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DAC's a Fatal Blow to Community Input

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Mr MORRIS (Mornington) — I want to initially come back to something the member for Bundoora said when he was talking about the Dispute Resolution Committee process that has led to the current form of this bill. He referred to it as a democratic process with equal numbers from government and non-government parties, but of course the government has the right to elect a chairman and the government has the casting vote. So no matter what quality of debate there has been — and I understand there has been some good discussion and good work done and some of the nasties have been taken out of the bill — it is a long way from being a democratic process. In fact it is about as democratic as the development assessment committees (DACs) are proposed to be.

The bill essentially is the death knell for community input into the planning process in the areas that have been nominated. It is a real symbol of the hypocrisy of the Australian Labor Party when it comes to local government, when it comes to local communities and when it comes to local interests. This is about getting the message right and getting the process right to suit the message. It is about spin. It is about saying one thing and meaning a different thing entirely. The claim is, 'We are on side with the communities'. But the reality is that these are simply soothing words, lulling communities into a false sense of security before they are belted on the head with a blunt instrument.

This bill is a very blunt instrument. This is not calling in one application and this is not calling in two applications; this is calling in the whole planning process. It is taking the entire planning process away from local government and local communities. It certainly gives the lie to the government's claims of partnership with local government. Every significant application in every principal activity centre in 27 locations in the metropolitan area, plus the city of Geelong, will now be determined by a committee hand-picked by the Minister for Planning. The people who will dominate these development assessment committees will not be and never can be independent persons. They will be hand-picked to push through the government's agenda in this area.

Let there be absolutely no misunderstanding about that. You simply need to refer to the bill, in particular proposed section 97MK, which deals with the membership of the development assessment committees. The chair will be nominated by the minister from a list of persons that he has prepared under proposed subsection 3. Proposed subsection 3 requires the minister to, firstly, prepare a list of names, secondly, to consult with the Municipal Association of Victoria and the Victorian Local

Governance Association, and then to make his own decision. So the VLGA and the MAV are told who are contenders for the position. That is the extent of their input. They have absolutely no right to say, 'Yes, we agree', or, 'No, we don't agree'. It is the minister's list, it is the minister's decision, and they are dragged in to dress up the process and to make it look respectable.

Two members will be appointed directly by the minister. So that is three out of five. Two members will be appointed by the local council, and they will rotate. I understand there might be, say, one DAC for southern metro and two councillors from Glen Eira, two councillors from Frankston, two councillors from Kingston, or whatever. Those two councillors are, once again, simply to dress up the process, because you could wait until hell freezes over before they have any influence on a decision. They are there as the scapegoats. They are there to take the blame. That is all they are there for. Who is going to pay for the process? Does anyone think the people who have lost their influence over the process will be able to put the cost onto someone else? No, of course they will not.

I refer to proposed section 97MG at page 11 of the bill. To enable a DAC to decide on an application, the responsible authority — in other words, the council — has to provide not only the application but also a copy of comments from a referral authority. They have to do the referral to start with and then also provide a copy of a report from any member of their staff, any other document that is relevant and any other document or information that has been reasonably requested by the DAC. In other words, if they jack up and say, 'No, we are not going to do a report on this; we are not going to pay the officers to do these reports for someone else to make a decision on', the DAC can come back and say, 'Oh yes, you will anyway'. The vast majority of the cost of the planning process is not the actual decision making. The costs are in officer time — the officer effort that goes into preparing the report and getting it into a form to go to the decision-makers. That cost will still be borne by the community.

The bill strips away any opportunity a citizen has to have an input into the bricks-and-mortar future of their community. In the second-reading speech the minister said the government is committed to strengthening confidence in decision making and to the state government playing a role in actively implementing state policies. If the government is that committed, why is it establishing these bodies? Why do we need to create another layer? Of course it is a tried and true formula, and it has been going on for the last 10 years. It is called the blame game. It is about making sure there is someone else set up to take the blame.

Many local councils are sick to death of being blamed. It has been standard government member policy. Any time an application comes up that the community does not like, government members say, 'Look, the council is dealing with that; we can't get involved' — and quite properly they should not. The refrain is, 'It is not our fault'. It is. The entire planning structure is a product of decisions of this government. The councils are simply charged with trying to knock the rough edges off and have some input.

Once again statutory bodies are being set up in order to take the blame. The planning system is certainly in dire need of an overhaul and of a refocus. There is now a huge number of development applications that are subject to appeal, and anyone who is involved knows that. This number of appeals did not occur 10 years ago. They did not occur in the past when the appeal processes were not quite as effective as they are now. These appeals did not occur before the introduction of Melbourne 2030. It is only the government's meddling with the planning act, preventing people from having their say, that has caused this level of objection.

We have a situation where local councils now cannot even commence a planning scheme amendment without the minister saying yes. Occasionally one slips through. The C87 amendment — the Mount Eliza woodlands amendment — is a classic example; the minister did not like the outcome so it simply sits on his desk and he does not approve it.

All the planning in this state is now occurring at 8 Nicholson Street. We have an epidemic, we have a tidal wave of objections, and the minister seems to have no idea what is causing it. But the solution advocated by the government, and this bill is living proof of that solution, is to strip councils of their powers, to put fees through the roof and to threaten objectors with costs in the event that they are unsuccessful — in other words, to try to scare them away from the process and to make it impossible for ordinary Victorians to have their views heard.

That is the real message. That is the intent of the bill — to take the process out of the hands of the people; to set up a body to take the blame, take the fire and deflect the anger from the government; and to pretend, as we have heard in this debate again and again, 'Oh, we have got urban expansion; isn't it terrible?'. Yes, we do have urban expansion, because the government has set up the zones in that way. It has nothing to do with local councils; it has everything to do with the planning structure that has been set in place by this government. It is time the government stood up and took responsibility rather than trying to blame somebody else.