

MY PLACE

Yarra Valley

Media Release

On 18 April 2023, the Yarra Ranges Shire locked out residents of the Yarra Ranges from future council meetings, moving them to online meetings until further notice.

Despite security guards being present on that evening, and no evidence of any abuse or threats, no one, including the media, have demanded evidence from the Mayor, Jim Child (“the Mayor”) to justify his decision. The Mayor, labelled the purported antagonists, conspiracy theorists even going further, calling them anti-vaxxers and holocaust deniers.

The Yarra Ranges Council (“Council”) is justifying its decisions on “perceived” threats to their safety. They have not had to prove nor validate or verify any accusation, simply cite “safety” as the reason for breaching the human rights of residents...

Deeply insulted by the Mayor’s unsubstantiated accusations as well as the councils actions and decisions, the community have responded by “democratically” submitting an application to the Supreme Court which was filed and lodged on 13 June 2023. The council have since responded by filing a Notice of Appearance on 19 June 2023.

We are now waiting on a hearing date.

In reference to the originating motion lodged by the Yarra Valley Community, the parties to the motion are requesting the following orders be made upon Council by the Court:

1. Extension of the consultation period relating to the Monbulk and Warburton Urban Design Framework for 12 months to provide further and better consultation with the community.
2. Re-opening of the public Gallery immediately which is a fundamental Human Right afforded to all Victorians under s18 of the Charter of Human Rights and Responsibilities Act 2006.
3. Confirmation from the court that that Councils governance policy, denying the public’s right to film council proceedings, is in inconsistent with the principle outcomes of *Kyriazis v County Court of Victoria (no2) [2017] VSC 646*, thereby allowing residents to film the council meetings moving forward without threat of meeting closures.
4. Defining the role of the Council within the parameters of the Local Government Act.
5. Seeking confirmation on whether State and Local Governments can engage and adopt United Nations Policies when they have no international personality to engage with international persons. This is based on the 1975 High Court decision of *New South Wales v The Commonwealth (1975) 135 CLR 3376*

In addition, individuals who are members of My Place may look to putting in a formal complaint against the Mayor for breaching the councillor code of conduct namely s8.4(b) which states that no councillor should make derogatory, offensive or insulting statements about an person.

We will keep you abreast of further updates as they happen but if you have any questions relating to the case, please email dar149@proton.me.