

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

QUESTIONS ON NOTICE

Tuesday, 27 May 2014

(Extract from book 7)

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

(from 17 March 2014)

Premier, Minister for Regional Cities and Minister for Racing	The Hon. D. V. Napthine, MP
Deputy Premier, Minister for State Development, and Minister for Regional and Rural Development	The Hon. P. J. Ryan, MP
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Minister for Planning, and Minister for Multicultural Affairs and Citizenship	The Hon. M. J. Guy, MLC
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Minister for Housing, and Minister for Children and Early Childhood Development	The Hon. W. A. Lovell, MLC
Minister for Public Transport and Minister for Roads	The Hon. T. W. Mulder, MP
Minister for Energy and Resources, and Minister for Small Business.	The Hon. R. J. Northe, MP
Minister for Liquor and Gaming Regulation, Minister for Corrections and Minister for Crime Prevention	The Hon. E. J. O'Donohue, MLC
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 Higher Education and Skills	The Hon. N. Wakeling, 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	Mrs I. Peulich, MLC

Legislative Council committees

Privileges Committee — Ms Darveniza, Mr D. Davis, Mr Drum, Ms Lovell, Ms Pennicuik, Mrs Peulich and Mr Scheffer.

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

Legislative Council standing committees

Economy and Infrastructure Legislation Committee — Mr Barber, Mrs Coote, #Ms Crozier, Mr Finn, #Ms Hartland, #Mr Leane, Mr Lenders, Mr Melhem, Mr D. D O'Brien, #Mr Ondarchie, Ms Pulford, Mr Ramsay and #Mr Scheffer.

Economy and Infrastructure References Committee — Mr Barber, Mrs Coote, #Ms Crozier, Mr Finn, #Mr Leane, Mr Lenders, Mr Melhem, Mr D. D O'Brien, #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.

Environment and Planning References 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.

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

Participating member

Joint committees

Accountability and Oversight Committee — (*Council*): Mr D. R. J. O'Brien and Mr Ronalds. (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.

Dispute Resolution Committee — (*Council*): Mr D. Davis, Mr Drum, Mr Lenders, Ms Lovell and Ms Pennicuik. (*Assembly*): Ms Allan, Ms Asher, Mr Clark, Ms Hennessy, Mr Merlino, Mr O'Brien and Mr Walsh.

Economic Development, Infrastructure and Outer Suburban/Interface Services Committee — (*Council*): Mr Eideh, Mrs Millar and Mr Ronalds. (*Assembly*): Mr Burgess and Mr McGuire.

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

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

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

Family and Community Development Committee — (*Council*): Mrs Coote. (*Assembly*): Ms Halfpenny, Mr Madden, Mrs Powell and Ms Ryall.

House Committee — (*Council*): The President (*ex officio*) Mr Eideh, Mr Finn, Ms Hartland, Mr D. R. J. O'Brien and Mrs Peulich. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Blackwood, Ms Campbell, Ms Thomson, Mr Wakeling and Mr Weller.

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Law Reform, Drugs and Crime Prevention Committee — (*Council*): Mr Ramsay and Mr Scheffer. (*Assembly*): Mr Carroll, Mr McCurdy and Mr Southwick.

Public Accounts and Estimates Committee — (*Council*): Mr D. R. J. O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms Garrett, 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 D. R. J. O'Brien. (*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

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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. D. K. DRUM (from 17 March 2013)

The Hon. P. R. HALL (to 17 March 2013)

Deputy Leader of The Nationals:

Mr D. R. J. O'BRIEN (from 17 March 2013)

Mr D. K. DRUM (to 17 March 2013)

Member	Region	Party	Member	Region	Party
Atkinson, Hon. Bruce Norman	Eastern Metropolitan	LP	Lovell, Hon. Wendy Ann	Northern Victoria	LP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Melhem, Mr Cesar ²	Western Metropolitan	LP
Broad, Ms Candy Celeste ⁹	Northern Victoria	ALP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Coote, Mrs Andrea	Southern Metropolitan	LP	Millar, Mrs Amanda Louise ⁴	Northern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr Daniel David ⁸	Eastern Victoria	Nats
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
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Davis, Hon. David McLean	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Davis, Mr Philip Rivers ⁵	Eastern Victoria	LP	Pakula, Hon. Martin Philip ¹	Western Metropolitan	ALP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Petrovich, Mrs Donna-Lee ³	Northern Victoria	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Hall, Hon. Peter Ronald ⁷	Eastern Victoria	Nats	Ronalds, Mr Andrew Mark ⁶	Eastern Victoria	LP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leanders, Mr John	Southern Metropolitan	ALP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP

¹ Resigned 26 March 2013

² Appointed 8 May 2013

³ Resigned 1 July 2013

⁴ Appointed 21 August 2013

⁵ Resigned 3 February 2014

⁶ Appointed 5 February 2014

⁷ Resigned 17 March 2014

⁸ Appointed 26 March 2014

⁹ Resigned 9 May 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, 27 May 2014

Public transport: Talbot railway station

9403. MS PULFORD — To ask the Minister for Planning (for the Minister for Public Transport): In relation to the Talbot railway station:

- (1) What progress has been made towards building a new railway station at Talbot.
- (2) What is the likely completion date for works at the station.
- (3) When is the likely resumption of passenger rail services stopping at Talbot on the Maryborough line.
- (4) Is the government committed to resumption of passenger rail services that stop at Talbot.

ANSWER

I am informed that:

(1–4) The new Talbot station officially opened on Sunday 22 December 2013.

Police and emergency services: protective services officers

9561. MR BARBER — To ask the Minister for Planning (for the Minister for Police and Emergency Services): During the 2012 calendar year and in 2013 to date, how many infringements were issued by protective services officers (PSOs) and other charges laid as a result of arrests made by PSOs, broken down according to —

- (a) type of offence;
- (b) month of the year; and
- (c) railway station.

ANSWER

I am informed that:

The information in the specific format requested is not available and would require an unreasonable diversion of police resources to provide. Information on infringements issued by PSOs and offences reported by PSOs is included in the following table for your information:

Table 1: Infringements issued by PSOs, by rail stations, by year.

(Note that this data includes 338 infringements issued by PSOs that were recently withdrawn. These infringements were issued incorrectly due to a misinterpretation of the relevant legislation).

TABLE 1

**VICTORIA POLICE CRIME STATISTICS
2012–13**

Infringements Issued at Stations by PSOs

Railway Station	2011–12	2012–13
ALTONA RWS	0	12
BAYSWATER RWS	0	60
BERWICK RWS	0	116
BORONIA RWS	0	341
BOX HILL RWS	0	722
BROADMEADOWS RWS	0	335
BURNLEY RWS	0	14
CARRUM RWS	0	216
CHELSEA RWS	0	101
CLAYTON RWS	0	88
COBURG RWS	0	106
CRANBOURNE RWS	0	124
CROYDON RWS	0	544
DANDENONG RWS	220	1427
EPPING RWS	0	340
ESSENDON RWS	0	97
FERNTREE GULLY RWS	0	102
FLINDERS ST RWS	812	1331
FOOTSCRAY RWS	112	687
FRANKSTON RWS	0	459
GLENROY RWS	0	6
GREENSBOROUGH RWS	0	32
HEIDELBERG RWS	0	65
HOPPERS CROSSING RWS	0	4
LAVERTON RWS	0	216
LILYDALE RWS	0	361
MELBOURNE CENTRAL RWS	35	391
MELTON RWS	0	13
MITCHAM RWS	0	30
MONTMORENCY RWS	0	5
NARRE WARREN RWS	0	11
NEWPORT RWS	0	159
NOBLE PARK RWS	0	338
NORTH MELBOURNE RWS	0	514
OAKLEIGH RWS	0	124
ORMOND RWS	0	154
PAKENHAM RWS	0	32
PARLIAMENT RWS	0	298

Railway Station	2011–12	2012–13
RESERVOIR RWS	0	342
RICHMOND RWS	0	759
RINGWOOD RWS	0	514
SOUTH YARRA RWS	0	93
SOUTHERN CROSS RWS	595	1401
SPRINGVALE RWS	0	69
ST ALBANS RWS	0	226
SUNSHINE RWS	0	111
UPWEY RWS	0	34
WATERGARDENS RWS	0	52
WATSONIA RWS	0	15
WERRIBEE RWS	0	313
WESTALL RWS	0	154
WILLIAMS LANDING RWS	0	8
YARRAVILLE RWS	0	92
OTHER LOCATION	83	191
TOTAL	1857	14 349

Note:

- Railway stations added to PSO deployment program in latest quarter indicated in bold text.

Public transport: Frankston rail line

10 053. MR TARLAMIS — To ask the Minister for Planning (for the Minister for Public Transport): How much money has been spent in 2013–14 on the Frankston line.

ANSWER

I am informed that as at the date the question was raised:

In 2013–14, PTV will make an investment of \$240 million into rail maintenance and renewal of the metropolitan network, including the Frankston line. These works are focused on a range of assets including track, structures and facilities, electrical networks and signalling systems.

The 2013–14 state budget allocated \$100 million over three years to enable the new X’trapolis trains to run on the Frankston line, and to improve station facilities on that line, which are in need of upgrade.

An early works package commenced in December 2013. Detailed planning of the other infrastructure upgrades is being undertaken in parallel with delivery of the early works package.

Liquor and gaming regulation: fire safety inspections

10 059. MR TARLAMIS — To ask the Minister for Liquor and Gaming Regulation: In relation to inspections conducted pursuant to section 148W of the Liquor Control Reform Act 1998:

- (1) How many inspections have been conducted since —
 - (a) 1 January 2011; and
 - (b) 1 January 2013.
- (2) How many of these inspections have resulted in the issuing of advice or notices requesting remedial action to the premises.

ANSWER

I am advised that:

The Metropolitan Fire Brigade (MFB) and the Country Fire Authority (CFA) are authorised to exercise powers under section 148W of the Liquor Control Reform Act 1998 (LCRA).

In addition to section 148W of the LCRA, there are other powers by which Fire Service Inspectors can enter a premises, including section 32 of the Metropolitan Fire Brigades Act 1958 and section 227E of the Building Act 1993.

Inspection records kept by the MFB and CFA do not specify which power was used to enter the property.

Liquor and gaming regulation: liquor licences

10 064. MS HARTLAND — To ask the Minister for Liquor and Gaming Regulation:

- (1) How are offences by licenced venues in relation to supply of liquor policed.
- (2) In the financial year 2012–13, how many infringements were issued and how many court proceedings were initiated in relation to licenced premises for the following offences —
 - (a) supply of liquor to intoxicated person;
 - (b) permit drunken/disorderly person onto licence premises;
 - (c) supply liquor to underage person, other than as permitted;
 - (d) permit liquor to be supplied to underage person, other than as permitted;
 - (e) liquor supplied to underage person on licenced premises, other than as permitted; and
 - (f) permitted underage person on licenced premises, other than as permitted.

ANSWER

I am advised that:

(1)

The Liquor Control Reform Act 1998 (the act) regulates the supply and consumption of liquor on licensed premises and contains a number of offences.

Both the Victorian Commission for Gambling and Liquor Regulation (the VCGLR) and Victoria Police are responsible for monitoring compliance and for enforcing the obligations of liquor licensees under the act.

(2)

In the financial year 2012–13: 109 infringements were issued and 50 court proceedings were initiated.

Community services: secure welfare services

10 125. MS MIKAKOS — To ask the Minister for Housing (for the Minister for Community Services): In relation to CCTV footage in secure welfare services in Victoria:

- (1) How many CCTV cameras monitor secure welfare facilities in the state of Victoria.
- (2) What is the maximum number of individuals who will be monitored in secure welfare placements at any one time.
- (3) How many individuals are responsible for monitoring this footage.
- (4) Is CCTV footage captured in secure welfare services monitored live, or is it only used to review footage after an incident has occurred.
- (5) Is all CCTV footage recorded 24 hours of each day, seven days per week, and saved for future reference.

ANSWER

I am informed that:

- (1) There are 99 CCTV cameras in Secure Welfare Services.
- (2) A maximum of 20 clients may be monitored at any one time.

Additionally, the system monitors staff, teachers and health workers, although there are no cameras installed in staffing areas that are not accessible by clients.

- (3) Three individuals are responsible for monitoring this footage.
- (4) Footage is reviewed after an incident has occurred or to assist in live management of any critical incident.
- (5) All CCTV footage is recorded 24 hours each day (not withstanding any system failures) and stored automatically for a period of 90 days. If footage is required to be kept beyond 90 days it may be downloaded if authorised and retained under the State Government Retention of Documents Policy.

Community services: disability funding

10 134. MS MIKAKOS — To ask the Minister for Housing (for the Minister for Community Services): Is it the government's intention to fund the provision of supported accommodation and modified public housing for people living with disabilities once the NDIS is fully operational.

ANSWER

I am informed that:

Once the National Disability Insurance Scheme is fully operational, the National Disability Insurance Agency will fund supported accommodation for scheme participants through participants' individual packages.

Victoria will fund its share of scheme costs as agreed in the Heads of Agreement between Victoria and the commonwealth.

Responsibility for modifications to public housing in the full scheme is to be resolved with the commonwealth.