

## MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL - ENDORSEMENT OF MOTIONS

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Report Author: Advocacy & Government Relationship Advisor  
Responsible Officer: Chief Executive Officer  
Ward(s) affected: (All Wards);

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

### SUMMARY

The Municipal Association of Victoria (MAV) will hold the next State Council meeting on Friday 17 May 2024. The MAV has called for councils to submit proposed motions to be considered at the meeting. If supported by the member councils, motions become resolutions and policy positions of the MAV.

### RECOMMENDATION

***That Council submit the following motions to the Municipal Association of Victoria (MAV) for consideration at the State Council meeting on Friday 17 May 2024:***

- 1. That the MAV advocate to the Victorian Government to invest in funding for emergency relief services (ERS), to increase core staff and respond to growing community need, climate change impacts and frequency of severe weather events.***
- 2. That the MAV advocate to the Victorian Government to strengthen Victorian laws to address vexatious requests against Councillors and serial complainants to Council.***
- 3. That the MAV advocate to the Victorian Government to:***
  - (a) develop a Flood Information Framework.***
  - (b) release flood mapping data collected by state authorities and water corporations.***
  - (c) provide urgent investment into flood mitigation infrastructure.***

## RELATED COUNCIL DECISIONS

Council submitted three motions to the last State Council meeting, held on 13 October 2023 – [see agenda](#). All motions were endorsed by MAV members at the State Council meeting. The motions related to:

- Permit exemptions for Rural Worker accommodation in the Green Wedge Zones and release of other reforms from the Planning for Melbourne's Green Wedge and Agricultural Land Review.
- A broad strategic review of the School Crossing Supervisor Program
- Maternal Child Health services, and advocacy for a policy that supports local government to implement a targeted services approach.

## DISCUSSION

### *Purpose and Background*

State Council is the MAV's governing body and is made up of representatives from each member council. State Council's powers include:

- determining the Rules of the Association
- electing the President and other members of the Board
- determining the Strategic Direction
- appointing the Auditor.

State Council meets twice a year, or more if needed. The MAV calls for councils to submit motions approximately two months in advance of State Council.

As decisions of State Council constitute policy directions of the MAV and remain active until the issue is resolved, motions should relate to either new policy directions, or variations to existing policy directions.

The MAV Rules require that motions: be of state-wide significance to the local government sector; link to the strategic outcomes in the MAV Strategy 2021-25; not be identical or substantially similar to a motion submitted to State Council at any of the previous four State Council meetings; and not seek to endorse a motion to be put to the Australian Local Government Association National General Assembly.

When submitting a motion, Council is required to identify whether the motion is supported by a council resolution.

The MAV Strategy 2021-25 identifies six strategic outcomes:

1. Economically sound councils
2. Healthy, diverse and thriving communities
3. Well-planned, connected and resilient built environment

4. Changing climate and a circular economy
5. Sector capability and good governance
6. Effective and responsive MAV.

***Options considered***

Council has considered various emerging issues and strategic risks impacting Council as an organisation as well as the broader community, and the suitability of these matters for advocacy through MAV State Council.

***Recommended option and justification***

Of the strategic risks and issues currently impacting Council and the community, the proposed motions have been determined as appropriately matched to the advocacy opportunity presented by State Council, in terms of both timing and MAV’s submission criteria.

The rationale for each proposed motion is provided below.

1. Emergency Relief Services

Motion	That the MAV advocate to the Victorian Government to invest in funding for emergency relief services (ERS), to increase core staff and respond to growing community need, climate change impacts and frequency of severe weather events.
Rationale	<p>Emergency and food relief services provide critical support to communities, including to those impacted by the cost-of-living crisis and by severe weather events that are increasing in frequency and intensity – such as the recent storm and bushfire events that swept across the state.</p> <p>Services are experiencing some of the highest increases in demand in Yarra Ranges and Victoria more broadly, making these services more critical than ever.</p> <p>The increase in community needs observed through COVID has not subsided, and emergency relief services have noticed a shift in clientele with cost-of-living pressures contributing to expanded demand.</p> <p>Councils have not only recognised an increase in these services struggling to meet growing demand, but also services closing, particularly due to the lack of resourcing to engage paid staff to manage increasing complex compliance requirements.</p> <p>One example in Yarra Ranges was the closing of a service that had operated for 40 years, providing over \$300,000 in value to our local community per year through financial and personal support services, including for food, clothing, case work and advocacy. The service could not be sustained without ongoing funding for an officer to</p>

	<p>support operations while existing core staff focus on building critical partnerships and relationships with other agencies.</p> <p>Councils have a role to play in funding emergency relief services, however, this funding alongside other sources are not sufficient to meet growing demand.</p> <p>Yarra Ranges has seen benefit from increased funding to support local emergency relief agencies through time-limited grant funding. This has provided for the coordination of effort across 12-15 local groups and is a model that should be recognised and built upon.</p> <p>It is critical that emergency relief agencies are adequately supported, particularly as the cost of living continues to increase and disasters and emergency events become more frequent and severe. Importantly, this must include a funding model that provides for ongoing support officer roles to oversee operations, allowing other staff to focus on building strategic partnerships with other service areas.</p>
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## 2. Addressing vexatious requests and serial complainants

Motion	That the MAV advocate to the Victorian Government to strengthen Victorian laws to address vexatious requests against Councillors and serial complainants to Council.
Rationale	<p>Councils across Victoria have recently experienced an increase in vexatious requests and serial complainants.</p> <p>Council complaints processes are a critical mechanism for ensuring that councils and councillors are accountable to community and function in line with their obligations and democratic principles.</p> <p>However, with a growing number of vexatious requests intended to overwhelm council resources and disparage councils and councillors, it has become clear that Victoria's laws require strengthening to ensure that the system functions effectively and efficiently.</p> <p>Queensland has recently passed laws and recalibrated its Councillors conduct framework to ensure that only matters of substance and in the public interest can proceed to its Councillor Conduct Tribunal. It also ensures that serial complainants who've had more than three complaints dismissed as trivial can be prevented from making further complaints for four years. This is a model that could be considered for Victoria.</p> <p>Victorian councils are operating in increasingly tight fiscal environments. Council effectiveness and business efficiencies are severely impacted through responding to and managing vexation and or serial complaints. Such changes would ensure that only complaints of substance are proceeding in the public interest.</p>

### 3. Flood Information Framework, data sharing and investment for flood mitigation

Motion	<p>That the MAV advocate to the Victorian Government to:</p> <ul style="list-style-type: none"><li>• develop a Flood Information Framework,</li><li>• release of flood mapping data collected by state authorities and water corporations, and</li><li>• provide urgent investment into flood mitigation infrastructure.</li></ul>
Rationale	<p>Planners require reliable flood mapping data to fulfil their duties in strategic planning, assessment of developments, and to support the community in preparing for and mitigating against such risks.</p> <p>This is becoming more critical given climate change impacts and increased frequency and severity of weather events.</p> <p>However, the current patchwork of existing datasets is insufficient, and exposes community to unnecessary risk.</p> <p>A joint partnership between local and state government and water authorities is needed to create a complete dataset.</p> <p>The Planning Institute of Australia's Victorian branch has recently renewed its calls for the Victoria Government to develop a Flood Information Framework to support state-wide consistency in flood mapping data collection and use, drawing together existing (and future) work by local governments and other authorities.</p> <p>Further, a Flood Information Framework should also enable the provision of data from state authorities and water corporations to local government. This information is key to creating a clear and full picture of risks and is not readily available to Councils currently.</p> <p>The Victorian Government's commitment in 2023 to provide \$22.2 million to fast-track more flood studies by local government is a welcome and worthwhile investment.</p> <p>However, without an overarching framework or provision of data from state and water authorities, constraints will remain for planners while risks will remain for communities and our natural and built environments.</p> <p>Beyond the framework and data, urgent investment in flood mitigation infrastructure is needed to manage increasing occurrences of severe weather and flooding events across Victoria.</p>

#### **FINANCIAL ANALYSIS**

There are no financial implications associated with submitting a motion to the State Council.

## **APPLICABLE PLANS AND POLICIES**

Council's participation in MAV State Council contributes to following action in the Council Plan:

- Consolidate and strengthen advocacy through evidence and stronger relationships to ensure other levels of government are effectively and efficiently engaged to support local services and programs.

## **RELEVANT LAW**

Not applicable.

## **SUSTAINABILITY IMPLICATIONS**

### ***Economic Implications***

Motion 1 seeks to increase support for emergency relief services that are facing challenges due to increasing demand amidst the cost-of-living crisis, and increased compliance requirements alongside limited resourcing and service cost pressures. If additional funding support were provided, services would be more financially sustainable and better able to meet the needs of communities through challenging economic conditions.

With councils operating under constrained financial environments, it is critical that council resources are used as efficiently as possible. As such, Motion 2 seeks to address external pressures that are being deliberately applied by some cohorts of the public with the intent of overwhelming resources and disrupting council business.

### ***Social Implications***

Economic pressures and climatic events are increasingly driving people to leave their communities, either temporarily or permanently, to access the resources and support they need. Motion 1 seeks to ensure that people have access to emergency relief support within their local communities, and for those services to be well-connected with other local support agencies that can provide tailored support.

### ***Environmental Implications***

Communities across Victoria and in Yarra Ranges are experiencing flooding events that are increasing in frequency with devastating impacts on natural and built environments. Motion 3 directly addresses these environmental challenges, and the need to plan effectively and invest urgently to mitigate flood impacts and drainage issues, and adapt to a changing climate.

## **COMMUNITY ENGAGEMENT**

As the submission of motions to State Council is operational in nature and presents no change to Council's strategic direction, community engagement was not undertaken on this matter.

An internal process has been undertaken with Officers and Councillors to identify potential motions for submission. The proposed motions must support Council's existing strategies and Council Plan, which have been developed through community consultation and deliberative engagement processes.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

All three motions build on policy and advocacy efforts that Council and the MAV have undertaken in recent years to:

- ensure appropriate levels of support are available to communities through emergencies.
- address targeted campaigns that seek to disrupt the workings of councils.
- improve planning and strengthen investment in climate-resilient infrastructure.

## **RISK ASSESSMENT**

There are no significant environmental, social or economic risks arising from the recommendations in this report.

If adopted by the MAV, Motion 1 would contribute to mitigating Strategic Risk 36: Inadequate planning and resourcing to ensure continued delivery of business as usual services following a major event impacting our community.

If adopted by the MAV, Motion 2 would contribute to mitigating Strategic Risk 28: Organisation leadership fails to create a culture that ensures people are protected and supported, which leads to workforce performance and safety being compromised.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## **ATTACHMENTS TO THE REPORT**

Nil