

IT'S TIME FOR AN INDEPENDENT

SERGE THOMANN

YOUR VOICE IN THE ALBERT PARK ELECTORATE

POLICIES FOR THE 2010 VICTORIAN ELECTIONS

THIS IS A DRAFT POLICY ONLY – FOR DISCUSSION

Authorised by Peter Holland
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Introducing Councillor Serge Thomann

Serge Thomann is best known for his role as President of unChain St Kilda during the 'Triangle' struggle and his effective actions as a Councillor on the Port Phillip Council.

He is not a single-issue candidate. This policy document contains a wide range of proposals for the Electorate of Albert Park.

These proposals include the following matters: The importance of Independents in Parliament, the St Kilda Triangle, Port Melbourne height controls, the future of the Port of Melbourne, the future of Southbank, social infrastructure, affordable housing, a twenty-first century public transport system, sustainable development, heritage laws, protecting our parks and beaches, the Grand Prix, St Kilda Harbour, South Melbourne Market, traffic calming, the Arts, licensing laws and live music, St Kilda Festival, street violence and street prostitution, controls on gambling and pokies, government budgets and government waste, review of planning laws, removing the Planning Minister's power to 'call in' projects, reform of VCAT, funding of political campaigns, controls on lobbyists, Truth in Political Advertising, an Anti-corruption Commission and citizens initiative referendum.

Independents can advocate things that the major political parties are too timid or too selfish to do. Examples include removing the power of the Planning Minister to 'call in' projects and implementing effective controls on problem gambling and the spread of pokies.

It's time for an Independent in Albert Park

Perhaps you would like to contribute to this draft document

Or

Perhaps you are interested in issues in your local area such as height limits or in some broader issue such as gambling controls and would like to work with a group of residents outside the constraints of a political party machine.

If so, please contact me

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TABLE OF CONTENTS

INTRODUCTION

1. My Vision
2. My experience

THE ROLE OF INDEPENDENTS IN OUR DEMOCRACY

3. Elect Independents to Parliament
4. Elect an Independent in Albert Park

PLANNING ISSUES

5. The St Kilda Triangle: A case study
6. Port Melbourne Height Controls
7. The Port of Melbourne: The Future
8. Southbank: The Future
9. South Melbourne Market

SOCIAL ISSUES

10. Social Infrastructure: Schools, Libraries, Child-Care, Aged Services
11. Affordable Housing
12. Our Multi-cultural and Indigenous Communities

ENVIRONMENT ISSUES

13. Public Transport
14. Sustainable Development and Climate Change
15. Heritage Laws
16. Protect our Parks and Beaches
17. The Grand Prix in Albert Park
18. St Kilda Harbour
19. Traffic Calming: Cars, Trucks, Pedestrians and Bicycles

THE ARTS

20. The Arts
21. Alcohol Licensing and Live Music
22. St Kilda Festival

GAMBLING AND CRIME

23. Controls on Gambling and Pokies
24. Street Violence and Street Prostitution

RESTORING DEMOCRACY

25. Government Budgets and Government Waste
26. The Democracy Deficit Disorder in Victoria
27. Review our Planning Laws
28. Abolish the Planning Minister's power to 'call in' projects
29. Protect the Role of Local Government
30. Reform of VCAT
31. Funding of Political Campaigns
32. Controls on Lobbyists
33. Controls on Ministerial Advisers
34. Truth in Political Advertising
35. An Effective Anti-corruption Commission
36. Citizens Initiative Referendum

CONCLUSION

37. My Philosophy
38. Conclusion: 'What is to be Done?'

Serge Thomann

Your Voice for Albert Park

1. My Vision

Melbourne consistently rates as one of the world's most liveable cities. It is truly one of the great places of the world. That is why I came to live here from France. But our Melbourne is under threat.

Melbourne now has 4 million people. The Australian Bureau of Statistics predicts that this will rise to 7.5 million by 2051 if current migration and fertility trends continue.

We Melbournians are rightly concerned for our famed liveability, as more and more people squeeze into our neighbourhoods and onto our roads and into our schools and hospitals.

Melbourne's population growth cannot be accommodated by endless suburban expansion. We must defend the green wedge policy of the Hamer and Bracks governments. But it is not possible simply to declare that Melbourne is full.

The Victorian government must manage growth, not try to stop it.

We want a fair, sustainable and prosperous future for Melbourne. So the fundamental task for the Victorian government is to ensure a people-friendly medium density growth.

The electorate of Albert Park faces threats from badly planned development in Southbank, Port Melbourne, South Melbourne, St Kilda and Elwood. We face the threat of a haphazard scatter of high-rise buildings, inadequate services and the theft of our precious public open spaces.

But we also have a host of opportunities for superb development. We are in the lucky position that we can have a growing diverse community, great buildings, first-rate schools, a twenty-first century public transport system, a vibrant arts and information technology sector, a safety net for those in need and much, much more.

The glass is three quarters full. We just have to get it right.

I want to be your voice to make this happen in the electorate of Albert Park.

And this is how I will do it.

2. I will put my experience to work for the Electorate of Albert Park

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DRAFT ONLY DATED 18 OCTOBER

My experience in business, the arts, community groups and Council makes me the credible alternative as your representative for Albert Park.

I graduated from one of Europe's top business schools and was an executive in L'Oreal, the world's leading cosmetics company. I left this job to become a professional photographer, working with everyone from Madonna to Mandela. I have been the president of unChain St Kilda, so I know how important community organisations are. I am an elected Councillor for the City of Port Phillip, where I have learnt much about what the state government should be doing for our local community and for our city generally.

I want to put my experience and my passion to work for you as your independent Member of Parliament in the electorate of Albert Park.

3. Elect Independents to Parliament

Independent members can make our system of Parliament work better. In Victoria after the 1999 elections three independent MPs held the balance of power. They decided to support a minority Labor government under Steve Bracks. The independents drafted a Charter of Good Governance with the key themes being accountability of government, parliamentary reform and the social and economic rejuvenation of rural Victoria. Amongst other things this led to reform of the Victorian Parliament, with fixed four year terms, proportional representation in the upper house, removal of its power to reject supply Bills and new deadlock resolution provisions. These were the most sweeping changes to the Victorian constitution in 150 years.

Similarly at the federal level, the election of independents in the August 2010 elections promises significant changes to the federal Parliament. There is an agreed parliamentary reform package with better rules for question time, more freedom for house committees and more time for non-government legislation and debates. Hopefully we will see a significantly more democratic and effective federal Parliament.

Independent candidates can advocate policies that the two major parties are too timid to propose. They can also argue for proposals that the two major parties are reluctant to adopt because they would limit their powers when they are in government. In a hung Parliament, the election of credible independents and third party candidates creates the opportunity for reforms that would be otherwise impossible in a two-party system. Examples in this policy document include controls on problem gambling, reform of political funding laws, returning to conventional public finance to build new infrastructure, removing the arbitrary powers of the Minister for Planning, adopting a radically new vision for a modern public transport system, and introducing a citizens initiative referendum. Many of the proposals in this document are not the official position of the Liberal or Labor parties, but both Mr Brumby and Mr Baillieu would be happy to be 'forced' to adopt them when in power.

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

Voting for independents will also push the two major political parties towards internal reforms. The sacking of the Brimbank Council has exposed the mess in the once-great Labor Party, which the Premier has been unable to 'clean up'. The Labor party is still dominated by branch stackers, factional heavies, union officials and self-serving political opportunists. And the Liberal party is no better. In the past small 'l' Liberals like Rupert Hamer played an important role in the party, but today's moderates feel isolated in a Liberal party increasingly controlled by hard right conservatives. Neither party today can really claim to have deep roots in the community.

Now you can send both parties the message that they should change their ways. Vote for an independent.

4. Elect an Independent in Albert Park

The tragic truth of the Australian political system is that 'marginal' seats get the attention of the political parties. Albert Park is seen as safe for Labor, as it has held the seat since 1950.

It is not healthy for just one party to own a seat for 60 years. This has meant the state government has taken the Albert Park electorate for granted. For example our local member, Martin Foley has only spoken 28 times on behalf of his electorate in three years in Parliament! Contrast Jill Hennessy, like Martin Foley a Labor backbencher elected in a by-election. She has made 25 speeches in just a few months for her constituents in Altona.

Martin Foley believes he is 'safe' and therefore concentrates on his interests as a factional warrior for the Socialist Left. He prefers working on internal Labor politics rather than on the many pressing issues of our electorate.

Let me compare Martin Foley's behaviour with his Labor predecessors. In the 1980s and 1990s a major issue was the redevelopment of the St Kilda harbour. The proposal was for a massive land reclamation and commercial development including an Underwater World. The community raised a range of financial, environmental and residential amenity issues. Although the project was strongly supported by the Premier and his Tourism Minister, our local ALP Members of Parliament, Bunna Walsh and Andrew McCutcheon, helped put our concerns to the council and the state cabinet. This is what Members of Parliament should do. Ultimately the community stopped this privatisation of the foreshore. The St Kilda Triangle raises similar issues today. However, unlike his predecessors, Martin Foley has not assisted those concerned for this iconic site. For example he did not arrange meetings with the Premier or the Planning Minister. The opposite happened – that opponents of the proposal to commercialise the Triangle were treated as enemies and fought bitterly. This is not how our representative for the electorate of Albert Park should act.

We need a more effective local representative. We need a better voice.

I believe that any state government would provide more funding for the seat of Albert Park if it was 'marginal'. Let us make it so. A vote for me as an independent

candidate will help ensure that no state government will ever again take us for granted.

5. The St Kilda Triangle: A case study

Let us begin our consideration of specific issues with the case-study of the St Kilda Triangle. As President of unChain St Kilda, I led the campaign against the inappropriate development of this iconic site. I learnt many lessons that can be applied to the whole electorate of Albert Park over a wide range of issues.

The St Kilda Triangle is a classic case study of the way developers and governments can try to override planning controls. After extensive community consultation, there was an agreed vision for the redevelopment of the Triangle. The reason that we have wasted a decade and millions of dollars is that the developer and local and state governments were prepared to ignore this vision.

In 2001 the Council began the preparation of the St Kilda Foreshore Urban Design Framework (UDF). This involved significant community consultation in Elwood, St Kilda and Middle Park. It identified opportunities for improvement of various sites on the foreshore. Many of these are being put into operation such as the new foreshore promenade. For the St Kilda Triangle, the community was promised a cultural and entertainment precinct with a refurbished Palais and significant public open space.

Six year later however the council and the state government appeared prepared to ignore this and to approve a development by the Babcock Brown Citta consortium that featured a massive shopping mall, six nightclubs, a 'Sydney' style beer tavern and other licensed venues with a capacity of over 10,000 people. This proposal was a betrayal of the promise in the UDF.

Labor Councillors on the old Port Phillip Council supported the Babcock Brown Citta plan. The state government failed to use its many powers to amend or halt it. Our local member Martin Foley failed to support members of the community who had significant concerns with the plan.

Resolute community opposition defeated the Babcock Brown Citta plan for the Triangle. The lesson is that it is important not just to develop visionary plans with significant community input: it is imperative to stick to them.

Recently the state government has announced \$2.5 million for the Palais. But it cannot be claimed that the future of this iconic theatre has been secured. The money will only be used for urgent maintenance and minor restoration works.

I hope that this represents a change in government policy. For a decade the government has refused to contribute to the restoration of the Palais. This resulted in the Babcock Brown Citta plan for a privatised development of the St Kilda Triangle. I certainly hope that this announcement is not just a cynical attempt to take the issue of the Triangle off the agenda for the forthcoming state election.

This new state government funding is an important step in the right direction, but it is only a step. What should happen now with the St Kilda Triangle? I believe that we need a three-step commitment from the state government.

First, the state government should re-commit to the promise of the site as a cultural and entertainment precinct with significant public open space. Within this restraint, we should review the details of the St Kilda Foreshore UDF.

Second, the state government should commit to the funding for a full restoration of the Palais theatre. This would remove pressures for commercialisation of this iconic site. This restoration would include expanded back-stage facilities so the Palais can be used for a wide variety of events. This beautiful and historic building can contribute significantly to the liveability of Melbourne and, with professional management, the government would receive a solid financial return on its investment.

Third, the state government should agree with the Port Phillip Council on a process to develop the Triangle. The lead State government agency should be the Ministry of the Arts, which has been the responsible for landmark cultural infrastructure projects such as the Melbourne Recital Centre, the Australian Centre for the Moving Image, and the Australian Centre for Contemporary Art.

As your elected representative for Albert Park, I will be as passionate to achieve a wonderful development of the St Kilda Triangle as I was in stopping the archaic proposal to use it for a shopping mall and nightclubs.

6. Port Melbourne Height Controls

A similar issue to the St Kilda Triangle is the future of height controls in Port Melbourne, Southbank and St Kilda Road. Here also we are seeing developers trying, in secret, to persuade the state government to overthrow established planning rules.

It is counterproductive for governments to override carefully constructed planning controls at the beck and call of powerful private developers. This just produces community mistrust of all development. For the good of both the development industry and the community, we need to develop proper plans for the growth of our inner city and then to implement them.

In Port Melbourne, a decade ago, we developed a set of height controls that balanced the interests of developers and the community. When launching these height controls in 1999 the then Minister for Planning John Thwaites said:

We are committed to delivering more certainty and consistency in planning decisions. We will put a greater emphasis on planning for sustainable environments. And we want to give more responsibility for planning decisions to local government and the community ... Inappropriate development of the Bay diminishes public access, it can destroy the character, and it infringes tourism potential for many of these areas. None of us want to repeat a Gold Coast, a Surfers Paradise on our foreshore. People want to go to the beach

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

and enjoy that environment without being overshadowed and without being overlooked ... In the City of Port Phillip, absolute rules have been introduced to protect the area of Port Melbourne, which previously the previous government had refused to put height controls on ... As from today, councils on the foreshore will have their foreshores protected from inappropriate high rise development.

How true then. And still true now.

Now we are engaged in a great planning war testing whether that plan, or any plan so conceived and so dedicated can long endure.

Now a billionaire Kuwati prince is trying to persuade Planning Minister Madden to over-ride these height controls.

This is the situation:

- The Minister has received a proposal for a 28-storey tower in Port Melbourne opposite Station Pier consisting of a hotel and a retail precinct.
- The Minister, not the City of Port Phillip, has authority over the site because it is part of Beacon Cove
- The Minister can therefore approve the proposal without any input from the Council or the community under these special powers
- The proposal exceeds the height controls by more than 20 storeys.
- The developer is Action Hotels, a Kuwati firm chaired by Sheikh Mubarak Abdulla Al-Mubarak Al-Sabah, which owns nine hotels in the Middle East and Australia.
- The architect is Fender Katsalidis, well known for high-rise towers such as the Eureka Tower.
- The developer's lawyers, Rigby Cooke Lawyers, submitted detailed plans to the Ministry in September 2009.
- The plans were returned to Fender Katsalidis for minor amendments
- From the Windsor hotel fiasco, we have learned that the Minister's practice was to have informal meetings with developers and lobbyists prior to the lodging of a formal legal planning application but not to make 'official notes' of them.
- The Age has stated that 'A senior government source said that the sheik's development company had received a 'nod and a wink' that approval would be granted by the Department of Planning'.
- I have a statutory declaration that Andrew Nehme, the Sheik's partner, told a prospective purchaser that the application was with the Minister and he was expecting an answer soon, in the next few months
- The Minister's track record is that he has approved a number of towers in Southbank which exceed the height controls by more than 30 stories
- I will be lodging a Freedom of Information application to force the Minister to disclose all this information and more.

This is not how development should happen. It is appropriate to review the decade-old height controls, but this must involve a proper consideration of the impacts on the whole area with contributions from all interested parties, particularly the elected

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

Council of Port Phillip and local residents. It should not be on the basis of a secret deal in the Minister's office.

Send the Minister of Planning a message. We do not want the Minister to use his powers in this ad hoc and secretive way. His decisions must be transparent and accountable.

Send the Minister the message by voting for an independent in Port Melbourne with a proven track record of stopping inappropriate development.

There are two other related issues. Both give massive powers to the Planning Minister to approve high-rise projects anywhere from Port Melbourne to Elwood. These are discussed in more detail later in this document.

First is the Minister's power to 'call in' projects. When in opposition the Labor party promised to abolish the power of the Minister to 'call in' projects. It attacked Liberal Planning Minister, Robert Maclellan, for his imperious disdain for councils and communities and his willingness to call in projects. But when in office the Labor party has behaved the same way. The Minister has 'called in' development applications at the rate of one every working day of the year. This means that for each of these individual applications, the Minister decides – not the Council or VCAT. It is time to abolish the Minister's power to call in projects. The Planning Institute of Australia also supports an approach to de-politicise planning. This would involve the appointment of an independent regulator, similar to the Auditor General, to oversee planning. It would also involve protecting the crucial roles of local councils and VCAT in planning matters. If there are projects of such significance to the state that they should be removed from the normal consideration of the community, local councils and VCAT, then that should be done by an Act of Parliament, not by a secretive decision in the office of the Planning Minister, whether Liberal or Labor.

My policy is to abolish the Minister's power to 'call in' projects.

The second issue is a proposal to privatise planning scheme amendments. The government has released draft legislation for new Planning laws and the Minister for Planning has a 'working group' that will report back to him after the election. It is proposed that private developers could prepare amendments on height limits, commercial or residential developments and subdivisions. The amendments would just have to be approved by the Planning Minister after exhibition. The Municipal Association of Victoria and the Planning Institute of Australia are opposed to this approach. The changes proposed by the current Government will effectively confine local councils to dealing with front fences and back verandahs, powerless to deliberate on large developments like the towers proposed for Port Melbourne, Southbank, South Melbourne and St Kilda Road.

My policy is that the power to process planning scheme amendments, such as changes to height controls, should remain with the elected local Councils.

7. The Port of Melbourne: The Future

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

A crucial question for the next Victorian Parliament is the future of the Port of Melbourne. As Melbourne grows, it is expected that there will be a four-fold increase in container movements in our ports by 2035. How will this be accommodated?

The Port of Melbourne Corporation proposes to expand Webb Dock into a new container port. The Corporation recognizes on its website that its city location means it 'must not only ensure the port's ongoing viability but balance that with the amenity and safety of surrounding communities'. Have they done this? No.

The proposal to develop Webb dock will damage the quality of life of residents from St Kilda to Williamstown. It would require seven new 70-metre-high cranes, operating 24 hours a day and under floodlights at night, destroying the view of Melbourne's skyline from the Williamstown foreshore. Because Webb Dock has no rail access, the West Gate Bridge and roads in Port Melbourne would become much more congested, with an extra 2000 truck trips a day through our inner suburbs.

The Webb dock proposal will have an even more disastrous impact if the expected growth of our inner city occurs. This is happening now in Port Melbourne, along St Kilda Road, and especially in Southbank. When this future growth is considered, it is demonstrably bad policy to expand Melbourne's docks at Webb Dock. The Southbank Structure Plan identified City Road as a road that can be calmed – by narrowing the roadway to one lane in each direction, prohibiting trucks, and constructing bicycle paths. However, at present City Road is the alternative route for trucks that are restricted from using the City Link tunnels. If these freight trucks cannot use City Road, they will be forced into the streets of South Melbourne and St Kilda, trying to wind their way across town to the Monash Freeway. If the Webb dock proposal is adopted, there will be an even greater number of these freight trucks. This is bad policy for the long-term growth of Melbourne.

There is an alternative for accommodating the future growth of port facilities for Melbourne. Asciano, an existing ports operator, has proposed abandoning the Webb Dock container expansion in favour of an expansion of the existing Swanson Dock container terminals. The port would be relocated to Hastings and Geelong by 2040. I support this concept in principle, subject to detailed examination of issues such as privatisation of our ports, Coode Island and the advantages of a centralized freight distribution centre.

Redeveloping Webb Dock would be expensive. It will require government investment of about \$1.3 billion. The alternative proposal, of redeveloping Swanson Dock and Geelong, is significantly less expensive. In the immediate future, an upgrading of Swanson Dock, at a cost of \$200 million, will enable it to cope with increased container movements for the next decade. By 2020 the Port of Geelong can be developed as the site of a new container terminal instead of Webb Dock. The only costs involved would be \$360 million in dredging the approach channels and building the dock itself. Other costs would be minimal because the Port of Geelong already has major road and rail links. In the next stage, the Port of Hastings could be developed into an international container port after 2030.

There are many short-term advantages in this alternative proposal. It would protect views of the city from Williamstown and reduce traffic congestion the inner city. It would also create significant business and employment in regional Victoria. But even more important are the long term opportunities. In the long term the alternative proposal would free the docks area for a new waterfront residential and commercial hub on a similar scale to Docklands. That is why I support the alternative proposal in principle.

8. Southbank: The Future

Southbank is a important area that includes arts, tourist, business and residential uses. How should this area develop? If we do not act now, Southbank could be populated by 30 to 80-plus storey high towers approved by the Planning Minister without any publicly accountable process. I believe that there is no compelling reason to develop Southbank this way. I support the Melbourne City Council's policy to maintain a 'mid-rise' scale for the area and to plan for a people-friendly growth of the area.

The City of Melbourne has prepared a Southbank Structure Plan, a 30-year vision for the precinct that aims to provide stronger compliance on height controls, rejuvenate streetscapes, create more public spaces, encourage walking, cycling and public transport and to provide better local amenities for residents, workers and visitors. The City of Melbourne will ask the Minister of Planning to approve the plan for public exhibition (Amendment C171).

Southbank has an existing population of 10,500 people. Under the current planning rules this could grow to 58,500 in the future. But the Minister for Planning has the power to waive height controls for buildings of more than 25,000 square metres. Using these powers the Minister and VCAT are approving tall towers that significantly exceed the existing height controls. A current example is that the Minister and VCAT in 2010 approved a 72-storey tower for the corner of City Road and Southbank Boulevard. This will be the second-tallest building in the area after Eureka Tower. It is more than double the existing height controls. Under this 'business-as-usual' scenario, the population of Southbank will therefore significantly exceed 58,500. I believe that there should be stronger planning rules for Southbank and limits on the powers of the Minister and VCAT to waive the rules.

The 'business-as usual' growth of Southbank would result in a population of 89,200 people in Southbank, an 850% increase on its present size. Southbank would be one of the most dense city precincts in the world. The Council's Plan states that the 'business-as-usual' model would result in an unliveable and unsustainable built future for Southbank with:

- Highly crowded streetscapes with low levels of sunlight and daylight at street level
- Disruptive wind downdrafts and intensified urban heat island effects
- Streetscapes of inactive building frontages dominated by podium car parks
- Streets, places and parks which would be dark, windy, oppressive, unsafe and unattractive

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

- A lack of local social, retail and community facilities, which means that much of Southbank is relatively dead and desolate.

Under the proposed Southbank Structure Plan, the projected population of Southbank would be ‘only’ 74,000 residents by 2040. There would be stronger height controls, which would be based on the existing limits. The aim is to maintain a predominantly mid-rise streetscape scale with appropriate set-backs and active street frontages. The height limits range from 24 metres (approximately 6 stories) in certain areas to 160 metres (approximately 40 stories) in one area. The discretion to allow increased height above the preferred maximums would be limited to 20% and only if a demonstrable community benefit could be achieved. But the Structure Plan does much more than merely impose stronger height controls. The council envisages a range of changes to enable a people-friendly development – with shops, services and entertainment, ‘street life’, provision of open space, mandatory environmental performance of new buildings, promotion of public transport and promotion of the arts.

I support the ideas behind the proposed Southbank Structure Plan. The next state government will decide whether to implement it. I believe that the state government should approve the plan for public exhibition. This will give any interested members of the community the opportunity to review and comment on the proposed changes. We need to house Melbourne’s growing population and there are clear environmental, economic and social benefits in increasing population density in certain areas such as Southbank. But the critical thing is to plan this well – otherwise soulless, dysfunctional communities will result.

9. South Melbourne Market

The South Melbourne Market is a wonderful community facility. It is facing serious issues including high rents, competition from new supermarkets, parking availability and tenure of stallholders. I think it is clear that the community wants the market to flourish. While the local council owns and manages the market, the state government can make an important contribution to its future.

The State government could fund the roof over the existing market car park based on Environmentally Sustainable Design principles that Council is proposing. This would include water collection and re-use in the market, which is the biggest water user in the electorate. It would also include solar panels to provide power for the market.

It is difficult to get access to the market from Southbank and St Kilda Road. These areas are seeing rapid expansion of residential accommodation and their natural shopping centre is South Melbourne, including the market. But access, particularly pedestrian access, is difficult. Kingsway and City Link separate the market from Southbank. The state government should fund pedestrian overpasses or underpasses to link Southbank and St Kilda Road to the South Melbourne shopping precinct.

10. Social Infrastructure: Schools, Libraries, Child-Care, Aged Services

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

Planning for our cities cannot be limited to land use planning. It must include the other things that government and the community do, economically, socially, and environmentally.

I want to be your voice for the state government to provide 'social infrastructure' in Albert Park, so that we have quality hospitals, libraries, childcare centres, preschools, primary and secondary schools, maternal health care facilities, aged-care and other community services.

How can we fund this new spending on 'social infrastructure' in Albert Park? We cannot simply build new residential buildings and hope that the taxpayer will fund enough the facilities required for these new residents. Developers must contribute, just as they do when building housing estates in the outer suburbs.

Providing these social infrastructure facilities is crucial, not just to service the growing population of our inner-city, but also to attract a wider demographic mix. We cannot have our inner city populated only by rich single professionals, couples without children, students and retired people. We should aspire to a diverse and inclusive community.

Let us take schools as an example.

The population growth in the inner city is creating a critical shortage of schools. However the state government has delayed building new primary schools. Melbourne University Planning Professor Kevin O'Connor has said that:

'There's going to be a huge shortfall of schools in inner Melbourne. It's unlikely there is capacity for existing primary schools to grow much more ... We've been closing schools and selling school sites, and urban growth has gone on unabated without consideration for social infrastructure'.

Foolishly, the state government has closed schools and sold the sites. Architect Charles Webb constructed the Dorcas Street Primary School in 1880. It was closed in 1996. The JH Boyd Girls School site was sold in 2005. Now we need new schools to service the growing population in Port Melbourne, Southbank and St Kilda Road.

There will be an additional 4000 primary school students in inner Melbourne by 2016. Southbank and Port Melbourne will be under the greatest pressure from their soaring school populations. South Melbourne is already experiencing this pressure. For example, anyone living east of Ferrars Street is excluded from the nearby primary schools, Albert Park and Middle Park. They must send their children to Port Melbourne or South Yarra – and both are difficult to get to. This is an example of the difficulties we will face if we just grow without providing proper social facilities.

We must have a new primary school now for the population growth in St Kilda Road and Southbank. I want to be your representative to the Department of Education and Early Childhood Development to make sure that this happens.

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

What about secondary schools? Albert Park College will reopen next year after closing in 2006. I want to ensure that the new school works in harmony with the existing Elwood College. In the future we will need a new secondary school in Southbank. The planning for this must start now. I would like this planning to consider operating the new secondary school in Southbank with the International Baccalaureate program from Year 7 to Year 12. As a school at the heart of a great international city it is appropriate to offer an internationally recognized program. I want to ensure that we have fine government secondary schools in our area that are the school-of-first choice for our families.

There are similar issues with other social services. For example access to quality affordable child-care is still out of reach for many families in the Albert Park electorate. Waiting lists to get into child care in Port Phillip are hideously long.

One immediate issue is the development of the JH Boyd Girls School site. The building is one of Southbank's oldest and grandest. It was sold in 2005 to the Melbourne City Council, which intends to develop it as the first cultural and community hub in this area. This will include a library, maternal and child health and family services, multi-purpose rooms and artists' studio spaces. Wonderful! However the Melbourne City Council will fund this, in part, by selling to a private developer the right to build at the rear of the site a 30 storey residential and commercial development. Council is selling off precious public open space that would better be used by the whole community, especially the children using the services in the community hub. Instead of a magnificent open space there will be only a quarter-acre urban park. I do not believe this is how we should fund the social infrastructure our growing community needs.

The precedent of the Boyd school site is not the path we should follow. It is not good policy to fund social infrastructure by selling off the family jewels - public open space. When building housing estates in the outer suburbs, developers pay a levy to make a significant contribution to the social infrastructure required: the new schools, child care facilities, aged care places etc. We should apply similar rules in the inner city. At present there is a haphazard system of levies, which are often just paid into council's general revenue funds but leave councils with significant shortfalls. I believe that developers, especially the developers of high-rise buildings in Southbank, St Kilda Road and Port Melbourne, should be forced to include a significant social infrastructure levy into their costings. This social levy should be consistently applied and consistently paid into a fund dedicated to new social infrastructure. This will help governments and councils build the new facilities that our new residents will require.

11. Affordable Housing

The increasing cost of accommodation in our electorate is a major problem. I want us to be a tolerant diverse and exciting community – one that includes people who cannot afford high rents and house prices. Our community should include artists, students, migrants, and single parents.

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

We can begin by recognizing that not every dwelling contains two parents, two kids, two black Labradors, and two cars. Yet this is how our planning rules are written. For example, we live in an inner city location with many public transport options. We do not all need a car. It is expensive for developers to provide car parking in new developments. We could change the planning rules to allow developers in locations well serviced by public transport to construct buildings without providing car spaces. The aim would be to provide many affordable apartments for people who chose not to have a car.

There are registered housing associations that provide social co-operative housing. The state government and the Cities of Melbourne and Port Phillip should act as a broker between developers and registered housing associations to provide affordable housing for lower income earners.

There must also be significant public housing provided. I believe that the mark of a civilized society is how we treat other people. We must have a safety net for those in need. There is a critical need for public housing to meet the needs of low-income groups, people who are unemployed and disadvantaged and disabled members of the community who are seeking accommodation.

The old St Kilda Council and the Port Phillip Council can be proud of their leadership in providing such community housing. I will continue to strongly support these endeavours. I believe it is important to garner community support for community housing. For example as a Councillor I took a lead role in negotiating a satisfactory outcome between the Port Phillip Housing Association and concerned local residents over a new community housing program in Vale Street. The result is that the project will be built with considerably greater local support than similar projects in the past and did not end up in VCAT. I am proud of what I achieved in difficult circumstances.

The state government has invested a considerable amount in public housing. The question is whether this is enough. The evidence shows that it is not. A Parliamentary committee report in 2010 revealed that the wait for public housing has almost trebled in the 10 years of the Labor Government. The *Inquiry into the Adequacy and Future Directions of Public Housing in Victoria* found that as a percentage of total housing, Victoria has among the lowest levels of social housing in the country.

I support the committee's recommendations. One is that the planning laws be changed to include the need to support the development and retention of affordable housing as an objective. Another is the use of 'inclusionary zoning' in planning decisions — mandating a fixed proportion of all new housing in an area to be affordable. It recommended increasing the supply of all forms of social housing with a target of 5 per cent of total housing stock in Victoria by 2030 — up from the current level of 3.8 per cent..

12. Our Multi-cultural and Indigenous Communities

An important part of Melbourne's liveability is its multicultural heritage. We know

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

that 27.1% of our local population was born overseas and 16.6% are from a non-English speaking background. The dominant non-English speaking country of birth in the City of Port Phillip was Greece, where 1.6% of the population were born, followed by China (1.0%), Poland (0.8%), Indonesia (0.7%) Germany (0.7%) and the Ukraine (0.7%).

As a migrant and the Chairman of the Council's Port Phillip Multicultural Forum, I am very aware the importance of our multi-cultural community. The Port Phillip Multicultural Forum draws its membership from this broad range of multicultural groups and agencies across the municipality. The committee advises the council on policies and plans that support our multicultural community. It also sponsors particular activities that benefit the multicultural community. For example nearly a quarter of the residents in the City of Port Phillip speak languages other than English at home. The Council therefore offers a free multilingual telephone interpreting service for council enquiries

I support the vision to reach out and build new bridges and relationships through reconciliation, between Indigenous and non-Indigenous peoples and the wider community. This is the vision of Port Phillip Citizens for Reconciliation, which works in partnership with the City of Port Phillip. It produces a monthly newsletter, distributed to a broad cross section of the community and holds monthly meetings in South Melbourne (9507 5567).

13. Public Transport

Planning for public transport for Port Melbourne, Southbank, Albert Part, St Kilda and Elwood is essential. I want to be your voice for a vastly improved public transport system in Melbourne. I believe that a priority for any state government is to create a state of the art public transport system to accommodate Melbourne's growth.

Together with colleagues on Council, I have been advocating for an upgrade of the Balaclava railway station. It is pleasing to see that the state government has recently announced that this will finally take place. But there are many other things that the state government should do.

At present there are separate administrative silos for trains, buses and trams. The services are poorly co-coordinated, the bureaucracy is bloated and the public transport sector lacks a long-term vision and lobbying power. For example a study by the Public Transport Users Association this year found that only 38 per cent of trains met a connecting bus. Our current system gives the decision-making powers to the private operators and government bureaucrats, who operate under a veil of secrecy.

I believe that the starting place for a revolution in Melbourne's public transport is to create a Greater Melbourne Public Melbourne Transport Authority, independent but reporting to Parliament. This is the model which has been so successful in Vancouver, London, Zurich, and Perth. The new Authority would comprise a team of independent experts with experience in co-ordinating the timetables and strategic direction of a large public transport network. The new Authority would receive direction from the

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

minister but have the power to direct the private franchises; organise a city-wide timetable that connects buses, trams and trains; order upgrades; and plan for the future. Like in Vancouver, the new Authority should be an open process in which the public can participate, like a local council. Anyone could address the Authority on any issue of concern.

The prominent public transport advocate Dr Paul Mees has said:

‘Multi-modal network planning is the key to public transport success in dispersed urban regions, and that this is only possible with a public agency in charge of tactical-level functions.

Mees contrasts Melbourne with Toronto. Melbourne’s transport system reflects a political decision to allow trams, trains and buses to operate as separate silos. This followed a Royal Commission in 1911 that led to the establishment of the Melbourne and Metropolitan Tramways Board with power only over trams. In contrast the Toronto Transport Commission, established in 1921, had control over all forms of public transport except taxis and therefore Toronto was able to plan for a comprehensive and interconnected public transport system (Mees, *Transport for Suburbia: beyond the Automobile Age*, Ch 6). It is time to establish a Greater Melbourne Public Melbourne Transport Authority to provide a high quality public transport network.

What would a twenty-first century public transport system look like? To make a real impact on traffic congestion, petrol consumption and transport emissions, our public transport system needs to be upgraded to provide every suburb across Melbourne with a time-competitive alternative to driving, for most of their trips. I support the program of the Public Transport Users Association aptly titled ‘Every 10 minutes to everywhere’. This is a detailed policy for the upgrading of all trams, trains and main road buses so as to run at least every 10 minutes, from 6am to midnight, 7 days a week. Nightrider buses would run half-hourly, 7 days a week. All suburban railway stations should be staffed. The result would be that Melbourne in four years time would be served by fast, frequent, safe, direct public transport routes.

In the electorate of Albert Park this would involve:

- Improving the frequency of the 606 bus from Port Melbourne to St Kilda.
- Constructing a tram superstop at the Acland Street Terminus of the 96 light-rail. This would mean that all the stops from St Kilda to the city are DDA compliant regarding safety and disability access.
- Constructing the Park Street Tram Link. This would be a 300 meter link of the existing tracks in Park St South Melbourne to permit more cross- town travel in the inner suburbs.
- Improving the connectivity of the Clarendon and Whiteman Street trams.
- Making more services available at night and on weekends.
- Develop a community program to decorate trams, tram shelters and bus shelters by local artists.
- Ensuring that the 96 light rail route remains one of the world’s great tram rides by using the most modern trams on that route.
- Retaining our historic W-class trams to promote our city.
- Measures to increase the capacity, reliability and speed of the tram system, especially at intersections.

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

A key issue for the future of the public transport system is whether Melbourne needs a new central city rail tunnel. The Department of Transport says that the present system cannot be expanded because there is a capacity crisis on the City Loop. The Eddington Report therefore proposed to spend \$8.5 billion on a new central rail tunnel linking North Melbourne, Parkville, the central city and the St Kilda Road corridor. The present state government has adopted this proposal. But is it a good idea?

Australia's most prominent public transport advocate, Dr, Paul Mees, has made a powerful critique of the proposal. He says that Melbourne is poised to repeat the mistakes of the 1970s when the equivalent of \$5 billion was spent on building the City Loop in anticipation of patronage increases that never came. Because the loop used up all the available funds, Melbourne has not built any new rail lines.

Paul Mees states that the current 'capacity crisis' is the result of inefficient operating practices. Because all the staff with the skills and 'corporate memory' needed to operate the system according to its original designs left at or before privatisation, neither the Department nor the private operators has the capacity to efficiently utilise the capacity that has already been provided at such huge cost. Mees shows that the City Loop and the inner city rail system has a capacity of 192 trains per hour, more than double the 94 trains currently operated in the busiest hour. He argues that the tunnel is unnecessary and will be another massive waste of money. He explains how we can run more trains to reduce overcrowding, and allow new suburban rail lines and other infrastructure to be built. (see <http://mams.rmit.edu.au/ccdyb1pnnt1f.pdf>). He says

The real problem with the Melbourne rail system is what the international expert Professot Vukan Vuchic calls 'self-defence of incompetence', as the Department of Transport and Connex collaborate to shield each other from suggestions that efficiency can be improved. Rather than fixing this problem, Eddington proposes to reward the incompetence with \$8.5 billion in capital funding.

Melbourne needs a dynamic, 'European-style' of rail governance and management. This will only come about through reform led by advice from internationally recognised experts. Although adequate funding is also important, in the absence of these changes the money will be wasted, and Melbourne will repeat the sagas of Myki, the City Loop and Regional Fast Rail.

I do not have the expertise to know whether Dr Mees is correct in this critique. However I believe his warning must be seriously considered. The Eddington Report had little input from public transport experts. The \$8.5 billion spent on this 'White elephant' could mean that there is no funding available for the range of measures in the Public Transport Users Association policy 'Every 10 minutes to Everywhere'. I therefore believe that the next state government should set up a committee of international experts to report on whether Melbourne needs a new central city rail tunnel. If Dr Mees is correct, and the tunnel is not needed, this will free up significant funds for other public transport infrastructure. However, if the conclusion is that the tunnel is needed, I also believe the current plan is inadequate. It is intended to build under St Kilda Road but only to the Domain interchange for the first stage. This should be extended to the St Kilda Junction if the tunnel is built at all.

Our current system is largely the product of a Royal Commission in 1911. Now, exactly a century later, it is time for another Royal Commission to ensure Melbourne has the public transport network it will need twenty-first century.

14. Sustainable Development and Climate Change

The Victorian government should get serious about sustainability. Let us begin with the important question of climate change.

There is consensus among scientists that there will be major changes in our physical environment over the coming years because of changes in our climate brought about by global warming caused by human activities like coal fired power stations. The power to influence these changes is largely in the hands of the Federal government but there are precautionary actions that the Victorian government should be taking.

CSIRO oceanographer Dr John Church in his book *Understanding Sea-level in Rise and Variability* has brought together the work of over 90 researchers. He explains that there may be major changes in sea level brought about by the melting of the ice caps, thermal expansion and run off from aquifers. The Bruun rule says that for every centimeter the sea level rises, there is a good chance of the shoreline retreating by up to a meter. Scientists say it is possible that over this century the sea level could rise by a meter. This would mean that the ocean could swallow 50 to 100 metres of coastline. During the lifetimes of children now going to primary school, large areas of Elwood, St Kilda, Middle Park and Port Melbourne could be affected. No one can be sure what the rise in sea level will be as it depends on what action mankind takes to mitigate global warming, or how quickly it might happen. Change will not necessarily happen gradually and slowly, it is possible that there could be sudden changes.

The precautionary principle must apply. Although we aren't sure exactly how and when all these climate changes will happen, there is enough evidence, like the cause and effect between smoking and lung cancer, that we should act now; we can't afford to wait until everything is proved and our suburbs are under water.

Since the Commonwealth Government has decided to delay the introduction of greenhouse gas emissions legislation, I believe that the state government can act to fill the void. I support the *Victorian Climate Change White Paper - The Action Plan* released in July 2010, which targets a reduction in Victoria's greenhouse gas emissions by 2020. The target is a 20% reduction below year 2000 levels.

I support the *Climate Change Act 2010*, which will implement this target by amending existing environmental legislation such as the *Environment Protection Act 1970*. This would give the Victorian Environment Protection Authority (EPA) power to regulate greenhouse gas emissions, and embed climate change considerations into Government decisions. The EPA's first step in exercising these powers would be to set an emissions intensity standard for new power stations that will effectively prevent

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

the construction of new brown coal generators in Victoria. This is important as electricity generation is the largest source of energy-related greenhouse emissions.

The second- largest source of emissions is transport. It accounts for a quarter of the world's energy-related greenhouse emissions. The Garnaut Review stated that 'transport emissions could be reduced faster and at lower cost if governments plan for more compact cities and invest in a shift from high-emissions modes to rail, public transport, walking and cycling'. I have discussed elsewhere in this document my policies for public transport, cycling and walking.

Beyond these initiatives I would press for a long term, ongoing State government process to investigate the issue and commit long term solutions. Local councils need advice now when considering proposed developments along the bayside. I will press for the establishment of a Bayside Commission with the ongoing brief to monitor and study how all these climate changes can be moderated or averted so that the potential inundation of large parts of our suburb can be averted.

Sustainable development covers many matters other than climate change. Environmentally sustainable design (ESD) is voluntary for new buildings. I believe that it should be mandatory for new buildings to include solar panels, water collection and similar matters. For example in the Southbank Structure Plan there are mandatory environmental performance standards for new buildings. Minimum standards are set for greenhouse ratings, energy consumption and water consumption. The plan requires green roofs on all new developments and that new developments generate 10% of their energy requirements on-site.

15. Heritage Laws

It is important that in a push for growth we do not destroy Melbourne's heritage. Many people are concerned that more than a dozen of Melbourne's important CBD buildings are under threat or consigned to demolition. For example former Premier John Cain has spoken out against the redevelopment of the Hotel Windsor.

The state government agency with the responsibility for heritage controls is Heritage Victoria. My experience with the St Kilda Triangle leads me to believe that there needs to be an urgent review of heritage controls in the CBD and the Albert Park electorate, and the operations of Heritage Victoria.

16. Protect our Parks and Beaches

As Melbourne grows there will be more and more pressure on our parks and our beaches. The State government must be vigilant in protecting our 'green' lungs and our 'yellow' lungs.

I have discussed above my concerns about the development of the JH Boyd Girls School site in Southbank. Council will sell to a private developer the right to build a

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

30 storey development at the rear of the site. It is selling off precious public open space that would better be used by the whole community. We must be vigilant to protect our existing public open space.

We should also seek out opportunities to create new public open space. For example the Southbank Structure Plan has identified opportunities to provide additional public open space. There is an exciting long-term vision to deck over City Link. This would provide a new social heart for Southbank with a big central park of approximately 7000 square metres. The cost of the decking would be offset by development on it. The new mixed-use precinct would include retail, restaurants, bars, commercial, residential and community infrastructure development. There is also a proposal to re-use the Victoria Barracks. This iconic building could house cultural and community facilities and the site contains a large green open space in the centre, which could provide further public open space.

The development of the Marina Reserve in St Kilda shows how parkland can be developed. There has been extensive community consultation about developing the reserve for a range of foreshore users, including providing skating facilities for young people. By reducing the size of the bitumen car park, we can more than compensate for the loss of green parkland for new skating and playground facilities. Parks should be for people not cars!

Port Phillip should be proud of its beaches, but beach cleaning is a significant cost. The state government pays only one-third of the cost of beach cleaning, the ratepayers of Port Phillip fund two-thirds. Since our inner-city beaches are a state-wide asset, I believe that the state government should raise its contribution to one-half. Similarly the maintenance of the Elwood Canal is the responsibility of the state government, and as your representative I will work to ensure that this is done properly.

Parks Victoria should be at the front line in defending public open space. However, I am disappointed in the performance of Parks Victoria. It has sidelined the local council and the local community in matters such as use of Albert Park. As your local member I will pressure Parks Victoria to change its method of operating.

In Albert Park there are various matters of concern. Parks Victoria was prepared to build a skate-park close to the St Kilda Park Primary School. Community opposition halted this. Parks Victoria appears ready to approve Cricket Victoria's attempted 'land grab' at Albert Park. With the departure of the Melbourne Football Club, Cricket Victoria wants to build offices and training facilities at the Junction oval. This threatens the tenure of the St Kilda Cricket Club, the oldest cricket club in the world at the same location. The Park should be used for community sport, including elite sport. It is not the site for the administrative headquarters of sporting bodies. There is no need for significant office space in the park as there is plenty available in Fitzroy Street and other neighbourhoods. The vacant facilities at the Junction oval could be shared between sporting groups and other community uses. Another issue is the expansion of the Melbourne Sports and Aquatic Centre (MSAC). The Council and the community can be sidelined because the Minister can approve this without any consultation under powers conferred on him for buildings for the Commonwealth Games. Parks Victoria should change its ways and include the Council and the community in decisions about public open space, especially concerning Albert Park.

Two particularly important issues are the Grand Prix at Albert Park and the St Kilda Harbour.

17. The Grand Prix in Albert Park

The Formula One Grand Prix is currently held in Albert Park. Our parks and gardens are vital and, as a matter of principle, our largest park is not the appropriate site for a Grand Prix. The original contract was entered into by the Kennett Liberal government and subsequently extended by the Bracks ALP government. But contracts can be re-negotiated or terminated (the St Kilda Triangle contract, for example) – the Grand Prix should be negotiated out of Albert Park.

The Grand Prix has a significant immediate impact on local residents, schools and traders. There is disruption for months to park users, especially with respect to community sporting facilities. This disruption increases every year as more and more park users are displaced. The South Districts Sports Club membership has grown substantially in recent years and use of sports fields has intensified with the recent completion of two new artificial turf sports fields. Many more users will be disrupted after the new State Sports Facilities project at Lakeside Oval is commissioned, scheduled for 2011.

There is also a significant financial cost to the Victorian taxpayer. The Annual Report of the Australian Grand Prix Corporation disclosed that the state government contributed \$52 million to the 2009 Grand Prix and the real costs to the Victorian taxpayer of the 2009 race have been estimated at \$73 million. Are there not better ways for the state government to spend over \$50 million dollars each year? How many schools, hospitals and aged care facilities could we have built?

The local community is effectively subsidizing the Grand Prix by virtue of the token rent that the Corporation pays under the legislation. The Grand Prix Corporation should be required to pay a commercial rent. This money could be used for improved remediation measures for the Park, for subsidies to sporting clubs and park users and for measures to protect local businesses.

The requirements of the Grand Prix must not swamp the legitimate interests of other users of this precious open space. One short-term measure that I support is to end the noisy fly-overs by jets during the Grand Prix because these cause such annoyance to many local residents and their children and pets.

18. St Kilda Harbour

The St Kilda harbour is a unique asset. The harbour has been associated with marine and recreational activities since the construction of the first pier in the 1850s. Parks Victoria has prepared a concept redevelopment plan but is ignoring valid community concerns about it.

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

In the past 40 years, numerous schemes have been proposed for the development of the St Kilda harbour by various authorities. None were implemented because of unresolved technical and environmental questions, doubts about financial viability and concerns that there were significant amenity issues for the general public. The current proposal appears significantly superior to these earlier schemes. It appears to have learned some lessons from previous failures.

The concept plan includes a new pier. The existing pier is reaching the end of its life. In around five years no vehicles will be able to use it. It is the responsibility of the state government to fund the construction of a replacement pier. Parks Victoria is struggling to get funding for this. I will fight strongly for urgent funding for the replacement of the pier at an estimated cost of \$15 million.

There are problems with the concept plan. I am concerned the marina redevelopment will involve a Public-Private Partnership aimed at private profit. Most importantly the proposal envisages a massive boat repair and storage yard built in the existing harbour.

The Plan envisages a hardstand area of approximately 8000 square metres. This is nearly eight times greater than the existing work yard in front of the RMYS building. This will extend about 120 metres into the existing harbour.

The hardstand consists of repair bays, storage for racing yachts, travel lift and cranes and other buildings. My concerns include the destruction of the present uninterrupted views, the impact on kite-boarding and various environmental issues. It would be an ugly visual intrusion that will spoil the visual sweep of the beach towards Port Melbourne. I strongly oppose the proposed hardstand.

There is potential to resolve these issues. Unfortunately Parks Victoria has simply ignored community concerns about the Harbour concept plan. Parks Victoria should change its ways – it should establish a working group on the St Kilda harbour with all stakeholders to develop options to enable the government and the community to make an informed decision on this important public asset.

19. Traffic Congestion: Cars, Trucks, Pedestrians and Bicycles

As Melbourne grows, we will experience more and more traffic on our inner city streets. The Bureau of Infrastructure, Transport and Regional Economics has estimated that the avoidable cost of traffic congestion in Australian capital cities will rise to \$20 billion a year by 2020. What can we do?

As discussed above, part of the solution is to develop a modern public transport system so that there is an alternative for commuters and other road users. We must optimize the role of public transport.

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

We must also ensure that heavy traffic does not create a series of separate islands of residents. As discussed above, I support constructing a pedestrian bridge or an underpass across Kingsway at Sturt Street to link South Melbourne and Southbank. I also support at least one pedestrian bridge over Queens Road, linking the St Kilda Road residential areas to Albert Park and South Melbourne.

Our inner-city streets are dominated by motor vehicle traffic. The result is that we often face a very poor walking and cycling environment. It is important to redress this by providing pedestrian and cycling routes through the inner city that are attractive, continuous and of high amenity.

A significant issue for the state government will be the impact of traffic calming measures in Southbank on St Kilda and South Melbourne. In particular, the Southbank Structure Plan identified City Road as a road that can be calmed – by narrowing the roadway to one lane in each direction, prohibiting trucks, and constructing bicycle paths. However, at present City Road is the alternative route for ‘placarded’ trucks that are restricted from using the CityLink tunnels. Placarded trucks are those that carry chemicals and other dangerous goods. If these freight trucks cannot use City Road, they will be forced into streets in South Melbourne and St Kilda to wind their way across town to the Monash Freeway. The City of Melbourne believes that trucks represent only 2 to 6% of the total daily traffic on City Road. Nevertheless it will be important for the City of Melbourne, the City of Port Phillip and the state government to work together to make sure that we improve the amenity of Southbank, but not at the expense of South Melbourne and St Kilda.

The long-term solution to the problems of freight trucks transiting through inner-Melbourne is to minimize the number of trucks. This may mean moving Melbourne’s main working port from Port Melbourne to Geelong and Hastings. As discussed above I do not support the alternative – of expanding Webb Dock, because this would generate an additional 2000 truck trips per day into our inner city suburbs.

20. The Arts

Arts matters. It is important that the state government supports all types of the Arts in our community. We are blessed in the Albert Park electorate with a flourishing Arts community. This includes the National Gallery, the Hamer Hall, the Victorian College of the Arts, the Melbourne Recital Centre, the Australian Centre for Contemporary Art, the Malthouse Theatre Company, the Palais, Gasworks, Linden, Theatreworks, Red Stitch Theatre Company, the National Theatre, the film and TV precinct in South Melbourne, numerous live music venues, arts galleries and performance spaces.

There is no doubt in my mind that the Arts are a cornerstone of our community. But we can do much more to nurture talent and we can stop playing politics with government funding and get serious about improving local and state facilities.

The Arts should be available and accessible to all. The government could provide increased funding to promote arts, music and theatre in suburban Melbourne and

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

regional Victoria. It could encourage private benefactors to help new art and provide financial support to promote Australian art abroad.

In Southbank, the Sturt Street Cultural spine began with the establishment of the Malthouse Theatre in 1990. I support the vision of the Southbank Structure Plan to enhance this new arts precinct by encouraging a broader range of creative industry activity. This will reinforce Southbank as an arts and cultural centre for Victoria. The Plan is to encourage a vibrant range of restaurants, retail and small arts and culture venues along and around Sturt Street between the existing big arts facilities. The leisure and cultural attractions of Southbank operate 24 hours a day. However they are not well serviced by public transport at night and on weekends. I believe that the state government should consider introducing a 24-hour public transport system servicing the Arts precinct.

Regarding the St Kilda Triangle, I have explained above my position that this must be developed as a cultural and entertainment precinct with significant public open space. The lead State government agency should be the Ministry of the Arts, which has been the responsible authority for so many landmark cultural infrastructure projects.

Regarding Gasworks, I know that we have had a successful stage One in this Arts and open space precinct. But now we are facing the next stage of development. For this we need significant financial support from the state government to upgrade our buildings.

We can be proud of our film industry. Its unique antipodean flavour is highly regarded around the world in both festival and commercial markets. As a member of parliament, I would emphasize the need to protect this industry, not just on its economic merits, but as a pillar of our cultural identity.

The film and television industry, which is primarily located around South Melbourne, could benefit significantly from increased government support. The state government could contribute more money to Film Victoria and the Melbourne International Film Festival Premiere fund. It could encourage Film Victoria to be more courageous in supporting innovative films, without waiting for other bodies such as Screen Australia to take the lead. It could develop a low budget film strategy (under \$800,000) and develop more mentoring programs for young film-makers. The government could also develop a program to support those in the industry when there is no immediate work. It could encourage regional partnerships for the co-production of films, especially with our Asian neighbours. We can be proud of our film industry but its weakness is in writing. Foreign producers arrive with prepared scripts and use our talented photographers, costumers, lighting experts etc. We are highly skilled in these areas. But we are not producing great screenwriters because the scripts have been written in Hollywood or Bollywood. The result is that Australian film and television productions, while world-class in other areas, often have poor scripts. The state government therefore can address this by targeting its assistance to the industry to improving writing for film and television. The state government could support the St Kilda Film festival to become one of the world's leading short film festivals, like the Clermont-Ferrand short film festival in France.

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

A particularly important issue is the future of the Victorian College of the Arts. The by-product of the Howard Government changes to Higher Education funding was that the Victorian College of the Arts found itself unexpectedly \$5.1m poorer in 2005. The resultant shotgun marriage with the University of Melbourne, ordained by the Victorian Parliament, was rich in expectation that the VCA would somehow be protected, but fatally lacked real planning in terms of finances, curriculum and course offerings. It is now clear that the University of Melbourne is not the right keeper of the VCA.

The University demonstrated a complete lack of understanding of elite arts education with its sledge-hammer attempt at imposing the Melbourne Model, its senseless distribution of spending and disregard for the ramifications of their actions on the arts economy and Victoria's claim to be the arts capital of Australia.

I believe that the Victorian Government must ensure that the VCA returns to being an independent institution, responsible for its own finances and with an industry-aligned curriculum. This includes addressing issues of land ownership (e.g. the Drama and Art buildings being located upon University land). At the very least the State should return the VCA to being an Affiliate (in name only) of the University of Melbourne, whilst petitioning the Federal Government for greater recognition for the College (such as inclusion in the Federal Arts Ministry funded 'Roundtable' which includes NIDA and AFTRS).

I believe we have a rare gem in the VCA and the state government should commit to recurrent annual funding to the College to ensure it is nationally and internationally competitive. This funding should be at a level set by an independent financial review of the College, likely to be about \$3-\$6m per annum. The VCA's success is paramount to Victoria's arts economy and therefore should be a Victorian Government responsibility.

The Arts make a major contribution to the liveability of Melbourne. As your elected representative in Parliament, I will be a strong advocate for the Arts.

21. Alcohol Licensing and Live Music

Part of the heritage of the electorate of Albert Park is the recreation and leisure industry in St Kilda, Port Melbourne, Southbank and South Melbourne. However the city-wide problem of alcohol-fuelled violence has led to restrictions on alcohol licenses. It is important we do not kill the goose that lays the golden egg. It is important that in an attempt to control alcohol-fuelled violence, we do not destroy the recreational heritage of the Albert Park electorate.

Everyone should feel safe when going out night and not have it ruined by a violent minority. Professor John Nieuwenhuysen was the architect of Victoria's liberal licensing laws with his ground-breaking report into the Liquor Control Act in 1986. He intended his reforms to lift Melbourne into a European-style city. However he has recommended that the government crack down on the booze barns. He says that

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

nightclubs catering for hundreds and even thousands of patrons are unhealthy and against the spirit of his reforms.

I agree with former Prime Minister Malcolm Fraser who has called for an independent public inquiry. This would have a broad objective of minimising the impact of alcohol abuse, and the associated social, health and financial costs, while reclaiming the liveability of Melbourne and its diverse hospitality culture. The terms of reference would include an evaluation of current laws and policies and their implementation relating to the sale and consumption of liquor. A revised policy would consider present and future social needs and conditions, including hours of operation, size of establishments, location and density, and service of food and water. Zero tolerance for public drunkenness should be considered.

I believe that the State government should target its alcohol licensing restrictions at the type of venues that cause problems and recognise that well run venues make a positive contribution to the liveability of Melbourne. We should consider ways to encourage a vibrant live music scene. Good live music venues make a major contribution to the liveability of Melbourne.

Currently, many small live music venues are threatened due to restrictive licensing rules, which should apply only to the booze barn venues. It is expensive for small venues such as the Tote in Collingwood to meet requirements for crowd controllers, CCTV, higher licence fees etc. I want to ensure that the licensing rules are targeted at problem venues and that live music flourishes in Melbourne. I support the recent changes negotiated by Patrick Donovan, Music Victoria Chief Executive and S.L.A.M.: at last, the link between music and alcohol fuelled violence has been severed.

As Paul Kelly has said:

'The venues most affected by one size fits all licensing laws are precisely those venues that encourage local culture and responsible use of alcohol. They are the venues that people go to hear homegrown music. Places where people know and look out for each other; where musicians and songwriters learn their craft; where ideas are exchanged. You might say they are community art centres. Melbourne's independent music scene has a world-wide reputation – rich, diverse and fertile. Don't kill it legislators. Don't destroy what makes Melbourne unique.'

As a Councillor in Port Phillip I have been responsible for an important step in the right direction. This is to begin regular meetings of the owners of the live music venues so that the Council, the local music industry and the community together can encourage a good live music scene in our neighbourhoods. I also fought very hard to keep the Vineyard as it is, because this is the way locals and their friends want it!

22. St Kilda Festival

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

The St Kilda Festival was started thirty years ago when St Kilda had a disreputable reputation and the festival was largely aimed at changing that perception. What should be the nature of the Festival today?

In recent years the Port Phillip Council has taken significant steps to improve the festival from the perspective of local residents. Measures have included improved cleaning up, earlier finishing times, noise controls, a wider range of entertainments, controls on drunkenness, and resident participation in decision-making. It is important that these improvements in management continue and there be increasing local content.

The Festival is under threat because it has limited funding. The state government contributes only \$100,000 to the Festival out of a total cost of \$1.5 million. This would be a generous contribution if the festival were only a local celebration as was its original purpose. However a review of the festival stated that:

'What began as a two-day celebration of local culture designed to help shift the public perception of St Kilda, has since become a week-long event with multiple programmatic offerings culminating in Australia's largest outdoor cultural event.'

Over its thirty-year life, the festival has grown into an event of state significance. It is therefore appropriate for the state government make a significant contribution if it wishes to maintain and improve an event of state significance.

It is relevant to compare the level of state government contributions to the Grand Prix. If the state government were to contribute to the St Kilda Festival only 1% of its contribution to the Grand Prix, this would amount to over \$500,000, sufficient to fund most, if not all, of the recommendations in the Review Report for the future of the Festival.

Having been a member of the St Kilda Festival Reference Group, I believe there should be a substantial increase in the level of state government contributions to the St Kilda festival.

23. Controls on Gambling and Pokies

It is the responsibility of the state government to regulate gambling. The Productivity Commission has found that about 40% of the money Australians lose each year on pokies comes from problem gamblers. The social cost of problem gambling was estimated to be at least \$4.7 billion each year. The Commission also seriously questioned the community benefits that clubs claim to provide.

The Productivity Commission recommended a pre-commitment system and I support that recommendation. The federal government has pledged to introduce a national pre-commitment system by 2014. However there are constitutional issues involved and the federal government is seeking legal advice on how to enforce this if the states refuse to act.

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

Each state is to decide whether or not to voluntarily implement the national pre-commitment scheme by early 2011. By May 2012 the Commonwealth will legislate to impose this on recalcitrant states. The scheme will be implemented nationally by 2014.

I believe that the state government should introduce a pre-commitment system in line with the proposed national system. This will allow players to set their spending limit in advance and to shut them out for a period once they reach their maximum.

The Productivity Commission made other recommendations that the Federal government has not adopted. These include a \$1 limit per bet, restrictions on feeding anything more than \$20 into note-acceptor machines at the one time, and mandatory six-hour lockout periods at pubs and clubs. I believe that the Victorian government should take the opportunity to adopt these, especially the \$1 bet measure. There is currently a Bill before the Tasmanian Parliament imposing a \$1 limit. The Productivity Commission recommended that this new \$1 per bet limit should be introduced to all new machines from 2012 and to all machines by 2016.

I believe that the \$1 limit allows non-problem gamblers to enjoy a night at the pokies but provides important protection for problem gamblers. The Chairman of the Inter-Church Gambling Taskforce Mark Zirnsak has said:

The evidence is it's only a tiny minority of people of people who bet over \$1 a time, so it gives some protection for the heaviest gamblers'.

The State Government is also making it more difficult for Victorians to keep pokies out of our pubs and clubs. In May 2010 the government auctioned licences to operate 27,000 pokies machines outside Crown Casino from 2012, ending the Tattersalls-Tabcorp monopoly. It is likely that pokies will be disproportionately concentrated in poorer suburbs and towns, where the consequences of addictive gambling are the most devastating. In our electorate we face a wave of applications for pokies, especially in South Melbourne. I do not think we should allow a significant expansion of pokies venues in our Albert Park electorate. I support the progressive reduction of poker machines in this electorate to a level commensurate with the national average.

The government has also imposed new time limits on councils wanting to oppose pokies. Councils have only 37 days to decide whether to fight pokies and 60 days to lodge an objection. Previously there was no time limit. The result is that it will be very difficult for Councils and community groups to successfully oppose at VCAT applications for pokies in our pubs and clubs.

The problem is that both the Liberal and Labor parties only pay lip service to controlling problem gambling. They have introduced only tokenistic controls on it. One reason is the lobbying power of the gaming companies. Kate Lahey said in the *Age* that:

Gaming companies and club and hotel associations give hundreds of thousands a year to Labor, and lobbying against a mandatory system is expected to be intense.

Another reason for the reluctance of state governments to control problem gambling is that they wallow in the money that they receive from gambling. The Australian

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

Bureau of Statistics shows that Victoria collects over \$1 billion from poker machines each year. We have to break this political addiction to pokies revenues. We should not rely on problem gamblers to fund our state government programs.

While state governments collect substantial revenues from gambling, there is significant evidence that the cost to the community far exceeds the revenues collected. The costs include the additional medical services, the social services such as dealing with the impact on families, the costs of fraud and prosecutions etc. Let me give with one example of the problem. It is grotesque that a major hospital like the Alfred relies on the sponsorship of a gambling firm like Tattersalls for funding, when one suicide out of every five is the result of a gambling problem. This is not the sort of society we should aspire to.

The position of Crown Casino is particularly concerning. When in opposition, the Labor party attacked the special deals that Crown Casino was able to extract from the Liberal government. Under these arrangements, Crown pays just \$1 a year in rent until 2033 for its prime site on the Yarra River. But in office the Labor government has continued to strike special deals. The principal shareholder in Crown Casino is James Packer. Another of his companies, PBL Ltd, donated \$100,000 to the Victorian Labor Party just days before the election of the Bracks government. In office the Labor government has waived Crown's failure to build a second hotel tower and theatre, exempted the casino from the 2am lockout for bars in 2008, allowed Crown to be the only indoor venue in the state where smoking is permitted, permitted Crown to retain ATMs when banned in gambling venues generally and approved expansions of Crown's gambling facilities. In particular, in 2009 the government approved an additional 150 gaming tables, an increase of 40%, with the government receiving in return an additional \$60 million each year. The special deals for Crown Casino must stop. The government's addiction to gambling revenues must stop.

There is a proposal for a second casino in Victorian in Mildura. The government has set up an inter-governmental committee to consider the proposal. The Liberal party has said that it would not rule out granting a licence to a new casino. I strongly believe that we must not approve another casino to add to the problems that we are already experiencing.

If you want the state government to deal with problem gambling, vote for me, an independent. In contrast to the two major political parties, I support all of the proposals of the Productivity Commission to control the tragedy of problem gambling.

24. Street Violence and Street Prostitution

Public safety is a fundamental right of all citizens. All residents have a right to feel safe on our streets and public transport. This is a fundamental state government responsibility.

Unfortunately, our community has experienced an increase in street violence and assaults. The electorate of Albert Park has many 'hot-spots'. There is a bi-partisan

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

promise that the state government should recruit 1700 additional police officers. This offers the possibility of one or two new police stations in our 'hot-spots'. However it is also important to deal with the causes of crime. Investing in mental health, unemployment, homelessness and drug and alcohol services is a cost-effective way to reduce street violence and many other social problems.

Related to the issues of street violence is street prostitution. There is no easy answer. We would all agree that in the ideal world there would be no street prostitution. Every one of these girls and boys has a tragic tale to tell. What can be done?

Some have proposed 'tolerance zones' and 'safe houses' in residential areas. This is strongly opposed by many local residents, who argue for more vigorous policing and believe that this approach fails to address the reasons that drove young people into street prostitution. This impasse has meant that we have attempted little in recent years to deal with the problem.

The UK Government has recently completed an extensive policy, research and consultation process underpinning a new *Coordinated Prostitution Strategy*. This states:

The strategy will focus on disrupting sex markets by preventing individuals, and particularly children and young people, from being drawn into prostitution; by providing appropriate protection and routes out for those already involved; by protecting communities from the nuisance associated with prostitution; and by ensuring that those who control, coerce or abuse those in prostitution are brought to justice.

The key to the UK Strategy is coordinating Government action with local partnerships, and across the key areas of government, to pursue four linked approaches:

1. prevention: awareness-raising, prevention and early intervention measures to stop individuals, particularly children and young people, from becoming involved in prostitution.
2. tackling demand: responding to community concerns by deterring those who create demand and removing the opportunity for street prostitution to take place.
3. developing routes out: proactively engaging with those involved in prostitution to address immediate welfare needs and provide a range of support and advocacy services to help them leave prostitution.
4. ensuring justice: bringing to justice those who exploit individuals through prostitution, and those who commit violent and sexual offences against prostitutes.

I believe that we could launch a pilot program based on the UK experience. This could be 'bolted on' to or built up from the various strands of existing services and programs already in place. We must challenge the view that street prostitution is inevitable and achieve a significant reduction in street prostitution.

25. Government Budgets and Government Waste

How can we fund the physical and social infrastructure required if Melbourne is to have a people-friendly medium density growth? Governments in recent years in Australia have had a fetish for keeping budgets in surplus. This is neither good economic policy nor good social policy.

Political parties prefer spending to taxing, so politicians develop ways to disguise deficit financing. We have seen how Greece and other countries in the Euro zone are in crisis because they have massive 'off-budget' financial deals. They raised cash without any corresponding debt appearing on the budget by sales of future revenue, such as airport fees and lottery proceeds, and Public Private Partnership deals. Similarly Australian states have made an art form of transactions designed to disguise debt and evade limits on borrowing through Public Private Partnerships (PPP), Build Own Operate and Transfer (BOOT) schemes and quasi-privatisations. This is not how we should fund the bulk of our government programs.

We should distinguish between current and capital expenditure. It is important that the government 'lives within its means'. Borrowings and sale of government assets should not be used to fund current expenditure such as the salaries of our teachers, police and health workers. The current generation should pay for the services that it consumes.

It is different with capital expenditure. Our new schools, roads, ports, public transport systems, hospitals and power stations will not just benefit the current generation. This infrastructure benefits current and future generations. This infrastructure also creates wealth through a better educated, healthier and more productive community. Therefore it is appropriate to fund this new capital infrastructure in part by public borrowings. This means that future generations help to pay for the new infrastructure that we will be building for them.

The alternative is to avoid debt and budget deficits by limiting the building of new infrastructure or by privatising it. Victoria has led the way in Public-private partnerships (PPPs). The theory is that the private sector can better manage the building new infrastructure.

However history has shown that PPPs can be an expensive way of financing social infrastructure such as public schools and public hospitals. Governments can borrow money at significantly cheaper rates than private developers. Had the Government borrowed the money and then used the same architects, the same designs and the same construction companies, then the cost of these projects often would be significantly less. Take, for example, the expansion of the Royal Children's Hospital and the Royal Women's Hospitals through PPPs. Economist Ken Davidson has found that using the off-budget PPPs will cost substantially more than conventional public borrowing. It will cost an additional \$60 million a year every year through to 2035. What a waste!

Another example of the waste created by using off-budget financial deals is the \$18 billion desalination project. Victoria's Auditor-General has reported that Melbourne didn't need the water, that the plant would be an environmental disaster and the cost would put a massive burden on Victorians for the next three decades either as water

consumers or taxpayers. Our politicians and bureaucrats have been ‘stitched up’ by the financiers who put together this public- private partnership. This is a wonderful project for the bankers but a disaster for us taxpayers in the long term.

I believe that while PPPs may be useful in some circumstances, we should predominantly use public sector financing for our required infrastructure. An important aspect of this is the federal government’s examination of infrastructure bonds to raise funds for our \$450 billion infrastructure backlog. This would be similar to the tax-effective scheme introduced by the federal Labor government between 1994 and 1996 that raised nearly \$26 billion and the proposal by the NSW Opposition to raise money from self managed superannuation funds to build hospitals and other critical infrastructure.

The lesson is that we should return to conventional public finance to build the new infrastructure our growing Melbourne needs. Budget deficits are not an evil to be avoided. We should recognize that public debt is appropriate if it is used properly – to create a better educated, healthier and more productive community.

26. The Democracy Deficit Disorder

We have a democracy deficit disorder in Victoria. Our governments have become unresponsive, unaccountable and secretive in their decision-making. John Brumby, as opposition leader in early 1999, published a booklet called *Restoring Democracy*, in which he claimed that Jeff Kennett had ‘downsized democracy in our state’. He promised a Labor vision of ‘a new partnership for democracy involving ... government and the people’. But the same downsizing of democracy has happened under his leadership. We can do better.

Our system of planning has major problems as shown by the St Kilda Triangle and the approval of towers in Port Melbourne and Southbank that vastly exceed the height controls. I want to challenge the undue influence developers have on the Planning Minister and the Victorian Civil and Administrative Tribunal (VCAT). I want to challenge the way that the Minister is able to over-ride agreed plans which have been reached after extensive community participation. I want to ensure that there is proper planning for the future of the electorate of Albert Park, especially the growth areas of Southbank and Port Melbourne.

I believe that we have fantastic opportunities for good development in the Albert Park electorate – and that local councils and the community have a key role in this. This may require changes to our laws relating to development. These include:

- Review our Planning laws
- Remove the Planning Minister’s power to ‘call in projects’
- Reform VCAT
- Reform the laws on funding of political campaigns
- Strengthen controls on lobbyists
- Establish an effective Anti-corruption Commission:

27. Review our Planning Laws:

The wrong way to reform our planning laws is to sideline our councils and our communities and to give more power to private developers. Yet this is the path the state government intends to take after the election. Legislation to remove planning powers for large developments from local councils is cynically sitting on Planning Minister Madden's desk just waiting to be introduced if Labor is re-elected.

The government has released draft legislation for new Planning laws. The Minister for Planning has a 'working group' that will report back to him after the election. It is proposed that private developers could prepare amendments on height limits, commercial or residential developments and subdivisions. The amendments would just have to be approved by the Planning Minister after exhibition.

The Municipal Association of Victoria and the Planning Institute of Australia are opposed to this approach. The changes proposed by the current Government will effectively confine local councils to dealing with front fences and back verandahs, powerless to deliberate on large developments like the towers proposed for Port Melbourne, Southbank, South Melbourne and St Kilda Road.

I think that we do need to have a review of the Planning Act. I believe that this would show that local councils and the community play an essential role in planning. I believe that the government's proposal to privatise planning scheme amendments is fundamentally flawed.

28. Abolish the Planning Minister's power to 'call in' projects

Any review of planning laws must also consider the powers of the Minister to intervene in planning decisions. The Windsor Hotel redevelopment fiasco has revealed fundamental problems with Victoria's planning system. We now know that the Planning Minister, Justin Madden, had a media plan, written by his adviser, which proposed a sham consultation process over the \$260 million Windsor Hotel redevelopment. This is not how proper decisions should be made.

Every government since John Cain's has increased the centralisation of planning power in state government ministries, initially at the expense of the Melbourne and Metropolitan Board of Works and increasingly at the expense of local governments and local communities. Increasingly, proper planning processes are circumvented in an effort to fast-track development, especially for major projects.

The Planning Minister currently has the power to call in and approve any development project. No other portfolios need this level of direct ministerial intervention in the decision-making process.

It does not matter whether there is a Labor or Liberal government, the result is the same, a developer driven process that lacks any transparency. The Kennett government had a metropolitan strategy called *Living Suburbs*. The Labor

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

government introduced *Melbourne 2030*. Both documents have photos of smiling families and historic buildings and are full of ‘feel good’ statements about integration and sustainability. But the reality is otherwise.

When in opposition the Labor party promised to abolish the power of the Minister to ‘call in’ projects. It attacked Liberal Planning Minister, Robert Maclellan, for his imperious disdain for councils and communities and his willingness to call in projects. But when in office the Labor party has behaved the same way. Planning Minister Justin Madden has regularly called in projects and sidelined local councils and VACT.

It is time to abolish the Minister’s power to call in projects. The Planning Institute of Australia also supports an approach to de-politicise planning. This would involve the appointment of an independent regulator, similar to the Auditor General, to oversee planning. It would also involve protecting the crucial roles of local councils and VCAT in planning matters. If there are projects of such significance to the state that they should be removed from the normal consideration of the community, the Council and VCAT, then that should be done by an Act of Parliament, not by a secretive decision in the office of the Planning Minister, whether Liberal or Labor.

29. Protect the Role of Local Government

As a Councillor I know how important the third tier of government is. Victoria has 79 municipalities with responsibilities covering a wide field including planning, human services and the environment.

The status of local government is recognized in the Victorian constitution. Part 2A of the Constitution Act which covers local government, cannot be repealed or amended unless the change is approved by a majority of Victorian electors voting in a referendum. The Constitution states that local government is ‘a distinct and essential tier of government consisting of democratically elected Councils having the functions and powers that the Parliament considers are necessary to ensure the peace, order and good government of each municipal district’.

In 2003 the Parliament made the most fundamental and extensive amendments to the Local Government Act since its inception. They included electoral reforms to ensure more democratic representation; governance changes to improve transparency and probity; and more accountable financial management and public reporting.

I believe that the state government should do more to acknowledge the importance of local government. Too often the state government has overridden or ignored local councils and local communities, especially in planning matters. I believe that in doing this, the state government has broken the spirit of the Victorian Constitution. I believe that there should be improved communications with Councillors, the Victorian Local Governance Association and the Municipal Association of Victoria. I believe that too often the state government delegates responsibility for programs to local government, but does not provide sufficient funding. There should be a review of the resourcing of local government, especially for major projects like the renovation of the South

Melbourne market or the new clubhouse for the Port Melbourne/South Melbourne Lifesaving Club. Furthermore there should be measures to encourage more people in the community to contribute to our democracy by serving as Councillors.

30. Reform of VCAT

VCAT was established more than 11 years ago as a modern, accessible, efficient and cost effective one-stop shop providing justice services to Victorians. As Melbourne grows, it is inevitable that there will be complex and emotional planning disputes. It is absolutely important that the community has confidence in VCAT decisions on these disputes.

However there have been concerns about the operation of VCAT in planning matters. There were issues with the consistency, predictability and quality of tribunal decision making. There were issues of competence with over 100 of the 227 decision-makers having limited legal qualifications. There were also concerns about delays and costs for thousands of tribunal users. Some decisions important to the public interest were not being appealed because it is too difficult and costly. Many residents' groups were critical of VCAT decisions, claiming that there was a pro-developer bias.

Therefore former head of VCAT, Justice Bell, conducted a review which considered ways to promote less adversarial approaches to dispute resolution and ensuring broader access to justice. Justice Bell made 78 recommendations concerning VCAT. His recommendations included an internal appeals tribunal, a complaints system, and the possible creation of a civil legal service to advise self-represented applicants. He noted that that VCAT's legitimacy was undermined because it does not have a system of precedent, meaning no decision of a member binds other members.

The new head of VCAT, Justice Iain Ross, plans a major overhaul to implement these recommendations. The state government began by introducing a major cases list to reduce delays in planning applications worth more than \$5 million.

Justice Ross has prepared a strategic plan, *Transforming VCAT*, which aims to provide better decision-making and greater accountability among tribunal members. Its 77 initiatives were released in September 2010. They include a streamlined complaints system, deepening community links, promoting alternative dispute resolution and an appraisal system for members' performance. VCAT will publish annual report cards to detail the progress made in implementing *Transforming VCAT* initiatives.

I applaud the thrust of the *Transforming VCAT* strategic plan and hope that Justice Ross will be successful. As your representative in Parliament I will be very interested in the successful transformation of VCAT.

31. Funding of Political Campaigns

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

I believe that developers should be banned from donating to political parties. Builders and property developers have lavished millions of dollars on the Labor Party in Victoria during its decade in office. Just eight large developers such as Central Equity have paid more than \$1.2 million to the Labor Party in Victoria. Monash University governance expert and former Labor Party MP Ken Coghill has said that it is time to ban these political donations because of the impact they have on public confidence. I agree strongly. Indeed perhaps all corporate and union donations should be prohibited.

Political donation disclosure laws are a joke. The Victorian State election will be held in November 2010, but loopholes in election campaign disclosure law mean that donations to political parties will not be disclosed to the public until 2012. This lack of transparency is undemocratic, and must not be allowed to continue.

For example Labor's fund raising arm is called Progressive Business. In April 2010 the Lindsay Fox family hosted an exclusive \$5000 a head fundraiser for the Labor Party. Melbourne's corporate elite hob-nobbed with Premier Brumby and government ministers. Where is the voice of the ordinary voter in this? It is lost.

As former Labor Planning Minister Mary Delahunty has said in her recent book:

Some of the developers happily conflate their financial self-interest with limited community advantage, and bristle should the government wish to include wide-enough-to walk footpaths, social housing or sustainable design to embellish their nirvana. Many developers are imaginative, but most have brutal expectations about the pace of change and reward. Some loved to have a word in the ear of party leaders, Labor and Liberal, if the opportunity arose at a public or private function; congratulating them on how well the government was going and adding a throwaway line about their latest donation to the particular party. Such bonhomie could occasionally result, a day or two later, in a friendly call to the Planning minister's office from a government adviser interested in certain planning matters.

This is not the way that we should develop our city. We should modernize our laws on political fundraising and disclosure.

I believe that we should have a Canadian-style campaign funding model. Under that model only individuals, not companies and unions, are permitted to donate to political parties, and then only to a maximum of \$1000 a year. Individual union members or shareholders should be able to choose for themselves which candidates, if any, they want to fund. Since parliamentarians are supposed to operate in the public interest, the bulk of campaign funding should come from the public purse, not private vested interests.

There is limited provision for public funding of election campaigns at present in Victoria. Candidates who get more than 4% of the primary vote receive about \$1.50 for each vote. This assists the political parties and serious independent candidates. But the system can be improved. I believe that we should adopt the French system to help independent candidates get their message to the electors. In such a system, the Electoral Commission would do a mail-out to every voter that would contain an application for a postal vote and a statement from each candidate. The statement

could be limited to (say) 1000 words. This would make our elections much more democratic. At present, usually only the political parties can afford to do a mail-out to all the registered voters.

32. Controls on Lobbyists

Large property developers employ lobbyists to secure favorable decisions from governments. These lobbyists have easy access to government ministers and officials.

There is a system for the registration of lobbyists. In Victoria there are 65 registered firms, many with former MPs. However there are many inadequacies with the system.

Let me share with you my experience as President of unChain St Kilda when we were trying to get a sensible development of the St Kilda Triangle. The developer was represented by Communications and Public Relations (CPR). CPR consists of former members of Parliament, bureaucrats and journalists. Typical of the CPR staff is Scott Stirling of whom the website boasts:

'A Senior Adviser in CPR's Melbourne Office, Scott has a detailed understanding of Victorian Government policy and processes. A former adviser to the Victorian Cabinet Secretary and current Minister for Local Government he has a strong network of contacts within Victorian Government circles'.

unChain tried repeatedly to get an appointment with the Planning Minister or the Premier to discuss our concerns and suggest an appropriate alternative. We could not get a single meeting. In contrast I am sure that CPR, with its well-connected operatives like Scott Stirling, had an open door to present its client's position.

But the story gets worse. Our attempts to explain our concerns with Port Phillip councillors were met with stony opposition. Unknown to us, key Port Phillip Councillors had undisclosed conflicts of interest involving CPR. These were only revealed by the Ombudsman's Inquiry into the St Kilda Triangle in 2010.

Labor Councillor Darren Ray was a former Mayor of Port Phillip and campaign manager for Martin Foley in the by-election. The Ombudsman found:

'My investigation identified that Mr Darren Ray, a City of Port Phillip councillor from 1999 until November 2008, was engaged by BBC's public relations consultants (CPR) as a 'Planning and Development Advisor' during the tender process. Mr Ray did not declare a conflict of interest throughout the process and did not inform or seek advice from the probity auditor ... he was paid \$23,265 by CPR'.

Labor Councillor Dick Gross was a member of the St Kilda's Edge Committee that selected the Babcock Brown Citta consortium as the preferred developer of the Triangle. The Ombudsman found:

My investigation identified that Mr Dick Gross, former councillor and member of the St Kilda's Edge Committee, failed to declare his relationship during the tender process with the National Manager, Public Affairs, CPR (the CPR

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

National Manager) – BBC’s public relations consultants. While Mr Gross stated that he did not speak to the CPR National Manager about the St Kilda Triangle development, in my view he should have disclosed the contact ... Mr Gross met with the CPR National Manager again on 9 August 2006. At interview, Mr Gross said he arranged this meeting to seek advice from the CPR National Manager about how he might ‘win’ the presidency of MAV – a paid position.

This is not the way forward for our city. There should not be a hidden planning system with lobbyists having special and secret access to Ministers, councillors and bureaucrats. We need tighter rules and greater transparency covering their activities.

33. Controls on Ministerial Advisers

There have been claims that the Victorian taxpayer is funding a Labor party ‘dirt unit’. This is a secretive operation run out of Premier Brumby’s office aimed at discrediting opponents in the state elections. It is likely that a Liberal party in government would establish a similar unit.

The Age reported that

Premier John Brumby and his ministers have more than 200 private staff and most of them engage in what should be the work of party-funded Labor workers: monitoring media and opposition activity, investigating opposition members and election campaigning. This is an act of fraud against taxpayers and in any other context would be treated as such.

The Ombudsman has recommended a code of conduct for ministerial staff, but this has not been implemented. Ministerial advisors are paid by the taxpayer not the Labor party or the Liberal party. They therefore should be barred from political work on behalf of the Liberal or Labor parties.

34. Truth in Political Advertising

The Victorian Parliament should enact truth in political advertising laws. Elections are a key element in a democratic system. Political advertising that purports to state ‘facts’ should be required to accurately represent the truth. Why should companies be prohibited from misleading advertising but our politicians permitted to mislead and deceive?

In South Australia the *Electoral Act* makes it an offence to authorise or publish an advertisement purporting to be a statement of fact, when the statement is inaccurate and misleading to a material extent. This Act has been in force for 25 years and demonstrates that truth in political advertising laws can work.

I believe that Victoria should enact similar legislation. This would improve our political standards and restore trust in our political system.

35. Establishing an Effective Anti-corruption Commission:

After years of refusal the Brumby government has announced that it will finally set up an anti-corruption commission. Monash University Professor Colleen Lewis has said
In no other state I can think of have we had such serious issues with government denying the need for any kind of corruption body.

Through the gangland wars and the failed prosecutions of allegedly corrupt police officers, Victoria's Labor Government rejected calls for an independent anti-corruption commission. Governments, whether Labor or Liberal, do not like to set up commissions that they cannot control.

The Labor government's proposal is for a complicated body with no power to investigate past abuses and limited power to investigate Members of Parliament. For example the proposed commission could not investigate Planning Minister Madden's role in the scheme to run a bogus public consultation process on the Windsor Hotel.

Queensland and NSW provide numerous examples of the bribery and corruption of government officials involved in development approvals. For example The New South Wales Independent Commission Against Corruption recently investigated widespread corruption in the Wollongong City Council. It is essential to establish an effective anti-corruption commission in Victoria if the community is to be confident that our government decisions are being made properly.

The Ombudsman has said that the proposed anti-corruption commission will result in less scrutiny of government. It will fragment jurisdictions and reduce public accountability. I believe that it is essential to set up an effective anti-corruption Commission in Victoria.

36. Direct Democracy: Citizens Initiated Referendum

I support the proposals for a Citizens Initiated Referendum consistently put by Ted Mack. Ted Mack became the first independent member of the NSW Parliament from the Sydney region in 1981 and in 1990 was the first independent elected to the Federal Parliament, for over half a century.

Citizens Initiated Referendum is part of the movement towards direct democracy, as opposed to representative democracy. This allows the public to put questions to referendum, as opposed to the executive government's monopoly of the initiation of referendum questions that now exists.

Ted Mack has said:

The public is recognising the structural defects of the political system. The centralisation of power within the major parties, the overwhelming of parliamentary government by the rigid party system, the negativism and

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

personal abuse inherent in adversary partisan politics, the domination of public decision-making by small elites, major party collusion depriving the public of choice, the now institutionalised "broken promise syndrome", the failure of governments to be able to handle organised minority groups, and undemocratic electoral systems where only by chance, or usually in spite of devious manipulation, does the resulting government reflect the will of the people.

Citizens Initiated Referendum was seriously discussed and almost incorporated into the Australian Constitution in the 1890s. The Australian Labor Party at that time incorporated it into its platform, where it remained until 1963. It is one of the main planks of the Swiss system of government. It is used in a number of countries, particularly in about 100 local and 24 State governments in the United States.

It is therefore hardly a radical idea, and is firmly rooted in the democratic concept that a decision made by the people as a whole will be right more often than a decision made by any elite group no matter how wise. The major political parties will always oppose it because they have a basic distrust and fear of the public, a refusal to relinquish any political power, and a strong elitist approach.

The arguments put forward by proponents of direct democracy come from an incredibly wide political spectrum, such as writers Bryce Courtenay, Morris West and Tom Keneally and academics such as Geoffrey Walker, Professor of Law at Queensland University, and Cheryl Saunders, deputy chair of the Constitutional Centenary Foundation and Professor of Law at the University of Melbourne.

Let me give one example of the success of Citizens Initiated Referendum. Why is the public transport system in Zurich arguably the best in the world? The answer, in part, is Citizens Referenda.

In the 1950s transport planners in Zurich were following the ideas of their counterparts in other cities. They were planning for a 'balanced' system of freeways and underground railways with the elimination of trams. In 1962 they had developed a plan costing 544 million francs. A cantonal law required all projects costing over 10 million francs to be approved by referendum. It was soundly defeated with a No vote of 61 per cent. A second referendum was defeated in 1973. Subsequently an alternative proposal was developed based on the 'small-is-beautiful' message of E.F. Schumacher. This provided upgraded tram, trolley-bus and bus services, exclusive lanes, priority at intersections and higher service frequencies. In 1977 it was passed at a referendum despite a recommendation from the city council that citizens reject it. The success of the referendum then changed transport policy and practice. The city council adopted an explicit policy of giving priority to public transport in the allocation of funding and roadspace. In 1991 the council and the transport authority sponsored a successful referendum to extend this priority program. The authority developed an integrated network of public transport resulting in perhaps the highest patronage rate in the world (see Paul Mees, *Transport for Suburbia: Beyond the Automobile Age*, Ch 8).

Our democratic system can be improved. I believe that we should adopt a system of Citizens Initiated Referendum in Victoria.

37. My Philosophy: Elections should provide a voice for local communities

Let me spell out my philosophy, which runs through all the specific issues I have discussed above.

I believe that we elect governments to look after our interests. We expect them to listen to us and to take decisions based on our needs. We want our state government to govern for all Victoria but also to respect the fact that different communities have different needs.

We don't want governments to take decisions simply in their own interests – to attract party funding, to spin their way to re-election. We expect them to listen to communities, to be open in their decision making, to use public advertising for our benefit, not their own political advantage.

The Productivity Commission has supported the principle that government decisions should, where possible, be taken closest to those affected.

I believe that the large political parties are losing contact with local communities. Democracy depends on local representatives responding to local community needs, and that means childcare, schools, roads, recreation and leisure facilities, drains, libraries and parks – all of which contribute to quality of life.

State governments must respect the views of local communities - in planning decisions, traffic management, meeting family needs, traffic, business development, open space, quality of urban design execution in public spaces, and the provision of community facilities and meeting places for social, cultural and recreation purposes – and listen to local governments.

Local communities need greater certainty in regards to good urban design outcomes and matters such as 'sense of place' and 'neighbourhood character'. Different communities have different needs, and insensitive governments should not smother those community voices.

I believe that our quality of life will be enhanced when the people affected by decisions of governments and businesses are given the opportunity to influence those decisions, and the decisions are taken with some understanding of their impact on communities. Local communities and local governments have a key role in an effective democracy in the twenty-first century.

38. Conclusion: 'What is to be Done?'

We face huge threats and opportunities in our inner city Melbourne. Our current political system is not doing well enough. Short-term opportunists control our political parties. Self-interested developers dominate a shadow planning system. We

Serge Thomann Policies for the 2010 Victorian Election
DRAFT ONLY DATED 18 OCTOBER

do not have enough resources for our social and physical infrastructure. We face the threat of badly planned development in Southbank, Port Melbourne, South Melbourne, Middle Park, Albert Park, St Kilda and Elwood.

But we also have a host of opportunities. I believe we can have great buildings, an exciting community, first-rate schools, a twenty-first century public transport system, a vibrant arts and information technology sector, a safety net for those in need and much, much more.

We are lucky. We can have a people-friendly medium density growth of our city, provided we get it right.

This is why it is important to have an independent voice in Parliament for Albert Park. I am optimistic that we can get it right.

The founder of Melbourne, John Batman, said in 1835: 'This will be the place for a village'. It is our task to continue its growth into a fair, sustainable and prosperous city of the twenty-first century.

Serge Thomann