

From: [REDACTED]
To: [Merrimu PSP \(DTP\)](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Submission - Merrimu PSP (Amendment C109moor) - [REDACTED],
Merrimu [REDACTED]
Date: Thursday, 9 April 2026 2:44:02 PM
Attachments: [Submission - Merrimu PSP \(Amendment C109moor\)](#) - [REDACTED]

Dear [REDACTED]

We act for [REDACTED], the owner of land in [REDACTED], Merrimu [REDACTED] on [REDACTED].

Please find **attached** our client's submission in relation to Draft Amendment C109moor to the Moorabool Planning Scheme, which focuses on the proposed application, extent and justification of Public Acquisition Overlay – Schedule 7 as it affects the Land.

Given the relatively short timeframe in which our client has been able to review the exhibited material, our client expressly reserves its position and the right to make further submissions as the Amendment process progresses.

Should you wish to discuss any aspect of the submission, please do not hesitate to contact me.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



9 April 2026

By email: merimu@transport.vic.gov.au

Director, New Communities
Housing, Building and Land Delivery
Department of Transport and Planning

Direct line

Email

Your reference:

Our reference:
2651384

Dear

Submission - Merrimu PSP (Amendment C109moor)

Land:, Merrimu

This submission is made on behalf of), the owner of land at , Merrimu which is proposed to be affected by *Public Acquisition Overlay – Schedule 7 (PAO7)* under Draft Amendment C109moor to the *Moorabool Planning Scheme (Amendment)*.

Our client has had limited opportunity to consider the proposed Amendment at this time, having only recently received your correspondence and briefed this firm.

In the circumstances where our client is still reviewing the relevant documentation, this submission relates specifically to the proposed application, extent and justification of the PAO7 as it affects the Land.

Proposed PAO7

The exhibited documentation indicates that PAO7 is intended to reserve land for road widening, upgrades and intersection works required to service the ultimate development of the *Merrimu Precinct Structure Plan (PSP)*, with Moorabool Shire Council nominated as the acquiring authority.

While acknowledges the strategic intent of the PSP and the need to plan appropriately for future transport infrastructure, the proposed PAO7 introduces immediate planning constraints and creates long-term uncertainty, in the absence of sufficient assessment and clarity.

objects to the current extent and form of PAO7 as exhibited, for the following reasons:

1. The area of the Land proposed to be reserved appears materially broader than is reasonably required to accommodate:
 - the likely operational road footprint;
 - associated intersection works; and
 - necessary safety and design allowances.

2. The PAO7 extent appears to reflect overly conservative assumptions in the absence of sufficiently resolved material. In this context, the reservation risks capturing non-essential land that may never ultimately be required for the stated public purpose.

3. [REDACTED] notes that:

- The transport modelling relies heavily on 2056 horizon assumptions;
- Key infrastructure, including the Bacchus Marsh Eastern Link Road, remains unfunded and uncommitted;
- The PSP, Background Report and transport studies themselves acknowledge a “progressive certainty” approach, with further refinement anticipated post-exhibition.

Against that background:

- The evidentiary basis for fixing final acquisition boundaries now is limited; and
- There is a real risk that the PAO geometry will prove over-inclusive once the requisite assessment has been undertaken.

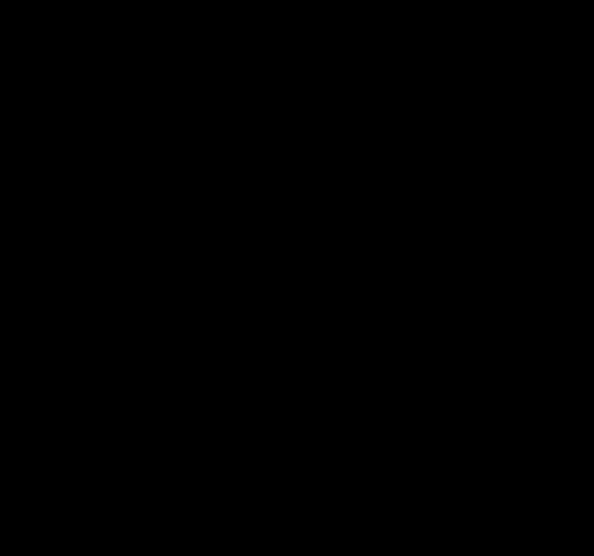
4. The application of PAO7 in its current form unnecessarily constrains future use and development; and exposes [REDACTED] to prolonged uncertainty. This is particularly problematic in the above context.

Requested Outcomes

Accordingly, [REDACTED] requests that the proposed Amendment be modified to:

1. Review and refine the extent of PAO7 as it affects [REDACTED] and
2. Defer finalisation of the PAO boundary pending further design, modelling and other necessary work.

[REDACTED] expressly reserves the right to make further submissions as additional information becomes available and does not concede the necessity for acquisition of any part of its Land, or any matter relevant to compensation under the *Land Acquisition and Compensation Act 1986* should acquisition proceed.



Director, New Communities
Housing, Building and Land Delivery
Department of Transport and Planning

Our reference:
2651384

Submission - Merrimu PSP (Amendment C109moor)
Land: [REDACTED] - Gisborne Road, Merrimu

Our client has had limited opportunity to consider the proposed Amendment at this time, having only recently received your correspondence and briefed this firm.

Proposed PA07

While [REDACTED] acknowledges the strategic intent of the PSP and the need to plan appropriately for future transport infrastructure, the proposed PAO7 introduces immediate planning constraints and creates long-term uncertainty, in the absence of sufficient assessment and clarity.

1. The area of the Land proposed to be reserved appears materially broader than is reasonably required to accommodate:
 - the likely operational road footprint;
 - associated intersection works; and
 - necessary safety and design allowances.

2. The PAO7 extent appears to reflect overly conservative assumptions in the absence of sufficiently resolved material. In this context, the reservation risks capturing non-essential land that may never ultimately be required for the stated public purpose.

3. [REDACTED] notes that:

- The transport modelling relies heavily on 2056 horizon assumptions;
- Key infrastructure, including the Bacchus Marsh Eastern Link Road, remains unfunded and uncommitted;
- The PSP, Background Report and transport studies themselves acknowledge a “progressive certainty” approach, with further refinement anticipated post-exhibition.

Against that background:

- The evidentiary basis for fixing final acquisition boundaries now is limited; and
- There is a real risk that the PAO geometry will prove over-inclusive once the requisite assessment has been undertaken.

4. The application of PAO7 in its current form unnecessarily constrains future use and development; and exposes [REDACTED] to prolonged uncertainty. This is particularly problematic in the above context.

Requested Outcomes

Accordingly, [REDACTED] requests that the proposed Amendment be modified to:

1. Review and refine the extent of PAO7 as it affects Lots 1 and 2 PS541145; and
2. Defer finalisation of the PAO boundary pending further design, modelling and other necessary work.

[REDACTED] expressly reserves the right to make further submissions as additional information becomes available and does not concede the necessity for acquisition of any part of its Land, or any matter relevant to compensation under the *Land Acquisition and Compensation Act 1986* should acquisition proceed.

Yours sincerely

[REDACTED]