

MUNICIPAL ASSOCIATION OF VICTORIA - STATE COUNCIL MOTION

Report Author: Manager - Strategy & Transformation
Responsible Officer: Chief Executive Officer
Ward(s) affected: (All Wards);

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 be holding its State Council Meeting on Friday 19 May 2023. State Council is the MAV's governing body and comprises representatives from each member council, with one of its roles being to determine the strategic direction for the MAV.

Member councils are invited to put forward motions for consideration at the State Council Meeting in accordance with the criteria set by the MAV.

Council is asked to consider the motion included in the recommendation of this report and, if supportive of it, endorse the motion for submission.

RECOMMENDATION

That Council endorse the following motion to be submitted for consideration at the MAV State Council Meeting on 19 May 2023;

- 1. That the MAV call on the Victorian Government to actively work with the local government sector and other relevant stakeholders to:***
 - (a) develop state-wide measures that support councils to manage and prevent disruptive and unsafe behaviour, particularly at council meetings.***
 - (b) coordinate a response to the expanding and increasingly aggressive cohort in the community that have been targeting local councils in recent months.***

RELATED COUNCIL DECISIONS

[Council Meeting, 14 March 2023: Municipal Association of Victoria – State Council Meeting](#) – endorsement of two motions to be submitted to MAV ahead of the State Council meeting to be held on May 19 2023.

DISCUSSION

Purpose and Background

MAV State Council meets twice a year, or more if needed, and is the MAV's governing body. It is made up of representatives from each member council and its powers include:

- determining the Rules of the Association;
- electing the president and other members of the Board;
- determining the strategic direction; and
- appointing the auditor.

When submitting a motion, Council is required to identify whether the motion is supported by a council resolution and whether the subject matter of the motion:

- has state-wide significance to the sector;
- relates to one of the sector's priority issues in the MAV's Strategic Plan; and
- not be identical or substantially similar to a motion submitted to State Council at any of the previous four State Council meetings

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

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, or variations to, existing policy directions.

Council has submitted two motions for consideration at the State Council meeting to be held on May 19. This additional motion has been prepared following the recent disruptive behaviour from the public gallery at Yarra Ranges Council and at other Council meetings across Victoria.

The rationale for the motion is set out below.

<p>Motion:</p>	<p>That the MAV call on the Victorian Government to actively work with the local government sector and other relevant stakeholders to:</p> <ul style="list-style-type: none"> • develop state-wide measures that support councils to manage and prevent disruptive and unsafe behaviour, particularly at council meetings. • coordinate a response to the expanding and increasingly aggressive cohort in the community that have been targeting local councils in recent months.
<p>Rationale:</p>	<p>Historically, the inclusion of public galleries at Council meetings have provided a valuable opportunity for community members to engage with Council in a face-to-face setting. It has been a key tenet of Councils' commitment to facilitating a transparent, accountable and democratic environment.</p> <p>However, in recent months, there has been a consistent and escalating pattern of verbal abuse, intimidation, anti-social and obstructionist behaviour demonstrated by some members of the public gallery during council meetings in Yarra Ranges and at a growing number of other councils. This behaviour has also been evident at public consultations on matters such as Urban Design Frameworks.</p> <p>In recognising the legal obligation to provide a safe workplace, and to ensure that Council meetings are a safe place for all in attendance, Yarra Ranges Council has explored a range of options to manage this risk. Recently, Yarra Ranges made the difficult decision to close its public gallery until further notice.</p> <p>This change has been necessary to uphold health and safety, and to maintain the integrity of Council business transacted during those meetings. Yarra Ranges Council continues to livestream its meetings and invite community participation via a digital format.</p> <p>Yarra Ranges Council recognises that it is not alone in facing these challenges. Even if an effective response is achieved locally, the disruptive and aggressive cohorts are likely to redirect their focus to another council. In effect, this would only shift the problem across municipal boundaries.</p>

	<p>Yarra Ranges Council is committed to reopening the doors to the public gallery once again but can only do so with increased support and/or a coordinated sector-wide response to ensure the safety of staff, Councillors and the broader community in Yarra Ranges and all Victorian municipalities.</p> <p>As such, we seek to work with the local government sector, the MAV and State Government to develop a state-wide response to the growing concerns around an expanding and escalating pattern of disruptive and unsafe behaviours being directed at councils, particularly at public council meetings.</p>
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FINANCIAL ANALYSIS

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

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan: Connected and Healthy Communities; Quality Infrastructure and Liveable Places; Protected and Enhanced Natural Environment; Vibrant Economy, Agriculture and Tourism; High Performing Organisation.

RELEVANT LAW

Not applicable.

SUSTAINABILITY IMPLICATIONS

Economic Implications

There are no direct economic impacts arising from the recommendations in this report.

Social Implications

There are no direct social impacts arising from the recommendations in this report.

Environmental Implications

There are no direct environmental impacts arising from the recommendations in this report.

COMMUNITY ENGAGEMENT

As the submission of motions to State Council is operational in nature and presents to 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 motion for submission that support Council's existing strategies, which have been developed through community consultation and deliberative engagement processes.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Council officers have liaised with the MAV to confirm that a late submission would be accepted for consideration at State Council.

Council officers have also liaised with governance officers at other Councils that have experienced similar issues of disruptive and aggressive behaviour at Council meetings and are confident that the motion will be supported by those Councils.

RISK ASSESSMENT

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

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