

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**WRITTEN RESPONSES TO QUESTIONS  
WITHOUT NOTICE**

**7 September to 20 September 2018**

**(Extract from book 14)**

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## **The Governor**

The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable KEN LAY, AO, APM

## **The ministry**

(from 16 October 2017)

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Special Minister of State . . . . .	The Hon. G. Jennings, MLC
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Minister for Families and Children, Minister for Early Childhood Education and Minister for Youth Affairs . . . . .	The Hon. J. Mikakos, MLC
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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** — Mr Dalidakis, Mr Mulino, Mr O’Sullivan, Mr Purcell, Mr Rich-Phillips, Ms Springle, Ms Symes and Ms Wooldridge.

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

### Legislative Council standing committees

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

**Standing Committee on the Environment and Planning** — Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, #Ms Dunn, Mr Elasmarr, Mr Melhem, Mr Mulino, #Mr Purcell, #Mr Ramsay, #Dr Ratnam, #Ms Symes, Ms Truong and Mr Young.

**Standing Committee on Legal and Social Issues** — #Ms Crozier, #Mr Elasmarr, Ms Fitzherbert, Mr Morris, Ms Patten, Mrs Peulich, #Dr Ratnam, #Mr Rich-Phillips, Ms Shing, Mr Somyurek, Ms Springle and Ms Symes.

# participating members

### Legislative Council select committees

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

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

### Joint committees

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

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

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

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

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

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

**House Committee** — (*Council*): The President (*ex officio*), Mr Eideh, Ms 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*): Dr Carling-Jenkins and Mr Gepp. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

**Public Accounts and Estimates Committee** — (*Council*): Ms Patten, Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O’Brien, Mr Pearson, Mr T. Smith and Ms Ward.

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

### Heads of parliamentary departments

*Assembly* — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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**FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

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**Deputy President:**

Mr N. ELASMAR

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**Deputy Leader of the Government:**

The Hon. J. L. PULFORD

**Leader of the Opposition:**

The Hon. M. WOOLDRIDGE

**Deputy Leader of the Opposition:**

The Hon. G. K. RICH-PHILLIPS

**Leader of The Nationals:**

Mr L. B. O’SULLIVAN

**Leader of the Greens:**

Dr S. RATNAM

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John <sup>1</sup>	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>8</sup>	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel <sup>3</sup>	Western Metropolitan	Ind	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, Mr Luke Bartholomew <sup>9</sup>	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona <sup>10</sup>	Northern Metropolitan	FPRP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin <sup>4</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	VILJ
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ratnam, Dr Samantha Shantini <sup>11</sup>	Northern Metropolitan	Greens
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Gepp, Mr Mark <sup>5</sup>	Northern Victoria	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred <sup>6</sup>	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph <sup>7</sup>	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Truong, Ms Huong <sup>12</sup>	Western Metropolitan	Greens
Melhem, Mr Cesar	Western Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
			Young, Mr Daniel	Northern Victoria	SFFP

<sup>1</sup> Resigned 28 September 2017

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

<sup>3</sup> DLP until 26 June 2017;  
AC until 3 August 2018

<sup>4</sup> Resigned 27 May 2016

<sup>5</sup> Appointed 7 June 2017

<sup>6</sup> Resigned 9 February 2018

<sup>7</sup> Resigned 6 April 2017

<sup>8</sup> Resigned 25 February 2015

<sup>9</sup> Appointed 12 October 2016

<sup>10</sup> ASP until 16 January 2018;  
RV until 14 August 2018

<sup>11</sup> Appointed 18 October 2017

<sup>12</sup> Appointed 21 February 2018

**PARTY ABBREVIATIONS**

AC — Australian Conservatives; ALP — Labor Party; ASP — Australian Sex Party; DLP — Democratic Labour Party;  
FPRP — Fiona Patten’s Reason Party; Greens — Australian Greens; Ind — Independent; LP — Liberal Party;  
Nats — The Nationals; RV — Reason Victoria; SFFP — Shooters, Fishers and Farmers Party; VILJ — Vote 1 Local Jobs



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**WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE**

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

**10 September to 20 September 2018****Epilepsy Foundation**

**Question asked by:** Ms Patten  
**Directed to:** Minister for Families and Children  
**Asked on:** 25 July 2018

**RESPONSE:**

I am advised that:

The Andrews Labor Government is committed to better support for people with a disability. That means getting the NDIS right and delivering a better deal for NDIS participants.

Clarifying the intersection between the health system and the NDIS is a critical step along the way and a priority for Government as it negotiates with the Commonwealth Government for a NDIS Full-scheme Bilateral Agreement.

The Department of Health and Human Services recently hosted a meeting with the Victorian Neurological Alliance (the Alliance) and other organisations to discuss the links between health services and the NDIS and their implications for health and disability services to Victorians.

Alliance members include the Epilepsy Foundation, Alzheimer's Victoria, Epilepsy Foundation, Huntington's Victoria, Multiple Sclerosis (MS) Ltd, Motor Neurone Disease Victoria (MND), Muscular Dystrophy Association (MDA) and Parkinson's Victoria.

The Andrews Government understands their concerns in regard to ongoing support for Victorians deemed ineligible for the NDIS and for some NDIS participants whose needs will be a health system responsibility. For example, the complex and episodic nature of epilepsy means that an individual might need a combined health and disability response.

The Government values the contribution that the Epilepsy Foundation and other affected organisations make to the health and disability needs of Victorians. We will continue to work with them on these issues, including funding arrangements, together with the National Disability Insurance Agency and the Commonwealth Government.

**North Richmond supervised injecting facility**

**Question asked by:** Ms Fitzherbert  
**Directed to:** Minister for Families and Children  
**Asked on:** 5 September 2018

**RESPONSE:**

I am advised that:

An independent panel of experts will review the trial and report in 2020. The panel will be chaired by Professor Margaret Hamilton AO, alongside fellow panel members Associate Professor Alex Cockram and Mr John Ryan.

As noted, the recently announced purpose-built facility for the medically supervised injecting room will offer specialised services, and ensure people have access to the full range of treatment, rehabilitation and support they need to reduce harm from their drug use and ultimately kick their drug dependency. There will be more counselling and treatment rooms, and space for other health and social support services to co-locate at the facility.

The government has increased funding for alcohol and other drug services by 57 per cent over the last four Victorian Budgets, providing a record \$259.9 million in this year's alone.

This includes investment to more than double the number of residential rehabilitation beds, increase access and training to naloxone which can reverse overdoses, and fund Ice Action Grants within local communities.

The numbers and types of clients and privacy concerns is a matter for the independent panel of experts.

### **Production of documents**

**Question asked by:** Ms Fitzherbert  
**Directed to:** Special Minister of State  
**Asked on:** 6 September 2018

#### **RESPONSE:**

I am informed that:

The provisions of the Privacy Act 1988 (Commonwealth) relating to notifiable data breaches do not apply. The provisions apply to personal information collected and managed by Australian Privacy Principle entities (APP entities), credit reporting bodies and credit providers. APP entities are defined as either federal agencies (including Ministers and Departments), or organisations. Registered political parties, State Ministers and State Departments are excluded from the operation of these provisions. The release of any personal information in the response to the order to produce documents would therefore not be a notifiable breach under that Act.

### **West Footscray factory fire**

**Question asked by:** Ms Truong  
**Directed to:** Special Minister of State  
**Asked on:** 6 September 2018

#### **RESPONSE:**

The Environment Protection Authority (EPA) Victoria supported a WorkSafe led blitz on industrial sites in the West Footscray area. Seventy-eight sites have been visited with sixty-eight contraventions identified in relation to the handling and storage of dangerous goods. Many of the notices were for issues such as inadequate placarding or labelling, incompatible storage, poorly maintained dangerous goods manifests or a lack of fire protection reports. Inspectors have also paid close attention to the storage of recyclable materials, such as tyres.

This blitz is in addition to the current Resource Recovery Facilities Audit Taskforce work. The Taskforce was set up in response to the 2017 Coolaroo fire to inspect resource recovery facilities across the state. The Taskforce is undertaking joint inspections to ensure that combustible recyclable and waste materials are stored and managed appropriately.

As of 10 September 2018:

- over 800 resource recovery facilities have been identified that store combustible recyclable and waste material
- 345 resource recovery facilities have evidence of combustible recyclable and waste material stockpiles
- 336 on-site inspections across 124 sites have been carried out to date over the past 12 months
- 78 remedial notices and 13 sanctions have been issued.

The Taskforce includes the EPA, Country Fire Authority, Metropolitan Fire Brigade, Emergency Management Victoria and Worksafe.

EPA has been actively engaging with the local community to ensure they have the latest information available about the West Footscray fire.

As of 12 September, EPA has spoken with over 400 local community members at sites including Yarraville Library, Yarraville Community Hub, playground and Beaton Reserve, Yarraville train station, Anderson Street shopping strip, Yarraville Swim Centre in Hansen Reserve, and West Footscray and Cruickshank Park.

EPA have also spoken with the Community Gardens Group, members of The Friends of Stony Creek, members of Friends of Cruickshank Park, and Altona Surf Lifesaving Club.

EPA officers are visiting local schools, neighbourhood houses, local businesses and will have a regular presence at Stony Creek and Cruickshank Park over the coming weeks.

EPA's fact sheet 'Air quality around the West Footscray industrial fire' outlines the locations and the readings from the temporary air quality monitoring stations set up for the West Footscray industrial fire, as well as the results for benzene and toluene from the volatile organic compound (VOC) air sampling undertaken during the incident. The fact sheet is available on EPA's website, via the following link: [epa.vic.gov.au/~media/Publications/1712.pdf](http://epa.vic.gov.au/~media/Publications/1712.pdf).

There were five sites in the vicinity measuring PM2.5 particles. The monitoring locations include the Footscray, Altona and Brooklyn ambient air monitoring stations which are part of EPA's standard network. On 31 August 2018, EPA also deployed mobile, monitoring (SmokeTrak) mounted on a vehicle which drove around the community to obtain additional information on PM2.5 concentrations in the residential area around the fire. Two mobile sites were deployed on 30 August 2018 at Altona and Altona Gate. A third site was established on 31 August 2018 at West Footscray and the Altona site was removed to reflect changes in the potential impacts of the fire.

Locations of the sites and data results were available on EPA AirWatch, which displayed the information as a map and table: <http://www.epa.vic.gov.au/our-work/monitoring-the-environment/epa-airwatch>. Historic data is available for the permanent ambient air monitoring stations at the historic air quality data table: [epa.vic.gov.au/our-work/monitoring-the-environment/epa-airwatch/historic-air-quality-data-table](http://epa.vic.gov.au/our-work/monitoring-the-environment/epa-airwatch/historic-air-quality-data-table).

Historic data from the temporary sites is published in graph form in EPA's fact sheet 'Air quality around the West Footscray industrial fire'. Data current to 7am on 5 September 2018 for the five sites was released publicly in table form: [epa.vic.gov.au/our-work/monitoring-the-environment/epa-airwatch/historic-air-quality-data-table](http://epa.vic.gov.au/our-work/monitoring-the-environment/epa-airwatch/historic-air-quality-data-table).

### Wyndham crime rate

**Question asked by:** Dr Carling-Jenkins  
**Directed to:** Minister for Corrections  
**Asked on:** 6 September 2018

#### RESPONSE TO SUBSTANTIVE QUESTION:

As reported by the independent Crime Statistics Agency, the offence rate for the Wyndham Local Government Area has dropped from 6125.2 offences per 100 000 population to 5493.9 offences per 100 000. This is a decrease of 10.3 per cent compared to the previous 12-month period to March 2018.

This decrease is welcome, but it in no way diminishes the harm and trauma experienced by victims of crime. We know that more needs to be done. It is the experience of victims that is at the heart of everything the Andrews Labor Government is doing to continue to drive crime down.

It is what has driven the Andrews Labor Government's record \$2 billion investment in Victoria Police, including 3135 extra police officers. The Westgate division, which includes Wyndham, has already received an additional 41 new frontline police as part of this investment. This includes 27 frontline police to the Wyndham Police Service Area. A further 42 police will be on the beat in the Division, including another 12 frontline police for Wyndham and additional specialist family violence and criminal investigation officers, by June 2019.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

Victoria Police remains focused on its response to violent crime, with a strong emphasis on harm prevention and holding offenders to account. Taskforce Wayward and Operation Regnant are examples of two highly successful operations that are helping to drive down high harm crimes.

Taskforce Wayward has a particular focus on street robberies and armed robberies across Wyndham, Brimbank, Maribyrnong and Hobsons Bay, and has achieved 197 arrests since March 2017.

Operation Regnant has also deployed extra local and state police resources — including a police helicopter and dog squad — into overnight patrols across Wyndham, Brimbank and Melton to tackle aggravated burglaries, carjackings and related offences. Operation Regnant has also delivered a further 659 arrests since May 2017.

The new \$1.7 million Embedded Youth Outreach Project is also currently being trialled in Wyndham. The 12-month partnership between Victoria Police and the Youth Support and Advocacy Service involves a police officer patrolling with a youth worker every night across the Wyndham, Hobsons Bay, Maribyrnong, Greater Dandenong, Casey and Cardinia areas to target and prevent youth offending.

**Massage parlours**

**Question asked by:** Ms Patten  
**Directed to:** Minister for Trade and Investment  
**Asked on:** 7 September 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

I note that you've raised a question about the current prevalence of massage parlours in Melbourne, and I address this in my response to your supplementary question.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

Since the passage of the Sex Work and Other Acts Amendment Act 2011, enforcement against the illicit sex work sector has been the sole responsibility of Victoria Police. Consumer Affairs Victoria no longer has a role in investigating and prosecuting offences relating to unlicensed sex work, including unlicensed sex work that may be occurring in massage parlours.

Consumer Affairs Victoria is now primarily responsible for monitoring the compliance of sex work business licensees in the legal sector.

**Land rezoning**

**Question asked by:** Dr Ratnam  
**Directed to:** Minister for Trade and Investment  
**Asked on:** 7 September 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

Firstly, it is important to highlight that the land values and profit are not considerations in the rezoning of land. Zoning decisions are subject to specific processes, directions and guidelines that give effect to the *Planning and Environment Act 1987*. Central to these considerations is if the rezoning will result in a good planning outcome that has a net community benefit.

All planning scheme amendment decisions that rezone land are publicly reported. Amendments are tabled in Parliament and open to disallowance.

Secondly, the Victorian Government has been actively pursuing a development contributions system to capture the value of rezoning uplift and require contributions for infrastructure and services for new communities. The

introduction of the Growth Area Infrastructure Contributions in 2009 was a direct measure to capture the uplift in value of land.

GAIC has accrued \$406 million up to 30th June 2018 — of which all but \$30 million has been spent or committed to public transport and community infrastructure across the growth corridors where it was collected.

The government has also made a series of reforms to the arrangements for developer contributions, introducing a broader mechanism called Infrastructure Contributions Plans to enable similar arrangements to be struck for developments in established areas of Melbourne and regional cities.

Thirdly Victoria has led Australia in the development of value capture policies in relation to the uplift in value when infrastructure investments boost local land values. This is now a feature of infrastructure planning and is a key consideration in the negotiations around the development of the record level infrastructure investment now being rolled out across Victoria.

The capture of value is not limited to financial matters. The delivery of public benefits such as affordable housing, ground level amenity and open space are all features that have increased in significance in recent years as the government has sought to achieve tangible benefits for the broader community as new developments are implemented.

For example, the government's 'Homes for Victorians: Affordable, access and choice (March 2017) and Plan Melbourne 2017-2050 (March 2017) recognise the critical need to increase the supply of affordable housing. Resultant initiatives include the *Planning and Environment Act 1987* now having an objective "to facilitate the provision of affordable housing in Victoria" and affirming the use of section 173 agreements for affordable housing.

#### **RESPONSE TO SUPPLEMENTARY QUESTION:**

I refer the Member to my response to the substantive question.

#### **Production of documents**

**Question asked by:** Ms Fitzherbert  
**Directed to:** Special Minister of State  
**Asked on:** 7 September 2018

#### **RESPONSE:**

I am informed that:

The Government will produce responses to the document motions to the extent possible before the rising of the 58th Parliament. The process of conducting document searches, identifying relevant documents, seeking advice on applicable claims of executive privilege, and collating documents for production has been ongoing. The document motions referred to are broad in scope and have required a significant diversion of resources by relevant departments from their ordinary operations to respond to.

#### **Public sector employee information**

**Question asked by:** Mr Rich-Phillips  
**Directed to:** Special Minister of State  
**Asked on:** 7 September 2018

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

The Victorian Public Sector Commission (VPSC) commenced its investigation into the alleged unauthorised release of information following a request by the Secretary Department of Premier and Cabinet and Secretary Department of Education and Training on 26 July 2018.

I am advised that the investigation by the VPSC is being managed as a matter of priority, which has included the engagement of specialist forensic services.

The VPSC advises that the investigation will be completed as expeditiously as possible, noting that the precise timing will depend on the extent and complexity of the work required.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

The Information Commissioner is operationally independent from the government and it is a matter for the Information Commissioner to determine whether to investigate any matters relating this release of information.

**Production of documents**

**Question asked by:** Ms Wooldridge  
**Directed to:** Special Minister of State  
**Asked on:** 18 September 2018

**RESPONSE:**

As stated in my response last week, there have been no particulars provided which suggest there was a breach of the code. As I stated, the overwhelming public interest in the release of these documents is the basis upon which the order was responded to.

**Transdev bus contract**

**Question asked by:** Mr Davis  
**Directed to:** Minister for Regional Development  
**Asked on:** 18 September 2018

**RESPONSE:**

Commercial and contractual matters relating to public transport contracts, including Transdev bus services are a matter between Public Transport Victoria and the relevant operator. However, there is no denying the sub-standard contract developed by the Baillieu Liberal Government in 2013 — a Government of which you were a senior member, has resulted in challenges for the operator, and more importantly, for bus passengers.

Unlike the Metropolitan Bus Contracts that commenced in August this year, the Transdev contract cut maintenance and renewal spending on bus fleet, leading to less reliable services, higher incidence of breakdowns and, at contract-end, will hand back a bus fleet to the people of Victoria that is old, unreliable and does not meet community expectations. The poor maintenance and bus replacement requirements of your Liberal Government's contract have let down the millions of passengers who rely on the services Transdev run throughout Melbourne.

The Andrews Labor Government has worked with Transdev over the past 12 months to ensure the fleet is properly maintained, meets all safety and regulatory requirements and provides a good and reliable service to the travelling public.

**Prison capacity**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 18 September 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

Management of police gaols and capture of relevant statistics is the responsibility of Victoria Police. Officers of the Department have been liaising with Victoria Police in relation to this query, and Victoria Police has advised that, since the Order in Council came into force, the maximum number of prisoners that can be held at these specified police gaols has not been exceeded.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

Extracting the requested data for the nine identified sites requires a customised search of Victoria Police-held data. Initial Victoria Police advice is that the detailed response required isn't available within the required timeframes.

**Police resources**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 18 September 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

The Government makes no apologies for delivering major reforms to our bail laws to put the safety of the community first.

Our record investment in Victoria Police, including 3135 extra police officers, and tougher bail and sentencing laws means more people are in prison and bail is now harder to get for those accused of serious crimes. This means there are more people in custody — in police cells, prisons and youth justice centres — than ever before.

Victoria Police, the Courts and the Department of Justice and Regulation work together to manage the demands on Victoria's custodial settings resulting from the Government's strengthening of the criminal justice system.

To maintain the safety of all persons within the police station and cells, Victoria Police follows relevant legislation and operational policies regarding the holding and management of detainees. It is standard practice, as it was under previous governments, for prisoners to be transported between police stations to manage capacity and facilitate the movement of prisoners to court and prison.

Victoria Police work with Corrections Victoria to manage the daily movement of prisoners across the criminal justice system, with the support of external contractors G4S to physically transport the prisoners.

On a daily basis, Victoria Police requests G4S to transport prisoners across the criminal justice system, including between police stations to manage police cell capacity.

This approach enables more police time to be spent completing operational duties to protect the community rather than transporting prisoners across Victoria.

In 2015-16, the Government also invested \$148.6 million to roll out 400 Police Custody Officers (PCOs). PCOs and PCO Supervisors undertake management and custodial duties within police cells, allowing police to be deployed back to frontline duties. PCOs can also transport detainees between the police station and the court.

Under the previous Liberal National government these tasks would have been performed by Victoria Police officers, diverting valuable police resources away from keeping our communities safe.

As a result of the Andrews Labor Government's record investment in 3135 additional frontline police officers, and 400 PCOs which have freed up around 113 000 extra police shifts since January 2016, there are now more police on the beat than ever before.

**Parkville youth justice centre**

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Families and Children  
**Asked on:** 18 September 2018

**RESPONSE TO SUPPLEMENTARY QUESTION:**

I am advised that:

It is not possible to obtain accurate information regarding the members request within the necessary timeframe. WorkSafe data is published in the Department of Justice and Regulation's annual report each year in the usual manner.

Further, the number of staff who would be in receipt of WorkSafe weekly payments at any given time will vary from day to day, depending on lodgement of WorkSafe capacity certificates. Not all WorkSafe claims involve time lost from work.

What I can advise is that the average number of standard WorkSafe claims per year from Youth Justice staff employed at Parkville Youth Justice Precinct during 2015/16-2017/18 was 30, during when we funded and filled new Youth Justice custodial staff positions. This compares to an average of 32 WorkSafe claims per year, recorded under the previous Liberal government during 2012/13-2014/15 when jobs were slashed and job vacancies remained unfilled.

In addition, historical WorkSafe data shows a decline in the amount of claim payments to Youth Justice staff from \$8.3 million during 2011-2014 to \$3.9 million during 2015-2018. This represents a 53 per cent decrease.

As I have indicated to the member previously, we have made an unprecedented \$1.2 billion investment across the Youth Justice system to build fit-for-purpose and secure infrastructure, boost staff numbers and provide staff with better training and supports to ensure young offenders are safely and securely managed. Since 2014, the Andrews Labor Government has funded more than 280 new youth justice jobs. The previous Liberal Government shelved a masterplan to redevelop Parkville, slashed Youth Justice jobs and covered up incident data.

**FURTHER RESPONSE TO SUPPLEMENTARY QUESTION:**

I am advised that:

It is not possible to obtain accurate information regarding the members request within the revised timeframe. WorkSafe data is published in the Department of Justice and Regulation's annual report each year tabled today.

As I advised previously, the number of staff who would be in receipt of WorkSafe weekly payments at any given time will vary from day to day, depending on lodgement of WorkSafe capacity certificates. Not all WorkSafe claims involve time lost from work.

What I can advise is that the average number of standard WorkSafe claims per year from Youth Justice staff employed at Parkville Youth Justice Precinct during 2015/16-2017/18 was 30, during when we funded and filled new Youth Justice custodial staff positions. This compares to an average of 32 WorkSafe claims per year, recorded under the previous Liberal government during 2012/13-2014/15 when jobs were slashed and job vacancies remained unfilled.

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***Ice Action Plan grants***

**Question asked by:** Mr Ramsay  
**Directed to:** Minister for Families and Children  
**Asked on:** 18 September 2018

**RESPONSE:**

I am informed that:

As part of Stage 2 of the Andrews Labor Government's \$180 million Ice Action Plan, funding was allocated to continue Aboriginal Metropolitan Ice Partnerships until June 2020 across four metropolitan areas, helping improve access to services for Aboriginal people affected by ice and other drugs.

Working in partnership. Aboriginal community controlled organisations and mainstream alcohol and other drug services provide assertive outreach and treatment, as well as helping to streamline access to more intensive services where required.

Funding contributed to relevant Aboriginal communities as part of the Ice Action Plan extended the initial pilot funding provided for the Aboriginal Metropolitan Ice Partnerships in 2014-15.

As part of Stage 1 of the Ice Action Plan, \$500 000 was also allocated over four years to support grassroots Community Ice Action Groups to run local community awareness initiatives across Victoria and help to tackle the drug ice. The grants, several of which were provided to Aboriginal community organisations, help to deliver local initiatives such as workshops, forums, local campaigns, training and engagement with communities.

The Department of Health and Human Services is not aware of any funding for either of these initiatives being used to purchase tickets to Funfields Park in Whittlesea.

**West Footscray factory fire**

**Question asked by:** Ms Truong  
**Directed to:** Minister for Families and Children  
**Asked on:** 18 September 2018

**RESPONSE:**

I am advised that:

The West Footscray fire was a major event and I acknowledge that residents are very concerned about their health as well as the environmental impacts.

The Department of Health and Human Services' real time health emergency monitoring system of hospital Emergency Departments and Ambulance Victoria surveillance systems have not recorded increases in presentations or call-outs above usual levels as a result of the fire.

I understand some residents living close to the fire experienced short-term health effects such as headaches and blood noses, which are symptoms that I am advised may be associated with the fire. During the fire, community emergency advice was given for residents concerned about their health to seek medical advice from their doctor or NURSE-ON-CALL.

Residents continue to be encouraged by the EPA to see their GP if they have concerns about their health and GPs are encouraged to report any concerns.

The EPA continues to engage with the community about their health concerns through distribution of community fact sheets, receiving phone calls, and placing EPA officers on-site and at community meetings. The Department of Health and Human Services and the Chief Health Officer have assisted in developing and distributing community health information.

The department has also worked with the EPA to develop health information for local GPs which was distributed on 13 September 2018 to GPs in a 20km radius of the fire. EPA will continue to liaise with GPs and will continue to update the department on any reported health impacts.

In relation to air quality monitoring associated with this fire, the EPA has advised that the 24-hour average levels for fine particles during the fire did not reach unhealthy levels.

In relation to chemicals monitored in Stony Creek, EPA has advised that sampling for volatile organic compounds in air at six houses in close proximity to Stony Creek were below health guideline values. There were elevated chemicals in water in Stony Creek which has led to advice to avoid direct contact with the water and to avoid consumption of fish from the creek.

To date, the EPA advises that based on environment air monitoring — including low levels of monitored chemicals and particles — that there is no indication that monitoring for long-term health effects is necessary.

The department continues to support the EPA in responding to any new information.

### Drought assistance

**Question asked by:** Mr Bourman  
**Directed to:** Minister for Agriculture  
**Asked on:** 19 September 2018

#### RESPONSE:

The Victorian Government is committed to supporting all Victorian farmers and acknowledges the difficulties many are facing, particularly in Central and East Gippsland.

The Victorian Government's '*Drought Preparedness and Response Framework*' guides informed and measured decision-making about how best to support Victorian farmers, businesses and communities to manage and recover from drought. Consistent with the Framework the drought support does not include subsidies, which push up prices for all farmers.

The Victorian Government provides ongoing support to assist farmers prepare for and manage through difficult conditions such as drought. This includes technical support services and the Rural Financial Counselling Service.

On 12 September 2018, while visiting Gippsland, I announced additional \$5-million drought support primarily targeting farmers and communities in Central and East Gippsland. It also provides support for preparedness activities in Northern and North West Victoria.

The increased support includes:

- \$1.4 million for Drought Infrastructure Grants in Central and East Gippsland
- \$1.2 million for a Drought Employment Program in Central and East Gippsland through the Catchment Management Authorities
- \$1 million for technical and decision-making support for farmers in Central and East Gippsland, Northern and North West Victoria
- \$0.4 million for the Look Over the Farm Gate program in Central and East Gippsland and Northern Victoria
- \$0.5 million for a drought coordinator in Gippsland and Drought Preparedness Coordinators in Northern and North West Victoria
- \$0.5 million for a Community Resilience Program in Central and East Gippsland.

### Kindergarten funding

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Early Childhood Education  
**Asked on:** 19 September 2018

#### RESPONSE:

I am advised that there is no outstanding data request from the Commonwealth to Victoria.

Victoria, like a number of other jurisdictions in Australia, does not have a means of collecting accurate data on preschool attendance because it does not directly deliver a material proportion of preschool services. This was also the case under the previous Victorian Liberal Government.

By contrast, the Commonwealth collects attendance data for children in long day care, where many preschool programs are delivered, which it currently does not share with Victoria. Perhaps the Member might ask her Canberra mates to share this data with Victoria.

I am committed to working with the Commonwealth to address their issues, however the Federal Liberal Government have sought to use this as a smoke screen to justify cutting funding for the National Partnership Agreement on Universal Access.

The Federal Budget Papers this year reveal the Liberals plan to “save” the \$120 million that is provided to Victoria to support five hours of kindergarten per week for every four year old child. We all know the Liberal word for “save” is to cut.

There have now been six short-term National Partnerships on Universal Access to Early Childhood Education in the past decade. Despite fierce backlash from the sector, families and children, of yet another short-term agreement from the Federal Liberals, Ms Crozier congratulated her Liberal colleagues and called this “great news for Victorian preschool kids” showing just how out of touch with Victorian families she really is.

Even the NSW Liberal Government is supporting Victoria’s position and calling on the Federal Liberal Government to put an end to the uncertainty and commit to ongoing permanent funding for kindergarten.

It is appalling that Victoria’s National Partnership Agreement for 2019 has not even yet been provided to our government by the Federal Morrison Government. This means that Victoria’s kinders face uncertainty for 2019.

Ms Crozier may try to defend her Liberal colleagues in Canberra but her position is simply indefensible. This Federal Liberal Government has shown nothing but contempt to Victorian families, children and the early childhood sector more broadly. Victoria has lost \$1.2 million as a result of cuts to the National Occasional Care Programme, \$5.2 million as a result of cuts to the National Quality Agenda and will now lose \$120 million as a result of cuts to Universal Access funding for kindergarten.

We have a new Prime Minister, new Federal Education Minister but the cuts to kindergarten funding remain. Early childhood education and care is no longer a priority for the Federal Liberal Government, if it ever was and most certainly isn’t for the Victorian Liberals.

### Youth justice centres

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Families and Children  
**Asked on:** 19 September 2018

#### RESPONSE TO SUBSTANTIVE QUESTION:

The safety of our staff, young people and the community is of the utmost importance. Violent behaviour and assaults by young people in custody is absolutely unacceptable and we take a zero-tolerance approach to any incidents.

Our staff are undertaking extremely complex and challenging work, and it is critical that they are supported to do this safely.

All incidents and allegations of violent behaviour are reported immediately through the department's incident reporting system and referred to Victoria Police for investigation.

The Government has introduced the toughest ever consequences for assaulting staff, damaging property, escaping or attempting to escape whilst incarcerated — legislation the Liberal Party tried to scuttle.

Under new laws now in effect there will be tougher consequences for young people who assault youth justice staff while in custody. In addition, the Youth Parole Board is told about any critical incidents involving youths in detention, which may be taken into account when considering their eligibility for parole.

As I have repeatedly advised, it would be inappropriate for me to comment on any matter under internal review or police investigation. During an investigation, all circumstances, including any relevant actions taken before, during and after an event, are considered. It is therefore crucial that any review or investigation is not prejudiced by public comment.

Further, to maintain the safety and security of Youth Justice facilities, and to keep staff, young people and the general community safe, it is essential that confidential information relating to the security arrangements in Youth Justice is strictly controlled. Accordingly, I will not provide detailed information on the process and considerations for the placement of young people within youth justice centres.

What I can say is that we are constantly reviewing our systems and processes to ensure they respond to the changing demands and complexity within the system and provide appropriate levels of safety and security. These systems include the Government's implementation of the new Custodial Classification and Placement Unit to review the security risk of all young people in custody to ensure they are placed at the appropriate security level. This system is available in the adult prison system but was missing from Youth Justice.

The Government has also invested in an improved intelligence gathering function across both Youth Justice precincts to allow for greater information collection to inform security and placement decisions and assist to prevent incidents in custody.

These changes were implemented following the release of the landmark Armytage Ogloff Youth Justice Review, the first independent and comprehensive review of Victoria's youth justice system in 17 years. This included initial funding of \$50 million to respond to the review's priority recommendations, which go to supporting the delivery of a new custodial operating model to better manage young people in custody, and a new integrated case management framework, incorporating a risk and needs assessment model to reduce the risk of re-offending.

The Government has recruited more staff, including an additional 21 Safety and Emergency Response Team staff (SERT), and is providing them with a more comprehensive induction program and Tactical Options training to help them respond to violent and antisocial incidents inside Youth Justice centres. Training is also being progressively rolled out to the Youth Justice workforce on the new validated risk and needs assessment tools.

Corrections Victoria Security and Emergency Services Group (SESG) staff have also been put in place and authorised to deploy OC spray and to take other measures, in the event of a serious incident.

As part of the Government's unprecedented \$1.2 billion overhaul of the Youth Justice system, we have funded more than 280 new jobs across the system to better manage young people. The last time the Liberal's were in government, they cut 600 positions from the Department of Health and Human Services including 20 Youth Justice staff.

**Prisoner court attendance**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 19 September 2018

**RESPONSE:**

For the period 1 July 2018 to 14 September 2018, Corrections Victoria has paid \$62 639.20 to the courts for non-delivery of prisoners in contravention of a court order. This relates to 72 instances.

In less than four months in 2013 the previous Liberal Government paid over \$140 000 for failing to get prisoners to court and were on track to costing tax payers nearly half a million dollars over a 12 month period.

This waste was a hallmark of Mr O'Donohue's time as Corrections Minister, despite managing nearly 2000 fewer prisoners in the system.