

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

WRITTEN ADJOURNMENT RESPONSES

24, 25 and 26 June 2014

(Extract from book 9)

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By authority of the Victorian Government Printer

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The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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(from 17 March 2014)

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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.

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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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)

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Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr Daniel David ⁸	Eastern Victoria	Nats
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Leanders, Mr John	Southern Metropolitan	ALP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Lewis, Ms Margaret ¹⁰	Northern 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

¹⁰ Appointed 11 June 2014

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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, 24 June 2014

Underground electricity cable inspections

Raised with: Minister for Energy and Resources

Raised by: Mr Melhem

Raised on: 27 November 2013

REPLY:

Clause 45 of the Electrical Safety Act 1998 requires a licensed electrical worker performing the electrical installation work to ensure that prescribed electrical installation work is inspected by a licensed electrical inspector. This includes the consumer's mains, main switchboard, main earth and verification of the depth of an underground conduit.

Energy Safe Victoria has reviewed its incidents/faults database and it does not support the view that failures of underground cables occur on a regular basis. In order to arrange for the inspection of all (or a random inspection of some) underground cables, Energy Safe Victoria would have to introduce an additional notification process that would add an unjustifiable burden on industry based on the low failure rate.

I hope this information clarifies the situation.

Yarram bushfire recovery

Raised with: Minister for Corrections

Raised by: Mr Ronalds

Raised on: 12 March 2014

REPLY:

I refer to your matter raised in the Legislative Council on 12 March 2014 regarding the Yarram Bushfire recovery.

The Yarram bushfires caused significant damage and created hardship for several small communities in the area. Prisoners from Fulham Correctional Centre are helping Gippsland communities recover from the devastating effects of recent fires in the region.

As you would be aware, I visited Yarram on 16 May 2014, to see firsthand the work being carried out by prisoners. Over recent months, prisoners have helped remove fire-damaged fences and fencing wire, repair fences where possible, and install new fencing when it's not. The community work crews have provided invaluable assistance to property owners by performing work that wouldn't have otherwise been possible and helping communities in eastern Victoria to get back on their feet.

While the devastating effects of the recent fires in Gippsland will be felt in these communities for a long time to come, it is fantastic to see the extensive work that has already been completed thanks to Fulham's very successful community work program. Community work crews ensure prisoners are making a positive contribution to their community while carrying out work that may not otherwise be done.

Through projects such as this, prisoners learn new skills and trades to increase the likelihood of gaining employment upon their release while giving something back to the community. Prisoners provide free labour to

not-for-profit community organisations, non-government organisations and local government projects that would not otherwise be completed due to lack of local contractors or funds.

Community assistance crews from Fulham provide more than 30 000 hours each year to help the local community and its environment, carrying out tasks such as flood and fire assistance, grounds maintenance, tree planting, general maintenance, fencing and building renovation.

Thank you for your interest in this important Corrections initiative.

City of Wyndham roads

Raised with: Minister for Roads

Raised by: Mr Elsbury

Raised on: 1 April 2014

REPLY:

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

The Victorian government's Metropolitan Planning Strategy — Plan Melbourne, which was recently subject to a period of public consultation, identifies the infrastructure and major projects to accommodate population growth, demographic change, transport and infrastructure needs for Melbourne to 2050.

In addition to the investments raised by you, work has begun on the road safety improvements where the Princes Freeway West off-ramp intersects with Duncans Road and K Road at a cost of \$870 000.

Improvements to the arterial road network, such as those proposed in the Get Wyndham Moving campaign, will be made in the context of the outcomes of the Metropolitan Planning Strategy — Plan Melbourne.

The Victorian government will continue to work with the Wyndham City Council to manage growth and road infrastructure demand in this growing part of Melbourne.

Ballarat Trades Hall

Raised with: Attorney-General

Raised by: Mr Ramsay

Raised on: 1 April 2014

REPLY:

The Victorian government is committed to ensuring that Victoria Police has appropriate tools and powers to respond to illegal blockades and protect the rights of individuals and businesses.

The government introduced the Summary Offences and Sentencing Amendment Bill last year. The bill was passed by Parliament on 12 March 2014 and enacted on 18 March 2014. The act expands the tools available to police in relation to illegal blockades but had not commenced at the time of the incident in Ballarat.

The legislation expands the circumstances in which police officers and protective services officers may give move-on directions. The expanded grounds include where an officer suspects that a person is impeding or attempting to impede another person from lawfully entering or leaving premises or part of premises. The act also ensures that move-on powers may be used in relation to unlawful protests. Failure to comply with such a direction without reasonable excuse is an offence.

The government's amendments complement other existing offences and powers, including the offence of obstructing a road or footpath, to ensure that police can prevent and end illegal blockades. It is up to police to determine which powers to apply in any particular situation.

Gender identity

Raised with: Attorney-General

Raised by: Ms Pulford

Raised on: 3 April 2014

REPLY:

The Registry of Births, Deaths and Marriages captures details of sex on all records it holds and all certificates it issues.

I am advised that the Registrar is considering the position where an applicant seeks the registration of sex as 'non-specific' on their birth record and in relation to certificates from another jurisdiction where the sex of the applicant is something other than 'male' or 'female'.

M80 Ring Road funding

Raised with: Minister for Roads

Raised by: Mr Melhem

Raised on: 7 May 2014

REPLY:

The three most congested sections of the M80 Ring Road and those with the worst safety record have been upgraded. The total length of upgraded freeway is 23 kilometres, a little more than half of the 38km M80 Ring Road corridor.

The 160 000 drivers who use the M80 Upgrade every day are currently enjoying the benefits of a safer journey and reduced congestion. Travel times are more consistent and, in most cases, have been reduced by up to 20 per cent. The new electronic freeway management technology will help manage traffic flow, improve reliability and safety.

Cyclists and pedestrians are also enjoying shared user path improvements along the freeway, which have been upgraded as each section has been completed.

The Victorian government will continue discussions with the commonwealth in relation to upgrading further sections of the M80 Ring Road.

Northern Victoria Region schools

Raised with: Treasurer

Raised by: Ms Darveniza

Raised on: 7 May 2014

REPLY:

The 2014–15 budget allocated \$500 million TEI for the School Capital Program. This included \$1 million for Planning funding (rural various). The planning works are to be undertaken at the following locations:

– Yarram Primary School;

- Morwell Regeneration Project;
- Kyabram P-12 College redevelopment;
- Echuca Education Precinct; and
- Warracknabeal Education Precinct.

Warrnambool rail line

Raised with: Minister for Public Transport

Raised by: Ms Tierney

Raised on: 7 May 2014

REPLY:

Public Transport Victoria (PTV) completed an analysis of ticketing data for the months November 2013 to April 2014 and found that there were no full trains operating through Colac during that period.

PTV is concerned that a customer has been turned away and encourages anyone who has a problem accessing public transport to report it to PTV for further investigation by calling 1800 800 007 or by completing an online feedback form at <www.ptv.vic.gov.au>.

PTV advises that all Warrnambool trains operate with at least one unreserved carriage. Any customer who cannot book a seat on the Warrnambool service can therefore still travel in the unreserved carriage.

The Victorian government has increased capacity of the Warrnambool line through the construction of a new passing loop at Warncoort. The purchase of 43 new V/Locity carriages for V/Line will open up opportunities to increase service levels across the V/Line network.

This complements the construction of the Regional Rail Link, which will benefit customers by separating V/Line trains from metropolitan trains once they reach suburban Melbourne. This change will further improve capacity and reliability on the Warrnambool line.

Gardiner Reserve, Gisborne

Raised with: Minister for Sport and Recreation

Raised by: Mrs Millar

Raised on: 8 May 2014

REPLY:

On Wednesday, 14 May 2014, I announced that Macedon Ranges Shire Council were successful in their application securing \$100 000 for the Gardiner Reserve Community Oval Lighting and Netball Court project from the Country Football and Netball Program.

Orbost Aerodrome

Raised with: Minister responsible for the Aviation Industry

Raised by: Mr Ronalds

Raised on: 28 May 2014

REPLY:

I thank the member for Eastern Victoria for the invitation to visit the Orbost Aerodrome to inspect the infrastructure upgrades at this critical community facility. These upgrades are being funded, in part, by a grant of \$340 000 from the Victorian coalition government's Regional Aviation Fund.

Maintaining and improving air field infrastructure can be a costly venture for local communities. This is why the \$20 million Regional Aviation Fund was created to help cover the costs of infrastructure upgrades at public-access regional airports.

A sealed runway and a modern runway lighting system at Orbost Aerodrome will help deliver safety and year-round emergency services for the local community. It will also create significant economic, commercial and social benefits including the prospect of attracting more commercial operators and creating stronger demand for charter flights, servicing local tourism attractions.

Once the infrastructure works at Orbost Aerodrome have been completed, I would be pleased to find a mutually convenient time to tour the aerodrome with Mr Ronalds.

Youth employment

Raised with: Minister for Innovation

Raised by: Mr Melhem

Raised on: 29 May 2014

REPLY:

The Victorian government's major focus is on building a strong economy and supporting businesses to create jobs.

While employment is primarily a commonwealth government responsibility, the Victorian government provides some additional assistance for young unemployed jobseekers through a number of programs that support businesses to employ young people.

Following an evaluation of the YES program and to sustainably accommodate changes in the funding profile, a new funding model and program targets have been agreed reducing the number of places to be provided in the public sector Youth Employment Scheme from 450 to 280. The funding per trainee for departments will reduce from \$4500 to \$500; however, there is no reduction in funding per YES placement for non-departmental entities including schools and hospitals which have taken over 60 per cent of trainees in recent years.

The overarching view of the government is that we prefer that resources go to supporting businesses to provide young unemployed people with direct employment, rather than to programs that are getting young people ready for businesses and not actually providing them with direct employment.

Consistent with this approach, last year we introduced a private sector scheme, Employment Start Up for Business (ESUB), which encourages employers by offering them subsidies to employ young people. The program has funding of \$7.5 million over four years to achieve at least 1750 employment placements for young Victorian jobseekers in small to medium sized businesses.

WRITTEN ADJOURNMENT RESPONSES

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COUNCIL

Tuesday, 24 June 2014

The government's introduction of the new Employment Start Up for Business program more than accounts for the adjustment in YES traineeship places with approximately 438 employment placements for young people to be determined per annum.

WRITTEN ADJOURNMENT RESPONSES

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

Wednesday, 25 June 2014

Hospital occupational health and safety

Raised with: Minister for Health

Raised by: Ms Darveniza

Raised on: 13 March 2014

REPLY:

The Victorian government is committed to improving the security and safety of Victorian health services and reducing violence against hospital staff.

Overall funding of over \$40 million in the forward estimates has been committed to safety and security related initiatives. This includes:

- \$11.3 million to directly address hospital safety and security such as upgrading duress and security systems and supporting organizational responses to clinical aggression, including staff training and capital improvements.
- \$38.9 million to related initiatives that will enhance the management of population groups that pose a known risk to safety and security, in particular, those where mental health and alcohol and other drugs are an issue.

In 2012–13, the Victorian government responded to the inquiry recommendations with initial funding of \$5.8 million over four years.

In 2014, all 40 Victorian hospitals with emergency departments (across 30 health services) have received funding of \$25 000 for initiatives to improve hospital safety and security. Twelve urgent care centres have each received \$10 000 to improve safety and security.

Funding of over \$500 000 has been provided under the Rural Capital Support Fund to rural and regional health services to help prevent violence in hospitals.

The Improving Hospital Safety and Security Ministerial Advisory Committee was established in March 2013 to provide advice to the Minister for Health on reducing violence and improving safety and security in Victorian public hospitals and oversee the implementation of the inquiry recommendations. Membership includes senior nursing representatives as well as medical, security, human resources and Victoria Police.

The Victorian government tabled its response to the inquiry into violence and security arrangements in Victorian hospitals on 7 June 2012 and all 39 recommendations were supported or supported in principle.

New legislation was announced by the Attorney General for longer sentences for people who attack nurses, doctors or other staff in hospital emergency departments while they are carrying out their duties. Discussions are currently being held with the Department of Justice to progress this legislation.

The Victorian Auditor-General's report on Occupational Health and Safety Risk in Public Hospitals made seven recommendations which have been accepted by the Department of Health and WorkSafe.

The Department and WorkSafe are working together closely to ensure all Victorian public hospitals are able to effectively manage OHS risk. This will include developing the capability of health service boards to build effective cultures that strengthen OHS management and ensure the health service has effective risk management strategies which improve the security and safety of all hospital staff.

Wind farms

Raised with: Minister for Planning

Raised by: Mr Ramsay

Raised on: 8 May 2014

REPLY:

Thank you for your inquiry. I have requested from the Department of Transport Planning and Local Infrastructure a policy brief to be put together so I can better assess the merits of the Environment Protection Authority Victoria (EPA) assessing noise complaints for wind farms in the future.

The EPA currently assesses noise across Victoria for industry and other sources. It may possess the skills necessary to undertake noise assessment for wind farms. I look forward to receiving my department's advice.

Poker machines

Raised with: Minister for Liquor and Gaming Regulation

Raised by: Ms Hartland

Raised on: 27 May 2014

REPLY:

All gaming machines installed in Victorian venues must be approved by the Victorian Commission for Gambling and Liquor Regulation. The Commission assesses gaming machines against the Australian/New Zealand Gaming Machine National Standard. Contrary to your assertion regarding Tasmania and Queensland, I am advised that the source of controls regarding gaming machine features is the national standard and there are no specific state prohibitions in force.

The national standard provides that the display of a result of a game outcome must not be misleading or deceptive to a player. Before approving a gaming machine game, the Commission assesses all aspects of the game to ensure it satisfies the requirements set out in the national standard.

Under the standards, it has always been a requirement that the player be advised of any winning outcome of the game. This allows the player to verify the win against the game's pay table. For games that offer more than one line per spin, each line is an individual bet and the player is made aware of any winning line combination that results following the spin.

The Victorian Responsible Gambling Foundation has an extensive research agenda which includes the following six priority themes for new and ongoing research activities:

- the effect of marketing, promotion, venue features and new and emerging technologies on gambling behaviour
- the stigma associated with problem gambling
- gambling-related harm for gamblers, their families, friends and the community as a whole
- the effect of introducing new forms of gambling on gambling consumption, and why people are attracted to different forms of gambling
- treatment and recovery
- co-morbidities research to gain a better understanding of the link between problem gambling and co-occurring conditions such as depression, anxiety, alcohol abuse and smoking, and the impact these conditions have on seeking help and the process of recovery.

WRITTEN ADJOURNMENT RESPONSES

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

Thursday, 26 June 2014

Dog breeding code of practice

Raised with: Minister for Agriculture and Food Security

Raised by: Ms Pennicuik

Raised on: 6 May 2014

REPLY:

I am proud of the steps the Victorian coalition government has taken to improve the welfare of cats and dogs in Victoria. We have delivered on our promise to crack down on rogue and illegal puppy farms by introducing the toughest laws in the world.

In response to some of your comments, I can assure you that strict breeding limits still apply to bitches because they must not continue to breed after five litters unless annually certified by a veterinarian. Veterinarians will use their professional judgement and medical training to make that decision every year, and they have no obligation or pressure under the revised code to give permission for continued breeding of a bitch if unsuitable.

Similar to the breeding limit for bitches, pre-mating and post-birthing veterinary checks for female cats and dogs are by no means removed, since these requirements are mandatory when directed by a veterinarian.

The final code remains a proud product of all the hard work of the writing and reference groups, with every single submission of the 25 350 sent in by the public taken into account.

This government has applied a holistic approach to stamping out cruel and illegal puppy farms. The review of the breeding and rearing code is only one of the many tools used to address this important issue. Our balanced approach has included legislative amendments so that owners of puppy (or kitten) farms that aren't registered, or don't comply with the mandatory code of practice, now face fines of up to \$35 512, confiscation of property and animals, and a ban on owning or working with animals for up to 10 years. Seized animals will be assessed for rehoming through animal shelters and community foster care networks. The government has increased Royal Society for the Prevention of Cruelty to Animals (RSPCA) officer powers to enforce the code of practice and has increased provided training and briefing of officers on auditing and legislation. We continue to fund the RSPCA at \$1 million per year and have provided access for animal welfare organisations to a \$1.6 million Animal Welfare Fund for grants to improve the welfare of companion animals.

I am confident that the new requirements will improve and promote animal welfare in dog and cat breeding businesses in Victoria.

Maryborough Library

Raised with: Minister for Local Government

Raised by: Mr Ramsay

Raised on: 29 May 2014

REPLY:

I thank the member for Western Victoria Region for raising the matter. The Victorian government has committed \$17.2 million over four years to the Living Libraries Infrastructure Program to enhance existing public library

facilities and build new libraries across the state. In three funding rounds so far, a total of \$12.4 million has been allocated to 45 projects across the state.

I have now received a number of recommendations from the assessment panel for projects to be funded as part of the 2014 round and I have had the pleasure of announcing funding for a number of those projects already. I look forward to announcing further recipients of funding in the near future.

I am aware of the Central Goldfields Shire Council's submission.

Maryborough family violence initiatives

Raised with: Minister for Crime Prevention

Raised by: Ms Pulford

Raised on: 10 June 2014

REPLY:

I refer to your matter raised in the Legislative Council on 10 June 2014 regarding domestic violence strategies being adopted by community leaders in Maryborough.

I am aware of the good work being undertaken by the Go Goldfields Alliance in Maryborough to address the needs of children, young people and their families. The coalition government has supported this work through a \$2.5 million investment under the Regional Growth Fund.

The coalition government recognises that local communities are best placed to identify and prioritise local crime and safety issues and is committed to supporting them to do so.

From within my own Crime Prevention portfolio, the coalition government has already allocated over \$35 million under the Community Crime Prevention Program to support local communities to deliver crime prevention initiatives.

I am proud that that this includes \$7.2 million to support twelve partnership projects across Victoria focused on primary prevention initiatives to reduce violence against women and children. This funding includes \$2.4 million dedicated to support four projects specifically focusing on addressing violence in Koori communities.

Reducing violence against women is a key priority of the Victorian coalition government. We are committed to preventing family violence, holding perpetrators accountable and working to ensure women and children are safer.

Since coming to government, the coalition government has increased total spending to prevent violence and support the women and children who are victims of family violence to more than \$100 million each year. This represents an increase of more than 40 per cent since 2010.

I always welcome the opportunity to hear firsthand the good work that local communities are undertaking to help make their communities safer and stronger.

I have arranged to meet with Mr Garry Higgins, President of Rotary in Maryborough, together with other members of the Go Goldfields Alliance, on 24 July 2014. I look forward to hearing about the new domestic violence initiatives the community is undertaking at that time.