

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

**WRITTEN RESPONSES TO QUESTIONS
WITHOUT NOTICE**

22 November to 30 November 2017

(Extract from book 21)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

The ministry

(from 16 October 2017)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services	The Hon. J. A. Merlino, MP
Treasurer and Minister for Resources	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Industry and Employment	The Hon. B. A. Carroll, MP
Minister for Trade and Investment, Minister for Innovation and the Digital Economy, and Minister for Small Business	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D' Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Aboriginal Affairs, Minister for Industrial Relations, Minister for Women and Minister for the Prevention of Family Violence	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation, and Minister for Local Government	The Hon. M. Kairouz, MP
Minister for Families and Children, Minister for Early Childhood Education and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, 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 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

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(to 15 October 2017)

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
Minister for Small Business, Innovation and Trade.	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D'Ambrosio, 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
Minister for Agriculture and Minister for Regional Development.	The Hon. J. L. Pulford, MLC
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

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(to 12 September 2017)

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
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D'Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
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 (until 23 August 2017)	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 Bourman, #Ms Dunn, Mr Eideh, Mr Finn, Mr Gepp, Ms Hartland, Mr Leane, #Mr Melhem, Mr Ondarchie, Mr O’Sullivan and #Mr Rich-Phillips.

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

Standing Committee on Legal and Social Issues — #Ms Crozier, #Mr Elasmarr, Ms Fitzherbert, #Ms Hartland, Mr Morris, 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 Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing and Ms Tierney.

Fire Services Bill Select Committee — Ms Hartland, Ms Lovell, Mr Melhem, Mr Mulino, Mr O’Sullivan, Mr Rich Phillips, Ms Shing and Mr Young.

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, Ms Hutchins, Mr Merlino, Mr M. O’Brien, Mr Pakula and Mr Walsh.

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

Electoral Matters Committee — (*Council*): Ms Bath, Ms Patten and Mr Somyurek. (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon 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*): Dr Carling-Jenkins and 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 Gepp 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 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 — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

Council — Acting Clerk of the Parliaments and 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 Elasmar, Mr Melhem, Mr Morris, Ms Patten, Mr Purcell, Mr Ramsay

Leader of the Government:

The Hon. G. JENNINGS

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:

Dr S. RATNAM

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John ¹	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 ⁷	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel ³	Western Metropolitan	AC	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 ⁸	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 ⁴	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
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ratnam, Dr Samantha Shantini ⁹	Northern Metropolitan	Greens
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Gepp, Mr Mark ⁵	Northern Victoria	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph ⁶	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaclyn	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

¹ Resigned 28 September 2017

² Appointed 15 April 2015

³ DLP until 26 June 2017

⁴ Resigned 27 May 2016

⁵ Appointed 7 June 2017

⁶ Resigned 6 April 2017

⁷ Resigned 25 February 2015

⁸ Appointed 12 October 2016

⁹ Appointed 18 October 2017

PARTY ABBREVIATIONS

AC — Australian Conservatives; 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 RESPONSES TO QUESTIONS WITHOUT NOTICE

Responses have been incorporated in the form provided to Hansard and received in the period shown.

22 November to 30 November 2017

Land Use Victoria

Question asked by: Ms Patten
Directed to: Special Minister of State
Asked on: 7 September 2017

RESPONSE:

The Government has recently appointed UBS as the financial adviser responsible for managing a scoping study, which will assess options to get better value for taxpayers from Victoria's land titles registry function.

The Government will consider what information can responsibly be made public once the scoping study has been completed.

The proposed centralisation of the valuations functions is completely separate to the Land Titles commercialisation process. This policy decision is not motivated by the scoping study.

Trans-Pacific Partnership Agreement

Question asked by: Mr Ondarchie
Directed to: Minister for Trade and Investment
Asked on: 16 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

I refer the Member to the response that I provided to the matter related to the Trans Pacific Partnership (TPP) in the Legislative Council, as recorded in Hansard.

I remind the Member that while the Victorian Labor Government would endorse any international partnership that would support our workers, negotiating such deals fall under the jurisdiction of the Commonwealth Government. While Victoria can make submissions in support of such partnerships, it is the responsibility of the Prime Minister and the Federal Minister for Trade, Tourism and Investment to engage with their international counterparts, including representatives of the Canadian Government.

RESPONSE TO SUPPLEMENTARY QUESTION:

I would like to inform the Member that Victoria does not have a Consul General from Canada. It does, however, have a Honorary Consul. Indeed a small technicality, but an important one.

Planning environmental standards

Question asked by: Dr Ratnam
Directed to: Minister for Trade and Investment
Asked on: 16 November 2017

RESPONSE:

In 2015, the Minister for Planning approved a request from six Melbourne metropolitan councils, the Cities of Banyule, Moreland, Port Phillip, Stonnington, Whitehorse and Yarra to adopt Environmentally Sustainable Development (ESD) local planning policies into their planning schemes. In 2016 similar policies were also introduced into the Monash Planning Scheme.

These policies were adopted on an interim basis because the Minister agreed with the advice of the Ministerial Advisory Committee appointed to examine the six initial proposals, that "a statewide approach to sustainability in planning would be the most effective way to achieve the greatest sustainability outcomes".

The government has committed to strengthening planning and building frameworks to support ESD objectives as set out in Plan Melbourne 2017-2050. Consistent with the Plan Melbourne Implementation Plan, work is underway to “determine the most cost-effective approach for lifting the efficiency of both new and existing building stock and requiring early consideration of sustainability in the planning, design and building process”.

The ESD policies adopted by these metropolitan councils provide a solid starting point for this work, but changes to the Victorian planning system need to be suitable for every local government area across the state. The policies should also reflect complementary work on related state government policy initiatives such as the review of stormwater standards through the Water for Victoria strategy, implementation of the Victoria’s Climate Change Adaptation Plan and measures to support the governments’ energy reform agenda. The Minister applied an expiry date to these local policies in recognition that equivalent provisions in the Victoria Planning Provisions may differ from the seven existing ESD policies. It is the intention of the Andrews Government that state wide ESD standards are evidence based and reflect best practice.

Western Victoria Region passenger rail services

Question asked by: Mr Purcell
Directed to: Minister for Agriculture
Asked on: 16 November 2017

RESPONSE:

The Victorian Government co-funded the Grampians and Barwon South West region passenger services cost and feasibility study (the Study) along with the eight western councils. The Study examined the future passenger transport needs for Western Victoria, and recommends a series of public transport improvements for the region.

The Victorian Government is undertaking a range of activities that align with the Study’s recommendations as part of the Regional Network Development Plan (RNDP) implementation. For example, the \$1.57 billion Regional Rail Revival package includes major upgrades across every regional passenger line in Victoria, including in Western Victoria. As part of this package, stage two of the Ballarat Line Upgrade will deliver new stabling in Ararat and signalling upgrades and track works around Ballarat. This \$39 million project will improve freight movements, allow additional services to Ararat and pave the way for future passenger services.

Waste and recycling industry

Question asked by: Ms Springle
Directed to: Special Minister of State
Asked on: 21 November 2017

RESPONSE:

I am advised that the Australian Parliament currently has 67 Parliamentary Committees undertaking 118 public inquiries.

The Andrews Labor Government is busy getting on with the job of ensuring Victoria’s waste and resource recovery system is as effective as possible.

While waste and recycling matters are primarily a responsibility of State and local governments, certain issues warrant consideration at the national level. These include issues associated with the interstate transport of waste which is a high priority for New South Wales and Queensland in particular.

Victoria already uses a range of intergovernmental forums to discuss waste and resource recovery matters with Commonwealth and interstate colleagues, including the Meeting of Environment Ministers.

Through the Department of Environment, Land, Water and Planning, Sustainability Victoria, our seven waste and resource recovery groups and the Environment Protection Authority, we are developing and implementing a range of policies and programs to improve environmental and human health outcomes in waste and recycling.

Consultation processes are currently underway to implement our commitments to:

- ban plastic bags and reduce plastic pollution
- ban e-waste from landfill, and
- determine the best role for waste to energy technologies in Victoria.

Earlier this year, we finalised the Victorian Waste and Resource Recovery Infrastructure Planning Framework. This legislated, comprehensive framework prioritises and supports the establishment of infrastructure to maximise resource recovery. Victoria is the first jurisdiction in Australia to have such a framework in place.

We are investing at record levels to implement the framework, with \$30.4 million over four years announced in this year's State Budget to ensure we have the infrastructure, programs and policies we need to increase our recovery of resources from waste and reduce our reliance on landfill.

We are supporting the industry by working to develop markets for recovered resources, and leading a wide range of national product stewardship initiatives, including those for batteries, paint, used tyres, and solar photovoltaic systems.

We are minimising risks associated with stockpiling of waste materials by implementing risk management requirements and have established an inter-agency taskforce to target high risk sites and ensure compliance and community safety.

We are also building a stronger, more modern and better resourced environmental regulator by progressing environment protection reforms initiated by the Andrews Labor Government in response to the major public inquiry into the Environment Protection Authority. The Environment Protection Act 2017 was passed by Parliament and received Royal Assent on 24 October 2017, being the first of two phases of legislative reform to overhaul the 47-year-old Environment Protection Act 1970. The second phase is scheduled to be introduced to Parliament in 2018.

I am advised that the Victorian Minister for Energy, Environment and Climate Change would welcome a delegation from the Australian Senate to visit Victoria in order to learn from our state's leadership on waste and recycling, climate change, and investing in renewable energy, so that the Commonwealth may more effectively 'take these issues seriously'.

Westgarth Primary School

Question asked by: Ms Patten
Directed to: Minister for Training and Skills
Asked on: 21 November 2017

RESPONSE:

Thank you for your question on the condition of Westgarth Primary School.

I am advised that the school discussed this issue with the Department in November 2016. The school was advised about the appropriate process to address this issue, which included submitting a request through the Department's Emergency Maintenance Program. However, consistent with my previous response, the school did not submit such request.

Nevertheless, to expedite the process, the Minister for Education has instructed the Department to again contact the school to talk it through the process for requesting Emergency Maintenance funding.

Any urgent works completed and further works required can then be appropriately considered by the Department.

I trust this information is of assistance.

Animal Welfare Victoria

Question asked by: Ms Wooldridge
Directed to: Minister for Agriculture
Asked on: 21 November 2017

RESPONSE:

The Animal Justice Party has been engaged in ongoing correspondence and contact regarding animal welfare policies and programs over the life of this Government.

The establishment of the public sector group and the animal welfare grants are part of ongoing policy and programs development.

The grants referred to are a continuation of a program started under the previous government. Animal Welfare Grants under this Act have been provided since 2011. Applications are sought publically from eligible groups as defined by the Act. The funding will be allocated from consolidated revenue through standard budget processes into Agriculture Victoria.

The development of the Animal Welfare Action Plan, which includes commitments to a review of the legislation and recognition of the sentience of animals, has been publically known and underway for more than a year. The final plan will be released in coming weeks.

Agriculture Victoria had already commenced an internal process to improve animal welfare and domestic animal policy and management that led to a formal clause 10 process being started with relevant staff on 11 October 2017.

The Victorian Labor Party manage preference discussions and decisions.

Animal Welfare Victoria

Question asked by: Ms Fitzherbert
Directed to: Minister for Agriculture
Asked on: 21 November 2017

RESPONSE TO SUPPLEMENTARY QUESTION:

The Animal Justice Party has engaged in ongoing correspondence and contact regarding animal welfare issues over the life of this Government.

Animal welfare policy issues have been discussed with the Animal Justice Party and many other stakeholders.

The Government has not met the Animal Justice Party's request, as expressed on their website, for '...an independent statutory authority established under an Act, to develop, promote, and enforce animal welfare protections...'

Animal Welfare Victoria

Question asked by: Mr Rich-Phillips
Directed to: Special Minister of State
Asked on: 21 November 2017

RESPONSE:

The establishment of Animal Welfare Victoria is part of the Andrews Government's long standing commitment to improving animal welfare in our state.

Animal Welfare Victoria builds on previous Government reforms including ending puppy farming, developing the Animal Welfare Action Plan, and more support for the RSPCA's valuable enforcement work.

As the member would be aware, the Westminster Cabinet decision making process typically involves input from the community and external stakeholders, policy drafting and review by departmental officials, cross departmental consultation, and consideration by Cabinet Ministers who are advised by their staff.

The development of Animal Welfare Victoria followed this process.

FURTHER RESPONSE:

The Premier and Ministers are typically advised by departmental officials and staff in making policy decisions. Consistent with this practice, Cabinet Ministers were advised by staff in development of the Animal Welfare Victoria package.

The Cabinet shares responsibility for policy announcements made by our Government, and for our decisions, including recent decisions designed to improve animal welfare in our state.

Bourke Street tragedy

Question asked by: Ms Wooldridge
Directed to: Special Minister of State
Asked on: 28 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

I am advised that Mr Gargasoulas' legal representatives made an FOI request for a copy of his medical file from the Department of Justice and Regulation on 6 October 2017.

Prior to this date, the Department of Justice and Regulation had already responded to requests for Mr Gargasoulas' medical records by Victoria Police. Justice Health provided medical documents to Victoria Police in response to three separate Victoria Police search warrants between 30 January and 26 June 2017, totalling 761 pages.

The Department subsequently received an FOI request from Mr Gargasoulas' legal representatives for a copy of Mr Gargasoulas' complete medical file, including the period from 26 June 2017. The FOI request was processed in line with the Freedom of Information Act 1982 (FOI).

The Department had regular contact with Mr Gargasoulas' legal representatives in relation to the size and scope of the FOI request and had advised that the requested documents would be provided by 5 December 2017, within the relevant statutory timeframes.

The request has now been finalised. Mr Gargasoulas' legal representatives received the documents on 29 November 2017.

GOTAFE

Question asked by: Mrs Peulich
Directed to: Minister for Training and Skills
Asked on: 28 November 2017

RESPONSE:

It is unsurprising that you and your colleagues would seek to distract the public from your real plans for the TAFE sector.

TAFEs will once again be forced to bear the brunt of Coalition cuts with Matthew Guy's plan for a Commission of Audit.

Your party's Commission of Audit will see funding ripped out of TAFEs and educational support services, repeating the shameful history of the former Coalition Government.

You should be honest with the Victorian people about which campuses of GOTAFE are in the firing line for closure under your plans.

I have previously advised that the Department is reviewing a number of qualifications at GOTAFE to determine if there are further compliance issues. The Department is still examining these qualifications along with responses from GOTAFE to issues raised.

As these processes are still underway it would not be appropriate to comment on individual issues until they have been fully considered.

The Department of Education and Training has advised that it has scheduled the review for completion by the end of the year and it is appropriate that this work be given the time and scope required to reach a full understanding of the issues as well as any actions that may be needed to address them.

Energy concessions

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 28 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

I am advised that:

The Andrews Labor Government welcomes the release of the Independent Review into the Electricity and Gas Retail Markets in Victoria. The review looks at the operation of the retail energy market and provides recommendations aimed at getting a better deal for customers including low income and vulnerable households.

The Victorian Government already assists low income and vulnerable households to access electricity and gas by providing a range of energy concessions. In 2017-18 it is estimated that our government will spend \$568.6 million on energy concessions, helping 914 400 Victorian households receive the mains electricity concession and 669 400 households the mains gas concession.

As part of our government's drive to put energy consumers first, we are assisting households to reduce their energy costs through a new set of rebates for households on costly default electricity deals. The rebates will be funded by Victoria's major energy retailers — Origin, AGL and EnergyAustralia — and will slash electricity prices by up to 28 per cent for more than 285 000 customers. The rebates will apply to electricity bills from 1 January 2018.

The Department of Health and Human Services does not hold details of energy users' energy deals.

Earlier this year the Federal Liberal Government caused undoubted stress and anxiety for many senior Victorians who rely on concession entitlements by making multiple changes to the assets tests used to calculate pension entitlements. By contrast, the Andrews Labor Government has provided a further \$81 million funding to our concessions program in the 2017-18 Victorian Budget.

Animal Welfare Victoria

Question asked by: Mr Ramsay
Directed to: Minister for Agriculture
Asked on: 28 November 2017

RESPONSE:

Stakeholders have been widely consulted on animal welfare matters over the course of this year, particularly around the development of the Animal Welfare Action Plan.

Animal Welfare Victoria will draw together existing functions within Agriculture Victoria to better deliver Government priorities that have been developed closely with stakeholders.

Animal Welfare Victoria

Question asked by: Mr O'Sullivan
Directed to: Minister for Agriculture
Asked on: 28 November 2017

RESPONSE:

Proposed new departmental structures were released for consultation on 11 October, including the combining of animal welfare and domestic animal management.

The Chief Veterinary Officer was involved in discussions around departmental structures for animal welfare and domestic animal management.

Animal Welfare Victoria was not on the agenda of the Livestock Industry Consultative Committee meeting on Monday 16 October.

Animal Welfare Victoria was announced on 19 October.

Northcote by-election

Question asked by: Ms Fitzherbert
Directed to: Minister for Agriculture
Asked on: 28 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

The Government has been developing, delivering and communicating its animal welfare policies and programs through its term. These have been communicated prior to, during and after the Northcote by-election.

Firearm regulation

Question asked by: Mr Bourman
Directed to: Minister for Corrections
Asked on: 28 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

Since September this year, the Licensing & Regulation Division (LRD) has begun trialling an alternative genuine need letter that it considers is more closely aligned to the requirements of section 104(2)(a) & (b) of the Firearms Act 1996. Under section 104(1)(d)(ii) of the Firearms Act, in order to issue a permit to acquire a category B longarm, the Chief Commissioner of Victoria Police must be satisfied that the applicant has demonstrated a genuine need to possess, carry or use such a firearm. Section 104(2)(a) and (b) further provides that, when making that assessment, the Chief Commissioner must have regard to whether or not the applicant's need could be satisfied by a category A longarm instead and, in addition, the number, category and type of firearms already possessed by the applicant.

The alternative genuine need letter requests further information to support an applicant's genuine need to acquire a firearm. Similar to previous versions of the letter, the alternative genuine need letter asks the licence holder to provide additional information when applying to acquire firearms of the same category. The letter asks the licence holder to provide further information to substantiate why their existing firearms do not meet the requirements of their genuine need and provides an opportunity for the applicant to clarify the requirements for the additional firearm. The Chief Commissioner must have regard to the number, category and type of firearms already possessed by the applicant.

The alternative genuine need letter being trialled better reflects the requirements of the legislation than the previous correspondence. In order to ensure the correct application of the conditions set out in section 104 Part 2(b) an internal review was conducted into the current process and a new questionnaire was developed.

A sample of the register was investigated and in order to ascertain a sufficient sample to trial and evaluate and assess its merits. Ten or more firearms were chosen as an appropriate number. The trial has been running for approximately 2 months and is due to end 31 December 2017 after which time it will be reviewed. At this stage LRD have sent out fewer than 20 letters requesting further evidence to demonstrate a genuine need (as required by legislation).

RESPONSE TO SUPPLEMENTARY QUESTION:

To date the LRD have had no Firearms Appeals Committee (FAC) appeals relating to the new trial process. There was a matter before the FAC in relation to a permit to acquire earlier in the year and that matter prompted the internal review detailed above.

Both the Chief Commissioner and appellants to the FAC have a right of review at the Victorian Civil and Administrative Tribunal (and then onto the Supreme Court if desired). LRD uses findings from hearings to assist them in the application of the Firearms Act.

LRD's experience in the trial to date suggests that the alternative letter creates a more effective process for the evaluation of the needs of the licence holder to possess an additional firearm in accordance with the intent of section 104(2)(a) and (b) of the Firearms Act.

To date no refusals have been made as a result of the alternative letter. As I have already noted, the letter is subject to a trial period and feedback will be obtained from stakeholders through Victoria Police's Firearm User Group.

VicForests

Question asked by: Ms Dunn
Directed to: Special Minister of State
Asked on: 28 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

Authorised Officers from the Department of Environment, Land Water and Planning (DELWP) investigated the report of the deceased koala at Mont Blanc coupe. The case was investigated thoroughly and in a timely manner, and was closed in September 2017.

The investigation included a necropsy by a veterinarian at the Healesville Sanctuary.

For the offence of destroying protected wildlife under section 43, Wildlife Act 1975, to be proven it must be beyond reasonable doubt that the person intended to destroy the wildlife.

In this case, Authorised Officers found that:

- There is no evidence that koalas were known to be in MONT BLANC coupe, or in any particular tree or patch of trees in the coupe prior to this incident.
- There is no evidence that any person or VicForests undertook the timber harvesting operation with the intent to destroy protected or threatened wildlife.

This investigation was undertaken by Authorised Officers in accordance with DELWP compliance procedures and was completed in three months from the time the department became aware of the incident.

Foster carers

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 29 November 2017

RESPONSE:

I am advised that:

Foster Carers are the unsung heroes of our community, they open their hearts and homes to Victoria's most vulnerable children. That is why the Andrews Labor Government provided an increase in carer allowances in our first budget and further support for home based carers in our subsequent budgets.

In September 2016 I also announced a further \$19.2 million to give carers more access to training, assistance and financial support for extraordinary expenses like medical, child care or travel costs. As a result of this funding the Carer Kafe training calendar has been rolled out this year to better support carers to support the children they love and care for.

I am advised that it is not Department of Health and Human Services policy to substitute overdue carer payments with vouchers. Client support funding is additional to carer payments to help cover costs for extraordinary expenses, which may include specific items or services. A voucher may be provided as part of client support funding when this meets the needs of the carer. This is a long-standing practice that occurred during the previous government for both Child Protection Practitioners and Community Service Organisations and is often done in urgent situations. An example of this is when food staples are required for children.

I am disappointed that following question time the member failed to advise me of the specific details of the carer in question. Despite this my department has been in communication with the carer. I am advised that there was a misunderstanding in relation to the offer of grocery vouchers and that these were not offered in lieu of allowance payments but in order to provide immediate additional financial relief.

The department monitors client expenses expenditure. The department does not monitor how many vouchers are provided to carers.

Girls in Tech Catalyst Conference

Question asked by: Mr Ondarchie
Directed to: Minister for Innovation and the Digital Economy
Asked on: 29 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

LaunchVic entered a contract in February 2017 with Girls in Tech Australia to provide the Catalyst conference. Girls in Tech Australia requested a variation to the contract for the conference to occur in early to mid-2018 as they required further time to deliver a sufficiently high-impact event. LaunchVic have agreed to this variation and the project is progressing in accordance with the terms of the new contract.

The Australasian conference will proceed and be exclusive to Victoria. It will act as a catalyst for innovation, start-ups and entrepreneurship, and help to enhance gender diversity in the sector.

Northcote by-election

Question asked by: Mr O'Sullivan
Directed to: Minister for Agriculture
Asked on: 29 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

The Animal Justice Party's policy as expressed on their website, is for '...an independent statutory authority established under an Act, to develop, promote, and enforce animal welfare protections...' This does not reflect Government policy.

The establishment of the public sector group within Agriculture Victoria was commenced through an internal process to improve animal welfare and domestic animal policy.

The grants referred to are a continuation of a program started under the previous government. Animal Welfare Grants under this Act have been provided since 2011. Applications are sought publically from eligible groups as defined by the Act. The funding will be allocated from consolidated revenue through standard budget processes into Agriculture Victoria.

The development of the Animal Welfare Action Plan, which includes commitments to a review of the legislation and recognition of the sentience of animals, has been publically known and underway for more than a year. The final plan will be released in coming weeks.

The Animal Justice Party has been engaged in ongoing correspondence and contact regarding animal welfare policies and programs over the life of this Government. I have not met or negotiated with the Animal Justice Party.

Justice system

Question asked by: Mr O'Donohue
Directed to: Minister for Corrections
Asked on: 30 November 2017

RESPONSE TO SUBSTANTIVE QUESTION:

The incident that occurred at Barwon Prison on 26 November is currently under investigation by Police and will be subject to a review by Corrections. As such it is inappropriate to comment further.