

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

QUESTIONS ON NOTICE

Tuesday, 11 March 2014

(Extract from book 3)

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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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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 Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Peulich, Mr Ronalds, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

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

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

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
			Viney, Mr Matthew Shaw	Eastern Victoria	ALP

¹ Resigned 3 February 2014

² Resigned 26 March 2013

³ Appointed 8 May 2013

⁴ Resigned 1 July 2013

⁵ Appointed 21 August 2013

⁶ Appointed 5 February 2014

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QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.
Questions have been incorporated from the notice paper of the Legislative Council.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
The portfolio of the minister answering the question on notice starts each heading.*

Tuesday, 11 March 2014

Police and emergency services: Frankston police service area

9536. MR TARLAMIS — To ask the Minister for Planning (for the Minister for Police and Emergency Services): In relation to government cuts to police and emergency services of over \$100 million: What were the total number of sworn police officers in the police service area of Frankston in —

- (a) 2010;
- (b) 2011;
- (c) 2012; and
- (d) 2013.

ANSWER:

I am advised that:

The number of FTE (full time equivalent) sworn police officers deployed to the Frankston police service area (PSA) over the period 2010 to 2013 is set out below.

Please note that PSA deployments fluctuate and are not comparable year to year as officers from police stations across a region may be temporarily, or permanently, transferred to units or teams formed at the regional level. These include bodies such as family violence teams which support officers deployed to all PSAs within a region.

- (a) At 30 June 2010-Frankston PSA = 144.1 sworn FTE resources
- (a) At 30 June 2011-Frankston PSA = 177.4 sworn FTE resources
- (b) At 30 June 2012-Frankston PSA = 143.6 sworn FTE resources
- (c) At 30 June 2013-Frankston PSA = 172.1 sworn FTE resources

Information regarding the total level of FTE regional resources has therefore been included in this response. Regional resources refers to all officers deployed to the Victoria Police Southern Metropolitan Region, which is made up of nine PSAs, including Frankston.

- (d) At 30 June 2010-Regional sworn FTE resources = 1438.9
- (e) At 30 June 2011-Regional sworn FTE resources = 1758.0
- (f) At 30 June 2012-Regional sworn FTE resources = 1900.2
- (g) At 30 June 2013-Regional sworn FTE resources = 1971.2

Water: storages

9809. MR LENDERS — To ask the Minister for Higher Education and Skills (for the Minister for Water): What percentage of capacity in Melbourne's water storages will trigger the government to put in place —

- (1) stage 1 water restrictions;

- (2) stage 2 water restrictions;
- (3) stage 3 water restrictions; and
- (4) stage 4 water restrictions.

ANSWER:

I am informed that:

The water outlook for Melbourne is a new annual decision-making framework, implemented on 1 December 2011, for ensuring that Melbourne has sufficient water supplies to meet future demand in both the short and medium term. This approach replaced the previously hard-wired trigger levels for water restrictions. Key steps in the Water Outlook approach are to:

- assess the amount of water in Melbourne’s storages at the end of November each year, that is, at the end of the traditional winter/spring filling season;
- consider if Melbourne would have sufficient water over the next five years under wet, average and dry conditions; and
- decide the actions that will be taken over the next 12 months to ensure that Melbourne’s water supplies are sufficient in the short and medium term.

As part of this approach there are new zones that guide actions based on whether the outlook for water supply is high, medium, or low. These are detailed in the table below:

Zone	Descriptor	Action point at 30 November	Performance criteria
High	Secure	Storage levels greater than 980 GL or 54.1%	<ul style="list-style-type: none"> – Under a wide range of climate and demand scenarios, the existing system can deliver a five year supply of water. – Water utilities continue to invest in options that enhance system resilience including water efficiency and alternative water projects. – Water utilities have completed long term planning and developed contingency plans to prepare for unforeseen events.
Medium	Take action	Storage levels less than 980 GL or 54.1% and greater than or equal to 575 GL or 31.7%	<ul style="list-style-type: none"> – Climate and demand scenario analysis indicates that the existing system is unlikely to deliver a five year supply of water without further action. – Known and costed supply and demand actions (from the contingency plan developed in the high zone) will be implemented within the five year outlook period to enhance water system security. – Consideration will be given to implementing mild water restrictions (Stage 1 or 2).

Zone	Descriptor	Action point at 30 November	Performance criteria
Low	Emergency circumstances	Storage levels less than 575 GL or 31.7%	<ul style="list-style-type: none"> – Emergency circumstances have been experienced and the existing system cannot deliver a secure supply of water. – A minimum of stage 3 water restrictions will be in place. – Contingency measures planned and costed in the high zone will be implemented. – Contingency measures may include the construction of large projects that have been planned and costed in the high zone. – Where there is a critical human need, consideration will be given to sourcing water from the north-south pipeline.

Importantly, there is now flexibility about what action is taken—crossing from one zone to another does not dictate what decisions are made, but rather, the types of possible decisions that might be considered.

The severity of the actions chosen for implementation will increase if the water outlook moves from high to medium or low.

Decisions about actions will be made on a case-by-case basis each year. In particular, actions will be reviewed and modified each year to take account of the actual water supply position after winter/spring inflows to Melbourne’s storages, reducing the reliance on uncertain future forecasts. Criteria to be taken into account when making decisions about actions include:

- storage position at the end of each filling season;
- actual and predicted usage patterns; and
- weather and inflow projections.

Melbourne’s water businesses publish the water outlook on 1 December each year, consistent with the government’s policy of ‘greater transparency and accountability in water resource information, management and planning’.

This provides a wide range of water management information to the community and explains what actions are being taken, and why, to ensure a secure water supply for Melbourne.

Technology: spatial data formats

9858. MR SOMYUREK — To ask the Minister for Technology: What formats are the Victorian government’s spatial data available in.

ANSWER:

I am informed that:

There are more than 720 spatial datasets currently available on data.vic.gov.au.

All are released in one or more of the formats specified below.

- Web Map Service
- Oracle Dump
- ESRI Shape

- ESRI ArcSDE Shape export
- ESRI ArcSDE export
- Autocad DWG
- Autocad DXF
- Mapinfo MIF/MID
- MapInfo Tab

Data is also available in several standard mapping projections, geographic and coordinate systems based on GDA-94, MGA zone 54, MGA zone 55 and VIC-GRID on GDA 94.

These data formats are standards for spatial data that are recognised nationally and internationally, and are in common usage across the spatial industry. The Web Map Service format is endorsed by the Open Geospatial Consortium (OGC) and International Organization for Standardization (ISO).

In addition to the raw data itself, the Victorian government provides detailed metadata for each dataset consistent with the Australian New Zealand Land Information Council (ANZLIC) standard.

Health: midwife programs

9913. MS HARTLAND — To ask the Minister for Health: In relation to graduate midwifery programs currently offered at Victorian hospitals, has the government considered supporting eligible private midwives to provide graduate program internships to midwives who intend on practicing as a private midwife and, if so, what was the outcome.

ANSWER:

I am informed that:

The legislative requirements for eligible midwives who practice as private midwives and the supervisory requirements for graduates in private practice would preclude a midwifery graduate from working in private practice.

The legislative requirements include:

- An eligible midwife under section 38(2) of the national law must be able to meet all the requirements, including being currently registered as a midwife in Australia; being able to demonstrate the equivalent of three years of full-time post initial registration experience as a midwife, and evidence of current competence to provide pregnancy, labour, birth and postnatal care, through professional practice review; and have an approved qualification or the ability to gain such a qualification within an 18-month period to acquire the skills required to prescribe scheduled medicines required for practice across that continuum of midwifery care, and
- Professional indemnity insurance (PII): section 129 (1) of the national law requires midwives to have appropriate professional indemnity insurance (PII) arrangements for midwifery practice. Midwives in private practice are responsible for purchasing the appropriate PII to cover the scope of their midwifery practice. Eligibility requirements for PII include having midwifery experience equivalent to three years' full time post initial registration.

The government is funding a pilot midwifery graduate program in a midwifery group practice model commencing in 2014 at a public health service. The outcome of this pilot will inform future funded graduate positions for midwives in continuity of care models at public health services.

The government is providing additional graduate midwifery/midwifery and nursing positions in rural and regional Victoria from 2012, as part of the 2011-12 government commitment to enhance rural midwifery clinical supervision.

The government has implemented a range of strategies to respond to the demand for nursing and midwifery graduate places in 2014, with the provision of extra funding to support graduate places in the public sector. This is

inclusive of additional graduate positions as part of the 2013-2014 government budget commitment of funding over four years to support additional nursing and midwifery graduate positions.

Environment and climate change: calcine sands remedial work

10 037. MS BROAD — To ask the Minister for Health (for the Minister for Environment and Climate Change): In relation to the remedial works at the Liddell’s calcine sands site in Bendigo:

- (1) When did the remedial work start.
- (2) Who was contracted to carry out the work.
- (3) If not already completed, when will the work be completed.
- (4) What measures will be put in place to monitor and protect the community within a five kilometre radius of the calcine sands to ensure that the remedial works are successful and pose no further risk in the future.
- (5) What has been the total cost of the remedial works.

ANSWER:

I am informed that:

- (1) The works commenced on the Liddell’s calcine sands site on 8 July 2013.
- (2) EnviroPacific Services was contracted by Parks Victoria to do the works on the site. EnviroPacific Services specialises in remediation of contaminated sites.
- (3) The works are expected to be completed in February 2014.
- (4) Air monitoring was conducted prior to the works commencing, in order to establish a baseline for air quality. Continuous air monitoring has been conducted throughout the works. Dust is being managed in accordance with the state environment protection policy air quality management intervention level for dust (PM10). The Environmental Protection Authority visited the site in August 2013 to assess the controls and was satisfied with the arrangements in place.

Soil sampling and testing for contaminants has been conducted to ensure that all the calcine sands have been collected and contained under the cover material, and that the exposed natural soil surface on site (around the mound of calcine sands) is within the accepted regional background levels for West Bendigo geology. A report will be issued at the end of the works, detailing the validation results.

- (5) As of 31 October 2013, the total cost of the works has been \$3 217 006.

Agriculture and food security: forests special protection zones

10 040. MR BARBER — To ask the Minister for Higher Education and Skills (for the Minister for Agriculture and Food Security): In relation to special protection zones (SPZs) in Victorian forests:

- (1) Has any timber sourced from an SPZ in Victoria been sold, and if so, which SPZs produced that timber.
- (2) Is there a plan or agreement for VicForests to sell timber from SPZs, and if so —
 - (a) what is the commencement date; and
 - (b) what are the conditions of sale of timber from SPZs.
- (3) Have any of the following been amended to provide for commercial production in SPZs —
 - (a) Forest Management Plan;
 - (b) Regional Forest Agreement; or
 - (c) management prescription.

- (4) What public notice or consultation has taken place in relation to commercial production of timber from SPZs.
- (5) Does any yield forecast for timber include timber sourced from an SPZ, including salvage logging, and if so, what are the locations of the SPZs and volumes of timber.
- (6) Is any area of zone 1A habitat for Leadbeaters Possum available for salvage logging, and if so, what is that area.

ANSWER:

I am informed that:

Occasional road construction through special protection zones (SPZs), along with minor zoning amendments, are routine matters provided for in the 'Management Procedures for Timber Harvesting, Rooding and Regeneration in Victoria's State Forests 2009 (revised 2012)' (management procedures). The management procedures provide additional guidance to DEPI and VicForests' staff in meeting the requirements of the 'Code of Practice for Timber Production' (the code), and specify environmental and operational requirements additional to those of the code. Any amendments to the forest management zoning scheme must be in accordance with the relevant Regional Forest Agreement and Forest Management Plan.

The management procedures state that timber harvesting operations may be permitted in some excluded areas, including SPZs, for the purposes of construction of roads or stream crossings where the location is on an approved Timber Release Plan (TRP) or Wood Utilisation Plan (WUP). These operations must be approved by DEPI, and the community has an opportunity to raise any concerns about planned operations during the TRP or WUP public consultation processes.

Amendments to the *Sustainable Forests (Timber) Act 2004* have meant that as of October 2013, state forest timber resources in eastern Victoria are vested in VicForests through the allocation order 2013 (the AO). The allocation to VicForests excludes SPZs, meaning that timber produced from road construction through SPZs is not vested in VicForests. Additionally timber resources in any area of SPZ converted to a general management zone or special management zone by a zoning amendment process are not vested in VicForests until such a time as the AO is updated. Timber resources in both these cases comes under the Forests Act 1958 and can only be harvested and sold with a Forest Produce Licence (FPL) issued under that act. A FPL has been issued to VicForests for one year from November 2013 and is valid for State forest areas not covered by the AO and where DEPI has approved the road construction through the SPZ or the minor zoning changes as specified in the management procedures.

Fire salvage operations only occur in state forest areas zoned for timber production and in accordance with an approved TRP or WUP. Leadbeater's Possum zone 1A habitat is permanently excluded from timber harvesting regardless of whether Leadbeater's Possums have been recorded at the location. DEPI's 'Fire Salvage Harvesting Prescriptions 2009' prescribe that when determining the boundaries of a Leadbeater's Possum habitat zone, all hollow bearing trees, even if dead, are to be assumed to be alive.

Environment and climate change: forests special protection zones

10 041. MR BARBER — To ask the Minister for Health (for the Minister for Environment and Climate Change): In relation to special protection zones (SPZs) in Victorian forests:

- (1) Has any timber sourced from an SPZ in Victoria been sold, and if so, which SPZs produced that timber.
- (2) Is there a plan or agreement for VicForests to sell timber from SPZs, and if so —
 - (a) what is the commencement date; and
 - (b) what are the conditions of sale of timber from SPZs.
- (3) Have any of the following been amended to provide for commercial production in SPZs —
 - (a) Forest Management Plan;
 - (b) Regional Forest Agreement; or

- (c) management prescription.
- (4) What public notice or consultation has taken place in relation to commercial production of timber from SPZs.
- (5) Does any yield forecast for timber include timber sourced from an SPZ, including salvage logging, and if so, what are the locations of the SPZs and volumes of timber.
- (6) Is any area of zone 1A habitat for Leadbeaters Possum available for salvage logging, and if so, what is that area.

ANSWER:

I am informed that:

Occasional road construction through special protection zones (SPZs), along with minor zoning amendments, are routine matters provided for in the 'Management Procedures for Timber Harvesting, Roding and Regeneration in Victoria's State Forests 2009 (revised 2012)' (management procedures). The management procedures provide additional guidance to DEPI and VicForests staff in meeting the requirements of the 'Code of Practice for Timber Production' (the code), and specify environmental and operational requirements additional to those of the code. Any amendments to the Forest Management Zoning scheme must be in accordance with the relevant Regional Forest Agreement and Forest Management Plan.

The management procedures state that timber harvesting operations may be permitted in some excluded areas, including SPZs, for the purposes of construction of roads or stream crossings where the location is on an approved Timber Release Plan (TRP) or Wood Utilisation Plan (WUP). These operations must be approved by DEPI, and the community has an opportunity to raise any concerns about planned operations during the TRP or WUP public consultation processes.

Amendments to the *Sustainable Forests (Timber) Act 2004* have meant that as of October 2013, State forest timber resources in eastern Victoria are vested in VicForests through the allocation order 2013 (the AO). The allocation to VicForests excludes SPZs, meaning that timber produced from road construction through SPZs is not vested in VicForests. Additionally timber resources in any area of SPZ converted to a General Management Zone or Special Management Zone by a zoning amendment process are not vested in VicForests until such a time as the AO is updated. Timber resources in both these cases comes under the Forests Act 1958 and can only be harvested and sold with a Forest Produce Licence (FPL) issued under that act. A FPL has been issued to VicForests for one year from November 2013 and is valid for State forest areas not covered by the AO and where DEPI has approved the road construction through the SPZ or the minor zoning changes as specified in the management procedures.

Fire salvage operations only occur in State forest areas zoned for timber production and in accordance with an approved TRP or WUP. Leadbeater's Possum zone 1A habitat is permanently excluded from timber harvesting regardless of whether Leadbeater's Possums have been recorded at the location. DEPI's 'Fire Salvage Harvesting Prescriptions 2009' prescribe that when determining the boundaries of a Leadbeater's Possum habitat zone, all hollow bearing trees, even if dead, are to be assumed to be alive.

Environment and climate change: threatened species framework

10 049. MR BARBER — To ask the Minister for Health (for the Minister for Environment and Climate Change): In relation to the East Gippsland Forest Management Area of Victoria:

- (1) How many pre-logging surveys have been carried out in each of 2011, 2012 and 2013, and —
 - (a) what coupes were surveyed;
 - (b) how many hectares in total were surveyed;
 - (c) how many hours of surveying were conducted; and
 - (d) what companies or individuals have been contracted to undertake the surveys.
- (2) Have changes been made to logging plans because of plants and animals discovered in the surveys; if so —

- (a) what changes were made; and
 - (b) what survey results prompted the change.
- (3) Have the survey procedures remained as they were when the surveys began; if not, what changes have been made.
- (4) Are there particular methods engaged to survey for frogs; if so —
- (a) what are those methods;
 - (b) in which coupes have those methods been engaged;
 - (c) in what months were the frog-specific surveys undertaken; and
 - (d) what frogs have been located.
- (5) Does the minister anticipate that pre-logging surveys will be carried out by expert consultants in 2014.

ANSWER:

I am informed that:

The Department of Environment and Primary Industries (DEPI) has a range of targeted strategies for investment in threatened species conservation and recovery. The focus of this investment is to deliver on-ground actions that will support the recovery of threatened species and research to provide the information needed for effective and robust management.

VicForests recognises its role in the protection of biodiversity in state forest, and has developed a framework for threatened species management that uses a risk-based hierarchy approach. This includes a requirement that all areas planned for timber harvesting are surveyed for threatened species and other biodiversity values, using a combination of desktop assessment and field reconnaissance, well before any harvesting operations occur.

This management framework, including pre-harvest survey procedures, is available on the VicForests' website, along with a peer reviewed scientific paper.

(See: www.vicforests.com.au/www/content/default.aspx?cid=867&fid=807 and www.vicforests.com.au/files/mutmhfnbta/CJ-Powell-&-DN-Sedunary---Development-of-a-threatened-fauna-management-framework-across-Victoria's-state-forests.pdf).

Pre-harvest surveys target threatened fauna species in a range of taxonomic groups known to occur in areas where harvesting operations are proposed. VicForests used advice from species experts as well as peer-reviewed literature to choose appropriate survey methods to detect target species. Pre-harvest survey operating procedures are continually updated and refined in response to knowledge gained from surveys and new information that comes to light, ensuring an overall adaptive approach to threatened fauna management.

Surveys are carried out by appropriately qualified external ecological consultants reporting to VicForests' conservation biologist. When a threatened species is detected, adaptive management plans are created to address the protective requirements for the specific animal detected. These plans outline areas that are to be retained as habitat for the animal or the habitat feature detected (such as a nest or a roost site). These plans, developed in consultation with DEPI, adhere to prescriptions outlined in the regulatory framework, such as Forest Management Plans or *Flora and Fauna Guarantee Act 1988* Action Statements.

In the East Gippsland Forest Management Area, VicForests has conducted 38, 100 and 39 pre-harvest surveys in 2010-11, 2011-12 and 2012-13 respectively. All surveys undertaken in future will be in line with VicForests' Pre-harvest Survey Procedures and undertaken by appropriately qualified consultants or staff. It is anticipated that some surveys will be undertaken during 2014.

A suite of threatened amphibian species occurs across areas where harvesting operations are permitted. Although there have been active searches for these species across both riparian and forest areas during pre-harvest surveys, none has been detected by VicForests staff or consultants engaged by VicForests. However third-party detections

of the Giant Burrowing Frog have resulted in adaptive management plans being developed and implemented by VicForests for these detections. Frogs, due to their cryptic nature, are notoriously difficult to survey as their emergence often coincides with very specific weather conditions and during breeding periods (which may be for only one month of the year). VicForests' "Pre-Harvest Fauna Survey Procedure" outlines specific survey methods for a number of frog species.

(See: www.vicforests.com.au/files/swqhggtlnr/Pre-Harvest-Fauna-Survey-Procedures-v1.4---Website.pdf).

As a result of VicForests' threatened species management framework, large areas of state forest potentially available for harvest have been excluded. The outcomes of VicForests' threatened species surveys and monitoring are indirectly helping to sustain the industry in the long term by incorporating the management of biodiversity with that of timber harvesting.