

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**WRITTEN ADJOURNMENT RESPONSES**

**1 and 2 May 2012**

**(Extract from book 8)**

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

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

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| Kronberg, Mrs Janice Susan           | Eastern Metropolitan       | LP     | Viney, Mr Matthew Shaw             | Eastern Victoria           | ALP    |



# CONTENTS

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## WRITTEN ADJOURNMENT RESPONSES

### TUESDAY, 1 MAY 2012

|   |      |
|---|------|
| <i>Wallan-Kilmore bypass: construction</i> .....                                | 2501 |
| <i>Environment: community consultation</i> .....                                | 2501 |
| <i>Electricity: smart meters</i> .....  | 2502 |
| <i>Koo Wee Rup bypass: funding</i> .....  | 2503 |
| <i>Trafalgar: abattoir closure</i> .....  | 2503 |
| <i>Hampton Park: community renewal project</i> .....                            | 2504 |
| <i>Department of Primary Industries: pig health<br/>and research unit</i> ..... | 2504 |
| <i>Victoria University: boatbuilding course</i> .....                           | 2505 |
| <i>Sunbury: tertiary education facilities</i> .....                             | 2505 |

### WEDNESDAY, 2 MAY 2012

|  |      |
|--|------|
| <i>Planning: Point Cook green wedge</i> .....                          | 2507 |
| <i>Gellibrand pile light: relocation</i> .....                         | 2507 |
| <i>Local government: footpath safety</i> .....                         | 2508 |
| <i>Heinz Australia: Girgarre factory closure</i> .....                 | 2508 |
| <i>City of Kingston: green wedge</i> .....                             | 2509 |
| <i>Costerfield mine: ministerial visit</i> .....                       | 2509 |
| <i>Melbourne City Council: elm trees</i> .....                         | 2510 |
| <i>Victorian volunteer small grants program:<br/>closure</i> .....     | 2510 |
| <i>Werribee employment precinct: development</i> .....                 | 2511 |
| <i>Blackburn–Eley roads, Burwood East:<br/>pedestrian safety</i> ..... | 2512 |





**WRITTEN ADJOURNMENT RESPONSES**

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

**Tuesday, 1 May 2012**

**Wallan-Kilmore bypass: construction**

**Raised with:** Minister for Roads

**Raised by:** Ms Broad

**Raised on:** 22 November 2011

**REPLY:**

The coalition government promised that it would consider a bypass between the Hume Freeway and a connection to the Northern Highway at a point to the north of the Kilmore township in response to concerns raised by the Kilmore and Wallan communities. The government is now delivering on that promise.

I have asked VicRoads to undertake investigations into the effectiveness of a bypass corridor to the west, together with the investigations into three corridors to the east of Kilmore. The planning process will require that investigations for these corridors are undertaken to ensure that any potential impacts and benefits are clearly known.

A community consultation group has been formed to represent the broader community views and will work with VicRoads through the planning investigation stage.

The planning investigations are expected to take about 12 months to complete. The findings of the investigations will be discussed with the community consultation group and will be placed on public display.

Community members will have the opportunity to provide input during the planning investigations. The community will also have the opportunity to make a submission to an independent planning panel as part of the formal approval process, prior to a final decision on the bypass route.

**Environment: community consultation**

**Raised with:** Minister for Environment and Climate Change

**Raised by:** Mrs Peulich

**Raised on:** 8 February 2012

**REPLY:**

The Environment Protection Authority (EPA) community consultation newsheets are prepared by the EPA without ministerial input in an attempt to apprise local residents of particular environmental topics of interest in a specific locality.

I am advised that EPA updated local residents about its work to stop odours affecting residents in the Clayton and Dingley areas via a flyer inserted into the *Moorabbin Leader* in the week before Christmas 2011.

Mr Bill Pontikis is described in the flyer as president of the Toxic Odour Action Group and his comments were made in that capacity. Whether or not he has a local interest is for him to respond to.

I accept that the heading of the column 'Word from the Community' in the newsheet may have given the impression that the Toxic Odour Action Group is speaking for the broad local community and that may or may not be the case. The EPA publishes these types of contributions in good faith and as minister I would not expect them to be subsequently used for any political profile-building. Indeed, I expect the community would reflect sharply on any such attempt.

I am advised that the EPA also meets with the Dingley Village Community Association regularly, and has attended various local events to discuss the issue with the community and explain its approach to fixing the odour.

I will remind the EPA that, where contributions are included in EPA publications which are from non-EPA sources, a footnote making clear that the comments are the responsibility of the author, and do not necessarily reflect the view of the EPA, should be appropriately included.

### **Electricity: smart meters**

**Raised with: Minister for Energy and Resources**

**Raised by: Mr Barber**

**Raised on: 29 February 2012**

#### **REPLY:**

I refer to the matter you raised for my attention during the adjournment debate on 29 February 2012 in the Legislative Council regarding smart meters.

Delivering benefits for consumers is now the highest priority of the smart meter program. Consumers will benefit from access to real-time data on their energy usage.

One issue addressed as part of the government's review was to ensure privacy and personal information is appropriately protected.

In order for an in-home display to capture the usage information from a smart meter, it needs to be securely connected. The process of connecting (or 'binding') a customer's specific in-home display to their smart meter must be done in a considered way to ensure that personal information is protected and the connection is secure and robust.

At the outset, the process for binding is necessarily cautious. Over time and with the benefit of experience this process will be increasingly simplified and automated.

Chapter 7 of the National Electricity Rules requires electricity retailers to provide metering data to a customer upon the customer's request. However, the rules do not specify by what means the retailer is required to provide this data.

With respect to your personal in-home display, I am advised that your distributor, Citipower, has offered to bind your device to your smart meter, but that further information is needed to complete the process securely. Given this, I encourage you to continue discussions with Citipower to complete the process.

I have recently established a ministerial advisory council for the smart meter program. The council is made up of consumer groups and industry representatives. The council provides a collaborative framework for consumers and industry to work towards bringing forward the benefits of the smart meter program. I look forward to their advice and efforts in assisting the government to get the smart meter program working for Victorians.

In addition, the Victorian government is working to bring forward the benefits of smart meters by subsidising in-home displays by including them as an accredited activity in the Energy Saver Incentive scheme.

Thank you for raising this matter with me.

**Koo Wee Rup bypass: funding**

**Raised with:** Minister for Roads

**Raised by:** Mr Scheffer

**Raised on:** 15 March 2012

**REPLY:**

The Victorian coalition government has currently committed \$50 million for the Koo Wee Rup bypass to link the Healesville-Koo Wee Rup Road with the South Gippsland Highway.

The time frame for construction is yet to be determined with VicRoads finalising a planning report including environmental assessments for approval by the commonwealth Department of Sustainability, Environment, Water, Population and Communities.

**Trafalgar: abattoir closure**

**Raised with:** Minister for Agriculture and Food Security

**Raised by:** Mr Lenders

**Raised on:** 27 March 2012

**REPLY:**

I refer to the matter you raised for my attention during the adjournment debate on 27 March 2012 in the Legislative Council regarding the closure of L. E. Giles abattoir in Trafalgar.

PrimeSafe is an independent statutory authority responsible for ensuring that Victorian meat and seafood products for human consumption are safe and that licence conditions, including compliance with agreed national animal welfare standards, are adhered to by licensees. In the case of the abattoir at Trafalgar, I note that the abattoir owners wrote to PrimeSafe requesting that the licence be cancelled and that they obtained independent advice in their dealings with PrimeSafe.

PrimeSafe has a very important job to do to protect consumers of Victorian meat and seafood products and they are obliged to act and comply with the requirements of the Meat Industry Act 1993.

I do not intend to intervene and direct PrimeSafe to review its decision in relation to this matter nor initiate a wider review of the processes and conduct of PrimeSafe.

The government understands the concerns of the community regarding the loss of jobs and to this end is committed to creating an attractive and competitive business environment in the region. PrimeSafe has advised that there are no major impediments in relation to the facility itself that would prevent it from operating in the future as a licensed abattoir.

The government will continue to support, regulate and promote the production of safe food products by agriculture industries throughout Victoria.

Thank you for raising these matters with me.

**Hampton Park: community renewal project**

**Raised with:** Minister for Women's Affairs

**Raised by:** Mrs Peulich

**Raised on:** 27 March 2012

**REPLY:**

I am pleased to be able to announce that I have recently approved more than \$820 000 for eight community projects through the Community Renewal Flexible Fund. This funding package includes \$130 600 to support priority community projects in Hampton Park, such as the Hampton Park Career Guidance Development Program and the Community Hall Activation Project.

The Community Renewal initiative addresses disadvantage in eight urban communities: Frankston North, Laverton, Whittington, Bayswater North, Chelsea, Craigieburn, Hampton Park and Rosebud West.

Community Renewal provides targeted support in these communities to build partnerships between residents, businesses, local organisations and all levels of government to assist them to realise their needs and aspirations.

Part of the design of the initiative includes a flexible fund. This fund has supported 79 community projects and has leveraged more than \$40 million of investment in the eight locations.

**Department of Primary Industries: pig health and research unit**

**Raised with:** Minister for Agriculture and Food Security

**Raised by:** Mr Lenders

**Raised on:** 28 March 2012

**REPLY:**

I refer to the matter you raised for my attention during the adjournment debate in the Legislative Council on 28 March 2012 regarding the Department of Primary Industries pig health research unit.

The Bendigo-based pig health research unit is a valuable resource to the Victorian pig industry and the coalition government continues to support the services delivered by the unit. There are some undoubted benefits in having the unit based in Bendigo, closer to the industry. As noted in the adjournment debate, there is some history to this service. To ensure that the ongoing biosecurity and health and welfare needs of the pig industry are met and bearing into account the views of the Victorian Farmers Federation pig group, the Department of Primary Industries (DPI) has commissioned an independent review of the operations of the unit to guide future commitment of resources.

The Victorian Farmers Federation has been consulted during the review of the Bendigo operations. At the conclusion of the review government will assess the need to alter any of the current operational arrangements.

There exists a solid partnership between the pig industry and DPI in relation to the PHRU. It is not expected that there would be any reduction in recurrent funding directly related to the pig health research unit while the pig industry continues to support joint funded pig disease surveillance initiatives.

The government is committed to an efficient delivery model for pig biosecurity and welfare services that meets the needs of the industry, and is also very interested in considering means for technical expertise in pig health to be spread to other regions of the state.

Thank you for raising these matters with me.

**Victoria University: boatbuilding course**

**Raised with:** Minister for Higher Education and Skills

**Raised by:** Hon. M. P. Pakula

**Raised on:** 28 March 2012

**REPLY:**

I am informed as follows:

The Victorian government believes that the resolution of issues concerning boatbuilding course provision in Victoria is contingent on industry engagement and contribution to a workable solution for the continuation of this niche trade.

I have encouraged the Boating Industry Association of Victoria (BIAV), as the peak organisation for the recreational and light commercial boating industry, to explore BIAV's role in ensuring the future viability of boatbuilding courses and I am pleased that they are actively leading initiative development to this end.

The proposal prepared by Gordon TAFE for continuation of the certificate III in marine craft construction developed in consultation with BIAV not only seeks seed funding from government, it also clearly identifies that the ongoing success of the activities proposed are premised on ongoing marine industry investment in training of both new and current staff. The actual means to achieve this investment requires further exploration and negotiation.

My department will work closely with BIAV, training providers and other potential partners over the coming weeks to support the development of options that are underpinned by solid marine industry support and contribution.

**Sunbury: tertiary education facilities**

**Raised with:** Minister for Higher Education and Skills

**Raised by:** Mrs Petrovich

**Raised on:** 28 March 2012

**REPLY:**

I am informed as follows:

Mrs Petrovich has noted that work is now under way through the Department of Education and Early Childhood Development (DEECD) to restore tertiary education services to the Sunbury region and is requiring an update on progress.

The position is that I have required Victoria University, the owner of the tertiary campus that formerly served the region, to provide me with an acceptable strategy for the future provision of tertiary education services. The university has now proposed to develop new facilities closer to the township, using modern technology to link these facilities to its broader range of courses and degrees. The planning detail is now under way to give this proposal effect.

In addition, and at my request, DEECD is encouraging discussions with a number of other tertiary education providers so as to link a broader range of post-secondary and undergraduate student pathways that can effectively cater for the region's unmet training and educational demand.

I am optimistic that the discussions and negotiations under way will restore provision to the region, and that the outcomes will be a wider and more flexible range of study options than was previously the case.



**WRITTEN ADJOURNMENT RESPONSES**

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

**Wednesday, 2 May 2012**

**Planning: Point Cook green wedge**

**Raised with:** Minister for Planning

**Raised by:** Mr Tee

**Raised on:** 11 October 2011

**REPLY:**

Thank you for your interest in Point Cook.

I note that you have met with some members of the community.

I trust that you have also met with the local member, Jill Hennessy, to discuss Labor's historic failure to properly deliver on infrastructure when Point Cook was first created as a residential suburb in 2004.

Importantly, the Baillieu government considers that infrastructure provision needs to occur in a timely manner, hence our recent legislation to support works in kind — to provide for early provision of state infrastructure.

It is therefore puzzling, if not alarming that all Labor MPs, including yourself and Ms Hennessy, have opposed such a common-sense measure to bring forward infrastructure provision in suburbs such as Point Cook.

**Gellibrand pile light: relocation**

**Raised with:** Minister for Planning

**Raised by:** Mr Finn

**Raised on:** 6 December 2011

**REPLY:**

The dome and lantern are all that remain from the Gellibrand pile light, which was struck by a vessel and burnt in 1976. The ports and harbours division of the Public Works Department then gifted the lantern and dome to the National Trust of Australia (Victoria).

The remnant dome and lantern are not included in the Victorian Heritage Register. Consequently they are not currently subject to the provisions of the *Heritage Act 1995* or other heritage controls.

As the National Trust is a non-government, independent, community-based organisation I suggest that those who wish to have the pile light located at Williamstown negotiate directly with the National Trust.

**Local government: footpath safety****Raised with: Minister for Local Government****Raised by: Mrs Coote****Raised on: 29 February 2012****REPLY:**

There are a number of existing legislative requirements that have to be considered to address access by and safety of people with a disability when works on roads are undertaken. For example, the Road Management Act 2001 requires infrastructure managers who have duties to maintain non-road infrastructure, to take reasonable precautions to ensure anything placed on a roadway or pathway must not cause an obstruction or danger to any person with a disability. That act also requires works managers to take reasonable measures to make adequate provision for people with a disability when conducting any works.

In addition, two codes made under the Road Management Act — the code of practice for management of infrastructure in road reserves and code of practice for worksite safety — traffic management — contain a number of provisions requiring regard for people with disabilities in matters such as the development of traffic management plans, setting road works speed limits and considering whether to give consent for road and utility works.

I am advised no treatments around work sites on roads are mandated under legislation, such as rumble strips on approaching footpaths along the lines suggested by the member. Notwithstanding this, she may wish to raise her suggestion directly with the Minister for Roads for further consideration.

**Heinz Australia: Girgarre factory closure****Raised with: Minister for Manufacturing, Exports and Trade****Raised by: Mr Somyurek****Raised on: 1 March 2012****REPLY:**

On 27 May 2011 Heinz announced its plans to shift tomato processing production from Girgarre in the Campaspe shire to New Zealand, affecting 146 employees and 3 tomato growers.

The news of these job losses was obviously extremely disappointing. The company describes the decision as being part of a larger corporate rationalisation aimed at becoming more competitive in a challenging environment. The Victorian government understands that the Girgarre plant has now closed and that the company made arrangements for Cedenco Foods to accept this season's tomato crop from local growers.

The Victorian government has held talks with the company and its staff to discuss the types of assistance that could be provided. The Department of Business and Innovation will continue to work closely with Heinz in supporting future investment at its remaining Victorian sites and also with potential investors seeking to purchase the vacated plant at Girgarre. Heinz has indicated its commitment to Victoria remains and is seeking to ensure the long-term future of its Australian and Victorian operations.

If you are concerned about any negative impact on the Victorian food manufacturing industry, you would get on the phone to Prime Minister Gillard to ask her to pull back from her job-killing carbon tax.



**City of Kingston: green wedge**

**Raised with:** Minister for Local Government

**Raised by:** Mr Tee

**Raised on:** 14 March 2012

**REPLY:**

I refer to the matter raised on 14 March 2012 with the Minister for Planning. I am responding as Minister for Local Government, as the issue of closed meetings falls within my portfolio responsibility.

I am advised by the Kingston City Council that it has, since 2010, been developing the Kingston green wedge plan. The council says the plan aims to provide comprehensive long-term management of its green wedge by addressing a number of issues including strategic planning, landscape and urban design, biodiversity and environmental protection among other matters.

The council advises that there has been a high level of community participation as part of its consultation over this plan. It expects the consultants' final plan will be presented shortly for consideration for final adoption.

On the matter of the recent meeting of the council mentioned by the member, I advise that section 89(2) of the Local Government Act 1989 permits a council to close a council or special committee meeting to members of the public if it is discussing, among other things, proposed developments or any other matter which the council considers would prejudice the council or any person.

**Costerfield mine: ministerial visit**

**Raised with:** Minister for Energy and Resources

**Raised by:** Mr Lenders

**Raised on:** 15 March 2012

**REPLY:**

I refer to the matter you raised during the adjournment debate in the Legislative Council on 15 March 2012 regarding the Mandalay Resources mine at Costerfield.

The Mineral Resources (Sustainable Development) Act 1990 (MRSDA) provides for an economic assessment and evaluation process where agricultural land might be impacted by mining activity and allows for land to be excised from a mining licence on application from the landowner if the minister decides that the economic benefit to Victoria from such land remaining in agricultural production is greater than that which would arise from the proposed mining activity.

The licensing and approvals associated with mining and processing of material at this site have been issued under the MRSDA. The regulation of groundwater extraction is the responsibility of the Goulburn-Murray Water Authority under the Water Act 1989.

Goulburn-Murray Water will consider any application for licensing based on established assessment and approval criteria, which include a consideration of environmental impacts and the capacity and health of the aquifer in question. I understand that licences are transferable, with notification to the water authority. Responsibilities and obligations under the licence remain with the licensee, as does the entitlement.

The potential impacts of the dewatering on existing groundwater aquifers has been the subject of several studies by the consulting firm URS Australia on behalf of the operator. None of these studies have provided any evidence that the dewatering is having a regional impact on local groundwater.

I am aware of community concerns regarding the Mandalay Resources operation, including potential impacts on local groundwater as a result of dewatering activities. I have asked Mr John Mitas, acting director, earth resources regulation, of the Department of Primary Industries, to visit the site and speak with both Mandalay Resources and community members regarding these matters.

Thank you for raising these matters with me.

### **Melbourne City Council: elm trees**

**Raised with:** Minister for Local Government

**Raised by:** Mrs Coote

**Raised on:** 27 March 2012

#### **REPLY:**

My appreciation of the beautiful trees which feature throughout Melbourne's boulevards and public spaces is well known, and I congratulate the Melbourne City Council for their focus on this critical aspect of the civic environment.

I understand that the community is concerned when reports arise of changes to Melbourne's trees, but I am reassured that, far from seeking to reduce the tree population, the Melbourne City Council is developing a strategy to expand and protect it.

I am advised that the council recently published an urban forest strategy for public consultation. This recognises the climatic changes which threaten the health of our trees, as well as the need to renew and replace ageing stock in a sustainable way. Furthermore, I note that the strategy is not merely defensive, but also seeks to positively influence the city environment, using increased numbers and diversity of trees to create a buffer to the 'urban heat island' effect and to create healthier ecosystems throughout the city.

It is, of course, sad to see that not all of the city's famous elms will be able to be retained, due to the effects of climatic impact and disease, and the need to plant species which are more diverse and able to withstand these threats. However, I note the Lord Mayor's public commitment to 'like-for-like replacement where we need to maintain a particular heritage or much-loved boulevard of trees in Melbourne'.

I commend the council for their commitment to the sustainable expansion of Melbourne's beautiful treed environment.

### **Victorian volunteer small grants program: closure**

**Raised with:** Minister for Regional and Rural Development

**Raised by:** Ms Darveniza

**Raised on:** 27 March 2012

#### **REPLY:**

I am responding to the matter raised by the member for Northern Victoria on 27 March 2012 concerning the closure of the Victorian volunteer small grants program in my capacity as Minister for Regional and Rural Development as responsibility for the program lies with this portfolio.

As you are aware, the Victorian volunteer small grants program provided funding, up to \$5000, to community organisations to recruit new volunteers and run activities to retain their volunteers. The program closed in June 2011 because funding had been fully committed.

The Victorian government continues to recognise the vital work of volunteers and in the 2011–12 state budget, we announced \$5.2 million over four years to support and strengthen volunteering. This funding supports the coordination of emergency volunteering in the wake of natural disasters; increases the opportunities for volunteering for Victorians from different cultural backgrounds and makes improvements to Victoria's volunteering portal.

In addition to this funding commitment, the government allocated \$750 000 to the Volunteer Management Capacity Grant Program for the 16 councils most affected by the 2011 floods. This program supported local councils to:

- develop the capacity of communities to recruit and manage volunteers over the longer-term and meet the demands of emergency recovery;
- promote high-quality volunteer management practices;
- develop volunteering partnerships by using web-based networking tools available on Victoria's volunteering portal.

Furthermore, community organisations in regional areas can apply for grants through the Putting Locals First Program to support their volunteering activities. This program includes a Community Initiatives funding stream that provides funding for activities such as training and skills development for volunteers.

Community organisations can contact their local Department of Planning and Community Development regional office and the volunteering portal for information on these and other opportunities that can support the important work of volunteers in Victoria.

### **Werribee employment precinct: development**

**Raised with:** Minister for Technology

**Raised by:** Mr Elsbury

**Raised on:** 29 March 2012

#### **REPLY:**

The Victorian government welcomes ICT investment throughout the state, including in the western suburbs and Werribee.

Through the Department of Business and Innovation, the Victorian government assists both local ICT companies looking to break into export markets as well as international investors looking to locate operations in our state.

Should any ICT companies have investment projects that they would like to place in Werribee, the Victorian government will work with them in order to facilitate such an outcome.

**Blackburn–Eley roads, Burwood East: pedestrian safety****Raised with: Minister for Roads****Raised by: Mr Leane****Raised on: 29 March 2012****REPLY:**

VicRoads has advised me that it does not support the installation of pedestrian fencing at the intersection of Eley Road and Blackburn Road, as the intersection is considered to be the safest place for pedestrians to cross Eley Road.

VicRoads has investigated the visibility of pedestrians crossing Eley Road at the intersection and found that motorists turning left from Blackburn Road have a clear view of the intersection and any pedestrians crossing Eley Road prior to making their turn.

In response to your constituent's concern, VicRoads will continue to monitor the site to determine the need for any pedestrian improvements in the future.