



**13.1 SOUTH MELBOURNE MARKET COMMITTEE CHARTER  
(REVISED JULY 2023)**

**EXECUTIVE MEMBER: JOANNE MCNEILL, GENERAL MANAGER, GOVERNANCE  
CAPABILITY AND EXPERIENCE**

**PREPARED BY: SOPHIE MCCARTHY, EXECUTIVE DIRECTOR SOUTH  
MELBOURNE MARKET**

**1. PURPOSE**

- 1.1 To present the updated South Melbourne Market (SMM) Committee Charter and S5 Instrument of Delegation – Council to CEO – South Melbourne Market (S5 Instrument of Delegation) to Council for adoption.

**2. EXECUTIVE SUMMARY**

- 2.1 At the 6 October 2022 Council Meeting Council officers sought Council endorsement of the Advisory Committee governance model for the South Melbourne Market, as well as changes to delegations and approach to implementation.
- 2.2 At this meeting Council:
- Resolved to continue with a South Melbourne Market Advisory Committee, incorporating proposed changes to delegations
  - Noted that the South Melbourne Market S5 Instrument of Delegation and SMM Committee Charter will be updated and brought to Council for adoption.
  - Noted that the SMM Advisory Committee membership will be refreshed through a phased recruitment and appointment approach, commencing with the appointment to the position of Committee Chair, and that all proposed appointments will come to Council for approval.
- 2.3 After a competitive recruitment process the outgoing Chair, Jo Plummer, finished in her role on 28 February 2023, and incoming Chair, Amanda Stevens, commenced her position on 1 March 2023. This appointment was passed by Council resolution on 1 February 2023.
- 2.4 Cr Andrew Bond was also elected to the SMM Committee in February 2023, replacing Cr Heather Cunsolo after her appointment as Mayor. Cr Marcus Pearl was reappointed to the SMM Committee at this same meeting.
- 2.5 The Governance team has reviewed the S5 Instrument of Delegation which have been updated to accurately reflect the functions of the Committee that are not subject to a decision of Council as set out in the Charter. This ensures that the Committee's recommendations in respect to any matter can be approved and implemented by the CEO or sub-delegated to a Council officer. The powers, duties, and functions in the S5 Instrument of Delegation then need to be sub-delegated to Council officers where appropriate.



### 3. RECOMMENDATION

That Council:

- 3.1 Endorse the South Melbourne Market Committee Charter July 2023 (Attachment 2) for adoption
- 3.2 Affixes the common seal of Council to the S5 Instrument of Delegation – Council to CEO – South Melbourne Market (Attachment 1).
- 3.3 Notes that this S5 Instrument of Delegation – Council to CEO – South Melbourne Market comes into force immediately from when the common seal of Council is affixed to that Instrument.
- 3.4 Revokes the current S5 Instrument of Delegation – Council to CEO – South Melbourne Market dated 20 October 2021 upon the updated S5 Instrument of Delegation being endorsed.

### 4. KEY POINTS/ISSUES

- 4.1 The SMM Charter has been updated to support the Advisory capacity of the SMM Committee and incorporates improvements following consultation with all key stakeholders.
- 4.2 It is important to note, Advisory Committees are not mentioned specifically in the Governance Rules, however it is stated for a Community Asset Committee (CAC) that unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a CAC is at the discretion of the CAC. This approach was adopted to guide any changes to the SMM Charter.
- 4.3 The updates include, but are not limited to:
  - 7. Duties, Functions and Powers: to align with the Advisory capacity of the Committee and support the Market's strategic direction.
  - 12. Responsibilities of Committee Members: updated the reference to the organisations Code of Conduct
  - 15. Operations of the Committee: A quarterly report will be prepared on the Market's performance for review by the Committee at the next available meeting. There will also be three Strategic meetings.
  - 16. Management: Updated the timing of reports to coincide with Council reporting timelines.

### 5. CONSULTATION AND STAKEHOLDERS

- 5.1 The SMM Management, the Governance team and SMM Committee have reviewed and updated the SMM Committee Charter in light of the 6 October 2023 resolution.
- 5.2 The Governance team has reviewed the S5 Instrument of Delegation which have been updated to accurately reflect the functions of the Committee that are not subject to a decision of Council as set out in the Charter.

### 6. LEGAL AND RISK IMPLICATIONS

- 6.1 Within the SMM Committee Charter the SMM Committee are required to provide advice on Market risks and opportunities.



## 7. FINANCIAL IMPACT

- 7.1 Within the SMM Committee Charter the SMM Committee are required to provide assistance in the development of a commercially sustainable annual budget and long-term financial plan, for approval by Council;

## 8. ENVIRONMENTAL IMPACT

- 8.1 Within the SMM Committee Charter the SMM Committee are required to align strategic plans for the Market so that the Market contributes to broader Council plans and strategies, programs and policies for the city and South Melbourne; this includes but is not limited to environmental sustainability.
- 8.2 The SMM Committee has supported the development and launch in June 2023 of the Market's first Environmental Sustainability Strategy.

## 9. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 9.1 The SMM Committee Charter and S5 Instrument of Delegation support Council's fifth strategic direction of a Well Governed Port Phillip.

## 10. IMPLEMENTATION STRATEGY

### 10.1 TIMELINE

- 10.1.1 **19 July 2023:** SMM Committee Charter and S5 Instrument of Delegation to be presented to Council for adoption.
- 10.1.2 **20 July 2023:** Subject to Council adoption on 19 July 2023, Market Management will notify SMM Committee of new Charter / S5 Instrument of Delegation.
- 10.1.3 **21 July 2023:** SMM Committee Charter to be uploaded to SMM Website and other relevant locations for community access.

### 10.2 COMMUNICATION

- 10.2.1 Internal communication to SMM Team on the adoption of new SMM Committee Charter and S5 Instrument of Delegation, and how it relates to managing the Market business.
- 10.2.2 Under the Local Government Act 2020, and in accordance with Council's Public Transparency Policy, a Register of Delegations must be maintained and made publicly available on Council's website.

## 11. OFFICER DIRECT OR INDIRECT INTEREST

- 11.1 No officers involved in the preparation of this report have any material or general interest in the matter.

## ATTACHMENTS

1. S5 Instrument of Delegation - Council to CEO - South Melbourne Market [↓](#)
2. South Melbourne Market Committee Charter (July 2023) [↓](#)