

Coversheet for a submission on the Planning and Environment Act Review

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Which of the following best describes you? (please tick)

X General public

- Community-based organisation
- Local government
- Planning or development industry organisation

X Individual or company involved in the development industry

- Planning or development consultant
- Other, (please specify).....

Please note the section on "Publication of submissions" on page 2.

Dear Sir or Madam,

I would appreciate the opportunity to make the following submission to the Planning and Environment Act Review.

I retired from the corporate world last year and one of the things I wanted to do in my retirement was build two, three or four units or houses close to where I live in the Macedon Ranges. I thought this would keep me reasonably busy, help provide a retirement income and would allow me to make a contribution to my local community by providing jobs etc.

I purchased a vacant block of land in an older subdivision in Gisborne early last year (2008) and applied for a planning permit to build my first two units last December. Almost 5 months later and I still don't have a planning permit to build two tastefully designed units on a very large building block.

I shouldn't be surprised. Some years ago I applied to build a separate house on my 10 acre property here in Gisborne to allow my elderly parents-in-law to live with us. After months and months of delays we decided to go to VCAT, but by then my in-laws, well into their seventies, decided it was all too much and moved into an independent living centre. Undoubtedly costing various layers of Government more and leaving my wife and I concerned about the welfare of our elderly parents.

I absolutely understand the need for planning to be carried out in a considered and appropriate way, but it seems to me that there is no incentive for local Councils to consider applications in a timely manner. Hence inadequate resources appear to be devoted to planning departments which are generally so overwhelmed that they cannot consider the genuine merits of individual applications.

Councils seem to use the 3 month period they have to consider a planning application before a VCAT appeal can be lodged as challenge that they want to meet or as an opportunity to delay decision making rather than a worse case scenario. Hence planning departments are under resourced, subject to local petty politics and find themselves in a never ending spiral of not being able to manage applications within an acceptable time frame and then having to spend increasing amounts of time addressing VCAT appeals which further stretches resources. The result is that projects are delayed unnecessarily; costs increase and local community jobs are lost.

At time like this we cannot as a community afford for this to go on.

My view is that strong incentives need to be put into place to encourage local Councils to consider planning applications in the shortest possible time frame. One way to achieve this would be to create a rates amnesty or moratorium on a property from the date a planning application is lodged until the Council has made a determination. Councils should be prohibited from collecting rates for the period the application was pending and monies forgone should not be recoverable except under quite specific circumstance.

It would of course be necessary to prevent developers from lodging what could be termed vexatious planning applications in order to simply avoid paying rates. This could be achieved by allowing Councils to recover the forgone rates and a significant penalty should the development not proceed within an appropriate timeframe. Other 'special circumstances' would need to be considered in setting up such a system along with the impact on the current arrangements for appeal through VCAT.

I would appreciate your consideration of this suggestion and would be delighted to have the opportunity to discuss it with you in more detail.

Clearly something needs to be done to fix the current atrocious situation.

Sincerely

Bill Ellerton