

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

WRITTEN ADJOURNMENT RESPONSES

8 and 10 November 2011

(Extract from book 16)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Procedures Committee — The President, Mr Dalla-Riva, Mr D. M. Davis, Mr Hall, Mr Lenders, Ms Pennicuik and Mr Viney

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Economy and Infrastructure References Committee — Mr Barber, Ms Broad, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Mr Ondarchie, Ms Pulford, Mr Ramsay and Mr Somyurek.

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Environment and Planning References Committee — Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, #Mrs Petrovich, Mrs Peulich, Mr Scheffer, Mr Tee and Ms Tierney.

Legal and Social Issues Legislation Committee — Ms Crozier, Mr Elasmr, #Mr Elsbury, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mrs Petrovich, #Mr Ramsay and Mr Viney.

Legal and Social Issues References Committee — Ms Crozier, Mr Elasmr, #Mr Elsbury, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mrs Petrovich, #Mr Ramsay and Mr Viney.

* *Inquiry into Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011*

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WRITTEN ADJOURNMENT RESPONSES

Responses have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

Tuesday, 8 November 2011

Grassland Society of Southern Australia: annual conference

Raised with: Minister for Agriculture and Food Security

Raised by: Mr Lenders

Raised on: 15 June 2011

REPLY:

The coalition government recognises the valuable work of the Grassland Society of Southern Australia in providing information to farmers on improved grassland agricultural production systems.

The Victorian government participated in the Grassland Society conference in Hamilton this year, with the Department of Primary Industries as a major session sponsor.

The Grassland Society of Southern Australia are advertising their 53rd annual conference in 2012 to be held in Launceston, Tasmania. It is not clear what benefit to Victorian primary producers the opposition spokesman believes will result from the Minister for Agriculture and Food Security joining him in flying to Tasmania and attending the 2012 conference in Launceston. Furthermore, it is too early to commit a time in the diary at this stage.

Coalition government members are constantly in regional Victoria meeting primary producers and community organisations.

Road safety: government initiatives

Raised with: Assistant Treasurer

Raised by: Mr Finn

Raised on: 16 June 2011

REPLY:

I refer to the issue of government road safety initiatives and specifically your suggestion for a Transport Accident Commission (TAC) campaign to address the issue of speed limit confusion in the western suburbs.

The TAC addresses major road safety issues such as drink and drug driving, young driver issues and speeding.

The TAC's key public education focus for the coming year is reducing speed related trauma. Speed is now considered to be the major contributor to serious injury on Victorian roads.

While the TAC is aware that drivers may not always be fully conscious of speed limit postings, the variations in speed that may occur because of this over short distances has not been identified as a major contributor to serious injury figures.

VicRoads is currently undertaking a review of Victorian speed limits. The aim of this review is to make speed limits consistent and easier to comply with and I urge you to contact VicRoads regarding this issue.

The other option that may be possible would be to apply for a TAC community road safety grant to run a localised campaign to address the issues you have raised. The road safety grants program makes grants of up to \$20 000 available for community-based projects conducted by not-for-profit groups that can demonstrate a specific local road safety issue and create a project to address it.

Family violence: Bsafe program

Raised with: Premier

Raised by: Ms Broad

Raised on: 28 June 2011

REPLY:

I thank the member for bringing this issue to the attention of Parliament.

The Bsafe pilot, funded through the commonwealth government's national community crime prevention program, demonstrated a partnership between Women's Health Goulburn North East and Victoria Police.

In addition, as the member acknowledged in her adjournment debate, the ministers for women's affairs and for crime prevention have met with Women's Health Goulburn North East to discuss other options for the future funding of Bsafe.

The Victorian government is committed to responding more effectively to family violence. That is why we have invested over \$50 million across government agencies this financial year to support whole-of-government programs that will increase the safety of women and children and the accountability of perpetrators.

In addition, the Victorian government provided \$2 million over two years to fund two demonstration pilots in the city of Hume and the city of Greater Geelong to develop more effective responses to women and children at highest risk. These pilots, focusing on a holistic multi-agency response, will be evaluated and closely monitored to inform future Victorian government investment in this area.

In recognition of the importance of working upstream to stop violence against women before it occurs, the Minister for Women's Affairs recently announced \$1.26 million over four years for three local government clusters to run prevention programs.

The Victorian government's other family violence initiatives include expanding the successful family violence risk assessment training, and improving cross sector integration to ensure effective pathways for women accessing mental health services, disability services, primary care and drug and alcohol services. Strengthening risk management is also a priority in improving integrated system reform. New practice guidelines are being developed for family violence, police and justice services.

This investment in family violence prevention will provide women with more effective and integrated support, and will ensure that women have greater confidence to report family violence.

The Victorian government waits with interest for any advice from the commonwealth of their intention to provide ongoing funding for this program.

Children: Take a Break program**Raised with: Premier****Raised by: Ms Broad****Raised on: 30 June 2011****REPLY:**

I thank the member for raising the important issue of funding for the Take a Break occasional child care program.

I agree with her sentiments regarding the importance of child care for families.

Child-care funding is primarily a commonwealth government responsibility. Accordingly, the Take a Break program has been predominantly funded through the commonwealth's neighbourhood model occasional care program.

In the 2010–11 federal budget, the commonwealth government cut the funding to the Take A Break program with 6 weeks notice. To minimise the disruption to families and services, the then Victorian government brought forward its share of funding from 2011–12 to enable Take A Break to continue through 2010–11. The current Victorian government provided transitional funding for the Take a Break program for the remainder of this calendar year. However, it is not sustainable for Victoria to continue to fully fund a program that is a commonwealth responsibility.

A commitment to continue funding for the program under the previous longstanding arrangements has already been made by the Victorian government, and the federal coalition has stated that it would live up to its responsibility to fund child care and restore funding to the program.

The Victorian Minister for Children and Early Childhood, the Hon. Wendy Lovell, MLC, has written to the federal minister to seek the reinstatement of federal funding and wrote again to ask that the federal minister consider flexibility in the federal child-care benefit program so that these services can continue. To date no reply has been received.

Government: procurement policy**Raised with: Minister for Police and Emergency Services****Raised by: Mr Somyurek****Raised on: 17 August 2011****REPLY:**

I refer to the matter raised by you during the adjournment debate in the Legislative Council on 17 August 2011. The issue was raised for the Treasurer, but as this matter falls within my portfolio responsibility, I am responding on behalf of the Treasurer.

I am advised that the contract under which Victoria Police engaged Yakka Pty Ltd for the supply of police shirts expired on 30 June 2011, and that since that date Victoria Police has not entered into any further contractual arrangement with Yakka P/L, or made any payment to Yakka P/L, or supplier to that company, for the purchase of shirts or shirt material. Victoria Police advises that it has received all goods for which payment to this supplier has been made and that no deliveries are outstanding.

Victoria Police released a public tender on 3 August 2011 for a new general duties uniform with a 12-week period before tenders were to be submitted.

As an interim measure, until 1 April 2011 Victoria Police entered into a short-term contract arrangement with Trade Import Services. This contract is published on the Victorian Government Procurement Board (VGPB) contracts publishing site. I am advised by Victoria Police that the decision to engage Trade Import Services as the interim supplier was done within established VGPB supply policy.

I am advised that the specifications for the new uniform have been developed with significant assistance from the peak industry body, the Council of Textiles and Fashion Industries Australia Ltd with a view to maximising opportunities for Australian industry to participate in the tender process.

I trust this information is of assistance and thank you for bringing your concerns to my attention.

My Future My Choice: funding

Raised with: Minister for Community Services

Raised by: Mr Tee

Raised on: 17 August 2011

REPLY:

It is incorrect to suggest that the Victorian government is not continuing to fund My Future My Choice. The government is committed to working with young people who have a disability and their families to ensure they have access to the care and supports they need.

The 2011–12 state budget allocated over \$9.3 million to continue funding My Future My Choice and this funding is recurrent.

The funding will support 104 young people to live in accommodation that best suits their needs and provide 120 individual support packages to help young people live in a variety of settings.

The government is continuing to identify younger people living in, or at risk of entry into residential aged care, as a priority for support.

In recognition of the demand for disability supports, the 2011–12 state budget provided \$93 million of additional funding for disability services over four years. This includes funding for innovative respite support, more funding for aids and equipment, and additional supported accommodation places — all of which are key strategies in maintaining people in community settings rather than in inappropriate aged care.

It also includes \$17.9m over four years to continue the expanded Acquired Brain Injury — Slow to Recover program and provide other related supports for people with acquired brain injury. This brings the total recurrent funding for the Slow to Recover program to over \$10m per annum, increasing the number of people who avoid entering aged care because they can receive therapy and rehabilitation support within their own home.

Further, an additional 391 individual support packages will be allocated during 2011–12.

The Victorian government is working with other states and territories and the commonwealth government to determine future directions for responding to this population.

Energy: price comparison

Raised with: Minister for Energy and Resources

Raised by: Mr Barber

Raised on: 30 August 2011

REPLY:

I refer to the adjournment debate matter you raised for my attention on 30 August 2011 regarding energy switching websites.

The Energy Retail Code (and, for that matter, the Code of Conduct for Marketing Retail Energy in Victoria) are regulatory codes developed and enforced by the Essential Services Commission, an independent statutory authority. Section 12 of the *Essential Services Commission Act 2001* explicitly precludes ministerial direction of the actions of the commission.

In my previous response to you regarding this matter on 31 May 2011, in my capacity as Minister for Consumer Affairs, I noted that these businesses are prohibited from making false or misleading representations about goods or services in chapter 3 of the Australian Consumer Law (ACL).

You noted that one of these sites has recently been subject to Federal Court action brought by the Australian Competition and Consumer Commission pursuant (ACCC) pursuant to the ACL. The ACCC has since obtained an enforceable undertaking from the body concerned to address its marketing practices.

I consider that the action brought by the ACCC demonstrates that the ACL is the correct framework in which to deal with these concerns, and that action is being taken to enforce the requirements of the ACL for the benefit of consumers.

Thank you for raising this matter with me.

Bendigo hospital: construction

Raised with: Minister for Health

Raised by: Mr Drum

Raised on: 1 September 2011

REPLY:

Mr Drum has raised two matters relating to the invitation for expressions of interest in the New Bendigo Hospital project.

The first of these asks for an estimate of the labour force that will be sourced from within and around Bendigo. It is estimated that the New Bendigo Hospital project will create 735 construction industry and supply chain jobs. A large proportion of these are expected to be filled by locals. The New Bendigo Hospital project will provide the largest economic stimulus to Bendigo and the surrounding community since the gold rush in the 1850s.

The second asks about the overall time lines of the project. The Baillieu government is committed to an efficient procurement process and expects that potential bidders will respond accordingly. Despite expanding the project with the investment of an additional \$102 million, provided in the 2011–12 budget, the new Bendigo Hospital will be delivered in the same time lines as Labor's proposal.

Mental health: government inquiry

Raised with: Minister for Mental Health

Raised by: Mr Jennings

Raised on: 14 September 2011

REPLY:

The chief psychiatrist is the appropriate person to undertake this investigation. Mental health facilities are operated by individual health services across the state, having responsibility for day-to-day operations. The chief psychiatrist's role is to develop clinical guidance and help improve standards of treatment and care in these facilities and provide policy and clinical advice to government.

Given Dr Vine's knowledge of Victorian area mental health services and access to them, she is best placed to carry out the required investigation in the time frame allocated. To aid the chief psychiatrist in this work, senior clinicians from interstate will be involved, as they were in the Thomas Embling investigation.

I understand that there is strong support for this investigation. For example, it has been welcomed by both the Public Advocate and the health services commissioner.

International Student Legal Advice Clinic: funding

Raised with: Attorney-General

Raised by: Hon. M. P. Pakula

Raised on: 11 October 2011

REPLY:

The International Student Legal Advice Clinic (ISLAC) was established in 2009 and first received government funding in 2010. The service is provided by the Western Suburbs Legal Service (WSLS) following a tender process run by Victoria Legal Aid (VLA) in 2010.

The service operates a drop in service in the CBD one evening per week and by appointment for a half day per week on alternate days in Newport and Box Hill.

Under the previous Labor government short-term funding of approximately \$220 000 for the service was provided through the Department of Justice on a pilot basis for one year only. No commitment to any recurrent funding beyond the one-year pilot period was ever made.

As part of the 2011 state budget, the government allocated over \$9 million to community legal centres (CLCs) for recurrent funding. These funds are allocated to particular CLCs by VLA, which operates independently of the government.

VLA has informed the government that it will provide funding for ISLAC to able to continue in operation until at least the end of the current 2011–12 financial year. During this time, VLA will assess the evaluation of the initial pilot program and consider the most appropriate way to provide legal advice services for international students in the future.

Whilst the work performed by the service is important, VLA considers its actual client numbers to be relatively low compared to the funding it receives.

Skills training: i-STEP program

Raised with: Minister for Higher Education and Skills

Raised by: Mr Somyurek

Raised on: 13 October 2011

REPLY:

I am informed as follows:

I refer to your request raised during the adjournment debate on 13 October 2011 concerning the i-STEP program.

As this program falls within the portfolio responsibilities of the Minister for Manufacturing, Exports and Trade, I have referred this matter to the Hon. Richard Dalla-Riva, MLC.

WRITTEN ADJOURNMENT RESPONSES

Responses have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

Thursday, 10 November 2011

Native vegetation: legislation

Raised with: Minister for Environment and Climate Change

Raised by: Mr Ramsay

Raised on: 25 May 2011

REPLY:

Victoria's native vegetation clearing controls are intended to deliver outcomes that appropriately balance economic and environmental considerations.

A planning permit is required to remove native vegetation in most instances. However, there are a broad range of exemptions which enable the normal use and maintenance of buildings, infrastructure and other assets without the need for a permit.

For example, no planning permit is required to:

- conduct fuel reduction burning;
- remove vegetation where there is an immediate risk of personal injury or damage to property;
- clear vegetation for a width of up to four metres to maintain a fence or construct a new fence on property boundaries; and
- remove regrowth from land legally cleared in the past.

The Victorian Competition and Efficiency Commission (VCEC) estimated that the cost to Victorian business of meeting the native vegetation regulations was approximately \$41 million per year. Most of this cost comprises the purchase costs of native vegetation offsets which are subject to market supply and demand.

The Department of Sustainability and Environment (DSE) is committed to the continuous improvement of the clearing controls. Recent reforms to the application of the native vegetation framework have achieved some improvements regarding compliance and information costs. For example, in response to the VCEC 2009 inquiry into environmental regulation, the DSE introduced a risk based assessment of applications to remove native vegetation, making the process more efficient. This has resulted in an estimated saving of \$3 million to proponents property owners wishing to clear small amounts of native vegetation.

Maintenance of roads and utilities

In addition to the above, no permit is required to maintain public roads or construct and maintain utility assets where it is undertaken in accordance with standards agreed between the DSE and relevant agencies.

To date, 42 councils in Victoria maintain their roads without the need for planning permits under standards set in an agreement between DSE and councils.

DSE has been working with the Local Government Native Vegetation Reference Group to settle the form of a new exemption for roadside bushfire risk reduction as recommended by the Victorian Bushfires Royal Commission. The group includes representation from local councils, VicRoads, the Country Fire Authority and the Department

of Planning and Community Development. It is jointly chaired by the Municipal Association of Victoria and DSE. The group has endorsed a new draft exemption.

DSE is also working closely with Victorian water corporations to develop codes of practice (CoP) which set out agreed standards and streamline approvals to construct and maintain water utilities.

Goulburn-Murray Water's CoP was recently approved by the secretary of DSE. An industry-wide CoP prepared by the Victorian Water Industry Association has also been endorsed by DSE for broader community consultation by water corporations.

Removal of debris from channels

The removal of dead vegetation, willows and regrowth from rivers, streams and channels does not require a planning permit for native vegetation removal.

However, rivers and streams are sensitive environments and may provide habitat for various species protected by state and commonwealth threatened species legislation. DSE regularly works with relevant agencies to coordinate approvals where required.

Firewood collection

Collection of firewood does not require a planning permit for native vegetation removal.

From 1 September 2011, access to firewood for domestic use will be made easier by removing the requirement to obtain a permit to collect firewood from state forests and parks where collection is allowed.

This new approach will make firewood collection from public land more straightforward and affordable for all Victorians, while balancing community safety and the protection of the environment.

Firewood collection will be allowed in designated firewood collection areas during an autumn season (1 March–30 June) and a spring season (1 September–30 November). The spring season may be closed early if required to manage bushfire risk.

Decisions relating to firewood collection on roadsides remains with the road management authority, usually VicRoads or local government. The permission of the road management authority is required for the collection of firewood from roadsides.

Utility installations on private land

Water corporations make decisions about pipeline routes as part of project design taking into consideration safety, environmental impact, constructability and economics.

Water corporations endeavour to consult widely with affected landowners throughout the planning, design, construction and remediation stages of a project.

Where a decision is made for a utility to be installed on private land, water corporations seek to restore the land to the condition it was prior to works. Compensation is negotiated directly between the water corporation and landholder under the *Land Acquisition and Compensation Act 1986*.

Department of Sustainability and Environment: advertising

Raised with: Minister for Water

Raised by: Ms Pulford

Raised on: 15 September 2011

REPLY:

The Victorian government delivered an awareness raising campaign to promote the rebates program to the community, in particular small businesses and non-reticulated households which were not eligible for a rebate under the previous scheme.

The advertising campaign focused on radio and print in both metro and regional areas and also targeted culturally and linguistically diverse (CALD) media.

Advertising was complemented by media relations, printed material for suppliers and retail outlets, information packages for water corporations, information on government websites, and social media activities.

In line with the government's policy to reduce advertising expenditure, this campaign selected advertising media based on the best ways to reach its target audiences of small business and non-reticulated households within the budget.

The media suite for each advertising campaign is different and based upon the objectives of the campaign or communication and budget. Smaller regional papers are not discounted and are considered when selecting the most appropriate advertising media.

Autism: Eastern Metropolitan Region constituent

Raised with: Minister for Education

Raised by: Mr Leane

Raised on: 11 October 2011

REPLY:

I am informed as follows:

I look forward to receiving your correspondence and will deal with the matter at that time.