement. Food sources along the creek included fish and shellfish, short-finned eels and various species of birds and waterfowl. The wider environment yielded an abundance of other animal species including emu, Eastern Grey Kangaroo and possum. The grassland and grassy woodland landscape around Merri Creek was dominated by Kangaroo Grass and River Red Gums, as well as the Murnong (Yam Daisy) tuber, and maintained by Wurundjeri Woi-wurrung people through regular burning.

Species found within the creek corridor today include the Growling Grass Frog, Brown (Bibron's) Toadlet, Golden Sun Moth, and the Eastern, Little and Intermediate Egret.

Over the last few decades the creek has seen the gradual repair and restoration of its environment through community stewardship. It is important that its interfaces are enhanced through careful management of development within the corridor and further restoration of the waterway.

Reach 1 of Merri Creek extends from Heathcote Junction to Craigieburn. Within this reach, the waterway typically forms a wider riparian corridor, reflective of the flat, open landscape of the catchment's basalt floodplains. Distant views to rolling hills and rises, including the volcanic cone of Bald Hill, are a prominent feature. The landscape becomes undulating further south and in places the waterway is more deeply incised.

In the northern part of Reach 1, Merri Creek meanders through open rural landscapes with low density residential development. At the Urban Growth Boundary in Wallan East, residential neighbourhoods are forming around parkland reserves created along the corridor. At the southern end of Reach 1, the landscape is dominated by the brickworks site to the east.

Hernes Swamp, southwest of Wallan, as well as tributaries including Kalkallo Creek, Malcolm Creek, Aitken Creek and Curly Sedge Creek form part of the waterway system in this reach. The corridor provides a diverse habitat link that is crucial to the preservation of rare and threatened flora and fauna and scenic landscape values. It includes the marram baba Merri Creek Parklands proposed to be expanded to incorporate 2,778 ha of parks and open space along the creek from Beveridge to Campbellfield.

Sodic and dispersive subsoils are present in this reach due to the area's geological and climate history. If poorly managed, these soils can impact water quality in the lower reaches of the creek.

Parts of the corridor are within and adjoin a Bushfire Prone Area. The management of bushfire hazards is an important part of waterway management.

2.0 Landscape character objectives to be achieved

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To enhance the role of the waterway as an integrated and continuous landscape corridor, protecting the environmental, cultural and landscape values of the waterway system.

To retain indigenous riparian vegetation and canopy trees or existing grasslands as the dominant landscape feature and enhance the revegetation and ecological improvement of the waterway corridor while managing the introduction of potential bushfire hazards.

To ensure the visual impact of buildings and works, including the storage of goods, is minimised when viewed from the waterway corridor.

To ensure that earthworks are minimised and do not affect the natural drainage function and landscape character of the waterway.

To ensure that fencing interfacing the waterway corridor is designed and located to be visually transparent and recessive in the landscape.

3.0 Permit requirement

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A permit is not required to:

- Construct a building or construct or carry out works in a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land subject to the Built Form Overlay if the following requirements are met:
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm, as reinstated; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry out works in a Precinct Zone if a masterplan has been approved under Clause 37.10-3.
- Construct a building or construct or carry out works in a zone other than a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land not subject to the Built Form Overlay if the following requirements are met:
  - the building is less than 6 metres in height above ground level;
  - the building provides no more than 50 square metres in additional gross floor area;
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry works out by, or on behalf of, a public land manager to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse; or
  - construct stream habitat works; or
  - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
  - maintain or repair existing assets; or
  - maintain or repair a pathway or trail.

A permit is required to remove, destroy or lop vegetation unless the vegetation:

- Has a height of less than 6 metres above ground level, a trunk diameter of less than 0.4 metres measured at 1.4 metres above ground level, and a canopy diameter of less than 4 metres; or

- Has been planted as part of a windbreak, plantation, orchard or horticulture; or
- Is identified as a weed species in the Advisory List of Environmental Weeds in Victoria; or
- Is removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria, a public authority or municipal council to construct or maintain the transport system; or
- Is being removed, destroyed or lopped as part of maintenance works carried out by, or on behalf of, a public land manager that:
  - has the capacity to adversely affect stream flow; or
  - improves biodiversity and habitat restoration; or
  - forms part of an approved management plan.

A permit is required to construct a fence, unless the fence:

- Is constructed by or on behalf of the Head, Transport for Victoria; or
- Is erected for a period of not more than 60 days and is being used for stock management or agricultural activities; or
- Is sited more than 50 metres from the top of bank of the waterway, and:
  - is a metal post and wire, timber or metal post and railing, wire mesh, chainmesh or similar open rural style fence up to 1.4 metres in height; or
  - is at least 50 percent transparent when viewed perpendicular to the fence line and is less than 1.8 metres in height.

4.0 Application requirements

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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:

- To remove, destroy or lop vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting.
  - For land within a Bushfire Prone Area, an assessment of the risk of any new or replacement planting that may result in additional bushfire hazard.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of bank of the waterway.
  - A site context plan and elevations showing:
    - Building and fencing heights using Australian Height Datum measured from ground level.
    - Areas and volume of cut and fill.
    - Site coverage and permeability.
    - Location and proposed material for fences.
    - A schedule of materials and finishes.
    - The existing landscape including topography and vegetation.

- A visual impact assessment of proposed buildings and works from public viewing points along the waterway.

- A landscape plan which includes:
  - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
  - Species that are sourced from the relevant municipal council's local planting guidelines where appropriate.
  - A maintenance/weed/erosion control plan for all proposed revegetated areas immediately adjacent to the banks of the waterway.
  - Measures for the protection of natural landforms, including appropriate approaches to vegetation retention and planting, ground preparation and the minimisation of ground disturbance.
  - Measures to control and filter pollutants in stormwater leaving the property.
  - In a Bushfire Prone Area, measures that appropriately manage the potential introduction of bushfire hazards.
- An assessment of the identified values and threats for the reach and the proposal's impact on the waterway corridor.

5.0 Decision guidelines

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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:

- Whether the scale, form, siting and design of buildings and works:
  - Present new buildings that are sensitively integrated with the natural landscape setting of the waterway corridor, including vegetation.
  - Provide suitable heights, avoid visual bulk, are stepped back from the frontage of the waterway corridor and adjacent public open space and use materials, colours and finishes that are sensitively integrated with the natural landscape setting of the waterway corridor.
  - Manage and limit new light spill and overshadowing on the waterway, adjacent public open space, and pedestrian and bicycle paths.
  - Result in soil disturbance that impacts the banks of the waterway or water quality.
- Whether the buildings or works will create an adverse visual impact:
  - From prominent locations such as ridgelines, hill faces, escarpments and landscape features.
  - Within waterway corridors.
  - From parks and reserves along the waterway corridor.
  - Within the vegetation canopy along the waterway corridor.
- Whether the spacing between buildings allows for:
  - the planting of appropriate vegetation and canopy trees to filter views of the development; and
  - the maintenance of views to the waterway corridor.
- Whether the development results in the loss of public access to the waterway and its parklands or creates inappropriate access to the waterway and its parklands.
- Whether proposed vegetation species are compatible with the local plant communities.

- The justification for the proposed removal of the vegetation and whether there are alternative options.
- The effect of removing vegetation on the landscape setting and biodiversity values of the waterway and whether the loss of vegetation can be managed onsite through rehabilitation or replaced with vegetation that will grow to a similar size within a reasonable timeframe.
- The scale of excavation associated with any works and its impact on existing vegetation and cultural values along the waterway.
- Whether any proposed earthworks and changes in the topography of the waterway corridor will detrimentally impact its local natural landscape character and environmental values.
- Whether the proposed fencing allows for the free movement of wildlife, minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- Within a Bushfire Prone Area, whether landscaping and revegetation considers potential bushfire hazards.