
User-pay VCAT deemed unfair

Kellee Nolan

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Allowing rich property developers to pay to fast-track appeals against council decisions is a case of a dual-class justice system, a Melbourne community group says.

Attorney-General Robert Clark on Sunday announced that big developers would be able to pay to expedite their cases through the Victorian Civil and Administrative Appeals Tribunal (VCAT).

Developers proposing residential projects worth more than \$10 million or commercial projects worth more than \$5 million can pay \$3000, plus a daily hearing fee of \$3115, to get their hearing on to the VCAT Major Cases List.

A previous taxpayer-funded form of the Major Cases List, which was piloted but suspended in March, cut VCAT waiting times from a typical 40-week period to less than 16 weeks.

Suburban lobby group Save Our Suburbs (SOS) says the new scheme is a case of a dual-class justice system.

"Because at the end of the day the justice system should be fair and equal for all people, not just to those who can pay," SOS vice-president Louis Delacretaz told AAP.

Mr Clark said making developers pay to fast-track their cases would free up VCAT resources to speed up the system for everyone.

"Re-establishing the Major Cases List will help not only those cases that go into the Major Cases List, it will help all cases," Mr Clark told reporters.

"Because this will take cases out of the general list and therefore free up resources so that other cases in the general list can also be decided more expeditiously."

But Mr Delacretaz said shortening the appeal period significantly disadvantaged community groups fighting against developments at VCAT.

"It reduces the amount of time objectors have to prepare for a case, to go and engage expert witnesses and other professionals," he said.

"Sadly (the system) is requiring people to become more legalistic, so you need to have experts with evidence even if you're just community members wishing to have a say."

Mr Clark said the policy was primarily about jobs and productivity, allowing speedy decisions to be made on projects with the potential to create jobs.

But Mr Delacretaz said making the overall planning system simpler and clearer would speed up waiting times more effectively than tinkering with VCAT.

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