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Update Summary

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LOCAL GOVERNMENT SERVICE VICTORIA

Maddocks
Solicitors and Notary

Currently updated by
Lawrie Groom

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New and updated commentary has been provided by **Lawrie Groom**:

Developments in Local Government Law

Updated:

- Questions were raised questions on the legality of State taxes. See *Vanderstock v Victoria* [2023] HCA 30, at [ND.5.1117].
- Two decisions were considered of the Court relating to the provisions of the Act regulating councillor conduct. See *Chief Municipal Inspector - Local Government v Mohamud* [2021] VSC 787; (2021) 66 VR 1, at [ND.6.102].
- A special interest involves “an interest or a position that is different from the public at large”. See *VicForests v Kinglake Friends of the Forest Inc* (2021) 66 VR 143, at [ND.6.102].

Local Government Act 1989

Updated:

- An allegation of misfeasance in public office is a very serious allegation. See *Brett Cattle Company Pty Ltd v Minister for Agriculture, Fisheries and Forestry* (2020) 274 FCR 337, 407 [284], at [LGA.95.10].
- The principles in relation to procedural fairness in administrative decisions were described by Mason J. See *Kioa v West* (1985) 159 CLR 550, at [LGA.207A.10].
- *Kioa* was considered in relation to an Order made under the *Food Act 1984*. See *I Cook Foods Pty Ltd v Victoria* [2023] VSC 654, at [LGA.223.10].

Annotated Local Government Act 2020

New:

- **Revised electoral structures**, has been inserted at, [LG.17.10].
- **Role of a councillor**, has been inserted at, [LG.28.40].
- **Suspension of all councillors and appointment of administrator**, has been inserted at, [LG.230.10].