

# Hon. David **DAVIS** MP

MEMBER FOR **SOUTHERN METROPOLITAN REGION**



Leader of the Opposition in the Legislative Council  
Leader of the Liberal Party in the Legislative Council

Shadow Minister for Transport Infrastructure; Public Transport (Metropolitan);  
Planning and Heritage; Federal-State Relations; the Arts and Creative Industries

Dear Mayor,

## **RE: Planning Amendment VC194 – The removal of planning rights from councils and local communities for ‘COVID-19 projects’**

Recently the Andrews Labor government and Minister for Planning, Richard Wynne, gazetted Planning Amendment – VC194. I am concerned about the impact of this amendment.

This planning amendment is dressed up as a response to COVID-19 but is a major assault on local democracy stripping away key planning powers from councils and local communities.

For state government infrastructure projects, Clause 52.30 of Planning Amendment VC194 removes the approval authority of any ‘state project’ from the local council and grants it entirely to the Minister for Planning. VC194 also allows for the minister to designate any project a ‘state project’ if it meets a very broad definition. This definition requires the project to have some level of association with the State Government – be that in funding or proposer – and requires the project to contribute to Victoria’s COVID-19 economic recovery. The broad nature of this definition allows the Minister for Planning excessive reign over the approval process for infrastructure projects across Victoria and across local council regions.

The Clause removes *“the need for separate planning scheme amendments or planning permits for applicable projects”*. These novel provisions certainly make it easier to deliver and facilitate projects *“delivered by or on behalf of, or jointly in partnership, or funded by the State of Victoria or public authorities or crown land”* and certainly include transport infrastructure projects, water projects, water and sewerage projects, public and private use and a host of others. Noble objectives, but huge power – virtually without check or filter.

The Minister for Planning also obtains the right to waive public consultation in the consideration of approval for these projects, silencing the community entirely. The voice of the local community is of paramount importance in the consideration of infrastructure works and project approval. It is impossible for the Minister for Planning to understand the intricacies and the character of every neighbourhood in Victoria. How can the Andrews Labor government and Richard Wynne understand local communities and assess the impact of projects better than these communities themselves?

Although amendment VC194 does provide greater authority for local councils to expediate council projects valued below \$10 million, what is clear from this amendment is that the

Andrews Labor government does not value the integrity of the checks in place to ensure that community interests are at the heart of infrastructure decision-making.

This amendment is two-folded, granting local councils' greater authority in some municipal level infrastructure project decision-making, however it also entirely overrides local councils' authority in state projects in their municipality.

I say that local communities must be at the core of the planning process for projects that affect their local spaces. Local councils should be the responsible authority where they have the capacity to hear what their local families and community have to say; the Minister for Planning should not have unchecked power and free reign on the future of our streetscapes.

I welcome your comments to me by email on Planning Amendment – VC194.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'David Davis', with a stylized flourish above the name.

David Davis MP  
Shadow Minister for Planning and Heritage