



14th July 2020

Mr Bob Baggio
Manager
Planning Services
Melton City Council
232 High Street
MELTON VIC 3337

RobertsDay
planning.design.place

Dear Bob,

RE: REQUEST TO REALIGN THE LOCAL GOVERNMENT AREA BOUNDARY BETWEEN THE CITIES OF MELTON AND WYNDHAM

Roberts Day act on behalf of Eynesbury Township Pty Ltd, the permit applicant for a number of separate planning applications pertaining to the Eynesbury Estate.

As the Council is aware, Eynesbury Township Pty Ltd are advancing the following three planning applications that are straddle the current Local Government Area (LGA) boundary between the Cities of Melton and Wyndham:

- Stage 8 (planning permit granted by the City of Melton).
- Stages 18 and 19 (planning application currently being assessed by the City of Melton).
- Mt Mary Road (planning application currently being assessed by the City of Melton).

As a result, separate planning permits are required by both Councils for these projects. The recent experience with Stage 8 has also highlighted some of the challenges with this arrangement, with not all land within the City of Melton able to be titled at this point in time. Below are the relevant conditions in question:

- 1) *Before any Plan of Subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Subdivision Concept Plan submitted with the application but modified to show:*
 - a) ...
 - b) *The municipal boundaries between Wyndham City Council and Melton City Council are shown on the plans.*

roberts day
abn 53 667 373 703
level 5
411 collins street
melbourne
vic australia 3000
t+61 3 9620 5421
robertsday.com.au
melbourne perth sydney
brisbane canberra

c) All residential allotments that are located within two municipalities (being Wyndham City Council and Melton City Council) must be clearly shown through the use of different colours/hatchings.

d) All residential allotments that are located within two municipalities (being Wyndham City Council and Melton City Council) must be located within a separate sub-stage. This sub-stage is to be labelled as Stage 8D. Stage 8D can potentially include all, part, or none of the local roads directly abutting those residential allotments.

2. *Prior to the issue of the Statement of Compliance for Stage 8D, the municipal boundaries between Wyndham City Council and Melton City Council must be realigned in a manner, such that Stage 8D is located entirely within the boundaries of one municipal Council.*

All land within Stage 8D must not be excised from the broader landholding until such time that the municipal boundaries between Wyndham City Council and Melton City Council have been re-aligned in a manner, such that Stage 8D is located entirely within the boundaries of one municipal Council.

It is understood the diagonal section of the Mt Mary Road alignment within the approved Eynesbury Development Plan, and also representing part of the LGA boundary, is symbolic of the previous Springhill Road reserve in the corresponding location. Whilst the diagonal section was discontinued and absorbed into private ownership before residential development commenced within the Eynesbury Estate, the eastern and western portions of the Springhill Road reserve still exist on title.

Eynesbury Township Pty Ltd invites the City of Melton to formally consider their request to realign the LGA boundary, in partnership with the City of Wyndham. The request is made in light of the design detail that has been advanced to date with the engineering departments from the Cities of Melton and Wyndham in respect to the preferred alignment of Mt Mary Road (refer to Planning Application No. PA/2017/5709/1).

It is noted that at the time the latest iteration of the approved Development Plan was prepared in 2013, the indicative diagonal alignment of Mt Mary Road reflected the LGA boundary. However, when considering the steep topography within this part of Eynesbury and the anticipated extent of works required to deliver the major road infrastructure project, it was concluded impractical for the design of Mt Mary Road to respect the existing LGA boundary. For clarity, the southern boundaries of the approved Active Open Space (which is under construction) and Stage 8 (approved via Planning Permit No. PA2019/6676) have been informed by the northern boundary of the preferred alignment of Mt Mary Road.

Furthermore, the realignment of the LGA boundary will ensure that all lots within approved Stage 8 and proposed Stages 18 and 19 are wholly located within the City of Melton. In turn, this will enable a Statement of Compliance to be issued for all residential lots that are approved under these separate planning permits. In this regard, Eynesbury Township Pty Ltd met with officers from the Statutory Planning and Governance Departments at Wyndham Council earlier this year to discuss a range of Eynesbury matters, including the proposed realignment of the LGA Boundary. Wyndham Council's preliminary commentary on the LGA matter was that they would be happy to be part of the process but anticipate the City of Melton will be the primary Council (of the two) given most of the Eynesbury Estate will be within their municipality. The attached plan formed part of these discussions, showing a potential realigned LGA boundary on the southern side of the proposed Mt Mary Road reserve before connecting with the existing Springhill Road reserve to the west.

It is understood the process of realigning the LGA boundary will take time and there will be ongoing negotiations between Eynesbury Township Pty Ltd and the two Councils before agreeing on the preferred location of the LGA boundary. Notwithstanding, Eynesbury Township Pty Ltd and their project team look forward to working with the Cities of Melton and Wyndham on this matter.

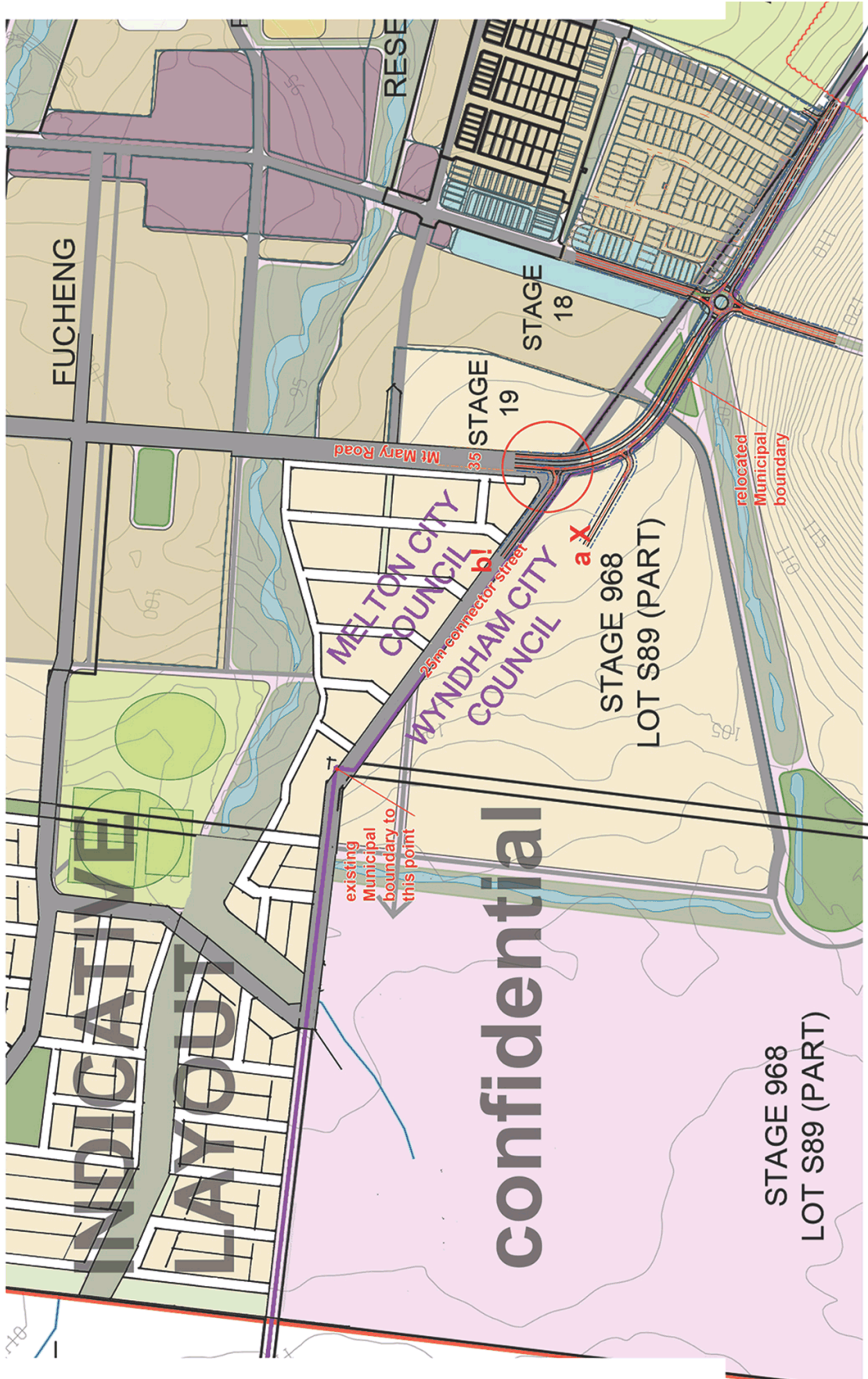
RobertsDay *planning.design.place*

Should you have any queries, please contact the undersigned on 0412 294 500.

Yours sincerely,
ROBERTS DAY PTY LTD



Anthony Msonda-Johnson
Senior Associate



19 November 2019
Wirren Lee Urban Design Pty Ltd
X454791122 wirrenlee@wul.com.au

Municipal boundary adjustment