

[REDACTED]

9 April 2026

[REDACTED]
New Communities
DTP

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

Dear [REDACTED]

[REDACTED] **submission to Amendment C109moor – Merrimu
Precinct Structure Plan**

[REDACTED] act on behalf of [REDACTED] (the proponent) in relation to the Merrimu PSP (the PSP) released for public consultation on the 6 March 2026.

[REDACTED] has prepared the following submission in response to Amendment C109moor (the amendment).

Our submission provides written commentary on the amendment documents along with recommended and requested changes. A table of changes will be submitted at a later date, this is aimed at assisting the VPA with tracking and summarising our proposed changes.

While the submission outlined below represents our comments and recommended changes to the proposed Amendment, we reserve the right to make further submissions to update our position as further information is made available following completion of the Exhibition period. As such, we welcome the opportunity to meet with DTP-NC to discuss our submissions with the aim of resolving matters ahead of a potential Standing Advisory Committee meeting.

SUMMARY – REQUESTED CHANGES AND CLARIFICATIONS

This submission is made without prejudice and outlines a number of key matters that, in our view, require further refinement or clarification prior to finalisation of Amendment C109moor. The requested changes are summarised below.

1. Drainage Strategy and Wetland WL-12

- Review and refine the size and location of Wetland WL-12 shown on Plan 10, having regard to its disproportionate impact on Parcel A (Lot 109 Flanagans Drive).
- Update the PSP to reflect a stormwater management strategy that does not rely on complex and non-standard solutions, including groundwater injection and large aquifer storage basins, as outlined in the Alluvium Phase 3 investigations.
- Provide clarity regarding the catchment, integration with other drainage assets and downstream outfall arrangements for WL-12.

- Consider alternative drainage configurations, including reducing the footprint, relocating or consolidating drainage assets, to improve net developable area and delivery certainty.

2. Bushfire Setbacks

- Clarify and correct bushfire setback mapping on Plan 8 to ensure consistency with the underlying Bushfire Assessment.
- Clearly define the reference point for measuring Managed Bushfire Setbacks, particularly along escarpment and break-of-slope areas.
- Reflect the strategic nature of the bushfire assessment by allowing for refinement of setbacks and BAL ratings through more detailed, site-specific assessment.
- Include additional guidance, such as illustrative cross sections, demonstrating how roads, reserves and building envelopes are intended to function within bushfire setback areas.

3. Landscape Values Land

- Provide clearer direction regarding the intended role, ownership and long-term management of land identified as “Landscape Values”.
- Clarify how this land is to be integrated into the broader escarpment-based open space network, including responsibilities for bushfire management, access and maintenance.
- Reconsider the application of the Rural Conservation Zone to landscape values land to ensure it reflects potential future public ownership and management outcomes.

4. Density Investigation Areas

- Provide greater clarity on the intent, process and timing for resolving density investigation areas identified on Plan 2.
- Introduce clearer parameters, indicative density ranges or a defined pathway and timeframe for resolution.
- Review the application of the density investigation designation to Parcel C (52 Streeton Drive), noting its limited exposure to other major constraints.
- Clarify the role and necessity of Streeton Drive as a connector street with a 25.5-metre cross section, given its function and catchment.

5. Urban Growth Zone Schedule

- Address cultural heritage solely through a mandatory Cultural Heritage Management Plan requirement in the UGZ schedule, removing duplicative PSP provisions.
- Provide clearer guidance on the delivery of voluntary affordable housing, including the basis for the proposed percentage and delivery pathways across different development typologies.

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- Ensure requirements relating to sodic and dispersive soils are appropriately targeted and aligned with the technical assessments.

6. Development Contributions Plan

- Remove state-level transport projects, including the Bacchus Marsh East Link Road and associated intersection upgrades, from the Merrimu DCP.
- Ensure the DCP is limited to local infrastructure, consistent with Ministerial Directions and DCP Guidelines, with clear delivery and accountability mechanisms.

7. Native Vegetation Precinct Plan

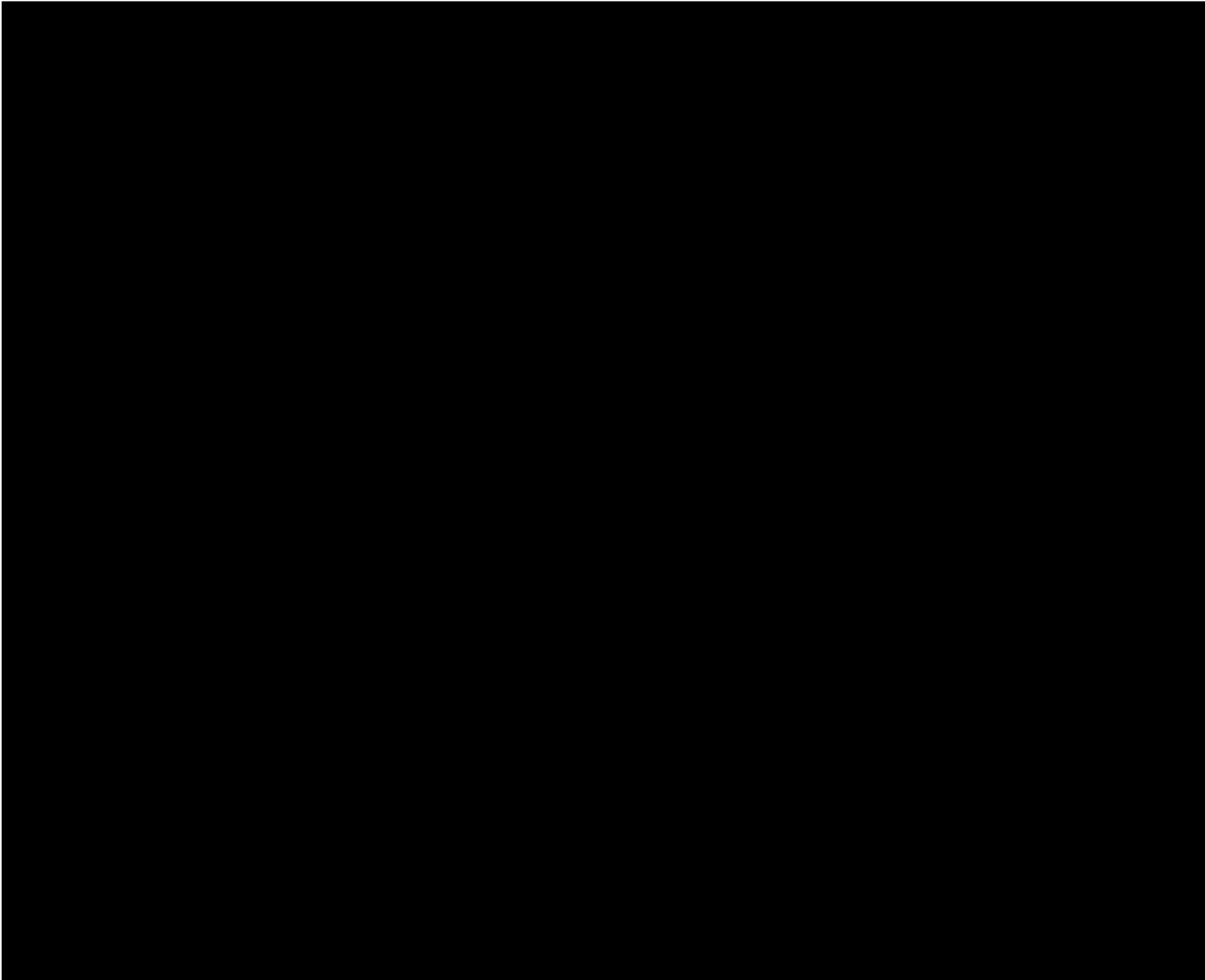
Improve the scale and legibility of mapping, particularly in areas with small parcel sizes, to provide certainty for landowners and decision-makers.

INTRODUCTION AND CONTEXT

The submission aims to support the delivery of a well-planned and sequenced growth precinct while ensuring that the interests and landholdings of [REDACTED] are appropriately reflected in the final PSP.

[REDACTED] owns three parcels of land within the Merrimu PSP:

- [REDACTED]
- [REDACTED]
- [REDACTED]



Where our submission refers to a site specific issue, we annotate this via the abovementioned parcel references.

The subject sites are listed in the Property Specific Land Budget of the Merrimu PSP as:

- [Redacted]
- [Redacted] and
- [Redacted]

The proponent has been actively engaged in the process of planning for the Merrimu PSP since the early stages of its preparation as a developer-led PSP. This submission builds on that engagement and seeks to contribute constructive feedback in order to assist with the completion of the PSP in line with state and local planning objectives.

Notwithstanding our clients support for the strategic intent of the Merrimu PSP, our review of the exhibited PSP and associated documents has identified several matters that warrant further consideration to ensure the precinct's urban structure, infrastructure planning and delivery outcomes are well resolved.

Our key concern relates to the proposed size and location of the drainage assets. While we appreciate that work with Melbourne Water to resolve the Development Services Scheme (**DSS**) is ongoing, it is our





submission that further work by Melbourne Water and DTP-NC should focus on refining and consolidating the location of assets in order to reduce the amount of potentially encumbered land and improve the Net Developable Area (**NDA**) of the precinct. We submit that further refinement of the drainage requirements will lead to overall improvements in the future urban structure and other planned outcomes as shown in the Place Based Plan (**PLAN 2**).

We also note our concerns regarding the treatment of land capability constraints, particularly in escarpment and break-of-slope areas. Further clarity is sought on how these constraints have been applied in the PSP, this includes:

- the extent of encumbrances,
- the definition of managed bushfire setbacks,
- the intended role and function of areas identified as having landscape value and
- how these places will be managed in the future.

More broadly, we submit that the future urban structure of the PSP would benefit from refinements. In particular, the current configuration of the planned outcomes in areas surrounding Parcel A and B arguably falls short with respect to locating sufficient dwelling yields within walkable catchment of the proposed Government primary school, community facility and local shops.

Significant areas of the Place Based Plan are shown as Density Investigation Areas. We submit that before it is finalised and incorporated into the Moorabool Planning Scheme, the PSP requires greater certainty and further information regarding the intended outcomes for these areas.

Finally, Merrimu Investments is reviewing the exhibited Development Contributions Plan and seeks additional clarity on the assumptions informing land take, infrastructure provision and costing to support a transparent and equitable approach to contributions.

Drainage Strategy and Wetland WL 12

The draft PSP identifies Wetland WL-12 on Plan 10 as a major drainage asset with a significant land take within Parcel A. Among other things, this outcome unnecessarily reduces the NDA of Parcel A to 4.14ha or 12.45% of the total site area resulting in barely enough lot yield to cover the costs of delivery. We submit that the size and location of this asset is not justified. On the basis that Melbourne Water are still working to refine the drainage requirements for the precinct, every effort should be made to ensure that the size, location and number of assets are designed to avoid unnecessary impacts on the delivery of homes and community facilities. See image from Plan 10 below.



Our review of the background technical material, includes:

- the *Sodic/Dispersive Soils Peer Review and Assessment* (WSP, 2023),
- the *Streamology Sodic Soil Peer Review* (2025) and
- the *Coffey/Creo Additional Geotechnical Investigation* (2020),

These reports all indicate that sodic and dispersive soils, while prevalent across the precinct, are a manageable constraint. Importantly, the precautionary buffers identified in earlier work around escarpments and higher-risk slopes were intended to trigger further investigation rather than to preclude development or fix the location of drainage assets. In this context, the setback of WL-12 from the escarpment of approximately 100m should be reconsidered on the basis that the technical work required to determine the land capability and development requirements in this area has not been undertaken.

We also note that aspects of the drainage strategy informing the Draft PSP appear to be based on stormwater management approaches outlined in the *Alluvium Phase 3 Surface Water and Groundwater Investigations* (Draft Final, February 2025). The Alluvium report relied on complex and non-standard solutions, including groundwater injection and large aquifer storage basins, which are understood to require substantial land take and present significant cost and approval risks. It is also our understanding that these approaches may not be suitable in areas affected by sodic soils due to erosion risk. On this basis, the assumptions informing the size and placement of WL-12 require review to ensure they reflect an appropriate and deliverable stormwater management strategy. We understand from the landowner meeting with Melbourne Water and DTP-NC on Wednesday 1 April 2026, that Melbourne Water do not intend to design the drainage system in this way. We would therefore support and welcome a revision of the draft scheme based on more efficient stormwater management methods.

The PSP is also unclear about the catchment of WL-12. From our review we have not been able to identify, how the wetland integrates with other drainage assets within the precinct, and how stormwater is intended to be



conveyed to downstream outfalls. This lack of clarity has implications for upstream development, development sequencing and equity across landholdings.

From a land use and urban design perspective, the current location and scale of WL-12 has a material impact on development outcomes. The wetland significantly reduces net developable area of Parcel A, disrupts walkable catchments to the proposed school and local town centre, and has the potential to act as a barrier to the orderly staging and delivery of development. The asset is currently located within a parcel that is already subject to multiple constraints, resulting in limited net developable area. Due to the lower lot yield and constrained accessibility, we see this leading to poor community outcomes as a result of delays in the delivery of the planned assets.

We submit that the current Placed Based Plan results in potentially unviable planned outcomes and as a result there is a real risk that delivery of WL-12 could be delayed. This has broader implications for the development of upstream land. Given the complexity of conditions in the broader precinct, traditional interim or out-of-sequence drainage solutions are unlikely to be practical or readily approved.

We note that alternative approaches have been identified by [REDACTED] that may better achieve the stormwater management requirements of the area while at the same time reducing land take and delivery risk. These include options to:

- reduce the footprint of the wetland,
- relocate it, or
- integrate it with other drainage assets within the precinct.

While these options require further investigation and more detailed modelling, they demonstrate that the current outcome needs to be substantially reconsidered.

Given the above, we request that the location and size of Wetland WL-12 be reviewed as part of the PSP process. Further detailed investigation and refinement of the drainage strategy is required to ensure that drainage infrastructure is appropriately located, reflects up-to-date technical assumptions, and supports efficient and equitable development outcomes across the precinct.

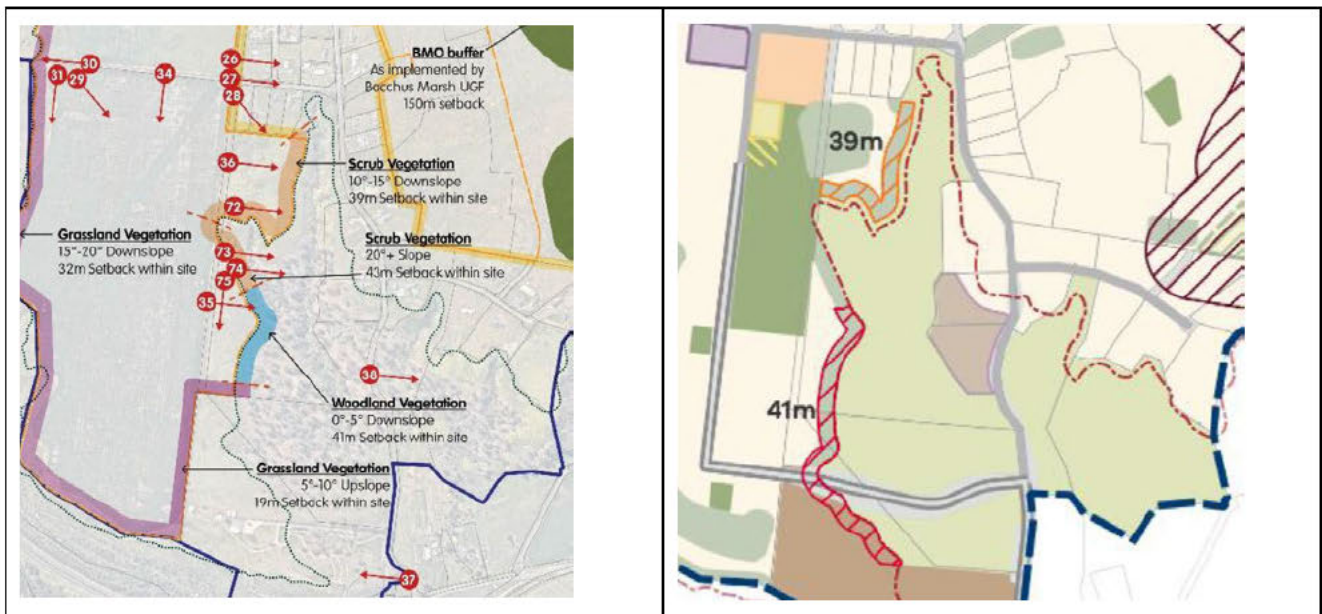
Bushfire Setbacks

The draft PSP relies on the *Bushfire Assessment and Development Report* prepared by Southern Cross Town Planning Pty Ltd (April 2021) to inform bushfire risk management across the Merrimu Precinct. In general terms, the exhibited PSP appears to adopt the recommendations of that report, including the application of bushfire setbacks and the assumption of a minimum BAL-12.5 construction standard for future development.

A significant area of land on Parcel A is identified in the draft PSP as "Landscape Values" land, primarily associated with escarpments, gullies and steep slopes. Bushfire setbacks are applied in response to these areas, with the apparent intent that setbacks be measured from the escarpment and/or the break-of-slope line and provide separation between future development and vegetation which will be retained with this area.

However, the PSP mapping does not clearly or consistently show how bushfire setbacks are to be applied on the ground. In particular, Plan 8 of the Draft PSP lacks clarity as to the reference point from which bushfire setbacks are measured along escarpment areas. The plan shows an apparent misalignment between the line indicating the break of slope and the commencement of the Managed Bushfire Setback (MBS).

When compared with the exhibited technical background material, the application of the bushfire setback is unclear and inconsistent. Map 5 of the *Bushfire Assessment and Development Report* prepared by Southern Cross Town Planning (April 2021) appears to show the Managed Bushfire Setback aligning with the break-of-slope line in some locations, while in other areas the setback appears to be located on different sides of the break of slope. This is further contrasted by Plan 8 of the exhibited PSP, which does not consistently show the Managed Bushfire Setback across the extent of the land. In some areas the setback is not shown at all, before re-appearing further along the escarpment edge. See image below for more detail.



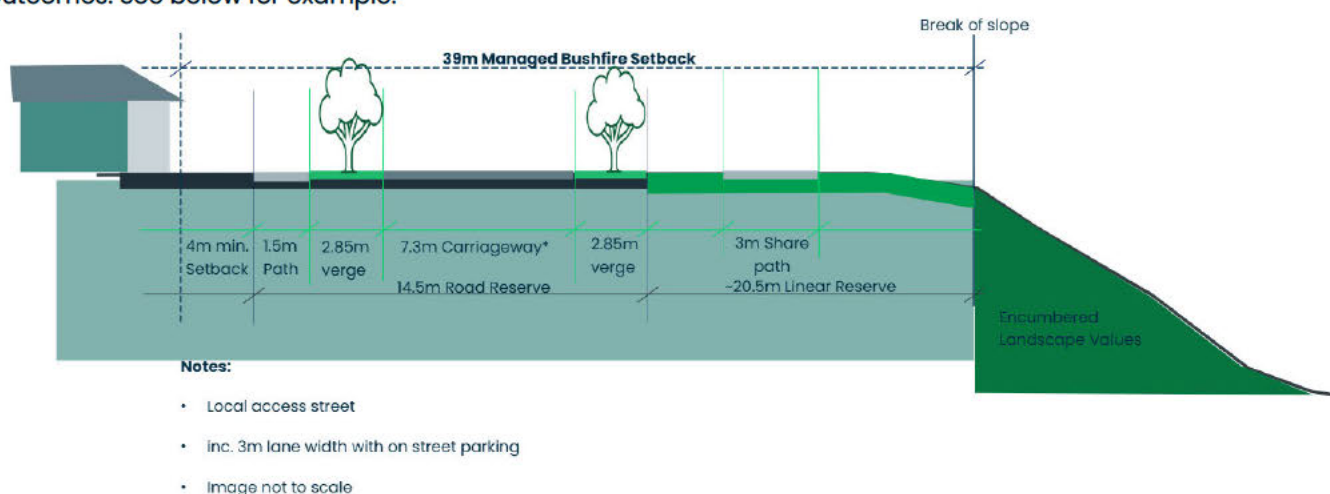
Taken together, these inconsistencies make it difficult to understand how the bushfire setback has been derived and applied, and whether the PSP mapping accurately reflects the intent of the underlying bushfire assessment. This lack of clarity creates uncertainty regarding the true extent of the bushfire constraint, with direct implications for land budgets, subdivision design and development feasibility.

We further note that the Bushfire Assessment is explicitly broad in nature and states that setback distances and BAL ratings have generally been based on worst-case assumptions. Importantly, the report acknowledges that more detailed, site-specific assessment of slope and local conditions at later stages may allow setbacks to be refined or reduced, and BAL ratings to be reviewed for some sites. This important qualification does not appear to be clearly reflected in the PSP, which currently seems to present bushfire setbacks as fixed spatial constraints.

For land affected by internal bushfire risk associated with areas identified as "Landscape Values" land, subdivision design responses are intended to play a key role in managing bushfire risk. In this regard, Plan 4 of the exhibited PSP identifies an escarpment interface road along this edge, with a typical cross section of approximately 14.5 metres, which is clearly intended to function as part of the bushfire risk management response. However, the PSP does not provide sufficient clarity as to how development is intended to occur in proximity to this interface, particularly whether development can proceed within bushfire setback areas provided that building envelopes are located outside the required setback distances.



This lack of clarity creates uncertainty around subdivision design, land use efficiency and development yield. To assist with interpretation and implementation of the PSP, it would be beneficial for the PSP to include an additional illustrative cross section that clearly demonstrates the typical land use arrangements intended to occur within the 39 metre and 41 metre bushfire setback areas. This could include the relationship between building envelopes, standard building setbacks, road reserves, footpaths, verges and carriageways, and how these elements collectively contribute to bushfire risk mitigation while enabling efficient development outcomes. See below for example.



Further to the above, we have engaged a qualified bushfire consultant to undertake a peer review of the exhibited bushfire outcomes. As this work is ongoing, we reserve the right to provide further submissions on bushfire matters once that review has been completed.

Landscape Values Land

The draft PSP identifies a substantial area of land on Parcel A as “Landscape Values” land. Based on our review of the background technical material, including the *Landscape Character Assessment and Framework Plan* (Tract, June 2025) and the *Merrimu Open Space Assessment* (Ethos Urban, June 2022), we acknowledge that this designation has been informed by a combination of escarpments, slopes, erosion risk, sodic soils, visual sensitivity, vegetation and broader landscape character considerations.

In this context, we recognise that the extent of land identified as “Landscape Values” is unlikely to be materially reduced. However, the designation represents a further major encumbrance on Parcel A, compounding the cumulative impact of bushfire setbacks, drainage infrastructure and other constraints, and resulting in a significant reduction in net developable area. Taken together, these constraints materially affect the feasibility and timing of development on the land.

Of particular concern is the lack of clarity in the PSP and the Urban Growth Zone Schedule regarding the future ownership, use and management of “Landscape Values” land. While Requirement R40 specifies that subdivision and development provide detail regarding future ownership and management, it does not establish clear expectations or outcomes. In effect, R40 defers substantive decisions about land management to later stages, placing responsibility for non-developable land on the landowner without sufficient policy guidance.



This uncertainty is especially problematic given that “Landscape Values” land is intended to serve broader precinct-wide purposes, including landscape conservation, passive recreation and integration with a future escarpment-based open space network. The absence of clear direction on ownership and management also raises questions regarding ongoing bushfire management responsibilities, public access, liability and long-term maintenance.

Given the above, we request that the PSP and UGZ Schedule provide greater clarity regarding the intended role, ownership and management of “Landscape Values” land, including how it is to be integrated into the broader open space network and how long-term management responsibilities are to be addressed. Clearer guidance would assist in reducing uncertainty for landowners and support more orderly and timely development outcomes within the precinct.

Density Investigation Area

Plan 2 of the exhibited PSP identifies a substantial area of the precinct as a “Density Investigation Area”. While we understand that this designation reflects a range of unresolved matters, including transport modelling, and the absence of a confirmed ultimate stormwater outfall in parts of the precinct, the approach creates a high degree of uncertainty for landowners.

The PSP does not clearly articulate the intent of the density investigation areas, the process by which appropriate densities will be determined, or the timing for resolving these matters. In particular, it is unclear:

- what residential densities are considered acceptable in the interim
- what technical inputs will ultimately inform the outcome, and
- when landowners can expect clarity on permissible development outcomes.

For our client, this issue is particularly problematic in relation to Parcel C (52 Streeton Drive). This land is one of the few parcels within the precinct that is not subject to extensive encumbrances associated with landscape values, bushfire setbacks or major drainage infrastructure. The application of a density investigation designation to this land therefore represents an additional layer of uncertainty, despite the site otherwise being well suited to urban development.

In circumstances where other landholdings are already significantly constrained, the cumulative effect of unresolved density outcomes further undermines development certainty and feasibility. We are concerned that, without clearer direction in the PSP, landowners may be effectively prevented from progressing development on land that would otherwise contribute to the timely delivery of housing and infrastructure within the precinct.

We acknowledge that further work may be required to resolve density outcomes in some locations. However, we request that the PSP provide greater clarity on the intended approach to density investigation areas, including clearer parameters, indicative density ranges or a defined pathway and timeframe for resolution. This would assist in reducing uncertainty for landowners and support more orderly and equitable development outcomes across the precinct.

In this context, we also note that Plan 4 of the Draft PSP identifies Streeton Drive as a connector street with a cross section of approximately 25.5 metres. Given the limited catchment served by Streeton Drive and its location within a density investigation area, it is unclear why such a wide connector road is required. This designation appears disproportionate to the function of the street and may further constrain development outcomes on land that is otherwise relatively unconstrained. Clarification of the role, function and ultimate



cross-section of Streeton Drive would assist in understanding how this infrastructure requirement aligns with the density investigation framework.

Exhibited Merrimu Precinct Structure Plan document

Requirements R1 & R2

It is recommended that Requirements R1 and R2 be consolidated into a single requirement for clarity. The following consolidated requirement is proposed:

Subdivision layout, lot diversity and housing typologies must respond to the existing features of the precinct and its surrounding context, including:

- topography, slopes and break-of-slope conditions;
- landscape, environmental, ecological and cultural heritage values;
- existing and future Aboriginal cultural heritage places; native vegetation and fauna areas;
- drainage and waterway systems; landscape values and significant vistas;
- historic heritage features;
- the existing rural residential lot pattern; future arterial roads (including the Bacchus Marsh East Link Road);
- rural interfaces;
- transmission easements;
- extractive industry separation distances; and
- bushfire risk.

Requirement R4

A minor typo, incorrectly refers to Plan 4 – Housing when in fact the Housing Plan is Plan 3 within the PSP.

Development Contributions Plan

We do not support the inclusion of the MM-RD-10 (State arterial road capacity upgrades – Gisbourne Rd and Bacchus March Road) and MM-IN-11 (State intersection upgrades) as an item to be funded through the Merrimu Development Contributions Plan (DCP).

DCPs are intended to fund local infrastructure that is directly required to support development within the plan area. They are administered by local government and are designed to deliver local roads, intersections, drainage, open space and community facilities that have a clear nexus to, and are proportionate with, the development contributing to them. They are not intended to fund state-based infrastructure projects especially when the need for the State project is not triggered by the development of the PSP and the project in no way services the Precinct.

MM-RD-10 and MM-IN11 are noted as state-level transport projects with a regional function. Its role extends well beyond the Merrimu DCP area and it is appropriately characterised as state infrastructure. Including these within the DCP is inconsistent with the Ministerial Direction on Development Contributions and the DCP Guidelines, which make clear that infrastructure that is the responsibility of another authority, including the State, should not be funded through a DCP.

The inclusion also raises significant practical and governance concerns. Contributions collected under a DCP are collected and administered by Council for the purpose of delivering local infrastructure. There is no clear



or transparent mechanism for how funds collected by Council would be transferred to, or managed by, the State. This is not how DCPs are designed to operate and creates uncertainty around accountability, delivery and the ultimate use of funds.

There is also a clear delivery risk including these items in the DCP exposes contributors to the risk of paying for infrastructure that may not be delivered in a reasonable or certain timeframe, which is contrary to the intent of development contributions planning.

In summary, the Merrimu DCP should fund local infrastructure only. Including the Bacchus Marsh East Link Road in the DCP is inconsistent with the DCP guidelines, inappropriately shifts responsibility for state infrastructure funding onto local development, and results in an unacceptable outcome where local contributions are used to subsidise a state project without certainty of delivery. It is therefore requested that BMELR be removed from the Merrimu Development Contributions Plan.

Schedule to the Urban Growth Zone

Cultural Heritage

It is submitted that the schedule to the Urban Growth Zone should include an application requirement for an approved Cultural Heritage Management Plan (CHMP). No Cultural Heritage Impact Assessment or Cultural Values Assessment has been made available for review during the exhibition period. In the absence of this background material, it is difficult to assess whether the cultural heritage requirements and guidelines within the PSP are appropriate or necessary.

Given that subdivision of land will require an approved CHMP, the management of cultural heritage will be comprehensively addressed through that statutory process. Accordingly, the additional PSP requirements and guidelines directing development to consider cultural heritage are duplicative and add unnecessary complexity.

As an alternative and more streamlined outcome, it is submitted that cultural heritage be addressed solely through a mandatory CHMP requirement in the UGZ schedule, with the removal of overlapping PSP requirements and guidelines. This approach would provide certainty, avoid duplication, and ensure cultural heritage is managed through the appropriate legislative framework.

Applied Zone

The PSP proposes to incorporate large areas of land for landscape values with an applied Rural Conservation Zone (RCZ). In particular, Parcel A is required to set aside 22.62 hectares for landscape values, all of which is uncredited. The application of the RCZ implies that this land will be retained and managed in private ownership.

Should a public land manager be appointed in the future, the RCZ would not be an appropriate applied zone for this land. In those circumstances, a public land zone, such as the Public Park and Recreation Zone, would more accurately reflect the intended ownership, management and function of land nominated for landscape values.

Accordingly, it is requested that the applied zoning approach for land identified for landscape values be reconsidered to ensure it appropriately reflects potential future public ownership and management outcomes.



Affordable Housing

The PSP notes that the delivery of affordable housing is voluntary; however, no background report has been provided to explain the basis for the proposed percentage of dwellings. While voluntary, the nominated percentage sets an expectation and will influence implementation. In the absence of supporting material, it is difficult to understand how this percentage has been determined or to assess whether it is reasonable and achievable.

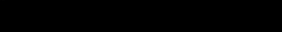
Further clarity is also sought in the PSP or, alternatively, in the schedule to the Urban Growth Zone regarding how voluntary affordable housing is intended to be delivered in practice. This is particularly important where development may occur solely through land subdivision, without the construction or sale of dwellings or apartments. In these circumstances, it is unclear how contributions would be realised, including whether delivery is anticipated through land, dwellings or other mechanisms, and how this aligns with the Governor in Council Order.

Providing greater clarity on both the basis for the proposed percentage and the intended delivery pathways would improve certainty for landowners and strengthen the implementation of the affordable housing framework across different development typologies.

Native Vegetation Precinct Plan

The Native Vegetation Precinct Plan prepared by WSP (March 2026) would benefit from improved mapping. In particular, larger scale, more detailed maps are required to clearly show individual parcels. This is especially important in the southern portion of the PSP, where small lot sizes make the current mapping difficult to read and interpret. Improved legibility is necessary to provide certainty for landowners and decisionmakers.

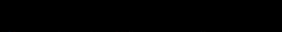
Conclusion

 supports the strategic intent of the Merrimu Precinct Structure Plan and is committed to working constructively with DTP-NC and relevant agencies to support the delivery of a well-planned and sequenced growth precinct.

This submission is made without prejudice and represents our client's current position based on the information available during the exhibition period.  reserves the right to make further submissions as additional information becomes available, background documentation is finalised, and the positions of other submitters are better understood.

We consider that many of the matters raised in this submission are capable of being resolved through further targeted technical work and collaborative engagement prior to finalisation of the PSP. In this regard, we welcome the opportunity to meet with DTP-NC to discuss this submission in detail and to participate in further workshops with relevant agencies, including Melbourne Water and transport authorities, in the spirit of achieving progressive certainty for all landowners within the precinct.

As noted, a detailed table of proposed changes will be provided following this submission to assist DTP-NC with tracking and responding to the matters raised.

 looks forward to continued engagement to resolve these issues and to support the timely delivery of the Merrimu Precinct in a manner that achieves sound planning outcomes, equitable development conditions and long-term community benefit.



[Redacted]
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Submission Item No.	Organisation / Group / Agency	Topic Category	Clause/Section of ordinance or PSP	Clause/Section of ordinance or PSP	Text in PSP/Theme to be discussed	Submission	Text proposed by submitter/Recommended Change	VPA Response	Status (Resolved/Unresolved)	Submitter Comment/Actions
Drainage Strategy and WL 12										
1		Drainage / Stormwater	Plan 10 – Water	Wetland WL 12 – Location and Size	Plan 10 identifies Wetland WL 12 as a major drainage asset located within Parcel A (Lot 109 Flanagan Drive), with a significant land take.	The size and location of Wetland WL 12 have a disproportionate impact on Parcel A, resulting in a significant reduction in net developable area and raising concerns regarding development feasibility. The background technical material does not clearly justify the current siting or extent of WL 12.	Review and refine the size and location of Wetland WL 12 to ensure it is appropriately sited and scaled, informed by detailed and up to date stormwater modelling and design.	Note: For VPA Comments	Note: for Meeting/Discussions	Note: For Final Submission (pro-Directions)
2		Drainage / Stormwater	Plan 10 – Water	Wetland WL 12 – Stormwater Strategy Assumptions	Drainage outcomes in the PSP are informed by background technical studies, including the Alluvium Phase 3 Surface Water and Groundwater Investigations.	The drainage strategy informing the PSP appears to rely on stormwater management approaches that involve complex and non standard solutions, including groundwater injection and aquifer storage. These approaches require substantial land take, pose approval risks and may not be suitable in areas affected by sodic soils due to erosion risk.	Update the PSP to reflect a stormwater management strategy that is deliverable, avoids reliance on complex and non standard solutions, and is appropriate to the soil and landform conditions of the precinct.			
3		Drainage / Stormwater	Plan 10 – Water	Wetland WL 12 – Catchment and Outfall	The PSP does not clearly identify the catchment treated by Wetland WL 12 or downstream outfall arrangements.	There is insufficient clarity regarding the catchment intended to be treated by WL 12, how it integrates with other drainage assets within the precinct, and how stormwater is intended to be conveyed to downstream outfalls. This uncertainty has implications for upstream development, development sequencing and equity across landholdings.	Provide clear documentation within the PSP (or supporting material) identifying the catchment, function and downstream outfall arrangements for Wetland WL 12, including its relationship with other drainage assets.			
4		Drainage / Stormwater	Plan 10 – Water	Wetland WL 12 – Development Staging and Delivery	WL 12 is located within a highly constrained parcel and is critical to enabling upstream development.	The location of WL 12 within Parcel A, which is already subject to multiple constraints, creates a risk that delivery of the wetland may be delayed due to limited development incentive. Given the complexity of the precinct, interim or out of sequence drainage solutions are unlikely to be practical or readily approved, which could delay broader precinct development.	Review the siting and delivery sequencing of WL 12 to reduce development risk and ensure that critical drainage infrastructure can be delivered in a timely and coordinated manner.			
Bushfire Setbacks										
5		Bushfire	Plan 8 – Bushfire and Emergency Management	Managed Bushfire Setbacks – Mapping	Plan 8 shows Managed Bushfire Setbacks along escarpment areas within the PSP.	There are inconsistencies between the bushfire setback mapping shown on Plan 8 of the PSP and the bushfire setback extents illustrated in Map 5 of the Bushfire Assessment and Development Report prepared by Southern Cross Town Planning (April 2021). In some locations, the PSP does not show the setback at all, while in others the setback appears to be located differently relative to the break of slope line. This creates uncertainty regarding the true extent and application of the bushfire constraint.	Clarify and correct the bushfire setback mapping on Plan 8 to ensure consistency with the underlying Bushfire Assessment and to clearly show the full extent of the Managed Bushfire Setbacks.			
6		Bushfire	Plan 8 – Bushfire and Emergency Management	Reference Point for Setback Measurement	The PSP does not clearly identify the reference point from which Managed Bushfire Setbacks are to be measured along escarpment areas.	Plan 8 of the PSP does not clearly or consistently show how Managed Bushfire Setbacks are to be applied along escarpment areas. In particular, the Managed Bushfire Setback is not shown along certain sections of the escarpment, before reappearing further along the interface. This creates uncertainty as to where the setback is intended to apply and from what reference point it is to be measured, with material implications for land budgets, subdivision layout and development feasibility.	Clarify and correct Plan 8 to clearly show the full extent of the Managed Bushfire Setback along the escarpment and to clearly identify the reference point from which the setback is to be measured.			
8		Bushfire	Plan 4 – Place Based Plan	Escarpment Interface Roads and Subdivision Design	Plan 4 identifies escarpment interface roads as part of the bushfire risk management response. Appendix 4 – Cross Sections	While Plan 4 identifies an escarpment interface road with a typical cross section of approximately 14.5 metres, the PSP does not clearly explain how subdivision design is intended to function within bushfire setback areas. In particular, it is unclear whether development can occur within setback areas provided building envelopes are located outside the required distances.	Recommend including additional guidance in the PSP, such as an illustrative cross section, demonstrating how building envelopes, standard setbacks, road reserves, footpaths, verges and carriageways are intended to be accommodated within the 39 metre and 41 metre Managed Bushfire Setbacks while achieving appropriate bushfire risk mitigation.			
Landscape Values Land										
10		Landscape / Open Space	PSP Requirements	Requirement R40 – Ownership and Management	Subdivision and development of Landscape Values land must provide sufficient detail concerning the future ownership and management of the land.	Requirement R40 defers decisions about ownership, management and long term responsibility for Landscape Values land to later stages, without providing clear expectations or outcomes. This creates uncertainty for landowners regarding ongoing management obligations, bushfire risk, public access, liability and long term maintenance of non developable land.	Provide clearer direction in the PSP and UoZ Schedule regarding the intended ownership, use and long term management of Landscape Values land, including how management responsibilities are to be addressed.			
11		Landscape / Zoning	Applied Zones	Rural Conservation Zone (RCZ)	The PSP proposes to apply the Rural Conservation Zone to land identified for Landscape Values.	The application of the Rural Conservation Zone to Landscape Values land implies ongoing private ownership and management. This may not be appropriate where land is intended to function as part of a broader escarpment based open space network or where future public ownership and management may be contemplated.	Reconsider the applied zoning and schedule approach for land identified for Landscape Values to ensure it appropriately reflects the intended long term ownership, management and function of the land. Where public ownership and management have not been confirmed, the planning framework should not preclude the establishment of a private lot with a single dwelling, subject to appropriate constraints. It is recommended that the schedule to the Rural Conservation Zone include a minimum lot size for subdivision, to provide a clear and appropriate pathway for low intensity development outcomes where land remains in private ownership.			
Density Investigation Area										
12		Urban Structure / Density	Plan 2 – Place Based Plan	Density Investigation Areas	Plan 2 identifies a substantial area of the precinct as a “Density Investigation Area”.	The identification of large areas as Density Investigation Areas creates significant uncertainty for landowners, as the PSP does not clearly articulate the intent of these areas, the process for determining appropriate densities, or the timing for resolving these matters.	Remove the “Density Investigation Area” designation from Plan 3 and apply the standard residential density assumptions to these areas. Higher density outcomes should only be pursued where it can be clearly demonstrated, through appropriate technical justification, that such outcomes are suitable and supported by infrastructure capacity, transport outcomes and drainage solutions.			
13		Urban Structure / Density	Plan 2 – Place Based Plan	Density Investigation Area – Parcel C (52 Streeton Drive)	Parcel C (52 Streeton Drive) is identified within a Density Investigation Area.	Parcel C is one of the few landholdings within the precinct not subject to extensive encumbrances associated with landscape values, bushfire setbacks or major drainage infrastructure. The application of a Density Investigation designation introduces further uncertainty despite the site being otherwise well suited to urban development.	Remove the “Density Investigation Area” designation from Plan 3 and apply the standard residential density assumptions to these areas. Higher density outcomes should only be pursued where it can be clearly demonstrated, through appropriate technical justification, that such outcomes are suitable and supported by infrastructure capacity, transport outcomes and drainage solutions.			
14		Transport / Urban Structure	Plan 4 – Place Based Plan	Streeton Drive – Connector Street	Plan 4 identifies Streeton Drive as a connector street with a cross section of approximately 25.5 metres.	Given the limited catchment served by Streeton Drive and its location within a Density Investigation Area, it is unclear why a connector street of this width is required. This designation appears disproportionate to the function of the street and may unnecessarily constrain development outcomes.	Change the mapping reference for Streeton Drive on Plan 4 from Connector Street to Key Local Access Street			
Exhibited Merrimu Precinct Structure Plan document										
15		PSP Requirements	Requirements R1 and R2	Subdivision Layout and Housing Outcomes	Requirements R1 and R2 both address subdivision layout, housing diversity and response to site context.	Requirements R1 and R2 address similar matters and would benefit from consolidation for clarity and ease of interpretation. The current separation creates unnecessary duplication without adding substantive policy direction.	Consolidate Requirements R1 and R2 into a single requirement addressing subdivision layout, housing diversity and response to site and contextual constraints.			
16		PSP Requirements	Requirement R4	Plan Reference – Housing	Requirement R4 refers to Plan 4 – Housing.	Requirement R4 incorrectly references Plan 4 as the Housing Plan, whereas the Housing Plan is identified as Plan 3 in the PSP.	Amend Requirement R4 to correctly reference Plan 3 – Housing.			
17		PSP Requirements	Requirement R82 – Water Sensitive Urban Design	Drainage, waterways and integrated water management	Water sensitive urban design measures must be implemented to the satisfaction of the responsible authority.	The final Melbourne Water Development Services Scheme has not yet been completed or exhibited, which limits the ability to fully assess the drainage and integrated water management outcomes proposed in the PSP. In the meantime, and pending finalisation of the DSS, Requirement R82 should be reviewed to ensure it provides appropriate flexibility and reflects an outcomes based approach to integrated water management.	Reclassify Requirement R82 as a Guideline, requiring that integrated water management and water sensitive urban design measures be implemented in accordance with best practice principles, to the satisfaction of the responsible authority.			
18		PSP Requirements	Requirement B6	Drainage, waterways and integrated water management	Integrated Water Management Plans – Application Requirement	The final Melbourne Water Development Services Scheme has not yet been completed or exhibited, which limits the ability to fully assess how integrated water management outcomes are intended to be implemented within the PSP. In the meantime, and pending finalisation of the DSS, the prescriptive nature of this application requirement should be reviewed to ensure it provides appropriate flexibility and does not pre-empt detailed design outcomes.	Reclassify this requirement as a Guideline, providing that Integrated Water Management Plans demonstrate how development responds to relevant strategic directions and best practice stormwater management principles, to the satisfaction of the responsible authority.			

19		PSP Requirements	Requirement R96	Infrastructure and Utilities Coordination	Requirement R96 includes multiple, overlapping requirements relating to drainage delivery, staging and erosion management.	Requirement R96 is lengthy and combines multiple distinct matters, including ultimate drainage delivery, interim staging solutions, stormwater treatment and soil erosion management. As currently drafted, it is unclear which elements are mandatory at each stage of development and how compliance is to be demonstrated. In addition, the final paragraph relating to erosion risk from sodic and dispersive soils addresses a separate issue that would be more clearly dealt with as a standalone requirement.	Review and restructure Requirement R96 to improve clarity by separating it into distinct and clearly articulated requirements. In particular, the matters relating to erosion risk and management of sodic and dispersive soils should be addressed through a separate, dedicated requirement, rather than being embedded within infrastructure staging provisions.			
20		PSP Requirements	Requirement R106 – Functional Layout Plans	Infrastructure and Utilities Coordination	Requirement R106 sets out detailed requirements for Functional Layout Plans, including road layouts, service coordination, street tree canopy targets and biodiversity impacts.	Requirement R106 combines multiple discrete matters into a single, lengthy provision, making it difficult to interpret and apply consistently. In particular, the requirement to demonstrate a minimum 30 per cent street tree canopy duplicates other PSP requirements and guidelines (including Requirement R33). The inclusion of service coordination, canopy targets and biodiversity assessment within a single requirement reduces clarity and creates unnecessary duplication.	Restructure this provision to improve clarity by separating it into distinct requirements. In particular: • retain a streamlined requirement addressing the submission of Functional Layout Plans and typical cross sections for roads and services; • remove or reference the street tree canopy requirement where it duplicates existing PSP provisions; and • address biodiversity impact assessment for retained native vegetation through a separate, clearly articulated requirement. For example: Before development commences on a property, functional layout plans of the road network must be submitted that illustrate the location of all: • Underground services • Driveways and crossovers. • Intersection devices • Shared, pedestrian and bicycle paths • Streetlights • Street trees • A typical cross section of each street showing above- and below-ground placement of services, including streetlights and street trees. The plans and cross sections must demonstrate how services, driveways and streetlights will be placed to achieve the required road width and accommodate the minimum 30% street tree canopy. (Duplicates R-33) Add New Requirement The plans and cross sections are to be approved by the responsible authority and all relevant service authorities before development commences and may be approved in stages to the satisfaction of the responsible authority. Add New Requirement Where native vegetation has been nominated for retention in the Native Vegetation Precinct Plan, Functional Layout Plans must include a biodiversity impact matrix. The matrix must demonstrate how road and subdivision design avoids and minimises impacts before removal and associated effects are considered.			
23		PSP Requirements	Requirement R4	Plan Reference – Housing	Requirement R4 refers to Plan 4 – Housing.	Requirement R4 incorrectly references Plan 4 as the Housing Plan, whereas the Housing Plan is identified as Plan 3 in the PSP.	Amend Requirement R4 to correctly reference Plan 3 – Housing.			
Development Contributions Plan										
24		Development Contributions Plan	Development Contributions Plan	HM RD 10 – State Arterial Road Capacity Upgrades	The Merrimu DCP includes HM RD 10 relating to state arterial road capacity upgrades (Osborne Road and Itacchus Marsh Road).	HM RD 10 relates to state level transport infrastructure with a regional function that extends beyond the Merrimu PSP. The need for this infrastructure is not directly triggered by development within the PSP, and the project does not directly service the precinct.	Remove HM RD 10 from the Merrimu Development Contributions Plan.			
25		Development Contributions Plan	Development Contributions Plan	HM IN 11 – State Intersection Upgrades	The Merrimu DCP includes HM IN 11 relating to state level intersection upgrades.	HM IN 11 is a state infrastructure project with a regional function and is appropriately the responsibility of the State. Including this item in the DCP is inconsistent with Ministerial Directions and DCP Guidelines.	Remove HM IN 11 from the Merrimu Development Contributions Plan.			
26		Development Contributions Plan	Development Contributions Plan	Governance and Administration	The DCP proposes that contributions be collected by Council to fund certain state level infrastructure projects.	There is no clear or transparent mechanism for how contributions collected by Council would be transferred to, or managed by, the State. This creates uncertainty around accountability, delivery and the ultimate use of funds.	Ensure the DCP is limited to local infrastructure that Council can directly deliver and administer, consistent with DCP Guidelines.			
27		Development Contributions Plan	Development Contributions Plan	Delivery Risk	Contributions may be levied for infrastructure that may not be delivered within a certain timeframe.	Including state level infrastructure in the DCP exposes contributors to the risk of paying for infrastructure that may not be delivered in a reasonable or certain timeframe, contrary to the intent of development contributions planning.	Amend the DCP to remove infrastructure items that present unacceptable delivery and timing risk to contributors.			
Schedule to the Urban Growth Zone										
28		Urban Growth Zone Schedule	UoZ Schedule	Cultural Heritage	The PSP includes requirements and guidelines relating to cultural heritage, however no Cultural Heritage Impact Assessment has been exhibited.	In the absence of an exhibited Cultural Heritage Impact Assessment, it is difficult to assess whether the cultural heritage requirements and guidelines within the PSP are appropriate or necessary. Subdivision will, in any event, require an approved Cultural Heritage Management Plan (CHMP), through which cultural heritage will be comprehensively addressed.	Remove duplicative PSP requirements and guidelines relating to cultural heritage management and replace them in the Schedule to the UoZ with application requirement for an approved Cultural Heritage Management Plan.			
29		Urban Growth Zone Schedule	Applied Zones	Rural Conservation Zone (RCZ)	Land identified for Landscape Values is proposed to be included within the Rural Conservation Zone.	The application of the Rural Conservation Zone implies ongoing private ownership and management. This may not be appropriate where land is intended to function as part of a broader escarpment based open space network or where future public ownership and management may be contemplated.	Reconsider the applied zoning approach for land identified for Landscape Values to ensure it appropriately reflects the intended long term ownership, management and function of the land. Where public ownership and management have not been confirmed, the applied zone and schedule should not preclude the establishment of a private lot with a single dwelling, subject to appropriate environmental, bushfire and land management constraints. It is recommended that the schedule to the Rural Conservation Zone be amended to include a minimum lot size for subdivision, to provide a clear and appropriate pathway for low intensity private outcomes where land remains in private ownership.			
30		Urban Growth Zone Schedule	Affordable Housing	Voluntary Affordable Housing Targets	The PSP identifies a voluntary affordable housing target without accompanying background justification or delivery guidance.	No background report has been provided to explain the basis for the nominated affordable housing percentage or how voluntary delivery is intended to occur in practice, particularly where development may occur through land subdivision without dwelling construction.	In the absence of any background reports associated with the provision of affordable housing, references to it in the PSP should be noted as objectives only with a reference to supporting the provision of affordable housing via voluntary agreements with appropriate housing providers.			
Native Vegetation Precinct Plan										
31		Urban Growth Zone Schedule / Native Vegetation	Native Vegetation Precinct Plan	Mapping Clarity	The Native Vegetation Precinct Plan includes mapping at a scale that is difficult to interpret, particularly in areas with small parcel sizes.	The current mapping lacks sufficient detail to clearly identify impacts on individual parcels, especially in the southern portion of the PSP. This reduces certainty for landowners and decision makers.	Update the Native Vegetation Precinct Plan mapping to include larger scale, more detailed plans that clearly show individual parcels and native vegetation impacts.			