

## A FAIR MODEL FOR INDUSTRY

28 SEP 2017 PROPERTY COUNCIL OF AUSTRALIA

The Victorian Government has introduced the new *Planning and Environment (Public Land Contributions) Bill 2017*. ([http://www.legislation.vic.gov.au/domino/Web\\_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/779567dde299b3e2ca2581a000797323!OpenDocument](http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/779567dde299b3e2ca2581a000797323!OpenDocument)) The Property Council through its Residential Development and Planning committees has been working closely with Department of Environment Land Water and Planning (DELWP) and the Victorian Planning Authority (VPA) to deliver an outcome that is fair, provides resources for infrastructure to support new communities, and deliver certainty to industry.

The Bill comprehensively implements the agreed position between industry, DELWP and the VPA.

The Government is to be congratulated for working with industry to deliver an outcome that is acceptable to both industry and government.

In addition, there are some extra provisions:

- A Development Agency (usually the Council) can compulsorily acquire land specified in a ICP (Infrastructure Contributions Plan) at any time after the ICP is approved. There is no need for a Public Acquisition Overlay to be in place. This is a significant new power that can help development rollout. The well understood process provisions of the *Land Acquisition and Compensation Act 1986* (LACA) apply.
- For land within the ICP, the value of the land to be acquired will equal the relevant value in the ICP. This removes the risk of costly disputes over land value and largely removes compensation risk from Councils. This is a good outcome for Councils and industry alike because it reduces risk and creates more certainty. There is an opportunity for landowners to make a submission about land value and have those submissions heard and resolved before the ICP is prepared.
- For land outside the ICP area, the full provisions of the LACA will apply, including those relating to determination of land value.

The Bill can be viewed [here](http://vic.createsend1.com/t/d-l-uythttk-vzottud-x/). (<http://vic.createsend1.com/t/d-l-uythttk-vzottud-x/>)

While we welcome this important step in reducing delays and red tape, there are still a raft of reforms needed to make planning in Victoria the best system in Australia. We are working on a number of initiatives to reduce delays, increase certainty and provide excellence and

flexibility in design.

If you have any comments about the proposed changes to new Public Land Contribution model, please contact Sally Capp (<mailto:scapp@propertycouncil.com.au>) on 0439 983 963.

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