

# Governance and management

---

Good governance, integrity and accountability are central to the Local Government Act 2020.

---

The Act is based on 5 principles:

- community engagement
- strategic planning
- financial management
- public transparency
- service performance.

We embed these 5 principles throughout our decision-making, corporate governance and democratic governance. We have established governance rules to help us do this.

We seek to apply good governance to:

- effectively engage our community in sound and responsible decision-making
- achieve the best outcomes for our community, considering future generations
- ensure the transparency of Council decisions, actions and information
- ensure our ongoing financial viability
- increase our performance
- identify and drive out inefficiencies
- reassure residents that we are spending public money responsibly, accountably and wisely.

## Council meetings

Decisions on issues affecting the community are made at council meetings. Community members can observe the decision-making process at these meetings. You can also ask questions.

We hold ordinary council meetings to conduct the business of Council. Where required, we may also hold special meetings.

We also hold council meetings to deal with planning applications. These are called planning and related matters meetings. Ordinary council and planning and related matters meetings are scheduled each month.

We live-stream our council meetings to enable people to watch the proceedings in real time. Meetings are also recorded and available to watch later. Live-streaming council meetings offers greater access to information, decision-making and debate. It also underpins the principles of accessibility, openness and transparency.

In April 2020, the Local Government Act 1989 was amended to allow council meetings to be held via video conferencing. This was in response to restrictions in place due to the COVID-19 pandemic. The Minister for Local Government issued ministerial guidelines to govern how those meetings would be conducted. These guidelines ensure that the transparency of council decision-making is upheld.

We conducted all council meetings from July 2021 to March 2022 by video conferencing and live-streaming, with the exception of the special meeting of 17 November 2021. We held council meetings in April, May and June 2022 online and in person in a COVID-safe way.

In 2021-22, the number of people watching council meetings online (live and the recordings) was 25,280, and the number watching planning meetings was 9149.

## Councillor attendance at meetings

In 2021-22, we held:

- 11 ordinary council meetings
- 9 special council meetings
- 11 council meetings to consider planning and related matters.

Below we have outlined councillor attendance for the 2021-22 year, for the period from 1 July 2021 to 30 June 2022:

Councillor	Ordinary council meetings (total 11)	Special council meetings (total 9)	Planning and related matters (total 11)
Cr Sue Bolton	10	6	10
Cr Annalivia Carli Hannan	8	7	3
Cr James Conlan	11	8	11
Cr Helen Davidson	10	8	7
Cr Milad El-Halabi JP*	5 (7)	4 (6)	3 (6)
Cr Monica Harte*	3 (3)	3 (3)	3 (3)
Cr Angelica Panopoulos	11	9	10
Cr Helen Pavlidis-Mihalakos	11	8	8
Cr Adam Pulford	11	8	10
Cr Mark Riley	11	9	9
Cr Lambros Tapinos	9	8	4
Cr Oscar Yildiz JP	11	8	11

\* Councillors El-Halabi and Harte each served only part of 2021-22.

## Major committees

### Audit and Risk Committee

Our Audit and Risk Committee was established under the *Local Government Act 2020*.

The committee charter was adopted on 14 July 2021.

Pursuant to section 53(2) of the Act, the committee is an advisory committee of Council. The Audit and Risk Committee was established to strengthen our governance, risk management and financial management and to drive continuous improvement.

The committee helps us discharge our responsibilities under the Act to:

- monitor the compliance of Council's policies and procedures with:
  - the overarching governance principles
  - the Act, regulations and any ministerial directions
  - other relevant laws and regulations
- monitor internal controls
- monitor Council's financial and performance reporting
- monitor and provide advice on risk management and fraud prevention systems and controls
- oversee internal audit functions
- oversee external audit functions
- monitor related-party transactions.

The current committee has 7 members. These are:

- an independent chair, John Watson
- 3 independent members, Lisa Tripodi, Marilyn Kearney and Jeff Rigby
- 3 councillors, Cr Mark Riley (Mayor), Cr Adam Pulford and Cr Angelica Panopoulos.

Four meetings were held during 2021-22. The following councillors attended these meetings:

- 13 September 2021 – Cr Mark Riley and Cr Lambros Tapinos
- 14 December 2021 – Cr Mark Riley, Cr Adam Pulford, Cr Angelica Panopoulos
- 29 March 2022 – Cr Mark Riley, Cr Adam Pulford, Cr Angelica Panopoulos
- 14 June 2022 – Cr Mark Riley.

### Special committees

There were no special committees established by Council operating in 2021-22.

## Councillor expenses and allowances

### Expenses

We provide councillors with resources and support to undertake their duties. This is so they can serve, engage and act in the community's best interests. We may make available or pay for resources or reimburse claims for out-of-pocket expenses.

Our Councillor Support Expenses and Resources Policy provides the level of expense and resources support provided.

We publish details of councillor expenses (including those reimbursed) on our website quarterly.  
Councillor expenses for the 2021-22 year are outlined below.

	<b>Travel / Mileage</b>	<b>Child / Family Care</b>	<b>Conference training</b>	<b>Accommodation</b>	<b>Mobile and data</b>	<b>Events</b>	<b>Copying / Stationery</b>	<b>Totals</b>
Cr Sue Bolton	\$0.91	-	-	-	\$985.55	-	\$78.00	\$1,064.46
Cr Annalivia Carli Hannan	-	\$2,566.88	\$450.00	-	\$903.20	\$20.00	-	\$3,940.08
Cr James Conlan	-	-	-	-	\$1,060.54	-	-	\$1,060.54
Cr Helen Davidson	\$469.77	-	\$1,194.55	\$1,108.67	\$1,021.49	-	-	\$3,794.48
Cr Milad El-Halabi JP*	-	-	-	-	\$670.07	-	-	\$670.07
Cr Angelica Panopoulos	\$148.05	-	-	-	\$1,070.80	\$20.00	-	\$1,238.85
Cr Helen Pavlidis- Mihalakos	\$320.78	-	\$1,194.55	\$1,015.59	\$934.53	-	\$193.65	\$3,659.10
Cr Adam Pulford	\$0.91	-	-	-	\$910.73	-	-	\$911.64
Cr Mark Riley	\$430.45	-	\$7,290.00	\$1,108.67	\$912.41	\$55.00	\$90.00	\$9,886.53
Cr Lambros Tapinos	\$270.22	-	\$450.00	-	\$910.08	-	\$90.00	\$1,720.30
Cr Oscar Yildiz JP	\$320.78	-	\$1,194.55	\$980.53	\$924.72	-	\$579.66	\$4,000.24
Cr Monica Harte	-	-	-	-	\$1,331.84	-	-	\$1331.84
	<b>\$1,961.87</b>	<b>\$2,566.88</b>	<b>\$11,773.65</b>	<b>\$4,213.46</b>	<b>\$11,635.96</b>	<b>\$95.00</b>	<b>\$1,031.31</b>	<b>\$33,278.13</b>

\* Councillor resigned in February 2022

## **Allowances**

Our mayor and councillors are entitled to receive an allowance while performing their duties as elected officials.

Changes to the Local Government Act removed old provisions relating to the allowances that were due to mayors, deputy mayors and councillors. *The Local Government Act 2020* creates a framework for allowances to be specified by the Victorian Independent Remuneration Tribunal, rather than the Minister and councils.

In accordance with Section 39 of the *Local Government Act 2020*, on 7 March 2022 the Tribunal determined the following allowances for Category 3 councils (Moreland City Council being a Category 3) from 18 December 2021 to 17 December 2022:

**Mayoral allowance:** \$119,316

**Deputy mayor's allowance:** \$59,658

**Councillor allowance:** \$35,972

The Tribunal determined that the value of the allowance payable to a councillor is inclusive of any Superannuation Guarantee Contribution amount, or equivalent, that may be payable under Commonwealth law to the councillor with respect to their service in that office.

## **Councillor Code of Conduct**

Our Councillor Code of Conduct was reviewed and adopted on 23 February 2021. It is available on our website: [merri-bek.vic.gov.au](http://merri-bek.vic.gov.au)

The code sets out the standards of conduct expected of councillors.

The aim of the code is to empower councillors to model fair and respectful behaviours. This is so they can work together constructively in the best interests of the local community.

## **Conflict of interest**

Councillors are elected by residents and ratepayers to act in the best interests of the community. This is a position of trust that requires councillors to act in the public interest.

Council officers must also act and prioritise public interests when undertaking their duties and functions.

There are 2 types of conflict of interest:

- A conflict between a councillor's or employee's public duty to act in the best interests of the community or organisation and their private interests. This is a general conflict of interest.
- Where a councillor or employee would gain a benefit or suffer a loss depending on the outcome of the matter. This is a material conflict of interest.

Conflicts of interest may be real, perceived or potential. They may also arise from direct or indirect interests.

A conflict of interest must be declared and appropriately managed. This is to ensure that public interests are not compromised or undermined in any way.

A conflict of interest can exist and must be declared even if no improper act results from it. It is also not important how the conflict of interest has arisen.

We are committed to delivering services to our community fairly and transparently, without favour or bias. Our integrity is critical to our reputation and effectiveness in the local community.

We have a procedure in place to accommodate the disclosure of a conflict of interest. The opportunity to declare a conflict of interest is a standard agenda item for all council meetings. This declaration also takes place before the start of procurement and recruitment processes.

In general, managing conflicts of interest involve:

- disclosing the conflict in a specific way
- considering the duties of the declarant
- determining the risk associated with the conflict arising
- applying an appropriate treatment.

This may require:

- the declarant to be removed from any decision-making on a particular matter
- restricting the declarant's involvement in the matter
- recruiting a disinterested or independent third party
- the declarant relinquishing the private interest.

We maintain a register of all declarations that raise a conflict of interest from councillors and staff.

During 2021-22, 26 conflict of interest disclosures were made at council meetings and councillor briefings. In declaring a conflict of interest, the relevant councillor would leave the meeting. This removed them from the decision-making process in relation to that matter. In one instance, a declaration was made prior to a briefing and the councillor did not attend.

There was 1 conflict of interest disclosure added to the register for council officers.

We reviewed our Gifts, Benefits and Hospitality Policy for Councillors in April 2021. This policy sets out practices to avoid the potential for conflicts of interest through the offer/acceptance of:

- gifts
- benefits
- hospitality.

Our procedures vary depending on the role and circumstances of the offer. Our policy has robust thresholds and defined practices.