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Mr PEARSON: Thank you, Acting Speaker. Well, he is a bit touchy today, isn't he? There is nothing like a fraud who is exposed. You are just a fraud who has been exposed, bud.

Mr T Smith interjected.

The ACTING SPEAKER (Ms Ward): Member for Kew, sit down! Member for Kew, your behaviour this afternoon is not called for. You are not treating this place with the respect that it deserves, and I ask you to please take a breath. I ask the member for Essendon to continue.

Mr PEARSON: Thank you, Acting Speaker. It is a very important bill. It is a serious bill as a result of the hard work and dedication from this side, which the member for Kew clearly lacks because he is a lazy dilettante, and he will be shown up time and time again.

The ACTING SPEAKER (Ms Ward): Order! The member for Kew?

Mr T Smith: The member for Essendon is a failed politician. He is a loser and he has got no idea what he is talking about.

The ACTING SPEAKER (Ms Ward): I believe the member for Sandringham has the call.

Mr ROWSWELL (Sandringham) (12:50): I am disappointed that I did not get to hear more from the member for Essendon actually, because his contribution was broadly entertaining at best and hardly enlightening. But here we are in the chamber on the last parliamentary sitting day of the 2019 year debating the Local Government Bill 2019—all 359 pages of this glorious document, which was meant to simplify local government but in fact makes it harder for local government to operate within the system in which it is required to operate.

I have a few matters to raise in relation to this matter. Firstly, in debate earlier the member for Mordialloc said that he has a 'great working relationship' with Kingston City Council—quote, unquote, please check *Hansard*. This is the same Kingston City Council who frankly do everything—they go out of their way—to intentionally not understand the will of the people within that municipality, who time and time again get it wrong, who time and time again fail the ratepayers of that municipality. I intend to, in the course of my contribution this afternoon, raise some of those matters in greater detail.

I do wish to commend the member for Kew, the Shadow Minister for Planning and Heritage and Shadow Minister for Local Government, for his very articulate contribution in this debate. Unlike those opposite the member for Kew went through a number of clauses in great detail. He raised in all seriousness and in a genuine way areas of this bill that could be improved—in fact where it needs to be improved. And yes, that was met with laughter and with interjection by those opposite. But the fact remains that the member for Kew made an outstanding contribution in this debate, and he actually articulated for the government some deficiencies within this bill which we on this side of the chamber trust—which we hope—that the government will attend to over the summer break before this bill is considered in the Legislative Council.

I did wish to also raise a number of matters in relation to the bill. I wish to put on record a representation that I have received from the secretary of the Proportional Representation Society of Australia, Mr Geoffrey Good, who is a constituent—and a distinguished constituent—of the Sandringham district. He wrote to me about this bill, and he said:

Where a council is divided into 3 wards each electing 3 councillors, at least 75% of voters in each ward are represented by a councillor that they gave their first or subsequent effective preference vote to. Where there are issues that the community has different opinions on, those different opinions are represented on council in proportion to the respective numbers in the community.

It is disappointing to note and observe that the Andrews Labor government has, in my view and in the view of the constituent who wrote to me, flip-flopped and backflipped on this issue. He also observed

that recommendation 6 on page 13 of the 115-page 2016 report *Commission of Inquiry into Greater Geelong City Council*, which the Andrews government implemented, was that:

The individual Councillor ward electoral system be replaced with multi-councillor wards to share representative responsibilities.

Local communities and councils need certainty. Instead of giving the minister absolute discretion to decide which local government areas will be constituted in which way, let us take time, in my view, to get this right.

One of the issues that is raised with me by constituent after constituent in my electoral district of Sandringham is the issue that local people have with transparency and community consultation when it comes to local governments, and specifically in relation to Kingston City Council, which the member for Mordialloc has nailed his flag to. I have found Kingston council and the Minister for Local Government most unresponsive in this respect when attempting to advocate on behalf of residents who would be affected by, for example, the dangerous changes that the Kingston council proposes to make to Beach Road.

On 25 January I wrote to the Ombudsman advising that on the advice of a constituent who had submitted an FOI request, 93 per cent of surveyed constituents did not wish for Beach Road to be narrowed or for tree planting to occur. I received no response, and I wrote again to the Kingston CEO requesting that they specifically convey to me what steps were taken to conduct and publicise the results of the community consultation, the costing of the project and a time line for its implementation. Receiving only a stock standard acknowledgement of my letter, I wrote again on 14 March seeking specific responses to the above points of inquiry. Finally, in a letter dated 4 April, the CEO admitted that no reports regarding community consultation reports, costings or project implementation had been compiled and presented to council prior to the passage of motions authorising the project.

I soon after wrote to the Minister for Local Government, who stated that there was no 'legal requirement'—his words, not mine—for consultation and that nothing could be done.

Mr Dimopoulos: On a point of order, Acting Speaker, I just wanted to ask if you could ask the member whether he is actually reading from a document he would like to table or whether he is referring to notes, because he seems to be heavily focused on a particular document. I would like to see whether it is possible to table that document in the house.

The ACTING SPEAKER (Ms Ward): Is the member reading from notes or is there a document he would like to table?

Mr ROWSWELL: Acting Speaker, I am referring to correspondence between myself and constituents, Kingston council and the Minister for Local Government, and I would be absolutely delighted to make those documents available to the house.

The ACTING SPEAKER (Ms Ward): Thank you. I ask the member to continue.

Mr ROWSWELL: Soon after, I wrote to the Minister for Local Government, who stated that there was no legal requirement for consultation and that nothing could be done. The minister recommended that I write to the local government inspectorate if I still had concerns. Relying on the minister's recommendation in good faith, I did then write to the local government inspectorate. But in the response I received in August it was conveyed that no breach of law had occurred, therefore no action would be taken.

Therefore I view part 7 of this bill with a fair degree of suspicion. This part allows the minister to issue binding directions to council where council violates 'overarching governance principles'. Yet when I identified such a breach—namely, an absence of community consultation, transparency and sound financial management—no action was indeed taken.

As summarised in a letter that I received from Ratepayers Victoria, this legislation will allow a council to:

- Defend any and all decisions it makes at any cost
- Refuse to explain or produce any evidence that underlies a decision
- Refuse to hold itself accountable to any set of governance standards

In the time that I have left I would like to specifically address matters in relation to road management within this bill. With regard to road management, I thank local resident Greg Cheesman, a local real estate agent, for drawing my attention to the dangerous fault in pavement works adjacent to Bay Road. In that particular incident VicRoads blamed council and council blamed VicRoads. I needed to write to both authorities before it could be determined who carried responsibility.

Many residents have complained to me about the intersection of Balcombe Road and Reserve Road in Beaumaris. They are vexed by what appears to be a diffusion of responsibility: VicRoads will refer an inquiry to council, who in turn attribute responsibility to VicRoads. A similar issue has occurred in relation to the condition of Park Road. A letter by a concerned constituent regarding the condition of this road was addressed to me in April. After writing to the roads minister, I received a response two months later, in June, indicating that this road was the responsibility of Bayside City Council. A month later, three months after an urgent inquiry, a response was received.

I agree with the Shadow Minister for Local Government. This is an opportunity for those matters relating to local roads to be subsumed into the Road Management Act 2004 and taken out of this act. That would make for a more sensible and straightforward system for all concerned.

The ACTING SPEAKER (Ms Ward): The time has now come for us to pause for lunch. I would ask members to go and have a rest, have a Bex, have a good lie down and come back prepared to treat this chamber with the respect it deserves.

Sitting suspended 1.00 pm until 2.01 pm.

Mr CARBINES (Ivanhoe) (14:01): I am pleased to contribute to the debate on the Local Government Bill 2019 and in particular of course to have the opportunity to regale my colleagues and those across the chamber—who in some cases are colleagues—with stories of my time in local government back there in 2005 to 2010 at Banyule City Council. With local government bills I always find it particularly interesting to reflect on the empathy we have for the world of local government. Can I say a lot has changed over very many years in local government around expectations of individuals who seek that office and hold that office. Obviously a four-year commitment can be onerous for people in local government, particularly because there are now a lot more checks and balances, for very good reasons, around the commitment that people have to make over that period of time.

I do want to touch on the Greens political party and some of its criticisms of the bill in relation to its view about single wards. I did want to spend a bit of time on that matter, having been at Banyule City Council, where we currently have seven individual wards. I represented the Olympia ward—which covers the areas of West Heidelberg, Bellfield, Heidelberg Heights and parts of Ivanhoe—over the five years that I was a Banyule city councillor. I will talk about some of the complaints by the Greens political party in relation to ward boundary structures. We have seen reviews, including at Banyule, by the Victorian Electoral Commission of those matters. It is now looking to expand the rather quaint arrangements at Banyule from seven councillors out to nine.

We currently have at Banyule members of the Greens political party representing individual wards in the individual ward-based arrangement at Banyule in the East Ivanhoe area. I think what that points out is that some of the Greens political party commentary is a bit self-serving in relation to the type of electoral system that it may well prefer. Fortunately we have been able to work around their grievances on these matters and their self-interest. They do not stand up to scrutiny when you look at places like