

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**WRITTEN RESPONSES TO QUESTIONS  
WITHOUT NOTICE**

**24 March to 2 May 2017**

**(Extract from book 7)**

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## **The Governor**

The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

## **The ministry**

(from 10 November 2016)

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

### Legislative Council committees

**Privileges Committee** — Ms Hartland, Ms Mikakos, Mr O’Sullivan, Ms Pulford, Mr Purcell, Mr Rich-Phillips and Ms Wooldridge.

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

### Legislative Council standing committees

**Standing Committee on the Economy and Infrastructure** — #Mr Barber, Mr Bourman, #Ms Dunn, Mr Eideh, Mr Elasmr, Mr Finn, Ms Hartland, Mr Leane, #Mr Melhem, Mr Ondarchie, Mr O’Sullivan and #Mr Rich-Phillips.

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

**Standing Committee on Legal and Social Issues** — #Mr Barber, #Ms Crozier, #Mr Elasmr, Ms Fitzherbert, #Ms Hartland, Mr Mulino, Mr O’Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Mr Somyurek, Ms Springle and Ms Symes.

# participating members

### Legislative Council select committees

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

### Joint committees

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

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

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

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

**Environment, Natural Resources and Regional Development Committee** — (*Council*): Mr O’Sullivan, Mr Ramsay and Mr Young. (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan.

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

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

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

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

**Public Accounts and Estimates Committee** — (*Council*): Ms Patten, Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr 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:**

Mr K. EIDEH

**Acting Presidents:**

Ms Dunn, Mr Elasmarr, Mr Finn, Mr Melhem, 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:**

Mr L. B. O'SULLIVAN

**Leader of the Greens:**

Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina <sup>2</sup>	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	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	O'Sullivan, Luke Bartholomew <sup>4</sup>	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona	Northern Metropolitan	ASP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin <sup>3</sup>	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Pulford, Ms Jaala Lee	Western Victoria	ALP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Purcell, Mr James	Western Victoria	V1LJ
Elasmarr, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph <sup>5</sup>	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaelyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Melhem, Mr Cesar	Western Metropolitan	ALP	Young, Mr Daniel	Northern Victoria	SFFP

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

<sup>3</sup> Resigned 27 May 2016

<sup>5</sup> Resigned 6 April 2017

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

<sup>4</sup> Appointed 12 October 2016

**PARTY ABBREVIATIONS**

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



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## WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE

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**WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE**

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

**24 March to 2 May 2017**

**Desalination plant**

**Question asked by:** Mr Barber  
**Directed to:** Special Minister of State  
**Asked on:** 23 February 2017

**RESPONSE TO SUBSTANTIVE QUESTION:**

The Victorian Desalination Plant will form a critical part of our non-rainfall dependent water supply.

During the plant's re-energisation on 11 December 2016, the Gas Insulated Switchgear (GIS) that links the power cable to the desalination plant was damaged. The damage has meant that the plant has been unable to operate.

Melbourne's storages are more than 109 gigalitres lower than this time two years ago. The 50 gigalitre order is necessary to put a buffer in our storages. The fall just in January and February was 74 gigalitres.

Aquasure has advised that permanent power was restored to the plant on Friday morning, 3 March after repair works had been undertaken. Aquasure is now commencing preparation to deliver the Government's 50GL water order.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

The Government is not aware of any other technical issues that would impact the plant's ability to produce water.

**Duck season**

**Question asked by:** Ms Pennicuik  
**Directed to:** Minister for Agriculture  
**Asked on:** 22 March 2017

**RESPONSE:**

During the duck season, at specified times, entry into and remaining in all State Game Reserves and specified hunting areas is restricted.

Among others, people over the age of 12 holding a valid game and firearms licence are permitted to enter and remain in those areas.

The Victorian Government recognises that hunting is a recreational and social activity. As such, parents or responsible adults permitted to enter and remain in specified hunting areas might, from time to time, accompany children under the age of 12.

However, people must be at least 12 years of age to obtain a game licence (or provisional licence that is valid for one year). Juniors (between 12 and 17 years of age), hunting with a Provisional Game licence, must be under the direct supervision of an adult holding a valid Game Licence for the species being hunted.

Juniors can also obtain a firearm licence in Victoria when they are aged between 12 and 17 years. Among other requirements, they can only carry and use that firearm under the immediate supervision of an adult with a full licence for the same category of firearm.

Authorised Officers and Victoria Police members are on site at hunting areas during the season to keep these areas safe and ensure that all relevant laws and regulations are complied with.

All Authorised Officers assisting in duck hunting compliance are appropriately accredited and trained. In particular, they undertake training in the laws specific to duck hunting before being given field duties, including in laws relating to who is permitted to enter and remain in restricted areas.

To ensure a consistent approach across different government agencies and geographical locations, Authorised Officers undertake their duties in accordance with Standard Operating Procedures and approved Operational Plans. To ensure currency, immediately prior to entering the field, all Authorised Officers attend operational briefings to inform them of any seasonal changes and address any operational matters.

### **Drug law reform**

**Question asked by:** Ms Hartland  
**Directed to:** Minister for Families and Children  
**Asked on:** 22 March 2017

#### **RESPONSE:**

The Andrews Labor Government is committed to reducing harm to individuals, families and the broader community associated with drug use. That is why this year alone, the government has invested more than \$19 million to support evidence-based initiatives designed to reduce the harm to people who currently use alcohol and other drugs.

Over the last six months the government has announced more than \$1.7 million in additional funding to support a range of measures that will help to reduce drug related harm and fatal overdoses across Victoria. This includes funding for the establishment of a peer-led networks trial, which will deliver peer-led harm reduction initiatives in six hotspot areas across Victoria. It also includes funding to expand outreach services, enhance overdose prevention education, and improve accessibility and use of Naloxone, increasing the availability of this lifesaving medication to more Victorians in need.

As you would be aware, on 22 February 2017 the government supported a motion to refer the Drugs, Poisons and Controlled Substances Amendment (Pilot Medically Supervised Injecting Centre) Bill 2017 to the Legal and Social Issues Committee of Parliament for review and consideration.

In addition, the Victorian Law Reform, Road and Community Safety Committee has commenced an inquiry into Drug Law Reform, which will examine the effectiveness of laws, procedures and regulations relating to illicit and synthetic drugs and the misuse of prescription medication in minimising drug-related health, social and economic harm. It would be within the scope of this inquiry to examine the issues you have raised.

The government will carefully consider the recommendations of these committees when they report back in September 2017 and March 2018, respectively.

### **Port Phillip Prison**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 23 March 2017

#### **RESPONSE TO SUBSTANTIVE QUESTION:**

As stated in the house, there are investigations live into this incident and it is inappropriate to comment further.

Both Victoria Police and the Office of Correctional Services Review are currently looking into the incident.

### Duck season

**Question asked by:** Mr Young  
**Directed to:** Minister for Agriculture  
**Asked on:** 23 March 2017

#### RESPONSE:

The Sustainable Hunting Action Plan (SHAP) is a \$5.3 million investment to support game hunting's long term sustainable growth in Victoria. The objectives of the SHAP are to promote responsible hunting, grow hunting's benefits, improve hunting opportunities and ensure sustainable hunting.

The SHAP includes a number of actions which will provide better hunting access and promote regional hunting opportunities across Victoria.

The Winton Wetlands is reserved for public purposes under Section 4(1) of the Crown Land (Reserves) Act 1978 for the restoration of wetlands, recreation and tourism.

The Winton Wetlands Committee of Management (WWCM), which was appointed under the Crown Land (Reserves) Act 1978 in 2009, is responsible for setting the permitted activities at Winton Wetlands.

The WWCM made the decision to ban duck hunting at the site under its powers to create by-laws in the Crown Land (Reserves) Act 1978.

Decisions regarding the permitted activities at Winton Wetlands, including hunting, will continue to be made by the WWCM.

### Child protection

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Families and Children  
**Asked on:** 23 March 2017

#### RESPONSE:

In respect of the matter the member has referred to, as this is subject to a current court hearing, it would be inappropriate to comment further at this stage.

I am advised that there has been one occasion in the last two years where the department has detected possible child pornography on a departmental device.

This staff member's role did not include any contact with children, nor was he employed in a child protection role.

The staff member's employment with the department was terminated and a referral was made to Victoria Police. The department is unable to comment further on matters reported to Victoria Police.

Since 2011 the department has conducted an IT screening program for pro-active detection of improper conduct including pornography.

In circumstances where the department identifies pornographic or inappropriate material on departmental devices, the department:

- reports any potential criminal conduct to police;
- where there is a risk to clients and potential misconduct, stands down the employee from the work place effective immediately;

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24 March to 2 May 2017

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- conducts an investigation where there is potential misconduct to determine an appropriate disciplinary outcome, such as termination of employment;
- where relevant makes a report to the Department of Justice and Regulation’s Working with Children’s Check Unit; and
- where relevant makes a referral to the Disability Worker Exclusion Scheme Unit.