

Attention Peter Jones and Advisory Committee,

Concerning Stakeholders / landowners of 175-199 Ironbark Road, Diamond Creek VIC 3089

1. Adjungbilly Pty Ltd hereby urgently requests to consult with Peter Jones, manager of policy in legislation and Advisory Committee.
2. Adjungbilly Pty Ltd wishes to be heard separately on this submission by those mentioned and those responsible for making recommendations and decisions for the Local Government Act. At this time, we will expand on the terms of reference most relevant and pressing to us.
3. Esther Caspi and/or nominee will present this submission on behalf of Adjungbilly Pty Ltd, at which time we will bring in evidence and supporting information.
4. Adjungbilly Pty Ltd is deeply concerned about the proposed abolishment of the Local Government Act 1989 and its replacement with a completely new Act.
5. The review recommends that "... historic and redundant provisions which should be removed" Adjungbilly Pty Ltd needs further investigation and consultation with the legal team making such recommendations. This includes ways of protecting its property interests, be it changes to the Local Government Act, interrelated legislation, policies, strategies, processes, or other.
6. For example, the historic application, criteria, assessment and classification for charging of local council rates and other interrelated charges to these lands are critical to the outcome of our ongoing planning and associated infrastructure dispute. As these interrelated with the Local Government Act 1958, associated Local Government Act 1989 and other legislation we may need these provisions preserved.
7. These previously urban residential lands have been back zoned in error with the adoption of the New Format Nillumbik Planning Scheme (2000) against the then applicable legislation. This legislation protected the land distinctive urban reticulated infrastructure and capacity (privately paid for directly and/or indirectly) and associated property rights and entitlements. Therefore, there may still be provision in the Local Government Act 1989, that are not spent and applicable to the above lands and must be saved to protect them.
8. The land has been unreasonably back zoned from their highest and best use as residential land, into that of Environmental Rural zone (now Rural Conservation) the most restrictive of all zones. Consequently they have been incorrectly omitted from

Melbourne's new metropolitan urban boundaries. We have submitted to Plan Melbourne Refresh and other interrelated processes in the hope that they will rectify this inequitable and unreasonable situation.

9. Had the infrastructure and associated planning mistakes been corrected, (as continually pointed out and requested) then we would no longer need the relevant provision within the Local Government Act 1989 (and other interrelated acts) protecting our entitlements. In our cases these have not been spent and need to be continued to be saved.
10. Please assists us in urgently "righting" the situation to ensure that our lands are not impacted by the replacement of this Act with a completely new Act. If this occurs and we are no longer protected, such action may be against the charter of human rights and responsibilities. We understand that the Parliament considers this when changes are made to legislation.
11. To be continued following the requested, needed consultation.

Regards,

Esther Caspi on behalf of Adjungbilly Pty Ltd