



13.2 MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL -
OCTOBER 2023 - SUBMISSIONS

EXECUTIVE MEMBER: BRIAN TEE, GENERAL MANAGER, CITY GROWTH AND
DEVELOPMENT

PREPARED BY: CHRISTOPHER BRAYNE, COORDINATOR ADVOCACY &
PARTNERSHIP

SAMUEL YEO, GRANTS AND PARTNERSHIPS ADVISOR

1. PURPOSE

1.1 To seek Council's 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 13 October 2023.

2.2 Motions from member councils on issues of state-wide significance to local government are due by midnight on Monday 14 August 2023.

2.3 This report recommends two motions for the MAV to advocate regarding compliance framework uniformity for Victorian Councils and open space in for example Fishermans Bend.

3. RECOMMENDATION

That Council:

3.1 Submits the following motions for consideration at the MAV State Council Meeting on 13 October 2023:

3.1.1 That the MAV:

a) Leads a coordinated approach to development of a regulatory and compliance framework and technology to support Victorian councils to effectively respond to their extensive and diverse legislative compliance requirements in an efficient manner.

b) Considers previous examples, such as Queensland, in the development of such a framework.

3.1.2 That the MAV:

a) Notes that open space is critical to ensure liveable, healthy and thriving communities and notes ongoing concerns regarding the failure to provide open space in developing areas like Fishermans Bend;

b) Advocates that the State Government prioritise delivery of open space, including by working with Councils to develop and deliver open space strategies.



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 Robbie Nyaguy
- 4.5 The MAV will be holding its Annual State Council Meeting on 13 October 2023.
- 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 14 August 2023 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 October 2022 or May 2023 and, if so, provide a rationale for the duplication.
- 4.9 Motions initially assessed as 'not of state-wide significance' will be referred to the submitting council's designated representative, 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.

Background:

Motion #1: Council Compliance Framework uniformity in Victoria

- 4.11 Every year, Victorian councils are required to comply with many legislative requirements alongside changes to various regulations, government policies and guidelines and internal standards.



- 4.12 Under the Local Government Act 2020, the Audit & Risk Committee have a responsibility to monitor the compliance of Council policies and procedures with the overarching governance principles, the Act and the regulations and any Ministerial directions and any other relevant laws and regulations.
- 4.13 Currently, there is no Victorian State guidance from the MAV for Councils setting up a Local Government Compliance Framework. An agreed legislative compliance approach would enable all Victorian Councils to promptly identify issues, manage risk and assure accountability. Effective legislative compliance supports good decision-making and is driven by a compliance culture with controls across key compliance focus areas. The Local Government Association of Queensland has provided guidance for Councils through a Legislation Compliance Service. This motion requests that the MAV develop a similar approach.

Motion #2: Open Space within Metropolitan Melbourne

- 4.14 Well planned, healthy and thriving communities requires access to sufficient and fit for purpose Open Space. Properly planned open space offers economic benefits for traders, social benefits for dog walkers and families, health and wellbeing benefits for sports players and runners and environmental benefits for our community.
- 4.15 As areas of our state develop and our population continues to grow, the delivery of open space must be a key priority for the State Government.
- 4.16 In areas of rapid development like Fishermans Bend, the State Government is not delivering on its public commitments to deliver open space.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 These issues have been raised at meetings with the State Government.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 The notice of motion proposed is 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 If the State Government does not deliver open space there will be increased costs associated with maintaining Council's existing open space due to increased usage and there may be an expectation that Council fund the delivery of additional open space.

8. ENVIRONMENTAL IMPACT

- 8.1 The provision of open space will have a direct environmental benefit.

9. COMMUNITY IMPACT

- 9.1 The provision of open space directly contributes to healthier communities.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 The proposal aligns with Council's Well-Governed Port Phillip service 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.

10.1.1 We will facilitate and advocate for:

- Other levels of government to recognise and be mindful of the impact on local government when making policy and legislative changes.

MEETING OF THE PORT PHILLIP CITY COUNCIL 2 AUGUST 2023



11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

11.1.1 Proposed motions to be submitted by midnight on 14 August 2023

11.1.2 Accepted motions will be circulated to member councils on Wednesday 13 September 2023 and discussed at the MAV State Council Meeting on Friday 13 October 2023 ahead of a vote from all Council representatives present.

11.2 COMMUNICATION

11.2.1 Councillors will be advised of the outcome of the MAV State Council Meeting.

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