

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

WRITTEN ADJOURNMENT RESPONSES

18, 19 and 20 August 2015

(Extract from book 11)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

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| Minister for Families and Children, and Minister for Youth Affairs | The Hon. J. Mikakos, MLC |
| Minister for Environment, Climate Change and Water | The Hon. L. M. Neville, MP |
| Minister for Police and Minister for Corrections | The Hon. W. M. Noonan, MP |
| Attorney-General and Minister for Racing | The Hon. M. P. Pakula, MP |
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| Minister for Women and Minister for the Prevention of Family Violence | The Hon. F. Richardson, MP |
| Minister for Finance and Minister for Multicultural Affairs | The Hon. R. D. Scott, MP |
| Minister for Planning | The Hon. R. W. Wynne, MP |
| Cabinet Secretary | Ms M. Kairouz, MP |

Legislative Council committees

Privileges Committee — Mr Drum, Ms Hartland, Mr Herbert, Ms Mikakos, Ms Pulford, Mr Purcell, Mr Rich-Phillips, and Ms Wooldridge.

Procedure Committee — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

Legislative Council standing committees

Standing Committee on the Economy and Infrastructure — Dr Carling-Jenkins, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Morris, Mr Ondarchie and Ms Tierney.

Standing Committee on the Environment and Planning — Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, Ms Dunn, #Ms Hartland, Mr Leane, #Mr Purcell, #Mr Ramsay, Ms Shing, Mr Somyurek and Mr Young.

Standing Committee on Legal and Social Issues — Ms Fitzherbert, Mr Melhem, Mr Mulino, Mr O'Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

Port of Melbourne Select Committee — Mr Barber, Mr Drum, Mr Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing, and Ms Tierney.

Joint committees

Accountability and Oversight Committee — (*Council*): Ms Bath, Mr Purcell and Ms Symes. (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.

Dispute Resolution Committee — (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge. (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O'Brien, Mr Pakula, Ms Richardson and Mr Walsh

Economic, Education, Jobs and Skills Committee — (*Council*): Mr Elasmarr, Mr Melhem and Mr Purcell. (*Assembly*): Mr Crisp, Mrs Fyffe, Mr Nardella and Ms Ryall.

Electoral Matters Committee — (*Council*): Ms Patten and Mr Somyurek. (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.

Environment, Natural Resources and Regional Development Committee — (*Council*): Mr Ramsay and Mr Young. (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward.

Family and Community Development Committee — (*Council*): Mr Finn. (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish, and Ms Sheed.

House Committee — (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young. (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson.

Independent Broad-based Anti-corruption Commission Committee — (*Council*): Mr Ramsay and Ms Symes. (*Assembly*): Mr Hibbins, Mr D. O'Brien, Mr Richardson, Ms Thomson and Mr Wells.

Law Reform, Road and Community Safety Committee — (*Council*): Mr Eideh and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

Public Accounts and Estimates Committee — (*Council*): Dr Carling-Jenkins, Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O'Brien, Mr Pearson, Mr T. Smith and Ms Ward.

Scrutiny of Acts and Regulations Committee — (*Council*): Mr Dalla-Riva. (*Assembly*): Mr J. Bull, Ms Blandthorn, Mr Dimopoulos, Ms Kealy, Ms Kilkenny and Mr Pesutto.

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 A. Young

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

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Deputy President: Ms G. TIERNEY

Acting Presidents: Ms Dunn, Mr Eideh, Mr Elasmar, Mr Finn, Mr Morris, Ms Patten, Mr Ramsay

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Deputy Leader of the Government:
The Hon. J. L. PULFORD

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Leader of The Nationals:
The Hon. D. K. DRUM

Leader of the Greens:
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| Barber, Mr Gregory John | Northern Metropolitan | Greens | Morris, Mr Joshua | Western Victoria | LP |
| Bath, Ms Melina ² | Eastern Victoria | Nats | Mulino, Mr Daniel | Eastern Victoria | ALP |
| Bourman, Mr Jeffrey | Eastern Victoria | SFP | O'Brien, Mr Daniel David ¹ | Eastern Victoria | Nats |
| Carling-Jenkins, Dr Rachel | Western Metropolitan | DLP | O'Donohue, Mr Edward John | Eastern Victoria | LP |
| Crozier, Ms Georgina Mary | Southern Metropolitan | LP | Ondarchie, Mr Craig Philip | Northern Metropolitan | LP |
| Dalidakis, Mr Philip | Southern Metropolitan | ALP | Patten, Ms Fiona | Northern Metropolitan | ASP |
| Dalla-Riva, Mr Richard Alex Gordon | Eastern Metropolitan | LP | Pennicuik, Ms Susan Margaret | Southern Metropolitan | Greens |
| Davis, Mr David McLean | Southern Metropolitan | LP | Peulich, Mrs Inga | South Eastern Metropolitan | LP |
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| Eideh, Mr Khalil M. | Western Metropolitan | ALP | Ramsay, Mr Simon | Western Victoria | LP |
| Elasmar, Mr Nazih | Northern Metropolitan | ALP | Rich-Phillips, Mr Gordon Kenneth | South Eastern Metropolitan | LP |
| Finn, Mr Bernard Thomas C. | Western Metropolitan | LP | Shing, Ms Harriet | Eastern Victoria | ALP |
| Fitzherbert, Ms Margaret | Southern Metropolitan | LP | Somyurek, Mr Adem | South Eastern Metropolitan | ALP |
| Hartland, Ms Colleen Mildred | Western Metropolitan | Greens | Springle, Ms Nina | South Eastern Metropolitan | Greens |
| Herbert, Mr Steven Ralph | Northern Victoria | ALP | Symes, Ms Jaelyn | Northern Victoria | ALP |
| Jennings, Mr Gavin Wayne | South Eastern Metropolitan | ALP | Tierney, Ms Gayle Anne | Western Victoria | ALP |
| Leane, Mr Shaun Leo | Eastern Metropolitan | ALP | Wooldridge, Ms Mary Louise Newling | Eastern Metropolitan | LP |
| Lovell, Ms Wendy Ann | Northern Victoria | LP | Young, Mr Daniel | Northern Victoria | SFP |
| Melhem, Mr Cesar | Western Metropolitan | ALP | | | |

¹ Resigned 25 February 2015

² Appointed 15 April 2015

PARTY ABBREVIATIONS

ALP — Labor Party; ASP — Australian Sex Party;
DLP — Democratic Labour Party; Greens — Australian Greens;
LP — Liberal Party; Nats — The Nationals;
SFP — Shooters and Fishers Party; V1LJ — Vote 1 Local Jobs

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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, 18 August 2015

Sunbury municipality

Raised with: Minister for Local Government

Raised by: Mr Finn

Raised on: 17 March 2015

REPLY:

There were many issues raised by Hume City Council that showed that the commencement date for a new Sunbury Council set by the previous government of 1 July this year was unachievable. These issues include staffing arrangements, the ongoing provision of services and the splitting of assets. There is still considerable complex work to be undertaken to separate Hume City Council and it is important that a proper process is in place to ensure this happens.

Therefore the Government has decided to delay the establishment of a new Sunbury City Council to 1 July 2016.

I have appointed the Hon Frank Vincent AO QC and Mr John Watson as transition auditors to advise me on the issues involved. The transition auditors will work closely with Hume City Council and the community to ensure the necessary planning is undertaken and local residents are fully informed of all of the implications of the separation.

Hobsons Bay community workshop

Raised with: Minister for Local Government

Raised by: Mr Finn

Raised on: 7 May 2015

REPLY:

I thank Mr Finn for his question. I note that his question relates to the Environment, Climate Change and Water portfolio. I have consulted with relevant colleagues and can confirm the following.

In the early 1990s, the site was declared surplus to requirement and was identified for future residential development. Following a campaign by the local Council and residents, the state government declared that the site would remain in public hands and, in 2000, appointed the Hobsons Bay City Council as the Committee of Management.

The Council willingly took on responsibility for maintenance when it signed the current lease. If the Council wishes to renegotiate the lease then it should take the matter up with the Department of Environment, Land, Water and Planning.

Puppy farms

Raised with: Minister for Agriculture

Raised by: Mr Bourman

Raised on: 28 May 2015

REPLY:

Thank you for your important question regarding the \$5 million funding allocated to the Royal Society for the Prevention of Cruelty to Animals (RSPCA) over the next four years as part of the Andrews Labor Government's efforts to shut down puppy farms.

This funding has been specifically allocated to the investigation, seizure and treatment of dogs and cats seized from illegal and cruel intensive breeding establishments. The RSPCA has recently established a Special Investigations Unit and a tip off line for the reporting and investigation of dog and cat breeding establishments.

The grant is governed by a whole of government funding agreement with the RSPCA, which specifies how the funding can be spent as well as reporting requirements.

The RSPCA will need to provide regular activity and financial reports to the department to ensure all activities and spending occur in accordance with the funding agreement. It is important to note that the agreement will be flexible enough to allow the RSPCA to conduct its investigations and seizures as efficiently and timely as possible.

The department also meets regularly with the RSPCA to discuss the work investigating animal cruelty and will keep me updated on the progress of the RSPCA's work under this grant.

Western distributor

Raised with: Treasurer

Raised by: Mr Davis

Raised on: 10 June 2015

REPLY:

The Government is undertaking a careful assessment of the Western Distributor proposal by Transurban under its Market-led Proposals Interim Guideline. The proposal is at Stage Three of the Guideline, where its investment case is being appraised thoroughly in accordance with standard Government processes and best practice, including the Market-led Proposals Interim Guideline, Investment Lifecycle Guidance and High Value High Risk assurance framework.

Centre Road, Bentleigh, level crossing

Raised with: Minister for Public Transport

Raised by: Ms Crozier

Raised on: 10 June 2015

REPLY:

The level crossing at Centre Road is being removed at the same time as North Road in Ormond and McKinnon Road in McKinnon. The contract has been awarded to John Holland and KBR and construction on all three projects will start late 2015, with some early works to prepare the sites in the coming months.

The Level Crossing Removal Authority (LXRA) has a number of strategies to engage the community including:

- Carrying out an online survey in March/April 2015 to understand the community's thoughts and experiences, with opportunity to leave additional feedback at the end of the survey, the results of which were provided to the government and project teams to help develop the designs.
- A pop-up information booth at Bentleigh, McKinnon and Ormond stations in May 2015, handing out information and talking to the community.
- Regularly sending out brochures to the community, with contact details for people to email, phone or write in with their questions or feedback.
- Door knocking residents and businesses directly abutting the project sites, with the first of these for Centre Road completed in May 2015.
- Holding a community forum in Bentleigh on 29 July 2015, hosted by the LXRA and attended by the Local MP, the project team and 400 community members who were able to learn about the project, ask questions and provide feedback.
- Ongoing meetings with relevant key stakeholders including Council, local traders, businesses, sporting clubs and schools.
- A project Stakeholder Liaison Group, run by the LXRA in conjunction with Local MPs, will join with representatives from the construction Alliance and members of the local community including local traders' associations, active community residents, Local Councils, and surrounding stakeholders such as schools, hospitals, major business and impacted sporting clubs; serving as a forum for local community members and stakeholders to raise questions and discuss construction progress.

Our aim is to engage the community throughout the project, to ensure the outcome suits the needs of the local area and to minimise construction impacts as much as possible. We will notify residents and businesses in advance when we are planning disruptive activities and work with them to develop mitigation strategies.

The level crossing at Toorak Road in Kooyong is on the Government's list of 50 and will be removed over the next eight years. A timeline has not yet been confirmed for the construction of this project.

Sunbury municipality

Raised with: Minister for Local Government

Raised by: Mr Finn

Raised on: 23 June 2015

REPLY:

The Transition Auditors have been appointed to ensure the necessary planning and work required relating to the separation of Sunbury from Hume City Council is undertaken in a timely way, and that full information on the implications of separation is provided to local residents.

The Transition Auditors are independent of Government and under their Terms of Reference are required to provide the Government with advice on the financial and non-financial implications of the separation to safeguard the interests of local residents and ratepayers.

I have full confidence in the ability of both the Hon Frank Vincent AO QC and Mr Watson to fulfil the terms of their appointments with integrity, in an open and transparent way to ensure Sunbury and remaining Hume residents get the best outcome.

It is greatly disappointing that the Liberal Party have continually undermined this independent and transparent process as they were responsible for the botched policy in the first place.

I encourage all those with an interest on the Sunbury out of Hume process to have their say by making a submission to the Transition Auditors.

See Me vehicle reflectors

Raised with: Minister for Roads and Road Safety

Raised by: Mr Rich-Phillips

Raised on: 25 June 2015

REPLY:

The Andrews Labor Government strongly supports innovation, job creation and road safety. As such, innovative ideas addressing road safety, and which may build up local businesses, are to be commended.

I have followed up with Vic Roads, the matter of a response to Mr Ranken's correspondence. VicRoads has apologised for the delay in responding, and advises me that it has now sent Mr Ranken a response, inviting him to meet with relevant VicRoads staff to discuss his idea.

While VicRoads does not directly assess emerging innovations to provide accreditation, it does participate in national forums relating to products central to its functions, such as safety barriers, where products are tested and each jurisdiction decides whether to accept a certain product for use. This is generally after a product has reached commercialisation.

VicRoads also provides comments on prototypes of new ideas from time to time, where there is a connection to a business requirement of the organisation.

I trust that the meeting between VicRoads and Mr Ranken will be useful for all involved.

Western distributor

Raised with: Minister for Roads and Road Safety

Raised by: Mr Finn

Raised on: 25 June 2015

REPLY:

The Victorian Government is supporting the development of Melbourne's west with a multi-billion dollar investment in transport infrastructure to deliver major initiatives such as the Melbourne Metro rail project, 50 level crossing removals - including two in St Albans - the Tullamarine Freeway and Western Ring Road widening projects, and upgrades to Whitehall Street and Shepherd Bridge in Footscray to help get trucks off local streets. In total the 2015-16 state budget allocated nearly \$20 billion for transport projects across Victoria and Melbourne's west will be one of the major beneficiaries of that investment.

The Victorian Government is also currently assessing a proposal from Transurban for the Western Distributor under the market-led proposal process. The proposed project would provide an alternative route to the West Gate Bridge and a second river crossing for Melbourne.

Under the market-led proposals process, projects will only proceed where they deliver on Government objectives, provide community benefits and achieve value for money outcomes. The Government will also assess this proposal against other plans for the west.

Should the Western Distributor proceed, planning will be integrated with public transport initiatives including the recent completion of the Regional Rail Link and delivery of additional trains. These initiatives will deliver mass transit options for people accessing the central city in very large numbers in the peak. The Western Distributor would cater for those journeys requiring greater flexibility in the timing and location of travel.

Route 8 tram

Raised with: Minister for Tourism and Major Events

Raised by: Mr Davis

Raised on: 5 August 2015

REPLY:

As Minister for Tourism and Major Events I am supportive of the development of Victoria's tourism product offering, including the iconic Chapel Street Precinct. I also note the concerns that changes to the route 8 tram will negatively impact on traders in the area.

It is important to note that this is a proposed change only. Public Transport Victoria and Yarra Trams, as the operator, recently undertook a community and stakeholder consultation process, which closed on Friday, 31 July. A report is currently being prepared for consideration by the Hon Jacinta Allan MP, Minister for Public Transport.

I recommend that if you have any further queries regarding this issue, that you direct them to the Minister for Public Transport.

WRITTEN ADJOURNMENT RESPONSES

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

Wednesday, 19 August 2015

Western distributor

Raised with: Minister for Roads and Road Safety

Raised by: Ms Hartland

Raised on: 28 May 2015

REPLY:

Western distributor.

The Victorian Government is getting on with delivering the transport infrastructure our state needs. Funding has been fast tracked for projects including removing 50 dangerous and congested level crossings and the Melbourne Metro Rail tunnel. Given the need to come up with innovative ways to meet the needs for transport infrastructure, we welcome the involvement of the private sector in putting forward potential solutions. That being said, private sector proposals must be in the public interest and meet a series of important tests to proceed.

In February 2015, the government released a new guideline for assessing market-led proposals which is the most transparent and rigorous in the country. Proposals will only proceed where they deliver on government objectives, provide community benefits and achieve value for money outcomes. The Western Distributor proposal, put forward by Transurban is being assessed against the Government's objectives to cater for growth in Melbourne's west, improve urban amenity in the inner west, facilitate access to the Port of Melbourne and provide an alternative to the West Gate bridge. The assessment will also review integration with public transport.

It should be noted that road tunnels are used all over the world to provide important connections whilst protecting and minimising impacts on community assets above. There are well established practices in place to manage spoil, traffic and other impacts during the short-term construction period. Likewise, the experience on CityLink and EastLink demonstrates how air quality inside the tunnels, and air dispersion from them, can be well managed in accordance with EPA requirements.

Westwood Drive, Burnside

Raised with: Minister for Planning

Raised by: Mr Melhem

Raised on: 23 June 2015

REPLY:

On 24 June 2015, I authorised the preparation of two planning scheme amendments, Brimbank C157 and Melton C143, in relation to the Palmers Road corridor project.

Exhibition of both these amendments commenced on Thursday 30 July 2015 concurrently with exhibition of the Palmers Road Corridor (Western Freeway to Calder Freeway) Environmental Effect Statement.

The amendments are required to reserve land for the upgrade of the Palmers Road Corridor (Western Freeway to Calder Freeway) and to exempt the Project from planning permit requirements. It is a long term project to widen Robinsons Road, Westwood Drive and Calder Park Drive to six lanes and shared paths on both sides.

The proposed upgrade of the Palmers Road Corridor north of the Western Freeway is supported by the *Western Melbourne Transport Strategy* (Lead West, Western Transport Alliance, AECOM, 2012), *Growth Corridor Plans Managing Melbourne's Growth, Victorian Government, 2012*, the *Growth Area Framework Plans (Melton - Caroline Springs, Victorian Government, 2006)*, the *Melton East Strategy Plan (Shire of Melton, 1997)* and the *Outer Western Suburbs Transport Study (Victorian Government, 2001)*. These reports and plans identified Palmers Road, Robinsons Road, Westwood Drive and Calder Park Drive as future arterial roads.

WRITTEN ADJOURNMENT RESPONSES

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

Thursday, 20 August 2015

Autism services

Raised with: Minister for Housing, Disability and Ageing

Raised by: Mr Finn

Raised on: 4 August 2015

REPLY:

Thank you Mr Finn for raising the important issue of access to early intervention support to children who have been diagnosed with Autism Spectrum Disorder.

This Government recognises that children and young people with Autism Spectrum Disorder require a wide range of supports and evidenced-based services.

As the Minister for Housing, Disability and Ageing I am responsible for support for people with a disability. Generally support from my disability portfolio is provided to those aged six years and over.

Early Childhood Intervention Services support children with a disability or developmental delay under six years of age, including children with Autism Spectrum Disorder.

Children with Autism Spectrum Disorder are eligible for both Commonwealth and State funded Early Childhood Intervention Services programs.

This Government is committed to improving access to supports for all people with a disability. This is why I continue to work with my Commonwealth colleagues to keep the transition to the full National Disability Insurance Scheme on track.

Under the National Disability Insurance Scheme there will be greater choice for families regarding services for their child with a disability.

Early Childhood Intervention Services will commence transition to the full National Disability Insurance Scheme from July 2016.