



Council Meeting Agenda

Tuesday 4 June 2024 at 6:00 pm
Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875



Acknowledgement of Country

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawal people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

Council information

East Gippsland Shire Council live streams, records and publishes its meetings via webcasting (youtube.com/c/EastGippyTV) to enhance the accessibility of its meetings to the broader East Gippsland community.

These recordings are also archived and available for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, any members of the gallery who are addressing the council will have their image, comments or submissions recorded.

No other person has the right to record Council meetings unless approval has been granted by the Chair.

In line with the *Local Government Act 2020*, Councillors are able to attend Council meetings electronically or in person and the meetings will be open to the public via livestreaming.

Members of the public are invited to view the Council Meeting livestreamed by following the link on Council's website or Facebook page.

Councillors

Cr Tom Crook (Mayor)
Cr Jane Greacen OAM (Deputy Mayor)
Cr Arthur Allen
Cr Sonia Buckley
Cr Mark Reeves
Cr Trevor Stow
Cr Mendy Urie
Cr Kirsten Van Diggele
Cr John White

Executive Leadership Team

Fiona Weigall Chief Executive Officer
Stuart McConnell General Manager Assets and Environment
Sarah Johnston General Manager Business Excellence
Kath Smith Acting General Manager Place and Community

Purpose of Council meetings

- (1) Council holds scheduled meetings and, when required, unscheduled meetings to conduct the business of Council.
- (2) Council is committed to transparency in decision making and, in accordance with the *Local Government Act 2020*, Council and Delegated Committee meetings are open to the public and the community are able to attend.
- (3) Meetings will only be closed to members of the public, in accordance with section 66 of the Act, if:
 - (a) there are clear reasons for particular matters to remain confidential; or
 - (b) a meeting is required to be closed for security reasons; or
 - (c) it is necessary to enable the meeting to proceed in an ordinary manner.
- (4) A meeting closed to the public for the reasons outlined in sub-rule 3(b) or 3(c) will continue to be livestreamed. In the event a livestream is not available:
 - (a) the meeting may be adjourned; or
 - (b) a recording of the proceedings may be available on the Council website.

Governance Rules

A copy of East Gippsland Shire Council's governance rules can be found at
<https://www.eastgippsland.vic.gov.au/council/council-policies>

Councillors pledge

As Councillors of East Gippsland Shire Council, we solemnly and sincerely declare and affirm that we will consider each item on this agenda in the best interests of the whole municipal community.

Vision

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.

Our Strategic Objectives

1. An inclusive and caring community that respects and celebrates diversity.
2. Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.
3. A natural environment that is managed and enhanced.
4. A thriving and diverse economy that attracts investment and generates inclusive local employment.
5. A transparent organisation that listens and delivers effective, engaging and responsive services.

Index

1 Procedural	6
1.1 Recognition of Traditional Custodians	6
1.2 Apologies	6
1.3 Declaration of Conflict of Interest	6
1.4 Confirmation of Minutes	6
1.5 Next Meeting	6
1.6 Requests for Leave of Absence	6
1.7 Open Forum	6
1.7.1 Petitions	6
1.7.2 Questions of Council	6
1.7.3 Public Submissions	6
1.8 Items for Noting	6
2 Notices of Motion	6
3 Deferred Business	6
4 Councillor and Delegate Reports	6
5 Officer Reports	7
5.1 Assets and Environment	7
5.1.1 Council Climate Change Advisory Body	7
5.1.2 Addition of Roads to Council's Register of Public Roads	22
5.2 Place and Community	30
5.2.1 Agriculture Sector Advisory Committee Membership Term Extension Request	30
6 Urgent Business	46
7 Confidential Business	46
8 Close of Meeting	46

1 Procedural

1.1 Recognition of Traditional Custodians

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawal people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

1.2 Apologies

1.3 Declaration of Conflict of Interest

1.4 Confirmation of Minutes

That the minutes of the Council Meeting Tuesday 21 May 2024 be confirmed.

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 25 June 2024 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

1.6 Requests for Leave of Absence

1.7 Open Forum

1.7.1 *Petitions*

1.7.2 *Questions of Council*

1.7.3 *Public Submissions*

1.8 Items for Noting

2 Notices of Motion

3 Deferred Business

4 Councillor and Delegate Reports

5 Officer Reports

5.1 Assets and Environment

5.1.1 Council Climate Change Advisory Body

Authorised by General Manager Assets and Environment

Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

Executive Summary

This report provides information about potential benefits and costs associated with the establishment of a Climate Change Advisory Body (Advisory Body) to Council, in response to a resolution of Council at the Council meeting held 14 November 2023.

The report considers how the objectives of the resolution align with current policy, work programs collaboration and other activities, in particular as part of the project *'Increasing understanding of risk and extending resilience and adaptability building across East Gippsland.'*

Given the comprehensive nature of existing Council policy, strategy, and activities along with available resources, the report recommends that the establishment of an Advisory Body is not progressed.

Rather, available resources advance existing mechanisms for collaboration, community engagement, and communication efforts to address challenges posed by a changing climate.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. notes:***
 - a. the advice provided by Officers in relation to the costs and benefits of a separate Climate Change Advisory body at this time; and that***
 - b. Officers will continue to establish relevant advisory forums where required for specific climate change projects and pursue opportunities for engagement through community forums and networks;***
- 3. notes that Officers will provide information and reports:***
 - a. on Council's activities in response to climate change;***
 - b. on activities to embed climate change response across the organisation; and***
 - c. from climate change networks and forums;***
- 4. notes that a communication and engagement plan is being prepared as part of the Council project 'Increasing understanding of risk and extending resilience and adaptability building across East Gippsland'; and***
- 5. notes that the Victorian Climate Projections 2019 are a primary source of information to inform Council decision making and that this and other relevant information is accessible via Council's website.***

Background

At the Meeting on 14 November 2023, Council resolved:

That:

1. *officers provide a report to a future Council meeting regarding the benefits and costs of establishing a climate change advisory body to Council that would be responsible for, but not limited to:*
 - a. *supporting the delivery of the Environmental Sustainability Strategy 2022-2032 and Action Plan 2022-2026;*
 - b. *working with other East Gippsland agencies on climate adaptation and mitigation and reporting measures;*
 - c. *hosting a public climate change forum; and*
 - d. *developing a communication strategy to discuss Climate change issues in our communities.*
2. *when implementing current and considering future strategies and actions to manage climate change impacts on our Shire, officers would be informed by relevant publicly available, up-to-date scientific information, the links to which would be available via Council's website.*

Regarding part 2 of the above resolution, the Victorian Climate Projections 2019 (VCP) are a primary source of information providing extensive resources and tools drawing upon the latest understanding of global change and how this is playing out in Australia, at State and Regional scales. The VCP and links are referred to on Council's website.

The remainder of this report responds to part 1 of the resolution.

How Local Government supports effective and ongoing action to both mitigate and adapt to a changing environment is of critical importance to Council and community; as is reflected within the Council Community Vision, Council Plan and supporting Strategies and Plans. An overview of current policy direction and actions being undertaken is provided at **Attachment 1** to this report.

Several Victorian Councils currently have established an advisory body in association with a declaration of a climate emergency.

East Gippsland Shire Council established an Environmental Sustainability Advisory Board (ESAB) in February 2008 to advise and support the development of the first Environment Sustainability Strategy for Council.

ESAB included representation from the former Victorian Department of Environment, Land use and Planning (DELWP), the East Gippsland Catchment Management Authority (EGCMA), two Council representatives along with local technical experts.

Following completion of the Environment Sustainability Strategy, Council Officer time was being diverted to preparing reports between the Advisory Board, Councillors and Council Officers. Recognising this, it was considered that staff resources would be better utilised to deliver the strategy and identified actions.

Subsequently, at the 18 November 2014 Council meeting, a review of the Advisory Boards was presented, and specific to this report, Council resolved to:

“Retain the services of Advisory Board members where specific strategic documents are the subject of renewal so that these Boards can provide their recommendation to Council about future strategic direction in respect to Environmental Sustainability.”

Council Officers re-engaged with members of the original Advisory Board to seek their advice and input to the development of the current Environmental Sustainability Strategy 2022-32.

Officers are currently on multiple community and technical climate change groups that support Council's overall climate change outcomes: These include:

- Gippsland Alliance for Climate Action (GACA);
- Gippsland branch of the Victorian Greenhouse Alliances;
- Municipal Emergency Management Planning Committees (MEMPC);
- East Gippsland Integrated water management practitioners' group;
- East Gippsland Climate Change Collective (representing key agencies and service providers);
- Bairnsdale Regional Health Service Environment Sustainability Committee;
- All Electric Council's Working Group (Statewide);
- Climate Resilience Councils group (Statewide) - Council EV working group (Statewide);
- Neighbourhood Batteries Community of Practice (Statewide);
- Trellis Group for emissions monitoring and reporting (Gippsland based through GACA); and
- Southern Victoria Licensing and Supply Review working group (Statewide).

In addition to the above, climate change is considered within existing Council advisory forums such as the Agriculture Sector Advisory Committee, Economic Development Advisory Committee and as part of the Municipal Emergency Planning Committee.

In summary, Council has made significant investment and progress in developing a strategic and coherent response to climate change. This is evident in the broad range of activities and projects being delivered and participation in a range of community and stakeholder committees and boards.

Discussion on how the objectives of the Council resolution may be addressed.

A. supporting the delivery of the Environmental Sustainability Strategy 2022-2032 and Action Plan 2022-2026.

Existing Council plans outline comprehensive climate change actions and associated reporting frameworks.

In 2023/24, the delivery of the sustainability action plan was supported via the allocation of tasks into business unit plans and individual staff workplans to ensure activities align to the strategic direction of the Environmental Sustainability Strategy. Progress against actions is reported annually and published on Council's website.

B. working with other East Gippsland agencies on climate adaptation and mitigation and reporting measures.

As previously outlined in this report, Council Officers are currently on multiple community and technical climate change groups that support Council's overall climate change outcomes. More recently, the Climate Change Collective was established March 2023 following an agreement by East Gippsland Chief Executive Officer and Managing Directors.

The Climate Change Collective includes senior employees that are responsible for the priority setting and implementation of climate change actions within each of the participating organisations, including:

- Bairnsdale Regional Health Service;
- East Gippsland Catchment Management Authority;
- East Gippsland Shire Council;
- East Gippsland Water;
- Gippsland Lakes Complete Health;
- Gippsland Ports;
- Gunaikurnai Land and Water Aboriginal Corporation; and
- Southern Rural Water.

The establishment of an additional Advisory Body may distract available resources and dilute the focus and role of existing collaborative efforts, such those being initiated by the Climate Change Collective. The activities of the Climate Change Collective will be reported to Council.

C. hosting a public climate change forum,

A range of community engagement forums are either being planned or implemented which relate to climate change mitigation, adaptation, sustainability, and growing community resilience, including:

- New Energy opportunities forum at Eagle Point 28 May 2024;
- Engagement activities to inform future resource recovery and waste service to commence from June to September 2024;
- Supporting Landcare to host a regenerative forum in Orbost focusing on strategies to address a changing climate for farmers;
- A collaborative project with RMIT University is currently being planned to combine climate science with local artists in rural communities to practically communicate and engage with the community about climate change;
- Engaging with and supporting community led sustainability forums and initiatives (ongoing).

These and other community-based forums will continue to be supported by Council on topics related to climate change. These activities will be regularly reported to Council.

D. developing a communication strategy to discuss climate change issues in our communities.

Council successfully secured a competitive Disaster Ready Fund (DRF) grant to the value of \$1.2 mil from the Australian Government in late 2023. This funding will allow the delivery of the project - '*Increasing understanding of risk and extending resilience and adaptability building across East Gippsland.*'

This project will deliver measures designed to increase Council and community understanding of climate risk, improve the resilience of our built environment and the adaptability of our citizens to climate change.

Developing a communication and engagement plan to discuss climate change issues, including a series of events, forums, and other engagement methods to enhance participation, is currently being planned.

Further information regarding the above project is included within **Attachment 1**.

Legislation

Local Government has statutory obligations to address climate change through mitigation and adaptation actions, as outlined by the *Municipal Health and Wellbeing Act 2008*, *Climate Change Act 2017*, the *Local Government Act 2020* and the *Planning and Environment Act 1987*.

The *Planning and Environment Act 1987* requires that Councils promote the economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks. Other relevant overarching principles include the requirement to give priority to achieving the best outcomes for the municipal community, including future generations.

The *Climate Change Act 2017* directs that local governments must consider climate change when preparing their municipal public health and wellbeing plan, including the potential impacts of climate change relevant to the decision or action (adaptation), the potential contribution to the State's greenhouse gas emissions of the decision or action (mitigation).

Local governments must also have regard for the Public Health and Wellbeing Act 2008 and the Victorian public health and wellbeing plan, which lists 'tackling climate change and its impact on health' as a priority.

There is now a clear expectation that Council decision-making is supported by robust and transparent practices, and that the adverse consequences of climate change for future generations are incorporated into council governance, planning, decisions, and actions. An overview of current policy direction and related activities is provided at **Attachment 1**.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's *Charter of Human Rights and Responsibilities Act 2006*.

The implications of this report have been assessed and align with the principles and objectives of the *Gender Equality Act 2020*.

Council Plan

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.3 Planning with local communities for natural disasters and emergencies strengthens capacity, infrastructure, resilience, preparedness, and recovery.

Council Policy

Council Policies considered relevant to this report include.

Advocacy Policy:

Council acknowledges and accepts the critical role it plays in advocating for its communities on a broad range of issues.

Relevant to this report, the policy explains that Council will:

- *identify issues of priority concern to residents and its various communities through consulting and communicating with those communities;*
- *be an active member of various organisations that provide a means by which Council can present its point of view and advocate on those issues;*
- *encourage and support the CEO and senior staff to be members of relevant organisations and groups where opportunities exist for advocacy on behalf of Council and the community;*
- *support and work closely with other partners who have a common interest in issues and participate in joint actions, where appropriate;*
- *regularly meet with organisations and individuals to foster cooperation; and understanding of issues of importance to the Council and its community.*

Community Engagement Policy:

This Policy defines community engagement as a purposeful, planned process where those affected by or interested in a decision can participate in the decision-making process if they choose to; setting out why, how, with whom and when community engagement is undertaken by Council staff, and the role of the community and stakeholders in these processes.

The policy outlines a community engagement approach based on industry standards that emphasises the importance of planning, as well as sharing information along the way, and reporting back to community.

Council has adapted the International Association for Public Participation (IAP2) Spectrum of Public Participation which describes levels of engagement to be applied and describes Advisory Groups as *'selected small groups that meet over a period of time to achieve specific objectives.'*

Options

The following options are provided for consideration by Council:

1. Establishment of a Climate Advisory body is not progressed at this time, rather:
 - a. regular reports are provided to Council outlining Council's current and planned activities in response to climate change adaptation and mitigation including actions being undertaken to embed climate change response across the organisation, actions being undertaken with current networks and partner agencies and engagement with community forums.
 - b. a communication and engagement plan is prepared and implemented as part of the current project *'Increasing understanding of risk and extending resilience and adaptability building across East Gippsland.'*
 - c. Advisory forums continue to be established as required to assist and inform Council in the delivery of projects and services and Officers will continue to pursue opportunities to engage in community forums and networks relevant to climate change.
2. Establishment of a Climate Advisory Body is progressed by taking the following actions:
 - a. the preparation of draft Terms of Reference for consideration and review and approval by Council.
 - b. subsequent to the approval of the draft Terms of Reference, that Council Officers commence an expression of interest process for nominations to the Advisory Body.
 - c. Council review nominations and appoint membership of the Advisory Body.
3. That further information be provided at a future Council meeting.

Option 1 is recommended.

Resourcing

Based on the previous support that was required to support ESAB it is estimated that an additional 0.2 FTE would be required to provide administrative and program / project implementation support.

In addition to direct administrative support, it is important to note that additional staff resources would likely extend to broader officer time (including managers and executive time) required to assist and give effect to the priorities or actions requested of the Advisory Body.

Staff resources required to establish and support an Advisory Body would require an estimated annual allocation of \$35,000. The total value of staff resourcing is expected to vary depending on the frequency of meetings, the core function of the group and its specific delegations.

It is noted that additional cost implications would likely result where the Advisory Body identified actions.

Risk

An option to re-establish the Advisory Body with a particular climate change focus has a significant range of potential benefits and risks. An overview of each is provided below:

Possible Benefits:

- *Expert Guidance:* An Advisory Body comprised of technical experts and other relevant stakeholders can provide expert guidance on climate change mitigation and adaptation strategies (noting project specific expertise is engaged where appropriate e.g. climate change risk assessment).
- *Holistic Perspective:* An Advisory Body that provides advice to Council on climate change may provide a comprehensive and inclusive approach, offering a holistic perspective on climate-related issues, considering scientific, economic, social, and environmental factors. May support iterative improvements in climate action plans and activities.
- *Policy Recommendations:* By conducting research and analysis, an Advisory Body may make recommendations and or inform Council in its development of effective climate policies.
- *Public Awareness and Buy-in:* An Advisory Body may help raise public awareness about the urgency of addressing climate change and the importance of acting. Local insights may lead to more customised and effective strategies that reflect the unique environmental, social, and economic conditions.
- *Accountability:* The Advisory Body can be beneficial in maintaining a focus on climate change across governments and corporations and support accountability for climate-related actions and policies, helping to ensure transparency and progress towards climate goals.

Possible Risks:

- *Inefficient Time Use:*
Climate change strategies and supporting projects are already in place, and or are well developed. An Advisory Body may result in the re-direction of officer time, introduce inefficiencies and bureaucratic hurdles. Officers are currently on multiple community and technical climate change groups that support council's overall climate change outcomes.
- *Duplicate the role of Council:*
Potential conflict with adopted position of Council resolutions or previously endorsed strategies and plans. An Advisory Body is not likely to have a decision-making role in Council's operations, making membership of the board potentially unattractive.
- *Directing Council Officers:*
An Advisory Body or its members may expect to direct or influence Council Officer actions and resources. This may confuse responsibilities.
- *Funding Expectations:*
Likely expectation that funding be made available for the Advisory Body's operations and activities.

- *Implementation Hurdles:*
Council may not support the Advisory Body recommendations. The expectation for resourcing may not be achievable or supported, leading to a gap between advice being provided and action.
- *Lack of Clarity:*
A clear purpose statement and vision would be required before progressing. A lack of clarity may duplicate the effort and/ or outcomes and associated community consultation and engagement activities and messaging.

Through careful design and clear Terms of Reference being established it is acknowledged that the above risks can be addressed.

Economic

Staff resources required to establish and support an Advisory Body are discussed previously by this report. Effective response to climate change is an economic issue and is identified as part of Council's Economic Development Strategy. There are economic risks and opportunities associated with climate change including, but not limited to, opportunities associated with the renewable energy transition. Existing projects are responding to this.

Social

The risks climate-related events pose to critical community assets, and to human health, safety, and livelihoods, have been well documented by previous state and federal inquiries, including the 2009 Bushfire Royal Commission, Inquiry into the 2019-2020 Fire Season, Inquiry into the 2022 Flood Event in Victoria, and Inquiry into the implications of severe weather events on the national regional, rural, and remote road network 2023.

Environmental

Compounding impacts of successive flood, storm, fire, and heatwave events directly linked to the ongoing impacts of climate change present a range of urgent and important environmental challenges. As climate change continues to manifest through extreme weather events and ecological disruptions, the demand for robust local-level interventions is expected to intensify.

The interrelationship of environmentally sustainable management of natural resources in a changing climate is directly linked to community health and wellbeing, resilience, and adaptive capacity.

Climate change

This report has been prepared and aligned with the following Climate Change function/category:

Adaptation Planning: Comprehensive adaptation measures exist and include responses to direct and indirect impacts of climate change.

Climate Risk Management: Council's risk management considers climate change issues in decision-making and includes responses to direct and indirect impacts.

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts.

Community Risk: Climate change is considered as a community risk and includes responses to direct and indirect impacts.

Greenhouse Gas Emissions: Consideration has been given to reduce GHG emissions.

Land Use Planning: Consideration is given to climate change in the local land use planning and includes responses to direct and indirect impacts.

Engagement

In preparing this report, Officers have undertaken benchmarking with other Local Government areas in terms of the role and function of similar Advisory Bodies/ committees. A review of Council's existing committee arrangements was also undertaken.

As previously outlined by this report, a detailed communication and engagement plan is being prepared as part of the current project *'Increasing understanding of risk and extending resilience and adaptability building across East Gippsland.'*

At present, a range of community engagement forums are either being planned or implemented on matters relating to climate change mitigation, adaptation, sustainability, and community resilience, including:

1. a new energy opportunities forum at Eagle Point 28 May 2024;
2. planned engagement activities being delivered as part of the East Gippsland Shire Council Community vision from June through August 2024;
3. planned engagement activities and resource recovery and waste service delivery through from June to September 2024;
4. supporting Landcare to host a regenerative forum in Orbost focusing on strategies to address a changing climate for farmers;
5. a collaborative project with RMIT University is currently being planned to combine climate science with local artists in rural communities to practically communicate and engage with the community about climate change; and
6. engaging and supporting community led sustainability forums and initiatives (ongoing).

Place-Based consultations with community and creating opportunities for local knowledge to inform Council's climate change response is essential to ensuring that specific concerns, ideas, and needs are heard and addressed. This is equally important to empowering communities with knowledge and tools to participate actively in climate resilience efforts.

In accordance with Council's Community Engagement Policy, opportunities for further engagement, education and participation in conversations with community about aspects of climate change will continue to be pursued by Officers, including the establishment of, community-based reference groups / advisory groups where required to assist and inform Council in the delivery of projects and services.

Attachments

1. Council Climate Change Response Snapshot - April 2024 [**5.1.1.1** - 4 pages]

Council Climate Change Response - SNAPSHOT

April 2024

Context:

The importance of climate change adaptation and mitigation of greenhouse gas emissions is of increasing importance to our community.

Local Governments are on the frontline in responding to climate change as communities across Victoria experience the compounding impacts of successive flood, storm, fire, and heatwave events directly linked to the ongoing impacts of climate change. Yet as climate change continues to manifest through extreme weather events and ecological disruptions, the demand for robust local-level interventions intensifies. Local Government also has statutory obligations to address climate change through mitigation and adaptation actions, as outlined by the Municipal Health and Wellbeing Act, Climate Change Act 2017, the Local Government Act 2020, Emergency Management Act and the Planning and Environment Act 1987.

The risks climate-related events pose to critical community assets, and to human health, safety and livelihoods, have been well documented by previous state and federal inquiries, including the 2009 Bushfire Royal Commission, Inquiry into the 2019-2020 Fire Season, Inquiry into the 2022 Flood Event in Victoria, and Inquiry into the implications of severe weather events on the national regional, rural, and remote road network 2023.

In September 2019, Council prepared a submission for the Parliamentary Inquiry by the Victorian Legislative Assembly, Environment and Planning Committee into 'Tackling Climate Change in Victoria Communities.'

A common theme identified in these submissions is while local governments are at the forefront of climate change, they are not resourced adequately to help their communities adapt and respond. Constrained budgets, limited access to financing and insufficient resourcing hinders the capacity of local governments to fully implement comprehensive climate action plans, whilst acknowledging other agency and essential service providers extend beyond the remit of Council.

Council continues to prioritise projects and resources as part of our response, demonstrated by the four-year Sustainability Action Plan, detailing a range of actions to assist community participation in responding to climate change and reduce emissions. Of critical importance is the role Council has in how we plan, design and assess new development proposals, to share information with our community and to support community emergency preparedness and resilience for a changing climate.

Current Approach

Understanding how to support effective and ongoing action to both mitigate the impacts and adapt to a changing environment is of critical importance to Council and community, as is reflected within the Council Community Vision, Council Plan and supporting Strategies and Plans.

As a result, the Council developed the following comprehensive strategies to deliver on climate change, and provide a strategic framework to support environmental stewardship, community partnerships and economic prosperity throughout the region.

An overview of relevant strategies, plans and projects is provided below.

Council Plan 2021-25

Potential Benefits and Costs of Establishing a Climate Change Advisory Body to Council
April 2024

1 | Page

With a strong emphasis on livability, the Council plan identifies and emphasizes multiple activities that the outcomes sought from the original Council motion. In particular strategic indicator 2.3 states “*Planning with local communities for natural disasters and emergencies strengthens capacity, infrastructure, resilience, preparedness, and recovery*” is a priority.

Environmental Sustainability Strategy 2022-32

Principally the [Environmental Sustainability Strategy 2022-2032](#) details Council's approach to embed resilience within operations across the region, with the following commitments over the next 10 years having been endorsed:

- Managing and mitigating the impact of climate change
- Achieving sustainable resource management
- Facilitating living and working within the capacity of the local environment

There are three principle goals of the strategy that seek to employ strategies to both reduce emissions and adapt to the impacts of climate change. These include:

- Goal 2: Sustainable management of natural resources (climate mitigation)
- Goal 3: Community participation in climate response
- Goal 7: Community resilience to increasing climate risk and natural disasters

The goals are designed so that all the goals are integrated and support the overall commitments of the strategy.

Sustainability Action Plan 2022-2026

The [Sustainable Action Plan 2022-26](#) outlines Council's actions over the next four years. In total there are 79 actions listed in the plan to be delivered by Council and stakeholders over the short to medium term. Progress against actions are reported annually.

East Gippsland Economic Development Strategy 2022 – 2032

The [East Gippsland Economic Development Strategy 2022 – 2032](#) has a climate change emphasis as described by *Focus 8: Climate Change Action Leaders*, which outlines ambitions for the establishment of a climate ready economy and innovative business sector.

Well Placed for Wellbeing Strategy 2021-25

The [Well Placed for Wellbeing Strategy 2021-25](#) explains that “*Climate change is reported by residents as the top issue of concern for the coming years.*” The plan prioritises climate change under *Goal 4: Environmentally sustainable principles that enable us to mitigate and adapt to a changing climate* and lists the following objective:

- Build community, industry and business understanding of the risks of climate change to public health and support the implementation of sustainable practices that minimise their environmental footprint.*

Disaster Ready Fund (DRF) project

East Gippsland Shire Council successfully secured a competitive Disaster Ready Fund (DRF) grant to the value of (\$1.2 mil) from the Australian Government in 2023. This funding will allow the delivery of the project - *Increasing understanding of risk and extending resilience and adaptability building across East Gippsland.*

This project delivers on a suite of measures designed to increase both Council and community understanding of climate risk, improve the resilience of our built environment and the adaptability of our citizens to the effects of climate change.

This is a holistic and comprehensive project to provide better information to empower community and stakeholders to consider climate change risk when making decisions for the future.

This project has four key deliverables:

1. Completion of a climate risk infrastructure assessment

Establishment of GIS based hazard risk data, enabling communities, business, agencies, and asset managers to make decisions and invest in assets and infrastructure with better disaster risk understanding.

2. Development of a web-based Disaster Ready Dashboard

Council will develop a web-based interface, the Dashboard which drills down from Municipal, to District to Locality level, providing understanding & updating of place-based information, awareness of Emergency Management Planning, preparedness infrastructure, and a central location linking all-agency warnings and advice.

3. Continuation of a community resilience and development program

Council will complete Stage 2 of its CRDP focusing on assembly areas and relief centers. Including improving building BAL ratings, ember proofing, upgraded switchboards, and independent power (generators).

4. Communications and engagement

An integrated communication plan that elicits knowledge in Council, community, stakeholder, and partners to create an appetite for change and innovation in East Gippsland's social practices. Costs associated with the delivery of possible actions are not known and therefore have not been assessed.

Development of Greenhouse Gas Emissions Reduction Plan

Council has set a target of achieving a corporate net zero emissions target for 2032. The draft Plan is scheduled to be presented to Council for noting this financial year.

Climate Change Pledge:

Council has committed in a resolution November 2023 to make a voluntary climate pledge to the Victorian Government under the Climate Change Act 2017. This option has been set up to acknowledge the efforts of Victorian local governments to act on climate change. The pledge will be formalized alongside the completion of the Greenhouse Gas Emissions Reduction Plan.

Other activities:

- Embedding Climate Change into Policy and Procedures and decision making (i.e. review of Council Report templates to consider climate change and support decision making is underway).
- Continuous review of our Emergency Management Policy, Plans and Procedures.
- Increasing awareness of legislative responsibilities to address Climate Change risk – including staff training and workshops facilitated by Maddocks during 2023.

- Currently completing the scoping of an internal audit to directly consider climate change responsibilities and the organizational response.
- Applying bushfire and flood risk data in our decision making and the advice we provide to community – with a current review of the Planning Scheme underway.
- Council joined the Council Alliance for a Sustainable Built Environment (CASBE) in 2023.
- Working with other East Gippsland agencies on climate adaptation and mitigation including the Gippsland Alliance for Climate Action (made up of Gippsland LGA's) and the Climate Change Collective established March 2023 following agreement by East Gippsland CEO and Managing Directors.

Summary:

Council has made significant investment and progress in developing a strategic and coherent response to climate change. This is evident in the broad range of activities and projects that council staff are already delivering, including membership of a broad range of community and stakeholder committees and boards.

5.1.2 Addition of Roads to Council's Register of Public Roads

Authorised by General Manager Assets and Environment

Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

Executive Summary

This report considers the inclusion of additional roads to Council's Register of Public Roads (ROPR), as part of Council's responsibilities under the *Road Management Act 2004* (the Act). As well as the removal of one Council managed road from the Register of Public Roads.

The Act establishes a statutory requirement for road authorities to maintain a ROPR. Road authorities have a duty to inspect, maintain and repair roads that have been determined as public roads. Council's Road Management Plan establishes the standards that shall be met when discharging these duties to inspect, maintain and repair public roads.

Council Officers has received requests from members of the community seeking maintenance on roads that are not currently included on the ROPR and consequently, are not currently ***inspected, repaired, or maintained by Council, in addition to identifying omissions through*** internal review.

The roads considered for inclusion to the Register of Public roads in this report include:

- Bastion Point Service Road, Mallacoota;
- Chilas Road, Wy Yung;
- Cobblers Creek Road, Bairnsdale;
- Ellasville Road, Nicholson; and
- Sharpe Street, Lucknow.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. declares the sections of road listed below as Public Road and be added to Council's Register of Public Roads under the classifications shown; and***

Road Name	Locality	Land Tenure	Principle Places of Residence	Approx. length	Classification
Bastion Point Service Road	Mallacoota	Road Reserve	5	0.110km	Urban Access
Chilas Road	Wy Yung	Road Reserve	1	0.266km	Rural Access
Cobblers Creek Road	Bairnsdale	Road Reserve	4	0.810km	Rural Access
Ellasville Road	Nicholson	Road Reserve	2	0.676km	Rural Access
Sharpe Street	Lucknow	Road Reserve	0	0.199km	Urban Access

- 3. authorises the Chief Executive Officer or delegate to update Council's Register of Public Roads to reflect Recommendations 1 and 2 as required by the Road Management Act 2004.***

Background

Council periodically receives requests to add roads to the ROPR. In accordance with the Act, Council can make alterations to its ROPR to include any new roads it considers to be public roads.

Council must record on its ROPR, any road in respect of which it is the responsible authority and where it has decided that the road is required for general public use, in accordance with Section 17(3) of the Act.

While there is no statutory definition for what circumstances constitute required for general public use, the following is guiding criteria has been used historically by East Gippsland Shire Council when assessing whether a road fits this definition and therefore should be added to the ROPR:

- the road provides access to a principal place of residence (PPR);
- the road in question provides a single closest point of access to a rateable property holding;
- the road is located on suitable land, in a road reserve or Crown land where Council has relevant authority to lawfully have a road; and
- another authority does not maintain the road.

The road also needs to be of an appropriate constructed standard, with only nominal works required to maintain an acceptable standard through routine maintenance operational activities.

The guiding principles outlined above aim to provide a property access service level whereby private land that has been developed to include a principal place of residence, adjacent to a connected network of roads, has an access point to a roadway listed on the Register of Public Roads which is inspected, repaired, and maintained by Council.

Unused road reserves requiring full construction of a physical road to provide access to properties are not usually considered under this process. Such works would have to be undertaken by the landholder(s) to a satisfactory standard before consideration of their addition to the register would occur.

This report considers the suggested classifications of the roads following road to be Urban Access and Rural Access based on the road hierarchy classifications require annual hazard inspections and routine maintenance throughout the year.

The roads for addition as listed above total 2.061 kilometres in length and have been nominated for inclusion in the Register of Public Roads. A map of each of the roads is provided in **Attachment 1**.

Road Name	Locality	Land Tenure	Principle Places of Residence	Approx. length	Recommendation
Bastion Point Service Road	Mallacoota	Road Reserve	5	0.110km	Recommended to be added listed as Urban Access
Chilas Road	Wy Yung	Road Reserve	1	0.266km	Recommended to be added listed as Rural Access
Cobblers Creek Road	Bairnsdale	Road Reserve	4	0.810km	Recommended to be added listed as Rural Access
Ellasville Road	Nicholson	Road Reserve	2	0.676km	Recommended to be added listed as Rural Access
Sharpe Street	Lucknow	Road Reserve	0	0.199km	Recommended to be added listed as Urban Access

Bastion Point Service Road – is an existing sealed service road that accesses five principal places of residence and is currently maintained by Council, this report is to formally list this road on the Register of Public Roads.

Chilas Road is an extension to an existing road that Council maintains, additional lots have been created beyond the maintained road section where a new principal place of residence has been constructed.

Cobblers Creek Road – is currently maintained by Council and is formally added to the register of public roads for maintenance purposes. This road services four principal place of residence.

Ellasville Road – is a continuation of an existing section of Ellasville Road that Council currently maintains this additional section services two principal place of residence and has been maintained previously by Council, this report formally adds this section to the register.

Council has recently constructed Sharpe Street to service the new Gymnastics facility at Lucknow, there is also residential blocks that now front this roadway that will be constructed to become residential properties.

The roads recommended for inclusion in the ROPR in this report totals 2.061 kilometres in length. A map of each of the roads considered is provided at **Attachment 1**.

Legislation

As of 1 July 2021, all provisions of the *Local Government Act 2020* commenced. Some Provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with *Local Government Act 2020*.

The procedures and recommended actions within this report are consistent with the requirements of the *Road Management Act 2004* and Council's Road Management Plan.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's Charter of *Human Rights and Responsibilities Act 2006*.

In preparing this report the Victorian *Gender Equality Act 2020* has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the *Gender Equality Act 2020*. The need for a Gender Impact Assessment has also been assessed. The implications of this report have been assessed and align with the principles and objects of the *Gender Equality Act 2020*.

Collaborative procurement

Pursuant of section 109(2) of the *Local Government Act 2020* this report has not been prepared in collaboration with other Councils or agencies as the report relates directly to Council's individual road management responsibilities.

Council Plan

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 1:1.1 Council strives to provide equitable access to their services, support, and facilities; and

Strategic Objective 2:2.2 Infrastructure provision and maintenance supports a diverse range of current and future user needs and activities and is both environmentally and financially sustainable.

Council Policy

This report is prepared in accordance with the Council's Road Management Plan.

Options

Council has the option of accepting or proposing an alternative to the recommendations made in this report.

Resourcing

Financial

It is estimated that the annual routine maintenance costs for the recommended roads would be approximately \$3,752.00 per annum.

Should the recommendation be adopted, Council Officers will manage the additional costs within the existing annual road maintenance and capital works budgets as adjusted each financial year.

Plant and equipment

Not applicable.

Human Resources

Roads that are added to the ROPR as a result of this report will be maintained utilising the resources currently available through Council's two road maintenance contracts.

Risk

The risks of this proposal have been considered and adding this road to the ROPR and maintenance will not pose any further risk to Council.

Economic

Not applicable.

Social

Provision of roads on the ROPR will ensure that the roads are maintained to the standard defined in the Road Management Plan, potentially enhancing access and reliability of access to places of residence.

Environmental

There are no environmental impacts associated with implementing this report.

Climate change

This report is assessed as having no direct impact on climate change.

Engagement

Community engagement is primarily through receipt of customer or resident requests that the proposed roads be added to the ROPR.

Attachments

1. Additions to the Register of Public Roads [5.1.2.1 - 3 pages]

Attachment 1

Chilas Road, Wy Yung – 0.266km



Baston Point Service Road, Mallacoota – 0.110km



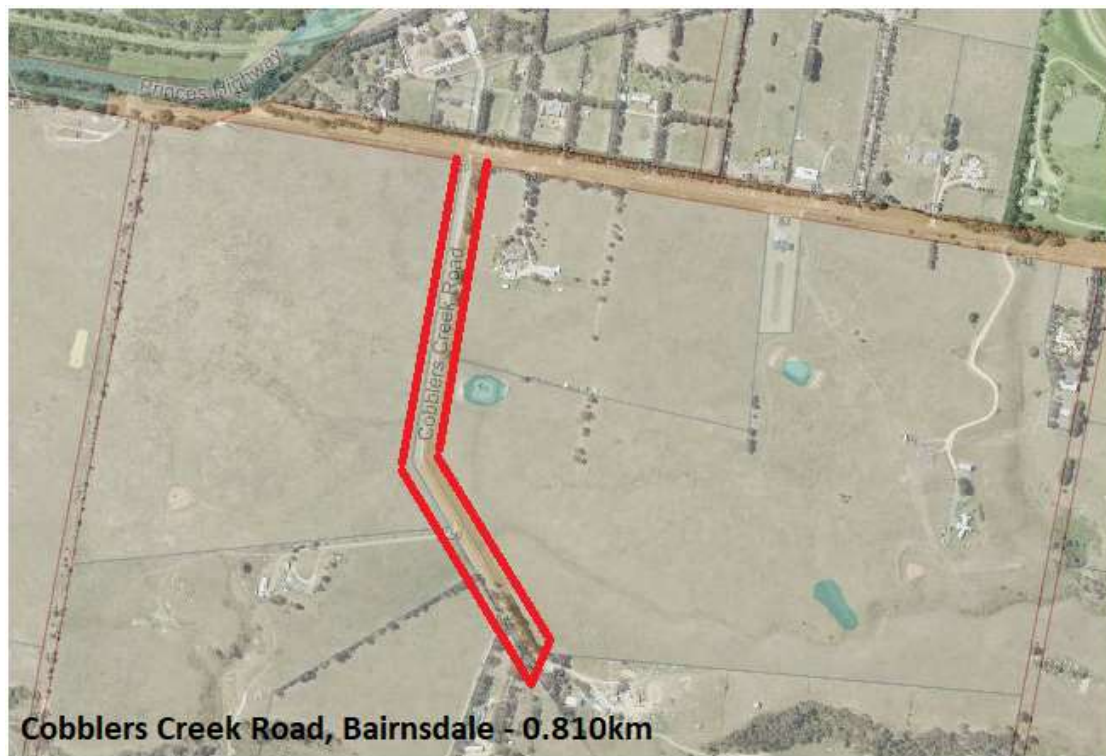
Sharpe Street, Lucknow – 0.199 km



Ellasville Road, Nicholson – 0.676km



Cobblers Creek Road, Bairnsdale – 0.810km



5.2 Place and Community

5.2.1 Agriculture Sector Advisory Committee Membership Term Extension Request

Authorised by General Manager Place and Community

Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

Executive Summary

The purpose of this report is to extend the membership term of the eight original industry representatives on the East Gippsland Agriculture Sector Advisory Committee (Committee) for a further six months, until 30 June 2025.

The role of the Committee is to provide advice, guidance, and recommendations to Council on matters that are important to the wellbeing, sustainability and growth of the agricultural industry, farming communities in East Gippsland, and those engaged in the sector.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;*
- 2. approves a six-month extension for the eight original members of the East Gippsland Agriculture Sector Advisory Committee until 30 June 2025; and*
- 3. delegates authority to the Chief Executive Officer to advise members of the extension to their period of appointment and release membership information to the public.*

Background

At the Council meeting on 5 June 2020, Council approved the Charter (at **Attachment 1**) and the formation of the Committee.

The Charter outlines that the Committee will provide Council and its Officers with advice and recommendations on any matter of significance that is impacting or is considered likely to impact on individual agriculture sectors, and/or the agriculture sector more broadly.

At the Council meeting on the 2 February 2021, nine industry representatives were appointed to the Committee for the term of 1 January 2021 until 31 December 2024. Two additional members were added to the Committee to fill the eleven positions on the committee, for the same term as above, at the Council meeting of the 4 May 2021.

The eight remaining original Committee members whose terms are due to expire on 31 December 2024 are:

1. Alison Gunn;
2. David Caldwell;
3. Ian Cane;
4. Jen Smith;
5. Ken Eckersley;
6. Matthew Zagami;
7. Nick Blandford; and
8. Trevor Caithness.

At present, the Election Period for the Local Government elections commences 24 September 2024, through until 26 October 2024, with the new Councillor group likely to be sworn-in in November and the first Ordinary Council meeting to occur in December. This will affect the ability to seek expressions of interest and seek Council endorsement of the appointment of new members prior to the end of the original members term in December.

As such, it is proposed to extend the term of eight remaining original members from 31 December 2024 until the 30 June 2025. This will enable the Committee to continue functioning with a quorum until an expression of interest process can occur outside the Councillor election cycle and allow the new Councillor group to consider the Committee appointments. This approach was tabled at the 9 May 2024 Committee meeting and was noted without issue.

Legislation

As of 1 July 2021, all provisions of the *Local Government Act 2020* commenced. Some provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's Charter of *Human Rights and Responsibilities Act 2006*.

In preparing this report the Victorian *Gender Equality Act 2020* has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the *Gender Equality Act 2020*. The need for a Gender Impact Assessment has also been assessed. The implications of this report have been assessed and align with the principles and objects of the *Gender Equality Act 2020*.

Collaborative procurement

Not applicable

Council Plan

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 4: 4.3 Council's work with stakeholders fosters entrepreneurship and new business opportunities, particularly with communities facing change.

Strategic Objective 4: 4.1 Leadership enables economic prosperity, investment, recovery, resilience and growth.

Strategic Objective 5: 5.2 Strong relationships with government, partners and stakeholders are maintained and strengthened to advocate for the community.

Strategic Objective 5: 5.3 Communities are engaged in decision-making and support is provided to develop local solutions to local issues.

Council Policy

This report has been prepared in accordance with the adopted Charter for the Agriculture Sector Advisory Committee Version 2 (Attached).

Options

Councillors have the following options:

- approve an extension of six-months to the membership term for the original eight members of the Committee (**preferred**); or
- oppose an extension of six-months to the membership term for the original eight members of the Committee.

Resourcing

Financial

The budget for the operation of the Committee is allocated through the Economic Development budget.

Committee support encompasses human resources, catering, and training.

Plant and equipment

Not Applicable.

Human Resources

Council's Economic Development team will be responsible for supporting the work of the Committee.

Risk

The risks of this proposal have been considered and are assessed as low, as this Committee is an advisory committee of Council only.

Economic

The Victorian Government has identified the food and fibre sector as one of the growth sectors vital to the future economic prosperity of Victoria.

A strong, competitive, and sustainable economy is essential for our future so clearly, a strong and resilient agriculture sector is very important to East Gippsland. Without it, we will struggle to generate the confidence, investment and job opportunities that are key to providing quality of life for current and future generations.

Agriculture in East Gippsland is predominantly comprised of:

- livestock husbandry, predominantly cattle and sheep;
- horticulture;
- cropping, both for seed and fodder;
- viticulture;
- aquaculture; and
- timber harvesting.

Food manufacturing and production are fundamental drivers of East Gippsland's economy, and its fishing industry is the largest employer of this sector in regional Victoria.

Social

The Committee provides community representatives with a forum to provide ongoing feedback to Council on decisions and matters that affect the agriculture sector of the Shire.

Community representatives will regularly consult with their networks and the broader community on relevant issues and provide this feedback to Council.

The Committee will support Council to identify new opportunities and ways of working that maximise the economic benefits of Councils' work.

This Committee will play a pivotal role in assisting Council to determine how it might best support the agriculture sector, ongoing, and in times of hardship.

Environmental

The members will bring matters to Council's attention, either to discuss how they could be addressed, or to ensure Council retains a good understanding of what is happening 'on the ground' in the agricultural community. An example could be the longer-term environmental factors such as climate change and water security, and their impact on farming individuals, communities, and industries.

Climate change

This report is assessed as having no direct impact on climate change.

Engagement

The proposal for a six-month extension for the eight original members of the Committee until 30 June 2025 was tabled at the 9 May 2024 Committee meeting and no concerns were raised by those members in attendance. The two absent members provided their support for the extension with the Agribusiness Development Officer on the 21 May 2024.

Attachments

1. East Gippsland Agriculture Sector Advisory Committee Charter [5.2.1.1 - 11 pages]



Charter

East Gippsland Agriculture Sector Advisory Committee

TABLE OF CONTENTS

<u>PURPOSE</u>	3
<u>SCOPE</u>	3
<u>POLICY CONTEXT</u>	3
<u>POLICY STATEMENT</u>	3
1. <u>Formation, Powers and Limitations</u>	3
2. <u>Objectives</u>	4
3. <u>Charter and Duties</u>	4
4. <u>Membership</u>	5
5. <u>Meetings</u>	6
6. <u>Conflicts of Interest and Disclosure of Conflicts of Interests</u>	7
7. <u>Confidentiality</u>	8
8. <u>Indemnity</u>	8
<u>ROLES AND RESPONSIBILITIES</u>	8
<u>REFERENCES AND SUPPORTING DOCUMENTS</u>	9
<u>Applicable Legislation:</u>	9
<u>Supporting Documents:</u>	10
<u>PRIVACY AND HUMAN RIGHTS CONSIDERATION</u>	10
<u>DEFINITIONS</u>	10
<u>FOR THE PURPOSES OF THIS CHARTER, THE FOLLOWING DEFINITIONS APPLY:</u>	10
<u>REVISION HISTORY AND REVIEW</u>	11

Purpose

The East Gippsland Agriculture Sector Advisory Committee (the Advisory Committee) will provide advice, guidance and recommendations to East Gippsland Shire Council (Council) on matters that affect the **agriculture sector** in East Gippsland and its communities.

Scope

This Charter will guide the operation of the East Gippsland Agriculture Sector Advisory 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 a strong and resilient agriculture sector to the generation of the confidence, investment and job opportunities that are key to providing quality of life for current and future generations.

Food manufacturing and production are fundamental drivers of East Gippsland's economy. The Victorian Government has identified the food and fibre sector as one of the growth areas vital to the future economic prosperity of Victoria.

The East Gippsland Agriculture Sector Advisory Committee will provide a valuable forum through which Council can gain timely and informed insight into the issues that are impacting on individual agriculture 'streams', and/or the agriculture sector more broadly.

Policy Statement

1. Formation, Powers and Limitations

Council has established an East Gippsland Agriculture Sector Advisory Committee that will comprise representatives of Council and a range of stakeholders in East Gippsland's agriculture sector.

The East Gippsland Agriculture Sector Advisory Committee will be an Advisory Committee of Council as defined in the *Local Government Act 1989* (the Act).

East Gippsland Agriculture Sector Advisory Committee members have authority to:

- provide advice to Council on agriculture sector issues and priorities;
- provide an effective communication channel between Council and members of the agriculture sector;
- make enquiries and canvas public views relating to issues of importance to the agriculture sector; and
- advocate for decisions of Council in respect of matters that fall within the Advisory Committee's Charter.

Neither the East Gippsland Agriculture Sector Advisory Committee or its members are authorised to make decisions on Council's behalf or to act for Council.

Because Council maintains an Economic Development Advisory Committee, the East Gippsland Agriculture Sector Advisory Committee's Charter does not include working with Council, the Economic Development Advisory Committee or any other group on initiatives to encourage or

facilitate new agribusiness in East Gippsland. However, the Advisory Committee may refer matters to Council or another Council Advisory Committee for consideration (see also clause 3 below).

2. Objectives

The East Gippsland Agriculture Sector Advisory Committee's primary role is to advise Council on matters that are important to the prosperity and sustainability of agriculture in East Gippsland and the wellbeing of those engaged in it.

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 East Gippsland Agriculture Sector Advisory Committee will:

1. Discuss and provide input on significant initiatives or programs Council is considering implementing to support the agriculture sector 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 the sector (e.g. fire, flood, drought, pest plagues).
3. Discuss and provide feedback on strategic documents of Council that impact on the sector, e.g:
 - 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 the use of land in East Gippsland for agricultural purposes.
4. Act as an Advisory Committee and provide recommendations to Council and other stakeholders on matters that fall within the Advisory Committee's Charter or are otherwise consistent with the intent and purpose of the Advisory Committee.
5. Act as a communication channel for the agriculture sector and its communities in East Gippsland.
6. Refer matters for consideration by Council or another Council Advisory Committee if they are relevant to the agriculture sector but fall outside the East Gippsland Agriculture Sector Advisory Committee's Charter.

East Gippsland Agriculture Sector Advisory Committee members will:

1. Actively participate in and contribute to the work of the East Gippsland Agriculture Sector Advisory Committee.
2. Proactively make the East Gippsland Agriculture Sector Advisory Committee aware of changes or proposed changes to relevant strategic directions of key stakeholders (e.g. actual or impending legislative, regulatory or other changes that may impact adversely on the agriculture sector).
3. Bring matters to the attention of the East Gippsland Agriculture Sector Advisory 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 farming individuals, communities and industries.
 - Inability to benefit from technological advances for any reason.
 - Any other matters impacting on the health and wellbeing of businesses, practitioners and communities engaged in agriculture.
4. Participate in community engagement as advocates for the agriculture sector and its communities.

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

4. Membership

The East Gippsland Agriculture Sector Advisory Committee will comprise of a maximum of 16 members, as follows:

- Two East Gippsland Shire **Councillors**, one of whom will be the Mayor¹.
- One representative of each of the following organisations:
 - Agriculture Victoria;
 - East Gippsland Catchment Management Authority;
 - Food & Fibre Gippsland.
- Eleven representatives of companies, businesses, families and single practitioners who are actively engaged in the agriculture sector in East Gippsland. Ideally, these members will be broadly representative of the sector, to engender the widest possible range of views. To achieve this, diversity in membership will be actively sought across such aspects as:
 - companies / businesses / family or individual practitioners;
 - nature of operation (e.g. retail, manufacturing, service provision, fishing/aquaculture, cropping, animal agriculture, apiary, viticulture, dairy, etc.)
 - location of operation;
 - size of operation (e.g. large, medium, small);
 - gender, age, etc.

From time to time additional representatives and stakeholders can be co-opted to the East Gippsland Agriculture Sector Advisory Committee for limited periods, to provide advice or assistance on specific issues. Co-opted representatives and stakeholders will not be entitled to vote.

The size and composition of membership may be varied at any time by Council resolution.

Any member of the East Gippsland Agriculture Sector Advisory 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.

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

¹ *If the Mayor chooses to relinquish their ex officio membership of the East Gippsland Agriculture Sector Advisory Committee, a second Councillor will be elected through the same mechanism and for the same term as the other Councillor representative.*

Term of Membership

Appointments to the East Gippsland Agriculture Sector Advisory Committee will be made for the following terms, using the appointment method nominated:

Membership type	Appointment method	Length of tenure
Two Councillors, comprising: - the Mayor; and - one other Councillor	<i>Ex officio</i> unless Mayor chooses to relinquish that right ² Formal resolution of Council	Duration of their term as Mayor 12 months, reviewed annually following Council's Statutory Council Meeting.
One representative of each of the following organisations: - Agriculture Victoria - East Gippsland Catchment Management Authority - Food & Fibre Gippsland	Direct appointment by the organisation that will be represented	Four years
Eleven representatives, each of whom will represent a company, business, family or individual practitioner that is actively engaged in the agriculture sector in East Gippsland.	Formal resolution of Council following a public expressions of interest process and consideration of a recommendation from a panel comprising the Chair and responsible General Manager. In evaluating candidates, the Panel will make every effort to ensure broad representation from a diverse range of agriculture sector practitioners and businesses.	Two years with the option to extend for a further two years.

East Gippsland Agriculture Sector Advisory Committee 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 East Gippsland Agriculture Sector Advisory Committee will be the Mayor. If the Mayor chooses not to take up membership of the Advisory 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)

5. Meetings

- The East Gippsland Agriculture Sector Advisory 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 East Gippsland Agriculture Sector Advisory Committee or as considered necessary by the Chair or responsible General Manager.

² *If the Mayor chooses to relinquish their ex officio membership of the East Gippsland Agriculture Sector Advisory Committee, a second Councillor will be elected through the same mechanism and for the same term as the 'one other Councillor'.*

- A quorum will exist if at least eight East Gippsland Agriculture Sector Advisory Committee members are present.
- Decisions of the East Gippsland Agriculture Sector Advisory Committee 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 79 of the *Local Government Act 1989* (Disclosure of Conflict of Interest), East Gippsland Agriculture Sector Advisory Committee members must declare all conflicts of interest before any discussion 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 East Gippsland Agriculture Sector Advisory 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 for inclusion in the agenda of East Gippsland Agriculture Sector Advisory 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 East Gippsland Agriculture Sector Advisory Committee meetings will be kept and when the draft minutes have been approved by the Chair, circulated to Advisory Committee members and East Gippsland Shire Councillors as Unconfirmed Minutes. The Unconfirmed Minutes will be confirmed at the next meeting of the Advisory Committee.
- A report on the activities of the East Gippsland Agriculture Sector Advisory Committee will be presented to the next Ordinary Meeting of Council following each quarterly meeting of the Advisory Committee.

6. Conflicts of Interest and Disclosure of Conflicts of Interests

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 agricultural community, rather than the individual's private interest.

If a member of the East Gippsland Agriculture Sector Advisory Committee considers that they have, or might reasonably be perceived to have, an interest in a matter before the Advisory Committee, they will clearly state the nature of their interest at the beginning of the meeting and immediately before the matter is considered. Having declared a conflict, the East Gippsland Agriculture Sector Advisory Committee member must leave the room before discussion on the matter starts and remain outside the room in an area out of sight or hearing of the room until the matter has been concluded. This will be done on every occasion that the matter is considered by the Advisory Committee.

Further guidance is available through the Victorian government's publication, *Conflict of Interest – A Guide for Members of Council Committees*, October 2012.

7. Confidentiality

Members of the East Gippsland Agriculture Sector Advisory Committee will be bound by the provisions of section 77 of the *Local Government Act 1989* 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.

8. Indemnity

Members of the East Gippsland Agriculture Sector Advisory 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	Conduct meetings efficiently to ensure all matters listed for consideration are afforded appropriate time and attention. 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. Approve the Unconfirmed Minutes of each meeting for circulation to East Gippsland Agriculture Sector Advisory Committee members, Councillors and others. Consider applications from Advisory Committee members for leave of absence. Together with the responsible General Manager, participate in the selection process for relevant East Gippsland Agriculture Sector Advisory Committee members. Together with the responsible General Manager, ensure compliance with this Charter by East Gippsland Agriculture Sector Advisory Committee members and address any matters of concern arising in respect of an East Gippsland Agriculture Sector Advisory Committee member's conduct.
East Gippsland Agriculture Sector Advisory Committee members	Make every effort to attend scheduled meetings of the East Gippsland Agriculture Sector Advisory Committee. Ensure that matters are considered fairly and consistently and facilitate open and respectful sharing of opinions. Form conclusions and recommendations based on the best available information. Keep confidential any matter or documents that have been declared to be confidential. In accordance with section 79 of the <i>Local Government Act 1989</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.

Party / Parties: Roles and responsibilities:	
	As prescribed by section 76D of the Act, members must not misuse their position on the East Gippsland Agriculture Sector Advisory 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. Complete the Register of Interest returns required by section 81 of the Act within the stipulated timeframes.
Responsible General Manager	Responsible for the implementation, review and updating of this Charter. While not a member of the Advisory Committee, attend all meetings of the East Gippsland Agriculture Sector Advisory Committee (or arrange for another General Manager to do so) and provide guidance and advice. Also: • 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; • provide secretariat services in respect of matters before the Advisory Committee; • after each quarterly meeting, ensure that a report describing the activities of the East Gippsland Agriculture Sector Advisory Committee and explaining any recommendations or key findings is tabled at an ordinary meeting of Council and the Economic Development Advisory Committee; • ensure that accurate minutes of East Gippsland Agriculture Sector Advisory Committee meetings are taken, circulated to Advisory 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 East Gippsland Agriculture Sector Advisory Committee positions and together with the Advisory Committee's Chair, comprise the interview panel for these positions; and • together with the Advisory Committee's Chair, address any matters of concern arising in respect of an East Gippsland Agriculture Sector Advisory Committee member's conduct.
Officers in Attendance	Together with the responsible General Manager, the Manager responsible for Economic Development and Tourism or their delegate, and Council's Drought Assistance Officer will attend all meetings of the East Gippsland Agriculture Sector Advisory Committee. The Chief Executive Officer or other members of Council's staff may attend the Advisory Committee's meetings from time to time to provide information or respond to queries.

References and Supporting Documents

Applicable Legislation:

Section 76D of the *Local Government Act* 1989 (the Act) - Misuse of Position

Section 77 of the Act - Confidential Information

Section 79 of the Act - Disclosure of Conflict of Interest

Supporting Documents:

- Council Plan 2017-2021
- Conflict of Interest – A Guide for Members of Council Committees. October 2012

Privacy and Human Rights Consideration

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

The East Gippsland Agriculture Sector Advisory 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> .
Agriculture sector	Organisations, businesses, enterprises, trusts and individuals involved in the cultivation of crops, timber, animals, fish, and other life forms for commercial purposes, and the processing of these commodities into finished products for food and fibre.
East Gippsland Agriculture Sector Advisory Committee member	A member of East Gippsland Shire Council's East Gippsland Agriculture Sector Advisory Committee.
Chief Executive Officer	Person appointed by Council to the position of Chief Executive Officer.
Conflict of Interest	The <i>Local Government Act 1989</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, East Gippsland Agriculture Sector Advisory 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 East Gippsland Agriculture Sector Advisory Committee meetings to provide information or respond to queries. No officers hold membership of the Advisory Committee.
Mayor	Councillor elected by other Councillors to fill the role of Mayor.

Term	Meaning
Responsible General Manager	General Manager delegated by the Chief Executive Officer to support the work of the East Gippsland Agriculture Sector Advisory Committee.

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	05/05/2020	Council		Original version
2	Approved	3/08/2021	Council		Change the member terms from four year to two-year terms with the option of a further two-year term. To increase the number of industry representatives from 10 to 11

6 Urgent Business

7 Confidential Business

8 Close of Meeting