



## ***Ordinary Meeting of Council***

***8 February 2021 7.00pm***

### **ATTACHMENTS**

#### **3.1 Safer Banyule Plan 2017-2021 - Year 3 Report (2019/2020)**

- Attachment 1. Safer Banyule Plan 2017-2021 .....3  
Attachment 2. Report on Year 3 - Safer Banyule Plan 2017-2021 ..... 15

#### **3.2 Shop 48 The Harmony Centre: 2019-2020 Annual Report**

- Attachment 1. Shop 48 The Harmony Centre: 2019-2020 Annual report .....23

#### **4.1 Climate Action - Annual Update**

- Attachment 1. State of the Environment Report 2019/20 .....29

#### **5.2 State Government Roadmap for Environmentally Sustainable Development in Victoria's Planning System**

- Attachment 1. DEWLP ESD Roadmap for Victoria's Planning System .....51

#### **7.1 Councillor Code of Conduct**

- Attachment 1. Councillors Code of Conduct (draft) ..... 109  
Attachment 2. Human Rights Assessment - Councillor Code of Conduct -  
2020 Code assessment ..... 139

#### **7.3 Audit & Risk Committee - Chairperson's Report 2020**

- Attachment 1. Audit & Risk Committee - Chairperson Report 2020 ..... 141

#### **7.4 Audit & Risk Committee Minutes - Meeting 11 December 2020**

- Attachment 1. Unconfirmed Minutes - Audit & Risk Committee meeting  
held 11 December 2020..... 163

#### **7.6 Report on Property Transactions for the six months ending 31 December 2020**

- Attachment 1. Locality Plan ..... 189
-

### Further information

Banyule City Council  
PO Box 94  
Greensborough VIC 3088  
or telephone 9490 4222  
or email [enquiries@banyule.vic.gov.au](mailto:enquiries@banyule.vic.gov.au)

### How to contact your Council

Telephone: **9490 4222**  
Email: [enquiries@banyule.vic.gov.au](mailto:enquiries@banyule.vic.gov.au)  
Website: [www.banyule.vic.gov.au](http://www.banyule.vic.gov.au)  
Fax: 9499 9475

If your hearing or speech is impaired, you can call us through the National Relay Service on **133 677** (TTY) or **1300 555 727** (ordinary handset) and ask for 9490 4222.

**Postal Address:**  
PO Box 94, Greensborough 3088  
DX 97904 Ivanhoe

**Council Service Centres:**  
Greensborough: Level 3, 1 Flintoff Street  
Ivanhoe: 275 Upper Heidelberg Road  
Rosanna: 72 Turnham Avenue (inside Rosanna Library)

**Office Hours of Opening:**  
Greensborough & Ivanhoe: Monday – Friday 8.30am – 5pm  
Rosanna: Monday – Friday 10am – 12noon and 1pm – 4pm

**Interpreter service:**  
If you need an interpreter, please contact TIS National on 131 450 and ask to be connected to Banyule Council on 9490 4222.

إذا كنتم بحاجة إلى مترجم، الرجاء الاتصال بالخط القومي لخدمة الترجمة الهاتفية TIS على الرقم 131 450. وانظروا إيسالككم ببلدية بانول على الرقم 9490 4222.

若你需要口譯員，請致電131 450聯絡TIS National，要求他們為你致電9490 4222接通Banyule市政廳。

Ako vam je potreban tumač, molimo vas, nazovite TIS National na broj 131 450 i zatražite da vas se spoji sa Vijećem općine Banyule na broj 9490 4222.

Αν χρειάζεστε διερμηνέα τηλεφωνήστε στην Εθνική Υπηρεσία Διερμηνέων Μεταφραστών στον αριθμό 131 450 και ζητήστε να σας συνδέσουν με τη Δημαρχία Banyule στο 9490 4222.

Se hai bisogno di un interprete chiama TIS National al numero 131 450 e chiedi di essere messo in comunicazione con il Comune di Banyule al numero 9490 4222.

Ако ви треба преведувач ве молиме јавете се на TIS National на 131 450 и замовете да ве поврзат со Banyule Council на 9490 4222.

如果你需要一名翻译，请打电话到国家电话翻译服务处 (TIS National) 131 450，再转接到Banyule市政府9490 4222

Haddii aad u baahan tahay mutarjum wax khadka qaranka oo ah TIS 131 450 weydiiina in lagugu xiro Degmada Banyule tel: 9490 4222.

Nếu cần thông dịch, xin gọi cho TIS Toàn Quốc qua số 131 450 rồi nhờ họ gọi cho Hội Đồng Thành Phố Banyule theo số 9490 4222 giúp quý vị.





## Executive Summary

## Introduction



### Purpose of the Plan

Action to address crime and community safety has strong synergies with community building, good health and wellbeing and improved access to employment, education and training. When individuals feel safe within their community, they are more likely to experience greater levels of social connection and trust, and are more likely to become engaged with other members of the community. Perceptions of neighbourhood safety are also linked with health outcomes.

Perceptions of community safety, real or perceived, impact on the way people feel and interact in their community. Community safety is not only about reducing and preventing injury and crime. It is about building strong, cohesive, vibrant, participatory communities.

The Banyule Community Safety Survey (2016), had the Banyule community reporting high levels of the perceived safety ranging from 75% for 25-34 year olds to 95% for 55-64 year olds. Collectively although perceptions of safety were high, the survey responses identified two major areas of concern being Lighting in public places (14%) and Burglary (11%), followed by Youth 'hanging around' (8%), Traffic (6%) and Drug deals (7%).

The Safer Banyule Plan has been developed to guide the work of Banyule City Council to continue to improve and maintain Community Safety in our municipality by creating places where people can go about their daily activities without fear, risk or harm of injury. It is about responding to perceptions of community safety along with reducing and preventing crime, and building strong cohesive communities.

Council plays a central role in community safety through strong relationships with the local community and building collaborative partnerships across different government agencies and not for profit service providers in responding to local needs and concerns.

Community consultations and reports for the municipality demonstrated that perceptions of safety at home and on the street generally indicate that the community feels safe, with all ages on average rating high perceptions of safety at 84%. The 25 – 34 year old age group rated their perceptions slightly lower, perhaps indicating a different view of safety as there is extra time spent out of their work and home during late nights.

The Plan seeks to prioritise social crime prevention approaches that are underpinned by the key principles of:

- **Prevention,**
- **Harm minimization,**
- **Education and information sharing,**
- **Leadership and collaboration,**
- **Building evidence; and**
- **Access and equity.**

There are five priority areas outlined in the Plan which will guide the work of Banyule City Council over the next four years.

1. **Building community connection and confidence;**
2. **Place management and activation;**
3. **Ensuring Crime Prevention through Environmental Design (CPTED) principles are applied in the planning, maintaining and enhancing the public realm across Banyule;**
4. **Crime prevention; and**
5. **Addressing emerging social policy imperatives.**

The Action Plan articulates crime prevention and advocacy actions aimed at improving community perceptions of safety and minimise crime.

Community safety is about people and places and how they interact with each other to provide a social and physical environment that promotes participation and confidence. Each person's perceptions of community safety is partly based on an individual's range of experiences and expectations and gives each individual a unique level of acceptance to change and ability to cope with risk.

Finding ways to reduce the risk is a major component of community safety as is an understanding of who we are, how we live, learn, work and recreate which are essential to building a strong and effective community safety strategy.

Banyule City Council developed this Plan in partnership with cross Council departments, partner service agencies and organisations and through community consultation.

Council works closely with Victoria Police and other agencies in different areas of community life, including engaging youth, traffic management, crime, talking about safety with the community, identifying hot spots for certain crimes or activities, and identifying ways to reduce opportunity for crime by improving the design and use of our public spaces.

The recorded offence rate (also referred as 'the crime rate') provides the public with statistics about where there is isolated crime, and very importantly where there are patterns of crime emerging.

Council is strongly invested in working collaboratively with police to understand the influences of crime in Banyule and identify opportunities for change and engagement.

Further, the working relationship Council has built with Women's Health In the North has provided significant information and data about the extent of family violence, comparisons with other areas of Melbourne and Victoria, and strategies being used by different providers.

This Plan emphasises the partnerships and collaboration required to undertake successful crime prevention work and the developed Action Plan outlines the priority actions for Council over the next four years.

Consulting with the community provides Council with important insights into community expectations and aspirations for a safe and strong community. Information gathered for the Safer Banyule Plan came from a range of surveys and discussions.

Continued engagement with community through existing networks, committees and partner agencies will inform the development and implementation of the specific initiatives within the action plan. This Plan must be flexible enough to take advantage of opportunities as they present and to adapt to emerging trends and issues.

## Policy Context

Local Government has a central role in addressing individual and community concerns regarding perceptions and reality of safety as principally articulated in the Local Government Act.

Further, Local Government's role is strongly influenced and directed by state and federal legislation, guidelines and strategies.

Following is an outline of a few of the key State and Federal documents as well as a broader list of policies and acts that inform our community safety approaches.

### Local Government Act (1989)

The Local Government Act outlines that Council must have regard to the following facilitating objectives (as applicable to this Strategy):

- (a) to promote the social, economic and environmental viability and sustainability of the municipal district
- (c) to improve the overall quality of life of people in the local community
- (d) to promote appropriate business and employment opportunities

The role of a Council includes:

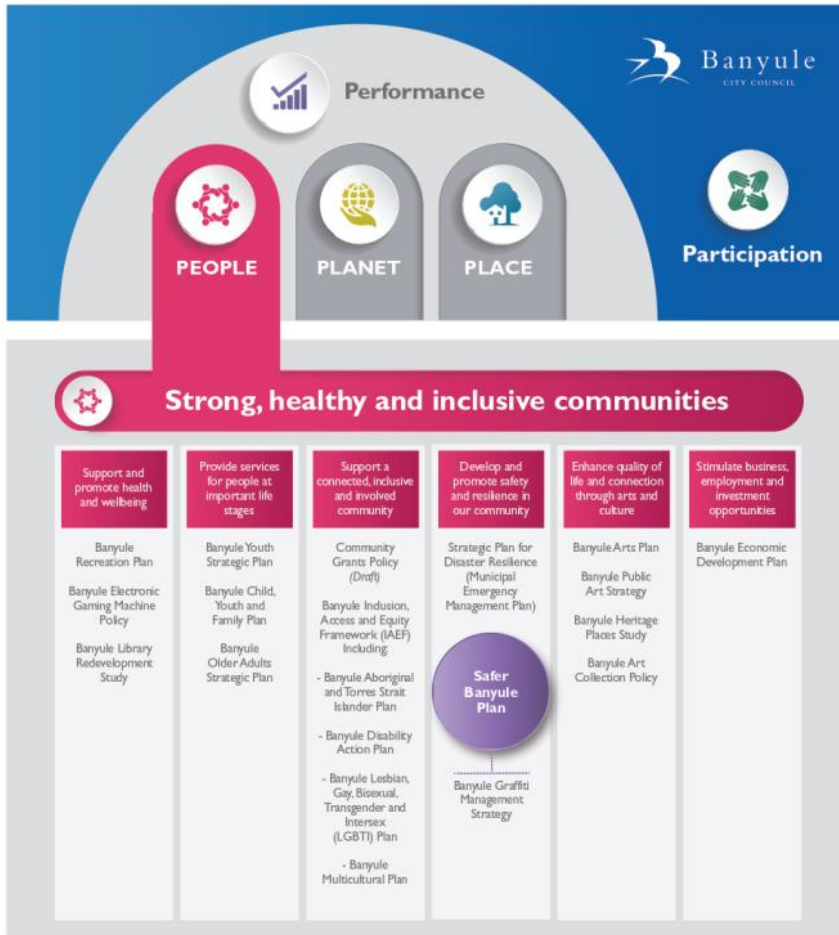
- (e) fostering community cohesion and encouraging active participation in civic life.





**Council Plan 2017-2021**

The Safer Banyule Plan supports the Banyule Council Plan 2017-2021, with the primary link to the objective on People: strong, healthy and inclusive communities.



**The Public Health and Wellbeing Act 2008**

This Act outlines local government obligations to protect and enhance the health and wellbeing of its community. Our Council Plan 2017-2021 outlines our commitment to health and wellbeing and community safety.

**Parliamentary Inquiry into Locally Based Approaches to Community Safety and Crime Prevention (2012)**

The inquiry focussed on the process and models through which effective crime prevention policy and programs can be developed and implemented at a local level and the partnerships that can be formed to make this happen.

It provides specific recommendations for implementing crime prevention and community safety strategies for local governments.

**National Crime Prevention Framework**

This resource outlines the most effective approaches to the prevention of crime; and provides guidance and information on best practice to assist with the development of appropriate policies, strategies and programs to address crime trends and issues.

**Community Crime Prevention Framework**

This framework from the Department of Justice and Regulation focuses on supporting local community crime prevention and outlines the State Government strategic priorities.

**Other Government Acts and Policy links**

Victorian Government Acts

- Victorian Charter of Human Rights and Responsibilities Act 2006
- Victorian Crimes Act 1958
- Victoria Police Road Safety Strategy 2013-2022
- Victorian Emergency Management Act 1986
- Graffiti Prevention Act 2007

Victorian Government policies and strategies

- A Right to Respect: Victoria's Plan to Prevent Violence against Women 2010-2020
- A Right to Safety and Justice: A Strategic Framework to Guide Continuing Family Violence Reform in Victoria 2010-2020
- Department of Justice and Regulation, Community Crime Prevention Program
- Department of Sustainability and Environment, Safer Design Guidelines for Victoria, 2005
- Environments of Health Framework
- Victoria's Alcohol Action Plan 2008-2013
- Victoria's Road Safety Strategy 2013-2022
- Victorian Ice Taskforce, Ice Action Plan, March 2015
- Victorian Planning Provisions 2006
- Victoria Police, Road Safety Action Plan 2013-2018

Federal Government policies and strategies

- Australian Government, National Drug Strategy, 2010-2015: A framework for action on alcohol, tobacco and other drugs
- Family Violence Protection Act 2008
- Australian National Action Plan on Women, Peace and Security 2012-2018

Banyule City Council policies and strategic plans

- Health and Wellbeing Policy and Strategy 2017 - 2021
- Surveillance Policy 2016
- Road Management Plan 2013-2017
- Electronic Gaming Machine Policy 2014
- Graffiti Management Strategy 2015-2018
- Integrated Transport 2015-2035
- LGBTI Plan
- Public Open Space Plan 2016-2031
- Older Adults 2017-2021 Action Plan





**Policy statement**

Banyule Council is committed to working in partnership to improve community perceptions of safety and support crime prevention activities locally to strengthen community and social connectedness.

The following six principles have been identified as underpinning the Safer Banyule Plan's priorities. Each of the principles are a critical element of best practice in a community safety strategy. Identifying the most important principles for each identified priority and associated goals, provides a strong basis for measuring performance and outcomes and recognising the changing needs of the community over time.

**Guiding principles**

- Prevention** - In community safety, prevention is often focused on preventing crime or reducing the opportunity for potential offenders. Prevention is also focused on community education about other safety issues such as reducing intentional and unintentional harm and injury at home and in public places.
- Harm minimisation** - To aim to prevent and reduce the myriad of harms associated with harmful (licit and illicit) drugs in the community. Its major focus is to address alcohol and other drug (AOD) impacts by considering the health, social and economic consequences of AOD use on both the individual and the community as a whole. Harm minimisation has three overarching strategies of demand reduction, harm reduction and support reduction. Councils can play a role in the area of harm reduction.
- Education and information sharing** - Education and information sharing provides an opportunity to be proactive in acknowledging community concerns and issues as well as engaging with different population groups that may benefit from focused information sharing and discussion.
- Leadership and collaboration** - Local government has a unique role in showing leadership in social policy areas because local government is closely connected to its constituents. Advocacy for changes that strengthen community responses and contribute to increased safety has been a crucial community safety focus for many years.
- Building evidence** - Evidence based practice ensures direct links between actions and a demonstrated need. Evidence can, and should be identified and collected from multiple sources (triangulation) to strengthen the validity of information. Evidence base must also be based around comparative data and information to provide context to interpretation.
- Access and equity** - Identifying ways to strengthen opportunities for all community participants, regardless of race, religion, culture, language or life circumstances to access quality services and programs.

**Our localities**

Banyule is located between 7 and 21 kilometres north-east of central Melbourne and is made up of 21 suburbs (Figure 1). The City covers an area of approximately 63 square kilometres. The Yarra River runs along the City's south border while the west is defined by Darebin Creek. Banyule is located on the lands of the Wurundjeri and Council recognises the Wurundjeri as the traditional custodians of the lands and waters upon which Banyule is located.

Banyule is renowned for its open spaces and plentiful parklands, especially along the Yarra and Plenty River valleys. There are 466 hectares of council-owned open space in Banyule, as well as substantial areas of parkland managed by Parks Victoria. These provide a wealth of recreational, environmental and tourism opportunities for the region.

Banyule is primarily a residential area and retaining the character of individual neighbourhoods is important to the local community. While separate houses dominate, increasing numbers of semi-detached houses, townhouses and units are being built. Over two thirds of homes are privately owned or being purchased, with most of the rest being rented.

Figure 1- Map of Banyule's suburbs





Banyule has a number of commercial centres, the largest being the Greensborough Principal Activity Centre, with Heidelberg and Ivanhoe designated as Major Activity Centres.

There are significant industrial areas in Heidelberg West, Greensborough, Briar Hill and Bundoora. The City is also home to a number of large institutions such as the Austin Hospital including the Olivia Newton John Cancer Centre, the Mercy Hospital for Women, the Heidelberg Repatriation Hospital and the Simpson Army Barracks.

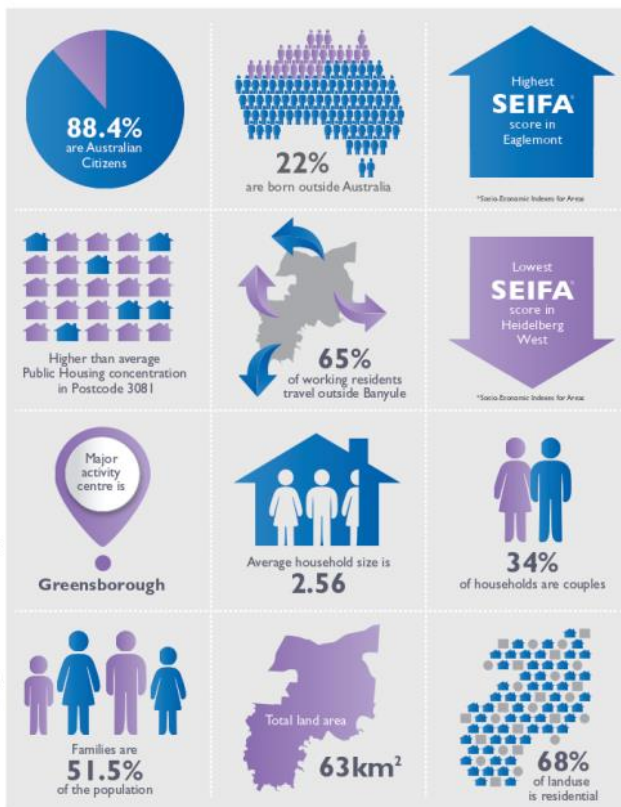
### Our community

The Wurundjeri Willam people are the original inhabitants of this area and the Traditional Owners of this land.

Banyule has a diverse community of over 128,000 people from over 140 countries. A significant number of residents have European ancestry, and there is an increasing population of people with Asian and African ancestry. This diverse population brings a cultural richness to the community.

Although the number of people living in Banyule is expected to increase in the next decade, our population is expected to age, with the greatest growth occurring in the over 60 age group. Census data from 2006 to 2011 shows that the population of under 4 year olds has grown, as Banyule, along with the nation as a whole, has experienced a mini 'baby boom'.

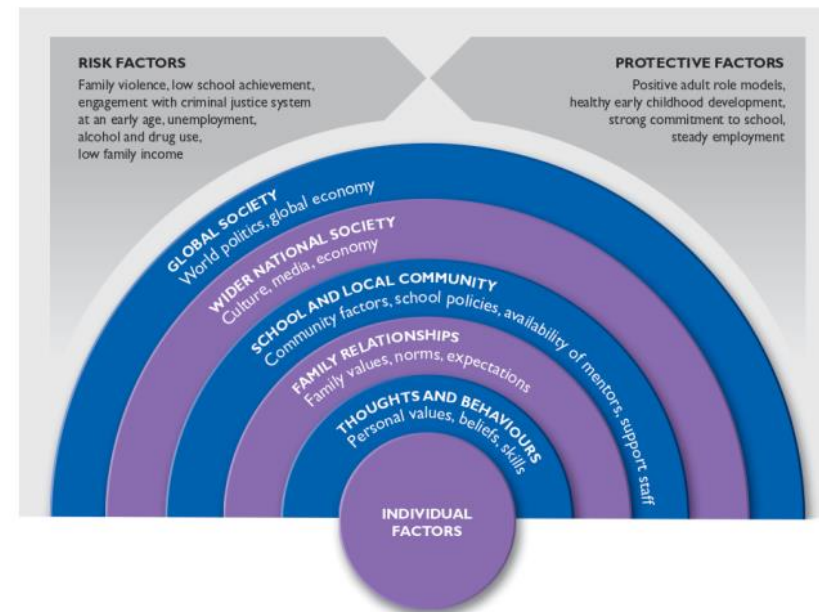
Banyule's main industries are health care, retail, education, construction and manufacturing. A large number of the jobs available in Banyule are filled locally.



### Prevention theory – a snapshot

Crime prevention can reduce the long term costs associated with the criminal justice system and the costs of crime, both economically and socially. It can achieve a significant return on investment in terms of savings in justice, welfare, health care, and the protection of social and human capital. A safe and secure society is an important foundation for the delivery of other key services. Community safety and security is a prerequisite for sound economic growth through continuing business investment as well as community well-being and cohesion.

Action to address crime and community safety has strong synergies with community building, good health and wellbeing and improved access to employment, education and training. There is no single factor or combination of factors that causes a person to get involved in crime, however there are risk factors that can increase the likelihood (Figure 2). Similarly, protective factors are positive influences that can keep people from becoming involved in crime.







### The role of local government in crime prevention

In Australia, federal and state governments are responsible for crime prevention policy and the overarching strategy or framework that outlines the goals, priorities and approaches to preventing crime. Relevant Departments typically then provide funding and technical advice to non-government organisations and local government authorities to plan and deliver crime prevention initiatives to support the implementation of these state and national priorities.

Local government plays a key role in creating the environment which supports health and wellbeing. The Public Health and Wellbeing Act 2008 requires councils to prepare a four-year municipal public health and wellbeing plan which sets goals and priorities to enable people living in the municipality to achieve maximum health and wellbeing. Feeling safe in the community enhances social connection and trust and improves health and wellbeing outcomes.

Local governments support community safety in many ways such as the provision of local services, creating opportunities for social participation, supporting culturally diverse communities and Aboriginal reconciliation, providing access to local facilities and undertaking strategic planning for health and wellbeing. Local government is well-placed to lead and participate in crime prevention activity. Most crime and immediate safety concerns for communities are local in nature, for example property crime, theft, antisocial behaviour and vandalism. Therefore the approach to preventing crime should also be locally tailored. Local government, due to its functions and relationships to the community and other key partners are well-placed to lead and coordinate this work.

Banyule Council's Community Safety role is focused on encouraging collaboration and partnership between different government level agencies and not for profit service providers to respond to locally based needs and concerns. These services, programs and activities are developed to respond to local conditions regarding connecting people, creating and sustaining inviting and safe places for people of all ages and backgrounds and policing and specialist services for when life challenges require extra resources for residents.



### Community consultation

Consulting with community members provide Council with important insights into community expectations and aspirations for a safe and strong community. Information gathered for the Safer Banyule Plan has been informed through a range of surveys and discussions.

#### Community Consultation activities

	Type of consultation	Number of community members
Banyule Consultations - Safe Banyule survey	Face to face survey	152
Banyule Council Annual Community Satisfaction survey	Telephone survey	400
Community consultations		30

### Perceptions of safety

A safe community is "a liveable community, where people can go about their daily activities in an environment without fear, risk of harm or injury." Perceptions of community safety, real or perceived, impact on the way people feel and interact in their community. Community safety is not only about reducing and preventing injury and crime. It is also about building strong, cohesive, vibrant, participatory communities.

Perceptions of community safety are linked with health outcomes. When individuals perceive their community as unsafe, they are less likely to engage in outdoor activities and exercise and are more likely to experience increased anxiety, poor health outcomes and poor self-rated health. Conversely, when individuals feel safe within their community, they are more likely to experience greater levels of social connection and trust, and are more likely to become engaged with other members of the community.

A major data set for measuring people's sense of safety at home and on the street is compiled by Community Indicators Victoria via the Subjective Wellbeing Report. The 2011 report provides comparison with other councils, regions and Victoria. Banyule's levels of safety in 2011 are very positive and exceed the North and West Metropolitan Region (NWMR) levels in all categories.

#### Community Indicators Victoria - Subjective Wellbeing report (2011)

Indicator	Respondents (%)	
	Banyule	NWMR
Feel safe or Very Safe When at Home Alone During the Day	99.5	97.8
Feel Safe or Very Safe When at Home Alone at Night	96.3	93.3
Feel Safe or Very Safe Walking Alone in Local Area During the Day	98.2	95.2
Feel Safe or Very Safe Walking Alone in Local Area at Night	77.4	65.2

# Snapshot of Local Data



Banyule City council also undertook a Safe Banyule Survey to understand community members' perception of safety in their local area at different locations and times of day, and to develop understanding of the issues that reduce community members' sense of safety. Participants were also asked whether they live, work and undertake leisure activity in Banyule to assess the level of engagement and time community members spend within their local environment.

Understanding how different age groups experience community life provides an extra level of information about how people at different stages of their life can experience the same city and environment quite differently. This is one of the challenges of community safety as responses, solutions and interventions can require high levels of modification to accommodate those age-related issues.

The Safe Banyule Survey (2016) show a broad range of responses to feeling safe at home and on the street depending on age group. With the exception of 25 to 34 year olds who rated the overall level of safety in Banyule at 75% for safe and very safe, all age groups rated Banyule at 84% or higher with 55 to 64 year olds rating the highest with 95%.

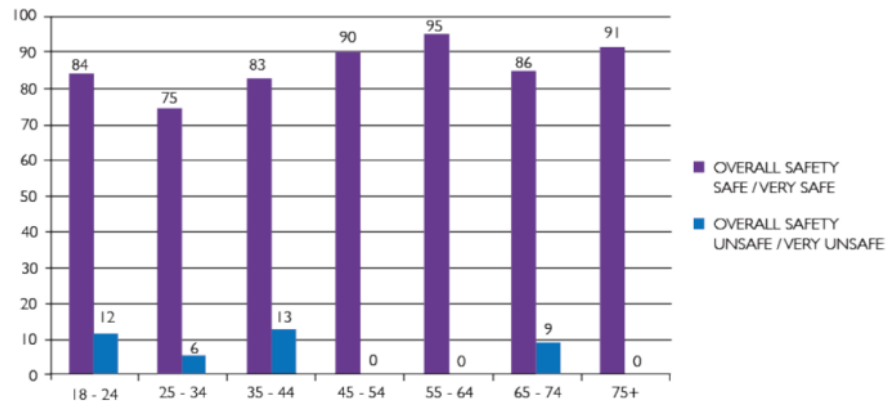
Conversely, although the perceptions of safety were relatively high, the level of participants who responded that they felt unsafe or very unsafe in their local environment was low, ranging from 0% for both the 45-54 year old group and the 75+ group to the highest level of 13% for 35-44 year olds.

Although the general perceptions of safety were relatively high, of specific note, the survey responses identified two major areas of concern being Lighting in public places (14%) and Burglary (11%), followed by Youth 'hanging around' (8%), Traffic (6%) and Drug deals (7%).

Overall, Banyule community's perceived safety levels are high (Figure 5) ranging from 75% for 25-34 year olds to 95% for 55-64 year olds. The lower level for the 25-34 year old may indicate a different view of safety as this is the age group when people spend extra time out of their home and out during late nights.

Figure 5 - Safe Banyule Survey 2016: age groups and sense of overall safety

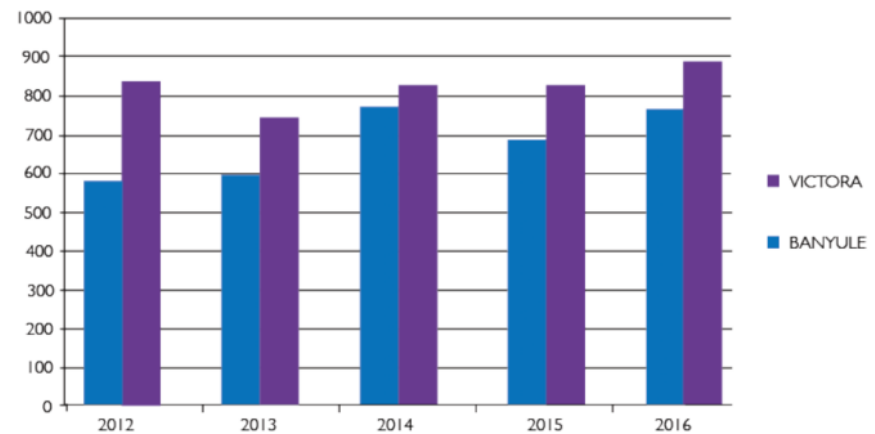
### Crime rates



Local government plays a critical role in advocating, collaborating, educating and engaging between stakeholders to address crime and anti-social behaviour issues.

According to Crime Statistics Agency Victoria the overall Banyule's recorded offence rate has been on average 20% lower than the recorded Victorian rate over the past five years (Figure 6). This has provided for a consistent level of safety across the community, with crimes against the person particularly having an overall reduction of 3.8%. However, some types of crimes under the Property and deception offence category have increased with Burglary having fluctuated over the last five years with an overall rise of 7%. Whilst drug cultivation and manufacture has decreased by 11%, drug dealing and trafficking increased in the 2015 and 2016 year for the first time in over five years.

Figure 6 - Banyule Recorded Offence Rate 2012-2016 as compared with the Victoria Rate





## Snapshot of Local Data

## Safer Banyule Action Plan 2017-2021



In the year ending 30 June 2017, there was an increase in the offences recorded in Heidelberg (27.7%, 365 offences), and Ivanhoe (19.8%, 165 offences). Whilst Greensborough experienced a decrease of 24.8% (473 offences), this suburb still recorded the second highest number of offences (1,434 offences). Heidelberg West also recorded a decrease of 13.7% (191 offences), and recorded the third highest number of offences (1,200 offences) in the year ending in June 2017.

Figure 7 - Crime Statistics Agency 2017 - Recorded Offences in Banyule - top 5 suburbs

	Jul 2011 - Jun 2012	Jul 2012 - Jun 2013	Jul 2013 - Jun 2014	Jul 2014 - Jun 2015	Jul 2015 - Jun 2016	Jul 2016 - Jun 2017	% change 2016-17
Heidelberg	1,342	1,653	1,758	1,835	1,318	1,683	27.7%
Greensborough	1,155	1,242	1,229	1,564	1,907	1,434	-24.8%
Heidelberg West	1,020	920	1,198	1,112	1,391	1,200	-13.1%
Ivanhoe	675	691	951	802	835	1,000	19.8%
Bundoora	430	414	563	585	750	719	-4.1%

### Family violence

Women's Health In the North report the following as extracted from Victoria Police LEAP (2015-16), showing that family violence is a major component of all reported assaults and all sexual offences in Banyule.

- An average of 25 family violence incidents are reported each week;
- Family violence was the context for slightly more than half (56%) of all recorded assaults;
- Family violence incidents decreased from 1,342 in 2014-15 to 1,317 in 2015-16 (a decrease of 1.9%). This is in comparison with Victorian rates where family violence incidents increased by 10% in 2014-15 to 2015-16;
- 71% of family violence victims are female;
- Banyule's family violence reported incidents per 100,000 is 1,033.5 being 14% lower than for the North Metropolitan Region and the second lowest LGA in the region.

It is however important to note that family violence and accompanying sexual offences against women are often under-reported and the data is therefore likely to underestimate the true extent of the problem.

### Graffiti

During the development of this Plan it was recognised that extensive work had already been undertaken locally focussed on graffiti management and its relationship to community safety with the development of the Graffiti Management Strategy 2015-2018. It was therefore concluded that this Plan would not seek to include any additional actions to address Graffiti but rather include a reference to the implementation of the existing Strategy.

Five priority areas and linked goals for action have been identified for the Banyule City Council to work to and achieve over the next four years.

Many of our goals and actions continue over time as they relate to long term disadvantage, changing populations, age related issues and changes in crime patterns.

A detailed action plan has been developed which outlines under each priority area, goals, actions, timing and responsibility.

Banyule Council will continue to monitor crime and community safety perceptions data and trends as a tool to indicate progress and long term outcomes.

### Priority 1: Building community connectedness and confidence

**Rationale:** Banyule is a safe city with overall high levels of perception of safety across age groups. However, issues (and media reports of) including cybercrime, gangs, drugs and home invasions can heighten levels of concern and this may limit people's sense of confidence to participate in community life with older residents being one of the main cohorts most affected by these concerns.

Goal	Actions	When	Responsibility
1. Engage with the community to increase people's sense and reality of safety	Facilitate the Community Safety Working Group 3081 in Heidelberg West	2017-2021 Monthly meetings February-December	Community Safety
	Participate in local Community Safety Networks including Greensborough Safety Committee and the Northland Precinct Action Group	2017-2021 ongoing	Community Safety Banyule Youth Services
	Facilitation of resolution to safety issues including to residents issues or key stakeholder notifications	2017-2021 ongoing	Community Safety All Council departments as relevant
	Lead on a Community Safety Expo at Malahang Festival, Heidelberg West	2017-2021 Annually in November	Community Safety Leisure and Cultural Services
	Provide community safety information at selected Council and community events	2017-2021 Ongoing	Community Safety
2. The availability of a calendar of community safety focused events, where there is opportunity for the community to be informed and involved.	Develop a calendar of community safety events aligned with themed days and months, such as Community Safety Month, Elder Abuse Day and White Ribbon Day	2017-2021 Annually	Community Safety
3. Visual representations of safety in Banyule are developed and used across the community over the year	Pursue opportunities to promote visual community safety messages such as on Council assets and positive media stories such as in Banyule Age In Focus	2017-2021 Ongoing	Community Safety Graffiti Project Officer Communications

## Safer Banyule Action Plan 2017-2021

## Safer Banyule Action Plan 2017-2021



### Priority 2: Place management and activation

**Rationale:** Place management is an effective mechanism for bringing stakeholders together to address issues of safety, access and equity and amenity to areas that have location based issues. Banyule Council supports place based responses.

Goal	Actions	When	Responsibility
1. Continued commitment to place based responses	Plan and implement place activation and community capacity building through Council's Project 308 I team	2017-2021 ongoing	Project 308 I
	Develop and implement youth led community development activities in public spaces where young people meet and socialise to increase perceptions of safety	2017-2021	Banyule Youth Services
	Develop a Cultural Precinct Framework that seeks to recognise, celebrate and enhance the Bell Street Mall Horn of Africa cultural character	2017-2021	Economic Development
2. Ensuring strong partnerships and collaboration with community stakeholders to respond to "hot spot" safety issues	Coordination of advocacy of timely responses including from Council services delivery departments and key stakeholders	2017-2021	Community Safety
	Implement the Dumped Rubbish and Litter Plan 2017-2021	2017-2021	Assets and City Services
	Leverage Council Departments initiatives and projects to encourage positive activation of spaces such as pop-up parks, Movies on the Move	2017-2021 ongoing	Leisure and Cultural Services
	Leverage the existing activities of the I I Traders Associations across Banyule's network of activity centres. This includes marketing, events and public realm improvements	2017-2021	Economic Development
3. Development of a high level strategic collaboration with stakeholders to identify safety issues at the Greensborough Activity Centre (GAC)	Workshop community safety issues and responses with GAC stakeholders	2018	Community Safety

### Priority 3: Ensuring Crime Prevention through Environmental Design (CPTED) principles are applied in the planning, maintaining and enhancing the public realm across Banyule

**Rationale:** Quality spaces invite people into the place and encourage active use of it. Communities that use public spaces with confidence increase community confidence and reduce opportunity for potential offenders to engage in criminal acts and/or anti-social behaviour.

Goal	Actions	When	Responsibility
1. Spaces are designed and maintained in ways that discourage crime and enhance safety and access	Seek funding opportunities to improve amenity and infrastructure	2017-2021 ongoing	Community Safety Civic Services
	Continue existing project support for Mall SAFE project at The Bell Street Mall, Heidelberg West	2017-2021	Community Safety Civic Services
	Ensure safety and security is an active consideration in all planning applications	2017-2021	Planning
	Strengthen Council knowledge of how to integrate CPTED into all Council infrastructure and open space planning	2017-2021	Community Safety
2. Council's Surveillance in Public Places Policy is implemented	Convene the Surveillance Policy Network to assess new requests for CCTV and manage the allocated budget	2017-2021	Community Safety
3. The focus on graffiti management across Banyule is continued	Implement the Graffiti Management Strategy 2015-2018	2017-2018	Community Safety Graffiti Project Officer Civic Services
	Review and development of a Graffiti Management Strategy 2019-2022	2018	Community Safety
4. Ensure adequate lighting levels in open spaces, car parks and shopping precincts	Review Council's process in managing lighting across Banyule	2018-2019	Community Safety Major Projects and Infrastructure
5. The support and advocacy of safe public and private transport systems in Banyule	Continue ongoing advocacy and implement identified actions from the Banyule Safe Travel Plan 2016-2026	2018-2021	Transport and development



## Safer Banyule Action Plan 2017-2021

## Safer Banyule Action Plan 2017-2021



## Priority 4: Crime Prevention: reducing opportunity

**Rationale:** Banyule's recorded offence rates are consistently lower than Victorian rates. The community's perceptions and experience of safety can be different from official offence rates. Building strong partnerships with law enforcement and local community groups provides an important opportunity for Council to share information, identify strategies and influence policy.

Goal	Actions	When	Responsibility
1. The identification of opportunities for Council to assist culturally diverse communities to address their concerns around community safety and crime interventions	Facilitate and support actions responding to anti-social behaviour within the community	2017-2021 ongoing	Community Safety Social Planning Youth Services Project 308 I
	Collaboration is strengthened with community and agencies to raise awareness and responses to radicalism	ongoing	Community Safety Social Planning
2. The implementation of community messaging around harmful alcohol and drug consumption	Support partnership initiatives that raise awareness of the impact of alcohol and other drugs in all community settings	2017-2021 ongoing	Community Safety Social Planning Health Services
	Provide community information about when and how to report incidents of criminal or anti-social behaviour to Police, Crime Stoppers or Council	2017-2021 ongoing	Community Safety Communications
	Partner with Victoria Police to strengthen the Banyule Liquor Forum to support legislative and planning compliance across license types	2017-2021 Bi-annually May and October	Community Safety
3. Identify strategies for increasing vulnerable community members' sense of safety in their home and in public spaces including those who have been victims of crime, elderly, young people and people with disabilities	Develop partnership initiatives to inform targeted responses such as PVAW and Women with Disabilities event and Victoria Police Crime Prevention Officer visits and information sessions	2017-2021 ongoing	Community Safety Aged Services Metro Access
4. Crime prevention messages are increased particularly around opportunistic crime	Partner with Victoria Police and Neighbourhood Watch to hold events such as Safe Plate Day, business/residential security presentation and public transport hub visits	2017-2021 ongoing	Community Safety Economic Development Traffic

## Priority 5: Addressing emerging social policy imperatives

**Rationale:** Community safety can be a fluid environment that is required to respond to major social policy change environments. This has been seen with the 2009 Victorian Bushfires and currently with the Royal Commission into Family Violence recommendations and policy. Emerging imperatives bring a range of challenges in addressing resourcing and support requirements from Council until policy becomes mainstream and embedded into legislation, strategy and policy. A major current focus is Family Violence, with incidents in Banyule accounting for slightly over half of all assault incidents and slightly under one half of all sexual offences.

Goal	Actions	When	Responsibility
1. Implement the Royal Commission into Family Violence recommendations for Councils	Draft an action plan to respond to the Royal Commission recommendations	2018	Community Safety
	Note other inquiries which may also impact upon Councils responses such as Royal Commission into Institutional Responses to Child Sexual Abuse	To be advised	Community Safety
2. Strengthen collaboration with agencies to support the vulnerable and the abused	Co-convene the Nillumbik/Banyule Family Violence Network	2017-2021 ongoing bi-monthly	Community Safety
	Continue partnerships with regional networks including the Family Violence Sector and Women's Health in the North, and others such as Primary Care Partnership, Department of Health and Human Services, and Municipal Association of Victoria	Ongoing	Social planning Banyule Youth Services
	Lead on, collaborate and deliver awareness and educative activities around problem gambling, homophobia and racism	2017-2021	Community Safety Social Planning
	Proactively engage with agencies around the issues of homelessness including the development of a Council policy and procedure	2018-2021 ongoing	Community Safety Social Planning
3. Increase Council awareness of major Community Safety frameworks and models, including CPTED, risk and protective factors, social determinants of health and primary, secondary, tertiary crime prevention intervention responses	Design relevant training with Council Departments	2018-2019	Community Safety Social Planning Health Services Local laws Planning

## Safer Banyule Action Plan 2017-2021

## Safer Banyule Action Plan 2017-2021



## Appendices

Plan development process

Phase	Details
Assess process from current plan	<ul style="list-style-type: none"> <li>Banyule Council Surveillance in Public Places Policy</li> <li>Graffiti Management Strategy 2015-2018</li> <li>Graffiti Prevention and Removal Grants</li> <li>Department of Justice Community Safety Fund grants</li> <li>Department of Justice Public Safety Infrastructure grant</li> <li>Crime prevention initiatives including Safe Plate days and Railway hub pop up events</li> <li>Preventing Violence against Women awareness raising events</li> <li>Review of Safer Banyule Plan 2012-2016</li> </ul>
Collecting data on our city and our people	<ul style="list-style-type: none"> <li>68% of land use is residential</li> <li>20 people per hectare</li> <li>Average household size is 2.56</li> <li>Banyule is the 13th least disadvantaged community in Victoria</li> <li>Total land area: 63km<sup>2</sup></li> <li>20 suburbs in Banyule</li> <li>7-21 km from Melbourne</li> <li>88.4% are Australian citizens</li> <li>Predicted population is 148,095 in 2036</li> <li>Highest SEIFA score in Eaglemont</li> <li>Lowest SEIFA score in Heidelberg West</li> <li>126,232 people live in Banyule</li> <li>Higher than average concentration of public housing</li> </ul>
Internal consultation	<ul style="list-style-type: none"> <li>Customer Service</li> <li>Parks and Gardens</li> <li>Bushlands</li> <li>Environmental Services</li> <li>Leisure and Recreation</li> <li>Strategic and Economic Development</li> <li>Community and Social Planning</li> <li>Project 3081</li> <li>Youth Services</li> <li>Community Partnerships</li> <li>Early Childhood Services</li> </ul>
External consultation	<ul style="list-style-type: none"> <li>General community at events</li> <li>Banyule community at public places</li> <li>Shopping centre managers and traders</li> <li>Victoria Police</li> <li>Women's Health in the North</li> <li>Community safety working group 3081</li> </ul>

20 | Safer Banyule Plan

## Appendices

Plan development process

Phase	Details
Community Survey	<ul style="list-style-type: none"> <li>Online survey promoted to the community</li> </ul>
Data Collection	<ul style="list-style-type: none"> <li>Crime Statistics Agency</li> <li>Community Indicators Victoria</li> <li>Banyule Council annual community satisfaction survey</li> <li>Women's Health in the North Violence against Women Factsheets for the municipality of Banyule</li> </ul>
Cross-Council planning workshop	<ul style="list-style-type: none"> <li>Involving all the Council units initially consulted</li> <li>Councillors briefed and engaged in the draft stages</li> </ul>
Draft Plan	<ul style="list-style-type: none"> <li>Internal review</li> </ul>
Consultation	<ul style="list-style-type: none"> <li>Release for community review</li> <li>Feedback considered and incorporated</li> </ul>
Final Plan	<ul style="list-style-type: none"> <li>Approved by Council</li> </ul>
Implementation	<ul style="list-style-type: none"> <li>Implement the action plan</li> </ul>
Monitoring and evaluation	<ul style="list-style-type: none"> <li>Monitor and evaluate delivery of the action plan</li> <li>Report back to the community on progress</li> </ul>

Safer Banyule Plan | 21



---

## **REPORT ON YEAR 3 - SAFER BANYULE PLAN 2017-2021**

---

### **Overview**

Council endorsed the Safer Banyule Plan 2017-2021 to guide its work in continuing to improve and maintain Community Safety in the City of Banyule. It is about responding to perceptions of community safety along with reducing and preventing crime and building strong cohesive communities.

This report provides a summary of Year 3 of the Safer Banyule Plan 2017-2021. It provides information based on the five priority areas outlined below:

1. Building community connection and confidence;
2. Place management and activation;
3. Planning, maintaining and enhancing the public realm across Banyule including ensuring Crime Prevention Thorough Environmental Design (CPTED) principles are applied;
4. Crime prevention;
5. Addressing emerging social policy imperatives.

The Plan has proven it is flexible enough to take advantage of opportunities as they present and to be adaptable to emerging issues and trends. Emerging issues and ongoing issues such as homelessness, family violence and gender equality and the community's role in crime prevention and crime reporting have been prioritised. Strategic networks have been strengthened and these partnerships have been able to successfully adapt to the challenges faced as a result of COVID-19.

Council plays a central role in community safety across the municipality. This is done through strong relationships with the local community and building collaborative partnerships across different government agencies and not for profit service providers in responding to local needs and concerns.

The Community Safety role is embedded across Council in many ways such as the delivery of a range of services, programs and activities, supporting sporting clubs, providing access to local facilities, hosting a range of festivals and community events, the Inclusive Employment Program, and strategic planning for health and wellbeing. Community Safety approaches further support partnerships with policing and specialist responses to community concerns and issues.

### **OVERVIEW OF YEAR 3**

In Year 3 Council has continued to engage with the community through well established and newly formed networks, committees and partner agencies to support and progress the Plan. There are five priority areas outlined in the Plan which guide the work of Council:

1. Building community connection and confidence;
2. Place management and activation;

3. Planning, maintaining and enhancing the public realm across Banyule including Crime Prevention through Environmental Design (CPTED) principles are applied;
4. Crime prevention;
5. Addressing emerging social policy imperatives.

The Plan has proven it is flexible enough to take advantage of opportunities as they present and to be adaptable to emerging issues and trends. Emerging issues such as homelessness, family violence and gender equity and crime prevention through environmental design have been prioritised. Council has commenced the development of responses accordingly that will further strengthen Council's role in Community Safety. They include:

- Following a Council resolution in August 2018, a Framework for Responding to Homelessness in the City of Banyule was developed that includes guiding principles and articulates Council's role in responding to people experiencing homelessness. The document includes the Banyule Homelessness Protocol which details Council's operational response to presenting incidents of homelessness. Since the development of this protocol Council have been actively engaging and working with housing organisations to provide support and response to people sleeping rough who have requested further assistance.
- The Banyule Graffiti Strategy 2020 – 2024 was adopted by Council in December 2019. During Year 3 of the Safer Banyule Plan, Council undertook significant community consultation to develop the Graffiti Strategy, including a Graffiti Summit which brought together residents, community groups and organisations such as the Department of Justice and Community Safety, Neighbourhood Watch, Victoria Police, local secondary school students and trader associations to gather a cross section of views and responses to graffiti in their community.
- The continued development of the Banyule Community Safety Committee, a partnership between Council and Victoria Police is a quarterly forum convened by Victoria Police. The Committee includes subject matter experts from Austin Health, Banyule Community Health Service and the Victorian Department of Health and Human Services. The forums address people, places and events of interest and in the last 12 months have seen increased collaboration between stakeholders to achieve greater outcomes for the Banyule Community. This committee and its strong partnerships play a significant role in responding to the challenges that agencies began to face as a result of the first COVID-19 restrictions, which commenced in March 2020.

Below is a summary of other key highlights for Year 3 based on each priority area of the Plan.

### **Priority 1: Building community connectedness and confidence**

- The Community Safety Working Group 3081, convened by community members and supported by Council, successfully hosted two community forums:

- - The first in November 2019 was presented by Consumer Affairs Victoria (CAV). CAV's Scam Watch session aimed to raise community awareness of scams that exist both online, via telephone and door to door and how people who may be concerned about scams, or fear that they have fallen victim to a scam can obtain support.
  - The second session occurred in March 2020 and was presented by Crime Stoppers Victoria (CSV). Crime Stoppers provided detailed support on how to confidently report crimes or suspicious behaviour anonymously. This session covered both online and telephone reporting and did some 'myth busting' around common misconceptions about Crime Stoppers Victoria – addressing community fears which are often barriers to reporting. This presentation will be expanded into further partnership opportunities with CSV in the future.
- Worked collaboratively with Victoria Police in operations that responded to 'hotspot' locations such as Bell Street Mall, Olympic Village, Ivanhoe and Greensborough Shopping Centres and Briar Hill to improve amenity, safety and reduce incidents of crime.
- Continued participation by several Council service units in key community safety networks including the Greensborough 'Safer Shopping' Network, Northland Precinct Action Group as well as other topical local networks addressing emerging safety issues.
- Continued to deliver youth activities in local spaces with the aim of addressing community perceptions of safety including quarterly pop up hip hop and street art events at Malahang Reserve, skate events at Malahang Reserve and Greensborough Skate parks and regular youth outreach across Banyule into safety hotspots including transport hubs.
- Delivered over 10 outings for older adults in the municipality as an opportunity for affordable social and leisure opportunities while reducing social isolation.
- Delivered a range of 13 workshops for young people within schools and community organisations addressing topics such as Legal Rights, Getting a job, budgeting, wellbeing and more.
- Supported parents of young people through the delivery of online workshops covering topics such as school disengagement, supporting young people who self-harm and more.

## Priority 2: Place Management and Activation

- Leveraged positive activation of spaces through identified initiatives such as pop-up parks, Movies on the Move, youth programs, traders, transport and economic development initiatives.
- Delivered several leisure and recreational initiatives enabling safe activation of public spaces around Banyule including:
  - Delivered 7 x Movies on the Move in various parks and sporting ovals;
  - Delivered 4 x Nature Play Adventures in various reserves;



- Pinpoint Art In Public Spaces projects that activated places around Banyule with temporary art installations
  - Spirit Tree, Fred Lassett Park, Mount St, Heidelberg
  - Mural, Shop 48, Bell St Mall
  - Waterways at WaterMarc, Artist in Residence at WaterMarc/Café area/Greensborough Walk
- Urban Lightbox Galleries – Oxford Arcade and Midway Lane, Heidelberg West
- Delivered Carols by Candlelight & supported Boulevard Christmas Lights in Ivanhoe;
- Funded by the Victorian Government, initiated the Cultural Precinct Project to recognise, celebrate and enhance the Bell Street Mall Horn of Africa cultural character. It is anticipated that the project will be completed in 2020/21.
- Supported Banyule’s 11 Trader Associations to continue to activate precincts and improve community safety through marketing, events and public realm improvements
  - 16 events in total including, Halloween, Artisans Market Day, Christmas Fair, Carols by Candlelight and ‘Qwere Street’ Festival
  - Streetscape upgrade occurred in Eaglemont Village which saw the delivery of new footpaths, street furniture, bins, planter boxes and landscaping
  - Heidelberg West Business Park beautification day occurred where local businesses teamed up to address rubbish and weeds/overgrown plants in the area
  - Department of Justice and Community Safety Graffiti Grant project delivered in Heidelberg West Business Park which saw two murals delivered and launched in hot spots in Business Park and graffiti removal kits provided to the business owners at no cost
- Supported the delivery of the Department of Justice Graffiti Removal Program to regularly remove graffiti from identified hot spots across the municipality.
- Distributed over 70 graffiti kits to residents to assist them to remove graffiti from private property.
- Walk to School was held in October 2019 with 12 primary schools across Banyule participating. Approximately 2,134 students walked, scooted or cycled over 27,000 km saving approximately 8.5 tonnes of carbon dioxide emissions.

---

### **Priority 3: Planning, maintaining and enhancing the public realm across Banyule including Crime Prevention through Environmental Design (CPTED) principles are applied**

- Advocated through the Social Impact Reporting process of the North East Link consultation for consideration of Crime Prevention Through Environmental Design principles (CPTED) to be applied during and after the construction phase ensuring the project does not create spaces which encourage anti-social behaviour, crime or create “blank canvases” for graffiti.
- Conducted an extensive audit of existing public surveillance cameras under a new security contract, with a view of moving towards a centralised management of CCTV in public places.
- Attended to 40 graffiti hot spot sites on a weekly basis to proactively address graffiti on Council property.
- Completed reactive graffiti removal from Council assets across the municipality (over 440 requests for removal reported to Council).
- Delivered 11 capital works projects to improve road safety for pedestrians and motor vehicle traffic (Safety crossings, traffic calming and intersection improvements).
- VicRoads delivered five road safety improvements in the municipality including introductions of time-based speed reductions, pedestrian operating crossings and traffic lights to improve safer traffic and pedestrian movements.
- Supported local schools to initiate safe walking, scooting and cycling to school by providing information, mapping and safety auditing as required.
- Targeted 48 streets in a Speed Awareness Program aimed at reminding drivers of the speed limits on local roads.
- Delivered four Wiser Driver programs with 71 participants aimed at improving road safety for drivers over the age of 65 years.
- Completed 10 new installations of public lighting; identified additional dark spots across the municipality in response to staff and community safety concerns and responded to over 150 requests for Street Light repairs.
- In collaboration between Council and Victoria Police, participated in Introduction to Crime Prevention Through Environmental Design training in December 2019 to ensure that both organisations have a shared understanding of these principles.



## Priority 4: Crime Prevention: reducing opportunity

- Continued to support gender equality for young people which included body image and gender equity workshops delivered into several schools and organisations. Young people developed a book alongside Council's Youth Services called "Do Not Judge This Book By Its Cover" which aimed to decrease gender stereotypes and the negative impacts these have on the community.
- Council and Victoria Police collaborated to improve perceptions of safety around the Pioneer Reserve precinct in Greensborough. This was done through increased and targeted maintenance to key areas, structure removal, increased tasking and patrols and ongoing monitoring of behaviours in particular areas.
- Continued to participate in the Police Somali Community Steering Committee to support proactive initiatives and responses to existing and emerging issues impacting on young people in the Somali community.
- Delivered the New Hope "Street Art and hip-hop program" with approximately 30 participants throughout the year. Participating young people who have had barriers and disadvantage in their lives have a supportive environment and opportunities of finding better pathways for their lives. The program included:
  - Completion of 5 murals by participants;
  - The "New Hope" Exhibition at Hatch Contemporary Arts Space with 11 young people contributing to the Exhibition.
- Supported the delivery of the Banyule Liquor Forum in partnership with Victoria Police targeting licenced venues to support their compliance with legislation and planning requirements.
- In partnership with Victoria Police delivered the Clyde James Smith Police Leadership Award initiative.

## Priority 5: Addressing emerging social policy imperatives

- Delivered key actions on Council's commitment to the Building Respectful Communities Strategy led by Women's Health in the North. Council is one of 25 signatories to the partnership which aims to prevent violence against women and promote gender equity at a regional, organisational and community level through a range of activities and organisational development opportunities.
- Successfully delivered the 16 Days of Activism Against Gender Based Violence campaign between November 25 and Dec 10, 2019. The campaign aimed to raise awareness and encourage action in gender equity and the prevention of violence against women.
- Delivered an 'Everyday Conversations' session for community groups and agencies aimed at encouraging people to be 'active bystanders' and call out behaviours and attitudes that

reinforce gender stereotypes and discrimination as a part of the Victorian Government's 16 Days of Activism Against Gender Based Violence 'Respect Women: Call It Out' campaign.

- Engaged with Women with Disabilities Victoria to present a 'Preventing Violence Against Women with Disabilities' forum in partnership with Nillumbik Shire Council. This forum was aimed at disability sector workers to address the overrepresentation of women with disability who experience violence and abuse and what can be done to prevent this.
- Continued to co-convene the Banyule and Nillumbik Family Violence Network in partnership with Nillumbik Shire Council which brings together up to 45 agencies affected by, and practitioners working in, the family violence field across the two municipalities. Meetings focus on showcasing best practice, providing professional networking to attendees and encouraging a holistic local approach to addressing family violence.
- Provided key themes and emerging issues identified at the Banyule Nillumbik Family Violence Network to Northern Integrated Family Violence Services as a key regional advocacy tool regarding the challenges faced by sector professionals and families accessing support.
- In May 2020, Council pivoted to observe Sorry Day & Reconciliation Week virtually due to COVID restrictions. Events were well attended and held in partnership with libraries and Neighbourhood Houses.
- Significant foundation work was undertaken to prepare for the introduction of the Gender Equality Act 2020 which passed through parliament in February 2020.
- Gambling Harm Awareness Week event was conducted at Barrbunin Beek Aboriginal Gathering Place in partnership with Banyule Community Health and Gamblers Help. Approximately 60 community members attended the event and feedback was positive about the activities, catering, opportunity to connect with service providers, and promotion of alternative activities to gambling.

## THE IMPACT OF COVID-19

The COVID-19 pandemic greatly affected all areas of life during 2020. Data is currently limited on its direct impacts within the community for 2020, however anecdotal data and observations have given a snapshot of some of the emerging challenges Banyule, and metro Melbourne more broadly face.

The pandemic impacted on Council's ability to deliver many events and activities including the Banyule Arty Farty Festival, Twilight Sounds, Volunteer Celebrations and many other events that build social connection and cohesion in communities.

Community meetings could not continue, sporting clubs, leisure groups and libraries all paused. Graffiti removal kits were not able to be distributed as of mid-March due to the shut downs.

While some partnerships and community work could continue using technology, access and understanding of technology may equally have precluded participation in community, clashing demand for technology in individual households may have been another barrier.

In addition to the services that could no longer operate as they were, the demand for support services increased. Since COVID-19 in March 2020, services have seen:

- Calls for support to help lines such as the Men's Referral Service increased by over 80% at the announcement of Melbourne's first lockdown.
- Increase in reports of people experiencing 'elder abuse' with adult children moving back in with their parents.
- Indications that online gambling has increased significantly – including by young people.
- Concerns about increases in family violence – with victim survivors unable to report due to perpetrators being in the home all the time.
- A steady increased need for financial, food and material relief as the government support payments decreased.
- With more people using public open spaces than ever before, challenges presented with how the public open space was shared by community.
- Organisations saw their volunteer base reduce due to the increased health concerns experienced by the older age group, which make up a large proportion of volunteers.
- The significant impact of COVID-19 on women. The job losses, home schooling responsibilities and work in risk environments disproportionately affected women.
- Significant increase in mental ill health due largely to social isolation and lack of timely available supports.

## **MOVING FORWARD**

As a result of COVID-19, the last year of the Safer Banyule Plan in 2020/21 will be a challenge - for Council, law enforcement agencies and community organisations. As the community works through the initial months of two lockdowns and then the long road to recovery, supporting families, individuals, business and community groups will be paramount. Council has already commenced this process through a range of initiatives with the Economic Stimulus Package approved in April 2020 and further in July 2020.

Year 4 (and final year) of the Safer Banyule Plan 2017-2021 will need to maintain flexibility in how we approach the dynamic environment we work in and any emerging issues and priorities. Sustainable partnerships with key stakeholders will be maintained and new ones developed as we continue to respond to the needs of the community.

The final year will also include the development of a new plan for the next four years. The impact of COVID-19 will continue for a few years. One of the key features of the new plan should consider how to strengthen community resilience, connectedness and confidence in perceptions of safety. We will continue to embed consistent approaches to community safety across all relevant areas of Council business to maximise Council's response to identified priorities.



# SHOP 48 THE HARMONY CENTRE

## 2019/20 ANNUAL REPORT

### BACKGROUND

Council entered into a 10-year commercial lease in 2014 to establish Shop 48 The Harmony Centre (S48HC) in the Mall, Heidelberg West. The vision set for S48HC to provide an easily accessible range of information and support services to the local 3081 community and the Banyule community more broadly remains unchanged.

Since its opening, Shop 48 has been in progressive implementation and growth as a community centre with substantial investment by Council in the refurbishment, use of the space, diversity of tenancies and staff resources. The facility has developed into a welcoming and busy community space, a focal point for residents, including several co-located services, interview rooms and spaces for programs, activities and meetings.

The key service functions of S48HC are:

1. A **Community Information Referral and Support Service** delivered by Banyule Support and Information Centre (BANSIC) and funded by Council to provide residents with access to information and referrals on a very broad range of activities, services and entities. It also includes emergency relief and material aid.
2. A range of **co-located and out posted community services** appropriate to and engaged with the local community.
3. **Bookable spaces** – a range of spaces which can be used by the community for a variety of reasons, including meetings, education and activities.
4. **Activities and Programs** – a range of learning, supportive, social and recreational opportunities aimed at engaging the community.

Shop 48 has a total capacity of 40 desks and in 2019/20 there were 28 desks tenanted by 12 community organisations. Over the past 4 years of operations, Council's net contribution to Shop 48 has remained steady within \$185,000 - \$200,000 per annum, and in two of those years, it has achieved significantly below that level.

On the 26<sup>th</sup> March 2020 due to the growing COVID-19 pandemic S48HC closed to the public and reopened on the 23<sup>rd</sup> November 2020. During its closure, essential services i.e. BANSIC and HIMILO Community Connect continued to operate on site delivering online and remote support services.

## KEY HIGHLIGHTS

In 2019/20 S48HC continued to maintain its focus as a community space for residents that offers a range of services, interview rooms, spaces for programs, activities and meetings. For 9 months of operation until its closure in late March 2020 there were 12,664 visits to the centre. Projected numbers to the end of June 2020 were 16,885, with the probability that it would exceed the previous year's numbers by at least 6%. The table below provides a summary of visits over the past three financial years:

2017/18 total visits	2018/19 total visits	2019/20 total visits
14,015	15,957	12,664 to 26/3/20
		16,885 Est to 30/6/20

2019/20 was emerging as a highly successful year for S48HC. All indicators mid-year were that it would exceed the previous year's performance in key achievements, visitor numbers, room bookings and general activities until the facility was closed due to COVID-19.

Below is a summary of each of the four service function areas:

### 1. Community Information Referral and Support Services

Banyule Support and Information Centre (BANSIC) is well established at S48HC after relocating on site from April 2018. Operating hours are from 10 am to 3 pm five days per week. It is a key emergency relief service for the southern part of Banyule. Over the year, there were 1,582 client visits for emergency relief assistance.

During the period that S48HC was closed, BANSIC continued to operate an essential service on site providing food relief and material aid to vulnerable and at-risk individuals and families. In addition, BANSIC established a food distribution centre (BANSIC Food). It initially operated from S48HC until it moved to a new site at Our Hub, 155 Oriel Road, Heidelberg West in October 2020. It quickly became well established and its location in the Heidelberg West area has removed the need for local families and individuals to travel to Greensborough to collect food parcels from Diamond Valley FoodShare, which was the primary food supply up to the advent of COVID-19.

### 2. Co – located tenants and outposted community services

S48HC has the capacity to lease 40 desks to community workers and organisations. In 2019/20, 28 desks were leased by 12 organisations. As a result of COVID-19, Council resolved in April 2020 to waive tenancy fees from 1 April 2020 for the rest of the financial year. In addition, there were 2 out posted services. Total rental income from tenancy fees was \$85,363.

The table below summarises the tenancies for 2019/20 and compares to the current financial year:

Agency	Desks 2019/20	Desks 2020/21	Comments
Banyule Support and Information Centre (BANSIC)	5	5	Essential services continued to operate on site during COVID-19 closure from 26/3/20 ongoing
Somali Australian Council of Victoria (SACOV)	3	3	
Himilo Community Connect	5	5	
Volunteers of Banyule	1	1	
Interact	1	1	
<b>Total ground floor desks tenanted</b>	<b>15</b>	<b>15</b>	
Merri Outreach Support Services (MOSS)	2	2	
The Bridge (Youth Employment Service)	1	1	
Mission Australia	2	2	
CVGT Australia	1	1	
Leisure Networks	5	-	
A Better Place Financial Counselling	1	-	
Asylum Seekers Refugee Centre	1	-	
<b>Total first floor desks</b>	<b>13</b>	<b>6</b>	
<b>TOTAL</b>	<b>28 desks 12 agencies</b>	<b>21 desks 9 agencies</b>	
<b>Out Posted Services</b>	<b>2</b>	<b>2</b>	
Centrelink	Half day fortnightly	Half day fortnightly on reopening	
West Heidelberg Legal Service	Half day weekly	Half day weekly	

Due to the financial impact of COVID-19 on services and their subsequent remote work conditions, three tenancies have not been renewed in 2020/21 i.e. Leisure Networks, Asylum Seekers Resource Centre and A Better Place. Leisure Networks, for example, indicated that their remote home office was working very well and would continue indefinitely.

There have been several positive outcomes in having services co-located within the one physical space, offering a range of services, activities and opportunities for community engagement and support. Tenants' feedback includes:

- **Partnership development and collaboration opportunities** between several like services. For example, BANSIC and HIMILO Community Connect have collaborated on providing crisis relief to Australian Somali community members, developed improved and targeted community engagement, registration, referral and administration processes for diverse



community and recruited volunteers from a Somali Australian background to support BANSIC to increase access and provide language support.

- **Support services local to clients** – this has been an important consideration by tenants in co-locating at S48HC. Many have relocated workers from outside the area to service Banyule as part of their service obligations e.g. Merri Outreach Support Service, Leisure Networks. Others have based their whole service at S48HC i.e. BANSIC, SACOV, HIMILO.
- **Council as Facility Manager** - despite the many challenges in operating from a non-purpose-built facility, including its physical condition that has ongoing maintenance issues, Council's role in providing support and ensuring a safe work environment is valued by tenants.

### 3. Bookable spaces

The bookable spaces at S48HC are highly utilised. There are four large rooms and 6 smaller rooms for hire. Fees and charges for the bookable spaces are set annually according to Council's Fees and Charges Schedule to ensure that the spaces are financially attractive to users whilst covering the cost of cleaning and maintenance.

In 2019/20, income received was \$11,524 compared to \$8,033 in the previous year – a 31% increase. It should be noted that this increase is for 9 months of operation. At the time of the facility closure, there were approximately \$7,500 worth of bookings to the end of June 2020. These were ultimately cancelled and or reimbursed due to Council's resolution on fee waivers.

However, in the case of the upstairs meeting rooms the appeal for bookings is lessened due to access to the first floor being only by the stairs as there is no lift on the premises.

### 4. Activities and Programs

As outlined in the previous section, meeting room spaces are well utilised by both tenants and external community groups and organisations for a variety of activities and programs. The bookings have regular users generally for a term at a time. They bring many community engagement opportunities through a diverse mix of groups. Programs and activities have included:

- University of the Third Age – a range of term sessions including various languages e.g. French, Spanish, German, literature e.g. Shakespeare;
- Bridge club
- Tapping workshops
- Theatre groups
- Christian Fellowship
- Homework clubs for primary and secondary school year levels
- Support groups e.g. Carers Link
- Environmental groups
- Vocational education e.g. Certificates in Early Childhood Education, Civil Construction.

## FINANCIAL STATUS

COVID-19 and the closure of the facility impacted negatively on forecasted income for tenancy fees and room booking charges by \$28,225 in the last quarter.

Work is ongoing to develop strategies including increasing marketing and promotion to attract new tenants, operating efficiencies to reduce expenditure and overall costs to Council. Council made a further resolution in September 2020 to extend tenancy fees and room booking waivers to the end of March 2021. There is ongoing monitoring of expenditure to ensure accurate forecast budgets and maximised savings where possible.

	Annual Budget 2018/2019	Actuals 2018/2019	Annual Budget 2019/2020	Actuals 2019/2020	Budget 2020/2021	LTFP Budget 2021/2022	LTFP Budget 2022/2023
<b>INCOME</b>	(193,706)	(230,934)	(270,594)	(163,772)	(190,706)	(199,881)	(206,260)
<b>EXPENDITURE</b>	379,706	329,626	433,965	286,315	339,830	388,266	397,829
<b>NET</b>	186,000	<b>98,692</b>	163,371	<b>122,543</b>	149,124	<b>188,385</b>	<b>191,569</b>

## INFRASTRUCTURE IMPROVEMENTS

There have been a few significant improvements to the facility since Council entered into the lease. In 2019/20 additional emergency management and security features were implemented as follows:

- A central PA system for public announcements within all levels of the building.
- Remote locking of front doors and side entrance door in case of security risks and lockdowns.
- Silent alarms in each of the four interview rooms.

## IMPACT OF COVID-19

The impact of the pandemic on the community services sector cannot be underestimated. A greater burden is already being placed on resources across a range of services including emergency relief, mental health, family support, preventing violence against women, homelessness, drug and alcohol.

S48HC represents a working space that will potentially provide increased opportunities to adjust and support services to respond to the needs of a diverse and socio and economically disadvantaged community in the Heidelberg West geographic area.

Future service challenges include to:

- strengthen and grow partnerships;
- develop more innovative approaches;
- identify opportunities to collaboratively secure funding to meet greater demand.

Due to COVID-19 there were changes, to how services are delivered, what resources are required and how groups interact with each other and their clientele. Some of these changes will become ongoing in 'COVID Normal'.

The community sector is the backbone of S48HC. Accordingly, the service model must remain relevant in the changing service landscape. The experience of COVID-19 for S48HC and the

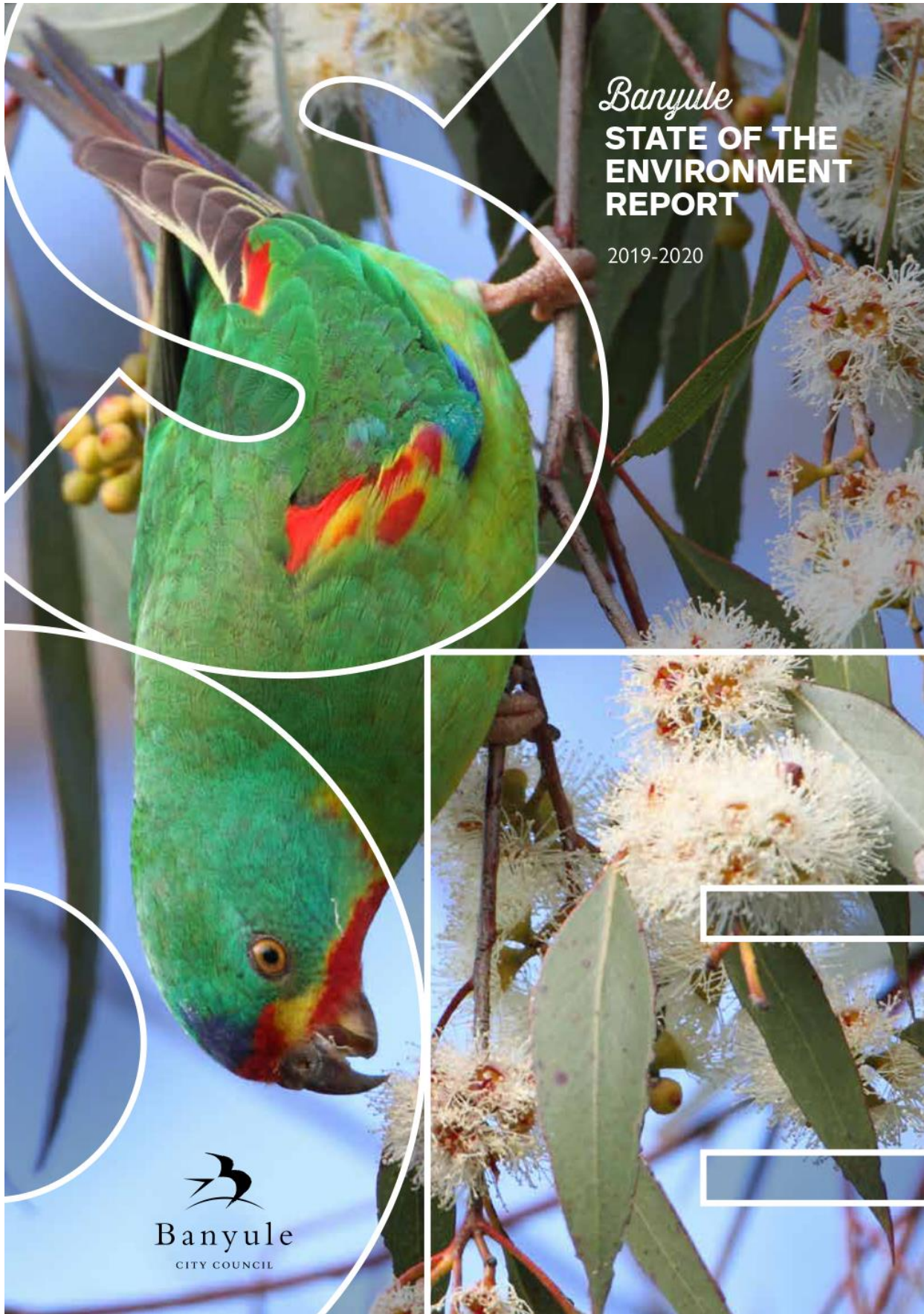
community sector gives Council the opportunity to reflect on how it could adapt and change in the future.

## **CONCLUSION**

S48HC has been in progressive implementation and growth since late 2016, a thriving community space which offers a range of services for the local community. The impact of COVID-19 has been significant. As the community sector emerges out of the peak of the pandemic into the recovery phase, S48HC is well placed to facilitate, adapt and support services as it aligns to changing needs of the sector, clients and local communities.

By continuing to measure and improve the current S48HC model against community services and clientele needs, Council is well placed to anticipate and respond accordingly through a more flexible and intuitive Shop 48.







# Greening Banyule



Banyule City Council is proud to acknowledge the Wurundjeri Woi-wurrung people as traditional custodians of the land and we pay respect to all Aboriginal and Torres Strait Elders, past, present and emerging, who have resided in the area and have been an integral part of the region's history.





# Introduction

The State of the Environment report is an annual glimpse into the work Banyule City Council delivers to make sure our natural environment is healthy, green and actively cared for.

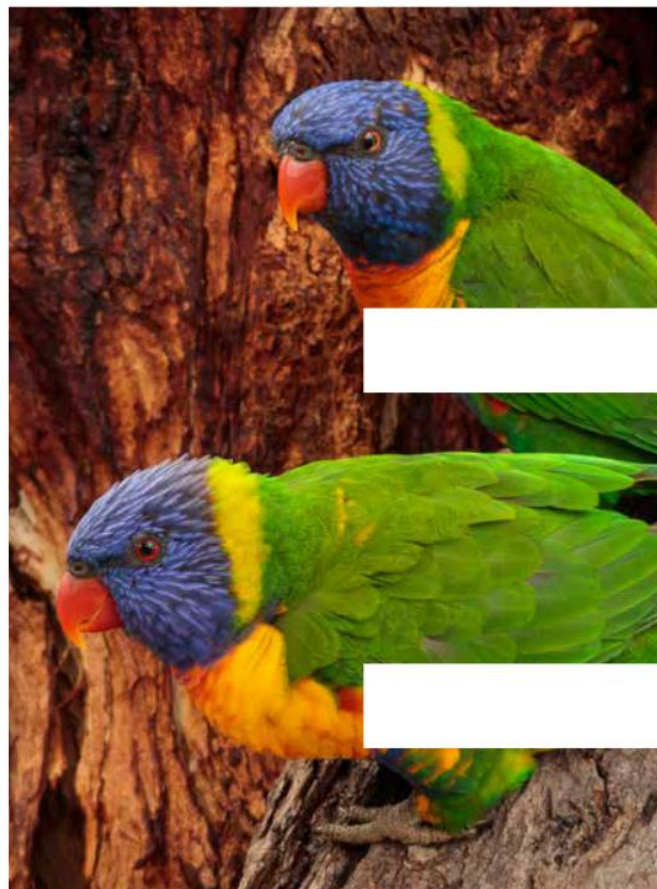
This work has been carried out by a range of portfolios across the organisation and delivers on the strategic objectives in Banyule's Council Plan 2017 – 2021.

Since late 2018 Council has significantly increased its focus on strong climate action. Council recognised that it needed a plan for organisational emissions to ensure we were displaying leadership and acting responsibly. Council has also developed a plan for supporting our community in their efforts to reduce emissions.

From 2020 this report will have a lens of Climate Action, in recognition of our Corporate Emissions Reduction Plan (CERP) adopted in December 2019 and our Community Climate Action Plan (CAP) adopted in August 2020.

Through the development of our new Council Plan and Council Vision we will see Climate Action be embedded across council, into all the work we do.

In this year's State of the Environment (SOE) Report you will see this work has already started across our Planet and Place priorities.





# Biodiversity

A strong and diverse ecosystem is one of the most important attributes of a resilient community. Banyule is lucky to have many parks, bushland reserves and green spaces within the municipality and it is important that we are continually improving biodiversity in these spaces to ensure our environment can cope with the more extreme weather that the changing climate will bring.

This Financial Year (FY) saw an uptick in planting with the aid of redeployed staff during the COVID 19 restrictions. 22,362 indigenous plants went in over the FY up over 7,000 from last FY.

As part of Banyule's feral animal control program the Bushland Management Unit has been engaged in reducing

fox numbers in biodiversity hotspots such as Banyule Swamp, which provides sanctuary to countless native bird species.

Banyule City Council presented 16 free events as part of the Spring Outdoors program which included counting Eltham Copper Butterfly caterpillars with the Bushland Rangers, going on a guided walk through the wildflowers and birdwatching with experts. This program aims to encourage the community to get outdoors and enjoy experiences in our natural and open space.

Our popular Gardens for Wildlife program started as planned in April 2020, the program was made available to all 20 households who signed up, in a COVID safe way, with a series of prerecorded videos and phone consults with garden experts.

Indicators	<b>Indigenous species planted in bushland reserves 2019/20:</b> 22,362 plants, made up of 17,962 indigenous tube stock and 4,400 seedling cells.
	<b>Friends of group volunteer hours 2019/20:</b> 1,134 hours, this is down on last FY due to COVID19 restrictions on gatherings.



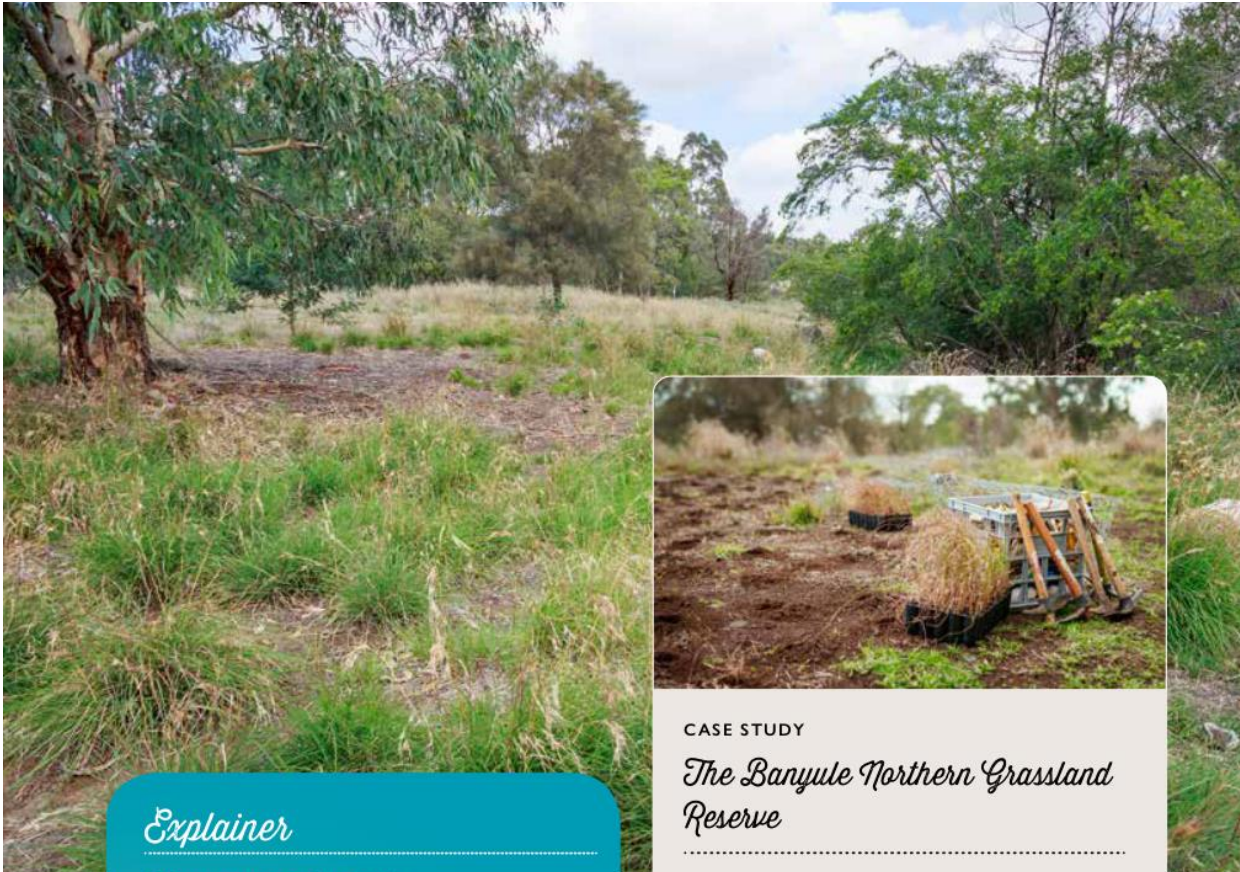
**CASE STUDY**

*Working together for better outcomes*

The Banyule Bushland Management Team is honoured to have worked with the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation's Narrap Ranger team, a natural resource management team that supports the Council's aspiration to provide a holistic approach to working on Wurundjeri Woi wurrung traditional country.

Together with the Narrap Rangers, the Banyule Rangers have enjoyed a highly productive planting season. With their goal of enriching the biodiversity at key revegetation sites within Banyule Flats, they have planted over 900 indigenous grasses, herbs, shrubs and trees. These valuable additions enhance the beauty of the natural landscape and will provide habitat for native wildlife. The Narrap Rangers also assisted with ecological spot burning and the removal of exotic trees that would otherwise exclude indigenous plant regeneration.





### Explainer

#### Why we use tubestock

Tubestock is the preferred size of growing pots from wholesale nurseries when supplying councils and other revegetation organisations. The internal design of the pots enables the plant, from seed or cutting, to establish a root system that is trained downwards towards an open mesh like base to as to prevent root-spiraling (as seen in larger rounded pots), which can stunt plant growth. The size of the tubestock is ideal for planting into the field or garden with minimal soil disturbance. The pots also have enabled development of specific planting tools like the Hamilton Tree Planter that is designed to the shape of the tubestock pot. The added benefit is that most nurseries will also recycle the pots making them highly environmentally sustainable.



#### CASE STUDY

### The Banyule Northern Grassland Reserve

Remnant vegetation within the Banyule Northern Grassland Reserve belongs to the ecological community 'Grassy Eucalypt Woodland of the Victorian Volcanic Plain' which is listed as endangered under the federal Environment Protection and Biodiversity Conservation (EPBC) Act. Less than 1% of this ecological community remains in Victoria.

The Bushland Management Unit (BMU) has been working to deplete the weed species present in the reserve and reintroduce Kangaroo Grass. This indigenous grass would have been dominant prior to European settlement but has been outcompeted for space by the introduced grasses.

BMU worked with the Friends of Darebin Creek to plant 4000 kangaroo grasses and with its tussock form and summer growth it has begun to outcompete the annual weeds, which generally emerge during winter.

Over the coming years, the planted sections of Kangaroo Grass will be managed through consistent burning regimes to stimulate natural regeneration and further combat weeds. The BMU will then look to reintroduce a range of herb species including indigenous peas, daisies, and lilies to further enhance the biodiversity and habitat values of the Banyule Northern Grassland Reserve. With the prospect of generally drier conditions in the future, successfully establishing a healthy population of the resilient Kangaroo Grass will be key to ensuring the overall health of the reserve.

# Water

Climate change is already affecting the way water flows through our municipality, with more intense storms leading to erosion and higher levels of pollution from storm water entering the waterways. These flows are also putting pressure on our built assets. The way we manage water now and into the future will ensure our municipality is resilient to the changes we will experience as the climate changes.

While Spring 2019 was a little drier than usual, Melbourne had a particularly wet summer in 2019-20 with lower

irrigation requirements across our parks, street trees and sporting ovals. This resulted in a significantly lower level of water use than usual in our peak irrigation season.

Cleaning of litter traps scheduled in late June was moved to July due to heavy rain, but the amount of litter removed was very close to the 50-tonne target. The sediment target was exceeded with a large removal of sediment undertaken at the Chelsworth Park Stormwater harvesting sediment pond, increasing our overall total.

## Indicators

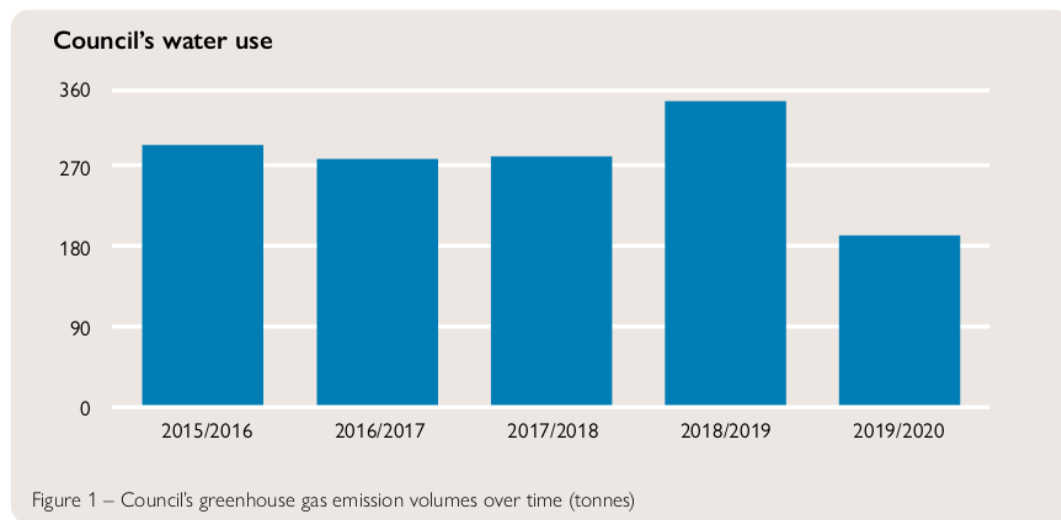


Figure 1 – Council's greenhouse gas emission volumes over time (tonnes)

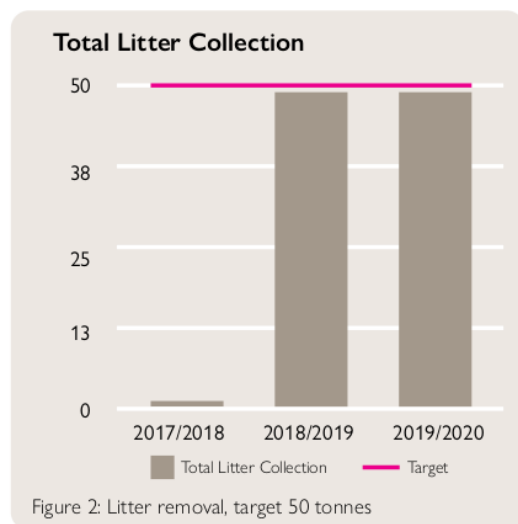


Figure 2: Litter removal, target 50 tonnes

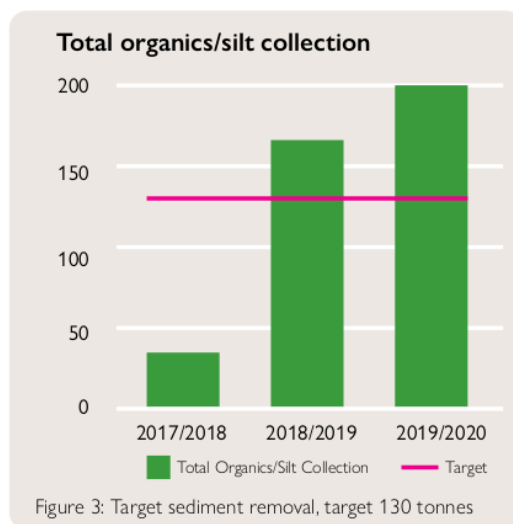


Figure 3: Target sediment removal, target 130 tonnes





Removing waste from the gross pollutants trap at Chelsworth Park

**CASE STUDY**

*Rewatering Banyule Billabong*

Banyule Billabong, situated in Viewbank, is an important billabong on the Yarra floodplain. It is home to many special plants and animals and has a deep cultural connection for the Wurundjeri Woi-wurrung people. Due to its uniqueness, Melbourne Water, Banyule Council, Parks Victoria and Wurundjeri Woi-wurrung Corporation have been investigating the long-term water needs of Banyule Billabong to ensure the site's ecological, cultural and liveability future.

Generally, billabongs are former paths of a river that have been cut off, Banyule Billabong fills periodically from high flows of the Yarra River, though Melbourne's growth has affected the river and has reduced how frequently the billabong fills. This means that the billabong doesn't receive the watering it needs to support the vegetation in and around it.

In order to protect and maintain the billabong's ecological character, in 2019 Banyule delivered environmental water to the site to mimic what would naturally occur. Water has been pumped from the Yarra River, and accounted for under Yarra River's Environmental Entitlement, held by the Victorian Environmental Water Holder (VEWH).

Monitoring is being undertaken to understand how the billabong adapts to new water levels, and how its vegetation responds.





In December 2019 the Corporate Emissions Reduction Plan (CERP) was adopted by Council with a goal of carbon neutral operations by 2028. This plan was beginning to be implemented from day one, with our program delivery receiving a boost.

Banyule's total solar capacity reached a million kW with new installations on 6 sites, including an expansion of the solar system at 1 Flintoff

A two-year Solar Savers bulk buy scheme for residents commenced, leading to a total of 37 residents, including 7 pensioners, installing solar PV in 2019/20. Combined, these systems will produce over 250,000 kWh/year and GHG savings of 280 CO<sub>2</sub>-e/year. This equates to approximately \$62,000 in savings on energy bills.

Council owned buildings received energy and water efficiency upgrades, including leisure facilities, sports pavilions, community halls and MCHCs (Maternal and Child Health Care centres). The 30 upgrades included LED lighting, heating/cooling systems, hot water systems, insulation, new appliances and draught proofing.

Banyule's EV (Electric Vehicle) Fleet increased by four new vehicles, as work towards a zero emissions fleet continues.

Council has now implemented a utility billing software system, which provides carbon inventory management. The goal is to have Council's carbon inventory at the click of a button. This will ensure our progress can be tracked accurately in working towards our zero net emissions target.

### *Explainer*

#### **Baseline Year**

*It is important to have a baseline year to be able to track your progress while undertaking initiatives to reduce your carbon emissions. Our baseline year is 2018/19, as we know we have accurate data for this year to compare against. In the future we will be able to pull out our emissions profiles for different asset types, emission types and even specific buildings. This will help inform our evaluation of carbon reduction initiatives.*



Scope 1 & 2 emissions sources are those that Council has direct power over. This is where we will concentrate our efforts in the first few years of our CERP, and where we will be able to see big declines.

As you can see in figure 4, electricity and gas are our biggest emissions sources. That's why we're focussing on the roll out of solar panels and energy efficiency upgrades. We've also begun investigations into turning Ivanhoe Leisure Centre all-electric, as one of our biggest gas users, this would be a huge gain in our journey to zero emissions.

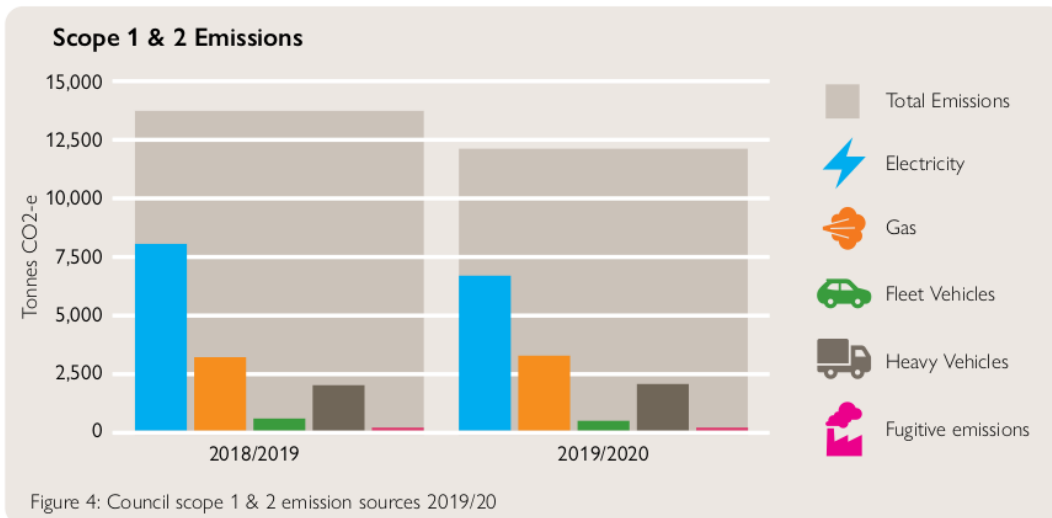


Figure 4: Council scope 1 & 2 emission sources 2019/20

Our actions over the next eight years will see us reduce our emissions to net zero, as you can see in figure 6. This shows our trajectory going forward with projected emissions, including a big drop in July 2021 when we make the switch to 100% Greenpower.

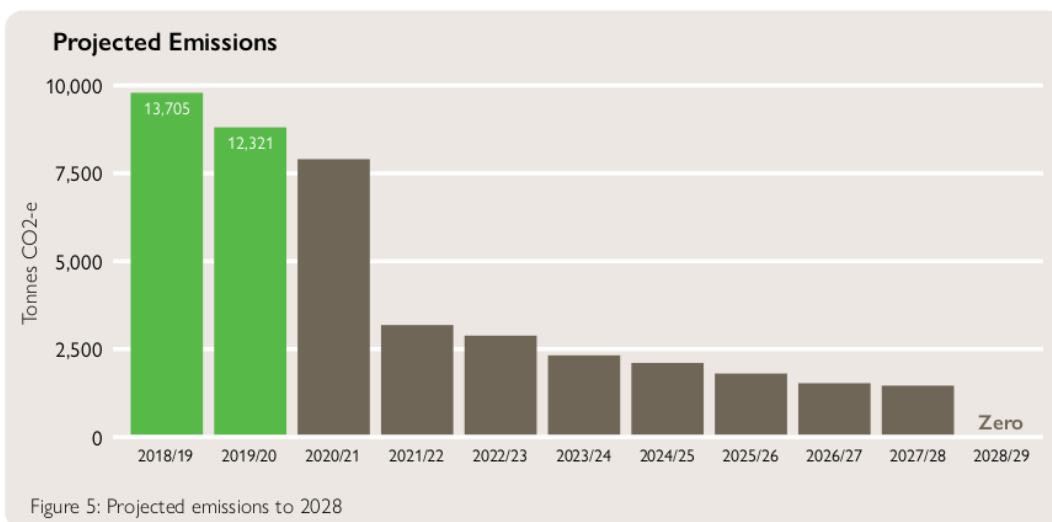


Figure 5: Projected emissions to 2028



# Energy

## Council Scope 1, 2 & 3 Emissions 2019/20 – 14,061T

Going forward Council will be reporting on its scope 1, 2 & 3 emissions. This is a change from previous SOEs where we reported on scope 1 & 2 only.

Scope 1 & 2 are those sources that Council has direct control over like electricity use in buildings. Scope 3 emissions include things such as;

- Corporate waste
- Catering
- Paper
- Printing
- Staff travel
- Water
- Asphalt

We have added scope 3 to our reporting as this is a requirement of carbon neutrality certification under the Climate Active (previously NCOS) standard.

Council emissions are down in 2019/20, to 14,061T from 15,616T, as we begin to implement the Corporate Emissions Reduction Plan (CERP). With new solar coming online and 30 buildings receiving energy efficiency upgrades our work is beginning to pay off. We also saw a drop in emissions due to COVID 19, with less fleet cars on the road and less energy use at our leisure facilities and office buildings.



### CASE STUDY

#### *Community Energy Service*

In September 2019 Banyule City Council launched a new Community Energy Service. The service supports residents to better understand their household energy performance and reduce energy costs with a series of newly developed Bring Your Bills and Energy First Aid events.

At the Bring Your Bills Day events residents can;

- gain insights on their rights in obtaining a better offer from energy retailers;
- understand household energy performance and ways to save energy at home;
- access government energy concessions;
- explore solar subsidy programs.

At one of these events, a resident from Watsonia found savings of almost \$2,000 on their energy costs. They also learnt how they could save up to 10% on their cooling costs with a slight change of the thermostat settings.

### CASE STUDY

#### *Solar Roll Out*

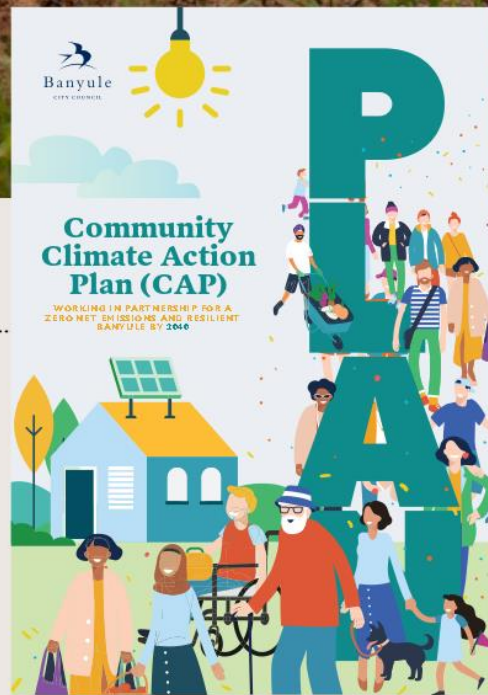
It is estimated that the Solar Roll Out in 2019/20 will result in a reduction of energy consumption of over 280,000 kWhr/year of electricity, saving \$60,000 or 305t greenhouse gas.

These savings are coming from the roof top solar photovoltaic (PV) systems installed on five sites which hold recreational and community services, these are;

- Nets Stadium - additional 122 kW solar system (total 158 kW)
- Noah's Ark disability service provider- 10 kW solar system
- Concord Playgroup - 10 kW solar system
- Briar Hill Preschool - 10 kW solar system

On top of this, in the two years to the end of June 2020, the 194kW Watermarc/1 Flintoff systems had jointly generated a total of:

- 87,600 kWh (enough to power about 19 typical households for one year)
- Reduced Banyule Council's greenhouse gas (GHG) emissions by 307 tCO<sub>2</sub>-e (equivalent to taking about 68 medium sized cars off the road for one year)
- Saved Council over \$50,000 in electricity costs.



CASE STUDY

*Community Climate Action Plan*

In 2019 Banyule began community consultation on our Community Climate Action Plan (CAP). This plan is all about how Council can support the community to reduce emissions to zero. While our CERP sets a roadmap for how Banyule Council can reduce its own operational emissions to zero by 2028, Council is just one organisation in the municipality.

Banyule wants to show leadership in emissions reduction, while also supporting the community to lower their emissions.

In 2019 we opened a discussion with the community as the first step to developing the Community Climate Action Plan (CAP). We ran focus groups, pop ups, an environmental forum & an online hub for input.

This consultation formed the basis of our plan to become a carbon neutral Banyule community by 2040.

This plan details how Council can be;

- a collaborator; working in partnership with households, community groups and businesses in Banyule, as well as with the Northern Alliance for Greenhouse Action (NAGA) 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.

The plan will be officially launched in late 2020.

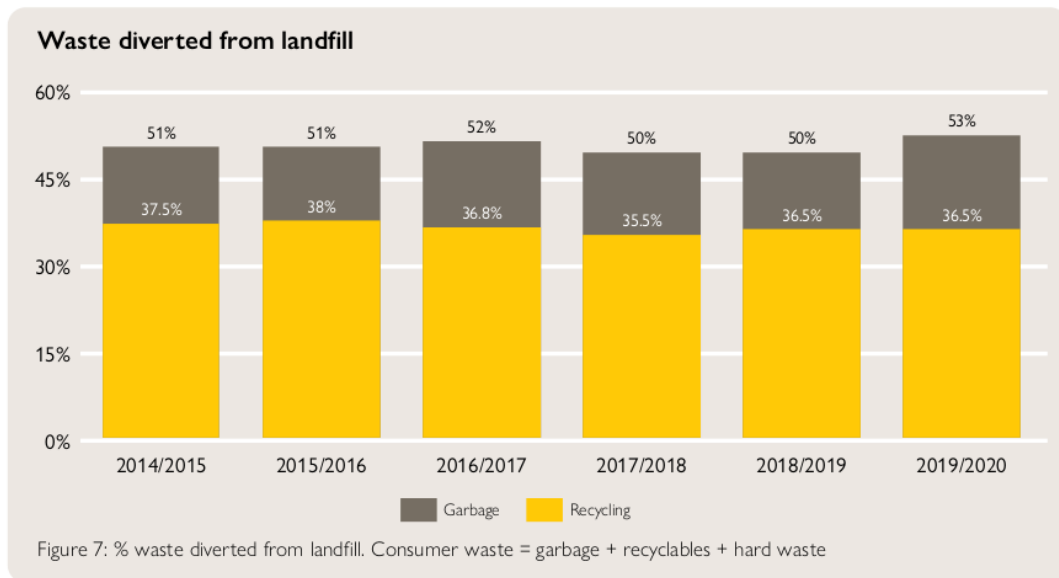
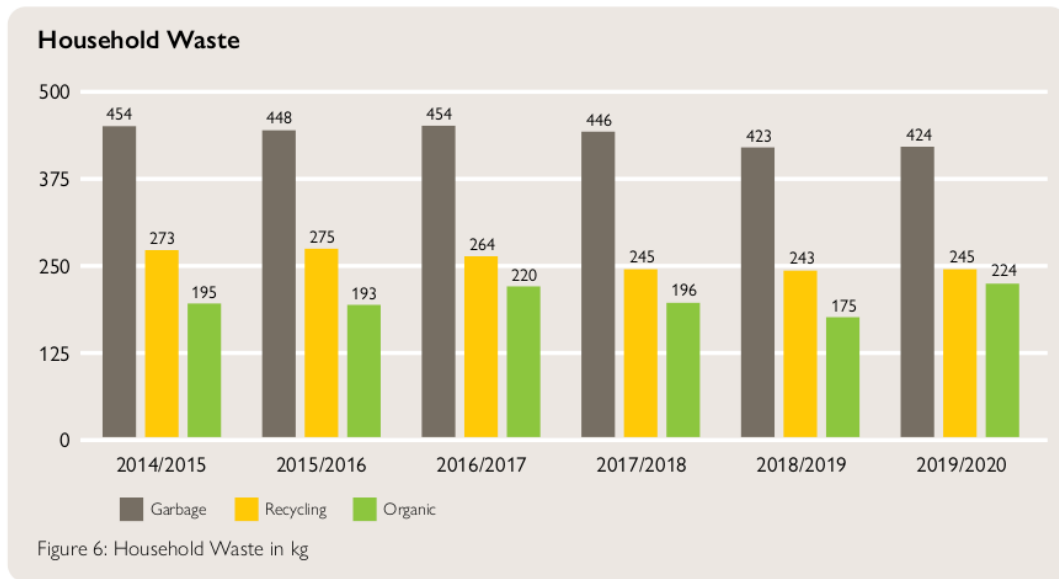


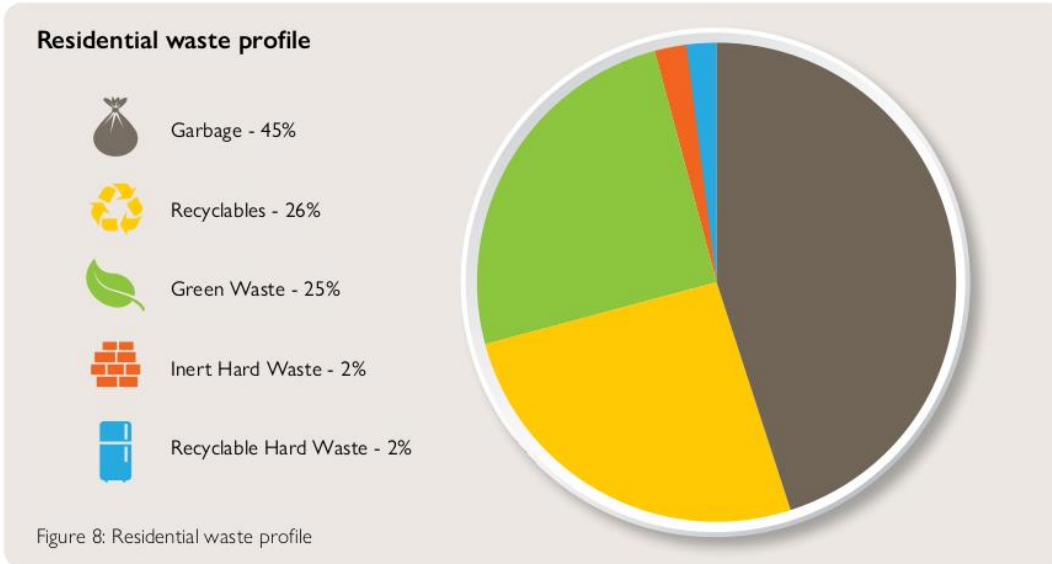
# Waste

Landfill and recyclables amounts collected in 2019/20 are unchanged. Organic waste has increased due to the large amount of rain leading to increased growth in the municipality's private gardens. We have also seen an increase in green waste as residents spend more time at home and in the garden due to the COVID 19 restrictions.



## Indicators





**CASE STUDY**

*The Rethink Centre*

The Rethink Centre's education program aims to stimulate waste avoidance behavior and resource recovery participation in all consumers.

One of the year's highlights is the emergence of program participation spanning the early learning years and the first years of primary school.

Apollo Parkways preschool children as young as four delighted in the waste avoidance and food waste recycling education incursion, The Litter Sisters Do Lunch,

delivered by Rethink Centre performers.

While all Year 3 Apollo Parkways Primary School students enjoyed the Centre's Recycle it Right Show performed by the Material Girls.

The use of the Centre by the food and beverage packaging industry continues to grow. The industry association, the Australian Institute of Packaging, used the Centre yet again to deliver design for sustainability workshops to members.

While the packaging manufacturer Tetra Pak Oceania sponsored a series of sessions for their staff to better understand the implications of packaging design on resource recovery.

# Stewardship

The people who make up our community are our most valuable asset in enhancing and protecting our natural environment. Without the whole community on board we cannot reach our climate action objectives outlined in our Community Climate Action Plan.

Stewardship describes our relationship to place and our responsibility to ensure future generations will have rich and healthy ecosystems.

The Stewardship portfolio at Banyule encompasses capacity building, community engagement and support for community projects.

The year 2019/20 saw extensive community consultation on our Community Climate Action Plan (CAP), a review and reformation of our Environmental Advisory Committee, a program of environmental education with the Homework Club at Shop 48, a review of our Greenwrap e-newsletter to move to monthly, with subscriptions raising to over 1000, as well as our usual roster of sustainability events.



### CASE STUDY

#### *Upskilling Workshops*

Banyule Council offered a series of upskilling workshops to the community in 2019/20. These workshops were designed to support our community of environmental volunteers build capacity around the issues they are passionate about, and support council to reach the Planet priorities.

These workshops covered topics such as Social Media Promotions, Resilience, Conservation, Plant ID and Grant writing.

### CASE STUDY

#### *Environmental education at Shop 48*

In 2019 Banyule Council teamed up with Himlo Community Connect at Shop 48 to bring a series of environmental education classes to Homework Club.

Homework Club meets up twice a week during School terms to have a feed, catch up with some school work and friends from Schools across Banyule.

The program was aimed at making sure the kids in Banyule know about the importance of the natural places in their suburbs and can get out and enjoy them.

The environmental lessons included talks and activities inspired by locally indigenous flora and fauna and described how they thrive in Banyule. We learnt about wildlife corridors and the ecosystems that protect our local plants and animals, as well as us humans.

The program also included a field trip to Darebin Creek in West Heidelberg, where we looked for Sugar Gliders in the nesting boxes and judged the quality of the water through examining the water bugs.





**CASE STUDY**

*Home Harvest*

In early 2020 around 450 community members from both Banyule & Nillumbik gathered at Edendale Farm for the fifth year in a row to celebrate the summer harvest. They enjoyed a picnic, cooked up by professional chefs with the help of the Eltham High hospitality students. The ingredients for the feast were lovingly grown in the backyards and community gardens of the two municipalities.

The waste free event included live music, low carbon games, and activities promoting sustainability. It was a great display of a community dedicated to local food & sustainable living.





**Indicators**

Banyule Tree Care unit has been proactive in removing trees with low life expectancy and little shade provision to make space for new plantings in the future. Newly planted trees have continued to be more advanced larger stock with opportunity to be established as long lived high benefit trees.

**2963**

Total trees planted in streets, parks and bushland

**1460**

Net gain of trees in Banyule public spaces 2019/20

**CASE STUDY**

*Tree Care Team*

The Tree Care team is made up of qualified and passionate arborists that maintain 65,000 street trees as well as trees in public parks and reserves.

To keep these trees healthy and safe Council undertake maintenance pruning activities which can include;

- clearance around assets such as powerlines, roads, footpaths and signage
- formative pruning to shape into a suitable amenity tree
- property clearance when impacting on dwellings

This ensures that trees can be retained and remain healthy. These trees provide a huge benefit to our municipality, cleaning our air and reducing the heat island effect in our activity centers.



# Sustainable Travel



Banyule City Council built 1,433 linear metres of shared trails and paths in 2019/20. This include Stage 1 of the Darebin Creek Trail upgrade in Belfield and park improvement works at Kalparrin Gardens in Greensborough.

Banyule City Council is committed to a city with accessible, sustainable and active communities, with good access to jobs, education, shopping and community opportunities within a safe transport network.

As we know the transport sector (excluding aviation and shipping) is the second largest contributor to greenhouse gas (GHG) emissions worldwide.

Walking and cycling not only supports the environment but it comes with significant physical and mental health benefits. It is also often the cheapest and most efficient way to travel around local areas, reducing congestion and parking demand on our roads.

Our Sustainable Transport team encourages people to embrace these benefits and increase their use of active transport for local journeys and recreation.



**CASE STUDY**

## *Bicycle use booms and Banyule joins BikeSpot*

Since March communities across Melbourne have bought, borrowed and rented bicycles in unprecedented numbers, using them to exercise and enjoy physically distanced, sustainable and low-cost transport.

Bike counts across Melbourne, including within Banyule, have shown a marked increase in the use of shared use paths and trails. On the Darebin Creek Trail at Sparks Reserve in Ivanhoe we have seen daily cyclist volumes increase from 181 in 2019 to 327 in 2020 to date.

In 2020 Banyule City Council became a project partner of BikeSpot 2020, an online engagement project that provided an opportunity for our residents to share their perceptions of cycling safety at different locations. 185 locations were nominated within the municipality.

Key findings from the study included that cyclists and drivers want dedicated space from other transport modes; that traffic speed causes the most stress for cyclists and that if we want more confident riders, we need to build a connected network.

This work will support the development of the Banyule Bicycle Strategy and associated action plan as well as provide evidence for advocacy and capital works projects.



# Nature Play and Playgrounds



COVID19 restrictions in 2020 have resulted in open space throughout Banyule being more intensively used by the community. According to Government data, visits to parks increased under stage four restrictions by 12 per cent across metropolitan Melbourne.

Whilst visitation to parks and reserves increased, the way these spaces are used changed dramatically.

Whilst open space traditionally provide opportunities for people to gather and socialise, Department of Health and Human Services (DHHS) restrictions introduced in the interest of public safety (including the closure of facilities such as playgrounds, communal outdoor exercise equipment and skate-parks and cancellation of community sports) resulted in parks and reserves being used more as transitional spaces for unstructured exercise including yoga, walking, running and bike riding.

Whilst used differently, open space in Banyule continues to play an important role in community health and well-being by providing opportunities for physical activity as well as maintaining psychological health.







**CASE STUDY**

*Banyule Flats and Plenty Yarra Trail Treasure Hunt Maps*

As part of the COVID safe nature play program Banyule commissioned two talented local artists to create 'treasure hunt maps' of local trails for our community to explore. These maps are easy to follow, and highlight points of interest along the routes, including birdlife, secret paths and old orchards! These maps will provide individuals and families of all ages with an exciting way to engage with two beautiful areas of Banyule parkland as they walk, cycle or enjoy the view from the stroller.

To find the maps and start your adventure, go to [banyule.vic.gov.au/treasure](http://banyule.vic.gov.au/treasure)

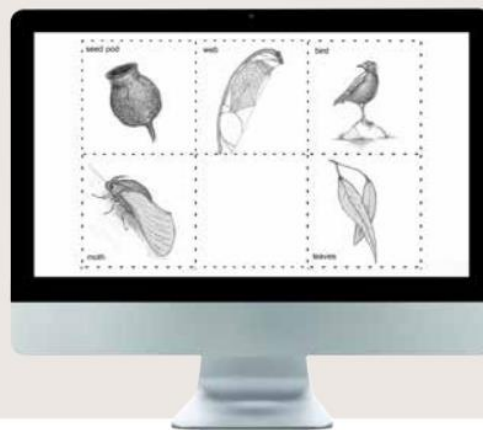
**CASE STUDY**

*Creative Nature Play*

Nature Play looked a little different in 2020. As the COVID19 restrictions kept everyone local, Banyule Council set up a webpage to help kids experience nature, even while having to stay home.

The webpage offered downloadable activities, like the treasure map pictured, as well as live craft workshops and pre-recorded videos.

The resources were all developed by creative local artists and nature lovers, who were also stuck indoors!

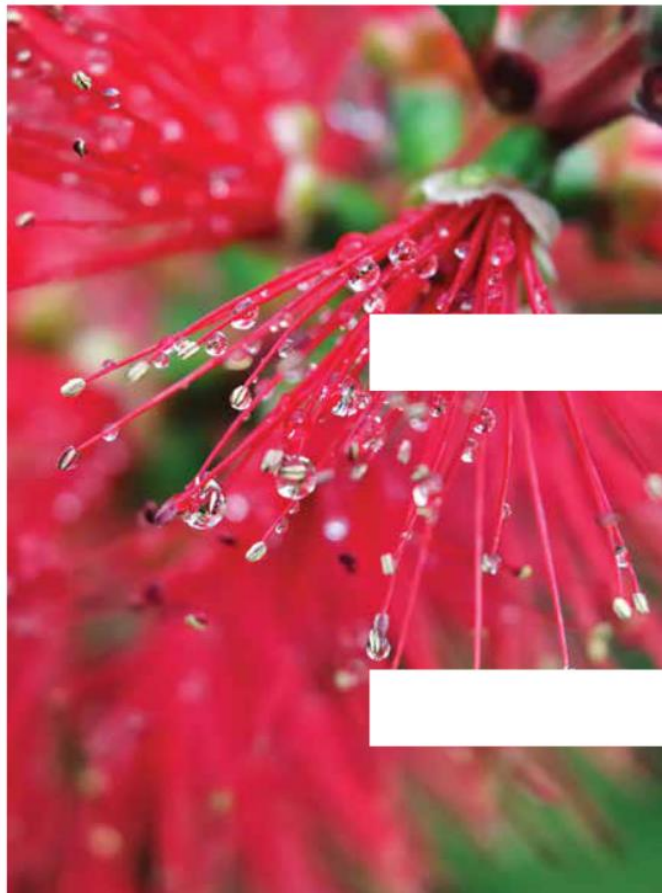




## INDICATORS AT A GLANCE

2018/19 Indicator	2017/18	2018/19	2019/20
<b>Biodiversity</b>			
Friends of group volunteer hours	912	1,884	1,134
Indigenous species planted in bushland reserves	10,870	15,130	22,362
Buy 1 get 1 free vouchers claimed by residents	179	243	265
<b>Water</b>			
Banyule Council water use	286 ML	348 ML	196.7 ML
Litter collection from storm water harvesting (target 50T)	1 T	49 T	49T
<b>Waste</b>			
Landfill waste per household	446 kg	423 kg	424 kg
Recyclables per household	245 kg	245 kg	245 kg
Organic waste per household	196 kg	174.7 kg	224.7 kg
Waste diverted from landfill	49.7%	49.7%	52.5%
Students attending the ReThink Centre	1739	2292	1892
<b>Energy</b>			
Council greenhouse gas emissions	15,308T (Scope 1 & 2)	15,616T (Scope 1,2 & 3)	14,061T (Scope 1,2 & 3)
Home energy audits	N/A	35	30
<b>Stewardship</b>			
Greenwrap subscriptions	547	717	996
Grant applications	19	19	36
<b>Tree Care</b>			
Council tree plantings in streets, parks	4922	3226	2963
Net gain of trees on public land	N/A	1581	1460
Carbon sequestered in Council trees	31,081.9T		
Pollution removed by council trees	12,432kg/yr		
<b>Planning</b>			
Permit applications received for tree removal	558	325	516
Permits issued for tree removal	425	175	335
<b>Sustainable Travel</b>			
Linear metres of shared paths/trails upgraded	575	813	1433

Photography supplied by Tom Crawshaw and Kylie D'Amico of the Banyule Bushcrew, and Masterworks.





## How to contact your Council

For all enquiries or information about any Council services:

Telephone: **9490 4222**

Email: **enquiries@banyule.vic.gov.au**

Website: **www.banyule.vic.gov.au**

Fax: 9499 9475

If your hearing or speech is impaired, you can call us through the National Relay Service on **133 677** (TTY) or **1300 555 727** (ordinary handset) and ask for 94904222.

### Postal Address:

PO Box 94, Greensborough 3088  
DX 97904 Ivanhoe

### Council Service Centres:

Greensborough: Level 3, 1 Flintoff Street  
Ivanhoe: 4 Bond Street, Ivanhoe  
Rosanna: 72 Turnham Avenue (inside Rosanna Library)

### Office Hours of Opening:

Greensborough & Ivanhoe: Monday – Friday 8.30am – 5pm  
Rosanna: Monday – Friday 10am – 12noon and 1pm – 4pm

### Interpreter service:

If you need an interpreter, please contact TIS National on 131 450 and ask to be connected to Banyule Council on 9490 4222.

إذا كنتم بحاجة إلى مترجم، الرجاء الاتصال بالخط القومي لخدمة الترجمة الهاتفية على الرقم 131 450. واطلبوا إيصالكم ببلدية بانيل على الرقم 9490 4222.

若你需要口譯員，請致電131 450聯絡TIS National，要求他們為你致電9490 4222接通Banyule市政廳。

Ako vam je potreban tumač, molimo vas, nazovite TIS National na broj 131 450 i zatražite da vas se spoji sa Vijećem općine Banyule na broj 9490 4222.

Αν χρειάζεστε διερμηνέα τηλεφωνήστε στην Εθνική Υπηρεσία Διερμηνέων Μεταφραστών στον αριθμό 131 450 και ζητήστε να σας συνδέσουν με τη Δημαρχία Banyule στο 9490 4222.

Se hai bisogno di un interprete chiama TIS National al numero 131 450 e chiedi di essere messo in comunicazione con il Comune di Banyule al numero 9490 4222.

Ако ви треба преведувач ве молиме јавете се на TIS National на 131 450 и замовете да ве поврзат со Banyule Council на 9490 4222.

如果你需要一名翻译，请打电话到国家电话翻译服务处 (TIS National) 131 450，再转接到Banyule市政府9490 4222

Haddii aad u baahan tahay mutarjum wac khadka qaranka oo ah TIS 131 450 weydiina in lagugu xiro Degmada Banyule tel: 9490 4222.

Nếu cần thông dịch, xin gọi cho TIS Toàn Quốc qua số 131 450 rồi nhờ họ gọi cho Hội Đồng Thành Phố Banyule theo số 9490 4222 giúp quý vị.





# Environmentally sustainable development of buildings and subdivisions

A roadmap for Victoria's planning system



**Photo credit**

Jells Craig

**Acknowledgment**

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

We are committed to genuinely partner, and meaningfully engage, with Victoria's Traditional Owners and Aboriginal communities to support the protection of Country, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.



© The State of Victoria Department of Environment, Land, Water and Planning 2020.



This work is licensed under a Creative Commons Attribution 4.0 International licence. You are free to re-use the work under that licence, on the condition that you credit the State of Victoria as author. The licence does not apply to any images, photographs or branding, including the Victorian Coat of Arms, the Victorian Government logo and the Department of Environment, Land, Water and Planning (DELWP) logo. To view a copy of this licence, visit [creativecommons.org/licenses/by/4.0/](https://creativecommons.org/licenses/by/4.0/)

ISBN 978-1-76105-308-5 (pdf/online/MS word)

**Disclaimer**

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

**Accessibility**

If you would like to receive this publication in an alternative format, please telephone the DELWP Customer Service Centre on 136 186, or email [customer.service@delwp.vic.gov.au](mailto:customer.service@delwp.vic.gov.au), or via the National Relay Service on 133 677, [www.relayservice.com.au](http://www.relayservice.com.au). This document is also available on the internet at [www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)

## Contents

<b>Executive summary</b>	<b>4</b>
<b>Sustainability in the built environment</b>	<b>5</b>
Sustainable development and Victoria's planning system	7
<b>Environmentally sustainable development roadmap</b>	<b>12</b>
A new approach for sustainable buildings and subdivisions	13
Stage one: Update the planning policy framework (PPF)	14
Stage two: Update particular provisions	15
Further assessment, guidance and tools to support delivery of ESD	16
Concurrent building reform processes	16
<b>ESD planning reforms: key areas</b>	<b>18</b>
Energy	19
Water	20
Waste and recycling	22
Transport	23
Landscaping and biodiversity	25
Urban heat	26
Air and noise pollution	27
<b>Next steps</b>	<b>28</b>
<b>Appendices</b>	<b>30</b>
Appendix A Proposed VPP stage one reforms	30



Department of Environment, Land, Water and Planning

## Executive summary

The Victorian Government is committed to improving the environmental performance and resilience of buildings in response to urban growth and a changing climate.

[Plan Melbourne \(2017\)](#) recognises that well designed and resource efficient buildings provide essential building blocks for creating more sustainable, liveable cities and towns.

Improving the energy and water efficiency of new buildings supports affordable living, contributes to reduced greenhouse gas emissions and reduces stormwater pollution of our rivers and bays. Our quality of life is enhanced by building design features that make it easier to recycle, support more sustainable transport options and minimise the intrusion of air pollution and noise.

This roadmap outlines a program to introduce new environmentally sustainable development (ESD) planning policies and standards that will help:

- **Make it easier to recycle:** To support the government's recycling and waste minimisation goals, planning standards for new buildings will be updated to make it easier and more convenient for building occupants to divert materials for reuse or recycling.
- **Cool new developments and our urban environment:** With a changing climate bringing more frequent hot days, practical landscape and design measures to reduce urban heat impacts will be developed.
- **Facilitate active and sustainable transport choices:** To match changing community needs new standards will provide for adequate bicycle parking and facilities and prepare for increased use in low emissions vehicles.
- **Reduce exposure to air and noise pollution:** Siting and design guidance will help minimise exposure to noise and air pollutants for new residences and other sensitive uses located near busy transport routes.
- **Improve building energy efficiency and support the transition to a low emission future:** Ensure buildings are sited and orientated to optimise energy efficiency and encourage use of renewable energy.
- **Enhance the role of planning in stormwater management and efficient water usage:** Planning measures to support sustainable water management were introduced in 2018. Additional measures will focus on supporting ongoing implementation and support for these changes.
- **Strengthen and extend ESD considerations for commercial and industrial developments:** Planning for these land uses does not incorporate many environmental factors, apart from stormwater management. New provisions will be

developed to expand the number of relevant ESD considerations for these forms of development.

Development of an integrated planning system approach to ESD will follow a two-stage process.

Reforms as part of stage one will ensure that ESD is more comprehensively addressed throughout the Planning Policy Framework and provide a clearer policy basis for development of new standards.

Stage two will introduce new and expanded particular provisions across a range of key ESD elements to help achievement of wider urban sustainability goals. These actions will be supported by further guidance materials and tools.

These planning reforms will occur concurrently with a longer-term program to improve the environmental performance of developments through the building system. A staged process of changes and improvements to the energy efficiency standards of the National Construction Code (NCC) commenced in 2019, with further improvements underway.

Consultation with stakeholders on the planning reforms will take place over the coming months and will be finalised over 2021.

## Sustainability in the built environment

For over thirty years planning schemes in Victoria have provided for the protection of natural and human-made resources, the maintenance of ecological processes and genetic diversity, and to secure a pleasant, efficient and safe working, living and recreational environment.

To better manage increasing pressures on our natural resources, higher levels of population growth, and the effects of climate change, we need to improve how environmental sustainability is incorporated into how we plan and design our built environment.

The decisions we make today have a lasting effect. To support Victoria's future growth and development it is estimated that an additional 2.3 million dwellings will be required by 2056<sup>1</sup>.

These new communities will also need to be supported by commercial, industrial and institutional buildings, and estimates suggest that two thirds of the non-residential buildings standing by 2050 will have been developed or refurbished after 2019<sup>2</sup>.

This directions paper provides a roadmap for how the planning system will help ensure that new residential, commercial and industrial developments incorporate environmentally sustainable development (ESD) features to support our current and future needs.

The *Climate Change Act 2017* is driving timely and critical responses across government, with significant implications for future development across Victoria. This Act establishes a long-term target of net zero greenhouse gas emissions by 2050 and requires development of five yearly sector pledges which describe the actions government will take to reduce Victoria's emissions. Planning measures can help support achievement of these targets.

In addition, climate change Adaptation Action Plans must be published every five years for each system of activity across the state, including the built environment, transport and water. Land use planning plays an important role in helping Victoria adapt to climate change and improve our resilience to physical hazards. The first set of these plans will be prepared by 31 October 2021.

### Environmentally sustainable development (ESD)

There are many different existing definitions of ESD, such as the United Nations Brundtland Commission report of 1987 definition:

*'Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.'*

Australia's National Strategy for Ecologically Sustainable Development 1992 definition:

*'Using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased.'*

Or the 2003 Victorian Commissioner for Environmental Sustainability Act 2003 (CES Act) definition:

*'Ecologically sustainable development is development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.'*

These definitions broadly match the approach adopted by the objectives of the Planning and Environment Act and inform the approach taken to addressing ESD in this roadmap.

The Minister for Planning will be overseeing preparation of the Built Environment Adaptation Action Plan.

The planning system does not operate in isolation. Concurrent reforms underway in the building system will be integral to ensuring that all new developments include energy efficiency standards and other features fundamental to the sustainable use of buildings. These regulatory systems need to work together and complement each other to ensure effective ESD outcomes for Victoria's built environment. In addition, industry leadership through leading practice and innovation helps establish new approaches suitable for wider adoption over time. This includes certification and rating systems such as [GreenStar](#) (Green Building Council of Australia) and [EnviroDevelopment](#) (Urban Development Institute of Australia).

<sup>1</sup> Based on a projected Victorian population of 11.2 million by 2056. [Victoria in Future 2019 Population Projections 2016 to 2056, July 2019](#)

<sup>2</sup> Commonwealth of Australia 2018, [Trajectory for Low Energy Buildings](#)

Department of Environment, Land, Water and Planning

Category	Key clauses
ESD	<ul style="list-style-type: none"> <li>15.01 Built environment, 15.02 Energy and resource efficiency, 12 Environmental and landscape values</li> </ul>
Energy	<ul style="list-style-type: none"> <li>15.01-3 Subdivision design, 16.01-2 Location of residential development</li> <li>54.03-5 Energy efficiency protection, 56.04-3 Solar orientation of lots, 58.03-1 Energy efficiency</li> </ul>
Transport	<ul style="list-style-type: none"> <li>18.01-1 Land use and transport planning, 18.02-2 Public Transport, 18.02-1 Sustainable personal transport</li> <li>52.34 Bicycle facilities, 56.06-1 Integrated mobility, 56.06-2 Walking and cycling network</li> </ul>
Water	<ul style="list-style-type: none"> <li>19.03-3 Integrated water management, 53.18 Stormwater Management in Urban Development</li> <li>54.03-4 Permeability objectives, 55.03-4 Permeability and stormwater management objectives, 55.07-5 Integrated water and stormwater management objectives, 56.07 Integrated Water Management, 58.03-8 Integrated water and stormwater management objectives</li> </ul>
Waste	<ul style="list-style-type: none"> <li>19.03-5 Waste and resource recovery, 15.01-3 Subdivision design</li> <li>55.07-11 Waste and recycling, 58.06-3 Waste and recycling, 56.08-1 Site management</li> </ul>
Air and noise	<ul style="list-style-type: none"> <li>13.05-1 Noise abatement, 13.06-1 Air quality management, 15.01-3 Subdivision design</li> <li>55.07-6/58.04-3 Noise impacts objectives</li> </ul>
Climate adaptation	<ul style="list-style-type: none"> <li>13.01-1 Natural hazards and climate change, 19.03-3 Integrated water management, 53.18 Stormwater Management in Urban Development</li> <li>55.03-4 Permeability and stormwater management objectives, 58.03-8 Integrated water and stormwater management objectives, 56.07 Integrated Water Management</li> </ul>
Landscape	<ul style="list-style-type: none"> <li>12.01-1 Protection of biodiversity, 12.01-2 Native vegetation management, 15.01-2 Building design</li> <li>54.03-6 Significant trees, 55.03-8 Landscaping, 55.07-4/58.03-5 Deep soil areas and canopy trees, 56.05-1 Integrated urban landscape</li> </ul>

Table 1 Summary of key ESD related clauses and standards in VPP



## Sustainable development and Victoria's planning system

The [Planning and Environment Act 1987](#) (the Act) incorporates sustainable land use and development, the protection of natural resources and the maintenance of ecological processes as key legislated objectives of planning in Victoria<sup>3</sup>.

The Act also specifies that the planning framework includes objectives to:

- Enable land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels, and
- Ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

Plan Melbourne and the state's Regional Growth Plans provide the strategy and policy direction for land use development at a regional and local level, and all highlight environmental sustainability and climate change resilience as core considerations.

The Victoria Planning Provisions (VPP) and Local Planning Schemes provide the key instruments for implementing these policies and the Act. Sustainable development considerations weave throughout the planning system, through the application of the Planning Policy Framework, and various particular provisions which include objectives and standards applicable to buildings and subdivisions (see Table 1 and Figure 1).

These policies and standards are applied to growth areas and key redevelopment sites across Victoria through precinct structure plans led by the Victorian Planning Authority (VPA), and development planning processes and strategic planning projects led by local councils.

In addition, many local councils have applied local planning policies that encourage performance beyond state planning standards and policies. Since 2014, 20 local councils (25% of all Victorian councils) who form part of the Council Alliance for a Sustainable Built Environment (CASBE) have introduced a largely standardised Environmentally Sustainable Development policy into their planning schemes (see page 9 for further detail).

Other councils have introduced policies that include ESD objectives or address a particular element of ESD that is of importance to their municipality (such as Water Sensitive Urban Design). Sixteen regional and metropolitan councils are also currently undertaking work towards the development of an ESD framework for greenfield residential subdivisions<sup>4</sup>.

### Plan Melbourne

Plan Melbourne 2017-2050 outlines the Government's strategy to guide the growth of Melbourne over the next 35 years. The plan outlines key actions related long-term land use, infrastructure and transport planning.

Plan Melbourne Action 80: 'Review of planning and building systems to support environmentally sustainable development outcomes' is the key driver for the proposed planning system ESD reforms.

In addition, other government priorities under Outcome 6: Melbourne is a sustainable and resilient city address particular ESD themes that are implemented in part through this work, in addition to other activities across government:

- **Air and noise:** Direction 6.6 specifies "air quality and noise impacts should be a fundamental consideration in the design and assessment of all new developments". Action 96 - Improve air quality and Action 97 - Guidelines for noise impact in new developments.
- **Recycling and resource recovery:** Action 101 - Waste collection and resource recovery for medium- and high-density development
- **Water:** Action 89 - Integrated water management planning and Action 94 - Protecting the health of waterways from stormwater run off
- **Urban heat:** Action 91 Whole-of-government approach to cooling and greening Melbourne<sup>5</sup>.
- At a metropolitan scale, Land-use Framework Plans (Action 1) will provide further details on how sustainability considerations will be applied across Melbourne's six regions.

A range of other government policies and strategies complement Plan Melbourne to support sustainable development. Key documents are highlighted in Table 2 on the following page.

<sup>3</sup> Section 4 objectives

<sup>4</sup> Led by City of Woodonga, this project aims to develop a Sustainable Design Assessment in the Planning Process (SDAPP) framework specific for subdivisions. Partner councils include Ballarat City Council, Baw Baw Shire Council, East Gippsland Shire Council, Greater Bendigo City Council, Greater Geelong City Council, Greater Shepparton City Council, Hume City Council, Latrobe City Council, Macedon Ranges Shire Council, Melton City Council, Mitchell Shire Council, Moorabool Shire Council, Wangaratta Rural City Council, Warrnambool City Council and Whittlesea City Council. A total of 29 councils are participating in an 18 month trial of the [Sustainable Subdivisions Framework](#).

<sup>5</sup> [Details of the wider Action 91 Cooling and Greening Melbourne program](#).

Department of Environment, Land, Water and Planning

Energy	Transport
<ul style="list-style-type: none"> <li>Victorian Renewable Energy Roadmap - 2015</li> </ul>	<ul style="list-style-type: none"> <li>Victorian Cycling Strategy – 2018</li> </ul>
<ul style="list-style-type: none"> <li>Renewable Energy Action Plan (REAP) - 2017</li> </ul>	<ul style="list-style-type: none"> <li>Growing our Rail Network 2018 - 2025</li> </ul>
<ul style="list-style-type: none"> <li>Victorian Renewable Energy Targets</li> </ul>	<ul style="list-style-type: none"> <li>Victorian Infrastructure Plan – 2017</li> </ul>
<ul style="list-style-type: none"> <li>Victoria's Climate Change Framework – 2016</li> </ul>	<ul style="list-style-type: none"> <li>Regional Network Development Plan – 2016</li> </ul>
<ul style="list-style-type: none"> <li>Climate Change Adaptation Plan – 2016</li> </ul>	<b>Waste and recycling</b>
<ul style="list-style-type: none"> <li>Victorian Energy Efficiency and Productivity Strategy - 2017</li> </ul>	<ul style="list-style-type: none"> <li>State-wide Waste and Resource Recovery Infrastructure Plan (SWRRIP) – 2018</li> </ul>
<b>Natural environment</b>	<ul style="list-style-type: none"> <li>Recycling Victoria: A new economy - 2020</li> </ul>
<ul style="list-style-type: none"> <li>Protecting Victoria's Environment – Biodiversity 2037 – 2017</li> </ul>	<b>Water</b>
<ul style="list-style-type: none"> <li>Victorian Memorandum for Health and Nature</li> </ul>	
<b>Air &amp; Noise</b>	<ul style="list-style-type: none"> <li>Yarra River Action Plan – 2017</li> </ul>
<ul style="list-style-type: none"> <li>Victorian Air Quality Statement</li> </ul>	<ul style="list-style-type: none"> <li>Water for Victoria - 2016</li> </ul>
<ul style="list-style-type: none"> <li>State Environment Protection Policy (Air Quality Management)</li> </ul>	<ul style="list-style-type: none"> <li>Port Phillip Bay Environmental Management Plan – 2017</li> </ul>
<ul style="list-style-type: none"> <li>State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade)</li> </ul>	

Table 2 Government policies that influence planning objectives to improve ESD performance

### Council Alliance for a Sustainable Built Environment (CASBE) and Local Planning Policy

In 2007, several councils who had previously developed and applied sustainable design assessment tools, commissioned the development of the [Sustainability Assessment in the Planning Process report](#), which examined opportunities for inclusion of ESD requirements into Victoria's regulatory and legislative frameworks. This report would inform the evolution of the Sustainable Design Assessment in the Planning Process (SDAPP) framework and fact sheets, and the formalisation of the [Council Alliance for a Sustainable Built Environment](#) (CASBE) operating under the auspices of the Municipal Association of Victoria (MAV).

In 2014 a [Planning Panels Victoria Advisory Committee on Environmentally Efficient Design Local Policies](#) was developed. CASBE advocated for a formal local planning policy on ESD, providing a cost-benefit analysis<sup>6</sup> in support of their approach. The committee recommended adoption of local policies into six planning schemes. Since these initial six local planning schemes were amended to include an ESD local planning policy, thirteen more have since followed suit. In addition, the City of Melbourne adopted a comprehensive ESD policy into their planning scheme in 2013.\*

Currently ESD local planning policies are largely standardised (see Table 3). The key differences are the size of development that triggers provision of a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP) to support assessment of a permit application.

ESD local policies are supported by the online [Built Environment Sustainability Scorecard](#) (BESS), which was launched by CASBE councils in 2015 to replace earlier ESD assessment tools such as the Sustainable Design Scorecard Non-residential (SDS) and the Sustainable Tools for Environmental Performance Strategy (STEPS).

BESS incorporates a set of measures that allow applicants and councils to assess the performance of a proposal against the objectives of their ESD local planning policy.

Further information on these local policies, and the councils that have adopted them can be found on the CASBE website.

ESD Local Policy (standardised)*	Tools that support implementation of local policy	
	SDAPP Framework and information sheets	BESS tool elements
Energy performance	Energy efficiency	Energy
Water resources	Water efficiency	Water
Indoor environment quality	Indoor environment quality	Indoor environment quality
Stormwater management	Stormwater management	Stormwater
Transport	Transport	Transport
Waste management	Waste management	Waste
Urban Ecology	Urban Ecology	Urban Ecology
	Construction and building management	Management
	Innovation	Innovation
	Building materials	

**Table 3 ESD local policy elements**

\*The ESD policy adopted by the City of Melbourne takes a different approach. This policy is currently being updated.

<sup>6</sup> Pitt & Sherry (2013), Environmentally Efficient Design Planning Policies – Cities of Banyule, Moreland, Port Phillip, Stonnington, Whitehorse and Yarra: Expert Evidence – Benefit Cost Analysis – Phil Harrington



Department of Environment, Land, Water and Planning

**Working alongside the building system**

The building regulatory system plays an integral role in establishing the energy performance standards of new buildings. The National Construction Code (NCC) is the key instrument that sets standards for new buildings and major renovations, including energy use in relation to thermal performance of the building 'envelope' and efficiency of fixed equipment, including heating and cooling equipment, lighting and hot water. The NCC includes both volumes of the Building Code of Australia (BCA) and the Plumbing Code of Australia (PCA). The NCC is adopted by

Victoria through incorporation by reference in the Building Regulations 2018 and Plumbing Regulations 2018.

To support clear and efficient decision making it is important that the planning and building systems work together, and that the right regulatory tool is used.

Figure one provides an overview of the way both the planning and building systems currently address ESD of new buildings, from legislation, through to policy and design standards.

**Figure 1. Sustainable development in the planning system, and the interaction with the building system**

<p><b>Planning and Environment Act 1987</b></p> <p>Sets the legal framework for the Victorian planning system.</p> <p>Objectives include:</p> <ul style="list-style-type: none"> <li>(a) provide for the fair, orderly, economic and sustainable use, and development of land;</li> <li>(b) provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;</li> <li>(e) balance the present and future interests of all Victorians</li> </ul>	<p><b>Building Act 1993</b></p> <p>Sets the legal framework for the regulation of building construction, building standards, maintenance of specific safety features and for registration of building and plumbing practitioners in Victoria.</p> <p>Objectives include:</p> <ul style="list-style-type: none"> <li>(b) to enhance the amenity of buildings;</li> <li>(c) to promote plumbing practices which protect the safety and health of people and the integrity of water supply and waste water systems;</li> <li>(f) to facilitate the construction of environmentally and energy efficient buildings</li> </ul>	
<p><b>Planning Policy Framework</b></p> <p>Sets the policies to guide land use and development in Victoria.</p> <p>Ecologically sustainable development is established as a key consideration of Clause 12 Environmental and landscape values, which states that planning must implement principles from national and international agreements including the National Strategy for Ecologically Sustainable Development. Clause 15.02-1S Energy and resource efficiency makes a more explicit connection to the ESD of buildings with the objective "To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions."</p>	<p>State level</p>	<p><b>Building Regulations 2018</b></p> <p>Contains requirements relating to building permits, building inspections, occupancy permits, enforcement, maintenance of buildings.</p> <p><b>Plumbing Regulations 2018</b></p> <p>Contains information on the technical requirements for installing plumbing and drainage systems as well as the relevant performance requirements.</p>

Department of Environment, Land, Water and Planning

<p><b>Regional Growth Plans</b></p> <p>Provides broad direction for land use and development across regional Victoria.</p> <p><b>Plan Melbourne</b></p> <p>Sets vision and outlines strategy for Melbourne's growth over next 35 years. Principle 4: Environmental resilience and sustainability Outcome 6: Melbourne is a sustainable and resilient city.</p>	<p>Regional level</p>	
<p><b>Planning Policy Framework (PPF) Local Policy</b></p> <p>20 Local councils have introduced Environmentally Sustainable Development (ESD) policies in to their local planning schemes. These local policies are largely standardised, and cover matters related to Energy performance, Water resources, Indoor environment quality, Stormwater management, Transport, Waste management and Urban Ecology.</p>	<p>Municipal level</p>	
<p><b>Precinct Structure Plans</b></p> <p>ESD requirements are further considered in the development of strategic plans for new precincts, such as within the Fishermans Bend urban redevelopment. The Fishermans Bend Framework plan is structured around eight sustainability goals that will guide the strategic development of the Fishermans Bend precinct. Buildings in Fishermans Bend will also be required to meet a minimum 4 Star Green Star rating, and buildings over 5,000 sqm must be built to a 5 Star Green Star standard.</p>	<p>Neighbourhood level</p>	
<p><b>VPP Particular Provisions</b></p> <p>Particular provisions relating to residential land uses such as subdivision, apartment developments, or single dwellings also incorporate elements of ESD within standards regarding site layout and detailed design.</p> <p>The Better Apartments Design Standards, 2017 introduced various requirements related to energy efficiency, waste and recycling, noise impact objectives, and integrated water and stormwater management. In addition, a range of other particular provisions include environmentally focused standards and measures that inform permit responses beyond just residential developments, such as Clause 53.18 Stormwater management in urban development and Clause 52.34 Bicycle facilities.</p>	<p>Site and building level</p>	<p><b>National Construction Code (Commonwealth)</b></p> <p>All new homes and some renovations, alterations and additions must comply with the energy efficiency requirements of the NCC. Requirements are tailored to building type (eg. different requirements exist for single storey and multi-storey dwellings) and can be met by achieving a Six Star performance rating using a wide range of factors, such as insulation, external glazing, sealing, services and ventilation control. The aim of this standard includes reducing the environmental impacts of energy consumption. In Victoria all new Class 1 dwellings (stand alone or semi-detached houses) are also obliged to install either a rainwater tank for toilet flushing or a solar hot water system. This is set through a Victorian variation to requirements in the NCC, with supporting provisions in the Plumbing Regulations.</p>

Environmentally sustainable development of buildings and subdivisions Roadmap paper 11

Department of Environment, Land, Water and Planning

## Environmentally sustainable development roadmap

Following the introduction of new environmental performance standards for apartments in 2017, a further update of the planning system is needed to comprehensively embed ESD into planning and decision making for new buildings across residential, commercial and industrial land uses.

Gaps in the response to ESD within the Victoria Planning Provisions were recognised by the Advisory Committee appointed in 2013 to review the proposal to adopt local ESD policies into six local planning schemes. Noting the absence of a comprehensive state-wide approach to ESD at the lot scale, the [Advisory Committee and Panel Report on Environmentally Efficient Design Local Policies](#) (2014) supported adoption of local policies into specific planning schemes until such time as a state-wide approach is developed in the VPP.

Although some of the planning system limitations identified by these processes have been addressed in relation to stormwater management and for apartments, significant additional changes are needed to provide a more comprehensive response to ESD at the state level. Existing state ESD policies and standards do not apply to all land uses, and in some cases are insufficient to address existing and future planning and environmental challenges such as waste management and climate change.

To address these challenges key areas of reform are outlined below. It is intended they will apply to residential, commercial and industrial developments across all planning schemes in Victoria:

- **Make it easier to recycle:** To support the government's recycling and waste minimisation goals, planning standards for new buildings will be updated to make it easier and more convenient for building occupants to divert materials for reuse or recycling. Resolving current challenges over recycling and resource recovery can be assisted with additional planning measures to support the Victorian government's significant cross-sector recycling reforms<sup>7</sup>.
- **Cool and green new developments and our urban environment:** With a changing climate bringing more frequent hot days, practical landscape and design measures to reduce urban heat impacts will be developed. Reducing urban heat is an objective for apartment development landscaping

and is considered as part of responses to integrated water management, but there is no specific urban heat policy and standards for other land uses.

- **Facilitate active and sustainable transport choices:** To match changing community needs new standards will provide for adequate bicycle parking and facilities and prepare for the growth in electric vehicle use.
- **Reduce exposure to air and noise pollution:** Siting and design guidance will help minimise exposure to noise and air pollutants for new residences and other sensitive uses located near busy transport routes.
- **Improve building energy efficiency and support the transition to a low emission future:** Ensure buildings are sited and orientated to optimise energy efficiency and encourage use of renewable energy. These responses will help achievement of greenhouse gas emission abatement objectives set out in the *Climate Change Act 2017*.
- **Enhance the role of planning in stormwater management and efficient water usage:** Planning measures to support sustainable water management were introduced in 2018. Additional measures will focus on ongoing implementation to support these changes.
- **Strengthen and extend ESD considerations for commercial and industrial developments:** Planning for these land uses does not address many environmental factors. Commercial sites account for nearly half of the greenhouse gas emissions from all buildings<sup>8</sup> in Australia, and the commercial and industrial sector produce more than double the amount of waste of Victorian households. New ESD provisions will be developed for these forms of development.

These areas of reform are outlined in more detail in the [ESD planning reform key areas](#) section of this roadmap.

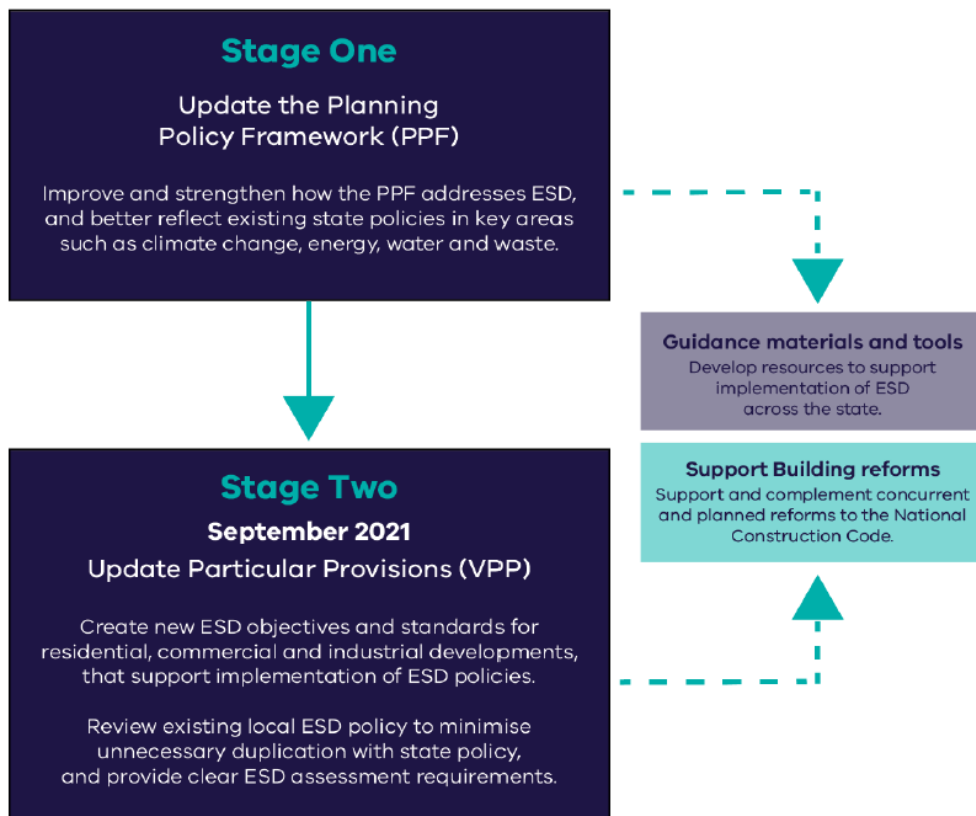
<sup>7</sup> Department of Environment, Land, Water and Planning 2020, [Recycling Victoria: A new economy](#)

<sup>8</sup> Australian Sustainable Built Environment Council (ASBEC), 2016, [Low Carbon, High Performance](#)



**A new approach for sustainable buildings and subdivisions**

Development of an integrated planning system approach to ESD will follow a two-stage process. Reforms as part of stage one will ensure that ESD is more comprehensively addressed throughout the Planning Policy Framework (PPF) and provide a clearer policy basis for development of new standards. Stage two will introduce new and expanded particular provisions across a range of key ESD elements to help achievement of wider urban sustainability goals. These reforms will be supported by further guidance materials and tools, and occur alongside concurrent building reforms.



The relationship between state and local planning measures will also be reviewed. Differences between requirements and enforcement of sustainability measures across municipalities can create an uncertain environment for industry. A 2010 Victorian Competition and Efficiency Commission<sup>9</sup> report cautioned that inconsistency between councils over building ESD expectations can place a financial burden on businesses that are required to understand and comply with different standards across the state.

While the state ESD reforms are being finalised, DELWP will work with the local government sector to review how local ESD policies are amended to complement the new state provisions and avoid any repetition or duplication with state objectives.

Local policies on ESD will remain important as they help councils to implement state policy in a way that is relevant to that council area. Local policies can express the local objectives of a municipality and help provide direction where locally specific policy guidance on a particular matter is needed.

<sup>9</sup> Victorian Competition and Efficiency Commission 2010, [Local Government for a Better Victoria: An Inquiry into Streamlining Local Government Regulation](#).

Department of Environment, Land, Water and Planning

### Stage one: Update the Planning Policy Framework (PPF)

This stage will embed ESD more comprehensively in the PPF adding consideration of ESD at the development scale under each relevant planning policy theme, and inserting consideration of ESD into the purpose of all planning schemes.

Although existing clause 15.02-1S Energy and resource efficiency includes many elements of ESD, it is important to further mainstream sustainability as part of the decision making across the entire PPF, rather than leaving it as a standalone consideration. For this reason, strategies in 15.02-1S Energy and resource efficiency will be relocated under the relevant policy themes.

The focus and content of ESD local planning policies will need to change with the introduction of new state ESD policy (stage one) and standards (stage two).

As part of stage one reforms, there will be no implications for councils with existing ESD local policies, except for those where the planning scheme is being translated to the new PPF format as part of the Smart Planning reforms. In this case the standardised DELWP format for ESD local policies will be applied, and these policies nested under PPF clause 15.01-2S Building Design.

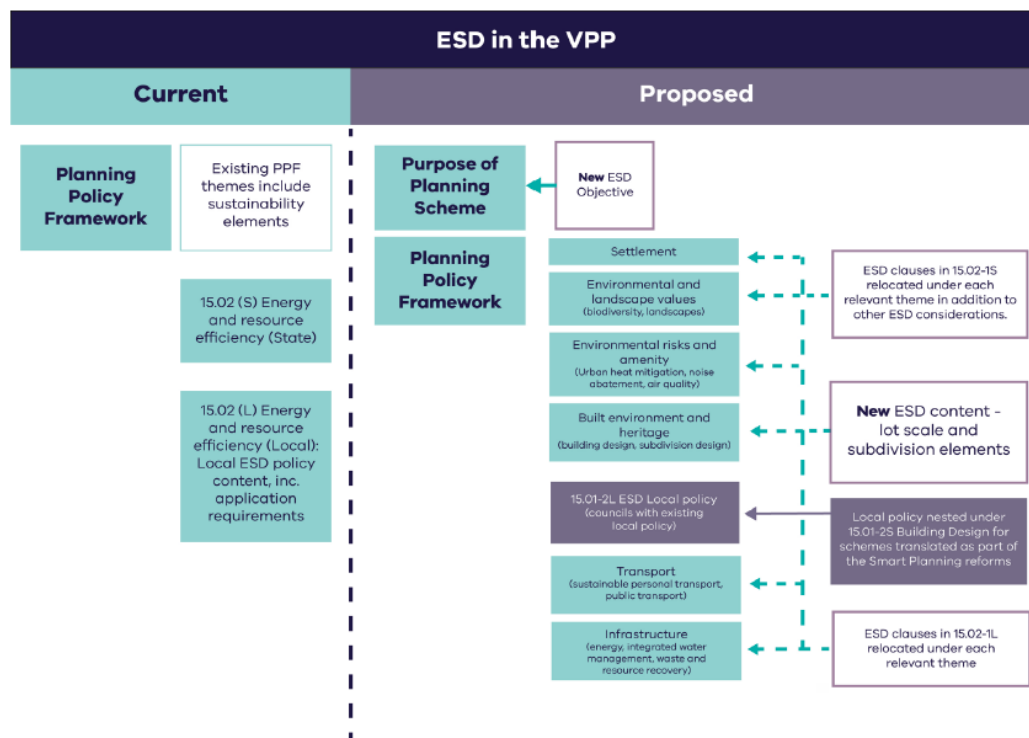


Figure 2 Proposed update of the Planning Policy Framework

**Stage two: Update particular provisions**

This stage will include development of specific planning objectives and standards that help achieve ESD policy goals.

Expanded and new particular provisions will be incorporated into planning schemes to help ensure ESD design and development responses with clear performance standards are consistently applied across the state.

ESD objectives and standards will continue to be applied throughout residential particular provisions under clauses 54, 55, 55.07, 56 and 58, which already include many existing ESD considerations. For commercial and industrial developments, a new particular provision will be developed that provides ESD objectives and standards appropriate for these development types, building on existing clause 53.18 *Stormwater management in urban development*.

Providing new provisions relevant to new commercial and industrial developments is pivotal and part of improving ESD performance across all the built environment. Every development type has an important role to play in supporting sustainability. There is no fundamental reason ESD considerations should apply to a development in a residential zone, but not to a building in a commercial zone.

Existing particular provisions that address a specific ESD theme, such as 52.34 *Bicycle Facilities*, will also be reviewed as part of this process.

Further review of ESD local policy will be undertaken as part of the Stage Two reforms, in order to minimise any duplication with state policy and explore how state provisions and local ESD policies can best operate to support policy implementation and the permit assessment process.

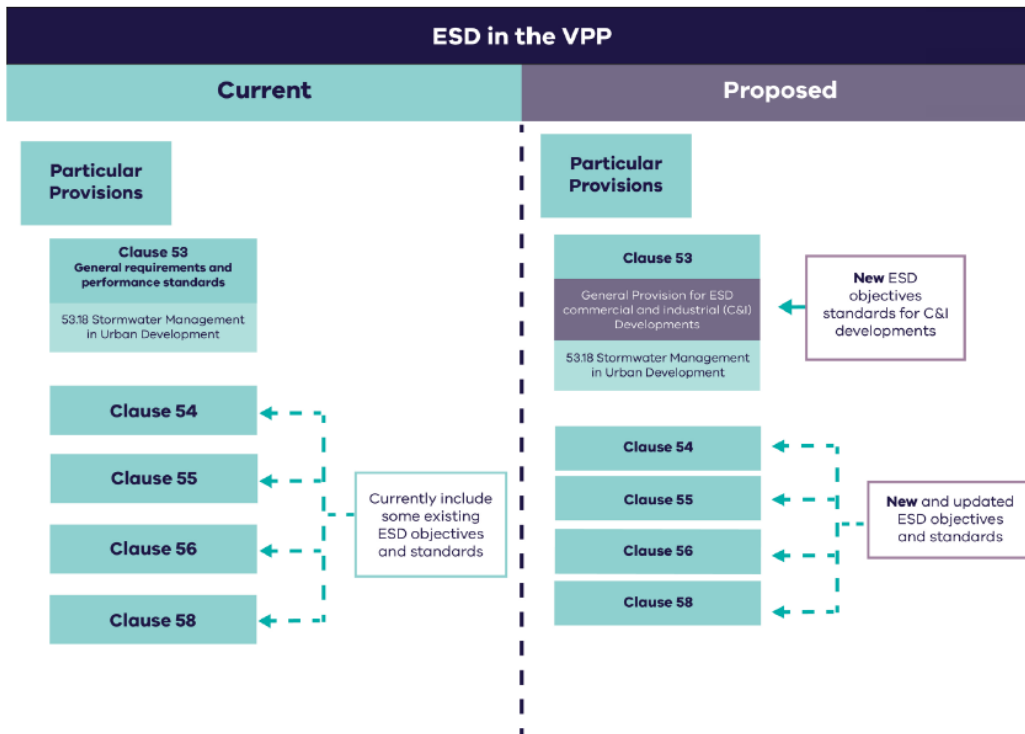


Figure 3 Proposed update of particular provisions



Department of Environment, Land, Water and Planning

### Further assessment, guidance and tools to support delivery of ESD

Implementing ESD across all local government areas will require approaches that recognise the different circumstances between a small rural town and a metropolitan centre. It is also important to make clear the performance outcomes that should be delivered from new developments, wherever someone lives. To assist with these challenges, additional resources such as practice notes and guidelines will be prepared.

Economic factors must also be assessed – improved sustainability standards can reduce the operational costs of a building and improve whole of community outcomes, but care is needed to ensure new performance standards are cost effective and do not impose unreasonable costs. All new ESD standards will be subject to economic assessment and stakeholder feedback.

To support an efficient and thorough assessment process for applicants and planning authorities, ESD assessment tools can play a valuable role. These can consist of checklists and practice notes, through to more sophisticated online rating systems. The latter organise all the standards into one place and provide users with a scoring system to assess the overall design of the development in regard to ESD.

Examples of this include [Green Star](#) developed by the Green Building Council of Australia (GBCA), [EnviroDevelopment](#) developed by the Urban Development Institute of Australia (UDIA), and [BESS](#) developed by CASBE.

The Victorian government ESD project will review opportunities to incorporate use of an ESD assessment tool at a state level to support the assessment of planning applications in reference to policies, objectives and standards set out in the VPP.

### Concurrent building reform processes

The new state-wide approach to ESD in planning must also include consideration of the concurrent reforms underway in the building system. Developing an environmentally sustainable building requires action from the pre-development stage through to measures to support sustainability during the operational stage of a development.

Addressing elements of ESD in planning that would be more effective if addressed through another regulatory system can risk unwarranted duplication of processes and add to costs. There are clear building system functions where there is limited value in applying planning measures in addition to what is already required under the building code (e.g. insulation standards). There are however, certain design elements where early consideration at the planning stage will provide more optimal sustainable design outcomes (e.g. orientation of the building on the lot to improve energy efficiency)<sup>10</sup>.

The 2014 Advisory Committee and Panel Report on Environmentally Efficient Design Local Policies suggested that *"Planning is best suited to dealing with the 'big picture' upfront issues, whereas building is best suited to managing the detailed impacts."*

Victoria's building standards are primarily set by reference to national standards in the National Construction Code (NCC). Although there is opportunity for Victorian variations to these standards, the scope of what the NCC covers is largely decided at a national level.

The NCC is currently undergoing reforms intended to progressively increase standards as part of improving energy performance, reducing greenhouse gas emissions and responding to climate change hazards. This will be informed by the [Trajectory for Low Energy Buildings](#) (the Trajectory), released by the then [COAG Energy Council](#) in 2019, which outlines a pathway towards zero energy (and carbon) ready buildings.

<sup>10</sup> In 2009, VCAT case Polizzi v Darebin CC (VCAT 1573) determined that there was an argument for pursuing sustainable design through planning permits, as there were certain design elements that it is too late to address in the building stage. The tribunal recognised "...that there can be limits to the sustainability gains at the subsequent building permit stage if the planning approval constitutes a poor sustainability outcome i.e. the horse may have already half bolted. For example, the sustainability requirements at the building permit stage will always be very compromised if a new dwelling is sited on its lot so as to have very poor solar orientation."

That pathway included commercial and residential buildings and was focused on new buildings, with a recent addendum to the trajectory that focuses on existing buildings (noting the increase to commercial energy performance standards applied through the 2019 update to the NCC).

Research undertaken by the federal Department of the Environment and Energy at the time determined that changes to the NCC for commercial buildings could achieve energy savings of up 53 per cent, and 18 per cent for residential buildings.

Energy efficiency changes planned for the 2022 NCC update will relate to residential buildings. This may include enhanced energy efficiency provisions for residential buildings, including a possible increase in the level of thermal comfort and a whole-of-house-energy use budget.

Some of the changes under consideration for the NCC 2022 update include:

- Expand the energy efficiency objective.
- Introduction of an energy (and carbon) usage budget for residential buildings that includes appliances already covered by the NCC (hot water, pool pumps and lighting); adds a new requirement for space conditioning; increases thermal energy efficiency requirements and allows for additional energy performance through on-site renewable energy.
- Introduction of "whole-of-home tools" (considering fixed appliances), and an alternative elemental pathway, to verify compliance with the energy usage budget.
- Ensuring residential buildings are 'ready' to accommodate on-site renewable energy generation, storage and electric vehicles, by considering infrastructure (such as electrical conduit) and ensuring adequate roof space, pitch and orientation is available for future placement of infrastructure (such as solar PV).
- Ensure commercial buildings are 'ready' to accommodate on-site renewable energy generation, storage and electric vehicles, by considering infrastructure (such as electrical conduit) and ensuring adequate roof space, pitch and orientation is available for future placement of infrastructure (such as solar PV).

### *National Energy Productivity Plan*

The [National Energy Productivity Plan](#) (NEPP) was released in 2015 by the former 'Council of Australian Governments (COAG) Energy Council' of energy ministers. Key objectives included helping Australian consumers and business manage their energy costs, supporting innovation and competition, and better integrating energy and climate policy.

The NEPP outlined measures to improve Australia's energy productivity by 40% between 2015 and 2030. Measure 31 of the NEPP states that "Energy efficiency requirements in building codes for both residential and commercial buildings are out of date with recent technologies".

In 2018 Energy Ministers released the [Trajectory for Low Energy Buildings](#) which proposed substantial, staged improvements to the energy provisions in the National Construction Code (NCC). To support this process Energy Ministers requested that the Building Ministers' Forum (BMF) update the NCC energy efficiency provisions in light of the Trajectory.

As the update to the NCC in 2019 focussed on improving the energy efficiency provisions for commercial buildings, the BMF directed the [Australian Building Codes Board](#) to investigate possible NCC changes for residential buildings for 2022. For commercial buildings, initial investigations will be carried out to support additional future changes in NCC 2025, that may involve the same approach used for residential buildings.

Department of Environment, Land, Water and Planning

## ESD planning reforms: key areas

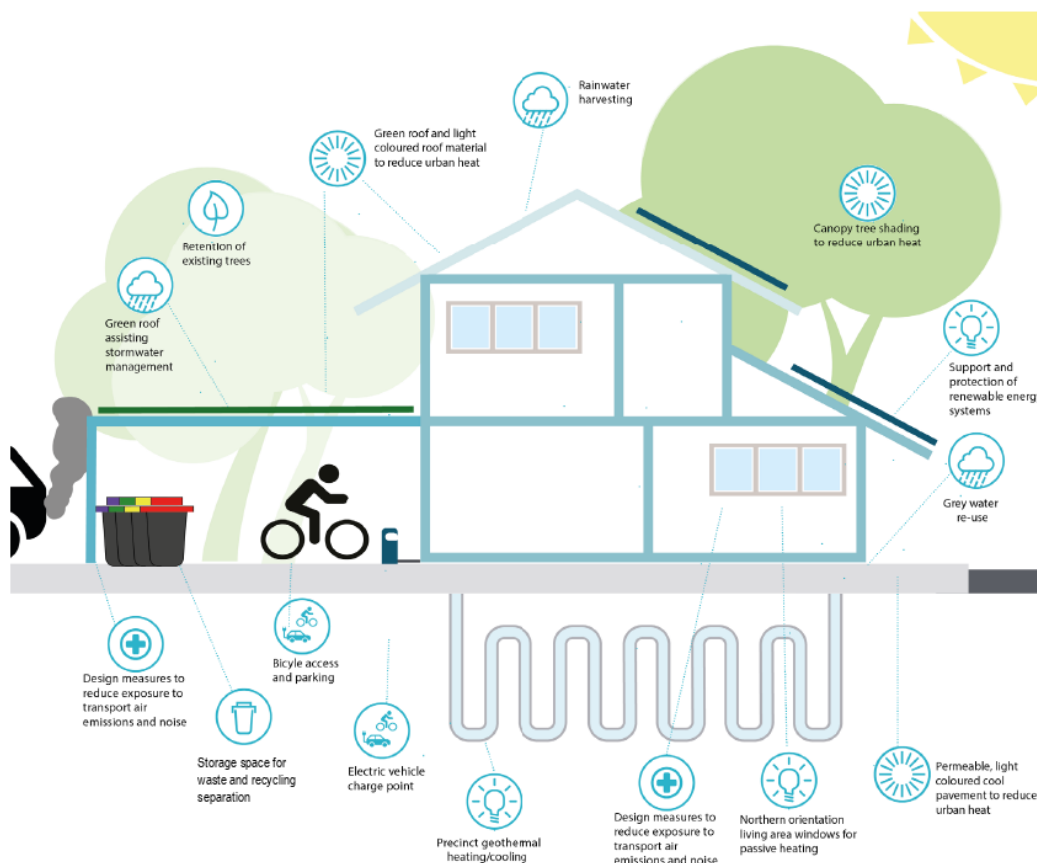
Specific policy objectives that are supported by measurable performance standards are an essential part of achieving clear and tangible improvements in the implementation of ESD goals in the planning system. This section sets out the key issues and opportunities being considered in preparation of new and updated planning policy and particular provisions.

As part of these changes, the Planning Policy Framework (PPF) in all planning schemes is being refreshed to better reflect government policy on ESD. Appendix A provides a draft of all proposed PPF updates to be undertaken as part of the Stage One reforms.

Each theme includes a table which summarises the relevant planning policy update and an outline of the new standards under development over 2021 to support improvements in the ESD performance of new buildings through siting and design measures.

Although each ESD element below is listed separately, an integrated approach to ESD will be supported through proposed changes to the particular provisions of all planning schemes (including consolidated application requirements) and through supporting guidance materials and tools. This recognises many measures to address ESD complement one another - for example, siting and design responses that respond to urban heat amelioration may also contribute to the stormwater management of a development.

Figure 4 Example of ESD planning responses for new buildings





## Energy

Buildings are responsible for close to a quarter of Australia's national greenhouse gas emissions<sup>11</sup>. Reducing their energy consumption is key to reaching Victoria's goal of net zero emissions by 2050.

Considerable work to achieve this goal is being undertaken through the building regulatory system, but the planning system can reduce building energy consumption through siting and design, and support deployment of renewable energy systems.

### Energy efficiency

More than 40% of the energy used in commercial and residential buildings is consumed by heating, ventilation and air conditioning (HVAC) systems<sup>12</sup>. Building regulations on the type of insulation, glazing and air tightness contributes to the thermal performance of buildings; as does siting, layout and design at the planning stage.

For example, orientating and designing a building to maximise northern solar access to living area windows can reduce winter heating bills by up to 25%, and designing a building with external shading can block up to 80% of summer heat gain through windows<sup>13</sup>.

There is scope for planning policy and standards to better address and design at the planning stage to support energy efficiency goals at the building stage.

### Renewable energy systems on buildings

Building design measures that support current and future adoption of renewable energy technologies are increasingly important. Rooftop solar energy systems make an important contribution towards a zero-emission future, and Victoria's [Solar Homes program](#) is supporting the installation of rooftop solar systems on buildings across the state. In 2018, standards were introduced that require new development proposals to consider overshadowing impacts on existing solar energy facilities affixed to adjoining dwellings.

Providing better clarity on what is an unreasonable amount of overshadowing will further support the protection of rooftop solar energy generation.

Other jurisdictions also apply design measures to encourage more solar ready building stock and protect the future potential of new buildings through requiring designers to designate 'solar zones' - rooftop space that is well oriented, free of obstructions and is not shaded. This area serves as a suitable place that solar panels can be installed at a future date. Such ideas will be considered as part of the mix of future reform options.

### Precinct renewable energy systems

The Victorian Government's [Renewable Energy Action Plan](#) has allocated significant resources to support renewable energy sector growth, microgrid and battery demonstration projects.

Development of new greenfield and brownfield precincts and suburbs provide an opportunity to assess new approaches to energy management, such as prompting consideration of distributed energy technologies at the planning stage. These new approaches to meeting our energy needs can not only achieve better environmental outcomes, but improve economic and affordable living outcomes as well<sup>14</sup>.

<sup>11</sup> Australian Sustainable Built Environment Council (ASBEC), 2016, [Low Carbon, High Performance](#)

<sup>12</sup> Australian Sustainable Built Environment Council (ASBEC), 2016, [Low Carbon, High Performance](#)

<sup>13</sup> Sustainability Victoria 2018, [Energy Smart Housing Manual](#)

<sup>14</sup> Australian Sustainable Built Environment Council (ASBEC), 2018, [Built to Perform: An industry led pathway to a zero carbon ready building code](#)

Department of Environment, Land, Water and Planning



Analysis of VPP ESD responses under consideration - ENERGY			
	Energy efficiency	Precinct renewable energy systems	Renewable energy systems on buildings
→ Planning policy framework (PPF)	→ Planning siting and design measures to support achievement of energy performance standards of NCC	→ Support Victorian GHG emission reduction targets through adoption of renewable and distributed energy technologies	→ Support Victorian GHG emission reduction targets through adoption of renewable and distributed energy technologies
Residential	Improved guidance on passive design including building and subdivision orientation	Support for generation and deployment of renewable and distributed energy systems	Updated development standards to minimise overshadowing  Clearer guidance on assessing 'unreasonable' overshadowing of rooftop solar panels  Investigate measures to support 'solar ready' building design to support future installation of rooftop solar systems
Commercial	Complementary benefits arising from urban heat responses		Support for generation and deployment of renewable and distributed energy systems
Industrial	(see urban heat section below)		

### Water

As our cities and settlements grow, the extent of hard, impervious surfaces is increasing across our urban areas, leading to more polluted runoff into our waterways and bays.

Population growth and our changing climate also means stewardship of our water resources is ever more important. Analysis by the [Bureau of Meteorology](#) has found that over the past 30 years Victoria has become drier, especially in the cooler months. Decreases in average rainfall and warmer temperatures has implications for [water storage levels across Victoria](#). Despite this trend, we can also expect increases in extreme rainfall events and associated flooding by the end of the century.

**Stormwater management**

Increasing the extent of impervious surfaces across our urban areas means that most of the rain that falls in our urban environments is not absorbed into the ground, and instead becomes stormwater runoff which damages and pollutes our urban waterways.

For example, about half of all the nitrogen from the Port Phillip catchment currently entering the bay comes from urban stormwater. To keep Port Phillip Bay healthy, the amount of nitrogen it receives must remain at current levels. Unfortunately, based on current practice, by 2051 the total nitrogen load from urban areas into the bay is projected to be about 40% more than in 2011<sup>15</sup>.

Implementing better stormwater management in new developments reduces stormwater runoff volumes and decreases the amount of pollutants (such as litter, nitrogen, phosphorus and total suspended solids<sup>16</sup>) that are carried into our waterways and bays; and can help reduce localised flooding.

In 2018 the government commissioned the [Improving Stormwater Management Advisory Committee](#) to provide recommendations on how to improve urban stormwater management, including changes to the planning system. This work led to major changes to

planning schemes, extending the coverage of stormwater management standards to a wider range of urban land uses. Single dwellings only need to meet limited stormwater management requirements - options to address this gap through other regulatory systems is under review. Planning responses to support implementation of earlier stormwater reforms are also under consideration.

**Water efficiency/ potable substitution**

Planning system changes in 2018 to stormwater management also helped with water efficiency. This is because the standard can be most readily achieved by capturing stormwater and using it on site for uses such as toilet flushing and clothes washing.

In addition, potential changes arising from the review of the Victorian variation to the 6 Star standard to meet the National Construction Code (NCC) can support improved water use efficiency for new residential housing.

There is scope for the planning system to further this work by working with water authorities to extend use of alternative water sources to help conserve drinking water supplies, and to support irrigation to help green our urban environment.



**Analysis of VPP ESD responses under consideration - WATER**

	Stormwater management	Water efficiency/ potable substitution
→ Planning policy framework (PPF)	→ (Updated in 2018)	→ Conservation of drinking water supplies through supporting use of alternative water sources
Residential	Enhance planning system guidance to support implementation of the 2018 stormwater reforms	Review measures to support water efficiency/ use of alternative water sources
Commercial	Enhance planning system guidance to support implementation of the 2018 stormwater reforms (e.g. advice on treatment options to meet planning standards)	
Industrial	Review how to support Vic Smart processes to improve assessment of stormwater management	

<sup>15</sup> Department of Environment, Land, Water and Planning 2018, [Improving Stormwater Management Advisory Committee FINAL REPORT 4 September 2018](#)

<sup>16</sup> Department of Environment, Land, Water and Planning 2018, [Improving Stormwater Management Advisory Committee FINAL REPORT 4 September 2018](#)



Department of Environment, Land, Water and Planning

## Waste and recycling

In 2017-2018, approximately 14.4 million tonnes of waste was generated by Victorians. Sustainability Victoria estimates that approximately 69% of this was recovered, leaving 31% or 4.4 million tonnes sent to landfill<sup>17</sup>.


The amount of waste the state produces will continue to grow unless we change our current approach. Based on current trends it is estimated Victorians will be producing over 20.4 million tonnes of waste annually by 2045, of which 5.7 million tonnes will be sent to landfill<sup>18</sup>.

### Resource recovery

To help divert more waste materials from landfill and support the resource recovery system, planning will review existing standards to ensure new developments incorporate appropriate space allocation and facilities to support segregation, storage and pick up of materials for recycling. Addressing this issue in multi-unit developments was an important conclusion arising from 2019 Victorian Auditor General Office (VAGO) [Recovering and Reprocessing Resources from Waste](#) report.

The government recently released [Recycling Victoria: A new economy](#), a 10 year plan to transform our recycling system, reduce waste, create thousands of jobs and set Victoria up for a more sustainable future. Part of the Recycling Victoria initiative includes the roll out of four colour-coded bins to homes across Victoria, to better sort waste, recyclables and organics. Planning has a role to play in ensuring that new developments have the space required to accommodate these new bins, and ensure ease of access to encourage good waste disposal, separation and collection practices.

Any further relevant policy outcomes arising from [Recycling Victoria: A new economy](#) will also be reflected in planning reforms.

 <b>Analysis of VPP ESD responses under consideration - WASTE</b>	
Resource recovery	
→ Planning policy framework (PPF)	→ Development siting and design that facilitates waste minimisation, segregation, storage and collection, and the use of recycled materials
Residential	Update of standards for apartments and developments of two or more dwellings on lot to include key elements from Sustainability Victoria's <a href="#">Better Practice Guide for Waste Management and Recycling in Multi-unit Developments</a> Encourage assessment of opportunities for subdivision infrastructure to facilitate small scale recycling and resource recovery technologies (e.g. reverse vending machines)
Commercial	Adopt minimum requirements to support effective management, separation and storage of waste and recycling Encourage assessment of opportunities for subdivision infrastructure to facilitate small scale recycling and resource recovery technologies (e.g. bio-digestion unit in commercial precinct)
Industrial	Encourage assessment of opportunities for subdivision infrastructure to facilitate small scale recycling and resource recovery technologies (e.g. bio-digestion unit in commercial precinct)

<sup>17</sup> Data captured from [Sustainability Victoria Waste projection model](#).

<sup>18</sup> Data captured from [Sustainability Victoria Waste projection model](#).

## Transport

### Integrated transport and land use planning provides important sustainability outcomes.

A more compact urban form and an integrated transport system that connects people to jobs and services and goods to market, contributes to reducing vehicle air emissions, supports more active transport choices, and helps reduce urban sprawl.

From a climate change perspective, transport contributed to almost 20% of Victoria's total net greenhouse gas emissions in 2017, second only to the electricity generation sector<sup>19</sup>. Road transportation (cars, heavy duty trucks and light commercial vehicles) generate 90% of these emissions<sup>20</sup>.

Despite an increase in public transport use since 1990 levels, cars remain the dominant mode of transport within Melbourne. There is an opportunity to significantly reduce the state's emissions through prioritising walking, cycling, public transport and use of low emission vehicles (e.g. electric vehicles).

Planning has a role in ensuring new developments provide appropriate parking, facilities, infrastructure and design responses to support more sustainable transport choices.

#### Active transport

The Victorian Government aims to increase the number, frequency and diversity of people using cycling for transport. Improved building design that makes cycling easier and more attractive for Victorians will help reduce road congestion and transport emissions, and improve population health outcomes.

Planning responses for new buildings and new subdivisions also support the implementation of the [Victorian Cycling Strategy](#) and [development of 20-minute neighbourhoods](#). The Victorian Cycling Strategy specifically identified that changes to the planning system are required to help achieve the strategy's goal of a safer, lower stress, and better connected cycling network in Victoria.

Key planning responses include recognising strategic cycling corridors, ensuring subdivision design supports safe and convenient bicycle routes, and improving cycling infrastructure in new buildings through updating development standards for bicycle parking and end of trip facilities. This would address the shortfall between existing standards and current demand in many locations.

#### Public transport

Plan Melbourne supports the role of compact, higher-density neighbourhoods to create demand for more sustainable transport options including public transport, walking and cycling, and to reduce overall travel time (Plan Melbourne Direction 2.1).

To support these positive changes, it is also vital to adequately consider the additional pressure new developments can put on the existing public transport system. By taking actions in the planning and design phase of new developments these effects can be better managed for the benefit of future and current residents.

The [Public Transport Guidelines for Land Use and Development](#) provide guidance on how new development can facilitate walking, cycling and public transport. This document was prepared in 2008 and is a reference document in the VPP.

These guidelines are currently undergoing review by the Department of Transport (DoT) and will provide clearer guidance for how new developments can best interact with the public transport system. The planning system ESD program will make appropriate amendments to the VPP to support these revised guidelines.

#### Low emission vehicles

Infrastructure Victoria's [Advice on automated and zero emissions vehicles](#) (2018) report noted that "the transition of the Victorian fleet to zero emissions technologies needs to be balanced with adequate planning for charging". It is estimated in the UK that the majority (around 80%) of all electric car charging happens at home. In its Road to Zero strategy the [UK Government](#) anticipates the need for every new home to have a charge point at the home will be "central to the future charging ecosystem"<sup>21</sup>.

<sup>19</sup> Department of Environment, Land, Water and Planning 2019, [Victorian Greenhouse Gas Emissions Report 2019](#)

<sup>20</sup> Department of Environment, Land, Water and Planning 2019, [Victorian Greenhouse Gas Emissions Report 2019](#)

<sup>21</sup> Department for Transport 2018, [The Road to Zero](#)


Department of Environment, Land, Water and Planning

The expense and complexity of retrofitting charging infrastructure into multi unit properties is identified as a challenge to Electric Vehicle (EV) uptake<sup>22,23</sup>. 'Future proofing' new residential and commercial (e.g. office and retail) developments by building in cable routes for future electric vehicle charge points, as is proposed in the UK, could achieve long run savings and help prepare our urban areas and residents for future changes in the vehicle fleet<sup>24</sup>.

Providing for daytime office and commercial EV charging is recognised as a potentially important means of stabilising the energy grid, by utilising energy during the day when solar energy generation is most abundant, avoiding a demand at night where there is greater reliance on non-renewable sources<sup>25</sup>.

Preparation for the widespread uptake of electric and low emission vehicles will require development of nationally consistent standards and associated electrical safety/infrastructure and building regulations to help support preparation for this transition.

Discussions with electricity distributors will also be necessary to ensure optimal integration of electric vehicles into our energy networks. The Victorian Government is currently preparing a [Zero Emissions Vehicle \(ZEV\) Roadmap](#) to be released in 2020. This will help inform any complementary planning system responses to support ZEV uptake.



Analysis of VPP ESD responses under consideration - TRANSPORT			
	Low emissions vehicles	Active transport	Public transport
→ Planning policy framework (PPF)	→ Provision of infrastructure to support low emission vehicles (inc. electric vehicles)	→ Clearer policy on bike parking and end of trip facilities for commercial and multi-residential development	→ (Comprehensively covered through existing policy)
Residential	Investigate design measures to support new multi-unit developments being EV ready	Review bicycle space allocation requirements and end of trip facility standards of clause 52.34	Review planning policy, tools and guidance to support sustainable and active transport outcomes for land use development
Commercial	Investigate design measures to support new developments being EV ready	Consideration of development interaction with strategic cycling corridors	
Industrial	Investigate measures to support new industrial developments being designed to be EV ready, where appropriate	Review planning policy, tools and guidance to support sustainable and active transport outcomes for land use development	

22 Commonwealth of Australia 2019, [Select Committee on Electric Vehicles report](#)

23 City Futures Research Centre 2019, [ELECTRIC AVENUE: Preparing the NSW planning system for electric vehicles](#)

24 Department for Transport 2019, [Electric Vehicle Charging in Residential and Non-Residential Buildings](#)

25 <https://reneweconomy.com.au/aemo-looks-at-role-of-rooftop-solar-to-help-manage-evs-on-the-grid-48314/>



**Landscaping and biodiversity**

*Biodiversity*

Victoria's biodiversity strategy - Protecting Victoria's Environment – Biodiversity 2037 recognises the crucial ecosystem services of the state's biodiversity, and makes clear that all Victorians have a role to play helping the state's biodiversity thrive. The strategy also highlights the human health benefits of contact with nature.

Incorporating green infrastructure in to our urban environments helps to create more liveable and climate-adapted communities. Parks, gardens, trees, backyards, green roofs, green walls and rain gardens help to mitigate urban heat, enhance urban biodiversity values, improve stormwater management, reduce wind speeds, enhance amenity values, and improve the physical and mental health of communities.

*Tree canopy*

Planning for the urban forest forms part of Plan Melbourne Implementation Plan Action 91 – A whole-of-government approach to cooling and greening Melbourne. A review of planning standards is a key part of the mix of actions needed to retain existing trees and increase our urban forest. Consultation about how we can strengthen the planning systems contribution to the urban forest is planned for early 2021 through the [Cooling and Greening Melbourne initiative](#).

DELWP has endorsed the [Living Melbourne – our metropolitan urban forest strategy](#) prepared by Resilient Melbourne. This is supported by local governments and other partners such as water authorities, Parks Victoria and catchment management authorities. This strategy will provide an important input to the planning system responses under development.



Analysis of VPP ESD responses under consideration - LANDSCAPING AND BIODIVERSITY		
	Tree canopy	Biodiversity
<b>Planning policy framework (PPF)</b>	→ Enhancing and protecting the urban forest, and supporting urban biodiversity	→ Contribute to protecting and enhancing urban biodiversity values
Residential	Suite of planning measures to support retaining and increasing urban tree cover as further developed through the forthcoming planning response to cooling and greening*	Consideration of measures to support urban biodiversity
Commercial		
Industrial		

*\*this would also comprise part of any required design response to urban heat (see Urban heat section)*

Department of Environment, Land, Water and Planning

### Urban heat

By 2050, Victoria is projected to experience a potential doubling of the number of hot days, that is days with a maximum temperature greater than the thresholds of 35°C, 38°C and 40°C for locations across Victoria<sup>26</sup>.

Extreme heat and heatwave events alone cost the Victorian economy an estimated \$87 million dollars every year due to work absenteeism, critical infrastructure damage, and negative effects on regional economies and businesses (especially the construction, agriculture and industrial sectors)<sup>27</sup>.

Higher, sustained temperatures also pose a direct health impact, especially when sustained overnight. Recent analysis<sup>28</sup> of Australian mortality rates between 2006 - 2017 has identified that most deaths related to temperature in Australia are caused by extreme heat, rather than extreme cold. During the 2009 heatwave in Victoria there was a 62% increase in the state's mortality rate<sup>29</sup>.

Note that separate work is underway in DELWP to examine planning responses to the elevated risks posed by climate change from natural hazards such as fire, flood, coastal inundation, erosion and landslides.

#### Urban heat amelioration

This increase in hot days and heatwaves is particularly felt in our urban environments. Urban heat islands occur when temperatures in built-up areas are considerably warmer than those of natural areas because of high amounts of impervious surfaces (buildings and paving), lack of vegetation and shade, and the heat released from human activities (e.g. transport, air conditioning). Implementing design measures in new developments such as providing more tree canopy cover, using 'cool' surfaces and materials on buildings (such as light coloured, high albedo pavements and roofs), providing shade devices and installing green roofs and walls, all help to reduce summer temperatures in urban areas and create healthier, more resilient communities.

A focus of these responses include planning and design measures to support a cooler environment around buildings where people congregate –such as residences, shopping centres, community facilities and places of work. These responses can also provide benefits for the energy efficiency of buildings, also reduce health risks during power outages.

Planning system actions responding to urban heat risks will also be informed by consultation to support the Cooling and Greening Melbourne initiative.



#### Analysis of VPP ESD responses under consideration - URBAN HEAT

##### Urban heat amelioration

##### Planning policy framework (PPF)

- Including urban heat reduction as part of responding to climate change impacts
- Supporting the provision and protection of urban tree canopy cover to help reduce urban heat

Residential

Commercial

Industrial

Guidance and new planning standards to reduce urban heat exposure (in addition to tree canopy cover), including cool paving and surfaces, shade devices and water sensitive urban design^

<sup>\*</sup> Complementing the suite of planning measures to support retaining and increasing urban tree cover as further developed through Action 91 Cooling and Greening project (see Landscaping section)

<sup>26</sup> Department of Environment Land Water and Planning 2019, [The economic impact of heatwaves in Victoria](#)

<sup>27</sup> Department of Environment Land Water and Planning 2019, [The economic impact of heatwaves in Victoria](#)

<sup>28</sup> Longden, T 2019, The impact of temperature on mortality across different climate zones, Climatic change 157, 221-242

<sup>29</sup> This was a 62% increase in total all-cause mortality. The total number of deaths was 980, compared to a mean of 606 for the previous 5 years. The greatest number of deaths occurred in those 75 years or older, representing a 64% increase. Department of Human Services 2009, January 2009 Heatwave in Victoria: an Assessment of Health Impacts.

**Air and noise pollution**

*Noise pollution exposure from transport corridors*

The [Victoria Freight Plan, Delivering the Goods](#) (2018) aims to “Ensure that all new buildings make use of new technologies and infrastructure to minimise freight-related noise and improve the safety and efficiency of deliveries”. This is reflected in [Plan Melbourne](#) Action 97: Guidelines for noise impact in new developments which seeks to ensure a “...focus on ensuring that new developments meet their responsibility of mitigating noise impacts such as those from transport, industry and entertainment”.

Noise exposure response standards have already been developed for apartments (Clauses 55.07-6/58.04-3), but consistent with practice interstate and internationally, there is strong evidence to support the benefits of applying similar requirements to other sensitive land-uses. Improving the glazing, seals and insulation of buildings to reduce sound exposure can also improve building energy efficiency<sup>30</sup>.

The control of noise from commerce, industry and entertainment venues is currently regulated by EPA state environment protection policies and guidelines<sup>31</sup>. Planning measures relating to threshold distances for industrial premises (Clause 53.10 Uses with Adverse Amenity Potential), zone controls, and

the planning provision for live music and entertainment noise (Clause 53.06) complement these controls. None of these mechanisms relate to siting and design responses for new sensitive uses exposed to noise from transport infrastructure.

*Air pollution exposure from transport corridors*

Plan Melbourne specifies that “air quality and noise impacts should be a fundamental consideration in the design and assessment of all new developments” (Direction 6.6). In addition, [Victoria's Air Quality Statement](#) identifies securing high air quality as a priority for the Victorian Government, particularly in locations with vulnerable communities.

The statement specifies “improving guidance on the location and design of sensitive uses (such as education, childcare and aged care facilities) exposed to significant road traffic emissions” as a potential action to be explored. Planning responses will examine suitable guidelines and standards to reduce exposure of new residential developments and other sensitive uses near transport corridors. This work will build on existing standards currently adopted in other states and internationally.



**Analysis of VPP ESD responses under consideration – AIR AND NOISE POLLUTION**

**Air and Noise pollution exposure from transport corridors**

→ Planning policy framework (PPF)	→ Recognising the impacts on human health from air and noise pollution exposure → Supporting use of siting, layout and design responses to minimise sensitive land use exposure to air and noise pollution from transport corridors
Residential	Extend apartment noise design standards to other residential developments and other noise sensitive land uses Implement siting and design standards to reduce impacts of air and noise pollution from transport corridors on building occupants
Commercial and Institutional	Implement noise and air pollution siting and design standards for sensitive land uses

<sup>30</sup> Huybregts N; Morphet, A; McIntosh, J (2013), Noise reduction and energy savings of standard sound insulation packages for the control of road traffic noise, Acoustics 2013 Conference, Victoria Harbour, Australia, 17-20 November 2013

<sup>31</sup> From 1 July 2021 the industry noise standards that apply in Victoria - State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1); and Noise from industry in regional Victoria: Recommended maximum noise levels from commerce, industry and trade premises in regional Victoria (NIRV) EPA publication 1411), and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2; will be replaced by measures outlined in [EPA Publication 1826](#). 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues'.

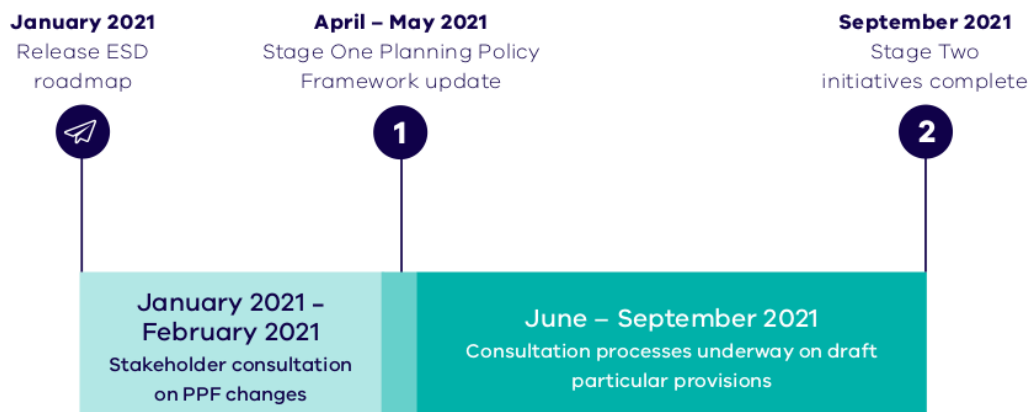


Department of Environment, Land, Water and Planning

## Next steps

This directions paper forms a step on the way to the development and implementation of a state wide ESD response for the planning system.

As these planning reforms are developed, consultation and input from stakeholders will be sought through both public consultation process, and through the development of a stakeholder reference group, to ensure the changes are clear, technically robust, fair and practical.





Department of Environment, Land, Water and Planning

## Appendix A

### Proposed VPP stage one reforms

#### *Planning Policy Framework changes*

The Planning Policy Framework is part of every Victorian planning scheme and comprises general principles for land use and development in Victoria and specific policies reflecting government policy for settlement, environment, housing, economic development, infrastructure, and particular uses and development. Planning authorities and responsible authorities must take account of and give effect to the general principles and the specific policies contained in the PPF.

The intended changes update the PPF to respond to government environmental policy relevant to the siting, design and performance of buildings and subdivisions. The amendments are indicated in [teal](#).

It is proposed that these updates will be included in a subsequent amendment to the Victoria Planning Provisions and all planning schemes, subject to drafting changes.



**01 PURPOSES OF THIS PLANNING SCHEME**

To provide a clear and consistent framework within which decisions about the use and development of land can be made.

To express state, regional, local and community expectations for areas and land uses.

To provide for the implementation of State, regional and local policies affecting land use and development.

To promote environmentally sustainable development.

Department of Environment, Land, Water and Planning

## 11 SETTLEMENT

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- Health, wellbeing and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of [environmental sustainability](#), urban design and amenity.
- Energy efficiency [and renewable energy adoption](#).
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.
- [Waste minimisation, resource recovery and waste management](#).
- [Climate change adaptation and mitigation](#).

Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

**11.01-1S****Settlement****Objective**

To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

**Strategies**

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.
- [Adopting integrated water management as part of settlement development.](#)

Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.



Department of Environment, Land, Water and Planning

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

[Plan for regional responses to climate change adaptation and mitigation.](#)

#### **Policy documents**

Consider as relevant:

- Central Highlands Regional Growth Plan (Victorian Government, 2014)
- G21 Regional Growth Plan (Geelong Region Alliance, 2013)
- Gippsland Regional Growth Plan (Victorian Government, 2014)
- Great South Coast Regional Growth Plan (Victorian Government, 2014)
- Hume Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee North Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee South Regional Growth Plan (Victorian Government, 2014)
- Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014)
- Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017)
- Plan Melbourne 2017-2050: Addendum 2019 (Department of Environment, Land, Water and Planning, 2019)
- [Applicable emission reduction pledges and adaptation action plans \(as specified under Part 5 of the Climate Change Act 2017\)](#)

**11.02-2S Structure planning****Objective**

To facilitate the orderly and sustainable development of urban areas.

**Strategies**

Ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.

Undertake comprehensive planning for new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.

Facilitate the preparation of a hierarchy of structure plans or precinct structure plans that:

- Take into account the strategic and physical context of the location.
- Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.
- Provide for the development of sustainable and liveable urban areas in an integrated manner.
- Assist the development of walkable neighbourhoods.
- Facilitate the logical and efficient provision of infrastructure.
- Facilitate the use of existing infrastructure and services.
- Protect areas of natural or cultural significance.
- Respond to the impacts of climate change.

Department of Environment, Land, Water and Planning

## 12 ENVIRONMENTAL AND LANDSCAPE VALUES

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, [Australia's Strategy for Nature 2019-2030](#), the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.



**12.01-1S Protection of biodiversity****Objective**

To assist the protection and conservation of Victoria's biodiversity.

**Strategies**

Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.

Strategically plan for the protection and conservation of Victoria's important areas of biodiversity.

Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:

- Cumulative impacts.
- Fragmentation of habitat.
- The spread of pest plants, animals and pathogens into natural ecosystems.

Avoid impacts of land use and development on important areas of biodiversity.

Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).

Assist in the identification, protection and management of important areas of biodiversity.

Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

Support land use and development that contributes to protecting and enhancing urban biodiversity values.

**Policy guidelines**

Consider as relevant:

- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

**Policy documents**

Consider as relevant:

- *Protecting Victoria's Environment – Biodiversity 2037* (Department of Environment, Land, Water and Planning, 2017)
- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)
- Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the *Catchment and Land Protection Act 1994*)

Department of Environment, Land, Water and Planning

**13.01-1S Natural hazards and climate change**

**Objective**

To minimise the impacts of natural hazards and adapt to the impacts of climate change.

**Strategies**

Consider the risks associated with climate change in planning and management decision making processes.

Identify at risk areas using the best available data and climate change science.

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.

Ensure planning controls allow for risk mitigation or risk adaptation strategies to be implemented.

Site and design development to minimise risk to life, [health](#), property, the natural environment and community infrastructure from natural hazards.

**13.01-3S Urban heat mitigation**

**Objective**

To reduce urban heat exposure through land use, built form and design responses.

**Strategies**

Green and cool urban areas, buildings, transport corridors and open spaces through use of vegetation, integrated water management and appropriate materials.

Support tree health and cool the urban environment through water sensitive urban design.

Department of Environment, Land, Water and Planning

### 13.05-1S Noise abatement

#### Objective

To assist in the control of noise pollution and minimise its effects on residential developments and other sensitive land uses.

#### Strategy

Ensure that human health and community amenity is protected, and that development is not adversely impacted by noise emissions, using a range of building design, urban design and land use separation techniques.

#### Policy documents

Consider as relevant:

- *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2*
- *State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 in metropolitan Melbourne*
- *Noise from industry in regional Victoria (Environment Protection Authority 2011)*
- *A Guide to the Reduction of Traffic Noise (VicRoads 2003)*



**13.06-1S Air quality management****Objective**

To assist in the protection and improvement of air quality.

**Strategies**

Ensure that land use planning and transport infrastructure provision contribute to improved air quality by:

- Integrating transport and land use planning to improve transport accessibility and connections.
- **Limiting air emissions, including dust.**
- Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres.
- Providing infrastructure for public transport, walking and cycling.

Ensure, wherever possible, that there is suitable separation between land uses that **pose a health and amenity risk** and sensitive uses.

**Minimise air pollutant exposure to occupants of residential development and other sensitive uses near transport infrastructure through suitable siting, layout and design responses.**

**Policy documents**

Consider as relevant:

- *State Environment Protection Policy (Air Quality Management)*
- *Recommended Separation Distances for Industrial Residual Air Emissions – Guideline (Environment Protection Authority, 2013)*

Department of Environment, Land, Water and Planning

## 15 BUILT ENVIRONMENT AND HERITAGE

Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

Planning should ensure all land use and development appropriately responds to its surrounding landscape and character; valued built form and cultural context.

Planning should protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

Planning should promote excellence in the built environment and create places that:

- Are enjoyable, engaging and comfortable to be in.
- Accommodate people of all abilities, ages and cultures.
- Contribute positively to local character and sense of place.
- Reflect the particular characteristics and cultural identity of the community.
- Enhance the function, amenity and safety of the public realm.

### Environmentally sustainable development

Planning must support development that is environmentally sustainable and:

- Respond to climate change impacts.
- Minimises greenhouse gas emissions.
- Conserves energy and water.
- Minimises waste generation and increases resource recovery.
- Supports human health and community wellbeing.
- Minimises detrimental impacts on the built and natural environment.

**15.01-2S Building design****Objective**

To achieve building design **and siting** outcomes that contribute positively to the local context, enhance the public realm **and support environmentally sustainable development**.

**Strategies**

Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.

Ensure development responds and contributes to the strategic and cultural context of its location.

Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.

Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

Ensure development is designed to protect and enhance valued landmarks, views and vistas.

Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.

**Encourage retention of existing vegetation and planting of new vegetation as part of new developments.**

Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.

**Ensure the layout and design of the development supports waste and resource recovery and the efficient use of water.**

**Improve the energy performance of buildings through siting and design measures that support:**

- **Cost effective compliance with energy performance standards in the National Construction Code.**
- **Passive design responses that minimise the need for heating and cooling.**
- **Adoption of renewable energy and storage technologies.**

**Policy documents**

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

Department of Environment, Land, Water and Planning

### 15.01-3S Subdivision design

#### Objective

To facilitate subdivisions that achieve attractive, safe, accessible, diverse and sustainable neighbourhoods.

#### Strategies

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing native habitat.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
- Reduce car dependency by allowing for:
  - Convenient and safe public transport.
  - Safe and attractive spaces and networks for walking and cycling.
  - Subdivision layouts that allow easy movement within and between neighbourhoods.
  - A convenient and safe road network.
- Being accessible to people with disabilities.
- Creating an urban structure and providing utilities and services that:
  - Responds to climate change hazards and contributes to reduction of greenhouse gas emissions.
  - Support resource conservation.
  - Support energy efficiency through urban layout and lot orientation.
  - Support the uptake of renewable energy technology, including microgrids and batteries.
  - Incorporate integrated water management.
  - Support waste minimisation and increased resource recovery.
  - Minimise exposure of sensitive uses to air and noise pollution.

#### Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

#### 44 Environmentally sustainable development of buildings and subdivisions Roadmap paper



[DELETED – content relocated or covered in other clauses]

**15.02-1S****Energy and resource efficiency****Objective**

To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions. **[15S, 15.01-2S, 15.01-3S]**

**Strategies**

Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development. **[19.01-1S, 19.01-2S, 19.03-3S, 19.03-5S]**

Promote consolidation of urban development and integration of land use and transport. **[18S, 18.01-1S]**

Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades. **[19.01-2S, 15.01-2S, 15.01-3S]**

Support low energy forms of transport such as walking and cycling. **[ 18.02-1S, 18.01-1S]**

Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation. **[13.01-3S]**

Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals. **[15.01-2S, 15.01-3S]**

Department of Environment, Land, Water and Planning

**16.01-2S Location of residential development**

**Objective**

To locate new housing in designated locations that offer good access to jobs, services and transport.

**Strategies**

Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.

Ensure residential development is located to support cost effective infrastructure provision and use, energy efficiency, water efficiency and public transport use.

Identify opportunities for increased residential densities to help consolidate urban areas.

**18.01-1S Land use and transport planning****Objective**

To create a safe and sustainable transport system by integrating land use and transport.

**Strategies**

Develop integrated and accessible transport networks to connect people to jobs and services and goods to market.

Plan urban development to make jobs and services more accessible by:

- Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
- Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
- Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.
- Focussing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities

Integrate public transport services and infrastructure into new development.

Improve transport links that strengthen the connections to Melbourne and adjoining regions.

**Policy documents**

Consider as relevant:

- *The Victorian Transport Plan* (Victorian Government, 2008)
- *Public Transport Guidelines for Land Use and Development* (Victorian Government, 2008)
- [Victorian Cycling Strategy 2018-28](#) (Department of Economic Development, Jobs, Transport and Resources, 2017)
- *Principal Public Transport Network 2017* (Department of Economic Development, Jobs, Transport and Resources, 2017)

Department of Environment, Land, Water and Planning

## 18.02-1S Sustainable personal transport

### Objective

To promote and support the use of low-emission forms of personal transport.

### Strategies

Ensure development and the planning for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations) provide opportunities to promote more walking and cycling.

Encourage the use of walking and cycling by creating environments that are safe and attractive.

Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.

Ensure cycling routes and infrastructure are constructed early in new developments.

Provide direct and connected pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Ensure cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) is planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles.

Require the provision of adequate bicycle parking and related end-of-trip facilities to meet demand at commercial buildings, multi-residential developments, education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.

Provide improved facilities, particularly storage, for cyclists at public transport interchanges, rail stations and major attractions.

Encourage building and subdivision layout and design responses that:

- Facilitate low emission forms of transport including walking and cycling.
- Include infrastructure for low emission vehicles (including electric vehicles).

### Policy documents

Consider as relevant:

- *Guide to Road Design, Part 6A: Paths for Walking and Cycling*
- *Victorian Cycling Strategy 2018-28* (Department of Economic Development, Jobs, Transport and Resources, 2017)



**18.02-2S Public Transport****Objective**

To facilitate greater use of public transport, promote increased development close to high-quality public transport routes and minimise car dependency.

**Strategies**

Maintain and strengthen passenger transport networks.

Connect activity centres, job rich areas and outer suburban areas through high-quality public transport.

Improve access to the public transport network by:

- Ensuring integration with walking and cycling networks.
- Providing end-of-trip facilities for pedestrians and cyclists at public transport interchanges.

Plan for bus services to meet the need for local travel.

Ensure development supports the delivery and operation of public transport services.

Plan for and deliver public transport in outer suburban areas that is integrated with land use and development.

Provide for bus routes and stops and public transport interchanges in new development areas.

**Policy documents**

Consider as relevant:

- *Public Transport Guidelines for Land Use and Development* (Victorian Government, 2008)
- *The Victorian Transport Plan* (Victorian Government, 2008)

Department of Environment, Land, Water and Planning

## 19 INFRASTRUCTURE

Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.

Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.

Planning of infrastructure should avoid or minimise environmental impacts and incorporate resilience to natural hazards, including future climate change risks.

Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

**19.01-1S Energy supply****Objective**

To facilitate appropriate development of energy supply infrastructure.

**Strategies**

Support the development of energy infrastructure in appropriate locations where it provides benefits to industry and the community and takes advantage of existing infrastructure.

Support achievement of greenhouse gas emission reduction targets under the *Climate Change Act 2017* and the transition to a low-carbon economy by adopting renewable energy and low emission technologies.

Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.

Department of Environment, Land, Water and Planning

#### 19.01-2S Renewable energy

##### Objective

To support the provision and use of renewable energy, and achievement of greenhouse gas emission reduction targets under the *Climate Change Act 2017* in a manner that ensures appropriate siting and design considerations are met.

##### Strategies

Facilitate renewable energy development in appropriate locations.

Protect energy infrastructure against competing and incompatible uses.

Develop appropriate infrastructure to meet community demand for energy services.

Set aside suitable land for future energy infrastructure.

Consider the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

Recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year.

##### Policy documents

Consider as relevant:

- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, March 2019)
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, August 2019)



**19.03-3S Integrated water management****Objective**

To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

**Strategies**

Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.

Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.
- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.

Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Ensure land is set aside for water management infrastructure at the subdivision design stage.

Minimise the potential impacts of water, sewerage and drainage assets on the environment.

Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

Support development that is water efficient and encourages use of alternative water sources.

Department of Environment, Land, Water and Planning

**Policy documents**

Consider as relevant:

- *State Environment Protection Policy (Waters of Victoria)*
- *Water for Victoria - Water Plan* (Victorian Government, 2016)
- *Urban Stormwater Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)
- *Guidelines for Environmental Management: Code of Practice - Onsite Wastewater Management* (Publication 891.4, Environment Protection Authority, 2016)
- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)

**19.03-5S Waste and resource recovery****Objective**

To reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.

**Strategies**

Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste and maximise opportunities for resource recovery.

Protect waste and resource recovery infrastructure against encroachment from incompatible land uses by ensuring buffer areas are defined, protected and maintained.

Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

Encourage technologies that increase recovery and treatment of resources to produce [high value, marketable end products](#).

Enable waste and resource recovery facilities to [be located in proximity to other related facilities and to materials' end-market destinations](#) to reduce the impacts of waste transportation and improve the economic viability of resource recovery.

Site, design, manage and rehabilitate waste disposal facilities in accordance with the *Waste Management Policy (Siting, Design and Management of Landfills)* (Environment Protection Authority, 2004).

Integrate waste and resource recovery infrastructure planning with land use and transport planning.

[Ensure developments provide for segregation, storage and collection of waste and recyclable materials.](#)

Encourage development that [provides for:](#)

- [Systems that support waste minimisation and increase resource recovery.](#)
- [Use of recycled and reusable materials where appropriate.](#)

**Policy guidelines**

Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

**Policy documents**

Consider as relevant:

- *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria, 2015)
- *Metropolitan Waste and Resource Recovery Implementation Plan* (Metropolitan Waste and Resource Recovery Group, 2016)
- *Waste Management Policy (Siting, Design and Management of Landfills)* (Environment Protection Authority, 2004)
- *Environment Protection (Industrial Waste Resource) Regulations 2009*
- *Best Practice Environmental Management Guideline (Siting, Design, Operation and Rehabilitation of Landfills)* (Environment Protection Authority, 2001)
- *Victorian Organics Resource Recovery Strategy* (Sustainability Victoria, 2015)
- *Designing, Constructing and Operating Composting Facilities* (Environment Protection

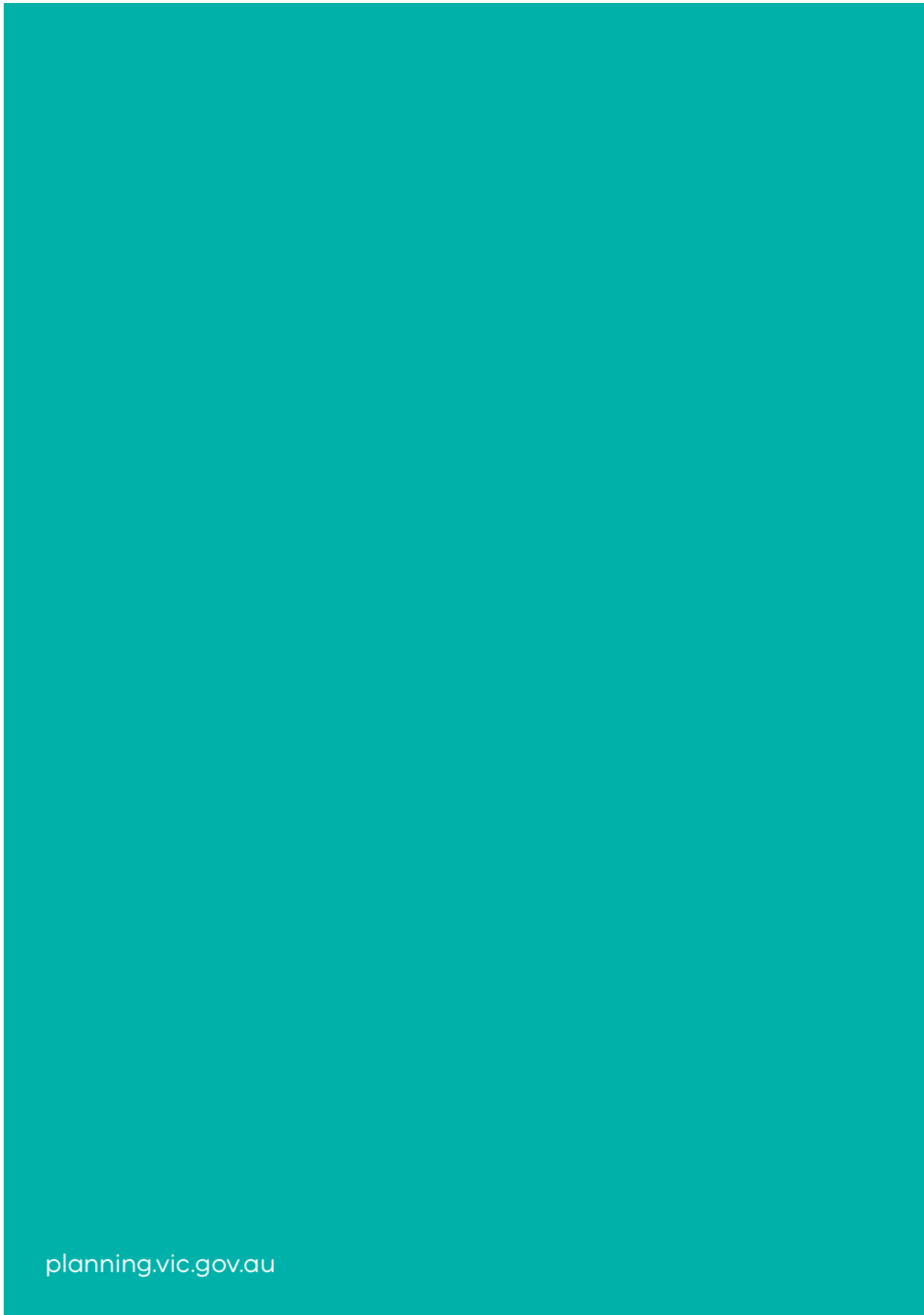
**Environmentally sustainable development of buildings and subdivisions Roadmap paper** 55

Department of Environment, Land, Water and Planning

Authority, 2015)

- *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019)
- *Recycling Victoria A New Economy* (Department of Environment, Land, Water and Planning, 2020)





planning.vic.gov.au



# **Councillor Code of Conduct**



## Code Details

<b>Procedure Title</b>	Councillor Code of Conduct
<b>Date of Adoption</b>	Date approved Council on (insert date)
<b>Responsible Department</b>	Governance department
<b>Legislative Context</b>	<p>Section 139 of the Local Government Act 2020 requires a council to develop a Councillor Code of Conduct.</p> <ol style="list-style-type: none"> <li>(1) A Council must develop a Councillor Code of Conduct.</li> <li>(2) The purpose of the Councillor Code of Conduct is to include the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors, including prohibiting discrimination, harassment (including sexual harassment) and vilification.</li> <li>(3) A Councillor Code of Conduct—             <ol style="list-style-type: none"> <li>(a) must include the standards of conduct prescribed by the regulations expected to be observed by Councillors; and</li> <li>(b) must include any provisions prescribed by the regulations for the purpose of this section; and</li> <li>(c) must include provisions addressing any matters prescribed by the regulations for the purpose of this section; and</li> <li>(d) may include any other matters which the Council considers appropriate, other than any other standards of conduct.</li> </ol> </li> <li>(4) A Council must review and adopt the Councillor Code of Conduct within the period of 4 months after a general election.</li> <li>(5) A Council must adopt the Councillor Code of Conduct under subsection (4) by a formal resolution of the Council passed at a meeting by at least two-thirds of the total number of Councillors elected to the Council.</li> <li>(6) Until a Council adopts a Councillor Code of Conduct under subsection (4), the Councillors must comply with the existing Councillor Code of Conduct.</li> <li>(7) A Councillor Code of Conduct is inoperative to the extent that it is inconsistent with any Act (including the Charter of Human Rights and Responsibilities Act 2006) or regulation.</li> </ol>
<b>Victorian Charter of Human Rights and Responsibilities Act</b>	<p>In developing this procedure, the subject matter has been considered to determine if it raises any human rights issues. In particular, whether the scope of any human right established under the Victorian Charter of Human Rights and Responsibilities Act 2006 is in any way limited, restricted or interfered with by the contents of this policy.</p> <p>It is considered that the Councillor Code of Conduct is consistent with the rights outlined in the Charter. The human rights most relevant to these procedures are the rights to:</p> <ul style="list-style-type: none"> <li>• Recognition and equality before the law (section 8)</li> <li>• Right to life (section 9)</li> <li>• Protection of privacy and reputation (section 13)</li> <li>• Your right to freedom of thought, conscience, religion and belief (section 14)</li> <li>• Your right to freedom of expression (section 15)</li> <li>• Right to protection of families and children (section 17)</li> </ul>
<b>Related Policies</b>	<ul style="list-style-type: none"> <li>• Council Expense Policy</li> <li>• Councillor and Staff Interaction Protocols</li> <li>• Fraud &amp; Corruption Control Plan</li> </ul>
<b>References</b>	<p>Model Code of Conduct NSW</p> <ul style="list-style-type: none"> <li>• Office of the Independent Assessor (LGAQ) – Social media guide for elected members</li> </ul>

## TABLE OF CONTENTS

A)		
B)		
C)		
D)	I	6
E)	2	6
F)		
G)	PART 1	7
H)	1	7
I.1	ROLES.....	7
I.2	COUNCILLOR / ORGANISATION RELATIONSHIP.....	8
I.3	ROLE OF A COUNCILLOR.....	8
I.4	ROLE OF THE MAYOR.....	9
I.5	ROLE OF THE DEPUTY MAYOR.....	10
I.6	ROLE OF THE CHIEF EXECUTIVE OFFICER .....	10
I)	2	11
J)		
K)	PART 2	13
L)	3	13
M)	4	16
4.1	COMMUNICATION AND DECISION MAKING .....	16
4.2	GIFTS, BENEFITS OR HOSPITALITY .....	16
4.3	CONFLICT OF INTEREST .....	17
4.4	USE OF COUNCIL RESOURCES .....	17
4.5	COUNCIL'S PLANNING PROCESS .....	18
4.6	INTERACTING WITH CHILDREN AND YOUNG PEOPLE .....	18
4.7	ELECTIONS.....	18
4.8	REPORTING UNETHICAL BEHAVIOUR .....	18
N)	5	19
5.1	MISUSE OF POSITION.....	19
5.2	DIRECTING A MEMBER OF COUNCIL STAFF .....	19
5.3	CONFIDENTIAL INFORMATION .....	20
O)		
P)	PART 3	21
6.1	SELF RESOLUTION .....	21
6.2	MAYORAL NEGOTIATION.....	21
6.3	EXTERNAL MEDIATION .....	22
Q)		
R)	PART 4	24
S)	7	24
T)	8	27



## I INTRODUCTION

As custodians of the City of Banyule, Councillors hold a unique and important role within Victoria. They have been democratically elected to provide leadership for the good governance of the municipality and the local community as recognised in the **Local Government Act 2020 (The Act)**. This Act describes how the Council will be accountable in the performance of its functions, the exercise of expected standards of conduct and behaviour and the use of resources.

The community expects its Council to provide fair, accurate and unbiased advice, to act responsively and to manage assets efficiently. To assist in meeting these expectations **section 139 of the Act** requires councils to adopt a code of conduct to be observed by Councillors.

Accordingly, Banyule City Council operates under two codes of conduct – one for Councillors and one for staff. The two codes are clearly linked, with common principles, but they also distinguish the expectations of Councillors as elected representatives, from those of staff who are employees of the Council.

## 2 PURPOSE AND COMMITMENT

At Banyule City Council, the elected Councillors are committed to work together in the best interests of the people within the Banyule municipality to the highest standard of behaviour and to discharge their responsibilities to the best of their skill and judgement.

As part of this commitment, all Councillors will adhere to conduct principles, values and behaviours outlined in the Councillor Code of Conduct (the Code). A commitment to working together constructively will enable the achievement of Banyule's vision in a manner that is consistent with the core values.

Councillors are committed to the Standards of Conduct outlined in this Code.

The Code sets out:

1. The Councillor Charter;
2. The Standards of Conduct; and
3. Dispute resolution processes.

## Part I Councillor Charter

---

### I KEY ROLES AND RESPONSIBILITIES

#### I.1 Roles

An understanding and agreement of the different roles within Council helps achieve good governance. The key roles are outlined below.

The Banyule City Council comprises nine Councillors who are democratically elected by the community, in accordance with the **Local Government Act 2020**.

The primary role of the Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Council must perform its role in accordance with the Overarching Governance Principles.

#### **Overarching governance principles and supporting principles**

- (1) A Council must in the performance of its role give effect to the overarching governance principles.
- (2) The following are the overarching governance principles—
  - (a) Council decisions are to be made and actions taken in accordance with the relevant law;
  - (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
  - (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
  - (d) the municipal community is to be engaged in strategic planning and strategic decision making;
  - (e) innovation and continuous improvement is to be pursued;
  - (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
  - (g) the ongoing financial viability of the Council is to be ensured;
  - (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
  - (i) the transparency of Council decisions, actions and information is to be ensured.
- (3) In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—
  - (j) the community engagement principles;
  - (k) the public transparency principles;
  - (l) the strategic planning principles;
  - (m) the financial management principles;
  - (n) the service performance principles.

## **1.2 Councillor / Organisation Relationship**

The Council of the City of Banyule consists of democratically elected Councillors (the electoral arm) and the organisation/staff (the operational arm).

Good governance is dependent on how well the relationship between the elected members and the organisation works, as well as mutual respect and understanding between Councillors and Officers in relation to their respective roles, functions and responsibilities.

Councillors need to be aware of the requirements of section 124 of The Act and must not intentionally direct, or seek to direct, a member of Council staff in the exercise of their duties. This provision also applies in respect of Officer reports presented to Council and on directing staff under delegation or as an Authorised Officer. It is important to note that section 124 applies to Councillors even when acting in a group outside formal Council or delegated committee meetings such as at Councillor Briefings (Assemblies of Councillors).

To achieve good governance, clear and effective communication protocols for Councillors and Council staff are essential. In accordance with the Banyule Councillor and Staff Interaction Protocols, the following applies to Councillor/Staff relationships:

- Acknowledgement that the CEO is responsible for all administrative and staff matters and that all staff are answerable to the CEO, therefore Councillors' primary point of communication should be with the CEO.
- Councillors will refrain from using their position to improperly influence members of staff in their duties or functions, or to gain an advantage for themselves or others.
- Councillors will treat staff in a professional and respectful manner at all times.
- Provide and maintain a working environment that is safe and without risks to health and take appropriate measures to eliminate discrimination, sexual harassment or victimisation so far as is reasonably practicable.
- Councillors seeking information on a specific matter should do so via the CEO or the relevant Director in accordance with the Councillor/Staff Interactions Protocols
- Contact with Managers is appropriate where Councillors are seeking clarification or further specific information on a particular matter.
- Councillors are to lodge resident or Councillor requests with the Executive Customer Support Officer for logging into the Customer Request Management (CRM) system.

## **1.3 Role of a Councillor**

A Councillor's role is to represent their community and advocate on their behalf. They are a valuable link between the community and Council and are key to facilitating communication with the community and encouraging engagement with the activities of Council.

There is an expectation that Councillors will make decisions that will benefit and be in the best long term interest of the whole community. Council has a statutory responsibility to represent all people who live, participate and invest within the municipality.

Councillors are responsible in establishing and maintaining the good governance of the Council.

Councillors determine Council policies and set the strategic direction of the Council. Councillors have a key advocacy and leadership role. Councillors appoint, manage and support

the Chief Executive Officer of the organisation to deliver the strategic objections of the Council. The CEO is responsible for management and administration. The organisation is responsible for the implementation of Council policy and decisions, service delivery and providing professional advice to Councillors.

Councillors collectively as a Council, have responsibility for:

- a) determining high level strategic directions, policy and service delivery programs;
- b) facilitating and encouraging the planning and development of the City;
- c) advocating on behalf of the local community to various stakeholders and governments;
- d) representing all citizens and creating a viable and sustainable future; and
- e) undertaking duties and responsibilities as authorised under The Act.

Councillors should not be involved in the operational decisions of the organisation or its services and, in adherence to The Act will not misuse their position to direct staff.

The Mayor is the leader who is required to provide guidance to Councillors in establishing and promoting appropriate standards of conduct

### Councillor Commitment

**As Councillors in good faith we undertake to comply with the various provisions of the Act and with this Code of Conduct.**

**We respect and recognise the role of the Mayor and will work co-operatively with the Mayor in the performance of the role.**

#### Section 28 Role of a Councillor

- (1) The role of every Councillor is—
  - (a) to participate in the decision making of the Council; and
  - (b) to represent the interests of the municipal community in that decision making; and
  - (c) to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.
- (2) In performing the role of a Councillor, a Councillor must—
  - (a) consider the diversity of interests and needs of the municipal community; and
  - (b) support the role of the Council; and
  - (c) acknowledge and support the role of the Mayor; and
  - (d) act lawfully and in accordance with the oath or affirmation of office; and
  - (e) act in accordance with the standards of conduct; and
  - (f) comply with Council procedures required for good governance.
- (3) The role of a Councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer.

#### 1.4 Role of the Mayor

The Mayor is the elected leader of the Council. A key role of the Mayor is to facilitate good relationships between Councillors, Councillors and the Chief Executive Officer and Executive Management Team. The Mayor sets the tone and style of behaviour, practice and projection of the Council working with, supporting and coordinating the team of Councillors.

The primary roles and responsibilities of the Mayor include: (section 18 LGA).

#### Section 18 Role of Mayor

- I. The role of the Mayor is to—
  - (a) chair Council meetings; and
  - (b) be the principal spokesperson for the Council; and
  - (c) lead engagement with the municipal community on the development of the Council Plan; and



- (d) report to the municipal community, at least once each year, on the implementation of the Council Plan; and  
 (e) promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct;  
 and  
 (f) assist Councillors to understand their role; and  
 (g) take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and  
 (h) provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and  
 (i) perform civic and ceremonial duties on behalf of the Council.

## 1.5 Role of the Deputy Mayor

The role of the Deputy Mayor is to give effective support to the Mayor and Councillors during the day-to-day function of Council.

The Deputy Mayor must undertake the role of the Mayor if:

- the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- the office of Mayor is vacant.

The Deputy Mayor will take responsibility for the internal resolution process when the matter relates to the Mayor.

## 1.6 Role of the Chief Executive Officer

The Chief Executive Officer (CEO) has a number of statutory responsibilities and is accountable to the Mayor and Councillors for delivering Council's strategies and services. The CEO is responsible for the operations of the Council, to provide professional, relevant and timely information and support to the Council.

**The Act** (section 46) identifies the functions of the Chief Executive Officer.

- (1) supporting the Mayor and the Councillors in the performance of their roles; and
- (2) ensuring the effective and efficient management of the day to day operations of the Council.

this responsibility includes the following—

- ensuring that the decisions of the Council are implemented without undue delay;
- ensuring that the Council receives timely and reliable advice about its obligations under this Act or any other Act;
- supporting the Mayor in the performance of the Mayor's role as Mayor;
- setting the agenda for Council meetings after consulting the Mayor
- when requested by the Mayor, reporting to the Council in respect of the implementation of a Council decision;
- carrying out the Council's responsibilities as a deemed employer with respect to Councillors, as deemed workers, which arise under or with respect to the Workplace Injury Rehabilitation and Compensation Act 2013.

### **Councillor Commitment**

**We undertake to respect the functions of the Chief Executive Officer and to comply with the policies, practices and protocols defining appropriate**

**arrangements for interaction between Council staff and Councillors that are put in place by the Chief Executive Officer.**

## 2 VALUES AND BEHAVIOURS

As community and civic leaders, Councillors commit to lead by example and promote the highest standard in the way Council business is conducted.

### Leadership

Councillors will strongly represent and advocate on behalf of the community and exercise courage in leadership and decision-making. Councillors will:

- a) welcome the opinions of the community and respect their right to be heard;
- b) champion issues on behalf of the community in a constructive and timely manner;
- c) advocate the interests of the local community to other communities and governments;
- d) take pride in representing the community and the municipality;
- e) make decisions based on the perceived best interests of the entire municipality;
- f) present Council as a cohesive and effective working unit;
- g) act without fear or favour.

### Responsibility

Councillors will actively and openly participate in Council decision-making processes and strive to achieve effective governance and the best outcome for the community. Councillors will:

- a) act and work in an open and transparent manner;
- b) act constructively and in ways that will not damage the Council, its reputation or its ability to exercise good governance;
- c) take ownership and personal responsibility;
- d) keep an open mind and consider all matters on their individual merits;
- e) ensure effective use of resources;
- f) follow through on commitments and act in a timely manner;
- g) comply with relevant legislation, regulation and policies and procedures;
- h) be prudent in the use of information that has been acquired in their role as a Councillor.

### Integrity

Councillors will always act with honesty and integrity and demonstrate high standards of professionalism. Councillors will:

- a) be open and honest in all dealings with the community, other Councillors and with Council staff;
- b) follow through on commitments;
- c) represent their views truthfully;
- d) support one another and staff if they are treated unfairly or without respect;
- e) be open to constructive feedback;
- f) accept responsibility for mistakes, treating them as a learning opportunity.

## Respect

Councillors will act in ways which support individual contribution and worth and strive to achieve healthy working relationships. Councillors will:

- a) treat members of the community with dignity and respect;
- b) treat fellow Councillors with respect at all times, even when disagreeing with their views or decisions;
- c) demonstrate mutual respect and understanding of the respective roles, functions and responsibilities of Councillors and Officers;
- d) listen and consider other ideas which may be different to their own;
- e) act with courtesy towards Council staff and avoid blame and comments which are offensive or derogatory;
- f) adopt a professional approach at meetings, being punctual, prepared and attentive;
- g) debate issues without resorting to personal acrimony or insult;
- h) recognise the achievement of others and celebrate success
- i) implement the following rules of engagement when in meetings:
  - ability to address issues and move on
  - don't talk over the top of others
  - avoid inappropriately using technology such as phones and tablets at meetings ie taking phones calls or typing while presentation occurring – unless utilising the technology to refer to relevant information and making notes
  - Mayor to ensure all Councillors adhere to the Rules of Engagement

## Inclusion

Councillors will value the contribution and individuality of others and commit to develop open and positive working relationships. Councillors will:

- a) foster community cohesion and encourage active participation in civic life;
- b) embrace each other's differences, values, culture and perspectives;
- c) commit to early advice and "no surprises";
- d) freely share information and knowledge with one another;
- e) cooperate, collaborate with and encourage others; and
- f) be objective and flexible and willing to compromise
- g) ensuring Council decisions are focussed on the best outcomes for the entire City

## Initiative

Councillors will aim to achieve continuous improvement in performance and the highest standards and outcomes for the City of Banyule. In doing so Councillors will:

- a) challenge the way things have been done in the past
- b) always look for better ways to work together and to achieve outcomes on behalf of the community;
- c) be result and outcome focused at all times;
- d) encourage a positive culture focused on results and high-quality customer service;
- e) strive to exceed community expectations;
- f) adopt straightforward and realistic approaches and minimize "red tape".
- g) acknowledge good results to staff when noticed

## Part 2 Councillor Conduct Standards

---

### 3 STANDARDS OF CONDUCT

The Act places obligations on Councillors in relation to way they should act. The Act also prohibits certain conduct by Councillors and prescribes penalties for Councillors who contravene these provisions.

The Councillor Conduct Framework is aimed at ensuring Councillors conduct themselves in accordance with standards expected. This includes the Values and behaviours Councillors collectively set and outlined in *the Code*.

Section 139 of the Local Government Act 2020 requires a Councillor code of conduct to include the standards of conduct prescribed by the regulations expected to be observed by Councillors.

#### I Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor—

- (a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the Equal Opportunity Act 2010; and
- (b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and
- (c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- (d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

#### Councillor Commitment

- I will respect and promote the human rights set out in the Charter of Human Rights and Responsibilities and understand how they apply to their work.
- I will contribute to ensuring that the workplace is an environment where people are treated fairly and with respect and are free from all forms of unlawful discrimination and inappropriate workplace behaviours, such as sexual harassment, victimisation, bullying, harassment and occupational violence.
- I will be fair, objective and respectful in their dealings with other Councillors, staff and the community.



## 2 Performing the role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—

- (a) undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and
- (b) diligently uses Council processes to become informed about matters which are subject to Council decisions; and
- (c) is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (d) represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

### Councillor Commitment

- I will perform my duties diligently, impartially and responsibly, acting in good faith and in the interest of Council and the community.
- I will refrain from any form of conduct which may cause a reasonable person unwarranted offence or embarrassment.
- I will show respect at all times when dealing with others, community, customers, other Councillors and staff at all levels. Any grievances or differences of opinion will be raised in an appropriate forum and in accordance with Council policies.

## 3 Compliance with good governance measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with the following—

- (a) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;
- (b) the Council expenses policy adopted and maintained by the Council under section 41 of the Act;
- (c) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;
- (d) any directions of the Minister issued under section 175 of the Act.

### Councillor Commitment

- I will act in accordance with the principles of good governance
- I will impartially exercise my responsibilities in the interests of the local community
- I will not improperly seek to confer an advantage or disadvantage on any person.

**4 Councillor must not discredit or mislead Council or public**

- (1) In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.
- (2) In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.

**Councillor Commitment**

- I will act honestly and avoid actions or conduct that will or are likely to mislead or deceive a person
- I will accept each individual's differences, values, culture and beliefs
- I will always listen to the views and ideas of other people

**5 Standards do not limit robust political debate**

Nothing in these standards is intended to limit, restrict or detract from robust public debate in a democracy.

**Councillor Commitment**

- I will contribute and debate items with respect in the Council Chamber
- I will accept the final Council decision

## 4 SPECIFIC COUNCILLOR CONDUCT OBLIGATIONS

### 4.1 Communication and Decision Making

As representatives of the community, Councillors have a primary responsibility to be responsive to community views and to adequately communicate the attitudes and decisions of Council.

There may be times when individual Councillors disagree with a majority decision of Council. Individual Councillors are entitled to express their own independent views, however, this should not be done in a way that reflects negatively on other individual Councillors or the Council as a whole.

Council will be open and transparent in its decision making and encourage community participation in Council Meetings.

To ensure constructive decision-making and communication of Council decisions, Councillors will:

- Commit to making all decisions impartially and in the best interests of the community
- Make fair and unbiased decisions by adhering to the principles of natural justice.
- Consider a person's interests which may be affected by a Council decision.
- Regularly attend meetings of Council, actively and openly participating in the decision-making process, striving to achieve the best outcome for the community.
- Seek approval of Council for leave of absence from council Meetings.
- Observe Council's Media Comment and Press release Guidelines.
- Respect the views of the individual in debate, however, also accept that decisions are to be based on a majority vote.
- Not make allegations which are personally offensive, derogatory or defamatory.
- Treat all matters on individual merit and base decision making on facts.

### Social media

Councillors need to ensure that the use of social media minimises exposure of Council and Councillors to legal and reputational risk.

When using social media councillors need to have at the forefront of their minds their obligations under the Code of Conduct. The Code of Conduct applies to online activity in the same way it does to other written or verbal communications. This means three key things:

1. Be respectful
2. Be fair and open minded
3. Be accurate

Appendix I provides guidelines for Councillors on the use of social media.

### 4.2 Gifts, Benefits or Hospitality

Councillors should avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment. Councillors must be aware of their responsibilities relating to Gifts, Hospitality & Donations. The Councillor Gifts Policy provides further guidance on Gifts including prohibited gifts.

### 4.3 Conflict of Interest

Each Councillor is required to identify, manage and disclose any conflicts of interest they may have. Councillors therefore recognise the importance of fully observing the requirements of *the Act* in regard to the disclosure of conflicts of interest and will comply with requirements of **The Act** in regard to conflicts of interest. Upon identifying a conflict of interest, Councillors will follow the procedures as set out in *The Act*.

In addition to the requirements of *The Act*, Councillors will:

- a) give early consideration and notify the Mayor as well as the Chief Executive Officer on whether a conflict of interest exists on any matter to be considered at a Council meeting/briefing, Delegated Committee or advisory committee of which the Councillor is a member.
- b) give consideration on whether a conflict of interest exists
- c) recognise that the legal onus to determine whether a conflict of interest exists rests entirely with each individual Councillor and the Council Officers cannot offer any advice in relation to potential conflicts. If a Councillor cannot confidently say that he or she does not have a conflict of interest, the Councillor will declare a conflict of interest and comply with the relevant requirements as if they had a conflict of interest;
- d) notify, as soon as possible, the Mayor or the Committee Chair if they consider that they are unable to vote on a matter because of a conflict of interest depending on whether the matter is to be considered by the Council or a delegated committee,

### 4.4 Use of Council Resources

At Banyule, Councillors recognise the need to exercise appropriate prudence in the use of Council resources and that they are used solely in the public interest. This includes:

- a) maintaining appropriate security over Council property, facilities and resources provided to assist them in performing their role; and adhering to any guidelines or policies that have been established for the use of Councillor resources and facilities
- b) not using public funds or resources in a manner that is improper or unauthorised;
- c) not using Council resources, including staff, equipment and/or intellectual property for electoral or other purposes;
- d) ensuring that all expense claims are accurate, are supported by the relevant documentation and strictly relate to Council business.

The Council Expense Policy provides further guidance on the use of council resources.



#### **4.5 Council's Planning Process**

Councillors must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion or situation where there may be a suspicion or perception of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

In exercising land use planning, development assessment and other regulatory functions, Councillors must ensure that no action, statement or communication between themselves and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

When proposing to meet with a planning permit applicant, either for the purpose of discussing the application or where the application is likely to become a topic of discussion, Councillors should seek a meeting via the Planning Manager/Co-ordinator to ensure a Council planning officer is present.

#### **4.6 Interacting with Children and Young People**

Council prides itself on being a child safe organisation and has zero tolerance for child abuse. Council adheres to the Victorian Child Safe Standards and related legislation.

Councillors must be aware of their responsibilities outlined in Council's Child Safe Policy and be clear about processes for reporting and acting on concerns or reports of abuse or neglect of a child.

Councillors will respect, listen to and promote the rights of children and ensure behaviour and interactions with children are age appropriate, respectful and adhere to the behavioural expectations outlined in the Child Safe standards.

#### **4.7 Elections**

Councillors are committed to fair and democratic Council elections and therefore adopts and endorses the practices and legislative requirements set out in Council's Election Period Policy incorporated in the Banyule Governance Rules and the LGA respectively.

##### State and Federal Elections

Councillors are required to follow any guidelines issued in relation to Candidature of Councillors in State or Federal Elections. These include the Municipal Association of Victoria's Policy position regarding Candidature of Councillors in State or Federal Elections or Local Government Victoria guidelines.

#### **4.8 Reporting Unethical Behaviour**

Councillors commit to upholding and promoting the highest standards in their day-to-day interactions. Councillors should report (to the relevant authority or person) behaviour that violates any law, rule or regulation or represents corrupt conduct, mismanagement of Council resources, misuse of position or is a danger to health, safety or to the environment.

## 5 IMPROPER CONDUCT

There are specific types of conduct that are expressly prohibited by *The Act*. Councillors acknowledge that, in many cases a breach of a specific provision in *The Act* may be subject to prosecution in a Court.

### 5.1 Misuse of position

Councillors acknowledge and agree to adhere to their responsibilities under **section 123** of *The Act*:

- (1) A person who is, or has been, a councillor or member of a delegated committee must not misuse their position –
- a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
  - b) to cause, or attempt to cause, detriment to the Council or another person.

An offence against section 123(1) is an indictable offence.

- (2) For the purposes of this section circumstances involving the misuse of a position by a person who is, or has been, a Councillor or member of a delegated committee include -
- a) making improper use of information acquired as a result of the position the person held or holds; or
  - b) disclosing information that is confidential information; or
  - c) directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or
  - d) exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or
  - e) using public funds or resources in a manner that is improper or unauthorised; or
  - f) participating in a decision on a matter in which the person has a conflict of interest.

This section:

- a) has effect in addition to, and not in derogation from, any Act or law relating to the criminal or civil liability of Councillors or members of delegated committees; and
- b) does not prevent the institution of any criminal or civil proceedings in respect of that liability.

### 5.2 Directing a member of Council staff

Councillors must not use their position to influence Council staff in the performance of their public or professional duties to obtain a private benefit for themselves or for somebody else.

Councillors must not take advantage (or seek to take advantage) of their status or position with or of functions they perform for Council in order to obtain a private benefit for themselves or for any other person or body.

Councillors acknowledge and agree to comply with their obligations in regard to improper direction and improper influence section 124 of *The Act*.

**Notes****Section 124 Directing a member of Council staff**

A Councillor must not intentionally direct, or seek to direct, a member of Council staff:

- (a) in the exercise of a delegated power, or the performance of a delegated duty or function of the Council; or
- (b) in the exercise of a power or the performance of a duty or function exercised or performed by the member as an authorised officer under this Act or any other Act; or
- (c) in the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under another Act; or
- (d) in relation to advice provided to the Council or a delegated committee, including advice in a report to the Council or delegated committee.

Penalty: 120 Penalty units

### 5.3 Confidential information

Councillors have access to council information necessary for them to carry out their roles properly. However, a Councillor must remain impartial and must not use council information to gain advantage for themselves or any other person. Information is 'confidential' for the purposes of *the LGA* if it is:

- provided for a closed council or delegated committee meeting;
- designated confidential by resolution of a council or delegated committee; and
- designated confidential by the CEO

Information discussed at a closed meeting is confidential. Unless the information is already publicly available, Councillors must not talk about anything discussed at the meeting with people who were not present. (section 125 of the LGA).

---

## Part 3 Dispute Resolution

---

**Councillors have an individual and collective responsibility to try every avenue possible to resolve such disputes in house and from allowing them to escalate further.**

This dispute resolution procedure is intended to be used:

1. when Councillors have been unable to resolve an interpersonal conflict and where the situation is unduly affecting the operation of the Council or
2. to manage complaints or concerns regarding the behaviour of Councillors from the public or Council staff.

It is not intended to resolve differences in policy or decision-making, which are appropriately resolved through discussion and voting in Council and Committee Meetings.

Where the dispute arises from a complaint generated by a member of the public or Council staff, access to the dispute resolution process under this Code is only possible where a Councillor or group of Councillors takes up the complaint about another Councillor on behalf of the complainant.

Banyule City Council's grievance resolution procedure comprises four components, namely:

- 1) Self Resolution
- 2) Mayoral Negotiation
- 3) External Mediation
- 4) Request for Councillor Conduct Panel

### 6.1 Self Resolution

Councillors must take personal responsibility and endeavour to resolve their differences in an informal, but at all times, courteous and respectful manner, recognising that they have been elected to represent the best interests of the community.

### 6.2 Mayoral Negotiation

If the informal resolution process between the Councillors is unsuccessful, the Mayor should be involved as soon as practically possible to convene a meeting of the parties.

A dispute referred for Mayoral negotiation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of the Councillor Code of Conduct.

The party requesting the Mayoral negotiation meeting is to provide the Mayor with the name of the other Councillor and the details of the dispute in writing. The written request is to indicate that it is for a "Mayoral negotiation" dispute resolution process. Where the request relates to an alleged contravention of the Councillor Code of Conduct, the request must:



- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the request is made by a group of Councillors; and
- be signed and dated by the requestor or the requestor's representative.

Within 5 working days of receipt of the complaint, the Mayor will:

- provide written acknowledgment of receipt of the complaint to the Complainant;
- provide a copy of the complaint to the Councillor concerned; and
- attempt to facilitate a resolution and convene a meeting

The Mayor may call upon the Councillor Conduct Officer (CCO)<sup>1</sup> for advice and guidance at this point in the process.

The role of the Mayor at the meeting is to provide guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 28 of the Act, and the observation of the Councillor Standards of Conduct and the Councillor Code of Conduct.

The Mayor is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to external mediation.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the parties should progress to external mediation.

### **6.2.1 Dispute between Councillors and the Mayor**

In the event that the dispute involves the Mayor, the Deputy Mayor or other Councillor nominated by Council resolution will perform the role of the Mayor in facilitating discussions between the parties in dispute and liaising with the CCO.

### **6.3 External Mediation**

If reconciliation of the dispute is not possible after Mayoral negotiation, it is the responsibility of the Mayor to seek assistance from an external mediator to resolve the dispute, preferably with the active support of the parties to the dispute, who must be informed of such a decision in any circumstance.

A Councillor or a group of Councillors may make an application for a dispute to be referred for external mediation whether or not the dispute has been the subject of an application for "self resolution".

---

<sup>1</sup> The appointed Councillor Conduct Officer is the Manager Governance & Communication.

The applicant is to submit a written application to the CCO setting out the name of the Councillor and the details of the dispute. The application is to indicate that the application is for an “external mediation”. Where the application relates to an alleged contravention of the Councillor Code of Conduct, the application must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the application is made by a group of Councillors; and
- be signed and dated by the applicant or the applicant’s representative.

The applicant is to notify the other party of the request and provide him or her with a copy of the application either at the same time that it is submitted to the CCO or as soon as practical thereafter.

The CCO is to ascertain (in writing) whether or not the other party is prepared to attend an “external mediation”. If the other party declines to participate in an external mediation, he or she is to provide their reasons for doing so in writing to the Councillor Conduct Officer. These reasons may be taken into account if the matter is, subsequently, the subject of an application for a Councillor Conduct Panel.

When the other party declines to participate in an external mediation, this does not constitute a contravention of this Councillor Code of Conduct.

If the other party agrees to participate in an external mediation, the CCO is to advise the applicant, the Mayor and Chief Executive Officer immediately.

The CCO is to engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

The mediator is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the applicant has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

## PART 4 BREACHES OF THE PRESCRIBED STANDARDS OF CONDUCT

### 7 Internal Arbitration process

#### Section 141 – Internal Arbitration Process

- (1) The internal arbitration process applies to any breach of the prescribed standards of conduct.
- (2) The following applies to an internal arbitration process—
  - (a) any processes prescribed by the regulations, including any application process;
  - (b) the arbiter must ensure that parties involved in internal arbitration process are given an opportunity to be heard by the arbiter;
  - (c) the arbiter must ensure that a Councillor who is a party to an internal arbitration process does not have a right to representation unless the arbiter considers that representation is necessary to ensure that the process is conducted fairly;
  - (d) any requirements prescribed by the regulation

#### 7.1 Making an Application

An application for an internal arbitration process to make a finding of misconduct against a Councillor may be made by—

- the Council following a resolution of the Council; or
- a Councillor or a group of Councillors.

An application under section 143 of the Act must be made within 3 months of the alleged misconduct occurring.

An application under section 143 must be given to the Principal Councillor Conduct Registrar in the manner specified by the Principal Councillor Conduct Registrar in any guidelines published under section 149(1)(c).

The prescribed process for an application for internal arbitration must include:

- the name of the Councillor alleged to have breached the standards of conduct; and
- the clause of the standards of conduct that the Councillor is alleged to have breached; and
- the misconduct that the Councillor is alleged to have engaged in that resulted in the breach; and
- after receiving an application under section 143 of the Act, the Councillor Conduct Officer provides the application to the Councillor who is the subject of the application.

An arbiter appointed to hear a matter subject to an application must:

- (a) conduct the hearing with as little formality and technicality as the proper consideration of the matter permits; and
- (b) ensure that the hearing is not open to the public.

An arbiter—

- (a) may hear each party to the matter in person or solely by written or electronic means of communication; and
- (b) is not bound by the rules of evidence and may be informed in any manner the arbiter sees fit; and
- (c) may at any time discontinue the hearing if the arbiter considers that
  - (i) the application is vexatious, misconceived, frivolous or lacking in substance; or

- (ii) the applicant has not responded, or has responded inadequately, to a request for further information.

## **7.2 Principal Councillor Conduct Registrar must examine application**

- (1) The Principal Councillor Conduct Registrar, after examining an application under section 143, must appoint an arbiter to the Council to hear the matter if the Principal Councillor Conduct Registrar is satisfied that—
- (2)
  - (a) the application is not frivolous, vexatious, misconceived or lacking in substance; and
  - (b) there is sufficient evidence to support an allegation of a breach of the Councillor Code of Conduct as specified in the application.
- (3) The Principal Councillor Conduct Registrar must reject an application if the Principal Councillor Conduct Registrar is not satisfied under subsection (1)(a) or (b).
- (4) The rejection of an application by the Principal Councillor Conduct Registrar under this section does not prevent a further application being made under section 143 in respect of the same conduct by a Councillor that was the subject of the rejected application.
- (5) Information provided to an arbiter or produced by an arbiter for the purpose of an internal arbitration process, other than the findings and the reasons, is confidential information.

## **7.3 Arbiter must refer certain applications**

- (1) If, at any time before, during or after the hearing of an application for an internal arbitration process, the arbiter believes that the conduct that is the subject of the application for an internal arbitration process appears to involve serious misconduct and would more appropriately be dealt with as an application under section 154, the arbiter must refer the matter in writing to the Principal Councillor Conduct Registrar.
- (2) If the Principal Councillor Conduct Registrar receives a referral under subsection (1), the Principal Councillor Conduct Registrar must notify the parties to the application for an internal arbitration process that the matter has been referred by the arbiter.

## **7.4 Sanctions that may be imposed by an arbiter on finding of misconduct**

- (1) If after completing the internal arbitration process, the arbiter determines that a Councillor has failed to comply with the prescribed standards of conduct, the arbiter may make a finding of misconduct against the Councillor.
- (2) If an arbiter has made a finding of misconduct against a Councillor, the arbiter may do any one or more of the following—
  - (a) direct the Councillor to make an apology in a form or manner specified by the arbiter;
  - (b) suspend the Councillor from the office of Councillor for a period specified by the arbiter not exceeding one month;
  - (c) direct that the Councillor be removed from any position where the Councillor represents the Council for the period determined by the arbiter;

- (d) direct that the Councillor is removed from being the chair of a delegated committee for the period determined by the arbiter;
  - (e) direct a Councillor to attend or undergo training or counselling specified by the arbiter.
- (3) The arbiter must provide a written copy of the arbiter's decision and statement of reasons to—
  - (a) the Council; and
  - (b) the applicant or applicants; and
  - (c) the respondent; and
  - (d) the Principal Councillor Conduct Registrar.
- (4) Subject to subsection (5), a copy of the arbiter's decision and statement of reasons must be tabled at the next Council meeting after the Council received the copy of the arbiter's decision and statement of reasons and recorded in the minutes of the meeting.
- (5) If the arbiter's decision and statement of reasons contains any confidential information, the confidential information must be redacted from the copy tabled under subsection (4).

## **8 No Applications during Election Period**

An application cannot be made for an internal resolution procedure during the election period for a general election. Any internal resolution procedure that is in progress is to be suspended during the election period for a general election.

If the respondent to an application for an internal resolution procedure is not returned to office as a Councillor in the election, the application lapses. If the respondent is returned to office in the election, the application may resume if:

- the application was made by the Council and the Council so resolves; or
- the application were made by a group of Councillors and any one (or more) of those Councillors who has been returned to office wishes to proceed with the application; or
- the applicant (individual Councillor) is returned to office and wishes to proceed with the application.

## **8**



## Request for Councillor Conduct Panel

The Principal Councillor Conduct Registrar<sup>2</sup> manages the establishment of Councillor Conduct Panels.

All applications (supported with evidence) to establish a panel to hear allegations of misconduct or serious misconduct must go to the registrar. The panel must be established if the registrar is satisfied that the application is not frivolous or misconceived or lacking in substance, is supported by evidence and council processes have been fully exhausted or are not appropriate.

### Notes Section 154 Application to Councillor Conduct Panel

- (1) A Councillor Conduct Panel may hear an application that alleges serious misconduct by a Councillor.
- (2) Subject to subsection (4), an application for a Councillor Conduct Panel to make a finding of serious misconduct against a Councillor may be made by—
  - (a) the Council following a resolution of the Council to make an application to a Councillor Conduct Panel under this subsection in respect of a Councillor's conduct; or
  - (b) a Councillor or a group of Councillors; or
  - (c) the Chief Municipal Inspector.
- (3) An application under subsection (2) must be made within 12 months of the alleged serious misconduct occurring.
- (4) An application for a Councillor Conduct Panel to make a finding of serious misconduct against a Councillor that alleges that the Councillor has failed to disclose a conflict of interest may only be made by the Chief Municipal Inspector.
- (5) An application made under this section must be given to the Principal Councillor Conduct Registrar in the manner specified by the Principal Councillor Conduct Registrar in any guidelines published under section 149(1)(n).
- (6) An application made under this section must—
  - (a) specify the ground or grounds for the application; and
  - (b) set out—
    - (i) the circumstances, actions or inactions of the Councillor who is the subject of the application that are alleged as constituting serious misconduct; and
    - (ii) the particulars of any evidence of those circumstances, actions or inactions of the Councillor that are alleged as constituting the serious misconduct; and
  - (c) specify—
    - (i) any steps taken by Council to resolve the matter that is the subject of the application and the reason why the matter was not resolved by the taking of those steps; or
    - (ii) if the Council did not take any steps to resolve the matter that is the subject of the application, the reason why the Council did not take any steps to resolve the matter.
- (7) If an application is made under this section by the Council or a group of Councillors, the application must state the name and address of the Councillor whom the Council or the group of Councillors has appointed as representative of the Council or the group of Councillors.

<sup>2</sup> The registrar is appointed by the Secretary to the Department

## APPENDIX I MEDIA & SOCIAL MEDIA

Clear standards and guidelines are in place that outline the appropriate use of media and social media channels by councillors, staff and contractors. This supports compliance with legislation and staff and councillor Codes of Conduct and protects the reputation of councillors and Council.

The Code of Conduct applies to online activity to ensure such activity does not reflect adversely on the role of a Councillor and as a leader in your community. Online conduct that breaches the Code of Conduct is considered inappropriate conduct.

This includes behaving in a way which contradicts the Governance Overarching principles, Standards of Conduct and values outlined in the Code of Conduct. This could include replying to comments in a way which doesn't show respect or misrepresents Council or a Councillor's actions or activity.

### Media Comment & Press Release

The Communications Unit are responsible for maintaining Council's Corporate Facebook page, and Twitter and Instagram profiles. A separate Facebook account also exists for the Mayor of Banyule and is managed by the Communications unit on behalf of the Mayor as required. More information can be found in the Media Comment & Press Release Guidelines.

### Use of Social Networking Sites

The Communications Unit are responsible for maintaining Council's Corporate Facebook page and Twitter pages and manages the social media on behalf of the Mayor.

The use of social and professional networking media (such as LinkedIn, Facebook, Twitter and YouTube) offers opportunities for people to collaborate in online forums and communities that share common interests and share or consume content. Councillors, as social media users, need to understand that information provided by them or their representatives can be seen by the public.

When engaging in social media networking, Councillors need to be clear about who they are representing, taking responsibility for ensuring that any references to Council are authorised, factually correct and accurate, do not breach confidentiality requirements, and show respect for the individuals and communities with which they interact. Comments and information should not breach the Councillor Code of Conduct or this policy.

The use of Council branding or information on Councillors personal websites or social media is not permitted.

Councillors should not endorse any political affinity or allegiance using a Council email address or Council social media applications e.g. Facebook, LinkedIn or Twitter etc.

Sharing of content posted on corporate communications channels is appropriate, however Councillors must ensure that any additional commentary added as part of sharing complies with the requirements and principles of this policy.

### Conduct Provisions for use of social media

#### Conduct

- That you do not attempt to unduly influence other councillors, council staff or contractors or undermine public confidence in the processes of council.
- That you are alert to the possibility that personal comments about public issues may compromise your capacity to perform your duties in an independent and unbiased manner.
- That you ensure your comments do not indicate that you have come to a conclusive view on a matter coming before council, prior to fully considering the proposal and related issues

- That you ensure that your comments do not reflect adversely on the reputation of council and/or local government more generally.
- That you do not directly and unnecessarily criticise other councillors or council employees in order to undermine their position.
- Do not commit Council to actions or undertakings.
- Be mindful of anti-discrimination laws and do not publish statements or information which may be discriminatory.
- Do not publish information or make statements which you know to be false or may reasonably be taken to be misleading or deceptive.

### **Privacy, Disclosure & Confidentiality**

- You need to maintain confidentiality of local government information you have access to that is not publicly available.
- Only discuss publicly available information.
- Do not disclose confidential information, internal discussions or decisions of Council, employees or third parties.
- This includes publishing confidential, personal or private information where there is sufficient detail for potential identification of councillors, Council staff or third parties.
- Be sensitive to the privacy of others. Seek permission from anyone who appears in any photographs, video or other footage before sharing these via any form of social media. If asked to remove materials do so as soon as practicable.

### **Election Period**

- During an election period, Councillors are required to comply with the Banyule Election Period Policy.

### **Handling complaints**

- Sometimes comments made by members of the public on social media may cross into territory where the individual may be appearing to be making a complaint about either you, another councillor or the council.
- Councillors are required to pass on complaints to Council so they may be responded in accordance with Council's Complaint Handling Policy.

### **Opinion**

- Clearly separate personal opinions and be mindful of Council's Code of Conduct when discussing or commenting on Council matters. In general, don't express personal opinions using Council # tags or other identifications.
- Only where this is not possible, consider using a formal disclaimer to separate official council positions from personal opinions and distance council from comments made by public and other outside interests.

### **Intellectual Property**

- Seek permission from the creator or copyright owner, to use or reproduce copyright material including applications, audio tracks (speeches, songs), footage (video), graphics (graphs, charts and logos), images, artwork, photographs, publications or music.
- Also seek permission before publishing or uploading material in which the intellectual property rights, such as Trade Marks, are owned by a third party e.g. company logos.
- Seek permission from the website's owner wherever possible before linking to another site (including a social media application).

### **Defamation**

- Do not comment, contribute, create, forward, post, upload or share content that is malicious or defamatory.
- This includes statements which may negatively impact the reputation of another.

## APPENDIX 2 ADDITIONAL CONDUCT PROVISIONS

Further to the above statutory requirements, Councillors will obey the law, relevant regulations, policies and procedures including the following:

- a) **Equal Opportunity Act 2010** - refrain from discriminating, harassing or bullying other people and using offensive language in their capacity as a Councillor.
- b) The **Charter of Human Rights and Responsibilities 2006** - to act compatibly, give proper consideration and take human rights into account when making decisions
- c) **Occupational Health and Safety Act 2004** - have regard to the principles of health and safety. Councillors have the status of employees under the OH&S Act and should ensure that they contribute to a healthy and safe workplace. Councillors should be particularly mindful of this in their interactions with Council Officers.
- d) **Privacy & Data Protection Act 2014** - recognise the requirements of the regarding access, use and release of personal information which also applies to Councillors as individuals and the **Banyule Privacy Policy**
- e) **Governance Local Law No. 2 (2015)** – regulates proceedings at Council Meetings and Special Committee Meetings; regulate the use of the common seal; and prohibit unauthorised use of the common seal or any device resembling the common seal.
- f) **Governance Rules** (incorporating Election period Policy) – provides guidelines for the election of the Mayor, the role of the Mayor, the procedures governing the conduct of Council Meetings and set the rules of behaviour for those participating in or present at Council Meetings, provides for Conflict of Interest declaration processes and conduct during an election period.
- g) **Councillor and Staff Interaction Protocols** – provides clarity surrounding Councillor and staff obligations and responsibilities in dealings with each other, and supports the Chief Executive Officer in the discharge of obligations and responsibilities pursuant to *Local Government Act 2020*
- h) **Council Expense Policy** - providing guidelines in respect of administrative procedures and reimbursement of necessary out of pocket expenses incurred while performing duties as a Councillor or delegated committee member.
- i) **Councillor Gift Policy provides** clear guidelines to ensure that Councillors, staff and contractors are not compromised in the performance of their duties by accepting gifts or benefits which may result in a sense of obligation or could be interpreted as an attempt to influence.
- j) **Media Comment and Press Release Guidelines** - management of media contact, and to ensure Council's corporate image is maintained and promoted, the Mayor is the principal spokesperson of Council and is given first opportunity to be spokesperson in relation to Council positions, policies and decisions and issues pertaining to municipal wide decisions, initiatives and advocacy.
- k) **Social Media Policy and Guidelines** – provides guidelines of use for the management of social media whilst ensuring Council's corporate brand and reputation is maintained and promoted.
- l) **Records Information Management Policy** - recognises the regulatory recordkeeping requirements under the *Public Records Act 1973*. Information created by Councillors, whilst acting in an official capacity as a Councillor, must be kept as a record and registered into the record keeping system.

---

### Charter of Human Rights Assessment

This policy is compatible with the human rights protected by the *Charter of Human Rights and Responsibilities 2006*.

**COUNCIL ADOPTION**

This Code of Conduct was adopted at the Council Meeting of the Banyule City Council held on  
xxxx

All Councillors made a written declaration witnessed by the CEO that they have read the  
Councillor Code of Conduct and declared to abide by the Code at all times.

Cr Rick Garotti ..... Dated:  
Mayor

Cr Tom Melican ..... Dated:  
Deputy Mayor

Cr Alison Champion ..... Dated:

Cr Peter Dimarelos ..... Dated:

Cr Peter Castaldo ..... Dated:

Cr Mark Di Pasquale ..... Dated:

Cr Elizabeth Nealy ..... Dated:

Cr Fiona Mitsinikos ..... Dated:

Cr Alida McKern ..... Dated:



## HUMAN RIGHTS CHARTER – ASSESSMENT OF COMPATIBILITY

In accordance with section 28 of the Charter of Human Rights and Responsibilities, this statement of compatibility is made with respect to Banyule City Councillor Code of Conduct.

### Human Rights Assessment

The Code of Conduct supports and enhances of the Charter of Human Rights and Responsibilities, in particular:

Section	Right	How supports and enhances
8	<b>Recognition and equality before the law</b>	<p>Every Councillors and person employed with or acting on behalf of Banyule City Council has a responsibility to understand their important and specific role, individually and collectively, to ensure the wellbeing and safety of the community.</p> <p>The Councillor Code of Conduct outlines the values of the workplace. The code promotes positive work practices and provide expectations about the behaviour, relationships and responsibilities of Councillors to each other, staff and the community to protect against discrimination.</p> <p>The new Standards of conduct incorporated in the revised code support this right.</p>
9	<b>Right to life</b>	<p>Banyule City Council is committed to the safety and wellbeing of children and the prevention of child abuse. Reducing and removing the risk of child abuse will be at the centre of our decision-making concerning children in our organisation</p>
13	<b>Protection of privacy and reputation</b>	<p>The additional conduct provisions for Councillors to recognise the requirements of the Privacy &amp; Data Protection Act, Banyule's Privacy Policy and Records Information Management Policy regarding access, use and release of personal information, which also applies to Councillors, further enhances this right.</p>
17	<b>Right to protection of families and children</b>	<p>The new clause demonstrates Council's commitment on preventative, proactive &amp; participatory stance on child safety.</p> <p>It also demonstrates the commitment of the organisation; its leaders to child safety and details Council's approach to creating a child safe organisation that is consistent with the Child Safe Standards.</p>
14 & 15	<b>Your right to freedom of thought, conscience, religion and belief and Your right to freedom of expression</b>	<p>The Code enhances and further protects this right by the addition of these clauses in the conduct provisions:</p> <ul style="list-style-type: none"> <li>• Treating all people with courtesy and respect, recognising that there are legitimate differences in opinions, race, culture, religion, language, gender and abilities.</li> <li>• Not making allegations which are personally offensive, derogatory or defamatory.</li> </ul> <p>The inclusion of the additional conduct provisions for Councillors to recognise the requirements of the Equal Opportunity Act 1995, and to refrain from discriminating, harassing or bullying other people and using offensive language in their capacity as a Councillor, along with the conduct provisions above, further enhances these rights.</p>

	What human rights are impacted?	Will any person feel their rights are limited and why?	What are the interests you have to balance?	Is the limitation reasonable?	What practical solutions are available to reduce the limitation?
3	<b>Protection of privacy and reputation (section 13)</b>	<p><b>YES</b></p> <p>Reporting of unethical behaviour and reporting of Child abuse.</p> <p>The person the subject of the report may feel their rights to anonymity and reputation is at stake if complaints are not made in good faith.</p>	<p>Mandated and non-mandated reports must be made in good faith. The Public expect Councillors and staff to act in the best interests of their public duty.</p> <p>The need to report allegations of child abuse must be balanced with the need to ensure that such a policy is not misused. Clearly, the reputations of individuals can be seriously damaged if vexatious or malicious complaints are made against individuals.</p>	<p><b>YES</b></p> <p>For the reporting of unethical behaviour, effective processes ensure disclosures can be made under the Protected Disclosure Procedures and Guidelines and other reports made in accordance with Councils Fraud and Corruption Policy &amp; plan which protect those making the reports.</p> <p>Similar protections apply to the Child Abuse reports.</p>	<p>Procedural fairness includes support to all parties and following procedures including maintaining confidentiality. Councillors must abide by Code of Conduct, Councils Privacy Policy and in accordance with the Information Privacy Principles of the Privacy &amp; Data Protection Act 2014.</p> <p>All staff and councillors must respect confidentiality when dealing with a case of suspected child abuse and may only discuss case details and the identity of the child and their family only with those directly involved in the management of the child's situation.</p>



**AUDIT & RISK COMMITTEE**

**ANNUAL REPORT**

**December 2020**

## Executive Summary

### Overview

Banyule City Councils' Audit & Risk Committee was established in 1997. The Committee reports to Council and provides appropriate advice and recommendations relevant to its Charter in order to facilitate Council decision making.

Members include a Chairperson, two Independent Representatives and three Councillors (which includes the substitute). The Committee meets four times a year and the minutes of the meetings are submitted to Council. The key purpose of this report is to provide Council with an overview of the Audit & Risk Committee's primary functions; activities and outcomes over the last 12 Months—Key functions of the Committee are to check and thus reassure Council that Banyule is compliant with major pieces of legislation and is managing its key risks. Central to this checking is a program of internal audits and one external audit.

The Victorian Auditor-General's Office (VAGO) provide an external audit opinion on the financial and performance statements of Banyule City Council. The internal audit function is outsourced; Crowe Australasia were awarded a 12 Month contract extension on their current contract in September 2020 and will continue to work to the Strategic Internal Audit Plan developed and reviewed annually by the Audit Committee with management input.

Under the requirements of the new Local Government Act, the Chairperson is required to prepare a report to Council through the Chief Executive Officer on the Committee's activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, such report indicating how the Committee has discharged its responsibilities, as set out in this Charter, for the previous year.

### Authority

The functions of the Council's Audit & Risk Committee are established under Section 54 of the Local Government Act 2020 and set out in the Committee's Charter. The Charter is reviewed annually; the last update was approved by Council at its 17 August 2020 meeting.

### Membership

Membership of the Committee was as follows:

Name	Type	Commencement	Concludes
Dr Irene Irvine (Chair)	Independent Representative	1 February 2018	31 January 2021
Prof Stuart Kells	Independent Representative	1 October 2018	30 September 2021
Mr Greg Rimmer-Hollyman	Independent Representative	1 September 2020	30 August 2023
Cr Rick Garotti	Councillor	November 2019	November 2020
Cr Wayne Phillips	Councillor	November 2019	November 2020
Cr Tom Melican	Councillor (Substitute)	November 2019	November 2020

### Meetings and attendance

Four meetings were held during the past 12 Months and member attendance was as follows:

Name	8 December 2019	13 March 2020	19 June 2020	18 September 2020
Dr Irene Irvine	Present	Present	Present	Remote
Prof Stuart Kells	Present	Remote	Remote	Remote
Mr Greg Rimmer-Hollyman	N/A	N/A	N/A	Remote
Cr Rick Garotti	Present	Present	Present	Remote
Cr Wayne Phillips	DNA	DNA	DNA	DNA
Cr Tom Melican	DNA	DNA	DNA	Remote

Note: Did not attend (DNA) Not applicable (N/A)

- The CEO, all Directors, key Council Officers, Council's internal auditor and VAGO representatives are regular attendees at the meetings.

Following the local Government Elections and an Independent Representative reappointment the current Membership is as follows:

Name	Type	Commencement	Concludes
Dr Irene Irvine (Chair)	Independent Representative	1 February 2018	31 January 2024*
Prof Stuart Kells	Independent Representative	1 October 2018	30 September 2021
Mr Greg Rimmer-Hollyman	Independent Representative	1 September 2020	30 August 2023
Cr Peter Castaldo	Councillor	November 2020	November 2021
Cr Mark Di Pasquale	Councillor	November 2020	November 2021
Cr Peter Dimarelos	Councillor (Substitute)	November 2020	November 2021

\*The re-appointment of Dr Irene Irvine for a second term of 3 years has been recommended for endorsement during the Ordinary Council meeting on 14 December 2020.

### Governance and Compliance

In order to ensure accountability, compliance and transparency, in addition to this Annual Report, the Audit and Risk Committee submits the Minutes of each of its meetings to the next available Ordinary Council Meeting.

The Committee also seeks information from the Chief Executive Officer at each Audit and Risk Committee Meeting regarding any breaches, non-compliance or fraud issues since the last meeting. The Internal Auditor is also required to formally advise if their work had been impeded in any way during the conduct of their audits.

### Meetings

During the past 12 Months the Committee met on four occasions:

- 8 December 2019
- 13 March 2020
- 19 June 2020
- 18 September 2020

A Work Plan has been developed to align with the Committee Charter. Attached as Appendix 'A'.

### External Audit

In accordance with the Victorian Local Government Act 2020, Council's External Auditor is appointed by the Victoria Auditor General (VAGO). For the 2019/2020 financial year VAGO's contracted Agent, HLB Mann Judd undertook the external audit of Banyule City Council.

HLB Mann Judd were in attendance for each quarterly meeting to discuss the following reports to the Audit Committee:

- Audit Strategy for Year Ending 30 June 2020** (Meeting held March 2020)

This strategy outlines the mandate from the Auditor General for the financial year and provides details of any specific issues that the Auditor General wishes its agents to address during the audit.

- Interim Audit – Management Letter Points** (Meeting held June 2020)

This letter identifies risks (Low, Medium or High) within Council's controls and processes, and gives Council the opportunity to outline what they have done/will do to reduce these risks by putting appropriate controls in place.

Extensive liaison was held with the external auditors (HLB Mann Judd) in respect of the 2019/2020 financial statements, culminating with the Audit & Risk Committee, at its Meeting on 18 September 2020, endorsing the **Closing Audit Report & Financial Management Letter** which covers the Annual Financial Report and Performance Statements for submission to Council for adoption. The audit results were very positive.

Based on VAGO audit planning and interim activity there appears to be no cause for concern regarding recording and reporting of Council's financial statements for 30 June 2020.



**Internal Audit**

The following internal audits were undertaken over 2019/20. These included:

1. Various Financial Controls – Credit cards & Fuel cards
2. 2018-2019 – Statutory Planning Review
3. Local Laws
4. Assurance Mapping
5. Conflict of Interest
6. Third Party Management

Management has responded to relevant audit finding and has prioritised and planned treatments for areas of deficiency identified. The Committee has maintained oversight of all open audit findings and the status of treatment plans through the regular review of the Status Report – Internal Audit Recommendations.

The three-year Strategic Internal Audit Plan was reviewed with management input and approved by the Committee at the 13 March 2020 meeting. The Committee has had the opportunity to provide input into the prioritisation of audit projects as part of the approved plan. A copy of the current three-year Strategic Internal Audit Plan 2020 – 2022 is included at Appendix B.

Management has continued to provide the Committee with draft Memorandums of Planning and reference documents for upcoming internal audits for review and feedback. This approach has ensured there is a broad agreed approach in the scope of work for each internal audit prior to commencement.

**Management Reporting**

During this reporting period, quarterly risk management reports were provided allowing the Committee to assess controls and their effectiveness and assisting in concentrating risk management efforts, if and where required. In addition, the Committee received presentations on the status and management of important risks including:

1. Fraud and Corruption Control Policy
2. Strategic Risks Scrutiny
3. Risk Management Framework
4. Payroll Risks – Employee Agreeance Compliance
5. Council Policies – Approval Authorities
6. Key Integrity Policies Update – Conflicts of Interest, Gifts and Hospitality and Other Employment
7. Purchase Order Compliance
8. 2020/21 Annual Budget
9. 2020/21 Insurance Reviews and Analysis
10. Interstate Conference Attendance
11. Councils Debtor Position
12. Review of Development Planning Permit Applications
13. Public Sector Risk Report
14. New Public Interest Disclosures
15. Payroll Systems and Processes
16. Procurement Policy
17. Property Transaction Process
18. Workplace Manslaughter Update
19. Safety Metrics
20. Local Government Act 2020
21. Review of Committee Charter
22. COVID-19 Wellness Initiatives Report

The annual performance statement and the financial statements for 2019/20 were thoroughly reviewed with Management and the external auditors at the September 2020 meeting. There were no material matters raised. Also, no material concerns were identified during the 2019/20 financial year through the Committee's review of the quarterly financial reports provided at each meeting.

Council management also conducted several self-assessments in relation to reviews conducted by both IBAC and VAGO. This allowed officers to assess the merits of introducing control improvements as recommended.

These reviews included:

#### **IBAC**

- Integrity Frameworks
- Corruption Risks

#### **VAGO**

- Waste and Reprocessing Audit Result
- Asset Management Accountability Framework
- Asset Management and Compliance
- Development Contributions Plan
- Security of Government Buildings
- Performance Reporting in Local Government (LGPRF)

### **Acknowledgements**

#### **Audit Committee Members and Attendees**

I would like to acknowledge the professionalism and participation of all the members of and attendees at the Audit Committee. The level of discussion on matters brought before the Committee has been of a very high standard, which I believe has resulted in tangible benefits and reassurance to the community and the Council. The Committee has also greatly benefited from the contributions of retiring member Councillor Garotti whose significant expertise and local knowledge brought additional value and on behalf of the Committee I thank him sincerely for his input.

#### **Organisation**

On behalf of the Committee I also wish to record my appreciation for the quality and extent of the work undertaken by Council staff in supporting the Committee through the leadership of the Chief Executive Officer, Allison Beckwith, especially as this occurred during the significant constraints brought about by COVID. I am also grateful for the additional resources provided to the Committee through the Governance unit.

**Irene Irvine**

Chairperson

Audit and Risk Committee

## APPENDIX A

**Audit & Risk Committee**

ANNUAL WORK PLAN – 11 DECEMBER 2020		A&RC MEETING DATES			
GENERAL RESPONSIBILITIES/ITEMS		MARCH	JUNE	SEPTEMBER	DECEMBER
ANNUAL FINANCIAL STATEMENTS	Review and endorse Annual Financial Audit Strategy	✓			
	Review and endorse VAGO – Closing Audit Report & Final Management Letter			✓	
	'In principle' endorsement of Council's Annual Financial Statements			✓	
	Review and endorse Council's Annual Report			✓	
	Local Government Performance Reporting Framework (LGPRF)			✓	
	Compliance Management/Management Attestations			✓	
	Related Parties			✓	
BUDGET	Proposed Annual Budget			✓	
	Public Submissions			✓	
CAATS	Review and discuss Status Report	✓	✓	✓	✓
	Review and endorse various CAAT's as required	✓	✓	✓	✓
FINANCIALS	Review and discuss Quarterly Financial Management Reporting	✓	✓	✓	✓
GOVERNANCE	Review the Audit & Risk Committee Charter		✓		
	Reference to Meeting Schedule				✓
	Assessing the performance of the Committee				✓
	Induction for Audit Committee members (On appointment)				
	A&RC Self-Assessment Survey	✓			
IBAC	Self-Assessments	✓	✓	✓	✓
INTERNAL AUDIT	Endorse Strategic Internal Audit Plan	✓			
	Review and approve Internal Audit Scopes	✓	✓	✓	✓
	Review and discuss Internal Audit Reports	✓	✓	✓	✓
	Review the performance of the Internal Audit service provider				✓
RISK MANAGEMENT	Review and discuss Risk Management Reporting		✓		✓
	OH&S Metrics	✓	✓	✓	✓
	Insurance Coverage			✓	
	Business Continuity Planning	✓			
VAGO	VAGO Results – Local Government Audits	✓	✓	✓	✓
	Performance Audits / Self-Assessments	✓	✓	✓	✓
OTHER	Director's presentation	✓	✓	✓	✓
	Annual Report to Council on ARC activity		✓		✓

## APPENDIX B



# Strategic Internal Audit Plan 2020-2022

## Banyule City Council

**Confidential**

**Prepared for: Banyule City Council**

**Prepared by: Andrew Zavitsanos, Partner – Crowe**

November 2019 (updated February 2020)

**Audit / Tax / Advisory**



## Table of Contents

1	Executive Summary .....	3
1.1	Introduction .....	3
1.2	Strategic Risks .....	3
1.3	Annual Internal Audit Program (Summary) .....	4
1.4	Annual Internal Audit Program .....	5
1.5	Internal audit universe .....	12
	Contact Us.....	15



# 1 Executive Summary

## 1.1 Introduction

During October 2019, Crowe met with the Executive Leadership team to identify priorities for the internal audit program. The development of the Strategic Internal Audit plan is based on consideration of the following key inputs:

- Direct discussions with Executive Management Team
- 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.

## 1.2 Strategic Risks

Council's seven strategic risk areas are:

- 1 Negative impacts of adverse weather events
- 2 Council long term financial position
- 3 Poor perception of Council decision making
- 4 Negative impacts of North East Link Projects
- 5 Technology not meeting organisational needs
- 6 Changes to external waste management policy and requirements
- 7 Workplace safety breach causing serious harm.

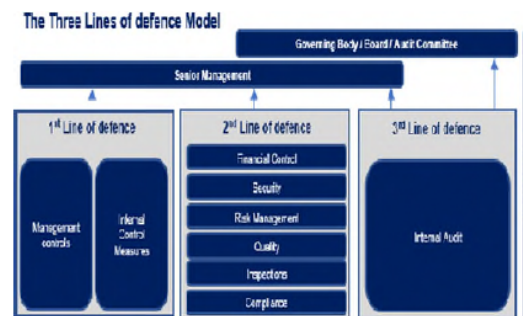
Enterprise risk management supports organisational resilience. Organisational resilience is the holistic approach for managing change events and building organisational capacity to enable preparation and response to change.

The three lines of defence outlines the role of senior management and internal audit in managing risk and controls.

As the third line of defence, Internal Audit provides independent assurance through the systematic, disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes.

Management have reviewed the VAGO performance audits schedule and used this schedule as the basis for developing the Self-Assessment Schedule and management assurance to the Audit & Risk Advisory Committee.

The Three Lines of Defence Model is represented pictorial below.



## Strategic Internal Audit Plan 2019-22

Banyule City Council

## 1.3 Annual Internal Audit Program (Summary)

The table below outlines the proposed timing of internal audit projects for the audit year.

Internal Audit Project Title & Auditor in Charge (AIC)	Hours	Week of	Oct 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	June 20	July 20	Aug 20	Sept 20	Oct 20	Nov 20	Dec 20
<b>2018-19 Annual Plan (carry over)</b>																
Follow UP of Previous Audit findings.	20	Mar. 2020					■			A						
Business Continuity Planning (including DR)	140	Sept. 2020											■			A
<b>Sub Total</b>	<b>160</b>															
<b>2019-20 Annual Plan</b>																
<b>i</b> 2020-22 Strategic Internal Audit Plan development & Review	15		■	A												
<b>1</b> Credit and Fuel Cards (AIC: William Renfrew)	140	9 Dec. 19		■			A									
<b>2</b> Assurance Mapping (AIC: Gabrielle Castree)	40	20 Apr. 2020					■			A						
<b>3</b> Third-Party Management (AIC: Lynda Cooper)	100	4 May 2020						■					A			
<b>4</b> Local Law – Enforcement (AIC: Marcus Lee)	100	9 Jun 2020														
<b>5</b> Property Development - Strategic Decision Making Framework (AIC: Ross Fraser)	100	15 Jun 2020								■			A			
<b>6</b> Management of Conflict of Interest (Developers) (AIC: Ross Fraser)	100	15 Jul. 20									■					A
<b>7</b> Follow Up of Previous Audit Findings (AIC: Gabrielle Castree)	20	8 Jul 2020									■					A
<b>2019-20 Internal Audit Support</b>																
<b>a</b> Client Engagement, including AAC attendance	20			■			■			■			■			■
<b>Sub Total</b>	<b>635</b>															

■ Internal audit field work and report writing A Denotes the expected Audit, Risk and Advisory Committee Meeting to which the report will be presented

During the 2020 calendar year, the ARAC is scheduled to meet in March, June, September and December.

Strategic Internal Audit Plan 2019-2022  
1.4 Annual Internal Audit Program

Banyule City

Internal Audit Plan (October 2019 – September 2020)						Strategic Risk (SR) reference
	Project Title	Start Date	Proposed Hours+	Est'd Fee \$* Ex GST	Indicative (Brief) Scope	
<b>Year 2 - 2018-19 Annual Plan (carry over)</b>						
2019-6	<b>Compliance</b> Follow Up of previous internal audit findings	March 2020	20	2,560 <sup>1</sup>	The focus of this review is to follow-up on high and moderate risk matters raised in prior internal audit reports.	N/A
2019-5	<b>Organisational Resilience</b> BCP including Disaster Recovery Lead Department: Corporate Services AIC: Zain Kazmi	21 September 2020	140	17,920 <sup>2</sup>	The focus this review is to assess the adequacy of processes with respect to: A - Business Continuity Management including: <ul style="list-style-type: none"> <li>The scope of the plan in the context of Council.</li> <li>Organisational roles, responsibilities and authorities.</li> <li>Communication, training and awareness of the plan.</li> <li>Business impact analysis and development of the plan.</li> <li>On-going evaluation of the plan including exercising and testing.</li> <li>Continuous Improvement of the plan.</li> </ul> B - Disaster Recovery Plan including:	SR 1, 4 & 5

<sup>1</sup> Fee is charged at contract rate Year 2

<sup>2</sup> Fee is charged at contract rate Year 2

## Strategic Internal Audit Plan 2019-22

## Banyule City Council

Internal Audit Plan (October 2019 – September 2020)						Strategic Risk (SR) reference
	Project Title	Start Date	Proposed Hours+	Est'd Fee \$* Ex GST	Indicative (Brief) Scope	
					<ul style="list-style-type: none"> <li>DRP development methodology.</li> <li>Business alignment with organisational objectives and directions (including the adaptability of the DRP to the emerging and changing digital environment).</li> <li>DRP content and application.</li> <li>DRP administration, maintenance, training and testing.</li> </ul>	
Year 3 – 2019-2020 Annual Internal Audit Program						
2020-1	<p><b>Compliance</b></p> <p>Credit Cards and Fuel Cards (incl. Data Analytics)</p> <p>Lead Department: Corporate Services</p> <p><b>AIC:</b> William Renfrew</p>	9 December 2019	140	18,278	<p><b>Credit Cards</b></p> <p>The focus will be to review the adequacy of the internal control environment by assessing the Policies and procedures and compliance with policies and procedures including:</p> <ul style="list-style-type: none"> <li>Maximum monthly and total limits</li> <li>Processes for monitoring appropriateness of usage</li> <li>Card holders do not exceed limits for cards</li> <li>Management of cardholder authorisation</li> <li>Delegated levels of authority</li> <li>Documentation is provided to support purchases</li> <li>Management reporting is maintained.</li> </ul>	SR-2 & 3

Strategic Internal Audit Plan 2019-22

Banyule City Council

Internal Audit Plan (October 2019 – September 2020)						Strategic Risk (SR) reference
	Project Title	Start Date	Proposed Hours+	Est'd Fee \$* Ex GST	Indicative (Brief) Scope	
					<p>We will undertake testing on expenditure of cardholders. We will assess the internal control framework against appropriate industry practices and processes.</p> <p><b>Fuel Cards</b></p> <p>The objectives are to:</p> <ul style="list-style-type: none"> <li>• Review adequacy with policies and procedures and review and test the adequacy of internal controls.</li> <li>• Review the IT system used to manage fuel cards.</li> <li>• Review Driver and operator's handbook and other written instructions.</li> <li>• Review compliance with policies and procedures including:                             <ul style="list-style-type: none"> <li>○ Process for issue and approval of fuel cards</li> <li>○ Process for monitoring appropriate usage</li> <li>○ Adequacy of review and authorisation</li> <li>○ Documentation provided to support use</li> <li>○ Management reporting</li> <li>○ Segregation of duties between use of fuel card and review of expenditure.</li> </ul> </li> </ul>	



## Strategic Internal Audit Plan 2019-22

## Banyule City Council

Internal Audit Plan (October 2019 – September 2020)						Strategic Risk (SR) reference
	Project Title	Start Date	Proposed Hours+	Est'd Fee \$* Ex GST	Indicative (Brief) Scope	
					The review will include consider commercial bowser fuel cards. The review will consider outcomes of the VAGO Fraud and Corruption Control - LG report tabled June 2019.	
2020-2	Assurance Mapping	20 April 2020	40	5,222	Assurance mapping is the process of reviewing and mapping against the risk profile to assess if assurance coverage is adequate. The objectives of this review are to consider the strategic risks and map assurance against the second and third line of defence (LOD).	All SR
2020-3	<b>Compliance</b> Third Party Management Lead Department TBC <b>AIC:</b> Lynda Cooper	4 May 2020	100	13,056	The sector relies on third-party suppliers or service providers to deliver services on behalf of Council. The term "third party" is typically used, about significant projects, such as out-sourced labour and data processing. Associated risks with third-party applies to every contractual relationship.  The focus will be to review the adequacy of the internal control environment in the management of third-party relationships.	SR-3
2020-4	<b>Compliance</b> Local Laws – Enforcement Lead Department <i>City Development</i> <b>AIC:</b> Marcus Lee	9 June 2020	100	13,056	This review will focus on the adequacy of the internal control environment by assessing: <ol style="list-style-type: none"> <li>1. Internal controls designed to prevent fraud and corruption.</li> <li>2. Local law enforcement policies and procedures.</li> <li>3. Receipt, assessment, charging for and issuing of permits.</li> </ol>	SR-3

## Strategic Internal Audit Plan 2019-22

## Banyule City Council

Internal Audit Plan (October 2019 – September 2020)						Strategic Risk (SR) reference
	Project Title	Start Date	Proposed Hours+	Est'd Fee \$* Ex GST	Indicative (Brief) Scope	
					4. Customer complaint/request management processes. 5. Process for the issuance of infringements and undertaking of prosecutions. 6. Infringement Database (or the main IT system used) for supporting Local Law Enforcement.	
2020-5	<b>Compliance</b> Property Development – Decision Making Framework  <b>Lead Department</b>  <b>AIC:</b> Ross Fraser	15 June 2020	100	13,056	This internal audit will focus on the decision-making controls around Councils property development practices (incorporating acquisition and disposal of assets). The internal audit will assess the adequacy of Council's strategic decision-making framework, including: <ul style="list-style-type: none"> <li>• Governance</li> <li>• Links to strategic objectives</li> <li>• Due diligence practices, and</li> <li>• Community Engagement</li> </ul>	SR-2 SR-3
2020-6	<b>Compliance</b> Management of Conflict of Interest (Developers)  <b>AIC:</b> Ross Fraser	15 July 2020	100	13,056	The review will focus of developer planning applications and the end to end management of key governance processes such as conflict of interest, gifts, benefits and hospitality, delegations.  This review will take into consideration key matters identified in the IBAC investigation on the City of Casey. (Operation Sandon).	SR-2 SR-3
2020-7	<b>Compliance</b> Follow-Up of previous high-risk Findings  <b>AIC:</b> Gabrielle Castree	8 July 20	20	2,612	The focus of this review is to follow-up on high and moderate risk matters raised in prior internal audit reports.	N/A

## Strategic Internal Audit Plan 2019-22

## Banyule City Council

Internal Audit Plan (October 2019 – September 2020)						Strategic Risk (SR) reference
	Project Title	Start Date	Proposed Hours+	Est'd Fee \$* Ex GST	Indicative (Brief) Scope	
	Internal Audit Administration					
i	Development of the Strategic Internal Audit Plan	Ongoing	15	1,958	Development of the Strategic Internal Audit Plan.	
ii	Client Engagement and Attendance at AARC meetings		20	2,612	Ongoing liaison, including preparation for and attendance at Audit and Risk Advisory Committee meeting.	
	2019-20 Annual Program		635	82,906		
	2018-19 carry over		160	20,480		
		<b>Total</b>	<b>795</b>	<b>103,386</b>		

Note 1: Carryover from 2018-19 annual audit plan and additional to delivery of 2019-20 annual program.

Management VAGO Self-Assessment Reviews – Second Line of Defence		
Report Title	Responsible Position	Review Date
Fraud & Corruption in LG	Manager Finance & Procurement	Sept. 19
Recovering & Reprocessing Resources from Waste	Manager Operations	Sept. 19
Security of Government Buildings	Manager Delivery & Assets	Dec 2019
Compliance with the Asset Management Framework	Manager Finance & Procurement	
Reporting on Local Government Performance	Manager Finance & Procurement	Dec 2019
Local Government Assets: Asset Management and Compliance	Manager Delivery & Assets	
Council Libraries	Director Community Programs	
Development & Infrastructure Contributions	Manager Deliver & Assets	
<b>Source:</b> Report to ARA Committee December 2019		

Strategic Internal Audit Plan 2019-22

Banyule City Council

Various Financial Functions (5-year cycle)	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Accounts Payable						
Accounts Receivable – rates management						
Accounts Receivable – sundry debtors						
Assets (non-infrastructure)						
Cash Handling and Receipting						
Contract Management						
Corporate and Fuel cards						
GST and FBT Compliance						
PCI - Electronic Funds Transfer						
Procurement (below the tender threshold)						

**Strategic Internal Audit Plan 2019-2022**  
**1.5 Internal audit universe**

Banyule City Council

The internal audit universe outline both the reviews that have completed and planned reviews and projects for consideration each year. The table below outlines the reviews that have been completed since 2015-16 by project title.

	Project Title	Completed IA Reviews	
		Previous IA Provider	Crowe
	<b>Annual Reviews</b>		
	Follow up of recommendations		2017-18
	<b>Limited Assurance Reviews</b>		
B	Buildings Maintenance (General)	2016-17	
	Business Continuity Planning (Inc. Disaster Recovery)		2019-2020
C	Capital Works Management		2017-18
	Contract Management	2016-17	
D	Digital Communication Strategy (inc Social Media)	2016-17	
E	Emergency Management		2017-18
	Events Management	2015-16	
F	Financial Sustainability	2015-16	
	Fraud Management & Prevention	2015-16	
G	Grants management	2016-17	
H	Hall Management	2016-17	
	Health & Food Act Compliance	2016-17	
	Indirect Tax - FBT Compliance		2018-19
	Indirect Tax - GST		2018-19
I	IT cyber security		2017-18
	IT Strategy & Architecture	2015-16	
	Maternal and Child Health		2018-19
O	Occupational Health and Safety (framework)	2015-16	
	Procurement	2017-18	
	Procurement Practices (incl. Data Analytics)		
	Project Management Framework		2017-18
R	Rates Management	2016-17	
	Risk Management		2017-18
S	Safety – Child Safety Standards		2017-18
	Statutory Building – Building Permit Review	2015-16	
	Statutory Planning		2017-18

**Set out below is Council's internal audit universe which contains projects for consideration each year. and is presented in the table below. The inclusion and timing of these projects is subject to change based on the assessment that will be performed at the commencement of each internal audit planning cycle.**



Strategic Internal Audit Plan 2019-2022							Banyule City							
	Project Title	Completed Reviews			2019-20	2020-21	2021-22		Project Title	Previous Provider	Crowe	2019 - 20	2020- 21	2021- 22
		Previous Provider	Crowe											
	<b>Annual Reviews</b>						<b>D</b>	Debtor Management-Sundry Debtors						
	Follow up of recommendations		2017-18					Delegations, GBH, and COI – Developers				SR-2 & 3		
	<b>Limited Assurance Reviews</b>							Property Development - Decision Making Framework				SR-2 & 3		
<b>A</b>	Accounts Payable							Digital Communication Strategy (incl. Social Media)	2016-17					
	Accounts Receivable						<b>E</b>	Emergency Management		2017-18				
	Aged Services							Events Management	2015-16					
	Asset Management						<b>F</b>	Family Day Care						
	Asset Security							Financial Sustainability	2015-16					
<b>B</b>	Best Value (Procurement)							Fleet Management						
	Budget-Budgeting							Food Act Compliance						
	Buildings Maintenance (Essential Safety Measures)				SR-3			Fraud Management & Prevention	2015-16					
	Buildings Maintenance (General)	2016-17					<b>G</b>	Grants management	2016-17					
	Business Continuity Planning						<b>H</b>	Hall Management	2016-17					
	Business Continuity Planning (Inc. Disaster Recovery)				SR-5			Health & Food Act Compliance	2016-17					
<b>C</b>	Capital Works Management		2017-18					Human Resources						
	Carbon Footprint – Assessment & Verification							Immunisation Management						
	Cash Handling and Receipting							Indirect Tax - FBT Compliance		2018-19				
	Child Care Services							Indirect Tax - GST		2018-19				
	Credit Cards & Fuel Cards				SR-2 & 3			Insurance and Claims						
	Compliance and Response						<b>I</b>	IT Controls						
	Contract Management	2016-17				SR-2 & 3		IT Cyber security		2017-18				
	Councillor Expenses							IT Strategy & Architecture	2015-16					
	Customer Service													
	Consultants – managing use of consultants													
<b>D</b>	Debtor Management-Sundry Debtors													
	Delegations													
<b>L</b>	Landfill Rehabilitation						<b>R</b>	Rates management	2016-17					
	Legislative Compliance							Records Management						SR-3
	Leisure Centres							Risk Management		2017-18				
	Library Services							Related Party transactions						

## Strategic Internal Audit Plan 2019-22

## Banyule City Council

	Project Title	Completed Reviews			2019-20	2020-21	2021-22		Project Title	Previous Provider	Crowe	2019 - 20	2020-21	2021-22
		Previous Provider	Crowe											
	Living and Learning Centres						<b>S</b>	Road Management Plan					SR-3	
	Local Laws Enforcement			SR-3				Roads and Drains Maintenance						
<b>M</b>	Management of Third Parties			SR-3 & 5				Safety – Child Safety Standards Safety- OHS						
	Maternal and Child Health		2018-19					Sale of Land						
<b>O</b>	Occupational Health and Safety (framework)	2015-16						Sundry Debtors					SR-2	
	OH&S - Contractors							Security Over Assets						
<b>P</b>	Parking Enforcement/ Administration							Segregation of Duties						
	Parks and Gardens							Social Media						
	Payments							Statutory-Building Permit Review	2015-16				SR-3	
	Payroll (incl Data Analytics)					SR-2 & 3	<b>T</b>	Statutory Planning		2017-18				
	Performance Management							Statutory Pool permits (pool register compliance)						SR-3
	Playground Maintenance							Tendering Processes					SR-3	
	Privacy Act Compliance					SR-3	<b>W</b>	Tree Management					SR-7	
	Procurement	2017-18						Waste Handling - General						
	Procurement Practices (incl. Data Analytics)					SR-2 & 3		Waste Handling - Recycling						
	Project Management Framework		2017-18					Tendering Processes						
	Property Management – Leases and Licences				SR-3									

---

Strategic Internal Audit Plan 2019-2022

Banyule City Council

## Contact Us

**Findex (Aust) Pty Ltd,  
trading as Crowe Australasia  
ABN 84 006 466 351**

Level 17, 181 William Street  
Melbourne VIC 3000 Australia

GPO Box 4324  
Melbourne VIC 3001 Australia

Tel +61 3 9258 6700

Fax +61 3 9258 6722

The title 'Partner' conveys that the person is a senior member within their respective division and is among the group of persons who hold an equity interest (shareholder) in its parent entity, Findex Group Limited. The only professional service offering which is conducted by a partnership is the Crowe Australasia external audit division. All other professional services offered by Findex Group Limited are conducted by a privately-owned organisation and/or its subsidiaries.

Findex (Aust) Pty Ltd, trading as Crowe Australasia is a member of Crowe Global, a Swiss verein. Each member firm of Crowe Global is a separate and independent legal entity. Findex (Aust) Pty Ltd and its affiliates are not responsible or liable for any acts or omissions of Crowe Global or any other member of Crowe Global. Crowe Global does not render any professional services and does not have an ownership or partnership interest in Findex (Aust) Pty Ltd. Liability limited by a scheme approved under Professional Standards Legislation. Liability limited other than for acts or omissions of financial services licensees.

© 2019 Findex (Aust) Pty Ltd



Banyule  
CITY COUNCIL

**Banyule  
Audit &  
Risk  
Committee**

**UNAUTHORISED  
Minutes**

**11 December 2020**

***1 FLINTOFF STREET,  
GREENSBOROUGH***

## Banyule Audit & Risk Committee Minutes

**Meeting opened at 3pm.**

**Present  
Committee**

Dr Irene Irvine – Chairperson  
Prof Stuart Kells – Independent Representative  
Mr Gregory Rimmer-Hollyman – Independent Representative  
Cr Mark Di Pasquale– *Committee Delegate*  
Cr Peter Castaldo– *Committee Delegate*  
Cr Peter Dimarelos – *Substitute*

**Guest Councillors**

Cr Rick Garotti – *Mayor*

**Officers**

Allison Beckwith – Chief Executive Officer  
Geoff Glynn – Director Assets & City Services  
Scott Walker - Director City Development  
Marc Giglio - Director Corporate Services  
Kath Bracket – Director Community Programs  
Tania O'Reilly – Manager Finance & Procurement  
Vivien Ferlaino – Governance Coordinator  
Paul Wilson – Audit Support Officer (Minute Taker)

**Guest Officers**

Melissa Sammut - Risk Management Project Officer

**Internal Auditors**

Andrew Zavitsanos – Crowe Horwath

**Apologies**

Lynda Cooper – Crowe Horwath  
Toni Toaldo – Manager People & Culture

**Disclosure of Interests**

**Nil**

**Confirmation of Minutes**

*Banyule Audit & Risk Committee held 18 September 2020*

Moved: Mr Greg Rimmer-Hollyman  
Seconded: Prof Stuart Kells

CARRIED



**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020**

---

**Reports**

- The Committee commented on item 1.20, Computer Assisted Audit Techniques (CAAT's), Council has been undertaking CAAT'S well and for a while, and suggested management should consider an external review on the effectiveness of the CAATS.
- The Director of Corporate Services informed the Committee that Council are working with the Auditor General which provides annual cycles on the same audits and the same categories and agreed a review would be worthwhile to do as either an internal audit or continue to work with the Auditor general.
- The Manager of Finance added that we currently do a rolling program with our Internal Auditors where we provide them the CAATS for review.
- The Internal Auditors advised the Committee the audits can be amalgamated.
- The Committee requested that management, after discussions with the Internal Auditor and VAGO, bring back to the next Audit & Committee meeting a report which 'tests' how we are going to get assurance mapping around CAATS and are we asking the right questions

**1. COMMITTEE REPORTS FOR DISCUSSION**

The following items were added to the items for discussion.

Items 1.11, 1.15, 1.17.

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.1 RISK MANAGEMENT REPORT - STRATEGIC RISK REVIEW****EXECUTIVE SUMMARY**

1. This report provides the Audit and Risk Committee ("*Committee*") with an overview of Council's strategic risk profile, including the full Strategic Risk Register and further explanations of the scoring, controls and mitigations of current key strategic risks.
2. The report provides the Committee with context as to the risk environment (see section 2 of this report) in which Council is operating, and information as to how that context impacts upon our risk profile.
3. As part of the iterative scrutiny of our risk environment, Council must consider and adapt our risks as the context in which we are operating changes. Since this risk was last considered, there have been significant changes to the contextual environment in which we are operating (section 2 "Risk Context") and, in response to this, the risk profile has been reviewed by the stakeholder groups responsible for the day to day monitor and review of the strategic risks, controls and actions.

The following key outcomes should be noted:

- Likelihood of **SR86** ("Council is investigated for Corporate Governance breach") has been increased from "unlikely" to "possible".
  - Likelihood for **SR88** ("Changes to external Waste Management Policy and Requirements") has been reduced from "possible" to "unlikely".
  - Likelihood for **SR84** ("Digital technology ineffective in delivering business requirements") has been reduced from "possible" to "unlikely".
  - The stakeholder group for **SR82** ("Not planning for or reacting appropriately or swiftly to adverse weather events") have recommended that the risk should be reworded to better reflect all municipal emergencies, rather than those relating only to weather. The recommended risk is: "Not reacting appropriately to municipal emergency event(s)".
  - The stakeholder group for **SR92** "Business does not recover effectively from COVID19 pandemic" have recommended the removal of this risk from the strategic risk register.
4. The Committee should note that this report was considered by the Assurance Committee (internal management committee) at their inaugural meeting on the 30 October 2020. Their feedback has been reflected within this report.

**Commentary**

- The Committee advised that the Risk register looks good however stated we may have to rethink the wording changes – wording changes are more of a reaction we need to be proactive not just reactive, "planning as well as reaction" (SR82). Also rethink wording the new risk, wording of controls
- The Committee felt that management was being too harsh on governance breach with new council, especially if we think the controls are decent. Councils will change and this does not require having the risk rating increased -based on the controls, review the risk rating.
- The Committee suggested re-wording page 6, – Risk exposure is never going to be right or accurate – a year ago we never had a pandemic as a risk. Maybe change word 'accurate' to 'realistic' as we are never going to get this right
- The committee requested that governance breach, financial sustainability and waste management risk level be reviewed and reported to the next meeting.

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****COMMITTEE RECOMMENDATION**

The Committee considered the report (and its appendices) and provided feedback on the risk register and requested a review of the corporate governance, financial sustainability and waste management risks and refer back to the next meeting.

Moved: Cr Peter Castaldo

Seconded: Cr Mark Di Pasquale

CARRIED

**1.2 IMPACT OF COVID19 ON COUNCIL'S RISK PROFILE****EXECUTIVE SUMMARY**

1. At their meeting on 18 September, the Audit and Risk Committee (ARC) requested an in-depth assessment of the impacts of the COVID19 Pandemic (COVID) on Council's Strategic and Operational Risk Profiles.
2. The Assurance Committee have considered the questions put forward by the ARC (highlighted below in "Purpose") and highlight the following key points which are expanded on in detail in the body of this report:
  - Council has considered in detail its Risk Profile in the context of COVID. This includes the introduction of a series of controls designed to reduce the likelihood of the risk materialising and/or the impact should it materialise. *(see below: COVID19 impacts on Council's strategic risk profile and COVID19 impacts on Council's operational risk profile).*
  - Council's key assurance functions (Risk Management Framework and Business Resilience framework) have been reviewed in detail and are broadly fit for purpose. Areas for improvement have been highlighted and actions are currently underway to strengthen these areas *(see below: Risk and Assurance Framework).*
  - The Assurance Committee does not see any imminent additional risk relating to Council's viability or solvency in the short to medium term *(see below: COVID impact on Council's solvency).*
  - Council continually reviews and meets to keep abreast of the legal, regulatory and best practice requirements as they evolve and is confident that compliance with this lends itself to controlling any exposure risk to staff and the community *(see below: Compliance with COVID directions and compliance).*
  - Council has applied a series of support responses for the Community and is confident that this response has been suitable and adequate. This response will be measured via a pulse survey following caretaker period *(see below: Compliance with COVID directions and compliance).*
3. It is important to note that COVID in itself is not a risk, rather it is an additional cause for risks that have been (and will continue to be) present within Council.

**Commentary**

- The Committee stated that the report was very informative and recommended that benchmarking and assurances be added and circulated to the committee.
- Management advised that benchmarking was undertaken but not included in the report, these details will be included and circulated to the committee.

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020**

- Assurances and benchmarking – bring that flavour into future reports

**COMMITTEE RECOMMENDATION**

The committee requested that assurances and benchmarking be incorporated into this report and the amended report be circulated back to the Audit & Risk Committee.

Moved: Dr Irene Irvine

Seconded: Prof Stuart Kells

CARRIED

**1.3 OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT SYSTEM REVIEW - STATUS UPDATE****EXECUTIVE SUMMARY**

1. In December 2019, Council engaged independent safety experts Greencap to undertake a review of operational systems and governance of the Occupational Health and Safety Management System (OHSMS) to ensure the OHSMS complies with Occupational Health and Safety (OHS) legislation, best practice and is fit for purpose.
2. As a result of the Greencap audit report there were 113 individual actions that relate to 64 areas of improvement and an action tracker was created to monitor progress and completion.
3. Significant work has been undertaken to date to complete these actions.
4. There were twenty-four Very High actions identified, two remain open, however all are underway to be completed. Dates for completion are discussed within report.
5. One of the three new resources has now commenced within the Risk and Safety team to lead the safety framework review and subsequent redevelopment.
6. For auditing purposes an evidence document has been created to record proof of completion of all items.

**Commentary**

- Director Corporate Services informed the Committee that this report is an update on progress to the Greencap report which was presented to the September meeting.
- Director Assets & City Services said following the comments at the last meeting about the proposed timelines to complete these actions. We have sped up the actions however we need to not rush to ensure we maintain safety throughout the process.
- The Committee asked why some of the High ratings have not been completed
- Director Assets & City Services replied that the ratings that have been provided were done by Greencap and Council we will revisit and prioritise these for the Committee.
- The Committee commented on the one outstanding risk for plant risk assessment and asked about Work Safes involvement
- Director Assets & City Services replied that we are doing this in conjunction with our workers to ensure they understand the process and are keeping Work Safe informed and up to date regularly and feedback from them is we are doing well. Work Safe understand the significant work involved and will attend again in February (2021) to make sure we are doing things right and imbedding this into the culture.

**COMMITTEE RECOMMENDATION**

That the Committee note the report and in particular that significant process has been made and that Council is working collaboratively with Worksafe.

Moved: Prof Stuart Kells

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020**

Seconded: Cr Mark Di Pasquale

CARRIED

**PRESENTATION**

City Development – Director City Development

Mr Scott Walker – Director City Development spoke about Key Risks in the area of City Development and what Control Measures in place

**City Development Breakdown**

Urban Planning &amp; Building

- Development Planning
- Building (Banyule Bpi)

Strategic Property

- Property Services
- Valuations
- Land Information Systems

Transport

- Traffic & Transport
- Transport Planning & Advocacy

Environment &amp; Place

- Municipal Laws
- City Futures
- Environmental Sustainability
- Economic Development

**Key Risks Identified:**

- Financial Sustainability
- Climate Change expectations
- Transport and other infrastructure projects
- IT Strategy Delivery
- Technology innovation
- Access to data Complexity of the system and requirements
- Professional liability
- Consistency in decisions and delegations
- LG Act Review
- Talent Management
- Covid-19 Impacts

**Control Measures:**

- Monthly reporting
- Training and development
- Internal audits
- Digital transformation
- Probity, consultant and legal advice
- Business plans and process reviews (continuous improvement)
- Service innovations, showcasing and awards

**Commentary:**

The Director City Development spoke in more detail about strategy, approvals and enforcement, land use, urban planning, building approvals and transport and environment and outlined key risks such as changes in legislation ie pool fences, cladding issues, planning issues, traffic engineering and safety are some of the increase in responsibilities



**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020**

which are pushing more responsibility onto council. Decisions that we make have an impact on people's lives.

The Committee asked if the Director is comfortable with the upcoming Audits for 2021. The Director City Development identified the upcoming audits which are currently planned for 2021 commencing with the BPI in January which is a high area of exposure in continued change.

Our monthly reporting is very robust in identifying trends and benchmarking shows we are ahead of other councils with our reporting. We engage consultants or receive legal advice to get surety on matters.

The Committee said City Development have many risks in the operational risk register, do we need to add any into the strategic area? The Director replied that we are comfortable that we have this right and the Internal Audits will pick up if anything is missed.

The Committee said that City Development has a very difficult area and wants a deeper dive in one area for next year's presentation.

The Committee thanked the Director for an informative presentation

**1.4 CROWE HORWATH - INTERNAL AUDIT - ASSURANCE MAPPING NOVEMBER 2020****EXECUTIVE SUMMARY**

1. Banyule City Council (Council) has in place mechanisms to assess internal processes and controls to determine whether they are operating effectively, and management and Council have the confidence risks are being managed.
2. Assurance mapping is the process of reviewing and mapping against the risk profile to assess if assurance coverage is adequate.
3. The assurance mapping was based on the strategic risks presented at the August 2020 Committee meeting.
4. This report has been prepared in accordance with the objectives and approach set out in the Memorandum of Audit Planning (MAP).

**Commentary**

- The Committee questioned the Risk ID's and alignment
- The Committee advised that the Strategic Risk Register should be our main go to document when working out our residual risk rating and these should align to ensure we are getting assurance.
- A meeting to be held between Management and the Internal Auditors
- The report to be withdrawn pending the meeting and revision of the assurance mapping

**COMMITTEE RECOMMENDATION**

That the Assurance Mapping Audit paper be withdrawn subject to further discussion and review and submitted to the next committee meeting.

Moved: Dr Irene Irvine  
Seconded: Prof Stuart Kells

**CARRIED**

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.5 CROWE HORWATH - INTERNAL AUDIT - CONFLICT OF INTEREST OCTOBER 2020****EXECUTIVE SUMMARY**

1. In accordance with Council's internal audit program, Internal Audit has reviewed the adequacy of the various processes that have been put in place to manage conflict of interest for selected areas across the organisation
2. The objectives of the internal audit were to review the adequacy of:
  - a) Policies and procedures
  - b) Monitoring and reporting
  - c) Training and Awareness, and
  - d) Management where conflicts exist.
3. The internal audit focused on how processes and procedures, relating to conflict of interest, are managed at both a corporate level and department level.
4. The areas selected for review were:
  - a) Contract management (panel contractors)
  - b) Tendering practices
  - c) Employment and recruitment practices.

**Commentary**

- The Committee advised that this report is a good outcome for Council. It's a great result with no high risks found.
- Director Corporate Services said the Council has done a lot of work which includes training during the week with Maddocks lawyers with our contract managers.
- The Committee said the document highlighted indirect interests which is a new *Local Government Act 2020* requirement – everyone needs to be conscious of the new changes helping councillors and staff understanding new requirements to be extra vigilant of that change.
- The committee requested that the report include any areas for improvements be included in the in the executive summary

**COMMITTEE RECOMMENDATION**

That the Committee note:

1. The processes around policies and procedures are adequate.
2. The controls around monitoring and reporting need further strengthening.
3. The controls around training and awareness would benefit from additional strengthening.
4. The controls around management where conflicts exist are adequate.

Moved: Mr Greg Rimmer-Hollyman

Seconded: Dr Irene Irvine

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.6 CROWE HORWATH - STRATEGIC INTERNAL AUDIT PLAN 2020 - 2023****EXECUTIVE SUMMARY**

1. During October 2020, Crowe met with the Executive Management Team to identify priorities for the internal audit program. The development of the Strategic Internal Audit plan is based on consideration of the following key inputs:
  - Direct discussions with Executive Management Team
  - 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
  - Three lines model – Management self-assessment review
  - High Level assurance mapping exercise.
2. Enterprise risk management supports organisational resilience. Organisational resilience is the holistic approach for managing change events and building organisational capacity to enable preparation and response to change.

**Commentary**

- The committee advised that contract management and grants management be the first 2 audits
- The internal audit program needs to align with the Risk framework and needs to reflect the next stage and evolution of the framework as both augmentation and as a paper. This will give the Committee assurance that the alignment is being achieved and being documented.
- The Committee stated in terms of the scope around grants management it should include the way we manage service level agreements. The committee requested assurance that the budget funded and grants funded businesses are managed well.
- The Committee requested a column that identifies the Strategic Risk be added to the Strategic Internal Audit Plan when it comes back.
- The Committee emphasised the risk register needs to drive the Internal Audit Plan

**COMMITTEE RECOMMENDATION**

That the following reports be submitted to the next committee meeting:

- Updated Assurance Mapping Audit Plan
- Strategic Internal Audit plan (including a column for the strategic risk that it links to)
- Grants management – scope (grant funded and budget funded community groups)
- Change of Audits scheduled

Moved: Dr Irene Irvine

Seconded: Prof Stuart Kells

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020**

---

**1.7 DRAFT COUNCILLOR CODE OF CONDUCT AND COUNCILLOR GIFT POLICY  
EXECUTIVE SUMMARY****Councillor Code of Conduct**

1. Section 139 of the *Local Government Act 2020* (2020 Act), replaces section 76C of the *Local Government Act 1989*, which requires a Councillor Code of Conduct.
2. To be compliant with the new 2020 Act, the Councillor Code of Conduct:
  - must include the *standards of conduct* prescribed by the regulations expected to be observed by Councillors;
  - must include any provisions prescribed by the regulations;
  - must include provisions addressing any matters prescribed by the regulations; and
  - may include any other matters which the Council considers appropriate, other than any other standards of conduct.
3. Councils must adopt a Code compliant with the requirements of the 2020 Act within four months of the general election (held on 24 October 2020). In the interim the existing Code continues to operate.
4. A revised Councillor Code of Conduct is attached, the Code has been updated with the new 2020 Act provisions and other provisions relating to bullying, sexual harassment and Planning & Land use.
5. It is envisaged that a review be undertaken in 6 months to allow the new Council to review and rework the values (included in the Code) which were developed by the previous term's Councillors.

**Councillor Gift Policy**

6. The 2020 Act requires a Council to also adopt a Councillor Gifts Policy within six months of when the section comes into operation, which was 24 October 2020. A Staff Gifts Policy will also be required and is due in 2021.
7. Whilst the new Act now stipulates that a Council must adopt a Councillor Gift Policy and one for Staff; at Banyule a gifts policy has been in place for a number of years.
8. The Policy must make provision for the maintenance of a gifts register and any matters in the Regulations, including a minimum value for gifts that must be disclosed. Councils must also ensure their Policy complies with the Public Transparency Principles.
9. There was no requirement for a Councillor Gift Policy in the 1989 Act. The purpose of this new requirement is to complement personal interest returns by recording gifts that may be below the threshold for disclosure in a personal interest return, or that may have been received since the latest return was lodged.
10. The Policy is based on a version presented to the Committee at its meeting on 18 September and is aligned with Victorian Public Sector (VPS) and DWELP (Department Water Environment Local Planning Department) Gifts Policy models. It is also based on a self-assessment against the IBAC, Local Government Integrity Frameworks Review in 2019, presented to the Committee in June 2019.

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020**

11. The Committee's feedback is sought on both the Code of Conduct and Councillor Gift Policy to inform a final version to be presented to Council on the 8 February 2021 for adoption.

**Commentary**

- The Committee discussed the gift threshold and whether token gifts under \$50 was an onerous task to declare.
- The Committee felt that gifts over \$50 be declared and to refer the draft policy and question about the gift threshold with key Integrity Agencies.

**COMMITTEE RECOMMENDATION**

The Committee provided feedback that both documents were comprehensive and no changes were required to the draft Councillor Code of Conduct or Councillor Gifts Policy and advised that only gifts over \$50 be declared and to seek the views of the integrity agencies on the gift threshold.

Moved: Mr Greg Rimmer-Hollyman  
Seconded: Prof Stuart Kells

CARRIED



**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.8 AUDIT & RISK COMMITTEE - PROPOSED SCHEDULE OF MEETING DATES  
FOR 2021****EXECUTIVE SUMMARY**

1. The Audit & Risk Committee Charter states the 'Committee' will develop a forward meeting schedule that includes the dates, location, and content of the annual work.
2. The Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require.
3. All committee members are expected to attend each meeting in person or through teleconference or videoconference where those facilities are available.
4. A schedule of meetings is developed annually and agreed the Committee.
5. Meeting are generally held in the Months of March, June, September and December.
6. A schedule of meetings is proposed for Committee discussion and approval.
7. The Committee to confirm meeting times.

**COMMITTEE RECOMMENDATION**

That the Committee:

1. Confirm the dates for the Audit & Risk Committee meetings for 2021 are as follows:
  - a) Friday 12 March 2021
  - b) Friday 18 June 2021
  - c) Friday 17 September 2020
  - d) Friday 10 December 2021
2. meetings commence at 1pm.

Moved: Dr Irene Irvine  
Seconded: Prof Stuart Kells

**CARRIED**

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.11 COMPLIANCE & TRAINING****EXECUTIVE SUMMARY**

1. Audit and Risk Committee (ARC) requested a high-level overview of our current legislative requirements and the status of our compliance training within Council.
2. To date individual business units, monitor and control their own compliance requirements through positions selection prerequisites and ongoing training. The majority of these business units are heavily externally regulated throughout the year.
3. Current there are only two outstanding compliance training not at 100%. The training for both First Aid and Confined Space was not conducted through COVID, all these sessions have now been booked and all outstanding training will be conducted by December 2020.
4. A centralised system is required to ensure a consistent approach to compliance training across council. This system would form part of a new Human Resources Information System (HRIS)

**COMMITTEE RECOMMENDATION**

That the Committee:

- Note all compliance training will be completed by the end of December 2020.
- Note that compliance training is monitored and controlled by local business units and that a centralised system is being scoped to ensure Council wide oversight by a relevant business unit.

Moved: Dr Irene Irvine  
Seconded: Prof Stuart Kells

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.15 SAFETY METRICS****EXECUTIVE SUMMARY**

1. A new resource has commenced within the Risk and Safety Team and is undertaking the Safety Framework review and assisting with the close out of the Notices of Improvement issued to Assets and City Services.
2. Work is underway with Managers in selected areas to improve the notification periods of reportable incidents/near misses and hazards. 42% were not reported within set timeframes during October.
3. The number of overdue investigations has decreased from previous months and is attributed to a previous change in the escalation process and reporting on the issue to EMT. To further improve completion timeframes of investigations a revised escalation process is now in place within the Risk and Safety Team.
4. Three new WorkCover Claims were received in October, with a total of twenty open claims. 75% of the open claims are within the Assets and City Services Directorate and a majority from Parks and Open Spaces. Regular fortnightly meetings are now in place with the Manager of the area to discuss the return to work of the staff and proactive steps to limit new claims.
5. Emergency Management training throughout the organisation is at 65% compliance. All managers have been sent outstanding staff lists to ensure completion by end of November.
6. The ergonomic equipment rollout continues for staff and has moved to a "click and collect" model with the easing of restrictions. Where staff cannot attend the office equipment will be couriered out.

**COMMITTEE RECOMMENDATION**

That the Committee note this report

Moved: Dr Irene Irvine

Seconded: Prof Stuart Kells

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.17 STATUS REPORT - INTERNAL AUDIT RECOMMENDATIONS UPDATE  
DECEMBER 2020****EXECUTIVE SUMMARY**

1. The Report provides a Status Report and summary of outstanding issues arising from the following reviews which have been reported to the Audit & Risk Committee:
  - 2017 - 2020 Internal Audit Recommendations
  - 2020 - 2022 Internal Audit Recommendations
  - IBAC and VAGO Self Assessments
  - Audit & Risk Committee Self-Assessment No 1
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.

**COMMITTEE RECOMMENDATION**

That the Audit & Risk Committee note updates for:

The Internal Audit Management Action Progress

- Enterprise Risk Management
- Project Management
- Credit & Fuel Cards (Including Data Analytics)
- Local Laws
- Crowe – Follow-up of closed out internal audit actions

IBAC and VAGO Self-Assessments

- Integrity Frameworks Review
- Corruption Risks with Local Government Procurement
- Fraud & Corruption Review
- Security of Local Government Buildings
- Asset Management Accountability Framework
- Asset Management and Compliance
- Development Contributions Plan

The Audit & Risk Committee Charter

- Self-Assessment No. 1

Moved: Dr Irene Irvine

Seconded: Prof Stuart Kells

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020**

---

**COMMITTEE RECOMMENDATION**

That items 1.9, 1.10, 1.12, 1.13, 1.14, 1.16 to 1.21 be resolved in block.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED

**1.9 FOLLOW UP ACTIONS - ARISING FROM THE 18 SEPTEMBER 2020  
COMMITTEE MEETING.****EXECUTIVE SUMMARY**

1. The report provides a summary of actions arising from the Audit & Risk Committee meeting of the 18 September 2020.
2. The report lists the actions which were raised at the meeting and provides a mechanism to ensure the actions are addressed.

**COMMITTEE RECOMMENDATION**

That the Audit & Risk Committee note the updates and resolve to accept reports arising from the follow up actions requested at the meeting on 18 September 2020.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED



**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.10 LOCAL GOVERNMENT ACT 2020 - IMPLEMENTATION - PROGRESS REPORT  
EXECUTIVE SUMMARY**

1. The third quarterly report is provided on the Implementation of the *Local Government Act 2020*.
2. The *Local Government Act 2020* came into operation on 25 March 2020.
3. The new Act has a number of requirements which will be implemented over four stages. Each stage is being proclaimed at different times:
  - STAGE 1 – 6 April 2020
  - STAGE 2 – 1 May 2020
  - STAGE 3 – 24 Oct 2020
  - STAGE 4 – 1 July 2021
4. Stage 3 of the new Act relates mainly to Councillors and the new Council after the General Election; The following is required:
  - Mandatory training for Candidates
  - Mandatory training for Councillors
  - Councillor Code of Conduct
  - Councillor Gifts Policy
  - Community Engagement Policy
5. Mandatory training for Councillors as required by the *Local Government Act 2020* (section 32) has commenced, with Module 1 undertaken on the 16 November and Module 2 scheduled for 30 November.
6. The new Conflict of Interest (COI) provisions have taken effect from late October 2020 and are a significant change from the prescriptive requirements under the 1989 Act. The process for COI declarations is no longer in the 2020 Act and have been covered in the Governance Rules adopted by Council on 17 August 2020.
7. Stage 4 includes development of significant strategic documents including the development of a 10-year Community Vision., The Act requires deliberative engagement on the development.

**COMMITTEE RECOMMENDATION**

That the Committee note Council's progress on implementation of the *Local Government Act 2020* and that all requirements to date have been met within the due timeframe.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.12 AUDIT & RISK COMMITTEE CHAIRPERSONS REPORT 2020****EXECUTIVE SUMMARY**

1. The *Local Government Act 2020* (LGA) section 53 requires all Councils to establish an Audit Committee.
2. The Committee operates under a Charter determined by Council and based on the best practice guide from Local Government Victoria. It is an advisory committee of Council.
3. The Audit & Risk Committee's role is to report to the Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.
4. An Audit and Risk Committee must:
  - prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and
  - provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting
5. This report presents the first biannual Audit & Risk report under the new provisions of the LGA to provide Council with an overview of the Committee's primary functions; activities and outcomes over the last 12 Months. Thereafter they will become 6 monthly reports.
6. The report has been prepared by the Chair of the Committee and Council officers.
7. The Committee has reviewed and considered a range of comprehensive reports throughout the year on various aspects of Council's operations.
8. The Committee's First Biannual Report on the activities of the Audit & Risk Committee is recommended to be submitted to CEO for submitting to the next Council meeting of Council being the 8 February 2021.

**COMMITTEE RECOMMENDATION**

That the Committee:

1. advise any other matters to be included in the report and
2. submit the report to the CEO for tabling at the next Ordinary Council meeting.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.13 AUDIT & RISK COMMITTEE - ANNUAL WORK PLAN - DECEMBER 2020****EXECUTIVE SUMMARY**

1. An Annual Work Plan is developed that sets out the work program for the year, it outlines the audits, work and review of items including timing and frequency of reporting to the Committee.
2. At Banyule the Annual Work Plan is grouped in the following sections:
  - Annual Financial Statements
  - Budget
  - Data Analytics
  - Financials
  - Governance
  - IBAC
  - Internal Audit
  - Risk Management
  - VAGO
  - Other
3. The *Local Government Act 2020* requires all Victorian Councils to adopt an Annual work program. The plan is mapped against the Functions and Responsibilities of the Audit and Risk Committee Charter approved by Council on 17 August 2020.
4. The Annual work plan for the month of December 2020 is presented (attached).

**COMMITTEE RECOMMENDATION**

That the Audit & Risk Committee note:

1. The attached Annual Work Plan.
2. The update to the annual review of the Strategic Internal Audit Plan which will now be presented to the Audit & Risk Committee in December of each year.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.14 INSURANCE COVERAGE****EXECUTIVE SUMMARY**

1. The Committee requested clarity around Council's coverage under its current insurance arrangements.
2. This report is provided to the Committee for assurance that all Council's insurable assets and items/events/costs are covered under the current Insurance arrangements where practicable.
3. Legal cost as a result of the Industrial Manslaughter charge are currently covered by one of the two Councils policies. Legal costs would need to be repaid in full to the insurer if found guilty.

**COMMITTEE RECOMMENDATION**

That the Committee note this report.

Moved: Dr Irene Irvine  
Seconded: Mr Greg Rimmer-Hollyman

**CARRIED**

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.16 CROWE HORWATH - SUMMARY OF PROGRESS REPORT AS AT 30  
NOVEMBER 2020****EXECUTIVE SUMMARY**

1. This report provides the Banyule City Council's Audit and Risk Committee (ARC) with the status of internal audit activity as at 30 November 2020.
2. Internal audit reports tabled at this meeting:
  - Management of Conflict of Interest
  - Assurance Mapping
3. The draft Strategic Internal Audit Plan 2020/22 has been provided to management.
4. The following activities were conducted during the period.
  - Management of Information provided to Third Parties
    - (draft report issued to management.)
  - Planning for Statutory Building
  - Planning for Grants Management

**COMMITTEE RECOMMENDATION**

That the Internal Audit Progress Report be noted and received.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED



**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.18 INTEGRITY AGENCY REPORTS - SELF-ASSESSMENTS STATUS REPORT AS  
AT 11 DECEMBER 2020****EXECUTIVE SUMMARY**

1. Integrity Agencies such as the Victorian Auditor General's Office (VAGO) and Independent Broad Based Anti-Corruption Commission (IBAC), Local Government Inspectorate (LGI) and Victorian Ombudsman (VO) 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 Committee.
4. The Report provides the Audit & Risk Committee with a list these reports that Banyule has identified as opportunities to improve systems and controls relevant to council operations.
5. The status report as at 11 December 2020 is listed and provides an update of all self-assessments undertaken to date.

**COMMITTEE RECOMMENDATION**

That the Committee notes the following:

- 1) The status of the self-assessments and progress to date.
- 2) The Self-Assessment into Council Libraries being undertaken by Yarra Plenty Regional Libraries will come up to the Audit & Risk Committee March 2021.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.19 QUARTERLY FINANCIAL MANAGEMENT REPORT - SEPTEMBER 2020****EXECUTIVE SUMMARY**

1. This Financial Management Report is for the period ended 30 September 2020 and provides the explanations for the following:
  - The key income and expenditure actual operating results against budget
  - Capital Works financial performance
  - COVID-19 financial impact
  - Other key financial indicators
2. The economic disruption caused by the unexpected COVID-19 Stage 4 restrictions imposed by the Victorian Government has had a greater impact on Council's businesses than anticipated in the budget. This has surpassed the budget assumptions including in the Budget 2020/21.
  - September forecast revisions have resulted in a further \$1.430m unfavourable movement to the adopted budget deficit of \$1.351m. It is estimated that the additional net annual cost impact is \$4.541m.
  - The current spend on the Economic Support Package is \$0.917m. This has been much lower than anticipated with the lower take up of rates waivers and greater number of rate deferral applications. At this stage, no adjustment has been made to the forecast spend of the package and will be regularly monitored over the next quarter.
  - The \$10.5m package was further refined by Council at its meeting on Monday 21 September 2020. This included extending the rent relief for commercial and community groups to respond to the Stage 4 restrictions in addition to an increase in Category C waiver and eligibility adjustment to Category B.

**Operating Surplus:**

3. The year to date (YTD) actual financial performance against budget is tracking favourable by \$3.085m.
4. Council has forecasted to deliver an operating deficit of **\$2.781m** for the year 2020/21. This includes a significant provision for rate waivers of which approximately 5% has been drawn upon.
5. The forecast variances are primarily related to:
  - Exceeded COVID-19 business impact - \$4.541m; offset by
  - Additional contributions income (mainly from Public Open Space) - \$1.252m
  - Additional operating and capital grants revenue - \$1.455m
  - Other income (mainly from insurance reimbursement) – \$0.520m

The 2020/21 underlying operating deficit is forecast to be **\$13.674m** compared to a budgeted underlying deficit result of **\$8.444m**. This underlying result is determined after adjusting for non-recurrent capital grants and capital contributions of \$10.892m.

**Capital Works Performance:**

As of 30 September 2020, a total of **\$13.184m** has been spent on capital works.

The capital works expenditure is forecast to be **\$74.667m** (the adopted capital budget is **\$63.550m**). The forecast includes capital works projects (\$9.352m) that were budget in 2019/202 and will now be completed in 2020/2021.

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****COMMITTEE RECOMMENDATION**

That the Audit and Risk Committee note the Quarterly Financial Management Report for September 2020 and that:

- 1) Council remains financially sustainable despite the short-term financial impact by the extended stage 4 restrictions
- 2) Officers have complied with the *Local Government Act 2020* to provide a quarterly budget report to Council as soon as practical after the end of the quarter; and
- 3) This report is an extract from the Council Meeting and has yet to be endorsed by Council. The Council Meeting at which the report is to be considered for endorsement is Monday 14 December 2020.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED

**1.20 COMPUTER ASSISTED AUDIT TECHNIQUES (CAAT'S) - QUARTERLY REPORT****EXECUTIVE SUMMARY**

1. In line with the Computer Assisted Audit Techniques (CAATs) works program for 2020/21, planned quarterly tests were undertaken internally by Banyule City Council officers and the results reported to Audit and Risk Committee.
2. The primary objective of the tests is to ensure that the relevant controls, processes, and practices are adequate, accurate, and complete.
3. Overall, General Ledger, Depreciation/Amortisation, and Rates controls, processes, and practices are operating effectively.
4. Detailed findings and actions are provided in the report.

**COMMITTEE RECOMMENDATION**

That the Committee:

1. Note the CAAT's Quarterly Report is covering General Ledger, Depreciation/Amortisation, and Rates controls, processes, and practices.
2. Note that there were no anomalies from this CAAT review.
3. Note that the overall, General Ledger, Depreciation/Amortisation, and Rates controls, processes, and practices are operating effectively.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED

**MINUTES BANYULE AUDIT & RISK COMMITTEE****11 DECEMBER 2020****1.21 COMPUTER ASSISTED AUDIT TECHNIQUES (CAATS) - PROCUREMENT -  
PURCHASE ORDERS AFTER INVOICE****EXECUTIVE SUMMARY**

1. In line with the Computer Assisted Audit Techniques (CAATs) works program for the year ended 2019/20, 'CAAT's Procurement – Purchase orders after invoices' test was undertaken internally by Banyule City Council officers and the results reported to Audit & Risk Committee.
2. The primary objective of the 'CAATs Procurement – Purchase orders after invoices' test is to ensure that the relevant controls, processes, and practices are adequate, accurate, and complete.
3. Overall, procurement controls, processes, and practices are sound. There will continue to be regular management reporting to maintain the improved compliance, by staff when committing spend on behalf of Banyule, that has been achieved over the past year.

**COMMITTEE RECOMMENDATION**

That the Committee:

1. Note the report and the actions to be undertaken by Council officers to manage the operational risks when staff are committing spend on behalf of Banyule.
2. Note the sustained improvement in Purchase Order process compliance.
3. Note the Senior Management Team's continued monitoring of staff PO non-compliance activities directly within their teams.

Moved: Dr Irene Irvine

Seconded: Mr Greg Rimmer-Hollyman

CARRIED

**2. Verbal Updates**

*Nil*

**3. Other Business**

*Nil*

**Next Meeting – Friday 12 March 2021 at 1pm**

**Closure of Meeting 5.14pm**

**Attachment I**

**Land and property acquired | June 2020 to 31 December 2020**

16 Palara Court, Montmorency outlined yellow and shown crosshatched.



Part 1-9 John Street, Ivanhoe outlined yellow and shown crosshatched.





**Land and property sold 1 June 2020 to 31 December 2020**

Lots 4, 5, 6 and 7 Ailsa Grove, Ivanhoe outlined yellow and shown crosshatched.

