



# Minutes

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Council Meeting held at 12.30 PM on Monday 19 December 2022. online via Microsoft Teams.

## **Present**

Cr Kevin Erwin (Mayor)  
Cr Lauren Dempsey  
Cr Murray Emerson  
Cr Trevor Gready  
Cr Rob Haswell  
Cr Karen Hyslop  
Cr Eddy Ostarcevic PhD

Mr Trenton Fithall, Acting Chief Executive Officer  
Mr Vaughan Williams, Director Corporate and Community Services  
Mr Jeevan Pinto, Acting Director Infrastructure and Amenity

## **Affirmation**

We recognise the traditional owners of the land.  
We are inspired by the early pioneers and by those who gave their lives for our country.  
We now ask God's blessing on our deliberations  
and on our commitment to build a better lifestyle and environment.

Confirmed at the meeting of Council on Monday, 6 February 2023.

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## 1. Apologies

Nil

## 2. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she-

- (i) is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or
- (ii) intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice-
  - advising of the conflict of interest;
  - explaining the nature of the conflict of interest; and
  - detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the-
    - name of the other person
    - nature of the relationship with that other person or the date on receipt, value and type of gift received from the other person; and
    - nature of that other person's interest in the matter;

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer.

The Councillor must, in either event, exclude themselves from the decision-making process, including any discussion or vote on the matter and any action in relation to the matter and leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

### Members of Staff

A member of Council staff must disclose any conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a report for a Council meeting. They must immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining its nature.

Nil

### **3. Consideration of Reports of Officers**

#### **3.1. Recreation User Fee Waiver**

**Author/Position:** Zander McDougall, Manager Active Communities

##### **Purpose**

To review an application to waive recreation user fees for the 2021/22 financial year.

##### **Summary**

Grampians Cricket Association has written to council requesting that the fees be waived for the 2021/22 financial year. Fees have been waived for the last two years due to the impacts of COVID-19.

The Association has highlighted the fact that last season was partially impacted due to delay in the season starting. Council has used the same calculations for all shire clubs since a review was completed back in 2004 and the increase year to year is due to CPI.

A review in user fees is starting in January 2023 to be rolled out to all clubs for this current financial year 2022/23.

##### **Recommendation**

**That Council reviews and provides direction on the waiver of user fees for the 2021/22 financial year.**

#### **RESOLUTION**

**That Council reviews the current user fee formula and waives the user fees for season 2020/2021.**

**Moved:** Cr Murray Emerson

**Seconded:** Cr Eddy Ostarcevic

**Carried**

**Background/Rationale**

Council introduced user fees in 2005 following a review of reserves and hierarchy of management including shire wide equity, costs and maintenance. The process included consultation with existing users, the community and council to implement an equitable user fee system to clubs for the use of the recreation reserves in both Stawell and St Arnaud.

The user fees are collected by council to recover a portion of the cost to maintain the sporting ovals and the user fee portion is based on a 10% cost recovery basis for Central Park and North Park in Stawell and Lord Nelson Park and King Georges Park in St Arnaud.

In 2020, the 2019/20 user fees were waived in line with the *COVID–19 Financial Support and Hardship Policy* and there is a request from the Stawell and St Arnaud Recreation Advisory Groups to waive the 2020/21 user fees in line with the direction and intent of this policy.

Below is an overview of the associations and clubs that access the sporting precincts within the Northern Grampians Shire and are charged an annual fee for grounds maintenance. Please note that clubs that only have junior programs are not charged for the services.

**Stawell**

Stawell Football & Netball Club  
Swifts Football & Netball Club  
Stawell Amateur Athletic Club  
Stawell Athletic Club  
Stawell Interchurch Netball Association  
Stawell Little Athletics  
Grampians Cricket Association  
Stawell Pioneer Soccer Club  
Stawell Mountaineers Rugby Club  
Stawell Under 13 Football Association

**Precinct**

Central Park  
North Park  
North Park  
Central Park  
Central Park  
North Park  
Central Park/North Park  
North Park  
North Park  
Central Park/North Park

**St Arnaud**

St Arnaud Football Club  
St Arnaud Netball Club  
St Arnaud Hockey Club  
St Arnaud Harness Racing Club  
St Arnaud Ag Society  
St Arnaud Cricket Club

Lord Nelson Park  
Lord Nelson Park  
Lord Nelson Park  
Lord Nelson Park  
Lord Nelson Park  
King George Park

**Legislation, Council Plan, Strategy and Policy Implications**

Council Plan 2021-24 – Enhance Lifestyles and Community  
*COVID–19 Financial Support and Hardship Policy*

**Options****Option 1**

That Council approves the waiving of fees for all sporting clubs and associations for the 2021/22 financial year.

**Option 2**

That Council rejects the application and all users pay the invoices sent for the 2021/22 financial year.

**Implications**

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

**Procurement**

Not applicable

**Community Engagement**

This has been raised at the Stawell Recreation Advisory Group where the cricket association highlighted their concerns.

**Innovation and Continuous Improvement**

Not applicable

**Collaboration**

Not applicable

**Officer's Declaration of Interest**

All officers providing advice to Council must disclose any interests, including the type of interest.

Zander McDougall, Manager Active Communities

In providing this advice as the author, I have no disclosable interests in this report.

**Attachments**

Nil

#### **4. Closure of Meeting Pursuant to Section 66(2)(a) of the Local Government Act 2020**

A Council or delegated committee may resolve that the meeting be closed to members of the public if it considers it necessary because a circumstance specified below apply:

The circumstances are-

- (a) the meeting is to consider confidential information; or
- (b) security reasons; or
- (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

If the circumstances specified in subsection (b) or (c) apply, the meeting can only be closed to the public if the Council has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.

##### **4.1. Appointment of a Chief Executive Officer**

#### **RESOLUTION**

That item 4.1 be considered in Closed Council as it deals with confidential information as detailed in section 3(1) of the *Local Government Act 2020*.

Moved: Cr Murray Emerson

Seconded: Cr Rob Haswell

Carried

#### **RESOLUTION**

That the meeting be closed to consider the item listed pursuant to section 66 of the *Local Government Act 2020*.

Moved: Cr Murray Emerson

Seconded: Cr Rob Haswell

Carried

#### **OPEN COUNCIL**

The Acting Chief Executive Officer reported on the item discussed in Closed Council.

14.1 Council appointed Mr Brent McAlister as Chief Executive Officer.

#### **5. Close**

There being no further business the Mayor declared the meeting closed at 12.48pm.

Confirmed



CR KEVIN ERWIN  
MAYOR

Date: 6 February 2023