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From: [REDACTED]
Sent: Monday, 25 April 2022 6:40 PM
To: [REDACTED]
Subject: INFO

As discussed, whether a particular proposal in relation to the use of council facilities may amount to a 'special measure' or otherwise fall within an exception under the *Equal Opportunity Act 2010*, will depend on precisely what that proposal is. In order for VGSO to seek approval from the Attorney-General to assist Melton City Council with this matter, we would therefore need some more information about what exactly is being proposed.

For example, is it to mandate that access to council toilets and change-rooms be restricted by reference to 'biological sex characteristics'? (This is what the request appears to contemplate; however, that is not clear.)

It would also be useful to have some further information about the detail of the proposal, including the definitions that are proposed to be used (for example, who does 'biological female' include and exclude), how the policy would be enforced, and [the fact-based justification for it](#).

I note that such a proposal would raise complex issues under the EO Act as well as the *Charter of Human Rights and Responsibilities Act 2006*, which the Council must also comply with as a public authority.

I am happy to discuss further if that would assist.

Cr Moira Deeming

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