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SAVE WILLIAMSTOWN



Demolition Threat to Manufacturing Jobs Press Release Save Williamstown

Thursday, 2 February 2012

Save Williamstown Press Release Thursday 2 Feb 2012

Demolition Threat to Manufacturing Jobs

The livelihoods of over 1500 local workers are under threat with the announcement that an application has been lodged to begin demolition work at the former Port Phillip Woollen Mill.

An application to demolish the former Port Phillip Woollen Mill threatens the future of manufacturing jobs at the Williamstown shipyards. Hobsons Bay City Council has received an application to demolish buildings and structures at 3-39 Nelson Pl and 41 Nelson Pl, Williamstown. No longer would the structures on site act as a barrier between local industry and residents. Instead, Kanowna, Ann, Aitken and Cecil St residents could be directly exposed to the 24-hour operations at the BAE Shipyards. This raises the prospect of residents making noise complaints to the EPA.

"BAE needs to meet contractual deadlines, but residents need to sleep. Up until now, the former Woollen Mill structure has acted as a circuit-breaker. If it goes, then local residents' needs threaten the ongoing viability of a 24-hour facility." Godfrey Moase, Save Williamstown spokesperson.

"The high Australian dollar is threatening enough decent manufacturing jobs as it is, we don't need sheer planning stupidity contributing to the crisis as well."

"We do need sustainable and appropriate development on the site. But it should occur as part of a strategic plan. Demolishing the structures now without being ready to build only makes sense if you don't care about the future of the shipyard, but instead see it as yet another high density development opportunity."

Local residents in Kanowna, Ann, Aitken and Cecil St are writing to the Council as well as State Parliamentarians, in order to prevent this conflict.

If you would like to interview and/or arrange a photograph with Cecil St/Kanowna St residents email gemoase "at" gmail.com

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SAVE WILLIAMSTOWN



Request to Victoria's Legislative Council to reject C86 and ask the minister to review safety considerations

Monday, 6 February 2012

Save Williamstown Letter to Members of the Legislative Council

...

*For the urgent & personal attention of:
Premier, Ministers and members of the Legislative Council*

The Save Williamstown Group represents about 2000 residents of Williamstown, Victoria.

The Government and specifically the Premier, Minister for Planning, Minister for Police and Emergency Services, and all Parliamentarians are on notice; this is formal advice to the Parliament of Victoria that the tabled HOBSONS BAY PLANNING SCHEME AMENDMENT C86 places our community and new residents in danger. This amendment ignores formal evidence given to the Minister of Planning.

A catastrophic incident involving the Major Hazard Facility (MHF) and fuel importation at Pt Gellibrand has the potential to place in mortal danger more people than the 2009 Victoria Bushfires.

The Government is already aware that there is NO CAPABILITY on Port Phillip Bay to fight a fire on a 240m long fuel importation ship at Point Gellibrand. These tankers are 63m longer than the MCG!

These internationally registered ships bring 70% of Victoria's crude oil and petroleum products to Pt Gellibrand!

Inspection of these tankers is a responsibility of the Australian Government.

Victoria's WorkSafe Authority responsibility stops at the pier.

The Port of Melbourne Corporation lacks suitable fire fighting assets (The Age 2 Jan 2012).

C86 was laid on the table on 6th December 2012 and will be considered in the Legislative Council this week. Attempts by Williamstown representatives to meet or speak urgently with Liberal MLCs for Western Metropolitan Region have been refused even though requested in a non-sitting week.

In the interests of community safety and the protection of state and federally important industries and local employment, Amendment C86 must be rejected.

WILLIAMSTOWN RESIDENTS ASK EACH AND EVERY ONE OF YOU TO CONSIDER THE FACTS AND SEND THIS MATTER BACK TO THE PLANNING MINISTER FOR PROPER CONSIDERATION OF EVIDENCE, CONSULTATION WITH INDUSTRY BASED ON RELEVANT EXPERTISE, AND CONSIDERATION OF ALL STAKEHOLDERS, INCLUDING COMMONWEALTH GOVERNMENT - WHICH ADVICE HAS NOT YET BEEN SOUGHT OR HEARD.

All members of the Parliament of the State of Victoria and the Commonwealth Government Ministers for shipping safety, industry, defence and emergency matters should be aware that:

- the safety of 1500 existing residents of Pt Gellibrand Williamstown, and
- the viability & safety of STATE AND NATIONALLY significant industry (1500 jobs)

has NOT been fairly and equitably considered by the Minister for Planning, Matthew Guy, when he exempted himself from the Planning and Environment Act, to prepare the tabled Hobsons Bay Planning Scheme

Amendment C86 .

Ministerial advice provided by public servants has ignored the evidence of and the crucial findings of the Minister's Port Phillip Woollen Mill Advisory Committee (PPWMAC).

The Premier, Ted Baillieu, publicly stated he is committed to "Community Certainty in Planning" (ABC Radio 31/1/12). We believe the process used for C86 is flawed and fails the test of good governance and avoids the findings of public consultation.

Like at Ventnor on Phillip Island, have DPCD public servants given advice contrary to the finding of advisory committees and planning panels? These public servants did NOT hold public consultation.

As with the Windsor Hotel case, mock consultation is replacing real consultation. The power of the DPCD Development Facilitation Branch continues, with the same public servants influencing the Minister, although it was a Liberal Party election commitment to close it down. Different day....same department!

In 2011, the community, state significant industries, local government and government authorities engaged in public consultation for three weeks of recorded public hearings about the proposed development of the Former Port Phillip Woollen Mill.

The Minister's PPWMAC assessed all submissions and expert advice in a fair and equitable way noting that although not within the Terms of Reference, the site was not suited to then Planning Minister, Justin Madden's Residential Zoning.

Post Buncefield UK (2005) explosions. the safety requirements around MHFs were reviewed and the PPWMAC said the Minister should review the zoning as it involved new residential encroachment on an MHF. The committee also reported that the Minister should prepare an Emergency Evacuation Plan (EEP) for the area (not just the site) in close consultation with Council, PoM, Mobil, BAE and emergency services agencies. To be prepared for a catastrophic event involving the MHF or fuel importation, the 1500 existing workers and 1500 existing residents living on the peninsula, need the EEP BEFORE more vulnerable new residents are permitted. SAFETY should precede planning and development.

In C86, the Minister is making Hobsons Bay Council the Responsible Authority for the development but provides no delegated authority or funding to prepare the EEP. The Minister will make the zoning Mixed Use but allow residential development across the whole site including within the

Worksafe 300m safety buffer and ignores the international oil industry 400m buffer (10 times the 40m tank diameter) and an appropriate buffer for Fuel Importation which in Western Australia the EPA sets as 1000m.

The Minister will remove the mandatory height limits so that high rise residential development could be applied for by the developer and permitted under a VCAT major case appeal.

Mobil has submitted publicly to THREE Advisory Committees of the Planning Minister in 2010 and 2011 that:

- New residential encroachment into zones around the MHF should not be allowed - the viability of industry is threatened and could relocate to other states or overseas.

RESIDENTS UNDERSTAND THAT REQUESTS BY MOBIL AUSTRALIA TO DISCUSS THESE URGENT MATTERS WITH THE PREMIER HAVE BEEN IGNORED AND HAVE NOT RECEIVED A RESPONSE OR ATTENTION PRIOR TO THE DECISION ON C86.

IT IS NOT TOO LATE TO PUT THINGS RIGHT BY RETURNING THE AMENDMENT FOR REVIEW – THIS IS A MATTER FOR SAFETY PROFESSIONALS NOT CITY DEVELOPMENT PLANNERS WITH A BIAS TOWARDS PROPERTY DEVELOPERS.

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SAVE WILLIAMSTOWN



Recently released: Marine Emergency Framework Review: Final Report

Tuesday, 7 February 2012

Marine Emergency Framework Review - 30 September 2008
by Bruce Esplin, Emergency Services Commissioner
The Esplin Report.

It took three years for the confidential report of 2008 to be publicly released in late 2011.

Quote from report:

“...AS 3846-2005, The Handling and Transport of Dangerous Cargoes in Port Areas

The Australian Standard AS 3846-2005, The Handling and Transport of Dangerous Cargoes in Port Areas is a prescriptive guideline. Amongst other things, the Standard deals with firefighting resources and firefighting support ships. It provides a matrix setting out the number and type of firefighting support ships required to service various tanker sizes, which depends on the number of berth hours per year in the port.

However, AS 3846 does not prescribe minimum response times for firefighting support ships. Instead, it stipulates that “minimum response time should be set out in the emergency plan”, which leaves this issue in the hands of the port manager. The consequence of this is that the port manager has no obligations – statutory or otherwise – to set, or comply with, minimum marine emergency response times and government has no power to enforce them...

.....Broad Capabilities

There are a number of potential emergency response resources for the four commercial ports. Very few are assigned specifically to emergency response. There is no dedicated “all hazard” marine emergency response platform(s) capable of a significant response. At the different ports, there are a number of platforms available (e.g. Water Police vessels, 495 air wing, Svitzer firefighting tugs, etc.), but these may not be available in the event of an incident and may not be readily removed from competing tasks. For example, Water Police vessels may be involved in policing and security duties and tugs may be involved in towage duties elsewhere in the port.

There is no framework in place, or formally defined arrangements, determining how these resources would be utilised in the event of an emergency, nor is there any redundancy in terms of responding to an incident....

...9.3.3 Current Responsibilities, Current Statutory, Contractual and Voluntary Responsibilities

As noted above, port operators in each of the commercial ports have emergency management/emergency response plans in place and take responsibility for their preparation, review and maintenance. A number of the major private operators also have emergency management plans such as Shell Geelong and Mobil Melbourne, however, these plans are not integrated. In addition, port/channel managers are unable to impose emergency management planning requirements on their tenants.

It should be noted that under current State arrangements commercial ports are expected to undertake emergency management planning and to maintain emergency management plans but, there is currently no legislative requirement for them to do so. This is considered a major gap. Arrangements involving the port communities vary between ports but there are uncertainties regarding role and responsibility. The processes around escalation from first response by the port to control by an emergency service organisation are not appropriately detailed. The default position within the port communities is reliance on Triple Zero (000) and on the emergency services to manage the emergency.

Major gaps in capability are clear also, but even where some plant and

equipment exists (e.g. firefighting), there are ambiguities and uncertainties around the degree to which these may be relied upon. Their ongoing presence at any port may be at the whim of the marketplace, particularly if they are not included in the statutory emergency response framework or are not in receipt of government funding.

In addition, there is a lack of familiarity within the emergency services community around the nature of the maritime environment and the realities of operating within it. Role ambiguity is a natural outcome of limited capability – a state of affairs that is marked by inadequate equipment, knowledge, training and planning. This potentially exposes government and the port industry to commercial, reputation and political damage in the event of a serious incident requiring a multi- agency response....

.... (p50) WorkSafe believe that ports should be considered unique installations and therefore sit in the top tier of risk, similar to the Major Hazard Facility arrangements. This was due to the type of operations and quantities of hazardous materials and fuels transported and stored within large ships visiting Victorian ports. WorkSafe suggested that the Occupational, Health and Safety legislation for Major Hazard Facilities may provide a guide to identifying and applying standards for the port environment.

A number of stakeholders suggested that the current requirements for reporting and recording maritime emergency data are inadequate and that it is important to consider better and more stringent methods, to ensure that this information can be utilised in future for risk analysis. Data currently available from incident reporting and recording systems, specifically for near misses is inconsistent.

A number of port stakeholders believe that ships' safety systems are improving. Accordingly they are increasingly relying on ships' own firefighting capabilities and land based capabilities as a means of risk mitigation. It was acknowledged by stakeholders that reliance on ship's safety systems does not address or adequately cater for possible ship equipment malfunction, poor maintenance and human factors. The risk management methodology used by the ports needs to address this issue in order to mitigate the risk of a high consequence event occurring due to a failure in these areas. There were varying opinions on who was/is responsible for managing this residual risk.....

.... (p54) Emergency services argue that there is a requirement for waterborne firefighting capability, which ideally, would be a firefighting tug, in the ports. Operating a firefighting tug requires specialist personnel available within defined call-out time. There are emergency services personnel with skills to operate on firefighting tugs, but they are not being trained for marine emergency response on an ongoing basis. Specialised skills and ongoing training with specialised equipment is required for fire

fighters to combat marine based fires utilising firefighting tugs or other similarly equipped vessels.....

.....(p56) Resources

The emergency services advised that they do not have the physical resources within the sector to manage a large-scale maritime emergency and are reliant on good-will arrangements with private organisations and other industry stakeholders for available resources. As previously discussed private service providers may be influenced by commercial factors and are not required to provide services during an emergency, which highlights the risk that critical resources such as firefighting tugs and other marine resources are may not be available at the time an incident occurs.....

.... (p64) Resourcing and indemnity

The availability of suitable resources to support emergency management within the ports environment must be predictable and reliable. The issue of indemnity for decisions made during an incident was raised.

Stakeholders acknowledged that provision of towage services (and possibly firefighting capability) is critical within the ports and for marine emergency response. Good-will arrangements currently exist between the emergency services and private tug operators but emergency services stakeholders; in particular, felt that these arrangements need to be predictable and secure. There are some agreements in place for the provision of tug services during an emergency, although there are significant limitations to the nature and operation of these agreements. The emergency services acknowledged the need for waterborne firefighting capability, which ideally would be a firefighting tug, in the ports. If costs were not an issue, a number of port operators and users acknowledge the need for a firefighting tug as part of an ideal capability. However based on their individual risk assessments, they argue that such a resource is not commercially viable.

Despite this view, the Review believes there is a requirement for waterborne firefighting capability-ideally a firefighting tug located in the port. Currently, the type availability and operation of waterborne firefighting capability is both inconsistent across the ports and cannot be guaranteed. There is a significant exposure if a firefighting tug/vessel and the qualified resources required to operate it, are not available within acceptable response time standards.”

<http://www.oesc.vic.gov.au/resources/8/7/8764fc804470599b8044d48bf720486c/marine+emergency+framework+review+final+report.pdf>

What does the port manager, Port of Melbourne, have in place as MINIMUM standards on Port Phillip Bay and is this suitable for Shipping

Tankers 220m long carrying up to 150 million litres of fuel (crude or petrol).

See Government Gazette 12th January 2012 page 68-69

<http://www.gazette.vic.gov.au/gazette/Gazettes2012/GG2012G002.pdf>

Port Management Act 1995

TOWAGE REQUIREMENTS DETERMINATION Division 2 of Part 4A of the Port Management Act 1995

.....Fire fighting capability A fire fighting towage vessel must, as a minimum

(a) be fitted with:

- (i) a fire pump with a minimum capacity of 1200 m³/hour; and
- (ii) one monitor with minimum output of 1200 m³/hour.

The one monitor must be capable of dispersing water alone or suitable foam mixture. The one monitor requires to be capable of a height of throw of at least 50 m and a length of throw of at least 70 m.

(b) have available adequate onboard supply of foam to operate one monitor dispersing a 3% minimum foam mixture for at least 30 minutes; and

(c) provide adequate space on deck for:

- (i) emergency equipment including, but not limited to, portable fire fighting equipment, searchlights, boarding ladder; and
- (ii) at least 8 fire fighting personnel.

SAVE WILLIAMSTOWN agrees with the finding of the Port Phillip Woollen Mill Advisory Committee Report that Williamstown peninsula needs and Emergency Evacuation Plan.

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SAVE WILLIAMSTOWN



Council Meeting considers amendment C86

Tuesday, 7 February 2012

7th February 2012
Council Draft Minutes

7.2.2AMENDMENT C86 - FORMER PORT PHILLIP WOOLLEN MILL
WILLIAMSTOWN UPDATE

PURPOSE

To update the Council on Amendment C86 - Former Port Phillip Woollen Mill and consider a request for an amendment to correct some anomalies arising from the amendment in the Hobsons Bay Planning Scheme.

MOTION

Moved Cr Angela Altair, seconded Cr John Hogg, that the Council:
1.Note the recommendations of the Former Port Phillip Woollen Mill Advisory Committee Report and Amendment C86;
2.Agree to the request from A.R.G. Planning amendment for a further Ministerial intervention under section 20 (4) of the Planning and

Environment Act 1987;

3. Support the request by A.R.G. Planning to the Minister for Planning, under Section 20(4) of the Planning and Environment Act 1987, to prepare, adopt and approve an amendment to Hobsons Bay Planning Scheme as shown in the appendix; and

4. Note the request for further information on the proposed demolition application as outlined in this report.

CARRIED

REPORT SUMMARY

The Former Port Phillip Woollen Mill Advisory Committee Report was released for public viewing on 28th November 2011. The key recommendations from the report include:

- Mandatory height controls for the site ranging from 10 metres to 25 metres;
- Application of a Design and Development Overlay (DDO) 11;
- Application of Heritage Overlay 8 to entire Precinct 20 and amending the Heritage Overlay 35 to apply only to the heritage property; and
- Adoption of the WorkSafe Advisory Note dated September 2012 as a guide.
- Requirement for a development contribution of \$900 per dwelling towards social infrastructure.

Following the release of the Advisory Committee's report, Amendment C86 to the Hobsons Bay Planning Scheme was approved by the Minister for Planning on 1st December 2011. The amendment specifically:

- Rezoned part of Precinct 20 (as identified in the Industrial Land Management Strategy 2008 (ILMS)) to Mixed Use Zone;
 - Removed the existing DDO 4 and 8 (Foreshore Height Controls); Applied DDO11 to all properties in Precinct 20 without both preferred and mandatory height controls;
 - Applied an Environmental Audit Overlay (EAO) to entire Precinct 20, excluding 23 Ann Street.
 - Deleted the requirement for a development contribution of \$900 per dwelling
- A detailed summary of the Advisory Committee process and Amendment C86 is provided as an appendix to this report.
 - On 23rd December 2011 Nelson Place Village requested that the Council participate in master planning and establish a process for considering future development of the site. Further information has been requested as to what this master plan would involve including the outcomes sought, responsibilities, timelines and the nature of community consultation proposed.
 - In addition, landowners in Aitken and Ann Street acting through A.R.G. Planning wrote to the Council on 9th January 2012 (refer Appendix)

requesting consent to prepare an administrative amendment to rezone properties at 15 to 27 Aitken Street and 17, 21 to 23 Ann Street in Williamstown. The Minister for Planning omitted to rezone these sites to Residential 1 Zone as part of either Amendment C75 or C86. Consequently, the properties are now subject to new overlay controls facilitating residential development. However this is prohibited by the existing industrial zoning controls that apply to the land. The administrative amendment also seeks to ensure that Schedule 35 of the Heritage Overlay apply only to the heritage significant property at 23 Aitken Street.

- A.R.G. Planning has requested that the Minister for Planning approve the amendment under section 20(4) of the Planning and Environment Act 1987 that will remove the requirement for an exhibition of the amendment prior to approval. This amendment request is considered appropriate and should be supported.
- The Council has also received a Planning Permit Application for the demolition of the existing buildings and structures on the land which make up the site, excluding the former Oriental Hotel on the corner of Ann Street and Nelson Place. Further information will be required on how the demolition will impact on the future use of the former Oriental Hotel. The application is currently on exhibition until 15 February 2012. The demolition plan is included as an appendix.

http://www.hobsonsbay.vic.gov.au/Files/Unconfirmed_OCM_Minutes_7_February_2012.pdf

http://www.hobsonsbay.vic.gov.au/Files/OCM_Appendix_7th_February_2012.pdf

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SAVE WILLIAMSTOWN



Victorian Liberals break major election promise over Williamstown high rise

Wednesday, 8 February 2012

Media Release

Wade Noonan MP, Member for Williamstown

6th February 2012

Victorian Liberals break major election promise over Williamstown high rise

Labor will take the fight over the future development of the Woollen Mills site in Williamstown all the way to the Parliament this week amid claims by Member for Williamstown, Wade Noonan MP, that the Baillieu Government had broken a major election promise to oppose high rise developments in Williamstown.

Mr Noonan today said that prior to the 2010 State Election the Liberal Party distributed thousands of leaflets across Williamstown stating that “the community does not want rampant high rise developments in our area.” The leaflet also stated that the Liberal Party’s candidate, David McConnell,

would “fight to ensure the unique character of our neighbourhood is protected.”

Despite the Liberal Party’s opposition before the last State Election, the Victorian Planning Minister will this week rush a planning amendment through the Victorian Parliament which will relax the planning controls for the Woollen Mills site and pave the way for high rise development.

“The Liberal Party explicitly campaigned against high rise development in Williamstown at the last State Election,” said Mr Noonan.

“Despite the very clear promise to fight against high rise developments in Williamstown, the Baillieu Government’s planning amendment will deliver the area’s first new residential towers in decades.”

“Local people can make up their own minds about whether the Baillieu Government is really fighting to protect the unique character of our neighbourhood.”

Late last year, an independent Planning Committee recommended that mandatory height limits be set for the Woollen Mills site. The Committee also recommended a mandatory community infrastructure levy be imposed on the developer and that an independent Design Review Panel be appointed to guide the design of the buildings.

“Rather than accepting the recommendation to adopt mandatory planning controls, the Minister is creating ‘indicative’ controls, which he knows is a green light for the developer to go for broke,” said Noonan said.

“The Planning Minister is making himself out to be a hero by suggesting that the Baillieu Government is handing back planning control to the Council, but the truth is that Minister Guy’s planning amendment will not prevent the developer from pursuing a 25-storey development at the site,” Mr Noonan said.

“By removing the mandatory height controls for the Woollen Mills site, Minister Guy is really saying the sky’s the limit for this development.”

“If the Baillieu Government was serious about stopping high rise development in Williamstown, they would not be removing mandatory height controls for the Woollen Mills site.”

Minister Guy’s planning amendment for the Woollen Mills is expected to be debated on Wednesday, with the outcome to be determined by a vote on the floor of the Victorian Parliament. Liberal Upper House MPs, Bernie Finn and Andrew Elsbury will both be eligible to vote on the site’s future. The Labor Opposition will oppose the planning amendment.

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SAVE WILLIAMSTOWN



HOBSONS BAY PLANNING SCHEME: AMENDMENT C86

Thursday, 9 February 2012

Hansard Proof
Legislative Council
6th February 2012

http://www.parliament.vic.gov.au/images/stories/daily-hansard/Council_2012/Council_Feb-Jun_2012_Daily_8_February_2012.pdf

Mr TEE (Eastern Metropolitan) — I move: That amendment C86 to the Hobson's Bay planning scheme be revoked.

I do so because this planning scheme amendment is a really clear example of the tragic state that planning has reached in Victoria. This is a very important planning scheme about the look, feel and amenity of a great community in Williamstown, but the amendment is about more than that, because it provides an unfortunate precedent for development right across Victoria. I think communities throughout Victoria would be very concerned if

they were to be treated in the way the community of Williamstown has been treated. I think this planning scheme amendment also reveals the government's failure to have a plan for the port of Melbourne and its failure to have a plan for people living near major hazard facilities. Lives are literally at risk, but this government just does not have a plan or a strategy. Clearly it is proof that this minister is not up to it.

The starting point is the \$220 million proposal for a high-rise development in Williamstown. If you go through the process, you will see there is a degree of disarray and confusion and a concern that the government and the minister are just not up to the complexity involved in this situation. You would think — —

Are you saying that the council is not, I think the council has got it right, That is what we are saying. Let the No, that is not right.

We have handed it back to the council. No, you have not. What you have You should get your facts straight.

Mr TEE — chance. But you would think, Mr Finn, that if Mr Guy was going to get any one planning scheme right, if he was going to focus on getting one right, it would be this one, because at a political level you have the involvement of Mr Ron Walker, a Liberal Party heavyweight. You would think that on this one the minister would say, 'I want to make sure that I have a proper process in place. I want to make sure that I have the appropriate distance in place. I want to make sure that I follow the advice of the independent panel'. You would think on this one he would make sure that the process was squeaky clean so that there would be no opportunity for anyone to make any allegations about this being a favour for Liberal Party mates.

But on that measure this minister has clearly failed. The minister has also failed to have any regard for the long-term economic interests of Victoria. What we have got here is a development, one of many developments, that may impact upon the long-term survival of the port of Melbourne. Instead of ensuring that this development is consistent with the long-term survival of the port of Melbourne the minister sits on a report, the ports and environments report, that he has had for nearly 12 months; he does not release this report that goes to the heart of the issues that are being dealt with at this development. The issue is: does this development encroach on port of Melbourne facilities, and if it does, how do you make sure that the development and the port can coexist? The minister has this report, but he will not release it, so you have here a committee required to operate in a vacuum. On this measure the minister has failed.

I think the most important reason this minister should have got this right is that this proposal is for a high-rise development near a major hazard facility. You would have thought that if anything would weigh upon the No, you have not. You will get a minister's mind, if anything would give this minister or indeed any minister pause for thought, it would be the risk of allowing people to live next to a major hazard facility. But, again, on this ground the minister has failed. What you have then is a process that from

go to woe is a litany of failures. It is a failure to have regard for the local community; it is a failure, Mr Finn, to have regard to the local council.

Mr Finn — You haven't got a clue what you're talking about.

Mr TEE — It is a failure to have regard to the independent panel.

Honourable members interjecting.

Mr TEE — There is no basis on which this decision should stand. The starting point of course is the report of the independent panel. Let us have a look at the report of the independent panel, and I might add that the panel — —

Honourable members interjecting.

The PRESIDENT — Order! I am concerned about the cross-chamber interjections and particularly those of Mr Pakula, in the sense that he is sitting right next to the minister — the shadow minister, who is trying to put his case, and that I think is becoming difficult for Hansard because Mr Pakula is directly competing with the minister from the same location. Can we allow the minister to have a little bit more space in that regard. The minister — shadow minister, rather, to continue.

Mr TEE — I thank the President and also for that elevation and vote of confidence. The starting point really is the panel report, and I want to congratulate the advisory committee for the report and the work it did. I want to congratulate it on a report that is reasonably well balanced. I want to congratulate the member for Williamstown and indeed a former member for Williamstown, who put in a very considered, sensible and reasonable submission, a lot of which was ultimately accepted by the committee.

Mr Finn interjected.

Mr TEE — What happens, Mr Finn, is that the minister gets this report in May, but what does he do with the report? What does he do with it, Mr Finn? Nothing. He sits on the report, Mr Finn. He sits on it for days; he sits on it for weeks; he sits on it for months. He does not release the report. It gathers dust.

You have the minister sitting on a report, you have a community that is anxious because it does not know what is in the report or what the government is going to do, you get seven months of anxiety and you have a developer watching costs go up and up — and the minister does nothing. He sits on the report; he does not release it. For seven months everybody is in the dark. Then on 28 November the minister releases the report; but he does so in this vacuum. No consideration was given to the dangers of living near a major hazard facility or to the impact that this is going to have on the port of Melbourne. The need to look at the dangers of living near a major hazard facility is absolutely compelling, and the panel acknowledged that. The committee in its report acknowledged the concern of a major high-rise development within a 300-metre radius of the Mobil facility.

The panel, in its response to that, did the best it could with the limited information it had. It said that any buildings within that 300-metre radius had to be low rise and that the high-rise component had to be moved out. The

panel also said that the low-rise buildings had to be constructed to withstand a cyclone, such was its concern about the danger of living near that major hazard facility. But the problem is that the panel had its hands tied behind its back. It was hamstrung because, as it said, it was denied access to Mobil and WorkSafe information and all specific site information was unfortunately not available in this case. We have a panel that is struggling because it does not have the expertise and it does not have the information. The question is: how can the community be confident that the committee has got it right? How can the committee be confident that it has got it right?

The committee goes on to acknowledge that there was a gap in the planning scheme. It said that WorkSafe was not a referral authority, which is curious. We have a major hazard facility and a development application, and WorkSafe is not a referral authority. The committee said:

Such status is common in flood-prone areas and in bushfire-prone areas. It seems to this committee that there is a gap in the planning process if the agency that is responsible for something as serious as a potentially life-threatening event is not required to be informed.

We have a clear gap, but, to the minister's credit, he acknowledges that. He says there is a gap. He writes to the member for Williamstown on 5 April 2011 and says that he is currently considering the recommendations of the Ports and Environs Advisory Committee report, which again is a telling matter because that report had been with the minister for nearly 12 months and he still had not released it. However, he said that the report: ... has made several recommendations relating to 'sensitive uses' at the interface of the port and major hazard facilities associated with port operations.

He is saying he has a report that deals with living near a major hazard facility and with the ongoing existence of the port of Melbourne. But guess what? He is not going to release it. He is not going to give the committee access to it. He is not going to give the public access to it. He is going to sit on it — in fact, he has sat on it since 5 April; the 12-month anniversary is coming up and he still has not released this critical information. But the Minister for Planning said on 5 April:

The preservation of safe buffer areas to protect residents from adverse impacts, while protecting port operations from encroachment of sensitive uses, is of utmost importance.

I have asked my department to raise issues relating to major hazard facilities and appropriate distances between new residential developments with the EPA, which is responsible for policies and guidelines that relate to appropriate buffer distances.

I acknowledge there is a problem here, I acknowledge that there is a gap, I acknowledge that this community has been asked to live within 300 metres of a major hazard facility and I acknowledge that that is a problem. And I have referred it to the EPA, which is responsible for policies and guidelines that relate to appropriate buffer distances.

Guess what? He got it wrong.

The Environment Protection Authority (EPA) writes on 29 September 2011: Responsibility for guidance and systems for buffers rests with DPCD on behalf of the Minister for Planning.

It is not the EPA's issue. What we have is a minister acknowledging in April, 'We have this serious problem. We have a serious gap'. The EPA says, 'It is not our responsibility. It is the minister's responsibility'. So nothing gets done. We have lost a whole year. We have had a planning process which has operated in this void where there is a risk of allowing people to live in a high risk area, and the minister cannot even work out who the appropriate authority is. He cannot even understand that he is the one who is responsible for this. He asks the EPA, which has no responsibility for this, to have a look at it. No wonder the community is rightfully very concerned about safety.

The committee has done the best it can with the information it has.

Everybody acknowledges that there is a problem, but the one person responsible for fixing it is the one person who does not agree that he is responsible for fixing it. The incompetence of the minister in not even knowing he is the appropriate authority would be farcical if it were not for the fact

that we have lives at risk. This minister, through his incompetence, has put the community at risk.

We have lives at risk, and we have the port of Melbourne at risk. This is the busiest port in Australia. It is the anchor of the Victorian economy. The minister acknowledges in his letter of 5 April that he wants to be clear about making sure that we do not have encroachment that impacts on the survival of the port, yet he has the ports and environs report which deals with this very issue sitting on his desk for more than 12 months. We do not know what is in the report — the minister will not release that — but we do know the Ports and Environs Advisory Committee put out a discussion paper in March 2010 which fed into its final paper, which the minister has had for nearly 12 months but has not released. What the committee says in its discussion paper is this:

Any proposal to redevelop the woollen mills site for residential purposes would need to be sited and designed to avoid potential adverse amenity impacts. Accordingly, the committee considers that there is a case to be made for a site-specific overlay to be introduced for this site that would specifically address potential impacts from the port area and for a requirement for notice of referral of applications to the PoMC.

That is, the Port of Melbourne Corporation. The Ports and Environs Advisory Committee put in its discussion paper the case for an overlay and its concern about the impact of the woollen mills, and that was fed into its final report, but that is not available to the committee or the community. It just sits on the minister's desk. It is not a public document. We do not know what the recommendations are. We do not know whether the woollen mills development falls foul of those recommendations. We do not know what

impact this will have because — —

Mr Finn — You don't know much at all!

Mr TEE — Because, Mr Finn, the minister will not release the report and will not give any explanation as to why, after 12 months, he will not release the report. The community cannot be assured that this development is not compromising the long-term viability of the report. We have never had any explanation from the minister as to why he sits on this report, which is coming up to its 12-month anniversary.

That brings us to the advisory committee panel report, which has been released in this vacuum. It has been released in circumstances where the minister has all the cards. He expects the committee to work its way through this maze and has never offered any explanation. Even the release and the management — and this comes to Mr Finn's point — of the committee's report and the way it has been dealt with is a debacle, because what the minister has done is say on 28 November, via the Herald Sun, that the council will be empowered to make the decision on the development of the woollen mill site. One day later, on the 29th, the council got a letter. The minister said the council would make the decision and then he wrote to the council — it got a letter one day after the minister's comment appeared in the paper — and said:

I am writing to advise you that I have decided to exercise my power ... to ... prepare, adopt and approve amendment C86 to the Hobsons Bay planning scheme.

That is the planning scheme amendment we are debating today. It gives the council no scope. It puts in place a legal framework with which the council is obliged to comply. This is the minister on the one hand saying, 'The council is going to make the decision', but on the other hand saying, 'This is the decision it is going to need to make'. But there are two exceptions. There are two absolutely critical areas where the plan that the minister has imposed on the council, despite what he said publicly, differs from what the committee has recommended. Those critical areas go to height limits and to the developer's contribution. The committee was very clear about the issue of height limits. It spent quite a bit of time in its report talking about height limits. It talks about the fact that the existing height limit is two and three storeys. It talks about having based its recommendation on height on the, and I quote:

... heritage perspective as well as an urban design, character and amenity perspective.

The developer proposed a 15-storey height limit, and the committee says this:

The committee was surprised by the lack of detailed analysis that had been undertaken by the proponent to justify the suggested heights of up to 15 storeys ... The committee was disappointed at the lack of justification provided on this critical issue.

The committee was concerned about evidence of a 15-storey building providing visual domination that would, and I quote:

... detract from the valued qualities of Williamstown, qualities which are highly sought after ...

What you have is a proposal by the developer for 15 storeys.

Honourable members interjecting.

Mr TEE — I am reading the independent panel's report.

Mr Elsbury interjected.

Mr TEE — Mr Elsbury and the minister might disregard the views of the independent panel, but I am just giving its perspective. The members of the panel are saying that they appreciate — Mr Elsbury might not appreciate — the amenity, the lifestyle, the community in Williamstown. The panel recognises that. Mr Elsbury might not recognise that. His minister certainly does not recognise that, but I can tell him now that the panel recognises that people in this community value its lifestyle, value its heritage, value the buildings around which they live. Mr Elsbury might disregard it but they certainly do not.

Indeed the National Trust, which gave evidence to the committee, was concerned about the 15-storey height limit. It wanted a lower-scale response that could achieve a better integration with the coast and the existing built form in Williamstown. The panel said, 'Instead of 15 storeys, let us make it 6'. It recommends a maximum height of 6 storeys. The developer wanted 15 but the other buildings are 2 and 3, and the panel says 6. It has taken into account the views of the community, the views of the council, the views of the National Trust. It has had a look at the development and it thinks that six is the appropriate mix and that that ought to be the mandatory height limit. That is what it says. That will give everybody confidence. It will give the developer confidence, it will give the community confidence. Everybody knows that there is a mandatory height limit of six storeys. Everyone agrees except for the minister. Everyone agrees that six storeys is right, except the minister and, I suspect, the developer,

Mr Elsbury, Mr Finn and those opposite. They are representing the west, and if they accepted the views of the community, the panel and the local council, they would vote with the opposition on this issue because this motion is about supporting those outcomes for the community, for the council and for the heritage of the local area.

Mr Finn interjected.

Mr TEE — What the minister does is say that there is no mandatory height limit; it is open slather. There is no mandatory height limit so this issue will go on and on and the uncertainty for the developer and for the community will continue. This issue is now unresolved, and if the council does not provide a solution for the developer, it will end up in the Victorian Civil and Administrative Tribunal. What you have is a panel report that sits on the minister's desk for a very long time and the outcome is uncertainty for the community. The outcome might be a 15-storey monstrosity that the community, the panel and the council say is bad for the look, the feel and the amenity of Williamstown — and the local Liberal Party members are

silent.

But if you want a clue as to what is motivating the minister — and we all have to ask the question — you then have to look at the other area where he departs from the recommendations of the panel. And guess what? It is in developer contributions.

Mr Elsbury interjected.

Mr TEE — Isn't that interesting, Mr Elsbury?

Mr Finn — On a point of order, Acting President, I sincerely hope that the member is not making some inference about the character of the minister in this regard, because that would be most unparliamentary and you, Acting President, would have to ask him to withdraw if that were the case.

Mr TEE — On the point of order, Acting President, what is being suggested is that I may in the future make a reference to the minister that might not be a fitting reference. I do not think I can be accused of something that I may or may not do in the future and be asked to withdraw it.

The ACTING PRESIDENT (Mr Elasmarr) — Order! I thank Mr Tee for his clarification. I do not think there is a point of order, but while I am on my feet I ask the member to address the chamber through the Chair.

Mr TEE — Thank you for your assistance, Acting President. The panel is clear. It said there should be a \$900 per dwelling developer contribution for improvements to the local road, a bicycle network, footpaths, landscaping and to provide a bus shelter and pedestrian access to the railway station. However, the minister said no. He said there will be no contribution for a bicycle network and the bus shelter. There will be nothing for pedestrian access to the railway station, for footpaths or for landscaping. He lets the developer off the hook.

Mr Elsbury interjected.

Mr TEE — I am not saying that, Mr Elsbury. He should have a look at the planning scheme amendment; it is not there. There is no requirement for the council to impose this as a permit condition. There is no legal requirement on the developer to put forward its contribution of \$900 per dwelling. It is a windfall for the developer.

I urge those in the house, particularly Mr Elsbury and Mr Finn, to take a stand for their local communities.

They should take a stand for their local councils and for the look and feel of Williamstown. They should say no to 15 storeys and say yes to the independent panel. They should not betray their communities on this one. This is an important issue where they can stand up for their communities and not betray them. They can stand up for a decent planning process and for a planning outcome that respects the community, the council and the panel. This is their opportunity to stand up for integrity and for their local communities. I urge the members to join with members on this side of the house and support my motion.

Ms HARTLAND (Western Metropolitan) — That was quite a fascinating speech from Mr Tee. I suggest that Labor Party members re-read the Hansard report of my motion to revoke an amendment to the Hobsons Bay

planning scheme. Labor was in government at the time and the former planning minister, Mr Madden, brought the amendment forward. They might like to re-read some of the attacks that I came under from their side for doing that, including comments that the Greens were just a party of protesters and that we really did not care et cetera. I suggest that might make some interesting reading. Members on the Liberal side should have a look at what Mr Guy said about standing shoulder to shoulder with the government on this issue, because he did not believe in supporting revocation motions.

Mr Lenders interjected.

Ms HARTLAND — This issue has nothing to do with preferences; it is an issue to do with a very serious planning matter in Williamstown. The Williamstown high rise has become a saga. It has been a huge game of keepings off between the former Labor government and the current coalition government. Labor took the planning power away from the community. On election day it tossed the planning control to the coalition government over the heads of the community. It was a bit of a game of keepings off.

This motion is utter hypocrisy on the part of the opposition. Is Labor really saying that the only thing wrong with this picture is the height controls? It thinks it should be multistorey because it rezoned it for a multistorey residential development, but not quite as multistorey as this. When Labor took planning control away from the City of Hobsons Bay I was the only local member who stood with the community and fought it. The member for Williamstown in the other place raised a number of concerns in the local press, but still the Labor Party persisted in this. I came to the Parliament with a disallowance motion and had a really red-hot go at it. I tried everything, but the Labor Party

would not listen. Its members just voted to rezone the land and, as I said, Mr Guy stood shoulder to shoulder with Mr Madden even though Liberal Party members had moved a no-confidence motion in Mr Madden in the previous few weeks. They said that the planning process was fine and that Mr Madden was right.

If Labor members really care about community participation and democracy, where were they when their government took it away? It feels a bit like it is bad when the coalition does it, but it is okay when the Labor Party does it, and I do not understand that. Of course the Greens are going to vote with Labor on this disallowance motion. The height controls make a bad situation even worse, but honestly, you cannot just become user-friendly to the community when you are in opposition; you have to be there when you are in government as well. Mr Tee wants to give the impression that the government is opposing the rezoning when it is the Labor Party's fault that it happened in the first place.

If Labor Party members care about the shipyard now, they should remember they took land away from the shipyard. One-third of the land that the Labor government rezoned for this development came from the

shipyard. Did they think the developers would be able to propose high-rise towers without all that extra land?

Mr Tee talked about the Mobil tank farm and yes, it is a major concern. It was one of the things that I spoke at length about when I moved a revocation motion in relation to this planning scheme. It is just 500 metres from the site, and it is incredibly dangerous. Mobil has a terrible record on safety issues in the western suburbs. There are no clear buffer-zone regulations. I live in an area which has a number of major hazard facilities and for 20 years I have been campaigning to resolve some of those issues. I know the previous government was not concerned enough to make sure there was proper buffer legislation. There are a number of residential areas that are really close to major hazard facilities.

There will be Labor members, and I know the member for Williamstown tried his best, who will say, 'We will do it behind the scenes. We will do this and we will do that', but you have to do something much more concrete when you are in government. This is a problem we have in the west, a region I share with

Mr Finn and Mr Elsbury. They say they will talk to the government, that they will do it. Yet promises are broken again and again. If the Labor Party really cared about the Williamstown community, it would have done something about it when it was in government, instead of just whingeing about it now.

Before I finish I would like to acknowledge the work done by the Save Williamstown campaigners. They have worked hard to keep the community informed, and they have undertaken the arduous task of attending all the panel hearings. For a community group that relies on volunteers, that is an incredibly difficult job to do. They have written reports and they have found information. They are the ones who have often been the source of really good information about what is going on at the site.

Directly across the road from this development is a shipyard that employs a huge number of people. We just need to look at what happened at Cockatoo Island when residential development was allowed close to the facility there: eventually it closed. Residential areas and industrial, major hazard facilities do not mix.

Mr ELSBURY (Western Metropolitan) — It was interesting to listen to Mr Tee's contribution earlier. You could basically describe it as amnesia, possibly even hypocrisy, as Ms Hartland has pointed out. He is from the party that planned to hold sham consultations on the proposed Windsor Hotel redevelopment. Mr Tee said we have now reached a tragic state for planning in Victoria, yet what happened with the Windsor Hotel was fine. There is a recurring theme here. We had the sham consultation process on the Windsor Hotel, and then no consultation at all by then Minister for Planning and former member of this house, Justin Madden, now the member for Essendon in the other place, who changed the planning regulations around this site overnight — —

Ms Hartland interjected. Mr ELSBURY — Exactly. As Ms Hartland points

out, it was signed off overnight.

You would have thought that if this was such a problem for the local community, then the local member, Mr Noonan, the member for Williamstown in the other place, would have raised this matter as one of great importance at the time the rezoning took place, but he did not. It is curious that he now shows an interest in this issue; I expect he will issue some sort of quaint Twitter message or verbose media release after this debate. However, when Mr Madden changed the zoning of this area Mr Noonan was silent. As someone who supposedly has his finger on the pulse of what is going on in Williamstown, I would have thought that he would have been on top of the issue — that he would have seen his minister and raised the matter in the house, saying it needed to be dealt with and we needed to do something different here — but no. We will get a Twitter message, a Facebook update or a media release bagging out the current government for a process that was started under the previous government — —

Ms Hartland — And continued by yours.

Mr ELSBURY — We will be continuing, but we will be continuing in a totally different manner to the way the Labor government wanted to push it through.

The coalition went to the election with a commitment that it would return planning controls for the site to the council, that it would give the council back the ability to make decisions about its community. As per normal, Labor members are picking up their socialised roots of centralised control, wanting the minister to be the one who makes the decisions. Forget the people, forget the locals; do not worry about what they want or about the fact that the local council can do these sorts of things — can communicate with its community and make a decision based on the facts it has from the community — no, give it back to the minister. That is the Labor Party's point of view on this. It would give it all to the minister and ignore what is going on in the community.

I do not know this for a fact, but perhaps our friends on the other side of the chamber are worried that their Labor Party colleagues in the Hobsons Bay City Council are not up to the job. I would have hoped they would have more confidence in the people they put forward for local government, but apparently that is not the case.

Revoking amendment C86 to the Hobsons Bay planning scheme would effectively take away the council's control of what happens at the site and give it back to the minister and the Parliament. We would be taking power away from the people who know the local issues and understand the concerns. Even the councillors who live in Williamstown would be ignored. We would expect the Parliament, which represents the entire state of Victoria with its differing points of view, to make that decision for the council.

In relation to the argument put forward by Mr Tee, on the one hand he said he wants the minister to control the development while on the other he said

he is upset that a framework has been established to guide the council in making its decision. He wants Parliament and the minister to have full control over the decision, but he does not want to give the council any guidance as to what should happen. Part of that guidance is creating one-third of that 2.7 hectare site in such a way that no high-rises can be built within the buffer zone. We are not putting anything inside the buffer zone that would put people's lives at risk. We are also allowing for the planning to occur. As Mr Tee has explained, there is a provision that buildings be able to withstand a cyclone. It is only reasonable to expect that if a building is on the verge of the buffer zone, it is able to withstand any incident.

I lived in the shadow of the Altona refinery for 3½ years after I decided I would leave my family home in Hoppers Crossing and move far enough away from my parents to be independent but close enough to yell out for help if I needed it.

I actually lived inside a zone where every first Sunday of the month at 10 o'clock you could hear air-raid sirens go off. It was not the Fritz coming to get us. It was a practice of the emergency drill operations up at the refinery. They would wind up those sirens, you would hear them and you would think, 'It's 10 o'clock, it's Sunday and everything is good'. If you heard it any other time, that is when you thought to yourself, 'I might pack the kids in the car and go'.

We have a situation where, yes, there are hazardous sites. There are sites like the one on Point Gellibrand that hold oil and other materials, and they are in close proximity to housing. It does happen. But if we can develop a planning structure around the practicality of having these sites, then we can still utilise an area which is in some instances decrepit — —
Ms Hartland — Dangerous.

Mr ELSBURY — Dangerous or a hazard, and, by the way, I am talking about the woollen mills, which have been abandoned for quite some time. We go on about the amenity of Williamstown. Williamstown is one of my favourite places. I enjoy going down to Williamstown and dream of the day when I will win Tattsлото and live there, because it is a beautiful place. As I said, I lived in Altona, and I thought that place was pretty good too. Unfortunately the old bank balance did not live up to the aspirations I had to live in the Williamstown area. Unless you are completely blind, you would have noticed that there are housing commission towers in the area. This does not open up the chequebook or open up the plans to say, 'Let's go nuts and have towers absolutely everywhere', but by the same token there are established in that area, from memory, two towers.

Mr Tee — Now there will be three.

Mr ELSBURY — We do not know that, Mr Tee. Mr Tee has no confidence in the City of Hobsons Bay, does he? He has no confidence in his mates from the Labor Party who are on the council. Mr Tee has no confidence that they are going to do what is right by their community. Mr Tee has to admit that he has no confidence in them. I am sure that is why one of those

councillors was denied the ability to run for the seat of Altona.

There is a great amount of passion around the amenity of the area, and I can understand the concern. I also congratulate the Save Williamstown campaign group for the passion it has shown. If it was not for the passion of members of that group and the commitment they made to their community, then Labor would have signed off on the documents and allowed a tower to be built based upon a decision made by the planning minister. There would again have been no consultation. The council would not have got a look in. We would not have had Wade making a Twitter announcement or anything like that. It would have just happened.

Mr Finn interjected. Mr ELSBURY — I did not say that, Mr Finn. I could not possibly comment.

We are talking about the Port Phillip woollen mills site in Williamstown of 2.7 hectares which was rezoned by the previous planning minister for housing use. An advisory committee was formed, with hearings held on Monday, 13 September 2010, and Wednesday, 10 November 2010. Public hearings were also held in February and March 2011. The views of the community were listened to and gathered, and the report was delivered. The parts of the report that were omitted were things to do with the minister taking control of the site himself. Possibly they were there because that was the status quo at the time. It was just what happened in Victoria under the previous planning regimes. Instead we have said the council can have that power.

Mr Tee made a big song and dance about a \$900 developer contribution to be made by the developer for each dwelling that is built. He is assuming that \$900 today will be worth \$900 in 5 or 10 years time. He is assuming that there is not going to be any consumer price index increase, any cost of living increase or any changes to the way in which construction is done. He is assuming, based upon what he sees as being a normal amount of \$900, that this will stay the same forever. We do not believe that. We believe when the development is going ahead and the site is being developed is when the amount should be set. If we as a government today set this amount, we are basically robbing the people of Williamstown of the full value of what the developer contribution should be at the time that the development goes ahead. As a government we have advised the council on numerous occasions that it can set the developer contribution. It is within the council's rights to do it.

Mr Tee — No, they can't. Mr ELSBURY — Yes, the council can, Mr Tee. The council can do it.

We have a Labor opposition that would, without consultation, change a development plan and then say, 'We are going to set a developer contribution below what is adequate to provide any of the infrastructure that is required for this development to occur without adversely impacting upon the local community'.

That is basically what we have got. We have also got a Labor opposition that does not trust its mates on the Hobsons Bay City Council to make a

decision.

I do not think it is a secret that this government is determined to undertake urban renewal projects where it can and as efficiently as it can.

Government members will be encouraging the redevelopment of legacy sites that have been unused for quite some time. We will encourage their development into new housing, new commercial opportunities and new business opportunities, because there is no point having bricks and mortar sitting around idle when there is a need for housing for young families, the elderly and people who have fallen on hard times.

We cannot sit around day to day watching these buildings just going to rack and ruin without doing something with the sites that they sit upon. This is especially the case with sites, and there are many in the western suburbs, from which industry has moved for various reasons, such as the cost of operating or even because a factory is tired and the company needs a new site. There is no point leaving those sites completely idle. There has been evidence of this happening for many decades. We only have to look at the Newmarket stockyards development on the other side of the Maribyrnong River from my electorate. That site used to be occupied by abattoirs and stockyards, and now it is a housing development.

This government has also brought forward the concept of the Bradmill site in Yarraville and other development sites in former industrial areas for which it is going to seek better uses, and this is where the Port Phillip Woollen Mills site comes in. There are 2.7 hectares sitting in Williamstown which will benefit homeowners and businesses in the region.

We also have to consider other policies that we are bringing to the fore at the moment which will assist the day-to-day business of people who live in the city of Williamstown. We have committed the Growth Areas Authority to develop a master plan for the Werribee employment precinct. The plan is to give people in Williamstown and across the western suburbs an alternative to working in the city. Instead of the western suburbs being a dormitory and all of us hopping on the trains and heading to Melbourne or fighting through traffic over the West Gate Bridge, the opportunities that the Werribee employment precinct will bring will include jobs in the west for people of the west. These are policies that will impact upon Williamstown and improve the way of life for people across the western suburbs.

I do not think it will come as a surprise to anyone that I intend to vote against this motion simply because the opposition would have control returned to the minister, and the minister has already said that he is giving that control back to the community. It is as simple as that. We have given control back to the community, and we have given the council the power to make the decisions it needs to make. If the council needs any help along the way, I am sure that the minister — and his department and his office — will provide that assistance to the City of Hobsons Bay. If, as Mr Tee says, there will be a six-storey or three-storey limit, whatever limit gets put on this property, we need to work through this matter with the council and the

developer to ensure that this site is utilised in the best possible manner. We also have to consider the site with regard to the port of Melbourne. I find it rather interesting that the shadow minister decided to discuss the future of the port of Melbourne when it was the planning minister in the previous government who would have put the port of Melbourne in jeopardy, firstly, by making the amendment, but apparently it has suddenly become our fault that — —

Mr Finn — Don't let the facts get in the way of a good story.

Mr ELSBURY — Don't let the facts get in the way of a good story — exactly, Mr Finn. I will be voting against this amendment because I want to see the western suburbs thrive without the impost of a minister in Melbourne making a decision when we have perfectly good local government processes available to make the decision. I hope the member for Williamstown will come with the community and the council on this and give them every assistance in working through this matter rather than trying to run a scare campaign about a 20-storey, 40-storey or 189-storey Abu Dhabi-style development.

Mrs Peulich — Only limited by Mr Tee's imagination.

Mr ELSBURY — Only limited by Mr Tee's imagination. We will be building a tower to the moon if we listen to Mr Tee. Indeed a tower of Babel would be built in Williamstown if Mr Tee's predictions are made out. In any case, I will once again on the third and final offer say that I will be voting against this amendment, because I believe the people of my community in Williamstown deserve the say that the Liberal-Nationals coalition government has provided them.

Hon. M. P. PAKULA (Western Metropolitan) — I rise to support Mr Tee's motion.

Honourable members interjecting.

Hon. M. P. PAKULA — Oh, here we go! What did I do to deserve having both Mr Finn and Mrs Peulich in the chamber at the same time?

I would like to respond to each and every one of Mr Elsbury's points, but given the meandering stream-of-consciousness contribution that it was, I would find myself dealing with Mr Elsbury's personal finances, the Kensington stockyards, Mobil Altona and its alarm system and Mr Elsbury's childhood, so it would be a little difficult to deal with each and every issue that he raised. I will just deal with the fundamental issue that he went back to on numerous occasions.

In effect Mr Elsbury's contribution was that what the government is doing is returning power and control to the council and to the local community and respecting their wishes. Frankly it was a contribution based on an avoidance and a denial of reality, because the fact of the matter is that the local community wants the height restrictions, as does the council. Both the local community and the council have made it abundantly clear that they want the independent advisory committee's recommendations supported by the government. That is what the local community wants, and if Mr Elsbury wants to come in here and somehow pretend that the desire of the

local community is that this matter be left in abeyance for months, if not years, he is dreaming. If Mr Elsbury wants to come in here and pretend that it was council's preference that it has this authority returned to it, he is dreaming. It cannot be made — —

Mr Finn — It was an election commitment.

Hon. M. P. PAKULA — I will come to your election commitment in a moment, Mr Finn. Let us be

clear on what Hobsons Bay City Council has actually said. We should not verbal the council; let us hear what it actually said.

The previous mayor of Hobsons Bay, Cr Raffoul, said ...

Mr Finn — Which party is he in?

Hon. M. P. PAKULA — Mr Finn, you cannot have it both ways. You cannot come in here and pretend that the government is adopting the council's wishes and then bag the council because its members say something inconvenient to your argument.

Mr Finn — No, you don't trust it to make its decisions! I just want to get it on the record, that's all.

Hon. M. P. PAKULA — Mr Finn, if you want to put on the record which party Cr Raffoul is in, then go for your life when you are on your feet. Cr Raffoul's media release said:

... council was deeply disappointed with the Minister for Planning's decision on the future of the former Port Phillip Woollen Mills.

Cr Raffoul said the 191-page advisory committee report was comprehensive and balanced and the minister's decision showed a disregard for the committee's expertise and advice.

'The minister has failed to heed the expert recommendations of the independent advisory committee report ...

So let us not come in here and pretend that the council is happy to have this power returned to it. Council wants an end to the uncertainty, and the view of the council and of the local community is that the best way to remove that uncertainty is to impose a mandatory height restriction, as was recommended by the advisory committee. I am sure that Mr Elsbury does not genuinely believe that it is the view of the local Williamstown community that this matter should be up in the air, not just through a council process but through the almost inevitable VCAT (Victorian Civil and Administrative Tribunal) appeal if the developer is not happy with council's decision. This might be in contention for another few weeks or months, it might be years, as this winds its way through VCAT. The best, most comprehensive way to avoid that possibility would have been to heed the recommendation of the committee and do what council and the community wanted — that is, put in place the height restriction.

Mr Finn was bellowing at me before, as is his wont, about it having been an election commitment. Actually Mr Finn's election commitment was not that a coalition government would return this matter to council. His election commitment published on Mr McConnell's leaflets was:
Only the coalition will stop Labor's high-rise development plans.

That was Mr Finn's election commitment. It was not to return the matter to council.

Mr Finn — Did it make any reference to a specific one?

Hon. M. P. PAKULA — This is talking about Williamstown. It says, 'Don't let Brumby destroy Williamstown'. The specific commitment from your candidate, Mr McConnell, was, 'Only the coalition will stop Labor's high-rise development plans'. How do you stop high-rise development plans?

Mr Finn interjected.

Hon. M. P. PAKULA — You give it back to council? No, you do not. You stop high-rise development by putting in place the mandatory height restriction that was recommended by the advisory committee. It is all well and good for Mr Finn to be in opposition and to say, 'If we get in, we'll stop it', but then once he is in government, he says, 'When we said we would stop it, what we meant was that we would give it back to council and hope it stops it, and if it does not stop it, then we hope that VCAT stops it. If VCAT do not stop it, then, "Sorry, it's got nothing to do with us"'.

Mr Finn — You reckon the council won't stop it?

Hon. M. P. PAKULA — Mr Finn says, 'Do you reckon council won't stop it?'. This is the get-out for Mr Finn and Mr Elsbury — that council will stop it. I say to Mr Finn: it does not end with council. As he knows, without mandatory height restrictions, if council makes a decision that the developer does not like, the developer goes to VCAT. So ultimately the matter becomes a matter for VCAT. The only way to avoid it being a matter for VCAT — I think I have heard the member criticise VCAT decisions more than once during his time in Parliament — or of removing it from VCAT's purview would have been to put in place the mandatory height restrictions, as recommended by the advisory committee.

I think that dispenses with the nonsense that somehow this is the will of council and the will of the local community. The one thing that we have never heard from Mr Guy, and which we have not heard from Mr Finn or Mr Elsbury — we might hear it from Mr Finn when he gets on his feet — is why it is these particular recommendations of the advisory committee were ignored.

Mr Finn — We gave a commitment to give it back to the council.

Hon. M. P. PAKULA — Why, Mr Finn?

Mr Finn — Because the council should be deciding.

Hon. M. P. PAKULA — That is not what Mr Finn said before the election. Before the election the member said he would stop it. In this circumstance when you have had a massive process, heaps of submissions, a 191-page report that is agreed to by council and by the local community, why have these two recommendations been ignored by the minister? With regard to the development contribution, to which Mr Tee went in great detail and which Mr Elsbury tried to rebut, let us be very clear. This is not about not setting a price now so that a higher price can be set later, as was suggested by Mr Elsbury — there is nothing in the planning scheme amendment that gives the council the authority to set any development

contribution. If Mr Elsbury's contribution is correct, and if the government wants to make it clear that at some point down the track the council can decide to set a developer contribution of \$1000 or \$1100 or some higher number than \$900 — as Mr Elsbury is suggesting — then put it in the planning scheme amendment. But it is not there, and it is the only other part of the recommendations that have not been adhered to by the government.

I also just want to make some reference to BAE Systems, because I have some experience of this matter from the good old days when I was the Minister for Industry and Trade.

Mr Elsbury — Mr Pakula is reminiscing.

Hon. M. P. PAKULA — Allow me that, Mr Elsbury. Allow me that reminiscence, because it is receding into the distant past. I had a very happy 14 months as the Minister for Industry and Trade.

Mrs Peulich — And may it long recede!

Hon. M. P. PAKULA — I still think Mrs Peulich ought to be a minister. As members would know, there was a lot of concern a few years ago about the future of the shipyards. A decision had to be made by the commonwealth about future shipbuilding. For a period of time it looked like it was all going to be done in New South Wales. An enormous amount of work was done by the previous government to encourage the federal government to ensure the future of the Williamstown naval dockyards. As a consequence of those conversations, I had many discussions with Merv Davis from BAE and others, and it is quite clear — and I know that the Minister for Manufacturing, Exports and Trade was in the chamber until a few moments ago, unlike the Minister for Planning, who has not yet shown — —

Mr Ondarchie — He was here before.

Hon. M. P. PAKULA — I did not see him, Mr Ondarchie. I think it might have been an apparition. The fact is that at least at that time, when I was the Minister for Industry and Trade, BAE was extremely concerned about what kind of height this development would reach. It took the view — quite correctly, I would suggest — that the higher the development, the more residents there would be on its doorstep and the greater the agitation would become for the closure of the shipbuilding facility.

It is not as if we have not seen that kind of situation before. In a manufacturing sense, in a job sense and from the perspective of the future of the dockyards, having some kind of height control and some limitation on the number of residences on its immediate boundary — particularly the number overlooking the shipyards — is very important. Again it makes it even more difficult to explain why the minister refused to accept that key recommendation along with a recommendation about a developer contribution.

In regard to the now to-be-expected and somewhat gratuitous attack from the Greens — the fairly typical 'pox on both your houses' approach that we get not just from Ms Hartland but from Mr Barber too — —

Mr Barber — Because you are reversing your vote, Mr Pakula.

Hon. M. P. PAKULA — Sometimes when these matters come before the Parliament it is important to make hard decisions and to put your cards on the table. There was one member of Parliament, Mr Barber, who made a 190-page submission to the planning committee. There was one member of Parliament who decided to engage a planning expert, a heritage expert and an architectural expert and to lay out his cards and put forward a view about what was appropriate for the site, and that was the member for Williamstown in the Assembly, Mr Noonan. We do not mind the occasional lecture from the Greens on these matters but sometimes it is important —

—

Mr Finn — Pillow talk. It was pillow talk.

Hon. M. P. PAKULA — Mr Finn, if you had put your hand up for Niddrie, I reckon your Premier would have agreed to let you run. I reckon we would have a Liberal in the field and we would have a new member for Western Metropolitan Region.

It is all well and good to get the occasional lecture but it is also important to sometimes make the hard decisions and put a view to a planning committee on what — —

Mr Barber — You made this mess.

Hon. M. P. PAKULA — Mr Barber says, 'You made this mess'. It does not absolve you, Mr Barber, or Ms Hartland from your responsibility to state the Greens' view on what size this development ought to be, rather than just say, 'A plague on both your houses' and hold yourselves up as the only true representatives of the views of the local community. I do not take offence at that for my own part because I know that the work on this matter has been done by Mr Noonan, the member for Williamstown, and I want to take this opportunity to stand up and put that on the record.

If Mr Elsbury and Mr Finn were serious about reflecting the views of the local community in regard to this matter, they would support a mandatory height restriction as recommended by the council. They would not continue with this cop-out of, 'We are leaving this to council', which is code for, 'We are leaving this in the lap of the gods', because it will ultimately be determined by VCAT. They would support Mr Tee's motion. And if they do, we will get it up.

Mr FINN (Western Metropolitan) — I begin by congratulating Mr Pakula, and I say that very genuinely because it is rare that Mr Pakula comes into this house and actually talks about something pertaining to the western suburbs. I think it is marvellous that he has represented the west allegedly for some five and a bit years now — —

Mrs Peulich — It's not just a rumour.

Mr FINN — Maybe there is some substance to the rumour, Mrs Peulich, but it would seem that Mr Pakula has taken this to heart after five and a bit years and he has decided that he will talk about the western suburbs but only when there is some — I am loath to say ulterior motive because I could be accused of something I do not mean. There has been some

suggestion that in fact he might be the Labor candidate for Niddrie, but we know that cannot be the case because the Labor Party has been looking for a local and he is about as non-local as you can get. From Black Rock to the western suburbs — is it any wonder that when Mr Pakula was Minister for Public Transport he

took a particular interest in the health of the West Gate Bridge? That is how he got to his electorate on those rare occasions when he actually visited it. The only way he could get there was via the West Gate Bridge. So it is good to see that Mr Pakula has taken some interest in what is happening in the west; that is something we can all celebrate.

I was going to say that Mr Tee had more front than Myer but then I listened to him. I listened to him because I was going to make some reference and I will make some reference to Justin Madden, the member for Essendon in the Assembly, which should not surprise anybody. Actually Mr Tee went a little bit beyond having more front than Myer when he proved to us all that he really did not have the faintest idea of what he was talking about. He has come into this house today and moved a motion that is based on something that he has absolutely no concept of. He got up here today and told us some fairy stories. He has told us things that are just not true. He has told us that the minister has not handed this back to the council; that is what he has told us.

Let us look at the Hobsons Bay Weekly of 21 December last year. The Hobsons Bay Weekly is the newspaper that covers Williamstown, and the Save Williamstown group spokesman, Geoffrey Moase — — Mr Barber — Godfrey. Mr FINN — Godfrey, sorry, it is Godfrey. You are right; I do apologise. Mr Moase is reported as saying:

I think it's clear that we've made an impact in the campaign so far...

We've never thought we'd be able to get the place rezoned into mixed use and we've got the council back as the responsibility authority.

That is exactly what the minister said has happened. I will say it again, 'We've got the council back as the responsible authority'. That is not so according to Mr Tee; he has some other idea of what is happening. The Hobsons Bay Weekly of 30 November, the week before, quotes Mr Moase again as saying:

Save Williamston welcomes the decision of the Minister for Planning to back the Williamstown community and return the decision making to the council, where it belongs.

That was said by the spokesman for the Save Williamstown group, which has clearly said that it welcomes the decision of the Minister for Planning to back the Williamstown community and return the decision making to the council, where it belongs. I do not know how anybody could be any clearer about what has happened. You have to ask whether Mr Tee can read!

Perhaps he should get somebody who can read it to him. It is highlighted; I will take it over to Mr Tee and show him. It is a blatant attempt to mislead the house and the community, and you have to wonder how far he would take it.

I turn to an article by Jason Dowling from the Age of 1 December. He said:
... the Hobsons Bay council welcomed a decision by Mr Guy to make the council the responsible authority for future building applications on the site

...

The Hobsons Bay council said it was pleased, according to the article in the Age. Granted, you have to be a bit wary of what the Age writes from time to time, but that seems clear. I have a press release from the Hobsons City Bay Council dated 30 November last year. It quotes the mayor, Cr Raffoul, as saying:

However, we look forward to working with the developer and key stakeholders to progress the redevelopment of this important site. If the council did not have control of the site, why would it be looking to work with everybody to progress it, or how would it be able to do that? Mr Tee has got it dreadfully wrong again. We are in a house of the Victorian Parliament today debating something which is based on a myth — I am not going to get into global warming. This is something that Mr Tee has got dreadfully wrong. He is perhaps the king of the time wasters. We have been debating this motion for about an hour and a half, and the whole thing is a fairy story.

Let us go to the crux of this issue. It is not about what Mr Guy did; it is about what Mr Madden did when he was the Minister for Planning some two or three years ago. There would not be anybody in the Williamstown community who could ever forget the feeling of outrage, anger and disgust they felt toward the Brumby government, particularly the then Minister, Mr Madden, when he rezoned the site without consulting anybody, without discussing it with anybody and without even warning anybody. He just dropped it on the Williamstown community one day. We remember the anger. I have a piece from the Hobsons Bay Leader of that time. The article begins by saying:

Williamstown residents opposed to a proposed 46.5-metre high-rise development on the suburb's foreshore say they have no confidence in planning minister, Justin Madden.

They were not alone, it has to be said. The article continues:

They protested this morning over the minister's decision, made on Friday, to speed up residential development at the former Port Phillip Woollen Mill site on Nelson Place.

...

The residents and council are angry Mr Madden went over the council's head to rezone the site.

An honourable member — Did he have a consultation?

Mr FINN — He did not have a consultation; he went straight over the council's head. He said to the council, 'You do not know what you are doing. I know what I am doing; I'm going to rezone the whole thing'. He did not care about the local Williamstown community. That is what started this whole thing. We are debating this motion today because of what Justin Madden did when he was planning minister in the Brumby Labor

government.

Mrs Peulich — And did we hear anything — —

Mr FINN — That is an extraordinarily good question from Mrs Peulich, because we did not hear anything from Mr Tee, we did not hear anything from Mr Pakula and we did not hear anything from Mr Noonan — surprise, surprise! They just sat back and let Minister Madden do whatever he liked. Mr Madden was not ashamed of the fact that he had shafted the local community and the Hobsons Bay council. In the Hobsons Bay Leader article he is quoted as saying:

The Brumby Labor government is taking action to address Melbourne's housing supply by making planning decisions that create jobs, manage the growth of our cities and help families secure their lifestyle ...

That is so typical. Mr Madden also said:

The iconic Port Phillip Woollen Mills site can provide much-needed housing in a vibrant inner-city location.

How often did we hear ministers of the former Labor government take the attitude that they knew better than we did; that they knew better than the local community? That is the reason Labor members are sitting on that side of the house. That is the reason the Labor Party is in opposition. It took the attitude that it knew better than everybody else. It ignored the concerns of local communities, and it ignored councils. It attempted to take planning decisions away from councils, not just from Hobsons Bay City Council but from councils right across the state. It is a big part of why Labor members are sitting on that side of the house.

It was a giant slap in the face of the Williamstown community when Justin Madden rezoned that land without consulting anybody. The Williamstown community had another slap in the face recently when its local member was overlooked for a shadow ministry, despite promises that were made, as I understand it. He has missed out again. The Williamstown community has been done over again by the Labor Party.

Mr Ondarchie interjected.

Mr FINN — Frankston seems to be going very nicely for reasons that are totally beyond me. The Williamstown community has every reason to be wary of what Labor said and particularly wary of what Labor does. Williamstown is a beautiful place. Members who have been there — and I hope they have all been there at some stage — will know Williamstown is a magnificent place. I frequent Williamstown, and it is a delight. It has a village atmosphere and the best view of Melbourne of anywhere around the bay — I do not care what anybody says, and I will not be convinced otherwise. If it does not offer a lifestyle that is second to none, it must go pretty close. It is a special place. I can totally understand community sensitivities about any development and particularly a development of this nature, which may, as some have said, change the character of the village that is Williamstown. There are certainly issues surrounding the development, and these issues should be considered, without question. I am not denying that.

The refinery on the point itself is — —

Mr Barber — It is not a refinery.

Mr FINN — You are right, Mr Barber; I knew if you kept going, you would get something right eventually. There is a storage tank on the point.

Mr Barber interjected. Mr FINN — I have been there. I was just about to mention that; thanks for getting in beforehand.

I have been down there and had a look, and I am concerned about some of the issues. We have to get this right; this is not something that we should rush into. It is not something that, as the previous government was going to do, we should just allow to happen before anyone knows it. That is why before the last election we gave a very clear commitment. I know we gave a very clear commitment because I gave it myself — —

Mr Leane — To make teachers the highest paid in the country?

Mr FINN — I gave it myself, Mr Leane. It is a commitment I gave myself, and it is that we would hand this matter back to the City of Hobsons Bay to decide.

Ms Hartland interjected.

Mr FINN — Ms Hartland might not agree with me on very much, but I am sure she will agree with me on this, that in Williamstown at the last election this was a fairly sizeable issue; it was a huge issue. We said we would hand this development back to the local community to decide, via the City of Hobsons Bay. As a result of that promise, after it was considered by the community at the last election in Williamstown, the Liberal Party received the biggest swing in this state. There were certainly other considerations that were a part of people's thinking — the standard of candidates and a whole range of matters — but the fact of the matter remains that we had the biggest swing to the Liberal Party in Victoria in Williamstown — —
Mrs Peulich interjected.

Mr FINN — It was over 12.5 per cent, which is a fairly substantial swing in anybody's language. People made it very clear that they liked what we were saying to them. They wanted that matter handed back to the local council to decide, and that is what we are doing. That is what we have done, and that is what we are doing. The Save Williamstown group knows we have handed the matter back to the council; it says that is where it belongs. We are keeping our promise. Ms Hartland says we have broken our promise. I do not know what she is talking about, because we said we would hand it back to the council; we won the election, and we have done that. We have let the council decide.

I have had some people associated with the council come to me and say, 'It is a bit too hot for us to handle; we really wish you would do it'. I can understand why they would not want to get in the middle of a local fight, but the reality is that it is the local council's job to decide this, and if we are going to take planning responsibilities away from local councils and hand them to the Legislative Council, if we are going to take responsibilities away from the City of Hobsons Bay and give them to the Legislative Council, then you have to wonder if local government really has a future,

because planning is such an important part of what local government is there for.

I have to make some comment, brief as it may be, about an email that reached my inbox on Monday evening. It was from the Save Williamstown group and it was a fairly substantial email; it took me a while to read it. It made some interesting points, to say the very least, most of which I had heard before, but still there were some interesting points. There is one point I have to take issue with, though, and that is that the email said both Liberal members in Western Metropolitan Region had rejected Save Williamstown's approach to have meetings. I was a bit surprised by this, to tell you the truth, because I have met with residents, I have met with traders, I have met with opponents, I have met with proponents and I have met with councillors. I have met with anybody and everybody who wants to meet with me.

So I spoke to my staff and said, 'What is this all this about? This mystifies me, because I have a policy at my office of not knocking back anybody who lives in the electorate. If they want to see me, they get to see me'. I know Mr Elsbury has a very similar, if not exactly the same, policy.

Mrs Peulich — How about the missus?

Mr FINN — Sometimes. I was extremely taken aback by this claim so I spoke to my staff and they explained to me that at about 4.20 p.m. last Friday afternoon three ladies came to my office demanding to see me. I was out in the electorate; I have meetings constantly. My diary is as full as a Catholic school; it goes on forever. On that particular Friday afternoon, as with most Friday afternoons, I was out in the electorate at a meeting and obviously unavailable to meet with some people who just walked in off the street saying, 'We want to see Finn now!'. They then demanded, from what I am told, that I attend a meeting at 5.30 p.m. on Monday, but when my staff checked my diary they saw that time was again taken.

You have to realise, and I am sure members would appreciate, that in this role some people have to wait, sometimes for months, to get an appointment with me. I am not in the business of gazumping, of putting other people in ahead of others who might be a little louder, a little bit more raucous and might feel they need my attention ahead of others. I do not think that is at all fair.

So an offer was made. I am very happy to meet with this group; I have met with its legal team before. I was down on the point itself. It was one of those days where the wind was blowing. In fact it could have blown a dog off its chain it was so windy down there on that particular day.

Mr Ondarchie interjected.

Mr FINN — It is all right; it is under control. I have been down there. I saw the problems that the group is suggesting would follow from this development. I saw

them firsthand. I stood there next to the tankers. I stood there and saw the distances we are talking about. I have a very good understanding of the problems that have been discussed, so I just do not understand how these

people could say I refused them a meeting when in fact they did not really give me much of a chance to meet with them again. In terms of office time, they gave me less than 24 hours. But in fact I have already met with them — if not with them, then with those people who have very similar views and concerns to them.

I went to the website of the Save Williamstown group, and there was one particular article that grabbed my attention. It was an article written by the journalist Goya Bennett. It was a fascinating interview with the minister. I have to say I had a few alarm bells ringing as I read it, so I spoke to a few people, and apparently this interview was a little bit out of date; it had been conducted some months before. In terms of context it was way out of line. But that did not surprise me, because the journalist of whom I speak has done similar things to me and to a number of local identities, including Les Twentyman. It seems very odd to want to attack Les Twentyman, but some people clearly think they can make a name for themselves, make a reputation for themselves by conducting their journalistic profession in this way. I make the suggestion to the Save Williamstown group that if it is interested in protecting its credibility, it might be an idea to give her a very wide berth, because I do not think this sort of thing helps very much at all — —

Ms Hartland — On a point of order, Acting President, Mr Finn is making some interesting remarks about a local journalist who cannot defend herself in this chamber. I am concerned about where this is leading.

The ACTING PRESIDENT (Mr Elasmr) — Order! I advise Ms Hartland that I am sorry, but that is not a point of order.

Mr FINN — As I said earlier, it is not for the houses of Parliament to make decisions on planning matters; that is not our role.

Mr Barber interjected.

Mr FINN — It is ultimately a responsibility for local government. Mr Barber might like to head out at 5 o'clock tomorrow morning and pick up the rubbish on the streets of Brunswick. Taken to its extreme, that is what his argument would have us doing. But the bottom line is that planning is local government's responsibility. Ultimately if it makes a hash of it, if it makes a mess of it, yes, we can step in. As we have seen in Brimbank, if things are totally out of hand, we can actually dismiss a council. A number of councils — interestingly enough all Labor councils — have been dismissed in the west over a number of years.

To my way of thinking it is an important point of principle that this be left to local people. This is something that I have been talking to local councillors about for the five and a bit years I have been in this place and indeed when I was in the other place as well. I believe it is an important point of principle that we must support and stand up for, that where possible local people via their local council should be allowed to make planning decisions. To dismiss that, to throw that out and to bring that in here is just a nonsense and something that we should not be condoning or supporting at all.

To Mr Tee I say: before he brings his next motion into this house it might be

an idea to do some homework. It might be an idea to find out exactly what the situation is. It might be an idea to know some facts before he comes in here and wastes the time of this house on something that clearly he has got terribly wrong. I will always stand up for the local community in the west. I always have and I always will. That is the fact of the matter.

Whether it be a planning issue in Hobsons Bay, a transport issue in Wyndham or a local government issue in Brimbank, I will always put the interests of the local community first. That is why I come into this house today, oppose this motion and say: this matter must be left as the minister has directed. It must be left with the Hobsons Bay council to decide.

Mr EIDEH (Western Metropolitan) — I would like to make a very short contribution to the debate on Mr Tee's motion, which I fully support. My colleagues Mr Tee and Mr Pakula have covered most of my concerns, but I want to add a few comments. My main concern is that this development could lead to uncertainty in the community and the council. Another concern is the height of the development being left open; it could go much higher than what the planning advisory committee recommends. Neither can I understand why the contribution for the development was waived, because the community needs the money to fund local community infrastructure. As I said, my colleagues have covered most of my concerns, and I commend the motion to the house.

Mr TEE (Eastern Metropolitan) — In summing up, I suppose what is amazing is the startling hypocrisy of some of the arguments that have been put. We have got those opposite waxing lyrical about their desire to let council decide, and yet their election commitment was to stop high-rise developments. This minister does not let council decide. Rather he gives council the framework to implement the recommendations of the advisory committee. He says, 'Here, off you go and implement those', except for those two critical aspects where he denies council any capacity — that is, in relation to height limits and to the developer contributions, those two critical bits.

Then we have Mr Elsbury and Mr Finn saying that is not the case. Council will determine height limits, council will determine the developer contributions; they will be matters for council to determine. Mr Elsbury has some formula for determining a greater amount or a lesser amount.

I suppose it got me thinking about why the minister does not participate in this debate, why he does not respond to the concerns of the council and the community and indeed the panel, why he does not turn up here and respond to those issues, and the answer became clear to me when I had a look at the reports. Not even Mr Guy, not even the minister, is prepared to suggest that the council will be able to set developer contributions. Not even Mr Guy has publicly stated that height limits will be controlled by the council, not even he says that. That is why he is not in here today to defend his position. When he is asked why the council does not have this power, he does not publicly say that council does; what he says is that is the advice he has received from the department.

He said that to the Age on 1 December. He said that to the Hobsons Bay Leader on 6 December. He says that he has been advised by the department and he is acting on the advice of the department. He does not say what Mr Elsbury has said or what Mr Finn has said — that is, that the council is going to have a role here or that the council has power here or that the community has any say in it. He says, 'No, I have been advised by the department. I will let Mr Elsbury and Mr Finn go into the house and come out with something different. I will stay out of the chamber and let them pretend something else, but I am not going to turn up and defend it, because I cannot defend this position'. That is why he is not here; that is why he has not attended any part of this debate. I say to Mr Elsbury and to Mr Finn that the minister has not defended his decision because he cannot defend it.

House divided on motion:

Ayes, 18

11:52

Barber, Mr (Teller) Broad, Ms Darveniza, Ms Eideh, Mr Mikakos, Ms Pakula, Mr Pennicuik, Ms Pulford, Ms Elasmarr, Mr Hartland, Ms Jennings, Mr Leane, Mr Lenders, Mr Scheffer, Mr Somyurek, Mr (Teller) Tarlamis, Mr Tee, Mr Tierney, Ms

Noes, 20

Koch, Mr Kronberg, Mrs Lovell, Ms O'Brien, Mr O'Donohue, Mr Ondarchie, Mr Petrovich, Mrs Peulich, Mrs Ramsay, Mr Rich-Phillips, Mr Atkinson, Mr Coote, Mrs (Teller) Crozier, Ms Dalla-Riva, Mr Davis, Mr D. Davis, Mr P. Elsbury, Mr (Teller) Finn, Mr Guy, Mr Hall, Mr

Pair

Viney, Mr Drum, Mr

12:02

Motion negatived.

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SAVE WILLIAMSTOWN



What Local MLC said under Parliamentary Privilege about a Journalist from The Hobsons Bay Weekly

Thursday, 9 February 2012

Local Liberal Member of the Upper House of State Parliament, Bernie Finn, used parliamentary privilege to slander local journalist Goya Dmytryshchak accusing her of publishing an article about an interview with Planning Minister Matthew Guy which was months out of date.

As the article:

http://www.savewilliamstown.net/Save_Williamstown/NEWS/Entries/2011/12/14_Woollen_Mill_site__Guy_wont_deal_with_hypothetical_hazard_issues_-_QUALITY_JOURNALISM_FROM_LOCAL_PAPER.html

was published on 14 December in the Hobsons Bay Weekly and referred to the Minister's decision re the Former Port Phillip Woollen Mill Site Planning Scheme Amendment on 1 December

http://www.savewilliamstown.net/Save_Williamstown/NEWS/Entries/2011/12/1_Victoria_Government_Gazette_No._S_391.html

- Mr Finn was CLEARLY not telling the truth to parliament.

Luckily before more comments were made Colleen Hartland MLC Greens pulled him up..

This is the quote from Hansard of what Mr Finn said:

"I went to the website of the Save Williamstown group, and there was one particular article that grabbed my attention. It was an article written by the journalist Goya Bennett(sic). It was a fascinating interview with the minister. I have to say I had a few alarm bells ringing as I read it, so I spoke to a few people, and apparently this interview was a little bit out of date; it had been conducted some months before. In terms of context it was way out of line.

But that did not surprise me, because the journalist of whom I speak has done similar things to me..... but some people clearly think they can make a name for themselves, make a reputation for themselves by conducting their journalistic profession in this way. I make the suggestion to the Save Williamstown group that if it is interested in protecting its credibility, it might be an idea to give her a very wide berth, because I do not think this sort of thing helps very much at all"

Save Williamstown respects Goya's journalism as it is accurate and her research extensive. She always presents multiple views including the developer's (who some of us would obviously rather not hear from!).

For writing on safety issues she was awarded the prized Quill Award 2010.

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SAVE **WILLIAMSTOWN**



Government rejects height limits for Williamstown high-rise

Tuesday, 14 February 2012

Hobsons Bay Leader

14 FEB 12 @ 05:00AM BY JAMES TWINING AND FIONA O'DOHERTY

“PLANS for a controversial high-rise tower in Williamstown have been given a boost after the State Government turned its back on recommended mandatory height limits.

The Government last week chose to set more flexible “indicative” height limits on the former Port Phillip Woollen Mills site, ignoring an independent advisory group’s recommendations of a limit of 25m.

The move now means developer, Nelson Place Village, can push on with its case to build high-rise apartment towers on the lucrative Nelson Place site.

The independent planning advisory committee had recommended that mandatory height limits of 25m be put in place, with site frontage capped at 10m.

The clause for a developer contribution requirement for a minimum of \$900 was also removed by the amendment.

Planning Minister Matthew Guy had previously said the amendment would

put the planning process back in the hands of Hobsons Bay Council, something it had appealed for from the start.

But Williamstown state Labor MP Wade Noonan said the developer could now restate its case for height limits greater than those suggested by the planning advisory committee.

"The developer can now quite legally argue their case all the way through to VCAT (the Victorian Civil and Administrative Tribunal)," Mr Noonan said. Western Metropolitan Liberal MP Andrew Elsbury disagreed.

"It would be rather difficult for the developer (to successfully appeal a council decision)," Mr Elsbury said.

"If they go to VCAT they may well find they have done their dash."

Save Williamstown spokesman Godfrey Moase said indicative height controls were meaningless.

Nelson Place Village managing director Ashley Williams would not say whether the height of the development would be limited to reflect community expectations or whether a contribution would be made to infrastructure costs.

He said a site master plan, formed in collaboration with the council, would be completed in the next couple of months....."

<http://hobsons-bay-leader.whereilive.com.au/news/story/government-rejects-height-limits-for-williamstown-high-rise/>

Have your say

I am very disappointed in the planning minister's decision to give the "already rich" developers of the former Port Phillip Woollen Mills site, the ability to present a HIGHER MULTISTORY PORT-MELB-STYLE PLAN for the area in Sth Willi. This is totally inappropriate for the size of Pt Gellibrand, let alone the potentially disastrous consequences of a major fuel incident occurring at the Mobil site. Where is the safety plan?

We need to restrict the volume of this development as traffic already causes major bottle necks.

What's the point of an indicative height limit? Either we believe local government as our democratic representatives have the right to set appropriate limits on development or we don't. I'm sick of weasel words in politics.

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SAVE WILLIAMSTOWN



Ex-minister intervened in Phillip Island case

Wednesday, 15 February 2012

The Age

Royce Millar and Nick McKenzie Age Investigative Unit
February 15, 2012

Read more: <http://www.theage.com.au/victoria/exminister-intervened-in-phillip-island-case-20120214-1t4a2.html#ixzz1mMdBjDv9>

“PLANNING Minister Matthew Guy's contentious rezoning of farmland on Phillip Island last year followed the intervention of Liberal elder Rob Maclellan on behalf of a family friend.

Government and property industry sources have told The Age that Mr Maclellan contacted Mr Guy's office ahead of the minister's surprise decision to override Bass Coast Council and give the green light to housing on a 23-hectare property at the tiny hamlet of Ventnor.

Mr Maclellan's approaches to Mr Guy's office on behalf of developer and Liberal Party member Jim Hopkins - a family friend of Mr Maclellan's - raise fresh questions for Mr Guy about possible political influence on his decision-making.....”

<http://www.theage.com.au/victoria/exminister-intervened-in-phillip-island-case-20120214-1t4a2.html>

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SAVE WILLIAMSTOWN



Another developer sues Guy

Wednesday, 15 February 2012

The Age

Clay Lucas, State Political Reporter

February 15, 2012

Read more: <http://www.theage.com.au/victoria/another-developer-sues-guy-20120214-1t4a1.html#ixzz1mMeMYSRO>

"ANOTHER developer is suing Planning Minister Matthew Guy, this time because of claims he acted unreasonably in a decision over rural land in Lara.

L. Bisinella Developments lodged a statement of claim in the Supreme Court against Mr Guy on Monday. It said Mr Guy failed to act properly as minister in November, when he ruled out residential development on 19 hectares on Lara's outskirts.

The Bisinella legal team's writ asks the court to set aside the minister's decision and demands the state government pay all costs.

Bisinella has not made any claim for compensation, but said it had "suffered and continues to suffer loss and damage".

State opposition planning spokesman Brian Tee said the writ, which follows a separate legal action taken against the minister last month over land in Phillip Island, cast serious doubts about Mr Guy's competence as minister. "People must be asking what is going on," Mr Tee said....."

<http://www.theage.com.au/victoria/another-developer-sues-guy-20120214-1t4a1.html>

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SAVE WILLIAMSTOWN



WHY is there no article in The Age about the Former Port Phillip Woollen Mill Site and proximity to an MHF

Wednesday, 15 February 2012

We thought it was NEWS what occurred in Parliament last Wednesday but there was no report in The Age.

The residents of Williamstown are wondering why the newspaper which had Developer Ron Walker (50% owner of Evolve) as Chairman until 2010 and who is still a major shareholder, isn't reporting on the 2 hour debate in the Legislative Council last week about the strange turnabout by the Planning Minister when he decided on Hobsons Bay Planning Scheme Amendment C86. The minister has ignored the extreme safety issues of a Major Hazard Facility and Fuel Importation and ignored the Port Phillip Woollen Mill Advisory Committee report and is favouring the advice of public servants in the Department of Planning and Community Development. With Lara and Phillip Island in the news about what went on behind closed doors is there a story about what happened with the Former Port Phillip Woollen Mill Site too? Surely there is a far larger bounty on the Former Port Phillip Woollen Mill Site with the mooted inner city high rise high density apartments.

Maybe The Age's investigative team Royce Millar and Nick McKenzie or Clay Lucas, will find out what really happened and report their findings.

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SAVE WILLIAMSTOWN



Williamstown towers to pose 'a risk to lives'

Wednesday, 15 February 2012

Hobsons Bay Weekly
BY GOYA DMYTRYSHCHAK
15 Feb, 2012 01:00 AM

"The outcome might be a 15-storey monstrosity that the community, the panel and the council say is bad for the look, the feel and the amenity of Williamstown.'

LIVES in Williamstown are being put at risk by a gap in Victoria's planning system, State Parliament heard last week.

The claim by opposition planning spokesman Brian Tee came as a bid to block an amendment paving the way for high-rise development next to Mobil's tank farm failed by two votes in the upper house.

Mr Tee last Wednesday moved to revoke amendment C86 to the Hobsons Bay planning scheme, claiming lives would be "literally at risk" if a \$220million high-rise development went ahead on the former Port Phillip Woollen Mill site in Nelson Place.

Liberal heavyweight Ron Walker is a part-owner of Nelson Place Village

Pty Ltd, which has proposed to build about 450 dwellings, including four towers up to 13 storeys high.

Mr Tee told Parliament an independent panel had concerns about high-rise development within a 300-metre radius of Mobil's facility, advising that buildings within the buffer zone had to be low-rise and constructed to withstand a cyclone.

He said the future of Australia's busiest port, the "anchor of the Victorian economy," could also be jeopardised by the encroachment of residential development with no mandatory height limit.

"The outcome might be a 15-storey monstrosity that the community, the panel and the council say is bad for the look, the feel and the amenity of Williamstown - and the local Liberal Party members are silent."

Mr Tee said the panel's recommendation of a \$900-per-dwelling developer contribution had also been ignored.

Western Metropolitan Greens MP Colleen Hartland labelled the mill site's proximity to Mobil as "incredibly dangerous" and expressed concern about the future of Williamstown's dockyard.

"We just need to look at what happened at Cockatoo Island when residential development was allowed close to the facility; eventually it closed.

"Residential areas and industrial, major hazard facilities don't mix."

Addressing the house, Western Metropolitan Liberal MP Andrew Elsbury said the government was "not putting anything inside the buffer zone that would put people's lives at risk".

"As Mr Tee has explained, there is a provision that buildings be able to withstand a cyclone.

"It is only reasonable to expect that if a building is on the verge of the buffer zone, it is able to withstand any incident."

Mr Elsbury said the \$900-per-dwelling developer contribution had been removed to allow for greater future contributions based on things such as cost of living increases....."

<http://www.hobsonsbayweekly.com.au/news/local/news/general/williamstown-towers-to-pose-a-risk-to-lives/2456358.aspx?storypage=0>

"Have your say - comment:

Save Williamstown wrote to every politician and received no response before the debate. Minister Guy didn't even attend the 2 hr debate but let Bernie Finn and Andrew Elsbury bumble through.

It's head in the sand or a bit of palm greasing. AND IT IS AT THE EXPENSE OF EXISTING RESIDENTS AND WORKERS. 70% of Victorian fuel arrives at Pt Gellibrand by ship - sometimes it's petrol - 150 million litres per 250m long ship. Port of Melbourne sets firefighting rules - 70m throw of water or foam. If it wasn't lives at risk then it would be laughable."

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SAVE WILLIAMSTOWN



Is high \$ making refineries uneconomic - in the future will
150 million litre ships at Pt Gellibrand bring in petrol?

Friday, 17 February 2012

With 70% of Victoria's fuel arriving at Pt Gellibrand, Williamstown and in the foreseeable future NO alternative port or pipeline infrastructure to support the importation of fuel, the change from crude oil to petrol importation would have MAJOR implications for safety on the Pt Gellibrand Peninsula.

SAVE WILLIAMSTOWN calls upon the government to urgently implement the recommendations of the Port Phillip Woollen Mill Advisory Committee Report and do a proper Emergency Evacuation Plan. This is not a task for the developer of the site or the local government as it involves safety of 1500 existing local residents and 1500 workers PLUS international shipping and port safety.

Minister Matthew Guy sits on the Ports and Environs report whilst fast tracking the development of the Former Port Phillip Woollen Mill Site and knowing there are many port issues which he is privy to and has not divulged. WHO IS PULLING THE STRINGS OF THIS PUPPET GOVERNMENT?

<http://www.theage.com.au/business/victoria-bears-brunt-of-job-cuts-20120216-1tbyt.html>

The Age
Tim Colebatch
February 17, 2012

Victoria bears brunt of job cuts

“.....Late yesterday Caltex flagged that it might shut its two Australian oil refineries in Sydney and Brisbane - raising questions about the future of Victoria's two refineries, the Shell refinery at Corio and the Exxon-Mobil plant at Altona.

Caltex Australia chief executive Julian Segal said the future of its two ageing refineries has been put under review because of the high Australian dollar and competition from newer, large-scale, more efficient refineries in Asia.

Caltex has written down the value of the two refineries from \$1.8 billion to \$340 million. Just seven refineries are now left in Australia, all of them relatively old.

Yesterday's announcements add to a recent wave of job cuts at major companies across Australia's banking, retail and manufacturing sectors.

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SAVE WILLIAMSTOWN



NEW FACTSHEET from Hobsons Bay Council

Friday, 17 February 2012

http://www.hobsonsbay.vic.gov.au/Files/Planning_Factsheets/Former_Port_Phillip_Woollen_Mill_fact_sheet.pdf

FORMER PORT PHILLIP WOOLLEN MILL

Amendment C86

FEBRUARY 2011

On 1st December 2011, the Minister for Planning approved Amendment C86 to the Hobsons Bay Planning Scheme. The amendment specifically:

- Rezoned part of Precinct 20 (as identified in the Industrial Land Management Strategy 2008) to Mixed Use Zone;
- Removed the existing Design and Development Overlays Schedules 4 and 8 (Foreshore Height Controls);
- Applied Design and Development Overlay Schedules 11 (DDO11); and
- Applied an Environmental Audit Overlay to entire Precinct 20, excluding 23 Ann Street.

The Minister's decision, compared to the Advisory Committee recommendations and what the Council sought, is outlined in the table below: (See Factsheet for table of differences between Advisory

Committee Recommendations and Minister's decisions and what Council wanted

http://www.hobsonsabay.vic.gov.au/Files/Planning_Factsheets/Former_Port_Phillip_Woollen_Mill_fact_sheet.pdf)

Background

Amendment C75

On 27th March 2009, the Council received a request for a planning scheme amendment from Nelson Place Village Pty Ltd. The amendment (Amendment C75) proposed to:

- Remove the existing Design and Development Overlays, DDO4 and DDO8;
- Rezone land at 3-59 Nelson Place, part of 2 -10 Nelson Place (located along Kanowna Street) and 16-20 Kanowna Street to Residential 1 Zone (R1Z);
- Apply an Environmental Audit Overlay (EAO); and
- Introduce a Development Plan Overlay 1 to control the redevelopment of the site.

The Council considered the amendment at its Ordinary Council Meeting on 1st December 2009 and resolved not to support the amendment in its current form. The Council's key concerns included inconsistency with the Local and State policy, failure to adequately justify the removal of mandatory height controls, use of a Development Plan Overlay, impacts on state significant industry, buffer distances and social infrastructure.

Ministerial intervention

On 1st April 2010, the former Minister for Planning rezoned the land known as the Former Port Phillip Woollen Mill to Residential 1 Zone under Section 20(4) of the Planning and Environment Act 1987. An Advisory Committee was appointed on 27th May 2010 to review planning and urban design matters related to the proposed redevelopment of land.

Advisory Committee hearing and report

Direction Hearings were held on 13th September and 17th November 2010. The Committee received 146 submissions. Advisory Committee Hearings were held over 15 sitting days from 10th February to 4th March 2011.

An Advisory Committee Report was released on 28th November 2011.

Key Advisory Committee recommendations included:

- Mandatory height controls for the site ranging from 10 metres to 25 metres;
- Application of a Design and Development Overlay 11 (DDO11);
- Adopt the WorkSafe Advisory Note dated September 2010 as a guide;
- Application of Heritage Overlay 8 to entire Precinct 20;
- Amending the Heritage Overlay 35; and
- Require a development contribution of \$900 per dwelling towards social infrastructure.

When and how will the community be notified and what are the limitations?

The Minister for Planning has made the Council the Responsible Authority for a planning permit application process. The Council may notify the community of the future planning permit under the provisions of the Mixed Use Zone and Heritage Overlay. However, it should be noted that the new DDO11 allows for limited community consultation and appeal rights. If an appeal is lodged against the Council's decision, the Victorian Civil and Administrative Tribunal may consider submissions and decide on the matter.

What happens next?

The Council has received an application for the demolition of the existing buildings at 3-39 and 41 Nelson Place, Williamstown (PA1124005). The application and supporting documentation may be inspected at the Hobsons Bay Civic Centre 8.30am to 5.00pm, Monday to Friday, or via Greenlight, the Council's online permit management system at www.hobsonsbay.vic.gov.au.

Any person who may be affected by the granting of the permit may object or make other submissions to the Council in writing, including the reasons for an objection and stating how the objector would be affected by 15th February 2012. Objectors will be advised of the decision.

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SAVE WILLIAMSTOWN



Hobsons Bay Council agrees to participate in Woollen Mills plans

Wednesday, 15 February 2012

Hobsons Bay Leader

15 FEB 12 @ 05:00AM BY FIONA O'DOHERTY

“THE developer behind plans for Williamstown’s Woollen Mills site has asked Hobsons Bay Council to take part in planning for the site.

The council has agreed but requested more information about what this would involve; including outcomes sought, responsibilities, timelines and the nature of community consultation involved.

Council planning and environment director Peter Gaschk said the developer, Nelson Place Village, had yet to indicate whether it would support the council’s wishes that the development’s height be capped at 25m.

The council is also considering an application to demolish industrial buildings on the site and has asked Heritage Victoria to investigate whether an archaeological dig should take place if demolition proceeds. There had been four objections to the demolition application last week but Mr Gaschk said it could only be considered in the context of the council’s heritage guidelines.

Residents' group Save Williamstown has opposed the demolition on the grounds the existing buildings provided a buffer between residences and nearby Mobil fuel storage tanks.

Nelson Place Village managing director Ashley Williams said demolition at the site was necessary in order to begin testing the soil and undertake remediation if required....."

<http://hobsons-bay-leader.whereilive.com.au/news/story/hobsons-bay-council-agrees-to-participate-in-woollen-mills-plans/>

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SAVE WILLIAMSTOWN



Chemical spill forces residents indoors

Sunday, 19 February 2012

The Age

February 19, 2012 - 1:19PM

"A chemical spill at a storage plant operated by Alcoa in Portland has shut down the port and forced residents indoors.

Hundreds of tonnes of liquid pitch, used by the nearby Alcoa smelter to process aluminium, has spilled from a storage tank at the port in south-west Victoria.

The CFA is warning residents to stay inside, shut their doors and windows and seek urgent medical attention if affected by harmful vapours.

"If they actually smell vapours, which smell like hot bitumen, and if they're experiencing headaches or shortness of breath, they should contact triple zero and the ambulance will actually come to them and just check them over," CFA spokeswoman Sharon Linke said.

"They should also make sure that they stay indoors until this incident is actually contained and controlled, and not operate air-conditioners, which would actually take the air from outside indoors."

The emergency started about 3pm yesterday when an outlet pipe attached

to a 3000-tonne tank ruptured.
Within two hours, 250 tonnes of pitch, which was heated to 200C, had spilled.....”

<http://www.theage.com.au/victoria/chemical-spill-forces-residents-indoors-20120219-1tgr2.html>

Continued in The Age
FEBRUARY 20, 2012
TONY WRIGHT, PORTLAND

“RESIDENTS of the south-west Victorian town of Portland were warned to stay indoors and the entire port was closed yesterday after hundreds of tonnes of superheated liquid chemical spilt onto a main wharf. The chemical — a bituminous substance known as liquid tar pitch — is used in the production of aluminium at Alcoa's plant nearby. Emergency authorities, fearing a toxic cloud could envelop the town and its bay, activated an automatic telephone warning system yesterday morning to advise almost 10,000 residents to close windows and doors and stay inside. Police sealed all roads to the port, the town's large fishing fleet was prevented from sailing and businesses in the main shopping centre were shut. However, a vapour cloud did not eventuate and authorities were monitoring several sensors placed around the town last night. The chemical spill occurred when an outlet pipe from a 3000-tonne steel container failed about 3pm on Saturday.....”

<http://www.theage.com.au/victoria/-1thcg.html>

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SAVE WILLIAMSTOWN



HOBSONS BAY COUNCIL DRAFT MINUTES - Emergency Management Question

Tuesday, 21 February 2012

Item 5

COUNCILLORS' QUESTIONS

Cr Angela Altair advised of concerns raised by the Save Williamstown group regarding the impending development of a hazardous facility at Point Gellibrand and enquired about the safety and security models that are available in case of emergency and the Council's role in emergency evacuations.

Peter Gaschk, Director Planning and Environment, advised that the panel report in relation to this site has noted emergency management requirements and the issue of emergency evacuations will be addressed as part of the planning process. The Council will also write to the Port of Melbourne, Transport Safety Victoria and Worksafe as these bodies are responsible for the relevant emergency services and marine safety issues and ask for their response and advice in relation to the concerns raised by the Save Williamstown group.

Relevant emergency management matters will be referred to the Council's Municipal Emergency Management Committee for advice and reported back to the council. The police are responsible for implementing any evacuation procedures if required.

http://www.hobsonsbay.vic.gov.au/Files/Unconfirmed_OCM_Minutes_21_02_2012.pdf

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SAVE WILLIAMSTOWN



Trickery' spoils Bracks' vista

Wednesday, 22 February 2012

Hobsons Bay Weekly
BY GOYA DMYTRYSHCHAK
22 Feb, 2012 01:00 AM

"FORMER Victorian premier Steve Bracks has accused Planning Minister Matthew Guy of "trickery" and believes that a Williamstown towers proposal will be decided by the Victorian Civil and Administrative Tribunal. Mr Bracks last week spoke to the Weekly in Williamstown's Steve Bracks Promenade, which the keen cyclist has nominated as his favourite place for the Picture This competition as part of the Williamstown Festival. But it's also one of the places that could change with encroaching high-rise development.

Mr Guy last year dismissed the recommendations of the Port Phillip Woollen Mills advisory committee, instead deciding there would be no height limit at the centre of the proposed Nelson Place Village development.

"I would have thought it would be better going with the panel's recommendation, which was to have good design and to have height limits

specified," Mr Bracks said.

"And the fact that the minister has, I think in a bit of trickery, said that the local council can have the decision - he knows that it will eventually be appealed at VCAT. It doesn't matter what the council says because he's not determining to have it at a certain [height] level.

"So, you know, I fear for it. I think it might be overdeveloped as a result. I would have preferred the panel decision hold."

Mr Bracks said that as premier he often came to the promenade to reflect on major decisions.

"This precinct, it's got a 180degrees vista on the ocean, which is quite special and unique, including a vista back onto the city, bounded by Point Gellibrand Coastal Heritage Park, which I had a strong part in saving. [It had been] earmarked under the Kennett government for housing development, private sector development, so we preserved it and upgraded it as a public park," he said.

"When I came into government as premier, in the first six months I said to the planning minister John Thwaites that I wanted this preserved and kept with no housing development, and he did. Well, I guess he wouldn't go against his premier, would he?"

<http://www.hobsonsbayweekly.com.au/news/local/news/general/trickery-spoils-bracks-vista/2463288.aspx?src=rss>

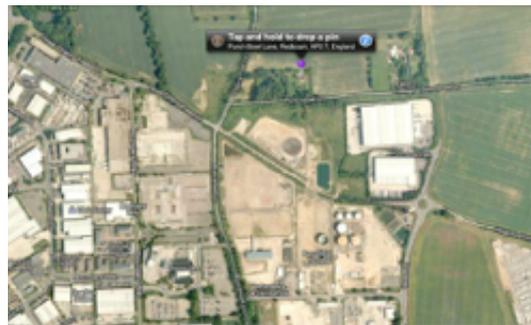
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SAVE **WILLIAMSTOWN**



REALITY CHECK - Why Fuel Importation and Major Hazard Facilities don't mix with Residential Development Sunday, 26 February 2012

Below is a link to a video about the personal experience of an existing resident who lived near a major hazard facility in the UK when a major explosion hit in 2005. Europe's largest petrochemical fire since World War 2. <http://www.youtube.com/watch?v=N-M-z9JYX0Y&feature=related> The resident's heritage house which was within the buffer distance of the Buncefield Explosion, Hemel Hempstead, was destroyed in one devastating moment early one December morning. The address is High Grange, Cherry Tree Lane, Hemel Hempstead. Look it up (7 years later) on Google Maps and see street views around the area. The owner of the house explains how it is now uninsurable, un-mortgageable, will never be rebuilt and he has suffered mental problems ever since.

No-one ever thought this would happen at Buncefield. No-one wants to believe it could happen here in Williamstown, but the consequences of petrochemical explosions are well known in the world!

Developer Evolve appears keen to build on Kanowna St, Williamstown

within the WorkSafe buffer zone around the Pt Gellibrand MHF and fuel importation. Contrary to the WorkSafe advice, Mobil informed the Port Phillip Woollen Mill Advisory Committee that an international standard should be applied with a buffer distance of 10 times the diameter of the largest storage tank (ie 400m) which would take the buffer zone half way across the Former Port Phillip Woollen Mill Site.

Will residents living so close to a MHF and fuel importation be able to be insured, with the catastrophic experience at Buncefield now part of the public record?

The Buncefield explosion and vapour cloud was the result of overfilling a 410 thousand litre tank as explained in the video - human error. The ships under overseas flags that arrive at Point Gellibrand have up to 150 million litres of fuel. West Australia's EPA specifies a 1000m safety buffer around fuel importation. Victoria's EPA does not cover safety.

What are the firefighting capabilities on Port Phillip Bay? The Esplin report Marine Emergency Framework Review shows that the government has not made enough investment in water based firefighting equipment.

Save Williamstown asked Andrew Elsbury Liberal MLC for Western Metropolitan Region last week about these issues. But it appears that the Baillieu Government line is that Pt Gellibrand will not be used after 2020 as the government wants the fuel importation to move to Westernport. However Mr Baillieu that is 8 years and two elections away and in the meantime the safe evacuation of 1500 existing residents and workers will be compromised by Evolve (50% owned by Liberal Party Heavyweight Ron Walker) developing the Former Port Phillip Woollen Mill Site for 1000 or more new residents.

If HIGH RISE HIGH DENSITY RESIDENTIAL TOWERS at Pt Gellibrand were impacted in the same way as in this video about a Buncefield residence where would the debris fall? Would heritage buildings such as the Titanic Restaurant and Williamstown Streets such as Cecil, Ann and Aitken be bombarded with hot debris.

[http://vimeo.com/2493420_\(requires Adobe Flash\)](http://vimeo.com/2493420_(requires Adobe Flash))

YouTube videos of the same story in 3 parts are below (viewable on mobile devices)



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SAVE WILLIAMSTOWN



Portland spill raises fears about Mobil tanks - AT LAST HOBSONS BAY COUNCIL RESPONDS TO SW CONCERNS

Tuesday, 28 February 2012

Hobsons Bay Leader
28th Feb 2012

“THE Port of Melbourne, Transport Safety Victoria and Worksafe will be asked what emergency evacuation measures exist if there is an accident at the Mobil fuel storage tanks in Williamstown. Hobsons Bay Council will write to the authorities in the wake of the recent Portland chemical spill, which led to 10,000 residents being asked to stay indoors.

Council planning and environment director Peter Gaschk said the letters were a response to concerns raised by the Save Williamstown group, which has campaigned against plans for high-rise residential development at the nearby Port Phillip Woollen Mills site.

The council has received 29 objections to plans to demolish industrial buildings at the site. It is yet to receive revised plans for a residential development. Save Williamstown opposed the demolition plans on the grounds the existing buildings provided a buffer between houses and the nearby fuel tanks. Spokesman Godfrey Moase said community

safety should be assured before a decision on residential development on the woollen mills site went ahead.

“It would be negligent on the part of any statutory authority to endorse the building of a high-rise residential development right over the road from such a sensitive site, before working out whether it’s safe for the community,” Mr Moase said.

“It’s about how an additional 1000 residents impact on the rest of the community in terms of getting emergency services in and what we need to do to evacuate the peninsula.”....”

<http://leader.newspaperdirect.com/epaper/viewer.aspx>

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SAVE WILLIAMSTOWN



Notice Hobsons Bay Special Planning Committee re Demolition Woollen Mills 6pm 8th March Wednesday, 29 February 2012

Objectors have received a letter today about the application to demolish
the Former Port Phillip Woollen Mill Buildings:

Advice of Special Planning Committee Meeting Planning Permit
Application No. PA1124005 3-39 Nelson Pl, Williamstown VIC 3016
& 41 Nelson Pl, Williamstown VIC 3016

Demolition of buildings and structures

The Special Planning Committee for Council will be considering the above
application at its' next meeting scheduled to commence at 6:00 pm on 8
March, 2012 to be held in the Council Chambers at 115 Civic Parade,
Altona. We wish to invite you to attend the meeting.

A report will be prepared by Council's planning officers in relation to the
application. This report contains information relating to the application and
makes a recommendation for the Committee members (3 Councillors) to
consider. A copy of the officer's report will be placed in the Altona, Altona

Meadows, Altona North, Newport and Williamstown libraries over the weekend prior to the meeting and is also available on Hosbons Bay Web site from 3:00pm on the Friday preceding the meeting.

Should you wish, you and/or a representative will be provided a 5 minute opportunity to address the Committee on the night, prior to a decision being made.

Should you have any questions of the Committee Meeting please do not hesitate to contact me on 9932 1274.

Any queries:

Ask For: Verity Castles

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SAVE WILLIAMSTOWN



Labor steps up pressure on ports report

Wednesday, 29 February 2012

Hobsons Bay Weekly
BY GOYA DMYTRYSHCHAK
29 Feb, 2012 01:00 AM

“VICTORIA'S Labor opposition will today move a parliamentary motion demanding Planning Minister Matthew Guy release the Ports and Environs report or state his reasons for withholding it more than a year after receiving it.

Opposition planning spokesman Brian Tee said secrecy surrounding the report - which reviews planning controls for Melbourne's ports - was starting to impact on investment in areas such as Williamstown and Fishermans Bend.

Mr Guy drew criticism from the Hobsons Bay Council and community after approving high-rise development without height limits on the former Port Phillip Woollen Mill site at Williamstown. At last week's council meeting, Williamstown ward councillor Angela Altair said she believed recommendations contained in the Ports report could be "germane" to the mill site.

Last December, Mr Guy refused to answer "hypothetical" questions when asked by the Weekly how he would deal with recommendations in the Ports report if they conflicted with his approval of uncapped high-rise residential development on the mill site.

In March last year, the Weekly lodged a freedom of information request with the Planning Department for the report. The department said a thorough and diligent search had not located a copy. The Weekly appealed that decision. The department subsequently said the 228-page report was exempt from release under sub-section 30 (1) of the FOI Act, which exempts "internal working documents where disclosure would be contrary to the public interest".

Mr Tee said Mr Guy had demonstrated a "very, very arrogant" approach to FOI requests.

"In answer to a question to me in relation to another development, he said they were his documents and that he would decide whether to release them and to whom to release them and that's on the Hansard; that's on the record," Mr Tee said. "They are not his documents; they are public documents."

State Williamstown MP Wade Noonan has also used Parliament to "shake the report out of the minister" by submitting questions to Mr Guy. He asked him whether, on receiving the report, he sought advice from the department about its recommendations and whether he sought advice from the Port of Melbourne Authority, EPA, Mobil, Blue Wedges Coalition, Save Williamstown, Hobsons Bay Council or residents....."

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