

MUNICIPAL ASSOCIATION OF VICTORIA - STATE COUNCIL MEETING

Report Author: Advocacy & Government Relationship Advisor
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 endorse the motions to be submitted for consideration.

RECOMMENDATION

That Council endorse the following motions 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:***
 - (a) Provide support and funding to Councils to ensure that changes to legislation and regulation can be adequately implemented, as well as funding administrative overheads incurred in the management of State Government systems.***
 - (b) Subsidise the cost to implement and administer state-wide technology platforms including FoodTrader.***
 - (c) Engage with and provide training to Local Government prior to the implementation of amendments or new legislation impacting the Environmental Health sector.***
 - (d) Commit to an education recruitment program and support universities to undertake Industry Based Learning (IBL) to attract further education seekers to the fields of Health Sciences and Environmental Health.***

- (e) ***Encourage and support universities to implement IBL and workforce placements with Council to combat the current skills shortage.***

2. That the MAV call on the Victorian State Government to:

- (a) ***Increase support and funding for university placements for Urban and Regional Town Planners and introduce traineeships and short course certificates for entry-level planners / candidates with existing tertiary qualifications to commence working in the sector.***
- (b) ***Release qualified planners from State Government roles to enable recruitment of qualified planners into Local Government positions.***
- (c) ***Finalise and release the various planning reforms currently being developed to improve the operational efficiency of the Local Government sector to deliver more efficient planning decisions in a timely manner.***
- (d) ***Review the statutory timeframes outlined in the Planning and Environment Act 1987 to better differentiate between simple, moderate and complex planning matters.***

RELATED COUNCIL DECISIONS

There are no related Council decisions relevant to this item.

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; and
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.

The MAV are calling for councils to submit motions on matters by no later than midnight on Friday 14 October.

Options considered

Council has considered various issues that are impacting on the organisation that may be suitable for advocacy through MAV State Council, including issues related to recovery from the pandemic and storm events, and various barriers to Council achieving its Key Strategic Objectives.

Recommended option and justification

The motions presented to Council for endorsement have been identified and developed by Council officers, with support from the Executive Leadership Team. Of the issues currently impacting Council, these issues are determined to be appropriately matched to the advocacy opportunity presented by State Council, in terms of both timing and MAV's submission criteria.

The rationale for each motion is set out below.

<i>Support for the Public and Environmental Health sector</i>	
Motion:	That the MAV call on the Victorian Government to: <ul style="list-style-type: none"> • Provide support and funding to Councils to ensure that changes to public and environmental health legislation and regulation can be adequately implemented, as well as funding administrative

	<p>overheads incurred in the management of State Government systems;</p> <ul style="list-style-type: none"> • Subsidise the cost to implement and administer state-wide technology platforms including FoodTrader; • Engage with and provide training to Local Government prior to the implementation of amendments or new legislation impacting the Environmental Health sector; • Commit to an education recruitment program and support universities to undertake Industry Based Learning (IBL) to attract further education seekers to the fields of Health Sciences and Environmental Health; and • Encourage and support universities to implement IBL and workforce placements with Council to combat the current skills shortage.
<p>Rationale:</p>	<p>The Victorian Government has made significant amendments to legislation and regulations over the past 24 months, which directly impact the Public & Environmental Health services delivered by Local Government. However, there has been limited support and no funding provided to accommodate the education and resourcing of the implementation of such significant changes, to ensure Environmental Health Officers interpret, apply and enforce new legislation consistently, fairly and as intended by the legislation. Further to this, the administrative burden of significant legislative changes has created compounding impact to the provision of services, creating confusion and unnecessary risk to communities.</p> <p>The changes also impact the ability of Councils to recruit staff experienced and/or knowledgeable in these legislative areas. As such, there has also been a decrease in qualified candidates applying for Environmental Health Officer (EHO) positions. IBL programs have been an effective way of addressing these recruitment issues in the past.</p> <p>Changes include but are not limited to:</p> <ul style="list-style-type: none"> • New Environment Protection Act 2017 (implemented 2021); • Amendments to Environment Protection Act 2017; • New Council toolkit for Environment Protection Act 2017; • New regulations for aquatic facility (inspections and sampling) under Public Health and Wellbeing Act 2008 (implemented 2020); • Special Gazette for registration of seasonal worker accommodation under Public Health and Wellbeing Act 2008 (implemented 2022); • New Public Health Wellbeing (Prescribed Accommodation)

	<p>Regulations 2020;</p> <ul style="list-style-type: none"> • New Public Health Wellbeing Regulations 2019; • New Residential Tenancies Regulations 2021; • Amendment to Tobacco Act 1987; • Amendment to Food Act 1984 including new classifications and requirements for all registered premises including the new registration requirement for all family day cares as a class 4 notification (implemented 2022); • New Local Government Act 2020; • Primesafe changes requiring certain premises to now register under Food Act 1984 with Council (implemented November 2022); and • New Food Standards Code 3.2.2A (to be implemented December 2023)
<p><i>Critical sector-wide skill shortage in Statutory and Strategic Town Planning specialists</i></p>	
<p>Motion:</p>	<p>That the MAV call on the Victorian State Government to:</p> <ul style="list-style-type: none"> • Increase support and funding for university placements for Urban and Regional Town Planners and introduce traineeships and short course certificates for entry-level planners / candidates with existing tertiary qualifications to commence working in the sector; • Release qualified planners from State Government roles to enable recruitment of qualified planners into Local Government positions; • Finalise and release the various planning reforms currently being developed to improve the operational efficiency of the Local Government sector to deliver more efficient planning decisions in a timely manner; and • Review the statutory timeframes outlined in the Planning and Environment Act 1987 to better differentiate between simple, moderate and complex planning matters.
<p>Rationale:</p>	<p>Town Planners in statutory and strategic planning are highly qualified professionals with diverse employment opportunities across the private and public sector.</p> <p>Over the past five years, there's been a noticeable decline in the numbers of candidates applying for planning positions in Local Government, creating delays in planning decisions across most LGAs.</p>

	<p>The consequences are delays for construction commencements, frustration for owners and applicants, and broader community dissatisfaction and scepticism of the effectiveness of the planning framework to deliver good outcomes.</p> <p>A 2022 SGS report identified that 71% of responding Victorian LGAs have a critical shortage of Town Planners. Forward projections anticipate continued decline in qualified planners available for recruitment at all levels, in all disciplines.</p> <p>In response to the skill gap shortage, Councils are recruiting under-qualified professionals from other sectors into entry level positions. Whilst these professionals may have some of the attributes required, the service delivery quality is compromised as their specialist technical planning knowledge is inadequate, as is the capacity to efficiently understand, assess and respond to complex planning matters. Sector benchmarking reveals significant remuneration discrepancies between State and Local Planning roles.</p> <p>Delivery timeframes of planning outcomes are substantially compromised by current vacancy rates, which are up to 33% of the Yarra Ranges workforce, and anecdotally even higher across Victoria, particularly in regional and rural areas.</p> <p>Service delivery quality is deteriorating, as officer workloads continue to demand higher quantity output at the expense of quality. Planners must become more technically specialised in an increasingly complex array of disciplines, including climate change, flooding, bushfire, housing shortages, landslip, amenity, and traffic congestion.</p> <p>The increasing complexity of state, local and particular provisions of planning schemes, under an Act with timeframes that have largely remained the same since its inception, results in an under-resourced workforce, with unachievable community expectations, and an unsustainable workload. This results in increased VCAT appeals, further increasing workloads.</p> <p>If the sector cannot achieve an increase in real numbers of qualified town planners in the short- to medium-term, the long-term economic, social and environmental impact will result in the planning system continuing to be compromised or potentially collapse completely.</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

No collaboration with other Councils, Governments or statutory bodies was sought in developing the motions for submission. Council will engage with other Councils through the State Council process to seek endorsement of motions submitted by Yarra Ranges Council, and to consider and debate motions submitted by other 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