



Council Meeting Agenda

Tuesday 3 August 2021 at 6:00 PM
Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875



Acknowledgement to country

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidjawan 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.

The Victorian Government has amended the *COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Act 2020* that enables Council meetings to be conducted by electronic means (videoconferencing) until 26 April 2022. The Minister for Local Government re-issued the Ministerial Good Practice Guideline for Virtual Meetings on 20 October 2020 outlining the provisions relating to the Local Government Act 2020 allow Councillors to attend Council meetings electronically, and the requirement where Council meetings are open to the public will be satisfied where the meeting is livestreamed. The amendments do not preclude Councillors from attending a meeting in person in the Council chambers.

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

Photo supplied by Destination Gippsland

Councillors

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

Executive Leadership Team

Anthony Basford Chief Executive Officer
Fiona Weigall General Manager Assets and Environment
Peter Cannizzaro General Manager Business Excellence
Stuart McConnell General Manager Bushfire Recovery
Jodie Pitkin 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
2 Notice of Motion	7
2.1 Timber Towns Victoria Letter of Support	7
3 Deferred Business	8
4 Councillor and Delegate Reports	8
5 Officer Reports	9
5.1 Assets and Environment	9
5.1.1 Mains Gas Small Tariff Tender (MAV EC8310-2021) and Contract	9
5.2 Bushfire Recovery	14
5.2.1 Agriculture Sector Advisory Committee Charter Changes	14
5.2.2 Agriculture Sector Advisory Committee Recommendation	40
5.2.3 Community Transition, Local Economic Development Strategies	44
5.3 Business Excellence	68
5.3.1 Draft Service Review Policy	68
5.3.2 CON2019 1280 - Supply of Library Materials and Services - Contract Extension	81
6 Urgent and Other Business	85
7 Confidential Business	85
7.1 CON2020 1409 - WORLD Construction Package 1 Variation (Hockey Synthetic)	85
8 Close of Meeting	85

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 held Tuesday 13 July 2021 be confirmed.

1.5 Next meeting

The next Council Meeting of Tuesday 24 August 2021 to be held at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00pm.

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

2 Notice of Motion

2.1 Timber Towns Victoria Letter of Support

Take notice that it is my intention to move at the Council Meeting to be held on Tuesday 3 August 2021 at 6.00pm or at any adjournment of that meeting:

That Council writes to the Victorian Auditor-General in support of the letter of 7 July 2021 from Cr Karen Stephens, President of Timber Towns Victoria, seeking a performance audit into the 2019 Andrews Labor Government announcement to phase out the native timber forest industry in Victorian public forests by 2030.

Signed: Cr Sonia Buckley
Date: Tuesday 27 July 2021

RATIONALE

The Victorian State Government has provided no information or logical rationale for the decision made in 2019 to phase out the Native Timber Harvesting in Victoria. This decision impacts the forestry industry, the people employed in the industry, their families and communities and all the industries that support the timber industry locally and across the State and country. The timber industry is embedded in the communities of East Gippsland Shire and this decision has implications for the whole Shire.

Timber Towns Victoria, in supporting the timber industry and communities that support the industry, is seeking to better understand the impacts of the 2019 decision by the Victorian State Government. The letter to the Auditor-General dated 7 July 2021 from Cr Karen Stephens, President of Timber Towns Victoria, is requesting a performance audit of the decision. It is proposed that as a timber industry Shire that will be greatly impacted by the closure of the timber industry by 2030 that East Gippsland Shire Council supports the request from the Timber Towns Victoria President by writing to the Auditor-General.

At the last Council meeting it was resolved to seek a better understanding of the forestry management across the shire. In addition, Council resolved on 12 November 2019 in response to the Victorian Government's announcement to close the timber industry by 2030 the following:

- That the Victorian Government reconsider its decision to cease logging by 2030.
- That the Victorian Government works with local government, the community and the timber industry to support and enhance a sustainable native timber industry.
- That transition funding be proportionally distributed to the towns, community and industries that are most likely to be affected by the decision.
- Through to the (then) Gippsland Local Government Network, to better understand the consequences of the decision of the Victorian Government on industry, communities and the environment.

This request from Timber Towns Victoria is consistent with the efforts of Council to understand the impacts on the timber industry and more broadly the East Gippsland Shire.

3 Deferred Business

4 Councillor and Delegate Reports

5 Officer Reports

5.1 Assets and Environment

5.1.1 Mains Gas Small Tariff Tender (MAV EC8310-2021) and Contract

Authorised by General Manager Assets and Environment

Conflict of Interest

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

Executive Summary

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report attachments is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

This report seeks Council's authorisation of the procurement of Mains Gas Small Tariff tenderer recommended by the Municipal Association of Victoria (MAV) EC 8310-2021.

On behalf of participating Councils, MAV engaged Trans-Tasman Energy Group (TTEG) to conduct a multisite tender process for the supply of mains gas to nominated Council facilities. East Gippsland Shire Council has four sites which use natural gas, and which have previously used similar collaborative tenders coordinated by MAV.

This collaborative procurement allows Council to reap the benefit of economies of scale pricing which delivers the utility at a lower price per unit. This process will generate a 28% reduction in cost across the participating councils.

An evaluation and recommendation report (**Confidential Attachment 1**) has been provided which recommends the lowest price tender be accepted (refer to Table 6 on page 16).

A contract agreement schedule (**Confidential Attachment 2**) seeks a signature by an authorised officer to accept the terms offered by the recommended tenderer (**Confidential Attachment 3**) should Council accept the offer.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;*
- 2. accepts the MAV tender 'Supply of Natural Gas for Small Sites EC8310-2021' recommendation provided as Confidential Attachment 1;*
- 3. accepts the tender submitted to MAV EC8310-2021 from _____ for a three-year period with a start date of 1 July 2021 provided as Confidential Attachments 2 and 3;*
- 4. authorises the signing and sealing of the contract in the form presented; and*
- 5. resolves that the attachments to this report, and all discussions in relation to the attachments remain confidential.*

Background

The Municipal Association of Victoria (MAV) Procurement approached member Councils to offer a collaborative tender for the 'Supply of Natural Gas for Small Tariff Sites' (<10 TJ p.a.). This is a similar approach to a current collaborative procurement that MAV coordinated, and which East Gippsland Shire Council participated in. This current contract expired on 30 June 2021.

Using the same successful approach, MAV engaged the Trans-Tasman Energy Group (TTEG) to conduct the multisite tender process for the supply of mains gas to nominated Council facilities. Mains gas is used for heating and energy production at the following four sites:

1. Bairnsdale Aquatic Recreation Centre
2. Bairnsdale library
3. Paynesville Service Centre
4. Beaufort memorial gardens gas lighting at the Bairnsdale hospital

Mains gas cost \$126,383 last financial year in 2019/20. (Data for 2020/21 was unavailable at the time of writing).

The recommended contract by TTEG is the lowest price and is for the nominal term of 36 months, however as no exit fees apply, there is no real fixed term (refer to **Confidential Attachments 2 and 3**).

Council has, in the past, participated in the MAV collaborative procurement in accordance with the organisational procurement policy, and the most recent contract is a result of the MAV's last tender process. This collaborative procurement allows Council to reap the benefit of economies of scale pricing which delivers the utility at a lower price per unit than Council could otherwise purchase it.

Legislation

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021 all provisions from the new Act have 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 East Gippsland Shire Council is required to make decisions under both Acts as the transition occurs. Council has implemented mechanisms to ensure decisions are made according to the relevant provisions of either the *Local Government Act 1989* or the *Local Government Act 2020* as in force at the date of the decision.

This report has been prepared in accordance with *Local Government Act 1989*.

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report's attachments is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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*.

Collaboration

Pursuant of section 109(2) of the *Local Government Act 2020* this report has been prepared in collaboration with the MAV who have consulted with multiple Councils in respect to the collaborative procurement program and have conducted this procurement as a collaborative procurement process.

TTEG have consulted with natural gas retailers through the request for tender process.

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: 2.2 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

Procurement has been undertaken in accordance with the East Gippsland Shire Council Procurement Policy (2020).

Options

Council has the following options available:

1. That Council authorise the Chief Executive Officer to enter into a procurement agreement and contract with the MAV's recommended tenderer for retail supply of mains gas as outlined in MAV EC8310-2021 (**Confidential Attachment 1**);
2. Council does not enter into a retail agreement for supply of mains gas (small tariff) and be subject to open market commercial rates.

Resourcing

Financial

Funding for supply of gas to facilities is included in Council's 2021/22 Budget.

Council currently spends approximately \$130,000 pa in gas consumption across the four sites eligible for this tender. The anticipated annual gas cost to Council for small tariff mains gas sites is found in Table Six on page 16 of the tender evaluation and recommendation report (see **Confidential Attachment 1**).

An MAV Management Fee of 1.75% of the bundled energy and supply charge will be included in the invoice for the term of the contract.

It is estimated that participating in this tender will represent an on-average saving of 28% for the participating Councils.

Plant and equipment

This impact has been assessed and there is no effect to consider at this time.

Human Resources

The contract will be managed using existing officers.

Risk

The risks of this proposal have been considered and there is no effect at this time. The proposed contract has no exit fees, which reduces the financial risk should Council decide to leave early.

Economic

This contract allows council to access contract process which are known and lower than current market process, representing a saving for our organisation that can be reallocated to other community and council priorities.

Social

The four sites which use mains gas all provide an important community service and benefit the public. The BARC is the biggest user of natural gas which provides for indoor pool heating providing a valued health and wellbeing service to the community.

Environmental

Officers undertake energy monitoring from electricity, natural gas, fleet and street lighting. In the past the Sustainability Unit undertook the tender process with the MAV for energy contracts, as a result of keeping track of utility accounts to find efficiencies.

Mains gas connected at four sites under Councils direct management used a total of 8,738 GJ of gas equating to 451 tonnes of CO2 equivalent emissions in 2019/20, from the following sites:

1. Bairnsdale Aquatic Recreation Centre: 8,149 GJ
2. Bairnsdale library: 189 GJ
3. Paynesville Service Centre: 228 GJ
4. Bairnsdale hospital memorial gardens gas lighting: 172 GJ

Officers will continue to investigate options for the elimination of gas in Council facilities as a means of climate change mitigation.

Climate change

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

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

Engagement

This impact has been assessed and there is no effect to consider at this time.

Attachments

1. CONFIDENTIAL - MAV EC8310-2021 Tender Evaluation and Recommendation Report [5.1.1.1 - 24 pages]
2. CONFIDENTIAL - Recommended Gas Contract Schedule (requires signature) [5.1.1.2 - 3 pages]
3. CONFIDENTIAL - Small Gas Contract Terms and Conditions [5.1.1.3 - 6 pages]

5.2 Bushfire Recovery

5.2.1 Agriculture Sector Advisory Committee Charter Changes

Authorised by Acting General Manager Bushfire Recovery

Conflict of Interest

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

Executive Summary

At the Council meeting on 5 June 2020, Council approved the East Gippsland Agriculture Sector Advisory Committee Charter and formation of the Committee.

At the 2 February 2021 meeting, Council then appointed nine industry-based members.

At the 2 February 2021 meeting, Council also recommended that the Charter of the East Gippsland Agriculture Sector Advisory Committee be changed:

- to increase the number of industry representatives from 10 to 11; and
- Adjust the Council appointed member terms from 4-years to a period of 2-years with the option to extend for a further 2-year period.

This report presents and seeks Council approval of the updated Charter for the East Gippsland Agriculture Sector Advisory Committee.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. approves the updated Agriculture Sector Advisory Committee Charter as provided in Attachment 1.***

Background

At the Council meeting on 5 June 2020, Council approved the Charter and the formation of the East Gippsland Agriculture Sector Advisory Committee (the Committee) to operate in the place of the East Gippsland Drought Reference Group.

At the Council meeting on 2 February 2021, Council appointed nine of the 10 industry-based members. It further recommended that the Charter of the East Gippsland Agricultural Sector Advisory Committee be changed to increase the number of industry representatives from 10 to 11 and amend length for term for Council appointed members from 4-years to 2-years, with an option for a further 2-years.

Council noted that the membership of the nominated committee did not adequately reflect the agriculture diversity of our region and noted that two additional members be sought that are representative of the forest products sector and the High Country. These appointments were approved at the Council meeting on the 4 May 2021.

The amendments recommended in this report will increase the overall membership from 15 to 16 members with one additional industry members, taking them from 10 to 11 members.

At the Council meeting on 2 February 2021, Council recommended that the term for members was to be changed from 4-years to a period of 2-years with the option to extend for a further 2-year period.

The nine industry representatives appointed on 2 February 2021 were appointed for a period of 2-years with the option to extend for a further 2-year period, as were the two additional members on the 4 May 2021.

The amended Charter can be found at **Attachment 1**.

Legislation

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021, all provisions from the new Act have 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* section 63 from the Act.

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*.

Collaboration

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 3: 3.2 Sustainable land use practices are used to manage council land to protect biodiversity and to provide education and incentives to support the management of private land.

Strategic objective 4: 4.6 East Gippsland's natural strengths in agriculture and natural resource-based industries are enhanced to increase value, employment, sustainability and resilience.

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

Council Policy

This report has been prepared in accordance with the adopted Charter for the Agriculture Sector Advisory Committee.

Options

Councillors have the following options:

1. endorse the changes previously recommended; or
2. not endorse the changes previously recommended.

Resourcing

Financial

No additional resources are required.

The budget for the existing operation of the Agriculture Sector Advisory Committee is allocated through the existing Economic Development budget.

Plant and equipment

No additional resources are required.

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 the risks are assessed as low as this committee is an advisory committee of Council only.

Economic

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

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.

Social

The Committee will support Council to identify new opportunities and ways of working with rural communities and the agriculture sector that provide opportunities for social and community benefits to East Gippsland.

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

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

Engagement

These amendments were developed in consultation with the Councillors at the Council meetings on 2 February 2021 and 4 May 2021.

Attachments

1. Agriculture Sector Advisory Committee Charter Version 2 [**5.2.1.1** - 11 pages]
2. For Information Only - Agriculture Sector Advisory Committee Charter - Marked Up [**5.2.1.2** - 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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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	<p>Conduct meetings efficiently to ensure all matters listed for consideration are afforded appropriate time and attention.</p> <p>Exercise a casting vote where:</p> <ul style="list-style-type: none"> (a) consensus cannot be reached; and (b) a formal vote is required to resolve the matter; and (c) voting numbers are equal. <p>Approve the Unconfirmed Minutes of each meeting for circulation to East Gippsland Agriculture Sector Advisory Committee members, Councillors and others.</p> <p>Consider applications from Advisory Committee members for leave of absence.</p> <p>Together with the responsible General Manager, participate in the selection process for relevant East Gippsland Agriculture Sector Advisory Committee members.</p> <p>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.</p>
East Gippsland Agriculture Sector Advisory Committee members	<p>Make every effort to attend scheduled meetings of the East Gippsland Agriculture Sector Advisory 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 section 79 of the <i>Local Government Act</i> 1989 (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>

Party / Parties:	Roles and responsibilities:
	<p>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.</p> <p>Complete the Register of Interest returns required by section 81 of the Act 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 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.</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; • 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	<p>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.</p> <p>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.</p>

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	2/02/2021	Council		Change the member terms from four year to two-year terms with the option of a further two-year term.
2	Approved	2/02/2021	Council		To increase the number of industry representatives from 10 to 11.



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 ~~15~~ 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.
- ~~Ten~~ 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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> Agriculture Victoria East Gippsland Catchment Management Authority Food & Fibre Gippsland 	Direct appointment by the organisation that will be represented	Four years
Ten 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.	Four years 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	<p>Conduct meetings efficiently to ensure all matters listed for consideration are afforded appropriate time and attention.</p> <p>Exercise a casting vote where:</p> <ul style="list-style-type: none"> (a) consensus cannot be reached; and (b) a formal vote is required to resolve the matter; and (c) voting numbers are equal. <p>Approve the Unconfirmed Minutes of each meeting for circulation to East Gippsland Agriculture Sector Advisory Committee members, Councillors and others.</p> <p>Consider applications from Advisory Committee members for leave of absence.</p> <p>Together with the responsible General Manager, participate in the selection process for relevant East Gippsland Agriculture Sector Advisory Committee members.</p> <p>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.</p>
East Gippsland Agriculture Sector Advisory Committee members	<p>Make every effort to attend scheduled meetings of the East Gippsland Agriculture Sector Advisory 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 section 79 of the <i>Local Government Act</i> 1989 (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>

Party / Parties:	Roles and responsibilities:
	<p>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.</p> <p>Complete the Register of Interest returns required by section 81 of the Act 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 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.</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; • 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	<p>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.</p> <p>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.</p>

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.

Term	Meaning
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 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	2/02/2021	Council		Change the member terms from four year to two-year terms with the option of a further two-year term.
2	Approved	2/02/2021	Council		To increase the number of industry representatives from 10 to 11.

5.2.2 Agriculture Sector Advisory Committee Recommendation

Authorised by Acting General Manager Bushfire Recovery

Conflict of Interest

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

Executive Summary

The purpose of this report is to present for Councillors' consideration the recommendation by the East Gippsland Shire Council Agriculture Sector Advisory Committee to Council from their 17 June 2021 meeting.

Officer Recommendation

That Council:

- 1. receives and notes this report; and***
- 2. accepts the recommendation from the Agriculture Sector Advisory Committee meeting on 17 June 2021, to review how the new Environment Protection Authority rules on Industrial Waste will impact the agriculture sector and other sectors in East Gippsland and pending this review, to take appropriate action to advocate for our region.***

Background

At the Council meeting on 5 June 2020, Council approved the Charter and the formation of the East Gippsland Agriculture Sector Advisory Committee (the Committee).

As outlined in the Charter, under sub-heading "Charter and Duties" item 4 indicates that the East Gippsland Agriculture Sector Advisory Committee will:

"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. "

As outlined in the Charter, under sub-heading "Meetings":

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.

The minutes from the 17 June 2021 meeting have been distributed to Councillors in accordance with the Charter.

Background on Environment Protection Authority Discussion

At the 17 June 2021 meeting, a topic was raised around the recently introduced regulations on industrial waste, and their potential impacts on agriculture and other sectors in East Gippsland.

Committee members raised concerns that the new Environment Protection Authority regulations now mandate that manure and other agricultural waste is classified as industrial waste.

The Committee discussed the various possible impacts to the agriculture section in East Gippsland and determined that it would be better to have a review of the potential impacts, then pending the outcome of this review, for Council to advocate on behalf of industry in East Gippsland.

Both the Victorian Farmers Federation and United Dairy farmers of Victoria have provided feedback to the government on the regulations.

A motion was moved that:

Council will review how the new Environment Protection Authority rules on Industrial Waste will impact the agriculture sector and other sectors in East Gippsland and pending this review to take appropriate action to advocate for our region.

Motion moved by Nick Blandford. Seconded Alison Gunn.

The EPA websites notes the following:

“After extensive consultation with the farming sector including with Victorian Farmers Federation (VFF), Environment Protection Authority Victoria (EPA) has instituted a low burden process for managing on farm use of manures.

Under the Determinations process, farmers will not have to fill out forms just to use manure as fertilizer, so long as it meets set specifications and poses no risk to the environment.

According to the Determination, manure and effluent is faecal matter generated by livestock:

- any mixture of livestock faecal matter and biodegradable animal bedding such as:
 - straw*
 - sawdust*
 - effluent**
- livestock faecal matter in liquid form and*
- wastewater from collection or treatment systems that are ancillary to livestock management.*

Manures in excess of 20m³ per month may be received and deposited to land in line with the specification in the determination. For smaller volumes, farmers are deemed authorised to receive and deposit up to 20m³ per month of manure without any further regulatory requirements.

Farmers do not need EPA permission to supply or accept and use manures if they meet the specifications in the determination, unless they are engaged in industries such as recycling or processing. “

Legislation

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021, all provisions from the new Act have 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* section 63 from the Act.

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.

Collaboration

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 3: 3.2 Sustainable land use practices are used to manage council land to protect biodiversity and to provide education and incentives to support the management of private land.

Strategic objective 4: 4.6 East Gippsland's natural strengths in agriculture and natural resource-based industries are enhanced to increase value, employment, sustainability and resilience.

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

Council Policy

This report has been prepared in accordance with the adopted Charter for the Agriculture Sector Advisory Committee.

Options

Councillors have the following options:

1. accept the recommendation as presented;
2. accept the recommendation on the basis that Council Officers undertake a preliminary investigation into what action may already have been undertaken with the EPA
3. not accept the recommendation.

Resourcing

Financial

The budget for the existing operation of the Agriculture Sector Advisory Committee is allocated through the existing Economic Development budget.

No financial implications are associated with undertaking a preliminary investigation however a detailed investigation of the potential impacts of the new EPA regulations on industry may. A quote for this scope of work would be sought prior to proceeding.

Plant and equipment

No additional resources are required.

Human Resources

Council's Economic Development Team and Sustainability Team will be responsible for undertaking the preliminary investigation of what action may have already been taken with the EPA and will work collaboratively to investigate the impacts of the new EPA regulations.

Risk

The risks of this proposal have been considered and the risks are assessed as low as the Agriculture Sector Advisory 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 and resilient agriculture sector is important to East Gippsland to generate business confidence, investment and job opportunities to support a competitive and sustainable economy for current and future generations.

Social

The Committee provides farming community representatives with a forum to provide ongoing feedback to Council on decisions and matters that affect the agriculture sector of the Shire. Representatives of the Committee 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 and social benefits of Council's work and play a pivotal role in assisting Council to determine how it might best support the agriculture sector, ongoing, and in times of hardship.

Environmental

Committee 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

These notes were developed from the 17 June 2021 East Gippsland Agriculture Sector Advisory Committee meeting.

Attachments

Nil

5.2.3 Community Transition, Local Economic Development Strategies

Authorised by General Manager Bushfire Recovery

Conflict of Interest

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

Executive Summary

In November 2019, the Victorian Government announced the Victorian Forestry Plan. Under this plan, the creation of over 95,000ha of interim protection area was declared and cessation of old-growth harvesting ceased immediately, commercial harvesting of native forests is to phase down from 2024, and all native forest harvesting will cease from 2030.

The Government announced a \$120M Forest Plan Transition Fund to support communities affected by this decision to transition from logging-reliant economies to alternative activity.

11 districts across Victoria, selected based on impacts of this legislative change on the local community, have been identified for \$4M in support over the next two years.

Within East Gippsland, the districts of Orbost, Swifts Creek and Nowa Nowa have been identified as eligible for a Community Transition Grant of up to \$400K to support economic diversification planning that aims to drive the creation of new jobs in sustainable industries, and result in long-term, economic and social benefits for each community.

Whilst the Orbost district was well positioned to lead this process, the communities of Swifts Creek and Nowa Nowa are fatigued and/or have indicated less capacity to take on such a large project without assistance. These communities have enquired if Council would consider auspicing their grant application and work alongside them to investigate future economic and social opportunities through the preparation of their Local Economic Development Strategies.

The purpose of this report is to seek Councillors' endorsement of Council taking on the role of the Community Transition Grant recipient and project manager on behalf of the communities of Swifts Creek and Nowa Nowa, should they confirm this to be their desired approach.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. endorse that Council be the auspice agency for the application for the Community Transition Fund – Local Development Strategy and manage the projects delivery in partnership with the Swifts Creek and Nowa Nowa communities.***

Background

In November 2019, the Victorian Government announced the Victorian Forestry Plan. Under this Plan, the creation of over 95,000ha of interim protection area was declared and old-growth harvesting ceased immediately, commercial harvesting of native forests will be phased out from 2024, and all native forest harvesting will cease from 2030.

The Government also announced a \$120M Forest Plan Transition Fund to support communities affected by this decision to transition from logging to other kinds of activities. **(Attachment 1)**. This fund has been allocated over three streams:

1. Business support – available now
 - Forestry Business Transition Support Vouchers
 - Victorian Timber Innovation Fund
 - Victorian Forestry Plan Transition Fund (due for release in 2021)
2. Workers' support – available from 2024 (date of first phase down)
 - Redundancy top-ups
 - Re-training, career transition support
 - Mental health and wellbeing (available now)
3. Community transition – available in 2021
 - Local Development Strategies (\$4M - available now)
 - Victorian Forestry Plan Transition Fund (\$36M – guidelines soon to be released)

Under Stream 3, 11 districts across Victoria have been identified as eligible for support, selected on the bases of impact this legislative change is forecast to have on the local community.

Within East Gippsland, the districts of Orbost, Swifts Creek and Nowa Nowa are each eligible for a Community Transition Grant of up to \$400K over two years to facilitate economic diversification planning that leads to the creation of new jobs in sustainable industries, and results in long-term, economic and social benefits for each community. **(Attachment 2)**

One local community organisation per town is eligible to apply for the grant. These include:

- Chambers of Commerce
- Business associations
- Not-for-profit organisation or community group
- Local Council as auspice for the community

The funds are to be spent on:

- Preparation of new or updating existing town development strategies/plans
- Feasibility studies, research, gap analysis, economic assessments
- Engagement of staff to do the above work
- Support actions to generate economic activity, grow businesses and create jobs in affected forestry communities

The approach to preparing Local Economic Development Strategies is based on Smart Specialisation - a practice used in Europe, that has been well tested and researched. The Latrobe Valley Authority (LVA) and academic partners have successfully applied this approach to some of the energy transition work in the Latrobe Valley. For a specific locality it usually involves the appointment of a funded, dedicated project manager working in partnership with all involved.

The preparation of a Local Economic Development Strategy involves three steps:

1. Analyse the current local context – both past and present
2. Report back to all and identify opportunities
3. Develop a case for support and investment (\$36M funding envelope to support feasible initiatives)

Robust governance and decision-making arrangements ensure consensus of the Strategy based on careful investigation and supporting evidence at each stage of the process.

Orbost is the first of the 11 eligible districts in Victoria to commence this process, with the Orbost and District Chamber of Commerce having already successfully applied for the Community Transition Grant. A project manager has been appointed, a Regional Context Analysis presented to and workshopped with the community. The project is progressing well under this model, is viewed positively by those involved and is receiving elevated levels of community engagement.

Initial community stakeholder information sessions held recently in Swifts Creek and Nowa Nowa highlighted communities' elevated levels of fatigue. Whilst extremely supportive of the opportunity and passionately determined to ensure a community-led approach, concern was expressed that their local community groups may not have the capacity to apply for the grant and lead the project.

Further meetings are being arranged in both communities where the opportunity for others unable to attend the initial meeting, to learn more about the opportunity presented by the Community Transition Team and to discuss openly as a community their preferred delivery model, should they wish to proceed.

The opportunity proposed to support future economic and social prosperity for the districts of Nowa Nowa and Swifts Creek supports the previous Council's position in relation to the Native Timber Industry as per the Council Meeting Resolution, 12 November 2019. While that resolution addressed the need to make available the information that was used to support the relevant Victorian Government decisions and sought for the decision to cease native timber harvesting to be reconsidered, the resolution also sought:

".....That the transition funding be proportionally distributed to the towns, communities and industries that are most likely to be affected by the decision....."

The Department of Jobs, Precincts and Regions is supportive of Councils being the lead applicant for smaller regional districts, (as is the situation with Wellington Shire Council who are auspice and project lead for Hayfield and Yarram districts - **Attachment 3**) and can see the added benefits of ensuring this process is appropriately connected in with other local government work happening in the region and ensure the most is extracted from the resources, people, funds, and other support available.

The Department of Jobs, Precincts and Regions have indicated that participation in the Community Transition Fund is not impacted by any advocacy position that Council may adopt.

Legislation

On 24 March 2020, the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021, all provisions from the new Act have 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 considered the Financial Management Principles, Section 101 of the *Local Government Act 2020*.

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*.

Collaboration

Pursuant of section 109(2) of the *Local Government Act* 2020 this report does not require Council to enter into a procurement agreement.

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.

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

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

Strategic Objective 4: 4.5 Tourism sector investment is sought in business capability, product development and experience to meet the changing needs of domestic and international markets.

Strategic Objective 4: 4.6 East Gippsland's natural strengths in agriculture and natural resource-based industries are enhanced to increase value, employment, sustainability and resilience.

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

Council adopted a resolution in response to the announcement of the Victorian Forestry Plan on 12 November 2019. This resolution sought:

- That the Victorian Government reconsider its decision to cease logging by 2030
- That the Victorian Government works with local government, the community and the timber industry to support and enhance a sustainable native timber industry.
- That transition funding be proportionally distributed to the towns, community and industries that are most likely to be affected by the decision.
- Through to the (then) Gippsland Local Government Network, to better understand the consequences of the decision of the Victorian Government on industry, communities and the environment.

This report relates to the delivery of the transition funding referred to above. A copy of the resolution from 12 November 2019 is presented at **Attachment 4**.

Options

In consideration of the Swifts Creek and Nowa Nowa communities' current capacity to take on additional projects, the following options exist:

1. Council agrees to become the project auspice and Grant recipient

This option comes with financial implications associated with employment of a project manager and ITC support; however, the project is 100% funded through the Community Transition program and the grant fully allows for these expenses within the project cost.

It would enable the project to better connect into and align with other recovery activity being undertaken in the region and better shield the community from further emotional fatigue, allowing them to engage in the process more actively as stakeholders.

2. Council agrees to auspice the grant only and assist the Department of Jobs Precinct and Regions to identify a suitable local Not-for Profit or Community Organisation to lead the project.

The pool of practical alternative organisations with capacity to lead this project is small.

Potentially alternative organisations may lack the knowledge and expertise to drive the development of an economic diversification strategy and result in missed opportunity to attract further funding of feasible business initiatives for the community.

Some degree of human resource requirements would exist for Council in terms of managing the finances and acquitting the grant. Expenses incurred for this support are provided for within the overall costs of the project would be retained by Council to cover any costs associated with this arrangement.

3. Council declines to become the project auspice and grant recipient.

Should an alternative auspice organisation not be found, the local community risks:

- *forfeiting the funding package on offer*
- *ineffective project management due to a lack of capacity within their existing volunteer resources.*
- *the project proceeding in isolation of the wider context of drought, bushfire and COVID-19 recovery needs and missing valuable leverage or alignment opportunities in the preparation of their Local Economic Development Strategies.*

Resourcing

Financial

Financial implications to Council of the recommendation proposed in this report relate to grant administration, employment of a project manager and ITC support. The project is fully funded through the Community Transition program and the grant allows for these expenses within the overall project cost. There is no net budget impact on Council.

Plant and equipment

Allocation of ITC equipment to facilitate remote working would be required for Council as a result of the proposal put forward in the report.

Human Resources

There are human resourcing impacts associated with the proposal put forward in the report, these include:

- The appointment of and performance management of dedicated project coordinator(s)
- Grant administration through the life of the project.

Risk

The risks of the proposal recommended in this report have been considered and are of low consequence.

Risk associated with not supporting the proposal include:

- the community forfeiting the funding package on offer
- substandard project management due to limited capacity within the appointed community organisation's existing volunteer resources.
- the project proceeding without fully considering the wider economic and social context of drought, bushfire and COVID-19 recovery needs and missing valuable leverage or alignment opportunities in the preparation of their Local Economic Development Strategies.

Economic

As a result of the recommendations of this report, significant, long-term economic benefit will be gained through the preparation of Local Economic Development Strategies. These plans will help to deliver strongly embedded community support and commitment for new business initiatives to diversify the districts' existing industry and build future economic prosperity, sustainability and resilience. Viable business initiatives identified through this process will be eligible for additional government funding to establish, providing new jobs and ancillary local business growth.

Social

Significant social benefit is to be gained as a result of the proposal put forward in the report. The production of local development strategies formed through a community-led process guided by the principals of Smart Specialisation, stands to deliver strongly embedded support and community commitment for the districts' future social prosperity and resilience.

Environmental

There are no environmental sustainability implications for Council as a result of the proposal put forward in the report.

Climate change

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

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

Engagement

Council officers have attended initial community stakeholder meetings held in Swifts Creek and Nowa Nowa facilitated by the State Government's Community Transition Team. Further meetings have been proposed by stakeholders in each community to ensure the opportunity presented by the Community Transition program can be shared broadly and allow the wider community input into selecting the best model for the project's delivery. Council has been requested to attend.

Attachments

1. Victorian- Forestry- Plan- Community- Transition- Team- Fact- Sheet [**5.2.3.1** - 2 pages]
2. Local- Development- Strategy-program-guidelines [**5.2.3.2** - 13 pages]
3. News article LDS funding Wellington Shire [**5.2.3.3** - 1 page]
4. Resolution Nov 2019 Victorian Forestry Plan [**5.2.3.4** - 1 page]

VICTORIAN FORESTRY PLAN

Community Transition Team

The Victorian Forestry Plan has been developed to assist you and your community through the transition out of native forest harvesting.

As the industry transitions, the plan includes dedicated support to ensure the continued strength of local communities. The support includes a team of locals that will work with towns that may be affected by the plan, with the team currently in place in Gippsland, Central Highlands and the North East.

How we will support you?

The team is ready to assist local communities in understanding the changes to the forestry industry.

We will work with locals to develop long term partnerships to understand the level of support you need and provide advice on programs and services that will assist your community.

How will this support benefit your community?

- A central point of contact for information and connections to the most appropriate services
- Building knowledge and understanding of what is important to the community
- Work together and build community strength by identifying new opportunities
- Provide practical support and guidance through funding applications when it becomes available.

Highlights of the plan

- The Victorian Forestry Plan supports the transition out of native forest harvesting
- It is a long-term plan over ten years supported by a \$120 million package to make sure workers, businesses and communities have the support they need
- By providing a long-term plan, we're giving workers and businesses time to plan for their future and the industry as a whole time to transition
- The plan will provide an opportunity to build community strengths and support local businesses and workers into the future.

To learn more about the plan

To stay up to date on the Victorian Forestry Plan, visit the website:

www.vic.gov.au/victorian-forestry-plan

Phone: 1800 318 182

Email: victorianforestryplan@djpr.vic.gov.au

Gippsland

Ruth Fitzclarence

Community Transition Support Officer

Phone: 0400 776 040

Email: ruth.fitzclarence@ecodev.vic.gov.au

Central Highlands

Daniel Salzmann

Community Transition Support Officer

Phone: 0436 811 506

Email: daniel.salzmann@ecodev.vic.gov.au

Hume, Loddon Mallee and Grampians

Jenny Pena

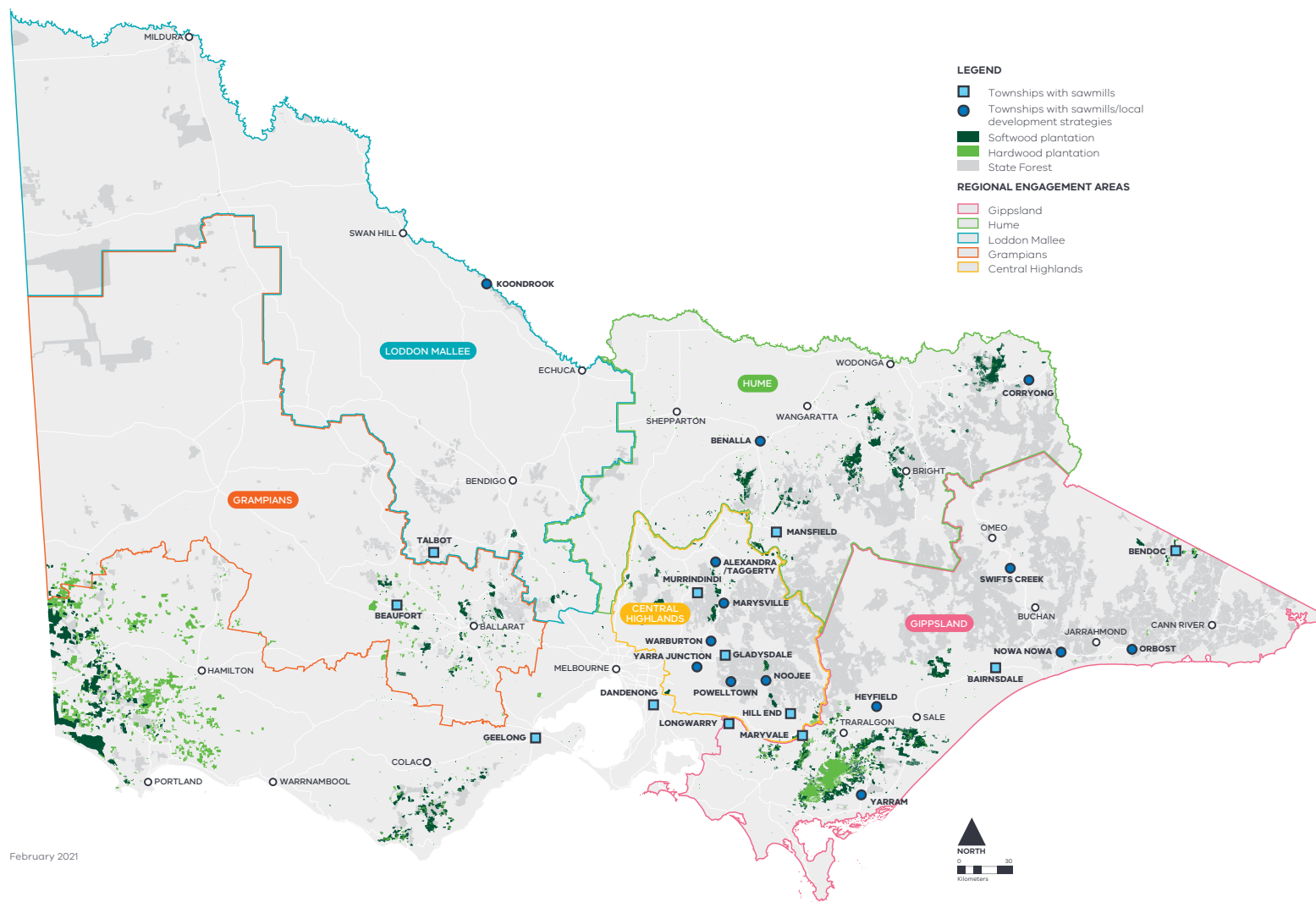
Community Transition Support Officer

Phone: 0400 447 342

Email: jenny.pena@ecodev.vic.gov.au

VICTORIAN FORESTRY PLAN

Where we will work



February 2021

VICTORIAN FORESTRY PLAN | Support for communities



Victorian Forestry Plan

Local Development Strategy Grants Program

APPLICATION GUIDELINES

March 2021



Contents

Background	3
Purpose	3
Objective	3
Funding Assistance	4
Who can apply?	4
Grant amount	5
Eligible project activities	5
Fund details	6
Application and Assessment Process	6
Application opening and closing dates	6
Application process	6
Compliance and Governance	7
Information only	7
Project costing treatment of GST	7
Conditions of funding	8
Monitoring, Evaluation and Reporting	8
Acknowledgement	9
Further Support	9
Privacy	10
Step-by-Step Application and Grant Process Guide	11



Background

Over the last ten years, the availability of native timber for harvesting has decreased by around half, due mainly to bushfires and setting aside forest for wildlife protection.

At the same time, consumer and retailer demand has grown for plantation timber products.

The Victorian Government has developed the Victorian Forestry Plan to assist the timber industry as it manages its gradual transition away from native forest harvesting to a plantation-based timber supply.

Under the 30-year plan, a \$120 million package will provide workers, businesses and communities the time and the support they need for this transition. The package includes \$4 million for the preparation of local development strategies.

PURPOSE

The purpose of the Local Development Strategy grants program is to assist communities directly affected by the Victorian Forestry Plan to undertake diversification planning to support their economies transition to new, sustainable industries.

OBJECTIVE

The objective of the Local Development Strategy grants program is to assist communities impacted by the Victorian Forestry Plan to develop local development strategies that:

- support their transition away from native timber harvesting
- lead to the creation of new jobs in sustainable industries, and
- result in long-term economic and social benefits for each community.

The preparation of a local development strategy will be locally led and undertaken in partnership with key stakeholders.



Funding Assistance

WHO CAN APPLY?

The Local Development Strategy grants program is directed at towns and communities that will be significantly impacted by the Victorian Forestry Plan. These are:

TOWN / COMMUNITY	LOCAL GOVERNMENT AREA
Noojee	Baw Baw Shire Council
Benalla	Benalla Rural City Council
Orbost	East Gippsland Shire Council
Swifts Creek	East Gippsland Shire Council
Nowa Nowa	East Gippsland Shire Council
Koondrook	Gannawarra Shire Council
Alexandra / Taggerty / Marysville	Murrindindi Shire Council
Corryong	Towong Shire Council
Heyfield	Wellington Shire Council
Yarram	Wellington Shire Council
Powelltown / Yarra Junction / Warburton	Yarra Ranges

One grant will be available for each eligible town or community to develop a local development strategy.

A representative from the Victorian Forestry Plan transition team will work with each town / community and the associated local government area to determine which community organisation will receive the grant. The selection of the community organisation will be based on how representative of the community it is, its record of providing practical advice and actions that result in community development, and its ability and resources to develop a local development strategy.

The community organisation may be a:

- chamber of commerce, industry group, business association or a similar type of organisation
- incorporated not-for-profit organisation or community group that has an Australian Business Number (ABN) or can provide written advice from the Australian Taxation Office that no withholding tax is required from the grant payment
- local government authority.

GRANT AMOUNT

Grants of up to \$400,000 per town or community are available.

The actual grant amount for a particular town or community to prepare a local development strategy will be determined by assessing the application against the established program criteria. The eligible towns or communities will not necessarily receive the same grant amount.

ELIGIBLE PROJECT ACTIVITIES

Activities funded under the Local Development Strategy grants program include (but are not limited to):

- developing new, or updating previous strategic plans and processes
- feasibility studies
- research and data collection
- project plans
- gap analyses
- economic assessments
- engagement of staff or consultants to prepare the documents or information listed above
- initiatives that build skills (i.e. training, mentoring and coaching).

The following activities would generally not be considered for funding through the Local Development Strategy grants program:

- event sponsorship
- requests for retrospective funding, where projects have commenced (i.e. equipment purchased, contracts entered into or construction has begun) or have been completed prior to receiving funding approval
- projects requiring ongoing funding from the Victorian Government
- ongoing operating costs or salary subsidies
- costs to meet regulatory requirements
- purchase of vehicles
- purchase of property
- telecommunication service improvements and access road upgrades.

Victorian Forestry Plan - Local Development Strategy grants program
APPLICATION GUIDELINES

5



FUND DETAILS

Duration of the funded project

- The project(s) funded by a Local Development Strategy grant must be completed within two years unless otherwise agreed.
- The completion of the project within the timeframe will be a legally binding commitment in the grant agreement.

Condition of applying

- The department will provide the selected community organisation with support to develop the grant application.
- The department makes no representation that a grant of funds will be made to any applicant and reserves the right to make no funds available under the Local Development Strategy grants program.

Application and Assessment Process

APPLICATION OPENING AND CLOSING DATES

Applications for the Local Development Strategy grants program will open in March 2021 and will close on 30 June 2022. Applications may be submitted at any time between the opening and closing dates.

APPLICATION PROCESS

Step 1: Identification of potential applicant organisation

A representative from the Victorian Forestry Plan transition team will work with each town or community and the associated local government area to determine which community organisation will prepare the grant application.

Step 2: Prepare an application

A representative from the Victorian Forestry Plan transition team will contact the eligible community organisation to discuss the program, provide the on-line application form link and provide support to prepare the application, where required.

Additional documentation to support the project such as previous research or studies, feasibility studies, business cases, business plans or letters of support should be attached to the application.

Step 3: Application assessment process

All applications will be assessed by a departmental assessment panel who will make recommendations to the Minister for Agriculture and any other relevant ministers for final consideration.

The members of the assessment panel will be different people to those who may have provided support to the community organisation to prepare the application.



For an application to receive funding through the program, the application must outline how the following assessment criteria are met:

- how well the proposed project will deliver a local development strategy that:
 - supports the community's transition away from native timber harvesting
 - leads to the creation of new jobs in sustainable industries, and
 - results in long-term economic and social benefits for the local community
- how well the proposal takes into account any local or regional plans that may already exist
- how well the development of the local development strategy will be:
 - locally led
 - undertaken in partnership with key stakeholders
- how well the organisation has:
 - identified the required people, skills and resources to manage and implement the project
 - identified a timeline and milestones, and
 - provided reasonable justification for the requested funds.

The department may seek clarification or more information from the applicant during the assessment process.

Step 4: Funding agreement approval

An applicant should expect to learn the outcome of their application for a Local Development Strategy grant in approximately twelve weeks from the time of submitting an application.

Approved applicants will be issued a letter of offer that remains valid for 30 days. The applicant accepts the letter of offer which is a non-binding legal agreement until the execution of the formal grant agreement between both parties.

The grant agreement provided by the department will set out the terms and conditions upon which the government provides the grant.

Details of the project will remain confidential until the project is formally announced by the Victorian Government.

Compliance and Governance

INFORMATION ONLY

The department reserves the right to make changes to these guidelines as required.

Any changes to the guidelines will not affect the eligibility of the applicants and applications made prior to the date of publication of any update.



PROJECT COSTING TREATMENT OF GST

Applicants should note that all project costs included in the application must be exclusive of GST.

Applicants must have an Australian Business Number (ABN) and be registered for GST or provide written advice from the Australian Taxation Office that no withholding tax is required to be withheld from the grant payment.

CONDITIONS OF FUNDING

Successful applicants will be required to enter into a grant agreement with the department detailing all funding obligations and conditions.

Grant agreements are legally enforceable documents that clearly set out the obligations of both parties. The grant agreement aims to protect the Victorian Government's interests and ensure the efficient and effective use of public money.

It also ensures there is appropriate recognition of Victorian Government support in project-related publications, media releases and promotional material.

Grant agreements can be signed by an authorised person to bind the organisation and will:

- describe the purpose for which the funding must be used
- set out any requirements or conditions that must be met prior to the payment of a grant instalment
- outline agreed milestones and project outcomes that must be achieved before payment of a grant instalment.

Once the grant agreement has been signed, the applicant will be required to actively manage and deliver the project and provide accurate progress reports to the department. During a project, the department may conduct site visits as necessary.

Successful applicants must execute a grant agreement and commence the project within three months from the date of the funding offer.

If a project does not commence within this timeframe the grant will be reviewed by the department.

Monitoring, Evaluation and Reporting

Successful applicants will be required to cooperate with an evaluation which is undertaken during and/or after completion of the project.

After completion of the project, applicants must submit annual evaluation reports assessing the project's success in meeting its stated objectives, outputs and outcomes. Depending on the significance of the project, these evaluation reports may be required for up to three years following completion of the funded project.

The department reports on grants and programs it administers. The reporting includes the identity of successful applicants and projects, and where applicable, deviates from or expectations to the assessment and approvals processes set out in these guidelines.

Victorian Forestry Plan – Local Development Strategy grants program
APPLICATION GUIDELINES

8



Acknowledgement

Successful applicants must liaise with the department to coordinate any events or announcements related to the activity. Successful applicants may be required to contribute information on activity outcomes for the state to use in communications materials.

Further Support

A Victorian Forestry Plan transition representative will be available to support the selected community organisation prepare its grant application.

Applicants requiring further information should contact a Victorian Forestry Plan representative for further details.

P: 1800 318 182
E: victorianforestryplan@djpr.vic.gov.au
W: djpr.vic.gov.au/forestry/grants



Privacy

Any personal information about the applicant or a third party in the application will be collected by the department for the purpose of grant administration. This information may be provided to other Victorian Government agencies for the purposes of assessing applications.

If personal information about third parties is included in the application, the applicant must ensure that those third parties are aware of the contents of this privacy statement and the contents of the Department of Jobs, Precincts and Regions Privacy Policy available from the Privacy Officer (details below).

Any personal information about the applicant or a third party in correspondence will be collected, held, managed, used, disclosed or transferred in accordance with the provisions of the *Privacy and Data Protection Act 2014 (Vic)*, *Health Records Act 2001 (Vic)* and other applicable laws.

The Department of Jobs, Precincts and Regions is committed to protecting the privacy of personal information. The department's privacy policy is available from:

Privacy Officer

Department of Jobs, Precincts and Regions
GPO Box 2392
Melbourne, VIC 3001, AUS

Email: privacy@ecodev.vic.gov.au

Enquiries about access to information about you held by DJPR should be directed to:

Freedom of Information Manager

Department of Jobs, Precincts and Regions
GPO Box 2392
Melbourne, VIC 3001, AUS

Email: foi@ecodev.vic.gov.au



Step-by-Step Application and Grant Process Guide

Read the Program Guidelines to establish eligibility

Discuss the proposed project with your local Victorian Forestry Plan representative

Complete an application

The applicant will receive a letter confirming the outcome of the application (successful/unsuccessful)

Successful applicants will receive a letter of offer which is valid for 30 days

The department will issue a grant agreement outlining the scope of the project, milestones and activity deliverable dates

Project commences

Payments are made on evidence of the project milestones being met and completed

Post Completion / Evaluation Report

Victorian Forestry Plan - Local Development Strategy grants program
APPLICATION GUIDELINES

11

Authorised by the Department of Jobs,
Precincts and Regions
1 Spring Street Melbourne Victoria 3000
Telephone 1800 318 182
Email victorianforestryplan@djpr.vic.gov.au

© Copyright State of Victoria,
Department of Jobs, Precincts and Regions 2021

Except for any logos, emblems, trademarks,
artwork and photography this document
is made available under the terms of the Creative
Commons Attribution 3.0 Australia license.

This document is also available
in an accessible format at
vic.gov.au/forestry

P: 1800 318 182
E: victorianforestryplan@djpr.vic.gov.au
W: vic.gov.au/forestry





26 MAR, 2021

Funding to help towns transition from timber

Gippsland Times & Maffra Spectator, Sale

Page 1 of 1

Funding to help towns transition from timber

HEYFIELD and Yarram are two timber towns earmarked to receive money to develop a plan transitioning their economies from native timber harvesting.

The state government plans to phase out all native forest harvesting by 2030.

It says its Local Development Strategy grants of up to \$400,000 are available to 11 forestry communities across Victoria, will "help manage the transition and seek new job opportunities".

The grants will be available to local groups who can work with their councils and the Victorian Forestry Plan Transition Team to help safeguard their respective communities' economic futures.

Through the grants, the government hopes communities will be able to undertake long-term diversification planning to support their local economies adapt to new industries and increase job opportunities for workers.

Announcing the grants, Agriculture Minister Mary-Anne Thomas said the government was "supporting workers and their families through this time of change with an inclusive plan for the transition away from native timber harvesting".

"This funding will put power directly into the hands of local communities — helping them plan for the future based on their strengths and priorities," she said.

The eligible areas are Noojee, Benalla, Orbost, Swifts Creek, Nowa Nowa, Koondrook, Murrindindi area (Alexandra, Taggerty and Marysville), Corryong, Heyfield, Yarram, Yarra Ranges (Powelltown, Yarra Junction



and Warburton).

To implement the plans, communities will be supported by the \$36 million Victorian Forestry Plan Transition Fund, which will be available more broadly across the state.

Wellington Shire Council development general manager Brent McAlister said the council had been working with the state government for some time to secure funding to develop a local development strategy, to support communities with forestry transition.

"Concurrently the council, along with other key stakeholders through the Native Timber Taskforce, are trying to discover the information or data on which the policy decision to phase out native timber harvesting was based," he said.

"We are doing this through a series of freedom of information requests and complaints. "But currently to no avail."

Mr McAlister said if the local development strategy funding was successful, council would employ a staff member to work with

Department of Jobs, Precincts and Regions, the Forestry Transition staff and the Heyfield and Yarram communities to undertake an analysis of the future of those communities in respect of forestry transition.

"The fund would also be used to identify and undertake activities around innovations that would help with the any transition," he said.

"The emergence of the renewable energy industry with major offshore wind and solar projects planned for the shire are exciting prospects that will help any transition."

The state government's Forestry Business Transition Voucher program has also been extended to allow more forestry businesses to apply for tailored and specialist support.

Voucher applications are now open until November 30, with up to \$25,000 available to help forestry-dependent businesses assess their capabilities, options and strategies for transition.

For more information about the support available, visit vic.gov.au/forestry

Resolution of the previous Council

In late 2019, the previous Council passed a resolution in urgent business in response to the announcement of the Victorian Forestry Plan. The resolution was as follows:

THAT COUNCIL:

1. ***WRITES TO THE PREMIER OF VICTORIA THE HON DANIEL ANDREWS REQUESTING THAT HE RECONSIDER HIS DECISION TO CEASE ALL LOGGING OF NATIVE FORESTS IN THE STATE OF VICTORIA BY 2030 AND PROVIDE EVIDENCE FOR THE BASIS OF THE DECISION ANNOUNCED ON THURSDAY 7 NOVEMBER 2019;***
2. ***THAT THE STATE GOVERNMENT WORK WITH LOCAL GOVERNMENT, THE GREATER GIPPSLAND COMMUNITY AND THE TIMBER INDUSTRY TO SUPPORT AND ENHANCE A SUSTAINABLE NATIVE TIMBER INDUSTRY;***
3. ***THAT THE TRANSITION FUNDING BE PROPORTIONALLY DISTRIBUTED TO THE TOWNS, COMMUNITIES AND INDUSTRIES THAT ARE MOST LIKELY TO BE AFFECTED BY THE DECISION;***
4. ***IF PRACTICABLE AND ACHIEVABLE, AND MOST PREFERABLY IN THE NEAR FUTURE, TAKE THIS MATTER TO THE GIPPSLAND LOCAL GOVERNMENT NETWORK (GLGN) REQUESTING THAT THE GLGN LIAISE WITH, AND PARTNER WITH THE TIMBER INDUSTRY, OTHER LOCAL GOVERNMENT AUTHORITIES, STATE AUTHORITIES AND THE WIDER GIPPSLAND COMMUNITY TO FURTHER GAUGE AND INTERPRET THE LONG TERM CONSEQUENCES OF THE PREMIER'S DECISION ON GIPPSLAND'S COMMUNITIES, INDUSTRIES AND ENVIRONMENT; AND THAT THE GLGN;***
5. ***IF ABLE, IN DOING SO WILL SEEK TO IDENTIFY AND OFFER SOLUTIONS TO ANY IMPEDIMENTS TO THE IMPLEMENTATION OF WORLD'S BEST PRACTICES IN TIMBER HARVESTING AND NATIVE FOREST ENVIRONMENT PROTECTION FOR THE LONG TERM BENEFIT OF THE GIPPSLAND REGION; AND***
6. ***THAT THE GLGN REPORTS THE OUTCOME OF SUCH WORKS BACK TO COUNCIL WITHIN A REASONABLE TIMEFRAME BEING NO LONGER THAN TWELVE MONTHS.***

5.3 Business Excellence

5.3.1 Draft Service Review Policy

Authorised by General Manager Business Excellence

Conflict of Interest

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

Executive Summary

The purpose of this report is to outline the rationale and purpose of the Service Review Policy provided at **Attachment 1** and seek Council's adoption of the policy.

Council is committed to ongoing service reviews to ensure that each service is aligned to Council's Community Vision, Council Plan, other relevant strategic documents, the *Local Government Act 2020* and other applicable legislation.

Service reviews will help to assess whether a service is considered important and is valued by local communities and key stakeholders. Further, reviews will help to ensure that services are delivered to the appropriate standard and in the most responsible and sustainable manner.

This Policy will assist Council to make decisions about the future of services being reviewed, in response to proposals to introduce, expand, contract out or discontinue a service.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report, and***
- 2. adopts the Draft Service Review Policy at Attachment 1.***

Background

The provisions of the *Local Government Act 2020*, cost shifting by other levels of government, rate capping, increased regulatory requirements, natural emergencies such as bushfire, flood and pandemics, and demands from the community are combining to result in local government councils needing to operate as efficiently as possible and demonstrate they are providing value for money for services the community considers important.

The financial sustainability of councils is reported regularly in the form of league tables and it is important within this context that best practice and value for money can be demonstrated for all services delivered.

Environmental sustainability in a global climate change context is also driving the need to reduce the footprint that service delivery leaves behind. This will also be a focus of any review.

The most appropriate way to deliver the above outcomes and undertake service reviews is through a governing policy and a consistent framework.

A draft Service Review Policy has been prepared for Council's consideration and is provided at **Attachment 1**.

Legislation

This report has been prepared in accordance with section 106 of the *Local Government Act 2020* (the Act), which relates to service performance.

In relation to service performance principles, this section prescribes that:

- (1) A Council must plan and deliver services to the municipal community in accordance with the service performance principles.
- (2) The following are the service performance principles—
 - (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;
 - (b) services should be accessible to the members of the municipal community for whom the services are intended;
 - (c) quality and costs standards for services set by the Council should provide good value to the municipal community;
 - (d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;
 - (e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

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*.

There is no legislative or statutory requirement for Council to develop a service review policy. However, Council is required to consider the service performance principles in the delivery of services. This requirement will extend to Council's decisions on service delivery, in line with key documents and strategic direction.

Council Plan

This report has been prepared and aligned with the following goals 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.

Strategic Objective 5: 5.1 A better everyday customer experience is created for our residents and visitors.

Strategic Objective 5: 5.5 Resources are managed to meet current and future needs and priorities.

Council Policy

The policy proposed in this report is a new Council policy that has been prepared in accordance with *Local Government Act 2020* section 106, which relates to service performance.

Options

This report recommends that Council adopt the draft Service Review Policy, which will assist with decision-making about services provided to the community that from time to time, may result in significant impacts to part or all of the East Gippsland community.

To complement the draft policy and guide the review of Council services, a Service Review Framework has been developed as an internal document. Among other things, the framework provides for service reviews to vary, depending on the complexity of the service and the depth of the review. Each service to be reviewed will be confirmed by the Chief Executive Officer prior to the review commencing.

Council is not required to have a Service Review Policy in place and so could decide not to adopt the draft Policy. However, for the reasons set out in this report, this option is not recommended.

Resourcing

Financial

The cost of undertaking service reviews will be funded from an allocation in Council's operating budget set aside for this purpose.

Plant and equipment

This report has no implications for plant and equipment.

Human Resources

The draft Policy clearly defines the roles and responsibilities of personnel involved in a service review.

The Service Delivery Review Team (SDRT) will review services in accordance with the Policy and Framework. The membership of each SDRT will be determined by the relevant General Manager and have regard for the complexity of the review and the Service Review Framework.

The SDRT will be chaired by the relevant General Manager and *may* include:

- Organisation Development and administrative support
- Independent consultant
- Subject matter expert
- Representatives from the operational areas of:
 - o Finance
 - o Customer Experience
 - o Communications
 - o Information Services
 - o Risk and Governance.

Risk

The risks of adopting the draft Service Review Policy have been assessed and are considered negligible because if adopted, the policy and its complementary framework will facilitate good decision-making. The risks associated with the service review program have also been assessed and are considered warranted in the context of the cost and productivity savings to be achieved. Timely and meaningful consultation and communication with the community and Council staff will be critical in ensuring the success of the program and this will need to be front of mind before, during and after the review process.

Economic

There are no economic implications in Council's adoption of the draft policy. The economic implications of not undertaking a service review program are that Council may continue to spend money on delivering services that do not meet the needs of the community, and potential cost savings through delivery of more efficient, targeted services will not be achieved.

Social

Council may decide to introduce, expand, contract out or discontinue a service as a result of service review. In making decisions about changes to services, Council will carefully consider the impact of the change on all sections of the community.

Environmental

A key focus of the service review program will be reducing the environmental footprint that delivery of services leaves behind, where possible.

Climate change

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

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

Engagement

While no external consultation has been undertaken on the draft Service Review Policy, its content has been informed by discussion with representatives of other local government councils.

Attachments

1. Service Review Policy updated 28 July 2021 [BYAN] [5.3.1.1 - 9 pages]

Version number: 2
Authorised by:



Service Review Policy

Version number: 2
 Authorised by:

Contents

Purpose	1
Scope	1
Policy Context	1
Legislative Context	1
Policy Statement	2
Service Review Framework	2
Service Review Principles	2
Service Review Prioritisation	3
Outcomes of Service Reviews	3
Roles and Responsibilities	4
References and Supporting Documents	5
Applicable Legislation:	5
Applicable Policy and Procedure:	5
Supporting Documents:	5
Privacy and Human Rights Consideration.....	5
Definitions	6
Revision History and Review	7

Service Review Policy
 Date approved:
 Document owner:
This document is uncontrolled when printed

Version number: 2
 Next review date:

i

Purpose

To outline a commitment to ongoing service reviews to ensure that each service is aligned to Council's Community Vision, Council Plan, the *Local Government Act 2020*, other legislative requirements and relevant strategic documents.

The review will help to assess that the service is considered as important and valued by local communities and key stakeholders. Further, the review will aim to ensure that the service is delivered in the most responsible and sustainable manner.

This Policy will assist the decision-making process when a service review makes recommendations to potentially introduce, expand, reduce, discontinue or outsource a service.

Scope

This Policy applies to Council, Council staff, contractors and Services that have been contracted out.

Policy Context

The face of local government and the services it provides to its communities are changing.

The new *Local Government Act 2020*, cost shifting, rate capping, increased regulatory requirements, bushfires, pandemics and demands from the community is resulting in local government needing to demonstrate it is providing value for money for services the community consider important. Financial sustainability of councils is reported in the form of league tables regularly and its important within this context that service best practice and value for money can be demonstrated.

Environmental sustainability in a global climate change context also sees the need to reduce the footprint that service delivery leaves behind. This will also be a focus of any review.

The most appropriate way to address the above outcomes is through policy development and a consistent framework.

Legislative Context

Local Government Act 2020

Section 106 of the *Local Government Act 2020* (the Act), states in relation to service performance principles that:

- (1) A Council must plan and deliver services to the municipal community in accordance with the service performance principles.
- (2) The following are the service performance principles—
 - (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;
 - (b) services should be accessible to the members of the municipal community for whom the services are intended;
 - (c) quality and costs standards for services set by the Council should provide good value to the municipal community;

- (d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;
- (e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

This Policy will assist the Council in satisfying the requirements of Section 106 of the Act.

Policy Statement

Service Review Framework

A Service Review Framework has been developed to guide the review of Council's services.

The scope of a Service Review will vary depending upon the complexity of the service and the depth of the review. The Scope of reviews will be confirmed by the Executive Leadership Team prior to commencement.

Service Review Principles

When making service delivery related decisions, the Service Review Framework will be used to address the following principles:

- Services will reflect current and future community needs balanced against the resource capacity and financial viability.
- Services will reflect the strategic work of Council.
- Services will reflect Council's community vision as developed under section 88 of the Act, in accordance with its deliberative engagement practices in line with community's aspirations for the future of the municipality.
- Services will be delivered in accordance with Council's Integrated Strategic Planning and Reporting Framework (ISPRF) with a clear link to the Community Vision, Council Plan, Financial Plan, Asset Plan, Workforce Plan and Revenue and Rating Plan.
- Service reviews will check whether Council is the most appropriate agency to deliver the service.
- Service reviews will recommend the most appropriate levels of service and their associated revenue, expenses, assets, liabilities, investments and financial transactions in accordance with the financial management principles set out in section 101 of the Act.
- Service reviews will give consideration to the User Pays Principles and is required to consider socio-economic and capacity to pay factors.
- Services and their review will reflect an appropriate continuous improvement regime.
- Services will be delivered in accordance with relevant legislation and regulations.
- Services will be delivered in accordance with funding agency requirements.
- Consultation will be undertaken with internal and external stakeholders that have a role in the delivery, funding or receipt of Council's services as per the Community Engagement Policy.
- A risk assessment will be undertaken as part of the review and the impacts on staff will be closely monitored via appropriate organisational and human resources policy and practices.

Service Review Policy
 Date approved:
 Document owner:
This document is uncontrolled when printed
 2

Version number: 2
 Next review date:

Service Review Prioritisation

Council will undertake reviews on a rolling program basis.

The priority of the reviews will be recommended by the Chief Executive Officer that has regard to:

- Any withdrawal of government grants or funding for the service;
- customer/community feedback;
- legislative changes;
- entrepreneurial opportunities;
- changes in the Council Plan;
- Financial Management Principles set out in section 101 of the Act; and
- Service Performance Principles set out in section 106 of the Act.

Outcomes of Service Reviews

The key outcomes are expected to be:

- an appropriate level of service being delivered within the available level of resources (that is financial, physical and human resources)
- clarity of services delivered
- best value for money for ratepayers
- a more engaged community;
- a level of community satisfaction that aligns with Council's resource capability;
- alignment of service levels with financial capacity;
- cost savings or increased revenues including fee for service;
- partnerships/shared service outcomes;
- whole of Council approach to service delivery; and
- appropriate capital investment for improved service delivery efficiency and cost.

Roles and Responsibilities

These positions are responsible for implementation and compliance monitoring of the procedure in their work areas:

Party / Parties	Roles and Responsibilities
Council	The Council is responsible for: <ul style="list-style-type: none"> adopting the policy receiving final reports and recommendations contained in the Service Review Report making decisions when it is proposed to potentially introduce, expand, reduce, discontinue or outsource a service, or there are political ramifications.
Chief Executive Officer	Responsible for the Service Review Program.
Executive Leadership Team	Acts as the Steering Group. Provides overall direction and leadership for the review, priorities and timeframes, provides strategic input, endorses recommendations and final reports prior to Council consideration and reviews risks and outcomes including benefits realisation targets (i.e. best case to worst case scenarios).
General Manager/s	The relevant General Manager (GM) from each impacted area is the "owner" of the review and its recommendations and outcomes. The General Manager is responsible for: <ul style="list-style-type: none"> undertaking and delivering the Review in accordance with the Policy and Framework will work with the People Performance and Culture Team and the Service Delivery Review Team to undertake the Review.
Service Delivery Review Team	The key role is to review services in accordance with the Policy and Framework. The Service Delivery Review Team will be determined by the relevant GM and is based on the complexity of the review and the Service Delivery Review Framework. The Service Delivery Review Team will be chaired by the GM and may include: <ul style="list-style-type: none"> Administrative support Independent consultant Subject expert Senior Organisation Development Officer Organisational Representatives from: <ul style="list-style-type: none"> Finance Customer Experience Communications Information Services Risk and Governance

Party / Parties	Roles and Responsibilities
Manager/s	The relevant Manager/s will be a part of the Service Delivery Review Team.
Manager People, Performance and Culture	Provides assistance to the relevant General Manager and the organisation in the review process. Depending on the complexity and sensitivity of the review, in consultation with the General Manager, the Manager People, Performance & Culture may call upon external and independent consultants to assist in the Review.
Senior Organisation Development Officer	Provides advice on the service review process and required resources to the General Manager and Service Delivery Review Team.
Community Advisory Group	The relevant General Manager will give consideration to forming a Community Advisory Group to provide input to the review as part of the Review's engagement and consultation plan.

References and Supporting Documents

Applicable Legislation:

Local Government Act 2020
Disability Discrimination Act 1992
Gender Equality Act 2020

Applicable Policy and Procedure:

Community Engagement Policy
Occupational Health and Safety Policy
Complaints Management Policy
Customer Response Policy

Supporting Documents:

Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council will be handled in accordance with all applicable privacy legislation and will be used only for the purpose for which it was collected. All personal information collected by East Gippsland Shire Council in connection with service reviews and planning will be handled in accordance with all applicable privacy legislation and will be used only for the purpose of investigating levels of service.

The Service Review policy has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Service Review Policy
Date approved:
Document owner:
This document is uncontrolled when printed
5

Version number: 2
Next review date:

Definitions

Term	Meaning
Capital costs	Expenditure incurred when Council spends money to buy, construct, renovate or acquire an asset.
Cost shifting	Cost shifting is a constant funding pressure faced by councils and occurs when Federal and State programs transfer service responsibilities to local government with insufficient funding or grants which do not keep pace with delivery costs.
Council Plan	The <i>Local Government Act 2020</i> (S90) prescribes the need for a Council Plan. It provides for a comprehensive overview of Council's values, commitments and activities. It includes clear goals and objectives against which measures Council performance. Every four years Council prepares a Council Plan after the election of a new Council.
Integrated Strategic Planning and Reporting Framework (ISPRF)	<p>The <i>Local Government Act 2020</i> (S89) prescribes the use of strategic planning principles. Guidelines have been developed to implement a ISPRF.</p> <p>The Council's ISPRF provides for clear links between the Community Vision (S88), Council Plan (S90), Financial Plan (S91), Asset Plan (S92), Revenue and Rating Plan (S93), Budget (S94) and Annual Report (S98).</p>
League tables	A form of ranking based on a set of criteria such as revenue, earnings or any other relevant metrics.
Level of service	The service quantity and quality for a given activity.
Officers	Member of East Gippsland Shire Council (EGSC) staff.
Rate capping	The maximum amount a council can increase general rates and municipal charges.
Recurrent costs	Refers mainly to expenditure on operations, wages and salaries, purchases of goods and services, and current grants and subsidies.
Rolling program basis	Refers to the concept that reviews will be undertaken on a continuing basis. The Council determines the rolling program based on a report from the CEO.
Service review	a formal process that considers the cost, quality and efficiency of a council service, and assesses whether the current mode of delivery is appropriate.
Service planning	Planning for services helps to identify what level of service a Council can afford to provide for its community.
Staff	All staff engaged by East Gippsland Shire Council, including all full-time, part-time and casual employees.

Term	Meaning
Best value for money	Refers to the way in which services are delivered having regard to a combination of economy, efficiency and effectiveness.
User pays principal	Is a pricing approach based on the allocation of resources where consumers of a service pay the full cost of the goods or services they consume.

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	15 April	Strategic Leadership Group	8980156	New policy
2	Approved				Policy adopted by Council: due to the strategic nature of the policy it has been determined to be a Council Policy not a Management Policy. Formatting changes.

5.3.2 CON2019 1280 - Supply of Library Materials and Services - Contract Extension

Authorised by General Manager Business Excellence

Conflict of Interest

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

Executive Summary

The purpose of this report is to seek Council's approval:

- to exercise its option within CON2019 1280 Supply of Library Materials and Services (CON2019 1280), to extend the initial term of the existing contract Supply of Library Materials and Services, for a period of twelve (12) months to 31 July 2022; and
- should Municipal Association of Victoria (MAV) exercise the final extension of this contract for the period to 31 July 2023, Council authorises a further one (1) year extension, subject to satisfaction with services.

This contract is for the continual updating and renewal of resources able to be accessed by Library users.

The contract commenced on 1 July 2018 with the initial term scheduled to end on 31 July 2021. Under the agreement, MAV Procurement has the option to extend the contract for a further two (2) x twelve (12) months. The initial extension term of twelve months has been exercised by MAV Procurement, with the current expiry date being 31 July 2022. Based on this Council would like to take up the one (1) year extension option with the panel of providers, with the option of extending for the additional one (1) year extension.

Officer Recommendation

That Council:

- 1. receives and notes this report;***
- 2. accepts the Municipal Association of Victoria initial contract extension term of one (1) year for Contract No. CON2019 1280 – Supply of Library Materials and Services; and***
- 3. authorises the extension of a further one (1) year in the event the Municipal Association of Victoria takes up the final one (1) year extension.***

Background

CON2019 1280 is a panel of providers contract to deliver a range of shelf-ready items of print and non-print library materials including periodicals and journals which also includes providing electronic ordering, cataloguing and processing, which results in the items being ready to go straight on to shelves when received.

On 4 December 2018 MAV Procurement Recommendation Report, LM5513-2018 for Contract No. CON2019 1280 – Supply of Library Materials and Services, was awarded by Council for the initial term commencing 1 July 2018 and expiring on 31 July 2021.

As a result of the request of entering into a contract through MAV Procurement, contracts were formed with twelve (12) providers.

The services completed to date as part of the above contract have been satisfactory. Based on performance, reliability and availability, this report recommends that the current twelve (12) providers on the existing panel be offered the twelve (12) month extension option, subject to Council approval.

Legislation

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021, all provisions from the new Act have 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*.

Collaboration

Not applicable

Council Plan

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

Strategic Objective 5: 5.5 Resources are managed to meet current and future needs and priorities.

Council Policy

This report and its recommendations are in accordance with the East Gippsland Shire Council Procurement Policy (2020).

Options

There are two (2) options available to Council with respect to this report.

Exercise the twelve (12) month extension option with Municipal Association of Victoria Procurement Recommendation Report LM5513-2018 for Contract No. CON2019 1280 – Supply of Library Materials and Services panel of providers with the contract completion date being 31 July 2022.

Tender for the services currently provided by Municipal Association of Victoria Procurement Recommendation Report LM5513-2018 for Contract No. CON2019 1280 – Supply of Library Materials

Option 1 is recommended for the reasons outlined earlier in this report, as it provides Council with greatest supplier choice of library materials.

Resourcing

Financial

The annual Library Resource Capital budget is \$250,000.

There are no upfront costs associated with opting into the MAV contract extension. By accepting the contract conditions, Council will be agreeing to spend 90% or \$225,000 of the library capital budget through the contract extension period of twelve (12) months.

The library will retain 10% of the budget to purchase locally and to source difficult, out of print items.

The Library Resource Capital Budget has been expended to the value of \$250,000 each year of the three (3) year initial contract term.

Plant and equipment

Not applicable

Human Resources

The contract is managed externally by MAV Procurement. Exercising the contract extension has no impact on existing staff capacity.

Risk

The risks of this proposal have been considered and the providers are required to carry out all activities as specified in the specification and following the Occupational Health and Safety Regulations.

Economic

The contract extension falls within the 2022FY budget approvals. The agreement is supported by the Municipal Association of Victoria.

Social

The provision of services through the approval of this contract allows our Libraries to support the community by providing resources, particularly the more isolated and socio-economically challenged population.

Environmental

There are no identified environmental impacts in relation to this report.

Climate change

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

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

Engagement

As this recommendation is for the take up of an existing contract extension, engagement has been limited to determining the satisfaction of the value of services provided under the existing agreement, which were found to be satisfactory.

Attachments

Nil

6 Urgent and Other Business

7 Confidential Business

Council will close the meeting to the public in accordance with the provision of section 66(2) of the *Local Government Act 2020* to consider the following item:

7.1 CON2020 1409 - WORLD Construction Package 1 Variation (Hockey Synthetic)

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

8 Close of Meeting