

LAWS70349 Planning Law

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2010, Parkville This subject commences in the following study period/s: June, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Visit the Melbourne Law Masters website for more information about this subject.
Prerequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Corequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Recommended Background Knowledge:	Visit the Melbourne Law Masters website for more information about this subject.
Non Allowed Subjects:	Visit the Melbourne Law Masters website for more information about this subject.
Core Participation Requirements:	Visit the Melbourne Law Masters website for more information about this subject.
Coordinator:	Prof Lee Godden
Contact:	For the most up-to-date information about this subject, contact the Melbourne Law Masters Office by email at law-masters@unimelb.edu.au or phone 8344 6190 or alternatively visit the subject website: www.masters.law.unimelb.edu.au
Subject Overview:	<p>This subject investigates the conceptual framework for planning law and regulation and its historical development, including an examination of why and when governments choose to regulate, rather than rely on the operation of the open market, in controlling patterns of land use and development. In so doing, the subject will touch upon some economic and political theories that attempt to explain why and how planning law governs the control of land in cities and suburbs, for whose benefit, and at whose cost.</p> <p>The subject provides an overview and evaluation of the various components of the Victorian planning regime, focusing on the operation of the <i>Planning and Environment Act 1987</i> (Vic) and the Victoria Planning Provisions. Emphasis will be placed on the role of key actors under the regime (such as the Victorian Minister for Planning and the various municipal councils) and on the key processes established under the regime (including the planning permit process and the process pursuant to which Victorian planning schemes are amended). The subject examines the scope for the review of decisions made under the regime (both in the Victorian Civil and Administrative Tribunal and the Supreme Court of Victoria) and the powers available to relevant planning authorities under the <i>Planning and Environment Act 1987</i> to enforce the regime.</p> <p>Finally, the subject will touch upon some particular problems that plague the Victorian planning system such as the fair and equitable distribution of undesirable land uses, the limitation of urban sprawl within metropolitan Melbourne, the appropriate level of public participation in decision making processes, and the need to deliver sound planning outcomes in a timely and efficient manner. Comparative case studies of planning law will be investigated in this analysis.</p>
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the operation of the Victorian planning law regime # Have an understanding of the role of various 'actors' within planning law including developers, objectors and local and state governments with a capacity to identify their respective rights and obligations under the regime # Understand the nature and scope of the various avenues for review of decisions under the planning law framework # Understand how the Victorian planning regime interacts with other statutory processes, such as those contained within the <i>Environmental Effects Act 1978</i> (Vic), the <i>Subdivision Act 1988</i> (Vic) and the <i>Building Act 1993</i> (Vic)

	# Appreciate the different historical and theoretical underpinnings of planning law.
Assessment:	In-class presentation and written essay 1,000-1,500 words (25%) (24 June) 7,500 word research paper (75%) (30 August) on a topic approved by the subject coordinator
Prescribed Texts:	Visit the subject website for more information
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	Visit the Melbourne Law Masters website for more information about this subject.
Links to further information:	http://www.masters.law.unimelb.edu.au/