

The secretary
Legislative Council Select Committee on Public Land Development
Parliament of Victoria
Spring Street
Melbourne VIC 3002

Andrew Hay
Unit 3/ 27 Milan St
Mentone 3194

The enquiry will focus on:

- The sale or alienation of public land for the purposes of development and
- The sale or alienation of public land for the purposes of private development, and
- The sale or alienation of public land for development and the relationship to the Victorian Government's Melbourne 2030 policy and green wedges.

Green Wedge – this has no legal definition, all other land use definitions used to describe land are uses. To set aside private property (against the landholders wishes) for the purposes of conservation without compensation places the Victorian Government in contravention of the Declaration of human rights: Article 6, 7, 8, 17, 21.(2) and property rights derived since the *Magna Carta*.

Australia is a free market economy this State government has been engaging in the sale of public land for the purposes of subdivision. Private property that is more fitting and suitable for subdivision may be available but is constrained by the new green wedge protection bill. The owners are locked out of the market place. Is the green wedge therefore lawful or discrimination without compensation?

Where is the land capability study or environmental audit that favors some land for subdivision? Is the tribunal aware that for those that suffer the UBG that it is more widely known as the Urban Graft Boundary?

5 years ago a newly designated green wedge property was valued at \$700,000 and a residential house inside the boundary at \$180,000 after the introduction of the UBG and 5 years the wedged property is valued at \$1,000,000 and the residential property at \$600,000. Is this a wealth transfer? Will this tribunal accept that the land owners designated as green wedge have suffered loss? Will the tribunal request that the government compensate disaffected land owners?

Given that some people have been requesting an audience with the Planning Minister since 1999, how is it that a new developer can have access to the minister yet the designated green wedge land holder is not granted access? Is this discrimination? What remedies can this tribunal do to enforce non discrimination by the planning minister?

Would the tribunal accept that alienation of public open space and subsequent subdivision is theft of infrastructure in these areas and therefore wealth?

Recommendations:

The reinstatement of purchased property rights and /or Land owners who have incurred substantial losses to be fully compensated.

The determination of subdivision to be based on land capability to be decided on the availability of infrastructure.. All land within close proximity of transport nodes i.e. railway stations already investigated to be immediately rezoned residential. All other land designated farm zone until the availability of infrastructure as the determining factor.

Public transport: full utilization of current infrastructure and the cessation of building and subdivision in areas where there is no fixed public transport.

The abolition of the discriminatory growth corridors and the associated UGB and the subdivision to be decided on a case by case basis.

Yes I do wish to personally address the committee

Yours sincerely

Andrew Hay