

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**WRITTEN ADJOURNMENT RESPONSES**

**23 and 25 February 2016**

**(Extract from book 3)**

Internet: [www.parliament.vic.gov.au/downloadhansard](http://www.parliament.vic.gov.au/downloadhansard)

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# HANSARD<sup>150</sup>



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.



## **The Governor**

The Honourable LINDA DESSAU, AM

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

## **The ministry**

Premier . . . . .	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education . . . . .	The Hon. J. A. Merlino, MP
Treasurer . . . . .	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Employment . . . . .	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade . . . . .	The Hon. P. Dalidakis, MLC
Minister for Industry, and Minister for Energy and Resources . . . . .	The Hon. L. D'Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports . . . . .	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans . . . . .	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries . . . . .	The Hon. M. P. Foley, MP
Minister for Emergency Services, and Minister for Consumer Affairs, Gaming and Liquor Regulation . . . . .	The Hon. J. F. Garrett, MP
Minister for Health and Minister for Ambulance Services . . . . .	The Hon. J. Hennessy, MP
Minister for Training and Skills . . . . .	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations . . . . .	The Hon. N. M. Hutchins, MP
Special Minister of State . . . . .	The Hon. G. Jennings, MLC
Minister for Families and Children, and Minister for Youth Affairs . . . . .	The Hon. J. Mikakos, MLC
Minister for Environment, Climate Change and Water . . . . .	The Hon. L. M. Neville, MP
Minister for Police and Minister for Corrections . . . . .	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing . . . . .	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development . . . . .	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence . . . . .	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs . . . . .	The Hon. R. D. Scott, MP
Minister for Planning . . . . .	The Hon. R. W. Wynne, MP
Cabinet Secretary . . . . .	Ms M. Kairouz, MP

### Legislative Council committees

**Privileges Committee** — Mr Drum, Ms Hartland, Mr Herbert, Ms Mikakos, Ms Pulford, Mr Purcell, Mr Rich-Phillips and Ms Wooldridge.

**Procedure Committee** — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

### Legislative Council standing committees

**Standing Committee on the Economy and Infrastructure** — #Ms Dunn, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Morris, Mr Ondarchie and Ms Tierney.

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

**Standing Committee on Legal and Social Issues** — Ms Fitzherbert, #Ms Hartland, Mr Melhem, Mr Mulino, Mr O'Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Ms Springle and Ms Symes.

# participating members

### Legislative Council select committees

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

### Joint committees

**Accountability and Oversight Committee** — (*Council*): Ms Bath, Mr Purcell and Ms Symes. (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.

**Dispute Resolution Committee** — (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge. (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O'Brien, Mr Pakula, Ms Richardson and Mr Walsh

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

**Electoral Matters Committee** — (*Council*): Ms Patten and Mr Somyurek. (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.

**Environment, Natural Resources and Regional Development Committee** — (*Council*): Mr Ramsay and Mr Young. (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward.

**Family and Community Development Committee** — (*Council*): Mr Finn. (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish and Ms Sheed.

**House Committee** — (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young. (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson.

**Independent Broad-based Anti-corruption Commission Committee** — (*Council*): Mr Ramsay and Ms Symes. (*Assembly*): Mr Hibbins, Mr D. O'Brien, Mr Richardson, Ms Thomson and Mr Wells.

**Law Reform, Road and Community Safety Committee** — (*Council*): Mr Eideh and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

**Public Accounts and Estimates Committee** — (*Council*): Dr Carling-Jenkins, Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O'Brien, Mr Pearson, Mr T. Smith and Ms Ward.

**Scrutiny of Acts and Regulations Committee** — (*Council*): Ms Bath and Mr Dalla-Riva. (*Assembly*): Ms Blandthorn, Mr J. Bull, Mr Dimopoulos, Ms Kilkenny and Mr Pesutto.

### Heads of parliamentary departments

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

*Council* — Clerk of the Legislative Council: Mr A. Young

*Parliamentary Services* — Secretary: Mr P. Lochert

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

**President:** The Hon. B. N. ATKINSON

**Deputy President:** Ms G. TIERNEY

**Acting Presidents:** Ms Dunn, Mr Eideh, Mr Elasmar, Mr Finn, Mr Morris, Ms Patten, Mr Ramsay

**Leader of the Government:**

The Hon. G. JENNINGS

**Deputy Leader of the Government:**

The Hon. J. L. PULFORD

**Leader of the Opposition:**

The Hon. M. WOOLDRIDGE

**Deputy Leader of the Opposition:**

The Hon. G. K. RICH-PHILLIPS

**Leader of The Nationals:**

The Hon. D. K. DRUM

**Leader of the Greens:**

Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina <sup>2</sup>	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFP	O'Brien, Mr Daniel David <sup>1</sup>	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel	Western Metropolitan	DLP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	Patten, Ms Fiona	Northern Metropolitan	ASP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Davis, Mr David McLean	Southern Metropolitan	LP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Pulford, Ms Jaala Lee	Western Victoria	ALP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Purcell, Mr James	Western Victoria	V1LJ
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Springle, Ms Nina	South Eastern Metropolitan	Greens
Herbert, Mr Steven Ralph	Northern Victoria	ALP	Symes, Ms Jaelyn	Northern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Young, Mr Daniel	Northern Victoria	SFP
Melhem, Mr Cesar	Western Metropolitan	ALP			

<sup>1</sup> Resigned 25 February 2015

<sup>2</sup> Appointed 15 April 2015

**PARTY ABBREVIATIONS**

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





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**WRITTEN ADJOURNMENT RESPONSES**

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

**Tuesday, 23 February 2016**

**Birregurra quarry**

**Raised with:** Minister for Energy and Resources

**Raised by:** Mr Ramsay

**Raised on:** 15 September 2015

**REPLY:**

The Andrews Government supports resource development to boost the economy and create jobs, however we recognise the community also needs to have confidence in the way mines are operated and regulated.

This includes confidence in the regulatory processes around resource development, that environmental and public safety requirements are satisfied, developments include genuine community consultation and regulatory processes occur in an open manner.

As part of the proper engagement and statutory processes, my department works to increase confidence for investors and the community regarding mining and extractive project proposals. It does this by overseeing the approval process for quarries under the Minerals Resources (Sustainable Development) Act 1990 and facilitating access to agencies responsible for the consideration of appropriately mitigating risks and ensuring that environmental standards are met.

In relation to the proposed quarry referred to in your question, I am advised that the statutory process for its consideration included referral to the then Department of Environment and Primary Industries, the Environment Protection Authority, Southern Rural Water, Corangamite Catchment Management Authority and Barwon Water, among others.

The work plan for the proposed quarry was then statutorily endorsed by my department, subject to the advice and conditions identified by the referral agencies to mitigate potential risks.

Following a subsequent decision by the Colac Otway Shire not to grant a planning permit for the quarry, I understand the quarry proponent made application to the Victorian Civil and Administrative Tribunal (VCAT) to review the Shire's decision.

The Minister for Planning has appointed an Advisory Committee under the Planning and Environment Act 1987 (PE Act) to provide all parties to the VCAT proceeding an opportunity to present submissions, and to provide recommendations to the Minister to inform his decision as to whether a planning permit should be issued.

The Advisory Committee provides the appropriate forum for all parties to the VCAT proceeding including Southern Rural Water and the adjoining farmers, to participate in the review of this planning decision, which specifically includes the review of potential impacts of stone extraction uses on agricultural areas, and accessibility to and quality of ground water.

It would not be appropriate for me to comment on matters that may properly be considered as part of the review.

### Drug driving

**Raised with:** Minister for Police

**Raised by:** Mr O'Donohue

**Raised on:** 9 December 2015

**REPLY:**

The government is aware of the serious risks imposed by drug impaired drivers, and is committed to preventing dangerous and irresponsible behaviour on our roads. Victoria Police plays a crucial role by enforcing the road rules through finely balancing routine patrols, booze buses and special operations targeting high risk areas, or times of high risk, with a highly visible police presence. As part of this approach, Victoria Police conducts random roadside drug testing to detect drivers travelling while affected by certain illicit drugs.

Roadside drug testing is conducted by authorised personnel including Highway Patrol police and those working in the Traffic and Drug Alcohol Section, which includes recent police graduates. Only officers with current 'authorisation can conduct the tests.

The random roadside saliva testing is aimed at making Victoria's roads safer for everyone by reducing the incidence of drug driving. The government has announced a total of \$17.7 million for a new fleet of drug and booze buses and to ensure 100 000 roadside random drug tests per year, for the next two years. These new drug and booze buses will give police greater flexibility to operate in more locations across rural and regional Victoria.

The majority of Victoria Police's drink and drug driving enforcement efforts are through booze and drug bus activity. The effectiveness of police road safety enforcement is focused on a key decision factor that the risk of being tested is a strong deterrent, for people not driving after drinking alcohol or using drugs.

The government has amended the Road Safety Act 1986 to ensure drivers who are caught with alcohol and illicit drugs in their system will now face a minimum 12-month licence cancellation and court fines up to \$4550 for a first offence.

Victoria Police will also be able to impound the vehicles of first-time offenders who record a blood alcohol concentration of 0.10 or higher. For repeat offenders convicted of drug and alcohol offences, the maximum fines range between \$13 650 and \$40 959, depending on blood alcohol level and previous offences. They will also receive a minimum two-year licence cancellation.

As of 30 October 2015, it is mandatory for all drivers involved in serious crashes to submit to a blood test for drugs.

As you are aware, on 11 November 2015, the Parliament agreed to an Inquiry by the Law Reform, Road and Community Safety Committee to consider and report, no later than 30 March 2017, on the effectiveness of laws and procedures relating to illicit and synthetic drugs and prescription medication.

The Andrews Government looks forward to considering the issues arising from this inquiry.

Under Victorian law, I cannot direct the Chief Commissioner about the deployment of police officers in accordance with section 10 of the Victoria Police Act 2013.

The government will continue to consult with Victoria Police about overall police resourcing across the state. I am assured by the Chief Commissioner that the level of policing is continuously monitored by respective command officers, with a view to ensuring community safety.

**WRITTEN ADJOURNMENT RESPONSES**

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

**Thursday, 25 February 2016**

**Pakenham South West Primary School**

**Raised with: Minister for Education**

**Raised by: Mr Mulino**

**Raised on: 10 February 2016**

**REPLY:**

I am informed as follows:

I thank Mr Mulino for the adjournment matter raised regarding the new Pakenham South West Primary School in Pakenham.

I am thrilled to confirm that construction has commenced on the Pakenham South West Primary School which is one of 15 high priority new schools being delivered through the New Schools Public Private Partnership (PPP) Project. The first tranche of schools will open in the 2017 school year and the second in 2018. Learning Communities Victoria (LCV) is the consortium appointed to deliver the Project and include Watpac as builder, ClarkeHopkinsClarke as architect and Spotless as facilities managers.

The PPP model was first used for the delivery of new schools in Victoria with the Partnerships Victoria in Schools (PViS) Project, which delivered 12 new schools that opened across 2010 and 2011.

Government is committed to delivering the Education State and recognises that providing a first class education starts with investment in school infrastructure. The 2015-16 State Budget delivers a \$111 million package to support the delivery of 10 new schools in Melbourne's growth and established areas.

These much needed new schools will ease the significant enrolment pressures experienced by many existing schools in Victoria's growth areas. The Shire of Cardinia is one of the fastest growing areas in Victoria and Government is committed to delivering first class educational facilities and new social infrastructure to meet the needs of this rapidly growing community.

I was glad to visit the site for the new Pakenham South West Primary School on 18 February where construction is progressing on schedule and I thank you for joining me on the day. I will be providing an update on progress for the 2017 schools and the key milestones for the coming year in lead up to school openings. The Pakenham South West Primary School is part of the first group of schools opening for students in Term 1, 2017.

Local communities for the new schools will be updated throughout the Project with information sessions to be scheduled in the first half of 2016 to inform local families about the new school facilities and the community services being delivered. This will also be an opportunity for the community to meet and be consulted by the school Principals who will progress the formal processes of establishing the schools.