

From: [REDACTED]
To: [REDACTED] [Merrimu PSP \(DTP\)](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Draft Merrimu Precinct Structure Plan | Submission on behalf of [REDACTED], Merrimu (Property ID [REDACTED])
Date: Thursday, 9 April 2026 12:55:05 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
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[image005.png](#)
[2025-04-09 Let-VPA Submission to Merrimu PSP \(\[REDACTED\]\).pdf](#)

Dear [REDACTED],

[REDACTED] acts on behalf of [REDACTED] who are owners of the land at [REDACTED], Merrimu (Property ID [REDACTED]).

On behalf of our client, we are pleased to provide the attached submission in response to the Merrimu Precinct Structure Plan draft amendment package exhibited by the Victorian Planning Authority (VPA) on 6 March 2026 via the Engage Vic website.

Our client requests that the proposed Amendment be referred to the Standing Advisory Committee and reserves the right to provide further submissions throughout the SAC process.

We look forward to working with the VPA through this process.

Please contact our office if you have any questions in relation to the submission.

Kind regards,

[REDACTED]

We acknowledge the Traditional Custodians of Country throughout Australia, their Elders and ancestors. We recognise the rich heritage and profound connection to Country of First People, including their influence on land, waters, sky and community as skilled land shapers and place makers, which has endured for millennia.

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9 April 2026

Director, New Communities
Victorian Planning Authority
Department of Transport and Planning

via email: merrimu@transport.vic.gov.au

Dear [REDACTED]

Submission on behalf of [REDACTED]

Draft Amendment C109moor – Merrimu Precinct Structure Plan and Development Contributions Plan

This submission has been prepared by [REDACTED] on behalf of [REDACTED] in respect to the Merrimu Precinct Structure Plan (PSP), Merrimu Development Contributions Plan (DCP), and draft Amendment C109moor (**Amendment**) to the *Moorabool Planning Scheme (Planning Scheme)*.

[REDACTED] owns the land at [REDACTED], Merrimu (**Site**), which is located at the western edge of the Merrimu PSP area.

This submission has been prepared in response to the draft amendment package exhibited by the Victorian Planning Authority (VPA) on 6 March 2026. Whilst several documents associated with the amendment have been exhibited, this submission draws particular focus on the draft Merrimu PSP.

We note that [REDACTED] has also prepared a separate submission on behalf of [REDACTED]

Several matters raised within these submissions are consistent for both parties.

On behalf of [REDACTED], we commend the VPA and Moorabool Shire Council (**Council**) for the extensive work undertaken to date and for reaching this milestone in the progression of the Merrimu PSP.

We note that our client is currently in the process of engaging specialist consultants in ecology, traffic engineering, and urban design, to assist in reviewing the exhibited documents, including background reports, and to provide further advice with regard to how the proposed Amendment may affect their land.

Our client requests that the proposed Amendment be referred to the Standing Advisory Committee (**SAC**) and reserves their right to provide further submissions throughout the SAC process.

This submission has been prepared having regard to the *Precinct Structure Planning Guidelines: New Communities in Victoria 2021 (Guidelines)*, the *Applying the PSP Guidelines in Regional Areas Guidance Note 2021 (Guidance Note)*, and the other relevant guidance materials included in the Practitioner's Toolbox.

1 Site Overview

The Site is approximately 20.13ha in area and is identified in the PSP and DCP as **Property ID [REDACTED]**. It is formally described as [REDACTED]

Plan 2 – Place Based Plan (Plan 2) of the PSP identifies the majority of the Site (14.79ha) as being within an area of landscape value, with the balance of the Site encumbered by the future Bacchus Marsh Eastern Link Road. The Site is also partly within the amenity buffer of the adjacent quarries.

The precinct's defining escarpment edge passes through the north-eastern portion of the Site.

2 Bacchus Marsh Eastern Link Road (BMELR) Alignment

The proposed BMELR alignment will occupy 5.34ha of our client's Site.

We appreciate that *Option B Alternative* has been identified by Transport Victoria as the preferred alignment of the BMELR, however, there has been no further update on the status of the project since February 2025. We also appreciate that the draft PSP has considered the preferred alignment for the BMELR while recognising that:

- The alignment of the road is still subject to planning approval (including Environment Effects Statement (EES)).
- There are no funding or timing commitments for the BMELR project.
- A Public Acquisition Overlay (PAO) is yet to be implemented, and the timing for this is also unknown.

The options assessment for the BMELR suggests that the preferred alignment is centred on the top of the escarpment. Initial concept designs (dated 2023), however, require significant excavation and would result in destruction of the escarpment and sensitive environmental/ecological areas proximate to the subject Site. This, in itself, is in stark contrast to the series of Objectives, Requirements and Guidelines throughout the draft PSP which seek to protect – physically and visually – the escarpment, recognising it as a defining, valued feature of the precinct.

Given that the BMELR is still in its very early stages and that the Merrimu PSP has further progressed, the BMELR's alignment should be guided by the vision and findings of the PSP. The alignment of the BMELR should be informed by the objectives and directions of the draft PSP, not vice versa. A coordinated approach between the two projects is essential, particularly when considering the significant impacts on the future development of the PSP that the alignment of the BMELR may have.

In addition to the obvious impacts that the current preferred BMELR alignment will have on the escarpment and the significant visual and landscape character of the area, we submit that the BMELR alignment appears to be incompatible with other significant objectives of the PSP including, but not limited to, the following:

- *Objective 24 (O24): To provide a continuous linear parkland along the escarpment edge with integrated active transport links.*
- *Objective 29 (O29): To retain and protect features of the natural environment that make an important contribution to biodiversity, local character, amenity, cultural, geological items, and ecology.*
- *Objective 33 (O33): To minimise visual impact of development on sloping landforms with site responsive subdivision design, including larger lots as appropriate.*

3 Residential Development Capacity & Landscape Values

The PSP identifies no part of the Site for future residential development, nominating nil NDA.

Plan 5 - Public Realm (Plan 5) identifies much of the northern part the Site (both within the landscape values area and along the BMELR alignment) as 'potential Victorian Grassland Earless Dragon (VGED) habitat'. A number of scattered trees are shown in the western portion of the Site (although, we note, these have not been addressed elsewhere in the PSP itself).

The VGED potential habitat is understood to have been identified in the *Existing Ecological Conditions Report* (Ecology & Heritage Partners (EH&P), 2025). These VGED potential habitat areas were established through investigations by [REDACTED] on behalf of [REDACTED] and in consultation with the VPA, Council and the Commonwealth Government through a EPBC referral being completed in parallel with the PSP. We understand that VGED surveys were not undertaken for the Site – resulting in the areas identified being “quarantined in perpetuity” (p. 41 of the *Existing Ecological Conditions Report*).

What is clear through the above is that the potential for the future development of the land is highly constrained under the current draft PSP, and potentially for the future BMELR.

Our client submits that the draft PSP has not appropriately considered the capacity for the Site to contribute to the future delivery of housing within Merrimu, nor has it considered the strategic location of the Site at the entry point to the precinct.

Further strategic work needs to be undertaken to ensure that the future development for the Site can be realised. Furthermore, having regard to the BMELR alignment as discussed above, targeted VGED surveys across all remaining areas of the precinct should be a priority prior to the PSP progressing further.

Landscape Value areas

The purpose, vision and objectives of 'Landscape Value' areas as identified throughout the draft PSP is unclear.

While parts of the PSP imply that Landscape Value areas are 'uncredited open space' areas not intended for residential development (see for example, Section 3.1 - Viable densities, Plan 5 - Public Realm, Plan 13 - Infrastructure and Development Staging, Plan 15 - Land Use Budget, Table 34 - Summary land use budget, Table 35 - Property-specific land use budget), other parts of the PSP suggest that these areas are suitable for appropriately designed, low-density residential development.

We have provided below excerpts of those parts of the draft PSP which imply an anticipated degree of development within landscape value areas:

- **R40:** Subdivision and development of those areas identified as “landscape values” within Plan 2 - Place-based Plan must provide sufficient detail concerning the future ownership and management of the land.
- **G40:** Public recreation and open space areas should be located adjacent to significant landscape value areas, conservation areas and waterways to create and or enhance any buffer area.
- **R54:** Subdivision and development applications for land on slope greater than 10% must be responsive to site constraints and implement appropriate construction methods to minimise cut and fill and minimise visual intrusion.
- **R55:** Subdivision and development applications for land west of the break slope line included in Plan 6 - Topography must limit visual impact of development in sensitive locations.
- **R62:** Residential development within landscape value areas must minimise visual impact on the existing landscape and environment.

- **R63:** Residential development within landscape value areas must not be visible from Bacchus Marsh Road or the Western Freeway.

Our client is of the strong opinion that the landscape value areas should be accounted for in the land use budget and inconsistencies (i.e., assertions which suggest that landscape value areas are undevelopable) within the draft PSP should be rectified.

Lower density, sensitively designed residential development within landscape value areas would align with objectives of the PSP which seek to provide a range of housing options (O6) and achieve a transition in density between existing low-density areas and the conventional residential areas (G8). Objectives, Requirements and Guidelines which suggest otherwise should be updated accordingly, and these areas should be accounted for in the land use budget accordingly.

4 Other Considerations

In addition to our above submissions, we would like to make the following comments on Requirements and Guidelines of the draft PSP:

1. **Requirement 7 (R7):** Subdivision of land adjacent to an interface with escarpment, as set out in Plan 3 - Housing, must provide for an interface outcome consistent with the relevant cross section in Appendix 4 - Road Cross Sections and Functional Layout Plans.

Comment:

There is no relevant cross section included at Appendix 4.

It is unclear from the information provided how residential properties interfacing with the escarpment are envisioned to be developed. Further, the linear park proposed along the escarpment would mean that development on the escarpment would not be able to occur.

The current wording of the PSP and conflicting Requirements, Guidelines and plans throughout the document make it difficult to understand what the vision for the future development of these areas is.

Clarification on:

- a) the vision for the future development of lots along the escarpment;
- b) the indicative design and form of the linear open space area;
- c) the funding mechanism for the linear open space/reserve along the escarpment; and
- d) the referenced cross sections at R7

should be provided.

2. **Requirement 23 (R23):** Development must not encroach on land that has been reserved within the PSP for the future delivery of the Bacchus Marsh Eastern Link Road.

Requirement 24 (R24): Subdivision and development must not encroach on the route and alignment of the planned Bacchus Marsh Eastern Link Road.

Comment:

R23 and R24 appear to be a duplication of each other, although R23 relates only to development whilst R24 addresses both subdivision and development.

We submit that R23 should be deleted.

3. **Requirement 38 (R38):** *Land designated for parks and open space must be finished and maintained to a suitable standard, prior to the transfer of land, to the satisfaction of the responsible authority.*

Comment:

The wording of R38, in our view, is problematic given that it is mandatory and 'suitable standard' is not defined in the PSP or the Guidelines. It is unclear how, as a Requirement, this will be implemented or enforceable.

We submit that R38 should be changed to a Guideline, or otherwise amended to remove any ambiguity.

4. **Objective 34 (O34):** *To minimise visual impact on the existing and surrounding rural landscape and ensure that urban development retains existing view lines wherever possible.*

Comment:

Given the substantial extent of excavation and anticipated cut through the prominent escarpment by the BMELR it is unclear how O34 can be realistically achieved.

Further regard to the significant change to the landscape expected to be caused by the current BMELR alignment should be included within the PSP. Alignment of the BMELR along the base of the escarpment may assist in alleviating this to some degree, although we acknowledge that the BMELR alignment is not within the scope of the PSP. Further engagement with Transport Victoria should be undertaken to rectify the alignment and ensure consistency between the two projects is achieved.

5. **Requirement 63 (R63):** *Residential development within landscape value areas must not be visible from Bacchus Marsh Road or the Western Freeway.*

Comment:

As with the above comments, it is unclear how R63 – as a mandatory requirement – can be realistically achieved.

The draft PSP includes no details regarding prominent or important view lines throughout the precinct or from major transport routes. Further, the eventual delivery of the BMELR on the current preferred alignment is highly likely to alter visibility of the Merrimu PSP area from both Bacchus Marsh Road and the Western Freeway, resulting in developments which are misaligned with the direction of this requirement.

We submit that R63 be changed to a guideline and that further analysis on important view lines around the precinct should be included within the PSP document.

5 Conclusion

In conclusion, the draft Merrimu PSP, DCP and Amendment as exhibited imposes significant and unresolved constraints on the development potential of [REDACTED]

Our client respectfully submits that:

- The draft PSP, DCP and Amendment be referred to a Standing Advisory Committee.
- Further engagement with Transport Victoria is undertaken to ensure that the BMELR alignment is consistent with the vision, objectives, requirements and guidelines of the Merrimu PSP, and that a coordinated approach is employed.
- Further targeted ecological studies be undertaken to confirm the true extent of potential VGED habitat, and to ensure that the alignment of the BMELR is practical and achievable, and that residentially zoned land is not unreasonably encumbered.
- The role and development expectations of landscape value areas be better articulated throughout the documentation, allowing for a degree of low-density residential development, increasing residential capacity within the precinct and providing greater certainty to affected landowners.
- Duplicative, ambiguous or unenforceable requirements and guidelines throughout the draft PSP – specifically with respect to matters relating to escarpment interfaces, visibility of residential development, linear park delivery, and design standards – be revised and refined.

Our client reserves the right to make further submissions through the SAC process. We look forward to continuing to work constructively with the VPA.

Please contact the undersigned via email or on [REDACTED] should you wish to discuss any aspect of this submission further.

