

## 7.2 Municipal Association of Victoria Rules Review Directions Paper

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<b>Department:</b>	Governance
<b>Division:</b>	Strategy and Effectiveness
<b>Attachments:</b>	1. MAV Rules Review Directions Paper [7.2.1 - 24 pages]

**Officer Conflict of Interest:** No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

**Status:** This report and attachments contains no confidential information under section 66(2) of the *Local Government Act 2020*.

### Executive Summary

The Municipal Association of Victoria (MAV) is a state peak organisation representing local Councils and has membership of all 79 Councils in Victoria.

In November 2021, the MAV released a Discussion Paper signalling the start of the review of the MAV's Rules of Association (the Rules).

The Discussion Paper posed several important considerations for the MAV Board and its member councils, including the role of the Board, the position of President and the purpose and operation of State Council.

At its meeting on 22 February 2022 the Council resolved to provide its support of the MAV's efforts to modernise its Rules of Association whilst drawing attention to Council's preferences regarding specific aspects of the Discussion Paper.

In April 2022, following the consideration of sector feedback, the MAV released a Directions Paper, outlining the proposed changes to the MAV Rules.

Member councils have been requested to provide feedback on the Directions Paper, which will contribute to the shaping of the MAV Rules that will be presented to the MAV State Council. Feedback to the Directions Paper from member Councils is due no later than Monday 30 May 2022.

### Outcome Statement

Providing feedback on the Directions Paper provides Council with the opportunity to influence the Rules and the operations of the MAV.

<b>Key benefits</b>	<b>Key risks</b>
Councils providing feedback on the Directions Paper will provide the opportunity to influence the MAV Rules of Association.	The view of the Council not being taken into consideration during the review process could have a negative impact that affects the municipality.

### **Finance and Resource Implications**

There are no finance and resource implications with this report.

### **Community Engagement**

Community engagement with this report is not applicable.

### **Recommendation**

That Council:

1. Endorses the Municipal Association of Victoria's Directions Paper.
2. Requests the Chief Executive Officer to communicate Council's support by including a copy of this item of the 24 May 2022 Council Meeting minutes to the MAV by 30 May 2022.

### **Council Resolution**

**Moved Cr Schonfelder, Seconded Cr Hodge**

That Council:

1. Endorses the Municipal Association of Victoria's Directions Paper.
2. Requests the Chief Executive Officer to communicate Council's support by including a copy of this item of the 24 May 2022 Council Meeting minutes to the MAV by 30 May 2022.

CARRIED 8|0

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cr Allen	Nil	Nil
Cr Bodsworth		
Cr Gazzard		
Cr Hodge		
Cr Pattison		
Cr Schonfelder		
Cr Stapleton		
Cr Wellington		

### **Alternative Options**

Alternative Option 1 – Does not endorse the MAV Directions Paper.

This option is not recommended by officers as the views of the Shire will not be represented during the formulation of the MAV Rules.

## Report

### Background

The review of the MAV Rules of Association is being undertaken in three stages. The first stage commenced in November 2021 when the MAV released a Discussion Paper signalling the start of the review. The Rules were previously reviewed in 2006 and amended in 2013.

Feedback from member Councils has informed the Directions Paper which details the proposed rule changes. Member Councils have been consulted and have the opportunity to provide further feedback. This feedback will be due by 30 May 2022.

The MAV State Council will consider the Directions Paper on 24 June 2022 with a final decision on the changes to be considered at State Council on 16 September 2022.

### Discussion

The purpose of the MAV Rules Directions Paper is to clarify to Member Councils the rule changes that are being considered. Member Councils have been consulted on the Directions Paper with MAV Representatives, Mayor, Councillors, CEOs and governance officers being provided with an opportunity to participate in information sessions.

Council provided the MAV with their preferences on specific aspects of the Discussion Paper and the outcome is as follows:

Council submission	MAV Comment
<ul style="list-style-type: none"> <li>The President – Council preferred a two year term.</li> <li>Council was open to a four year term with conditions.</li> <li>Two year membership commitment in order to ensure the Council of the elected President remained a member of the MAV for their term of office.</li> </ul>	<ul style="list-style-type: none"> <li>Continue two year presidential terms but change Rules to require Member Councils to commit to two year memberships payable in two annual instalments.</li> <li>Change Rules to cap tenure of President at 4 x 2 year terms.</li> </ul>

Council submission	MAV Comment
<ul style="list-style-type: none"> <li>The inclusion of skilled based board members to complement board members elected from member councils.</li> </ul>	<ul style="list-style-type: none"> <li>This will not be recommended - All members of the MAV Board are to be elected.</li> </ul>
<ul style="list-style-type: none"> <li>Each Member Council having one vote.</li> </ul>	<ul style="list-style-type: none"> <li>Abolish plural voting.</li> </ul>
<ul style="list-style-type: none"> <li>Motions that are presented at MAV State Council having a formal resolution of Council.</li> </ul>	<ul style="list-style-type: none"> <li>Require Member Councils to submit matters for consideration at State Council following Council resolution.</li> </ul>
<ul style="list-style-type: none"> <li>Limiting the number of years an individual Councillor can serve as an MAV Board member (eg. no more than 8 years).</li> </ul>	<ul style="list-style-type: none"> <li>Two year Board terms, capped at four consecutive terms.</li> <li>Board Members no longer council's MAV rep may complete their term of office.</li> <li>Councils encouraged to reappoint MAV rep when that rep has been elected to the Board.</li> </ul>
<ul style="list-style-type: none"> <li>A reduction in the number of motions considered by MAV State Council to ensure MAV is effective, strategic and targeted in its work.</li> </ul>	<ul style="list-style-type: none"> <li>Are of state-wide significance to Local Government.</li> <li>Respond to important emerging issues which require MAV to have clearly adopted positions.</li> <li>Have a significant and clear connection with MAV Strategy.</li> <li>Are reviewed by MAV Board &amp; consolidated, amended or modified when dealing with similar/same subject to other member proposals</li> </ul>

An update was provided to Councillors on 10 May 2022 and during these discussions Councillors were supportive of the MAV's Directions Paper. Councillors were neutral in relation to the two proposed options of electing the Board and noted that it had no impact on the Surf Coast Shire.

### **Outcome Analysis**

Providing formal feedback on the MAV Rules Directions Paper will allow for the views of Council to be considered.

### **Financial and Resource Impact Analysis**

Not applicable.

### **Council Plan Assessment**

#### **Theme Seven - Accountable and Viable Council**

Strategy 19 - Improve Council's credibility as a trusted decision maker through meaningful engagement.

### **Previous Councillor and Audit and Risk Committee Consultation**

This item is not within the scope of matters considered by the Audit and Risk Committee.

This item was discussed at the following Councillor briefings prior to being presented to Council for consideration. Councillor attendance at each briefing was as follows:

*Councillor Briefing Date: 10 May 2022*

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Gary Allen</i>	<i>Y</i>	<i>Cr Liz Pattison</i>	<i>Y</i>
<i>Cr Paul Barker</i>	<i>N</i>	<i>Cr Adrian Schonfelder</i>	<i>Y</i>
<i>Cr Mike Bodsworth</i>	<i>Y</i>	<i>Cr Libby Stapleton</i>	<i>Y</i>
<i>Cr Kate Gazzard</i>	<i>Y</i>	<i>Cr Heather Wellington</i>	<i>N</i>
<i>Cr Rose Hodge</i>	<i>Y</i>		

Councillor attendance at briefings is not a statutory requirement. Councillors are able access and request information to understand matters being presented at a Council Meeting.

Our Ref: JB: F18/121-4: D22/92413

Contact: Jake Brown [jbrown@surfcoast.vic.gov.au](mailto:jbrown@surfcoast.vic.gov.au)

30 May 2022

The Municipal Association of Victoria  
[rules@mav.asn.au](mailto:rules@mav.asn.au)

To whom it may concern,

**Surf Coast Shire Council – MAV Rules Review Directions Paper Submission**

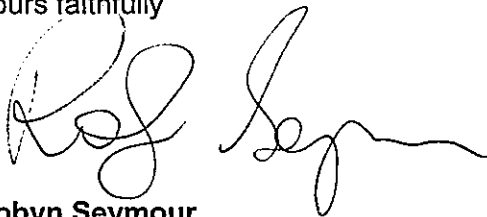
Thank you for providing Surf Coast Shire the opportunity to provide feedback on the MAV Rules of Association Directions Paper. At its Council Meeting held 24 May 2022, Council resolved the following:

***That Council:***

- 1. Endorses the Municipal Association of Victoria's Directions Paper.***
- 2. Requests the Chief Executive Officer to communicate Council's support to the MAV by 30 May 2022 and include a copy of this item of the 24 May 2022 Council Meeting minutes to the MAV by 30 May 2022.***

If you have any enquiries concerning this matter please contact Jake Brown on [jbrown@surfcoast.vic.gov.au](mailto:jbrown@surfcoast.vic.gov.au).

Yours faithfully

A handwritten signature in black ink, appearing to read "Robyn Seymour".

**Robyn Seymour**  
Chief Executive Officer

Council Meeting Minutes – 24 May 2022