

## MAV 2021-22 Rules Review - Directions Paper Submissions

## Rules affecting the Office of the President

**Question Title****Nominating for President**

The preferred option is to retain current arrangements and require councillors nominating for the office of MAV President to be the nominated MAV representative of their Council. Please indicate:

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

**Question Title**

Please include any comments about this option.

**The President's term in office**

The preferred option is to continue two year presidential terms in office but to change the MAV Rules to require member Councils to commit to two year memberships, payable in two annual instalments. Please indicate:

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

**Question Title**

Please include any comments about this option.

**The President's tenure**

The preferred option is to change MAV Rules to cap the tenure of a MAV President at four consecutive two year terms. Please indicate:

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

**Question Title**

Please include any comments about this option.

## Rules affecting the MAV Board

### Question Title

#### Electing a Board

**Option 1.** Maintain an equal number of regional groupings of rural and metropolitan Councils for the purpose of electing MAV representatives to the MAV Board.

**Option 2.** Maintain an equal number of Board members from rural and metropolitan members, and conduct “at large” elections, using a proportional representation electoral model in the metropolitan area and maintain regional groupings for regional and rural Victoria.

Please indicate:

- ☒ I only support option 1.
- ☐ I only support option 2.
- ☐ I support both option 1 and option 2.
- ☐ I am unsure about these options.

### Question Title

Please include any comments about this option.

#### Size of the Board

The preferred option is to reduce the number of elected Board members from 12 to 10 (not including the President). Please indicate:

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

### Question Title

Please include any comments about this option.

#### Term and tenure of Board members

The preferred option is

- Two year Board terms, capped at four (4) consecutive terms.
- Board members who are no longer their Council’s MAV representative may complete their term of office.
- Councils be encouraged to reappoint their MAV representative when that representative has been elected to the Board.

Please indicate:

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

**Question Title**

Please include any comments about this option.

**Interim Board arrangements.**

The preferred option is:

- The concept of an Interim Board be abolished.
- The concept of a “significant decision”, as defined in the current MAV Rules be abolished and such matters be resolved by a simple majority vote.
- In the event that the Immediate Past President is no longer a Councillor, the MAV President, for the period between local government General Elections being declared and the MAV Presidential elections should be the Immediate Past Deputy President from the same general grouping of the Immediate Past President (Metropolitan or Rural) and if that Immediate Past Deputy President was no longer a Councillor, the other Immediate Past Deputy President would be appointed as President. If both Immediate Past Deputy Presidents were no longer a Councillor, the Board would elect a President from the remaining members of the Board.
- MAV Rules be amended to make suitable provisions for securing a Board quorum in the event that fewer than a quorum of members of the Board, who were in office immediately prior to the Council General Elections, have been re-elected as Councillors or have not resigned their positions as MAV President or Board members.



I support this option.



I do not support this option.



I am unsure about this option.

**Question Title**

Please include any comments about this option.

## Rules affecting State Council

### Question Title

#### State Council making Policy

The preferred option is to make changes to MAV Rules which:

#### **Empower the MAV Board to ensure that member proposals for State Council:**

- Are of state-wide significance to local government.
- Respond to important emerging issues which require the MAV to have clearly adopted positions.
- Have a significant and clear connection with the adopted MAV Strategy.
- Are reviewed by the MAV Board and consolidated, amended or modified when broadly dealing with similar subject matter to other member proposals.
- Require member Councils to provide notice of member proposals not less than 60 days before the meeting.
- Require the MAV to provide member Councils with the agenda for State Council meetings not less than 30 days before the meeting.

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

### Question Title

Please include any comments about this option.

Empower the MAV Board to place Board motions on the agenda of State Council meetings.

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

### Question Title

Please include any comments about this option.

#### **Plural or weighted voting.**

The preferred option is to abolish plural voting.

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

**Question Title**

Please include any comments about this option.

**High standards of ethical behaviour**

The preferred option is for MAV Rules changes to prescribe how members of State Council will declare and manage conflicts of interest and to require the establishment and operation of a MAV Audit and Risk Committee.

- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

**Question Title**

Please include any comments about this option.

**Councils discontinuing their MAV financial membership**

The preferred option in relation to Councils who wish to discontinue their financial membership of the MAV is:

- To require six months' notice of that decision to be provided, and
  - To retain MAV Rules that exclude a non-participating Council member from the services or functions of the MAV except where the MAV CEO has agreed to provide selected services under special fee-for-service arrangements.
- ☒ I support this option.
- ☐ I do not support this option.
- ☐ I am unsure about this option.

**Question Title**

Please include any comments about this option.

## 9.4 MUNICIPAL ASSOCIATION OF VICTORIA 2021-2022 RULES REVIEW

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**Officer Conflict of Interest**

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

**Reason:** Nil

**Status**

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

**Reason:** Nil

**Appendix**

MAV 2021-22 Rules Review – Direction Paper Submission (**Appendix 9.4A**)

**Purpose**

To endorse the submission to Municipal Association of Victoria.

**Summary**

- The Municipal Association of Victoria (MAV) have sought submissions from Councils for the MAV 2021-22 Rules Review
- Written submissions, in response to the Directions Paper, are requested by close of business on Monday 30 May 2022

**Recommendation**

That Council endorse the submission to Municipal Association of Victoria (**Appendix 9.4A**).

**Council Resolution**

**MOVED Cr Di Bell, Seconded Cr Penny Flynn**

That Council endorse the submission to Municipal Association of Victoria (**Appendix 9.4A**).

CARRIED

## REPORT

### Background

The Municipal Association of Victoria (MAV) Rules are the foundation of the MAV's governance framework. The existing Rules have been in place for many years and were last amended in 2013. As the peak body for local government in Victoria, MAV is undertaking a comprehensive review of its Rules to ensure that it is best placed to support the sector now and into the future.

### Discussion

Following discussion with the Councillors, the Mayor, Cr Gulline has completed the survey submission as attached in **Appendix 9.4A**.

Written submissions, in response to the Directions Paper are to be lodged by close of business on Monday 30 May 2022.

### Options to Consider

Not applicable

### Sustainability Implications

Not applicable

### Community Engagement

Not applicable

### Innovation and Continuous Improvement

Not applicable

### Financial Implications

Not applicable.

### Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 5 – Leadership

### Risk Implications

Not applicable.

### Conclusion

That Council endorse the Horsham Rural City Council's MAV 2021-2022 Rules Review submission.