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Submission in response to the Municipal Association of Victoria Rules Review - Direction Paper 2021-22

Area of rules	Direction paper advice & options	Council's position
Nominating for president	Directions paper preferred option to retain current arrangements and require councillors nominating for the office of MAV president to be the nominated MAV representative of their council	<p>Support</p> <p>The MAV President's role is critical to the success of the MAV. The current practice of nominating for office as the current nominated representative is the most logical approach.</p>
President's term in office	Directions paper preferred option is to continue two year terms in office but require MAV rules to require member councils to commit to two year memberships payable in two annual instalments	<p>Support</p> <p>The current Presidential term is two years and should be retained.</p>
President's tenure	Directions paper preferred option is to change MAV rules and to cap the tenure of a MAV president at four (4) consecutive two (2) year terms.	<p>Support</p> <p>A cap on the number of consecutive terms is not currently provided for in the Rules. Restricting a President to a maximum number of consecutive terms would be in the interests of contemporary practice.</p>
Electing a board	<p>Directions paper lists two options:</p> <p>Option 1. Is to maintain an equal number of regional groupings of rural and metropolitan councils for the purpose of electing MAV representatives to the MAV board.</p> <p>Option 2. Is to maintain an equal number of board members from rural and metropolitan members, but to conduct "at large" elections, using a proportional representation electoral model in the metropolitan area whilst maintaining regional groupings amongst regional and rural councils.</p>	<p>Do not support either option.</p> <p>MAV board representation currently has 1 board member representing each of the 6 rural regions, 5 metro regions and 1 interface region. Council is part of the only interface region. This region contains most of the larger Green Wedge areas but it is deficient in that many of the other interface municipalities are excluded. Council strongly believes that the groupings must balance growth with the importance of protecting the significant features and assets found in these areas to ensure ongoing environmental, economic, cultural and health and wellbeing outcomes for our community. The declaration of a climate emergency from many of us requires nothing less.</p> <p>The Victorian State Government composition of Interface Councils includes ten Local Councils. It is with</p>

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		<p>this in mind that Council requests MAV consider creating 2 separate interface region groupings comprising of 5 Councils each. The East Interface Region consisting of Casey, Cardinia, Mornington Peninsula, Nillumbik and Yarra Ranges Councils. The West Interface Region consisting of Whittlesea, Hume, Melton, Mitchell, Wyndham. This would help ensure MAV regional groupings and board representation aligns with State Government Policy.</p> <p>The strength of this suggestion is it ensures a geographic distribution of Board members, greater representation of Green Wedge and growth Councils in the regional groupings and an ability to align the community needs and values of comparable councils. This version of geographic distribution also enables the MAV Board to better understand the important issues all Interface Councils encounter financially, environmentally and economically in the face of unprecedented growth. Council will struggle to adequately deliver what is needed to manage and protect the green wedge and deliver on meaningful climate change action without MAV's continued advocacy and support in the regional groupings of Green Wedge/Growth municipalities.</p> <p>Options 1 and 2 are <u>strongly opposed</u> and would significantly disadvantage Council.</p>
Skills based board members	Directions paper preferred option is to maintain current arrangements whereby members of the MAV board are all elected members.	Support Council supports the retention of the requirement for members of the elected board to be all elected members.
Size of board	Directions paper preferred option is to reduce the number of elected board members from twelve to ten (not including the president).	Not supported Reducing the number of board members will be detrimental to the

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		Board structure and is <u>strongly opposed</u> .
Term and tenure of board members	<p>Directions paper preferred option is:</p> <ul style="list-style-type: none"> • Two (2) 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. 	<p>Support</p> <p>A four-year term for board members is supported to ensure there is the capacity for board members to develop knowledge and experience to benefit the sector.</p> <p>A two-year term is suggested for the role of President.</p> <p>A cap on the number of consecutive terms is not currently provided for in the Rules. Restricting Board members to a maximum number of consecutive terms would be in the interests of contemporary practice.</p>
Interim board arrangements	<p>Directions paper preferred options are:</p> <ul style="list-style-type: none"> • To abolish the concept of an interim board, • To abolish the notion of significant decisions and allow the board to make all decisions on a simple majority vote, and • To provide new rules for that period after the local government general elections and before the MAV elections for president and board which will clarify who would be the president during this period and what would occur in the event that a board quorum didn't result from the council elections process. 	<p>Support</p>
Board performance and accountability	<p>The directions paper preferred option is that MAV rules be changed to require the board to annually undertake a review of board performance and to include the results of such reviews in the MAV's annual report.</p>	<p>Support</p> <p>Supportive of Rule changes to incorporate the requirement for periodic Board performance evaluation.</p>
State council making policy	<p>The directions paper preferred option is to make changes to MAV rules which:</p> <ol style="list-style-type: none"> 1. Empower the MAV board to ensure that member proposals for state council: <ul style="list-style-type: none"> • 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 sixty days before the meeting. 	<p>Support</p>

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	<ul style="list-style-type: none"> Require the MAV to provide member councils with the agenda for state council meetings not less than thirty days before the meeting. <p>2. Empower the MAV board to place board motions on the agenda of state council meetings.</p>	
Plural or weighted voting	Directions paper preferred option is to abolish plural voting.	<p>Support</p> <p>Under the current MAV Rules, “larger” Councils receive two votes on matters before the State Council whereas “smaller” Council’s receive one vote on such matters (plural voting). It is important to note that the election of the President and the Board is not determined by plural voting.</p> <p>Abolishing the plural voting will ensure all Councils regardless of size on are on an equal platform regardless of demographic distribution and membership fees.</p>
Matters for consideration of state council	Directions paper preferred option is to require member councils to submit matters for consideration at meetings of state council and to do so by council resolution.	<p>Support</p> <p>Council agrees that in order to submit matters for the consideration of the MAV, through State Council, and all motions submitted be confirmed by a resolution of the Council.</p>
High standards of ethical behaviour	Directions paper 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.	<p>Support</p> <p>Council agrees that the MAV Rules should require the declaration of State Council member’s conflicts of interest and prescribe how any member’s conflict of interest must be handled.</p>
The discontinuing MAV financial membership	<p>Directions paper preferred option in relation to councils who wish to discontinue their financial membership of the MAV is:</p> <ul style="list-style-type: none"> 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. 	<p>Support</p> <p>Peak organisations often require members to provide reasonable notice of a member’s intention to withdraw from membership. The intention of such notice provides the organisation with time to adjust programs and budgets.</p>