

AGENDA

For the Meeting of Council

Tuesday 20 May 2025



Commencing at 6.30 PM in the
Mount Alexander Shire Council Chamber,
Civic Centre
Corner Lyttleton Street and Lloyd Street, Castlemaine VIC
3450.

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ACKNOWLEDGEMENT OF COUNTRY

To start the official proceedings

**I would like to acknowledge that we are meeting on Djaara country
of which the members and elders of the Djaara community and their
forebears have been custodians for many centuries
and have performed age old ceremonies of celebration, initiation and renewal.
We acknowledge their living culture and their unique role in the life of this region.**

**Council Meetings are audio and video recorded and are made available to the public via
electronic media including YouTube.**

1. PRESENT

2. APOLOGIES/LEAVE OF ABSENCE

3. DECLARATIONS OF INTEREST AND CONFLICTS OF INTEREST

4. CONFIRMATION OF MINUTES

4.1. Meeting Of Council – 15 April 2025

The unconfirmed minutes of the Meeting of the Mount Alexander Shire Council held at 6.30 pm on 15 April 2025 at the Mount Alexander Shire Civic Centre have been circulated to Councillors.

The unconfirmed minutes have also been posted on the Mount Alexander Shire Council website, pending confirmation at this meeting.

RECOMMENDATION

That the Minutes of the Meeting of the Mount Alexander Shire Council held on 15 April 2025 be confirmed.

5. ACKNOWLEDGEMENTS

Nil.

6. PUBLIC TIME

7. PETITIONS AND LETTERS

Council has received a petition on 24 April 2025 from residents objecting to proposed changes to the current speed limits along Harmony Way, Harcourt. The petition is shown at Confidential Attachment 7.1.1.

RECOMMENDATION

That Council:

- 1. Acknowledges receipt of the petition; and**
- 2. Receives a report on this petition at the Meeting of Council on 15 July 2025.**

8. COMMITTEE REPORTS

8.1. Audit And Risk Committee Meeting Minutes - 25 February 2025

The Confidential Audit and Risk Committee Meeting Minutes for the meeting held 25 February 2025 are at Confidential Attachment 8.1.1.

RECOMMENDATION

That Council notes the Audit and Risk Committee Meeting Minutes for the Meeting held 25 February 2025.

9. OFFICER REPORTS

9.1. Community

9.1.1. Visitor Economy Partnership

This Report is For Decision.

Responsible Director: Director Healthy Communities, Lisa Knight

Responsible Officer: Director Healthy Communities, Lisa Knight

Attachments: Nil

Executive Summary

The purpose of this report is to present a future structure for the Destination Central Victoria Visitor Economy Partnership (VEP) and seek approval for Mount Alexander Shire Council's participation and investment in the Partnership.

In March 2019 the State Government commissioned the Visitor Economy Recovery and Reform Plan. The Plan was commissioned by the Victorian Government to ensure the regions get the support and opportunities they need to grow in the tourism market. A key outcome from this Plan was to transition the existing network of Regional Tourism Boards into a new network of Visitor Economy Partnerships (VEP's).

In September 2020, the Victorian Government released the Visitor Economy Recovery and Reform Plan (VERRP). This plan was informed by the findings of the Regional Tourism Review, which was commissioned by the Victorian Government (2019) to ensure regions get the support and opportunities they need to grow tourism. In order to align with the objectives of the Plan, an opportunity has been identified to join a collaborative, cross-regional Visitor Economy Partnership for Mount Alexander Shire Council (Council).

Led by the Department of Jobs, Skills, Industry and Regions (DJSIR), membership of a new VEP entity has the potential to unlock significant benefits and opportunities for Council in realising the economic benefits of the visitor economy, with strong linkages between the proposed VEP model and Council's strategic priorities, including the Community Vision, Council Plan and the Economic Development Strategy. Each of these strategic documents identify the contribution of tourism and the visitor economy in achieving a strong and thriving local economy. It is anticipated that Council would benefit from membership to the new VEP entity which would apply a more coordinated approach for the region in relation to advocacy, sustainable destination development, marketing support and capacity building.

RECOMMENDATION

That Council:

- 1. Approves membership to the Destination Central Victoria Inc. as the new Visitor Economy Partnership for the region.**
- 2. Approves the legal incorporation to join Destination Central Victoria Inc. as the official Visitor Economy Partnership for the region.**
- 3. Subject to Council's annual budgetary process and adoption at the 17 June 2025 Meeting of Council:**
 - a) Allocates a contribution of \$30,000 for financial year 2025/2026 to the partnership.**
 - b) Notes that the annual contribution will be outlined in a Memorandum of Understanding, aligning with the State Government funding Agreement with the future entity, once the entity is legalised.**
 - c) Notes the intent of an annual contribution for year two (2026/2027) of \$40,000, increasing to an annual contribution of \$50,000 for year three (2027/2028) and ongoing.**
- 4. Notes the Destination Central Victoria Management Plan as the key strategic document for Visitor Economy Partnership to implement.**

Context

Background

A Visitor Economy Partnership has been a long-standing arrangement with Mount Alexander Shire Council and neighbouring Councils. In 2009, Daylesford Macedon Tourism was formed to provide tourism support as a peak industry body for tourism in the Daylesford and Macedon Ranges region. Mount Alexander Shire Council was not included in this partnership at this time, but was a part of Goldfields Tourism which included Ballarat and Bendigo.

In 2013, the previously known Goldfields Tourism partnership split, and Mount Alexander Shire joined what is now known as Bendigo Regional Tourism.

In 2019 the Victorian Government conducted the Regional Tourism Review. It was an extensive review to understand how to improve the management of regional tourism in Victoria. The findings of the review were not fully realised due to the 2019-2020 bushfires and then the Covid-19 pandemic. The Victorian Government did commit to support enhancing the sector with the Experience Victoria 2033 Plan and changes to the Regional Tourism Network.

In 2023 the Victorian Government released the Visitor Economy Partnership (VEP) Framework, which changed how regional tourism is supported in the State of Victoria. The ambition of the Visitor Economy Partnership Framework is to transition Regional Tourism Boards to new entities called Visitor Economy Partnerships and to ensure that all regions have equitable access to these entities.

Visitor Economy Partnerships will be the official peak tourism bodies for regions. They will deliver supply and demand activities, such as advocacy, policy development and marketing to support growth of the visitor economy whilst also managing growth. Visitor Economy Partnerships will have improved governance and create clarity of roles and responsibilities within the visitor economy.

Historically, Regional Tourism Networks have been supported by the Victorian Government through the funding of Regional Tourism Boards. Clear opportunities to improve the equity of delivery of regional tourism services exist in relation to advocacy, funding and resources.

Current membership with Bendigo Regional Tourism

Mount Alexander Shire Council has been a part of Bendigo Regional Tourism since 2013.

This entity has provided a service to:

- consult and liaise with the industry to determine needs and opportunities for regional tourism development
- develop and attract visitation to the region
- work co-operatively to promote and market the region (intrastate; interstate & international) as a major visitor destination
- work co-operatively to assist tourism businesses deliver enriched visitor experiences
- deliver tourism industry training programs which benefit the broader tourism industry
- encourage development of tourism related infrastructure and experiences to the region.

Bendigo Regional Tourism currently exists as a Memorandum of Understanding (MoU) between four Local Government Areas (LGA's); City of Greater Bendigo, Loddon Shire, Central Goldfields Shire and Mount Alexander Shire. The MoU defines the level of agreed support to be provided to Council and the agreed contribution from Council of \$10,000 per year (plus website and maintenance costs). The MoU sets out in specific and measurable terms, support provided, delivery roles, activities and responsibilities the duration and administration of the Agreement to support the strategic and operational development of tourism in the region.

Why transition to a new Partnership

Over the past four years, an extensive consultation process has taken place in the form of a working group, run by independent facilitators and involving the local government areas of City of Bendigo, Loddon Shire, Hepburn Shire, Macedon Ranges Shire, Central Goldfields and Mount Alexander Shire; alongside the Department of Jobs, Skills, Industry and Regions (DJSIR). Council was last briefed on this project in November 2022.

Council was invited to be a part of these discussions and agreed, noting an opportunity to provide a greater focus on the smaller towns and regions and that tourism product alignment could be found more in our southern neighbours.

At the recommendation of this working group, it is proposed that Mount Alexander Shire now form a new Visitor Economy Partnership with Hepburn Shire, Macedon Ranges Shire and Central Goldfields Shire called Destination Central Victoria (working title). The establishment of this entity is estimated to commence following ratification by the four participating LGAs and the endorsement by the Department of Jobs, Skills, Industry and Regions, with a view to be fully-functioning by 1 July 2025.

The opportunity to join this new VEP provides additional marketing, advocacy and industry development opportunities, particularly with a closer product alignment and the expertise of what was Daylesford Macedon Ranges Tourism, who will now form the basis of the new entity. This group agreed to work towards the formation of a new partnership based on other successful models of tourism partnerships which has resulted in a suggested structure for a Visitor Economy Partnership for the region.

This was following advice from Tourism, Events and Visitor Economy (TEVE), which is responsible for strengthening the profile of tourism for the Department of Jobs, Skills, Industry and Regions (DJSIR), which made the decision to cease funding the Victorian Goldfields Tourism, in which Ballarat and Bendigo regions were represented, by June 2022. This was a key outcome of the Visitor Economy Recovery and Reform Plan.

The purpose of a Visitor Economy Partnership for the region (as per the Visitor Economy Recovery and Reform Plan) is to:

- provide strong leadership and links between community, councils, government and industry
- advocate for and enable investment from state and local government
- support recovery, innovation and growth
- position the region as a destination to visit and live
- ensure all parties are represented through an elected board with clear remit
- ensure services are delivered efficiently, without duplication and with clear roles and responsibilities

-
- position the region as a best practice example.

Formation and structure of the Partnership

Visitor Economy Partnerships are required to be an independent entity to satisfy Victorian Government funding requirements. Through the co-design process, it was decided that the basis for the new entity would be a re-working of the current Daylesford Macedon Ranges Tourism entity to include Mount Alexander Shire Council and Central Goldfields Shire Council.

This entity type designates a board structure for its governance model. Feedback from industry and partners was that to build success this entity was to be industry led and have strong industry representation at a Board level.

Individual LGAs will retain responsibility for visitor servicing, local promotion, local networking and support including the management of Visitor Information Centres for their regions.

Hepburn Shire, Central Goldfields Shire and Macedon Ranges Shire are all in the process of considering the change and endorsing the new partnership.

This feedback has been implemented into the proposed Board model, being:

- 1 Independent Chair
- 4 Local Government Area Representatives (CEO or delegate)
- 3 Industry based representatives
- 3 Skills based representatives

Key issues

The transition to a new Visitor Economy Partnership is seen as a positive and beneficial arrangement for Mount Alexander Shire Council. Discussions with partnering Councils and the Department of Jobs, Skills, Industry and Regions have reviewed roles, responsibilities, financial contributions, governance arrangements and Board structure. Outcomes of discussions have also noted additional benefits to include:

- Economies of scale by increasing the size of the partnerships (# of LGS's).
- Will support [Covid] recovery and growth of the visitor economy.
- Be able to better respond to challenges facing industry, capture emerging opportunities, and meet the needs of visitors, local communities and businesses.
- Official recognition, increased clarity and collaboration with government (Bendigo Regional Tourism was not "officially" recognised as a Tourism Board).
- A more transparent funding model.
- Enhanced operational support.
- Access to data, insights and tools to track outcomes.

Finance and Resource Implications

The proposed Visitor Economy Partnership Council financial contribution is a value for money proposition. The current annual financial contribution for Council to be a part of Bendigo Regional Tourism is \$10,000. The proposed Visitor Economy Partnership agreement seeks an increase for year one to \$30,000, year two \$40,000 and year three

\$50,000 (ongoing). Locally we will not be offering paid memberships and will encourage our local tourism industry operators to join the new entity (at an individual cost of \$249 per year). This has a limited impact on Council's revenue stream, as Council Officers have not promoted paid memberships since offering free memberships during the COVID-19 Pandemic and knowing that this transition was imminent. Staff resources allocated to this project will be undertaken via base budget; this incorporates the Director Healthy Communities, Manager Economy and Culture and the Tourism Marketing and Development Officer.

Risk Analysis

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted. The below risk analysis provides further detail as to how this governance principle has been considered and applied in relation to the Destination Central Victoria Visitor Economy Partnership.

Economic

Visitor economy businesses, organisations and events will benefit from the support from Destination Central Victoria as a recognised peak body for tourism in the region. This entity will have strong connections with the Victorian Government and regional network to unlock the potential of our region as a destination. This will likely unlock additional funding streams and opportunities that have previously been accessed by Regional Tourism Boards, additional to the identified core funding.

If the region does not proceed with a partnership, then there is the potential to be ineligible for funding. It is also noted that financial contributions by Council are integral to the stability of the Partnership. If Councils change their funding levels in future years, financial sustainability may be impacted.

Social

Destination Central Victoria Incorporated will be a recognised peak body to support this visitor economy of the region. This body will be advocating for investment into the visitor economy which will likely create a broader range of activities available for both local and visitors to experience. The entity will also be involved in regional marketing which may increase local pride for the region and increase connection to an individual's community and the greater region.

Legal Entity and Transmission of Business

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made, and actions taken in accordance with the relevant law. The legal entity will be established as an Incorporated Association under the *Associations Incorporation Reform Act 2012*. Council will be a Board member of this Association. The Association model rules have been reviewed by a legal advisor to ensure consistency with the legislation and accuracy. This VEP arrangement is seen to address and mitigate risk associated with legislative compliance and alignment.

Shared Services and Joint Ventures (positive risk)

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought. The outcomes of the Destination Central Victoria VEP is evidence of significant Local Government collaboration. The essence of this report centres around the value of partnerships and collaboration and the process to date has been codesign and industry

engagement. This project demonstrates the significant value of working in partnership for a common goal; this will be further demonstrated in years to come as the partnership matures. There are also several efficiencies and economies of scale for Mount Alexander Shire Council undertaking this work in partnership with two other Councils.

It is also noted that if one council does not proceed, the Visitor Economy Partnership cannot proceed as it does not meet the minimum requirements set by State Government.

Loss of Agency for Council within a Visitor Economy Partnership

Visitor Economy Partnership structures have Council representation on the Board, and the Board will determine the strategic direction for the organisation. This representation is also seen to mitigate risk associated with lack of trust and buy-in from industry. Success can be supported via ongoing engagement with industry and peak industry groups, with the future Visitor Economy Partnership having strong industry presentation on the Board.

Business Continuity Risk

The continuity of support to our tourism industry operators will result in interruption of plans in place to maintain support and grow the support over the transition. There are plans for industry training, a roadshow to introduce the new entity as well as extensive networking and information sharing opportunities for industry.

Reputation Risk

Destination Central Victoria provides Council with a prospect to increase the opportunity for future tourism/industry development opportunities and limit industry support. Participation in the VEP is viewed as a positive step forward for the visitor economy. Reputational risk to Council will be managed and evaluated as the VEP matures and engaged and feedback from industry and skills-based members is sought.

Visitor Economy Partnerships will be the peak tourism advocacy body for regions. Without this support the regions visitor economy will not have a voice at State level.

Climate Impact Statement

Membership to the Destination Central Victoria Visitor Economy Partnerships not envisaged to result in climate impact implications.

Gender Equity Statement

It is considered that this report goes towards promoting gender equity principles as outlined in the Gender Equity Act 2020 and does not contribute to the promotion of inequalities. Mount Alexander Shire Council is committed to meeting its obligations as stated in the Act and to further promote the right to equality as set out in the Charter of Human Rights.

A Gender Impact Assessment was not required; however, gender equity principles have been considered in the development of the project / initiative to the advancement of gender equality.

Alternate Options

There is no alternate option. If Council does not support Mount Alexander Shire Council joining as a member Council of Destination Central Victoria, there is no alternate funding source or partnership agreement for tourism across the Shire.

Communication and Consultation

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Over the past four years, an extensive consultation process has taken place in the form of a working group, run by independent facilitators and involving the local government areas of City of Bendigo, Loddon Shire, Hepburn Shire, Macedon Ranges Shire, Central Goldfields Shire and Mount Alexander Shire; alongside the Department of Jobs, Skills, Industry and Regions. Council was last briefed on this project in November 2022.

Led by DJSIR, a co-design process was facilitated via workshops held between February and March 2025. Council Officer representation was undertaken from Mount Alexander Shire, Hepburn Shire, Central Goldfields Shire and Macedon Ranges Shire Council, to detail an industry engagement plan. The purpose, membership and decision-making principles have been focused on what industry told us throughout engagement.

Legislation

Local Government Act 2020

LOCAL GOVERNMENT ACT 2020 - SECT 9

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 —*

- (a) the community engagement principles;*
- (b) the public transparency principles;*
- (c) the strategic planning principles;*
- (d) the financial management principles;*
- (e) the service performance principles.*

Strategies and Policy Impacts

Council Plan 2021-2025

Pillar 3: A resilient and growing local economy

Our local economy is diverse and resilient.

We are attracting and building investment in our cultural and creative community.

We are helping businesses make their work simpler and more sustainable.

We are supporting continuous learning and personal growth.

Economic Development Strategy

This report is consistent with the objectives of the Mount Alexander Shire Economic Development Strategy:

Goal 1: Prosperous local enterprises and organisations

Goal 2: Future-ready people and industry

Goal 3: Connected, inclusive and vibrant precincts

Goal 4: Sustainable approaches and systems

Goal 5: People participating equitably in the economy

Goal 6: Healthy Country

Child Safe Standards

Mount Alexander Shire Council is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping children and young people safe from harm and promoting their best interests.

All children who come in contact with Councillors, employees, contractors and volunteers from the organisation have a right to be and feel safe. We have specific policies, procedures and training in place to support employees, volunteers and contractors to achieve these commitments.

We create environments where all children have a voice and are listened to, their views are respected and they contribute to how we plan for, design and develop our services and activities.

Declarations of Conflict of Interest

Under section 130 of the *Local Government Act 2020*, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.1.2. Community Asset Committee Compliance Report 2023/2024

This Report is For Information.

Responsible Director: Director Corporate Services, Julie Landy

Responsible Officer: Governance Coordinator, Augustine Sheppard

Attachments: 1. Community Asset Committee - Audit of Annual Return and Required Documentation FY 2023-2024 [**9.1.2.1** - 1 page]

Executive Summary

The purpose of this report is to submit to Council a report regarding the activities and performance of Council's Community Asset Committees as required under section 47 of the *Local Government Act 2020* (the Act). This report occurs annually and is to be completed once Community Asset Committees have had sufficient time to submit their required documentation for the previous financial year.

RECOMMENDATION

That Council notes the activity and performance of Council's Community Asset Committees recorded during the 2023/2024 financial year.

Context

Council has 20 Community Asset Committees that manage community assets on behalf of Council.

Every year, Community Asset Committees are required to complete an Annual Return. The Annual Return contains information on the following:

- Minutes of General Meetings and Annual General Meetings
- Bank statements
- Statement of income and expenditure
- Monies held
- Estimated value of Council / Committee owned equipment
- Summary of non-Council works completed at the facility in the previous year
- Proposed fees and charges for the next year
- Committee contact details.

For Community Asset Committees to receive their annual contributions from Council, they are required to provide all the above data.

Issues

Under section 47(1)(b) of the Act, the Chief Executive Officer has a role in relation to Community Asset Committees.

The Chief Executive Officer may, by Instrument of Delegation, delegate to members of a Community Asset Committee any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council.

Section 47(4) of the Act includes the delegations that can be exercised to Community Asset Committees by the Chief Executive Officer, and they include:

- (a) *the specified limit on any financial delegation and the specified purpose for which the financial delegation may be used*
- (b) *compliance with specified governance requirements to ensure appropriate standards of probity are met*
- (c) *specified monitoring and reporting of the activities and performance of the Community Asset Committee*

Section 47 of the Act further states:

- (6) *A Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.*
- (7) *A Chief Executive Officer must keep a register of delegations made under this section.*

In line with the above, Instruments of Delegations from the Chief Executive Officer to Community Asset Committees were signed on 2 September 2020. These Instruments specifically outline all financial delegation, governance requirements and reporting requirements.

Financial delegations include:

- The Community Asset Committee is not authorised to enter into a written contract, without prior approval of a delegated Council Officer, with an annual value of over \$2,000 per annum per supplier, with the exception of user hire agreements.
- The Community Asset Committee is not authorised to spend, without the written approval of a delegated Officer of Council:
 - more than \$1,000 on minor works (other than emergency repairs to ensure the continuity of the immediate operations of the facility), or
 - more than \$2,000 on any other single item (other than utilities' expenses for the operation of the facility)

The Instrument also states that Committees must adhere to the Governance Rules 2020 for their meeting procedures.

The following Committees have submitted all required documentation:

- Baringhup Community Association
- Camp Reserve
- Campbells Creek Community Centre
- Campbells Creek Recreation Reserve
- Castlemaine War Memorial Stadium
- Elphinstone Facilities
- Guildford Hall
- Guildford Recreation Reserve
- John Powell Reserve
- Maldon Community Centre
- Metcalfe Hall
- Muckleford Community Centre
- Taradale Hall
- Taradale Recreation Reserve
- Wattle Flat Reserve
- Wesley Hill Facility

Officers have contacted both the Barfold Hall, Bill Woodfull Recreation Reserve and Guildford Recreation Reserve and have been advised that the required documentation has been forwarded to Council. Officers are currently following up on this.

Non-compliance by Community Asset Committees to provide the relevant documents means Council is not able to review their performance and activities throughout the financial year. The Governance Team has contacted the Committees regarding the missing documentation to remind them of their requirements under the legislation listed above. Officers are continuing to work with each Committee's key contacts, to provide any additional support for document completion.

Further details on how Community Asset Committees are adhering to their reporting requirements are shown in the attachment to this report.

Annual Council contributions have been paid to committees as soon as possible, following the required documents being received.

Finance and Resource Implications

Community Asset Committees provide a valuable voluntary service to Council and the community which has not been quantified. There are no proposed actions in this report that alter the existing financial implications for Council.

Risk Analysis

Asset Risk:

Community Asset Committees manage assets on behalf of Council. Committees provide oversight and financial support to the maintenance and upgrade of the assets to a standard acceptable to the community and a standard that reduces the likelihood of liability for incidents.

Reputation Risk:

While the work of these Committees can be challenging and requires considerable effort by volunteers, they have long enabled members of the community who have a connection to such assets, or a passion for the services that the assets support, to make a meaningful contribution to the wider community. By continuing these Committees under the *Local Government Act 2020*, Council will retain this close link with the community and show that it wishes to continue to work closely with the community.

Climate Impact Statement

Council's community facilities that are managed through community-based committees include recreation reserves and community buildings. Sporting grounds within recreation reserves are particularly susceptible to climate change impacts. The continuation of volunteer-based management of such assets, is essential to ensuring that surfaces are maintained to a safe standard year-round at a more affordable cost.

Buildings also require ongoing treatments to respond to climate change impacts. The Committees provide an effective mechanism for ensuring that the need for works is identified in a timely way. Summaries of non-Council works which resolve some of the impacts of climate change, are provided in the annual returns.

Gender Equity Statement

It is considered that this report goes towards promoting gender equity principles as outlined in the Gender Equity Act 2020 and does not contribute to the promotion of inequalities. Mount Alexander Shire Council is committed to meeting its obligations as stated in the Act and to further promote the right to equality as set out in the Charter of Human Rights.

A Gender Impact Assessment was not required however gender equity principles have been discussed with Community Asset Committees, noting that gender equity and Fair Access principles will be incorporated into the Instruments of Delegations in the 2024/2025 financial year. Training and support to the Committees is in the process of being developed by Council Officers.

Alternate Options

There are no alternate options, this report is a requirement of section 47 (6) of the Local Government Act 2020.

Communication and Consultation

Not Required.

Collaborate:

We will work together with our community to formulate solutions and incorporate our community's advice and recommendations into our decisions to the maximum extent possible.

Community Asset Committees who are yet to submit the necessary documents have been contacted and reminded of the need to submit the above information.

Legislation

Local Government Act 2020

Section 47 Delegations by Chief Executive Officer

- (1) *The Chief Executive Officer may by instrument of delegation delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to —*
 - (a) *a member of Council staff; or*
 - (b) *the members of a Community Asset Committee.*
- (2) *The Chief Executive Officer may by instrument of delegation delegate any power, duty or function conferred by this Act or any other Act on the Chief Executive Officer, other than this power of delegation and the power of delegation under subsection (1), to a member of Council staff.*
- (3) *A delegation under this section to a member of Council staff may be made to—*
 - (a) *a person named in the delegation; or*
 - (b) *the holder of an office or position specified in the delegation.*
- (4) *A delegation under this section to the members of a Community Asset Committee is to be exercised subject to the terms and conditions specified by the Chief Executive Officer, which must include the following—*
 - (a) *the specified limit on any financial delegation and the specified purpose for which the financial delegation may be used;*
 - (b) *compliance with specified governance requirements to ensure appropriate standards of probity are met;*
 - (c) *specified monitoring and reporting of the activities and performance of the Community Asset Committee.*
- (5) *A member of a Community Asset Committee to whom a delegation is given under this section can only exercise the delegation while acting as a member of the Community Asset Committee at a meeting of the Community Asset Committee.*
- (6) *A Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.*
- (7) *A Chief Executive Officer must keep a register of delegations made under this section.*

-
- (8) *Unless sooner revoked, a delegation made by a Chief Executive Officer under the Local Government Act 1989 continues in force until 1 September 2020.*

Section 65 Community Asset Committee

- (1) *A Council may establish a Community Asset Committee and appoint as many members to the Community Asset Committee as the Council considers necessary to enable the Community Asset Committee to achieve the purpose specified in subsection (2).*
- (2) *A Council may only establish a Community Asset Committee for the purpose of managing a community asset in the municipal district.*

Strategies and Policy Impacts

Council Plan 2021-2025

We are maintaining, improving and celebrating our places and spaces.

Child Safe Standards

Mount Alexander Shire Council is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping children and young people safe from harm and promoting their best interests.

All children who come in contact with Councillors, employees, contractors and volunteers from the organisation have a right to be and feel safe. We have specific policies, procedures and training in place to support employees, volunteers and contractors to achieve these commitments.

We create environments where all children have a voice and are listened to, their views are respected and they contribute to how we plan for, design and develop our services and activities.

Declarations of Conflict of Interest

Under section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.2. Environment

Nil.

9.3. Economy

9.3.1. Councillor Internal Resolution Procedure

This Report is For Decision.

Responsible Director: Director Corporate Services, Julie Landy

Responsible Officer: Manager Governance and Risk, Leanne Brown

Attachments:

1. Councillor Internal Resolution Procedure - May 2025 [9.3.1.1 - 14 pages]
2. Councillor Conduct Framework Overview - May 2025 [9.3.1.2 - 1 page]
3. Model Councillor Code of Conduct - October 2024 [9.3.1.3 - 4 pages]

Executive Summary

Schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020* (the Regulations) requires Councillors to observe the Model Councillor Code of Conduct, to which they declare they will abide when taking the Oath or Affirmation of Office.

Schedule 1A of the Regulations prescribes a Council must adopt and implement an internal resolution procedure (the Procedure) that may be followed by Councillors to deal with alleged breaches of the Model Councillor Code of Conduct. The procedure must be adopted and implemented prior to 1 July 2025.

This report seeks Council's adoption of the inaugural Councillor Internal Resolution Procedure, which forms part of the Councillor Conduct Framework.

RECOMMENDATION

That Council adopts the Councillor Internal Resolution Procedure.

Context

Established under Part 6 of the *Local Government Act 2020* (the Act), the Councillor Conduct Framework provides multilayered architecture for managing Councillor behaviour and addressing conduct issues. The framework provides various mechanisms for dealing with complaints from Mount Alexander Shire (MASC) Councillor(s) about other MASC Councillor(s), based on the seriousness of the alleged conduct and the severity of any disciplinary action required.

Based on the nominal industry standard template, the draft Councillor Internal Resolution Procedure forms part of the Councillor Conduct Framework, as does the Model Councillor Code of Conduct (MCCC). The MCCC sets out the Standards of Conduct expected to be observed by Councillors in the course of performing their duties and functions.

The Standards of Conduct cover expected Councillor conduct across four key areas identified as being critical to ensuring that Councillors discharge their duties and functions as a Councillor appropriately and in accordance with their statutory obligations. These are:

1. Performing the role of a councillor
2. Behaviours
3. Good governance
4. Integrity

The Standards of Conduct allow for robust public debate; acknowledging the democratic nature of the role of Councillors, while ensuring that Councillors conduct themselves in a manner consistent with the overall Standards of Conduct. In this regard, the MCCC does not prevent Councillors from expressing their personal views but provides a framework to ensure that those views are expressed in a civil and respectful way.

It is the personal responsibility of every Councillor to comply with the MCCC in the performance of their role. Councillors must also uphold the Standards of Conduct contained in the MCCC by always promoting and supporting the MCCC and encouraging others to follow their example in doing so.

Failure by a Councillor to comply with the MCCC constitutes misconduct under the Act which may be addressed through Council's Internal Resolution Procedure and/or through the Internal Arbitration Process under section 141 of the Act.

The diagram in the attached Councillor Conduct Framework Overview provides a snapshot of where the Councillor Internal Resolution Procedure sits within the over-arching Councillor Conduct Framework.

Issues

The MCCC applies to Councillors in the performance of their role.

The role of a Councillor as detailed in section 28 of the Act includes the following duties and functions:

- To participate in the decision making of the Council.
- To represent the interests of the municipal community in that decision making.
- 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.

The MCCC is not limited to behaviour that occurs in the course of formal Council business or on Council premises such as at Council Meetings. The MCCC also applies to the conduct of Councillors in various other contexts and settings when interacting with fellow Councillors, members of Council staff and the public, and across all forms of communication including but not limited to:

- in-person, electronic or hybrid meetings, including briefings and meetings with stakeholders or members of the community
- written, verbal and non-verbal communication
- electronic and social media communication

Specific details regarding the Standards of Conduct are contained within the attached MCCC.

Councillors are encouraged to attempt to resolve any disputes, including disputes concerning alleged breaches of the MCCC, through Council's Councillor Internal Resolution Procedure in the first instance.

Where an issue or dispute has arisen concerning an alleged breach of the MCCC, the Councillors involved in the matter should, in accordance with the Councillors Internal Resolution Procedure, use their best endeavours to resolve the matter in a courteous and respectful manner with a view to maintaining effective working relationships.

The Councillor Internal Resolution Procedure outlines a staged approach to resolution, including:

1. Discussion between the parties directly involved in the dispute.
2. Conciliation between the parties conducted by the Mayor (unless unavailable or a party to the dispute).
3. Mediation conducted by an external mediator engaged by the Council.
4. Internal arbitration conducted by an Arbiter, appointed to the Council by the Principal Councillor Conduct Registrar.

Finance and Resource Implications

Development of the Councillor Internal Resolution Procedure included purchasing a sample procedure from one of Council's preferred legal suppliers at a cost of \$500.

There are no specific financial implications of implementation of the Council Internal Resolution Procedure.

Risk Analysis

With all Councillors holding themselves and each other to account in abiding by the Model Councillor Code of Conduct and utilising the Councillor Internal Resolution Procedure if/when needed, risks will be mitigated in the following categories:

- Health and Safety
- Regulatory
- Fraud and Corruption
- Information
- Financial

-
- Reputational

Climate Impact Statement

There are no direct climate impacts related to the adoption of the Councillor Internal Resolution Procedure.

Gender Equity Statement

It is considered that this report goes towards promoting gender equity principles as outlined in the *Gender Equity Act 2020* and does not contribute to the promotion of inequalities. Mount Alexander Shire Council is committed to meeting its obligations as stated in the Act and to further promote the right to equality as set out in the Charter of Human Rights.

A Gender Impact Assessment was not required; however, gender equity principles have been considered in the development of the procedure to the advancement of gender equality.

Alternate Options

There are no recommended alternate options, as Schedule 1A of the Regulations prescribes a Council must implement and adopt an Internal Resolution Procedure by 1 July 2025.

Communication and Consultation

As part of the Councillor Transition Program, Councillors participated in training sessions on the Model Councillor Code of Conduct, received a copy of the Code, and contributed to discussions regarding the legislated requirement to adopt an internal resolution procedure.

There is no requirement to undertake community engagement and consultation in the development of the Council Internal Resolution Procedure.

Legislation

Local Government Act 2020

Local Government Amendment (Governance and Integrity) Act 2024

Local Government (Governance and Integrity) Regulations 2020

Local Government (Governance and Integrity) Amendment Regulations 2024

Vexatious Proceedings Act 2014

Strategies and Policy Impacts

Council Plan 2021-2025

Principle - We are always improving.

Council is responsive to the needs of the communities it serves.

Principle - We are delivering together.

We are working across Council, government, local partners and across community to meet the varied needs of our region.

Principle - We are engaging genuinely with the community.

Our community feels heard and is able to influence and participate in the decisions that impact them.

Child Safe Standards

Mount Alexander Shire Council is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping children and young people safe from harm and promoting their best interests.

All children who come in contact with councillors, employees, contractors and volunteers from the organisation have a right to be and feel safe. We have specific policies, procedures and training in place to support employees, volunteers and contractors to achieve these commitments.

We create environments where all children have a voice and are listened to, their views are respected and they contribute to how we plan for, design and develop our services and activities.

Declarations of Conflict of Interest

Under section 130 of the *Local Government Act 2020*, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3.2. Strategic Risk Report - February 2025

This Report is For Decision.

Responsible Director: Director Corporate Services, Julie Landy

Responsible Officer: Manager Governance and Risk, Leanne Brown

Attachments: 1. CONFIDENTIAL - Strategic Risk Report - February 2025 [9.3.2.1 - 38 pages]

Executive Summary

This report seeks Council's approval of the Strategic Risk Report which contains the Strategic Risk Register. It will be provided to Council every six months via the Audit and Risk Committee to ensure compliance with the Local Government Performance Reporting Framework and to ensure the risks are assessed for the current internal and external environment.

The Strategic Risk Report is included as Confidential Attachment 9.3.2.1.

RECOMMENDATION

That Council approves the confidential Strategic Risk Report, including the Strategic Risk Register.

Context

The Victorian Government established the Local Government Performance Reporting Framework (LGPRF) in 2014, to ensure that all Councils are measuring and reporting on their performance in a consistent way.

The primary objective of the LGPRF is to provide comprehensive performance information that meets the needs of several audiences.

In meeting this objective:

- Councils will have information to support strategic decision-making and continuous improvement.
- Communities will have information about council performance and productivity.
- Regulators will have information to monitor compliance with relevant reporting requirements.
- State and federal governments will be better informed to make decisions that ensure an effective, efficient and sustainable system of local government.

Council has an annual reporting obligation under the LGPRF to provide a response in relation to Risk Reporting. The indicator is “six-month reports of strategic risks to Council’s operations, their likelihood and consequences of occurring and risk minimisation strategies”.

With a new Council being elected in October 2024, the development of a new Council Plan and Municipal Community Health and Wellbeing Plan are currently underway. Draft documents will be utilised to help inform the next iteration, including format, of the Strategic Risk Register and Report.

The Executive Team have committed to participating in a Strategic Risk Workshop to be held in the coming months. A comprehensive review of the Risk Register, Plan, and Reporting templates will be undertaken with due consideration as to how the Executive Team and Managers contribute towards implementation and review of the Strategic Risk Register and Plan.

Issues

The attached Confidential Strategic Risk Report provides a proposed list of the current strategic risks, an assessment of the inherent risk level for each risk, the controls in place to reduce or mitigate the risks and their effectiveness, and the residual risk level for each risk.

The Confidential Strategic Risk Report is provided in three Sections:

Background Report:

Provides context for the report and explains the assessment process.

Review and Analysis of Strategic Risks:

Lists the identified strategic risk categories, specific strategic risks under each category, provides the assessment for each of the risks and identifies how current controls and potential future controls can assist in reducing the residual risk.

Strategic Risk Register:

Summarises each of the strategic risks with their inherent risk and residual risks.

The Executive Team and the Audit and Risk Committee endorsed the Strategic Risk Report (and Register) in February 2024.

Finance and Resource Implications

There are no direct financial resources associated with this report.

Risk Analysis

This report is an assessment of the Organisation's strategic risks. By approving this report, Council is managing regulatory risk as the report complies with requirements under the LGPRF. Council is also acknowledging the risks that may hinder the organisation in achieving its strategic objectives.

Climate Impact Statement

Council's Climate Change Strategy (the Strategy) was adopted in June 2023. The strategy describes how "Council will:

- respond to climate change in our own operations
- partner with our community to respond to climate change
- advocate to support our response to climate change"

Further stated in the Strategy, Council is committed "to using our legislated powers to take action on climate change. Together, we can continue to build our resilience. We can strengthen our connections and climate readiness across the shire we all love".

Gender Equity Statement

It is considered that this report goes towards promoting gender equity principles as outlined in the Gender Equity Act 2020 and does not contribute to the promotion of inequalities. Mount Alexander Shire Council is committed to meeting its obligations as stated in the Act and to further promote the right to equality as set out in the Charter of Human Rights.

A Gender Impact Assessment was not required; however, gender equity principles have been considered in the development of the risk register and report to the advancement of gender equality.

Alternate Options

Council may choose to amend the register and report prior to approval.

Communication and Consultation

Inform:

We will keep our community informed.

We will keep our community informed, listen to and acknowledge concerns and aspirations, and provide feedback on how community input influenced the decision. We will seek community feedback on drafts and proposals.

This report will be presented to the Audit and Risk Committee every six months as part of the review cycle. The Committee has independent representation with some of the independent committee members being community members within the Shire. Those committee members will use their local knowledge and professional expertise to inform the reports provided to Council for approval from a community perspective.

Legislation

Local Government Act 2020

Section 9(2)(c): A Council must in the performance of its role give effect to the overarching governance principles, including the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks.

Section 53(1): A Council must establish an Audit and Risk Committee.

Section 53(3)(b)(i): An Audit and Risk Committee must consist of majority of members who are not Councillors of the Council and who collectively have expertise in financial management and risk.

Section 54(2)(c): The Audit and Risk Committee Charter must specify the functions and responsibilities of the Audit and Risk Committee including monitoring and advice on risk management and fraud prevention systems and controls.

Local Government (Planning and Reporting) Regulations 2020

Item 19 of the Governance and Management Checklist in Schedule 1 (Annual report – Governance and management checklist in report of operations) contains the requirement for risk reporting which states “six-monthly reports of strategic risks to Council’s operations, their likelihood and consequences of occurring and risk minimisation strategies”.

Strategies and Policy Impacts

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No conflicts of interest

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10. DELEGATES REPORTS

11. NOTICES OF MOTION

Nil.

12. URGENT SPECIAL BUSINESS

Nil.

13. CONFIDENTIAL ITEMS

These reports are confidential in accordance with Section 66(2)(a) of the *Local Government Act 2020*, which permits the meeting to be closed to consider confidential information.

RECOMMENDATION

That Council closes the Ordinary Meeting of Council 20 May 2025, in accordance with Section 66 (2)(a) of the Local Government Act 2020, in order to consider confidential information as it contains as defined in the Local Government Act under Section 3, Definitions – Confidential Information:

- (g) Private commercial information, being information provided by a business, commercial or financial undertaking that—**
 - i. relates to trade secrets; or**
 - ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**

14. MEETING CLOSE