

Responses to Questions on Notice or further information agreed to be supplied at the hearings

Question 1

Witness	Lisa Gandolfo
Committee member	Bev McArthur
Topic	Cost of Monitors
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Bev McARTHUR: Let us go to monitors in local government. What is the total cost of monitors being paid for by ratepayers in Victoria, as you insist on monitors in various councils?

Lisa GANDOLFO: Thanks for the question, member. As you say, monitors are paid for by councils at a cost of \$1335 per day, and the council is required to meet their remuneration and expenses. In terms of the total cost, that is something that I will have to try and find before the end of the committee meeting. I do not have the total cost of all councils.

Bev McARTHUR: That is fine. Will you take it on notice?

Lisa GANDOLFO: I can take that question on notice.

Question

What is the total cost of monitors being paid by ratepayers in Victoria?

Answer

The daily rate for municipal monitors is set by the Minister for Local Government at \$1,335 per day plus reasonable out-of-pocket expenses. This amount is paid by the council, as required by the *Local Government Act 2020*. The daily rate reflects the expertise and experience necessary to perform the role.

Municipal monitors are appointed to work approximately 2 to 3 days per week. Where more than one municipal monitor has been appointed to a council, they are expected to work this number of days between them rather than each. Having two municipal monitors appointed to a council rather than one should not double the cost as the role is shared between them.

The work hours of municipal monitors may increase or decrease depending on the level of support the council requires. Generally, the work is more intensive at the commencement of their appointment and then is reduced as the council's governance and performance improves.

The costs differ depending on the hours worked by municipal monitors. Individual councils hold the data about the total costs incurred by them.

Question 2

Witness	Lisa Gandolfo
Committee member	Bev McArthur
Topic	Monitors in Geelong, Colac and Horsham
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Bev McARTHUR: Thank you. Why would you have monitors in place now – going forward at \$1300 per person per day, with two in Geelong, for example – when we have got a whole raft of new councillors elected? You have kept them in a job at \$1335 a day until January. Why would that be?

Lisa GANDOLFO: There is a range of evidence that would be put before the minister around the support that might be needed at that council. That information would come from various reports and recommendations, including from the Local Government Inspectorate, and based on information from the monitors themselves, from their reports, which are published online, and other sources, the minister takes a decision about whether the monitors are needed to continue to support good governance at that council. So there is some more work that needs to be done.

Bev McARTHUR: Do you have any role in checking on why a monitor might be needed?

Lisa GANDOLFO: Yes. We provide information to the minister from all the sources available to us. We meet with monitors, we read their reports and we provide that to the minister for a decision.

Bev McARTHUR: Take Geelong city council for example, which has a CEO being paid more than the Premier, over \$500,000. She has other appointments – chairman of the Alpine Resorts Commission and the showgrounds society or whatever it is. Why would somebody at that remuneration need also to have monitors to supervise governance? Wouldn't that be her day job?

Lisa GANDOLFO: It is the job of the CEO of the council and councillors to ensure good governance of their local council, and in some cases there are still things that need improvement. When that is the case, monitors are assigned to that council.

Bev McARTHUR: How could there be things needing to be improved when there are a whole new raft of councils being elected in a raft councils across my electorate, let alone Victoria. How could there be things still needing monitors?

Lisa GANDOLFO: Well, there are still legacy issues from councils prior.

Bev McARTHUR: Like what?

Lisa GANDOLFO: That would depend on each and every council and each and every monitor, Mrs McArthur.

Bev McARTHUR: Well, tell us about Geelong.

Lisa GANDOLFO: I might need to take that question specifically on notice for Geelong.

Bev McARTHUR: Great. That would be terrific if you could find out exactly why we continue to need monitors in Geelong, Colac and Horsham.

Question

Why we continue to have monitors in Geelong, Colac and Horsham?

Answer

At all three councils, municipal monitors were appointed by the Minister for Local Government in response to identified governance risks.

At Greater Geelong City Council, Mr Peter Dorling and Ms Prue Digby were initially appointed as municipal monitors from 24 January 2023 for 12 months, following advice from the Chief Municipal Inspector regarding the Council's recruitment and appointment process for its ongoing Chief Executive Officer (CEO). The final report from Mr Dorling and Ms Digby noted that although the Council had made progress, work was still required to improve its governance policies, processes and practices. In response to this advice, the Minister for Local Government appointed Mr Peter Dorling and Mr Mark Davies as municipal monitors to the Council from 9 April 2024 until 31 December 2024. Their role is to ensure governance improvements identified by the previous municipal monitors are fully implemented and to support stability at the Council following the October 2024 elections.

At Colac Otway Shire Council, Ms Christine Ferguson was appointed as municipal monitor from 12 July 2024 to 31 January 2025 following advice from the Chief Municipal Inspector regarding issues relating to the conduct of councillors and a lack of adherence to the Council's governance rules. Ms Ferguson is advising and supporting the Council to improve its governance processes and practices and supporting the newly elected Council following the October 2024 elections.

At Horsham Rural City Council, Mr Steven Kingshott was appointed as municipal monitor from 2 September 2024 until 30 June 2025. The appointment was in response to governance concerns raised about the Council such as its failure to meet the statutory deadlines for the adoption of its 2024-25 budget and concerns relating to the health and safety of councillors and staff.

The Terms of reference for all monitors can be found on the Local Government Victoria website. Links to the specified councils can be found below:

- https://www.localgovernment.vic.gov.au/__data/assets/pdf_file/0021/206805/Geelong-monitor-Terms-of-Reference.pdf
- https://www.localgovernment.vic.gov.au/__data/assets/pdf_file/0021/209055/Terms-of-Reference-Colac-Otway-Shire-monitor.pdf
- https://www.localgovernment.vic.gov.au/__data/assets/pdf_file/0022/209740/Terms-of-Reference-Horsham-Rural-City-Council.pdf

Question 3

Witness	Jo de Morton
Committee member	Nick McGowan
Topic	Liquidated Builders Customer Support Payment Scheme
Page of transcript	12-13

Nick McGOWAN: On 6 March the government announced, Secretary, the extension of the liquidated builders customer support payment scheme – wow, that is a mouthful. It is to builders that entered liquidation up to 20 February 2024. Can you tell the committee how 20 February was arrived at in terms of the date itself? That is the closing date for the extended scheme.

Jo de MORTON: Have you got that information?

Lisa GANDOLFO: The liquidated builders information?

Jo de MORTON: Yes, the date, about why the 20th – I am just thinking about when the reforms to the legislation came in.

Lisa GANDOLFO: I might have some information, but I might need to get back to you before the end of the hearing, potentially. I do not think I have that right at hand.

Nick McGOWAN: You can take it on notice, because if we do not come back to it we tend to get cut off by the Chair, so that would be great. Were any queries regarding Apex Homes received by the customer support team prior to 28 February?

Lisa GANDOLFO: No, I have not got that level of detail with me.

Nick McGOWAN: Perhaps you can come back to us on that.

Bev McARTHUR: Take it on notice, to get the wording right.

Jo de MORTON: Yes, we can take that on notice.

Nick McGOWAN: Was the department aware that Apex Homes had entered liquidation on 28 February?

Jo de MORTON: Again, I have not got that at hand. We are just wondering whether that would be our department. Because we administer the scheme that might be a matter for someone else, but we will look into that and take that on notice for you.

Nick McGOWAN: I am just trying to understand whether you as the Secretary knew that Apex Homes had entered liquidation on 28 February.

Lauren KATHAGE: You should have come here yesterday. DTF were here.

Nick McGOWAN: I watched yesterday, remotely. Do not worry. I am well aware of what was said yesterday.

Lisa GANDOLFO: We will not have the details of specific cases under that scheme, no.

Nick McGOWAN: Were any queries regarding Montego Homes received to the customer support email?

Jo de MORTON: Again, we will have to look into that one. I have not got the detail of what the customer support team are answering here with me.

Question

What was the basis for the selection of the eligibility period for the Liquidated Builders Customer Support Payment Scheme? Were any queries regarding Apex Homes received by the customer support team prior to 28 February? Were any queries regarding Montego Homes received to the customer support email?

Answer

The eligibility criteria for this scheme, including the eligible liquidation period, was set by the Department of Treasury and Finance.

No queries were received by the DGS customer support team from Apex Homes customers prior to 28 February 2024. The customer support team did not receive any emails from customers of Montego Homes prior to the announcement of the scheme.

Question 4

Witness	Jo de Morton
Committee member	Danny O'Brien
Topic	Births, Deaths and Marriages processing times
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Danny O'BRIEN: Okay. On the BDM website there is a list of processing times up to, as you say, presumably the top end for all of those types of applications – death registration, marriage registration, relationship registration, change of name et cetera. Could I ask, on notice, for the 2023–24 actual processing times, on average, for those?

Jo de MORTON: 2023–24 actuals, on average – yes.

Danny O'BRIEN: You keep that data, presumably? You must if you are saying that it is four days now.

Jo de MORTON: Yes, we do. Obviously the times have improved over the year. We have talked about them coming down significantly since the beginning of the year.

Danny O'BRIEN: I would welcome for the 2023–24 financial year and what it currently is at, if you have got that.

Jo de MORTON: Yes, we would be happy – have you got that information at hand?

John BATHO: I could talk you through some of the turnaround times in October 2024, most recently, or I can –

Danny O'BRIEN: I would rather get the lot, if I could. Yes, October would be fine for an update.

Bev McARTHUR: Is that on notice?

Jo de MORTON: Yes, we are happy, Ms McArthur, to have that on notice. Thank you.

Question

For all application types, what is the average processing time in 2023-24 and the average processing time in October 2024?

Answer

Turnaround times are published on the website and reflect the longest time to wait for an assessment. DGS focussed on improving these turnaround times in financial year 2023-24, and actual processing times reduced significantly over the course of the year. For example, certificate turnaround times reduced from 36 days in July 2023 to 7 days in June 2024. Average processing times for the financial year 2023-24 financial year and as of October 2024 are shown below:

Type of Application	Average FY23/24	October 2024
Certificate	22 days	4 days
Birth Registration	40 days	15 days

Death Registration	6 days	5 days
Marriage Registration	27 days	15 days
Relationship Registration*	34 days	31 days
Change of Name / Change of Sex Registration	86 days	16 days
Correction of a Certificate	73 days	16 days

*Under legislation a 28-day cooling off period is required when registering a relationship. A certificate cannot be issued until 28 calendar days have passed and we have registered the relationship.

Question 5

Witness	John Batho
Committee member	Bev McArthur
Topic	Birth Certificates
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Bev McARTHUR: Yes. Staying on the births, deaths and marriages registry, given that anyone can now change their birth certificate every 12 months with a stat dec from a mate who has known the suspect for 12 months, can you tell us how many Victorian citizens have changed from female to male, from male to female or non-binary?

Jo de MORTON: We do not have that information to hand.

John BATHO: I do not have that information.

Bev McARTHUR: You do not keep that information? You do not accumulate it?

John BATHO: It is kept by the registry, but I do not have that information.

Bev McARTHUR: I am happy to take it on notice if you could provide it to us, please.

John BATHO: Let me take that on notice –

Jo de MORTON: Do we have it?

John BATHO: and see what we can provide. Yes.

Question

How many Victorians have changed the record of sex shown on their birth certificate?

Answer

In 2019, the Births, Deaths and Marriages Registration (Fees) Regulations was published, amending regulation 30 to allow alteration of record of sex in a person's birth registration.

The table shows the number of applications received since 1 January 2020.

Year	Type	Complete Registrations	Total
2020	Male to Female	186	371
	Female to Male	124	
	Other	61	
2021	Male to Female	230	577
	Female to Male	201	
	Other	146	
2022	Male to Female	251	581
	Female to Male	171	
	Other	159	
2023	Male to Female	299	700
	Female to Male	228	

	Other	173	
2024 *	Male to Female	227	540
	Female to Male	184	
	Other	129	

*2024 figures in the above table are for 1 January 2024 to 30 June 2024.

Question 6

Witness	Jo de Morton
Committee member	Aiv Puglielli
Topic	Birth Certificates
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Aiv PUGLIELLI: Thank you, Chair. Good afternoon. It costs \$140.40 to change your sex on your birth certificate in Victoria. How much total revenue are births, deaths and marriages making from that particular fee?

Jo de MORTON: The appropriation of births, deaths and marriages does not come in quite that same way. All of the revenue collected from the statutory fees gets paid into consolidated revenue. Every year government allocates the budget allocation to births, deaths and marriages for their operational expenses. It is not a one-to-one relationship between a particular fee and the appropriation for the administration of the unit.

Aiv PUGLIELLI: Okay. Just to make sure I have understood – because that is going into consolidated revenue, you cannot report to us the total revenue that would be coming in from that particular charge.

Danny O'BRIEN: Surely you would know.

Jo de MORTON: Yes. Sorry. I thought you were asking a different question about how much of that charge does BDM receive. You mean what is the total amount that government receives from the change of name?

Aiv PUGLIELLI: What is the total revenue coming in from that charge?

Jo de MORTON: We would be able to add that up with the other question that we took, which was how many –

Danny O'BRIEN: Same question, different way of asking.

Jo de MORTON: Same question, different way of asking, yes.

Question

How much revenue has the state received from the fee to change the record of sex on a birth certificate?

Answer

Change of recorded sex applications generates statutory revenue.

In 2023-24 change of recorded sex generated approximately \$112,000 in statutory revenue.

Question 7

Witness	Jo de Morton
Committee member	Aiv Puglielli
Topic	Birth Certificates
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Aiv PUGLIELLI: Thank you. I am still new to the Parliament, so getting through all of this. With reference to the fee waiver policy and people applying for a fee waiver in relation to that charge that I was talking about for Victorians to change the sex on their birth certificates, we have previously asked the minister to provide the total number of applications and of these applications how many were approved. We have since been told that it is not possible to disaggregate based on application type. From the department's perspective, is that true? Does BDM not record that information?

Jo de MORTON: That would be where that advice has come from, so that would have come from the registrar in response.

Aiv PUGLIELLI: So the total number of applications is not recorded?

Jo de MORTON: Sorry. I am misunderstanding you. So I thought you said –

Aiv PUGLIELLI: The total number of applications for a fee waiver – is that recorded by BDM?

Jo de MORTON: Yes.

Aiv PUGLIELLI: Could that be provided to the committee?

Jo de MORTON: Yes.

John BATHO: I think we can talk to the registrar and work out what can be provided to the committee, yes.

Aiv PUGLIELLI: Terrific. Of that number, how many were approved? If we could know that as well, that would be great.

John BATHO: We can take that away.

Jo de MORTON: I think we can have a look at what is there. I think we should be able to provide that.

Aiv PUGLIELLI: With the fee waiver policy itself, does that include postage paid to receive the document at the end?

Jo de MORTON: We will have to come back to you on that.

Question

What were the total number of applications for a fee waiver, and how many were approved? Is postage included in the fee waiver?

Answer

In 2023-24, 4,748 hardship fee waiver applications were processed and approved by BDM. Of these, six applications were for change of recorded sex. When a fee waiver application is processed and approved, the express postage fee is also waived.

BDM does not record the outcome of applications that do not meet fee waiver requirements. BDM will consider updating its processes to enable this data to be reported in the future.

A reduced fee is automatically applied when an application to register a change of sex is submitted at the same time as an application to register a change of name. In these cases, there is no need to submit a request for a fee waiver.

Question 8

Witness	Jo de Morton
Committee member	Aiv Puglielli
Topic	Birth Certificates
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Aiv PUGLIELLI: That is all right. Good to get that clarified. Could I ask – and this might also be on notice – for the last three financial years the total number of applications for a fee waiver in relation to applications to change one’s sex on one’s birth certificate, and of those figures, the total number of fee waivers that were granted? That is effectively a similar question.

Jo de MORTON: That was the bit of your question I was uncertain about, whether we can disaggregate or whether we have only got the total fee waivers, not by type. We will find out what we have got and make that available.

Question

For the financial years 21-22, 22-23 and 23-24: What were the total number of applications for a fee waiver application to change the record of sex on a birth certificate, and the total number of fee waivers that were granted to change the record of sex on a birth certificate?

Answer

- In 2021-22 financial year, BDM processed and approved 54 financial hardship fee waiver applications for change of recorded sex.
- In 2022-23 financial year, BDM processed and approved 10 financial hardship fee waiver applications for change of recorded sex.
- In 2023-24 financial year, BDM processed and approved 6 financial hardship fee waiver applications for change of recorded sex.

BDM offers a discounted package when an application to register a change of sex is submitted at the same time as an application to register a change of name. In these cases, there is no need to submit a request for a fee waiver, instead this discount is automatically applied at the time of submission.

BDM does not record the outcome of applications that do not meet fee waiver requirements. BDM will consider updating its processes to enable this data to be reported in the future.

Question 9

Witness	Dan Harper
Committee member	Mathew Hilkari
Topic	Local Government Performance Reporting Framework
Page of transcript	30-31

Mathew HILAKARI: Great. Everyone should be welcome everywhere across our community, particularly in local government facilities. I might talk to governance and integrity. We did talk a little bit about local councils and how they are meeting their obligations. I am just hoping we can talk a little bit about the local government performance reporting framework. I know this is a retitled program, but if you could just explain what the framework is and how it assists councils and government.

Jo de MORTON: Thanks. I mentioned it before when we were talking about the Know Your Council website, which is kind of the end result of the process. But if we go back a few steps, what it is is a standardised methodology for measuring and reporting on performance so ratepayers and anyone else interested can stay informed about how councils perform and can compare them to other councils. We are also hearing from councils themselves that it is a really useful benchmarking tool for them, and they can have a look at how they are going relative to others. The framework is mandatory under the Local Government (Planning and Reporting) Regulations. Councils are required to report on 58 indicators that measure costs and service performance of things like roads, waste, recycling, maternal and child health, libraries – which we talked about – and aquatic facilities, among many other things. They must also report against 24 items related to governance and management. These measures that they have to report on form part of their annual report and together with their financial statements they are audited by the Victorian Auditor-General. This year, 2023–24, was the first year that councils set their own performance targets against eight of the 58 indicators. That was a new layer of accountability for them, having targets as well as measuring. They submit all of that into the Know Your Council website. The community can then access their performance and compare it, and as I said, the councils themselves have that really rich data source to help them look at continuous improvement.

Mathew HILAKARI: Have they reported against those eight yet, or is this the very first year? We are not a full year through that first eight that they have reported against themselves or set their own targets against? Or have they just finished that?

Jo de MORTON: I thought they had just finished it.

Dan HARPER: They have just finished that, for that first year's data.

Mathew HILAKARI: Do we have any early data to understand how councils have compared against their own standards?

Dan HARPER: We will be able to take that on notice and get you that information.

Question

Do we have any early data to understand how councils have compared against their own standards?

Answer

The 2023-24 local government performance data was published on www.knowyourcouncil.vic.gov.au on 5 November 2024. The 2023-24 year was the first year in which councils were required to set their own targets against 8 of the 59 performance indicators, and report against their targets. The performance indicators all councils are required to set targets against are the following:

- G2 – Satisfaction with community consultation and engagement
- R2 – Sealed local roads maintained to condition standards
- SP2 – Planning applications decided within required timeframes
- WC5 – Kerbside collection waste diverted from landfill
- E2 – Expenses per property assessment
- S1 – Rates compared to adjusted underlying revenue
- L1 – Current assets as a percentage of current liabilities
- O5 – Asset renewal and upgrade as a percentage of depreciation

Every council's results for the 2023-24 against these indicators are all available on www.knowyourcouncil.vic.gov.au. The website's dashboard can display each council's performance against its target, including whether it missed, met its target or was within a predetermined range. Each council's result can be compared against the Statewide average result and other similar councils.