

## Coversheet for a submission on the Planning and Environment Act Review

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.....

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

- General public
- Community-based organisation
- Local government
- Planning or development industry organisation
- 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.



Planning Enforcement Officers Association Inc.  
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1 May 2009

Rebecca Leshinsky  
Manager Planning Legislation  
Planning and Environment Act Review  
Statutory Planning Systems Reform  
Department of Planning and Community Development  
GPO Box 2392  
Melbourne VIC 3001

Dear Rebecca,

## Planning and Environment Review - 6.9 Enforcement Submission

Thank you for the opportunity to register a submission regarding the review of the Planning & Environment Act 1987.

The Planning Enforcement Officers Association (PEOA) is an association that is made up of members in municipalities throughout Victoria, who are actively involved in all areas of planning enforcement. The association was formed in July 2000 and has grown from strength to strength. The current membership is excess of 100 personnel, which reflects the commitment to the association.

Our mission statement is to act as a focus and discussion group for the purpose of rectifying anomalies in any relevant legislation, also to promote the exchange of skills, interests and ideas between planning enforcement officers and to encourage a standardised approach to Planning Enforcement within the State of Victoria.

The two questions for a submission on enforcement are:

1. Could a register of enforcement orders reduce non-compliance?
2. Are there other changes that could make the enforcement process more effective?

Response to question 1.

If the register is similar to the Building Commission, and held for public viewing at the relevant planning authority, then it may have some deterrent effect. The register would need to be centralised eg. Maintained by VCAT.

Response to question 2.

1. The Act to be amended to enable the Magistrates Court to impose an order **upon conviction** to rectify or make good any issue of non-compliance. This would have a significant impact upon ensuring compliance with planning permits/planning scheme.

2. Remove the word 'clear' from section 134(1)(b) which will enable sites to be inspected in a timely fashion. Alternatively, bring this section into line with the Local Government Act land access powers.