

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**WRITTEN ADJOURNMENT RESPONSES**

**23, 24 and 25 February 2010**

**(Extract from book 2)**

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			Vogels, Mr John Adrian	Western Victoria	LP

<sup>1</sup> Appointed 3 February 2009

<sup>2</sup> Resigned 9 January 2009



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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, 23 February 2010**

**Koo Wee Rup bypass: funding**

**Raised with:** Minister for Roads and Ports

**Raised by:** Mr O'Donohue

**Raised on:** 11 March 2009

**REPLY:**

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

1. VicRoads was undertaking a planning study for the development of Healesville-Koo Wee Rup Road as a high standard inter-regional route between the Pakenham Bypass and the South Gippsland Highway, including the potential future bypass of the Koo Wee Rup township.
2. The most appropriate route for the bypass, as well as the overall route, will be determined by the planning study process.
3. The community's views will be taken into consideration as planning continues.

Since that time, VicRoads has completed the planning study to the stage of identifying a preferred option for the development of Healesville-Koo Wee Rup Road, including an alignment for the potential future Koo Wee Rup bypass. This work is available on VicRoads' website.

An information bulletin has been distributed to households in the corridor since I announced the completion of the preliminary planning study in November 2009.

As the planning process moves forward, the Brumby Government will invest \$780,000 into new traffic lights at the Rossiter Road and Station Road intersection to help improve pedestrian safety and better manage traffic in the town.

You should note that while the former Prime Minister John Howard pledged support for this project in 2006, his government failed to follow through by not including the project in any budget or funding agreement made available to the state following his pledge.

**South Gippsland Highway: floodproofing**

**Raised with:** Minister for Roads and Ports

**Raised by:** Mr P. Davis

**Raised on:** 2 April 2009

**REPLY:**

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

VicRoads was undertaking planning to determine an alignment for the flood protection of the South Gippsland Highway between Longford and Sale.

Since that date a number of significant milestones have been achieved: I am pleased to advise that the Brumby Government has provided funding of \$56.9 million for this project in the 2009/10 Budget. Key environmental approvals have been received from the Federal Government under the Environment Protection and Biodiversity Conservation Act. VicRoads has determined an alignment for the new highway and the planning scheme amendment for the new alignment has been exhibited, with a panel hearing held. The preferred alignment is supported by the Member for Gippsland South and Leader of the Nationals, who described it as the "best option" on 20 October 2009.

### **Snowy River: environmental flows**

**Raised with:** Minister for Environment and Climate Change

**Raised by:** Mr P. Davis

**Raised on:** 1 September 2009

#### **REPLY:**

As you are aware, the Snowy Water Inquiry Outcomes Implementation Deed (SWIOID) sets out the commitment to return flows to the Snowy River as a long-term average flow target and included the associated funding commitments from Governments.

The Victorian, New South Wales (NSW) and Commonwealth Governments contribute funding to Water for Rivers to acquire water for the Snowy and Murray rivers. Initially this funding totalled \$375 million, however, the Commonwealth has subsequently committed a further \$50 million to assist the delivery of the 2012 flow target for the Snowy River. The expenditure of the funding and progress towards achievement of the flow targets is monitored by the Governments on an annual basis through the business planning process. The NSW Government maintains a register of recovered water which is publicly available.

Under the SWIOID, entitlements associated with water recovered for the Snowy and Murray Rivers retain the reliability of their source and are subject to seasonal allocations. The low level of flow in the Snowy River is due to the severity of the drought conditions in the southern Murray-Darling Basin. The volumes allocated for release have been less than the total entitlement volume in recent years due to low allocations across Victoria and NSW.

The SWIOID also provides that the initial environmental flows in the first three years after 2002 come from the 'turn-out' of the Mowamba Aqueduct, effectively creating a borrow from the Snowy Scheme. After the initial three years, any environmental allocation to the Snowy above a minimum 38 GL is split half-and-half, with one half used to provide increased environmental flows to the Snowy River and the other half used to pay back the Mowamba borrow until the debt is eliminated.

The drought also triggered the Hydro Scheme's 'Dry Inflow Conditions' in 2006/07 and these conditions still remain in place. Under these conditions the required annual releases into the Murray and Murrumbidgee rivers are reduced to ensure the Scheme does not run out of water under drought conditions more severe than those built into the design of the scheme. The triggering of these conditions also means that all the water allocated to the Snowy River above the 38 GL must be used first to pay back the debt to the Scheme from the Mowamba borrow or until the dry inflow conditions are no longer in place.

I assure you that the Victorian Government is committed to the delivery of the obligations under the SWIOID and that all environmental flows allocated for release to the Snowy River have been made.

### **Bushfires: observation towers**

**Raised with:** Minister for Environment and Climate Change

**Raised by:** Mrs Petrovich

**Raised on: 2 September 2009**

**REPLY:**

In response to your question on the 2 September 2009 regarding resourcing of fire towers, I can provide the following facts.

- The Department of Sustainability and Environment (DSE), the Country Fire Authority (CFA) and Melbourne Water operate fire towers across the State.
- Fire Tower Observers are supported by aerial fire-spotting aircraft on fire danger days rated from Severe to Catastrophic or after lightning, weather permitting.
- Each agency has its own occupational health and safety policies.
- A standard set of Personal Protective Equipment, including boots, is issued to each DSE Fire Tower Observer.
- The Personal Protective Equipment issued to Fire Tower Observers has been reviewed for the 2009-2010 fire season and new equipment issued where necessary.
- Binoculars are supplied to each DSE Fire Tower Observer after discussion with the observer.
- Maps provided to Fire Tower Observers are revised at the commencement of each fire season.
- DSE is responsible for ensuring vehicle access to DSE towers. This includes any road maintenance that is required to ensure access to the tower.
- DSE has developed an Interim Evacuation Plan for this fire season. This has been implemented and will be reviewed prior to the next season.
- Vegetation Management Plans are being developed to encompass each tower and will be incorporated in fuel reduction planning and implementation for tower safety.

**City of Greater Dandenong: rates**

**Raised with: Minister for Local Government**

**Raised by: Mr Rich-Phillips**

**Raised on: 15 September 2009**

**REPLY:**

I am aware of the issues raised by Mr Rich-Phillips regarding the interpretation of Section 167 of the *Local Government Act 1989* by the Greater Dandenong City Council.

I am advised that Greater Dandenong City Council provides for payment of rates or charges in four instalments as required by the *Local Government Act*. In addition, from 2009-10, the Council advised its ratepayers that it would allow for the pre payment of all four instalments as a single payment by 30 September 2009 being the date when the first instalment payment was due.

Local Government Victoria (LGV) within my Department has reviewed the actions of Greater Dandenong City Council in applying these provisions. LGV has subsequently written to all councils advising them that rate payment options that use a single/one-off, prepayment or lump sum payment option that indicates a date of payment other than 15 February are not consistent with the Act and that any affected council should undertake the following action:

‘That notwithstanding the terms of any council resolution, that in offering a single/one-off, prepayment or/lump sum payment option, the date this is due and payable is 15 February and therefore lump sum payments should be accepted without the application of penalty interest until 15 February.’

In addition, affected councils should pass a resolution to correct the declaration of rates for 2009/10 in so far as it relates to lump sum payments being payable by any date other than 15 February.

### **Planning: Albert Park**

**Raised with:** Minister for Planning

**Raised by:** Mr D. Davis

**Raised on:** 14 October 2009

#### **REPLY:**

With regards to a heritage matter in Albert Park, I understand the matter relates to a proposal for the demolition and replacement of a dwelling in St Vincent Place.

The garden at St Vincent Place and all the dwellings fronting it were entered in the Victorian Heritage Register on 9 January 1997, as it was a place of aesthetic, historical, architectural and social significance to the State of Victoria.

The property in question is 94 St Vincent Place, a single-storey free standing Inter-War dwelling constructed in 1934. In October 2008 a heritage permit application was submitted for the demolition of the dwelling and construction of a new two-storey residence on the cleared site.

On 13 January 2009 this heritage permit application was refused by the Executive Director due to the impact of the demolition and the new dwelling on the heritage significance of St Vincent Place. The owner appealed this decision and a hearing was arranged before the Permits Committee of the Heritage Council, which has full delegation to determine permit matters. A hearing was held on 31 March 2009. The Committee issued its decision on 28 April 2009 upholding the Executive Director’s decision.

Following this decision the owner made various allegations of impropriety against Heritage Victoria and the Heritage Council. My Department and the Heritage Council have investigated these allegations and have responded to the owner.

The owner has requested that I exercise my call-in power under the Heritage Act and send the matter to Victorian Civil and Administration Tribunal (VCAT), should a subsequent heritage permit application be refused by the Executive Director. It has been indicated any request would need to be considered on its merits having regard to the guidelines on the exercise of my call-in powers under the Heritage Act 1995.

The owner has also referred these matters to Ombudsman Victoria. My Department and the Heritage Council have provided all the information requested.

The Ombudsman wrote to the Chair of the Heritage Council on 30 November, 2010 stating that no further action by the Ombudsman was warranted.

### **Bushfires: Western Victoria Region**

**Raised with:** Minister for Police and Emergency Services

**Raised by:** Mr Koch

**Raised on:** 10 November 2009

**REPLY:**

I have received advice from the Department of Sustainability and Environment (DSE), that it, together with Parks Victoria, undertook a range of fire preparedness work in Western Victoria ahead of the current bushfire season.

During autumn 2009, DSE and Parks Victoria completed approximately 4,790 hectares of planned burning in the Greater Otway National Park and Forest Park. This included township protection burns around Lorne, Aireys Inlet, Anglesea and Port Campbell.

During spring 2009, DSE and Parks Victoria completed approximately 680 hectares of planned burning, including township protection burns at Lorne, Fairhaven, Aireys Inlet, Anglesea and Deans Marsh. These burns were patrolled for some time after they had been conducted.

In the past twelve months, DSE and Parks Victoria have achieved fuel reduction in excess of five per cent of the Greater Otways National Park, excluding the wet forests.

In addition, the DSE 2009-2010 Fire Operation Plan lists a range of planned burns for the Bellarine Peninsula including the Ocean Grove Nature Reserve, Edwards Point Wildlife Reserve, St. Leonards Salt Lagoon Nature Conservation Reserve and Connewarre State Game Reserve.

Township Protection Plans (TPPs) have been developed for the 52 identified high-risk bushfire locations in Victoria and can be downloaded from the CFA website.

The CFA has completed its assessment of identified potential sites of Neighbourhood Safer Places (NSPs) in the 52 high-risk bushfire areas and has advised the local councils of the outcome. A number of councils are currently undertaking their own assessments of the potential sites before determining whether to designate a site as an NSP. Once NSP sites have been designated, they are listed on the CFA website. Designated NSPs on the Surf Coast are Aireys Inlet River Bank, Aireys Inlet Skate Park, Anglesea River Bank and Anglesea Shopping Strip.

The Government is committed to taking every step necessary to preserve lives and property in Victoria ahead of this and future bushfire seasons.

**Ambulance services: Grantville**

**Raised with: Minister for Health**

**Raised by: Mr O'Donohue**

**Raised on: 10 November 2009**

**REPLY:**

The Grantville Community Emergency Response Team (CERT) has played a valuable role in providing an early response to acute patients in the Grantville community over the last four years.

Ambulance Victoria has advised that emergency ambulance responses to Grantville are not being compromised, as professional ambulance crews are dispatched from Wonthaggi, Korumburra or Cowes at the same time as the Grantville CERT for all emergencies.

I am informed that Ambulance Victoria maintains regular contact with the CERT volunteers and continues to monitor the caseload and rostering arrangements.

Ambulance Victoria is currently developing a plan for rural service delivery. The model of service delivery in Grantville will be considered within this context.

The Brumby Government has invested significantly to improve ambulance services in the south/west Gippsland area and in recent years has provided funding for new/upgraded services in Wonthaggi, Mirboo North, Pakenham, Warragul, Neerim South and Venus Bay.

**Point Hicks Road: upgrade**

**Raised with:** Minister for Environment and Climate Change

**Raised by:** Mr P. Davis

**Raised on:** 10 November 2009

**REPLY:**

The Section of Point Hicks Road referred to stretches from Tamboon Road to Fishermen Track and forms part of the access road to the village of Tamboon as well as Tamboon South, which is accessible by boat access across the inlet. It forms a short section of the overall road from Cann River to Point Hicks, with the section of the road that is known as Tamboon Road from Cann River to Furnell village managed by the Shire of East Gippsland. Fisherman Track, that links the road to Tamboon Village, is also maintained by the Shire.

Parks Victoria manages the road from the intersection with Fisherman Track through to Point Hicks. This section is wholly within the Croajingolong National Park and provides access to the park, the Thurra and Mueller River camping areas and the Point Hicks Lightstation.

With the development of road registers under the Road Management Act 2004, clarity about responsibility for managing and maintaining the section of road addressed by your question remains the subject of negotiation. An overall process has been developed for negotiating the many “orphaned” roads across the State and where necessary VicRoads can be called upon to arbitrate responsibilities under the Act, but this may take some time.

The primary beneficial use of the “orphaned” section of road is servicing private property at Tamboon although it partly adjoins the park and is otherwise in or adjoining State Forest.

There are other roads in East Gippsland where the applied principle is that the Shire maintains the roads up to the point where they serve private property and Parks Victoria or the Department of Sustainability and Environment maintains them from that point on.

In advance of an overall process, Parks Victoria is currently seeking to negotiate with the Shire about the section of the road in question.

**Bushfires: East Gippsland**

**Raised with:** Minister for Environment and Climate Change

**Raised by:** Mr P. Davis

**Raised on:** 11 November 2009

**REPLY:**

Thank you for your question to instruct senior fire officers to implement a consultative program with local people on fire risk mitigation, specifically the planned burning program, for far East Gippsland.

The Department of Sustainability and Environment (DSE) and Parks Victoria undertake fire protection activities, including planned burning to reduce the risk and intensity of bushfires, provide enhanced township protection and to maintain the ecological health of forests and parks.

There has been a substantial effort by DSE and Parks Victoria over the past three years to increase burning efforts in far East Gippsland. Over the last three years, more than the agreed program of 50,000 hectares has been treated with planned burning in this area. This spring, a further 2,000 hectares of planned burning was achieved in East Gippsland which included township burns undertaken around Bemm River.

DSE implements a fully consultative fire risk mitigation program known as the Fire Operations Plan (FOP) process. Fire protection works for public land in far East Gippsland are identified in the annual Cann River District FOP. The FOP process includes a formal consultation period for individuals, community and stakeholder groups to engage with DSE specifically about planned burning and other fire protection works including slashing, track maintenance and fire breaks for public land. The FOP process promotes a shared understanding of land and fire management activities and responsibilities. I continue to encourage the East Gippsland Wildfire Taskforce, communities and individuals to be involved in the 2010/11 FOP process with DSE.

In early December 2009 local DSE staff, the DSE Executive Director Land and Fire Management and the Chief Fire Officer met with members of the EGWT to discuss their concerns. The EGWT expressed their appreciation for the visit and raised a number of issues, including the extent to which the policy framework is restrictive and a desire for more fuel reduction burning. DSE officers discussed the possibility of making small teams available at short notice for fuel reduction burning in the area during the late autumn/early winter window for burning.

### **Planning: Ringwood railway station**

**Raised with:** Minister for Planning

**Raised by:** Mr Atkinson

**Raised on:** 12 November 2009

#### **REPLY:**

I refer to the matter raised in the Adjournment Debate of 12 November 2009 by Mr Atkinson in relation to Planning: Ringwood station.

\$39 million has been allocated to work at Ringwood Central Activities District which will provide significant improvements to the railway station precinct as well as Ringwood's town centre. This will be achieved through the completion of a new town square, a new bus interchange and upgrades to Maroondah Highway to better integrate the railway station with the town centre.

The project and these works will greatly improve the attractiveness and accessibility of the station precinct. The design is being developed in close consultation with Victoria Police, Connex, Maroondah City Council and local community interest groups such as the Community Reference Group and Ringwood Partners in Safety Committee. In developing the design close attention has been given to improving safety and security in the precinct, based on input and information provided by the above stakeholders. All works will be designed to meet building regulations, essential services requirements and the requirements of the Disability Discrimination Act 1992.

My Department is currently working in partnership with Maroondah City Council, the Department of Transport and VicRoads on the development and delivery of the Ringwood Central Activities District project, with the scope of work including restoration of the façade of the existing heritage-listed station building on Platform 3.

Issues regarding accessibility and safety of the railway station itself do not fall within my portfolio, and are a matter best raised with the Minister for Public Transport.

### **Planning: licensed premises**

**Raised with:** Minister for Planning

**Raised by:** Ms Hartland

**Raised on:** 12 November 2009

**REPLY:**

The decision to grant a permit in the Docklands area was considered against the relevant policy and zoning controls of the Melbourne Planning Scheme. A planning permit was issued for the use subject to strict conditions, which include limitation on hours of operation, noise levels, number of patrons, surveillance and security. The permit is for a bar, a dining area and an outdoor dining area; not a nightclub or a beer hall.

Although a planning permit is not always required for a licensed venue in the Docklands Area, an application for a liquor licence must be assessed and approved by Liquor Licensing Victoria/Responsible Alcohol Victoria.

It is noted that the decision for the nightclub in South Melbourne was an application made to the City of Port Phillip. The decision was reviewed by the Tribunal who directed to grant a permit.

**Libraries: funding**

**Raised with:** Minister for Local Government

**Raised by:** Mr Vogels

**Raised on:** 12 November 2009

**REPLY:**

The Victorian Government strongly supports Victoria's public libraries and continues to demonstrate its commitment by providing record levels of funding. In 2009-10, almost \$33 million is being provided as recurrent grants to support the total operational costs of public library services in Victoria.

In addition to record levels of recurrent funding, the Victorian Government is providing significant support to assist councils in maintaining the quality of their collections, technology, and infrastructure. Such funding ensures the delivery of modern, high quality public library services, and is delivered through several specific programs.

A total of \$31.5 million has been allocated to the successful *Living Libraries* program, which has now been used to fund 125 public library infrastructure projects. Projects funded under the *Living Libraries* program range from building major library facilities in outer Melbourne, to locating libraries in new community hubs in regional areas and providing specially fitted out new mobile libraries which will travel to isolated country communities.

The \$6 million *Premier's Reading Challenge Book Fund* is dedicated to encouraging Victoria's children and young adults to develop their reading, and has seen \$1 million allocated in 2009-10 to assist libraries in purchasing new resources to support the *Premier's Reading Challenge*.

The Victorian Government is also delivering several new funding initiatives for public libraries. A total of \$2 million has been provided over two years to provide wireless internet access to all library members and to improve the access and management of public access computers. An additional \$380,000 per year has also been allocated to support the innovative *LibraryLink Victoria* system that enables users to borrow materials from any public library in Victoria.

**Libraries: funding**

**Raised with:** Minister for Local Government

**Raised by:** Mr Koch

**Raised on:** 24 November 2009



**REPLY:**

The Victorian Government strongly supports Victoria's public libraries and continues to demonstrate its commitment by providing record levels of funding. In 2009-10, almost \$33 million is being provided as recurrent grants to support the total operational costs of public library services in Victoria.

In addition to record levels of recurrent funding, the Victorian Government is providing significant support to assist councils in delivering high quality public library services through several specific programs.

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**Roads: Western Victoria Region**

**Raised with:** Minister for Roads and Ports

**Raised by:** Mr Koch

**Raised on:** 25 November 2009

**REPLY:**

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

The *Victorian Transport Plan* includes \$1.2 billion of approved regional road links, including shoulder sealing, rest areas, overtaking lanes, road widening and duplication of selected routes and planning for town bypasses. This includes the identification of appropriate truck bypasses. Maintenance funding levels for rural roads will also be increased.

VicRoads continues to encourage councils to define road hierarchies within their boundary and undertake planning for future land use as well as integrating land use planning carefully with local transport corridors so that any planning for future development instigated by VicRoads can be as efficient and as timely as possible.

During the 2007 Federal Election as part of the Auslink 2 program (now known as Nation Building Program), funding was announced for the planning of the Horsham bypass to further improve freight efficiency and at the same time increase safety and reduce congestion within the town.

The long-term development of Drysdale will see 8000 residents move into the Jetty Road growth area. One of the key access points for the development will be via a new intersection with the Geelong-Portarlington Road. VicRoads has been closely involved in the planning for this area and one of the conditions for the development is the signalisation of the intersection at Geelong-Portarlington Road.

VicRoads is planning for the duplication of the Western Highway between Ballarat and Stawell. In this context, VicRoads has been liaising with local government in relation to future planning for bypasses of the towns of Ararat

and Beaufort. VicRoads is working closely with the councils to ensure that the design for the duplication is compatible with any future bypass.

VicRoads is currently undertaking a planning study to resolve the preferred road alignment for the link between the Geelong Ring Road and the Surf Coast Highway. The next stage will be to seek a planning scheme amendment to reserve the necessary land. While the ring road has caused some redistribution of traffic on adjacent networks in the short term, VicRoads is working to ensure that the full, benefits of the new route are obtained by improvements on affected routes such as the works recently completed on Mt Duneed Road.

The benefits of the Geelong Ring Road include:

- Improved road safety;
- Industry growth through improved access and amenity for freight vehicles along the important national corridor between Adelaide, Geelong and Melbourne;
- Residential, commercial and industrial development along the corridor and adjacent areas;
- Tourism growth through improved access and faster travel times to destinations along the popular Great Ocean Road and in the south west; and
- A significant reduction in traffic on La Trobe Terrace, making the journey to the Bellarine Peninsula smoother and less congested, and improving amenity and capacity for growth of the Geelong urban area.

VicRoads will continue to work with local councils in order to minimise the effect that local, through and any heavy vehicle traffic may have in and around regional towns and centres

### **Bushfires: fuel reduction**

**Raised with:** Minister for Environment and Climate Change

**Raised by:** Mr P. Davis

**Raised on:** 25 November 2009

#### **REPLY:**

Thank you for your Adjournment Debate Question to protect the Maramingo Creek community from the risk of bushfires.

The Department of Sustainability and Environment (DSE) undertakes fuel management and other fire prevention works on public land, including public roads and roadsides. The areas where work is undertaken are identified in the annual preparation of a District Fire Operations Plan (FOPs). FOPs are prepared in accordance with the *Code of Practice for Fire Management on Public Land 2006*. DSE develops FOPs consultation with other technical specialists, communities, stakeholder groups, Parks Victoria, local councils and the Country Fire Authority.

The FOP planning process includes a formal consultation period for individuals, community and stakeholder groups to engage with DSE specifically about planned burning and other fire protection works, including slashing, track maintenance and fire breaks for public land. The FOP process promotes a shared understanding of land and fire management activities and responsibilities.

As you point out, the Maramingo Creek community is situated on the Princes Highway south of the Victoria–New South Wales (NSW) border, and just north of the Maramingo Creek Flora Reserve. The NSW side of the border is forested land and is the responsibility of the NSW Government.

DSE and the NSW Rural Fire Service maintain cooperative cross-border land and fire management relationships. This includes cooperative response and planned burning protocols.

DSE undertakes various fire protection works around the Maramingo Creek community. On the current FOP, two burns are planned for this general area, with a small burn to be undertaken next autumn in the "Becker's Mill" area, and a much larger burn known as the Maramingo Hill Landscape burn being programmed over the next 12 months.

I encourage Ron and Fred Becker and other Maramingo community members to continue to be involved in the 2010/11 FOP process with DSE.

### **Liquor: licences**

**Raised with:** Minister for Consumer Affairs

**Raised by:** Mr D. Davis

**Raised on:** 25 November 2009

#### **REPLY:**

I refer to the issue you raised regarding the impact of the new risk-based liquor licence fees in the Liquor Control Reform Regulations 2009 on Riversdale Cellars, and packaged liquor licences more generally.

On 12 August 2009, the Government released the *Regulatory Impact Statement—Liquor Control Reform Regulations 2009* (RIS), which provided detailed information on the Government's proposed changes to liquor licence fees and other matters contained in the draft regulations that accompanied the RIS.

After considering the public submissions and comments on the RIS, the Government made several amendments to the draft regulations prior to the making of the Liquor Control Reform Regulations 2009. Under the new fee structure, annual renewal fees include a base fee (differentiated by licence category) and risk fees for extended operating hours and compliance history where relevant.

As outlined in the RIS, more than three quarters of alcohol in Australia is supplied for off-premises consumption rather than for consumption at licensed premises. The RIS indicates that packaged liquor licensees present a significant risk of alcohol-related harm and the new base fee for packaged liquor licensees reflects the level of risk posed by packaged liquor outlets. The fee structure will be subject to ongoing evaluation and amendment if required.

Where smaller packaged liquor licensees would suffer serious financial hardship by paying the increased licence renewal fee, licensees could apply to have their fee waived or reduced. To ensure licensees were informed of the hardship scheme, information was provided to packaged liquor licensees through a letter from me, in addition to information on the Department of Justice website, in the media and a newsflash to all subscribers of the licensing newsletter *Grapevine*. Applications under the hardship scheme for the 2010 calendar year closed on 31 December 2009.

The new fee structure commenced on 1 January 2010. Further information is available on the Department of Justice website at [www.justice.vic.gov.au/alcohol](http://www.justice.vic.gov.au/alcohol).

### **VicRoads: advertising policy**

**Raised with:** Minister for Roads and Ports

**Raised by:** Mr Vogels

**Raised on:** 26 November 2009

#### **REPLY:**

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

The primary goal of any advertising campaign undertaken by VicRoads is to reach as many Victorians as possible within the budget allocated. Therefore, in conjunction with media buying agencies, media channels are prioritised to make sure the most effective ones are used.

As with all Victorian Government departments and agencies VicRoads is subject to a whole of Government contract when booking and placing any advertising. Mitchell and Partners, Melbourne is currently appointed as the media buying agency which undertakes the media planning, placing, buying and related services for all Victorian Government users.

VicRoads is aware that many of its customers live in regional and rural areas of Victoria.

In the 'New rules. Safer roads' campaign referred to by you in Parliament, there was extensive advertising in eight larger regional newspapers and 15 regional radio stations across the State.

In the advertising campaign to introduce the new Victorian driver licence, advertising was placed in eight larger regional newspapers and a further 27 smaller regional papers in places such as Ararat, Colac, Seymour and Wonthaggi.

The Brumby Government is concerned to ensure that Victorians, particularly those in regional areas, learn of important messages from VicRoads. VicRoads continues to consider opportunities to advertise in a range of regional media outlets and did so with the Pyrenees Newspaper Group as recently as last December.

Please note that VicRoads does not rely solely on paid advertising as part of its overall promotional strategy. It also receives extensive promotion through television, radio and on the VicRoads website.

### **Public transport: city of Whitehorse**

**Raised with:** Minister for Public Transport

**Raised by:** Mr Atkinson

**Raised on:** 26 November 2009

#### **REPLY:**

The zones for the metropolitan rail network are generally based on distance from Melbourne by train. For example, Box Hill is 16.2 km from the city. This is comparable with other stations at the beginning of Zone 2, including Ruthven (15.9 km), Gowrie (14.7 km), Jacana (15.4 km), Rosanna (15.8 km) and Ginifer (16.2 km). On the tram network, the Zone 1 boundary on Route 109 is consistent with the train network.

A number of initiatives have been implemented to reduce public transport fares. These include significant discounts for customers who purchase ticketing in bulk, for example the 10x2 Hour ticket and the 5xDaily ticket. The Sunday Pass also provides free travel on Sundays for Victorian Seniors, Disability Support Pensioners and Carer Payment recipients.

Many public transport fares are not based on zones. The 5xWeekend Daily ticket provides travel on Saturdays and Sundays for just \$3.00 per day across metropolitan Melbourne, providing a 70 per cent saving compared to the cost of a Daily Zone 1+2 Metcard. This effectively removes zone boundaries for most travel on weekends. The Victorian Student Pass provides unlimited state wide travel for Primary and Secondary students for \$410 per annum, regardless of what zones they use. The Seniors Daily and Sunday Saver provide travel in all zones.

When Victoria's new multi-modal public transport ticketing system, myki, is fully implemented, these discounted fares will be available for myki users. Customers with myki will save up to 40 per cent when compared to the cost of short term tickets (2 Hour or Daily tickets) and will not pay more than \$3.00 per day on weekends and public holidays to travel around Zones 1+2. Seniors will not pay more than \$3.30 on weekdays, \$3.00 on Saturdays and public holidays and will continue to travel free on Sundays.

**Rail: peak-hour congestion**

**Raised with:** Minister for Public Transport

**Raised by:** Ms Pennicuik

**Raised on:** 27 November 2009

**REPLY:**

As you are aware patronage on Melbourne's trains has grown by an unprecedented 47 per cent over the last four financial years. In response to this passenger growth, a number of initiatives have been implemented, including a reduction of seats in carriages, and an increased number of hand rails.

Metro Trains Melbourne (Metro) assumed responsibility for the metropolitan rail network on 30 November 2009. Metro will create more than 200 new jobs in customer service and infrastructure maintenance and renewals. At least 100 of these jobs will be customer service roles, providing an increased staff presence at an additional 22 stations. Extra staff will facilitate safe and smooth passenger flows at inner city stations.

New Metro Platform Attendants will ensure customers get on and off trains safely, remind customers to move down the carriage to make space for more people to get on, and request customers move down the platform to ensure all entry points are utilised. Passenger flows on station platforms will become more efficient, assisting trains run to schedule.

The Government has previously announced the removal of 12 seats from each carriage of the 38 new X'trapolis trains. The 528 seats on a six-carriage X'trapolis train will be reduced to 456 seats, making travel more comfortable during peak periods.

The Government, in partnership with the train operator, has been working hard to improve the overall performance of the rail network. With the current infrastructure and rolling stock, a total of over 700 new and extended services have been delivered since April 2008, which has meant much progress has been made to improve Melbourne's train services. In conjunction with the arrival of 38 new trains, new timetables will be introduced this year to add extra services to the network.

As part of the \$38 billion *Victorian Transport Plan*, the Government committed to the Regional Rail Link which will provide up to 50 kilometres of dedicated regional tracks from West Werribee to Southern Cross Station, allowing regional services direct access into Melbourne. This will remove existing bottlenecks by separating metropolitan and regional rail services onto dedicated tracks for the first time. The project will free up capacity on the metropolitan system for the Werribee, Williamstown, Sydenham and Craigieburn lines.

**Alcohol: packaging**

**Raised with:** Minister for Consumer Affairs

**Raised by:** Mrs Peulich

**Raised on:** 27 November 2009

**REPLY:**

I refer to the matter raised by you during the Adjournment Debate on 27 November 2009 concerning glass restrictions in high risk venues, the packaging of ready-to-drink alcoholic beverages and printing important health safety messages on plastic glasses used in licensed premises.

In relation to your suggestion that legislation be introduced to restrict the use of glass in high-risk venues, the Director of Liquor Licensing is currently empowered under the *Liquor Control Reform Act 1998* to impose such conditions on a liquor licence. In relation to your suggestion that this power should be used more frequently, the Director has imposed glass restrictions on more than 20 permanent liquor licences, including the QBH Hotel, South

Melbourne; on hundreds of temporary limited licences for major events including the Big Day Out and the St Kilda Festival; and for sporting venues such as the Melbourne Cricket Ground (MCG). The Director has assured me that she will not hesitate to act to impose appropriate conditions where required.

In relation to alcohol packaging and placing safety messages on drink containers, these are matters that fall within the control of the Federal Government. The Victorian Government has been actively involved in a national process through the Ministerial Council on Drug Strategy (MCDS), which is the peak policy and decision making body in relation to licit and illicit drugs in Australia. The MCDS supports the need for strengthening alcohol advertising regulations and work is currently being undertaken as part of its report to Council of Australian Governments (COAG) on options to reduce binge drinking.

The Brumby Government has acted to raise safety awareness through major community education campaigns. In early 2009, the “*Will you Handle your Alcohol or Will Alcohol handle You?*” community education campaign was implemented. Targeted at young men, it conveyed powerful messages about the potential consequences of making the wrong choices about alcohol consumption. On 12 May 2009, the “Your Move/Championship Moves” campaign was launched. The campaign encourages behaviour change by promoting positive behaviour options for young males in managing potentially violent alcohol-fuelled situations.

The results of the first phase of the campaign have been very positive. Key findings indicate that 76 per cent of young males who saw the campaign agree that it made them think about how they and their friends could avoid trouble while out drinking.

Thank you for raising this matter with me.

### **Public holidays: cup days**

**Raised with:** Minister for Small Business

**Raised by:** Ms Pulford

**Raised on:** 8 December 2009

#### **REPLY:**

I fully appreciate that local show days and race days are important events in regional districts and that, in past years, the provision of part-shire arrangements has enabled non-metropolitan Councils to show support for such events by way of a holiday.

However, in practice, there were many non-metropolitan Councils that did not gazette Melbourne Cup Day, or an alternative day, as a public holiday. This caused confusion for employers and employees with respect to public holiday arrangements, particularly for those that worked across different Council areas. It also meant many Victorians missed out on one public holiday each year.

As a result of last year’s amendments to the *Public Holidays Act 1993*, the Government estimates that around 500,000 Victorians in regional areas who previously did not receive a Melbourne Cup Day or alternative public holiday now enjoy 11 public holidays each year. Further, the certainty and consistency provided by the new arrangements enables regional businesses to make long term plans and staffing arrangements with confidence.

I recently held a constructive and encouraging meeting with regional stakeholders to hear their views as to how the Act functioned in its first year of operation since amendment. I also sought advice on the best possible outcome for regional communities in respect of their Melbourne Cup Day public holiday arrangements.

In this context, discussions are continuing as to any preferred part-Shire arrangements for the Melbourne Cup Day or an alternative full day public holiday in future years.

**Transport: Bendigo strategy**

**Raised with:** Minister for Roads and Ports

**Raised by:** Ms Lovell

**Raised on:** 8 December 2009

**REPLY:**

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

The preparation of the Bendigo Road Transport Strategy is a key partnership task between VicRoads and the City of Greater Bendigo. The preparation of this strategy follows the Brumby Government's investment of \$10 million in the recently completed Bendigo Inner Box.

It is an important strategy that will guide the development of Bendigo's arterial road network over the coming 25 years. As you are aware, Bendigo is one of the *Transit Cities* identified under the *Melbourne @ 5 Million Strategy* and it is imperative that provision is made for the City of Bendigo's continued growth.

A substantial amount of work has already been undertaken with the completion of traffic surveys and the preparation and calibration of a strategic traffic model. The traffic predictions provided by the model will form the basis of the recommendations made in the strategic document. There have been delays in getting the future population growth projections for the traffic model to a suitable confidence level, but it is highly important that the best available data is used for the preparation of this strategy.

Tenders for the development of the revised transportation strategy have been arranged by the City of Greater Bendigo and closed on 21 December 2009. Completion of the final document is expected in late 2010.

**Wind farms: planning permits**

**Raised with:** Minister for Planning

**Raised by:** Mr Vogels

**Raised on:** 8 December 2009

**REPLY:**

The *Planning and Environment Act 1987* requires a local council to enforce planning permit conditions, unless the planning scheme specifies another person is the responsible authority.

All planning schemes provide that I am responsible for *considering, determining and approving matters* associated with permit applications for wind energy facilities with a capacity of 30MW or greater.

Where I have 'called in' a wind farm application, and matters are required to be undertaken to my satisfaction, such as the approval of plans and documents, I remain responsible for their approval.

My responsibilities do not extend to the enforcement of the planning scheme and permit conditions. The local council has primary responsibility for enforcement of the planning scheme and permit conditions for wind farms, regardless of whether the permit was issued by me or the Council.

Where complaints of breaches with the planning permit are made, and the matter is one which is required to be undertaken to my satisfaction, the Department of Planning and Community Development will investigate the allegation. If an alleged breach of the planning permit is established, responsibility for enforcement rests with the Council.

The Pyrenees Shire Council has been provided with this advice regarding the Waubra wind farm.

The Department of Planning and Community Development will continue to provide the appropriate assistance and advice to Council on these matters.

### **Disability services: carers**

**Raised with:** Minister for Community Services

**Raised by:** Mr Drum

**Raised on:** 8 December 2009

#### **REPLY:**

In 2008-09 the government committed \$500,000 over four years in back-to-work grants to assist carers wishing to re-enter the workforce. The grants assist with the cost associated with training, including books and materials, course fees, transport and respite care. The Department of Innovation, Industry and Regional Development (DIIRD) has engaged Community Colleges Victoria to deliver the back-to-work grants.

### **Trams: Hawthorn shelter**

**Raised with:** Minister for Public Transport

**Raised by:** Mr Barber

**Raised on:** 10 December 2009

#### **REPLY:**

The Department of Transport has contacted JC Decaux regarding plans for the tram shelter at the corner of Burwood Road and Church Street in Hawthorn. JC Decaux has advised that it has recently submitted the modified plans to the City of Boroondara, taking into consideration heritage overlay and other conditions imposed by the council.

### **Department of Sustainability and Environment: contractor payments**

**Raised with:** Minister for Environment and Climate Change

**Raised by:** Mr Drum

**Raised on:** 10 December 2009

#### **REPLY:**

The Victorian Government introduced in November 2004 a fair payments policy to improve the cash flow certainty for Victorian small businesses.

The policy requires departments to insert a fair payment clause in new contracts valued at less than \$3 million. The clause requires payment of debts within 30 days of a properly rendered invoice and pay penalty interest, at a rate published by the Department of Justice, for late payment where the supplier makes a successful claim for penalty interest.

The Department of Sustainability and Environment embraces and actively manages and internally reports on compliance with the Government's Fair Payment Policy and has a fair payment clause contained in its standard form contracts.



The department currently (as reported to the departments Finance Committee at its November 2009 meeting) pays 92.7 per cent of all its debts within 30 days with an average payment time for all payments of 24 days.

Figures released by Dun and Bradstreet, included in a Media Release from the Minister for Small Business in August 2006, reveal that big business took, on average, 54 days to pay their supplier with some payments taking as long as 90 days.

Payment can be delayed for a number of reasons including:

- Dispute over the quality or quantity of goods/services provided
- Incorrect invoice details
- Invoice sent to the incorrect address, and
- Other factors specific to individual contract compliance.

Without the specific details of the contractors in the Bendigo Area, specific comment as to the cause or reason for the delay in the payments cannot be provided. Please provide further details of the contractors to allow us to investigate this issue.

The department will continue to actively manage any outstanding invoices to ensure they are paid as quickly as possible provided all the terms outlined in specific contracts are complied with.



**WRITTEN ADJOURNMENT RESPONSES**

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

**Wednesday, 24 February 2010**

**City of Monash: community festival stallholder policy**

**Raised with:** Minister for Local Government

**Raised by:** Mr D. Davis

**Raised on:** 10 December 2009

**REPLY:**

The Member for Southern Metropolitan has expressed concern about a recent decision of the Monash City Council to place controls around participation at community festivals and events.

I have sought advice from my Department about this matter, and I am advised that the reason stated by Council for its decision is to ensure that community festivals and events were not used for party political purposes.

In this context, I note that local Members of Parliament may be permitted to participate in such events, provided their participation is limited to providing information or services which are of benefit to the local community, and they do not expressly or implicitly promote a political party or group.

I understand the Member is concerned that these restrictions may be a breach of the Charter of Human Rights and Responsibilities. This concern should be raised with the Victorian Ombudsman, who is the responsible authority for these matters.



**WRITTEN ADJOURNMENT RESPONSES**

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

**Thursday, 25 February 2010**

**North–south pipeline: total fire ban days**

**Raised with:** Minister for Water

**Raised by:** Mrs Petrovich

**Raised on:** 3 February 2010

**REPLY:**

The Sugarloaf Pipeline Alliance obtained Country Fire Authority (CFA) permits for all works on private land during the fire danger period. These works include, but are not limited to, grinding, cutting, welding, soldering and slashing.

These permits are issued to industry, business and Government authorities where works are considered essential and fire risks can be managed. The permits are only issued after a rigorous review by the CFA and DSE. Strict conditions are attached to the usage of these permits

No work on the pipeline was undertaken on 7 February 2009. Work was suspended on Friday 6 February 2009, and remained suspended until 23 February 2009. During this time, Sugarloaf Pipeline Alliance staff assisted the CFA and community in firefighting and recovery efforts. This included helping to build fire breaks for properties in the local area. The Sugarloaf Pipeline Alliance also provided some of its equipment, including bulldozers, graders, loaders and water carts, to help with the local firefighting effort.

The construction and commissioning of the Sugarloaf Pipeline is now complete. Any remaining works will continue to comply with all required fire safety rules.

**North East Water: board appointment**

**Raised with:** Minister for Water

**Raised by:** Mr D. Davis

**Raised on:** 4 February 2010

**REPLY:**

I am informed that:

Ms Lisa Mahood lives in Wodonga and has been a Councillor with the Wodonga Council for nine years, five of those as Mayor and is a Board Member of the Municipal Association of Victoria.

Ms Mahood will bring extensive experience in community engagement and strong local Government relationships to the Board of North East Water.

Ms Mahood's appointment complies with the provisions of the *Water Act 1989*.

Satisfactory probity checks have been completed for Ms Mahood, including with Victoria Police, the Australian Securities and Investment Commission and the Insolvency and Trustee Service Australia.

WRITTEN ADJOURNMENT RESPONSES

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COUNCIL

Thursday, 25 February 2010

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Directors on the Board of North East Water receive an allowance of \$16,411 per annum, not in the order of \$30,000 as you erroneously assert.

I do not propose an independent review of Ms Mahood's appointment.