



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Tuesday 28 May 2024

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Jordan Crugnale, Daniela De Martino, Paul Edbrooke, Wayne Farnham, Paul Hamer, Lauren Kathage, Nathan Lambert, Alison Marchant, Paul Mercurio, John Mullahy, Meng Heang Tak, Jackson Taylor and Iwan Walters

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition

David Southwick

Leader of the Nationals

Peter Walsh

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury

Members of the Legislative Assembly
60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel ¹	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren ²	South Barwon	Ind	O'Keefe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan ⁵	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden ³	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will ⁴	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam	Prahran	Greens	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole ⁶	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Wight, Dylan	Tarneit	ALP
Kathage, Lauren	Yan Yean	ALP	Williams, Gabrielle	Dandenong	ALP
Kealy, Emma	Lowan	Nat	Wilson, Belinda	Narre Warren North	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Jess	Kew	Lib

¹ Resigned 27 September 2023

² ALP until 29 April 2024

³ Sworn in 6 February 2024

⁴ ALP until 5 August 2023

⁵ Resigned 7 July 2023

⁶ Sworn in 3 October 2023

Party abbreviations

ALP – Australian Labor Party, Greens – Australian Greens,
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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Tuesday 28 May 2024

The SPEAKER (Maree Edwards) took the chair at 12:04 pm, read the prayer and made an acknowledgement of country.

Bills

Parliamentary Workplace Standards and Integrity Bill 2024

Introduction and first reading

Jacinta ALLAN (Bendigo East – Premier) (12:05): I move:

That I introduce a bill for an act to establish a Parliamentary Workplace Standards and Integrity Commission, Parliamentary Integrity Adviser and Parliamentary Ethics Committee, to make consequential and related amendments to acts and for other purposes.

Motion agreed to.

Michael O'BRIEN (Malvern) (12:05): I ask the Premier to provide a brief explanation of the bill.

Jacinta ALLAN (Bendigo East – Premier) (12:05): The Parliamentary Workplace Standards and Integrity Bill 2024 will establish the Parliamentary Workplace Standards and Integrity Commission. The government's intent was outlined late last year, and draft materials have been provided to members of Parliament for their consideration as we have developed the bill for presentation to Parliament this week. The role of the commission will be to receive, manage and investigate allegations of misconduct by members of Parliament, ministers and parliamentary secretaries.

Read first time.

Ordered to be read second time tomorrow.

Aboriginal Land Legislation Amendment Bill 2024

Introduction and first reading

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (12:06): I move:

That I introduce a bill for an act to amend the Aboriginal Lands Act 1970 and the Aboriginal Lands Act 1991 and for other purposes.

Motion agreed to.

Peter WALSH (Murray Plains) (12:07): Could I ask the minister for a brief explanation, please.

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (12:07): The Aboriginal Land Legislation Amendment Bill 2024 will deliver long-overdue amendments to two important pieces of land rights legislation in Victoria – the Aboriginal Lands Act 1970 and the Aboriginal Lands Act 1991.

The amendments to the 1970 act implement the first of 22 legislative recommendations from an independent review of the act that was completed in 2021, and these changes will improve the governance arrangements at the Lake Tyers and Framlingham Aboriginal trusts. The second set of amendments, to the 1991 act, will implement all recommendations from the act's review after extensive consultation with titleholders and traditional owners over three Aboriginal burial sites at the former Coranderrk, Ebenezer and Ramahyuck missions.

Read first time.

Ordered to be read second time tomorrow.

Melbourne Convention and Exhibition Trust Amendment Bill 2024*Introduction and first reading*

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:08): I move:

That I introduce a bill for an act to amend the Melbourne Convention and Exhibition Trust Act 1996 to change the name of that act, to change the name of the Melbourne Convention and Exhibition Trust and to modernise governance and operational provisions and for other purposes.

Motion agreed to.

Sam GROTH (Nepean) (12:08): I ask the minister for a brief explanation of the bill.

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:08): The bill proposes to change the name of the act and the trust to reflect the trust's broader statewide focus as operator of the Geelong Convention and Event Centre and the new function of the trust to provide for the support of Victoria's tourism and events industries in relation to any matter determined by the minister and modernise trust membership and governance arrangements.

Read first time.**Ordered to be read second time tomorrow.****State Sporting Legislation Amendment Bill 2024***Introduction and first reading*

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:09): I move:

That I introduce a bill for an act to amend the ANZAC Day Act 1958 to change the description of an area in which sports are held on Anzac Day, to amend the Kardinia Park Stadium Act 2016, the Melbourne and Olympic Parks Act 1985, the Melbourne Cricket Ground Act 2009 and the State Sport Centres Act 1994 in relation to trust membership, leasing powers and other miscellaneous amendments, to amend the Professional Boxing and Combat Sports Act 1985 in relation to acting appointments and for other purposes.

Motion agreed to.

Sam GROTH (Nepean) (12:10): Could I please request a brief explanation of the bill.

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:10): Provisions in the Melbourne and Olympic Parks Act 1985, Melbourne Cricket Ground Act 2009, Kardinia Park Stadium Act 2016, Professional Boxing and Combat Sports Act 1985 and State Sport Centres Act 1994 currently create unnecessary administrative burden and take different appointment approaches across the sports entities. The bill resolves cumbersome governance requirements, reduces administrative burden and improves consistency across the sports entities. The bill updates obsolete references to the ANZAC Day Act 1958, including the location of the General Post Office and expressing distance in kilometres rather than in miles, and removes gendered language.

Read first time.**Ordered to be read second time tomorrow.**

*Business of the house***Notices of motion and orders of the day**

The SPEAKER (12:11): General business, notices of motion 7 and 19 and orders of the day 5 and 6, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 5 pm today.

*Committees***Scrutiny of Acts and Regulations Committee***Alert Digest No. 7*

Gary MAAS (Narre Warren South) (12:11): I have the honour to present to the house a report from the Scrutiny of Acts and Regulations Committee, being *Alert Digest* No. 7 of 2024, on the following bills:

Hemp Industry Bill 2024

State Taxation Amendment Bill 2024

Victorian Institute of Forensic Medicine Bill 2024

together with appendices.

Ordered to be published.

*Documents***Documents****Incorporated list as follows:**

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Education and Care Services National Law Act 2010:

Education and Care Services National Amendment Regulation 2024 under s 303

Education and Care Services National Further Amendment Regulation 2024 under s 303

Land Acquisition and Compensation Act 1986 – Certificate under s 7

Parliamentary Committees Act 2003 – Government response to the Integrity and Oversight Committee's report on Performance of the Victorian integrity agencies 2021–22

Planning and Environment Act 1987 – Notices of approval of amendments to the following Planning Schemes:

Baw Baw C150

Golden Plains GC239

Latrobe GC239

Mildura C124

Monash C166

Mount Alexander GC239

Stonnington C314

Warrnambool C214

Whitehorse C250

Yarra C326, C327

Statutory Rules under the following Acts:

Child Employment Act 2003 – SR 33

Drug, Poison and Controlled Substances Act 1981 – SR 34

Survey Co-ordination Act 1958 – SR 31

Water Act 1989 – SR 32

Workplace Injury Rehabilitation and Compensation Act 2013 – SR 35

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 31, 34, 35

Victorian Law Reform Commission – Report on Recklessness – Ordered to be published

Wildlife Act 1975:

Wildlife (Closure of Lake Lonsdale) Notice (*Gazette S239, 16 May 2024*)

Wildlife (Prohibition of Game Hunting) Notice No 3 (*Gazette S241, 16 May 2024*).

Bills

Commercial and Industrial Property Tax Reform Bill 2024

Estate Agents, Residential Tenancies and Other Acts Amendment (Funding) Bill 2024

National Energy Retail Law (Victoria) Bill 2024

Royal assent

The SPEAKER (12:13): I inform the house that the Lieutenant-Governor has given royal assent to the Commercial and Industrial Property Tax Reform Bill 2024, the Estate Agents, Residential Tenancies and Other Acts Amendment (Funding) Bill 2024 and the National Energy Retail Law (Victoria) Bill 2024.

Victorian Institute of Forensic Medicine Bill 2024

Appropriation

The SPEAKER (12:13): I have received a message from the Governor recommending an appropriation for the purposes of the Victorian Institute of Forensic Medicine Bill 2024.

Joint sitting of Parliament

Senate vacancy

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:13): I move, by leave:

That this house meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Linda White and proposes that the place and time of such meeting be the Legislative Assembly chamber on 29 May 2024 at 6:30 pm.

Motion agreed to.

Ordered that message be sent to Council informing them accordingly.

Motions

Middle East conflict

Gabrielle DE VIETRI (Richmond) (12:14): I move, by leave:

That this house notes:

- (1) that the International Criminal Court announced its intention to seek the arrest warrants for Israeli Prime Minister Benjamin Netanyahu and defence minister Yoav Gallant for war crimes and crimes against humanity;
- (2) that Israel –

Leave refused.

*Business of the house***Standing and sessional orders**

Sam HIBBINS (Pahran) (12:14): I move, by leave:

That so much of standing and sessional orders be suspended to allow general business, notice of motion 15, relating to the reintroduction of non-government business time to be moved immediately.

Leave refused.

Program

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:15): I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5 pm on 30 May 2024:

Local Government Amendment (Governance and Integrity) Bill 2024

Sustainable Forests (Timber) Repeal Bill 2024

Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024.

It is great to be back in the house after a pause when of course we had the opportunity for the parliamentary Public Accounts and Estimates Committee to hold their hearings, and I want to thank all members of that committee for the way in which they conducted themselves. I know that they are a bit weary; fair enough, it is a big job. But thank you. Now we are back with another busy Allan Labor government business program, getting on and delivering for the people of Victoria.

Paul Edbrooke interjected.

Mary-Anne THOMAS: As the member for Frankston says, not wasting a day. It has been our mantra since we were first elected almost 10 years ago now, and indeed it was the consequence of living that mantra every day that we were re-elected back in 2022, again with another full legislative program. We are a reforming government. We get on and deliver for the people of Victoria, and that is indeed what we are looking to continue this week in the house.

The Local Government Amendment (Governance and Integrity) Bill 2024 goes to the importance of good governance, particularly for our local councils, making sure that they are supported to make sound decisions and deliver the services that their communities need. Councils deliver, obviously, many, many services, and we need to make sure that they are doing it in a fair and efficient way. One of the things of which we are very proud is that we did introduce rate capping. It is just one of the very many initiatives of our government to put downward pressure on cost of living and make sure that people could plan their household budgets better, and rate capping has delivered on that. But indeed we do need to make sure that again we have the appropriate safeguards around the way in which local government get to deliver their work and that they maintain the respect and confidence of the communities that they serve.

When we were elected back in 2014 we made a commitment to amend the Local Government Act 1989. The Local Government Act 2020 was successful, and councils have embraced new ways of engaging their communities to inform their decision-making and planning. However, we have noticed that since 2020 there has been an increase in the number of councils that have required interventions from the government, including municipal monitors, dismissal and suspension, so we need to act and always keep an eye out to make sure that the councils are being governed appropriately. So we look forward to that bill being debated.

The Sustainable Forests (Timber) Repeal Bill 2024 – back in 2019 our government moved to secure a long-term and sustainable future for Victoria's forestry industry. We put forward a plan to support the sector as it transitioned. But since then native forestry has faced a number of natural disasters, which means that we are no longer able to do that. These of course included increasingly severe

bushfires and prolonged legal action and court decisions. As a consequence of that we have moved to end native timber harvesting in state forests. That will be debated in this place.

The Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024 – we absolutely remain committed to supporting Victorians who are experiencing or are at risk of experiencing gambling harm, with a record investment in prevention and response. However, it is now time to repeal the work of the VRGF, the Victorian Responsible Gambling Foundation; it has met its objectives, and this bill will be debated in this place.

It is another example of our government's busy legislative program – getting on and delivering for the people of Victoria. I look forward to the opposition supporting our government business program. I commend it to the house.

James NEWBURY (Brighton) (12:20): The coalition will be opposing the government business program – the Leader of the House will have to wait for another week. The Leader of the House has gone through a number of bills that the government is proposing to consider this week. What is noticeable I think for the coalition of the non-government members in this place is the government is proposing to deal with three bills, which is not necessarily common in this place. We know their legislative agenda is light on, but what is missing is confirmation from the Leader of the House that the government will be providing time to debate the budget.

Does anyone remember the budget – the Victorian budget? Because the government do not remember it. The government do not want Victorians to remember it. We would have expected the Leader of the House to spring up and say how the Parliament will be provided time, will be provided certainty, to talk about their budget. I mean, I tell you, that budget sank like a stone, didn't it? And what is missing in this government business program and from the Leader of the House has been certainty that members in this place will have an opportunity to talk about the \$188 billion of debt. We know that is why the government does not want to talk about it. We know that is why the government will not provide us an opportunity to talk about funding cuts, promised funding for our schools – two in my electorate who have had that funding snatched away. Fake promises they were.

The Leader of the House did speak about three bills that are being considered this week if this government business program passes, and two of them, as the Leader of the House spoke to, are about the government cutting – cutting the native timber industry entirely. And as the Leader of the House said, the decisions around that on the government's part were based around natural disaster and the courts' fault. It was the courts' fault – so the government had to come in here and shut down an industry. Well, I am absolutely sure that the industry and the communities, the families involved in that industry, know exactly who has destroyed their livelihoods. Every one of those people know who has destroyed their livelihood. And the coalition will certainly be looking forward to having an opportunity to speak on behalf of those communities – those good, hardworking people, who were promised some degree of certainty and timeline in terms of the decision the government made. How quickly they rolled over on those promises to look after people. So the coalition will absolutely be looking forward to an opportunity to talk about those issues.

The Leader of the House also spoke about the Victorian Responsible Gambling Foundation, an initiative the member for Malvern certainly had a large part to play in in the former coalition government. And the Leader of the House spoke about the fact that the organisation needs to be scrapped because 'It has met its objectives'. So I presume that everybody in Victoria gambles responsibly. I presume that the government is suggesting that everybody now in Victoria is gambling responsibly. We know of course that is not true. So the coalition will certainly be speaking to the fact that this Labor government has decided to scrap the responsible gambling foundation, and we will speak strongly on those issues.

The coalition went to the government to propose an opportunity for our shadow minister to take that bill into consideration in detail, and I know that the member would have done a sterling job holding

the government to account. The 10-year Public Accounts and Estimates Committee member would have done a sterling job at holding the government to account. So is it any wonder the government said no? No minister could have held up to the scrutiny of that shadow minister. The experience and wit he would have brought into that consideration I am sure scared the government away, and so we were not provided with that opportunity. So of course we will, because of that, be opposing the government business program, and I do hope that at some stage the government stops hiding their budget and provides every member in this place with an opportunity to talk about the damage that it is doing to our great state.

Pauline RICHARDS (Cranbourne) (12:25): I am very pleased to have the opportunity to contribute on the government business program. To say we have a full agenda is an understatement – we have already seen this morning four bills introduced. I just want to initially respond to some of the claims made by the member for Brighton. Of course it is with great excitement that many people will have the opportunity to contribute on the budget as part of the take-note motion, and it has been communicated very clearly that there will be that opportunity. I am very much looking forward to hearing about the amazing legacy that we all as members of Parliament will have as we continue to make those important contributions in this place.

We have extraordinary bills to contribute on, and I am very much looking forward to fulsome, deep and meaningful contributions with great integrity, because I know that that is the expectation that the communities we serve have of us. The debate on the Local Government Amendment (Governance and Integrity) Bill 2024 will be an important conversation as well for us to have – making sure that this important part of democracy is undertaken in a way that reflects the needs and the aspirations of the communities we serve is going to be something that will be fully unpacked, and I am looking forward to that very much.

The Sustainable Forests (Timber) Repeal Bill 2024 is something that has been of great interest and has been discussed and I know many on several sides and of different political stripes have had important discussions with the community about, making sure that the steps we take are taken in a way that is analytical and reflective of the state that we live in and the different resources that we need to manage. These are very important debates.

Finally, the Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024 – I am looking forward to making a contribution on that debate. As part of that I will also be ensuring that I recognise many of the people who have had strong views over many, many years about how we can make reforms in this area that do ensure that in the future people who are undertaking gambling do undertake it responsibly. It will be an opportunity for me to reflect back, when the time comes, on people I have worked with over many years. It is worth identifying people like Tim Costello and, in my context, Mark Zirnsak, who has worked very hard as part of the Uniting Church Justice and International Mission and – I can hear her behind me – who the member for Narre Warren South has worked closely with. They are people who take every opportunity to talk about what is best for our community. It is about those reflections of what it is that our community brings here as we represent them not just in our role as members of Parliament representing our communities but also very much with the ministers bringing forward legislation that has had deep and considered policy work undertaken as part of that.

We have a full speaking list. We have people who want to contribute on these debates. We have so many that it is going to be important for us to make sure that we do reflect on how our communities are going to benefit from these changes that will be made. Some of them are changes that will be made as part of the legislative agenda here. Some of them are changes that are made as part of the representations we make as members of Parliament. But we do have a fulsome opportunity this week through these three days to be able to reflect on how our communities will benefit from this legislation.

I am going to be open-hearted and open-minded and reflect that something that all members bring here is a sense of integrity – wanting to represent their communities but represent what is actually

happening with honesty. I know sometimes I open my local paper and I see the member for Berwick over there has made representations about things that are going on that do not reflect the view that I have. Of course in here as part of this government business program we are able to put forward vigorous debate but also make sure that the legislation we are debating does have the benefit of insight, making sure that there is a fulsome opportunity to reflect our communities. I look forward to the week ahead.

Martin CAMERON (Morwell) (12:30): I rise today to talk on the government business program. The coalition will be opposing the government business program today, even though there are three items on the government business program that we need to work through and represent our communities on. I look forward to the opportunity to be able to stand up across the next three days and do so and hopefully relay the thoughts from my community about these three bills that we are going to speak about.

The first one we will be talking about is the Sustainable Forests (Timber) Repeal Bill 2024, which is paramount down in my community through Gippsland and around regional Victoria. There are things within the bills that we need to be able to discuss and bring to the table and bring into the chamber so that members from all sides of politics that sit in this chamber can actually hear what we are hearing on the ground inside the timber communities about how they are feeling left out and need help moving forward. They are actually struggling with the funding that they are going to get – their payouts from being in the timber community – and that is actually causing great concern. We want to be able to come in and relay that into the chamber with this government business program moving forward and explain how the actual feet on the ground – the people that are actually at the coalface – are struggling with it. We look forward to the opportunity to do that.

The Local Government Amendment (Governance and Integrity) Bill 2024 is another one which I think really concerns all municipalities around the state. I look forward to being able to talk to that later today when we stand up to do that. There are bits and pieces of the legislation for that that we will be able to dive into, and I welcome that the opportunity to be able to do that and once again relay our own personal stories of how our own councils are going to be able to handle that and give the rights to some protection moving forward. So it will be interesting to talk about that.

We also have the Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024. I listened with intent before as the member for Brighton spoke about how the government does not want to go into consideration to work our way through the gambling bill. As he said, consideration on this bill is being stopped because ‘We have met our objectives.’ I move around my region and talk with businesses that actually have places where people can go and gamble, and it is the contrary; we have not met our obligations there. It would be fantastic to be able to talk about that and highlight how much more is needed. I think you can talk to anyone on the street about gambling, and I do not think the numbers are going down. Hopefully we can talk about this later on to prove a point. I do not think it is just my seat; I think it would be every single seat inside this chamber, Gambling is still a very, very big issue. In a time of a cost-of-living crisis, gamblers do not take that into consideration, I think, or the pressures that are on families. Moving forward we need to make sure that we do not water down the laws and actually push it into other areas. We need to make sure that we are considering the values of our communities and for people out there that need help, who are struggling with their gambling addictions, that there are easy services for them that they can go straight to.

At the moment, as we are diversifying out and moving this into other sections, it is going to make it harder and harder for these people to get the proper services that they need to help them with their addiction to gambling. In all, as we move through, it is disappointing that we cannot actually do that in consideration with the government, and I think the shadow minister would have loved the opportunity to sit down and debate that as best he could have. It is great that we stand here today – we are back; we are talking about three bills, and I welcome the opportunity to be able to stand up here over the next three days and talk about them – but we oppose the government business program today.

Iwan WALTERS (Greenvale) (12:35): It is great to be back here in the Parliament after a busy week in Greenvale and to have the opportunity to look ahead to a very busy week of important bills that address matters of importance to Victorians. I think the member for Morwell foreshadowed some of the contributions that will be made on these bills, which speaks to the comments of the member for Cranbourne earlier about the way in which we come here to represent our communities despite divergent opinions and perspectives but making sure that the sentiments within our communities are reflected through legislative debates on issues that really matter to Victoria.

I do want to also reflect that we will be talking about the take-note motion on the budget this week – I believe on Wednesday, the Leader of the House may have mentioned. It speaks to the complaints of the Manager of Opposition Business that there would not be an opportunity to speak on the budget, so something is amiss here. But I am looking forward to hearing comments, discussions and reflections upon the budget tomorrow in the house, and I wonder – I hope it is not pre-empting debate too much – if we will hear whether there is any grappling with the tension of every coalition member, between wanting more spending and yet also wanting no taxation. It will be very interesting to see whether they grapple with being a responsible party that aspires to be in government. I do not want to anticipate debate, so I will not go down any further on that thread.

I do want to come back to some of the bills that the Leader of the House foreshadowed earlier, on the Victorian Responsible Gambling Foundation.

Roma Britnell interjected.

Iwan WALTERS: The member for South-West Coast is at the table, and to misquote Churchill, never has anybody made more contributions for less value in a parliamentary context.

Returning to the bills themselves, the Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024 I think is a really important piece of legislation that we will be debating. There has been, I think, appropriate scrutiny on the casino sector in Victoria over recent years, not as a consequence of any federal government action, which should be responsible for money laundering and the vast quantities of money coming into the casino sector, but rather state-based inquiries, both in Victoria and New South Wales, which have got to the heart of some of the real challenges in the casino sector. Gambling more broadly is an area that I think requires really careful attention on the part of governments. It is of course a legitimate pastime but one that has the risk of creating real harm and is also open to exploitation by criminals. So the establishment of the Gambling Harm Response Fund through that bill I think will be an important measure.

I do reflect on the importance of addressing gambling harm in an area like Greenvale within the City of Hume. I acknowledge council's very strong advocacy for pieces of legislation like the one that will come to Parliament this week, recognising that gambling harm does have a significant impact across Victoria but particularly in lower income areas of our state where the relative incidence of that gambling harm is perhaps higher. There is a profound risk to Victorians of not getting gambling regulation and harm minimisation right, so I am looking forward to making a contribution on the provisions within that bill and talking about why they are important and why I think it is important that that bill has the support of the house. I do not want to get into the debate itself, but I am looking forward to that coming on for debate, I believe on Thursday.

Another important bill of course is the Local Government Amendment (Governance and Integrity) Bill 2024. It is really timely legislation, I think, given that we are looking forward, if that is the right expression, to local government elections later on this year. I note that we have had a number of specific-purpose pieces of legislation come to this house to deal with some of the governance challenges at councils across Victoria. I think in that context it is important to ensure that as a Parliament we are making sure that wherever possible the governance and accountability frameworks that councils operate under are improved and strengthened so that Victorians can have confidence in a really important tier of government. I certainly recognise and thank my local council for a productive

working relationship, because I recognise that having a functioning and effective council is really significant for good outcomes across the community, particularly in the context of maternal and child health services and the kinds of community amenities like libraries, parks and school crossing supervisors – all those things which make a really tangible impact in the quality of life in communities. So a bill like this is an important one. The other bills we will be discussing are similarly important. I look forward to them all being debated this week, and I support the government business program.

Roma BRITNELL (South-West Coast) (12:40): I rise to oppose the government business program, the reason being that we have asked on so many occasions in both this Parliament and the Parliament before for the opportunity to go into consideration in detail. It is a very reasonable request. What we do here is speak on behalf of the people we represent, and when we have questions in detail that we need to go into on a bill, it is reasonable to expect that the minister would give that opportunity in this house. What I see is a government who think they own all the ideas and who refuse to have any questioning of them. That leads me to the bill in question, which is on the government business program this week and which we wanted consideration in detail on, and that is the Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024.

I would like to put on the record that I heard the member for Greenvale say that this is a bill that establishes the Victorian Responsible Gambling Foundation, the VRGF. He is quite incorrect, and I think he needs to correct himself when he speaks on the bill, hopefully. This is a bill that will abolish that foundation, not establish it. Just like last week when he tried to give us a lesson on how to raise funds – and that was if you do not have enough money, you have just got to tax more – this is a member of Parliament who really needs to have a think about his level of knowledge on the bills that are put before us and how financial management actually works.

This is a bill that actually abolishes the Victorian Responsible Gambling Foundation, a foundation that was established by the Liberal–Nationals in 2011. It was established because it is important that we manage gambling harm, and this was what part of the foundation's role was. Gambling harm is a significant problem in our communities. It is not something that has disappeared, so this is a foundation that needs to be in place so that we can support the people that have gambling problems. We want to see more done, not less, so if we do not have this body, how on earth can we be confident that this work will be done? The government has no plans to actually put in place something to replace it. When we are seeing a government who is overseeing gambling being advertised in Victoria – I understand it is a federal sphere, but this government does put boundaries around Victoria, as we have seen before – and when we are seeing them putting ads on telly minute after minute after minute, just hammering people, of course we have got harms from people gambling to excess. So having this body abolished with nothing else to replace it is absolutely appalling on the government's behalf.

This government business program also has the Sustainable Forests (Timber) Repeal Bill 2024 on it. This, again, is a government who has shut down the most sustainable industry in the world. We are actually renowned by many other countries for the sustainable way regeneration occurs so there is not a net loss to the forest. Now instead of having a sustainable forest industry, this government thinks it is smarter to import timbers from Tasmania and overseas, which has to have a worse effect on the environment than the sustainable industry that the Victorian industry was. Rather than sharing with the community exactly the great work that that industry had done to be sustainable – the word that everybody wants to see as a really lived true value – they have actually just folded and closed that industry down, which is a great loss to our communities.

Lastly, on the government business program a bill that will also be discussed this week is the Local Government Amendment (Governance and Integrity) Bill 2024, a bill that should reform the Local Government Act 2020 far more than it does. We see so many communities, particularly in regional Victoria, where the state government is cost shifting to the local government. As a result we are seeing things like the bin charge in the state government budget go up by over 100 per cent, and that will be hidden on people's rate bills. Whilst we have got councils struggling to manage the sporting precincts, the ovals, the stadiums and infrastructure like the breakwater in Warrnambool, which the government

expects the ratepayers to pay for when it is a state government asset, we would rather see reform that sees more equity, particularly in the rural councils, so that we can get a fairer rate base across the state of Victoria.

So I oppose this government business program, because the government refuses to listen to the opposition so that we can share ideas that our communities have asked us to bring to the table when we debate here in the chamber. By shutting down the consideration-in-detail opportunity, that is absolutely gagging the people of Victoria, the people that we represent.

The SPEAKER: The member for Prahran, by leave. Is leave granted?

Leave refused.

Assembly divided on motion:

Ayes (51): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Belinda Wilson

Noes (30): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, Sam Hibbins, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bridget Vallence, Peter Walsh, Nicole Werner, Jess Wilson

Motion agreed to.

Members statements

Holy Family School, Mount Waverley

Matt FREGON (Ashwood) (12:51): Speaker, it is always a delight to stand in this place, especially in front of your good self, but the highlight of the week has to be the Q and A that I did with the grade 5 and 6 students at Holy Family yesterday morning. I will tell you what, everything was on the table, from how much we get paid – which I took them through, and they thought that was pretty good – to, being a group of intelligent and enthusiastic kids, 'What's your favourite football team?' Obviously my favourite colours are yellow and brown as well. The one thing that I must say I did not pick a side on was whether it is dogs or cats. I decided for political expediency there are some things that you just cannot choose. I just want to shout out to the school captains, who gave a warm welcome, Luca Salinitri and Cecilia Younane. Principal Julie David runs a great school down there. Thank you to Mrs Andrea Smith for organising the students for a wonderful Q and A.

Ashwood High School

Matt FREGON (Ashwood) (12:52): Also recently we were very lucky in Ashwood to have the Premier come down to Ashwood High School to see the new STEAM and research centre, which is a monumental addition to this wonderful school. Ashwood High is really a testament to the commitment of the Andrews–Allan Labor government's Education State. They have turned this school around, and it is a fantastic – (*Time expired*)

Croydon RSL

David HODGETT (Croydon) (12:52): I rise today to congratulate the Croydon RSL sub-branch on celebrating their 100th birthday this past weekend. It was a pleasure to be invited to celebrate this milestone occasion at the Eastwood Golf Club in Kilsyth, which was well attended by many supporters, friends and family of past and present service personnel. The Croydon sub-branch was formed in 1924, with the local grocer John Knox as its first president and John Tate as its first secretary. In the 100 years since it was established, the sub-branch has been supported by countless people who have contributed to its success, either in formal positions or as volunteers. The Croydon sub-branch also deserves congratulations for holding well-attended Anzac commemoration services every year. This year had special significance as it was the first dawn service at the relocated war memorial at its new home at the James N Stevens Memorial Lawn at Civic Square, Croydon.

Croydon electorate level crossing removals

David HODGETT (Croydon) (12:53): On another matter, I urge the government to find additional ways to support businesses in Croydon impacted by the level crossing removal works. One trader's message sums this up:

While I recognize the long-term benefits that the new construction will bring to Croydon, it is unfair that we, the small businesses, have to bear the brunt of the costs during the process. We have experienced a significant decline in trade and sales, as well as several power outages and footpath works that further our financial losses. Losing even a single day of trade is detrimental to our weekly operations. As a small business, we work tirelessly to make a modest profit, provide jobs for our community, and maintain our presence through these disruptions. It is becoming increasingly difficult to cope with the construction effects surrounding us. I give credit to the initiatives of the Level Crossing Removal Authority in supporting local business. However, I implore the government to do more.

Pakenham electorate transport infrastructure

Emma VULIN (Pakenham) (12:54): It is a very exciting time in Pakenham at the moment. We are only six days away from the opening of two train stations. On 3 June East Pakenham will be taking its first passengers and stopping at the brand new Pakenham station. The crews have done an amazing job, and the stations look absolutely magnificent. Pakenham station in particular looks absolutely amazing. We have this beautiful artistic roof canopy, and its sheer opulence is amazing. I say a big thankyou to my community for the patience that they have shown while these works have been going on for a couple of years. During the last occupation the crews have been busy. They have removed the boom gates from McGregor Road, Main Street and Racecourse Road and demolished the old Pakenham station. This work is allowing the crews to now start building the other part of the roof canopy, the bus exchange and areas around the new station – also in preparation for making Pakenham level crossing free. I want to thank each and every person that has worked on this project. We appreciate your hard work and dedication, and it has made me, like many, feel really, really proud.

Bus routes 925 and 928

Emma VULIN (Pakenham) (12:55): Some more good news was the announcement of funding for extended bus services for routes 925 and 928 in Officer and Pakenham. I have been receiving feedback about what routes will benefit us the most, and I look forward to the Minister for Public and Active Transport coming back with revised improvements for our buses.

State Emergency Service funding

Annabelle CLEELAND (Euroa) (12:56): I want to express my support for the SES units who have reached out pleading for more sustainable funding from this government. In the past year SES volunteers have responded to over 33,000 requests for assistance; however, their annual funding covers less than half of their operating expenses. Seymour SES, despite going through two significant floods in 18 months, was left short-changed in their funding subsidy, leaving them rattling tins to raise funds. The Benalla SES, led by unit controller Ailsa McMillan, has doubled its average yearly call-

outs this year with more than 500 requests for assistance. Kilmore SES unit controller John Koutras said his unit had already responded to 35 serious road crash accidents out of their 250 call-outs this year, including 11 fatalities. The dedicated volunteers of our SES are crucial for our regional communities, and it is imperative that they receive funding that allows them to continue delivering their essential service.

Euroa electorate men's sheds

Annabelle CLEELAND (Euroa) (12:56): I also want to share my support for the men's sheds across the Euroa region, who are providing a meeting place that helps strengthen the health and wellbeing of men in our country towns. Unfortunately, the Murchison Men's Shed is still waiting on funding promised by this government at the last election – \$100,000 that would go towards improving their meeting space and help keep the older members warm and comfortable. I implore this government to ensure our men's sheds and our SES units are not neglected when it comes to funding, with both organisations critical to the health, wellbeing and safety of our towns.

Community Support Frankston

Paul EDBROOKE (Frankston) (12:57): On behalf of the Frankston community I condemn the Frankston City Council 2024–25 draft budget, which cuts funding for the much-needed Community Support Frankston, our main support and food relief service. Sources inside council and the Community Support Frankston annual report tell me that while CSF staff and volunteers have managed demand for assistance, which has doubled from 9500 in 2019 to 18,000 cases in 2023, the Community Support Frankston budget will be cut by \$180,000. That is the equivalent of 5.6 full-time equivalent roles to two full-time staff, more than halving their staffing capacity. That is two staff to assist in 18,000 interactions – to get a roof over people's heads, to assist those escaping family violence, to feed babes and children, to get kids off the street, to ensure people are signed up for benefits or referred to mental health assistance, to fill scripts and clothing and to potentially provide 18,000 meals. I do not know who in their right mind would cut this capacity during a cost-of-living crisis, but our councils need to start listening.

Meanwhile a supposedly independent body from council, the Frankston Business Collective, which was funded by council to establish itself, unsuccessfully, prior has been funded another \$200,000, despite officers recommending only \$60,000 in the budget for this independent network. I have contacted other councils for data regarding their comparative funding, because I find it hard to believe that Frankston City Council can draft a budget that is anywhere near community expectations. This budget obviously needs to balance economic growth and jobs, but it needs to balance our community – *(Time expired)*

Berwick electorate police resources

Brad BATTIN (Berwick) (12:59): I rise to thank the Narre Warren police, who came out and ran a community forum, for what they did, and spoke to our local community, in particular Inspector Stuart Richards and obviously the entire team at Narre Warren and Dandenong, who came down and spoke to the local community about some of the issues that have been raised by members within the Berwick electorate about crime throughout our local area. Many have raised the issue of the delay in the Clyde North police station, which has still failed to be delivered for our community out in Clyde North. One of the other things is the issue around the increase in aggravated burglaries and violent crimes particularly. Many in the community have raised concerns around access to weapons, particularly machetes, through all of the state, but also through our community we have seen an increase in aggravated burglaries. Many communities are concerned about their safety not just in the street but also in their homes. We have seen an increase: we have become number two in the state for the number of aggravated burglaries that have occurred in Victoria. When you condense that down in Berwick and you put it into one of the smaller areas, down through Alira estate and through some parts of our community, they are the ones that are genuinely concerned because of the level of aggravated burglaries that have occurred through those areas. But I want to thank the police for coming out and

speaking to the community. It is very important, that engagement. And to Stuart and his team: I want to thank each and every one of them for taking the time to explain the crime figures and explain the work that they do. They just need the extra resources to deliver the services correctly.

Monbulk electorate parks

Daniela DE MARTINO (Monbulk) (13:00): Last week I had the great pleasure of reopening our beloved Silvan Reservoir Park in the Dandenong Ranges. Situated on the traditional lands of the Wurundjeri Woi Wurrung people, this 93-year-old park is cherished by families, nature lovers and our local hills communities. This wonderful space has undergone essential repairs and upgrades, allowing it to reopen after being closed due to a failing septic system in late 2022. Funded through the Allan Labor government's \$21 million urban parks active wellbeing program, this project has seen the construction of new disability-friendly toilets and barbecues, ensuring the park is accessible and safe for all visitors. If they are willing to brave the food-stealing kookaburras, visitors can now enjoy several other improvements, including refurbished picnic benches by the Ferntree Gully men's shed and over 400 square metres of resurfaced asphalt paths. I have been visiting Silvan since I was a child. The park's vibrant birdlife, sweeping views and inviting picnic spots are just as enchanting now as they were then. I am thrilled that many more people will continue to create their own cherished memories here too.

Our parks and reserves play an integral role in the health and wellbeing of our local communities across Victoria. The urban parks active wellbeing program is upgrading 21 parks across Melbourne, and in the Monbulk district alone the program has delivered significant improvements at several sites. The Ferntree Gully picnic area now boasts new barbecues, picnic tables, drinking fountains, shelter and a playground. Grants Picnic Ground on the edge of Sherbrooke Forest has also been enriched. Make the most of the wonderful parks we have in this magical autumn weather. Go visit them and enjoy the new and improved facilities.

Housing affordability

Tim READ (Brunswick) (13:02): Last week I heard from a young Brunswick resident who received notice of a 30 per cent rent increase, even though she has been asking for months for someone to come and remove the mould growing throughout her apartment. While inflation and interest rates might, for example, account for a 5 per cent increase in costs for landlords, how can anyone justify increasing the rent on an unaltered apartment by 30 per cent in one year? More than a quarter of Victorians rent their home, but that figure is close to half in my electorate, and tax breaks that treat housing as an investment are forcing so many of Victoria's renters into poverty and facing homelessness. Most renters are paying well over a third of their income as rent, leaving too little to spend on other essentials. Landlords increased the median rent in Melbourne by 15 per cent in the year to March. I am regularly meeting constituents who are being forced out of their homes by rent rises, and for them the ordeal of househunting and moving is becoming a routine. So wouldn't it be great if we had a government that believed unlimited rent increases should be illegal?

Portarlington–Melbourne ferry

Alison MARCHANT (Bellarine) (13:03): Exciting news for the Bellarine: the Port Phillip ferry service from Portarlington to Melbourne will continue for another four years as part of our Labor government's \$30 million investment in better bus and ferry services and connections in the last budget. This is fantastic news, as Bellarine communities know just how important this service is for our region's growth and economy. It is there not only for locals to have that transport option to Melbourne but also for that tourism spend that comes to support our businesses. From June, also, the ferry passengers will benefit from a revised bus network, which will see the public bus timetable better align with the ferry service, meaning that more locals can use the ferry without having to worry about driving or parking their car at the terminal.

In 2022 the Labor government completed an incredible \$10 million upgrade to the Portarlington Pier and provided that all-weather access, and this government has continued to back the ferry service for our Bellarine Peninsula once again. The ferry service continues to grow in popularity, attracting thousands of passengers every month, and I am so proud to get this terrific outcome for our growing communities. It is a wonderful way to travel and also to visit the Bellarine. You can explore our townships, stunning coastline, local wineries, distilleries, cafes, restaurants and incredible small businesses. I hope to see everyone on the ferry.

Family violence

Kim O'KEEFFE (Shepparton) (13:04): I rise today to acknowledge an amazing and strong young woman from my electorate. Twenty-eight-year-old Lutfiye Kavci is a domestic violence survivor. Just weeks after the birth of her son, Lutfiye left her abusive husband and returned to live with her family, knowing she was unsafe and could not raise a baby in a home with domestic violence. Not long after leaving she was violently stabbed by her then husband. Her recovery in hospital took months. Her husband faced an attempted murder charge, and he has been found guilty and sentenced to 15 years jail and will be deported on release. Local domestic violence services have praised Lutfiye for sharing her story and seeking to empower other victims. Lutfiye said saying the words 'I'm still here' is powerful. These words are helping her raise awareness about domestic violence, and they carry an important significance for her. Lutfiye said:

... I am still in a lot of fear, but ... I'm strong enough to be here going about my daily life and just continuing to be a mum, supporting my son and being a voice to ...

other domestic violence victims. Speaking with Lutfiye, she is determined to keep telling her story. She said that it gives her strength knowing that she may help others. For my colleague the member for Mildura, who has also shared her horrendous domestic violence experience, it has been courageous finding her voice in the hope of also helping other domestic violence victims. It is deeply personal, and I know it has been a very stressful time. We are proud of you, and we are here for you. It is by women like Lutfiye and the member for Mildura sharing their stories that we know lives will be saved.

Vermont Primary School

John MULLAHY (Glen Waverley) (13:06): The Glen Waverley district is home to some of the best schools in Victoria, and recently I had the pleasure of welcoming one of those schools here to Parliament. I want to thank Gillian Prentice and all the teachers that accompanied the grade 6 students from Vermont Primary School. They put me through my paces, asking questions about the history of the building and the operations of government and politics, and it was great to see so many young people engaged and interested in politics. There were also several budding candidates for your role, Deputy Speaker, who brought order to this place.

Probus Club of Forest Hill

John MULLAHY (Glen Waverley) (13:06): I was also delighted to welcome the members of the Forest Hill Probus Club for a tour of Parliament. Thank you to the secretary Chris McCarty and the organising team for a wonderful event.

Women's health

John MULLAHY (Glen Waverley) (13:07): On another matter, I was delighted to host a women's health forum and morning tea at Vermont South Neighbourhood House. It was wonderful to have the Parliamentary Secretary for Women's Health the member for Northcote, and I thank her for generously making the time to attend. We also heard directly from Bella Zheng from BreastScreen Victoria, and I want to give a special thanks to Megan Wallace for bravely sharing her lived experience in her battle with breast cancer. It was an insightful discussion followed by a panel Q and A session, and I thank everyone for coming along. I would also like to thank Mr Leane in the other place and his electorate office for co-hosting this event.

Women's health for far too long has been considered a niche issue, to be put on the backburner of priorities. The Allan Labor government takes a different approach because we understand just how important it is to so many Victorians, and that is why I am proud to be part of a government which is taking proactive and strong action to address the challenges that Victorian women face.

Australian Hotels Association awards

Sam GROTH (Nepean) (13:07): Last week I had the pleasure of attending the Australian Hotels Association awards, celebrating the very best in the industry right across Victoria, and I just want to acknowledge those establishments on the Mornington Peninsula that were recognised with either a finalist or award winners in their category. Congratulations to the Continental Sorrento, who were awarded Best Hotel Restaurant, Metropolitan, for Audrey's, and they were also a finalist in Overall Hotel of the Year, Best Casual Dining, Best Function and Event Space, and Best Marketed Hotel. I want to say congratulations to the team at the Hotel Sorrento, who were awarded Best Hotel Accommodation as well as being a finalist also in the Overall Hotel of the Year; individual Excellence in Service, for Terry; Best Presented Beer – tastes good too, trust me, I promise you; and Best Pub Bar, Metropolitan. Also congratulations to the Portsea Hotel, who were nominated for Best Marketed Hotel. I encourage all those people right around the state and other members in this chamber: come down and check out those establishments, and whether you want to stay the night, get a good feed or just come for a frothy with Grothy, feel free to let me know when you are coming down.

Academy Movement

Gary MAAS (Narre Warren South) (13:08): I recently attended Academy Movement's fundraising lunch in South Melbourne with the good member for Melton and the member for Lara as well, as that organisation continues its efforts to bring sports education and training to more schools throughout Victoria. Academy Movement is a not-for-profit organisation founded and run by the unstoppable Jimmy Orange. He does a really terrific job in supporting our young people and our Pasifika community in particular. Academy Movement provides structured sports and rugby training and development in schools through academies such as the one that is established in my electorate. The academy at Narre Warren South P-12 College has given students a chance to play in grade sport at a grassroots level while providing them with a positive pathway to be a successful member of our community and possibly even an athlete at a state or national level. Students have had the chance to meet, train with and learn from Australian and international rugby union stars and receive guidance on skills for sport and life. Academy Movement's programs help with real change in students and in particular their education outcomes. The outcomes for students in terms of retention, their academic results, fitness and future careers both within and outside rugby have really been very, very positive, and it was just great to see this government's \$747,000 investment from the state budget recently to help support Academy Movement. I would like to thank Jimmy Orange and the Academy Movement for their fantastic work.

A Girls' Day Out

Wayne FARNHAM (Narracan) (13:10): I would like to shout out today to the organisers of A Girls' Day Out, who held an event at Lardner Park recently to raise money for breast cancer. They managed to raise \$135,000, which is an amazing effort. Between the Big Blokes BBQ and A Girls' Day Out, within six months they have raised \$400,000 in our community. It is an absolutely amazing effort, and hopefully there will be some of those ladies there that will join me for dinner at Parliament one night. Absolutely fantastic.

Jade Benham: Can I come?

Wayne FARNHAM: Yes, you can come.

State forest access

Wayne FARNHAM (Narracan) (13:11): I would also like to shout out to all the bush user groups that turned up on Sunday to Drouin. There was an amazing effort; nearly 1000 people turned up to the bush rally in Drouin. They were very passionate about their cause, about leaving our state forests as state forests and not turning them into national parks. I was also there with my Shadow Minister for Environment and Climate Change and our Leader of the Opposition John Pesutto. I would like to shout out to all those user groups and to say to them that we will continue the fight. We will continue to represent what you want: to keep our state forests as state forests.

IDAHOBIT

Josh BULL (Sunbury) (13:11): The International Day against Homophobia, Biphobia, Intersex Discrimination and Transphobia is a very important day on the calendar. On 17 May I was honoured to join a number of members within my community at the Sunbury and Cobaw community health centre to hear their stories, and I want to take the opportunity to acknowledge their contribution to our community. It was an important, inspiring and wonderful occasion, and I want to thank everybody that put in a lot of time, a lot of effort and considerable passion to make the day possible.

Gladstone Park Secondary College

Josh BULL (Sunbury) (13:12): I also want to acknowledge the civics captain Natalie Hermix from Gladstone Park Secondary College, who was inspirational in running the inaugural student law fair last week. It was an opportunity for students to come together to speak with a number of representatives within the community, and I had the opportunity to attend and of course meet with a number of students to hear about their aspirations for the future. It certainly gives us a lot of encouragement going forward.

Dogs Victoria

Josh BULL (Sunbury) (13:12): Finally, I was delighted to attend the Dogs Victoria exhibition centre recently for the responsible pet ownership program – a terrific program – to meet with eight trainee pet educators and their dogs taking part in this wonderful opportunity. I was also able to take my daughter Cleo, who on that day turned five. Happy birthday.

Jurrawaa Stanley

Chris COUZENS (Geelong) (13:13): The Aboriginal community across the Geelong region and beyond has experienced significant sorry business with the recent passing of Jurrawaa Stanley. The ancestors took Jurrawaa to the Dreaming with his beloved wife Nikki and family by his side. Jurrawaa committed to education by sharing his history and culture with the broader community and was highly regarded in schools, kinders and the broader community. Jurrawaa has left a profound impact and a great legacy in his artwork, which can be seen across the Geelong region. He also leaves a legacy in the hearts and minds of those hundreds of children who have had the privilege of participating in learning about Aboriginal history and culture with him. Jurrawaa had such a strong commitment to reconciliation. He was always there playing his precious yidaki at Rec in the Park. This reconciliation week will not be the same. Jurrawaa will always be in our hearts.

National Reconciliation Week

Chris COUZENS (Geelong) (13:14): As this week is reconciliation week with the theme ‘Now more than ever’, it is a time for all of us to learn about the truth of our country’s history and the beauty of First Peoples’ history and culture and of their determination since colonisation. Sunday was also Sorry Day. It is a significant day for First Peoples. It commemorates the stolen generation, the Aboriginal and Torres Strait Islander children who were forcibly stolen from their families. It is a reminder of the wrongs of the past.

Africa Day

Bronwyn HALFPENNY (Thomastown) (13:14): It was my great pleasure to attend the Kowanj Africa Day celebration last Friday. Africa Day, on 25 May, marks the establishment of the African Union and the progress and achievements of the many nations and people of Africa post colonisation. Kowanj, led by CEO and founder Ash Atar, is a community-led organisation committed to advocating for and addressing the social, employment and educational needs of African–Australian refugees and new and emerging communities – an organisation that values lived experience, professional development and building capacity and skills in the community and an organisation that I know will continue to grow and empower many. Congratulations to Kowanj for a wonderful celebration and all your life-changing work.

Sienna Gervasi

Bronwyn HALFPENNY (Thomastown) (13:15): Sienna Gervasi is a year 10 student studying at Lalor North Secondary School. Sienna did work experience with me, and she made a fabulous contribution to my electorate office. It is always a pleasure hosting work experience students, who we hope will get a greater understanding of the work of a member of Parliament to encourage involvement in politics in any of its forms. I will now read some lines from her reflections:

During my week of work experience I experienced a friendly and safe work environment. Di and Korey were so helpful and worked really hard. In this week I was lucky to sit in question time in Parliament. On the day of question time I was introduced to the various people who welcomed me all. I do not think you understand or think that people are passionate, but during question time I saw people debating things and knew that they were doing it because they believed.

Northcote electorate transport infrastructure

Kat THEOPHANOUS (Northcote) (13:16): Earlier this month I welcomed the Minister for Public and Active Transport to the Northcote electorate to see and discuss some of our important local transport projects. Starting at Farm Road in South Alphington, we met with local advocate James Thyer to discuss the Alphington link to the Darebin Yarra Trail, a critical project funded by the Victorian Labor government. VicRoads originally proposed a footbridge at this site, but we are modifying the plan to make it a ground-level path to save more trees, minimise impact and blend better into the landscape which abuts the Darebin Creek. It has been a long road for our community to secure funding, pass legislation, consult and design. We still have a fairly involved planning scheme and acquisition process, and I appreciate everyone's patience with what will ultimately be a very welcome addition to our active transport network.

In High Street, Thornbury, the minister and I stopped to discuss the planning underway to make the 86 tramline more accessible – much needed given the very long stretch with no level-access stops. We then popped into the Preston tram depot to meet the wonderful Yarra Trams team, who briefed us on the use of 3D printing to rapidly and locally manufacture the parts our trams need to get back in service after a collision or fault.

To round out the minister's visit to the inner north, we dropped into Umberto's for a delicious pasta and spoke about the completed upgrades at Merri and Thornbury stations, including a new secure bike Parkiteer. I want to thank the minister for visiting the inner north with me to see and hear about our important local transport projects as we work to improve livability in our suburbs.

Melton electorate schools

Steve McGHIE (Melton) (13:17): In this year's state budget Melton received not one but two brand new schools along with over \$20 million to upgrade the existing facilities at Strathtulloh Primary and Toolern Vale and District Primary. The new 7–12 Cobblebank secondary college and Toolern Waters primary school are set to open in Melton for the 2026 school year. Both schools will receive a share of the \$948 million package for new schools construction. Both brand new public schools will have state-of-the-art facilities to foster modern and adaptive learning environments for both students and

staff. New facilities, like classrooms and gymnasiums, will create a positive culture for learning where the students of Melton can thrive and excel in their studies. In this government we know that all students, whether they receive a private or public education, deserve classrooms and facilities that give them the best chance to receive a quality education, and that is why we will continue to invest in new and existing schools to ensure all Melton classrooms are spaces where young minds can flourish.

But it is our Victorian teachers that truly make Victorian schools stand out. Melbourne is home to two of Victoria's longest serving teachers, who have been recognised for their dedication to school students and families with a Recognition of Service to Victorian Education honour. I would like to thank Karen Ambrose from Exford Primary School and Benjamin Bykersma at Melton South Primary for their dedicated 40 years of teaching service. The impact that they have had on Melton students has been remarkable, and I thank them for their unwavering dedication to our fantastic students in Melton.

Anzac Day

Pauline RICHARDS (Cranbourne) (13:19): At dawn on 25 April 1915 Australian and New Zealand soldiers attempted to capture the Gallipoli Peninsula in Türkiye. The soldiers who took part in this battle became known as Anzacs, and they are well known to all of us. It is well known as well that the Anzacs landed and met fierce resistance, with the campaign dragging on for eight tragic months. Both sides suffered heavy casualties and endured great hardship, and over 8000 Australian soldiers were killed. I was honoured to join colleagues from across the political spectrum to visit Gallipoli as part of the members of Parliament delegation to Türkiye last month to commemorate the 109th anniversary of that dawn landing. We were joined by delegations from other countries. I pay credit to the Deputy Prime Minister for his heartfelt address at the ceremony. I am particularly grateful for the role played by the Minister for Veterans in leading us on this delegation. The minister showed generosity, reverence, kindness and deep insight, and it was something I will never forget.

Amongst thousands of Australians who lost their lives at Gallipoli from April to December 1915, despite being just a small town at the time Cranbourne was impacted by the toll of war. It was a humbling experience to represent my constituents and visit the cemeteries across the peninsula, leaving a poppy on the graves, and I would particularly like to thank and acknowledge the member for Gippsland East for leading us on a side trip in a delegation. That was important in recognising the role of those who lost their lives. I would like to also thank Bill Rogers from the Dandenong–Cranbourne RSL for the role that he played, the Turkish ambassador to Australia Ufuk Gezer and the Melbourne – (*Time expired*)

Mother's Day

Lauren KATHAGE (Yan Yean) (13:20): My daughters and I were warmly welcomed on Sunday to the BAPS Mother's Day event. The slogan for that event was 'Respect the mother as the divine', and I am sure that is something we could all get behind in our families. I really appreciated the community focus of the event, the support for mothers and their children and the advice that was provided for how to create a loving home environment. Well done to BAPS.

Business of the house

Notices of motion

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (13:21): I advise that the government does not wish to proceed with the notice of motion, government business, today and ask that it remains on the notice paper.

Bills**Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024***Statement of compatibility*

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (13:23): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024 (the Bill).

In my opinion, the Bill, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The Bill seeks to protect and promote the rights of Victorians by implementing the following reforms:

- permitting the Chief Statistician greater access to court data for statistical and research purposes
- clarifying that documents signed electronically are admissible as evidence in criminal proceedings
- enabling the ongoing use of digitally recorded statements as evidence-in-chief in criminal proceedings for a family violence offence and proceedings for a family violence intervention order
- enacting reforms to the model defamation provisions to clarify the liability of digital intermediaries when third parties use their online services to publish defamatory matter and extend the defence of absolute privilege to matter published to police, and
- making technical, procedural and consequential amendments to various integrity and justice Acts to improve the operation and effectiveness of Victoria's integrity agencies.

Human Rights Issues

The following rights are engaged by the Bill:

- recognition and equality before the law (section 8)
- privacy and reputation (section 13)
- freedom of expression (section 15)
- right to liberty and security of the person (section 21)
- right to a fair hearing (section 24), and
- rights in criminal proceedings (section 25).

Under the Charter, rights can be subject to limits that are reasonable and justifiable in a free and democratic society based on human dignity, equality and freedom. Rights may be limited to protect other rights.

As discussed below, any limitations of these rights in the Bill are reasonable and justified in accordance with section 7(2) of the Charter.

Part 2 – Amendments relating to provision of court data to Chief Statistician

Part 2 of the Bill amends the *Crime Statistics Act 2014* to allow the Chief Statistician to require the provision of court data for analysis and reporting purposes.

Right to privacy and reputation

Section 13(a) of the Charter states that a person has the right to not have their privacy unlawfully or arbitrarily interfered with.

The Bill amends the Crime Statistics Act to allow the Chief Statistician to require the provision of court data from the Chief Executive Officers of the Victorian Magistrates' Court, County Court, Supreme Court and Children's Court. It will introduce a clear framework to enable confidential and protected sharing of court data with the Chief Statistician, including identified data, by the courts.

Shared data can include data on criminal proceedings, proceedings relating to bail and data on quasi-criminal matters, including matters relating to family violence. The provision of court data will enable the Chief Statistician to fulfil their function of reporting on criminal justice issues and trends in Victoria. It will also

enable government to meet its statutory commitment to review the operation of bail amendments made by the *Bail Amendment Act 2023*.

The amendments align with existing powers for the Chief Statistician to require the provision of law enforcement data from Victoria Police. The addition of court data will enable the Chief Statistician to understand an individual's journey through the justice system, from their first interaction with Victoria Police to the final outcome in the courts and on to supervision by Youth Justice or Corrections Victoria.

The Bill will protect court data sharing firstly by restricting the data the Chief Statistician can access. New section 3A provides the parameters of the data that can and cannot be obtained by the Chief Statistician. Data must relate to criminal proceedings, bail, or proceedings under a number of other specified Acts. Only data held in an electronic format by the courts can be requested.

Personal information about parties to proceedings can be requested by the Chief Statistician. This will enable the Chief Statistician to obtain identified data that can be matched with data about that person from Victoria Police, Youth Justice and Corrections Victoria. Personal information about a person otherwise involved in the proceedings can also be requested, ensuring data can be collected as to interpreters and intermediaries, for example.

Health information about parties may also be obtained, enabling courts to provide data about a person's referral to health services such as drug and alcohol treatment. Health information about persons otherwise involved in proceedings cannot be obtained.

The Bill will prevent the Chief Statistician from accessing court data that is not needed for statistical linkage such as hearing transcripts or evidence, information that discloses the deliberations of a court and information on the general administration of a court, including financial information.

Only the Chief Statistician and other staff employed under section 6 of the Crime Statistics Act have access to identified data. Existing sections 8 and 9 of the Crime Statistics Act protect data by making the unauthorised access, use and disclosure of information by a person employed under the Crime Statistics Act an offence. The Crime Statistics Act also requires data to be handled appropriately and securely in accordance with the *Privacy and Data Protection Act 2014* and government security frameworks.

The limits placed on the Chief Statistician's powers and functions ensure that the Chief Statistician may only publish information provided as de-identified aggregate statistics.

The Bill ensures appropriate protections for a Chief Executive Officer in provision of the data. Data can be provided despite a prohibition in any other Act or rule of law, and it is made clear that a Chief Executive Officer commits no offence and cannot be subject to any civil penalty through sharing the data.

Given the protections applying to the receipt, storage and use of data, it should not be necessary for the courts to withhold any information that falls within the definition of applicable court data in new section 3A. However, should it ever be required, new section 7A enables a Chief Executive Officer to refuse to provide information that could prejudice the fair trial of a person or the impartial adjudication of a particular case.

Amendments to the *Spent Convictions Act 2021* streamline processes by allowing the Chief Statistician to disclose information to consultants and persons employed to assist the Chief Statistician under section 6 of the *Crime Statistics Act 2014* without the need for written consent from the court.

The Bill will improve monitoring of the criminal justice system and provide a better understanding of how individuals interact with the criminal justice system. These efficiency improvements will be balanced by secure handling of court data by the Chief Statistician and protective mechanisms to uphold individual privacy rights.

I consider these reforms to be consistent with section 13 of the Charter. Any limitations to section 13 made by Part 2 of the Bill are reasonable and justifiable.

Part 3 – Amendments to the Criminal Procedure Act 2009

Part 3 of the Bill amends the *Criminal Procedure Act 2009* to make it very clear that if a signature is required by or under that Act, that signature can be done by electronic means. New section 410A will resolve any ambiguity about whether electronically signed documents are admissible as evidence in criminal proceedings.

Part 3 of the Bill also amends the Criminal Procedure Act to repeal the sunset provision in section 387P, to make permanent the existing provisions enabling digitally recorded evidence-in-chief in criminal proceedings for a family violence offence or proceedings for a family violence intervention order.

Right to recognition and equality

Section 8 of the Charter provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination.

The electronic signature reforms will promote section 8 by ensuring that Victorians living in regional or remote communities or limited by mobility challenges have equal access to legal services and participation in legal proceedings. In circumstances where electronic signing is not available, the traditional means of physically signing a printed document remains available.

Right to privacy and reputation

The introduction of digitally recorded evidence-in-chief provisions in the Criminal Procedure Act engaged several Charter rights, which were canvassed in the Statement of Compatibility for the *Justice Legislation Amendment (Family Violence Protection and Other Matters) Act 2018*.

The extension of the enabling provisions by two years in 2021 engaged the right to privacy and reputation under section 13 of the Charter, which was canvassed in the Statement of Compatibility for the *Firearms and Other Acts Amendment Act 2021*.

In my view, the removal of the sunset provision in the Criminal Procedure Act similarly engages, but does not limit, the right to privacy. This is because participation in digitally recorded evidence-in-chief is voluntary and there are adequate safeguards in place to ensure this and to guard against inappropriate use. Any interference with the right to privacy will therefore be neither unlawful nor arbitrary.

Right to a fair hearing

Section 24 of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. As noted in *Knight v Wise* [2014] VSC 76, this includes the common law right of unimpeded access to the courts.

Enabling documents to be signed electronically in criminal proceedings promotes a person's right to a fair hearing by ensuring that all relevant evidence is admitted and considered by a court or tribunal, despite mobility or health restrictions that may affect a person when signing a printed document.

Allowing witnesses to sign documents electronically in the field may provide witnesses with the best chance of remembering events accurately, which promotes the right to a fair hearing by improving the quality of the evidence.

Rights in criminal proceedings

Section 25 of the Charter requires law enforcement to inform a person charged with a criminal offence of the charges against them as quickly as possible. The electronic signing of documents promotes rights in criminal proceedings by allowing prosecutorial agencies to utilise existing technology to reduce delays in gathering evidence.

Part 4 – Amendments to the Defamation Act 2005

Part 4 of the Bill amends the model defamation provisions in the *Defamation Act 2005* to provide greater clarity about the liability of digital intermediaries (those who provide online services for digital content to be published) when third parties use their services to publish defamatory matter online. The term 'digital intermediary' describes a person (other than an author, originator or poster of the matter) who provides or administers the online service connected to the publication.

The Bill will also extend the defence of absolute privilege to matter published to an official of an Australian police force or service who is acting in their official capacity.

Right to privacy and reputation

Section 13 of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with, and not to have their reputation unlawfully attacked.

Providing conditional statutory exemptions for a narrow class of digital intermediaries

New section 10C gives a small group of digital intermediaries that provide caching services, conduit services or storage services a conditional exemption from defamation liability if they played a passive role in the publication of defamatory matter. New section 10D provides a similar conditional exemption for search engine providers and will only apply if their role was limited to providing an automated process to generate search results.

The Bill engages the right to privacy and reputation as the new statutory exemptions will continue to enable digital defamatory matter to be stored or accessed on a digital intermediary's service (such as a cloud storage service or search engine), even if the digital intermediary knows, or ought to have reasonably known, that the matter was defamatory.

However, the Bill also promotes the right as the statutory exemptions are limited to a narrow class of digital intermediaries that generally do not actively participate in the publication of defamatory matter and require

that necessary conditions be met to qualify for the exemptions. This will minimise the need for a digital intermediary to actively monitor and interfere with how people choose to use their services.

Overall, new sections 10C and 10D promote the right and any limitations are reasonable due to the passive role this narrow class of digital intermediaries play in the publication of digital matter.

Updating the mandatory requirements for an offer to make amends for an online publication

The Bill will amend section 15(1A)(b) and insert new section 15(1B) of the Defamation Act to provide an alternate method of rectifying any harm caused by the publication of potentially defamatory digital matter. As part of the content of a reasonable offer to make amends, it will provide that if the matter in question is digital, a publisher may instead offer to take ‘access prevention steps’ to remove, block, disable or otherwise prevent access to the matter.

This promotes the right to privacy and reputation by minimising access to defamatory digital matter that may harm another person’s reputation. It also provides greater flexibility to digital intermediaries when responding to complaints and provides an additional avenue for offering to make amends, where it is not possible or meaningful to publish a correction or provide clarification.

Requiring courts to consider balancing factors when making preliminary discovery orders

The Bill will insert new section 23A to require a court, when making an order for preliminary discovery about posters of digital matter, to take into account the objects of the Defamation Act and any privacy, safety or other public interest considerations that may arise if the order is made.

The Bill promotes the right to privacy and reputation by minimising the risk of an abuse of process where an order is sought to obtain a person’s identity and/or address for nefarious reasons. For example, where a person seeks an order to find out another person’s location rather than to obtain the information to enable them to commence defamation proceedings.

This will promote consistent decision making across jurisdictions and protect the privacy and safety of victim-survivors of family violence and other vulnerable persons who are fearful of the other party seeking a preliminary discovery order for ulterior reasons.

Introducing a new defence for digital intermediaries

New section 31A will introduce a new defence specific to digital intermediaries. To qualify for the defence, the digital intermediary must have an accessible complaints mechanism and, where possible, have taken reasonable access prevention steps (to remove, block, disable or prevent access to the content) before the complaint was made or within 7 days of receiving a complaint about the publication.

This Bill promotes the right to privacy and reputation as it incentivises digital intermediaries to take active steps to prevent and remove defamatory digital matter. It will also provide people with an easier and quicker process to act against defamatory digital matter that undermines their right not to have their reputation unlawfully attacked.

Enabling courts to make non-party orders against digital intermediaries

New section 39A will give the courts a specific power to order a digital intermediary who is not a party to a defamation proceeding to take access prevention steps or other steps, such as removing or disabling access to the defamatory digital matter. This clarifies the current uncertainty about whether a court can make orders regarding non-party digital intermediaries who host or otherwise facilitate access to defamatory digital matter.

This promotes the right to privacy and reputation as non-party digital intermediaries may be best placed to assist with restricting access to defamatory digital matter. For example, search engines that are not a party to a proceeding can significantly minimise access by taking down or otherwise preventing access to defamatory digital matter.

Expanding the electronic means by which notices can be given or served

Amended section 44 will extend the forms of electronic communication that a document or notice can be provided. Currently, documents can only be provided in person, by post, by facsimile or to an email address specified by the person.

By expanding the methods of service, this will make it easier for a plaintiff to provide a concerns notice requesting a publisher take certain actions about alleged defamatory digital matter. This promotes the plaintiff’s right to privacy and reputation as it could facilitate earlier service of documents, which may lead to the publisher taking earlier steps to remove defamatory digital matter.

Extending the defamation defence of absolute privilege to matter published to police

New section 27(2)(ba) of the Defamation Act will extend the defence of absolute privilege to matter published to officials of Australian police forces or services while acting in an official capacity. This may interfere with

a defendant's right to privacy and reputation as it will provide a complete immunity and defence to a defamation claim, even in the case of a deliberate and malicious false report to police that is defamatory.

However, any limitations are reasonable and justified. The extension of the defence of absolute privilege will promote the right to liberty and security (section 21 of the Charter) by removing a barrier to reporting crime, including for victim-survivors of sexual offences and family violence.

The reform will also provide greater certainty to people making police reports and reduce the risk of costly and often re-traumatising defamation proceedings. Further, there are existing safeguards to people making false reports, including section 53 of the *Summary Offences Act 1966* that makes it an offence to make a false report to police.

Right to freedom of expression

Section 15 of the Charter provides that a person has the right to hold an opinion, and the right to seek, receive and impart information and ideas of all kinds. This right may be reasonably limited to respect the rights and reputation of others, or for the protection of national security, public order, public health or public morality.

Introducing a new defence for digital intermediaries

To benefit from the new defence in new section 31A of the Defamation Act, digital intermediaries must have an accessible complaints mechanism and, where possible, have taken reasonable steps to remove, block, disable or prevent access to the matter before the complaint was made or within 7 days of receiving a complaint about the publication.

This may limit the right to freedom of expression by incentivising digital intermediaries to remove published digital matter that is the subject of a complaint, even where that digital matter may not be defamatory. However, any limitations are reasonable to strike an appropriate balance between protecting reputations from unlawful attack and freedom of expression in the online environment.

Safeguards exist for the new defence to minimise the impact on freedom of expression, including the 7-day timeframe, which provides adequate time for a digital intermediary to properly consider the complaint.

Enabling courts to make orders against non-party digital intermediaries

New section 39A gives the court the power to order a non-party digital intermediary to remove or disable access to defamatory digital matter. This may interfere with the right to freedom of expression as it restricts the ability for others to access or view the content, particularly in circumstances where the plaintiff has not yet obtained a final judgment for defamation against the defendant. However, any limitations are reasonable as the orders will only relate to preventing access to defamatory matter or matters that are pending the outcome of the defamation proceeding.

Overall, the defamation reforms will clarify the role and responsibilities of digital intermediaries regarding defamatory digital matter. This promotes the right to freedom of expression as it will minimise the instances of digital intermediaries unnecessarily monitoring and removing content from their services out of fear of potential defamation liability.

Right to a fair hearing

Section 24 of the Charter provides that a person in a criminal or civil proceeding has the right to have their matter decided by a competent, independent and impartial court after a fair and public hearing. This includes the common law right of unimpeded access to the courts (*Knight v Wise* [2014] VSC 76).

Requiring courts to consider balancing factors when making preliminary discovery orders

People who post defamatory digital matter might do so anonymously. The courts' existing power to make a preliminary discovery order can make it easier for the plaintiff to commence a defamation action.

New section 23A will apply new factors that the court must consider before making a preliminary discovery order about a poster of a digital matter. This may interfere with the plaintiff's right to fair hearing as it could make it more difficult to obtain a preliminary discovery order, therefore impeding their ability to commence a defamation proceeding.

However, any limitations would be minimal as the courts already consider factors such as proportionality and privacy in exercising their discretion to make these orders. Further, any limitations are reasonable and justified as the reform will minimise the risks of abuse of process and risks to privacy and safety, including to protect family violence victim-survivors and other vulnerable community members.

Extending the defamation defence of absolute privilege to matter published to police

The potential threat of a defamation proceeding may deter some people, including victim-survivors of family violence, from reporting matters to the police. There are also concerns that alleged perpetrators may weaponise the threat of a defamation suit to deter a person from making a report to police.

Extending the defence of absolute privilege in new section 27(2)(ba) will reduce the barrier to making reports to police. This promotes the right to a fair hearing more generally, as it will support the ability of the police to investigate the alleged crime and undertake prosecutions.

Parts 5 to 12 – Amendments to integrity Acts

The right to privacy and reputation

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. Section 13(b) states that a person has the right not to have their reputation unlawfully attacked. A number of amendments in Parts 5 to 12 of the Bill may engage this right.

An interference with the right to privacy and reputation is justified if it is both lawful and not arbitrary. An interference will be lawful if it is permitted by law that is precise and appropriately circumscribed and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

Enabling the Ombudsman and the Victorian Inspectorate to share information with royal commissions or like bodies

The Bill gives the Ombudsman and the Victorian Inspectorate a discretion to disclose information to a Victorian royal commission, board of inquiry, or other commission of inquiry. IBAC will also be provided discretion to disclose information to a commission of inquiry appointed under Division 5 of Part 7 of the *Local Government Act 2020*. To the extent that personal information is shared by these agencies, the right to privacy may be engaged, but I consider that any interference is neither unlawful nor arbitrary.

The Bill provides that the Ombudsman and the Victorian Inspectorate may share information when it is appropriate in all the circumstances, but they would not be compelled to do so. The amendments seek to achieve the legitimate purpose of assisting royal commissions and other similar bodies to gather information relevant to their functions. The provisions also include safeguards, for example, that the information must be relevant and appropriate to be shared given the nature of the information and must not lead to the identification of a person who has made a public interest disclosure.

Clarifying the definition of 'law enforcement agency'

The Bill clarifies that in section 3 of the Privacy and Data Protection Act, the Victorian Legal Services Board and Commissioner are law enforcement agencies for the purposes of that Act. This means that the Victorian Legal Services Board and Commissioner need not comply with certain privacy obligations in the Privacy and Data Protection Act for their law enforcement purposes. I consider that any interference with the right to privacy is neither unlawful nor arbitrary.

Clarifying the Victorian Legal Services Board and Commissioner's status as a law enforcement body supports the legitimate purpose of improved consumer protection outcomes by enabling it to more effectively and efficiently share personal information to perform its important functions in regulating the legal profession. These include activities directed towards the prevention, investigation and prosecution of criminal offences or breaches of laws imposing sanctions or penalties. The Victorian Legal Services Board and Commissioner will still be subject to the Privacy and Data Protection Act in respect of other functions which are not related to law enforcement.

Harmonising and clarifying the threshold for third party consultation for exemptions under the Freedom of Information Act

At present, in deciding whether the disclosure of a document would involve the unreasonable disclosure of information relating to the personal affairs of a person, an agency or Minister must consult with the person about the disclosure unless it is not practicable to do so (section 33 of the *Freedom of Information Act 1982*). The Bill eases this requirement so that consultation is required if it is reasonably practicable (rather than practicable) making it easier for agencies to process freedom of information applications. Third parties will still need to be consulted, but agencies will be able to better balance this requirement with their obligations to process freedom of information requests in a timely way.

While these changes may engage the right to privacy, in my opinion, any interferences are neither unlawful nor arbitrary. They will assist agencies and the Information Commissioner to more effectively respond to freedom of information applications. The Bill will better balance the right to privacy with the right to freedom of expression by promoting efficiencies in freedom of information and transparency in government.

Enabling the Ombudsman to investigate public interest complaints involving third parties

The Bill clarifies the Ombudsman's jurisdiction to investigate public interest complaints about an authority that is referred by IBAC and also involve the improper conduct of a third party in relation to the authority. This may increase the number of people who are subject to the Ombudsman's coercive powers. However,

the Bill does not create or increase the Ombudsman's coercive powers, it merely expands the scope of people to whom the powers may apply.

The Bill also clarifies that a person can make a complaint to the Ombudsman about administrative action taken on behalf of, under a power conferred by, or under instructions by an authority. However, as the Ombudsman already has the power to investigate this conduct under section 13(3) of the *Ombudsman Act 1973*, this does not necessarily expand the Ombudsman's powers, but rather just the scope of conduct that a person may complain about.

These amendments may engage the right to privacy as it may allow the Ombudsman to apply their information gathering powers to a broader range of persons. However, any potential limitation on the right to privacy is considered reasonable and proportionate as it is in the pursuit of the legitimate aim of addressing improper conduct and the application of the relevant powers are subject to existing safeguards in the Ombudsman Act.

Improving the operation of the freedom of information and privacy frameworks

The Bill provides that the Information Commissioner must provide a copy of an application for review under the Freedom of Information Act to the relevant agency or Minister. This may include information about the applicant and therefore engages the right to privacy. Any interference with this right is neither unlawful nor arbitrary as the changes are necessary to minimise delay and ensure that the affected agency or Minister has the relevant information that is the subject of the review. The amendment also harmonises the procedure for freedom of information reviews with freedom of information complaints.

The Bill also contains amendments that will enhance the right to privacy, including that it will update the definition of 'sensitive information' in Schedule 1 of the Privacy and Data Protection Act to include information about a person's sexual orientation, which may lead to action to better protect that information.

In my opinion, these amendments are compatible with the right to privacy and reputation.

The right to freedom of expression

Section 15(2) of the Charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds. However, section 15(3) provides that the right may be subject to lawful restrictions reasonably necessary to respect the rights and reputations of others, or for the protection of national security, public order, public health or public morality.

Excluding documents that are free-of-charge from the Freedom of Information Act

The Freedom of Information Act excludes access to information that is readily available through alternative access schemes, such as through a public register, where that access is subject to a fee or other charge.

The Bill amends section 14 of the Freedom of Information Act to also clarify that public documents that are available free-of-charge are not subject to the Freedom of Information Act. While this may engage the aspect of the right to freedom of expression as it pertains to seeking information, it does not limit the right as it does not restrict the availability of documents. Members of the public may be provided with access to publicly available documents or directed where to find them, without having to submit a freedom of information application.

Allowing the Chief Municipal Inspector, Information Commissioner and the Racing Commissioner to issue a confidentiality notice in additional circumstances

The Bill amends section 193 of the *Local Government Act 2020*, section 61TJ of the Freedom of Information Act and section 37T(1) of the *Racing Act 1958*, to enable the Chief Municipal Inspector, Information Commissioner and Racing Commissioner to issue a confidentiality notice in relation to a public interest disclosure investigation, when the disclosure of information about a restricted matter may prejudice the relevant entities' own investigation.

While this may limit the freedom of expression of the recipient of the notice, in my opinion, any limit is reasonable and justified and is balanced against the need to protect the privacy of information about the discloser.

The amendments are justified as they provide the entities with greater control over their own investigations and the ability to safeguard the integrity of those investigations. The existing provisions on confidentiality notices contain safeguards to ensure the proportionality of limitations including that the notices must be properly served on a person and the matter that is the subject of the notice must be specified. The recipient of the notice may also disclose a restricted matter in certain circumstances, such as to obtain legal advice or to an interpreter.

Removing reference to reading rooms

Section 7 of the Freedom of Information Act requires that if an agency maintains a facility or a reading room that is available for public use, then it must publish a statement of that fact, including the address and hours of opening, in the statement the agency is required to produce under Part 2 of the Freedom of Information Act. The Information Commissioner is also required to report annually on the details of any available reading room and the information regularly on display.

The Bill removes these provisions as information is now more commonly provided electronically or available on an agency's website. This change may be considered to engage the aspect of the right to freedom of expression that relates to seeking information, however, it does not limit that right.

The Freedom of Information Act does not require agencies to make reading rooms or other such physical facilities available to the public, only to let people know the details if such facilities are available. Members of the public have other options, such as finding information online or contacting an agency directly by means such as email or telephone if they wish to find out about the information an agency holds.

Exempting 'security risk profile assessments' from freedom of information

The Bill exempts 'security risk profile assessments' from the freedom of information scheme. While this may engage the aspect of this right that relates to seeking information, any interference is justified on the basis that protecting this information is necessary to protect the security of public bodies. Further, given the nature of these documents, the exemption from the freedom of information scheme is both reasonable and justified.

Creating an offence to disclose certain information received from the Victorian Inspectorate

The Bill creates an offence to disclose certain information received from the Victorian Inspectorate, including advice provided under sections 45(1) or sections 88(1) or (2) of the *Victorian Inspectorate Act 2011*.

This is likely to engage the right to freedom of expression as it prohibits disclosure of certain information. However, this offence contains several important exceptions, including disclosing information if the person does not speak sufficient English, is under 18 years, or has a mental, physical or another impairment that prevents the person from understanding a witness summons or confidentiality notice. A person may also disclose information to their spouse, employer, trade union, health practitioner and other important services.

When providing advice about the result of an investigation or inquiry, the Victorian Inspectorate must also include a written statement advising a recipient that is an offence under the new section to disclose the information. The information that is protected under this provision will include sensitive information that is the subject of a Victorian Inspectorate investigation or inquiry.

As a result, I consider that any interference with the freedom of expression is lawful and necessary to protect the rights and reputation of others. Further, the amendment is reasonable and justified on the basis that it appropriately balances the need to protect the integrity of investigations and inquiries with a person's freedom of expression.

The Bill also promotes the right to the freedom of expression by permitting the disclosure of restricted matters in a confidentiality notice to a prescribed service, or service belonging to a prescribed class.

The right to a fair hearing

Section 24 of the Charter provides that a person charged with a criminal offence, or party to a civil proceeding, has the right to have the charge or proceeding decided by a competent, independent, and impartial court or tribunal after a fair and public hearing. This right has been interpreted broadly by the courts such that it may be engaged by a quasi-criminal process, such as the examination of witnesses by integrity agencies.

Directing a person not to seek legal advice and representation from a specified practitioner

Currently, the Ombudsman may direct a person not to seek legal advice or representation from a specified legal practitioner in relation to a witness summons, compulsory or voluntary appearance or report. The Ombudsman can only make this direction if they consider on reasonable grounds that the inquiry or investigation may be prejudiced as the legal practitioner is appearing at a compulsory appearance, representing another person in a compulsory appearance or is otherwise involved in the matter.

The Bill also extends this to legal practitioners appearing or representing a person in a voluntary appearance. Although this may engage the right to a fair hearing, the Bill also ensures that a person is given at least 3 days to obtain alternative representation. For these reasons, the approach does not limit the right to a fair hearing and is reasonable and justified as it protects the integrity of an investigation and provides a person with the opportunity to seek alternative representation.

Enabling the Information Commissioner to decline to entertain a complaint

The Bill provides that the Information Commissioner may decline to entertain a complaint under the Privacy and Data Protection Act if the complainant has failed to co-operate with the Information Commissioner without reasonable excuse.

It is arguable that the Information Commissioner is an independent tribunal within the broad interpretation of section 24 of the Charter. This may engage the right to a fair hearing as it enables the Information Commissioner to discontinue consideration of a complaint. However, I do not consider that this right is limited on the basis that co-operation is required for the Information Commissioner to properly consider a complaint and the power to decline to entertain a complaint is only available if the person does not have a reasonable excuse.

Enabling the Victorian Inspectorate to refuse to investigate a public interest complaint in limited circumstances

The Bill provides that the Victorian Inspectorate may refuse to investigate a public interest complaint in certain circumstances, including where the subject matter of that complaint is trivial or the complaint is frivolous, vexatious, lacks substance or credibility or its investigation would prejudice any criminal proceedings or criminal investigations, creating greater consistency with the discretions afforded to IBAC and the Victorian Ombudsman.

While this may engage the right to a fair hearing within a broad interpretation of section 24 of the Charter, I do not consider that it limits the right. It is protective of criminal proceedings and investigations, ensuring that they are not prejudiced as a result of an investigation of a public interest complaint by the Victorian Inspectorate.

The Hon. Anthony Carbines MP
Minister for Police
Minister for Crime Prevention
Minister for Racing

Second reading

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (13:23): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

The Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024 will amend various Acts to support the effective operation of the justice and integrity systems.

The Bill will:

- permit the Chief Statistician greater access to court data for statistical and research purposes
- clarify the admissibility of electronic signatures in criminal proceedings
- enable the ongoing use of digitally recorded evidence-in-chief in family violence proceedings
- enact nationally developed reforms to the model defamation provisions to clarify liability of digital intermediaries and provide a complete immunity defence for reporting matters to police, and
- improve the operation and effectiveness of Victoria's integrity agencies.

Permitting the Chief Statistician greater access to court data

The Victorian Government is committed in its delivery of an effective justice system that works for all Victorians. Monitoring the justice system across all stages and understanding how Victorians interact with the system, is vital in monitoring efficiency, progress and reform.

Currently under the *Crime Statistics Act 2014*, the Chief Statistician has the power to require the provision of law enforcement data from Victoria Police and analyse and report on criminal trends across Victoria.

To promote greater monitoring of the justice system, the Bill will amend the *Crime Statistics Act* to allow the Chief Statistician to require the provision of court data to fulfil their statutory functions.

These reforms will allow the Chief Statistician to require the provision of court data from the Chief Executive Officers of the Magistrates' Court of Victoria, the County Court of Victoria, the Supreme Court of Victoria and the Children's Court of Victoria.

Victorian courts hold data that is essential to building holistic insights into the justice system. Statistical linkage of court data with other justice data can predict future impacts on the justice system more broadly and help build proactive policy actions to safeguard the delivery of justice services.

In providing the Chief Statistician with access to court data, they will be able to understand how individuals interact with the justice system from their first encounter with Victoria Police to the final outcome in the courts.

Stronger linkage of court data will also allow government to acquit the statutory review of bail amendments as introduced by the *Bail Amendment Act 2023*. The linkage of bail data held by the courts with other bail data will deliver a comprehensive review on the operation of bail changes. This will allow government to ensure the bail system is working appropriately to balance the right to bail for an accused and the public safety of the community.

While the courts have provided data to the Chief Statistician previously, the Bill will enact a clear framework under the Crime Statistics Act to ensure any regular sharing of data with the Chief Statistician is protected and confidential. This includes mechanisms such as outlining authorised personnel who can access any provided court data.

The Bill also ensures unauthorised access, use and disclosure of data is an offence punishable by up to five years imprisonment under the Crime Statistics Act. Any handling of data by the Chief Statistician will be in accordance with the *Privacy and Data Protection Act 2014* and governmental security frameworks. Information reported by the Chief Statistician will be reported as de-identified aggregate statistics and made confidential to minimise any risk of identification.

The Bill will also provide safeguards to ensure the Chief Statistician can only access data as needed for statistical analysis. Data classes that have no statistical information, such as evidence adduced, will be excluded from the Chief Statistician. The Chief Executive Officers of the courts can also refuse to provide data that may affect the fair trial of a case, ensuring proper administration of the courts.

This reform gives a clear framework to exchange data safely and securely between the courts and the Chief Statistician, to promote stronger monitoring of the justice system and help build a proactive system that meets the needs of Victorians.

Clarifying the admissibility of electronic signatures in criminal proceedings

The Bill will make it very clear that electronic signatures may be relied on for documents under the *Criminal Procedure Act 2009*, regardless of whether or not any person consents to using electronic means.

While the common law recognises electronic signatures as 'signatures' (see, for example, *DPP v Currie; DPP v Daniels* (2021) 65 VR 61), the absence of clear legislative authority for electronic signatures under the Criminal Procedure Act, combined with the *Electronic Transactions (Victoria) Act 2000* requirement that recipients consent to the method used for an electronic signature, has been a barrier for agencies seeking to introduce more efficient digital processes.

This reform will resolve any ambiguity, enable justice agencies to confidently use existing technology to capture signatures electronically, increase agency efficiencies and reduce system delays.

Enabling the ongoing use of digitally recorded evidence-in-chief in family violence proceedings

The Bill will remove the sunset provision in the Criminal Procedure Act to enable the ongoing use of digitally recorded statements as evidence-in-chief (DREC) in criminal proceedings for a family violence offence and proceedings related to an application for a family violence intervention order.

This reform relates to victim statements that are recorded by police at a family violence incident using a police-issued body-worn camera. A digital statement can then be used in court as evidence-in-chief to replace all or part of the victim-survivor's formal written statement. It is admissible in court only when it is made as soon as practicable after the event and with the informed consent of the complainant.

The use of digitally recorded evidence-in-chief was trialled as part of the government's response to recommendation 58 of the Royal Commission into Family Violence. The first trial commenced in 2018, followed by an extended phase that was finalised in June 2023.

The feedback from key stakeholders indicated a range of potential benefits of DREC, including improving the statement taking process for victim-survivors of family violence, as it is easier, quicker and provides victim-survivors with an opportunity to make statements in their own words immediately after the family violence incident. These benefits, as well as DRECs having the potential to be more powerful than written

statements, may also lead to the earlier resolution of cases, reduce the burden on frontline police, and better hold perpetrators to account.

The Bill will ensure that victim-survivors of family violence continue to have a choice about how to provide evidence about what has happened to them.

The Victorian Government is committed to ensuring that digitally recorded evidence-in-chief continues to be beneficial to victim-survivors. Practical improvements identified by key stakeholders are being considered and implemented by agencies, where appropriate.

The Department of Justice and Community Safety will establish governance arrangements with key stakeholders to monitor any adverse outcomes to victim-survivors resulting from the ongoing use of digitally recorded evidence-in-chief. This work is important to ensure that the voices of victim-survivors continue to be heard and reflected in reforms.

Enacting nationally developed reforms to the model defamation provisions

The Bill will amend the *Defamation Act 2005* to clarify the liability of digital intermediaries when third parties use their online services to publish defamatory matter and extend the defence of absolute privilege to matter published to Australian police.

Uniformity is a key objective of Australia's defamation laws. Since the development of uniform defamation legislation in 2005, amendments to the model Defamation provisions (model provisions) have been made through collaboration between jurisdictions to provide consistency, given the often cross-jurisdictional nature of defamation complaints.

All jurisdictions are signatories to the Model Defamation Provisions Intergovernmental Agreement and are represented on the Model Defamation Law Working Party, which reports to the Standing Council of Attorneys-General on proposals to amend the model provisions. The reforms in this Bill have been developed by the working party as part of the second stage of the review of the model provisions. The first review led to amendments enacted by the *Justice Legislation Amendment (Supporting Victims and Other Matters) Act 2020*.

This second stage of reforms has been informed by extensive public consultation, facilitated by consultation papers, submissions processes, stakeholder roundtables, advice from expert advisory groups and public exposure drafts of the proposed changes to the model provisions. I want to thank and acknowledge all those who contributed to the consultation processes, including Victoria's Defamation Law Expert Reference Group.

In September 2023, the Standing Council of Attorneys-General approved the second stage of reforms. To support continuing improvements to the law, the Standing Council also committed to a review of the reforms in this Bill, and the defamation reforms passed in 2020, no later than three years after commencement in all implementing states and territories.

Clarifying the liability of digital intermediaries in defamation law

Defamation law operates in an everchanging digital and online landscape, and it is important that the law continues to be fit-for-purpose.

The term 'digital intermediary' describes a person (other than an author, originator or poster of the matter) who provides or administers the online service connected to the publication. It includes a broad range of online functions, including internet service providers, content hosts, search engines and social media platforms.

Recent court decisions have led to widespread agreement that the law needs to provide greater clarity about the potential liability of digital intermediaries and their responsibilities when potentially defamatory matter is published online. As the current common law test for publication under defamation law is broad, generally anyone who contributes to the publication of defamatory matter is a publisher.

A digital intermediary can therefore currently be liable for defamation for the publication of third-party content on their online platform, even where they do not actively participate in the publication.

Part 4 of the Bill will implement 6 key reforms to the Defamation Act to modernise and clarify the liability and role of digital intermediaries. The reforms have been designed to strike a balance between protecting reputations and not unreasonably limiting freedom of expression in circumstances where third parties publish matter via digital intermediaries.

Providing conditional statutory exemptions for a narrow class of digital intermediaries

Similar to traditional intermediaries, such as postal services, some digital intermediaries are 'mere conduits' that do not actively contribute to the publication of defamatory matter.

To reflect this, the Bill will provide two new statutory exemptions from liability for defamatory third-party content. The first exemption is for caching services, conduit services or storage services. The second exemption will apply to search engine providers only.

Caching services are online services whose principal function is to provide automatic, intermediate and temporary storage of content for the purpose of making the onward electronic transmission of the content more efficient for its users. Conduit services that are online services whose principal function is to enable its users to access or use networks or other infrastructure to connect to, or send or receive data by means of, the Internet.

The protection afforded by a statutory exemption is broad and will apply regardless of whether the service or provider knew, or ought to have known, the digital matter was defamatory. Accordingly, the Bill limits the exemptions to this narrow class of digital intermediaries and requires that necessary conditions be met.

The statutory exemption for caching, conduit or storage services reflects that typically these services are passive participants in the publication of digital matter. The exemption will only apply if the digital intermediary's role was limited, and they did not take an active part in publication.

The statutory exemption for search engines reflects that, generally, search engine providers have no interest in the specific content of search results and hyperlinks generated by the user of a search engine. The exemption will only apply if the search engine provider's role was limited to providing an automated process for the user of the search engine to generate search results, such as identifying the title of the webpage or hyperlink to the webpage. It would not apply to sponsored search results.

To support the early resolution of any arguments about the liability of a digital intermediary, the Bill also provides a process for a court to determine whether the statutory exemptions I have outlined are established as soon as practicable before a trial commences, unless satisfied that there are good reasons to postpone the determination until a later stage of the proceeding.

Updating the mandatory requirements for an offer to make amends for an online publication

Currently, the model provisions in the Defamation Act provide a mechanism to encourage the resolution of disputes without litigation, by requiring an aggrieved person to put a publisher on notice of the alleged defamatory matter and allow sufficient time for the publisher to make a reasonable 'offer to make amends'.

The Defamation Act sets out the content that a reasonable offer to make amends must, or may contain, including a requirement that the publisher offer to publish a reasonable correction or clarification about the matter in question. These requirements were not originally drafted with digital intermediaries and online publications in mind. For example, a search engine provider may not be able to publish a reasonable correction for potentially defamatory material that appears in a search result.

The Bill will provide an alternate method of rectifying any harm caused by the publication of potentially defamatory digital matter. It will update the model provisions to provide that if the matter in question is digital, a publisher may instead offer to take 'access prevention steps' to remove, block, disable or otherwise prevent access to the matter.

This reform provides greater flexibility to digital intermediaries when responding to complaints and provides an additional avenue for offering to make amends where it is not possible or meaningful to publish a correction or provide clarification.

Requiring courts to consider balancing factors when making preliminary discovery orders

People who post defamatory matter online might do so anonymously and this poses challenges to bringing defamation proceedings as a plaintiff must first identify and locate the author. Courts can currently be asked to make preliminary discovery orders against digital intermediaries to assist in identifying a poster for the purpose of enabling the service of a concerns notice or defamation proceeding.

To promote consistency of decision-making across jurisdictions, the Bill will provide that when a court makes a preliminary discover order in a defamation proceeding, it must take into account:

- the objects of the Defamation Act, including to provide effective and fair remedies and promote speedy and non-litigious resolution of disputes, and
- the privacy, safety or other public interest considerations that may arise if the order is made.

Introducing a new defence for digital intermediaries

There are several defences to a defamation claim, including the defence of innocent dissemination for the publication of defamatory matter by subordinate distributors. The term 'subordinate distributor' describes a person who was not the primary distributor or author of the content, and a person who did not have any capacity to exercise editorial control over the content prior to publication, such as a bookseller or postal service.

The defence of innocent dissemination allows subordinate distributors to avoid liability if they can prove that they neither knew, or ought to have reasonably known, that the matter was defamatory, and their lack of knowledge was not due to any negligence on their part.

Several issues have been identified in applying the defence to digital intermediaries, such as forum administrators or social media platforms. For example, there is a lack of clarity about when a digital intermediary might be considered to have capacity to exercise editorial control, given the variety of technical capabilities of contemporary digital intermediaries. There is also a lack of certainty around the requirement to prove that they did know that the matter was defamatory. This may operate, in some cases, to discourage digital intermediaries from monitoring online services to avoid having knowledge about defamatory matter until they have been notified of a complaint.

To overcome these issues, the Bill will introduce a new defence specific to digital intermediaries. The defence will apply if a digital intermediary can prove that:

- at the time of publication, they had an accessible complaints mechanism for the plaintiff to use, and
- if the plaintiff gave a written complaint in accordance with the Act, reasonable access prevention steps (to remove the matter, block, disable or prevent access to the content) were taken in relation to the publication, if available, either before the complaint was made or within 7 days after the complaint was given.

This provides greater certainty and clarity as to the potential liability of digital intermediaries and provides complainants with a relatively fast and simple method to seek a remedy.

Enabling courts to make orders against non-party digital intermediaries

Courts can currently grant injunctions or make orders to prevent the publication or republication of defamatory digital matter. However, there is uncertainty about the power to make orders in relation to non-party digital intermediaries who host or otherwise facilitate access to defamatory digital matter.

The Bill will provide courts with the power to order a digital intermediary who is not a party to a proceeding to remove or disable access to online defamatory matter in circumstances where:

- the plaintiff has obtained judgment for defamation against the defendant, or
- a court has granted a temporary or final injunction or other order preventing the defendant from continuing to publish, or republishing, the matter pending determination of the defamation proceeding.

This provides complainants who have obtained orders or judgments against a poster of defamatory digital matter the ability to seek the court's assistance if the poster does not comply and it is appropriate for a digital intermediary to take steps to assist, for example, to block access to the defamatory content.

Expanding the electronic means by which notices can be given or served

The Defamation Act provides that a document or notice, such as a concerns notice, may be given or served on a person or body corporate in person, by post, by facsimile or to an email address specified by the person.

To modernise the Act, the Bill will extend the forms of electronic communication to allow a document or notice to be given to a person or body corporate by email, messaging or other electronic communication to an address or location indicated by the recipient.

Extending the defamation defence of absolute privilege to matter published to police

Currently, a person who makes a report to police is not adequately protected from defamation liability. For example, if a victim-survivor of a sexual offence makes a statement to police, whether formally or informally, they are not absolutely protected from a defamation suit being brought against them by the alleged perpetrator for that statement. This can have a chilling effect on the reporting of crime.

While the model provisions in the Defamation Act contains several defences to the making of defamatory statements, including the defence of qualified privilege, establishing a defence can require a costly and time-consuming court hearing to establish, which can contribute to the re-traumatisation of victim-survivors.

Sexual violence is a criminal and social harm that is prevalent in Australia. An estimated 22 per cent of Australian women aged 18 years and over have experienced sexual violence since the age of 15, and an estimated 8.3 per cent of women who experienced sexual assault by a male reported the most recent incident to police. There are many reasons why women may not report assault to police, including a fear of the perpetrator and a fear of legal processes.

In its 2020 *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* report, the Australian Human Rights Commission found that workplace sexual harassment is prevalent and pervasive in

Australia, and most people who experience sexual harassment never report it. The Commission heard that defamation laws can discourage sexual harassment victims from making a complaint.

In late 2020, the Victorian Government proposed that the impact of defamation laws on the reporting of sexual violence be considered by the then Council of Attorneys-General as part of the second stage of review of the model provisions. The development of this reform was led by Victoria.

The Bill will amend the model provisions enacted in the Defamation Act to extend the defence of absolute privilege to matter published to officials of Australian police forces or services who are acting in their official capacity. The defence will protect any means of communicating with state, territory or Commonwealth police, including informal reports, email enquires or using online reporting tools. It will also protect reports made to police employees, office holders, contractors and other persons who act for or on behalf of police, including administrative staff.

Absolute privilege is a complete immunity and defence to a defamation claim and is only available in limited circumstances, including matter that is published in proceedings of a parliamentary body or an Australian court or tribunal. The likely availability of the defence of absolute privilege can discourage the commencement of defamation proceedings or result in a proceeding being dismissed at an early stage without a hearing. Extending the defence to matter published to police recognises the public interest in the proper reporting of crime.

These reforms are a continuation of the Victorian Government's work to remove barriers to reporting crime and improve the way that the justice system responds to serious offences, including sexual violence and family violence. The Bill will provide greater certainty to those reporting matters to police that they will be protected against a defamation suit for that report, remove barriers to reporting to police and reduce the risk of costly and often re-traumatising defamation proceedings.

Improving the operation and effectiveness of Victoria's integrity agencies

Parts 5 to 12 the Bill makes a range of substantially technical amendments to a number of integrity and justice related Acts to help ensure that Victoria's integrity and accountability system is clear, accessible, effective and efficient. The reforms include amendments to the *Ombudsman Act 1973*, *Victorian Inspectorate Act 2011*, *Freedom of Information Act 1982*, *Privacy and Data Protection Act 2014*, *Independent Broad-based Anti-Corruption Commission Act 2011* (IBAC Act), *Public Interest Monitor Act 2011*, *Public Interests Disclosure Act 2022*.

These reforms are substantially related to addressing technical or procedural matters and enabling integrity agencies to better manage their resources. While the amendments contained in the Bill are minor in nature, their value in strengthening Victoria's integrity framework should not be discounted.

Improving the operation of the integrity system – Victorian Inspectorate, Ombudsman and IBAC

The public sector is uniquely placed in that every day public servants make decisions and take actions that affect the lives and interests of the community. That is why it is vital that the State's integrity agencies are empowered to respond quickly, flexibly and appropriately to undertake their oversight functions. Recognising this important role, the Bill will enhance the operation of the integrity system through a series of minor reforms to clarify the law, create consistency across the integrity system and provide operational improvements to allow integrity agencies to respond flexibly and efficiently.

As part of achieving these outcomes, the Bill makes several procedural and clarifying amendments to the Ombudsman Act. Key amendments include:

- clarifying the definition of 'public body' to better align the term with the IBAC Act, while still reflecting the appropriate jurisdictional boundaries of each entity
- removing ambiguity concerning procedural aspects of voluntary appearances of witnesses before the Ombudsman, and
- streamlining the Ombudsman's notification requirements to IBAC and the Victorian Inspectorate regarding conduct that is the subject of a general complaint and a public interest complaint under the Public Interests Disclosure Act.

The Bill will clarify that the Victorian Inspectorate and the Ombudsman may disclose information to royal commissions and other like bodies at their discretion, and that IBAC may disclose to a commission of inquiry appointed under the *Local Government Act 2020*, when it is appropriate and provided that it does not lead to the identification of a person who has made an assessable disclosure under the Public Interests Disclosure Act or the disclosure is not restricted by another Act. This will enhance the ability of Victoria's commissions and inquiries to gather information relevant to the exercise of their functions and in turns help ensure they are empowered to make informed recommendations.

Currently, search warrants issued under the IBAC Act only authorise a named person to exercise their powers under the warrant. This requirement risks both the integrity of the investigation and the health and safety of IBAC officers as it provides ‘persons of interest’ with the details of the relevant officers. The Bill addresses these concerns and acquiesces recommendation 42 of the 2018 IBAC Parliamentary Committee Inquiry into the external oversight of police corruption and misconduct in Victoria by permitting search warrants to be issued to allow any authorised IBAC officer or any police officer to execute the warrant.

Another key reform is renaming the Victorian Inspectorate to ‘Integrity Oversight Victoria’ and the Inspector as the ‘Chief Integrity Inspector’. These new titles will better articulate the role and the purpose of the office in overseeing the State’s integrity and accountability bodies and their officers. All references to these titles are updated across the Victorian statute book to ensure there are no gaps in continuity of the office’s operations.

Accompanying these changes, the Bill provides legislative clarity in relation to some of the Victorian Inspectorate’s powers, including in relation to their capacity to conduct audio or visual inquiries concerning the Wage Inspectorate Victoria. The Bill also provides the Victorian Inspectorate with the discretion to refuse to investigate a public interest complaint in limited circumstances, such as where that complaint is vexatious.

The Bill also inserts a new offence in the Victorian Inspectorate Act to prevent a complainant or other person from disclosing certain information received from this entity without authorisation. The offence covers information received about both the outcome of the investigation and the actions taken by the Victorian Inspectorate including whether they have decided to investigate. The offence carries a maximum penalty of 60 penalty units or 6 months’ imprisonment and is similar to an existing offence in section 184 of the IBAC Act concerning the disclosure of information received from IBAC.

Improving the operation of the freedom of information and privacy frameworks

The Bill includes a range of amendments to the freedom of information and privacy legislative frameworks to strengthen protections and better support agencies to meet the objectives of the Acts more efficiently.

Central to these proposed reforms is providing the Office of the Victorian Information Commissioner flexibility in addressing privacy complaints. The Bill supports this goal by providing informal dispute resolution procedures under both the Freedom of Information Act and Privacy and Data Protection Act. The Information Commissioner’s grounds for declining to entertain a privacy complaint are also expanded to include circumstances where the complainant fails to co-operate with the Commissioner without reasonable excuse. This is an approach that mirrors the existing grounds for declining a complaint in relation to a freedom of information review.

The Bill will also strengthen operational processes by streamlining the Information Commissioner’s annual reporting obligations by aligning the legislative requirements under both the Freedom of Information Act and Privacy and Data Protection Act.

In addition to the amendments highlighted earlier, the Bill contains several minor and technical amendments to the Privacy and Data Protection Act to clarify legislative uncertainties and facilitate greater operational efficiencies. Importantly, the definition of ‘sensitive information’ in Schedule 1 will be updated to clarify that ‘sexual preferences or practices’ also includes ‘sexual orientation’. This amendment will align the Act with Commonwealth legislation, remove ambiguity and strengthen privacy protections for this type of information.

Under the Privacy and Data Protection Act, ‘protective data security plans’ are exempt from freedom of information requests. The Bill extends this exemption to ‘security risk profile assessments’ to ensure that assessments remain secure and ensure agencies’ capacity to manage potential harms is retained. The assurance requirements for the Victorian Protective Data Security Standards will also be updated to ‘confidentiality, integrity and availability’ to reflect the current internationally accepted components.

The Bill also amends the definition of ‘law enforcement agency’ to explicitly include the ‘Victorian Legal Services Board and Commissioner’. While the Board and Commissioner are considered to already fall within the definition of ‘law enforcement agency’, the explicit inclusion will promote proactive identification of relevant information and streamline information sharing procedures between relevant entities.

The Bill provides procedural amendments to the Freedom of Information Act to support more expedient administration of the Act including by:

- removing outdated references to ‘reading rooms’ in recognition of information now commonly being provided electronically or through an agency’s website
- harmonising and clarifying that the threshold for third party consultation for exemptions under the Act is ‘reasonably practicable’

- making it clear that documents such as Cabinet materials and law enforcement documents provided to the Information Commissioner electronically as part of a freedom of information review must be retained in a secure electronic format if it is not possible for it to be destroyed, and
- providing that information that is publicly available and free of charge is excluded from freedom of information requests.

Public interest disclosure related amendments

A range of reforms are included in the Bill to address limitations and operational issues with the application of the public interest disclosure scheme in Victoria.

The Bill addresses a jurisdictional gap between the public interest complaints that IBAC can refer to the Ombudsman and those they are empowered to investigate by enabling the Ombudsman to investigate public interest complaints involving third parties, such as private sector contractors and businesses, who improperly influence or seek to improperly influence the honest or effective performance of a public officer. This amendment will align the Ombudsman's and IBAC's jurisdictions and support optimal operation and division of work in addressing public interest complaints.

In relation to the Chief Municipal Inspector's capacity to respond to public interest disclosures, the Bill strengthens their powers by specifying that they may receive disclosures about Councillors and the conduct of a Council, a member, officer or employee of a Council.

The Bill further aligns confidentiality notice procedures for public interest complaints to be consistent across integrity agencies. The proposed amendments will enable the Information Commissioner, the Chief Municipal Inspector and the Racing Integrity Commissioner to issue a confidentiality notice with respect to a public interest complaint if they believe, on reasonable grounds, that the disclosure of a restricted matter may prejudice the agency's investigations. The proposed reforms will create consistency with the existing confidentiality notice powers awarded to the Victorian Ombudsman, provide agencies with greater control over their investigations and safeguard the integrity of those investigations.

The Bill also makes it clear that IBAC may refer a relevant public interest complaint to the Judicial Commission of Victoria for investigations that relate to judicial officers and Victorian Civil and Administrative Tribunal members. A minor amendment is also made to correct a drafting oversight in section 24 of the Privacy and Data Protection Act to require receiving entities to provide advice to disclosers about its assessment of their disclosure against both limbs of the relevant test in section 21(1)(b).

Giving effect to the Public Interest Monitor's role under the Federal international production orders scheme

The Bill will give effect to a new role for the Public Interest Monitor under the Commonwealth International Production Orders scheme.

Schedule 1 of the *Commonwealth Telecommunications (Interception and Access) Act 1979* establishes a scheme to provide for international production orders for intercepted communications data. The scheme will enable Australian agencies to serve international production orders on communications providers in another country (such as Facebook Inc) to access such data. The international production orders scheme will require the Public Interest Monitor to test the evidence in relation to applications for certain interception information made by IBAC and Victoria Police. This will provide an important safeguard in the international production orders scheme.

Additionally, the Bill will clarify the Public Interest Monitor's role and functions conferred by the *Terrorism (Community Protection) Act 2003* to ensure that notification, document, record keeping and security procedures for decisions made under the Act are streamlined to enable the Public Interest Monitor to concentrate on fulfilling its important statutory role to represent the public interest.

Making other minor and technical amendments

The Bill will also make other miscellaneous amendments to support Victoria's integrity agencies and system to operate optimally.

Currently, where a person is subject to a confidentiality notice regarding a restricted matter, the IBAC Act and Victorian Inspectorate Act allow for the disclosure of this information to prescribed services. These services currently include Beyond Blue and Lifeline Australia for the purposes of providing crisis support, suicide prevention and mental health and wellbeing support to the person subject to the confidentiality notice. The Bill will allow for classes of services (rather than each individual service) to be prescribed and most significantly remove the administrative barriers to providing welfare support for witnesses and persons involved in IBAC and Victorian Inspectorate investigations.

The Bill also:

- updates the obsolete definition of 'trade union'

- removes erroneous references to investigations in the *Surveillance Devices Act 1999*
- clarifies that a presiding officer may allow for a support person to be present during a compulsory or voluntary appearance under the Ombudsman Act
- removes redundant references to repealed sections of the *Evidence (Miscellaneous Provisions) Act 1958*, and
- makes various statute law revisions to the integrity agencies' Acts.

The Bill will also replace outdated references to the Federal *Law Enforcement Integrity Commissioner Act 2006* with the *National Anti-Corruption Commission Act 2022* and National Anti-Corruption Commissioner to reflect the commencement of the new Federal Commission on 1 July 2023. These amendments are purely technical in nature but will assist in reducing confusion when navigating integrity system legislation.

Collectively the proposed reforms will support the State's integrity agencies to operate efficiently and be adequately equipped to promote a high performing public sector and community confidence in both government and the integrity and accountability framework.

I commend the Bill to the house.

Peter WALSH (Murray Plains) (13:23): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Tuesday 11 June.

Local Government Amendment (Governance and Integrity) Bill 2024

Second reading

Debate resumed on motion of Melissa Horne:

That this bill be now read a second time.

Peter WALSH (Murray Plains) (13:24): I rise to speak on the Local Government Amendment (Governance and Integrity) Bill 2024. Winston Churchill said in 1947:

No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of Government except for all those other forms that have been tried from time to time ...

I think that applies more so to local government probably than it does to state or federal government, if you look at the three tiers of government here in Victoria. Local government is the form of government that is closest to the people. Every time a councillor goes into the supermarket or goes into the newsagent or goes to a sporting event, they are there talking to the people that elect them and that they actually deliver services for, so local government is a difficult place to be. If you think about whether you would like to be a federal, a state or a local government representative, local government probably do the toughest gig of the three levels of government here in Victoria, because they are so close to the people and they are actually delivering services that impact on everyone's lives. Maybe not so much in Melbourne, but we country MPs have a number of local government areas in our electorates, and you are not always in any one particular area at any one time. But for councillors – their day-to-day life is very much in the area that they represent.

One of the constant pieces of feedback that I get from local government is that particularly the Victorian government at the moment does not give the third tier of government, local government, the respect it deserves or the autonomy it deserves. If you think about over time the changes to the Local Government Act 2020, it did not live up to a lot of people's expectations of actually giving some power back to councillors. In some ways it actually centralised power away from councillors to the CEO and to the administration there, and people were disappointed in that. Local government constantly complains about how the state government just sees it as something to be regulated rather than as a genuine third tier of government that is actually empowered to make its own decisions in partnership with the state government. They are a creature of state government under state legislation, not Commonwealth government, but they believe they are just a tool of the current government to be

manipulated, to be controlled and to be regulated. And that starts right from day one. You think about the changes to wards – the shift from wards to non-wards and the changes to wards. Again, local councillors do not believe that they get heard when it comes to how a redistribution happens in their local government. It seems to be constantly always messed with, and there are rules that say, ‘Yes, you’re going to be undivided this time. Next time you’re divided. Next time you could have multimember wards. Now it’s going to be single-member wards.’ There is no consistency there, and local governments do not believe that their views are heard when it comes to those particular issues. Again, they do not believe they are in control of their own destiny because it is forced on them from above all the time.

If you think about respect and you think about the Commonwealth Games, local government were the ones that started it. The former mayor of Shepparton, who is in this place now as the member for Shepparton, was one of the leaders of that group of local governments that actually floated the idea of having a regional Commonwealth Games. The state government got behind that and then built up the expectations coming up to the November 2022 election about how it was going to be a regional games, it was going to deliver all these jobs and it was going to deliver all the extra sporting infrastructure into regional Victoria. We were going to have great tourism benefits out of it. And then what happened? We all found out it was a mirage. The government I think had no intention, even before the November 2022 election, to follow through with this. It was an election ploy to pump up the regions and to show they care about the region. Who got left carrying the can when the government pulled out? It was local government and those people that had faith in the state government to be honourable about what they said. They are there now picking up the pieces in their community – because there was an expectation, and people now are even more cynical than ever with the levels of government in Victoria, not just the state government but also local government, because their brand was attached to this. They get tarnished in some ways because of what the state government did – the fact that the state government is spending \$600 million not to have a Commonwealth Games.

What form of good governance is the fact that you are going to spend \$600 million not have a Commonwealth Games, and now you have got local government fighting hard to try and get the infrastructure that has been promised out of the Commonwealth Games? At this stage it does not appear to be materialising anywhere near as quickly as they wanted it to. In some instances it is not being delivered in the way that the local community want. I was in Ballarat recently, and the talk there about the stadium with more seating – if you to the locals, what they actually want is a train station at that football oval. They actually do not want more seating at this stage, they want a train station at that football oval so that if people from Melbourne come up to watch an AFL game, they do not have to get off at the station, get on a bus to go to the football ground, go to the football, then get on a bus to go back to the station to come back to Melbourne. They actually would like to have a station at the ground there rather than an extra 5000 seats, because from what they have told me, it is very rarely full. Local government is saying, ‘We want this,’ and the state government is saying, ‘No, we’re going to give you that,’ so I do not think that is a partnership at all. That is not a partnership as to how you deliver the project. We are going to find equally the issues in Shepparton, the issues in Bendigo and the issues in the Latrobe Valley are about getting that sporting infrastructure back into the community post the Commonwealth Games because of that mirage that the government created over that particular time.

We have heard in this place a lot of times that the reason we have got a housing shortage and that there is a shortage of land supply is that the local government is to blame for planning decisions. The government was supposedly going to call in the powers to solve these alleged issues with local government. Can I speak from personal experience with regard to one particular planning amendment in my electorate, C117, which was the Echuca West precinct – 5000 home lots. It was going to be the opportunity to really grow Echuca, because at the moment Echuca is losing growth to Moama across the river because their planning system is lot easier to navigate through and the subdivisions are coming to market quicker. That took something like six years to get to market.

People say local government planning is too difficult to work through. My personal experience with trying to help some of the developers navigate that system there and help the Campaspe Shire navigate that system was that it was actually the state government bureaucracy. The Victorian Planning Authority was actually involved in that process right from the start to give advice and to make sure that they did not keep hitting hurdles as they went to that particular planning amendment. What happened? It was all going to be done – it was finished, it was going to be signed off and that land was going to come to market – and then there would be another rule instigated from the department in Bendigo saying, ‘No, we want to re-examine something else. We want to re-prosecute the issues around native vegetation. We want to re-prosecute these other issues.’ Instead of the VPA and the government actually helping, in this case, the Campaspe Shire to get that planning amendment through, they made it harder and harder and harder.

One of the reasons that a block of land costs so much anywhere in Victoria is the time it takes to get to market. If you are developer and you bought land and you have got the holding cost of five, six, seven years compared to two or three years, that has to be built into the price of the land. I do not think the government understands that the holding cost is actually one of the things that is driving up the costs of land. If that could be turned over quicker, people could afford to sell it more reasonably, allowing people to actually go into those houses. This is another example of where local government believes the state government is actually an impediment to doing their job appropriately and shows a lack of respect for what they do.

The other example that I would like to bring is about those councils in western Victoria who now have the Barengi Gadjin Land Council traditional owners settlement over the top of their councils. As I understand it, that agreement was signed in October 2022, before we went into caretaker mode in Victoria, and it was not made public until about April or May of 2023. Those councils were never, ever consulted. In that particular land council settlement there is an expectation that the council does a whole range of things around procurement, around the management of public land and around the naming or renaming of roads, but they were never actually involved in those discussions. They never had the opportunity to be part of that particular process. So again, there was a lack of respect for and a lack of involvement from local government as a genuine third tier of government in the state.

I was recently talking to somebody from the West Wimmera council who said that they believe that the aspirations that the Allan Labor government has built into that particular land settlement for their area – for the West Wimmera shire – if implemented in full will cost the West Wimmera shire ratepayers \$1 million. It will cost them \$1 million to implement a traditional owners land settlement that they had no discussion in, no consultation on, no involvement in and no opportunity give feedback on. It was actually put in place, and at the time the councils were quite perturbed about the issue: ‘Does the Local Government Act 2020 actually take precedent over procurement, or do we have to follow this traditional owners settlement where we have to give special treatment on tenders to the traditional owners?’ The advice we got back was, ‘Yes, the Local Government Act takes precedence over procurement.’ But there was a push from the government bureaucrats saying, ‘No, you should be doing these things where you’re giving special treatment in the tenders for delivery of services to traditional owners versus a true competitive process.’ Ratepayers in that shire will be horrified when they find out that they are going to have to pay a million dollars to implement those aspirations there. What that particular person from the West Wimmera shire told me was that they are now expecting an appointment, or there is an appointment, from the bureaucrats from Melbourne to come up and try and pressure them.

Natalie Hutchins interjected.

Peter WALSH: To pick up the interjection from the minister, why not consult when it is being developed? If you are going to expect local government to actually implement something, why not talk to them as it is designed? Why not get feedback? They are not against doing things; what they are against is being treated like mushrooms.

Natalie Hutchins: On a point of order, Deputy Speaker, this is an amendment to the Local Government Act, not the Traditional Owner Settlement Act 2010, and I ask the member to come back to the bill.

The DEPUTY SPEAKER: The lead-off speaker generally has some latitude, although I do ask the Leader of the Nationals to come towards the bill.

Peter WALSH: I am speaking on local government issues, and the feedback that I get from councillors is that the current state government does not show them the respect that they deserve and actually tries to force things on them. That was an example I used where the ratepayers of West Wimmera shire, if the aspirations are to be met, will have to pay a million dollars out of their ratepayers money to do that particular thing.

Natalie Hutchins interjected.

Peter WALSH: It is not scaremongering; it is actually the facts. This is what the council representatives told me. That is the costing that has come back from officials –

Natalie Hutchins interjected.

Peter WALSH: No, they are not National Party members. How many Labor Party members are councillors in Melbourne? It is a quid pro quo here. That whole issue comes back to respect. Local government, as I was talking about with subdivisions, have more native vegetation rules being pushed on them, have more cultural heritage rules being pushed on them, have more traffic reports to do and have more studies to do all the time that are forced on them rather than local government making some decisions for themselves and for their ratepayers into the future.

One of the other concerns which is not addressed in this bill but people would have liked to see addressed in this bill is the fact that, if anything, the 2020 rewrite of the Local Government Act actually put more power in the hands of the CEO and management than it did in the hands of councils. The concern I get expressed to me from councillors is that they cannot get to have their say. They cannot put forward a notice of motion to be dealt with by council unless the CEO agrees with it. Local government is the third tier of government, a democracy in its own right, as I said at the start. Democracy is not easy, but councillors get frustrated, and that is one of the reasons we see some conflict amongst councillors – because they do not get an opportunity to have their say. If the CEO says, ‘No, we don’t want to talk about that issue,’ it does not get talked about. Those councillors have been elected by their community to represent their community in the council chamber, and the government is stifling that particular issue – it is happening all the time. So one of the things that at some opportunity in the future we would like the government to address is this imbalance of power between the CEO and management and councillors.

If you think about state government or if you think about federal government, ultimately the minister can say to their department secretary, ‘This is what we want to happen,’ but a local councillor has no power to say anything, basically. The only powers that a local councillor has are at the start of their four-year term to do their four-year strategic plan and sign off on an annual budget. Again, I hear from councillors all the time that when they want to drill down into the budget they are actually not given the detail. They are told, ‘These are the numbers,’ and they might say, ‘Well, there’s an allocation of \$500,000 for X. Can you please give us a breakdown of all that so we actually know where the money is going?’ And they are denied that information; they are told, ‘No, that’s an operational issue.’ Everything hides behind the fact that, no, that is an operational issue, and that is one of the problems where the bureaucrats, most likely at the direction of secretaries or ministers, actually control what gets on the agenda at local government meetings, because it is always considered to be an operational issue, not an issue that councillors actually particularly want to talk about. That comes back again to what I was saying: there is no respect for that third tier of government by this current government. There is no empowerment to work with them on particular issues as they go forward.

The other thing I wanted to touch on was the recent changes to the electoral roll. A 2014 report – and it was a former Liberal–National minister, Minister Powell, that started a review into council elections – says that there are some issues in that the CEO of the council actually manages the electoral roll and that should be transferred to the Victorian Electoral Commission to maintain the integrity of the roll better. Where there is an issue at the moment is: nonresident ratepayers have to register to vote. Some councils are sending out letters saying to landholders, ‘You are not a resident in this local government area. If you want to have a vote in October, you need to register.’

The reports I get back from various parts of the state are that at this stage not all councils have sent letters out to do that to make sure that everyone has an opportunity to vote. I hope they do – but the reason I raise it here in this debate is that I would like the minister to actually maybe investigate to make sure that everyone in all those councils – and there are three that are exempted, but all those in the 76 councils around Victoria – actually make sure they send a letter out to nonresident ratepayers in their particular shire so that they actually have the opportunity to register to vote. If you do not do that, you are actually not going to have a fair election process in Victoria, because quite a few of the people that are paying rates that actually do not live in that municipality will not get a vote at that particular election.

If you go to some of the issues in the bill, the councils – and the Municipal Association of Victoria (MAV) – that I have spoken to have taken exception to having a single code of conduct for all the councils in Victoria. They believe that there should be the opportunity –

Melissa Horne: No, they don’t. The MAV welcomes it.

Peter WALSH: No. That is not what they told me. They have said to me that they do not want a unified code forced on them. They want to be part of a discussion that actually writes that code and have meaningful involvement in actually writing that code rather than having it forced on them and not necessarily having it written in plain English. I can only report on the feedback I get as the Shadow Minister for Local Government. The feedback I have had as the shadow minister is that they are concerned about a standard code of conduct right across the state, and they would also like the capacity for councils to put additional things in that they want to put into those things –

Melissa Horne: You probably need to have a broader conversation with David Clark.

Peter WALSH: Perhaps you should too, Minister. But they do want to make sure that that code of conduct is written in plain English, that it is not legalistic in the way that it is actually required, because everyone wants the guidelines to be able to know how to run a council. It is important that they actually make sure that code is applicable to everyone right across the state, because issues change from place to place.

I have got a reasoned amendment in my name. I move:

That all the words after ‘That’ be omitted and replaced with the words ‘this bill be withdrawn and redrafted to provide procedural fairness by way of an appropriate appeal mechanism for councillors subject to suspension.’

The reason I move that is if you go to the current rules at the moment, if a council is being subjected to a potential suspension by the minister – and there have been cases where the minister has needed to use that power, and it is the whole of council at the moment – there is a process here in the Parliament where the minister introduces legislation to do that, and there are rights of appeal to VCAT around particular disciplinary issues.

The feedback I have gotten from the MAV and from others is that they believe there still should be an appeal mechanism. It says in the bill that, yes, there should be procedural fairness. Procedural fairness, I suppose as a statement, is in the eye of the beholder. So the Local Government Inspectorate going through their particular processes could say, ‘Yes, we have delivered procedural fairness.’ The councillor in question that has been investigated may not think he or she has had procedural fairness.

The reason that amendment is there is that those councillors deserve the respect of having an appeal mechanism to make sure that if they do not believe they have had procedural fairness, they actually have an opportunity to appeal that. Part of that process should be a mediation process first, before they actually end up in a court or in VCAT. There should be processes there that show respect to those councillors as a genuine third tier of government so that they can actually appeal those particular penalties or sanctions before they are put in place.

As I said before at the start of this, Winston Churchill said that our form of democracy is not perfect and not everyone knows everything. I think that would equally apply to the integrity agencies – that there needs to be checks and balances. If someone goes to court for an offence and they do not believe the legal issues have been dealt with properly, they have a right to appeal to a higher court. With the way this bill is written at the moment, councillors could be suspended without having a right of appeal. I think that is something that we would like to see inserted in the bill, and we are happy to have a discussion with the Minister for Local Government between houses about how that procedural fairness might be better defined so that people do have a right of appeal. That is something that the MAV have been very strong on; they actually want to see procedural fairness in that particular process there.

The last issue, to finish off, would be the issue of training. This bill sets out very clearly that new councillors have to do training, effectively before they get paid their allowances, to be a councillor. Mayors or deputy mayors have to do that training also before they get their allowances. If there is the case of an acting mayor coming in and they are going to be an acting mayor for more than 30 days, they have to have training, otherwise they cannot be an acting mayor. I suppose that is very, very prescriptive, and even for those that have been a councillor for one term, two terms or three terms, they have to redo all that training at the start of the next term of council. No-one is saying that councillors should not do training, but I think there has to be some flexibility there – that if you are going for a cert III or a cert IV in a workplace, you actually get some credit for prior learning. If you have been a councillor for a number of terms or if you have been a mayor, why should you have to go through all that training again? It will end up driving people away from what we want. It is difficult as it is, in particular in regional Victoria –

Members interjecting.

Peter WALSH: It is difficult enough to get councillors of the calibre that we want, particularly in regional Victoria, to give up their work time or to give up the cost it has on their business to get involved. Local government is very important, and I think the interjections from the other side of the table show the disrespect that the Allan government holds for local government here. We want to actually have the best possible people doing the councillor role. We want them to have the opportunity to have genuine input into how a council is actually operated rather than having a CEO dictate to them as to what can get on the agenda and what cannot get on the agenda, rather than having them tied up doing training when they may have already done it in the past and they do not get any credit for what they do. If you have had someone that has had business experience or had management experience in business, they should be listened to by council.

I have a recent example. One of the towns in my electorate is at very great risk of stormwater flooding in a major rain event. One of the councillors is actually an earthmoving contractor – owns all the machinery, has done this role for something like 30 years, actually understands how to read a map with heights and falls on it and understands what needs to be done – but he actually cannot comment on it in the council room because that is an administrative issue, not an issue for the councillor. He has seen time and time again where council has wasted money because projects have not been done properly. He can see it as a contractor in his day job, but as a councillor he is not allowed to comment; he is not allowed to talk to the staff to say, ‘Actually, if you look at the levels, the water’s not going to run that way, the water’s going to run the other way.’ He is not allowed to talk about those particular issues; they have been told that is management. He cannot make a comment on those issues. He cannot talk to the staff. The minister might like to go and talk to some councillors about the challenges they find in how the rules between management and council work in the council chamber. If a CEO does

not want councillors to comment on anything, they can stop them commenting on those particular issues.

We would like the government to give due consideration to the reasoned amendment I put forward and how that might be able to be implemented in a textual amendment in the upper house. That is the reason I have flagged that reasoned amendment, so that discussion can take place between houses. The minister made comments about what the MAV may or may not have said, but if the minister talks to the MAV, I think she will find that they are very strong on this particular issue and that they actually want an appeal mechanism for councillors. They do not want an unelected body making decisions on whether they continue as a councillor or whether they are suspended or giving advice to the minister to suspend them. I understand the issue of going to a single councillor versus having to dismiss or suspend a whole council, but I think the process that has worked in the past, where that comes to this chamber and the other place, provides the checks and balances around it rather than having unelected officials just making a *carte blanche* rule that ‘You’ve done something wrong. This is how we’ve proved it. You’ve got no right of appeal, and you’re stood down for 12 months,’ which will tarnish their reputation forever. They need that opportunity for some procedural fairness and a right-of-appeal mechanism into the future so that they actually are not having their reputation trashed unfairly.

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (13:52): I rise to speak on the Local Government Amendment (Governance and Integrity) Bill 2024. It is my pleasure to be able to speak on this, because this legislation is crucial for ensuring ongoing integrity, accountability and governance across our councils. But most importantly it is about respect. I agree with the previous speaker when he said it is all about respect, and that is exactly what this bill goes to, because unfortunately there are a small few councillors out there that are extremely disrespectful to their colleagues and to officers and even to the ratepayers that they represent. What we want to do is make sure that there is integrity, accountability and governance that is built in through this legislation across all of our councils. What this bill will do is mandate ongoing training for mayors and councillors. It will improve early intervention in regard to conduct issues and effective dispute resolution, which I know is something that many councillors and CEOs have been asking for across the state, because this sort of unacceptable behaviour, where it happens, disrupts the normal business that councils need to undertake. And of course this bill strengthens the oversight mechanisms to support good governance.

The opposition have put up what they call a reasoned amendment – I would say it is pretty unreasoned – and that is an amendment that goes to show that they have no confidence in the integrity of the agency. We know that this is a really, really important step as we move forward. Both when I was a former minister for local government but also as a local MP, I witnessed the spectrum of council operations, from delivering for local residents and ratepayers and communities to sometimes failing their obligations primarily due to lack of discipline and unruly behaviour by individual councillors.

Following our 2014 election commitment to reviewing the Local Government Act 2010, we embarked on the first in-depth review of the act since its inception. This responded to the loud calls for reform from the local government sector and the community. Through that process councils were given greater authority to deal with local misconduct internally, including new powers to address alleged code of conduct breaches. I want to thank the minister at the table, the Minister for Local Government, for her work and her department’s work on this, because I know there has been ongoing work and a load of consultation.

What this bill will introduce is a uniform code of conduct. That uniform code of conduct will be subject to further consultation with the sector, and that is a good thing. The poor conduct that is an ongoing challenge for many councils and is caused by just a small minority of councillors’ behaviours will be dealt with through this uniform code of conduct. The minister is bringing a solution to the Parliament for many issues that have been raised with her by the sector. The bill requires all 79 councils to adopt the model councillor code of conduct, and a breach of the code will be considered misconduct and will

be grounds for internal arbitration processes. The bill also requires councils to implement any regulations made in relation to the code, which may include processes for resolving disputes internally.

Councillors are expected to work together for the benefit of their local area. Good governance requires hard work and cooperation between councillors, between the mayor and their councillors and between officers. It is unfortunate when one bad apple abuses their privilege and brings the entire council into disrepute. I have seen shocking misconduct by some councillors, including bullying, including racism, including sexism and including the leaking of confidential information and the spreading of fake information about other councillors. This legislation aims to address such issues and support councils across our state in successfully performing their functions.

One thing I have heard clearly over the years is the need for candidate training, and that is something that this goes to. We have already introduced compulsory training for all Victorians who wish to nominate as a candidate in any council elections, and now this bill provides for ongoing training for councillors and mayors once elected, clarifying their responsibilities, because, believe it or not, there are councillors that claim that they did not know their behaviour was unacceptable. This is very good work and will make sure that councils are delivering on their responsibilities. We are reinforcing the foundations of good governance in local councils, and we are embedding integrity and accountability. This bill will require councillor induction training to be completed within four months of taking the oath, professional development training and mayoral training to be completed by all mayors, deputy mayors and acting mayors within one month of appointment. Beyond this, the bill inserts new provisions to require every councillor to complete professional development training annually and to ensure councillors understand their roles and responsibilities.

I highly recommend this bill to the house. I encourage women to stand for council later this year. At the last elections we saw 272 women elected, representing 43 per cent of councillors. We have a target now of 50 per cent at the next election, but we know cultural issues in some councils discourage quality women candidates from nominating or continuing their local government careers. We strongly encourage women to stand. This bill will help you, and these reforms are crucial to addressing structural and cultural issues that deter women from standing for or from staying in public office, such as gendered stereotypes, discrimination, sexual harassment and online trolling. By strengthening council capabilities, addressing inappropriate behaviour and elevating governance and integrity we will create more inclusive environments and foster better diversity. Finally, I would encourage everyone to support this bill and encourage MPs in this chamber to support women to stand for council later this year. I commend the bill to the house.

Business interrupted under sessional orders.

Members

Minister for Government Services

Absence

Jacinta ALLAN (Bendigo East – Premier) (14:01): I rise to inform the house that for the purposes of question time today and this week the Assistant Treasurer will answer questions for the portfolios of government services, consumer affairs, and public and active transport.

Questions without notice and ministers statements

Payroll tax

John PESUTTO (Hawthorn – Leader of the Opposition) (14:01): My question is to the Premier. Since the last election the Premier and Labor ministers have said 20 times that GPs were not being handed retrospective payroll tax bills, claiming that ‘absolutely nothing has changed’. After the government’s spectacular backflip last week, will the Premier now give a personal explanation as to why she misled Parliament?

The SPEAKER: I will call the Premier, but allegations of misleading Parliament must be done by substantive motion.

Jacinta ALLAN (Bendigo East – Premier) (14:02): I thank the Leader of the Opposition for his question, because it again gives me the opportunity to remind the Leader of the Opposition, the house and indeed the broader community that it has only been the Labor government that has stood with our GPs in the Victorian community against the decade of neglect from the former federal Liberal–National government. That is what has not changed; it absolutely has not changed. It is interesting: we never heard boo from a goose from those opposite in standing with us to support our hardworking GPs during this decade of neglect, which we have seen has brought the Medicare system and the primary care system to their knees. It has taken the federal Labor government and the work that they have been doing with the states to once again work with our hardworking GPs to support them.

That is why the announcements that were made last week by the Treasurer are designed to continue to strengthen and support our bulk-billing GPs, to provide them with that support to continue with that important bulk-billing, because that is one of the areas that the Victorian community has been particularly badly hit by with the decline in bulk-billing rates amongst GPs because of that decade of neglect from the former Liberal –

James Newbury: On a point of order, Speaker, the Premier is clearly now debating the question.

The SPEAKER: The Premier was being relevant to the question.

Jacinta ALLAN: In being relevant to the question I will refer to this quote from Dr Jill Tomlinson, the Victorian president of the AMA, where she says, ‘General practice is vital for keeping Victorians out of hospital.’ That is exactly why we have continued to provide support to our hardworking GPs. I think our GPs know that we will stand with them. We will provide support for them to continue bulk-billing and for them to provide support to the Victorian community whilst we also – whether it is through establishing the priority primary care centres, the Victorian Virtual Emergency Department or the community pharmacy pilot – look at ways that we can continue to strengthen and support our GP system, our primary care system, through the initiatives that only a Victorian Labor government will deliver.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:05): The Premier said just a few weeks ago:

... can I make it absolutely clear to the house and to the Leader of the Opposition that he is referring to a tax that does not exist. There is no health tax.

Why then did the government backflip and offer an exemption to a tax that does not exist?

Jacinta ALLAN (Bendigo East – Premier) (14:05): I absolutely stand by the reference that the Leader of the Opposition has made, because he was making things up then and he is making things up now. We will continue to support our hardworking GPs. While those opposite are more worried about the letters they are getting in their mailboxes from lawyers from around the state, we are going to focus on supporting our hardworking GPs.

Ministers statements: major events

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (14:06): I rise to update the house on how Victoria continues to be the major events capital of Australia. It has been a big week for our state with Global Football Week and the Australian Tourism Exchange taking over the city, with tens of thousands of interstate and international visitors filling our streets and our hotels. The next few weeks are going to be jam-packed. NRL State of Origin returns to the MCG; it has not been here since 2018. The Rising festival will again transform Melbourne into a creative playground. Ballin’24 will take over John Cain Arena, with our Olympic basketballers on full display. Jerry Seinfeld will entertain thousands at Rod Laver Arena. White Night will light up Ballarat, which I know the members for Eureka, Wendouree

and Ripon are looking forward to, and the landmark *Pharaoh* exhibition, which has never left the British Museum, will be here opening at the NGV soon.

This does not happen by accident. Think of the Melbourne and Olympic parks precinct, the jewel in the crown of our events calendar. On the back of more than a billion dollars invested across the precinct in recent years, it generated more than \$740 million in economic activity in one year alone. Last year alone the precinct welcomed over 3 million visitors, who together contributed 1.2 million bed nights in hotels in Victoria. You do not have to look far to see another terrific example of the benefits of government's investment in major events. Our \$225 million investment in Marvel Stadium secured the grand final in Melbourne till 2059. We have also locked up the Australian Open until 2046 and the F1 grand prix till 2037. Much to the dismay of those opposite, who are from Victoria but are not for Victoria, we are the sporting and major events capital of the country. We are today, we will be tomorrow and, under this government, we will continue to be.

Housing

John PESUTTO (Hawthorn – Leader of the Opposition) (14:08): My question is to the Premier. In October 2023 the Premier said that the government would 'build 80,000 homes a year, each and every year'. This month at PAEC the Secretary of the Department of Premier and Cabinet backflipped on this commitment, saying, '80,000 a year. That is not the commitment.' Has the Premier's promise to build 80,000 homes a year each and every year been scrapped?

Jacinta ALLAN (Bendigo East – Premier) (14:08): I thank the Leader of the Opposition for an opportunity to talk about how it is only those of us on this side of the house who are committed to building more homes for more Victorians. It does not matter what number the Leader of the Opposition commits to; he stands on the back of trucks in his own electorate and continues to oppose important housing development.

James Newbury: On a point of order, Speaker, on relevance, both this and the earlier question were questions that asked the Premier about her own words, and I would ask you to bring the Premier back to the question.

The SPEAKER: I ask the Premier to come back to the question.

Jacinta ALLAN: The position that was released in the housing statement in September of last year remains the position of the government today. We have set a very clear target to build 800,000 homes across the state over the decade ahead. What would assist us greatly in building these homes would be to have the support of the Liberal Party, the National Party –

Members interjecting.

The SPEAKER: Order! Members will be removed from the chamber without warning.

James Newbury: On a point of order, Speaker, on relevance, the question was clearly whether the Premier promised to build 80,000 homes a year. Perhaps the Premier misunderstood the question, but the question was about 80,000 homes a year.

The SPEAKER: The Premier was being relevant to the question that was asked.

Jacinta ALLAN: Of course to achieve that we are using every lever possible we have as a government to build more homes. The planning minister is working incredibly hard through the development facilitation program, where we have already announced a number of projects. More than 1100 properties have been supported through that program to date, and there are something like 33,000 in the pipeline.

Just last week we were in Victoria Gardens, where we announced, through the support from the planning minister, the investment of more than 700 properties at Victoria Gardens, representing a \$700 million investment here in the state of Victoria. So not only is building more homes great for

Victorians who need affordable, accessible housing right across the state; it also represents an investment in the Victorian community. Of course our investment levels are also up 6 per cent compared to the rest of the nation, and it is supporting jobs as well. That is why we are going to get on and continue our focus on building more homes for more Victorians right across the state.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:12): Will 80,000 homes be built this year in Victoria?

Jacinta ALLAN (Bendigo East – Premier) (14:12): As we have said on a number of occasions, we know that we need to build more homes for more Victorians. We know that not enough homes are currently being built. We know that the recent ABS data that has been released shows that Victoria is now leading the nation in building approvals to build more homes, but we know we have more work to do. If the Leader of the Opposition really wants to support us in building more homes, he can support the –

James Newbury: On a point of order, Speaker, on relevance, the question could not have been simpler and clearer, and I would ask you to bring the Premier to the very, very simple question.

The SPEAKER: The Manager of Opposition Business knows I cannot tell the Premier how to answer a question. The Premier was being relevant to the question.

Jacinta ALLAN: If the Leader of the Opposition and the member for Brighton want to support the achievement of building 800,000 homes over the next decade, get on board and support housing developments in each and every one of your communities instead of blocking them.

James Newbury: On a point of order, Speaker, may I take you to page 152 of *Rulings from the Chair* and the ruling from Speaker Madigan of 31 March 2004. In effect, the Chair ruled that ministers do not have an opportunity to answer a question in any way they like. I would put to you that the Premier has not even considered the question in dealing with the response, and I would ask you to bring the Premier back to the question.

The SPEAKER: Manager of Opposition Business, it is still the case that the Chair cannot direct a minister or the Premier how to answer a question. The Premier was being relevant to the question.

Jacinta ALLAN: We will continue to work very hard to support the building of more homes across the state. What we will not do is demonise migrants choosing to live here in Victoria. We will not demonise, like the Liberal Party are doing, migrants choosing this state, who bring jobs and opportunity.

John Pesutto: On a point of order, Speaker, the Premier is casting an imputation, and I ask her to withdraw it.

The SPEAKER: I will rule on this. You cannot withdraw an imputation. There is no point of order. The Premier has concluded her answer.

James Newbury: On a point of order, Speaker, under standing order 120, I object to the words the Premier used.

Members interjecting.

The SPEAKER: Order! Question time is not an opportunity for members to throw abuse across the chamber at each other. On your point of order, Manager of Opposition Business, I am not quite sure which words you are referring to. Therefore I cannot rule on your point of order. If you have further issue with the point of order that you have raised and you wish to raise it further, I am happy to see and speak to you after question time in my office.

James Newbury: To assist the Speaker –

The SPEAKER: The Speaker does not require assistance, Manager of Opposition Business.

Ministers statements: local ports

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (14:17): I rise today to update the house on this government’s historic investment in local ports, piers and jetties, and I hope that the Minister for Tourism, Sport and Major Events will not mind me straying too far into his patch, because piers and jetties go hand in glove with tourism.

What better place to start than the \$58 million rebuild of the iconic St Kilda Pier, Victoria’s biggest ever pier project. St Kilda Pier attracts over 830,000 visitors annually, and it is estimated that each and every one of those visitors spends around \$50 every single visit. According to the maths, 830,000 times 50 is more than \$40 million going directly to St Kilda businesses each year. The new pier comes with a dedicated viewing platform so the cutest members of the St Kilda community – sorry, it is not you, member for Albert Park, it is the little penguins – can be safe and enjoyed all summer. I was out onsite with the member for Albert Park recently to see the progress, and I am sure she will agree it looks absolutely stunning. It is going to be a huge driver for tourism, bringing people not only from across Victoria but from across the world.

But that is just one project in a long list, because this government has invested more than \$150 million in our piers and jetties since 2018. That means boosting local economies, just like for the member for Bellarine, the member for Bass, the member for Mornington, the member for Nepean and even the member for Gippsland South. I feel a bit like Oprah: you get a pier, you get a pier and even you get a pier. We are making these investments because we know that tourism is the lifeblood of our coastal regions and that piers and jetties bring more than \$900 million to local and regional economies every year. I am really proud of the work that this government has done to invest in piers and jetties to support tourism and boost local economies in Victoria.

Wonthaggi planning

John PESUTTO (Hawthorn – Leader of the Opposition) (14:19): My question is to the Premier. A retrospective planning overlay has been imposed on hundreds of existing homes across the Wonthaggi North East precinct, leaving vulnerable home owners facing up to \$80,000 in costs to clear this blight on their properties. Brett and Amy, who have been supporting their one-year-old daughter Milly, who has recently been in hospital receiving brain surgery, have spoken about the crippling costs that clearing the government’s overlay will have on their family. Does the Premier stand by this unfair decision?

Jacinta ALLAN (Bendigo East – Premier) (14:19): In answering the Leader of the Opposition’s question, he is referring to a planning issue that has been an issue for the Bass Coast community for a number of years now. I know the Minister for Planning has been working with the council and also the Victorian Planning Authority. The Leader of the Opposition referred to a family who are experiencing some hardship and distress. That is obviously a concern, and I will refer that matter to the Minister for Planning for her follow-up.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:20): The opposition has committed to ripping up the Labor government’s unfair and retrospective decision. Will the Premier adopt the opposition’s policy?

Members interjecting.

The SPEAKER: Order! The member for Tarneit can leave the chamber for an hour.

Member for Tarneit withdrew from chamber.

Jacinta ALLAN (Bendigo East – Premier) (14:20): I think those opposite know that when you agree with the Leader of the Opposition, you end up getting letters that end you up in court, so, no, I

will not be agreeing with the opposition. As I said earlier, I will refer this matter to the Minister for Planning for her follow-up.

Ministers statements: employment

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:21): It gives me great pleasure to announce to the house the updated and stellar performance that the state of Victoria has had in terms of jobs growth. Victorian employment rose by 10,000 new jobs in April, taking the increase in employment over the past year to more than 117,000 new jobs. The number of Victorians employed has increased by over 570,000 jobs since September 2020. That is the highest growth in jobs in the nation both in percentage terms and in absolute terms. This has smashed the government’s jobs target of 400,000 jobs by 2025. This means that we have an all-time high in the number of Victorians in employment.

The visitor economy sector has also enjoyed its share of growth over this time. According to the latest figures, tourism in Victoria generated 257,500 filled jobs and contributed \$28.2 billion to the economy in gross state product in 2022–23. Businesses and workers are flocking to Victoria, and it is very clear why they are doing it. The most recent ABS statistics show that Victoria created 90,000 new businesses since 2021 alone, more than any other state, and 170,000 businesses since coming to government. Indeed following the difficulties of the pandemic nearly 100,000 new jobs in the tourism sector were created in 2022–23 alone. Those opposite managed, for the whole state of Victoria in their entire term of government – get this – 11,000 new jobs. That is how pathetic they were as economic managers.

Respiratory syncytial virus vaccination

Jess WILSON (Kew) (14:23): My question is to the Minister for Health. This winter every baby in Queensland and Western Australia can be immunised against the dangerous respiratory virus RSV because those state governments ordered vaccine supplies. Why will most babies in Victoria miss out on an RSV vaccination?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:23): I thank the member for Kew for her question, which I welcome. Let us be clear: here in Victoria it is our health clinicians who make decisions about which vaccines and drug treatments we order or do not order, and when we were approached by a pharmaceutical company with a drug that had not yet been approved by the TGA the department did not purchase that at that time.

There are a few things that I need to say about RSV. Obviously winter presents a whole range of respiratory challenges. I know some of our colleagues are being impacted by them right now: flu, COVID and RSV. It is a really great opportunity to remind everyone in this chamber to make sure they are up to date with their COVID and flu vaccines and in particular that children have a flu vaccine. We are a bit alarmed at how few children are actually getting their flu vaccine, despite the fact that it is on the national immunisation program. I want to assure everyone that we have secured a supply of the new drug, and it is available to those children who are at risk and are in hospital, so they are highly susceptible to a severe impact of RSV, now that it has been approved by the TGA. We have secured that supply.

Public confidence in immunisation programs is absolutely critical. We know that there are those who have stood around while a whole lot of misinformation has been spread about vaccines. As health minister I want to encourage people to listen to clinical advice, to listen to clinicians and to act accordingly. I want to once again assure you that the Royal Children’s Hospital have a range of treatments that have been available for children with RSV, and they will continue to deliver those treatments.

Jess WILSON (Kew) (14:25): How many times did the minister or her department reject Sanofi's proposals to secure sufficient RSV vaccinations for Victorian babies?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:26): The Department of Health is not in the business of buying vaccines from drug companies that have not received TGA approval.

Ministers statements: multicultural business support

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (14:26): I rise to update the house on how the Allan Labor government is boosting local economies through the multicultural trader grants program. Small businesses are the heart of our communities right across the state. They make Victoria the cultural and economic powerhouse of our nation, creating jobs and bringing visitors from across Australia and the globe. From Broady to Springvale, Oakleigh to Footscray, our multicultural precincts are our hubs of business, activity, food and culture. I have been out with the members for Box Hill, Laverton, Tarneit and Pascoe Vale talking to local traders about opportunities for their multicultural small businesses. On this side of the house we know that Victoria's diversity is what makes us strong. Victoria is proud to be home to generations of hardworking families that have contributed so much to their local communities, sharing their culture, food and tradition. That is why the Allan Labor government is backing them, supporting local economies, jobs and families.

Recently I launched the multicultural trader grants. This program is open to all trader groups in Victoria right now. Grants are available of up to \$20,000 for projects to stimulate business activity through marketing campaigns and local events. Trader associations can deliver locally led projects, promoting collaboration, skill building and cultural diversity. Events like the Bendigo Easter Festival or the Belgrave Lantern Festival celebrate local diversity, create economic growth and, importantly, boost small businesses. Because we know multicultural businesses play an important role in Victoria, the Allan Labor government will back small businesses every step of the way.

Melbourne Airport rail link

David SOUTHWICK (Caulfield) (14:28): My question is to the Minister for Transport Infrastructure. Earlier today, when asked if airport rail should be a priority over SRL East, the Deputy Premier said that we can do both together. The government has paused airport rail until at least 2029, yet SRL East is still currently being built. Has the Deputy Premier announced a change of government policy?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:29): I thank the Deputy Leader of the Liberal Party for the question, and I take exception to an observation made by the Deputy Leader of the Liberal Party. The issue here is that we have been dealing with appalling and abhorrent behaviour by the private operator of the airport. That is the reason why this project has been delayed. The issue here is that at every step of the way the airport has blocked and frustrated any attempt to try to get a deal done. We spent three years trying to get a deal done with the airport, and there has been no luck to date.

David Southwick: On a point of order, Speaker, on relevance, I would ask you to bring the minister to answering the question.

Chris Couzens interjected.

The SPEAKER: The member for Geelong can leave the chamber for half an hour.

Member for Geelong withdrew from chamber.

The SPEAKER: The minister was being relevant to the question that was asked.

Danny PEARSON: The issue here is that through the intransigence and the belligerent behaviour of the airport there has not been a capacity to deliver Melbourne Airport rail at this time. We are getting on with the job of delivering the Suburban Rail Loop.

James Newbury: On a point of order, Speaker, on relevance, I understand the minister is embarrassed by the Deputy Premier's positioning, but I would ask you to bring the minister back to the question.

The SPEAKER: I would ask members to raise their points of order succinctly. The minister was being relevant to the question.

Danny PEARSON: The Suburban Rail Loop is a real project. It is here and it is now, and we are getting on with delivering this project. We had the first contract let late last year. We are getting on with working through the second series of contracts both for tunnelling and station boxes, as well as line-wide packages. We will have TBMs in the ground come 2026. We are getting on with this project because it stacks up and it is real and we cannot afford not to do it. In relation to the airport, the issue here is the fact that we have been dealing with an actor in the airport who has been a bad-faith actor.

David SOUTHWICK (Caulfield) (14:31): The Deputy Premier also said that in some ways a billion dollars has already been spent on the north-western section of airport rail. What benefit have Victorians received for the billion dollars?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:31): You can see why those opposite did not deliver a single project in their four wasted years of office.

David Southwick: On a point of order, Speaker, the minister is debating the question. I ask you to bring him back to answering the question.

The SPEAKER: The minister will come back to the question.

Danny PEARSON: You have got to plan for big infrastructure projects. You have to do the work. In this particular case we want to make sure that we have got the rail corridor preserved. We want to make sure that services have been relocated. We want to make sure that when, ultimately, agreement is reached, we can get on with it and deliver it. But those opposite, who wasted their time in office, did not deliver a single major project – lazy, lazy, lazy –

David Southwick: On a point of order, Speaker, the minister is defying your ruling, and I ask you to bring him back to answering the question, not debating it.

The SPEAKER: The minister will come back to the question.

Danny PEARSON: This is all about making sure that we preserve the corridor for the future benefit of Victorians. That is what we have done. We have made sure that we have got those services relocated and the corridor is there, and we hope that one day the airport might decide they want to support it and get on and deal with this project. But when you are dealing with a bad-faith actor who has got no interest at all in putting forward this project, who will not let us deliver the project on its land, it is a problem.

Ministers statements: regional employment

Jacinta ALLAN (Bendigo East – Premier) (14:33): I am delighted to rise to update the house on the work we are doing in partnership with regional communities across the state to support jobs, particularly in our great, strong regional tourism industry. Do you know what you will find in regional communities right across the state today? Victorians in jobs. And that is because there are more Victorians employed across regional communities today than ever before in our state's history. Just in April alone, 11,000 more people found a job in our community, and today regional unemployment is at a level that is less than half it was when we came to government in November 2014.

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That does not happen by accident. It happens as a result of working in partnership with regional businesses and communities to support and invest in people and infrastructure that in turn supports jobs, particularly in the regional tourism sector, a big and important part of our way of life in the regions and also our economies. We have programs like the Regional Tourism Investment Fund, grants of up to \$5 million for tourism-related projects; the Regional Worker Accommodation Fund, which is helping work with regional tourism –

Members interjecting.

The SPEAKER: The member for Nepean can leave the chamber for an hour.

Sam Groth interjected.

The SPEAKER: The member for Nepean can leave the chamber for an hour and a half.

Member for Nepean withdrew from chamber.

Jacinta ALLAN: Our Regional Worker Accommodation Fund is helping address the issue of the pipeline of workers. Time is against me listing a whole range of projects, but the member for Mildura knows about the Mildura sports precinct, which has recently been completed, another great Labor government project delivered for the people of Mildura. And of course, Speaker, you are well aware of the fantastic Bendigo Airport redevelopment that is supporting the welcoming of more people and visitors to the great regional centre of Bendigo.

Bridget Vallence: On a point of order, Speaker, I have a number of questions outstanding from a range of ministers who have yet to answer questions. I have raised points of order on these before: question 535 to the Minister for WorkSafe and the TAC, who is at the table; question 943 to the Minister for Jobs and Industry; questions 1050, 1052, 1081 and 1083 to the Minister for Skills and TAFE; and questions 1112 and 1113 to the Minister for Education. I would appreciate those being followed up for my constituents.

Jade Benham: On a point of order, Speaker, I have got four questions I would like urgent follow-up on, particularly 522, 877, 757 and 629.

Constituency questions

Eildon electorate

Cindy McLEISH (Eildon) (14:37): (650) My question for the Minister for Emergency Services is from the Highlands CFA brigade. Why is it acceptable for the CFA to significantly cut the volunteer emergency services equipment program allocation to the brigade in order for the brigade to purchase an ultralight? The brigade accepted an offer for an ultralight tanker, a Toyota Landcruiser Workmate ute, in December last year. The grant of around \$128,000 required a brigade contribution of around \$24,000. The CFA said they were having difficulty sourcing the required vehicle, so the brigade spent six weeks and were able to source a vehicle at a slightly higher cost. The brigade are willing to pay the difference. Initially rejecting the idea, last night the CFA said the brigade could purchase this vehicle but the CFA would cut their contribution by building the firefighting body only, which would require the brigade to be an additional \$50,000 out of pocket. This is not fair for a very small regional rural fire brigade.

Ashwood electorate

Matt FREGON (Ashwood) (14:38): (651) My constituency question today is for the Minister for Prevention of Family Violence, and I ask the minister: how is the Allan Labor government assisting women in my district of Ashwood who are experiencing family violence? I want to take this opportunity to acknowledge the valuable work that the Eastern Community Legal Centre undertakes in supporting women experiencing family violence in our patch, particularly through the Mabels program, which provides early intervention for those in the situation. We know that the prevalence of

family violence, especially against women by men, is far too common and completely unacceptable – and a shout-out to our new Parliamentary Secretary for Men’s Behaviour Change. I think it really does come down to us blokes to make sure that at the very least – at the very least – we do not condone, we do not tolerate and we set an example for how we should behave at all times.

Euroa electorate

Annabelle CLEELAND (Euroa) (14:39): (652) My question is to the Minister for Treaty and First Peoples, and I ask: what recurrent funding opportunities can this government provide for Goranwarrabul House in Seymour? Goranwarrabul is currently seeking \$380,000 in annual recurrent funding, vital to providing First Nations people of the Lower Hume with health services, support and care. This crucial service provides food relief, court and legal support, medical and cultural support, referrals and transport, and they are the only local option for Aboriginal liaison officers giving culturally appropriate care at hospitals in the entire region. Goranwarrabul means ‘gathering, healing and pleasant place’, and it truly lives up to its name. Each and every week 45 families rely on Goranwarrabul for food support, and over 100 people attend the house’s services – all delivered by my mentor and the fierce advocate Brenda Newman. As it stands, this community group will no longer be able to operate without an increase in their annual funding to cover wages, vehicles, rent, maintenance and general supplies or host their support group’s outings for children and NAIDOC events.

Thomastown electorate

Bronwyn HALFPENNY (Thomastown) (14:40): (653) My constituency question is for the Minister for Community Sport. Residents in the growing suburbs of North Epping and Wollert have raised many times with me the dire lack of recreational facilities in the area. We have now commenced a campaign to lobby council to build the facilities that residents need and deserve. In addition to this advocacy, I ask: how can the minister support local residents and encourage council to invest in desperately needed sport facilities in my electorate?

Evelyn electorate

Bridget VALLENCE (Evelyn) (14:40): (654) The Lilydale SES volunteers do tremendous work helping not only the Yarra Ranges communities but communities right across Victoria during storms, floods and other major emergencies. We all owe Victoria State Emergency Service volunteers a debt of gratitude for the work they do helping keep communities safe. However, it is disappointing that yet again this vital emergency service did not receive the funding it desperately needs under the state budget. My question to the Minister for Emergency Services is: specifically, how much new funding was allocated in the 2024–2025 budget to VICSES for capital and for unit operating expenses, including for the Lilydale SES unit? Currently volunteers have to spend time rattling tins to pay for equipment, for fuel to attend call-outs and for new vehicles, which is unsustainable. I am calling on the Allan government to provide more much-needed funding for the VICSES. And to Shaun Caulfield, Louise Andrews and all of the volunteers at the Lilydale SES: thank you for the work that you do for our community.

Glen Waverley electorate

John MULLAHY (Glen Waverley) (14:41): (655) My constituency question is directed to the Minister for Education. Can the minister explain how the school breakfast program will benefit students in the Glen Waverley district? We know that a quality education is the key to a thriving and growing state, as education is the single greatest investment government can make. We also know that our children deserve the best possible environment to learn in, and that includes making sure that no student starts the day hungry. The government’s school breakfast clubs program has delivered more than 40 million healthy, nutritious meals since its inception in 2016. Now there is a further investment of \$21.1 million to expand this important program to every single government school. Unlike those opposite, who cut funding to government schools and cut funding to programs such as Fresh Fruit

Friday, this government is investing in the future of our youth. Programs such as the school breakfast clubs program are part of the Allan Labor government's record commitment to our education system. I look forward to minister's response.

Nepean electorate

Sam GROTH (Nepean) (14:42): (656) My question is for the Minister for Roads and Road Safety. I rise to again raise the issue of sound barriers along the Mornington Peninsula Freeway. I have raised this issue with the minister in the past, who not only advised me there is no government plan to address the issues that those residents through Dromana, McCrae and Rosebud are experiencing but also pushed back the responsibility onto the struggling property owners. In a letter she actually said that in the meantime residents can install insulation, acoustic window glazing and sealing gaps around their own windows and doors. The government is aware that the threshold to intervene and provide infrastructure to counteract noise pollution sits at around 68 decibels, and VicRoads has confirmed that the impacted stretch of the freeway has been professionally measured and exceeds this threshold. There is also medical evidence that when sound is above that threshold it is detrimental to health. So when will the government take responsibility, intervene and implement noise attenuation measures to address this issue for those residents along that stretch of road?

Sunbury electorate

Josh BULL (Sunbury) (14:43): (657) My question is to the Minister for Public and Active Transport. Minister, how will constituents in my electorate benefit from public and active transport funding in Sunbury as part of the recently announced growth areas infrastructure contribution allocation? As the minister will know, the Allan Labor government is investing more than \$400 million into 37 infrastructure projects across our state, including in areas in Cardinia, Casey, Hume, Melton, Mitchell, Whittlesea and Wyndham, and these projects of course complement the more than \$685 million worth of initiatives already delivered through Melbourne's growth areas through the GAIC funds. I look forward to hearing how this investment will improve public and active transport amenities for residents across the Sunbury electorate.

Sandringham electorate

Brad ROWSWELL (Sandringham) (14:44): (658) My question is to the Minister for the Suburban Rail Loop. Sir William Fry Reserve is at the corner of Bay Road and Nepean Highway in my electorate. It is a beautiful area: rolling green hills of grass, beautiful trees, passive recreation areas, barbecue areas – an area that our community loves and enjoys. It is also the place where this Labor government want to slap the Suburban Rail Loop. It is the start of the Suburban Rail Loop, which no-one in my community has ever asked for. With the Suburban Rail Loop come 18 storeys of development, population growth, congestion, loss of open and green space, loss of passive recreation area, loss of space and added impacts on local schools and our Sandringham Hospital. My question is this: can the minister provide a detailed response on how the government plans to address these concerns and ensure that any development does not negatively impact the quality of life for residents in my community?

Bellarine electorate

Alison MARCHANT (Bellarine) (14:45): (659) My question is for the Minister for Roads and Road Safety: what is the timeframe for the installation of the wombat crossings in Barwon Heads and Ocean Grove in my electorate as part of the safe system pedestrian infrastructure program? An initial round of funding was granted last year to support the design and development of two priority sites, as I have explained, in Ocean Grove and in Barwon Heads, as well as wombat crossings and footpath connections. I have received concerns from members of my community, including school bus drivers, about the accessibility and safety of pedestrian crossings at these intersections, with the population on the Bellarine Peninsula growing significantly and traffic on our roads only getting busier. I would like

an update for the Bellarine community to understand where these pedestrian crossings will be installed and the timeline to ensure the safety of both adults and children when crossing these busy roads.

Bills

Local Government Amendment (Governance and Integrity) Bill 2024

Second reading

Debate resumed.

Matthew GUY (Bulleen) (14:46): I rise to make some comments on the Local Government Amendment (Governance and Integrity) Bill 2024. First of all, I am actually going to do something probably rare in this debate, and that is actually point out a number of councils that I think do quite a good job, because yet again there is another bill from another Labor government which is targeting local government. I accept it obviously around integrity and governance, and we will come to all of that, but there are councils and councillors – and I believe the vast majority of them – who go there for the right reasons and are doing quite a good job.

I want to particularly mention my own council, Manningham, who have done an exceptionally good job at dealing with local infrastructure, at managing their finances, at working cooperatively in council meetings and, more to the point, at doing everything they can to get new housing and the right housing in the right areas. It is not a one-size-fits-all policy, but it is actually acknowledging that there needs to be greater density in areas where it can be accommodated – areas like Doncaster central activities area, where they have sought numerous times from the current state government to get height restrictions that are mandatorily lifted so they can increase housing stock in a major activities area where you would expect it to go, and there are also the same issues around Doncaster East and the Pines. So they are planning and they are trying to do their bit at heavy lifting for growth and population growth into the future, and I think they have been doing a good job.

While I will come onto some substantive points around this bill and particularly around integrity – and that issue is important to note – I want to throw in Banyule, on the other side of the river from me also. That is not always a council that has alignment to my side of politics, but as a council it was worked fairly cooperatively and constructively together in a number of areas, and that has been over a long period of time too. So some councils certainly do deserve a pat on the back for their work in terms of accommodating what is just population growth but also managing themselves in a constructive and sensible way.

This bill, as it says, talks about enhancing the oversight mechanisms by empowering the minister to have the power to suspend councils in the case of serious misconduct. As the Leader of the National Party said in his notes to the chamber – and it is one of the reasons he is moving and we support a reasoned amendment on this side of Parliament – it is putting that power in the control of one minister as opposed to what previously had been the case when it came to a council. There have been examples such as Casey and such as, I think, in the Brumby days, Brimbank. It is a power that we believe should come to the Parliament; we think that is the right way forward.

I know the Municipal Association of Victoria (MAV) have raised concerns around this part of the bill, and so they should, because putting that power in the hands of one minister will bring the obvious question, and that is: what is the political rationale for doing this? Is this politics? Just look at some of the councils that in this term of government, period of government, have been dismissed. Take Casey out of that – the reports have obviously come in – and throw in Geelong, where there were not any. There was what appeared to be a campaign against someone who was not clearly of the political flavour of the government of the day, targeting the mayor of Geelong Darryn Lyons. That was one where we said if the power was in the hands of the minister alone with no oversight, we would have had significant concern with simply moving on that councillor when there was no period of serious evidence or a serious accusation that was levelled toward that councillor. But that is what this bill would do, and that is one of the reasons we have put forward a reasoned amendment for this.

In some ways it empowers a minister to remove councillors. One person, a political person of a political party with no oversight and no appeal mechanism, is empowered with the ability to remove a sitting councillor without coming to the Parliament for oversight from either chamber, which you would expect is a sensible way to approach it. We do not oppose the removal of councils if there has been a serious problem and evidence built up to date. We have backed, even in this term of government, this government when they have sought to do that in a number of instances. But what we are saying and what the Leader of the National Party has said, I think quite rightly, is that that is a power that needs to be treated with great caution. I think the Municipal Association of Victoria are right to say they have not been properly consulted on this point and they wish to have further engagement with the government on it. It is one that we think – given that these councillors, whomever they are, have been elected – needs to have proper oversight mechanisms in place. That is not to say it is every councillor. I heard the previous speaker – who was, from memory, a previous Labor government minister in this term for local government – make some relevant points around some councillors' conduct, which does need to be examined, whether it is about their conduct in the chamber or whether it is about their conduct on how they are performing or operating. This is not to say that does not go without oversight – of course it does, and I think in this chamber we are saying there is scope for that. There is certainly scope for that, but it does need to come with oversight attached to it.

There are examples I think we all are seeing of people who have been elected to local government – even to state Parliament, we might argue – who are at this point in time abusing their position on matters that are not relevant to their constituents, particularly in local government. We have such pressing matters around population growth, infrastructure accommodation, cost of living et cetera, and we have councillors who are solely focused, it appears, on either demonising sections of their communities or on international politics. I accept that people will always have views on this, particularly those elected – you are not elected if you are a person with no points of view on matters around the world or locally – but you do need to know, particularly at local government level, what the role of council is and what it should be and what your priority should be for your constituency. That is something that I think this side of the house, and I think in fairness the Labor Party too, have noted that a number of councillors appear to be certainly abusing.

I just note historically – and it leaves me with some concern – there are a number of instances where Labor governments have had issues with local government repeatedly. I noted there were voting system changes that occurred under the Bracks government. I was here for the tail end of the Bracks government. I am not that old, but that certainly occurred in the early 2000s. Then we saw it again under the Andrews government – changes to voting systems, tinkering with voting systems, only 15 years apart. Voting times and voting dates were again changed under the Bracks government and tinkered with again under the Andrews government – no consistency. The rules on being a councillor were changed I think, from memory, in 2008 – who could be a councillor, where you could work as a councillor, limiting what councillors could in fact campaign on and even debate in the chamber. If there were councillors who were elected being in favour of the new park in Balwyn, for instance, you could not then take that to the chamber and vote on it or you would be subject to conflict regulations. I mean, stuff just gets crazy, but this has been a constant for Labor governments over the last 20-odd years. Again we see these changes and/or we see the Labor government again bringing changes 'to tidy up local government' but then putting all of this supposed 'tidying up' ultimately in the hands of one person, which is the Labor government Minister for Local Government, which leaves us again with some concern.

While we are supportive of seeking to tidy up governance and integrity in local government, we – as the Leader of the National Party has done – put up the reasoned amendment for a reason, and that is to have a discussion with the government and with the MAV and others between here and the upper house around how some of those procedures may work, because it appears they may work but they also may be able to be easily abused, and that is why we have a problem. Rules that I know were being considered, such as the government then saying they would appoint CEOs for councils, I actually expected to be a deliberate part of this bill. In conclusion, I just say that would leave me also with

some concerns, leaving control over local government too much in the hands of just one person, in just one minister. I think that is something we have also flagged concerns with, as we have with elements of this bill, around not just the future appointment of CEOs but the control aspects over local government, which we believe would be too finely located with one person, which is just the minister.

Other than that, I think the Leader of the National Party has very appropriately raised a number of points of concern that the coalition has with the bill, hence the reasoned amendment. But we are supportive of future attempts, particularly around behaviour of councillors. I think we have all seen examples of that recently, where the behaviour of councillors and the approach of some councillors do need to have better codes of conduct attached, and that is why we will have a look at those.

Nick STAIKOS (Bentleigh) (14:56): I rise to make a contribution on the Local Government Amendment (Governance and Integrity) Bill 2024. Local government is a very, very important level of government. I am a former local councillor. I was elected to the Glen Eira City Council way back in 2005, when I had a bit more hair on my head and less hair on my face. I was just 19. I still hold the record on that council for the youngest person ever to be elected to that council. The lead-up to the 2005 council election in Glen Eira was a very rugged one, because the then Bracks government sacked the sitting Glen Eira council. There were a number of issues that ran for a very long time that culminated in that dismissal. In many ways I look at the contents of this bill and I do think that had this particular legislation that we are debating today been in place at the time, there could have been some early intervention and some of the bad behaviour that paralysed council's decision-making and council's processes could have been avoided.

At the time the then Minister for Local Government Candy Broad appointed an inspector of municipal administration to observe the council and come up with findings and recommendations. Merv Whelan was his name. He released his report, and his principal recommendation was to dismiss the entire council, because of course at the time that was the only mechanism available to the minister. Suspensions or dismissals of individual councillors were just not catered for in the legislative framework. When you look at the covering letter from the municipal inspector, upon submitting his report to the minister, he said:

They –

that is, the councillors –

are widely perceived as ineffectual and irrelevant. According to the Councillors themselves, attempts to implement change have been completely ineffective because entrenched bitterness and resentment between them has negated any will to achieve it.

What he is saying is that the problems and the dysfunction between the nine elected councillors did mean that council was not making any decisions, and that was true. I was elected in November 2005 as one of eight new councillors; only one of the councillors elected in 2005 was continuing. We had a lot of catch-up work to do as a new councillor team. For example, one of the first briefs that I received was about the two aquatic centres that the City of Glen Eira owned.

That brief stated that the pools were leaking 97,000 litres of water per day and they were collectively losing about half a million dollars in revenue every year. All of this was known by the previous council, but the previous council was just paralysed when it came to decision-making because of its dysfunction.

Having said all that, there was probably only one of the nine councillors whose conduct was particularly egregious. I do feel that had this legislation been in place at the time, that councillor could have been dealt with early on either by an arbiter suspending that councillor for a period of three months or 12 months or by the minister themselves, and then perhaps the relationships and therefore the effectiveness of the council could have been preserved. That particular councillor's behaviour was particularly egregious. In fact for a time he lost his eligibility to sit on the council, but he continued to sit on the council while being ineligible. He was a member of the Liberal Party, actually, and the

Liberal Party state candidate – but that is beside the point. But I would say that there are some good amendments in this bill which would have prevented some of the goings-on at Glen Eira nearly 20 years ago – the time has flown.

I will go through some of those amendments in this bill. Firstly, this bill will strengthen council leadership capability and councillor conduct, and it will do that by setting out a comprehensive training program. I found, being elected to council in 2005, there was a long and in-depth induction process. But at the time that was not across the board, that was not across the 79 councils; it was just something that Glen Eira developed as a result of its own experience all those years ago. I am really, really pleased to see that the requirement of training, including specialised training for mayors and deputy mayors, will be codified in legislation.

I also spoke just before about early intervention, and I really do think that that is key. This legislation will allow for the appointment of an arbiter who will be able to suspend a councillor for misconduct for a maximum of three months, which is an increase from one month. Two new additional sanctions will be introduced: (1) enabling an arbiter to direct that a councillor is not to attend or participate in a council meeting, and (2) directing that a councillor is ineligible to hold the office of mayor or deputy mayor for a period of up to 12 months.

The bill will also strengthen oversight mechanisms to support good governance. Firstly, the bill provides the minister with the ability to suspend a councillor for up to 12 months, and further to the ministerial suspension powers, the bill enables the Governor in Council to disqualify a person from standing at future council elections upon the recommendation of the minister. These really are commonsense reforms.

This is not to demonise local councillors – as I said, I was one. Many members of this house were local councillors in previous lives. We have got to remember that local councillors are essentially volunteers. They are not paid a wage; they are paid a modest allowance. It was even more modest than it is now back in my day. They are paid a modest allowance, and despite being essentially volunteers, they participate in what really is a cabinet-style form of government. They are making important decisions on town planning applications, on planning scheme amendments, on municipal health and on various other matters that fall within a council's core business. They are also subject to public scrutiny. I really did miss the social media era when I was on council – I am making up for it now as a member of Parliament. But the nature of the role has changed, and you really do not switch off when you are a local councillor, just like you do not switch off when you are a member of Parliament; it is just when you are a local councillor the remuneration is not quite as generous. So we do have to remember that local councillors work extraordinarily hard not for themselves but for their communities, and certainly they have my respect. But with that honour of representing your community does come certain responsibilities. They do make important decisions on behalf of their communities, and we need a legislative framework to ensure that we have constantly got the best possible people representing us across Victoria's 79 local councils.

I would like to finish off by just giving a shout-out to the two local councils that overlap with my electorate. Glen Eira council is one. The City of Kingston is the other. They are two fantastic councils. They achieve good things for their communities. I particularly want to acknowledge the mayor of the city of Glen Eira, Anne-Marie Cade, and the mayor of the city of Kingston, Jenna Davey-Burns.

Local government is an important level of government. It is the level of government that is closest to the people, whether it is sporting infrastructure or any other municipal infrastructure or planning for the future. Both Glen Eira and Kingston are in the middle ring of Melbourne, a highly sought after part of Melbourne, particularly as we hurtle towards being larger than Sydney by the end of the decade and the size of London by 2050. They are doing a good job of planning for the future, they are acting with integrity and they are making their communities proud. I commend the bill to the house.

Roma BRITNELL (South-West Coast) (15:06): I rise to speak on the Local Government Amendment (Governance and Integrity) Bill 2024. This is a bill that goes to reform somewhat the Local Government Act 2020, and it addresses the issues of accountability, conduct and governance within the local government sector. We have seen many councils go into administration over the last few years, and we even had one in South-West Coast, with the Glenelg shire facing that outcome last year. This comes at a great cost to the ratepayers, so what we do want to see is people prepared well and trained, having good codes of conduct in place for them to follow and adhere to and to understand the responsibility. The third tier of government is a very important tier of government. We need good people, and we have good people in South-West Coast that fulfil those roles of councillors. We have in South-West Coast the Shire of Moyne, the Warrnambool City Council, the Glenelg shire and the Corangamite shire. There are many good representatives doing their best, but it can always improve, and that is what some of this reform is going to do.

At this point in time the minister only has the ability to sack the whole council when things go astray, and that is not really quite fair when some people are doing the right thing and others are pulling everyone down, so I do like the idea of reform. I also have concerns, as the member for Murray Plains outlined in his contribution, around the minister having the ultimate power, and I completely endorse the amendment, which puts a procedural fairness in the process of appeal so it is not just the minister or one person, because there is quite an obvious possibility that this would be used as a political tool rather than as a fair procedure.

We know that our councils, particularly in the regions, are doing it tough. The assets they have in their charter of responsibility are often state assets, and often we see, particularly with the Labor government in the last decade, the cost shifting that takes place. This puts enormous pressure on the budgets, particularly of regional councils. We also see them being used as scapegoats. Just in the last few weeks we saw the government say they would change the planning rules and take the planning away from councils if they did not approve planning permits for housing blocks. As examples, in South-West Coast we have got the Moyne shire, with amendment C69 for the Port Fairy coastal and structure plan and C75 for Rivers Run Estate. The development of both is sitting with the minister for final approval. These were adopted – one in January 2024 and one in March 2023 – so these are planning processes that have gone through independent planning panel processes and have the ability to have up to 500-plus houses put into areas where we need them desperately. We have got a massive housing crisis. We have got people who are homeless. We have got people who cannot find rental properties because the government has made changes to the rental laws which have shifted landlords to a point where they just cannot maintain their properties and are selling them; they are being completely removed from the rental market.

The government makes excuses, but when you see examples like this one that I have just put on the table, where the minister has had over a year with one and six months almost with the other planning permit, which could be with a tick of a box brought to the market tomorrow so that people can start building houses and those properties can be sold, you understand a bit more clearly that there is often a bit of smoke and mirrors going on and the politics at play is more the agenda than actually getting land onto the market and houses being built. People are going and doing their best. The council have done the work they needed to do. The Glenelg Hopkins management authority have done the work they need to do. Everything is appropriately organised now for the minister to just tick off. Yet we sit in limbo, and we desperately need those blocks of land to build houses on.

In my mind the reforms do not go far enough. With the local council budgets as tight as they are, we see in South-West Coast that many of the councils have enormous amounts of ovals, stadiums, halls and assets that actually belong to the state government that the ratepayer is often having to put money into because the state government just do not come to the party. One of those examples is the breakwater down at Warrnambool, which is at risk of crumbling and falling into the sea. It is an iconic breakwater that is an asset to our community and should not be maintained at the cost of the ratepayer. It is a burden that the budget of the council just cannot accept or manage. It is just way too much

money. The state need to understand their responsibility, and that is what I would like to see in these reforms so there is a fair and equitable way of rating Victorians so that it is much more fairly shared. We do not have in South-West Coast, in the shires of Moyne or Glenelg or Corangamite or Warrnambool City Council, the level of income that you can see in some of the metropolitan areas, so it is quite an unfair rating system.

But like I said, I support the amendments to the bill put forward by the member for Murray Plains, who is the Shadow Minister for Local Government, because we need to make sure that we do support councils and make sure we have good people who want to take on these representative roles. Many of them have a lot to offer, and we want to make sure that the codes of conduct, for example, that are put in place give them the ability to use those skills. I have heard, in the time that I have been in this role, councillors use excuses sometimes that they cannot discuss certain issues with their community because they are about to vote on the issue in their local government chamber in the next few weeks. That has always perplexed me because that reason does not make sense. The whole idea of being a representative is being out in your community and talking to the community who will be affected by changes that are being made at either local government level or the state level, so to have codes of conduct that some councils have that actually prevent that communication from taking place leads councils to actually put forward ideas that the community do not endorse.

We recently saw that example in the Warrnambool City Council area where it was proposed to put an art gallery on a very significant green area that the community used for picnics and enjoyment, and it really caused an uproar in the community. It should not take that. The council should be able to have those processes in place beforehand so that good communication and consultation can take place and we do not see wasteful use of money when the community are desperately wanting to see other things take place that make more sense to them. That training and leadership capability growth is very important in councils, as is the code of conduct. We see and hear far too often cases where the councillors are frightened to speak. They do not know if they are allowed to talk about certain issues, and they are guided often by the staff within the organisation rather than feeling free to understand their role and knowing the boundaries of what is good governance. That training I could not endorse more, and I am sure the councillors would welcome it.

But we do not want to see councillors just removed unless there is a body of evidence that is built up and they have the right to appeal, which is something in this bill we are not seeing. We definitely do not want to see one person who can then be skewed by influences that may not be reasonable. We need to have a process that is fair. That should begin with mediation initially, and it should have that option of a court appeal so that procedural fairness is made sure to occur. I do endorse the amendment.

I think it is really important that we have reform to local government. I do not think this goes far enough. I think it is important to see training and codes of conduct and to have that flexibility and knowledge within those so that we do not lock people into training that is irrelevant but make sure that they do get suitable training, recognising their prior experience in life and building on the knowledge and expertise that they will need in such a role. But I would like to see the state government understand the pressure that they are putting on the councils. Hiding behind the councils and shifting costs across to them is very unfair. The people who get these rates bills get very upset because of the size of the bill, but I look at some of the hidden costs that are snuck in there on the rates bill, like the fire services levy, which has gone up in the last two weeks from the last budget and will go up next year enormously, along with the rubbish levy, which will not actually assist the local community to get rid of their rubbish. It will end up going into Treasury to fill the budget black hole this government has created with a debt of \$188 billion, which will mean we are going to see at least \$26 million a day in interest payments. That money could absolutely fix roads tomorrow in South-West Coast that need fixing. It could build schools that need to be built. It could probably in about four days build the car park at the hospital that is desperately needed. I hope the government is listening to the fact that they need to stop cost shifting and be a little bit more honest with Victorians today.

Chris COUZENS (Geelong) (15:16): I am delighted to rise to contribute on the Local Government Amendment (Governance and Integrity) Bill 2024, and I want to start by thanking the minister for her work on this really important bill. It is important for my community of Geelong. Geelong's history has not been great. When you talk to people around my community, the problem started with the amalgamation of six or seven councils back in the 1990s under the previous Kennett government, and the impact of that is still felt today. It was never done properly. Then we moved on to a directly elected mayor, which was an interesting test, because eventually that mayor and the councillors were sacked by this government.

A member interjected.

Chris COUZENS: Yes, a parrot on his head. There was an investigation. There were serious allegations of bullying, with many staff away from work with mental ill health claims. We had poor decision-making claims, poor processes and a lack of economic development in our city, so an investigation was carried out. We then had had a commission of inquiry, which found that those allegations did stack up, and then as a consequence that council was sacked. During that period that they were sacked we had administrators in place, and many people you talk to in Geelong even today will say that that was probably the best period we have had since the 1990s, having administrators in place, but anyway.

One of the processes of the minister at the time, who I think was the member for Sydenham actually, was to put together a citizen jury. It was a random selection of 100 people across the City of Greater Geelong catchment area who spent quite some time putting together some proposals with a key focus on whether Geelong should have a directly elected mayor or not, the structure of the council and a range of other things. What they came back with was a recommendation that Geelong should not have a directly elected mayor. It is not Melbourne; it is a regional city and a very proud regional city. But we did not need a directly elected mayor, and the experience of that directly elected mayor was a very bad one.

A member interjected.

Chris COUZENS: It was a disaster, yes. That person then consequently ran against me in the 2018 election –

A member: And who won?

Chris COUZENS: Well, who is standing here today? It was a really difficult time for Geelong, and I think many people in my community felt extremely embarrassed by what was going on. It was not a pretty sight. Eighteen months later, going to an election to elect new councillors, we saw the re-election of four of the councillors that were sacked, much to the disgust of many in my community. But they were elected. Still today we have monitors in place again. We had monitors in place last year. Many of the structural issues that are within the City of Greater Geelong have not been dealt with or improved. I am not suggesting that the same level of bullying is going on there, but there are certainly many issues that are being raised by my community around the difficulty they have in trying to deal with council and have some of those things dealt with without being ignored, really. We still have long delays on decision-making. There are no priority lists for anything, including our sporting clubs, which is a big thing in the Geelong community. The Geelong community have felt that they have not been listened to for a very long time. I think this bill starts to address some of those issues, and hopefully we will be able to see some changes. Keeping in mind there is a new CEO and a number of executive managers, hopefully they will start to bring about some change. But things like budget decisions that have been made have brought out literally thousands in protest against them because there has not been proper consultation. And then on the other hand you have the council claiming that they have consulted, but they are making decisions the community do not want. There are still many issues there.

I think it is a very tough gig to be a councillor. There are some very good councillors out there who work tirelessly for their community but who unfortunately get caught up in what other councillors are

doing and the impact of that and possibly officers who are not making the right decisions for their community. I am not saying that all councillors are bad, but we certainly have had a pretty rough run in Geelong, to put it mildly. As I say, we also now do have monitors in place to keep an eye on what is going on, and they will be there for a little time yet. When those monitors are in place, my community feels a little bit more comfortable about the councillors and the decisions they are making, but I think one of the important factors in this bill is around the power to disqualify. As I said, we had councillors re-elected after they were dismissed by this government. There are provisions in this bill that will stop that from happening. I think that is really important, and that is a real comfort to my community.

We already have seen since 2020 that 12 councils have had municipal monitors appointed to provide support and monitor their governance practices, with the five monitor appointments last term. As I mentioned, Geelong is one of those. Fifty-six councillors have resigned, one council has been dismissed following a commission of inquiry and one has been suspended, so we can see that across the state we still have problems. I think this bill and the tightening up on training and the requirements for good governance are really, really important. As I say, it will give some comfort to my community. We go to an election again later this year, and new councillors will be elected. People want comfort that if things go wrong those councillors will be dealt with accordingly. That is why this bill is so important for communities like mine, and I am sure there are other communities around the state that have the same thing.

This bill will strengthen council leadership capability and councillor conduct and improve early intervention in conduct issues and effective dispute resolution. Again, having that in this bill means that there are provisions in place to deal with some of these big issues before they erupt into an absolute nightmare for communities like mine and that there will be attempts to resolve disputes before they get out of hand and get to a point where a council is sacked, because as I said, in my community it was a very embarrassing period for Geelong. My community did not like what was going on, but they did not really have a choice, which is why we actually put together the citizen jury – so that the community had some control over what was happening. This is a really important bill for my community. I know that my community are watching what happens with this very closely in the debate, because they want that confidence. They want that confidence that if they elect a councillor they are going to do the right thing in their community. I commend this bill to the house.

Kim O'KEEFFE (Shepparton) (15:26): Today I rise to stand and make a contribution on the Local Government Amendment (Governance and Integrity) Bill 2024. The bill before the house is a bill for an act to amend the Local Government Act 2020 to provide for ongoing mandatory training for councillors and mayors, improve the councillor code of conduct framework and clarify the responsibilities of councillors, provide for the suspension and disqualification of individual councils in certain circumstances and provide further powers to the chief municipal inspector, as well as make other miscellaneous amendments to the Local Government Act 2020. This bill seeks to improve accountability, governance and councillor conduct across Victoria's 79 councils. In addition, the bill amends the Local Government Act 1989 to reflect machinery-of-government changes. Further, the bill makes consequential amendments to the Victorian Civil and Administrative Tribunal Act 1998.

As a former mayor and councillor of a regional city, I know firsthand the challenges and difficulties councils right across the state can face managing councillors. Whilst my six years in local government were really positive, there is definitely a need to ensure that councillors are better prepared for their role when elected. I definitely hit the ground running when I was elected back in 2016, and since that time we have seen a large number of councils with serious issues of councillor misconduct and not meeting community expectations, many of which the member for Geelong shared in the chamber today. Since 2020 there have been a total of 56 councillors who have resigned. Eleven councils have had municipal monitors appointed by the government, with one council being suspended and one council dismissed because of governance issues. Clearly things do have to change.

I truly believe that most councillors put their hands up with honourable intentions, wanting to serve their communities, and I take my hat off to those that do that. Clearly there are issues within the current council structure. During my six years in local government I did experience, as I said, firsthand some of the organisational challenges dealing with councillors and poor councillor behaviour and the challenges of managing councillor conduct. I found the councillor code of conduct was very weak, and I will speak more to that shortly.

In the Moira Shire Council local government area, within my electorate of Shepparton, all councillors were dismissed on 7 March last year by the Minister for Local Government after the report *Commission of Inquiry into the Moira Shire Council* was tabled in Parliament. The findings in the commission of inquiry report were very concerning. As a result, no council elections can be held in the municipality of Moira shire until 2028 – another four years away – effectively leaving the communities that make up the Moira shire with no elected representatives for a further four years. As you can imagine, many in the Moira shire electorate are frustrated and disappointed that they have no councillor representatives and that they will have to wait for four more years.

I was in the town of Numurkah this past week, a town in the Moira shire electorate, and the feedback from the community is that they feel very disconnected from the local council, having no councillors to contact. They have no mayor, and they feel that their town has been abandoned in terms of representation in local government. I have been helping with local matters in that electorate and helping the community members to be more connected to the council. Whilst there were serious matters raised in the report and major governance issues – and I do not disagree with the decision – I do question why the community should have to wait four years without elected representatives. It is on-the-ground locals who know their communities best, and I feel we need to get that representation reinstated as soon as possible. Whilst the administrators are working hard within the organisation, it is not the same as having voices out in the community that the locals can reach out to. The majority of the appointed administrators are not long-term locals. Elected councillors are out on the ground and are the voices of their community. That voice is missing in the Moira shire. As we have talked about, local government is the closest to their communities.

One of the main reports that has been conducted into local government regarding governance and integrity issues was the IBAC's Operation Sandon, which conducted an investigation into allegations of corrupt conduct involving councils and property developers in Melbourne's south-east, in the City of Casey. In its report Operation Sandon handed down a total of 34 recommendations to the Victorian government. That included several recommendations that relate to the heart of this bill before the house, such as recommendations 17, 18, 19 and 20. In the bill briefing provided by the government and the department it was interesting to observe and understand the level of support from the industry in regard to changes in the bill. As such, 62 per cent of feedback received from consultation supports mandatory ongoing training for councillors and mayors, whereas only 25 per cent partially or conditionally supports that change.

The Local Government Amendment (Governance and Integrity) Bill 2024 requires all councillors to complete induction training within four months of taking office – at the moment it is six months – and requires all councillors to complete professional development training each year. In addition, mayors and deputy mayors will be required to undertake mayoral training within one month of being appointed to the office in order to strengthen their leadership skills, and as a former mayor I am quite interested to see how that has changed since my time. A failure to complete this required training within the set timelines will result in a councillor's allowance being withheld. A long period has been provided to complete councillor induction training, and councillors on a leave of absence will have more time to complete this required training. Acting mayors will only need to do mayoral training if they are appointed for longer than a month.

In addition, the bill introduces a model councillor code of conduct that will be prescribed in regulations. The code of conduct will set out the standards of conduct that will be expected to be observed by serving councillors across the state's 79 councils. As the lead speaker raised, the

Municipal Association of Victoria have raised concerns about the standard code of conduct enforcement, and councils have raised the issue of perhaps having their voices included. In my mayoral role for almost four years I saw firsthand issues with trying to address a poor councillor code of conduct, and the process was weak. The mayor would be responsible for addressing issues that did arise with councillors' behaviour, and that is challenging in itself when your fellow councillors actually elect the mayor. As we know, the CEO has very little input, as councillors appoint the CEO. I did find this really challenging, particularly when the councillors had to be disciplined for poor behaviour or not abiding by the councillor code of conduct. As we have seen across the state, there have been ongoing issues.

Another key component that the bill seeks to amend in the Local Government Act 2020 is the removal of VCAT's jurisdiction over councillor conduct panel decisions. The bill removes the ability of councillors who have been found to have committed serious misconduct from seeking a merit review of that decision at VCAT. As pointed out by the lead speaker, procedural fairness and this right have been taken away. We must have a fair and reasonable process that the councillors feel supported by, particularly when they are subject to a suspension.

The Local Government Amendment (Governance and Integrity) Bill 2024 prevents a council from indemnifying a councillor against legal costs incurred to defend or be a party to an arbitration or councillor conduct panel. If an arbitrator or a councillor conduct panel makes an order granting leave to have legal representation, then the council will not be prevented from indemnifying a councillor. This change in legislation has divided those across the sector. Only 35 per cent of the sector support this change, while 38 per cent do not support this change and a further 15 per cent did not provide a definitive response to that change.

The bill expands the sanctions that may be imposed by an arbitrator on a finding of misconduct. As such the expansion of sanctions includes an arbitrator having the invested ability to prevent a councillor from attending and participating in a council meeting and suspending a councillor from office for a period of up to three months – currently an arbitrator can only suspend a councillor for a month. Lastly, an arbitrator will have the ability to direct a councillor to be ineligible to hold the office of mayor or deputy mayor for a period of up to 12 months. Further, an arbiter will also be able to specify a council meeting at which the tabling of the arbiter's decision and statement of reasons must occur.

The Minister for Local Government is provided through the bill the ability to suspend a councillor for up to 12 months if the minister is satisfied on the advice they have received from either a monitor or a commission of inquiry that the councillor in question is creating a serious risk to the health and safety of the council or is preventing the council from performing its functions. The suspended councillor will also be ineligible to hold the office of mayor or deputy mayor or to chair a delegated committee of the council for the remainder of the term. In addition to these powers, the bill enables the Governor in Council to disqualify a person from standing at future elections on the recommendation of the minister. This can only occur and take place if the council the person was elected to was dismissed during their term and the minister is satisfied on receiving advice from a monitor or commission of inquiry that the councillor is creating a serious risk to the health and safety of the council or is preventing the council from performing its functions. Another oversight mechanism the bill introduces is providing the chief municipal inspector with the power to table reports in Parliament and brief the minister with responsibilities under the principal act and the Local Government Act 2020.

Finally, I support the reasoned amendment that has been put forward by the lead speaker. My hope is that the local government sector sees positive change and that those who put themselves forward to serve their community are well prepared and supported and better councillor conduct is an outcome.

Tim RICHARDSON (Mordialloc) (15:35): It is really important to rise and speak on the Local Government Amendment (Governance and Integrity) Bill 2024 and follow the contributions of some of my colleagues. I will tend to reflect on some of these reforms and how important this journey has

been over the last few years but particularly some of the elements that we saw in the recommendations from Operation Sandon and touch on a point that was made by the member for Geelong in summarising some of those concerns and issues as well around reputation damage that is done to community where we have impacts from various findings. This comes at an important time, on the edge of council elections. So many hundreds of candidates will front up with their thoughts, views and aspirations for how they will hopefully seek to change, enhance and support our communities and our municipalities in the future, from the 21 small rural regional councils to some of the bigger metropolitan councils – the City of Greater Dandenong and the City of Kingston – that we have had the privilege to interact with.

Acting Speaker, I give you a shout-out as a former mayor and councillor of the City of Greater Dandenong, which you proudly served and where you did an outstanding job, but we prefer you in here as the member for Clarinda. It is a really important reflection because some people also put forward themselves not knowing what the role might be in terms of the challenges and the governance. Effectively this is like a board of directors appointed to oversee a municipality or council. It comes with significant responsibilities and roles on behalf of their community, and for anyone that has seen some of the governance and work outcomes that our councillors across Victoria go and do, there is a significant amount of reading that they have got to be across and significant duties that they undertake. We need to make sure that we are empowering them and supporting them as best as we can to be the best representatives they can, and I think some of the reforms under the previous act, including the introduction of a range of things – longer term planning, asset management, councillor conduct and accountability and modernisation of election processes – went a long way to that.

But what we could not have anticipated was the significant and horrific behaviour that we saw during Operation Sandon. It literally defies logic some of the things that were put forward in evidence. It is hard to comprehend that anyone that is serving the interests of their community could find themselves at such greater odds in compromise that undermined our local government sector as a whole. For a range of councils that have gone into monitoring or have been dismissed it has a huge impact on the community members and residents in those local areas because they know that the council name that they have has gone through huge trauma and huge turmoil during that time.

We all relate to the area or municipality that we live in. We certainly do in Kingston. We talk about ourselves as being from Kingston or being from Greater Dandenong and have an attachment to that geographical location based on the name of our council, and it is a place of pride to say that. Our local councils in Greater Dandenong and Kingston do an outstanding job. Their council representatives and the officers that are involved each and every day in trying to shape our municipalities do an extraordinary job, and working with them each and every day it is a real privilege to see them in action. I have lived experience being the partner of a town planner who has been in local government most of her career and has a wonderful lived experience of a number of municipalities, and the overwhelming majority of interactions are really positive in local government as well.

Equally and importantly in these reforms we are strengthening the behaviour, accountability and training of our councillors but also their interactions with officers, and that is a really important frame. If their role as councillors is seen as a board of directors, then their interactions with officers and staff should be at the highest level of integrity and accountability. That is a big thing that we saw play out during Operation Sandon. We saw a deterioration of those standards. We saw a deterioration of how officers were respected and treated and rolled over the top of, and we need to make sure that some of these changes and some of those recommendations are strengthened.

That is why I am really, really interested in the development of the model councillor code of conduct, the consistency across the state – our 79 municipalities – and how that will be supported into the future. I think that is a really important thing. A lot of our councillors come with different experiences, time commitments and pressures that they face each and every day, but I think standards, training and professional development should always be consistent through that. I am really proud to see in this bill that recommendations 18, 20 and 28 – the provision of regular mandatory training for councillors,

mayors and deputy mayors – are maintained and that professional development is upheld as well. We want to invest in the people who are putting themselves forward in the day-to-day service of the constituents in our communities and some really important services. Local government continues to evolve in its complexity and impact. We see a range of services and interactions in our local community when we think of aged care interactions at Kingston, when we think of disability support and care and when we think of early childhood – something that Kingston is substantially known for and has done a huge amount of investment in as well. The complexities and the work that goes in and what our councillors have to be across in decision-making mean that we have to front up and support them each and every day in that work as well.

We have got some wonderful representatives in our area, and I want to give a big shout-out to the leadership at the City of Kingston Cr Jenna Davey-Burns and Cr Tracey Davies. The first ever female leadership team of the 28 councils that we have had in the City of Kingston is a great representation of being able to see leadership in our community each and every day, and I think it is a wonderful reflection as well. In the City of Greater Dandenong we have Lana Formoso as the mayor, a wonderful leader fronting up each and every day in our community as well. In our area female leadership is seen, it is empowered and it is important, and we want to see more women on the ballot for this election and elected into local government. It is so important that we make it a safer and a more inclusive space. What we saw during some of the local government elections in 2020 – and it was a really difficult time with postal ballots, vulnerability in the community as well and some really difficult campaign circumstances – was it being really intimidating for candidates stepping up. Some of the reflections to the Victorian Electoral Commission and others in review talked about how women felt during the experience. We need to make sure that we are empowering people to feel safe to go forward for election and to be supported in their role and that it is a safe and inclusive workplace in local government. This is where some of the work we need to take on as well around effective dispute resolution, early intervention and good governance is really critical. We need to lift female representation; we have got to get towards that 50 per cent. I know that is a really passionate area of policy for the Minister for Local Government and the work that the electoral commission does and all municipalities in that work.

One thing that is also a change from 2020 leading into 2024 is the amount of opportunities that prospective candidates – and then candidates – get to really inform them of that role and that development. I think it is a really great snapshot of what you are getting into as well and what your expectations are and the roles and responsibilities. I think that gives you a good sense of where the roles will take you, but also that you have gone through that training means you can show that you have got that understanding.

It has been concerning to see certain political elements seeing local government as a way to lift their standing on a range of other issues rather than on local government issues themselves. It is an interesting time when we come forward to the council elections and that frame of responsibility and accountability is put forward. Certain elements in our community or certain political movements that are saying that this is an opportunity to drive certain agendas is a really concerning frame for us to be in. Local government should be about community. It should be about the roles and responsibilities that are put forward. Where you see issues or where you see political movements fronting up to say that they are going to take on local government as a way of lifting their stature rather than for the reasons that they are there – to serve their constituents – it is of concern. The changes in this bill and the accountability and then the oversight that comes with that I think provide that protection. It is absolutely free for people to step up for their community, but people will run into challenges if they are only pushing certain elements that are at odds with their community or certain elements that are at odds with their constituency. It is going to be really important to see how this plays out in practice. I think it is another great, important step in the reforms, and I am looking forward to how this will strengthen that accountability going forward.

To those prospective Kingston and Greater Dandenong council candidates – some are putting themselves forward right now – thank you for stepping up and bravely putting yourself forward on behalf of our communities. They are a tough slog, local government elections, but we appreciate you sharing your values and stepping up in our local area. We wish you the very best, and if you get elected, we look forward to working with you after 2024.

Jess WILSON (Kew) (15:45): I too rise to speak on the Local Government Amendment (Governance and Integrity) Bill 2024. I think what we have seen from the debate so far on this bill is broad agreement right across the chamber about the importance of accountability and governance when it comes to local government and seeking to provide greater integrity around the operation of local government and particularly the election and the responsibilities of local councillors. I think it is timely that we are debating this bill today as we lead up to the local government elections at the end of this year, when those candidates who are thinking of putting their name forward need to consider what their core responsibilities will be if elected to council, and what they take as part of their platform to those elections and what they choose to focus on will be critically important.

It is so important, I think, from all the contributions around the chamber today, to have effective and responsible local councils, and that has not always been the case. We have heard a history of issues when it comes to local councils and local government and the state government needing to step in to ensure there is greater governance and integrity around the operation of these local councils. Of course we have seen a very serious IBAC investigation, Operation Sandon, into some of the very issues that this bill seeks to address. The bill itself does seek to improve accountability, councillor conduct and governance issues right across all local councils in Victoria. From the outset, can I just thank my own local council, Boroondara council, for the very professional relationship that I have with them and the professional nature they take to delivering services in our own local community together with the local councillors.

The main purposes of the current reforms in this bill are, one, to provide for ongoing mandatory training for councillors and mayors. I speak to the process by which this bill seeks to provide greater detail as to what that training will require. Particularly the timeframe for taking on that training will require it to happen quite fast after local councillors and indeed mayors and deputy mayors are sworn in. It will be taken on quickly to ensure that those local councillors understand their responsibilities and understand the governance requirements when it comes to their roles, particularly for new local councillors and councillors that have been elected as mayors and deputy mayors to understand that greater responsibility that comes with those roles.

It, too, will improve the councillor conduct framework to clarify responsibilities of councillors and to provide greater certainty right across all councils here in Victoria as to what that code of conduct right across the board will look like. I note that the Municipal Association of Victoria has noted that while the uniform model will be useful in providing those standards right across the board, it is important also to take into account some of those more localised requirements that will be needed for councils in different areas of the state, whether they are rural or regional councils or metropolitan councils here in Melbourne.

Third, it will provide for the suspension and disqualification of individual councillors in certain circumstances. This is something that I will come back to in terms of the reasoned amendment that the member for Murray Plains has introduced on behalf of the coalition today. It will provide the minister with the ability to suspend a councillor for up to 12 months if they are satisfied that they received advice from the monitor or the commission that the councillor is creating a serious risk to the health and safety of the council and is not allowing the council to perform its functions. This goes to the very heart of the issue of making sure that local councillors understand what their core responsibilities are, which is incredibly important. The member for Mordialloc spoke previously about those core responsibilities and making sure that we are not seeing movements creeping into local councils and pushing political agendas that may be much more well suited to other levels of government – potentially state government but often federal government.

This is now the first major tranche of reforms to the Local Government Act since 2020. Unfortunately it does come in response to an increase in government interventions, such as the appointment of municipal monitors and administrators and the release of reports highlighting significant areas for improvement when it comes to council governance. As I said at the outset, it is making sure that these reforms are in place before local government elections and that the requirements under these new reforms are well understood as locals – residents right across the state – think about putting up their hand for local government election, so they actually understand the governance requirements and take on that integrity that is required to serve as a local councillor, to ensure that the goal is set high for a standard in this sector and to ensure that councillors really do understand their roles and responsibilities.

Before I turn to the reasoned amendment, I did just want to touch more broadly on the fact that there is a core business for local council. I spoke in my first speech in this place about the roles of the various levels of government and not trying to step beyond the role that you are elected in, whether that is here in the state Parliament speaking on federal government issues or indeed whether that is local councillors pushing political agendas at a local government level that really will have no impact on broader international issues as they might be but do distract and often take time away from the core responsibilities of those councillors and the council itself in delivering those core services.

We often talk about those core services at a local government level being around roads, rates and rubbish. Unfortunately we have seen in recent times a number of local councils actually focus more on international issues. I speak specifically of a number of motions that have been passed by local councils that have been incredibly one-sided when it comes to the conflict in the Middle East – anti-Israeli motions that call on local councils and local residents to boycott local businesses as well. That has had a significant impact on those local communities at a time when we should be promoting social cohesion in this state, at a time when we should be seeing our local representatives, whether at a council level or indeed here at a state level – and there have been a number of times in this place where we have seen certain members stand up and put forward agendas that are not the responsibility of the state government and, as I said, distract from those core responsibilities or distract from councils' responsibilities when it comes to waste management and when it comes to providing those essential services around early learning support, early childhood support, kinder support and local infrastructure. But we instead see councils calling for the boycott of local businesses and putting forward very one-sided motions that are dividing the community and particularly having an impact on our Jewish community at a time when we are seeing antisemitism rise at a rate that we should be very concerned about in this state.

The member for Caulfield has spoken previously in this place about the importance of local government sticking to their wheelhouse and sticking to their knitting and put in question funding that then comes from the state government or the federal government to councils that choose to focus their time on these international matters rather than focusing on their core business. I call out the City of Yarra in particular, who have passed a number of motions that have very much focused on complex international affairs at the same time that they have been putting in place a waste levy, a 'bin tax', as we call it, and putting up that bin tax on ratepayers and refusing to clean the streets, refusing to actually ensure that the streets are safe when it comes to rubbish in terms of the local amenity and the environment – mowing the grass – not focusing on the core issues of rubbish, rates and roads but instead debating motions about a Middle Eastern conflict that unfortunately the City of Yarra, no matter how much they debate it, will have no impact upon.

I will come back to the bill before us and say that it does seek to put in place a framework around what those core responsibilities of our elected councillors are. I stress the importance for those Victorians who are thinking of putting their hand up for election at the local government elections later this year to consider how important it is to ratepayers to actually focus on the issues that matter to them and the services that local government can provide. The member for Murray Plains put forward a reasoned amendment, which I support, making sure that there is greater judicial oversight of some of the

requirements in this bill to make sure that there is natural justice in place for councillors that are put in a situation where they may be suspended. But I say once again this is a bill that brings greater integrity to local government.

Kat THEOPHANOUS (Northcote) (15:55): I rise to speak in support of the Local Government Amendment (Governance and Integrity) Bill 2024. Victorians rightfully expect their councils to be high functioning, efficient, transparent and accountable entities with an embedded core ethos of acting to the benefit of their communities. They expect their councils to govern with integrity, to behave appropriately and to put the community's interests first and foremost. Unfortunately, this is not always borne out in practice. Time and again we are seeing some councils and councillors behave in ways and make decisions which undermine public trust. But it is not just trust that is impacted; the consequences of poor local council governance for residents, communities and businesses are serious, in some cases directly impacting lives and livelihoods. This is despite the advances we have made and the reforms we have been making to set a legislative setting for local councils, which is an ongoing and arduous process, given that this government was elected in 2014 and we were dealing with a very, very old act.

Back then we undertook to modernise the Local Government Act 1989, and in doing so we have put in place many more measures to deliver a robust and democratic local government sector, with clear standards and goals for the service of the community. Despite the reforms, we are still seeing some councils fraught with integrity, misconduct and accountability issues. Since the 2020 council elections 12 councils have had municipal monitors appointed. That includes Darebin council, which covers most of the district of Northcote. Darebin is now onto its second round of municipal monitors, having had one appointed in 2020 and another two appointed together this year. Statewide, 56 councillors have resigned, one council has been dismissed following a commission of inquiry and one has been suspended. IBAC's Operation Sandon, the local government culture report and the Local Government Inspectorate's examination into councils have also laid bare some serious concerns.

I need to pause just to make it absolutely clear that these issues are stemming from the top. They are not about the council library workers or the customer service personnel or the street cleaners or the gardeners or the aged care support workers and the like. We know these people work hard in the circumstances that are offered to them and that they are continually having to push back on council moves to outsource and privatise their labour to make up for their bottom line. No, what we are talking about here is the high-level decision-making which occurs at an executive level and at a councillor level. You need only to attend a public council meeting at one of these dysfunctional councils to know the extent of how far transparent and democratic processes have degenerated. It is no wonder that when the topic of local council is raised at a community level, on the street or in conversation, the overwhelming sentiments are exasperation, distrust, anger and disappointment.

This bill aims to make improvements to the act to support better council leadership and councillor conduct and to strengthen oversight and good governance. Seven of the recommendations from Operation Sandon are incorporated and will be implemented through these amendments, including the development of a model councillor code of conduct. There is provision for regulatory mandatory training for councillors, mayors and deputy mayors. To reflect the gravity of some of the misconduct we have seen, the amendments extend the maximum period an arbiter can suspend a councillor for misconduct from one month to three months. An arbiter will also be able to direct a councillor not to attend a council meeting and direct that a councillor is ineligible for the office of mayor or deputy mayor for up to 12 months. There are also powers to disqualify a person from standing at future council elections. These are strong measures which reflect the serious consequences to the community when misconduct occurs, and it cannot just be a slap on the wrist. The next round of local council elections is coming up in October, and it is fair to say that this is causing a bit of a stir in my inner-north community. There is a growing sense that things really need to change, because frankly it feels as though they have been broken for a while. As a member of Parliament, I am to a degree sympathetic

to the difficult role that councillors and council executives have in navigating the competing priorities of a diverse community.

It is not an easy feat, and I appreciate that there will be differences of opinion at times. Some councillors are doing a fantastic job sticking up for their communities, and I wish the new candidates all the best in putting up their hands to serve their communities. Nevertheless there have been some major, major red flags in the inner north, and that is why we have had successive monitors appointed to Darebin council. The first monitor John Watson was appointed in 2022 in response to serious community concerns about governance and councillor conduct. Mr Watson's final report outlined a raft of failings, including financial mismanagement, poor confidentiality procedures, lack of transparency, poor meeting procedures and the like. He also made the point that political and personal divisions between councillors were creating an environment of conflict and poor decision-making. Since then, I am afraid things have not much got much better. Two new monitors have been appointed this year following a series of extremely volatile public council meetings and many community complaints about dubious decision-making.

I have spoken before in this chamber about my extreme disappointment in Darebin council on a number of important community issues. Not least of these was the disastrous parking strategy which then mayor Susan Rennie tried to unilaterally impose on the community. The policy she championed was effectively aimed at getting cars out of Darebin by shaming and penalising car owners, with zero regard for the practicalities of their lives. So strong was the backlash from the community over this ill-thought-out and surprise policy that residents from all walks of life joined in opposing it, with over 8500 signatures, placards on fences, questions at council meetings, emails and more. I myself wrote to the mayor to outline the many ways this hardline policy was harmful. It was a completely distressing situation until the Greens-controlled council had to back down under the pressure and abandon the policy. Some may call this democracy in action, and to the extent that the community galvanised to change the outcome there is some merit to that. But these fights are not without cost. Residents feel the impact and the weight of them. They feel aggrieved and disrespected, and they feel hoodwinked by processes that are very good at keeping them out, silencing and disempowering them. It is the formula of springing a new policy on the community with far-reaching consequences; providing very limited opportunity for residents to understand, let alone provide feedback; and then pushing ahead. In Darebin these fights seem all too common.

Just last year the community was outraged as Darebin council moved to cut its 18 not-for-profit early learning centre leases to a mere two years and burden them with hiked-up fees. The kinder community put in an enormous effort to shift this after the Greens councillors and Cr Rennie originally voted to strip centres of long-term security. A short while before that, the thriving business innovation precinct in Wingrove Street, Alphington, came to an abrupt and ruthless end under order of Darebin. Dozens of businesses have been booted from the site, and Darebin are still not being up-front with the community about what they intend to do with this sensitive and valuable riverfront land.

In more seriously misguided logic and Greens posturing, Darebin has also put roadblock after roadblock in the way of critical social housing projects, projects that our community needs to give more people the dignity of a safe and secure home – and we know the member for Richmond's track record of voting against social housing in Yarra while she was mayor. In terms of Yarra, which covers South Alphington in my electorate, all I will say is that a repeatedly raised topic of conversation in the residents groups is their aspiration to get a boundary change so that they can become part of Banyule instead of Yarra, and I think that says it all.

Back in Northcote locals have also been appalled by the disregard Greens-aligned councillors have shown to local sport across the years, and there is genuine anger about the upkeep of facilities, deliberate scuttling of government-funded projects and attempts to repurpose sportsgrounds into passive spaces. Many times I have called on our councils to see the value of sport in our suburbs and the connection and wellbeing our clubs bring. It is disappointing that even when opportunities are

offered to council they whittle away funds and delay projects. These are just a few examples of what my community has had to bear the burden of over the years.

In other cases residents have reported to me serious instances of bullying, racism, undisclosed conflicts of interest and bias. We have heard of disinformation and defamation. We have also heard of arbitrary and contradictory rulings and the abuse of the mayoral role to silence dissent. What I have observed from the outside is that the political motivations and aspirations of councillors from minor parties in particular, who tend to use councils as their profile-building platform, all too often mean that they overstep and put their own interests and ambitions above the community. That is when we tend to see time wasting on matters which are not really relevant to local council. We see dysfunction and delays and we see animosity and abuses of power, and all the while the genuine needs of locals are left by the wayside.

The consequences of this kind of poor governance and behaviour are far reaching; they impact people's lives and the prosperity of our suburbs. Councils wield an extraordinary amount of power to determine the direction, priorities, services and funding outcomes of the suburbs that they represent. They employ hundreds of staff, manage very large budgets which include revenue derived from resident rates, determine local laws and hold much of the decision-making power when it comes to projects going forward or not. They impact on the day-to-day lives of Victorians. Whether that is the state of the footpath on your street or the availability of a not-for-profit kinder place for your child or being able to book in-home aged care support for your ageing parent, councils need to be held accountable for their actions and to be transparent in their decisions. Community interest must come first.

Jade BENHAM (Mildura) (16:05): I am happy to rise to speak on the Local Government Amendment (Governance and Integrity) Bill 2024 concerning governance and integrity, and it is an area that hopefully I know a thing or two about. Like many others in this place, I was a councillor –

A member interjected.

Jade BENHAM: I know – a councillor and a mayor, heaven forbid. I did take great interest when the member for Bentleigh was talking about being elected to his local council, Glen Eira, I think it was, at the age of 19. The last thing on my mind I think was local government at the age of 19. I had a few other things on my mind, I think –

A member interjected.

Jade BENHAM: We do not need to worry about 'like what'. But it is amazing to think that there are young people – and I have been speaking over the last few months with young people – that are really considering running in this year's local government elections. It is fantastic to see young people so engaged and happy to work for their communities.

The Leader of the Nationals, obviously, has introduced a reasoned amendment, which I will get to a little bit further down the track, but he made some good points during his contribution. I will speak based on the knowledge that I know intimately, which is rural and regional councils. Councils, I think, in the regions sometimes feel as though their roles can be decorative and they are very much led by officers or by CEOs. That was never the case when I was a councillor, but it has been the feedback of some when they try to have a say on things or question certain things, particularly in relation to budgets or modelling and how they have arrived at different models and the different differential rates, particularly in the agriculture sector and paying special interest to the difference between solar farms, for example, as opposed to broadacre farming, as opposed to irrigated horticulture. I know some councillors have had quite a bit of difficulty drilling down into the technicalities and the specifics of those.

Other councillors, like the Leader of the Nationals said earlier, have an abundance of experience, particularly in engineering. A lot of these have come from the private sector with their level of expertise. It might be water run-off on the sides of roads that are dirt connector roads or just gravel

roads. They give advice on things they know they have done themselves, on how to alleviate the pressure that comes after heavy rains – and we have not had a heavy rain this autumn; we are desperate for some in the north-west of the state, so if everyone could send their thoughts and prayers to the north-west for some rain, that would be greatly appreciated. But they also feel like they do not get to have their say with regard to those sorts of operational things, and that is what the Leader of the Nationals, the member for Murray Plains, was getting at. They do not feel like they can have as much say as they should have given that they are elected representatives and that sort of experience and that sort of lived experience and professional experience is largely why they were elected there in the first place.

While we talk about governance and integrity, we have heard some horror stories in some contributions today. In fact the member for Shepparton was talking about Moira Shire Council and what happened there. Locally, I have four different councils in my electorate, given the large geographic area, and there is a monitor at Buloke. But that is largely I think because the sustainability of these rural councils is really under fire. They are not sustainable the way that they are structured. With such huge geographic areas and a low ratepayer base it becomes really hard to provide roads, rates and rubbish. To provide those services becomes really hard under a rate-capping environment with extra waste levies and things like that, so monitors are often needed. But as far as integrity of councillors goes, I have experienced some bad behaviour and disrespect, as I am sure anyone has in that. It gets heated, people have differing views and all of that kind of stuff. But at the end of the day, elected representative to elected representative for the most part is fantastic. Sometimes I think maybe politics gets in the way, which it should not. We should maintain professional relationships. Regardless of all of that, we are there for the same reason, to work for our community. When you turn up to a public event, an acknowledgement that your local, federal and state politicians are there is nice and probably noted. The public do not appreciate it when those sorts of petty things creep in.

In other instances with my former experience on council there was mansplaining, I suppose, which is interesting, but that is as far as that went. A lot of the disrespect – we have heard lots of talk about respect amongst councillors and colleagues and outside of that, which is what this will extend to – I hate saying it, largely came from other female councillors for most of the time. Hopefully this governance and integrity bill and the amendment to the Local Government Act 2020 will help to address that, but it is largely something that I did not experience. I know that there are councillors that will breach the code from time to time and show disrespect to fellow councillors, and I know there are a couple of mayors at the moment that are having an interesting time with managing the behaviour of some councillors. It is always going to be a challenge.

When we talk about training, the training that I had to go through was minimal. I had a little bit of knowledge of what I was getting myself into – otherwise why would you put your hand up? But the Leader of the Nationals made a good point earlier that you can be RPLed if you are doing a cert III or a cert IV. For any prior experience you get that recognition of prior learning. Maybe the training does need to be a bit more flexible. When there are changes in legislation like we are seeing here or a brand new act like the Local Government Act 2020, then yes, it needs to be very comprehensive and cover everything. If a councillor has been there for 20 years, should they run again? I do not know. But there needs to be a bit more flexibility in the needs, and for someone that is perhaps younger and less experienced, maybe that needs to be more involved and more comprehensive with regard to appropriate behaviour. I have heard a couple of comments that have been made throughout contributions this afternoon that some bad behaviour has not been recognised by some councillors to be unacceptable. That is a larger society problem, I think. There is a real issue there if they do not recognise that bad behaviour is bad behaviour, and that should not be accepted on any level, I think. The reasoned amendment that the Leader of the Nationals put forward is that:

... this bill be withdrawn and redrafted to provide procedural fairness by way of an appropriate appeal mechanism for councillors subject to suspension.

The training also probably needs to be considered and a lot more flexibility allowed with that.

The four local governments that are in the Mildura electorate are Yarriambiack, Buloke, Mildura and the Swan Hill Rural City Council. We all have a great working relationship. The mayors and councillors all seem to work. I do not know about internal workings, but when addressing me it is all very respectful, and I am very grateful for that. Having said that, we do get the odd call or email to the office about council. This is the thing, though: when it comes to cost shifting, the state government often will shift to local government and local government will get the blame. The waste levy comes to mind straightaway. Obviously that is something that will come across my desk and I am happy to chat to people about it. But also if it is planning issues that council have resolved not in their favour, I do always say, 'There are council elections coming up this year,' and I urge everyone to get involved and be engaged with what is going on at all levels of government. Then you will know because, whether it is directly or indirectly, all levels of government affect our daily lives, and I would encourage everyone coming up to the 2024 local government elections to give it due consideration. Things are a lot easier now with Teams, Zoom meetings and things like that. There is far less travel in those rural areas, so I would encourage everyone to give it some thought.

Alison MARCHANT (Bellarine) (16:15): I rise to speak to the Local Government Amendment (Governance and Integrity) Bill 2024. It has been a great contribution from many members today, and I have enjoyed listening to that, and I will speak a little bit about my experiences as well and this bill. This bill does aim to enhance accountability, councillor conduct and governance in the local government sector, and we know – many have spoken about it today – that effective government is essential for councils to make good decisions and provide the services that their communities need. It has been raised that since our last council elections in 2020 we have seen a notable rise in governance issues. Interventions have been needed with numerous councils and 11 councils have required municipal monitors, a significant increase from just four in the last term. This was really to ensure that proper governance. One council was even dismissed following a commissioned inquiry and another one suspended.

In the Geelong region we are no strangers to administrators and monitors, unfortunately, and I will speak a little bit later about that. During this period the IBAC *Operation Sandon Special Report* was released. It examined various councils, and investigations highlighted there was some need for improvement in our local council governance. This bill is actually to address some of those needs and is a starting point.

When this government was elected in 2014, we made a commitment to amend the Local Government Act 1989, and it was an ambitious plan with some comprehensive reforms – for 30 years we had not had this sort of reform. Since then we have seen how legislation has reshaped that sector. We have highlighted the importance of long-term planning; increased council and councillors' accountability, with a clearer standard of behaviour; and modernised the election process and transparency around council decisions and better financial management. However, some of the act's reforms highlighted that we still have some further work to do, and so this is another part of reforming in respect to cultural governance and accountability.

This bill is aiming at strengthening that council leadership – the capabilities of our councillors and mayors and deputy mayors – and will do that by developing a model councillor code of conduct and provisions for mandatory regulatory training for mayors and deputy mayors and extending the maximum period of suspension from one month to three months, which an arbiter may direct following a finding of misconduct. If we do not address these issues, these issues can obviously undermine public trust in the sector. They hinder decision-making, they impede the delivery of essential services and they cause what I would probably call a paralysis of council from good governance – which, interestingly, is raised by constituents to me directly on a regular basis. The lack of trust in our councils in my communities is raised with me in conversation, and constituents will also come to me in official correspondence to the office for follow-up or for assistance. They raise issues around decision-making, lack of expertise and engagement and I suppose the minimal or lack of communication that is felt by the community from the council.

I have made a deep commitment, having this role in this place, to having the community be part of the decision-making process and having a really high level of engagement in the community on state issues. I want to work and have demonstrated working collaboratively with the community to get the best outcomes with them. I want to work with all stakeholders as well to ensure that projects are delivered in a timely manner. I have openly discussed issues with the two councils that I have in my electorate, which are the City of Greater Geelong and the Borough of Queenscliffe. I have spoken to them openly about having a really respectful and collaborative relationship, one that can deliver really great outcomes for our communities. That is what I am interested in doing. I have regular catch-ups and meetings with the mayors and the CEOs of both the council and the borough. I keep communication open with them, and we discuss many concerns that come our way.

We have, though, many state projects in the Bellarine that are either jointly funded or fully funded by the state government where we need to work closely with our local councils. We are delivering so much on the Bellarine. I just want to highlight a few of those. The Drysdale sports precinct, stage 2; St Leonards cricket nets and skate park; Leopold Tennis Club redevelopment; and Portarlington Recreation Reserve. There are many projects that we need as a state government to work closely with our councils on and have trust that the councils are able to deliver, because they are primarily delivered by local councils. Yet historically, even before my time in this place, the trust particularly in the City of Greater Geelong had completely dwindled. In fact the minister at the time, who was amending the City of Greater Geelong Act 1993, stated that:

In April 2016, the previous council was dismissed by the Parliament of Victoria in response to the findings and recommendations of the independent commission of inquiry ... The commission of inquiry concluded that the council had failed to provide good government to the people of Greater Geelong, the leadership of the council was dysfunctional and riven by conflict and there was a deep-seated culture of bullying within the council and its administration. The commission also found a range of organisational failures had contributed to the breakdown of good governance at the council, including a failure by council to provide a safe workplace for its employees.

In January last year the now Minister for Local Government announced monitors for the City of Greater Geelong, and this decision was made in response to advice from both Local Government Victoria and the chief municipal inspector. The inspector had recommended the minister exercise her powers under the Local Government Act 2020 in relation to the employment of a CEO. This investigation focused on integrity and transparency. After their tender at the council, the monitor's final report, which actually is publicly available, did outline some problems. We had some problems around budget, complaints between councillors, potential conflicts of interest and claims of harassment and bullying. I mean, it is simply not good enough, and the report shows that more needs to be done. Therefore we have added additional time whereby those monitors will now stay until the end of the year, till after the next local government elections for the City of Greater Geelong.

This bill is so important to addressing these types of concerns that have been raised, which the community rightly want action on. Residents and ratepayers deserve councils that represent their needs and their aspirations and councils that deliver on their responsibilities. We know councils play a vital role in our communities across various services, and it is imperative that they have a really positive and workable culture with their community. Going into the election later this year, I really want to see community-minded candidates put up their hand so that they are able, if elected, to go into a workplace that is respectful, professional, accountable and supportive, and this training will be able to assist them in that.

In conclusion, I think I have highlighted really the importance that councillors have and their role in their communities as elected representatives. Their decision-making, their behaviour, impact ratepayers and their communities in their everyday lives. Councils – and borough, in my instance – play a crucial role in providing those essential services and representing the community's interests. Factors that influence that trust – such as transparency, responsiveness, community engagement and effectiveness of delivery – are all important, and the behaviours particularly of our mayors and councillors as elected leaders do really go to the heart of whether the community has trust in the

councils' abilities. While there are challenges – we understand that – this bill and our ongoing efforts as a government to improve these aspects will only help the trust in the community in local government. I commend this bill to the house.

Sam HIBBINS (Pahran) (16:25): I rise to speak on behalf of the Greens to the Local Government Amendment (Governance and Integrity) Bill 2024. This is a bill that makes a number of changes to the Local Government Act 2020 and related legislation with the aim of strengthening accountability of individual councillor conduct, improving early intervention and effective dispute resolution and introducing what have been described as oversight mechanisms.

I really want to flag from the outset that the Greens have significant concerns about many of the provisions being put forward in this bill today, and I will circulate some amendments that go to those concerns a bit later on in my contribution. Our concerns really have been compounded by the number of very political contributions that have been made by members in this place making some very political criticisms of a number of councils. Yet before us we have got a bill that puts more power in the hands of the minister to dismiss individual councillors. Whilst the government is making changes with the proposed reforms after consultation with the sector, the consultation highlighted that the sector remains concerned with some of the more controversial proposals, which I note have been retained in the bill before us. Hopefully councils will have a good library book policy too – we saw what some councils did in New South Wales – so for members who are looking to slag off particular political parties, I would say you are probably treading on dangerous territory there. We have heard that the consultation period was inadequate and that the sector is concerned about the limited opportunities there will be for engagement on the regulations required to support this legislation that are yet to be developed before the October elections. It is so important that we get local government reforms right, especially as they relate to governance and integrity.

As I have said in this chamber a number of times before, the Greens are strong supporters of the local government sector and what they do in our communities. They work across a really wide range of community issues, providing a range of critical services – of local infrastructure and of advocacy. I remember my own, albeit short, two-year period on the Stonnington council. You looked at those very granular issues. There were the planning applications – some non-controversial, many controversial – and the range of issues that constituents and members of the public would raise with you, often about cleanliness or rubbish on the streets, but there were also some of those really big-vision issues for councillors about what people really wanted to see in their community, and really there was a very strong necessity to have advocacy and a relationship with the state government. Look, sometimes – and there are examples right now, particularly with certain projects – they do work well with the government, but there are other times when the state government just ignores councils – does not engage with their knowledge and does not engage with the community.

The legislation before us has been pitched as something that will improve the functioning of local government. As the short title of the bill suggests, there have been a number of investigations in recent years that have necessitated reforms to improve governance and integrity in the local government sector. As I said, the bill purports to respond to government integrity issues, but it is silent on other support for councillors, like security at council meetings and measures to deal with corruption. The councillor code of conduct and training do not even dissuade individuals from engaging in corrupt conduct. If you look at the release of the IBAC report, it demonstrates the need for integrity measures such as applying the state's donations cap laws to local government and banning political donations from the property industry or other high-risk groups such as the gambling industry.

The Greens have been calling for those reforms for a long time. I stood here five years ago calling for those reforms to be in place. You have got a bill purporting to focus on integrity and local government, but it does not do anything on corruption. As recently as 2022 my colleague in the other place Samantha Ratnam sought to introduce political donations reform to the Local Government Act, but once again we do not see those reforms in this bill. So I want to flag that the Greens will be introducing further amendments in the other place to enable some of those long-needed integrity reforms, looking

at setting up a donations cap on the amount local government candidates can receive from a donor and real-time reporting requirements for these donations that is consistent with how state governments operate under the Electoral Act 2002.

Whilst we accept that some of the provisions in this bill may go some way towards improving councillor conduct, there are a number of changes that really do give cause for concern. The most problematic changes are changes that give the minister the authority to suspend or disqualify a councillor with apparently very little or no recourse. We appreciate that individual councillors can cause issues for staff and other councillors, and I have witnessed even in public meetings some really appalling behaviour by individual councillors. We appreciate that the existing processes to deal with these are slow, but we do not necessarily agree that the solution is to give all these decision-making rights to the minister. This undermines the sector, challenges democratic principles and just really shows the real lack of respect that the government has for local government. Under this provision there is no requirement for a judicial process, there is limited independent oversight – only a recommendation from a monitor or commission of inquiry for a minister to exercise these powers – and there are only limited natural justice provisions. Given not every council with a problematic councillor has a monitor installed or a commission of inquiry underway, this power does not really address the concerns that many have raised about ensuring a swifter resolution.

The risk of politicisation, real or perceived, is very significant. As I said, we have had members line up during this debate and just layer very political attacks on other councils. I have had political attacks and interjections from other members while I have given this speech, and now you are all saying, ‘Oh, well, we want to give this power directly to the minister.’ Well, this is ripe for abuse, ripe for politicisation, and the local government sector should be incredibly concerned.

Iwan Walters interjected.

Sam HIBBINS: Just keep digging the hole there. The member is undermining the very bill being put forward. Coupled with the fact that this potentially reduces rights to legal support and appeal through VCAT, it is very concerning how this power might be misused by either a current or future minister. I can appreciate the logic that the state government may wish to streamline outcomes and prevent repeated prosecution of cases by removing the right of VCAT appeals, but it is concerning that the only recourse would be a court appeal. I will circulate amendments in my name.

Amendments circulated under standing orders.

Sam HIBBINS: These amendments will seek to remove the provisions in the bill relating to clauses regarding ministerial powers and the loss of VCAT appeal rights from the bill.

I also want to touch on the issue of indemnification. Changes in the legislation before us would mean that councillors are not automatically indemnified for internal arbitration processes or councillor conduct panel hearings. This had low support in the sector, and we have heard from many councillors who are concerned about what this may mean for them. For example, it is concerning that this change could disadvantage councillors with less means or advantages than those who are better resourced, especially in the early preapplication phases, when councillors may want to seek advice about their options. It also runs the risk of deterring people from making complaints or undertaking certain actions in performance of their council duties due to fear about legal exposure. There may be reasonable steps that the government could take to ensure that councillors do not repeatedly prosecute cases when adverse findings have been made against them, but we do not believe that the disadvantage that a lack of indemnification would mean for many councillors justifies the complete removal of this legal access. The amendments that I have circulated will also omit these and related provisions from the bill. As it stands, the Greens cannot support this bill. It is rushed. It fails in its stated aim to improve integrity and in fact undermines democracy.

Colin BROOKS (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (16:35): I want to make a relatively brief contribution to this bill, because a number of speakers have already gone through the detail, and despite the comments of some of those opposite, this bill is one that has broad support in the sector. That is from a consultation paper that was produced by the sector. I think that is a good thing that shows that the sector itself is up for positive reform in this space.

I want to start this contribution, before I come back to the bill itself, by commending the many good people who serve in local government, both council officers and also elected councillors. There are many people in this chamber who have served on local government and would know the rigours of local government and the contribution that good people make to their local communities through that particular level of government. Effectively that is what it is all about; it is all about the contribution that people can make to better their local communities and to reflect the community's aspirations in a local sense. In many respects local government, as a sector of government that is close to the people, is often able to respond very quickly to the aspirations of its communities – quicker than other levels of government can sometimes. I commend those people, and with elections coming up I also commend people who are thinking of putting their hand up for local government. We as a state, regardless of our political views, need good people to put their hands up and run and serve their local communities. For the people who run, if they have at their heart the interests of their communities foremost in their time in local government, then I think we are all served well by their contribution, as I said, regardless of their political views.

The bill itself provides for training for councillors. There are provisions in the bill in relation to the suspension and disqualification of individual councillors who have done the wrong thing. It increases the powers of the chief municipal inspector, and some of the recommendations flow from the IBAC report of Operation Sandon. I understand 12 of those recommendations are picked up in this bill. As I mentioned in the earlier part of my contribution, a consultation paper back in January was distributed. It was pleasing to see the really mature way the local government sector responded to that and has worked with the government and obviously with the broader Parliament to bring through some of the reforms, which is a positive thing.

I think bills like this, though, are a sign that there is an accountability gap in local government, unfortunately, for the small number of people who do not behave well or do the right thing. From my time many years ago on local government to now I think one of the biggest changes that goes to the need for some of these sorts of changes we are seeing in this bill is actually the absence now in many areas of local newspapers and local media. It is a well-publicised problem. There have been federal parliamentary inquiries into this matter, based on the contraction of the local newspaper industry across not just Victoria but the country. That is a particular problem for rural communities, which obviously rely on local newspapers for information, but also for metropolitan communities like mine who use local newspapers as a source of much-needed information about what is going on in their local area. I remember on council in the council chamber every time there was a council meeting there would be a journalist from the local paper. At that stage it was usually the *Diamond Valley Leader* or the *Heidelberg Leader*, or before that the *Heidelberger* and the *Diamond Valley News*. When you were making decisions and talking to those decisions you were always reflecting on the fact that your decisions, what you said, would be broadcast through the local paper the next week right throughout your local community.

Despite the fact I think – I hope – that I would have made the same decisions anyway, it was certainly a measure of accountability to know that your residents would be casting their eye over what you said and what you did. It is a healthy thing for democracy, and it is a great loss that we do not have that – in my area anyway – at the moment. We do not have that local newspaper that is published every week and delivered into people's letterboxes so that people understand exactly what is going on. I did not always agree with the reporting of the local paper; sometimes I got a bit of a slightly negative review.

But overwhelmingly, when you look back, you see the value of having that newspaper there reporting on what was going on.

The other thing with local papers is that it is different to online dissemination of information about local affairs these days. There is a lot of information on social media groups around things happening in the local area, but it is often unregulated. It is not filtered by a trained journalist who is able to sort out the facts sometimes from the fiction, so there is not that really reliable source of information for people to rely on. I remember reflecting that not everyone used to pick up the local paper out of their letterbox and go straight for the local news section to see what was happening at the local council; sometimes people would go to the sports section to see what the local footy club results were or the district cricket or the netball, but they would inevitably also have a look at the front pages of some of the news as well.

A member interjected.

Colin BROOKS: Yes, letters to the editor. I am sure the member opposite would have written a few letters to the editor in his day – or was the subject of them. But also local tradespeople – people would often like to be able to connect with someone who was advertising as a plumber or something like that in their local newspaper. But again, it was another reason for them to pick up the paper and then get through there – or electricians are obviously the better of the trades.

The other thing that I just wanted to say was that local newspapers provided a great training ground for journalists, when they came out of their training, to cut their teeth on local stories. I remember over the journey having lots of interactions with great journalists, some of whom have gone on to do really good things in some of our major media outlets. I think that is a key part of what is missing from the accountability mechanisms at the moment. It is something that is hard for governments of any level to address, because you do not necessarily want governments disseminating information or having a role in that particular place. There may be, I was thinking, a role for the ABC in the future in terms of more localised news. At the moment it seems the ABC is contracting and not heading in that direction, but I think in this day and age they have a role possibly in supporting that granular local news dissemination so that people have that access as a public service to reliable information in communities. Rural communities would be a great place to start. I think rural communities in particular would really need that news service, but also in metro areas, as I think it is really quite an important part of this.

This bill, though, does a great job in terms of improving the standards. It is another tranche of reforms to local government, which I think is really important. This government has been very strong in terms of improving the accountability and integrity of local government, and I commend the bill to the house.

Martin CAMERON (Morwell) (16:43): I rise to talk on the Local Government Amendment (Governance and Integrity) Bill 2024. It was fantastic to hear the minister at the table speaking the virtues of plumbers that are involved in their local community, and I think he hit the nail right on the head that we are a fantastic breed of people that can move through political life. I must say that I have never been involved in a council. I have never been elected to a council. I have never been a mayor as such. The closest I have got has been having to do roles for the council as that forementioned plumber. One of the good things about that is that I did get access to all councillors, mayors, deputy mayors and also people that work for the council, so I used to get a broad-reaching range of ideas and used to get the behind-the-scenes synopsis of what certain people were like.

In saying that, you got an overview that, yes, most councillors are really good and do a fantastic job, but sometimes you do get some people that push the boundaries. The reason I think they push the boundaries is that they are pushing their own agenda for themselves. That happens right through every walk of life. This is a bill that can actually change that and give a point where there can be some help to councils and especially mayors. We heard from other people that have been in that situation where it falls on their head to actually resolve disputes if they are the mayor. That is really hard because

sometimes you are dealing with councillors that you actually need to vote for you to be mayor, so it puts a lot of pressure on that. Things we can do to take that off the table for council are very good things.

This bill aims to address the issues of accountability, conduct and governance within the local government sector, emphasising the necessity to enhance good governance for councils to make informed decisions and effectively deliver services to their communities. That is their role and that is what we want them to do. A lot of people go in with their eyes shut, and for them to be able to be educated not only when they become a councillor but also in the lead-up to standing for those council elections – and I note, as most have, that the council elections are coming up later this year – so that they have a bit of an education and an insight into what the role is going to be and so they know what the rules are and do not overstep those rules, that is part of an education rather than being thrown in there blind and saying, ‘How does this work?’

When I am walking down the street, people will come and pull me up for a bit of a chat, and obviously sometimes the talk gets back to the actual council. My council is Latrobe City Council. People of all walks of life do have grievances with their council, whether it be that their rates are too high or they do not think the council is actually listening to them or whether it be, if they have got a tree that is growing over the neighbour’s fence, to resolve disputes. They certainly cause a divide within the community, and I think that that would probably be right through every council that is around Victoria. Some people just are not happy, and no matter what you do you are not going to make them happy. But one of the things that have happened in our council is that we have had to go to closed community hearings when they have their council meetings on a Monday night. One of those things is the security of the actual councillors; they have been feeling a little vulnerable in the community. Social media has played a big part in that, with backlash against certain councillors and against the Latrobe City Council. It is a real worry that that can happen. To make it safer, council had to have closed sessions, which riled the community and justifiably so. It is a public forum, and you want to be able to go into the council and sit down and listen and see how good governance works.

We have it here, and a few times even in here we have had to leave the chamber because people have done wrong thing. We have had people with different agendas come into this chamber, and we have actually had to have the Speaker stand up and tell us to clear the chamber for our own safety. So if they are doing that here and they are doing it at a local level, you wonder what is next. Will they do it at a school council meeting if they see the way it goes? So we do have to be strong and have those options whereby we can actually discipline certain people that are doing the wrong thing in councils, or it actually might be that they are doing the wrong thing inside their state Parliament. We need to be strong enough as a group to be able to call that out as we move through.

A person might be sitting at home somewhere tonight in the state of Victoria thinking that they are going to put their hand up to run for council, because if you are not a councillor you are very parochial about what you want and ideas that you think need to happen for your town. That education that we are talking about for when they step into the role is about trying to make them see the overview of how the actual council works, working for different people that may not be in your town and providing that transparency about who is actually running so people that actually get to vote for people that are running for council have a bit of an idea of what their background is. It does not have to be the ins and outs of everything, but have they got an agenda? Are they in bed with an organisation that is going to make running the day-to-day stuff of the council harder to do because their agenda is to go in and cause grief? I think as the general public we should be able to see who is actually running to represent us in a council.

Our council, Latrobe city, work really hard. I attend a lot of functions, as everyone would here, and there is always the mayor or the deputy mayor or a councillor there. They spend a lot of their own time coming to these functions, providing input to the community and championing the Latrobe City Council and our region to be able to attract festivals and also sporting events to come and be set up down in the Latrobe Valley. They do a power of work, and then it falls to the umbrella underneath the

council. Everyone thinks that the Latrobe City Council are just the councillors, but we do have our CEOs and all the workers under them, even the day-to-day people that are doing the work cutting the lawns and keeping the gardens running. The Latrobe City Council are one of the biggest employers in our community, providing the security of a job for people to be able to take out their house loan and put food on the table at the end of the day as they go through.

One of the biggest things – I am running out of time here – that we did have was councils coming together when the Commonwealth Games were cancelled, and the one thing that we are all on the same page about is trying to get a fair share of compensation into the community. That has also caused a little bit of grief down there with the stakeholders, because when it first came out, compensation was just going to go to designated event holders, but now there is talk down there that maybe it should be put into a pool and spread across the municipality to let everyone get a little bit of work done as we go through. It is a big role for the councillors to actually have to put their hands up and try and work out what is going on there – what is right for our region. It is not an easy job for them. Anyone that is putting their hand up I encourage in the upcoming elections to do their due diligence. Can you be an asset to the Latrobe city if you are running for a councillor position?

Just in closing, I know that the Leader of the Nats did put in an amendment. I strongly encourage the government to read and have a look at that. I support our local council.

Dylan WIGHT (Tarneit) (16:54): It gives me great pleasure this afternoon to rise and speak on the Local Government Amendment (Governance and Integrity) Bill 2024. I have had the pleasure this afternoon of listening to a few contributions, some from those opposite, some from the crossbench up at the top. The member for Morwell did a great job just then. But I thought I would just touch on a couple of the contributions that I have heard this afternoon. An hour or so ago the member for Kew spoke about the role of local government and spoke about the separation of responsibilities between local, state and federal governments and used some examples of local governments speaking and using their platform on social issues. Respectfully, I think the member for Kew and I will probably disagree on not so much the right but the capacity of elected officials to have an opinion and to use their platform to voice an opinion on broader social issues. I think we see it happen at every level of government. We see it happen in here, and indeed there are members of the Liberal Party room who do that – absolutely there are – and there are members of our caucus that also do so.

The member for Kew would not be aware of this, but if she would like to look at a really clean example of a councillor speaking on and doing things far outside the scope of the brief of a councillor or local government official, she need look no further than down in my patch, in Wyndham. I understand the member for Kew would not be across this, but if she were to come down to Wyndham, she would find a majority of fantastic councillors that are there for the right reasons, that are working hard for their community, that are all about rates, roads and rubbish and that are working tirelessly every day. But then you will find some that are, frankly, dead weight.

One in particular, who I will not describe as dead weight, is so far from concentrating on rates, roads, rubbish or her constituents it is not funny. In fact the funny thing about that is that particular councillor was a Liberal candidate in the state election that has just gone. She ran in Werribee – quite unsuccessfully. From what I have experienced about this particular councillor, her mind is so far from rates, roads and rubbish that it is not funny. She spends most of her time potting the state government for literally anything, both on social media and in local media. She spends a disproportionate amount of her evenings, from what I can tell, trolling Labor candidates and Labor members on social media. I am not quite sure why you would spend your evenings doing that. I have got better things to do: I hang out with my kids, maybe go to the gym, maybe watch the news. I do not scroll my way through social media looking for people to have a crack at. It was a Liberal candidate. Her campaign did not start off in the greatest fashion when her first DL spoke about the fact that she had delivered X and Y for the people of Werribee – and it said ‘X and Y’. That is what it said. They clearly did not proofread the DL, so there is 11 grand down the tube. The campaign started like a house on fire, and I tell you what, it did not end up much better when she lost with a 10 per cent margin.

But anyway, maybe we will get to the substantive part of the bill. I think it goes to the heart of this bill. These changes are designed to make sure that we have the absolute best people representing local residents at a local government level. That is what these changes go to. I can tell you what, there are some councillors in Wyndham who will do really, really well with the training that is provided within this legislation.

The bill will amend the Local Government Act 2020, the LGA – not to be confused with local government area – in time for the Victorian local government general elections in October this year, elections that I know we are all incredibly excited about. I know that we have all got that date locked in our diary. Those local government elections are incredibly important for the delivery of critical services right here in Victoria. IBAC's Operation Sandon, the special report that came out of that operation, made a number of recommendations to improve council governance, which the government has accepted in principle. Seven of these recommendations are to be implemented through this bill. As I said, we want those representing Victorian residents at a local level to be as qualified and as trained as they can possibly be. What we will do through this piece of legislation is develop a modal councillor code of conduct – that goes to recommendations 17, 21 and 33. There will also be a provision of regular mandatory training for councillors, mayors and deputy mayors, which goes to recommendations 18, 20 and 28. We will also be extending the minimum period of suspension from one month to three months, which an arbiter may direct following a finding of misconduct.

As I was listening to the member for Prahan's contribution earlier he expressed some concerns about the powers that would be given to the minister in respect of being able to suspend councillors. He sat up there and spoke to us and told us how good a job all the Greens councillors across the inner city LGAs in Melbourne are doing; he expressed his concern for his friends in the Greens political party and their councillors in respect of these ministerial powers. I completely understand what he is saying. I mean, who would we have to stand in the way of social housing development if we did not have Greens councillors? I completely understand his concern.

Other government initiatives, including the local government culture project, have also highlighted areas which need improvements. Victorians rightfully expect high governance and integrity standards from their councils. They expect to be represented by people that are qualified and trained, and I think these changes are incredibly important, particularly at that level of government. If we think about your typical council, perhaps outside of inner Melbourne – once you get to outer suburban Melbourne, once you get to regional Victoria, indeed when you get to rural Victoria – the sorts of infrastructure that exist in a place like this, or perhaps in federal Parliament, and the sorts of infrastructure and support that a councillor has around them are not quite the same. I think governance training and going through those different modules will be incredibly important.

This obviously follows on from the act in 2020. Since the start of the 2020 council term we have had to use that act on several occasions. Unfortunately in that period 12 councils have had municipal monitors appointed to provide support and monitor their governance practices, though with only five monitor appointments last term. That is a significant improvement, and through this legislation we are seeking to improve that again. If we can arm mayors, deputy mayors and councillors with the knowledge and governance training that they need to be able to self-regulate in the best way that they can, it is going to save us from having to put those administrators or governance officers in. Fifty-six councillors have resigned as a result of this; one councillor has been dismissed following a commission inquiry, and one has been suspended.

As I said at the start of my contribution, Victorians deserve the most adequately trained councillors to represent them. That is what this bill does, and I commend it to the house.

Annabelle CLEELAND (Euroa) (17:04): I rise this evening to speak on the Local Government Amendment (Governance and Integrity) Bill 2024 to a captivated audience. It is a bill that will benefit greatly from the reasoned amendment put forward today. The piece of legislation aims to address issues of accountability, conduct and governance within the local government sector. This will be done

with amendments to the Local Government Act 2020 in relation to governance and integrity matters, with amendments to the Local Government Act 1989 to reflect machinery-of-government changes and by making consequential amendments to the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes. By emphasising good governance councils should therefore be able to make more informed decisions and effectively deliver services for their communities and ratepayers.

I do want to give a shout-out – I have six LGAs across the Euroa electorate and have a really great relationship with all of them, but many of these councils have actually gone through a really, really difficult time as the primary form of recovery and support throughout the floods. This has been ongoing for several years and looks to be ongoing for several more years. I do want it understood that when you have a council that operates well, golly, they are good. They are amazing, they are supportive, they are the safety net of our community and they are driven by councillors that are from the community and for the community with people's best interests at heart, and that is about benefiting their community. I often lean on our local councillors for investment needs, making sure that I am across some of the data and the issues of our community and that we have the adequate infrastructure and services to provide that support, and they have been great mentors for me in this role as well. They reach out to me and raise issues, often confidentially but always in support of this role because it is the microphone for the people of the Euroa electorate.

This bill also recognises the growing number of interventions at a local government level in recent years, including council dismissals, suspensions and the appointment of municipal monitors, something that has happened within my electorate this year with the Strathbogie Shire Council. I want to get back to when you have councillors that are there for your community, representing your community, from the community. That is when we are on the sweet spot – when we have the best representation because they are a part of the community. They live and breathe it. But when we have councillors that might have their own political ambitions that come ahead of community needs, we have deep concern about our representation of regional councils.

Strathbogie Shire Council has been under the supervision of an interim administrator Peter Stephenson since December 2023, when all councillors were suspended by the Minister for Local Government following a tumultuous period involving multiple council monitors and significant media attention. The decision was a step in the right direction to ensure residents of the Strathbogie shire are governed effectively and with the best interests of our community in mind. Poor local governance resulted in frustrated local ratepayers, with a lack of care being shown for the needs of residents, particularly when it came to council being able to deliver those essential services that we have heard a lot about – just getting back to basics like your roads, rates and rubbish. My office is regularly informed about local government concerns from members of our communities. Planning issues, ineffective rubbish collection, a lack of road maintenance, long delays in getting back to residents and overstepping their mark when it comes to broader social and ideological issues are some of the major issues shared with my office.

An effective council can deliver fantastic outcomes for our local communities, and this is something worth pursuing. When you are in a position of leadership you must find ways to work together to serve the people you are elected to represent. That is the job. It is essential to stay connected to your community and ensure you are always acting with the best interests of your residents in your heart. Reading the monitor's report made in the lead-up to the suspension of Strathbogie shire, it was clear that this was not always the case. Major concerns in the report included councillors not knowing their roles, poor conduct, overinvolvement of council in operational concerns and the resignation of several councillors due to a toxic environment. This has actually had a lasting impact on many of the councillors who have currently been suspended. Their mental health has been impacted, their reputation has been impacted and their commitment now to the community has been impacted. But I do want to say that while there is all of the negativity in this space, they originally did go into it with the right intentions, and I do want to thank every councillor in the Euroa electorate for their service to our community.

After seeing situations like Strathbogie up close, it is clear that improving accountability, conduct and governance of the local government sector is a valid concern to be addressed, but there are some concerns. While the intention to strengthen oversight of local government is commendable, we have concerns about the increasing scope and powers of municipal monitors. The suspension and disqualification of councillors and the process behind this raise concerns. There are potentially significant implications regarding due process and the democratic process and needing to safeguard against potential abuse of power or political interference. Although the bill aims to clarify and improve the framework governing council conduct, there is apprehension regarding the fairness and transparency of the new procedures. Ensuring that councils are afforded adequate rights and protections while also maintaining accountability is crucial. Introduction of new procedures for addressing misconduct applications, while intended to streamline the process, have also brought concerns when it comes to the efficiency and fairness of the system. It will be essential to ensure all parties involved have access to due process and fair representation.

The various changes proposed in the bill to enhance council governance, including mandatory training and alterations to the model councillor code of conduct, may have far-reaching implications. Concerns have arisen about the practicality and effectiveness of these measures in ensuring the desired outcomes of improved governance and accountability. These areas are of concern and highlight the need to carefully consider and scrutinise the proposed amendments to ensure that they strike the right balance between accountability, transparency and the protection of democratic principles within our local government.

It is pleasing to know that in addition to the legislation a parliamentary inquiry into local government funding and services was begun recently by the Legislative Council Economy and Infrastructure Committee. The committee will investigate local government funding and service delivery in Victoria. Having met with councils across the region, questions remain between the state and local government about who pays for what and how much each should pay. We have seen this with the ongoing concerns over school crossing supervisors, the state of our roads and several areas that directly impact our communities and those who live within them.

When it comes to school crossing supervisors, this has been an ongoing issue since I was elected. Funding disputes between our councils and this government are not helping anyone and instead are putting the safety of our children at risk. Conversations I have had with community members have made it clear that this is something worth fighting for, and we will not stop until our children are safe. I would like to thank the Minister for Roads and Road Safety for addressing this and rectifying it. However, we have one road that still needs a school crossing supervisor. I have spoken with school staff, students, parents, council representatives and concerned residents as well as raising the issue in Parliament on countless occasions. With stories of near misses and speeding vehicles, it is imperative that this is not left too late. The school crossing supervisor program is critical to keeping our children safe, and I am hoping this inquiry and further clarity for our local councils will provide an important opportunity to examine what is working well and what can be done better at a local government level.

Another growing area for local councils is the increase in illegal dumping in communities. My office has heard from several constituents about an increase in rubbish being dumped along roadsides and outside properties as well as issues accessing landfills across the electorate. This comes at a time when the government will raise the metropolitan industrial and municipal waste levy by \$40 to nearly \$170 a tonne from 1 July 2025. We need to be making it easier and safer to dispose of rubbish in our regional communities, not harder. While reducing landfill waste might be a priority in the city, our waste needs to go somewhere. As things stand we are hearing of rubbish piling up on roadsides and a lack of urgency to clean it up by those responsible. Meanwhile almost 60 per cent of Victorian councils have hiked their waste charges by more than 5 per cent, with a quarter increasing them by more than 10 per cent since July last year. There have been cases of people breaking into landfills in the electorate just to dispose of waste, something that this levy increase will only make more prevalent if allowed to stay in place.

One area that also needs to be explored in the bill is the council election process. Elections are set for October this year, giving residents of our local communities an opportunity to vote for new local representatives or stand for election themselves should they be interested. For a council like Strathbogie, a council that currently has all its councillors and mayor suspended, this is a particularly important election. It is a great opportunity to have genuinely community-focused people in positions that allow them to represent their region. A clean slate is just what our councils need, and I encourage any would-be councillors in the local community to put their hand up for the role.

Paul HAMER (Box Hill) (17:14): I also rise this evening to talk about the Local Government Amendment (Governance and Integrity) Bill 2024. It is a really important bill, and I want to firstly thank the Minister for Local Government for bringing this important reform to the Parliament. I want to start by just reflecting on the role of local government. It is a really important tier of government, the third tier of government, and it is often said that it is the closest tier of government to the people and to the community. It is a lot more than roads, rates and rubbish, as we have been hearing; the amount of services that councils do provide covers leisure, community sport, aged care, health, environment – just an enormous range of activities. I do reflect on my time on staff at one of our local governments in Victoria, and I must say I really enjoyed that period of time in my life because there was enormous community interaction. Just being able to engage with the community and feel that I was helping the community in delivering a wonderful outcome for the community really filled me with pride, and I felt a sense of fulfilment and job satisfaction.

I do want to reflect on some of the actions taken by our local council, the Whitehorse council, to exit some of these services. I have raised this in the chamber before and I got quite the response, and a number of my eastern suburbs colleagues also got quite the response: denying that they were pulling out of some services. In particular the services that they were pulling out of and outsourcing were in relation to aged care, the Meals on Wheels service and the home support services. I remember speaking to many constituents in the lead-up to the election about how worried they were that, for example, the cleaners or the people who would come to actually help cook the meals in their homes were going to be different people. So someone who had been used to getting the same person for year after year was suddenly going to be confronted with a different person – a stranger. You can imagine how confronting that could be if you were in your 80s or 90s, alone and feeling vulnerable and having a different person come in. Not only that, but often the hours were cut. Particularly in relation to cleaning that made a huge difference to people because the hours were cut. We also raised at the time the proposal from Whitehorse council to outsource the leisure services at Aqualink. Again, I did cop a bit of flak for raising that –

John Mullahy interjected.

Paul HAMER: Yes, the member for Glen Waverley does mention a different style of management. They recently emailed all the participants in the engagement process – they ran a consultation process on the outsourcing of the leisure services – and it was called ‘Improving leisure services’. I guess that is what the title was. It said the council was exploring a change to the management model. It said that council has now decided to go out to market with an expression of interest to run the learn-to-swim school, which is run at both the Aqualink Box Hill and the Aqualink Nunawading, and this will be followed by a public tender process to explore an external management model for Aqualink Box Hill and Aqualink Nunawading. Now, if that is not outsourcing, I do not know what is.

I particularly want to call out Surrey Park Swimming school. They have been operating since 1904 I believe – a wonderful community club. They are, along with Nunawading, probably the two best-credentialed clubs in Victoria in terms of creating opportunities for future champions. In a couple of months I am sure we will all be glued to our TV screens watching the Olympics, particularly the Olympic swimming. So many of the Victorian swimmers who have represented Australia have come from the Nunawading swim school and the Surrey Park swim school. In the case of Surrey Park, the way they are able to fund their more elite programs is through their learn-to-swim school. They have been doing this for many years. It is sort of a full program. Not only does the learn-to-swim school

help fund the senior program, but many of the senior, elite swimmers also serve as coaches and teachers for the learn-to-swim school. So in the same way that these future stars are growing their own athletic potential, they are also learning life skills and leadership skills. If council are opening it up to a full –

Cindy McLeish: On a point of order, Acting Speaker, as a devoted follower of the swimming in Australia and Victoria, I fail to see how that actually relates now to the bill that we have before us. I ask you to bring the member back to the bill.

The ACTING SPEAKER (Paul Edbrooke): On the point of order, it has been a wideranging debate, and I do see the connection between the context that the member for Box Hill has been setting and his council. But I do appreciate your point of order.

Paul HAMER: I was just completing the point about the importance of the role that local governments play in delivering the services that matter. This also reflects the broad service offering that councils do provide.

In terms of the particular elements of the bill, it focuses on improving the code of conduct. This comes out of recommendations from IBAC's *Operation Sandon Special Report*, and seven of the recommendations will be incorporated and implemented through the bill. That includes the development of a model councillor code of conduct, provision of regular mandatory training for councillors and for mayors and deputy mayors, and extending the maximum period of suspension from one month to three months, which an arbiter may direct following a finding of misconduct. I think that these are some really important reforms. I know that councils are already required to have a code of conduct, but this is not applied globally – each council creates their own code of conduct – so it is going to be very important to have one that applies across the board.

I do know that there have been a couple of instances at Whitehorse council which have really disturbed me where constituents have raised with me that councillors have verbally abused them, which is just simply unacceptable behaviour. We should never accept that, any of us, as elected officials or at a council level. Unfortunately, when I look at the process to date usually it appears to be more that I suppose it will be arbitrated within the council and you are directly confronting the councillor that hurled this abuse and harassment. I see that as a really difficult situation. I mean, if you think of it in any other context, trying to raise this complaint when you have to perhaps directly confront the person who is making that abuse towards you is a really difficult situation. So I do hope that the model councillor code of conduct can really consider some of these challenges that occur, that are occurring right now and occur in real life and will improve the situation for everyone.

Cindy McLEISH (Eildon) (17:24): We have before us today the Local Government Amendment (Governance and Integrity) Bill 2024. I think there are a couple of words that are really important in the title of the bill, which are 'governance and integrity'. We have got a bill here that is about improving accountability, conduct and governance within the local government area. We know that there are 79 local government authorities in the state and there are 21 small and rural – and I have two of those, the Murrindindi and Mansfield shires, and then I have the Nillumbik and Yarra Ranges, which are somewhat larger. Previously I had a lot to do with the Mitchell shire. Through all of those councils and certainly through this role, you see and you hear many different stories about the behaviour and what it means and the impact it has on the services being delivered at the local level. I think that we do need to stop and review the systems in place at the time, whether that is legislation or any of the frameworks within that, to have a look to see how it is working and where things can be improved.

We have had an issue now with Operation Sandon where there have been a number of recommendations that have brought about these most recent changes. If we start to drill down a little bit, the main purposes of these reforms are to provide ongoing mandatory training for councillors and mayors – and I will come back to that – to improve the councillor conduct framework and to clarify

the responsibility of councillors, which is important too. There are a couple of issues around the suspension and disqualification of individual councillors, there are going to be further powers provided to the chief municipal inspector and there are a few other little bits and pieces along the way.

One thing that I find quite alarming is what I see as the increased rate of municipal monitors being put in place. Say, for example, 12 years ago it was a rarity. It was a big deal in this place to implement, and I think Brimbank was one that comes to mind quite readily. The process of putting that monitor in place, getting it through both houses of Parliament and making that happen quickly was a big deal. Everybody had to stop and think and know the importance of it. Now it seems that they have done this process so quickly, and something like 12 councils have had municipal monitors of some sort in recent years. I find it quite alarming that we have had situations within councils across the state, and I mean across the state – it is not a city thing, it is not a regional or metro or rural thing; across the state councils are having issues. We really need to have a look at what the causes are of those issues.

One thing that bothers me is the increased politicisation of the councils and the councillors. Certainly in circumstances where the councillors themselves do not see themselves as the advocate of the elected representative but they see themselves as an activist I think that causes a lot of tension within councils. We have those with a very political or personal interest. We have seen and I have seen in my area a number of very volatile council meetings. We must make sure that the councillors and staff are safe at all times. Yarra Ranges, for example, have had a whole bunch of difficulties. They had a lot of abusive behaviour from the public gallery. I know Whittlesea were also reporting problems with the galleries. We had meetings abandoned, there were meetings without the public and then there were meetings that had to be done by Zoom.

Actually, I commend the Yarra Ranges for how they handled those matters, because they are not always skilled in how to deal with abusive behaviour from the gallery that steps over the line. It was not just hurling a couple of derogatory remarks, it was actually bad behaviour where police and security not only had to be called but had to be put in place time and time again. The councillors as they come to their meetings do not always understand some of the things in the wider environment that are happening and how it actually impacts them. At the time Cr Jim Child really took control of the issues and kept all of the staff and councillors safe by abandoning and walking out of the room at those times. He had the wherewithal to do that and to think on his feet that, 'This is what I need to do.' But I think it is fair to say that not every mayor or every council can think so quickly on their feet and know what they can do and the implications. I think for these sorts of things it is important that they are addressed.

We had Operation Sandon, and I will just make a couple of comments there, because this really homed in on the behaviour of councillors and access to councillors. We saw that over a decade Mr Woodman, a developer in the area, manipulated and improperly influenced Casey councillors. There were hundreds of thousands of dollars in cash payments and the creation and funding of community groups for personal gain and really try to coax councillors into voting for what he wanted, and he had lucrative planning developments. This was a very, very serious matter with what happened and how it happened. Councillors need to know and understand very much what is in limits and what is not. You would expect that that would be the case, that they would stop and reflect, 'Hang on a minute, what passes the pub test, what doesn't pass the pub test?' But I think the more training that that they can have to understand what it is that they need to do in their role and how to do it – I think that is particularly important, and mandatory training for mayors, deputy mayors and councillors is particularly important.

If we have a look at who comes to be elected as a councillor, well, we have a variety of people that get elected, from those who are very unskilled to those who are very skilled – those who have had strong work experience and understand the ways organisations, corporations and businesses run and those that perhaps are still wet behind the ears and have had no life experience or business experience. We have skilled and unskilled, but we also have experienced and very experienced. We have to understand that this is what we have to deal with; we have people who are elected from that vast range.

Think about the differences within councils. I have had a look, trawling through some annual reports and financials, which I quite like to do, at my area, at Mansfield and Nillumbik. Mansfield is a relatively small rural council with a revenue of \$30 million and assets of \$278 million. At Nillumbik the revenue is \$112 million but the assets are almost \$1 billion – \$981 million. Move then to the City of Geelong, which has a revenue of \$610 million – much, much more than some of the smaller country areas – and its assets are \$4.5 billion. Glen Eira has a revenue of \$202 million and assets of \$2.8 billion, and Kingston has \$610 million revenue and \$4.5 billion. These are significant sums of money.

I talked before about having the unskilled and the inexperienced. If we have a 19-year-old elected to council – and I heard one of the members before talking about what he was at 19 – I do not know what training that person would have done in terms of understanding a balance sheet and understanding their responsibilities around responsible fiscal management and what level of debt they can carry and what level of debt they should not carry or about how the reserves fit in and how much they could draw down or not draw down on reserves. It frightens me greatly that not only do we have people who do not understand how to behave in meetings but we also have people that do not have a lot of the skills to know what they need to do in terms of that governance where you have ‘What is the difference between the role of a councillor and the CEO?’ or ‘What is the interaction between the council and the CEO if you are not the mayor?’ or ‘What is the interaction between the other councillors and the senior staff or maybe the person who works in the planning department that you duck by and ask questions?’ These are relationships that are very important to understand and are at the core of good and strong governance, and I think we do not see that often enough.

Too often I see activists who are there for their own political advancement, who see a seat at a council table as the next step to becoming a state or a federal MP – as their training ground. They are there for different reasons, and I think it is really important that they understand and have such training in governance so that they know what it is that they can and cannot do and the extent of their responsibilities, because the responsibilities are fairly large. We have enormous balance sheets here, and I see too often people fighting and bickering and councils getting distracted, and not with the work, the core business. I know on this side we look at roads, rates and rubbish, and we see too many councils going off in other directions and spending ratepayer money in places where they perhaps should not. I think strengthening some of the areas around the training and making that mandatory is only a positive thing.

Katie HALL (Footscray) (17:34): I am very pleased to make a contribution on the Local Government Amendment (Governance and Integrity) Bill 2024, and I think nothing exercises people more than a discussion around the performance of their local council. I know certainly in my electorate office – and I know a lot of my colleagues in here would have the same experience – a lot of the issues that come in are actually local government issues. Victorians deserve at a minimum to have confidence in their local council, and we rightfully expect that councils fulfil their core functions, that councils do the basics properly as a minimum.

Local government is a very important level of government. The great political cliché that all politics is local is very true. It matters if the footpaths are maintained and fixed. It matters if the rubbish is collected in the park. Libraries matter. The provision of early childhood services matters, and unfortunately in recent years we have seen local governments neglecting some of their responsibilities in the provision of early childhood services. And of course statutory and strategic planning matters for neighbourhoods – urban design affects everything. I have lots of discussions in my community around some of the public realm and urban design issues we are grappling with in Melbourne’s inner west. So it matters for local government to have a vision for their communities.

Of course if you are a councillor, if you are attentive to your duties and your obligations, it is hard work. I have watched on with dismay as councillors in my local area have been abused, have had their phone ring at all hours of the night, perhaps by people who have been egged on by other councillors. Some pretty shameful behaviour goes on. Infamously at the City of Maribyrnong we have also had acts of aggression in our council chamber in the past and security needed for councillors. So it goes

both ways: respect is very important in all workplaces and the way we engage with each other. It is unacceptable to me that any council officer, public servant or councillors would ever be subjected to an unsafe workplace. We all have responsibilities in that regard. We all have to be accountable for our actions and the issues and the behaviours that we promote in our workplaces, and a council is no different.

I represent an electorate that sits entirely within the City of Maribyrnong. I have worked very productively with the current mayor Cuc Lam and her predecessor Cr Sarah Carter. Sarah and Cuc have both agreed with me that within the council context there needs to be a much greater focus on Footscray and Footscray's CBD. When I first raised the issue of land banking, Sarah Carter, who has been an exceptional councillor at the City of Maribyrnong over a long period of time, came to the table with me, and we worked together to get some of those land banking sites cleared. The current mayor Cuc Lam is working hard to ensure that the Footscray CBD receives more love, which it needs. Whether it is flowers in the planter boxes, more regular cleaning and working with those development sites to get moving on their permits, it is all important work. Of course my pet issue, which I think they are sick of hearing about down at council, is Paisley Street in Footscray and the state of the footpaths. These are the basics that people in our community expect through their rates. There is often a lot of commentary about how high the rates are in the City of Maribyrnong. We need those basics done properly.

Essentially this bill is all about providing the training that councillors need to conduct themselves professionally, to support them in their work and in their advocacy within their communities. Of course I commend anyone, whatever their political affiliation, who has the best wishes of their neighbourhood at heart who puts their hand up to be a councillor. It is far too important to be a place for professional protesters. Increasingly in the lead-up to this year's council elections what we are seeing locally, and disappointingly also at the City of Maribyrnong, from some councillors is a focus on anything but the issues that matter to local residents.

The work of councils should be professional and relevant to their remit, and councillors should conduct themselves properly. In the past few years we have had a whole range of entirely unacceptable instances of misconduct at councils across Victoria. I was shocked, when I read information about this bill, that 12 councils have had municipal monitors appointed to provide support and monitor their governance practices, 56 councillors have resigned – that is a staggering figure – one council has been dismissed and one has been suspended. It would be a joke if it was not so serious. People often say, 'I'd like to vote for the administrators,' and that is a terrible situation because we should have confidence and faith that councils across Victoria can do what they are meant to do, and so often it is those basics that we feel like we are being let down on.

I am not shocked that the Greens are opposing these reforms, because a great deal of these issues have stemmed from behaviour at dysfunctional councils that have been dominated by the Greens political party. They are completely fraught with their own internal politics and they cannot do what they are elected to do. I think it is a luxury for councils – any council but also the City of Maribyrnong – to focus on issues that are outside of their areas of control. Elected councillors are focusing on issues in other areas of Melbourne, filling the council agenda at council meetings and wasting precious council resources with motions about issues relating to federal or state government and not engaging in their core business. It is a complete indulgence, because the basics have not been done properly.

I was frustrated to see another example of this just this week at the City of Maribyrnong, where the Victorian Socialist councillor, who is elected to represent perhaps the area of greatest need in the municipality, covering the CBD of Footscray, is not interested in Paisley Street or concerned about what is going on in the mall – for many years Joseph Road has been a bit of a planning debacle. Again this week – and I am the Parliamentary Secretary for Housing; he could have picked up the phone and had a chat to me about his concerns – he spent his time at the council meeting talking about the Victorian government's Big Housing Build, an issue I am very proud of. I would be very happy to brief the council. It is the largest investment in public, social and affordable housing in the nation's

history, and I would be happy to give him all of the details. But instead of focusing on those issues that he is elected to represent the community on, he focused on an issue where he could have just picked up the phone – I would have been really happy to have a chat with him about our investment in public housing and our commitment to social housing. It is these things that I think frustrate residents – they frustrate me as a resident – because there is so much potential there for the council to do more if it focuses on its core business.

Sarah CONNOLLY (Laverton) (17:44): It is so wonderful to follow my colleague and good friend and neighbour the member for Footscray as she has talked so eloquently about the importance of this bill this evening. I too share the member for Footscray's sentiments, and I follow on by saying that running for local council and being part of local government, local government decisions and ratepayers money is an incredibly serious and important business and is something that, quite unfortunately, is the reason why we have had to bring this bill before the house. It is the reason why councillors need to not only treat each other but also treat residents with the respect and the dignity that everyone in our community should be treated with. There are aspects of this bill that look to improve those very basic fundamentals of being in public service and the way in which you treat not only your colleagues – sometimes you might say they are your frenemies or your enemies – but also disaffected residents. You still need to treat people with dignity and respect.

I welcome this bill in providing training, including that code of conduct, which will help enable, help train and help improve the conduct of local councillors. Unlike the member for Footscray, who takes in the City of Maribyrnong, I take in the big four councils in the western suburbs, the best of the west let us say. I have got the City of Maribyrnong, I have got Wyndham City Council, I have got Hobsons Bay and I have also got Brimbank. On a regular basis I am meeting with CEOs, I am meeting with councillors and I am meeting with the mayor. It is almost part of the weekly activities that I do in my electorate, and the reason for that is because we are funding or co-funding so many fabulous initiatives within these local government areas that are so important in helping council and enabling council to go ahead and provide services, facilities and sometimes infrastructure sooner rather than later.

That is particularly evident in the City of Wyndham, which is able to dip into a very special fund. I always talk, when I go to the ribbon cuttings in the City of Wyndham – opening things like sporting pavilions and community centres, which I believe I will be going to next week in Truganina – about the Growing Suburbs Fund. The Growing Suburbs Fund is something where Wyndham City Council has been able to receive tens of millions of dollars to help expedite some really important projects like the sporting pavilions and community centres, which do an incredible job in our local community. We bring them online sooner rather than later, and that is a huge benefit for local residents when all levels of government are able to work collaboratively together.

But it fills me with disappointment when I hear about instances that residents may find themselves in with council or where in fact they have watched council meetings, have just been outraged and appalled at the way in which local councillors treat each other and feel that they are not displaying the seriousness which, being in public office, they should be displaying. Since the last round of council elections in 2020 there have been, let us face it, a concerning number of interventions in councils. It is one thing for state government to go ahead and intervene; it is another thing, which this bill goes to, to try to train our councillors to behave better and not be involved in particular conduct that gets them into trouble where we have to intervene, because at the end of the day we do not want to have to intervene in local government. We do have other important things that we would rather be doing with our time. Quite recently I was really concerned to hear that one of our councils in the Laverton electorate had a monitor appointed to it. It was not something that I was particularly happy to hear. I felt disappointed for residents that their local council was not acting in a way in which it should have been. We also heard some disturbing reports from a rural council that ended in them being dismissed.

One of the key areas that this bill is actually seeking to improve is councillor training. Although we would like to think that everyone that runs for council is appropriately trained and has the skills and attributes of someone entering public office should they be elected, the fact of the matter is sometimes

they do not, and the least they can do is some training to try and improve their skills and behaviour and be the best possible local councillor they can be, because they are elected for four years. Mayors and deputy mayors are going to be required to undertake additional training as well. I think that is important because the mayor I believe is paid additional money to be the mayor, and therefore they should be upholding a moral code of conduct. They should be behaving; their behaviour should be at the highest standard. Additional training to me seems a no-brainer, and that is what this bill is doing.

This will be required within one month of a councillor being elected to their role, and I think it is really important to put in the timeframe for when they need to undertake that training, because it needs to be within one month. We do not want it to be within 12 months or two years; it needs to be as soon as that councillor is elected, so it is really good to see that timeframe in there. I think this is a really great step towards ensuring that all councillors, whether they are seasoned hands – because some people run every four years and get elected and spend decades on council – or newly elected for the first time, have the skills and have the knowledge needed to understand their role within the local government organisation – it is an important role – as well as their duties and their obligations as elected officials.

As I touched on, it is really pleasing to see that the bill is also going to establish a model councillor code of conduct that must be observed by all councillors. This is going to ensure that all councils have a consistent approach to setting expectations for how their representatives act and most importantly conduct themselves. It is something that has been so strongly supported by the local government sector, with over 71 per cent of responses during consultation being in favour of this. We know it is a problem. We have been told it is a problem consistently, and we are going ahead and doing something about it. This is not just good for councillors, it is also great for the staff that do, and have to, work around them. Importantly, those council staff not only work in the sector but are there to help support the local councillors. Sometimes that gets missed in the behaviour with which local councillors treat the staff around them.

These measures are important, because we also know that it comes down to behaviour. If that was any of us in this place, that type of behaviour that we have heard that some councillors are acting out towards staff would not be tolerated. We have had this sort of behaviour reported in my neck of the woods – I am not going to say under which council. We have had local councillors excuse their poor behaviour as aggressive leadership, which is very, very concerning. Like I said, we have got the best of the west under the seat of Laverton. You know, I have had instances where councillors have talked to me about the kinds of things that have been said to them or the abuse they feel has been inflicted by other councillors. It is really difficult because their only recourse is to simply report it to the Local Government Inspectorate or to the Victorian Equal Opportunity and Human Rights Commission. Now we have a moral code of conduct. Councillors know how they need to act themselves and towards staff. That kind of behaviour that I have heard of in the past is not okay, and it is really important to call it out. The introduction of a code of conduct will bind all of the councillors. It will ensure that this kind of behaviour is further deterred and, really, hopefully stamped out.

In the last 35 seconds I have in my contribution, I do want to give a big shout-out to the majority of councillors, who do do the right thing. Like I said, I have got the best of the west – I have got the four local government areas – and the majority do the right thing. I also want to give a shout-out to the CEOs I have gotten to know over the years, past and present. They have done a remarkable amount of work to benefit the community, and quite often the community does not see the amount of work that goes in. So a big shout-out to them, but also a big shout-out to the council staff, who usually absolutely love their jobs. They do tireless work for the community and quite often do not get recognised. I commend the bill to the house.

Jackson TAYLOR (Bayswater) (17:54): It is a great privilege to rise and speak on the Local Government Amendment (Governance and Integrity) Bill 2024, and can I first just say a huge thankyou to the Minister for Local Government for the huge amount of work that has gone into this piece of legislation, another really important reform of the Allan Labor government, making sure the local government sector works for everyone. A critically important thing that this government has

done is to continue to reform, to improve, the sector, which covers 79 councils across our state. So I thank the minister. I also want to thank the staff, all of the department, for their important work.

We often hear lots of stories, but it is always nice to know that that is the minority, so I guess it would be remiss of me to not also thank all the people who put their hands up to stand at local government elections and all those people, by and large, who do a good job representing their communities as elected councillors, as mayors and deputy mayors. I remember my two years on council, what a whirlwind time that was – 2016–18, 24 years of age. It was great. I definitely prefer being here, though. I could not even tell you – so much better. Anyway. I remember the real MVPs were, to be honest with you, the staff. The staff were absolutely incredible. The CEO, the executive leadership team and the staff are just something else. You will see it right across the public service – because local government staff are sort of a different level of public service, but they are absolutely community-minded people who want to deliver outcomes for their community.

In talking about this legislation, it reminds me that often councils are told they should only worry about roads, rates and rubbish. I think we can see the work that our local government sector does across this state, and it is clearly more than just those three things. It absolutely has to be. Although I will come to a few instances in the last little while at Knox council, the area that I represent, a couple of things that they have done that I absolutely disagree with. I have put that well and truly on record, as have my community, but I think that for the most part councils do a very reasonable job, whether it is in advocacy and service delivery around mental health, meals on wheels, in the arts and culture space or in sporting and recreation. The member for Footscray, who spoke so eloquently before, is nodding there, understanding the important role that council has.

But of course it is in partnership with good partners like the Allan Labor government that we deliver for our community, because it really is a partnership. You have got to have all three levels of government, all three cogs of the wheel, moving together. I have not used that phrase before; I am not sure I ever will again. But what do you think, Acting Speaker? Okay, thank you – two thumbs up, very good. That partnership is really, really important, but it is also important not just to have those partnerships but to make sure you have got sensible reform to improve the sector, to keep people accountable and to have that important transparency to ensure that people can have faith in the local government sector. Before I come to some of the parts of the bill –

Steve McGhie interjected.

Jackson TAYLOR: That is true. The member for Melton did actually mention this. We were having a spirited conversation just before I came on. It was great to hear the member for Melton's passion about working with the local government sector, partnering with his councils to deliver great outcomes. I know just in the last few weeks of scrolling through my social media accounts I have seen lots of the member for Melton with two thumbs up. I am not sure whether they are local government projects –

Steve McGhie interjected.

Jackson TAYLOR: One for each council; I love it. When I read through *Hansard*, it was the same thing last sitting week: the member for Melton interjected, and then I picked it up. I am not supposed to do that; that is right. But I too share a passion, like the member for Melton, for working with my council in Knox City Council. Like I said, for the most part they are, like every other local government area, good people trying to do good things. I have been really proud to have a really strong working relationship with my council, with the CEO Bruce Dobson and the current mayor Jude Dwight, the Chandler ward councillor, who I commend on her time served as mayor up to this point.

Over the course of the journey since I have been elected, my favourite partnership I have worked on with Knox council would be the Boronia suburban revitalisation board. Acting Speaker Edbrooke, you too would know the great power and the change that can be driven through the revitalisation board in an important partnership with council. Obviously there are multiple partners, but council would be

the most important partner. We have delivered millions of dollars of projects – to name a couple, the Lupton Way streetscape renewal and of course the Erica Avenue streetscape renewal – a whole range of place-based change in Boronia that has really kickstarted that CBD, given it a new sense of direction, a new purpose and a new identity. That has happened because of the relationship through council and of course through the way that this government interacts and reforms councils, makes those partnerships and makes those outcomes absolutely possible.

I have been really proud to work with council on a number of other projects. We have delivered a number of upgrades to cricket nets in Ferntree Gully and in Bayswater. We have done new lights as well in Wantirna and Bayswater and Boronia. We have done lots of different cricket nets and lighting projects. We are in the process of upgrading, in a partnership with the federal government, the pavilion at Tormore Reserve. The Boronia Hawks Football Netball Club are a fantastic local club, with the Boronia Cricket Club the tenants there, and that is a wonderful partnership, an election commitment made at the last election. That was delivered in the budget, and I am now working with council to make sure we get that done. That project is on track, and the clubs are happy with the outcome. The member for Monbulk, who is not here at the moment, will be very pleased to know the plans to date. It is in her electorate, but I certainly interact with the clubs and engage with the clubs at the Wally Tew Reserve: the Ferntree Gully Football Netball Club and of course the Ferntree Gully Cricket Club. We are upgrading Wally Tew Reserve, a \$2 million commitment that is being delivered. We are now working through that.

In the green heart of Knox we are creating loads of new open space. I think it is 18 MCGs – that is the traditional measurement used by Victorian MPs – of open space, creating a new next-level corridor through Blind Creek, right through the heart, the centre, of the Knox local government area. That is new open space, bringing waterways back to life, whereas back in the day they buried them under pavement, under grass, for fear of mosquitoes. There were all the other claims made by groups in the 1970s, but now we are bringing nature and our waterways back to life and giving them back to the community. That is probably my favourite partnership, the one we have got between council, Melbourne Water and the state government.

We have also upgraded the Eastern Raptors Rugby League Club's pavilion and the Marie Wallace pavilion for the Bayswater Junior Football Club. We have also spent millions of dollars on creating the home of basketball in Wantirna South with council. They actually put in \$27 million. It is absolutely incredible for a council to put in that kind of investment. The Knox regional netball facility was a \$5 million contribution from the Allan Labor government to create a new two indoor court facility for netball, a huge sport which is very popular and growing. That now means they have got four indoor courts and a whole bunch of new car parks and amenities. It is a really great outcome for that community.

We have just opened the new library at Westfield Knox. That is the most impressive library I have ever visited. It has got little study nooks and all these amazing indoor study areas – lots of great areas for the bubs and kids and youth of Knox. We are also getting on with the dog park. I have made many contributions here, with many dog puns, about the dog park. I will save everyone from those puns. I am sure everyone is paying a great deal of attention, so I will save everyone from that. But I am looking forward to the new dog park.

I want to again just really commend council. I know they have taken a great interest in these reforms. I actually sat down with them and spoke about their interest in these reforms and listened. I know we have gone out and consulted with the sector more broadly, but I just want to thank them for taking the time to input, as well as all the other councillors and councils. I am really pleased to see that the Allan Labor government is continuing to reform the sector.

I just want to take the last 30 seconds to thank a good friend of mine, Cr Marcia Timmers-Leitch, who took over after I got into state politics. She has served for six years. She has been a fantastic local councillor. She just announced yesterday that she will be stepping down at the next election. I want to

commend her on her service to the community. She has done a better job than I ever could have as the Collier ward councillor. I thank her for everything she has done, all that she has delivered. It has been great working with her, and I commend this bill to the house.

Eden FOSTER (Mulgrave) (18:04): I too rise today to address the Local Government Amendment (Governance and Integrity) Bill 2024. The bill represents a significant stride toward improving the governance, integrity and effectiveness of our local councils. It is a response to the pressing need for reform driven by recommendations from key integrity bodies such as IBAC and the chief municipal inspector and by the calls of community members and local government leaders for action.

Before I delve into the specifics of this bill I want to share a little of my background. As many of you know, and as you would know, Acting Speaker Mullahy, I had the privilege of serving as a councillor at the City of Greater Dandenong for three years and in November 2022 was elected mayor as well and had the wonderful time of being mayor for my community and serving my community as mayor. This experience provided me with firsthand insight into the challenges and responsibilities faced by local government officials. It also underscored the importance of integrity, accountability and continuous professional development in public service. The reforms proposed in this bill resonate deeply with my own experiences and observations from my time in local government. In many roles one would expect professional development to be obtained. I know as a clinical psychologist as well that there are professional development hours that you are required to meet in order to be accountable in that particular profession. It serves an important purpose to expect that those in local government – councillors, mayors and deputy mayors – have some expectation of mandatory training, as this bill suggests.

The amendments to the local government acts proposed in this bill are vital for numerous reasons. First and foremost, they aim to address the recommendations made by integrity bodies. These recommendations highlight the need for stronger frameworks to prevent misconduct and to ensure that local government officials are equipped to serve their communities effectively. Furthermore, local government leaders and members of the community have voiced their concerns about the decline in public confidence in local government, particularly in areas where councillor behaviour and performance have been subpar. Just this month on 6 May the Minister for Local Government appointed a municipal monitor to the Buloke Shire Council, one of nine such appointments in the last 24 months to councils experiencing governance concerns. This underscores the urgent need for the reforms we are discussing today. This is not to say that all councillors are terrible, but we do need to work on elements that will help improve councillor behaviour. As I mentioned, as a former local councillor and former mayor I too often saw behaviour that perhaps was subpar, behaviour that could be seen as bullying or intimidation from other councillors. The bill that we have in front of us today really addresses some of this and ensures that councillors are made accountable and responsible.

One of the main provisions of this bill is the introduction of mandatory ongoing training for mayors and councillors. Leadership in local government requires continuous learning and adaptation to new challenges and regulations. Again, in my role on council there were a number of challenges that many councillors faced. Under this bill, mayors, deputy mayors and acting mayors are required to complete mayoral training within one month of their election or appointment. This requirement applies even to those who have been re-elected or have previously held these positions. The rationale is clear: continuous professional development ensures that our leaders remain well informed and capable of performing their duties to the highest standard. To enforce this requirement the bill stipulates that if a mayor, deputy mayor or acting mayor fails to complete the required training and make the necessary written declaration, their allowance will be withheld until they comply. This measure reinforces the importance of the training and ensures accountability.

Additionally, the bill reduces the period within which a councillor must complete their induction training from six months to four months after taking the oath or affirmation of office. I know how quickly six months can go, as I have served for six months the people of Mulgrave. This accelerated timeline ensures that new councillors quickly gain the essential knowledge needed to fulfil their roles

effectively. Furthermore, all councillors are required to complete annual professional development training regardless of their previous experience or service duration. This ensures that all councillors stay current with best practices and evolving legislative requirements, whether they were only just elected or if they have been members of their local government for decades.

In my previous role I saw councillors who were offered training – it was mandatory – perhaps for a range of learning and development and used the excuse that because it was not mandatory they would not attend. This bill addresses that; it addresses any of those councillors being somewhat arrogant maybe, if I can use that word, or perhaps seeing that training as beneath them and that they do not need to attend such training. This bill makes it mandatory across the board. It is really important that councillors are trained adequately in relation to a code of conduct. For councillors unable to complete their training, perhaps due to leave of absence, the bill provides a grace period of one month after returning from leave to fulfil their training obligations.

Improving the councillor conduct framework and clarifying the responsibilities of councillors is another significant aspect of this bill. The role of the mayor now explicitly includes promoting behaviour among councillors that aligns with the model councillor code of conduct. This provision empowers mayors to actively foster a culture of integrity and respect within their councils. To support mayors in this role the bill clarifies that reasonable steps taken by a mayor to enforce this conduct are not to be considered bullying. This addition ensures that mayors can perform their duties without fear of unjust allegations, thereby reinforcing their ability to maintain high standards of conduct amongst councillors.

Looking at the changes to the code of conduct and mandatory training, as a female who put their hand up to run as a councillor a few years ago I can see that this would encourage more females to put their hands up and run for local government. It is so important that we have adequate female representation in local government. We have it here in this Parliament – we have 50 per cent, gender parity, here in this government – and so we need to encourage more women to run for local government. It is amendments like this that encourage women to run – knowing that there is an adequate code of conduct in place and mandatory training that will ensure that councillors perform and behave appropriately. This bill also introduces provisions for the suspension and disqualification of individual councillors in certain circumstances. I will not go through all the details due to time, but it will ensure that disqualification is reserved for the most serious breaches of conduct.

In conclusion, this bill represents a comprehensive and robust approach to enhancing the governance and integrity of our local councils. By mandating continuous training, clarifying roles and responsibilities, strengthening conduct frameworks and enhancing enforcement mechanisms this bill addresses the critical areas identified by integrity bodies and community leaders. My own experience as a councillor and mayor has shown me the importance of these reforms, and I believe that by implementing these measures we will empower our local government officials to serve their communities better and restore public confidence in their governance. By passing this legislation we are reaffirming our commitment to the principles of good governance and ensuring that our local councils are equipped to meet the challenges of today and tomorrow. I commend this bill to the house.

David SOUTHWICK (Caulfield) (18:14): I rise to make some comments on the Local Government Amendment (Governance and Integrity) Bill 2024. I support certainly the amendment that has been put forward by the member for Murray Plains. It is important for us to get local council right, and there are a number of things in this bill – around governance, around training and around support for our councils and ensuring that we get the costs right in running councils, particularly in a cost-of-living crisis where things like rates are impacted and when councils are not doing what they are meant to be doing and are focusing on other things outside of their job. I note particularly that the amendment that the member for Murray Plains has put forward is to ensure that the overarching power of the minister in terms of how the act operates is not used politically, so many of these councils are not used as training grounds, are not used to effectively run political agendas instead of what they

should be doing, which is representing their local areas and ensuring that local ratepayers get the best value. That is where I want to spend my time in the contribution that I have today.

I want to firstly single out some great examples of some areas in my electorate, both the City of Port Phillip and the City of Glen Eira. They are pretty good. I mean, there are many times when I have not agreed with some of the things that councils have done, but at the same time there are a lot of good examples of what our councils do. For example, the City of Glen Eira – I was just talking to former mayor Jim Magee. Jim Magee and I have not always been on the same side. Jim has been a member of the Labor Party, but I have got to tell you that Jim Magee has always fought very hard for local ratepayers. Jim and I have worked very strongly together on a lot of things, including better use of the Caulfield Racecourse Reserve. The current mayor, Anne-Marie Cade, is doing a fantastic job to ensure that local residents get their fair share. Cr Sam Parasol, the initial founder of our local bank, the Bendigo Bank, has always been a community man first and foremost. If you want somebody that knows about volunteering, and that is really what councillors should be about, it is Sam Parasol. He does not do the council role for any reason other than supporting his local community. That is the same of Margaret Esakoff, who is one of our longstanding councillors, again focusing on doing what is best for our constituents. A more recent councillor, our deputy mayor Simone Zmood, has stood up time and time again to ensure that the locals get their best, fair share of services. Even when there was closure of the childcare centres more recently, she advocated as strongly as she could for those to remain open. Unfortunately, they could not remain open, and largely that was because of cost shifting, which we are seeing from the Allan Labor government. It has cost shifted a lot of services to councils, putting pressure on them. Ultimately something has to give, and in that particular instance we saw childcare centres give.

Talking to Glen Eira Council, there is \$19 million a year in cost shifting. That represents 10 per cent of the budget. If the Labor government did not cost shift \$19 million a year, you could reduce rates in Glen Eira by 10 per cent. Now, in a cost-of-living crisis, for each and every ratepayer in the City of Glen Eira to have a 10 per cent reduction in their rates would be something that is absolutely needed at the moment. So there is a huge impact on cost of living when you see a state government putting pressure on councils; that ultimately pushes up the rates. The kinds of cost shifting are a whole range of things, including our electrical powerlines that need to be cleared. That costs \$3 million each and every year to do that. That is a huge cost to be able to do that. Town planning, which is another issue in terms of a lot of the work through VCAT and town planning – they do not get paid additional for that. That is something that ultimately – in terms of responsibility, when they go through VCAT, it could be argued it is a state responsibility – local councils end up paying for. Even things like local crossings – our lollipop people – those great school crossing people are not being paid the same kind of money as on the Big Build at \$200,000 a year; they are just getting a very basic stipend to be able to work. But currently the council is paying 70 per cent of that, and effectively state government is only contributing 30 per cent. So we see that time and time again.

The councils do need to be creative, and a big shout-out to Glen Eira. More recently they have partnered with Bayside council in providing in-home care for our aged residents. Those are things like some gardening, some shopping – basic services. Glen Eira realised that they cannot afford to do that alone and Bayside already has a system set up, so they have effectively outsourced a lot of this to Bayside to be able to get a better deal for ratepayers. That is what we have got to do. We need to see governments of all persuasions – local, state and federal – get a better deal for taxpayers. If we can do that, then credit to them.

That brings me on to the next and final point, which I think is crucial here, and that is where local councillors do not stick to their knitting. We have seen this unfortunately in recent times where we have local councils more focused on foreign affairs and international situations than they are on rates, rubbish, roads and the basic services that you expect a council to provide. It really disappoints me when you see the likes of Merri-bek, Yarra, Darebin and Dandenong. These councils, instead of providing basic services and keeping rates down, are going out and making comments on the Middle

East. I mean, that is not what they are elected for. That is not what we should be using ratepayers money to fund. We understand there are complexities in the Middle East, but these councillors should not be commentators on the Middle East.

Unfortunately, when they bring situations thousands of miles away into the backyards of local communities, they are not doing anyone any favours. We have seen absolutely an increase in hate, an increase in antisemitism. This is driven by the likes of councils that are not focused on what they should be doing and are getting involved in being foreign affairs commentators on something that does no-one any favours whatsoever. That is why I would repeat the call that we should have councils that are doing their work. They should absolutely be rewarded for it. And we should be looking at situations where there are basic services in need. That is when the government should be funding them. But when you have got councils that are being negligent in their work, that are so preoccupied with things thousands of miles away, they should not be funded at all. That is where we should be looking at their funding and saying, 'There is no place for councils that are so focused on political agendas. They're not focused on their local community.'

I have always absolutely been a strong believer that at council level it should not be a political level. It should not be about whether you are a member of the Liberal Party, you are a member of the Labor Party or you are a member of the Greens. Quite frankly, I would be happy if they were a member of no party at all but were a member of the community and stood up for the community. They should not be training grounds for anyone or anything. We have seen the Greens have activated this for far too long. The Greens run a political agenda in council that is appalling – absolutely appalling. No-one should put up with that. Ratepayers money should not be used for any of that, and I think we need to call it out. When we have got the City of Yarra running absolute political agendas as training grounds for the Greens, we should call it out. When there is an opportunity to defund councils like the City of Yarra, we should look at doing that, because I think that would be a huge wake-up call to that council, to that entity, that it is unacceptable to do this. No-one should be using councils for that benefit or in that way.

In a cost-of-living crisis, when we know people are doing it really tough, ratepayers money should be used accordingly – basic services, aged care, health care, roads, rubbish and parks. There are so many things that councils should be preoccupied with. There is no room for anything else, no room for foreign affairs, no room for importing the situation in the Middle East into our backyards into these councils. Again, I reiterate my call for those councils that are using their work as political training grounds – and we know the Greens do this every day. Shame on you. Shame on the Greens for what they have been doing. There is no place for that. Let us finally have councils that do what they are meant to do and what they are elected to do, and that is stand up for their community and stand up for what they are meant to do – local work to ensure that the community gets the best deal.

Lauren KATHAGE (Yan Yean) (18:24): I am very pleased to rise to speak on the Local Government Amendment (Governance and Integrity) Bill 2024. I was reflecting today on why this bill is important. We have heard some commentary today about councils, and we have probably heard it from our constituents themselves. Rates, roads, rubbish is what they want people in council to focus on, but I actually think that that is simplifying things a little bit. Maybe times have moved on because, yes, absolutely there are essential services, but if we stop for a moment and think about what we rely on councils for, then we can recognise how important this bill is.

Last week we heard in the Public Accounts and Estimates Committee hearings about the fund for supporting disaster-impacted communities which is available for local governments. It is an \$8 million fund of the state government. The reason that the state government has made this fund available is in recognition of the fact that councils are often on the very front line and the first responders when there is a natural disaster. Certainly in my patch of the woods, in the storms following Christmas, Mitchell shire was out there straightaway supporting flood-affected communities. They are absolutely relied on by communities to keep them safe in such situations and to return a bit of normality to services that people rely on day to day. That is obviously a very important role that councils perform.

Also in my area there are growth areas, and in growth areas there are developers. As we know, councils have a role in ensuring that the actions of developers are for the benefit of the community. This is incredibly important in growth areas where, particularly in some of my areas, people might be new Australians and not be fully aware of their rights in relation to the developer or where developers may be seeking to maximise profits at the expense of the amenity of local communities. It goes beyond that as well to dodgy developers. So councils have a very important role to play: in this incredibly profit-driven business of development they are protecting and serving communities to make sure that they get the best possible outcomes. Of course we rightly expect the very highest, best conduct from councillors in such situations.

Finally, the other role of councils that I want to highlight, which underscores how important they are and therefore how important this bill is, is around maternal and child health. This is such a vulnerable stage of life for mothers and for their babies, especially for first-time mums who might not know how to perform some of the functions of caring for a child – I still do not know, but anyway. They also serve an important role in forming connections between new mothers within a community through mums' groups. I know that this government was really pleased to extend the hours of the key ages and stages maternal and child health funding for councils.

For all of these incredibly important things – for communities to run well – you need good governance. You need councillors who are making the right decisions for the right reasons, and so we should expect the very highest standards of our councillors. This is not about punishing councils, as the member for Prahran seemed to imply; this is about serving and protecting communities. We make no apology for the fact that we expect the very highest and best service for our communities.

One of the things that I think this bill will do is act as a deterrent for people who otherwise might seek to be councillors. It shows how serious this role is and how serious the consequences can be for poor actions. It is not a sandpit – local council is not a sandpit. There are serious decisions, creating serious work, with serious consequences for people who do not do the right thing. That is why I think the model councillor code of conduct will be really important. It will make really clear to people what standards are expected of them and ensure that they are aligned across the state – that there are standardised minimum standards.

As we heard from the member for Mulgrave, it is important that we have training that is mandatory. As she highlighted, there are some people who may think that they are above training, that somehow they already know it all. I would probably say that if somebody cannot take the short time to go through training, then I am not sure what they think they can bring to the community. But I think it is really important that this training is mandatory, and the bill will decrease the amount of time that councillors have leeway before they are required to do their training.

Council really is teamwork. I have never been in a council, but my observation is that it requires a lot of negotiation and teamwork between the members, and one member doing the wrong thing can absolutely put a stick in the wheel of the council. So the suspension of individual councillors rather than the whole lot makes absolute sense to me. Individual councillors or a small minority of councillors could work together to stop the good functioning of the council by, for example, choosing not to attend meetings, meaning that council cannot form quorum when important decisions, that they may disagree with but know they are going to lose on, need to be taken, and we have certainly heard of examples of that. They can absolutely throw a spanner in the works, so rather than punish everybody for some people's poor behaviour, it is right that there can be individual suspension of councillors.

There are going to be safeguards there. The municipal monitor or a finding from a commission of inquiry will be required, and the councillor will be given the opportunity to respond. So there are safeguards built in. If I think about the council staff that I have met through this role in my electorate but also through my experience as a community member, you cannot get better people a lot of the time: the fantastic grants officer from the City of Whittlesea, the awesome lactation lead from Mitchell shire and all of the staff that absolutely keep our communities running and running well. They deserve

to be treated well at work. They deserve to work with councillors who, if they treat them poorly, can face serious consequences as a result. This side of the house will always work to make sure that workplaces are safe, and I see this bill as another part of that important work. But really it cannot be an easy job being a councillor. We have seen in recent years council meetings which have had to be closed and where there was security – I think there were even police at some of them. It is not an easy job, and certainly most councillors are fantastic.

I guess right now there are people that are thinking about running for council this year, and I am sure that they are motivated by the right thing. I am sure they are motivated by serving the community, and that is certainly our expectation of them. This bill will support them to be part of a team that can do that, that can serve the community without disruption. That is what I want to see in the coming election. I want to see good local candidates, I want to see good safe workplaces for them once they are elected and I want to have good outcomes for community as a result of good governance and good behaviour within councils, because we absolutely worked together with them as partners to deliver the Growing Suburbs Fund and the Living Local Fund and they worked so cooperatively with us, and we want to make sure that they are working cooperatively with the community as well.

Ella GEORGE (Lara) (18:34): It is my pleasure to rise today and speak on the Local Government Amendment (Governance and Integrity) Bill 2024. This bill aims to strengthen our local councils, as we all know that good governance is so important in making sure that our communities are getting the best possible representation that they can. From the outset I would like to thank the Minister for Local Government and her team for the work and commitment that they have put into these and other important reforms. On this side of the house we are working hard on our election commitment to amend the Local Government Act 2020 in Victoria, and while it is sad to say, the truth is that reform is greatly needed right across the state. Over the past few years we have heard time and time again that there have been issues of misconduct in some local councils. In fact since the start of the 2020 council term there have been 12 local councils who have had municipal monitors appointed. Unfortunately, this is the case for residents I represent who are residents in the City of Greater Geelong council. As the member for Bellarine said earlier, in Geelong we are no stranger to investigations and monitors. Unfortunately, it is something we know quite well.

On 24 January 2023 the Minister for Local Government appointed municipal monitors to monitor governance processes and practices for a period of 12 months at the City of Greater Geelong. In addition to this, across the state we have seen 56 councillors resign, one council dismissed and one suspended. The current monitors at the City of Greater Geelong are in place to monitor council in relation to meeting procedures; decision-making, including the use of notices of motion; the councillor code of conduct and councillor behaviour; advice or recommendations made by the Local Government Inspectorate; effective working relationships between an ongoing CEO and the council; implementation of the commission of inquiry 2016 recommendations to address poor governance practices; and governance policies, processes and practices, so their remit is quite wide-ranging.

But this is not the first time that residents of the City of Greater Geelong have had their council overseen by monitors. In December 2015 the then Minister for Local Government appointed commissioners to inquire into certain matters at the council following the findings of a workplace culture review. In April 2016, the City of Greater Geelong council was dismissed following the commission of inquiry's three-month investigation. The investigation looked into the council's governance, administration and culture. During this period there were reports of bullying, substantial dysfunctional governance and performance that was well below standard, but mainly it was reported that there was a failure to provide good government for the city, something that all residents of Geelong deserve. The report from the commission of inquiry states:

The Mayor, although committed to the betterment of the City, has been unable to build good working relationships with either Councillors or Council staff. His bullying treatment of staff in his own office has damaged their health and wellbeing, resulting in the resignation of one staff member and the physical relocation of another. The Mayor's threats of legal action against the Chief Executive Officer ... and the

Council if the bullying complaints against him were ever published demonstrate little commitment by him to workplace health and safety ...

And as members know, this mayor and these councillors were dismissed. An interim administrator was appointed until monitors were appointed, and later the council was returned following an election.

I do want to highlight here the importance of staff wellbeing, something that seems to be frequently overlooked across the local government sector. This is not unique – what happened previously in Geelong – but rather something that seems to be happening right across the state, with so many reports of council misconduct, much of them focused on bullying and harassment, as many of my colleagues have referenced in the debate today. I hope that these important reforms lead to improved staff health and wellbeing right across Victoria. The historic issues at Geelong and other local governments across Victoria highlight the importance of the need to safeguard the ongoing autonomy and independence of democratically elected local governments but also ensure that there are guiding principles to drive the work of local governments.

Since the introduction of the Local Government Act 2020, we have witnessed how this legislation has transformed the sector. These reforms included highlighting the importance of long-term planning and clearly articulated asset management obligations; increasing council and councillor accountability, with clearer standards of behaviour for councillors; modernising election processes and candidate requirements; increasing transparency of council decisions; and better financial management and community engagement through council plans and annual budgets.

The Local Government Act 2020 has been effective. It has led councils to adopt innovative methods for involving their communities in decision-making and planning, and on this I do want to commend the City of Greater Geelong for their excellent community engagement, particularly with their Have Your Say website, which makes it quick and easy for residents to have input on all kinds of decision-making, from planning decisions to major community projects. However, certain reforms within the act have brought attention to ongoing issues in the sector, indicating the need for additional reform. Elected councillors serve four-year terms, with the elections scheduled for October this year, and it is crucial that this government provides support to councillors and councils for the upcoming term. This support could not come at a better time for Geelong as it undergoes a period of transition, shifting from multimember wards to single-member wards.

This bill will strengthen council leadership capability and councillor conduct, improve early intervention in conduct issues and effective dispute resolution, and strengthen oversight mechanisms to support good governance. Seven of the recommendations from IBAC's *Operation Sandon Special Report* are incorporated and will be implemented through this bill, and these are incredibly important reforms. This includes the development of a model councillor code of conduct. This is hugely important. Councillors are elected officials, elected to represent their communities, and they should be held to account when it comes to their behaviour.

This bill makes other amendments to strengthen governance, and I do want to focus on one area that has been a key feature of this legislation and certainly a topic of discussion in my community. The bill outlines a thorough training program for councillors, designed to strengthen council leadership, the availability of training and councillor conduct. This includes the following requirements: that councillor induction training must be completed within four months of taking the oath or affirmation of office, as opposed to the current six-month requirement; that all councillors are required to complete professional development training each year of their term starting from the year following their election; and that mayoral training is mandatory for all mayors, deputy mayors and acting mayors within one month of their appointment. Failure to complete the training within the specified timeframes as set out by the regulations may lead to the withholding of a councillor's allowance until the training is successfully completed. As we just heard from the member for Yan Yean, it should not take much time to complete and should be relatively easy for our elected officials to do. It is really important to note that the majority of responses to the consultation paper on the bill were in favour of

these ongoing training requirements for councillors and mayors, and that is certainly something I have heard from my community across the Geelong region – that the mandatory training and professional development for mayors and councillors is very much welcomed.

The Local Government (Electoral) Regulations 2020 will be amended in June 2024 to give effect to the change to the close of the roll and other key dates in time for the October 2024 council elections. I am pleased that Local Government Victoria will soon commence the work with the sector and other key stakeholders to develop regulations for the model councillor code of conduct and for that mayor and councillor training. This will comprise a steering committee with representatives from the sector to advise on the development of these regulations; public consultations by Engage Victoria, and I encourage everyone to get involved in this; and an opportunity to make a submission on the draft regulations once they have been developed.

Before I conclude, I think it is important to reflect once more on why we have put this legislation to the Parliament. Our communities are stronger and more successful when the three tiers of government are working together and each tier of government is underpinned by rigorous standards, codes of conduct and principles. Sadly this has not always been the case with local government across Victoria, and this is our opportunity to change it for the better. We all understand the important role that local councils have from roads and rates and hard rubbish removal, but it is much more than that. We also know that Victorians rightfully deserve the highest governance and integrity standards from their local councils and elected officials. This bill aims to strengthen that. As a local MP I know the importance of each tier of government, and I also know that the best outcomes can be achieved when all three tiers of government work together. That is why I support this bill and I wish it a speedy passage.

Jordan CRUGNALE (Bass) (18:44): I rise to speak on the Local Government Amendment (Governance and Integrity) Bill 2024, and I too, like the member for Lara, thank the Minister for Local Government, her department and her team for all their work bringing this bill to the house and all the other reforms that came before that. With local government elections coming up towards the end of this year, it is important to move this bill through to ensure people's confidence in their local government representatives and in the work of councils. Integrity should be at the heart of all levels of government, including our local councils. This government has taken steps over its term to ensure Victoria's local governments demonstrate that value in their governing and daily activities.

We have seen that, of course, in my electorate of Bass, which takes in three local government areas, the Shire of Cardinia, the Shire of Bass Coast and also the City of Casey. We are all quite across what happened in the City of Casey back in 2020, when the council was dismissed and replaced by administrators. We did this because a report from the municipal monitor Laurinda Gardner found clear evidence that the City of Casey council had failed to provide good governance for its constituents. In dismissing the council we moved quickly because we wanted to show residents and all the community members and ratepayers that we cared about accountability in local government and making sure that their local representatives get on with the job. Like many people in this chamber, I was a former councillor as well – sort of by accident, really, but I know how important it is –

Nina Taylor interjected.

Jordan CRUGNALE: Yes, I got in on preferences, a bit like how I came to this place. It is important for Victoria's local councils to be accountable and transparent and to govern in the best interests of all ratepayers and community members living in the local government area. This experience was certainly formative for me. I forged connections with the community across so many sectors – the business community, health care, environment, education, agriculture and the arts sector – and I learned what locals wanted and needed from their council. I learned also how to work with the council and councillor colleagues on how to actually get those community priorities, aspirations and needs at the forefront of the budget, the policies, the services and the programs.

Local government is sometimes derided as being slightly useless, a bit of a waste of space. ‘Stick to the roads, rates and rubbish,’ they call out. But actually local councils do so much more than those three things. In fact, they deliver over a hundred services, which is quite remarkable. They stand up for their residents, they understand the issues going on at the grassroots level and they are advocates for their local community, also advocating to their state and federal representatives as well. They are at the core of decision-making on things like housing developments. They provide much-needed services, like maternal and child health and our well-loved libraries, and link residents with other providers when needed as well. They maintain our beautiful parks and gardens and provide our amazing swim and leisure centres, sporting clubs and community centres, and they help make our suburbs, our towns and our villages homes and communities. Everyone that works at council and also the representatives on the council all live in their area as well. How can they deliver on those and all the other vital services without integrity and good governance at the heart to guide them? The answer we have seen in recent years is they cannot. As all members in this place would know, integrity drives the way that you serve your constituents. Good governance keeps you accountable.

There is another layer of urgency to passing this bill, as I am sure we are all aware. Local government elections are fast approaching at the end of this year, and passing this bill in time for those elections provides a level of safeguarding for the incoming councillors and the residents as well and sets the new councillors up for success in their term to come. It sends a signal about what we expect from local government, and most importantly it gives councillors, mayors and deputy mayors the tools to do the job well. Once this bill is passed our local representatives will receive ongoing mandatory training to keep their governance skills up to date. Individual councillors who have been found to have created a bit of a serious risk at council or who prevent the council from functioning as it should will be at risk of suspension or disqualification. The councillor conduct framework will be improved, including by creating a power to introduce a uniform model councillor code of conduct with sanctions for misconduct, and the chief municipal inspector will receive enhanced enforcement powers and have the ability to issue infringement notices for certain offences under the Local Government Act.

This bill contributes to implementing 12 of the recommendations made in the IBAC *Operation Sandon Special Report*. It addresses recommendations for the development of a model councillor code of conduct; for the provision of regular mandatory training for councillors, mayors and deputy mayors, as I spoke of; and for extending the maximum period of suspension from one to three months after a finding of misconduct. This government also commits to further reforms to address the rest of the recommendations from the *Operation Sandon Special Report*, which we accepted in principle. The *Operation Sandon Special Report* – I am counting down those 3 minutes – was a wake-up call and a shining light. It revealed what was going on and where we should go next to ensure we do not see a repeat of the actions uncovered as part of IBAC’s investigation.

Back to the local government culture project, which has also informed the development of this bill. You can see how hard this government has worked to develop initiatives that will make a real difference to local government on the ground. How does this bill relate to good governance? At a basic level it lays the groundwork and sets up accountability measures that will work, provides measures for early intervention and puts integrity back at the heart of local councils. All of these proposed reforms are aiming at keeping our local councils focused on what they need to be doing and preventing any corruption from taking place before it even starts. We also know from the work that has been done in preparing these reforms and from the evidence we have gathered that not addressing the issues uncovered in the Sandon report will not only undermine ratepayers’ or community members’ trust in their local councils but also impede the delivery of essential services to communities.

The councillor code of conduct will strengthen faith in local governments and the decisions they make. The reforms proposed in this bill will enhance oversight and enable early intervention and effective dispute resolution. It will create a more capable generation of council leaders ready to take on the challenges of modern local government – local councillors and leaders that Victorian ratepayers and community members can be proud of.

In the short time that I have remaining, as I have mentioned, rightfully Victorians have high governance and integrity standards. They expect that from their councils. The past few years have been, as I said, fraught with some issues of misconduct, and we have heard from other members in the chamber who have mentioned a number of councils. In fact there were 12 all up that had municipal monitors appointed to provide that support and monitor governance practices, with only five monitor appointments last term. Fifty-six councillors have resigned, one has been dismissed following a commission of inquiry and one has been suspended. This bill, as I said, will strengthen council leadership capability and councillor conduct. It will improve early intervention in conduct issues and effective dispute resolution and strengthen the oversight mechanisms to support good governance. I commend the bill to the house.

Luba GRIGOROVITCH (Kororoit) (18:53): I must say it gives me great pleasure to stand before you and speak to the bill at hand. Having served on council, like many others in this place, I feel that I am also well versed to speak on this piece of legislation. For many of you that do not know, my very first role in public life was at Hobsons Bay City Council. I served there from 2008 to 2014. I was only 23 years old when I was first elected in 2008, and I have got to say it was an absolute honour to be elected. Like many others, I was attracted to stand for council for the same reasons which I know inspire so many people to do so today. The involvement that I had with politics up until then as a young person as well as my engagement with my local community had convinced me that I could give it a fair crack representing my community, and it was something that I enjoyed doing then and I love doing now.

And so I did for a little over five years represent the area covering Altona Meadows, in which I was born and bred, and then later the neighbouring suburbs of Seabrook and Laverton as well, and that occurred when the single wards were demolished and instead we had the multiple wards all coming together, being rolled into one. I remember at that point in time being quite disappointed at the idea that my ward was going to be expanded from 5000 residents up to 15,000 residents, but I was wrong for being apprehensive about it, because it meant that I was afforded the opportunity to speak to more residents and more ratepayers and I had more areas that I could try and improve in our area of Hobsons Bay.

As my good friend the member for Laverton alluded to before, Hobsons Bay City Council is one of the best-of-the-west councils, which I am very proud to be associated with. Today I also deal with Brimbank City Council and Melton City Council, being the member for Kororoit, and I must say that these two councils also work tirelessly and very, very hard. At Hobsons Bay, though, I was a councillor and deputy mayor from 2012 to 2014 under the mayoralty of the formidable Angela Altair, and I must say anyone who knows Hobsons Bay would know of councillor or mayor Altair. She is an incredible woman, an absolute feminist, a mentor and a good friend and somebody who, when I was a young woman in the public spotlight, really took me under her wing, and I will always appreciate that from Cr Altair. I hope that she understands the impact that she had on not only me but also many other young people in Hobsons Bay.

Council was at times challenging, as many of you who have served on council would know, but it was great and rewarding and still a time in my life which I treasure. As many of you would know, there are many personalities on council, but I think that this is something that happens in all aspects of life. I learned so much about how to make change, how to improve people's everyday lives and how to get real things done. Councillors, as has been alluded to already, are often the first port of call for many residents, and that is a great thing. It is great to think that we can call our local councillors when in need. I learned that council was worth a lot more than just roads, rubbish and rates; that is something I can absolutely attest to. Councillors are the true local advocates and often are not afforded as much respect as they should have. The skills and experience that I acquired there served me so well as a trade unionist in my advocacy for workers and then when I became an official and then state secretary of the Rail, Tram and Bus Union – skills and experience I will forever hold close and dear to my heart and that I am always proud that I have learned.

Local government is something that is incredibly important, and as I said earlier, Brimbank City Council and Melton City Council are the two councils which I deal with regularly now. I am very fortunate to be able to meet with the mayors, councillors and CEOs of both councils on a regular basis. I think in many ways local government can often be referred to as the most important of the three levels of government in our community because they have the power to make so many decisions of consequence, but that is why I know that great power comes with great responsibility. Those who are elected and serve in local government must be accountable to the people at all times. The councils must never be a place where power can be abused and people are shut out, otherwise 'democracy' is simply just a word. That is what this legislation is about, full stop.

As we all know, Victoria's next election for local government will be held in October this year, and I encourage all people of any political persuasion who are keen to represent their community to put their hand up and to also have a crack, because if you care about your community, then you should be running for council. It is not somewhere that you should just be standing as a political activist, it is somewhere that you need to stand if you actually care about your community and want to speak to residents and speak to people within your community and try and make a difference. Good governance is critical to ensuring that councils make decisions. Councillors need to treat each other, staff and residents with absolute respect and dignity, and I welcome this bill, which will help build and educate and assist councils in the best governance for their local government areas.

In conclusion, I want to thank the Minister for Local Government for all the work that has been done. Let me say again, if you are keen to run for council, reach out to somebody who has already done it and run. It is the best thing to do. You will only find out by trying, and if you genuinely want to be there to help uplift other people and your communities, then your contribution and experience is well and truly welcome. Again I thank Melton City Council and also Brimbank City Council for all of the work that they do in the Kororoit electorate. I also thank all councillors out there, mayors and deputy mayors and of course the staff, who really are the backbone of all LGAs. It is important that we introduce this bill so that the councillors are held to higher account and so that our communities can be represented in the best way possible. I know that every member in this place enjoys the time that they get to spend with their local representatives on each of their councils. There are 79 LGAs in the area, and it is very important that we treat each and every one of them with respect.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Anti-vilification legislation

David SOUTHWICK (Caulfield) (19:00): (671) The matter that I wish to raise tonight is for the Attorney-General. The action that I seek is for the Attorney to meet with Jewish community leaders and update them on the status of the hate laws that are desperately needed here in this state at the moment. We have seen an increase in antisemitism like we have never seen before. This is not a situation where people are blaming Israel for some of the issues in the Middle East, but unfortunately Jewish people within our community have been targeted with hate. It is unacceptable, and it needs to stop.

As I speak tonight, former Treasurer Josh Frydenberg has put a documentary together that he is airing. It goes for about an hour, and it talks about a whole range of things that have transpired since 7 October. Unfortunately a lot of those issues we have seen locally in our community, but there is nothing more abhorrent than what we saw only a few days ago at Mount Scopus Memorial College, our largest Jewish day school, which I am proudly an old collegian of, as is my wife. That the words 'Jew die' would be inscribed on the front of that school is not an anti-Israel attack, that is an anti-Jew attack. That is not just graffiti but is a targeted hate attack. It is appalling and very unfortunate. I note that the

Minister for Police is at the table today. For us to hear that Victoria Police would be treating that as a graffiti crime rather than a hate crime is for me an example, if you ever wanted one, of why we need hate laws in this state that actually work, that have teeth and that ensure that people who target individuals, no matter who they are and no matter where they come from – and it is not just Jews but anyone that is targeted – face consequences. That is why we need those laws.

We have had situations on local footy fields. There was a recent situation for our AJAX juniors where a young boy had his kippah knocked off his head and was called words that I will not repeat in this Parliament. We have situations for these football kids of having ‘Free Palestine’ yelled and their being booed on the footy field. AJAX have been playing junior footy for over 50 years – these kids should not have to deal with that. Whether it is in universities, whether it is in schools or whether it is at the football – no matter where it is in our community, hate is not acceptable and it needs to stop.

These laws were discussed over two years ago. We started with the swastika ban – we did that collectively. We now have these hate laws. We have had a whole lot of recommendations that are sitting on the Attorney-General’s table. The Attorney-General must meet with our leaders and tell us when these laws are going to happen so the Jewish community can finally feel safe.

Tarneit West train station

Dylan WIGHT (Tarneit) (19:03): (672) My adjournment this evening is to the Minister for Transport Infrastructure, and the action that I seek is that the minister provide an update to me on the progress of the Tarneit West station project and its upcoming consultation period. Melbourne’s west, as we know, is growing fast, and we need to keep investing in infrastructure to support the increased population. At Tarneit West, the new station will include a pedestrian crossing and a four-bay bus interchange as well as parking for up to 400 commuters. The new Tarneit West station will be located on the corner of Davis and Leakes roads and will better connect the growing suburbs in the west to the CBD and also further west to Geelong. It will deliver greater connectivity, offering more convenience for commuters while reducing congestion on our busy roads. The expansion will not only ease daily commutes but it will also promote greater social and economic integration with the rest of Melbourne. We know that the brand new station will significantly improve public transport for my community of Tarneit, in particular for residents at Riverdale and Tarneit North. That is why consultation is such an important part of this development process. It enables us to hear from residents about how the station can best service them.

Latrobe Valley employment

Martin CAMERON (Morwell) (19:05): (673) My adjournment matter this evening is for the Minister for the State Electricity Commission, and the action I seek is an explanation of why there is one single employee working in the SEC in Morwell. When the state government unveiled its plan to revive the SEC prior to the 2022 election, the former Premier promised the SEC would be brought back to Morwell and create some 59,000 jobs. Eighteen months since this announcement, what has been delivered is an absolute farce: one single employee working for the SEC in a pre-existing GovHub. Labor used the SEC as a dangling carrot for the Latrobe Valley, promising thousands of jobs for a region that desperately needs them – a region relying on the state government to lead it through the impending closure of the coal-fired power industry. Hazelwood shut in 2017, the timber industry has been shut and so has the white paper mill at Maryvale. Yallourn is set to close in 2028, Loy Yang A is closing in 2032 and Loy Yang B will close later that decade. All of these closures will amount to the loss of thousands of jobs in the Latrobe Valley, yet there is no indication the state government has any concrete plan to help the region transition.

All we have been given is a glossy brochure from the Latrobe Valley Authority devoid of any action, deliverables or timelines. Now the LVA, which is meant to help the region transition, will be shut in six months. Jobs growth in the Latrobe Valley over the past 10 years has been the equivalent of just 0.47 per cent on an annual basis, while jobs in Wodonga have grown 2.7 per cent and jobs in Geelong have grown 3.4 per cent. The illusory promise that a revived SEC would create 59,000 jobs reeks of

the government weaponising a very real issue in a disgraceful grab for votes. The state government must explain why there is one single employee working in the SEC in Morwell in an already existing office when thousands of jobs were promised and we were led to believe Morwell would be the centre of the job boom. The time is now for the state government to deliver on its promise to create and deliver jobs for the Latrobe Valley instead of making hollow promises and turning its back on the region that has powered Victoria for a century.

Williams Landing train station

Mathew HILAKARI (Point Cook) (19:07): (674) My adjournment matter is for the Minister for Public and Active Transport. The action that I seek is for the minister to join me on a visit to Williams Landing station, where we have announced as part of the growth areas infrastructure contribution fund some wonderful works. I thank the member for Laverton, who recently joined me there as well, who has a strong interest in Williams Landing station, a shared station for both our communities, where we have committed to building a new lift and a Parkiteer on the southern side at Wallace Avenue. The existing Parkiteer at Williams Landing station is one of the most used in the state, but this one will serve a different part of the community: the Point Cook side. It will help with active transport, it will get more people on their bikes and on their scooters in there and it will help people to be able to get up those stairs and up that ramp quicker by using a lift. It is a wonderful thing for our community, and I look forward to the minister hopefully joining me.

State Emergency Service funding

Chris CREWETHER (Mornington) (19:08): (675) My adjournment matter is for the Minister for Emergency Services. The action I seek is for the minister to provide long-term, sustainable funding to the Victoria State Emergency Service, including our local Hastings SES and Frankston SES. VICSES currently relies on over 4800 volunteers and is critical to the provision of Victoria's emergency services. Sadly, they have severe funding challenges and are heavily reliant on donations and fundraising for equipment, facility management, fleet replacement and more. This reliance on donations is unsustainable, is subject to great volatility and takes volunteer time away from and is additional to core tasks. Despite contributing a staggering more than 287,000 volunteer hours each year, equating to over \$500 million in monetary value, VICSES has been consistently overlooked and undervalued by the state Labor government. Further, VICSES is not included in the current Victorian fire services levy despite being the control agency for 74 per cent of the costs associated with disasters by natural hazards across the state. This is unlike any other state in Australia, where there are broader emergency services levies.

Investment in VICSES is essential to ensure that our communities are kept safe and are resilient in the face of natural hazards. Locally, SES Hastings and SES Frankston tirelessly serve our community by protecting us from environmental hazards, as do other organisations with volunteers servicing the Mornington electorate like the Mornington, Mount Eliza, Moorooduc, Mount Martha and Baxter CFAs, the Mornington and Mount Martha lifesaving clubs, volunteer coast guard and so many others who dedicate their time and resources to keep us safe. In fact just the other week I had the pleasure of visiting the Mount Martha Life Saving Club's thankyou event. Of note in the thankyou was the club going above and beyond in responding to major emergencies last season, including multiple serious injuries at The Pillars in Mount Martha, a maritime accident, a plane crash and more – as they said on the night, basically five years worth of incidents rolled into one year. We thank all emergency services and other volunteers locally and beyond who make our community, our state and our country a better place.

Creative industries sector

John MULLAHY (Glen Waverley) (19:11): (676) My adjournment matter is directed to the Minister for Creative Industries, and the action I seek is for the minister to join me at the filming of *Neighbours* in my electorate. The Glen Waverley district is proudly home to *Neighbours*. Ramsay Street, which *Neighbours* centres on, is Pin Oak Court in Vermont South, and all interior scenes are

filmed locally at the FremantleMedia studios nearby. *Neighbours* began screening on 20 January 1986 and has had over 40 seasons, with 9000 episodes having been filmed. It has been the cornerstone of Australian television for decades, and I am proud to have the production of this famous show in my district.

We know that our vibrant media and creative industries sector is vital to the Victorian economy. Prepandemic it contributed more than \$30 billion to our economy and employed 292,000 people. We also know how important this sector is to capturing and enhancing the creative minds of Victorians, and that is why through agencies such as VicScreen we have continued to invest in the potential of Victorians and their proven ability to produce high-quality content. In total VicScreen has provided more than \$3 million in production support to *Neighbours*, generating approximately \$208 million in Victorian spend and 3579 project jobs. Further, additional funding was provided to support skills development opportunities, which have seen 39 placements and attachment opportunities created to date. Fans of *Neighbours* know that the program started re-airing in September of 2023. It was this state government which provided \$1 million for production across 2023 and 2024, and this helped get *Neighbours* back on the air.

I shared the disappointment of many when *Neighbours* looked to be wrapping up in 2022. I remember being out there at the studios with you, Deputy Speaker. That is why I am so glad to know that the Allan Labor government's continued investment supported *Neighbours* getting back on the air. This investment is testament to our commitment to Victoria's creative arts industry. Backing in our creative arts is good for the economy, good for jobs and good for providing our future generations opportunities to creatively express themselves. Victoria is the creative arts capital of this country, and I am proud to be part of an Allan Labor government which is investing in the future creative talent of our state. I look forward to the minister's response, and I hope he can join me in the Glen Waverley district to visit Harold, the Kennedys, the Robinsons and of course Toadie on the *Neighbours* set and to celebrate our government's continued investment in the creative industries sector.

Housing

Sam HIBBINS (Prahran) (19:13): (677) My adjournment matter is for the Minister for Housing, and the action I seek from the minister is to urgently commit to ending homelessness here in Victoria. Homelessness has risen over the past five years. At a time when we should be ending homelessness Victorians are now facing the biggest housing crisis ever. Rents and the cost of living are at an all-time high, and more and more people are being pushed into homelessness. Thirty thousand people are experiencing homelessness every single night. Public housing waiting lists continue to rise – up to 120,000 people now. In the Prahran electorate hundreds of people are without a home on any given night, in unsafe or insecure accommodation or sleeping rough. Homelessness is the number one social justice issue facing the Prahran community. The impacts on people's lives are devastating, and just as devastating is the fact that all of this has been preventable.

In a generation housing has become seen as a commodity, not as a home. We are seeing fewer public housing homes in Victoria than we had 10 years ago, and under this government we are just seeing more of the same housing policies that we have had in the past. Now, with vast swathes of public housing land being privatised, things need to change. The Greens have put forward a bill, a vision, to end homelessness by the end of the decade that makes housing a human right, that has targets and reporting for building more public housing and that has targets for funding homelessness services. Everyone deserves a safe and secure place to call home, and we know the most effective way to end homelessness is to provide enough long-term, secure housing for everyone who needs it. Just like with public health, just like with public education, governments have a responsibility to make sure everyone who needs one has access to a public home.

Box Hill open space

Paul HAMER (Box Hill) (19:15): (678) My adjournment matter is for the Minister for the Suburban Rail Loop, and the action that I seek is for the minister to work with the Whitehorse council to enhance and expand the quantity and quality of open space in the Box Hill precinct as part of the Suburban Rail Loop project. In 2001 the suburb of Box Hill had a population of approximately 8800 people and an open space provision of 49 square metres per person. In line with the 2007 Box Hill structure plan, which was prepared by Whitehorse council, development in Box Hill has boomed since then. The 2024 population estimate for Box Hill is 17,700, with council forecasting the population to grow to more than 26,000 by 2041. These estimates do not take into account any planning changes that may occur in the future through the SRL planning processes that are currently underway. Over that same period, there has been a net loss of open space in Box Hill, with one small pocket park opened and approximately 4000 square metres of open space closed or no longer accessible due to changes in the area. Collectively, this has reduced the amount of open space per person from 49 square metres in 2001 to 29 square metres in 2024. Based on council's population projections alone, the amount of open space per person in Box Hill will reduce to 16 square metres by 2041, a 67 per cent reduction from 2001 levels, even if no further planning changes are approved.

While open space in Box Hill has reduced in absolute and per capita terms over the last 20 years, Whitehorse council has continued to collect revenue through its open space development levy to be spent on land acquisition and open space infrastructure improvement. According to its 2022–23 annual report, council's open space fund had amassed \$58 million for the year ending 30 June 2023. In the last six years alone, this fund had increased by more than \$30 million. While a large proportion of these funds would have been collected from developments in Box Hill, just one single 1200 square metre pocket park has been delivered in Box Hill in the last 20 years. Whitehorse council has recently been vocal in the media calling for an improvement to open space in the Box Hill precinct as part of the SRL project. I support these calls. Providing residents of high-density neighbourhoods with access to high-quality open space will enable residents to engage in outdoor exercise and foster a stronger sense of community through shared wellness and experiences. Given its strong advocacy and the money that it has accrued from developments that it has approved in Box Hill over many years, I am sure that Whitehorse council would be very willing to provide a significant financial contribution towards open space enhancement. I look forward to the minister's response.

Narracan electorate roads

Wayne FARNHAM (Narracan) (19:18): (679) My adjournment this evening is for the Minister for Roads and Road Safety, and the action I seek is that immediate action be taken to address the disgraceful state of the roads in my community. This week in the Parliament's Public Accounts and Estimates Committee under questioning from the member for Gippsland South, the government confirmed road repairs will be slashed by 75 per cent next year. That is astounding. They have also cut \$88 million from the road safety fund this year. Regional roads are worse than ever. PAEC also heard that 388 kilometres of roads are now subject to speed restrictions due to a lack of maintenance.

I have brought up in this Parliament before, to the minister for roads, two intersections that are particularly dangerous in my electorate. One is the Hope Street intersection at Bunyip, and since I have raised the adjournment matter with the minister there have been nearly eight fatal collisions at that intersection. The other section of road I brought up with the minister was Main Neerim Road, just outside of Rokeby. Since addressing this issue there have been another five cars that have lost control on the road and slammed into a bank. The list of roads in Narracan in desperate need of road maintenance funding is so long that it would actually be faster to name the roads that do not need funding. On top of these cuts to maintenance we have also seen a failure to deliver the critical infrastructure upgrades we need. My regional roads are in an absolute mess under this government. My community want action now to fix road surfaces, to upgrade intersections and to address the massive population growth we are experiencing. It is so disappointing that Labor cannot manage money and clearly regional road users are going to pay the price.

Wallington Primary School

Alison MARCHANT (Bellarine) (19:20): (680) My adjournment matter is for the Minister for Education, and the action I seek is for the minister to provide an update and timeline for the Wallington Primary School. Wallington Primary School is an incredible local school that has served the community since 1868 and is a much-loved part of the Bellarine, in the rural part of the Bellarine. I was proud to announce a commitment at the last election for \$2.1 million. This investment was in last year's 2023–24 budget for an upgrade to the main building and classrooms. This was in addition to the \$580,000 we had already invested in this excellent school. I understand an architect has been appointed, at the end of last year, and I look forward to hearing an update on the timeline for this project, as the students and school community as well as the greater Wallington community are very excited to see the work commence on the school to improve and update their facilities.

Responses

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (19:21): In the first instance the member for Caulfield raised a matter for the Attorney-General in the other place regarding seeking an update and a meeting with Jewish leaders in relation to the anti-vilification laws that the government is consulting on at this time, particularly in relation to some significant hate speech and attacks that we have seen recently. Actually the government has made laws, with bipartisan support, for the banning of the Nazi salute and the Nazi symbol. He did touch on the fact around police engagement on these matters and the subject of one of the local schools. We do condemn the recent vandalism and attacks, the hate speech and the hatred that has been put in place there by those who sought to display that in terms of vandalism and criminal damage. Police are always looking for ways to hold people to account. We will work closely with Victoria Police and the local community to make sure the perpetrators are held to account for those matters, and I will be sure to pass this on to the Attorney.

The member for Tarneit raised a matter for the Minister for Transport Infrastructure for an update on the Tarneit West station project, which includes four bus bays, an interchange, 400 car parks and a pedestrian crossing for locals. The member for Morwell raised a matter for the Minister for the State Electricity Commission. The action that he sought was an explanation on the employment numbers in the Morwell community with regard to the SEC commitments the government has made, and the member for Morwell outlined in detail his concerns there. The member for Point Cook raised a matter for the Minister for Public and Active Transport to join him at the Williams Landing station in relation to GAIC funding – growth areas infrastructure contribution – particularly around works to improve the Parkiteer facilities and other works at Williams Landing station. The member for Mornington raised a matter for the Minister for Emergency Services in the other place regarding action to secure further sustainable funding for SES services in his electorate and surrounds, which would include the Frankston SES and the Hastings SES in his broader region.

The member for Glen Waverley raised a matter for the Minister for Creative Industries, perhaps known by some in this place as the Dr Karl Kennedy of the Victorian Parliament. The action that he seeks from the Minister for Creative Industries is that he attend the filming of *Neighbours* in his electorate, and perhaps the Minister for Creative Industries could channel Alan Fletcher. I would note that many of us were at the launch of the campaign of the member for Broadmeadows with Harold Bishop. Can you imagine that? It brought the house down. He was far more popular than the rest of us who spoke at that campaign launch. It was successful because Ian Smith does have a very significant family connection with the member for Broadmeadows. For those of you who are seeking to look for campaign launch material: Harold Bishop, I highly recommend – very successful for the member for Broadmeadows.

The member for Prahran raised a matter for the Minister for Housing, and the action that he sought was for the Minister for Housing as soon as possible to end homelessness here in Victoria. The member for Box Hill raised a matter for the Minister for the Suburban Rail Loop seeking an update on the

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works and the engagement with Whitehorse council as part of that project, and I will be sure to pass that on to the Minister for the Suburban Rail Loop. The member for Narracan raised a matter for the Minister for Roads and Road Safety. The action that he sought was to address the state of roads in his electorate, and he went into some detail about the matters. And of course the member for Bellarine raised a matter for the Minister for Education seeking action on an update on the redevelopment of Wallington Primary School. She touched on the fact that some \$2.1 million in investment commitments have been made at Wallington Primary School. I have been to many Wallington strawberry fairs, and I can highly recommend those, but let us make sure that the education minister is following up on those actions around investment for the member for Bellarine and Wallington Primary School.

The DEPUTY SPEAKER: Thank you, Minister. Thank you, members. The house stands adjourned until tomorrow.

House adjourned 7:25 pm.