

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

WRITTEN ADJOURNMENT RESPONSES

24 and 25 May 2017

(Extract from book 10)

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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)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, 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 Consumer Affairs, Gaming and Liquor Regulation	The Hon. M. Kairouz, MP
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
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
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 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, 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 Elasmr, 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 Elasmr, Ms Fitzherbert, #Ms Hartland, Mr Mulino, Mr O’Donohue, 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 Elasmr and Mr Melhem. (*Assembly*): Mr Crisp, Mrs Fyffe, Ms Garrett 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 O’Sullivan, Mr Ramsay and Mr Young. (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan.

Family and Community Development Committee — (*Council*): Mr Finn. (*Assembly*): Ms Britnell, 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 Patten, Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr Pearson, Mr T. Smith, Ms Staley 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

President:

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:

The Hon. J. L. PULFORD

Leader of the Opposition:

The Hon. M. WOOLDRIDGE

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 ⁵	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

⁵ Resigned 6 April 2017

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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WRITTEN ADJOURNMENT RESPONSES

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

Wednesday, 24 May 2017

Family violence

Raised with: Minister for Consumer Affairs, Gaming and Liquor Regulation
Raised by: Mr Melhem
Raised on: 14 September 2016

REPLY:

Funding for the Victorian Government's Family Violence Financial Counselling response was \$1.75 million in 2016-17. Of that, the majority was allocated to providing the equivalent of 10 Family Violence financial counsellors across the 17 Department of Health and Human Services service areas.

In the Brimbank Melton region, there is the equivalent of 1.6 Full Time Equivalent (FTE) Family Violence financial counsellors. These resources are located with Anglicare (1 FTE) and Good Shepherd (0.6 FTE), which are also funded to support the vulnerable and disadvantaged under the Government's generalist Financial Counselling Program.

Commencing in October 2016, the Family Violence financial counsellors have worked hard to respond to the complex needs of Family Violence victims and have established referral pathways and procedures (some formalised, some co-located) with family violence organisations and community legal centres. In the first three months of operation, our new Family Violence financial counsellors opened almost 700 cases.

The Family Violence financial counselling casework is proving complex and impacted by such matters as property settlement, joint debts, rent or mortgage arrears where perpetrators refuse to pay, issues related to child custody and support payments, homelessness, fines and warrants in victims' names but incurred by the perpetrator, and loss of employment due to caring for children.

I look forward to joining you shortly in your electorate of Western Metropolitan Region to see first-hand the difference that these counsellors will make in the lives of those escaping family violence and economic abuse.

Wyndham police numbers

Raised with: Minister for Police
Raised by: Mr Finn
Raised on: 14 September 2016

REPLY:

The Andrews Labor Government has announced a comprehensive strategy to prevent, detect and disrupt crime in Victoria. The Community Safety Statement, released in December 2016, outlines our commitment to boost police numbers right across the State.

In line with the Government's commitment in the 2016-17 Budget to recruit 300 additional frontline police, the Chief Commissioner of Police announced on 27 April 2017, that the first 300 frontline police will begin to roll out in Melbourne's growth suburbs from May 2017. Wyndham Police Service Area (PSA) will receive 27 additional police.

In total, 41 additional police officers will be deployed to the Westgate Police Division. Four additional police officers will be deployed to Maribyrnong, and the Divisional Criminal Investigation Unit and the Divisional Sexual Offences and Child Abuse Investigation Team will be allocated five additional police officers each. These extra police will greatly strengthen local police responses.

The rollout of the 300 new police is just the start of the biggest boost of police resources in the state's history. There will be a total of 3135 additional police to hit the beat over the next five years as part of the Andrews Labor Government's record investment.

While the allocation of police resources is a matter for the Chief Commissioner of Police, he has indicated that resource deployment will be determined by the newly developed Staff Allocation Model (SAM).

Victoria Police has advised me that the number of Full Time Equivalent (FTE) members deployed to the Wyndham Police Service Area (PSA), as at March 2017, has risen to 106.29. This is a significant increase from November 2014, when the FTE members totalled 88.03.

Further information from Victoria Police confirms that all Wyndham PSA members are performing their duties within the Wyndham PSA for the benefit of the local community, and that no officers from Wyndham have been deployed to taskforces outside the PSA.

Victoria Police has also committed to local initiatives in the area, establishing and maintaining collaboration with Wyndham South Sudanese community leaders.

The leaders have played a role in assisting police with the dispersion of large gatherings of young people that may pose a threat to local businesses.

Off duty Wyndham members have been actively engaging with young people in the area, playing basketball with them at Eagle Stadium each Friday night.

The Andrews Labor Government is continuing to work closely with the Chief Commissioner of Police to ensure that Victoria Police is receiving the necessary resources to tackle crime and keep our community safe.

Environment Victoria

Raised with: Special Minister of State
Raised by: Mrs Peulich
Raised on: 23 February 2017

REPLY:

I note your concerns about the financial operations at Environment Victoria (EV).

The Victorian Government did not provide funding to Environment Victoria in 2015-16 and therefore has no oversight role of the financial management or internal operations of EV.

If you have ongoing concerns regarding EV's financial management, the relevant body for oversight of incorporated associations is Consumer Affairs Victoria (CAV). For more information on financial statements and auditing requirements of incorporated associations, CAV can be reached by phoning 1300 55 81 81 or by visiting www.consumer.vic.gov.au.

Officer precinct gaming venue

Raised with: Minister for Consumer Affairs, Gaming and Liquor Regulation
Raised by: Mr O'Donohue
Raised on: 22 March 2017

REPLY:

An application for a new gaming venue requires the Victorian Commission for Gambling and Liquor Regulation to approve the premises as suitable for gaming and a planning permit to be issued by the relevant local council.

This question relates to planning schemes and precinct structure plans. It should be directed to the Minister for Planning, the Hon Richard Wynne MP.

Problem gambling

Raised with: Minister for Consumer Affairs, Gaming and Liquor Regulation
Raised by: Ms Hartland
Raised on: 23 March 2017

REPLY:

YourPlay is a responsible gambling tool introduced by the government to empower all players to make informed choices when playing gaming machines. YourPlay can help players to stay in control and avoid escalating to harmful gambling behaviour.

Although the evaluation of YourPlay is in its initial stages, I am advised that the first year data is encouraging.

Given that the evaluation of YourPlay is a complex project, I have recently been advised that it would be misleading to produce and release an interim report containing data from the various evaluation components.

I expect full analysis of the data and a final report to be completed in late 2017.

Anakie Youang heritage listing

Raised with: Minister for Aboriginal Affairs
Raised by: Mr Rich-Phillips
Raised on: 23 March 2017

REPLY:

I thank the Honourable Member for raising this issue.

The Government is strongly committed to the protection and management of Victoria's Aboriginal cultural heritage. This commitment is demonstrated by our recent amendments to the Aboriginal Heritage Act 2006 improving the protection of Victoria's unique Aboriginal cultural heritage. This includes stone artefacts, rock art sites, Aboriginal Ancestral burials and significant cultural places.

My Department undertook a thorough and independent investigation into the claim of the Aboriginal significance of Anakie Youang. The result of that investigation was that Anakie Youang was placed on the Victorian Aboriginal Heritage Register in July 2015 as an Aboriginal place of contemporary, social, historical, anthropological and spiritual significance to Aboriginal people, specifically, to the Wadawurrung people.

Aerolite Quarries Pty Ltd sought a declaration in the Supreme Court that Anakie Youang is not an Aboriginal place. This action was settled on 27 July 2016.

As part of the settlement, the Department is undertaking a reconsideration of the decision to include Anakie Youang on the Victorian Aboriginal Heritage Register. Anakie Youang will remain on the Register whilst this process continues.

This is an extremely complex issue involving the recording of Aboriginal oral tradition and many contradictory expert reports and testimony.

This reconsideration process inevitably takes time and necessitates proper consultation. The Department has been particularly careful throughout the process to provide parties with an equal opportunity to respond to various documents throughout the reconsideration process.

I should note that Aerolite Quarries Pty Ltd applied for a cultural heritage permit to enable its existing quarrying activities to continue. These existing quarrying activities are on the scoria cones, which constitute the Aboriginal place.

The Department granted the permit on 6 January 2016. The permit allows the existing and some future quarrying activity to occur, but includes restrictions designed to minimise harm to the Aboriginal place. Aerolite Quarries Pty

Ltd has also appealed these conditions to the Victorian Civil and Administrative Tribunal. The matter is due to be heard later this year.

As the Department is still undertaking its reconsideration of the decision following the Supreme Court settlement, it would not be reasonable to the affected parties the Wadawurrung people and Aerolite — to review a process that has not yet concluded.

Geelong–Melbourne rail service

Raised with: Minister for Planning
Raised by: Mr Ramsay
Raised on: 2 May 2017

REPLY:

I thank Mr Ramsay for his question regarding funding for the planning of a fast train service between Geelong and Melbourne.

This matter falls under the portfolio responsibilities of the Minister for Public Transport. As such, the question will need to be raised with the Hon Jacinta Allan MP to ensure it is given full consideration.

WRITTEN ADJOURNMENT RESPONSES

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

Thursday, 25 May 2017

Melbourne Regional Landfill

Raised with: Minister for Planning
Raised by: Mr Finn
Raised on: 2 May 2017

REPLY:

The planning permit application to expand the Melbourne Regional Landfill at Ravenhall is presently under consideration. I will make a decision on it in due course. In making a decision I will have regard to all submissions made about the proposal as well as the recommendations of the independent planning panel that considered the application.

Knox planning scheme amendment

Raised with: Minister for Planning
Raised by: Ms Dunn
Raised on: 9 May 2017

REPLY:

At its planning meeting of 10 April 2017, the Knox City Council resolved to request that I amend the Knox Planning Scheme to provide mandatory maximum building heights for the commercial zone in the Upper Ferntree Gully Activity Centre. The council has requested that I prepare, adopt and approve an amendment to do this. The council has also assisted by providing relevant amendment documentation to the relevant planning unit within the Department of Environment, Land, Water and Planning (DELWP). This new amendment is under active consideration.

I am aware of the community sentiment about this matter and once DELWP has completed its assessment of the amendment, I will consider its merits, submissions from the public and the previous review by an independent planning panel before making a decision.