



Minutes

Council Meeting held at 12.30 PM on Monday 3 April 2023 in the Council Chamber, Pleasant Creek Historic Precinct, Stawell.

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 Brent McAlister, Chief Executive Officer
Mr Vaughan Williams, Director Corporate and Community Services
Mr Trenton Fithall, 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 1 May 2023.

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1. Apologies

Nil

2. Confirmation of Minutes

Council Meeting held on Monday, 6 February 2023

RESOLUTION

That the minutes as listed, copies of which have been circulated, be confirmed and adopted.

Moved: Cr Rob Haswell
Seconded: Cr Karen Hyslop

Carried

3. Matters Arising from the Minutes

Nil

4. Presentations/Awards

Nil

5. Presentation of Petitions and Joint Letters

Nil

6. 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.

Cr Erwin declared a general conflict of interest in Item 14.4 as he a Board Member of the group that is the subject of a fee waiver request.

7. Informal Meetings of Councillors

[Brent McAlister, Chief Executive Officer]

Council's Governance Rules require that if there is a meeting of Councillors that-

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, delegated committee meeting or community asset committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

The records for the period since the last Council Meeting are listed below.

Date	Meeting Description	Matters Considered At The Informal Meeting:	Conflict Of Interest Disclosures		
20/03/2023	Councillor Briefing	8.1 ELC Pre-Prep Building	Councillor/Officer	Item Number	Left Meeting
		8.2 11am Presentation: Grampians Health			
		8.3 11.30am Presentation: GWMWater			
		8.4 Christmas Decorations			
		8.5 Waste Update			
		8.6 Stawell Sports and Aquatic Centre Concept Design			
		9.1 C12 2022/23 - Great Western Recreation Reserve Pavilion Upgrade	Nil	Nil	Nil
20/03/2023	Councillor Briefing Councillor and CEO Meeting	Health Services	Councillor/Officer	Item Number	Left Meeting
		CEO Diary			
		Listening Tour Briefing			
			Nil	Nil	Nil
06/03/2023	Councillor Briefing	8.1 Council Agenda Review	Councillor/Officer	Item Number	Left Meeting
			Nil	Nil	Nil
06/03/2023	Councillor Briefing Sites Visit	Potential Kindergarten Sites Visit	Councillor/Officer	Item Number	Left Meeting
			Nil	Nil	Nil
27/02/2023	Councillor Briefing Councillor and CEO Meeting	CEO Diary	Councillor/Officer	Item Number	Left Meeting
			Nil	Nil	Nil
27/02/2023	Councillor Briefing	8.1 RCV Report of Alternative Sources of Income for Local Government	Councillor/Officer	Item Number	Left Meeting
		8.2 The Family Violence Project and Policy and Gender Equality Action Plan			
		8.3 Quarterly Finance Report			
		8.4 Fraud Prevention Policy			
		8.5 Financial Reserves Policy			
		8.6 Delegations Update			
		9.1 C11 2022/2023 - Heath Street Bridge Design	Nil	Nil	Nil

RESOLUTION

That the report on Informal Meetings of Councillors be approved.

Moved: Cr Lauren Dempsey

Seconded: Cr Murray Emerson

Carried

8. Items Brought Forward

Nil

9. Consideration of Reports of Officers

9.1. Enhance Lifestyles and Community

Nil

9.2. Boost Economic Growth

Nil

9.3. Providing Sustainable Infrastructure

Nil

9.4. Improve Organisational Effectiveness

9.4.1 Mandatory Induction Training Declaration

Author/Position: Mary Scully, Manager Governance

Purpose

The purpose of this report is for Cr Karen Hyslop to make a formal declaration that she has completed the Northern Grampians Shire Council Councillor Induction Training.

Summary

The declaration by an individual councillor once they have completed the councillor induction training will be documented, signed and dated by the Chief Executive Officer. The written declarations will form part of the meeting minutes.

Recommendation

That Council notes Cr Karen Hyslop's declaration that she has completed the Northern Grampians Shire Council Councillor Induction Training.

Cr Hyslop declared that she had completed the Northern Grampians Shire Council Councillor Induction Training within six months after the day she took the Affirmation of Office.

Cr Hyslop dated and signed the written declaration in front of the Chief Executive Officer who witnessed Cr Hyslop's signature.

RESOLUTION

That Council notes Cr Karen Hyslop's declaration that she has completed the Northern Grampians Shire Council Councillor Induction Training.

Moved: Cr Eddy Ostarcevic

Seconded: Cr Lauren Dempsey

Carried

Background/Rationale

Section 32 of the *Local Government Act 2020* (the Act) requires that a councillor must complete councillor induction training within six months after the day the councillor takes the oath or affirmation of office.

This section applies whether or not the councillor has been re-elected or ever been a councillor before. The *Local Government (Governance and Integrity) Regulations 2020* prescribe the following mandatory components of the councillor induction training that councillors are required to undertake:

- The role of a councillor, a mayor and a deputy mayor
- The role of the CEO
- The overarching governance principles and the supporting principles
- The standards of conduct
- Misconduct, serious misconduct and gross misconduct
- The internal arbitration process and the councillor conduct process
- Engagement and reconciliation with the Traditional Owners of land in the municipal district of the council
- Giving effect to gender equality, diversity and inclusiveness
- Any other matters relating to governance and integrity which the council's CEO has determined should be addressed.

Training was arranged in person and by electronic means and addressed the mandatory matters as set out in the Regulations.

The councillor must make a written declaration before the Chief Executive Officer that states they have completed the training which is dated and signed.

Under section 33 of the *Local Government Act 2020* if a councillor fails to take or complete councillor induction training as required by section 32(1) and make a written declaration, the councillor's allowance is withheld until the councillor has completed induction training and made the written declaration.

For the purposes of this section of the Act, the Chief Executive Officer must ensure the induction training is available to be taken from the day they take the oath or affirmation of office and provide reasonable assistance to a councillor to enable them to access the training.

Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 2020

Council Plan 2021-25 - Improve Organisational Effectiveness

Options

It is a legislative requirement that councillors complete the councillor induction training and council only has the option of accepting the written declaration of Cr Karen Hyslop before the Chief Executive Officer.

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

Not applicable

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.

Mary Scully, Manager Governance

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

Attachments

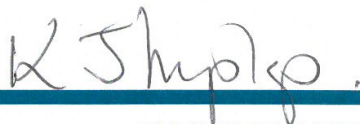
1. Mandatory Induction Training Declaration K Hyslop [9.4.1.1 - 1 page]

CERTIFICATE OF COMPLETION

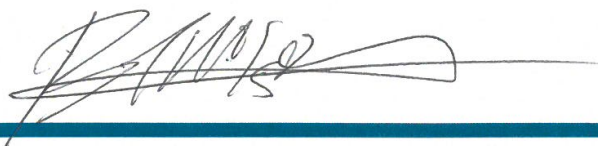


CR KAREN HYSLOP

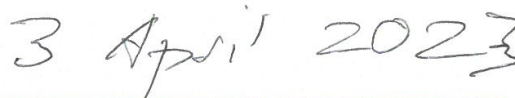
I declare that I have completed
the Northern Grampians Shire
Council Councillor mandatory
induction training.



SIGNATURE



BRENT MCALISTER, CHIEF EXECUTIVE OFFICER



3 APRIL 2023



9.4.2 Halls Gap Hall Lease

Author/Position: Kylie Allen, Risk and Lease Management Officer

Purpose

The purpose of this report is for Council to commence the process to enter into a formal lease with the Community Association of Halls Gap Inc. A0003209D for use of part of the Halls Gap Hall, commencing 1 July 2023 for a five year term with options of three further five year terms and one further one year term.

Summary

The Halls Gap and Grampians Historical Society provides a valuable service to the community of Halls Gap and visitors to the town and has had the occupation of part of the Halls Gap Hall for many years. The society is now annexed under the Community Association of Halls Gap Inc. and entering into a lease arrangement with the association will ensure the ongoing security of tenure for the society.

Recommendation

That Council:

1. gives notice of its intention to enter into a s17D Crown Land lease with the Community Association of Halls Gap Inc. for the use of part of the Halls Gap Hall, and
2. in respect of the above notice, seeks submissions from any person pursuant to section 223 of the *Local Government Act 1989*.

RESOLUTION

That Council:

1. gives notice of its intention to enter into a s17D Crown Land lease with the Community Association of Halls Gap Inc. for the use of part of the Halls Gap Hall, and
2. in respect of the above notice, seeks submissions from any person pursuant to section 223 of the *Local Government Act 1989*.

Moved: Cr Eddy Ostarcevic

Seconded: Cr Rob Haswell

Carried

Background/Rationale

Council is the appointed committee of management for the Halls Gap Hall located at Halls Gap Public Hall Reserve (Crown Allotment 7F, Parish of Baroka, gazetted reserve number RS00476, reservation for public hall) and has the power to enter into a lease for the reserve pursuant to section 17D of the Crown Land (Reserves) Act 1978 subject to the approval in writing of the Minister.

The Halls Gap and Grampians Historical Society provides a valuable service to the community of Halls Gap and visitors to the town and has had the occupation of part of the Halls Gap Hall for many years. The society is now annexed under the Community Association of Halls Gap Inc. and entering into a lease arrangement with the association will ensure the ongoing security of tenure for the society.

Council as a result of negotiations with the Community Association of Halls Gap Inc. has drafted a lease with the following terms:

Term: 5 years, 3 further terms of 5 years each and 1 further term of 1 year
Rent: \$1.00 pa if demanded fixed for the term and any further term of the lease
Purpose: Historical Society Centre and storage

The peppercorn rental proposed is due to the community association and society both having limited ability for income and to provide consistency with Stawell Historical Society lease terms.

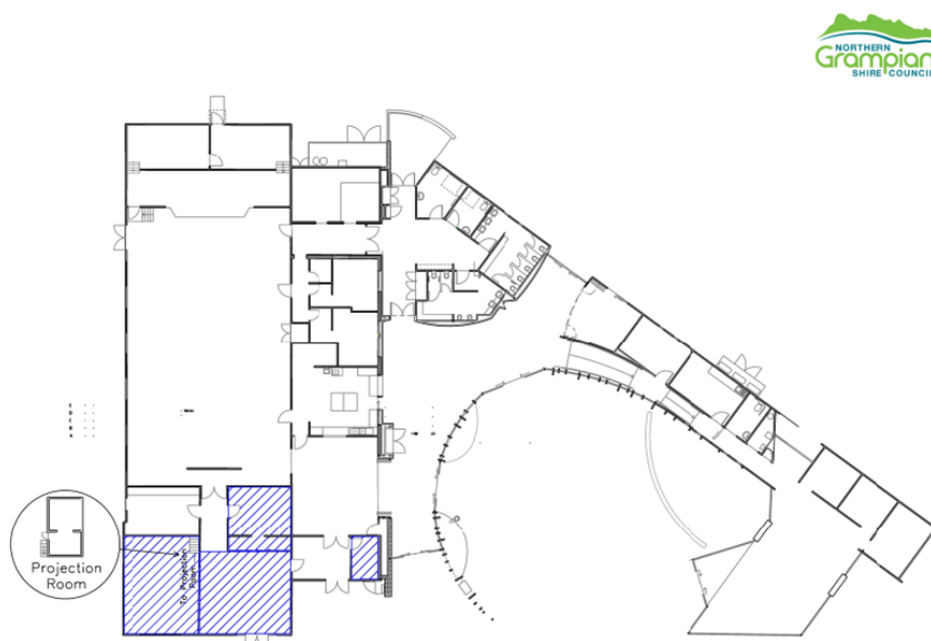
Council received approval in principle to enter into a s17D Crown Land lease with the Community Association of Halls Gap Inc. from the Department of Energy, Environment and Climate Action (DEECA) on 20 January 2023.

As a lease arrangement provides exclusive use of the premises, an obligation requiring the society to allow and encourage the use of the leased area by other parties will be included as a special condition.

The implementation of a lease with the Community Association of Halls Gap Inc. will reduce council exposure to liability and risk by use of the standard DEECA template containing essential terms. The lease arrangement will also provide a clear understanding of asset management and budgetary requirements to both parties.

Plan for Lease Purposes

That part of the building shown hatched, situated at 119 Grampians Road Halls Gap, known as the Halls Gap Hall.



Legislation, Council Plan, Strategy and Policy Implications

S223 of the *Local Government Act 1989*

S115 of the *Local Government Act 2020*

Crown Land (Reserves) Act 1978 s17D

Options

Option 1

Council agrees to give public notice of Council's intention to enter into a lease with the Community Association of Halls Gap Inc. for use of part of the Halls Gap Hall and seek submissions on the proposal. **[recommended]**

Option 2

Council does not enter into a lease with Community Association of Halls Gap Inc. for use of part of the Halls Gap Hall. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

Not applicable

Community Engagement

Section 115 of the *Local Government Act 2020* states: if a Council proposes to lease land that is subject to subsection (3) and that was not included as a proposal in the budget, the Council must undertake a community engagement process in accordance with the Council's community engagement policy in respect of the proposal before entering into the lease.

In line with the council Community Engagement Policy, community engagement will be undertaken in a manner modelled on section 223 of the *Local Government Act 1989* and give public notice in local newspapers and the council website. Council is required to consider any submissions received prior to making a formal decision to enter into a lease.

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.

Kylie Allen, Risk and Lease Management Officer

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

Attachments

Nil

10. Notices of Motion or Rescission

Nil

11. Reports from Councillors/Committees

Councillors provided brief reports on their activities on behalf of Council since the last Council meeting.

Cr Gready reported on his attendance at meetings including the VLGA National Ladies Luncheon, the Grampians Destination Forum, Great Western Futures Committee and Rebalance the Nation. He said he had also attended the Stella Young statue unveiling and the official turning on of lights at North Park.

Cr Emerson as a representative of the Stawell Gift Executive Management Board reported on the upcoming 141st Stawell Gift including additions of events including 20 years of involvement in the Fashions on the Field at Central Park and other efforts towards a successful event including the continuing support of Powercor and State Labour Government. Cr Emerson said ticket sales are good and they are expecting a good crowd. He also called on the community for their support to help us continue this wonderful International event into the future.

Cr Dempsey reported on her attendance at events including the International Women's Day event at Stawell Neighbourhood House run by Council with Grampians Health and guest speakers. She said she had attended a meeting of the Stawell Skate Park Advisory Group and provided an update on recent development works and completion dates. She had attended the Central Grampians Local Learning Employment Network Board of Management meeting and met with the Member of Western Victoria, Jacinta Ermacora, with other councillors who were in Stawell for a number of events including the official opening of the new North Park lights to support training by user groups. She said she attended the VLGA Fast Track Conference (Leading in Times of Chaos) with several guest speakers including former MP Julia Banks and the unveiling of the Remembering Stella Young project event. She extended her thanks to council staff for their efforts for this event and wanted to highlight that the funding for this project had come about through the Victorian Public Women's Arts Program to celebrate the achievements of women. She then read out some words passed to her by the Young family to share with the community their gratitude for their involvement with the project.

Cr Hyslop reported on her attendance at a few meetings on the NGS West Link Transition Line Forum, the MAV Advanced Council Financial Planning session, the unveiling of the Stella Young memorial statue, the Stawell International Women's event as a guest speaker, the Kooreh Hall centenary. She reported she had caught up with volunteers at the St Arnaud VIC and St Arnaud Library and is looking forward to attending the Stawell Gift Easter weekend events. She supported fellow councillors that it is important to support the weekend and the efforts of everyone involved.

Cr Ostarcevic added weight to the call for community support for the Stawell Easter and Grape Escape events, and commended the opportunities for investment in fundraising activities at the Carapooee Pebble Church. He said he had engaged with the youth in St Arnaud, a very useful exercise, and the final discussion is scheduled for this Wednesday. He said the three themes are physical exercise (pump track, focus on arts and craft and rehabilitation of the Goldfields Reservoir for aquatic and fishing opportunities. He said we had met with the senior members of the Sambo martial arts group and there are plans for future National Sambo events to be held in St Arnaud. He attended the VNI West Forum and VLGA conference that included the role of councils and engagement.

Cr Erwin reported on his busy month and his attendance at all the events already mentioned. He met with Minister Ermacora at which subjects discussed included the Heath Street Bridge, Western Highway and child care and with Ms Martha Haylett, Member for Ripon about the interconnector and child care in St Arnaud. He agreed the highlight was the opening of the Stella Young statue.

RESOLUTION

That the reports be received.

Moved: Cr Trevor Gready
Seconded: Cr Rob Haswell

Carried

12. Urgent Business

Cr Emerson asked that the matter of a motion on the proposed Victoria to New South Wales Interconnector West Energy transmission line to be listed at the MAV State Council be considered as Urgent Business.

RESOLUTION

That the item be considered as Urgent Business.

Moved: Cr Lauren Dempsey

Seconded: Cr Eddy Ostarcevic

Carried

RESOLUTION

That the Municipal Association of Victoria (MAV) calls on the Victorian Minister of Energy and Resources and the Australian Energy Market Operator (AEMO), in respect of the proposed Victoria to New South Wales Interconnector West Energy transmission line (Essential to re-wiring the Nation and the Victorian renewable energy transition) to:

1. defer making any decision on the transmission route until comprehensive consultation is completed and
2. continue to consult with impacted communities and provide them with answers to their questions around route locations, impacts on farming activities and compensation.

Moved: Cr Murray Emerson

Seconded: Cr Eddy Ostarcevic

Carried

13. Public Question Time

Nil

14. 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.

14.1. C10 2022/23 - Provision of Quarry Products and Concrete Supplies

14.2. C12 2022/23 - Great Western Recreation Reserve Pavilion Upgrade

14.3. Building Permit Fee Waiver Request

14.4. Fee Waiver Request

RESOLUTION

That items 14.1, 14.2, 14.3 and 14.4 be considered in Closed Council as they deal with confidential information as detailed in section 3(1) of the *Local Government Act 2020*.

Moved: Cr Rob Haswell

Seconded: Cr Karen Hyslop

Carried

RESOLUTION

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

Moved: Cr Rob Haswell

Seconded: Cr Karen Hyslop

Carried

OPEN COUNCIL

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

14.1 Council awarded contract C10 2022/23 - Provision of Quarry Products and Concrete Supplies and appointed the following suppliers to the panel:

- Allstone Quarries Pty Ltd
- Armstrong Concrete Stawell
- Boral Construction Materials
- Conundrum Holdings Pty Ltd
- Forest Springs Holdings Pty Ltd
- Grampians Excavations
- Hanson Construction Materials
- Western Quarry
- Reeves Earth Moving Pty Ltd

14.2 Council awarded contract C12 2022/23 - Great Western Recreation Reserve Pavilion Upgrade to MKM Building Group trading as MKM Construction for their submitted lump sum price.

14.3 Council approved a building permit application fee refund.

14.4 Council agreed to waive an application fee for a Place of Public Entertainment permit.

15. Close

There being no further business the Mayor declared the meeting closed at 1.10pm.

Confirmed



CR KEVIN ERWIN
MAYOR

Date: 1 May 2023