

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

ANSWERS TO CONSTITUENCY QUESTIONS

24 February to 9 March 2017

(Extract from book 5)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 10 November 2016)

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Deputy Premier, Minister for Education and Minister for Emergency Services	The Hon. J. A. Merlino, MP
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Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
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Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
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Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Training and Skills, and Minister for Corrections	The Hon. G. A. Tierney, MLC
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Thomas, MP

Legislative Council committees

Privileges Committee — Ms Hartland, Mr Herbert, Ms Mikakos, Mr O’Sullivan, 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 — #Mr Barber, Mr Bourman, #Ms Dunn, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Leane, #Mr Melhem, Mr Ondarchie, Mr O’Sullivan and #Mr Rich-Phillips.

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

Standing Committee on Legal and Social Issues — #Mr Barber, #Ms Crozier, #Mr Elasmarr, Ms Fitzherbert, #Ms Hartland, Mr Mulino, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Mr Somyurek, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

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

Joint committees

Accountability and Oversight Committee — (*Council*): Mr O’Sullivan, 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 Bourman, Mr Elasmarr and Mr Melhem. (*Assembly*): Mr Crisp, Mrs Fyffe 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 and Ms McLeish.

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*): 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*): Ms Bath and Mr Dalla-Riva. (*Assembly*): Ms Blandthorn, Mr J. Bull, Mr Dimopoulos, 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

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

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The Hon. B. N. ATKINSON

Deputy President:

Mr K. EIDEH

Acting Presidents:

Ms Dunn, Mr Elasmarr, Mr Finn, Mr Melhem, Mr Morris, Ms Patten, Mr Ramsay

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Deputy Leader of the Government:

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Deputy Leader of the Opposition:

The Hon. G. K. RICH-PHILLIPS

Leader of The Nationals:

Mr L. B. O'SULLIVAN

Leader of the Greens:

Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
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	SFFP	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	O'Sullivan, Luke Bartholomew ⁴	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona	Northern Metropolitan	ASP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin ³	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Pulford, Ms Jaala Lee	Western Victoria	ALP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Purcell, Mr James	Western Victoria	V1LJ
Elasmarr, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaelyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Melhem, Mr Cesar	Western Metropolitan	ALP	Young, Mr Daniel	Northern Victoria	SFFP

² Appointed 15 April 2015

³ Resigned 27 May 2016

¹ Resigned 25 February 2015

⁴ Appointed 12 October 2016

PARTY ABBREVIATIONS

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

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ANSWERS TO CONSTITUENCY QUESTIONS

Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers and received by Hansard in the period shown.

24 February to 9 March 2017**Western Victoria Region**

Question asked by: Mr Purcell
Directed to: Minister for Regional Development
Asked on: 13 October 2016

ANSWER:

Labor governments have a strong record of decentralising government services to create more jobs in regional areas including:

- the Transport Accident Commission to Geelong;
- Rural Finance Corporation to Bendigo;
- the State Revenue Office to Ballarat;
- the Office of Housing call centre to Moe; and
- Statewide Rural Emergency Services Dispatch Centre to Ballarat.

We are focussed on effective delivery of government services and programs in regional areas which will help retain and attract people to live and work outside of Melbourne.

We continually look at whether agencies can be located in regions based on the needs of the agency.

Government services relocations need to be aligned with local workforce skills and specialisations such as the relocation of the Transport Accident Commission to Geelong, which reinforces Geelong's niche in health and accident care and insurance, or the relocation of Rural Finance Corporation to Bendigo, which has a financial services skilled workforce.

Western Victoria Region

Question asked by: Mr Ramsay
Directed to: Minister for Planning
Asked on: 13 October 2016

ANSWER:

Government established the Geelong Authority in September 2015. Based on initial advice from the Authority, and following the appointment of Council Administrators, the Andrews Labor Government has adopted the Revitalising Central Geelong Action Plan.

The Revitalising Central Geelong Action Plan sets out the Government's plan to drive change in central Geelong. \$5.5 million was allocated via the 2016–17 Victorian Budget to support the delivery of the Action Plan, beginning planning and the delivery of early public realm improvements, which builds on over \$170 million of additional funding that has already been allocated for special projects.

The role of the Authority is to oversee the implementation of the Revitalising Central Geelong Action Plan. As such, the Geelong saleyard site is outside the scope of the Authority, however, the City of Greater Geelong advise that use of the site was unsafe for the sale of sheep and cattle in late 2016. Council confirmed that the Colac Otway Shire opened its facility for the sale of sheep commencing 27 October 2016. Colac Otway Shire also offered

discount yard fees to assist farmers to sell stock. The Geelong saleyards facility was reopened for sheep sales on the 6 February 2017 after over \$200 000 of works were completed by the City of Greater Geelong.

A stakeholder workshop was held by the City of Greater Geelong in mid-November to seek feedback from the industry on the transition arrangements for users as part of the City's resolution to the staged closure of the facility.

Following consultation, the City of Greater Geelong has resolved to defer repair works on the facility's cattle yards until:

- An independent, expert local stock market analysis is prepared;
- A full costing of cattle yard works is developed, based on a recently completed Occupational Health and Safety (OH&S) audit inspection; and
- A regional agribusiness strategy is completed.

This information will be used to inform a decision on the future of the facility, including the use of cattle yards, in June 2017. Council is also establishing a Geelong Saleyards Advisory Committee, with the first meeting expected in February 2017.

The saleyards facility remains closed for cattle sales. The City of Greater Geelong has committed to providing assistance to cattle farmers, and is currently determining that level of assistance in consultation with stakeholders from the local farming community.

Western Metropolitan Region

Question asked by: Ms Hartland
Directed to: Minister for Consumer Affairs, Gaming and Liquor Regulation
Asked on: 6 December 2016

ANSWER:

Despite the contents of the 60 Minutes report referred to by Ms Hartland, the average gaming machine loss per adult in Brimbank has decreased by about 13 per cent since 2012. This is notably better than the overall state-wide decrease of 9.4 per cent.

The Andrews Government has consulted extensively with a range of stakeholders to ensure that its policies to reduce the harm caused by problem gambling are robust and effective. These stakeholders have included the Municipal Association of Victoria, The Salvation Army and the Victorian Inter-Church Gambling Taskforce.

The government is keen to ensure that community views about the placement of gaming machines are better considered. For this reason, I requested the Responsible Gambling Ministerial Advisory Council to provide me with advice on ways in which the process for the placement of gaming machines in local communities can be improved.

In 2015, when announcing the review of the arrangements that will apply to the operation of gaming machines after August 2022, the government also committed to examining harm minimisation measures to ensure they are appropriate now and post-2022 having regard to emerging research and industry developments.

On 1 December 2016, the Department of Justice & Regulation released a paper requesting community and stakeholder submissions on the harm minimisation measures that apply to gaming machines.

The consultation period closed on 16 January 2017 and the department received 61 submissions.

I will consider advice from my department on the outcomes of this consultation and meet with stakeholders to discuss the outcomes in due course.

Northern Metropolitan Region

Question asked by: Mr Elasmar
Directed to: Minister for Multicultural Affairs
Asked on: 7 February 2017

ANSWER:

The Multicultural Sports Fund Grants Program opened on 23 February and expressions of interest will close on 13 March.

Guidelines are available at <http://multicultural.vic.gov.au/grants>.

The Victorian Government is committed to supporting opportunities that strengthen outcomes for Victoria's culturally diverse communities through the promotion of social inclusion and economic participation. This fund is about providing a level playing field for all Victorians and improving social connections.

Funding is available for state sporting associations and national sporting organisations to partner with local communities and clubs in Victoria, to implement activities that overcome barriers for culturally diverse communities to participate in sport.

Successful applicants will partner with local communities and local sporting clubs in disadvantaged areas to develop, plan, and implement activities that will increase access to, and participation in, sport.

Western Metropolitan Region

Question asked by: Mr Eideh
Directed to: Minister for Local Government
Asked on: 7 February 2017

ANSWER:

Thank you for your question regarding which councils in your electorate of the Western Metropolitan Region are participating in the 2017 Community Satisfaction Survey (CSS) coordinated by Local Government Victoria, and when and where the results of this year's survey will be available to the public.

Councils that are participating in the 2017 CSS from the Western Metropolitan Region are Brimbank City Council and Melton City Council.

It is anticipated that councils taking part in the survey will receive their results by the end of May 2017 and individual reports for each council are often published by council on their websites. It is up to councils to make decisions about releasing their own individual data.

It is expected that the State-wide Community Satisfaction Survey Research Report will be published mid year after councils receive their individual reports.

Councils' participation in the survey is voluntary, however, councils that do not participate need to undertake their own survey using a similar methodology to obtain the results for the three satisfaction measures that form part of the mandatory Performance Reporting Framework and will need to seek the advice of their auditor to ensure that any alternative survey proposed to be used is compliant.

This survey is an important tool to assess the effectiveness of local councils and a great opportunity for Victorians to have their voice heard on the issue.

Western Metropolitan Region

Question asked by: Mr Melhem
Directed to: Minister for Families and Children
Asked on: 7 February 2017

ANSWER:

I am delighted to announce that planning is well underway for a new Early Learning Facility in the City of Wyndham, as well as extensions to three existing kindergarten services in the City of Hume. These projects will create over 250 new kindergarten places, on top of the 63 already created in Brimbank and Wyndham this year.

Through the Children's Facilities Capital Program, the Victorian Government has committed \$60 million in funding for new kindergartens and early childhood infrastructure.

We are, quite literally, building the Education State.

Eastern Victoria Region

Question asked by: Ms Bath
Directed to: Minister for Energy, Environment and Climate Change
Asked on: 7 February 2017

ANSWER:

Incorporating Indigenous fire practices into Victoria's bushfire management program is a key part of implementing Safer Together, the Andrews Labor Government's approach to reducing bushfire risk in Victoria.

Representatives from my department attended the workshops run by Yarra Ranges Shire which hosted Mr Steffensen. The Department of Environment, Land, Water and Planning has continued the conversations held during the forums with both the Wurundjeri and Dja Dja Wurrung mobs.

Partnerships with Traditional Owners means we can learn from traditional knowledge to shape our fuel management activities and broader land management skills. In addition the community as a whole benefits from the risk reduction activities and the environment benefits through better targeting of fuel management approaches.

I regret that I am unable to attend the workshops but have asked that one of the department's Assistant Chief Fire Officers attends and reports back to me directly on how Aboriginal methods could be incorporated in our program.

Western Metropolitan Region

Question asked by: Ms Hartland
Directed to: Minister for Planning
Asked on: 8 February 2017

ANSWER:

The preferred site for the new youth justice centre in Werribee South is government owned.

The preferred site is in the Urban Growth Zone (Schedule 14) of the Wyndham Planning Scheme and forms part of the East Werribee Employment Precinct.

Western Metropolitan Region

Question asked by: Mr Melhem
Directed to: Minister for Industry and Employment
Asked on: 8 February 2017

ANSWER:

I thank the Member for Western Metropolitan Region for his question on how the introduction of Jobs Victoria will have a positive impact on employment for his constituents in Melbourne's west.

As the Member for Western Metropolitan is aware, the Victorian Government has invested an initial \$39 million in Jobs Victoria establishing 38 new employment services to assist Victorian jobseekers that are disadvantaged in the labour market gain and retain employment, contributing to their social and economic inclusion.

Jobs Victoria provides personalised and flexible assistance to jobseekers and offers support to overcome their particular barriers to employment, find them a sustainable job and then help them keep it. Jobs Victoria is also helping employers to find the staff they need.

Westgate Community Initiative Group, located in Werribee, Sunshine and Footscray, and the Australian Multicultural Community Service, located in Maidstone, are assisting the Member for Western Metropolitan Region's local jobseeker constituents to overcome barriers to employment. Support being provided includes enabling access to vocational training, delivering pre employment skills and linking jobseekers to businesses offering sustainable employment opportunities. One such jobseeker, a long term unemployed refugee residing in St Albans, registered with the Jobs Victoria program in November 2016 and was supported to gain employment as a health services assistant trainee in December 2016. The constituent is enjoying their work and is now considering further education opportunities in midwifery.

Jobs Victoria also has a dedicated employer engagement team that is building strong business relationships to identify and link sustainable employment opportunities to jobseekers registered with a Jobs Victoria service provider.

I thank the Member for Western Metropolitan Region for his ongoing efforts to positively impact the employment for his constituents in Melbourne's West.

Northern Victoria Region

Question asked by: Mr Young
Directed to: Minister for Agriculture
Asked on: 8 February 2017

ANSWER:

Recreational duck hunting is permitted during the open season at a 'range of locations across Victoria, including the state's 200 State Game Reserves.

In 2004, it was announced that the artificial Lake Mokoan would be decommissioned, and allowed to return to its original wetland state of pre-1971. This was part of a larger project to increase the water flows in the River Murray. Prior to the decommissioning, it was widely acknowledged that the two-most important recreational activities at Lake Mokoan were fishing and duck hunting.

The decision to decommission Lake Mokoan was controversial and at the time, and there was considerable local and regional opposition to the project.

The draining of the lake did not occur until 2009, when the Winton Wetlands Reserve was established. The area was reserved for public purposes under Section 4(1) of the Crown Land (Reserves) Act 1978 for the restoration of wetlands, recreation and tourism. The Victorian Government committed up to \$20 million to restore the Winton Wetlands following the decommissioning of Lake Mokoan.

The Winton Wetlands Committee of Management (WWCM), as appointed under the Crown Land (Reserves) Act 1978 in 2009. The WWCM is responsible for setting the permitted activities at Winton Wetlands. The WWCM made the decision to ban duck hunting at the site under their powers to create by-laws in the Crown Land (Reserves) Act 1978. There was no consultation with stakeholders or the government of the day prior to these by-laws being put into effect.

An election commitment of the Liberal Party in the 2009 election was to reinstate hunting at the wetlands. This commitment did not eventuate during the four year term of the previous government.

Western Victoria Region

Question asked by: Mr Ramsay
Directed to: Minister for Training and Skills
Asked on: 8 February 2017

ANSWER:

On 12 July 2016, the former Minister for Training Skills announced that the E01 process had been successful and that a consortium, comprising Mr Dean Montgomery, as the sole financial backer, and Acknowledge Education, as the education provider, was the preferred proponent chosen.

I want to take this opportunity to clarify that South West TAFE was never part of the consortium. Instead, the consortium had planned to seek a partnership with SWTAFE, as the leading TAFE in the region, to support the delivery of some elements of the proposed education model on the site.

Since that time, there has been significant work to progress the sale. As you are aware the sale of Government land requires significant liaison with several Government bodies including the Victorian Government Land Monitor, the Victorian Valuer General and Land Victoria.

On December 21, 2016 the Department, acting on my behalf, entered into a head-lease with Mr Montgomery.

The lease arrangement was required to allow Mr Montgomery to legally occupy the site, and begin necessary work ahead of the execution of a contract of sale. I am advised that the Department is currently completing necessary work to comply with Victorian legislation in the selling of Government land and developing the Contract of Sale.

Mr Montgomery has provided evidence to the Department that he is working to secure a high-quality education provider. The Department is confident in Mr Montgomery's commitment to securing an education provider. I look forward to updating you on progress as soon as I am able.

South Eastern Metropolitan Region

Question asked by: Mrs Peulich
Directed to: Minister for Public Transport
Asked on: 9 February 2017

ANSWER:

The previous Coalition Government did not remove a single level crossing on the Frankston line. In contrast the Andrews Government is removing eleven with three already gone.

It is self-evident that the Liberal Party's decision to not remove any crossings on the Frankston line had no impact on the nearby Edithvale/Seaford wetlands.

The Government acknowledges that the Liberal Party agrees that protecting the wetlands is important and looks forward to the support from the Opposition on level crossing removal designs that protect the wetlands.

As previously announced, projects that may impact these wetlands will be referred for an Environmental Effects Statement (EES) and referral to the Commonwealth Government for assessment under the Environment Protection and Biodiversity Conservation Act (EPBC).

There are 98 existing rail bridges across the Metropolitan train network and the Member for Southern Metropolitan has previously stated that a rail bridge is not a Skyrail. I look forward to her continuing to advocate this position to her community.

Northern Metropolitan Region

Question asked by: Ms Patten
Directed to: Minister for Public Transport
Asked on: 22 February 2017

ANSWER:

A priority of the Government's announced reforms to the Commercial Passenger Vehicle industry is to improve services for passengers with mobility impairment, particularly wheelchair passengers.

London Rides has 200 vehicles, that are accessible for the majority of wheelchair passengers, ready to put on Victorian roads as soon as the legislation that is currently before Parliament is passed. While the London Ride vehicles are accessible for the vast majority of wheelchairs, as the Member for Western Metropolitan has pointed out they do not quite comply with the current regulated standards as they are not accessible for all wheelchairs, including high needs wheelchairs.

The Government is determined to ensure that any increase in the number of vehicles that can take most wheelchairs must not come at the expense of a decrease to the number of vehicles that can take all wheelchairs.

For this reason the Government is looking at running a trial of the London Rides vehicles being eligible for Multi-Purpose Taxi Program (MPTP) scheme trips. Consumer groups, including those who represent passengers whose wheelchairs are not accessible for London Rides vehicles, will be consulted through the trial.

As part of the Government's reforms a dedicated Commissioner for Disability services will be added to the Taxi Services Commission (TSC) to ensure the impacts of reforms benefit passengers with a mobility impairment.