

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

WRITTEN ADJOURNMENT RESPONSES

8, 9 and 10 June 2010

(Extract from book 9)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Privileges Committee — Ms Darveniza, Mr D. Davis, Mr Drum, Mr Jennings, Ms Mikakos, Ms Pennicuik and Mr Rich-Phillips.

Select Committee on Train Services — Mr Atkinson, Mr Barber, Mr Drum, Ms Huppert, Mr Leane, Mr O'Donohue and Mr Viney.

Standing Committee on Finance and Public Administration — Mr Barber, Mr Guy, Mr Hall, Mr Kavanagh, Mr Rich-Phillips, Mr Tee and Mr Viney.

Standing Orders Committee — The President, Mr Dalla-Riva, Mr D. Davis, Mr Hall, Mr Lenders, Ms Pennicuik and Mr Viney.

Joint committees

Dispute Resolution Committee — (*Council*): Mr D. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik. (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr Lupton, Mr McIntosh and Mr Walsh.

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Economic Development and Infrastructure Committee — (*Council*): Mr Atkinson, Mr D. Davis and Mr Tee. (*Assembly*): Ms Campbell, Mr Crisp, Mr Lim and Ms Thomson.

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Electoral Matters Committee — (*Council*): Ms Broad, Mr P. Davis and Mr Somyurek. (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson.

Environment and Natural Resources Committee — (*Council*): Mr Murphy and Mrs Petrovich. (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh.

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Scrutiny of Acts and Regulations Committee — (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford. (*Assembly*): Mr Brooks, Mr Burgess, Mr Carli, Mr Jasper and Mr Languiller.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vogels, Mr John Adrian	Western Victoria	LP

¹ Appointed 3 February 2009

² Appointed 9 March 2010

³ Resigned 1 March 2010

⁴ 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, 8 June 2010

Planning: Port Phillip Woollen Mills site

Raised with: Minister for Planning

Raised by: Ms Hartland

Raised on: 11 November 2009

REPLY:

On 26 March 2010, I rezoned the 2.7ha former Port Phillip Woollen Mills site, (known as Nelson Place, Williamstown) to Residential 1 and applied an Environmental Audit Overlay (EAO) over the site to provide greater certainty about the future use of the site. The existing height and heritage controls continue to apply to the site pending the advice of an independent advisory committee.

An independent advisory committee will be established to provide advice on the most appropriate form and content of design and development controls to apply to the site. The advisory committee will consult with Hobsons Bay City Council (Council), community groups and key land owners and will provide advice to me to assist in providing direction on the future development of the land. This process will allow for all parties with a material interest in the site to be consulted and have their submissions heard in an appropriate forum. The Save Williamstown Group will have the opportunity to provide its views to the independent advisory committee.

My decision to rezone the site follows an extensive review of the future development potential of the site and surrounding area. Amendment C33 to the Hobsons Bay Planning Scheme was approved on 12 December 2008. This amendment introduced the findings of the *Hobsons Bay Industrial Land Management Strategy, June 2008* into the Scheme. This Strategy identifies the subject site as a 'Strategic Redevelopment Area' within Precinct 20 and supports the future rezoning of the land from industrial to mixed use residential. Council was the planning authority for this amendment.

Following the developer's request to Council to rezone the land for residential purposes in March 2009, I met with Council and the Member for Williamstown in July 2009 to discuss options to progress this matter to exhibition. These options included Council remaining as the planning authority for the site to enable the amendment to go on exhibition. On 1 December 2009, Council resolved not to progress the amendment.

I understand that the Port of Melbourne Corporation (PoMC) has concerns regarding the proximity of any residential development to its existing and proposed operations. The PoMC will have the opportunity to provide its views to the independent advisory committee. This will allow the committee to consider whether any specific development controls are required to address this.

The continued operation of the shipyard facility is important to the Victorian Government and as such I have met with the operators of this facility on a number of occasions, including a site visit as recently as 11 February 2010.

Schools: literacy and numeracy

Raised with: Minister for Education

Raised by: Mr Vogels

Raised on: 2 February 2010

REPLY:

I am informed as follows:

Over \$327 million in State and Commonwealth funding is supporting an integrated Victorian school improvement strategy. Together with greater school transparency delivered through both the Victorian Government School Performance Summaries and the Commonwealth *My School* website, this investment will enable the effective targeting of resources to support further improvement in Victorian schools.

The schools referred to by the Member for Western Victoria have been established in line with the Government's commitment to the regeneration of schools through the *Building Futures* policy. All school reorganisation decisions are made voluntarily by the school community through the School Council, in consultation with stakeholders.

All government schools have access to a rich array of professional learning opportunities funded through the Department, together with a comprehensive suite of leadership and teacher development programs through the Bastow Institute of Educational Leadership.

Yuille Park Community College is the result of an eight year partnership between the Government, the Department, the community, community-based organisations and local government. The benefits are already starting to emerge, including increased participation, engagement and enrolments across most year levels. The government recognises that student learning outcomes need to improve and the school is receiving extensive support to develop instructional leadership capacity, to implement intervention strategies for students not meeting national benchmarks, and to enhance the quality of instructional practice through provision of a literacy coach to work with teachers.

Maryborough Education Centre was established in 2005 from an amalgamation of local schools. More than a million dollars is being provided for the appointment of a literacy leadership coach, a full time literacy co-ordinator, three teaching and learning coaches, a VCE coach, an oral language support teacher to assist with the development of oral language in the early years, and the provision of time for teachers to meet to improve their practice.

In 2009, 46 students commenced their secondary education at **Torquay P-9 College**. There are plans to establish secondary education for all year levels in Torquay, offering a choice for local families when accessing the next stage of learning for their children. The community is supportive of the P-9 College and its planned expansion to a P-12 college as warranted by student numbers. In 2010 the school will work with a literacy and a numeracy coach to address the needs of all students across the college, including Year 7 and 8 students.

The Department is continuing to work collaboratively with all school communities to deliver a high quality education for every child in the Victorian education system.

Rail: Reservoir level crossing

Raised with: Minister for Public Transport

Raised by: Mr Guy

Raised on: 4 February 2010

REPLY:

The Victorian Transport Plan provides \$440 million to separate roads and rail lines at key locations. The Government has recently completed a grade separation at Springvale Road, Nunawading.

The Government is yet to announce further grade separation projects. There are some 200 level crossings in the metropolitan area and the Reservoir level crossing will be assessed against other sites to ensure that funding is allocated to where it is needed most.

Medical treatment: legislative reform

Raised with: Attorney-General

Raised by: Ms Hartland

Raised on: 23 February 2010

REPLY:

I refer to the Adjournment Debate of 23 February 2010 regarding a request to refer the *Medical Treatment Act 1988* to the Victorian Law Reform Commission to make recommendations for legislative reform with full community consultation.

Ms Hartland noted articles published in *The Age* about people taking illegal, lethal veterinary drugs to end their lives.

Euthanasia and physician assisted dying are extremely sensitive issues on which there is a variety of views across the Victorian community. Currently, the law relating to euthanasia in Victoria is governed by both the common law and statute, in particular, the *Crimes Act 1958* and the *Medical Treatment Act*.

These laws specifically prohibit the taking of positive steps that are intended to, and directly result in, the death of another person.

On the other hand, the common law and the relevant legislation provide for a patient's right to refuse medical treatment.

Victoria was at the forefront of progressive legislation in this area when it introduced the *Medical Treatment Act*. Together with subsequent rulings in the Supreme Court, this Act has provided a clear process for terminally ill patients to refuse treatment, as well as protection for medical practitioners acting in good faith.

Nothing in Victorian law prevents a patient from receiving appropriate palliative care.

The Government funds hospitals to deliver information sessions to assist individuals who are approaching the end of their life, as well as their families. The 'Respecting Patient Choices' program assists people to understand the Victorian legislation and their treatment options.

Government Members were granted a conscience vote on the *Medical Treatment (Physician Assisted Dying) Bill 2008 (PAD Bill)*, a private member's bill. The Bill was defeated in the Legislative Council in 2008.

The Government believes that current provisions in Victorian law relating to euthanasia broadly reflect community expectations and I do not have any plans to refer the issue *Medical Treatment Act* to the Victorian Law Reform Commission at this stage.

Liquor licensing: fees

Raised with: Minister for Consumer Affairs

Raised by: Ms Lovell

Raised on: 24 February 2010

REPLY:

The Brumby Government wants Victorians to be able to enjoy a night out in safety. For this reason, it has introduced a risk-based liquor licence fee structure to ensure that licensees associated with the most risk of alcohol-related harm pay the highest fees, and to recover the real cost of regulating the liquor industry and keeping

our venues safe. The Government aims to strike the right balance between minimising alcohol-related harm and promoting the development of a responsible liquor industry that is vibrant, innovative and diverse.

It costs Victoria more than \$35 million per year to regulate and police the liquor industry. While some of these costs relate to targeted compliance and enforcement activities in particular areas across Melbourne, the bulk of the costs relate to broader education, regulation, compliance and enforcement activity undertaken by the Director of Liquor Licensing, Responsible Alcohol Victoria and Victoria Police across all areas of the state. The new fee structure that took effect from 1 January 2010 ensures that licensees, and not the Victorian taxpayer, pay the full costs of regulation.

Alcohol-related harm can arise from one-off instances of misuse resulting in violence and anti-social behaviour, accident and injury, as well as from long-term abuse. Any supply of alcohol has the potential to contribute to alcohol-related harm. The new fee structure ensures that larger late night venues associated with the most risk of alcohol-related harm pay the highest fees and smaller venues that close earlier and are associated with the least risk pay comparatively less. Lower risk licensees, such as vigneron and B&Bs, pay a base fee that is half that of most other licence types.

Independent research indicates that alcohol-related harm occurs across Victoria, not only in metropolitan Melbourne. This is highlighted by the fact that 11 of the 22 licensed premises with the highest rate of alcohol-related crime are located in rural and regional Victoria. Further, analysis of Victorian offence data shows that even small venues are associated with alcohol-related harm and anti-social behaviour. I also note that you have raised in Parliament your concerns about alcohol-fuelled violence in your electorate.

In relation to your concerns about the renewal fee for packaged liquor licences, more than three quarters of alcohol in Australia is supplied for off-premises consumption rather than for consumption at licensed premises. The Government considers that packaged liquor outlets present a significant risk of alcohol-related harm and the new base fee for packaged liquor licences reflects the level of risk posed by these businesses.

The risk fee associated with packaged liquor licences operating non-standard hours reflects the significant concern in the community regarding the contribution of packaged liquor outlets to alcohol-related harm and the anecdotal evidence from industry stakeholders, the Director of Liquor Licensing and Victoria Police regarding the growing practice of 'pre-loading'.

Where certain licensees would suffer serious financial hardship by paying a higher licence renewal fee, they could apply to have their fee waived or reduced. I note that an application under the hardship scheme was received from Friendly Grocer & Cellars Shepparton but was denied by the Director of Liquor Licensing. The licensee was given the opportunity to reduce the renewal fee payable by applying to the Director of Liquor Licensing to reduce trading hours, but did not do so and instead paid the renewal fee on 1 March 2010.

I recently met with Masters Grocers Australia to discuss ways to further differentiate packaged liquor licences in Victoria. The new fee structure will be subject to ongoing evaluation and the issues you have raised concerning your constituent will be considered as part of any future reviews. As further evidence on alcohol-related harm linked to licensed premises becomes available, it may be possible to refine the fee structure further.

Further information regarding the new fee structure is available on the Department of Justice website at www.justice.vic.gov.au/alcohol.

Thank you for bringing these issues to my attention.

Emergency services: property numbering

Raised with: Minister for Police and Emergency Services

Raised by: Mr Drum

Raised on: 9 March 2010

REPLY:

Local councils have discretionary power to require properties to display numbers pursuant to the *Local Government Act 1989* Schedule 10, item 5(d). In relation to your suggestion that a property numbering audit be conducted, you may wish to contact the Municipal Association of Victoria at Level 12, 60 Collins Street, Melbourne 3000.

Victoria's official rural addressing system uses Rural Road Number (RRNs), a road name and a locality to identify a property. RRNs are determined by using a distance-based system, implemented by all Victorian rural councils, that allocates address numbers based upon the distance from the start of the road or a set point.

Where the location of an incident can be verified to a rural address, the Emergency Services Telecommunication Authority (ESTA) procedures provide responding Country Fire Authority (CFA) brigades with the address, including the RRN, as well as a six-figure map grid reference that will represent the access point to the property. The CFA mapbooks clearly display RRNs to assist in emergency response.

You will be aware that Mr Chapman has been in discussions with the Shire of Mt Alexander.

Keilor Cemetery Trust: investment

Raised with: Minister for Local Government

Raised by: Mrs Peulich

Raised on: 11 March 2010

REPLY:

Thank you for your Adjournment Debate Question of the 11 March 2010 in relation to Keilor Cemetery Trust: Investment.

This matter does not fall under my portfolio responsibility. The question should be referred to the Minister for Health, the Honourable Daniel Andrews.

Wind farms: health effects

Raised with: Minister for Finance, WorkCover and the Transport Accident Commission

Raised by: Mr Kavanagh

Raised on: 24 March 2010

REPLY:

I am informed as follows:

The Victorian Department of Health (the Department) has examined both the peer-reviewed and validated scientific research, and also looked at the health aspects of the current planning process.

The Department has determined that the weight of evidence indicates that there are no direct health effects from noise (audible and inaudible) at the levels generated by modern wind turbines. Numerous international reviews on low frequency and infrasound noise, and case studies of actual wind farm noise emissions, have demonstrated that:

- there is insignificant infrasound generated from modern wind turbines; and
- levels of low frequency sound emitted from modern wind turbines are not at a level that could lead to direct health effects.

The Victorian Chief Health Officer, Dr John Carnie, has also referred this matter to the National Health & Medical Research Council (NHMRC) for further consideration and advice.

As the regulator of workplace safety, WorkSafe will monitor the NHMRC's response to the matters raised and if necessary and appropriate address OHS issues that may emerge as a result.

Any workplace OHS issues alleged to arise from the facility should be referred to the WorkSafe Advisory service on 1800 136 089.

Wind farms: Bald Hills

Raised with: Minister for Planning

Raised by: Mr Hall

Raised on: 24 March 2010

REPLY:

On 10 March 2009, I received an application from Bald Hills Wind Farm seeking my consideration of an application for secondary consent to increase the maximum height of the wind turbines for the Bald Hills Wind Farm from 110 metres to 135 metres.

The application for secondary consent was made pursuant to condition 4(b) of the planning permit which provides that each wind generator must have an overall height of less than 110 metres which must not be changed without the prior written consent of the Minister for Planning. The effect of the application was to request that I authorise a change in the maximum height to increase it to 135 metres.

The proponent submitted, in support of its application for secondary consent under condition 4(b), a report which included assessments in relation to the following matters:

- a. Planning;
- b. Predicted outdoor noise levels resulting from the changes;
- c. Shadow flicker durations for sites around the wind farm;
- d. Aeronautical impacts;
- e. Visual impacts;
- f. Bird and bat impacts; and
- g. Landscape and visual impacts of obstacle marking and lighting.

The information provided by the proponent was scrutinised by my department; in particular, the Environmental Assessment Unit, State Planning Services and Legal Services.

I decided, after considering all of the information provided by my department and the proponent, to grant secondary consent for the increase in height on 16 December 2009. I made my decision, having regard to the legal advice I received from my department, and a consideration of the planning and environmental impacts of the proposed increase in height.

I also note that on 30 November 2009, the Commonwealth Department of Environment, Water, Heritage and the Arts confirmed that the increase in turbine height to 135 metres was acceptable and did not require any additional assessment pursuant to the *Environment Protection and Biodiversity Conservation Act 1999*.

Mr Hall has also requested that the finalised detailed development plans for the Bald Hills Wind Farm be made available. It is not possible to satisfy his request at this point in time because the proponent has not yet discharged condition 1 of the planning permit and submitted the development plans for approval. However, when the condition has been discharged the development plans are public documents and will be made available to any interested parties. I note that until these plans are submitted and approved, no development can commence on site.

Health: federal government plan**Raised with: Premier****Raised by: Mr D. Davis****Raised on: 14 April 2010****REPLY:**

The Council of Australian Governments (COAG) met on 19 and 20 April to consider national health reform, including many of the matters raised in the letter to me from General Practice Victoria, Statewide Primary Care Partnerships, and the Victorian Healthcare Association.

Victoria's key priorities for reform going in to the Council of Australian Governments' (COAG) discussions were: to win additional funds for our health system so that more patients could be treated; to establish responsibility for health care with the right level of government; and to protect the quality of health care that Victorians receive.

As part of this agenda, we were successful in ensuring that primary health care services remained front and centre of the health reform agenda.

The Victorian statement on health reform, *Putting Patients First*, released on 8 April 2010, clearly articulates the importance of preventative health, primary care and aged care as well as hospital services. As a result of our efforts, and the efforts of our partners such as the correspondents Mr Davis refers to, the Commonwealth not only increased its funding support to the Victorian hospital system, but also provided increased investment in key primary health care areas.

The new COAG agreement will result in a \$4.7 billion additional investment in health and hospital services in Victoria over the next decade. This means more than \$900 million over the next five years to deliver capacity to:

- Allow 150,000 Victorian patients who currently wait too long in emergency departments each year to be treated within the recommended timeframes;
- Deliver quicker elective surgery for nearly 34,000 patients over the next four years, meaning people can get back on their feet and feel better sooner; and
- Secure an extra 332 sub-acute beds for Victorian hospitals enabling our health system to give important rehabilitation and longer-term support to 5,000 more patients.

There will also be a further investment (not via the State Government) of more than \$700 million over four years in the Commonwealth services delivered within the State: general practice and primary health care services, health workers, aged care and mental health services.

The agreement reached at COAG provides that, where primary health care organisations already exist (as in Victoria), the transition to the new Primary Health Care Organisations will only occur once an implementation plan has been agreed with the relevant State. The Minister for Health, Hon Daniel Andrews, has already met with the three correspondents and will continue to work with key stakeholders as the new arrangements are developed, to ensure that the national reforms build on the excellent arrangements we have developed in Victoria over the past decade.

Consumer affairs: financial counselling**Raised with: Minister for Consumer Affairs****Raised by: Ms Darveniza****Raised on: 14 April 2010**

REPLY:

I am pleased to provide the following advice in respect of the Government's investment in financial counselling for Victorians.

Financial Counselling–Victorian Government funding

- In summary, in 2009/10 there are 84.7 Full Time Equivalent (FTE) State funded financial counselling positions located in Victoria. Of those 13 FTE are located in Northern Victoria. They are located in community-based agencies that are well connected with local communities. In addition, to providing direct financial counselling services they also participate in local community education activities to ensure a presence in local communities.
- State-wide, the Generalist Financial Counselling Program provides 60.7 FTE financial counselling positions (\$5.5 million per annum).
- In Northern Victoria, 8.57 FTE (\$0.764 million) of financial counselling is provided by six agencies from 16 separate locations.

Additional funding for targeted financial counselling initiatives***2009/10 response to the global economic downturn 'MoneyHelp'***

- In early March 2009, I approved a package of initiatives designed to bolster the capacity of the financial counselling sector to respond to the global economic downturn. This comprised:

Face to face financial counselling

- State-wide - an additional 11 FTE (\$1.171 Million) of face to face counselling.
- In Northern Victoria, Hume and Loddon Mallee State Government regions each received an additional 1 FTE to provide region wide responses to people affected by job loss or reduced work hours. This provided an additional \$0.218 Million of financial counselling in Northern Victoria.
- The Commonwealth Government (FAHCSIA) has agreed to enter into a MOU with the Department of Justice to provide an additional year's (2010/11) funding for these positions.

State-wide telephone advice service

- MoneyHelp telephone advice service for retrenched workers was initiated with funding of \$1.076 Million. This provides a three pronged approach to service delivery including: the telephone advice service; a website and self help tools and an industrial liaison officer working directly with employees of businesses considering redundancies.
- A promotional campaign utilising Convenience Advertising, community service announcements and media releases to major newspapers and local publications across Victoria launched the service.
- Generalist Financial Counselling providers refer eligible clients to the specialist MoneyHelp telephone advice service and the face to face financial counsellors within their region

Bushfire Recovery Initiative

- In March 2009, I approved 12 months funding of \$1 Million to provide an additional 13 FTE financial counsellors for people affected by bushfires. Further funding of \$0.3 Million was provided to extend these positions up to the end of 2009/10. These additional resources have been targeted to agencies located in the areas hardest hit by bushfire affected areas.
- Mitchell Community Health located at Broadford, servicing the Kinglake, Marysville and surrounding areas received \$0.396 Million of this funding to provide an additional 3 FTE bushfire focused financial counselling.

Commonwealth Financial Counselling Program - 2009/10

- The Federal Government funds 6 agencies to provide the Commonwealth Financial Counselling Program across Northern Victorian electoral region, two of which also provide the Victorian Generalist Financial Counselling Program.

Werribee Park tourism precinct: access

Raised with: Minister for Roads and Ports

Raised by: Mr Finn

Raised on: 6 May 2010

REPLY:

VicRoads completed the Werribee/Cottrell study in July 2008 which identified a number of potential projects to alleviate congestion on Werribee Street, Cottrell Street and the Princes Highway, including the construction of westerly oriented ramps at Duncans Road.

VicRoads is undertaking preliminary planning investigations which will allow Government to consider the project for future funding. Improvement proposals must be considered and evaluated on a state-wide basis. Improvements at the Duncans Road Interchange will be considered in this context.

Clearways: city of Stonnington

Raised with: Minister for Roads and Ports

Raised by: Mrs Coote

Raised on: 6 May 2010

REPLY:

I note matters raised regarding clearway changes in Stonnington and the recent economic impact assessment report commissioned by the City of Boroondara and prepared by consultants "MacroPlan Australia".

In summary and in assessing the report, it is noted that it is challenging to arrive at a robust methodology that achieves the aims of the study. Quantitative data across a larger sample size of traders would enable more robust analysis. The methodology used for the MacroPlan report appears to have limitations, such as a reliance on qualitative data, small sample sizes, limited control for background effects and the impact of a reverse halo effect (where survey respondents are more likely to ascribe negative impacts to something they view negatively).

Whilst the Government's position has been to consider the overall impact of extended clearways across the broader community; the MacroPlan report is limited to consideration of the impacts on traders. The report findings do not reflect that there is still an adequate supply of vacant car parking spaces available.

I have been approached by the Mayor of Boroondara Council to further discuss the contents and outcomes of the economic assessment report.

Planning: Frankston bypass**Raised with: Minister for Planning****Raised by: Mr Rich-Phillips****Raised on: 6 May 2010****REPLY:**

I am advised that this matter is currently the subject of an appeal to the Heritage Council of Victoria, under the provisions of the *Heritage Act 1995*, in relation to the conditions on the Heritage Permit.

Accordingly, I consider I should not comment at this point on the detail of the matters raised in the adjournment debate, which may be tested through the Heritage Council hearing process.

WRITTEN ADJOURNMENT RESPONSES

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

Wednesday, 9 June 2010

Security guards: training

Raised with: Minister for Police and Emergency Services

Raised by: Mr Dalla-Riva

Raised on: 23 February 2010

REPLY:

In Victoria, there are a substantial number of private security agencies with security guards, crowd controllers, investigators and bodyguards. As a rapidly growing industry, private security plays an increasingly significant role in crime prevention, and the actions of, and powers provided to, private security personnel need to be monitored in order to ensure public safety is maintained. The *Private Security Act 2004* (the Act) imposes strict probity and competency criteria on holders of private security licences. Members of the private security industry are in a position of trust with respect to their clients and members of the public. The Act is designed to protect innocent third parties, clients and consumers of security services from harm and to provide confidence in the industry's operations.

In accordance with section 178 of the Act, a review was undertaken to determine whether the policy objectives of the Act remain valid and whether the provisions of the Act are appropriate for securing those objectives. The review was informed by extensive consultation with the private security industry and the broader public. The review provided an opportunity for the consideration of suggestions from a range of persons and organisations. The final report was tabled in Parliament on 2 June 2009.

The length of the private security training course is a decision for the Chief Commissioner of Police and it is not appropriate for me, as a Government Minister, to intervene in this process. I am advised, however, that the private security industry has approached Victoria Police on these issues and that discussions are continuing.

I trust this information is of assistance and thank you for bringing your concerns to my attention.

Police: Neighbourhood Watch

Raised with: Minister for Police and Emergency Services

Raised by: Mr D. Davis

Raised on: 24 February 2010

REPLY:

The Brumby Government recognises the value of Neighbourhood Watch (NHW) and the excellent work performed by its members in preventing crime. This work is carried out in partnership with police and local government and aims to enhance quality of life through improving safety and security.

Victoria Police is committed to maintaining strong links with the community at all levels and seeks to develop better and more productive ways of doing this through ongoing review. Since the formation of NHW in 1983, there have been many changes in our society and the role of police has evolved accordingly. Technology now plays a

greater role within our community and the way in which police deliver services is different. The reporting of crime has been affected by these changes, as well as trends in crime itself.

Victoria Police acknowledges the impact of these changes and recognises there are opportunities for improving relationships with stakeholders, including NHW. It is also aware that concerns have been raised by some members of NHW, and following discussion with the Board of Neighbourhood Watch, has agreed to work through these issues. Importantly, all 23 police NHW Coordinators will continue to work with individual NHW zones to ensure that they have sufficient information to understand the crime issues affecting their local areas.

The Chief Commissioner of Police has confirmed that, pending the outcome of the review, police members will continue to be deployed into the positions of NHW Coordinator and contribute to crime prevention and safety initiatives.

I trust this information is of assistance and thank you for taking the time to bring your concerns to my attention.

Maroondah Hospital: waiting list

Raised with: Minister for Health

Raised by: Mr D. Davis

Raised on: 9 March 2010

REPLY:

The Brumby Labor Government has doubled funding to all Victorian hospitals since 1999. In 2009–09, there were approximately 1.3 million patient treatments in specialist outpatient clinics, almost a 25 per cent increase since 1999–00. Outpatient appointments are organised on a clinic by clinic basis, with new referrals to outpatient clinics based on clinical urgency. The appointments themselves are a mix of pre and post operative procedures, treatment and care.

I am advised that Mrs Paulina Holmer received an initial clinical assessment within 3 weeks of the general practitioner referral being received at Maroondah Hospital. At this time she was assessed as appropriate for a period of conservative management which she agreed to. I have been advised that Mrs Holmer has had an appointment with an orthopaedic surgeon.

Bushfires: fuel reduction

Raised with: Minister for Environment and Climate Change

Raised by: Mr P. Davis

Raised on: 11 March 2010

REPLY:

The concern expressed by the Mitchell Group of brigades that there has been a substantial reduction in the amount of burning planned for East Gippsland because funding for the program has been redirected to Melbourne is unfounded.

The fire operations planning process seeks input from the community as well as CFA brigades. As suggestions and concerns from a range of sources are incorporated into the plan there are variations from the initial proposal. The apparent reduction in the area to be fuel reduced in the Bairnsdale District can be attributed to amendments to the draft proposal as a result of community input.

The target for East Gippsland remains at around 50 000 ha of planned fuel reduction with some larger areas also scheduled should conditions be suitable. In the current year East Gippsland has treated 46 871 ha to date across

92 burns, and will continue to burn over the next few weeks when conditions are suitable. Burning will resume in the Spring with currently 588 ha planned across 14 burns. Spring burning is generally focused on smaller strategic burns for asset protection.

The new Fire Operation Plan for 2010/11–2012/13 is now under preparation and is due to be approved on 1 October 2010. Following public consultation, there may be some variation in the area and number of burns planned for Spring 2010.

Thank you for raising this matter with me.

Housing: rent increases

Raised with: Minister for Housing

Raised by: Mr O'Donohue

Raised on: 23 March 2010

REPLY:

The Department of Human Services (DHS) is required to regularly undertake a formal valuation of all public housing properties and adjust the market rent for each household accordingly. Under the *Residential Tenancies Act 1997*, the Director of Housing is required to notify tenants in writing of the rent for their property and to provide 60 days notice if the rent is going to increase.

Government policy is that no household living in public housing will pay more than 25 per cent of their total household income in rent. On top of this, DHS has capped any rent increase to market rent payers resulting from the recent revaluation at no more than \$35 per week.

All tenants who are currently paying market rent and have had a rent increase as a result of the market rent review, have been advised to consider if the new market rent on their property is more than 25 per cent of their total household income, and if so they have been encouraged to test their eligibility for a rebate on their rent. An *Application for Rebated Rent* form was provided.

Tenants were also advised of their right to apply to Consumer Affairs Victoria (CAV) for an investigation where they believe the new rent is excessive. CAV contact details were also provided.

Water: restrictions

Raised with: Minister for Water

Raised by: Mr P. Davis

Raised on: 23 March 2010

REPLY:

On 16 March 2010, the Victorian Government announced that 10 billion litres of environmental water would be returned to the Yarra River (seven billion litres) and the Thomson River (three billion litres) as part of a package of measures including easing water restrictions in Melbourne.

This announcement was made possible because of the Government's record investment in major water projects, outstanding water-saving efforts by households and industry and welcome rainfall in recent months.

The Thomson's three billion litres will help provide additional spawning opportunities for the Australian Grayling, and maintain water quality and in-stream habitat.

More than 700 million litres were immediately added to the Thomson's environmental drought reserve on 2 April 2010 when water restrictions in Melbourne were eased to Stage 3. This allocation is the pro-rata proportion of the annual commitment to provide three billion litres, determined for the remainder of 2009–10.

This water is in addition to six billion litres of water already set aside in the environmental drought reserve since 2007 under the terms of the temporary qualifications of rights to augment Melbourne's water supplies. Water from the reserve started to be released in April as a series of 'freshes' to trigger spawning; the releases are continuing through May.

The water is also in addition to another three billion litres forgone by Melbourne water retailers in February this year so that additional water could be released to improve the Thomson River's water quality and in-stream habitat in late summer.

For farmers in Werribee and Bacchus Marsh, an additional five billion litres of water is being made available in recognition of the vital role they play in providing food and jobs to Victorians. This additional water will provide welcome relief from the ongoing low water levels in that region.

City West Water and Western Water will provide this additional water from their share of Melbourne's water supplies. It will not be provided from the drought reserve held by Southern Rural Water in Thomson Reservoir on behalf of Macalister Irrigation District water users. City West Water, Western Water and Southern Rural Water are currently working together on the terms and conditions of the supply arrangements.

Housing: Colac neighbourhood renewal

Raised with: Minister for Housing

Raised by: Ms Tierney

Raised on: 14 April 2010

REPLY:

Update on the progress of the Colac Neighbourhood Renewal Program.

- The Colac Neighbourhood Renewal project commenced in 2003. The funded project finishes in June 2011.
- In the years leading to the completion of each project Neighbourhood Renewal works with residents and key partners to make sure that the gains made are durable and sustainable into the future. This means making sure residents can continue to be involved in planning and decision making and that governments continue to prioritise investment in these areas.
- The Colac project enters its final 12 months in July 2010 and will continue to develop a sustainable governance structure and 2-3 year future plan during this period.
- There have been many positive and significant achievements made with the Colac community since the commencement of Neighbourhood Renewal. These include:
 - \$8.15M directly invested in Colac for capital improvements to housing, small grants and administration and staffing.
 - Over 260 housing works
 - 84 employment and 198 training outcomes
 - Infrastructure and urban design projects such as
 - Colac Community Hub
 - NR Enterprise Hub
 - Colac Community Learning Centre
 - Beechy Centre Global Connector

– Colac Men's Shed

- Comparative community survey and administrative data show improvements across most action areas and individual evaluative indicators.

Colac Men's Shed

I am very supportive of the Government's Men's Shed Program and the Men's Shed concept generally.

I am pleased that through a combination of Government support and funding (including funding for tools and IT equipment) and community and agency support Colac is developing its own Men's Shed.

My Department advises the following regarding the Colac Men's Shed:

- The Department of Planning and Community Development funded Skills Connection \$50 000 from Round 1 of the Men's Shed Program in 2008 for construction of the Colac Men's Shed on Skills Connection's Pound Road site. Colac Men's Shed was established in 2008 and auspiced by Skills Connection who manages the project.
- Neighbourhood Renewal has funded Skills Connection \$20 000 through the Community Infrastructure Fund for the purchase of tools for the shed and Colac Community Hub Inc. has provided \$4700 for the purchase of IT equipment.
- In the lead up to the completion of construction and launch of the shed Colac Men's Shed has been incorporated.
- Colac Men's Shed Inc is waiting for building and construction to be completed and the development of an ongoing MOU with Skills Connection before they purchase tools and IT equipment.
- Skills Connection and Colac Men's Shed Inc advise that the following construction is yet to be completed:
 - Kitchenette/meeting room
 - Plumbing to the toilet and
 - Car park
- Skills Connection/Colac Men's Shed Inc. are coordinating the launch of the shed - proposed for the end of May 2010.

Parks Victoria: Point Cook Homestead

Raised with: Minister for Environment and Climate Change

Raised by: Mr Finn

Raised on: 15 April 2010

REPLY:

As you have noted, the Point Cook Homestead not only provides the local community with the opportunity to view a historic homestead of both local and state significance, the homestead also operates as a bed and breakfast business and café/function centre and is a key regional attraction.

In recognition of the fact that the current lease would expire on 30 June 2010, Parks Victoria initiated an Expression of Interest (EOI) process in late November 2009 in an endeavour to secure a suitably experienced and qualified operator to take over the leasehold interest of the Point Cook Homestead. In early April 2010 after reviewing all EOI submissions and conducting interviews with proponents Parks Victoria closed the EOI as satisfactory terms and conditions could not be agreed with any of the EOI proponents.

Subsequent to closing off the EOI process, Parks Victoria has commenced negotiations with a potential operator. Parks Victoria is confident these negotiations will result in a quality operator being appointed and negotiations will be finalised in the near future.

Weeds: control

Raised with: Minister for Environment and Climate Change

Raised by: Mr Kavanagh

Raised on: 5 May 2010

REPLY:

The Department of Primary Industries (DPI) conducts compliance operations to enforce the noxious weed and pest animal provisions of the *Catchment and Land Protection Act 1994* under delegation and authorisation from the Secretary of the Department of Sustainability and Environment (DSE).

Under this s20 of the *Catchment and Land Protection Act 1994*, a landowner must take all reasonable steps to prevent the growth and spread of regionally controlled weeds and to eradicate regionally prohibited weeds.

As the landowner, the Department of Sustainability and Environment is responsible for the control of noxious weeds on crown land. Landowners, committees of management or other groups who lease crown are also responsible for the control of noxious weeds over the area under lease or licence.

Compliance notices are issued to land-holders to control weeds on land that they own and for the land that they are leasing.

Where there is no lease in place over the land or the land is not owned, land-holders have no responsibility in relation to that land to control noxious weeds.

Water: Lake Wendouree

Raised with: Minister for Water

Raised by: Mr Vogels

Raised on: 5 May 2010

REPLY:

The Ballarat North Wastewater Treatment Plant was commissioned by Central Highlands Water on 14 August 2009.

The Plant is part of the \$7 million *Lake Wendouree Water Supply Project*, to which the Victorian Government has contributed over \$2 million. The Plant will provide 600 ML of Class A recycled water for the Lake at 2 ML per day. To date, almost 300 ML of Class A water has been transferred into the Lake.

The agreement between Central Highlands Water and the City of Ballarat for the supply of recycled water to the Lake specifies that salt levels in the recycled water should be on average no more than 800 milligrams per litre. The recycled water from the Class A plant has not exceeded this limit and is currently below this figure.

WRITTEN ADJOURNMENT RESPONSES

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

Thursday, 10 June 2010

Mowbray College: access road

Raised with: Minister for Education

Raised by: Mr Koch

Raised on: 15 April 2010

REPLY:

I am informed as follows:

This matter does not fall within my portfolio responsibilities and should be referred to the Minister for Local Government.

Housing: Seaford rooming houses

Raised with: Minister for Housing

Raised by: Mrs Peulich

Raised on: 5 May 2010

REPLY:

The rooming houses you refer to are privately owned properties. I understand that the local council can zone land within its control for various purposes, including residential accommodation. However, this does not extend to how many rooming houses can be positioned in a particular area. The local council registers rooming houses and assesses rooming house compliance against building and health regulations. Under the relevant legislation, the rooming houses must comply with a number of requirements.

Neighbours who are concerned about potential illegal activity at any premise are encouraged to contact Victoria Police.

The Government is implementing a number of reforms to better regulate the rooming house sector. You will know that in July last year, the Premier established the *Rooming House Standards Taskforce*, chaired by Mr Martin Foley MP, to examine a range of issues relating to rooming houses. Mr Foley presented his report to Government late last year. In response to this, the Government has endorsed all 32 recommendations in principle, and is currently working towards implementation of those recommendations.

This work is expected to result in a number of improvements to the outcomes for rooming house residents and, in turn, for the community more generally. For example, the Government is considering introducing a number of new standards for rooming houses, which will improve the amenity for rooming house residents.

Importantly, a range of reforms are being explored to improve compliance with existing rooming house standards, and make rooming house proprietors more accountable for the quality of accommodation they provide. This will increase the capacity for local government and Consumer Affairs Victoria to identify rooming houses and enforce laws applying to their management. For example, the number of rooming houses registered with local governments has increased by 42 per cent to 727 rooming houses in Victoria on 1 April 2010.

WRITTEN ADJOURNMENT RESPONSES

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COUNCIL

Thursday, 10 June 2010

In addition to the above, state and federal Governments have collaborated to significantly increase the supply of affordable housing, which aims to reduce the reliance on inappropriate rooming house accommodation. The Government is also considering options to increase the access of residents in rooming houses to support services, which aims to improve the stability and ability of rooming house residents to live successfully with their neighbours in the community.