



Ordinary Meeting of Council

Olympia, Ibbott & Hawdon Rooms; Level 4, 1 Flintoff Street, Greensborough

18 May 2020

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Community Climate Action Plan (CAP)

Working in partnership for a zero net emissions and resilient Banyule

Acknowledgements

Banyule City Council acknowledges the Wurundjeri Woi-wurrung people as traditional custodians of the land on which we work and pay respect to all Aboriginal and Torres Strait Elders, past, present and emerging. We acknowledge their unique relationship with the land, waterways and sea and recognise our shared responsibility to care for Country by solving the climate crisis together.

We continue to learn from Aboriginal and Torres Strait Islander people, who have been caring for Country for tens of thousands of years based on an ethic of shared responsibility and unity with nature. We seek to bring that ethic into our workplace and daily lives so that it guides our decisions and actions.

We extend a heartfelt thank you to the Banyule community who have contributed openly and generously to the development of this plan, and who are crucial to implementing it. We acknowledge our Councillors who have been instrumental in driving our ambitious climate action agenda.

Cr Alison Champion
Mayor Banyule City Council

Preface

As Mayor and CEO of Banyule City Council, we wholeheartedly endorse this plan for a community that is rising to the challenges of a climate emergency, reducing emissions and adapting to climate impacts. The actions outlined here give all of us the opportunity to create a better Banyule - one that is connected, inclusive, generous, creative and resilient. In a word, thriving.

Everyone in Banyule has a part to play in realising this vision. We encourage you to consider the plan as your own: to contribute to its ongoing development, make use of the advice and support provided by Council, and take action wherever you can at work, home and play.

Allison Beckwith
CEO Banyule City Council

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Executive Summary

This plan outlines opportunities for emission reductions across the Banyule municipality. It has been established to:

- Highlight the broader context in which action is occurring;
- Provide guidance and information to key stakeholders (residents, schools and business) in undertaking action;
- Identify priorities for strengthening Banyule's adaptation response; and
- Highlight the actions that Council will take to support and accelerate progress for the municipality.

It is intended as a document for our community to understand what initial steps can be taken and how Council is intending to support you. It also acts as an Action Plan within the Council, to be implemented by each of the relevant departments.

Eight priority themes will inform our approach, reflecting critical areas where change is needed:

1. Build and broaden engagement
2. Accelerate opportunities for renewable energy
3. Increase energy efficiency
4. Green buildings
5. Lowering emissions transport
6. The circular economy
7. A climate adaptive and resilient Banyule
8. Monitoring and evaluation.

This is the first time we have produced a Plan of this kind. We will report on our progress in implementing the actions we have committed to on an annual basis, and seek to revise the Plan every four year, to ensure it remains relevant and effective. This process will be supported by annual budget bids for actions that are currently subject to funding approval.

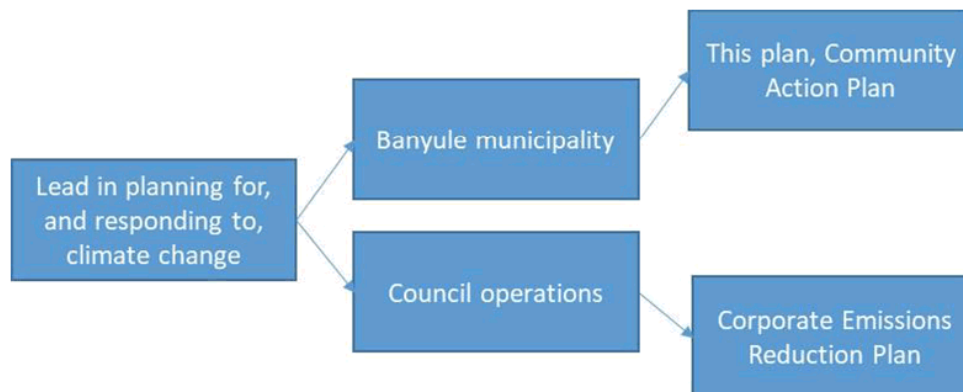
Ultimately the Plan will provide us with the opportunity to create a thriving and responsive Banyule - one that is connected, inclusive and resilient.

Plan purpose

Across the community, in homes, businesses and schools, Council does not have direct control over emissions like we do when they arise from our own operations. In the municipality, emissions arise from energy used in homes, from the cars travelling within and through Banyule, from industry and businesses, and from the various forms of waste that is generated through our everyday activities.

Whilst Banyule Council has declared a climate emergency, we all have a responsibility to respond to climate change. As a result, [this plan outlines how as a Council, Banyule will support our residents, businesses and organisations to reduce emissions and adapt to the impacts of climate change](#). The actions outlined give us the opportunity to create a thriving and responsive Banyule - one that is connected, inclusive and resilient.

The plan responds to our community’s expectation for us to ‘lead in planning for, and responding to, climate change’, a key direction in the Council Plan 2017-21. It complements Council’s Corporate Emission Reduction Plan, adopted in December 2019, which sets out priority actions to be delivered over a four year period to work towards our target of zero net emissions by 2028.



Importantly, the best practice C40 framework has been used to guide our approach. The C40 climate action planning framework supports councils in developing climate action plans that are aligned with the objectives of the Paris Agreement.

C40 developed science-based targets based on what is necessary to remain within a 1.5-degree temperature rise. This underlines how action today is necessary to avoid the worst effects of climate change. These emissions per capita targets are listed in Table 1.

Table 1 C40 target trajectories from 2020

	Emissions per capita for C40 cities (tCO2-e)		
	2020	2030	2050
1.5 degrees	4.9	2.9	0.0
2 degrees	4.8	3.0	0.9

To achieve this scale of change, we know we need to work together with our community. Acknowledging this, Council will fulfil a number of roles through the actions in this Plan:

- a **collaborator**, working in partnership with households, community groups and businesses in Banyule, as well as with the Northern Alliance for Greenhouse Action (NAG)A Councils and other levels of government;
- an **enabler**, facilitating others' action through training, grants and other financial assistance;
- an **educator**, providing information and advice, a trusted, third party that can help inform the choice of services and providers;
- a **broker** between players within and beyond the municipality;
- an **advocate**, to State and Federal governments for changes that are beyond our direct control and mobilising the community for support.

Many of the actions identified in this plan will be implemented within existing resources. In some cases, however, the associated costs will be identified following investigation of the action itself (i.e. such as the action to examine a range of economic levers to support the uptake of energy efficiency measures for residents). Here, implementation budgets will be considered by Council via the budget process.

Why take action?

Our climate is changing dramatically.

While the earth's climate has gradually changed throughout history, scientists agree that the substantial and very rapid changes we've seen over the past hundred years or so are caused by human activities.ⁱ

Human activities such as burning fossil fuels (coal, gas, petrol and diesel) and clearing vegetation are causing global climate change, well above and beyond natural cycles.

Unless we take significant action now, we are on track for a rise in temperature of between 4-6°C. To put this in context, the difference in temperatures between now and the last ice age was around 4°Cⁱⁱ.

Why do a few degrees of warming matter? Already with a temperature increase of just 1.1°C since pre-industrial times, Australia is experiencing:

- Increased frequency and severity of extreme weather events including floods and droughts;
- More frequent, more intense and longer-lasting heatwaves;
- Greater risk and severity of bushfires and earlier, longer bushfire seasons – as experienced by many Australian communities in 2019/20
- Sea level rise, leading to more coastal flooding, erosion and saltwater intrusion into freshwater wetlands, such as the World-Heritage listed Kakadu National Park.ⁱⁱⁱ

ⁱ Climate Council, accessed online December 2019 www.climatecouncil.org.au/resources/what-is-climate-change-what-can-we-do/

ⁱⁱ Ibid.

ⁱⁱⁱ Ibid.

In Banyule, these changes are impacting people's health and safety, wildlife and everyday assets.

The more action we take now, the less pressure we put on the Earth's vital ecosystems and the better we can adapt to the impacts of climate change.

The United Nations has warned that we have just a decade, until 2030, to keep global temperature rise to a maximum of 1.5 degrees. Warming beyond this will significantly worsen the impacts on ecosystems, as well as the consequences arising from drought, floods, extreme heat and resources deficiency for people everywhere.^{iv}

The good news is, the solutions already exist! Switching to renewable energy and storage technologies is the fastest way to drive down GHG emissions.

On the flip side, taking action creates opportunities to build a better Banyule and a better world. In fact, responding to the climate crisis in inclusive, just and community-minded ways provides the foundations for a thriving, prosperous Banyule into the future. We have a responsibility to take action now for our future generations.

The big picture

Through this plan, Banyule Council and our community join a growing, global movement that is taking action to solve the climate crisis.

In 2015, the international Paris Climate Change Agreement introduced global emission reduction targets to limit global temperature rise to below 2°C by 2050 and to pursue efforts to limit it to 1.5°C above pre-industrial levels. The landmark agreement has seen 195 countries committing to delivering national emission reductions and global action on climate change.

The C40 Cities Climate Action Planning Framework ('C40') was developed to guide cities around the world to establish action plans capable of achieving these targets. Banyule City Council is using this framework to guide the municipality's response to climate change and ensure our approach aligns with that of other cities around the globe. This means we are required to:

- Consider climate mitigation and adaptation in an integrated way, identifying interdependencies to maximise efficiencies and minimise risks – in other words, 'get best bang for buck';
- Develop a SMART action plan;
- Establish a transparent process to monitor and communicate progress on the plan.

At the national level, Australia ratified the Paris Agreement in 2016, setting a national target to reduce emissions by 26-28% below 2005 levels by 2030. To help reach this target, the Federal Government established several funds and plans aimed at energy efficiency and incentivising small and large scale renewable energy generation. With the inclusion of these

^{iv} Intergovernmental Panel on Climate Change (2018) Special Report: www.ipcc.ch/sr15/

initiatives, around 23.5% of Australia's electricity generation in 2020 will be sourced from renewable sources like solar, wind and water (hydroelectricity).

At a state level, the *Climate Change Act 2017* sets the long-term target for Victoria as zero net emissions by 2050. The State government has also established incremental renewable energy targets of 25% by 2020, 40% by 2025 and 50% by 2030. Its Take2 pledge program has a range of guides and resources to support action by households, community groups and businesses. Victoria's strategic priorities for adaptation are set out in the *Climate Change Adaptation Plan 2017-2020*.

At a regional level, Banyule together with eight other Councils in Melbourne's north are members of the Northern Alliance for Greenhouse Action (NAGA). NAGA trial, support and share learnings from emission reduction and adaptation activities in the region.

What we heard: 'How have you experienced the effects of climate change?'

Participants of the community engagement activities were asked, 'how have you experienced the effects of climate change?'

Here people commonly referenced health impacts, both mental and physical. People expressed anxiety about the future, for themselves and their children, as well as concern in relation to physical health impacts such as asthma and hay fever, alongside social isolation.

Main emission sources and trajectory

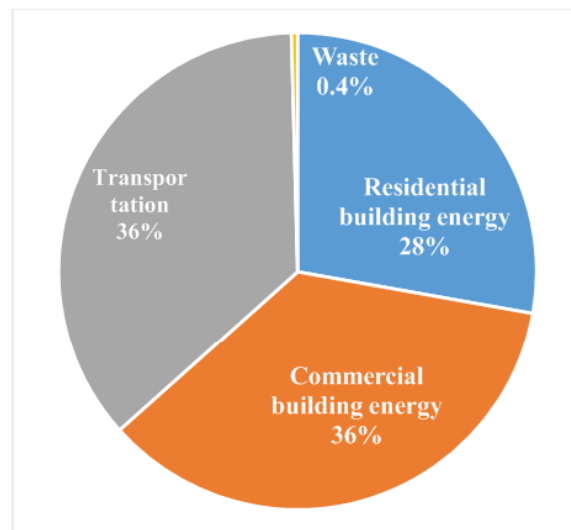
By understanding where emissions are coming from, we can make informed decisions about where to prioritise our attention and future resources.

The main sources of emissions in the Banyule municipality (Figure 1) are:

- Transport
- Commercial building energy (gas and electricity), and
- Residential building energy (gas and electricity).

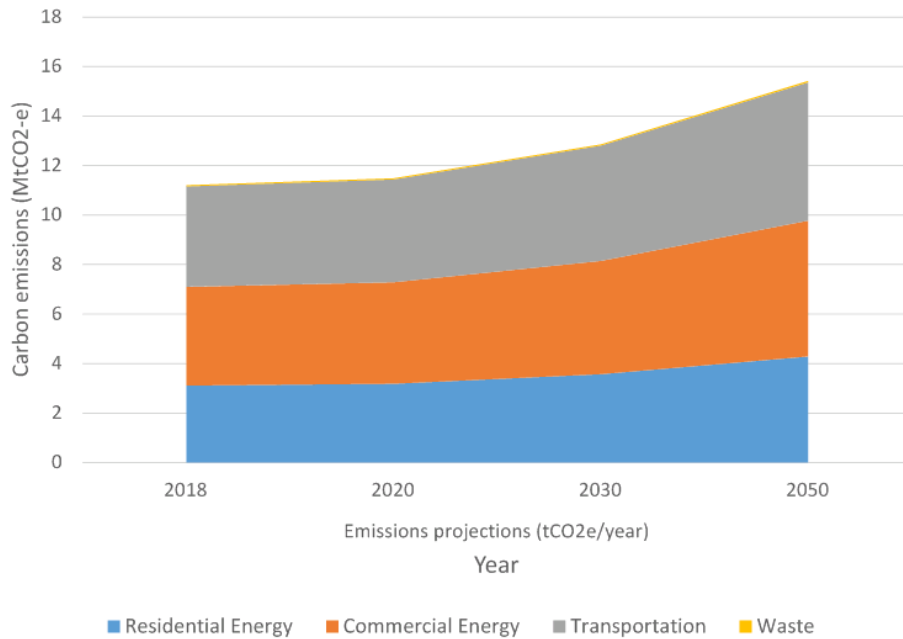
Emissions from municipal waste are unusually low in Banyule (0.4%), thanks to landfill methane capture technology at the Wollert landfill site.

Figure 1: Main sources of emissions in the Banyule municipality (2018)



Without further action, total emissions from these sources are expected to increase substantially (38% by 2050), driven largely by population growth (Figure 2).

Figure 2: Business as usual projection of emissions from major sources



In light of these trajectories, targets were established to guide the development of our own actions (below). These reflect how energy is currently used within each key area– i.e. through heating and cooling, hot water systems and lighting - and the extent to which it needs to change.

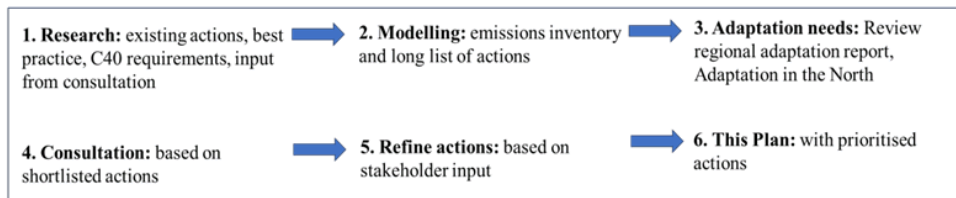
Desired outcome	Targets
<i>Residential and commercial building energy</i>	
Retrofit building envelop, lighting and appliances in existing residential buildings	Lighting – 100% usage of LED and occupancy controls by 2050 Appliances – 100% usage of energy star rated and high efficiency appliance by 2050 Space heating – 100% usage of electric heat pumps by 2050 Water heating – 100% usage of electric heat pumps by 2050
Install solar PV on residential and commercial buildings	Green Energy - Residential and commercial solar PV – At least 80% usage across all residents in 2050 All new buildings to be orientated to optimise passive solar design
Building code stipulates new residential buildings to be zero emissions	Lighting - LED and occupancy controls Appliances - high efficiency Space heating - Heat pump with electricity Water heating - Heat pump with electricity
<i>Transportation</i>	
Zero emission vehicles	Reduce petrol vehicle fuel usage and increase electric vehicle usage by 90% in 2050

Desired outcome	Targets
Reduction in travel demand and increase uptake of active transport	Shift away from private automobile usage and increase uptake of public and active transport modes (up to 30% by 2050)
<i>Waste</i>	
Reduce waste and increase recycling rates and access to organic composting	Residents and business commit to reducing waste to landfill

If achieved, we can expect to realize an 85% reduction in our business-as-usual emissions, resulting in 1.3 tCO₂-e per capita by 2050 (down significantly from 8.6 tCO₂-e per capita).

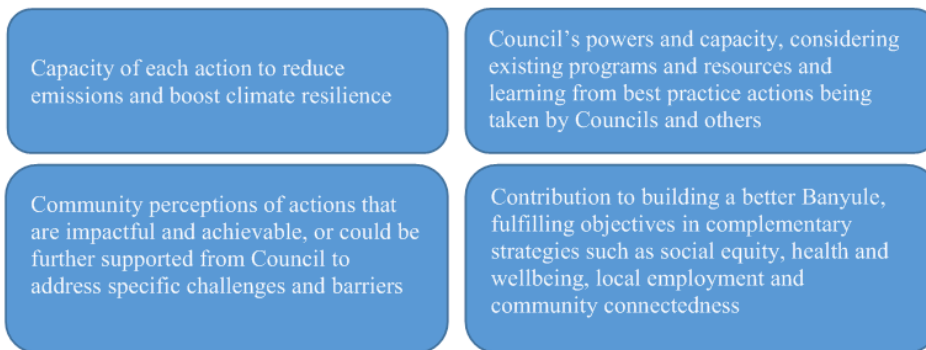
How we developed this plan

Working closely with our community, we followed a process of identifying, refining and prioritising actions



Across several forums in 2019, we consulted with business, government and the broader community in Banyule about potential actions, barriers and Council support.^v We gathered community input through an online survey, two focus groups, a workshop with environmental group members, and community pop-up information stalls.

The actions presented in this Plan have been prioritised based on the following criteria:



^v Businesses included Austin and Mercy Health, AusNet Services and Jemena. State government agencies were Sustainability Victoria, Public Transport Victoria and Department of Environment, Land Water and Planning.

TAKING ACTION

The following sections are designed to be read by the various audiences:

- Residents / community groups
- Schools / youth
- Businesses / industry

The sections are intended as a 'toolkit' for each of these groups, highlighting *just some* of the key actions available. Actions that Council are proposing to take to support our residents, businesses and schools are also highlighted.

Small case studies have been included throughout, highlighting best practice examples. This is an important part of normalizing climate action and resilience as being the 'new norm'.

A full list of Council actions is available at the end of this document.

ACTIONS FOR RESIDENTS & COMMUNITY GROUPS

Everyone can act to reduce their contribution to climate change. The first step is to understand where your household emissions are coming from and how daily choices can positively impact these.

We can group household emission profile into three main categories, shown below. The extent to which emissions arise from these categories will depend on number of people in your household, type of housing, your selection of appliances, as well as lifestyle.

Emissions from household energy use	Emissions from transport	Emissions from waste
<ul style="list-style-type: none"> • Electricity (lighting, heating and cooling) • Gas (heating and cooling) • Water • Firewood • Diesel oil 	<ul style="list-style-type: none"> • Work related travel • Leisure related travel • Vehicle purchase • Fuel 	<ul style="list-style-type: none"> • General household waste, including nappies. • Food waste • Packaging material • Hard waste

Small action, big impact

The actions you take matter. When you take action you play a part by influencing your peers to take on similar practices creating a bigger impact.

Taking action against climate change, can feel overwhelming at times. It's not unusual to feel a sense of helplessness when you hear about the extent of the problem and the action required. It's important to remember that all our solutions to bring about change are at hand and much can be done on an individual and community level. Taking these steps highlights that together we can all make a positive difference through the conscious decisions we make.

If certain change feels overwhelming, focus on doing whatever is doable and actionable right now. Take one constructive action today and then another tomorrow. The key is to start from where you are, with what you have and feel comfortable knowing that what you're doing is making a difference.

A range of Banyule specific services and programs are available to support you:

- Free household energy audits, to identify fit-for-purpose opportunities that will reduce your energy (and bills) in the home;

Banyule is home to a large number of community gardening, Transition Town and Friends Of groups. These volunteer-led organisations are leading a whole host of actions, and reaching out to others in the community to build a stronger social movement for meaningful change.

- Free access to our Community Energy Officer, to talk you through all things related to energy efficiency and solar;
- Clear information on household energy and affordability via our website, highlighting your rights in obtaining a better energy offer from your energy retailer and assistance available for those having payment difficulties;
- Access to Banyule’s Solar Savers Program, a bulk buy program which provides you with access to reputable solar installers and products.

<p>SWITCH TO A GREEN ENERGY COMPANY</p> <ul style="list-style-type: none"> • Electricity suppliers vary significantly in their environmental offerings and performance • The Green Electricity Guide ranks providers according to emissions from their power sources, their investments in and policy positions on renewable energy and fossil fuels and other attributes. <p>ADVOCATE FOR BIGGER CHANGE</p> <ul style="list-style-type: none"> • Call or meet with your elected state and federal representatives. Together they have the power to influence increases in renewables, improve building standards and provide better public transport. <p>BETTER TOGETHER: JOIN A GROUP</p> <ul style="list-style-type: none"> • Friends of Groups, community gardens and Transition Town groups across Banyule are always open to new members. Activities include replanting days, repair events and advocacy. <p>REDUCE YOUR MEAT</p> <ul style="list-style-type: none"> • Try a month of vegetarianism, or Meat Free Monday with new and delicious recipes to introduce sustainable meat consumption and support GHG emissions reduction associated with living stock farming and food process operations. 	<p>BE SMART WITH YOUR ENERGY</p> <ul style="list-style-type: none"> • Apply for a home energy audit to identify how you can reduce your household energy consumption • Chat to your energy provider to ensure you are on the best energy offer available. <p>COMPOST YOUR FOOD SCRAPS</p> <ul style="list-style-type: none"> • As well as reducing household waste, compost does wonders for your garden. <p>GROW YOUR OWN FOOD</p> <ul style="list-style-type: none"> • Herbs provide an easy entrance into growing your own food and reducing the need to buy herbs often housed in plastic. <p>MONEY FOR GOOD</p> <ul style="list-style-type: none"> • Your selection of superannuation and mortgage providers is one of the biggest opportunities to support investment of renewable energy – check with your provider to see what they invest in. <p>SUPPORT RENEWABLE ENERGY</p> <ul style="list-style-type: none"> • Purchase up to 100% GreenPower to ensure new investment in renewable energy above and beyond the Renewable Energy Target (RET) • Install solar on your rooftop or join a community energy group. <p>HAVE THE CONVERSATIONS</p> <ul style="list-style-type: none"> • Conversations amongst your peers are powerful in changing social norms. • Check out material to support these conversations at the Climate Council.
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To further support you, Council will:

- Investigate opportunities to gain access to greenpower via Power Purchasing Agreements (PPAs).
- Support non-environment groups such as Rotary Clubs and youth groups, to engage members in taking climate action.
- Encourage and support community-led energy solutions, through Banyule's Environment Grants Program and facilitation of networking opportunities with experts.

You can read through all the actions Council has committed to in the next section.

By participating in training under Council's Green Training Fund, many of our environmental volunteers have boosted their abilities and confidence in areas such as bicycle mechanics, permaculture design and nonviolent environmental communication.

ACTION FOR SCHOOLS

Within schools, energy consumption is driven by the energy needs of:

- Lighting
- Heating and cooling, and
- Computers.^{vi}

Outside of this, waste and transport practices also contribute notably to overall emissions.

Resource Smart is a great source of information for schools. The Sustainability Victoria (SV) program provides guidance, toolkits and access to networks on key areas of sustainability: waste, biodiversity, energy, water.

The Energy module will walk you through the three key ways in which you can implement climate action:

1. Workplace/operational (i.e. retrofitting, maintenance and technology actions)
2. Learning and teaching (i.e. curriculum-based actions)
3. Whole school community engagement (including the broader school community).

A number of additional resources are available for schools within Banyule:

- **The Teachers Environment Network (TEN);** a partnership program between Nillumbik and Banyule Councils. Monthly meetings are held for teachers during the term, highlighting new environmental curriculum ideas, as well as providing an avenue for sharing lessons learnt;
- **Environmental Grants:** An annual pool of grant funding is available for various environmental activities. The grants include a Youth Climate Action Funding stream, designed to encourage young people of primary and secondary school age to come up with projects that will make a difference for their community or school and contribute to our goals to reduce community emissions, strengthen biodiversity, conserve resources or reduce waste to landfill.

Below are just some initial steps that will place you well on your way to becoming a low carbon school.

<p>SCHOOL WIDE ENERGY EFFICIENCY</p> <ul style="list-style-type: none"> • Track energy usage and use information to build a school wide energy profile. • Conduct an on-site energy audit to identify how energy is used in its facilities and what could be improved. • Check for Federal and State funding opportunities for the installation of solar panels, and other energy and water conservation measures including solar hot water systems, water tanks, external 	<p>MANAGING WASTE</p> <ul style="list-style-type: none"> • Appoint a student action waste team to monitor contamination of bins and consumption patterns. • Divert organic food waste into a school wide composting program including food scraps from the canteen and school kitchens. • Have a regular ‘Nude Food lunch day’ for students and staff.
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^{vi} Sustainability Victoria (2016) Resource Smart Schools, “Energy: a ‘how to’ guide”, accessed online via sustainability.vic.gov.au.

<p>window shading and energy efficient lighting.</p> <p>TURN OUT THE LIGHTS</p> <ul style="list-style-type: none"> • Install occupancy sensors that will automatically turn off the lights when no one is in the room. • Replace lighting with Light Emitting Diode (LED) bulbs to reduce energy use around the school. • Allocate a student Energy Monitor to help make sure lights and computers are turned off in breaks, and before and after class/school. <p>REPUTABLE SUPPLIERS</p> <ul style="list-style-type: none"> • Consider utilising the sustainability service panel set up by the Department of Education and Training. Listed companies provide advice on how to improve the sustainability of your school and importantly have already been screened for qualifications, value for money and experience. • Access the panel through the school maintenance system and choose Asset operations/Panel service providers <p>LOWER YOUR TRANSPORT USE</p> <ul style="list-style-type: none"> • Work with local government and community leaders to create more pedestrian and bike friendly routes to your school. • Lead by example and take public transport, carpool, ride or walk to school. • Start a Walk to School Campaign with VicHealth to encourage active and low carbon travel. 	<p>INCREASING BIODIVERSITY & ENVIRONMENTAL STEWARDSHIP</p> <ul style="list-style-type: none"> • Create and manage worm farms, bee hotels and native nesting boxes to increase biodiversity and conservation knowledge. • Plant a carbon-absorbing forest for shade, lessons and playtime. • Support and raise funds for a wildlife conservation project or organisation. • Have staff join and attend the Teachers Environmental Network meetings, to share environmental education opportunities. • Pursue citizen science projects and share indigenous historical and science knowledge. <p>ADVOCATE FOR BIGGER CHANGE</p> <ul style="list-style-type: none"> • Create a student environment club or green team to assist in planning, implementing and managing sustainability and environmental initiatives. • Apply for Banyule City Council's Youth Climate Action Grant to access funding up to \$3K to transform ideas into action. <p>PUBLICISE YOUR RESULTS</p> <ul style="list-style-type: none"> • Use office communication (email, newsletters and staff meetings) to highlight school ideas, policy updates, and achievements. • Publicize energy, water and waste costs and savings for students and staff to understand the benefits of extra efforts. • Recognise your school environmental achievements via the ResourceSmart School Awards.
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Some of the new ways Council will support schools are by:

- Facilitating peer to peer learning, connecting sustainability educators together to gain new ideas and share knowledge;

- Encouraging and supporting community-led energy solutions via Banyule's Environment Grants Program and facilitation of networking opportunities with experts;
- Implement priority actions around walking and cycling including provision of infrastructure;
- Support schools to develop and implement sustainable travel behavioural change programs.

You can read through all the actions Council has committed to in the next section.

Singing in the Rain Garden – East Ivanhoe Preschool

The Preschool was awarded an Environmental Grant in 2019 to create a rain garden, featuring indigenous plants and a hand pump that absorbed water runoff. The project enabled teaching of pre-schoolers about water awareness and conservation practices through exploration, activity and play.

“The whole preschool community really rallied behind this project... The children absolutely love the pump and rain garden! They are enjoying playing and learning about water, the water cycle, how to conserve water, and how plants need water to grow.”

The Take2 Pledge

In 2016, Banyule joined other organisations and individuals to sign the Take2 Pledge. TAKE2, is a Sustainability Victoria program, whereby business, local councils, community, educational institutions and individuals pledge to take collective voluntary action on climate change to help Victoria reach net zero greenhouse gas emissions by 2050.

A large number of Banyule's residents and businesses have committed to reduce emissions under the pledge including Banyule's primary and secondary schools, as well as large organisations such as Austin Health.

ACTION FOR BUSINESS

Sustainable business practices will reduce your operational emissions, whilst realizing greater cost reductions. The emissions profile of businesses will vary significantly depending on your service. For example:

- **Manufacturers:** emissions are likely to be dominated by energy consumption during the production process and material transportation;
- **Hospitals:** emissions profile likely to be dominated by significant heating, cooling and lighting demands;
- **Cafes/restaurants:** equipment operation and food waste processing will largely contribute to their emission profile;
- **Retail stores:** packaging and store energy consumption will often determine overall energy performance.

These varying emission profiles represents different opportunities and need for actions. Council will continue to support and collaborate with the business community in the uptake of the emission reduction practices and advocate the Federal and State government on sustainable business properties.

<p>SAVE MONEY, REDUCE EMISSIONS</p> <ul style="list-style-type: none"> • Go for a 100% green power energy supplier or contribute with a green power surcharge with your current supplier to invest in the green power development. • Utilise the Victorian government's energy compare website for small businesses to find the cheapest energy offers available and their environmentally friendly energy offers. • The Green Electricity Guide ranks providers according to emissions from their power sources, their investments in and policy positions on renewable energy and fossil fuels and other attributes. 	<p>BETTER UNDERSTANDING OF YOUR BUSINESS ENERGY NEEDS</p> <ul style="list-style-type: none"> • Apply for a small business grant (runs biennially) for a business energy efficiency audit to identify how you can reduce your operational energy consumption • Apply for the Federal government Energy Efficient Community funding to implement appliances upgrades for better businesses energy performance and future proof your business with advanced energy efficient products.
<p>SUSTAINABLE PACKAGING AND LESS WASTE</p> <ul style="list-style-type: none"> • Commit to minimal packaging and utilise recyclable material. • Purchase from local supplies to support the local economy and reduce emissions from deliveries. • Food businesses can compost waste by partnering with local community gardens to transfer your food waster into rich soils for your community. 	<p>TRAVEL GREEN</p> <ul style="list-style-type: none"> • Implement bicycle friendly end of trip facilities, such as shower rooms and secure bike-storage to support active travel to work. • Reserve dedicated parking spots for carpooling. • Negotiate discounted MYKI for staff travel on PT. • Participate in local purchasing opportunities to reduce product transportation emissions and have more reliable local deliveries.

<p>MONEY FOR GOOD</p> <ul style="list-style-type: none"> Your selection of superannuation and mortgage providers is one of the biggest opportunities to support investment of renewable energy – check with your provider to see what they invest in. <p>SHARE AND LEARN</p> <ul style="list-style-type: none"> Join industry groups and business associations to share your experience in environmentally friendly business practice and get new ideas to support sustainable business operations. Participate in council-initiated energy efficiency upgrade program such as the Greening Macleod LED upgrade project. Check https://banyulebusiness.com.au/ regularly for sustainability seminars and new project information. 	<p>ADVOCATE FOR BIGGER CHANGE</p> <ul style="list-style-type: none"> Call or meet with your elected state and federal representatives. Together they have the power to influence increases in renewables, improve building standards and provide better public transport. Conversations amongst your peers are powerful in changing social norms.
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Some of the ways Council will support businesses in Banyule:

- Investigate opportunities to broker power purchasing agreements (PPAs) for Banyule businesses, providing access to long term prices for GreenPower;
- Support high energy usage commercial building owners to improve the efficiency of their buildings through facilitating access to low cost financing via Environmental Upgrade Finance (EUF) and expert information sources;
- Investigate the provision of recycling service and collection at businesses.

What are Power Purchasing Agreements (PPAs)?

PPAs provide just one means to achieve a green electricity source. They are essentially agreements between an independent power generator (ie electricity provider) and a buyer for the sale of energy.

PPAs can be used to secure large amounts of renewable energy, enabling support of the renewable energy sector whilst locking in an energy price over an extended period.

You can read through all the actions Council has committed to at the back of this document.

Council Priority Actions

Actions across the following key themes will place the Banyule municipality on a pathway to zero net emissions:

1. Build and broaden engagement
2. Accelerate opportunities for renewable energy
3. Increased energy efficiency
4. Green our buildings
5. Lowering transport emissions
6. Transition to a circular economy
7. Plan for a climate adaptive and resilient Banyule
8. Monitor, evaluate, report and improve on the plan.

These actions are based on the 'powers' available to Council, considering opportunities within our control, together with opportunities outside our control where our role is to advocate, educate and influence.

We will adopt a staged approach to supporting a zero net emissions municipality, beginning with actions that can be undertaken within the current budget, and planning for the actions that require further budget for additional staffing, research and infrastructure.

For each action we have indicated the investment implication and timeframe for implementation, as below. It is noted that there is strong environmental and financial return that will be realized through these actions.

Investment	Implication
Existing	Council can adopt these actions within the current proposed budgets. They can be integrated into existing programs or investigated without additional staff or infrastructure requirements.
\$	<\$10k. Low cost action.
\$\$	\$10k - \$100k Council should plan for budget beyond the current proposed budget. Investment in additional research, infrastructure, staffing or funding is required to realise the action.
\$\$\$	>\$100k Council will require significant additional budget to realise the action, due to the need for new infrastructure, additional staff or introduction of regulations and / or requirements.

Timeframe	Period
Existing	
Short term	1 – 4 years
Medium	5 – 8 years
Long term	9 – 20 years

1. Build and Broaden Engagement

This set of actions stems from our understanding that becoming a zero net emissions municipality is both a cultural and technical task. We know that responding to the climate emergency means that we need to bring along more people with us on the journey. We also recognise that many outcomes in this plan depend on action by the State and Federal governments and that advocacy is likely to be more effective coming from a broad cross-section of the community.

Banyule has a strong base of groups and individuals who are already active in this space. The task now is to broaden and grow engagement to include people from all walks of life. This process happens most effectively when people have social support in their peer networks and create new social norms around taking action. Council can play an important role in helping residents, community groups and businesses to do this.

Expanding on the good work that is already happening in Banyule, we will:

#	Action	Description	Timeframe	Investment
1.1	Face-to-face models to broaden engagement	Support existing non-environment groups such as Rotary Clubs and youth groups, to engage members in taking climate action.	Short term	\$\$
1.2	Facilitate peer learning	Investigate different models that are able to support peer learning and engagement.	Short term	\$

2. Accelerate opportunities for renewable energy

Reducing carbon emissions in the municipality relies on the uptake of zero-carbon renewable energy by households, businesses and organisations. One of the greatest challenges for households and businesses in this space is the upfront cost of solar PV installation. For larger organisations, technical guidance would assist in determining financial feasibility and how to optimise renewable energy generation onsite.

Local governments are perceived as trusted sources of information and Banyule can use this to provide information on available schemes, subsidies and relevant certification bodies that can ensure a quality installation.

Council will:

#	Action	Description	Timeframe	Investment
2.1	Solar at leased facilities	Work with preschool, sporting clubs and other community users to upgrade energy performance and install solar PV on facilities leased from Council.	Short term	\$\$\$
2.2	Residential/Commercial PPA	Investigate opportunities to broker power purchasing agreements (PPAs) for Banyule businesses and households.	Short term	\$\$

#	Action	Description	Timeframe	Investment
		Implement viable models.	Medium term	
2.3	Community-led power	Encourage and support community-led energy solutions and facilitation of networking opportunities with experts.	Short term	\$\$
2.4	Bulk purchase programs	Continue to participate in bulk purchasing programs, such as Solar Savers, to enable residential and business access to quality solar PV systems and installers.	Now	\$\$
2.5	Education	Provide clear information and support to residents in relation to solar PV, facilitating improved understanding of value, cost and technical considerations.	Now	Existing

3. Increase energy efficiency

In line with the energy hierarchy, households and businesses can achieve notable energy (and cost) reductions through energy efficiency measures. This essentially means using less energy to do the same activity – such as lighting your business, or keeping your home at a comfortable temperature.

Energy efficiency can be achieved by retrofitting actions such as LED lighting replacement and opting for more efficient appliances at the end of life.

To support uptake, Council will:

We heard:
You feel overwhelmed by the amount of information available and are uncertain of the benefits of efficiency focused action.

#	Action	Description	Timeframe	Investment
3.1	Financial incentives	Examine a range of economic levers to support the uptake of energy efficiency measures for residents and business owners. This could include facilitated low cost loans, product subsidies (i.e. free LED globe installation), bulk purchase programs across all target areas (lighting, water and space heaters, common high energy user appliances).	Medium term	\$\$-\$\$\$
3.2	Residential energy efficiency campaign	Establish a community focused energy efficiency program to promote financial and energy efficiency, providing clear	Now	Existing

#	Action	Description	Timeframe	Investment
		information campaigns that promote financial savings, payback periods and environmental benefits.		
3.3	Environmental Upgrade Finance (EUF) for commercial owners	Support high energy commercial building owners to improve the efficiency of their buildings through facilitating access to low cost financing through EUF and expert information sources.	Medium	\$\$ - \$\$\$
3.4	Housing energy standards	Advocate for housing to have improved energy efficiency standards and accelerated upgrades.	Short term	Existing

4. Greening our buildings

Actions to realize zero net buildings must drive the uptake of necessary technology and ensure ambitious standards are translated from planning into built form. Moving towards zero emissions buildings will require participation by industry, regulators, businesses and the community.

#	Action	Description	Timeframe	Investment
4.1	Environmentally Sustainable Design (ESD) Planning Opportunities	Continue to participate in opportunities to improve ESD standards through the planning process and ultimately achieve zero net and climate resilient buildings.	Now	Existing
4.2	The Built Environment Sustainability Scorecard (BESS)	Continue to be a BESS subscriber and Council Alliance for a Sustainable Built Environment (CASBE) member, to ensure our developers can use BESS. Provide a resource to seek BESS Governance Board membership to advocate for improved ESD outcomes.	Short term	Existing
4.3	Environmentally Sustainable Design (ESD) Compliance and Triggers	Embed Sustainable Design Assessment in the Planning Process By: <ul style="list-style-type: none"> improving the technical capacity of the Development Planning to implement ESD in planning outcomes 	Short term	\$\$

#	Action	Description	Timeframe	Investment
		<ul style="list-style-type: none"> supporting ESD related planning policy amendments and the development of planning guidelines. 		
4.4	Environmentally Sustainable Design (ESD) Compliance	Trial ESD inspections to inform an understanding of current compliance levels.	Short term	\$\$
4.5	New build advocacy	Collaborate with Local Governments, consortiums (including Council Alliance for a Sustainable Built Environment (CASBE)) and other market leaders to advocate State and federal government to lift the minimum standards in the NCC, with specific reference to climate change (i.e. cover adaptation and mitigation).	Short term	Existing

5. Lowering emissions transport

Transitioning to zero emissions transport will require a major shift to active and public transport, as well as widespread uptake of electric vehicles charged by renewable energy and other emerging technologies such as hydrogen. This shift relies on behavioural changes that will only occur through actions that enhance the usability, convenience and safety of zero or lower emissions transport options.

Banyule's Integrated Transport Plan (2015 – 2035) articulates a comprehensive approach to delivering much of this work, with a number of objectives that ultimately support a zero emissions goal, including the following:

- Improve accessibility and transport choice to destinations within and beyond Banyule for people of all abilities and reduce our reliance on private cars
- Support sustainable transport and reduce the distance travelled via land use and development activity
- Raise and promote awareness of transport issues faced by the community and continue to advocate to State and Federal Governments for funding and action.

High priority actions in the Transport Plan have been included within this plan to enable accelerated uptake:

#	Action	Description	Timeframe	Investment
5.1	the Integrated Transport Plan	Continue to implement priority actions around walking and cycling, public transport and land use and development, as outlined within Banyule's Integrated Transport Plan.	Now – Long term	Existing

#	Action	Description	Timeframe	Investment
5.2	Electric charging stations	Pursue electric vehicle charging stations in partnership with businesses, State Government and private charging infrastructure provider(s) at key locations.	Short term	\$\$
5.3	Carshare programs	Collaborate with private providers of carshare system to realise opportunities for the roll out of a carshare program across the municipality.	Short term	\$\$
5.4	Transport advocacy	Collaborate with Local Governments and consortiums to advocate State and Federal government to achieve a greener transport sector.	Short term	Existing
5.5	Incentivise alternative, green, transport modes	Explore ways (education, best practice models) to incentivize the use of zero or low emission transport modes, including walking, public transport and electric vehicles.	Short term	\$\$\$

6. Transition to a circular economy

Banyule's *Towards Zero Waste Plan* champions the 3Rs, 'reduce, reuse, recycle' and sets a clear mission to move towards a circular economy. The adverse environmental impacts of waste generation are well known; however the economic costs of waste management are also extensive.

Council can positively influence waste reduction outcomes through:

- Continuing to deliver education program;
- Leading by example;
- Providing enabling infrastructure; and
- Advocating other levels of government and industry to respond.

#	Action	Description	Timeframe	Investment
6.1	Food Organics and Green Organics (FOGO)	Implement a FOGO system for the municipality.	Short term	\$\$\$
6.2	Enable recycling at leased facilities	Investigate opportunity for the provision of a two bin waste system service for council owned and leased facilities (i.e. footy/tennis clubs).	Short term	\$\$

#	Action	Description	Timeframe	Investment
6.3		Provide green cone and supporting education at all leased facilities.	Short term	\$\$
6.4	Enabling recycling in activity centres	Investigate the feasibility of introducing public place recycling into activity centres.	Short term	\$\$
6.5	Business, multiunit and apartment recycling	Investigate the provision of recycling service and collection at businesses, multiunit and apartment developments	Short term	\$\$
6.6	Waste advocacy	<p>Collaborate with Local Governments and consortiums to advocate State and Federal government to improve waste standards, specifically for:</p> <ul style="list-style-type: none"> investment in waste management infrastructure that supports more circular approaches to the Australian economy, including advanced organic processing and product recycling. Increase what is included within the Product Stewardship Act 2011 to include more mandatory products. 	Ongoing	\$

ADAPTATION

Planning for a climate adaptive and resilient Banyule

We are experiencing the impacts of climate change today and will continue to do so. We have seen this in numerous ways, including, for example, with the flooding that occurred across the municipality in 2016.

Adaptation is a key component of our efforts to withstand and manage the frequency and intensity of climatic extremes. It refers to practical actions and adjustments that are taken to reduce vulnerability and increase the resilience of individuals, communities, organisations and natural systems to deal with the consequences, pressures and shocks of climate change.

To build and maintain a better Banyule, our adaptation efforts will capture a wide range of policies, actions and choices incorporating local knowledge and long term thinking. Everyone has a role to play in adaptation; factoring current and future climate risks into decisions, supporting those who are more vulnerable, applying the best available science, involving those affected in decision making and regularly reviewing actions to look for flexible choices and opportunities.

As a Council we must continually be nimble in the way that we do things and integrate this concept of resilience within our everyday work and strategic planning. Much of this is already evident across complementary areas and strategies (Appendix C).

To further strengthen our response, we will:

#	Action	Description	Timeframe	Investment
7.1	the Urban Forest Strategic Plan	In line with the Urban Forest Strategic Plan, increase tree canopy cover across the municipality, in streets, open spaces and in non-council managed land, through direct tree planting and maintenance programs and provision of indigenous seeds to residents and businesses.	Short term	Existing
7.2	Regional adaptation	Review and implement key actions outlined within the regional, 'Adaptation in the North' Report around human services, infrastructure, emergency management, industry, natural ecosystems and planning.	Short – Medium term	\$\$-\$\$\$
7.3	Vulnerability assessment	Undertake a community and council infrastructure vulnerability assessments to understand the risk of these assets to climate change and prioritise actions to enhance resilience, with attention given	Short term	\$\$\$

#	Action	Description	Timeframe	Investment
		to supporting vulnerable groups within the municipality.		
7.4	Energy security for relief centers	Build the energy security of relief centers across Banyule to enable resilience in the face of projected climate impacts, including grid outages.	Short term	\$\$\$
7.5	Embedding resilient thinking	Embed the thinking behind this document and climate adaptation into all strategic documents, as revisions are undertaken.	Short term	Existing

ADAPTATION & OUR URBAN FOREST

What is an Urban Forest?

An urban forest is a managed population of trees, both planted and naturally occurring, which provide economic, social, environmental and ecological benefits to communities within an urban setting. In Banyule, these trees are located within streets, parks, sports reserves, private property, along railway verges and waterways. Additionally, the urban forest can incorporate green roofs, vertical walls, and community gardens.

Benefits of an Urban Forest

Economic

Urban trees shade both people and hard infrastructure such as roads and buildings from direct sun and UV rays during summer. This has the significant positive impact of reducing energy use in buildings by lowering mechanical cooling requirements and therefore avoiding further carbon emissions. This shading also protects and prolongs the life of asphalt paths and roads.

Environmental

Through their natural processes, urban trees are an essential part of providing ecosystem services in urban areas. Urban trees filter particulate matter and pollutants from the air and stormwater, they reduce the flow and amount of stormwater by intercepting and storing rainfall and they improve groundwater flows. Urban trees also provide shelter, habitat and food for wildlife, encouraging biodiversity.

Social

Urban trees are a key component in facilitating a sense of place, community, neighbourhood character and social interaction. Tree lined streets and parks can profoundly increase property value and encourage physical activity. Access to green spaces has also been shown to improve mental health and speed up recovery from medical care.

Our Tree Care Team are continually undertaking programs to ensure our tree stock remains healthy, diverse and resilient to the impacts of climate change. Find out more by searching 'Urban Forest' on our website.

Next steps: get involved, monitor and report

To ensure we understand how we are progressing – what is working (and what is not), we will need to continually monitor the impact and effectiveness of the actions committed to in this Plan. We will publicly report on this via our website and our annual State of the Environment Report.

Beyond our own programs we will also keep abreast of broader policy and technological changes that we can take advantage of, or that create new needs or areas of advocacy focus. Will we revise this Plan in the next four years, to ensure it remains relevant and effective.

#	Action	Description	Timeframe	Investment
8.1	Establish framework	Develop MERI framework for the plan.	Year 1-4	Existing
8.2	Monitor, evaluate, report and improve	Monitor, evaluate progress. Identify areas for improvement. Report on key progress on the anniversary of the climate action resolution (mid December of each year).	Year 1-4	Existing

Implementing this plan is going to be a journey and we strive to bring everyone along through ongoing engagement with our community. We encourage you to stay in touch and sign up for updates through our quarterly environment newsletter:
<https://www.banyule.vic.gov.au/Greenwrap>

You can also stay up to date through our website here:
<https://www.banyule.vic.gov.au/ClimateAction>

We encourage you to take the lead in your household, neighbourhood, workplace and social circles - to have climate conversations and share learnings about the actions you are taking.

APPENDIX A: Council Action Plan: Summary

#	Action	Description	Timeframe	Investment	Lead Department
1.1	Face-to-face models to broaden engagement	Support existing non-environment groups such as Rotary Clubs and youth groups, to engage members in taking climate action.	Short term	\$\$	Environment
1.2	Facilitate peer learning	Investigate different models that are able to support peer learning and engagement.	Short term	\$	Environment
2.1	Solar program at leased facilities	Work with preschool, sporting clubs and other community users to upgrade energy performance and install solar PV on facilities leased from Council.	Short term	\$\$\$	Environment
2.2	Residential/Commercial PPA	Investigate opportunities to broker power purchasing agreements (PPAs) for Banyule businesses and households. Implement viable models.	Short term Medium term	\$\$	Environment
2.3	Community-led power	Encourage and support community-led energy solutions, and facilitation of networking opportunities with experts.	Short term	\$\$	Environment
2.4	Bulk purchase programs	Continue to participate in bulk purchasing programs, such as Solar Savers, to enable residents and business access to quality solar PV systems and installers.	Now	\$\$	Environment
2.5	Education	Provide clear information and support to residents in relation to solar PV, facilitating improved understanding of value, cost and technical considerations.	Now	Existing	Environment

#	Action	Description	Timeframe	Investment	Lead Department
3.1	Financial incentives	Examine a range of economic levers to support the uptake of energy efficiency measures for residents and business owners. This could include facilitated low cost loans, product subsidies (i.e. free LED globe installation), bulk purchase programs across all target areas (lighting, water and space heaters, common high energy user appliances).	Medium term	\$\$ - \$\$\$	Environment
3.2	Residential energy efficiency campaign	Establish a community focused energy efficiency program to promote financial and energy efficiency	Now	Existing	Environment
3.3	Environmental Upgrade Finance (EUF) for commercial owners	Support high energy commercial building owners to improve the efficiency of their buildings through facilitating access to low cost financing through EUF and expert information sources.	Medium	\$\$\$	Economic Development
3.4	Housing energy standards	Advocate for housing to have improved energy efficiency standards and accelerated upgrades.	Short term	Existing	Environment
4.1	Environmentally Sustainable Design (ESD) Planning Opportunities	Continue to participate in opportunities to improve ESD standards through the planning process and ultimately achieve zero net and climate resilient buildings.	Now	Existing	Planning
4.2	The Built Environment Sustainability	Continue to be a BESS subscriber and Council Alliance for a Sustainable Built Environment (CASBE) member, to ensure our developers can use BESS.	Short term	Existing	Planning

#	Action	Description	Timeframe	Investment	Lead Department
	Scorecard (BESS)	Provide a resource to seek BESS Governance Board membership to advocate for improved ESD outcomes.			
4.3	Environmentally Sustainable Design (ESD) Compliance and Triggers	Embed Sustainable Design Assessment in the Planning Process By: <ul style="list-style-type: none"> improving the technical capacity of the Development Planning to implement ESD in planning outcomes supporting ESD related planning policy amendments and the development of planning guidelines. 	Short term	\$\$	Planning
4.4	Environmentally Sustainable Design (ESD) Compliance	Trial ESD inspections to inform an understanding of current compliance levels.	Short term	\$\$	Planning
4.5	New build advocacy	Collaborate with Local Governments and consortiums (including Council Alliance for a Sustainable Built Environment (CASBE)) to advocate State and federal government to lift the minimum standards in the NCC, with specific reference to climate change (i.e. cover adaptation and mitigation).	Short term	Existing	Planning
5.1	the Integrated Transport Plan	Continue to implement priority actions around walking and cycling, public transport and land use & development, as outlined within Banyule's Integrated Transport Plan.	Now – Long term	Existing	Transport

#	Action	Description	Timeframe	Investment	Lead Department
5.2	Electric charging stations	Pursue electric vehicle charging stations in partnership with businesses, State Government and private charging infrastructure provider(s) at key locations.	Short term	\$\$	Transport
5.3	Carshare programs	Collaborate with private providers of carshare system to realise opportunities for the roll out of a carshare program across the municipality.	Short term	\$	Transport
5.4	Transport advocacy	Collaborate with Local Governments and consortiums to advocate State and Federal government to achieve a greener transport sector.	Short term	Existing	Transport
5.5	Incentivise alternative, green, transport modes	Explore ways (education, best practice models) to incentivize the use of zero or low emission transport modes, including walking, public transport and electric vehicles.	Short term	\$\$\$	Transport
6.1	Food Organics and Green Organics (FOGO)	Implement a FOGO system for the municipality.	Short term	\$\$\$	Waste Management
6.2	Enable recycling at leased facilities	Investigate opportunity for the provision of a two bin waste system service for council owned and leased facilities (i.e. footy/tennis clubs).	Short term	\$\$\$	Waste Management
6.3		Provide green cone and supporting education at all leased facilities.	Short term	\$\$	Waste Management

#	Action	Description	Timeframe	Investment	Lead Department
6.4	Enabling recycling in activity centres	Investigate the feasibility of introducing public place recycling into activity centres.	Short term	\$\$	Waste Management
6.5	Business, multiunit and apartment recycling	Investigate the provision of recycling service and collection at businesses, multiunit and apartment developments	Short term	\$\$	Waste Management
6.6	Waste advocacy	Collaborate with Local Governments and consortiums to advocate State and Federal government to improve waste standards, specifically for: <ul style="list-style-type: none"> Investment in waste management infrastructure that supports more circular approaches to the Australian economy, including advanced organic processing and product recycling. Increase what is included within the Product Stewardship Act 2011 to include more mandatory products. 	Short term	\$	Waste Management
7.1	the Urban Forest Strategic Plan	In line with the Urban Forest Strategic Plan, increase tree canopy cover across the municipality, in streets, open spaces and in non-council managed land, through direct tree planting and maintenance programs and provision of indigenous seeds to residents and businesses.	Short term	Existing	Parks and Gardens
7.2	Regional adaptation	Review and implement regionally focused actions outlined within the <i>Adaptation in the North Report</i> around human services, infrastructure, emergency management, industry, natural ecosystems and planning.	Medium term	\$\$-\$\$\$	Emergency Management

#	Action	Description	Timeframe	Investment	Lead Department
7.3	Vulnerability assessment	Undertake a detailed community and council infrastructure vulnerability assessment to understand the risk of these assets to climate change and prioritise actions to enhance resilience, with attention given to supporting vulnerable groups within the municipality.	Short term	\$\$	Emergency Management
7.4	Energy security for relief centers	Build the energy security of relief centers across Banyule to enable resilience in the face of projected climate impacts, including grid outages.	Short term	\$\$\$	Emergency Management / Environment
7.5	Embedding resilient thinking	Embed the thinking behind this document and climate adaptation into all strategic documents, as revisions are undertaken.	Short term	Existing	All
8.1	Establish framework	Develop MERRI framework for the plan, including supporting annual action plan.	Year 1-4	Existing	Environment
8.2	Monitor, evaluate, report and improve	Monitor, evaluate progress. Identify areas for improvement. Report on key progress on the anniversary of the climate action resolution (mid December of each year).	Year 1-4	Existing	Environment

APPENDIX B: Glossary

Adaptation	Changing behaviours, increasing resilience and upgrading assets to better respond to the impacts of climate change such as extreme weather events. Regardless of how successful we are in mitigating climate change, we will continue to experience impacts to which we need to adapt.
Carbon neutral	See 'zero net emissions'
Climate change	Changes to the Earth's climate caused by human activity including burning fossil fuels (coal, gas, petrol and diesel) and clearing vegetation. Impacts include a global temperature increase as well as local droughts, floods, extreme hot and cold spells, and more intense rainfall.
CO₂-e	Carbon Dioxide-equivalent. A measure used to compare emissions from greenhouse gases based upon their global warming potential, the amount they contribute to climate change.
Energy efficient	An appliance or vehicle that is energy efficient generates 'more output per input': more light, heat, movement or other desired output, per input of energy.
Greenhouse gases	Carbon dioxide, methane, nitrous oxide and other gases that build up in our atmosphere.
LEDs	Light Emitting Diodes. Energy efficient lighting.
Mitigation	Reducing emissions of greenhouse gases that cause climate change.
MERI	Monitoring, evaluation, reporting and improvement of our plan.
Northern Alliance for Greenhouse Action (NAGA)	Nine councils in Melbourne's north, including Banyule, working together to trial, support and share learnings from emission reduction and adaptation activities in the region.
Offsets, carbon offsets	Projects that compensate for emissions at one source by either investing in emissions avoidance elsewhere, such as through renewable energy generation, or removing carbon from the atmosphere through reforestation. With enough purchase of offsets, net emissions from an organisation's activities could be reduced to zero (zero net emissions).
Power Purchasing Agreement (PPA)	An agreement between an electricity provider and a buyer for the sale of energy. They can be used to secure a large amount of renewable energy at an agreed price over an extended period, and ensure money exchanged for power is only invested in the development of renewable energy sources
Renewable energy	Energy generated by renewable sources such as the sun, wind and movement of water.

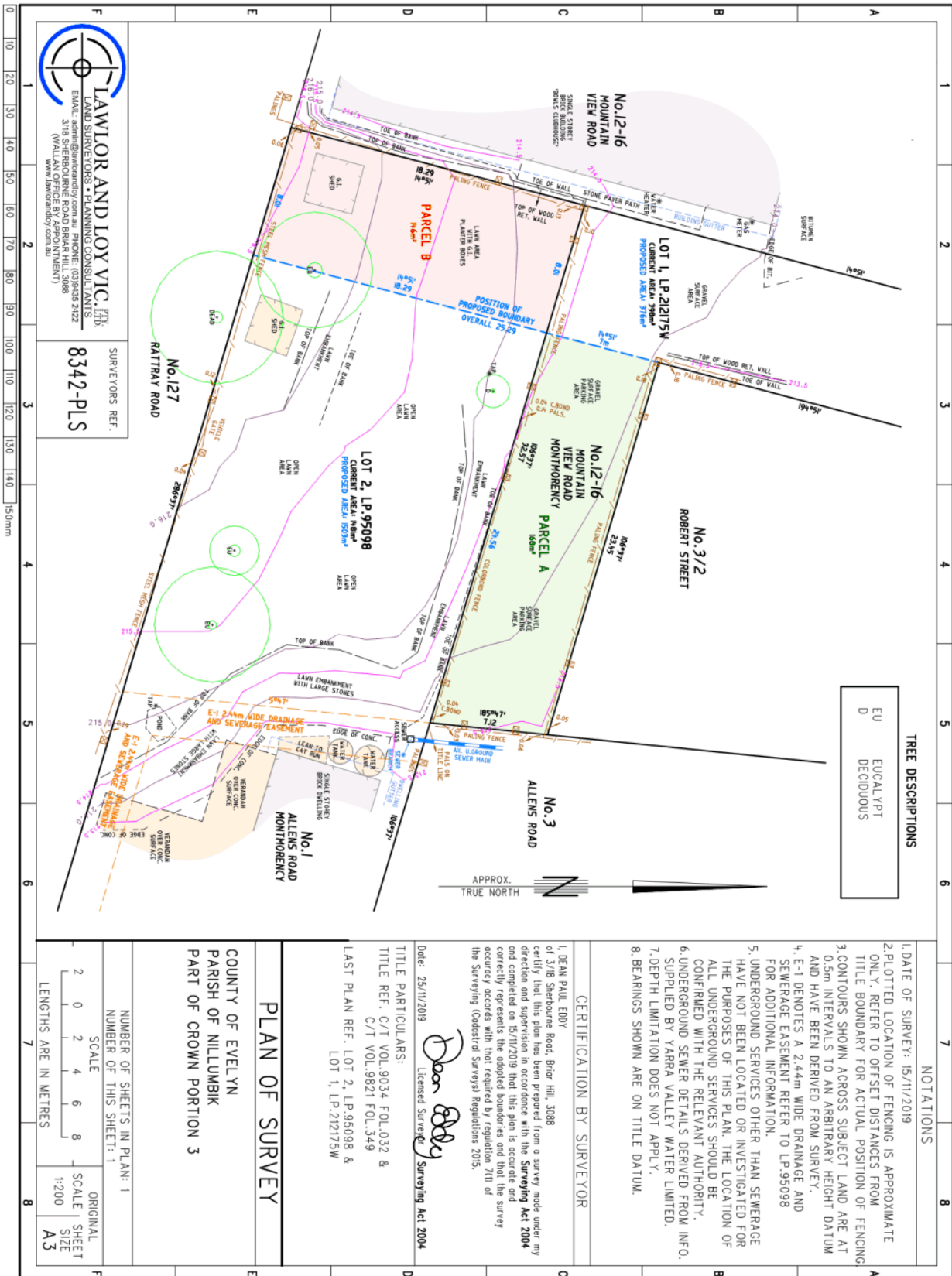
APPENDIX C: Complementary Council strategies

For many of the action themes, existing plans are already in operation to address complementary objectives of resilience and sustainability.

These key documents are listed below:

BIODIVERSITY PLAN, 2019 - 2022	The Biodiversity Plan provides an overview of Banyule's biodiversity assets and lists actions and indicators to direct and monitor our management of biodiversity within the municipality.
CORPORATE EMISSIONS REDUCTION PLAN, 2020 - 2023	This four year Plan outlines nine priority themes and 30 key actions that collectively will place Council in a strong position to achieve its target of carbon neutrality by 2028 for Council operations.
INTEGRATED TRANSPORT PLAN, 2015-2035	<p>The ITP delivers on one of Council's Place objectives of the City Plan 2013-2017, providing long-term direction in transport and land use decisions in Banyule, with a vision where Banyule is a city with accessible, sustainable and active communities, with good access to jobs, education, shopping and community opportunities within a safe transport network.</p> <p>The plan identifies six objectives that reflect the aspirations and principles developed to assist Council achieve an integrated and sustainable transport network, and improve the overall liveability of our municipality.</p>
MUNICIPAL EMERGENCY MANAGEMENT PLAN	<p>A requirement of the State Government, this Plan articulates Banyule's approach to:</p> <ul style="list-style-type: none"> • the prevention of, • response to, and • the recovery from emergencies affecting the community.
STEWARDSHIP PLAN, 2019 - 2022	<p>The Stewardship Plan articulates Council's program of works to respond to the objective of being and building environmental stewards across the municipality. Specifically it looks to focus on the following:</p> <ul style="list-style-type: none"> • Supporting and education the community to protect, enhance and experience the environment, working together with local friends groups and environmental organisations, and <p>Managing recreation and open spaces in an environmental sustainable way.</p>
TOWARDS ZERO WASTE	This Plan is based on the waste management hierarchy, in which avoidance is the most preferable option and disposal to landfill the least preferable. The plan has four strategic directions.

MANAGEMENT PLAN, 2019 - 2023	<ol style="list-style-type: none"> 1. Avoid waste generation. 2. Build, support and strengthen a community culture that is striving to be zero waste. 3. Deliver environmentally responsible and cost-effective recycling and waste services. 4. Advocate to other levels of government to avoid waste, reduce waste to landfill and increase recycling.
URBAN FOREST STRATEGIC PLAN, 2014	This Strategic Plan provides the foundation for building policy and programs to ensure Council effectively plans, manages and maintains our highly valued urban forest.
WATER STRATEGIC PLAN, 2019 - 2023	<p>The Water Plan builds on our strong experience in managing water sustainably, while improving our ability to plan for and respond to significant events like the water shortages of the Millennium drought, and the major floods that we have experienced in the last several years.</p> <p>The Plan sets us up to ensure that water is available for the environment in a sustainable way, and to continue to enjoy all of the benefits that water provides to the community</p>



TREE DESCRIPTIONS	
EU	EUCALYPT
D	DECIDUOUS

NOTATIONS

1. DATE OF SURVEY: 15/11/2019
2. PLOTTED LOCATION OF FENCING IS APPROXIMATE ONLY. REFER TO OFFSET DISTANCES FROM TITLE BOUNDARY FOR ACTUAL POSITION OF FENCING.
3. CONTOURS SHOWN ACROSS SUBJECT LAND ARE AT 0.5m INTERVALS TO AN ARBITRARY HEIGHT DATUM AND HAVE BEEN DERIVED FROM SURVEY.
4. E-1 DENOTES A 2.44m WIDE DRAINAGE AND SEWERAGE EASEMENT REFER TO LP 95098 FOR ADDITIONAL INFORMATION.
5. UNDERGROUND SERVICES OTHER THAN SEWERAGE HAVE NOT BEEN LOCATED OR INVESTIGATED FOR THE PURPOSES OF THIS PLAN. THE LOCATION OF ALL UNDERGROUND SERVICES SHOULD BE CONFIRMED WITH THE RELEVANT AUTHORITY.
6. UNDERGROUND SEWER DETAILS DERIVED FROM INFO. SUPPLIED BY YARRA VALLEY WATER LIMITED.
7. DEPTH LIMITATION DOES NOT APPLY.
8. BEARINGS SHOWN ARE ON TITLE DATUM.

CERTIFICATION BY SURVEYOR

I, DEAN PAUL EDDY of 3/18 Sherbourne Road, Briar Hill, 3088 certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004 and completed on 15/11/2019 that this plan is accurate and correctly represents the adopted boundaries and that the survey accuracy accords with that required by regulation 7(1) of the Surveying (Cadastral Surveys) Regulations 2015.

Dean Eddy
Licensed Surveyor
Surveying Act 2004

Date: 25/11/2019
TITLE PARTICULARS:
TITLE REF. C/T VOL. 9034 FOL. 032 & C/T VOL. 9821 FOL. 349
LAST PLAN REF. LOT 1, LP 95098 & LOT 1, LP 212175W

PLAN OF SURVEY

COUNTY OF EVELYN
PARISH OF MILLUMBICK
PART OF CROWN PORTION 3

NUMBER OF SHEETS IN PLAN: 1
NUMBER OF THIS SHEET: 1

SCALE

2	0	2	4	6	8
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ORIGINAL SCALE SHEET SIZE A3

LENGTHS ARE IN METRES

LAWLOR AND LOY VIC. PTY.
LAND SURVEYORS • PLANNING CONSULTANTS
EMAIL: admin@lawnorandloy.com.au PHONE: (03) 9435 2422
3/18 SHERBOURNE ROAD BRIAR HILL 3088
(VIC) www.lawnorandloy.com.au

SURVEYORS REF. **8342-PLS**





BANYULE CITY COUNCIL

Meeting Procedures Code (2015)

Incorporate Matter of GOVERNANCE LOCAL LAW NO. 2 (2015)

Amended 3 June 2019, date of operation 13 June 2019

Amended 18 May

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Part 1 PRELIMINARIES

1. Title

This Code is known as the Meeting Procedures Code (2015).

2. Purpose

The purpose of the Code is to:

- (1) Provide for the election of the Mayor
- (2) Provide for the role of the Mayor
- (3) Provide for the procedures governing the conduct of Council Meetings
- (4) Set the rules of behaviour for those participating in or present at Council Meetings

3. About the Code

Explanatory Notes are included in this Code and refer to sections of the Local Government Act 1989 and do not form part of this Code. The Explanatory Notes are included for reference and the relevant section of the Act should be read in full.

4. Definitions

The following words have the meaning indicated:

Words	Meaning
Act	means the Local Government Act 1989, as amended from time to time.
Amendment	A proposal to alter a motion which is then before the meeting or an alteration or proposed alteration to the terms of the motion, designed to improve the motion without contradicting it.
Authorised Officer	means any person appointed by the Council to be an Authorised Officer pursuant to section 224 of the Act or treated by section 224A of that Act to have been either in relation to the whole of this Local Law or to a particular portion of it in which the term is used.
Chief Executive Officer	has the same meaning as in the Local Government Act 1989.
Code	means the Meeting Procedures Code (2015) as amended from time to time.
Council	means Banyule City Council.

Councillor	means a person who is an elected member of the Council.
Motion	a proposal to put to a meeting with a view to its acceptance.
Petition	A petition is a document signed by a group of people requesting the Council take specific action in relation to a particular issue. Petitions commence with a statement which is repeated on every page and contains the name, address and signature of at least one person.
Procedural Motion	a motion dealing with the conduct of the meeting itself.
Resolution	a formal determination by Council.
Voting in Block	Council Agenda items are grouped together and resolved in one motion with one mover and one seconder.

Notes**91. Conduct of meetings**

- (1) A Council must make local laws governing the conduct of meetings of the Council and special committees.
- (2) Except as provided in this Act and subject to any local laws, the conduct of meetings of a Council is in the Council's discretion.
- (3) Except as provided in this Act and subject to any local laws and any resolutions of a Council, the conduct of meetings of a special committee is in the special committee's discretion.
- (3A) A quorum at a meeting of the Council or a special committee must be at least a majority of the members of the Council or the special committee.
- (4) Resolutions made at a meeting of a Council or special committee must clearly state the intention and effect of the resolution.

5. Procedure not provided in Local Law

In all cases not specifically provided for by this Code, reference must be had to the rules, forms and usages of the Victorian Parliament, Legislative Assembly (so far as the same are capable of being applied to Council or committee proceedings).

Part 2 ELECTION OF MAYOR

6. Procedure for the Election of the Mayor

The Election of the Mayor must be carried out in accordance with the Act.

Notes

71. Election of Mayor

- (1) At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years.
- (3) The Mayor is to be elected—
 - (a) after the fourth Saturday in October but not later than 30 November in each year; or (ab) if under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election; or
 - (b) as soon as possible after any vacancy in the office of Mayor occurs.
- (4) The election of a Mayor after the period specified in this section does not invalidate the election.
* * * * *
- (6) The Mayor of a Shire Council may be titled the President.
- (7) Any reference to Mayor includes a reference to Lord Mayor or President as the case may be.

72. Term of office

- (1) The office of Mayor becomes vacant—
 - (a) at 6 a.m. on the day of the election of the Mayor; or
 - (b) if he or she dies or ceases to be a Councillor; or
 - (ba) if his or her office as a Councillor is suspended for any period under this Act; or
 - (c) if he or she resigns in writing which is given at a Council meeting or to the Chief Executive Officer;
 or
 - (ca) if he or she becomes ineligible to hold office under section 81K; or
 - (d) if he or she is ousted from office.
- (2) For the avoidance of doubt, the office of Mayor becomes vacant under subsection (1)(b) at 6 a.m. on the day of a general election whether or not the Mayor has completed his or her term of office as resolved by the Council under section 71(1).
- (3) Any Councillor is eligible for election or re-election to the office of Mayor.

7. Election of Temporary Chairperson

The Chief Executive Officer will seek nominations for a Temporary Chairperson of the meeting at which the election of the Mayor is to be conducted or any other meeting where the Mayor is not present.

At any meeting to elect the Mayor, any Councillor may be appointed as a temporary Chairperson to deal with:

- (a) the receipt of nominations for the election of Mayor; and
- (b) the election of the Mayor.

The appointment of an Acting Chairperson shall be determined in the same manner as the election of Mayor.

8. Election of the Mayor - Nominations

- (1) Nominations for Mayor shall be received in any of the following forms:
 - a) at the meeting, a Councillor nominating himself or herself as a candidate;
or
 - b) at the meeting, a Councillor nominating another Councillor as a candidate.
- (2) A Councillor may nominate only one Councillor.
- (3) Every nomination shall require a seconder.
- (4) Any Councillor nominated may refuse nomination.

9. Method of Voting

- (1) All Councillors shall vote once for the candidate of his or her choice by show of hand.
- (2) Candidates will be voted for in the order of nominations received.
- (3) A Councillor may request a division on any vote for the election of Mayor.

10. Determining the Vote

- (1) Where only one nomination for Mayor is received (which must be seconded), that nominee shall be declared elected.
- (2) Where there are two or more nominees, the Councillor with an absolute majority of votes cast will be declared elected.
- (3) Where there are two or more nominations and all votes cast are equally divided between two or more nominees, the election must be determined by lot.
- (4) Where no candidate receives an absolute majority of votes, the candidate with the fewest number of votes must be eliminated as a candidate (and if more than one of them, the nominee determined by lot) and a further poll conducted between the remaining candidates. This procedure must be repeated until a candidate receives an absolute majority of votes and that candidate shall be declared Mayor.
- (5) If there are two remaining nominees with an equal division of votes, the election must be determined by lot by the Chief Executive Officer.
- (6) The Chief Executive Officer shall act as Returning Officer for the election of the Mayor.
- (7) Any Councillor who is a candidate shall be entitled to vote.

11. Acting Mayor

The appointment of an Acting Mayor shall be determined in the same manner as the election of Mayor.

Notes**73. Precedence of Mayor**

- (1) The Mayor of a Council takes precedence at all municipal proceedings within the municipal district.
- (2) The Mayor must take the chair at all meetings of the Council at which he or she is present.
- (3) If there is a vacancy in the office of Mayor or the Mayor is absent, incapable of acting or refusing to act, the Council must appoint one of the Councillors to be the acting Mayor.
- (4) An acting Mayor may perform any function or exercise any power conferred on the Mayor.

12. Election of Committee Chairperson

Where Council has not appointed a Chairperson for a special committee, the special committee shall follow the same procedure for electing a Chairperson as used by Council in electing a Mayor.

13. The Chairperson's Duties and Discretions

It is the Chairperson's duty to retain control and order of the meeting, to act impartially, and to ensure the smooth passage of business before the meeting, allowing for a fair examination of contentious matters, the duties include but are not limited to:

- (1) Presiding over and controlling the meeting to ensure, to the best of their ability, it is conducted in accordance with the Local Law and this Code;
- (2) Ascertaining that a quorum is present, and if a quorum is present, formally declaring the meeting open;
- (3) Welcoming Councillors and visitors;
- (4) Signing minutes of meetings as correct when they have been confirmed in accordance with section 93(5) of the Act;
- (5) Calling for disclosure by Councillors of any conflicts of interest in accordance with section 79 of the Act;
- (6) Ensuring debates are conducted in the correct manner;
- (7) In the case of competition for the right to speak, deciding the order in which the Councillors concerned will be heard;
- (8) Declaring the results of all votes;
- (9) Giving rulings on points of order and other questions of procedure;
- (10) Adjourning (when so resolved) or formally declaring a meeting closed when all business has been concluded.

Part 3 COUNCIL MEETINGS

14. Types of Meetings

- (1) ~~The types of meetings are specified in the Act. The Council may hold:~~
- a) ~~ordinary meetings at which general business of the Council may be transacted; and~~
 - b) ~~special meetings at which the business specified in the notice calling the meeting may be transacted.~~

Notes

~~83. Types of meetings~~

~~The Council may hold—~~

- ~~(a) ordinary meetings at which general business of the Council may be transacted; and~~
- ~~(b) special meetings at which the business specified in the notice calling the meeting may be transacted.~~

15. Date, time and place of Meetings

- (1) The dates, times and place of all Council Meetings are to be fixed by Council.
- (2) Notice of all meetings must be made in accordance with the Act.
- (3) Council may by resolution change the date, time and place of any Council Meeting which has been fixed and must provide reasonable notice of the changes to the public.
- (4) In the case of an emergency, the Chief Executive Officer or his or her delegate, may postpone a Council Meeting, and reasonable attempts are to be made to notify every Councillor of the postponement.

Notes

89. Meetings to be open to the public

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
 - (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
 - (a) an ordinary council meeting; or
 - (b) a special council meeting; or
 - (c) a meeting of a special committee comprised solely of Councillors— give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
 - (a) give such public notice as is practicable; and

- (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee

16. Special Council Meetings

- (1) A Council may by a resolution call a special meeting of the Council. The resolution must specify the date and time of the special meeting and the business to be transacted.
- (2) The Mayor or at least 3 Councillors may call a Special meeting of Council. The calling of the Special meeting must be in writing and specify the date and time of the special meeting and the business to be transacted.
- (3) The Chief Executive Officer must call the special meeting as specified in the notice or resolution.
- (4) Unless all Councillors are present and unanimously agree to deal with another matter, only the business specified in the notice or resolution is to be transacted.

17. Agendas

- (1) The Chief Executive Officer must send the Agenda of all business to be considered for all Council Meetings to every Councillor at least 2 days before the meeting.
- (2) A meeting shall not be held if there has been a failure to give two clear days' notice, unless all Councillors are in attendance at the time specified and resolve to hold the meeting notwithstanding the failure.

18. Order of Business – How dealt with

- (1) The following order of business on the Agenda should be followed at an ordinary meeting unless Council resolves otherwise:
 - (a) Opening
 - (b) Mayor's Acknowledgment of the Traditional Custodians
 - (c) Affirmation
 - (d) Apologies and Leave of Absence
 - (e) Adoption, confirmation and signing of minutes of previous meetings
 - (f) Disclosure of any interest of any Councillor
 - (g) Presentation
 - (h) Urgent business
 - (i) Petitions
 - (j) Reports
 - (k) Notices of Motion
 - (l) General Business and
 - (m) Confidential business

- (2) Council may determine the order of business at any Council Meeting. The varying of the order of business may be done for the purpose of considering an item/s on the Agenda ahead of other items, or to facilitate the voting in block of items.

Part 4 CONDUCT OF MEETINGS

19. Quorum - Failure to raise a quorum

If a quorum is not present within 30 minutes of the time appointed for the commencement of a Council Meeting:

- (1) the meeting may be adjourned for not more than seven days by:
 - a) a majority of the Councillors present; or
 - b) in the absence of any Councillor, the Chief Executive Officer; and
- (2) the Chief Executive Officer must give all Councillors notice of the adjourned meeting.

20. Inability to maintain a quorum

If a quorum ceases to be present at any time during a Council Meeting then no business can be legally transacted until a quorum is again formed. The meeting may be adjourned.

21. Inability to achieve or maintain a quorum due to interests or conflict of interest

If a quorum cannot be achieved or maintained during a Council Meeting due to the number of declarations of conflicts of interests by Councillors in complying with section 79 of the Act:

- (1) The Chief Executive Officer or his or her delegate may defer consideration of the item being considered immediately prior to the absence of a quorum for a length of time sufficient to enable an exemption for the affected Councillors to be obtained from the Minister administering the Act.
- (2) The Chief Executive Officer must give all Councillors notice of an adjourned meeting. Where it is not practicable because of time constraints to give written notice, then notice in person or by some other means will be sufficient.

22. When meeting lapses

If a quorum fails after a Council Meeting has begun and cannot be formed within 30 minutes of the failure, the meeting lapses.

23. Business of a lapsed meeting

If a Council Meeting lapses, the unresolved business must be included in the Agenda for the next appropriate Council Meeting.

Notes**85. Call of the Council**

- (1) If a quorum of a Council cannot be formed or maintained due to the absence of Councillors, the Minister or the Chief Executive Officer may require all Councillors to attend a call of the Council meeting.
- (2) A call of the Council meeting is to be treated as a special meeting.
- (3) The Minister or a person appointed by the Minister is entitled to attend and speak at a call of the Council meeting which the Minister required Councillors to attend.
- (4) If a Councillor does not attend within 30 minutes after the time fixed for a call of the Council meeting or remain at the meeting the Chief Executive Officer must immediately advise the Minister in writing.
- (5) The Minister must advise the Councillor and the Council that—
 - (a) he or she has received advice that the Councillor did not attend or remain at the call of the Council meeting; and
 - (b) any submissions may be made to the Minister within the period specified by the Minister.
- (6) If after considering any submissions from the Councillor and the Council the Minister is not satisfied that the Councillor had a reasonable excuse for not attending or remaining at the call of the Council meeting, the Minister may order that as from the date specified in the order the Councillor is incapable of continuing to be a Councillor.

24. Conduct of Business

The items of business as listed on an Agenda must be dealt with in the following manner:

25. Mayor's Acknowledgement of the Traditional Custodians

At each ordinary meeting, the Mayor or a Councillor shall read out a Statement in recognition and respect to the traditional custodians of the land.

26. Affirmation

At each ordinary meeting, the Mayor or a Councillor shall read out an Affirmation of commitment and good governance.

27. Apologies and Leave of Absence

- (1) Apologies shall be read by the Chairperson.
- (2) All requests for leave of absence shall be submitted to the Chief Executive Officer in writing and approved by resolution of Council.

Notes**93. Minutes of meetings**

- (1) The Council must keep minutes of each meeting of the Council.
- (2) The minutes of a Council meeting must be submitted to the next appropriate meeting of the Council for confirmation.
- (3) The Chairperson of a special committee must arrange for minutes of each meeting of the committee to be kept.
- (4) If sub-section (3) applies, the Chairperson must submit the minutes of a committee meeting to the next meeting of the committee for confirmation.
- (5) If the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed.
- (6) The minutes of a meeting of the Council or a special committee must—
 - (a) contain details of the proceedings and resolutions made;
 - (b) be clearly expressed;
 - (c) be self-explanatory;
 - (d) in relation to resolutions recorded in the minutes, incorporate relevant reports or a summary of the relevant reports considered in the decision making process.

28. Confirmation of Minutes

- (1) The minutes of the meeting are to be confirmed by resolution of Council.
- (2) No discussion or debate on the confirmation of minutes will be permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.
- (3) If a Councillor is dissatisfied with the accuracy of the minutes, then he or she must:
 - a) state the item or items with which he or she is dissatisfied; and
 - b) prepare a motion clearly setting out the alternative wording to amend the minutes.
- (4) A copy of the minutes should be delivered or sent electronically to each Councillor no later than 48 hours before the next meeting.
- (5) The Chief Executive Officer or his or her delegate must record minutes of each meeting, and those minutes shall include:
 - a) the date, place, time and nature of the meeting;
 - b) the names of the Councillors present;
 - c) the names of any Councillors who have submitted an apology or are on leave of absence;
 - d) arrivals and departures (including temporary departures) of Councillors during the course of the meeting;
 - e) details of any disclosure of interest made by a Councillor and the time the Councillor left the room and returned to the room;
 - f) every motion and amendment moved, including the mover and seconder of any motion or amendment;
 - g) the outcome of every motion, that is, whether it was put to the vote and the result either carried, lost, withdrawn, lapsed or amended;
 - h) procedural motions;
 - i) the vote cast by each Councillor upon a division;
 - j) when requested by a Councillor, a record of that Councillor's opposition or support for any motion (provided that the Chairperson acknowledges the request);
 - k) any failure to achieve or maintain a quorum and any adjournment as a result thereof;
 - l) names of persons who make deputations to Council;
 - m) the time and reason for any adjournment of the meeting or suspension of standing orders; and
 - n) any other matter which the Chief Executive Officer thinks should be recorded to clarify the intention of the meeting or the reading of the minutes.

29. Objection to Confirmation of Minutes

- (1) If a Councillor is dissatisfied with the accuracy of the minutes, then he or she must:
 - a) state the item or items with which he or she is dissatisfied; and
 - b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (2) If there is no seconder to the motion to the item or items, Council shall be deemed to have confirmed the item or items.

30. Deferral of Confirmation of Minutes

Council may defer the confirmation of minutes until later in the meeting or until the next meeting as appropriate.

31. Disclosure of Interest

A Councillor must make a full disclosure in accordance with section 79 of the Act. In every case where a disclosure of interest is made at a meeting, a statement recording the Councillor's disclosure shall be included in the minutes.

Notes

79 Disclosure of conflict of interest

- (1) If a Councillor or member of a special committee has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or the special committee, the Councillor or member must, if he or she is attending the meeting, disclose the conflict of interest in accordance with subsection
- (2) A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest -
 - (a) by either—
 - (i) advising the Council or special committee at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
 - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
 - (b) classifying the type of interest that has given rise to the conflict as either—
 - (i) a direct interest; or
 - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
 - (c) describing the nature of the interest; and
 - (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.
- (3) For the purposes of section 79(2)(a)(i), if a Councillor or member of a special committee has a conflict of interest in two or more matters which are to be considered or discussed consecutively at a meeting of the Council or the special committee, the Councillor or member may make a full disclosure of each of those interests immediately before the first matter is considered at the meeting.

79B Conflicting personal interest

- (1) This section does not apply to a Councillor or member of a special committee who has a conflict of interest in the matter.
- (2) If a Councillor or a member of a special committee considers that he or she has a personal interest in relation to a matter that is in conflict with his or her public duty in relation to the matter, the Councillor or member may, immediately before the matter is considered at the relevant meeting, apply to the Council or special committee to be exempted from voting on the matter
- (3) If a Councillor or member of a special committee makes an application under subsection (2), he or she must give reasons in support of the application.
- (4) A Council or special committee may consent to an application made under subsection (2) and must not unreasonably withhold consent.
- (5) If a Council or special committee consents to an application under subsection (4), sections 79(6), 79(7), 79(8) and 79(9) apply as if the personal interest that is the subject of an application under subsection (2) were a conflict of interest specified under this Act.

32. Presentations

Presentations are conducted from time to time relating to the Agenda items, certificate of Appreciation or other presentations made to local individuals or organisations.

33. Urgent Business

- (1) Council may determine that an item, of which no notice is included in the Agenda, be classified as urgent business and be transacted at a meeting.
- (2) An item may be classified as urgent business if it:
 - a) relates to a matter which has arisen since distribution of the Agenda; or
 - b) involves a matter of urgent community concern; or
 - c) cannot be safely or conveniently deferred until the next ordinary meeting.
- (3) Prior to the consideration of the urgent business item, Council must first determine to accept the urgent business item and will require a mover and seconder and put the motion to the vote of the Council. The mover shall explain why the item has been classified as urgent business without speaking to it and then move it without speaking to it.

34. Petitions

A petition must be presented to Council in accordance with Council policy and

- (1) must be in a legible and permanent form of writing, typing or printing;
- (2) must not be defamatory, indecent, abusive or objectionable in language or substance;
- (3) must not relate to a matter beyond the powers of Council; and
- (4) every page of a petition must bear the wording of the whole of the petition or request and include the name, address and signature of petitioners.

35. Reports

- (1) Reports shall be considered in the order in which they appear on the business paper, unless the order is varied with the consent of Council.
- (2) The Chief Executive Officer, may prepare a written supplementary report on any item of business that has arisen since the preparation of the Agenda. Councillors must receive a copy of any supplementary report at least 24 hours before the time fixed for holding the Meeting.

36. Notice of Motion

- (1) A notice of motion must be in writing signed by a Councillor, and be lodged with the Chief Executive Officer at least fourteen (14) clear days before the Council Meeting to allow sufficient time to include the notice of motion in the agenda.

- (2) The Councillor proposing a notice of motion must circulate the draft notice of motion to all Councillors for information before lodging it with the Chief Executive officer.
- (3) Evidence that a draft notice of motion has been circulated to all Councillors prior to being lodged with the Chief Executive Officer, must be provided to the Chief Executive Officer at the time of lodging the notice of motion.
- (4) The Chief Executive Officer must inform Councillors about the legal implications of any proposed notice of motion, this advice must be provided to all Councillors without fear or favour. The Chief Executive Officer may suggest revised wording to the draft notice of motion to facilitate compliance with the requirements for Notice of Motions under this Code.
- (5) The notice of motion must relate to the objectives, role and functions as outlined in the Act and align with Councils City Plan.
- (6) A Notice of Motion must call for a Council report if the Notice of Motion:
 - a) affects the levels of Council service;
 - b) if it is inconsistent with the strategic objectives of the Council as outlined in Councils City Plan
 - c) commits Council to expenditure not included in the adopted Council Budget;
 - d) establishes or amends Council policy;
 - e) commits Council to any contractual arrangement; or
 - f) concerns any litigation in respect of which Council is a party.
- (7) The Chief Executive Officer must reject any notice of motion which:
 - a) is too vague;
 - b) is identical or substantially similar to a notice of motion or other motion that has been considered by Council in the preceding six (6) months;
 - c) is defamatory;
 - d) may be prejudicial to any person or Council;
 - e) is objectionable in language or nature;
 - f) is outside the powers of Council; or
 - g) the evidence of circulation to other Councillors has not been provided to the Chief Executive Officer.
- (8) The Chief Executive Officer may reject any notice of motion that relates to a matter that can be addressed through the operational service request process.
- (9) If rejecting a notice of motion, the Chief Executive Officer must:
 - a) give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
 - b) if the notice of motion cannot be amended to the satisfaction of the Chief Executive Officer, notify, in writing, the Councillor who lodged it of the rejection and the reasons for the rejection.
- (10) The Chief Executive Officer may designate a notice of motion to be confidential in accordance with the relevant grounds as contained in the Act, in which case the notice of motion will be considered in a session of a Council Meeting that is closed to members of the public.
- (11) The full text of any notice of motion accepted by the Chief Executive Officer must be included in the agenda.

37. Moving a Notice of Motion

- (1) The Councillor who is the author of the Notice of Motion must move the Notice of Motion if the Councillor is present at the meeting; and
- (2) Any Councillor present at the meeting may move the Notice of Motion if the author of the Notice of Motion is not present at the meeting.
- (3) The Chair, having lodged a notice of motion in accordance with clause 35, must vacate the Chair of the Council Meeting to move the notice of motion and:
 - a) the Deputy Mayor will assume the Chair; or
 - b) if the Deputy Mayor is not in attendance or there is no Deputy Mayor, Council must appoint a temporary Chair for the consideration of that item.
- (4) Unless Council resolves to re-list at a future meeting a Notice of Motion which has been lost, a similar motion must not be put before Council for at least three months from the date it was last lost.

38. General Business

The purpose of general business is to provide Councillors with an opportunity to provide an update on their duties and meetings attended and to raise matters such as:

- A note of thanks or congratulations
- Advise of attendance at event/meeting
- Recognition
- Tributes

A general business item does not require a Councillor to vote on the matter as it does not require a decision.

39. Confidential Matters

The Chief Executive Officer must ensure that a report is classified as confidential if the Chief Executive Officer considers it has been prepared for consideration in respect of a matter which is expected to be the subject of a resolution under section 89(2) of the Act to close the Council Meeting to the public while that report is discussed.

Notes**89. Meetings to be open to the public**

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
 - (i) a resolution to close the meeting to members of the public.

- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
 - (a) an ordinary council meeting; or
 - (b) a special council meeting; or
 - (c) a meeting of a special committee comprised solely of Councillors—
give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
 - (a) give such public notice as is practicable; and
 - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee

Part 5 MOTIONS AND AMENDMENTS

40. Motions

A motion or an amendment:

- (1) must relate to the powers or functions of Council;
- (2) may be in writing or verbal; and
- (3) except in the case of urgent business, must be relevant to an item of business on the Agenda.
- (4) A motion or amendment must not be defamatory or objectionable in language or nature.

The Chairperson may refuse to accept any motion or amendment which contravenes this clause.

41. Motions in Writing and in Advance

- (1) Any motions must be in writing and received in advance of the meeting.
- (2) A Councillor must seek advice from the Chief Executive Officer on any legal implications of a proposed motion.
- (3) Where motions are raised and considered during the meeting without having been put in writing in advance of the meeting, the Chairperson must seek the advice of the Chief Executive Officer regarding any legal or other implications of the proposed motions.
- (4) The Chairperson may call a recess of the meeting while the motion is being written or may request Council to defer the matter until the motion has been written, allowing the meeting to proceed uninterrupted.

42. Separating a Motion

- (1) Where a motion contains more than one part, a Councillor may request the Chairperson to put the motion to the vote in separate parts.
- (2) The Chairperson may decide to put any motion to the vote in separate parts.

43. Motions in Writing and in Advance

- (1) Any motions must be in writing and received in advance of the meeting.
- (2) A Councillor must seek advice from the Chief Executive Officer on any legal implications of a proposed motion.
- (3) Where motions are raised and considered during the meeting without having been put in writing in advance of the meeting, the Chairperson must seek the advice of the Chief Executive Officer regarding any legal or other implications of the proposed motions.

- (4) The Chairperson may call a recess of the meeting while the motion is being written or may request Council to defer the matter until the motion has been written, allowing the meeting to proceed uninterrupted.

44. Repeating Motion

- (1) Before any matter is put to the vote, a Councillor may require that the question, motion or amendment be read again.
- (2) The Chairperson without being so requested may direct the Chief Executive Officer (or other person authorised by the Chief Executive Officer) to read the question, motion or amendment to the meeting before the vote is taken.

45. Debate must be relevant to the Motion

- (1) Debate must always be relevant to the question before the meeting, and if not, the Chairperson may request the speaker to confine debate to the subject motion.
- (2) If after being requested to confine debate to the motion before the meeting, the speaker continues to debate irrelevant matters the Chairperson may require the speaker to be seated and not speak further in respect of the matter then before the meeting.

46. Procedure for Motions

- (1) The mover shall read the motion without speaking to it and shall briefly state its nature and intent and then move it without speaking to it;
- (2) If a motion is seconded, the Chairperson shall allow Councillors to speak to the motion;
- (3) With the exception of the mover who has a right of reply, all other Councillors may only speak once to the motion;
- (4) The Chairperson must then put the motion to the vote;
- (5) A motion or an amendment which is not seconded lapses;
- (6) The mover or seconder of a motion cannot move an amendment to it;
- (7) A motion can only be withdrawn by the mover.

47. Amending a Motion

- (1) No notice need be given of any amendment to a motion.
- (2) An amendment to a motion must not be in opposition to the intent of the motion on the table.
- (3) The mover of an amendment has no right of reply.
- (4) An amendment can only be withdrawn by the mover;

- a) the mover shall read the amendment and speak to it;
 - b) if the amendment is seconded, the Chairperson shall allow Councillors to speak to it;
 - c) the mover has no right of reply and Councillors may only speak once to it; and
 - d) the Chairperson must then put the amendment to the vote, the amended motion becomes the substantive motion.
- (5) A second or subsequent amendment cannot be moved until the immediately preceding amendment is disposed of.
- (6) A Councillor or member cannot move more than two (2) amendments in succession.
- (7) Only one amendment can be before the meeting at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the Chairperson another amendment or a new motion can be foreshadowed by any Councillor or member stating in brief terms the nature of the amendment.

48. Foreshadowing a Motion

- (1) When a motion is being debated, any Councillor may give notice that they intend to move an alternative motion in the event that the substantive motion fails. This notification is deemed to be a foreshadowed motion and will only be considered if the substantive motion fails.
- (2) No debate is allowed on a foreshadowed motion.
- (3) A foreshadowed motion does not require a seconder.
- (4) A foreshadowed motion has no procedural standing and is merely a means to assist the flow of the meeting. Therefore Council is not required to have foreshadowed motions recorded in the minutes until the foreshadowed motion is formally moved.

49. Rescinding or Amending a previous Resolution

- (1) A Councillor may propose a motion to amend or rescind a previous resolution of Council provided:
 - a) the resolution has not been acted upon; and
 - b) the Notice of Motion is in writing and signed by the Councillor (Primary Councillor) and two other Councillors; and
 - c) the Notice of Motion is delivered to the Chief Executive Officer no later than 48 hours following the meeting of the Council at which the motion proposed to be rescinded or altered was adopted.
- (2) A resolution will be deemed to have been acted upon if:
 - a) its contents have or substance has been formally communicated to a person whose interests are materially affected by it;
 - b) a statutory process has been commenced so as to vest enforceable rights in or obligations on Council or any other person.

- (3) A Notice of Motion to rescind or alter previous resolution of Council:
 - a) is to be listed by the Chief Executive Officer for consideration at the next ordinary meeting of Council, unless a special meeting of Council is called to consider the notice of motion prior to the next ordinary meeting of Council;
 - b) may be moved by any Councillor present at the meeting if the Primary Councillor is not present at the meeting;
 - c) shall be deemed to have been withdrawn if not moved at the meeting for which it is listed.

50. Withdrawal of how to Amend/Rescind Resolutions

- (1) The Primary Councillor may by written notification to the Chief Executive Officer withdraw the Notice of Motion at any time.
- (2) Unless Council resolves to re-list at a future meeting a Notice of Motion to amend or rescind which has been lost, a similar motion must not be put before Council for at least three months from the date it was last lost.
- (3) The provisions of clause 48 shall apply to notices to amend or rescind a previous resolution of Council.
- (4) A member of Council staff must not act or continue to act upon or implement a previous resolution if a Notice of Motion to rescind has been properly lodged.

51. Procedural Motions

- (1) A procedural motion may be moved at any time and must be dealt with immediately by the Chairperson.
 - (2) Procedural motions are not required to be seconded.
 - (3) The mover of a procedural motion must not have moved, seconded or spoken to the question before the Chair or any amendment of it.
 - (4) A procedural motion cannot be moved by the Chairperson.
 - (5) The mover has the right or obligation to justify the procedural motion, thereafter debate is not permitted unless allowed at the discretion of the Chairperson and the mover does not have a right of reply.
 - (6) Unless otherwise provided, a procedural motion cannot be amended.
-

52. Voting - How Determined

- (1) A question before a meeting of a Council is to be determined as follows:
 - a) the Chairperson will first call for those in favour of the motion and then those opposed to the motion and will declare the result to the meeting;
 - b) each Councillor present must vote unless prohibited by the Act from doing so;
 - (2) Except that a Councillor may demand a division, Councillors must remain seated in silence while a vote is being taken.
 - (3) The Chairperson may direct that the vote be re-counted for him or her to satisfy himself or herself of the result.
 - (4) Once a vote on a motion has been taken, no further discussion relating to the motion will be allowed.
-

Notes**90. Voting**

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
 - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
* * * * *
 - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
 - (ca) voting at a meeting that is open to members of the public must not be in secret;
 - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
 - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.

53. Clarification

- (1) Prior to a vote being taken on any matter, a Councillor may request the Chairperson clarify any issues in relation to that matter.
- (2) The Chairperson may direct any question seeking confirmation of an issue to a Councillor or member of Council staff.

54. Division

- (1) A division may be requested by any Councillor on any matter.
- (2) The request must be made to the Chairperson either immediately prior to or immediately after the vote is taken but cannot be requested after consideration of the next item of business has commenced.
- (3) When a division is called for, the vote already taken must be treated as a nullity and the division shall decide the motion or amendment.

55. Procedure for a Division

- (1) If a division is called by a Councillor the vote must be taken by, first, Councillors voting in the affirmative standing in their places, and, then, Councillors voting in the negative standing in their places.
- (2) No Councillor is prevented from changing his or her original vote at the voting on the division, and the voting by division will determine Council's resolution on the issue.
- (3) The Chairperson must declare the result of the division.
- (4) The minutes shall record the names of the Councillors voting for the motion and those voting against the motion.

56. Resolution not to be discussed after it is carried

Except in the case of a motion of revocation or alteration or a Councillor wishing to have his or her support or opposition to the motion recorded, no resolution may be discussed after the vote upon it has been declared.

57. Recording of opposition to motion

Any Councillor may ask that his or her opposition to a motion adopted by the meeting be recorded. It must then be recorded in the minutes of the meeting.

58. Time Limits

- (1) A Councillor must not speak longer than the time set out below, unless granted an extension by the meeting:
 - a) the mover of a motion or an amendment: **5 minutes**;
 - b) any other member: **3 minutes**; and
 - c) the mover of a motion exercising a right of reply: **2 minutes**.
- (2) A motion for an extension of time once carried, shall allow a Councillor a further two minutes to speak and any further extension shall only be permitted at the discretion of the Chairperson.

59. Points of order

(1) A point of order is an objection that the motion, amendment or statement made is:

- a) contrary to this Local Law;
- b) defamatory;
- c) irrelevant;
- d) improper; or
- e) outside Council's legal powers;

and may be made despite the fact that the Councillor, member or Chairperson is speaking at the time.

(2) A point of order must be taken by stating:

- a) the matter complained of; and
- b) the reason constituting the point of order.

60. Points of Order Procedure

- (1) The Chairperson may raise a point of order without it having been made by a Councillor or member.
- (2) When called to order, a Councillor or member must remain silent until the point of order is decided unless he or she is requested by the Chairperson to provide an explanation.
- (3) The Chairperson may adjourn the meeting to consider a point of order but must otherwise rule upon it as soon as it is taken.
- (4) The Chairperson must, when ruling on a point of order, give reasons for the ruling.
- (5) The Chairperson's ruling is final unless the majority of Councillors present at the meeting vote in favour of a motion of dissent that is moved and seconded immediately after the Chairperson's ruling is given.
- (6) A motion of dissent must state the provision or practice in substitution for the Chairperson's ruling.
- (7) A motion of dissent that is carried must be acted on by the Chairperson.

61. Priority of address

In the case of competition for the right to speak, the Chairperson must decide the order in which the Councillors concerned will be heard.

62. Interruptions, interjections and relevance

- (1) A Councillor must not be interrupted except by the Chairperson or upon a point of order.
- (2) If a Councillor is interrupted by the Chairperson or upon a point of order or personal explanation, he or she must remain silent until the Chairperson has ceased speaking, the point of order has been determined or the personal explanation has been given.
- (3) A Councillor must not digress from the subject-matter of the motion or business under discussion.
- (4) The mover of a motion must not introduce fresh matter when exercising any right of reply.
- (5) At the discretion of the Chairperson, questions from Councillors to Council Officers or to other Councillors, may be disallowed if it is considered they are asked for purposes other than the simple soliciting of information.

63. Ordering Withdrawal of Remark

In addition to other duties and discretions provided in this Code, the Chairperson:

- (1) must not accept any motion, question or statement which appears to the Chairperson to be derogatory or defamatory or personally embarrassing to any Councillor, member of staff, ratepayer or member of the public;
- (2) must call to order any person who is disruptive or unruly during any meeting; and
- (3) may direct a Councillor or other person to withdraw a question or statement which is derogatory or defamatory or personally embarrassing to a Councillor, member of staff, ratepayer or member of the public.

64. Suspension of a Councillor

Council by resolution may suspend from a meeting, and for the balance of the meeting, any Councillor whose actions have disrupted the business of Council, and have impeded its orderly conduct.

65. Removal from Chamber

- (1) If any person in the chamber is called to order by the Chairperson and thereafter again acts in breach of this Code or the Local Law, the Chairperson may order him or her to be removed from the chamber.
- (2) The Chairperson, or Council in the case of a suspension, may ask any Authorised Officer or member of the Police Force to remove from the chamber any person who acts in breach of this Code or the Local Law or whom the Chairperson has ordered to be removed under sub-clause (1).

66. Recording Proceedings

- (1) A person must not, without the prior approval of the Chair, operate any audio or visual recording equipment at any Council Meeting.
- (2) Nothing in sub-clause (1) applies to any member of Council staff operating any cameras or recording device for the purpose of any presentations or keeping a record of the Council Meeting;
- (3) If the Chair gives approval under sub-clause (1), the Chair must as soon as practicable after opening the Council Meeting, announce the giving of approval and advise those who are in attendance that their images and/or voices are likely to be recorded during the course of the Council Meeting.

Part 6 PUBLIC PARTICIPATION

67. Visitors to be silent

- (1) Visitors must not interject or take part in the debate.
- (2) Silence must be preserved in the gallery at all times.
- (3) Any visitor at a meeting must extend due courtesy and respect to the Council or special committee and the processes under which it operates and must take direction from the Chairperson whenever called upon to do so.
- (4) If any visitor is called to order by the chairperson and thereafter acts in breach of this Code, the Chairperson may order him or her to be removed from the gallery.

68. During Meetings

- (1) At every ordinary meeting of Council, time may be allocated in accordance with Council policy to enable any person to address Council on a matter included on the Agenda.
- (2) Sub-clause (1) does not apply during any period when Council has resolved to close the meeting in respect of a matter under section 89(2) of the Act.
- (3) Comments should be confined to the matter under consideration and directed to the Chairperson.
- (4) Council may allocate reasonable time to each person who wishes to address the Council having regard to:-
 - a) the nature of the matter to be discussed;
 - b) priorities in relation to other Council business;
 - c) other members of the community present who also wish to address the Council;
 - d) whether such an opportunity has already been provided to the person.
- (5) Council may decide to defer discussion to a later date and the views of the person addressing Council should be sought concerning that other date.

69. Addressing the Meetings

- (1) A person addressing the meeting shall do so in a civil and courteous manner.
- (2) Any person who addresses the meeting must stand and direct all remarks through the Chairperson.
- (3) Notwithstanding sub-clause (2), the Chairperson may at his or her discretion permit any person to remain seated whilst addressing the Chairperson.

70. Public Submissions

Where Council has sought public submissions in accordance with section 223 of the Act and a person or a representative specified in the submission has requested to be heard at a Council or committee meeting in support of their submission, they shall comply with the requirement of this Code and confine their comments to five minutes.

The Chairperson may grant an extension to the time of up to one minute to allow a speaker to conclude their submission.

Notes – Operational Dates		
	Council Meeting	Date of Operation
Adopted	27 April 2015	1 May 2015
Amendments	5 September 2016	15 September 2016
	3 June 2019	13 June 2019
	27 April 2020	



**Instrument of Delegation
to
The Chief Executive Officer**

Instrument of Delegation

In exercise of the power conferred by s11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Banyule City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on **18 May 2020**;
2. the Delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule and Appendix 1; and
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts.
 - 2.4 remains in force until Council resolves to vary or revoke it.

THE COMMON SEAL of the BANYULE CITY COUNCIL is affixed in the presence of:

.....COUNCILLOR

.....CHIEF EXECUTIVE OFFICER

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

3. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 3.1 awarding a contract or making an expenditure exceeding the value of \$500,000
 - 3.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 3.3 election of a Mayor or Deputy Mayor;
 - 3.4 granting of a reasonable request for leave under section 35 of the Act;
 - 3.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 3.6 approval or amendment of the Council Plan, Community Vision, Financial Plan, Asset Plan or Revenue and Rating Plan;
 - 3.7 adoption or amendment of any policy that Council is required to adopt under the Act;
 - 3.8 adoption or amendment of the Governance Rules;
 - 3.9 appointment of the chair or the members to a delegated committee;
 - 3.10 making, amending or revoking a local law;
 - 3.11 approval of the Budget or Revised Budget;
 - 3.12 borrowing money;

3.13 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges; or

4. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
5. if the issue, action, act or thing is an issue, action, act or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
6. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 6.1 policy; or
 - 6.2 strategy adopted by Council; or
7. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act, or otherwise; or
8. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Appendix 1 – Conditions and Limitations

Conditions and Limitations

Item	Delegated Authority
Approval of the Council Plan, Community Vision, Financial Plan, Asset Plan and Revenue and Rating Plan	Council
Approval of the Budget	Council
Approval of Local Laws	Council
Approval of CEO recruitment, employment, reappointment and termination	Council
Approval of staff recruitment, employment, reappointment and termination	CEO
Approval of Contracts	Council for contracts \$500k and above. CEO for contracts below \$500k
Approval of Statutory Financial Accounts	Council
Appointment of Acting CEO	CEO for a period of <u>up to</u> 28 days Council for a period <u>over</u> 28 days
Adoption of Governance Rules	Council



**Banyule
Audit & Risk
Advisory
Committee**

Minutes

13 March 2020

commencing at 3.00pm

***1 FLINTOFF STREET,
GREENSBOROUGH***

Banyule Audit & Risk Advisory Committee Minutes

Acknowledgement of the Traditional Owner, the Wurundjeri willam people

"Our meeting is being held on the Traditional Land of the Wurundjeri Woi-wurrung people and, on behalf of Banyule City Council, I wish to acknowledge them as the Traditional Custodians. I would also like to pay my respects to the Wurundjeri Woi-Wurrung Elders, past, present and emerging, and to acknowledge other Aboriginal and Torres Strait elders joining us today".

Present

Dr Irene Irvine – *Independent Representative* - Chairperson
Dr Stuart Kells – *Independent Representative (via call-in)*
Cr Rick Garotti – *Committee Delegate*

In Attendance

Officers

Allison Beckwith – *Chief Executive Officer*
Geoff Glynn – *Director Assets & City Services*
Scott Walker - *Director City Development*
Marc Giglio - *Director Corporate Services*
Lisa Raywood – *Acting Director Community Programs*
Tania O'Reilly – *Manager Finance & Procurement*
Gina Burden – *Manager Governance & Communication*
Vivien Ferlaine – *Governance Coordinator*
Troy Winn – *Risk & OH&S Coordinator*
Melissa Sammut – *Risk Management Project Officer*
Tiziana McKenzie – *Executive Assistant/Project Officer (Minute Taker)*
Paul Wilson – *Audit Support Officer (Minute Taker)*

Internal Auditors

Andrew Zavitsanos – *Crowe Horwath*
Gabrielle Castree – *Crowe Horwath*

External Auditors

Nick Walker - *HLB Mann Judd*

Apologies

Nil

Disclosure of Interests

Nil

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

ISSUES FOR THE COMMITTEE'S ATTENTION

Irene brought to the attention of the Committee two meetings which she attended.

The first meeting with Councillors and the following was tabled:

- Climate Change
- Council spend (IT)
- Interaction with Council and Council elections coming up

The second meeting was with Council's CEO, Allison Beckwith, where a productive meeting was achieved and the following were tabled:

- How Council members are being inducted
- How the Committee (A&RAC) reports to Council and its role (more work to be done in this area)
- Enhanced support from the Committee (A&RAC)
- Continue quality improvement.

Under the new Act, it is a requirement to report to Council twice a year.

Allison informed the Committee that the meeting was successful and productive.

Committee Resolution

That the issues, as raised and discussed, be noted.

Moved: Dr Irene Irvine

Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****Reports****1. COMMITTEE REPORTS FOR DISCUSSION****1.1 AUDIT & RISK ADVISORY COMMITTEE - FOLLOW UP ACTIONS - MEETING 6 DECEMBER 2019****EXECUTIVE SUMMARY**

1. The report provides a summary of actions arising from the Audit & Risk Advisory Committee meeting of the 6 December 2019
2. The report lists the actions which were raised at the meeting and provides a mechanism to ensure the actions are addressed.

Committee Resolution

That the Audit & Risk Advisory Committee:

1. Note the Verbal Updates for:
 - Additional Audit - Enterprise Agreement Compliance,
 - Council's Debtor Position - Hardship Policy,
 - Formatting of Annual Work Plan,
 - Status Report Internal Audit Recommendations - Periodical OH&S Inspections,
2. Receive reports for:
 - Systems and Processes to ensure 'Proper Award Rates'
 - Self-Assessment of Audit & Risk Advisory Committee & Internal Audit
 - Internal Audit Report – Strategic Internal Audit Plan 2020-2022
 - Property Transaction Process.
 - January 2020 YTD Purchase Order Compliance Report
 - Procurement Policy.

Arising from the follow up actions requested at the meeting on 6 December 2019.

Moved: Dr Irene Irvine

Seconded: Cr Rick Garotti

CARRIED

1.2 PAYROLL SYSTEMS AND PROCESSES REPORT**EXECUTIVE SUMMARY**

1. The Audit and Risk Advisory Committee requested that a report be presented to the next Committee meeting outlining what systems or processes Council has in place to ensure that staff are on proper award rates.
2. To respond to this request this payroll report covers the key systems and process as follows:
 - Addition of new employee
 - Employees' life-time in Banyule
 - Termination of employee
 - Pre-pay run
 - Pay run
 - Post-pay run
 - Monitoring and Reporting
3. A payroll audit was last undertaken by the internal auditors in August 2014. The objective of this internal audit review was to provide assurance over the adequacy and effectiveness of internal controls in relation to the processing and monitoring awards in payroll at Banyule City Council (BCC).
4. Internal audit concluded that the current controls to manage payroll processing are adequate and the existing internal controls that were tested were adequate and effective for the processing and monitoring of payroll.
5. CAAT's testing is undertaken on a periodical basis and covers several tests. No control issues have been identified.

Commentary

- The Chairperson thanked the Manager Finance and Procurement on the efforts on producing the report.
- A question was raised on whether a deep dive is a requirement on whether staff are being paid the right amount. It was suggested that this be raised with the internal auditors. The Manager Finance and Procurement advised that there are no inconsistencies and some random checks were done on internal and external staff. The Chairperson advised that an addendum be made to the Minutes of the 6 December 2019 to reflect the advice of the Manager Finance and Procurement.
- Cr Garotti stated an action plan and requested that a one pager, rather than a full report, be produced on whether staff are being paid the right amount and to add risk attachment ie what are the key risks?
- Stuart agreed with Cr Garotti's framework. Confirmed that we look at staff are being paid the right amount, payroll compliance, paid overtime, culture and remuneration.
- A 2 page report on likely risks and how management are addressing these risks to be tabled at the next Committee meeting.

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

Committee Resolution

1. That the Audit & Risk Advisory Committee are satisfied with the Payroll internal controls and note that existing internal controls were tested were adequate and effective for the processing and monitoring of payroll.
2. Note that random sample testing were undertaken of payments to staff
3. Subsequent report to the Audit & Risk Advisory Committee specifically addressing the key risks in underpayment, incorrect payment.
4. Note that this report satisfies the request from the last meeting on what systems or processes Council has in place to ensure staff are on proper award rates.

Moved: Dr Stuart Kells

Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

1.3 AUDIT & RISK ADVISORY COMMITTEE - SELF ASSESSMENT - FEBRUARY 2020**EXECUTIVE SUMMARY**

1. The Banyule City Council Audit and Risk Advisory Committee Charter (August 2019) states the duties of the Audit and Risk Advisory Committee will include conducting a periodic review through a self-assessment program to obtain feedback on the Committee's operations, effectiveness and performance as against its Terms of Reference
2. Furthermore, it states the Audit and Risk Advisory Committees responsibilities include:
 - *Annually evaluate the audit committee's performance. A self-assessment approach in line with 'Audit Committees – A Guide to Good Practice for Local Government' Appendix 4 – Sample Audit Committee Self-Assessment 11 January 2011, may be considered by the Chairperson. The outcome of adopting this approach will be reported to Banyule Council each year.*
3. The Committee undertook a self-assessment.

Commentary

- The report was tabled by the Director Corporate Services who tabled the Report and provided an outline of the first self-assessment of the Committee.
- The Chairperson advised of the need to involve Council staff in the self-assessment and seek frank feedback.
- Discussion on the need for an action plan and areas for improvement not just the strengths of the committee. It was noted that there is no current reporting on legislative regulatory compliance and any future self-assessments to include the internal auditors
- The Self-Assessment is to be noted in annual Work Plan.
- The survey to be distributed earlier on in the year.

Committee Resolution

That the report be received and request an action plan on the results of the review, break up questions, rephrasing some of the questions for the next committee meeting.

Moved: Dr Stuart Kells

Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.4 JANUARY 2020 - PURCHASE ORDER COMPLIANCE REPORT****EXECUTIVE SUMMARY**

1. This report is a status update of compliance with the Procurement Policy, specifically on the compliance test 'invoices processed with a date after the Purchase Order date'.
2. The report outlines the actions undertaken by Council Officers to address the Procurement operational risks identified, including detailed reporting to management to highlight poor procurement practices, targeted training and information sessions to address those practices.
3. The actions undertaken since the last Audit Committee report has yielded a further reduction in the invoices processed with a date after the purchase order date (PO non-compliance) in the current financial year 2019/2020.
4. The analysis indicates a consistent downward trend in monthly invoice / PO non-compliance, with significant reductions in non-compliance in January reporting to 15%.

The Procurement Team, together with the Senior Management Team will continue to drive improvement in purchasing practices to further reduce non-compliance, through education and communication.

Commentary

- The Manager Finance & Procurement tabled the report and advised that there has been improvements further work was required on exempting some purchase orders such as utilities.
- The Chairperson commended management on the significant reduction from March 2019.

Committee Resolution

That the Audit & Risk Advisory Committee note the progress being made by officers a request that management continue to enforce the PO compliance to further reduce the compliance rate to an acceptable level.

Moved: Dr Stuart Kells
Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.5 PROCUREMENT POLICY****EXECUTIVE SUMMARY**

The Procurement Policy is in draft (refer attached) and will be submitted to Council for consideration and approval on the 16 of March 2020.

Commentary

- Discussion that policy templates should include the relevant approver of the policy and date of approval
- A question was asked on purchase order thresholds which are included in Council's Procurement Guidelines.
- Request for a one page document on what transactions are exempt be reported back to the Committee.
- The Chairperson vised that key components need to be strengthened and addressed in to the Policy prior to recommending to Council.
- The Director Corporate Services advised that an amendment to the recommendation for Monday's Council meeting (16 March) can be added.

Committee Resolution

1. That the Procurement Policy be noted that Council will be adopting the Policy at its meeting of the 16 March 2020.
2. The next policy review:
 - a) to consider whether provisions in the Procurement guidelines should be in the Policy.
 - b) to incorporate benchmarking and references to other best practices such as Government probity principles.

Moved: Dr Irene Irvine
Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

1.6 BANYULE COUNCIL PROPERTY TRANSACTION PROCESSES**EXECUTIVE SUMMARY**

1. As part of the last Audit and Risk Advisory Committee meeting held on 6 December 2019, there was a discussion regarding the Draft Strategic Internal Audit Plan 2020-2022. A number of items were discussed and Cr Garotti requested that the Committee required a clearer understanding of how Council makes decisions on strategic property purchases. Rather than focusing on just acquisition of land, this paper deals with all property transactions within the municipality.
2. Council currently manages an extensive portfolio of property assets. Some are used for operational purposes (i.e. service delivery) and others for non-operational purposes, which are generally acquired or held as strategic property investments for income generation.
3. At the Ordinary Council Meeting on 9 December 2019, Council adopted the Land Transactions Framework (2019) which superseded the Guidelines for the Sale and Exchange of Council Land (2009). The Framework provides a set of principles applied by Council to ensure property transactions are dealt with consistently, thereby delivering greater transparency, accountability and reporting of Council's property transactions.

Commentary

- The Director City Development tabled the report and informed the Committee the land transaction framework is derived on a case-by-case basis and is pleased with the clarity that it provides.
- The Chairperson thanked the Director for the report.

Committee Resolution

That the report be received.

Moved: Dr Irene Irvine

Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

CONFIRMATION OF MINUTES – 6 DECEMBER 2020**EXECUTIVE SUMMARY**

As part of Councils governance obligations to its community, Council has consulted an Audit & Risk Advisory Committee to facilitate:

1. The enhancement of the credibility and objectivity of internal and external financial reporting.
2. Effective management of Councils strategic risks and protection and control of council assets
3. Monitoring of Councils Business Continuity Plan and processes.
4. The efficiency and effectiveness of significant Council programs.
5. Compliance with laws and regulations as well as use of Best Practice Guidelines.
6. The effectiveness of the audit functions.

The committee meets four times a year and consists of two independent members and two Councillors.

The minutes from 6 December 2019 meeting are presented for confirmation. The minutes have been presented to Council at its meeting of the 24 February 2020 as unconfirmed minutes subject to the approval by the Committee.

Committee Resolution

That the Banyule Audit & Risk Advisory Committee held 6 December 2019 be confirmed.

Moved: Dr Irene Irvine

Seconded: Dr Stuart Kells

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.7 AUDIT & RISK ADVISORY COMMITTEE - MINUTES 6 DECEMBER 2019****EXECUTIVE SUMMARY**

As part of Councils governance obligations to its community, Council has consulted an Audit & Risk Advisory Committee to facilitate:

1. The enhancement of the credibility and objectivity of internal and external financial reporting.
2. Effective management of Councils strategic risks and protection and control of council assets
3. Monitoring of Councils Business Continuity Plan and processes.
4. The efficiency and effectiveness of significant Council programs.
5. Compliance with laws and regulations as well as use of Best Practice Guidelines.
6. The effectiveness of the audit functions.

The committee meets four times a year and consists of two independent members and two Councillors.

The minutes from 6 December 2019 meeting are presented for confirmation. The minutes have been presented to Council at its meeting of the 24 February 2020 as unconfirmed minutes subject to the approval by the Committee.

Committee Resolution

That the Audit & Risk Advisory Committee confirm the Minutes of the 6 December 2020 as an accurate record of proceedings.

Moved: Dr Stuart Kells
Seconded: Dr Irene Irvine

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.8 AUDIT & RISK ADVISORY COMMITTEE - ANNUAL WORK PLAN
- MARCH 2020****EXECUTIVE SUMMARY**

As required by the Audit & Risk Advisory Committee, attached Work plan for the month of March 2020

Commentary

- The Director Corporate Services tabled the report.
- A sample work plan was discussed for consideration

Committee Resolution

That the Work Plan tabled be noted.

Moved: Dr Irene Irvine

Seconded: Dr Stuart Kells

CARRIED

1.9 STATUS REPORT/ INTERNAL AUDIT RECOMMENDATIONS**EXECUTIVE SUMMARY**

1. The Report provides a Status Report and summary of outstanding issues from the 2017-2020 Internal Audit Recommendations, together with IBAC and VAGO Self Assessments which have been reported to the Audit & Risk Advisory Committee.
2. The Report lists the management actions that are currently in progress, outstanding and completed from each review and provides a control mechanism to ensure that issues raised are addressed.

Commentary

- Cr Garotti thanked staff for the completion of most recommendations and in particular the OH&S listed at the last meeting for follow-up.
- The Chairperson asked for clarification regarding projects not being delivered using the Project Management Framework, the Committee was advised this item is now complete.

Committee Resolution

1. That the Audit & Risk Advisory Committee note the internal audit management action progress updates, together with the IBAC and VAGO Self-Assessments.
2. Note that OH&S item has been closed.

Moved: Dr Stuart Kells

Seconded: Dr Irene Irvine

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****Presentation**

The Acting Director Community Programs, Lisa Raywood presented an overview of the Directorate.

The Chairperson conveyed thanks and was pleased that the Audit & Risk Advisory Committee had a better understanding of each Directorate. In progressing with the presentations by each Directorate, the Chairperson flagged that awareness should now be more focused on financial risks, OH&S and compliance. Management were thanked on their previous presentations.

1.10 WORKPLACE MANSLAUGHTER UPDATE**EXECUTIVE SUMMARY**

1. From 1 July 2020 the new Victorian Workplace Manslaughter amendment (Workplace Manslaughter) will be in effect. The offence falls under the Occupational Health and Safety Act 2004 (OHS Act). Whilst Workplace Manslaughter imposes increased powers to the Regulator (WorkSafe Victoria), it does not represent any change to the requirements under the existing OHS Act.
2. The intention of the Workplace Manslaughter Amendment is to make workplace manslaughter a criminal offence in Victoria. If convicted, a maximum of up to 100,000 penalty points (currently \$16.5 million, increasing annually) for body corporates or up to 25 years imprisonment for individuals applies.
3. On Friday 14 February 2020, Maddocks (an independent law firm) hosted a session for local government on workplace manslaughter and what this means for the sector. The content of this report is based off the information provided as part of this session and is general in nature.
4. This report provides the Committee with an overview of the key issues and practical implications of the amendment and the work currently being undertaken by the Risk and OHS Team to provide greater transparency to Council as part of ongoing OH&S reporting.

Commentary

- The Risk & OH&S Coordinator tabled the report, advising the Committee that there is no further obligation on Council or management on the amendments to the Act.
- The Chairperson thanked management for the paper.

Committee Resolution

That the Committee:

1. note the actions Council is taking to ensure awareness and understanding of Workplace Manslaughter laws amendment
2. note that Councillors will be briefed by briefing paper and on 30 March verbally by a lawyer or Workplace specialist.
3. be provided with an update on OH&S to the next Committee meeting, the report to include information beyond metrics
4. note that this will be a priority of the committee and the council.

Moved: Dr Stuart Kells

Seconded: Dr Irene Irvine

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

1.11 RISK MANAGEMENT FRAMEWORK UPDATE**EXECUTIVE SUMMARY**

1. In September 2019, Council engaged risk management consultants Aon to undertake a review of our Risk Management Policy (policy) and Risk Management Framework (framework).
2. This review (and subsequent recommendations) form the basis of the new policy and framework, an overview of which is presented in this report to the Audit and Risk Advisory Committee for endorsement.
3. The key function of Aon's review was to undertake of a gap analysis comparing Council's current risk management framework against ISO31000: 2018 (ISO).
4. As a result of this analysis, the framework was redrafted by the Risk Team to align Council's approach with the ISO guidelines, particularly in the following key areas:
 - The framework principles have been updated to align to the ISO;
 - The criteria used for assessing probability is more explicitly defined;
 - The criteria used for determining impact is more explicitly defined;
 - The overall risk criteria for assessing risk has been updated;
 - Roles and responsibilities are clearly outlined; and
 - The risk appetite statement has been updated to better describe the level of risk Council is willing to take.
5. At their meeting on the 12 February 2020, the Executive Management Team (EMT) considered the draft risk management policy and framework (see section 2 of this report) and agreed to endorse them in principle, pending consideration by the Senior Management Team (SMT). The risk team have since undergone extensive consultation with the SMT and the policy and framework with further presentation to the group to occur in March.
6. Aon's full report is provided in **Appendix 1** of this report. The Committee are invited to consider in detail the key observations and subsequent actions as a result of this review. The new policy and framework are presented to the Committee in this report (as **Appendix 2** and **Appendix 3** respectively).

Commentary

COVID update

- An update was provided on COVID-19 and the actions Council was taking. The Director Corporate Services outlined that Council invoked its Business Continuity Plan, established the Business Continuity Team and a number of sub-groups meet regularly.
- Committee suggested that Council check the Debt Management Plan to ascertain whether Council can borrow for emergencies (operational).

Risk management Framework

- The Risk & OH&S Coordinator advised that work has been undertaken the operational risks, training of staff and review if service unit risk analysis.
- It was noted that the framework is looking good and there is opportunity to look at the COVID-19 emergency and risk register (operational risk and strategic risk) and how they are categorised and sorted by scale to make it more helpful.
- The Risk metrics report should come every quarter to the committee and should include statistics and trend analysis

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MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****Committee Resolution**

The Committee:

1. Consider the draft Risk Management Policy and Framework.
2. Provided feedback on the risk register and consideration for categorising and sorting of risks.
3. Endorse the new policy and framework and recommend for Council adoption.
4. Receive an update at the next meeting and note final version be presented at the next meeting.

Moved: Dr Stuart Kells

Seconded: Dr Irene Irvine

CARRIED

1.12 CROWE - INTERNAL AUDIT PROGRESS REPORT AS AT 19 FEBRUARY 2020**EXECUTIVE SUMMARY**

This report provides the Banyule City Council's Audit and Risk Advisory Committee (ARAC) with the status of internal audit activity as at 19 February 2020.

Commentary

- The Chairperson noted that the report and found it to be very helpful.

Committee Resolution

That the Internal Audit Progress Report be noted and received.

Moved: Dr Stuart Kells

Seconded: Dr Irene Irvine

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

1.13 INTERNAL AUDIT REPORT - VARIOUS FINANCIAL CONTROLS (CREDIT CARD AND FUEL CARDS)**EXECUTIVE SUMMARY**

1. An internal audit has been undertaken of the adequacy of the various processes and procedures that have been put in place within the Finance and Operations Departments to manage and control the following functions:
 - Credit Cards
 - Fuel Cards
2. The internal audit review also considered the outcomes of the VAGO Fraud and Corruption Control – Local Government report tabled June 2019.

Committee Resolution

1. That the Audit and Risk Advisory Committee note that there were no 'High Risk' ratings and the report identified opportunities to strengthen existing policies and procedures.
2. A report on credit card expenditure be extracted to identify any opportunities in terms of common suppliers and reported to the committee.
3. That the committee note that the Expenditure delegation has been updated and endorsed by the Executive Management Team, to reflect credit cards holders provided with the appropriate delegation.

Moved: Dr Irene Irvine

Seconded: Dr Stuart Kells

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.14 CROWE - STRATEGIC INTERNAL AUDIT PLAN 2020 - 2022****EXECUTIVE SUMMARY**

1. The development of the Strategic Internal Audit plan is based on consideration of the following key inputs:
 - Council's strategic risk areas
 - Past internal audit activity
 - Consideration of audit activity proposed by the Victorian Auditor-General's Office (VAGO)
 - Current issues noted by us as items of risk prevalent in the local government sector
 - Consideration of the Council Plan 2017-2021 Objectives
 - Organisational resilience
 - Three lines of defence – Management self-assessment review
 - Direct discussions with Executive Management Team
2. At the meeting of the Audit & Risk Advisory Committee held on the 6 December 2019, it was requested that an updated report be tabled at the next meeting on the Strategic Internal Audit (SIAP) 2020 – 2022
3. The SIAP has been revised to include the following internal audits:
 - Assurance Mapping
 - Property Development - Strategic Decision Making Framework
 - Management of Conflict of Interest (Developers)

Commentary

- Cr Garotti expressed he was happy to adopt the Plan and will advise Council of its adoption.
- Cr Garotti will discuss with Councillors on a possible audit regarding operational efficiencies.

Committee Resolution

1. That the Audit & Risk Advisory Committee approve the updated Strategic Internal Audit Plan 2020 – 2022.

Moved: Cr Rick Garotti
Seconded: Dr Stuart Kells

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****PROCEDURAL MOTION****Committee Resolution**

Having reached the end of the meeting and no other items require discussion, that items 1.15 through to 1.22 (except 1.17 considered earlier in the meeting) be considered in block.

Moved: Dr Irene Irvine

Seconded: Cr Rick Garotti

CARRIED

1.15 COMPUTER ASSISTED AUDIT TECHNIQUE (CAATS) - ACCOUNTS PAYABLE - TRANSACTIONS**EXECUTIVE SUMMARY**

1. In line with the Computer Assisted Audit Techniques (CAATs) works program 2019/20, 'CAAT's Accounts Payable – Transactions' tests were undertaken internally by Banyule City Council officers and the results reported to Audit and Risk Advisory Committee.
2. The primary objective of the 'CAATs Accounts Payable - Transactions' tests is to ensure that the relevant controls, processes, and practices are adequate, accurate, and complete.
3. The tests covered a review of data from the 1 July 2019 to 31 December 2019.
4. Overall, Accounts Payable controls, processes, and practices are generally sound.
5. Overall, Accounts Payable controls, processes and practices were found to be sound. Although there was one finding, the risk is considered low due to the small number of transactions (over 20,000 invoices keyed per year) and amount involved.
6. Detailed findings and actions are provided in the report.

Committee Resolution

That the report be received.

Moved: Dr Irene Irvine

Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.16 COMPUTER ASSISTED AUDIT TECHNIQUES (CAATS) - PROCUREMENT****EXECUTIVE SUMMARY**

1. In line with the Computer Assisted Audit Techniques (CAATs) works program 2019/20, 'CAATs Procurement' tests are being undertaken internally by Banyule City Council officers and the results reported to Audit Committee.
2. The primary objective of this report – 'CAATs Procurement' is to ensure that the relevant controls, processes, and practices are adequate, accurate, and complete.
3. Overall, Procurement controls, processes and practices are generally sound except against the policy requirement to have approved purchase orders prior to invoices being raised. Non-Compliance reported as at 31 January 2020 is 20% of invoices (year to date) have not been pre-approved (Financial Year 2018/19: 37%).
4. The key findings from the 1 July 2019 to 31 January 2020 review period are:
5. Purchase orders raised after invoice date: 1,837 invoices were identified. This represents 20% of all invoices processed with purchase orders. The policy states that a purchase order is required for all spend greater than \$500 (unless specifically exempt).
6. Purchase orders raised consecutively: 675 transactions were identified, (representing approximately 15% of all purchase orders raised during the period of review).
 - a. A sample selection of the Purchase Orders confirmed that they related to separate projects / services. Procurement will continue to work with the business unit to ensure best practice procurement principles are applied.
7. Detailed findings and actions are provided in the report and include targeted education throughout Banyule City Council.

Committee Resolution

That the Audit & Risk Advisory Committee note the improvement in Purchase Order compliance.

Moved: Dr Irene Irvine

Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.17 VAGO - AUDIT STRATEGY FOR YEAR ENDING 30 JUNE 2020****EXECUTIVE SUMMARY**

1. The Banyule City Council Audit Strategy sets out the Victorian Auditor-General's Office (VAGO) approach to the audit of the Financial Report and Performance Statement of Banyule City Council for the year ending 30 June 2020.
2. The audit engagement includes the external audit of the financial report, performance statement and a performance audit.
3. The engagement will be conducted by VAGO's audit service provider HLB Mann Judd for the year ending 30 June 2020.

Commentary

- Discussion on valuations and what is being valued. - To be documented for discussion with external audit and management to help determine if it is best to undertake an internal or external review and what information to support the valuations will be required.
- Decision is to be made on internal or external (independent) valuation.
- No paper to the Committee is required, but internal documentation is required to support the process and help support HLB Mann Judd in their audit (prior to June 2020).
- Future strategies to consider include the prior year management issues. Also include the external audit issues and management responses and follow-up on the outstanding issues.
- Cr Garotti expressed that a template be tabled at the next meeting providing assurance that recommendations are closed and we are going into year-end without management findings.

Committee Resolution

- That the draft audit strategy be endorsed.
- That the audit strategy be finalised subject to feedback from the Audit & Risk Advisory Committee and the Victorian Auditor General's Office.

Moved: Dr Irene Irvine

Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

1.18 QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED 31 DECEMBER 2019**EXECUTIVE SUMMARY**

1. The purpose of this report is to table the Quarterly Financial Management Report for the period ended 31 December 2019 which was tabled at the Council meeting on the 24 February 2020 and forwarded to the Audit & Risk Advisory Committee members for noting on the 13 March 2020.

Operating Surplus – As at 31 December 2019

2. Year to date (YTD) operating surplus is **\$3.715m** favourable to budget (77% of this favourable variance has been generated from income).
3. Banyule City Council has forecast to deliver an operating surplus of **\$8.350m** for the year ended 2019/2020. This is \$2.362m favourable to the adopted budget of \$5.988m. The significant components of this variance are:
 - Unanticipated continuation of operating grants funding for the Commonwealth Home Support Programme (CHSP) – \$0.893m.
 - Higher user fees and charges income resulting from the higher usage volume and pricing of commercial activities from the services of Transfer Station, Ivanhoe Aquatic Centre, and Parking Meter Services etc. (\$1.375m in total).
 - Other capital grants funding and contributions income, \$1.489m in total, associated with the council's 4 year capital program.

partly offset by:

- A reduction in interest income, \$0.594m, as a result of unfavourable market conditions expected for the remaining financial year contributing to lower RBA interest rates.
 - Last year's carried forward expenditure associated with both initiative projects and unexpended grants, \$0.832m in total, is committed to be spent within this financial year as confirmed by business areas.
 - Additional agency costs of \$0.178m will be committed to support the Banyule Service Promise initiative, which aims to reduce customer wait time.
4. The 2019/20 underlying operating result is forecast to be **\$0.296m** in deficit against a budgeted underlying operating deficit of **\$1.194m**. This underlying result is determined after adjusting for non-recurrent capital grants and capital contributions of \$8.636m.

Capital Works Performance

As at 31 December 2019 a total of **\$21.323m** has been spent on capital works. The forecast for capital works expenditure is forecast to be **\$76.179m** including \$10.880m of carry forwards projects from previous financial year. The adopted 2019/20 capital budget is **\$64.345m**.

Committee Resolution

That the report be received.

Moved: Dr Irene Irvine
Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020**

**1.19 INTERSTATE CONFERENCE ATTENDANCE - DIRECTOR CITY DEVELOPMENT
- SCOTT WALKER****EXECUTIVE SUMMARY**

1. Councillors and staff from time to time attend Interstate conferences.
2. Any Councillors/staff attending must complete an application outlining the benefits of attendance.
3. All staff attendance is approved by Council's Executive Management Team.
4. Any Overseas or Interstate conferences require reporting to Councillors and to the Audit & Risk Advisory Committee.
5. A briefing note was provided to Councillors on the 13 February 2020 providing this advice.
6. The Local Government Regulations 2015 requires such information to be made publicly available for 12 months.
7. The Director of City Development will be attending the Planning Congress in Adelaide in May 2020.

Committee Resolution

That the Audit & Risk Advisory Committee note the report and professional development opportunities.

Moved: Dr Irene Irvine
Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.20 VAGO / IBAC - SELF-ASSESSMENTS STATUS REPORT - 13 MARCH 2020****EXECUTIVE SUMMARY**

1. The Victorian Auditor General's Office (VAGO) and Independent Broad Based Anti-Corruption Commission (IBAC) issue reports on Local Government and those relevant to the sector.
2. These reports include reviews of Councils' Integrity Frameworks, Fraud & Corruption Frameworks, Procurement Practices, and Recruitment etc.
3. Self- assessments are undertaken against the recommendations of these reports and presented to the Audit & Risk Advisory Committee.
4. The Report provides the Audit & Risk Advisory Committee with a list of VAGO and IBAC reports that Banyule has identified as opportunities to improve systems and controls relevant to council operations.
5. The status report as at March 2020 is attached and provides an update of all self-assessments undertaken to date.

Committee Resolution

That the Audit & Risk Advisory Committee notes the status of the self-assessments and progress to date.

Moved: Dr Irene Irvine
Seconded: Cr Rick Garotti

CARRIED

**1.21 SELF ASSESSMENT - VAGO REPORT: ASSET MANAGEMENT
ACCOUNTABILITY FRAMEWORK****EXECUTIVE SUMMARY**

1. A Victorian Auditor-Generals Office (VAGO) audit was undertaken in May 2019 with the objective to determine the reliability of public departments' attestations of compliance with the Asset Management Accountability Framework (AMAF).
2. The VAGO audited all seven departments as follows:
 - Department of Economic Development, Jobs, Transport and Resources (DEDJTR), which split on 1 January 2019 into the Department of Jobs, Precincts and Regions (DJPR) and the Department of Transport (DoT)
 - Department of Education and Training (DET)
 - Department of Environment, Land, Water and Planning (DELWP)
 - Department of Health and Human Services (DHHS)
 - Department of Justice and Regulation (DJR), now renamed as the Department of Justice and Community Safety (DJCS)
 - Department of Premier and Cabinet (DPC)
 - Department of Treasury and Finance (DTF).
3. Although this audit may not be fully relevant to local government, Banyule City Council has undertaken a self-assessment against the AMAF's mandatory requirements.
4. Asset data, system and record keeping are identified as the key area of improvements. Council is aware of the inefficiency. A project to improve system efficiency has been included in the Capital Works Program starting from 2020/21.

Committee Resolution

That the report be received.

Moved: Dr Irene Irvine

Seconded: Cr Rick Garotti

CARRIED

MINUTES BANYULE AUDIT & RISK ADVISORY COMMITTEE**13 MARCH 2020****1.22 SELF ASSESSMENT - VAGO REPORT: ASSET MANAGEMENT AND COMPLIANCE****EXECUTIVE SUMMARY**

1. A Victorian Auditor-Generals Office (VAGO) audit was undertaken in May 2019 with the objective to assess whether local councils accurately document infrastructure assets in their information systems and use this information in their asset management and planning.
2. The VAGO audited five councils (Colac Otway Shire, Darebin City, Hindmarsh Shire, Mildura Rural City and Nillumbik Shire) and proposed general recommendations for local government organisations.
3. Banyule City Council has undertaken a self-assessment against the Asset Management and Compliance.
4. Some improvements in Council's asset data and systems have been identified. A project to improve the system has been included in the Capital Works Program commencing from 2020/21.
5. Maintenance activities are currently completed on reactive and proactive basis. A process is being developed to manage these activities efficiently by changing the focus from reactive to a proactive.
6. An asset information and condition audit manual is required. Council will develop a manual for each asset class in 2020/21.

Committee Resolution

That the report be received.

Moved: Dr Irene Irvine
 Seconded: Cr Rick Garotti

CARRIED**2. Other Business**

- i. The Chairperson requested an annual evaluation of Internal Audit be performed.
- ii. Management to consider timeframe and number of meeting held.
- iii. Star items that do not need to be discussed (tabled only). Feedback to be provided to the Director Corporate Services.

Next Meeting

Friday, 19 June 2020 at 3.00pm – Ibbott Room

Closure of Meeting

The meeting closed at 5.38pm

DATED this Nineteenth day of June 2020

..... **CHAIRPERSON**