

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**WRITTEN ADJOURNMENT RESPONSES**

**25, 26 and 27 June 2013**

**(Extract from book 9)**

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## **The Governor**

The Honourable ALEX CHERNOV, AC, QC

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC

## **The ministry** (from 22 April 2013)

Premier, Minister for Regional Cities and Minister for Racing . . . . .	The Hon. D. V. Napthine, MP
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Minister for Planning . . . . .	The Hon. M. J. Guy, MLC
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Minister for Ports, Minister for Major Projects and Minister for Manufacturing . . . . .	The Hon. D. J. Hodgett, MP
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Minister for Public Transport and Minister for Roads . . . . .	The Hon. T. W. Mulder, MP
Minister for Liquor and Gaming Regulation, Minister for Corrections and Minister for Crime Prevention . . . . .	The Hon. E. J. O'Donohue, MLC
Minister for Local Government and Minister for Aboriginal Affairs. . . . .	The Hon. E. J. Powell, MP
Assistant Treasurer, Minister for Technology and Minister responsible for the Aviation Industry . . . . .	The Hon. G. K. Rich-Phillips, MLC
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Minister for the Arts, Minister for Women's Affairs and Minister for Consumer Affairs . . . . .	The Hon. H. Victoria, MP
Minister for Agriculture and Food Security, and Minister for Water. . . . .	The Hon. P. L. Walsh, MP
Minister for Police and Emergency Services, and Minister for Bushfire Response . . . . .	The Hon. K. A. Wells, MP
Minister for Mental Health, Minister for Community Services, and Minister for Disability Services and Reform . . . . .	The Hon. M. L. N. Wooldridge, MP
Cabinet Secretary . . . . .	Mr N. Wakeling, MP

## Legislative Council committees

**Privileges Committee** — Ms Darveniza, Mr D. Davis, Mr P. Davis, Mr Hall, Ms Lovell, Ms Pennicuik and Mr Scheffer.

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

## Legislative Council standing committees

**Economy and Infrastructure Legislation Committee** — Mr Barber, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Ms Hartland, #Mr Leane, Mr Lenders, Mr Melhem, #Mr Ondarchie, Ms Pulford and Mr Ramsay.

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

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

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

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

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

*# Participating member*

## Joint committees

**Accountability and Oversight Committee** — (*Council*): Mr P. Davis, Mr O'Brien. (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.

**Dispute Resolution Committee** — (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik. (*Assembly*): Mr Clark, Ms Hennessy, Mr Merlino, Dr Naphthine and Mr Walsh.

**Drugs and Crime Prevention Committee** — (*Council*): Mr Leane, Mr Ramsay and Mr Scheffer.  
(*Assembly*): Mr Battin and Mr McCurdy.

**Economic Development and Infrastructure Committee** — (*Council*): Mrs Peulich. (*Assembly*): Mr Burgess, Mr Carroll, Mr Foley and Mr Shaw.

**Education and Training Committee** — (*Council*): Mr Elasmr and Mrs Kronberg. (*Assembly*): Mr Battin, Mr Brooks and Mr Crisp.

**Electoral Matters Committee** — (*Council*): Mr Finn, Mrs Peulich, Mr Somyurek and Mr Tarlamis. (*Assembly*): Mr Northe.

**Environment and Natural Resources Committee** — (*Council*): Mr Koch. (*Assembly*): Mr Bull, Ms Duncan, Mr Pandazopoulos and Ms Wreford.

**Family and Community Development Committee** — (*Council*): Mrs Coote, Ms Crozier and Mr O'Brien. (*Assembly*): Ms Halfpenny, Mr McGuire and Mr Wakeling.

**House Committee** — (*Council*): The President (*ex officio*) Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis.  
(*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Thomson, Mr Wakeling and Mr Weller.

**Independent Broad-based Anti-corruption Commission Committee** — (*Council*): Mr Viney. (*Assembly*): Ms Hennessy, Mr McIntosh, Mr Newton-Brown and Mr Weller.

**Law Reform Committee** — (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe.

**Outer Suburban/Interface Services and Development Committee** — (*Council*): Mrs Kronberg and Mr Ondarchie.  
(*Assembly*): Ms Graley and Ms Hutchins.

**Public Accounts and Estimates Committee** — (*Council*): Mr O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris, Mr Pakula and Mr Scott.

**Road Safety Committee** — (*Council*): Mr Elsbury. (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson.

**Rural and Regional Committee** — (*Council*): Mr Drum. (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller.

**Scrutiny of Acts and Regulations Committee** — (*Council*): Mr Dalla-Riva. (*Assembly*): Ms Barker, Ms Campbell, Mr Gidley, Mr Nardella, Dr Sykes and Mr Watt.

## Heads of parliamentary departments

*Assembly* — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

*Council* — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

*Parliamentary Services* — Secretary: Mr P. Lochert

**MEMBERS OF THE LEGISLATIVE COUNCIL**  
**FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

**President:** The Hon. B. N. ATKINSON

**Deputy President:** Mr M. VINEY

**Acting Presidents:** Ms Crozier, Mr Eideh, Mr Elasmr, Mr Finn, Mr O'Brien, Mr Ondarchie, Ms Pennicuik, Mr Ramsay, Mr Tarlamis

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The Hon. D. M. DAVIS

**Deputy Leader of the Government:**

The Hon. W. A. LOVELL

**Leader of the Opposition:**

Mr J. LENDERS

**Deputy Leader of the Opposition:**

Mr G. JENNINGS

**Leader of The Nationals:**

The Hon. P. R. HALL

**Deputy Leader of The Nationals:**

Mr D. DRUM

<b>Member</b>	<b>Region</b>	<b>Party</b>	<b>Member</b>	<b>Region</b>	<b>Party</b>
Atkinson, Hon. Bruce Norman	Eastern Metropolitan	LP	Lenders, Mr John	Southern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Lovell, Hon. Wendy Ann	Northern Victoria	LP
Broad, Ms Candy Celeste	Northern Victoria	ALP	Melhem, Mr Cesar <sup>2</sup>	Western Metropolitan	LP
Coote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Davis, Hon. David McLean	Southern Metropolitan	LP	Pakula, Hon. Martin Philip <sup>1</sup>	Western Metropolitan	ALP
Davis, Mr Philip Rivers	Eastern Victoria	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin	Northern Victoria	Nats	Petrovich, Mrs Donna-Lee	Northern Victoria	LP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Hall, Hon. Peter Ronald	Eastern Victoria	Nats	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP			

<sup>1</sup> Resigned 26 March 2013

<sup>2</sup> Appointed 8 May 2013



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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, 25 June 2013**

**Teachers: enterprise bargaining**

**Raised with: Premier**

**Raised by: Ms Darveniza**

**Raised on: 5 February 2013**

**REPLY:**

The Victorian coalition government strongly believes that the performance of Victoria's students needs to be lifted into the global top tier in the next 10 years if Victoria is going to continue to thrive in an increasingly competitive world.

The Victorian government is therefore committed to achieving improved student outcomes in Victorian government schools, supported by recognising and rewarding excellence among the teaching profession.

The government is pleased to announce that on 17 April 2013 in-principle agreement was reached between government negotiators and the Australian Education Union, Community and Public Sector Union and United Voice for a new enterprise agreement for principals, teachers and support staff.

The in-principle agreement will deliver pay rises of 3 per cent in year one, 2.75 per cent in year two, and 2.75 per cent in year three, as well as a \$1000 sign-on bonus for all government school staff. The agreement also includes a range of productivity improvements including increased flexibility for principals to manage their schools and workforce.

The government will engage in further discussions with stakeholders with respect to performance pay, as I foreshadowed in other statements to the house.

Overall this in-principle agreement delivers a very positive outcome for Victorian teachers compared with their counterparts in other states and territories.

The in-principle agreement must now be ratified by employees and then submitted to the Fair Work Commission for final approval.

**Drought: federal Farm Finance package**

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

**Raised by: Mr Lenders**

**Raised on: 28 May 2013**

**REPLY:**

I refer to the matter you raised during the adjournment debate on 28 May 2013, regarding the commonwealth government's Farm Finance package.

I can assure the honourable member for Southern Metropolitan that I have responded positively to the commonwealth government about the implementation of the Farm Finance package.

On 3 May 2013, I spoke directly to Senator the Hon. Joe Ludwig providing my support for the package. Subsequently, I have written twice to Senator Ludwig to assure the commonwealth government that the Victorian government welcomes the support and reiterating that the Victorian government stands ready to distribute the concessional loans. The Rural Finance Corporation has also written to the commonwealth to assure the commonwealth that they are ready to administer the concessional loans on the commonwealth's behalf.

The Victorian Department of Environment and Primary Industries and Rural Finance Corporation have worked proactively with the Department of Agriculture, Fisheries and Forestry to assist the commonwealth to implement the package.

Despite Victorian support, the Victorian government is disappointed at the slow pace the commonwealth government is progressing the implementation of the Farm Finance package. The commonwealth government is working to finalise guidelines and funding mechanisms that allow the distribution of funds for the concessional loans.

Previous drought responses have involved collaboration between the commonwealth and state governments. The Farm Finance package is not a drought response, but rather assists primary producers in debt stress. Furthermore, previous cost-share arrangements for drought response were established through clear, predetermined responsibilities recognised in an intergovernmental agreement.

Thank you for raising this matter with me.

#### **Local government: parks research study**

**Raised with:** Minister for Local Government

**Raised by:** Mrs Coote

**Raised on:** 28 May 2013

#### **REPLY:**

I advise the honourable member that I welcome the information provided regarding the University of Western Sydney's research showing the benefits of open green spaces to the health and wellbeing of local residents, especially older people. Section 3C of the Local Government Victoria Act 1989 provides that one of the objectives of a council is to improve the overall quality of life of people in the local community and to ensure the services and facilities provided by council are accessible and equitable. The research, in the *45 and Up Study* confirms that provision of parks close to homes encourages people to walk and undertake other physical activity. The study found that those living in areas with more than 20 percent green space within a 1-kilometre radius of home were significantly more likely to do so. This means it is important for local councils to plan for and provide parks and green spaces throughout their municipalities. I will be alerting all Victorian local government municipalities to this important research via *Thinking Locally*, the Local Government Victoria newsletter that is emailed to all Victorian councillors, mayors and CEOs every fortnight. The article will be included in the newsletter emailed out on 27 June 2013.

#### **Retail tenants: legislation**

**Raised with:** Premier

**Raised by:** Ms Pennicuik

**Raised on:** 29 May 2013

#### **REPLY:**

I will take advice on the two matters the honourable member has raised.

**WRITTEN ADJOURNMENT RESPONSES**

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

**Wednesday, 26 June 2013**

**Box Hill to Ringwood rail trail: bike track**

**Raised with:** Treasurer

**Raised by:** Mr Leane

**Raised on:** 17 April 2013

**REPLY:**

A bike path along the rail corridor between Box Hill and Ringwood will be constructed to upgrade access and safety for cyclists.

The decision to fund the Box Hill to Ringwood bikeway was made as part of the 2013–14 budget. This decision was announced in budget paper no. 3 on page 52 and in budget paper no. 4 on page 40.

The level of funding will be confirmed following final stakeholder consultation.



**WRITTEN ADJOURNMENT RESPONSES**

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

**Thursday, 27 June 2013**

**Trains: local manufacture**

**Raised with:** Minister for Manufacturing

**Raised by:** Mr Somyurek

**Raised on:** 9 May 2013

**REPLY:**

I refer to the matter raised by Mr Adem Somyurek, member for South Eastern Metropolitan, on 9 May 2013 regarding the local content of the eight additional X'trapolis trains provided for in the 2013–14 state budget papers.

The eight additional trains are to be delivered by Alstom in Ballarat and are a continuation of an existing Victorian Industry Participation Policy (VIPPP) agreement the company has with the state government. The local content requirement for the eight new trains is higher than previous orders and is expected to secure more than 130 direct and indirect jobs.

Alstom provides a significant contribution to both the local economy in Ballarat and across the broader state. The Government has been advised that Alstom has increased its local content to 30 per cent and that this figure is continuing to rise. The company is working closely with the Industry Capability Network and has employed a supply chain specialist with the aim to increase local content further still.

**Apollo Bay P–12 College: redevelopment**

**Raised with:** Minister for Education

**Raised by:** Ms Tierney

**Raised on:** 9 May 2013

**REPLY:**

I am informed as follows:

The Victorian government is proud to be investing \$7 million for the modernisation and redevelopment of Apollo Bay P–12 College.

\$700 000 for planning was allocated in the 2011–12 Victorian budget with the remaining balance of \$6.3 million arriving in the 2013–14 Victorian budget.

I understand that a large number of schools, like Apollo Bay P–12 College, were approved for planning funding by the previous government without any certainty that funding to deliver the project would be delivered.

I am pleased to announce that the Victorian coalition government has invested over \$300 million to deliver every school capital election commitment it had made in 2010.

**Gaming: local government submissions**

**Raised with:** Minister for Liquor and Gaming Regulation

**Raised by:** Ms Hartland

**Raised on:** 28 May 2013

**REPLY:**

An owner of premises may apply to the Victorian Commission for Gambling and Liquor Regulation for approval of the premises as suitable for gaming. The commission must notify the relevant council that it has received an application.

As you noted in the adjournment debate, from the date on which it is notified by the commission, the council has 37 days to advise the commission in writing that it intends to make a submission on the application. Further, from the date it is notified, the council has 60 days to make its submission to the commission. If the commission considers that there are exceptional circumstances, it may allow the council up to an extra 30 days to make a submission.

The same time frame applies to submissions by councils on requests by venue operators to increase the number of gaming machines permitted in approved venues.

The time frames have to strike a balance between competing interests including the councils' interest in having as much time as possible to make submissions and the applicants' interest in receiving decisions on their applications as soon as possible.

The government recognises the importance of allowing councils and communities to have a say in the location of gaming machines. It is one of the reasons why the Victorian Responsible Gambling Foundation, through the Gambling Information Resource Office, has a role in supporting individuals and organisations to effectively engage in approval processes.

**Mount Macedon Primary School: speed zone**

**Raised with:** Minister for Roads

**Raised by:** Mrs Petrovich

**Raised on:** 28 May 2013

**REPLY:**

I understand that the member for Northern Victoria visited the school crossing site on Mount Macedon Road in the vicinity of the Mount Macedon Primary School in response to community concerns. The member for Northern Victoria has advised that glare can be an issue during the morning peak period in winter and autumn.

I have asked VicRoads to investigate the matter and they have provided me with the following advice:

The road generally winds towards Mount Macedon through a treed boulevard for northbound travel, and the following measures are in place to enhance the safety of both motorists and pedestrians in the vicinity of the school:

- A yellow on black '40 Ahead School Times' sign that is located on the bend before reaching the school;
- A large 'School Zone – 40 km/h' sign that is also located on the bend before reaching the school;
- A small 'School Zone – 40 km/h' repeater sign located after the bend;
- Two fluorescent yellow-green 'Children Crossing Ahead' signs located after the bend; and
- A children's school crossing point opposite the school that is operated by a school crossing supervisor during the mornings and afternoons.

**WRITTEN ADJOURNMENT RESPONSES**

Thursday, 27 June 2013

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The visibility of the first two signs, located on the bend, is not considered to be affected by the sun.

Notwithstanding this, VicRoads has advised that further investigations will be undertaken to see whether the duplication of signs would assist to inform motorists during autumn and winter about the presence of the school.

The operation of the school crossing is under the care of the Macedon Ranges Shire Council. VicRoads has arranged a meeting to discuss the matter with the council and the school crossing supervisor to investigate the potential for safety enhancements and will provide assistance where appropriate.