

NAME: Barry Gilbert

POSTAL ADDRESS: 185 Kambrook Road, Caulfield Vic 3162

E-MAIL: [b.gilbert@optusnet.com.au](mailto:b.gilbert@optusnet.com.au)

I am a retired building inspector and make the following submission as a member of the general public.

#### REVISION OF THE PLANNING & ENVIRONMENT ACT 1987

Dear Revision Panel  
Department of Planning & Community Development

During my years as a council building inspector I found it frustrating that local planning departments were never required to carry out a final inspection of work which was subject to a Planning Permit and Conditions.

I generally found that planners were not interested in the completed work and regarded it as the responsibility of the building surveyor and building inspector to ensure that works matched the approved plans and Building Permit when carrying out final inspections for issue of final certificates or occupancy permits. Although building permit plans must match the endorsed plans under the Planning Permit, a building surveyor is required under the Building Act to issue an occupancy permit or certificate of final inspection when requested providing the building work is suitable for occupation.

At this stage there may be many works such as external painting and finishes, sight screens, parking bays and landscaping that have not been completed in accordance with the Planning Permit Conditions. I believe that a revised Planning Act should include the requirement for an owner or builder to arrange a final inspection of fully completed work with the relevant Local Planning Department to ensure that the planning compliance has been achieved.

Planning departments and planning officers should be made accountable to ensure that the generally expensive and exhaustive planning process and permit has been complied with without relying on a building surveyor or complaints from adjoining owners or the public. In my experience, local planning departments are only re-active to complaints and are not pro-active to ensure compliance.

I am also concerned that any amendments to the Planning Act will not provide for affordable housing in the existing suburbs where dual occupancy should be encouraged. I have made several earlier submissions in this regard but believe that the current planning laws are creating a power base that local planners do not want to see reduced.

The current planning application system for dual occupancy is at least 6 months in duration and adds thousands of dollars to completed housing with high fees being paid to private planners and architects who often attend and represent owners/applicants at objectors and VCAT meetings; not to mention the holding costs of undeveloped property. Because of this, it is generally only well heeled developers who take this road and eventually moonscape blocks and construct expensive medium density units to maximise profits.

In the early 1990's there was an "as of right" dual occupancy that could be developed without a planning permit providing it met certain standards which included from memory:

- (1) Single storey rear unit to maximum 12 squares and not constructed to common boundaries.
- (2) Minimum 3 metre wide access driveway.

There would not be a lot of impact to adjoining owners with the above standards and it would be extremely cost effective if an exemption for single storey dual occupancy could be introduced.

This would allow existing home owners to construct a second dwelling in their rear yard for family members or for rental accommodation with known costings before proceeding.

If an exemption were considered it could include many further requirements such as:

- (1) Only to be constructed by a registered builder to ensure a professional finish.
- (2) The existing dwelling to be retained and upgraded if necessary to maintain the existing streetscape and to reduce the demand for raw materials and manufacturing which create greenhouse gases.

Where existing houses are retained it would also be necessary to allow some variations of Rescode Standards, particularly in covered parking locations and northerly aspects, which are quite often difficult to comply with in built up areas.

Yours sincerely,

Barry Gilbert