



Charter

East Gippsland Economic Development Advisory Committee

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Economic Development Advisory Committee (EDAC)

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Purpose

The Economic Development Advisory Committee (Committee) will provide advice, guidance and recommendations to East Gippsland Shire Council (Council) on matters that affect Economic Development in East Gippsland and its communities.

Scope

This Charter will guide the operation of the Committee and apply to all its members.

Policy Context

A strong, competitive and sustainable economy is essential for the future of rural and regional areas. In the case of East Gippsland, Council recognises the importance of strong, resilient and inclusive economic development to support investment and job opportunities that are key to providing quality of life and wellbeing for current and future generations.

The Committee will provide a valuable forum through which Council can gain timely and informed insight into the issues that are impacting on individual industry sectors and economic development more broadly.

The Committee

1. Formation, Powers and Limitations

The Committee will comprise representatives of Council and a range of stakeholders operating within East Gippsland's economic and business environment.

The Committee will be an Advisory Committee to Council as defined in Council's Governance Rules, which is informed by the *Local Government Act 2020* (the Act).

Neither the Committee nor its members are authorised to make decisions on Council's behalf or to act for Council.

Because Council maintains several Advisory Committees, this Committee's Charter does not include working with Council, or any other Committee/group on initiatives to encourage or facilitate new business in East Gippsland. However, the Committee may refer matters to Council or another Council Advisory Committee for consideration (see also clause 3 below).

2. Objectives

The Committee's primary role is to advise Council on critical matters of economic prosperity sustainability in East Gippsland and the wellbeing of those engaged in various industry sectors, specifically;

- Provide advice on priority implementation of the Economic Development Strategy;
- Provide strategic advice and insights from the business community that are relevant to Council;
- Help strengthen connection between Council and the broader business community; and
- Provide policy advocacy in support of economic prosperity in the Shire.

It will do this through the provision of advice and recommendations on matters relevant to its Charter and Duties (detailed at clause 3) to facilitate decision-making by Council and its officers in discharging their responsibilities.

3. Charter and Duties

The Committee will:

1. Discuss and provide input on significant initiatives or programs Council is considering implementing to support economic development in East Gippsland and/or improve its resilience in the longer term.
2. Assist Council to formulate appropriate responses to significant existing or emerging issues that are impacting or are likely to affect industry (eg; local emergency incidents).
3. Discuss and provide feedback on strategic documents of Council that impact on the sector, eg:
 - planning scheme amendments;
 - policies;
 - draft Council Plan, draft Budget (including draft Capital Works program) and draft Rating Strategy;
 - any other matter likely to impact significantly on economic development outcomes in East Gippsland
4. Act in an advisory capacity to provide recommendations to Council and other stakeholders on matters that fall within the Committee's Charter or are otherwise consistent with the intent and purpose of the Committee.
5. Act as a conduit, and advise on collaboration between Council and business, industry and the economic development community in East Gippsland.
6. Refer matters for consideration by Council or another Council Advisory Committee if the issue is relevant to economic development but falls outside the Committee's Charter.

Committee members will:

1. Actively participate in and contribute to the work of the Committee;
2. Proactively raise awareness of changes or proposed changes of relevant strategic directions of key stakeholders to Committee members (e.g. actual or impending legislative, regulatory or other changes that may impact adversely on economic development);
3. Bring matters to the attention of the Committee as necessary to ensure Council retains a good understanding of what is happening 'on the ground'. Examples could include:
 - Longer-term environmental factors such as climate adaption and water security, and their impact on individuals and industries.
 - Inability to benefit from technological advances for any reason.
 - Any other matters impacting on the health and wellbeing of business and industry.
4. Participate in community engagement as advocates for economic development and business communities.

(Also see the 'Roles and Responsibilities' section of this Charter)

4. Membership

The Committee will comprise of a maximum of seventeen (17) members, as follows:

1. Three Councillors, appointed by Council, one of whom will be the Mayor¹.
2. Up to fourteen (14) skill-based members appointed by the Council.

A representative of other relevant groups may be invited to participate as an observer (non-voting) member.

Selection of the skills-based members will be held either by way of a publicly advertised process or other processes that ensures an appropriate mix of skills is attained.

East Gippsland Shire Council will endeavor to ensure that these twelve skill-based members will individually possess the relevant skills and experience, and collectively will bring a breadth and depth of knowledge aligning with the nine Focus Areas of the East Gippsland Economic Development Strategy;

1. Fostering Business;
2. A High Value and Sustainable Food and Fibre Sector;
3. A Unique and Compelling Tourist Destination;
4. An Economy for Young and Future Generation;
5. Digital Skills and Connections;
6. Arts, Culture and Heritage;
7. Attractive Place to Live;
8. Climate Action Leaders; and
9. A Circular Economy.

Seek to ensure there is also appropriate coverage of the following sectors in our economy:

- Manufacturing;
- Construction;
- Retail;
- Professional Services; and
- Health.

Council is committed to promoting and supporting diversity in the workplace and recognises that our success depends upon our people with their diverse views, abilities, skills, languages, cultures, and backgrounds, as well as differences in race, religion and/or belief, gender and sexual orientation. We respect, value, and encourage diversity in the workplace. We are an inclusive organisation that values fairness, respect, equity, and diversity consistent with our policies and the Gender Equality Act 2020.²

Council's Chief Executive Officer, or a delegate will attend meetings as a non-voting member of the Committee.

Periodically additional representatives or stakeholders may be co-opted to the Committee for limited periods to provide advice or assistance on specific issues. Co-opted representatives and stakeholders will not be entitled to vote.

Membership and composition of the Committee may be varied at any time by Council resolution.

¹ If the Mayor chooses to relinquish their ex officio membership of the East Gippsland Economic Development Advisory Committee, another Councillor will be elected through the same mechanism and for the same term as the other Councillor representative.

² Council's Workforce Plan 2021-2025

Any member of the The Committee that is absent from three consecutive ordinary meetings without having first applied for leave of absence will be considered to have vacated their position. In extenuating circumstances members can seek a leave of absence for an extended time, which may be approved at the discretion of the Chair.

5. Support

The responsible General Manager will attend Committee meetings but will not be a member of the Committee. The General Manager will ensure that appropriate secretariat services are provided to support the work of The Committee.

6. Term of Membership

Duration of appointments to the Committee will be for the following terms, using the appointment method nominated:

Membership type	Appointment method	Length of tenure
Three Councillors, comprising: <ul style="list-style-type: none"> • the Mayor; and • two other Councillors 	<i>Ex officio</i> unless Mayor chooses to relinquish that right ³ Formal resolution of Council	Duration of their term as Mayor 12 months reviewed annually following Council's Statutory Council Meeting.
Ordinary Members	Formal resolution of Council	Two years with the option to extend for a further two years.

The Committee ordinary members (other than Councillors) may serve a maximum of two consecutive terms. Following a break of one term's duration, a former member may re-apply for membership. If appointed, the two-term provision would then recommence.

Chair: The Chair of the Committee will be the Mayor. If the Mayor chooses not to take up membership of the Committee, the Chair will be another Councillor appointed by resolution of Council.

In the absence of the Chair, another Councillor or their delegate will chair the meeting.

(Also see 'Roles and Responsibilities' section of this Charter)

7. Meetings

- The Committee will meet at least four (4) times per year, once in each quarter.
- Additional meetings may be convened at the written request of any member of the Committee or as considered necessary by the Chair or responsible General Manager.
- A quorum will exist if at least 50% plus one of the Committee members are present.
- Agreement by the Committee on matters will generally be made by consensus. If consensus is not possible, matters will be resolved by a show of hands and a simple majority of votes cast by members in attendance. The Chair will have the casting vote if the votes are equal.
- In accordance with section 126 of the *Local Government Act 2020* (Disclosure of Conflict of Interest), Committee members must declare all conflicts of interest before any discussion

³ *If the Mayor chooses to relinquish their ex officio membership of the East Gippsland Economic Development Advisory Committee, a second Councillor will be elected through the same mechanism and for the same term as the 'one other Councillor'.*

occurs on the matter for which the conflict of interest has arisen. *Also refer to clause 6 - Conflicts of Interest and Disclosure of Conflicts of Interests below.*

- Councillors who are not members of the Committee may attend its meetings as observers and through the Chair, may ask questions in relation to matters listed on the agenda.
- Agenda items can be submitted to the responsible General Manager (via the Secretariat) at least 3 weeks prior to the next meeting for inclusion in the agenda of Committee meetings. The final composition of the agenda and associated documents will be determined by the responsible General Manager in consultation with the Chair.
- Minutes of Committee meetings will be kept and when the draft minutes have been approved by the Chair (via General Manager, Place & Community), circulated to Committee members and East Gippsland Shire Councillors as Unconfirmed Minutes. The Unconfirmed Minutes will be confirmed at the next meeting of the Committee.
- A report on the activities of the Committee will be presented to the next Ordinary Meeting of Council following each quarterly meeting of the Committee.

8. Conflicts of Interest and Disclosure of Conflicts of Interests

As defined in section 126 of the *Local Government Act 2020*, a conflict can arise when a person has the potential to be influenced, or appear to be influenced, by personal or private interests. Where such a conflict exists, it should be resolved in the best interests of East Gippsland Shire and its business and industry community, rather than the individual's private interest.

As set out in Clause 18 of Council's Governance Rules if a member of the Committee considers that they have, or might reasonably be perceived to have, an interest in a matter before the Committee, they will clearly state the nature of their interest at the beginning of the meeting and immediately before the matter is considered.

It is the responsibility of a Committee member to make their own determination about whether to declare a conflict of interest, consistent with the Definitions outlined in section 126, General Conflict of Interest in section 127, Material Conflict of Interest in section 128 and the exemptions in section 129 of the Act.

Further, having declared such a conflict on a matter, the Committee member must exclude themselves from the decision-making process in relation to that matter, including any discussion or vote on the matter, and any action in relation to the matter.

Further guidance is available through the Victorian government's publication, [Good Governance Guide, 2012](#) and the [Conflict of Interest – A Guide for Members of Council Committees, 2012](#).

9. Confidentiality

Members of the Committee will be bound by the provisions of section 125 of the *Local Government Act 2020* in relation to confidentiality. In this regard, members are expected to maintain confidentiality in relation to matters under consideration from time to time that have been declared as confidential, particularly those matters of a commercial in confidence nature.

10. Indemnity

Members of the Committee will be covered by Council's insurance when engaged on or attending to their duties in accordance with this Charter.

Roles and Responsibilities

Following is a list of positions with designated responsibilities under this Charter:

Party / Parties:	Roles and responsibilities:
Chair	<p>Conduct meetings efficiently to ensure all matters listed for consideration are afforded appropriate time and attention.</p> <p>Exercise a casting vote where: (a) consensus cannot be reached; and (b) a formal vote is required to resolve the matter; and (c) voting numbers are equal.</p> <p>Approve the Unconfirmed Minutes of each meeting for circulation to Committee members, Councillors and others.</p> <p>Consider applications from Committee members for leave of absence.</p> <p>Together with the responsible General Manager, participate in the selection process for relevant Committee members.</p> <p>Together with the responsible General Manager, ensure compliance with this Charter by Committee members and address any matters of concern arising in respect of a Committee member's conduct.</p>
The Committee members	<p>Make every effort to attend scheduled meetings of the Committee.</p> <p>Ensure that matters are considered fairly and consistently and facilitate open and respectful sharing of opinions.</p> <p>Form conclusions and recommendations based on the best available information.</p> <p>Keep confidential any matter or documents that have been declared to be confidential.</p> <p>In accordance with sections 126, 127 and 128 of the <i>Local Government Act 2020</i> (Disclosure of Conflict of Interest), make a full disclosure of all conflicts of interest prior to discussion of the matter for which the conflict of interest has arisen. Further, having declared such a conflict, leave the room and remain outside the room and any gallery or other area in view or hearing of the room until the matter has been concluded.</p> <p>As prescribed by section 123 of the <i>Local Government Act 2020</i>, members must not misuse their position on the Committee to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or cause, or attempt to cause, detriment to Council or any person.</p> <p>Complete the Register of Interest returns required by sections 133 and 134 of the <i>Local Government Act 2020</i> within the stipulated timeframes.</p>
Responsible General Manager	<p>Responsible for the implementation, review and updating of this Charter.</p> <p>While not a member of the Committee, attend all meetings of the Committee (or arrange for another General Manager to do so) and provide guidance and advice.</p> <p>also:</p> <ul style="list-style-type: none"> • ensure that an appropriate agenda is formulated for scheduled meetings and circulated to members in a timely fashion; • facilitate meetings by arranging for appropriate Council officers or others to attend to provide pertinent information, as necessary;

Party / Parties: Roles and responsibilities:	
	<ul style="list-style-type: none"> provide secretariat services in respect of matters before the Committee; after each quarterly meeting, ensure that a report describing the activities of the Committee and explaining any recommendations or key findings is tabled at an ordinary meeting of Council and the Committee; ensure that accurate minutes of Committee meetings are taken, circulated to Committee members, Councillors and others in a timely fashion and once confirmed, stored securely in Council's electronic document record management system; coordinate the selection process for relevant the Committee positions and together with the Committee's Chair, comprise the interview panel for these positions; and together with the Committee's Chair, address any matters of concern arising in respect of a Committee member's conduct.
Officers in Attendance	<p>Together with the responsible General Manager, the Manager responsible for Economic Development and Tourism or their delegate, will attend all meetings of the Committee.</p> <p>The Chief Executive Officer or other members of Council's staff may attend Committee meetings from time to time to provide information or respond to queries.</p>

References and Supporting Documents

Applicable Legislation:

Local Government Act 2020

Supporting Documents:

- Council Plan 2021-2025
- [Governance Rules](#) 2022
- [Good Governance Guide](#) 2012
- [Conflict of Interest – A Guide for Members of Council Committees](#) 2012

Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council in connection with the Committee will be handled in accordance with all applicable privacy legislation and will be used only for the purpose of investigating audit matters.

The Committee's Charter has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Definitions

For the purposes of this Charter, the following definitions apply:

Term	Meaning
Advisory Committee	A committee established by the Council, other than a special committee, that provides advice to: (a) Council; or (b) a special committee; or (c) a member of Council staff who has been delegated a power, duty or function of the Council under section 98 of the <i>Local Government Act 1989</i> .
Committee member	A member of East Gippsland Shire Council's Economic Development Advisory Committee.
Chief Executive Officer	Person appointed by Council to the position of Chief Executive Officer.
Conflict of Interest	The <i>Local Government Act 2020</i> requires members of Council and many Council committees to disclose conflicts of interest that may impair an individual's ability to serve the Board in a fair, impartial manner. This mechanism is intended to demonstrate that in performing the role to which they were appointed, The Committee members are not attempting to serve their own interests or the interests of someone close to them.
Councillor	Person who has been elected to the office of "Councillor" of East Gippsland Shire Council.
Council officer	A current member of East Gippsland Shire Council staff with the authority to engage in activities on behalf of Council.
Officers in Attendance	Council officers attending Committee meetings to provide information or respond to queries. No officers hold membership of the Committee.
Mayor	Councillor elected by other Councillors to fill the role of Mayor.
Responsible General Manager	General Manager delegated by the Chief Executive Officer to support the work of the Committee.

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	12/11/2005	Council		
2	Approved	07/09/2017	Council	7404717	
3	Approved	08/10/2019	Council	8309319 v8	<p>That Council:</p> <ol style="list-style-type: none"> 1. Removes the Chief Executive Officer from nominated membership of the East Gippsland Shire Council's Economic Development Advisory Committee as referenced at 2.3 point 4 of the adopted Terms of Reference and in turn modifies the Terms of Reference to indicate that a delegate of the Chief Executive Officer attends the meetings, but is not a member of the Committee; and 2. Removes the Mayor, East Gippsland Shire Council from nominated membership of the East Gippsland Shire Council's Economic Development Advisory Committee as the Council's joint representative and in turn nominates a Councillor to that role; and that Council continues to support the work of the Economic Development Advisory Committee in the supply to Council of timely, considered and unbiased economic advice to the betterment of the East Gippsland Community
4	Approved	10/03/2020	Council	V9	<ol style="list-style-type: none"> 1. The Economic Development Advisory Board be renamed the Economic Development Advisory Committee. 2. The terms of reference be amended to reflect that the CEO and/or their delegate is a non-voting member of the Economic Development Advisory Board. 3. The terms of reference be amended to allow the Mayor to attend and actively participate and/or be a member of the Economic Development Advisory Board if they wish to.
5	Approved	07/02/2023	Council	9666530	