



**13.6** **MOTION OF MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING 2022**

**EXECUTIVE MEMBER:** **KYLIE BENNETTS, GENERAL MANAGER, CITY GROWTH AND DEVELOPMENT**

**PREPARED BY:** **JAMES GULLAN, STRATEGIC PARTNERSHIPS ADVISOR**  
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**1. PURPOSE**

1.1 To seek Council's formal ratification of submission of motions for consideration at the Municipal Association of Victoria (MAV) State Council Meeting.

**2. EXECUTIVE SUMMARY**

2.1 The Municipal Association of Victoria (MAV) State Council Meeting will be held on Friday 24 June 2022.

2.2 Motions from member councils on issues of state-wide significance to local government are due by midnight on Friday 27 May 2022.

**Proposed Motion 1: Maintenance of Department of Transport Assets**

2.3 This report recommends a motion for the MAV to advocate to the State Government to invest additional resources in the maintenance of Department of Transport (DoT) assets.

**Proposed Motion 2: Adequate provision of open space for Government schools**

2.4 This report recommends a motion for the MAV to advocate to the State Government that they provide adequate open space for Government schools, or work with councils to ensure an agreement is in place regarding the use of council-managed open space prior to the delivery of Government schools.

**3. RECOMMENDATION**

That Council:

3.1 Submit the following motions for consideration at the MAV State Council Meeting on 24 June 2022:

3.1.1 that the MAV advocate to the State Government to invest additional resources for the maintenance of Department of Transport (DoT) assets.

3.1.2 that the MAV advocate to the State Government that they provide adequate open space for Government schools, or work with councils to ensure an agreement is in place regarding the use of council-managed public open space prior to the delivery of Government schools.



#### 4. KEY POINTS/ISSUES

##### About MAV/State Council Meeting

- 4.1 The Municipal Association of Victoria (MAV) is a membership association and the legislated peak body for local government in Victoria.
- 4.2 The MAV offers diverse business services to council members including specialist policy and advocacy, governance and legislative advice, sector development, insurance, and procurement services.
- 4.3 The MAV Strategy 2021-25, adopted at the May 2021 State Council meeting, identifies six MAV Strategic Outcomes:
  - Economically sound councils
  - Healthy, diverse and thriving communities
  - Well-planned, connected and resilient built environment
  - Changing climate and a circular economy
  - Sector capability and good governance
  - Effective and responsive MAV.
- 4.4 The City of Port Phillip is a member of the MAV and Council is represented by Cr Tim Baxter.
- 4.5 The MAV will be holding its Annual State Council Meeting on 24 June 2022.
- 4.6 Each council is allocated two seats on the floor of State Council. Motions are being sought from member Councils on issues of state-wide significance to local government.

##### Requirements for Submission:

- 4.7 Motions must be submitted online by 27 May 2022 using the State Council Motion Submission Form.
- 4.8 The form is in a 'survey' format and requires that councils identify whether the motion is supported by a council resolution and whether the subject matter of the motion:
  - 4.8.1 has state-wide significance to the sector
  - 4.8.2 relates to one of the sector's priority issues in the MAV Strategy 2021-25
  - 4.8.3 is identical or substantially similar to a motion submitted to State Council in May 2021, October 2019, May 2019 or October 2018.
- 4.9 Motions initially assessed as 'not of state-wide significance' will be referred to the submitting council's designated representative (Primary or Secondary Contact), then reviewed by the MAV CEO, and finally by the MAV Board, who determine whether the motion is submitted for State Council consideration.
- 4.10 Submitters may amend their motions up to three weeks before the State Council meeting.

##### Proposed Motion 1: Maintenance of Department of Transport Assets

- 4.11 Council receives complaints and feedback that the Department of Transport's (DoT) maintenance regime for DoT assets does not always meet community expectations.

Background:



- 4.12 The City of Port Phillip and some other councils have had maintenance agreements with DoT to maintain DoT assets including street sweeping, drainage clearing, tree maintenance, weed spraying and mowing.
- 4.13 After conducting a budget review of the costs and funding of services, the City of Port Phillip found a significant imbalance, whereby the City of Port Phillip was providing \$492,000 of maintenance and receiving \$94,000 from DoT.
- 4.14 Neighbouring councils noted a similar disparity. For example, together the cities of Port Phillip, Stonnington and Yarra provided over \$1.2 million in services on DoT assets annually for which councils collectively received \$165,000 from DoT.
- 4.15 After repeated unsuccessful attempts with DoT to resolve the issue, the City of Port Phillip terminated its maintenance agreement in 2021 effective April 2022.
- 4.16 Council has received complaints about the amenity impacts including the extent of grass growing on median strips on key thoroughfares, bike lanes being un-swept, the absence of regular sweeping of key shopping strips and drains being blocked for periods of time risking flooding.
- 4.17 While DoT is aware of the issue, officers understand that budgetary constraints have resulted in DoT being unable to maintain these assets at the requisite level or properly remunerate councils for the work they undertake.
- 4.18 Other councils have reported similar issues relating to VicTrack assets.
- 4.19 In response, this report proposes a motion for MAV to advocate to State Government to invest additional resources in the maintenance of DoT assets.
- 4.20 There is a small risk that the motion may not be accepted by the MAV as it is similar to the 2021 Stonnington motion requesting that the MAV advocate for responsive maintenance/management for state owned assets, including graffiti management.
- 4.21 The proposal could be added to the MAV Transport Advocacy plan 'Locals Know What Locals Need' campaign.
- 4.22 Should MAV adopt this motion and successfully advocate on the issue, additional funding would allow the Victorian Government to either adequately remunerate Councils for the work they undertake or permit state departments to look after their own assets. This would improve the amenity of impacted areas, decrease any safety risks (and liability), and complement Council efforts to support local businesses and attract visitors.

**Proposed Motion 2: Adequate provision of open space for Government schools**

- 4.23 Schools are seeking access to Council managed public open spaces in close proximity to the school for use by school students. This has impacted on other community uses and has repair and maintenance cost implications for Council.

Background:

- 4.24 Population growth, increasing urban density and limited land availability has seen demand for use of our public open spaces grow.
- 4.25 The Department of Education and Training (DET) is constructing schools, sometimes with limited open space for students on school premises. In these circumstances, school students use surrounding council managed open space for sport and recreation.



- 4.26 In the *Council Plan 2021 – 2031*, Council has committed to advocating to the Victorian Government to ensure it provides adequate provision of open space for Government schools to support the health and wellbeing of the young people of our City.
- 4.27 Council's new Places for People: Public Space Strategy 2022-32 includes a short-term (2022-25) priority action to 'prepare a guideline to support school use of public open space, whilst maintaining access and equity for all public space users'. Additionally, the strategy includes a medium-term (2026-29) priority action to 'advocate to the Department of Education for funding for additional open space to support new schools, particularly vertical schools; and to facilitate the use of school facilities (for example ovals and outdoor multi-purpose courts) outside of school hours.

## 5. CONSULTATION AND STAKEHOLDERS

### Proposed Motion 1: Maintenance of Department of Transport Assets

- 5.1 Council officers have been working with neighbouring councils on this issue. For example,
  - 5.1.1 in 2021, Council officers and officers from other Councils met DoT representatives.
  - 5.1.2 In August 2021, the Mayor, co-wrote a letter with the mayors of Stonnington and Yarra on the issue to the Minister for Roads and Road Safety, Ben Carroll.
  - 5.1.3 In November 2021, the Mayor, wrote to the Treasurer requesting additional funding be allocated to address the issue in the 2022 State Budget.

### Proposed Motion 2: Adequate provision of open space for Government schools

- 5.2 Council officers will soon commence engagement with the DET on this issue.

## 6. LEGAL AND RISK IMPLICATIONS

- 6.1 The notices of motion proposed are consistent with Council's role and powers as set out in the Local Government Act 2020 (Part 2- Division 1).

## 7. FINANCIAL IMPACT

- 7.1 There are no direct financial impacts to Council arising from the recommendation in this report.

## 8. ENVIRONMENTAL IMPACT

- 8.1 There are no direct environmental impacts to Council arising from this report.

## 9. COMMUNITY IMPACT

- 9.1 There are no direct community impacts to Council arising from this report.

## 10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

### Proposed Motion 1: Maintenance of Department of Transport Assets

- 10.1 The proposal aligns with Council's Well-Governed Port Phillip Strategic Direction: A City that is a leading local government authority, where our community and our organisation are in a better place as a result of our collective efforts.

We will provide:

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- prudent financial management and stewardship of Council's finances and resources and ensure the legislative compliance and financial sustainability of Council

We will facilitate and advocate for:

- a reduction in cost shifting from the Australian and Victorian Governments to local government in collaboration with other inner metropolitan Melbourne councils
- other levels of government to recognise and be mindful of the impact on local government when making policy and legislative changes
- other levels of government and the private sector to co-ordinate and remedy any impacts to public infrastructure of works they undertake.

### **Proposed Motion 2: Adequate provision of open space for Government schools**

- 10.2 The proposal aligns with Council's Liveable Port Phillip Strategic Direction: A City that is a great place to live, where our community has access to high quality public spaces, development and growth are well-managed, and it is safer and easy to connect and travel within.

We will provide:

- access to upgraded, expanded and well maintained public and outdoor spaces for people of all ages and abilities to visit, in line with our 10- year Public Space Strategy (once adopted by Council), prioritised within available budgets each year

We will facilitate and advocate for:

- the best possible public space outcomes that support community health and wellbeing, through infrastructure projects undertaken in our City by other levels of government and stakeholders

## **11. IMPLEMENTATION STRATEGY**

### **11.1 TIMELINE**

11.1.1 Proposed motions to be submitted by midnight on Friday 27 May 2022.

11.1.2 Accepted motions will be circulated to member councils and discussed at the MAV State Council Meeting on Friday 24 June 2022

### **11.2 COMMUNICATION**

11.2.1 Should proposed motions be endorsed by Council, Council officers will engage neighbouring councils (Stonnington and Yarra) to advise them of the proposal.

## **12. OFFICER DIRECT OR INDIRECT INTEREST**

12.1 No officers involved in the preparation of this report have any material or general interest in the matter.

## **ATTACHMENTS**

Nil