

[REDACTED]

Executive Director Dept of Planning Barwon South West and Grampians

Department of Transport and Planning

GPO Box 2392

Melbourne,

Victoria 3001

Ref: CMIN- 1- 24-2109

Dear [REDACTED]

[REDACTED] has received notification of the proposed Merrimu Precinct Structure Plan – draft amendment C109moor to the Moorabool Planning Scheme – such amendment to implement the Merrimu Precinct Structure Plan (PSP) and associated Development Contributions Plan (DCP).

This planning scheme and its implementation is of serious concern to our group and community as full implementation must surely indicate the construction of the Eastern Link Road Bacchus Marsh using the current favoured and nominated Option B Alternative.

The following extract taken from the VPA site and posted 6.3.2026 supports our view

How will this work align with the Bacchus Marsh – Eastern Link Road (BM-ELR)?

The Bacchus Marsh Urban Growth Framework identified an Eastern Link Road for Bacchus Marsh as a key project to address existing network and congestion issues, as well as to support the development of new growth areas.

Regional Roads Victoria (RRV) has nominated Option B Alternative as the preferred alignment for the Bacchus Marsh Eastern Link Road. The Victorian Planning Authority (VPA) will continue collaborating with RRV to ensure that the Eastern Link Road effectively integrates and supports the development of the precinct.

All online information relating to the Eastern Link Road is showing Option B Alternative as it was presented to our group on site on 13.09.2023 which indicates the elimination of access to the St Bernard's Bacchus Marsh Hopetoun Catholic Cemetery thus making vehicle and pedestrian access impossible. This will prevent all work and activity currently occurring from continuing - work already detailed and lodged with the road planning authorities.

This is an untenable situation and an appalling act of discrimination against our significant local community and those beyond our borders – citizens who are invested in the cemetery's preservation. What was most disappointing to our group and to neighbours in attendance on that occasion was the realisation that the engineer who presented detailed design work was apparently unaware of the existence of the cemetery and all material we had previously submitted. When questioned on our lack of access, his response was that design constraints relating to the double roundabouts were so tight that it was impossible to provide access to the cemetery. Attempts to fit access into the impossible proved to be disastrous. Both suggestions

did not protect the cemetery nor give the standard of access we now have and continue to need to properly preserve this important historic burial ground.

(refer below to extract from earlier correspondence)

It was obvious to the [REDACTED] when we met on site on 13.09.2023 that the existence of the historic cemetery was not known or had not been relayed to the road engineer. After assurances, going back to 2020, that the cemetery and the concerns we had with proposals on show at that stage, would be considered, the committee and wider church community were shocked to find the concerns had not been addressed. To hear the words, 'the planning constraints were so tight, there was no room to provide an access road' left the committee stunned and bereft of confidence in those seeking to impose this plan on us. After onsite discussions, Regional Roads staff and the road engineer agreed to relook at the lack of access provided for the cemetery

The first attempt to provide this pedestrian and vehicular access to the cemetery, sent to the committee on 14.11.2023 could not be countenanced as it took traffic over graves. This proposal had been squashed into the Sept 2023 plan which was the one that we were told had no room for an access road. If it was an impossibility, from an engineering perspective in September 2023, what changed to make it possible by November 2023? From the plans/maps provided, there was no change to the overarching preferred Option B Alternative.

The next attempt to provide satisfactory pedestrian and vehicular was forwarded to me on 29.02.2024. When I acknowledged receipt of the plan, I indicated I would be seeking opinions and judgements from the committee and from those we use to provide preservation services ie tree pruning, grave/tombstone preservation, grass cutting/ weed spraying control - all businesses needing vehicular access through the double gates at the cemetery entrance (northern boundary/ western end) - an exercise that would take time. The committee is well aware of the parking and access needs of visitors from individuals through to large excursion and Memorial Service attendees. As a result, the following response is submitted:

· The 29.2.2024 proposed vehicular access was again squashed into an area not considered possible when the 13.09.2023 plan was given to us. Careful study of this preferred Option B Alternative, particularly in relation to the intersection almost opposite the Hopetoun Cemetery's BM Road vehicle and pedestrian access – the intersection at Flanagan's drive which the map indicates is being reconstructed. Our observation with this work is that greater consideration is being given to a concrete slab which appeared on the west corner of that intersection at about the time the first road options surfaced and a piece of little utilised land on the east corner than the consideration given to the historically significant St Bernard's Hopetoun Cemetery that is the sacred burial ground for 257 named pioneers of our district and possibly containing the remains of up to 300 humans - humans who must be accorded respect and dignity. Preferred Option B Alternative and subsequent attempts to address cemetery access do not respect the cemetery and the persons herein. If the whole road can't be moved away from the cemetery, why can't that intersection be moved further away from the cemetery in a north or N/W direction? This would make sense from an overall traffic management planning perspective as the Bacchus Marsh Road will need widening with the inevitable increase in traffic that the already proposed new developments in the Parwan, Bacchus Marsh and Merrimu areas will generate in the not-too-distant future. This constant widening of roads has been proven to occur many times over, in this area, since the Bacchus Marsh bypass road construction began at 1.10pm on 24th February 1970. We have seen, in many instances, in and around Bacchus Marsh that it does not take long for roads to become inadequate thus requiring widening and associated works. Trying to widen the road for future traffic needs will further restrict any cemetery access and protection.

Properly thought through, respectful planning is needed now to protect the cemetery into perpetuity. This can only happen if the intersection is moved much further away from the cemetery.

- The recent proposal -29.2.2024 still means access to the St Bernard's Parish Hopetoun Cemetery remains severely restricted and even impossible for all maintenance and preservation works, working bee attendances, school excursions, visits from historical groups and attendances at Memorial Services. School excursions have one large bus and sometimes two buses. Memorial services attract crowds in the vicinity of 130 persons. Visits from historical and genealogical groups can have 20 plus cars.
- The cemetery's caretaker uses a tractor and utility with trailer. He has indicated the sharp turn into the double gate access on the north boundary (close to west end) from a 2.5m road will not be possible.
- The large tree pruning truck will not be able to access the cemetery given the turning space.
- The stonemason who does the cemetery's restoration work will not get his truck in because of the tight turning space.
- The plan shows the road embankment coming to an abrupt stop close to both our cemetery pedestrian and vehicle gates. This has not been clarified.
- The presence of safety barriers on the reconstructed road is not clear.

We again stress we have always held the view that the proposed preferred Option B Alternative for the Bacchus Marsh Eastern Link Road project first shown to us 13.09.2023 was seriously detrimental to the St Bernard's Parish Hopetoun Cemetery and failed to recognise our concerns first expressed at public hall consultations and in follow-up written submissions in 2020 as well as onsite meetings .

We request a complete rethink of the proposed preferred Option B Alternative so that the sacred nature of this burial ground containing the remains of at least 257 pioneers of the town can be given the respect and protection it so rightly deserves.

Given the importance of this road to the implementation of the Merrimu Precinct Structure Plan, this road proposal must now be moving through or towards the planning approvals phase at which time you indicated in your April 2024 response that the design of access arrangements in the vicinity of the Hopetoun Cemetery would occur.

We request that the current two roundabout configuration be moved so that our cemetery retains its current access and that our site remains free of encroachment from the road and roundabout embankments.

Further we ask that VPA or its appropriate department engage a specialist Geophysics firm to conduct a geophysical detection survey to locate unmarked graves on land beyond our cemetery boundaries now in government hands – land in which persons whose deaths were the result of suicide, stillborn and unbaptised infants were buried from the 1840s to the 1890s. Suicide victims and Catholic babies who had not been baptised were not allowed, at that time, to be buried in sacred, consecrated ground, thankfully a practice no longer present. Our Archbishop, the Catholic Archbishop of the Melbourne diocese has strongly recommended this happen to prevent the desecration of land holding such unmarked graves.

We are willing to meet you, your officers or interested government members on site as we feel our concerns given at consultation sessions and meetings as well as our previous detailed written submissions have been ignored.

We note and commend the consideration given to the Golden Sun Moth, The Grasslands Earless Dragon, The vitally important River Red Gums and the Indigenous scarred trees.

We note, too, that the Transport Victoria site mentions the consideration given to the Our Lady Ta' Pinu shrine with care taken to ensure their access -rightly so. Given our historically important St Bernard's Hopetoun Catholic Cemetery is not mentioned as having its access maintained, we can only assume that our concerns and submissions were ignored. This appears to be deliberate discrimination against our Catholic community, the wider Shire community members who have ancestors buried in this cemetery and the broader Victorian/ Australian community who make up the thousands of descendants of Bacchus Marsh pioneers buried in this cemetery

Yours sincerely,

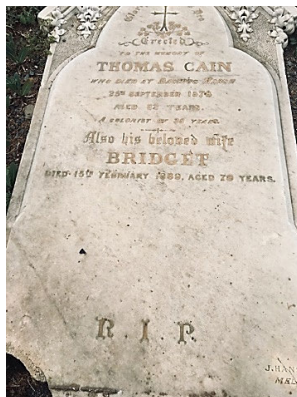
[REDACTED]

[REDACTED]

[REDACTED]

Forwarded through local members

Headstone of ancestor of former Victorian Premier, John Cain located in St Bernard's historic Catholic Hopetoun Cemetery



Victorian Planning Authority

Merrimu Precinct Structure Plan

Merrimu Precinct Planning Scheme Amendment – draft amendment C109moor to the Moorabool Planning Scheme

Submission/Objection from [REDACTED]
[REDACTED]
[REDACTED]

This submission is submitted on behalf of group members, parishioners of the Catholic Parish of Bacchus Marsh and members of the wider community, many of whom are among the thousands of descendants of the two hundred and fifty-seven plus pioneers of Bacchus Marsh buried in the historic Hopetoun Catholic Cemetery, St Bernard's Parish, Bacchus Marsh.

I preface any points made in this submission by acknowledging the group's commitment to the general principle of more land being made available for housing in the Bacchus Marsh area particularly to provide affordable housing for young couples and for the ageing sector, two areas identified in *Bacchus Marsh Urban Growth Framework* and *Housing Bacchus Marsh to 2041*.

This objection from [REDACTED] is lodged:

1. - because of the detrimental effect increased traffic in Flanagan's Drive from this precinct will have on the intersection of Flanagan's Drive and BM Melton Road and the continuation of BM road past Hopetoun Cemetery prior to the construction of the BMELR.

Increased traffic from the last freeway work is exacerbating vibration damage to fragile headstones. This damage has been pointed out, on site, to VicRoads officers. Design detail for the Flanagan's Drive, Bacchus Marsh Road and Western Freeway intersection/s was requested at the last on-site meeting but has only now become available via technical reports attached to the Merrimu PSP. The predicted 20000vpd will have a further deleterious effect the tombstones and heritage listed trees.

2. - because the construction of the identified and adopted Option B Alternative alignment of Bacchus Marsh - Eastern Link Road (BM-ELR). Option B Alternative gave no consideration to the concerns of the [REDACTED] Not only has the current cemetery access not been maintained, but access has been eliminated guaranteeing decimation of this, the oldest cemetery in rural Victoria.

It is well understood the St Bernard's Hopetoun Catholic Cemetery is not in the Merrimu PSP area however the Victoria Planning Authority, the Department of Transport and Planning, Regional Roads Victoria and Moorabool Shire, in documentation relating to the Merrimu amendment all refer to the Bacchus Marsh - Eastern Link Road (BM-ELR) as an integral part of the Merrimu Precinct Structure Plan. Because of this our group cannot support this amendment.

Due diligence was not properly conducted in the area outside cemetery boundaries as no evidence has been provided to show a geophysics study has been done to locate stillborn, unbaptised infants and burials of those whose deaths were noted as suicide. It is well known that these burials from the 1850s to the 1870s were located outside the cemetery boundaries as Catholic teaching at that time did not allow such burials on sacred ground. A geophysics study should have been done in this area.

We have no firm evidence of burials of Wurundjeri Woi-wurrung People in or near the cemetery but we know that when the first Irish settlers arrived there was significant movement in and around the area now occupied by the cemetery. Griffith ancestors developed a close relationship with the

Wurundjeri Woi-wurrung People. Richard Griffith and his wife moved into the Bacchus Marsh area in 1857 and, initially, lived in a tent near the historic Djerriwarrh sandstone bridge on which Richard was working.

No consideration has been given to our concerns- all well presented at information sessions, at on site meetings with Vic Roads officials and via written submissions. The now adopted Option B Alternative seriously jeopardises the preservation and survival of the St Bernard's Hopetoun Catholic Cemetery HO16/402059 (VHR) H7722-0024 (VHI). The dual roundabout with its 15m high embankment built very close the western boundary of the cemetery shows that at the southwest corner the embankment appears to cover cemetery land. Likewise, the embankment along the BM Road boundary appears to encroach on cemetery land. The drawings presented to the Hopetoun Catholic Cemetery Preservation Group clearly showed the loss of access to the cemetery – a significant sacred and historic site.

Dry Stone Wall Assessment and Management Plan, Merrimu Precinct Structural Plan (PSP), Victoria 13 Oct 2025 states-

The Hopetoun Cemetery is historically important as the earliest known Catholic cemetery in rural Victoria. The Cemetery represents a complex and multi layered site and is important for the visible evidence it demonstrates of a pre-goldrush European settlement, particularly relating to the Irish farming community, reflected in the cemetery grounds and the ruins of the schoolhouse/chapel. The Hopetoun Catholic Cemetery is important for its archaeological potential to illuminate the pre-goldrush period settlement of regional Victoria. Hand-made brick and stone scatters relating to the construction of the chapel/school and the presence of metal, glass, and ceramic artefacts including fragments of writing slate demonstrate the site's archaeological value reflecting the range of different activities represented at the site. The site demonstrates knowledge and understanding of the early Irish Catholic farming community which existed in the area as well as the conditions of this period.

To have this stated in a report commissioned to advise planners on protecting such a valuable asset and then to find that the plans for the road clearly noted as integral to the Merrimu PSP ignored this advice and were prepared without any acknowledgement that the historic Hopetoun Catholic Cemetery even exists is incomprehensible. The egregious action of allowing the removal of access and the closeness of such extensive roadworks will not guarantee any preservation rather the access removal and proximity of intrusive and damaging roadworks will guarantee the cemetery's demise.

In essence:

- The plans as presented to this group clearly indicate no access to the cemetery, the oldest surviving churchyard cemetery in rural Victoria.
- The plans showing the dual roundabouts suggest encroachment of two road embankments onto cemetery land at the SW corner of the cemetery and along the Bacchus Marsh Road cemetery boundary.
- The inability to access the cemetery will exclude ancestors from paying respects.
- The removal of access to the cemetery will deny access to those seeking genealogy information and photographic records.
- Memorial services will no longer be able to be held.

- School excursions will not be able to occur as students are transported by one large bus, sometimes two buses.
- Open days to support Moorabool Shire festivals and group visits from family history organisations will not be able to continue with access being removed.
- The volunteer caretaker will not be able to drive his utility, tractor and slasher in to control weeds. He requires the full turning space the current front access provides.
- The tree pruning company will have no access for the large tree pruning trucks – the trees are currently maintained under a Conservation Management Plan. The tree pruning truck with mulching apparatus has a length of ten metres.
- The closeness of traffic and associated pollutants will damage the heritage listed trees. John Hawker, advisor on heritage listed trees, has advised that a buffer zone is required to ensure the health of the trees.
- The stonemason who maintains the tombstones will be denied access for essential preservation works. He requires full access via the front entrance for his large lifting vehicle which measures seven metres.
- Cemetery group members will not be able to access the cemetery for working bees nor to meet visiting groups.
- The closeness of traffic will be seriously damaging to grave sites and tombstones.
- Embankment run-off from the BMELR dual roundabouts and associated roadworks will create serious flooding and erosion problems within the cemetery.
- The extent of the roadworks destroys the importance of the link between the cemetery and the closely related HO10 / H0907 (VHR) – [REDACTED].

This group questions the lack of consideration shown to Hopetoun Cemetery when our neighbours – Ta Pinu Shrine – were specifically listed as having access maintained (Rightly so). The embryonic development on the northwestern corner of the Flanagan's Drive/BM Road has had its access maintained. Why was the Hopetoun Cemetery not considered worthy of having the access it currently enjoys maintained? The message conveyed to the preservation group and the many people the group represents by the elimination of access is one of discrimination against a significant number of citizens.

This important cemetery must be guaranteed protection and access into perpetuity. Cemetery custodians and local citizens were required to object strenuously in the late 60s and early 70s when the initial plans prepared by the Country Roads Board showed the bypass route passing through the cemetery. CRB accepted responsibility for their error and the route was moved so that the cemetery was not adversely affected. The Hopetoun Catholic Cemetery Preservation Group requests alterations to Option B Alternative so that the dual roundabout and its exit/entry roads be moved and positioned

well beyond cemetery boundaries. Further we request any Merrimu Precinct PSP roadworks at the Flanagan's Drive intersection give Hopetoun Catholic Cemetery the protection it deserves. We expect that amendments to Merrimu PSP plans will be made and will clearly state that Hopetoun Catholic Cemetery has been guaranteed its rightful and proper protection.

We respectfully request appropriate engagement on all matters relating to the Merrimu PSP/BMELR and any future plans that may impact our Cemetery.

We also ask for the right to be heard at any future hearings, briefings and decision input stages with VPA and VicRoads.



The Conservation Management Plan for the Hopetoun Catholic Cemetery funded by the Heritage Council, Victoria grant states:

The Hopetoun Catholic Cemetery is on the Heritage Inventory (No H7722-0024) and has legislative protection under Part 6 of the Heritage Act 1995 (Vic).

The Statement of Significance reads –

The Hopetoun Catholic Cemetery is important to the State of Victoria for the rare visible evidence it shows of a farming community, in the cemetery grounds and the ruins of the schoolhouse/Church of St Laurence O'Toole.

The importance is elevated by its survival in its original rural context, its archaeological potential, its prominent position, and its relationship to other important heritage places, notably the adjacent Leahy's residence (VHR No 907)

As the situation stands with changes to the Flanagan's Drive intersection and the Eastern Link Road Option B Alternative being essential for the partial and full implementation of the Merrimu Precinct Structure Plan our group strongly opposes the amendment because of the impact on the Hopetoun Catholic Cemetery and officially lodges an objection.

I wish to appear in person at any panel hearing.

Our recent letter to [REDACTED] of the VPA is attached as an appendix.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bacchus Marsh 3340

Submitted 2nd April 2026

