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12 DEC 2007

Mr Richard Willis
Secretary
Select Committee on Public Land Development
Parliament House
EAST MELBOURNE VIC 3002

Our Ref:

Dear Mr Willis

LEGISLATIVE COUNCIL SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT - PUBLIC HEARING QUESTIONS ON NOTICE

This letter responds to questions taken on notice by Ms Trudy Hart and Mr Ian Gibson who represented the Department of Treasury and Finance at the Select Committee Hearing into Public Land Development on 29 October 2007.

Ms Hart took the following question on notice from Mr O'Donohue (page 20 of the transcript):

1. What process does the Government undertake in rezoning land and what is the Planning Minister's role in that process?

Mr Gibson took the following question on notice from Mr Davis (page 24 of the transcript):

2. Is the creation of an easement an example of an alienation of land?

Question 1 - What process does the Government undertake in rezoning land and what is the Planning Minister's role in that process?

Where a government agency is seeking to rezone land it would as a matter of course follow the relevant provisions of the *Planning and Environment Act 1987*. An application for rezoning could be made to Council and it would seek authorisation from the Minister for Planning pursuant to Section 8A. A government agency may apply to the Minister for Planning for him to be the planning authority. All of these processes are available to the public.

Question 2 - Is the creation of an easement an example of an alienation of land?

The creation of an easement does not constitute an alienation of land. This is because the creation of an easement does not involve any transfer of title or property, only a conferral of a right.

I trust that the above responses satisfactorily answer the Committee's questions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Grant Hehir', written in a cursive style.

Grant Hehir
Secretary