

# South Melbourne Market Delegations Review

6 October 2022





# Introduction

- This pack provides a list of the key decisions and delegations for the South Melbourne Market – both the current state and where changes are proposed.
- These delegations underpin the recommendation regarding the governance model.
- Note that the delegations assume that the current internal service provision model continues for HR, Asset Management, payroll, comms, management accounting, OHS, project management etc.
- It is important to note that under the Act an Advisory Committee (AC) cannot be delegated to directly.
- However, the AC have a very important role in providing strategic advice across a number of key functions as outlined in the slides.
- As there cannot be direct delegation, the AC would make recommendations to the CEO, who would generally implement those recommendations as long as they are aligned with the Council approved budget, Annual Business Plan, Annual Financial Budget and Asset Management Plan for the market, and any other relevant policy or legislation.



# Delegation Descriptions

1 Council Reserved Decision	Full control over the decision is reserved to Council. The SMM Manager is not involved and any participation in the decision making process is at the discretion of Council
2 Council Approval on advice	Decisions are made by Council. Decision of Council is implemented by the CEO or delegate.
3 CEO Approval	Decision is made by the CEO (or other Council Delegate i.e. GM) with the supporting advice of the SMM Manager.
4 Delegated to Committee*	Decision is made by the Committee under Delegation from CEO <i>(*If Community Asset Committee - delegated from CEO to Committee, if Advisory Committee – CEO implements most things on direction and advice of Committee. Both Committees established by Council)</i>
5 Delegated to Market Manager	Matters managed by the SMM Market Manger Manager (MM) (Executive Director) reporting to the GM



● Current Decision Making / Delegation Arrangement















● Proposed Decision Making / Delegation Arrangement

Note: Generally, delegations are aligned with current Council policies and delegations. Where there is a possible case for deviation from policy, this is specifically referenced.



# Decision and Control Framework

-  Current delegation
-  Proposed delegation

	1 Reserved Council Decision	2 Council approval on advice	3 CEO Approval (or delegate)	4 Delegated to Committee	5. Delegated to Market Manager	Councillor involvement
1. Appointment of Board Members/Committee members	 					Council Decision
2. Buying or Selling Land	 					Council Decision
3. Approval of Annual Business Plan		 	On advice from Committee			Council Decision
4. Approval of Annual Financial Budget		 	On advice from Committee and endorsed by CEO			Council Decision
5. Approval of Asset Management Plan		 	On advice from Committee and endorsed by CEO			Council Decision
6. Approval of any loan or debt facility		 	On advice from Committee and endorsed by CEO			Council Decision
7. Approval of use of any surpluses		 	On advice from Committee and endorsed by CEO			Council Decision

Note: As is the case now, 3-7 will continue to follow normal council processes i.e. annual budget process, asset management process etc, with input/advice from the Committee



# Decision and Control Framework

- Current delegation
- Proposed delegation

	1 Reserved Council Decision	2 Council approval on advice	3 CEO Approval (or delegate)	4 Delegated to Committee	5. Delegated to Market Manager	Councillor involvement
8. Entering contracts for services and capital works over \$1m				Committee provides input		Council Decision
9. Setting fees and charges for parking				Committee provides input		Council Decision
10. Advocacy – Ministers, local members						Council Decision
11. Entering Lease or Licenses as Tenant – with third party landlord (extra space for market)				Council approval for significant increase		Informed
12. Appointment of SMM Manager / ED				On advice from Committee		Informed
13. Media responses/releases*				Mayor to respond to media   as per normal process		Nil
14. Systems Operation, system and process – IT, records, OHS, compliance, payroll, HR etc				MM uses Council IT Systems   & complies with Council policies		Nil
15. Audit and Risk Management				As per current ARCO and SRIA   reporting requirements		Nil

Note for 13: There may be opportunity to look at the role of the Chair of the Committee in releasing media releases rather than all coming from Mayor.





# Decision and Control Framework

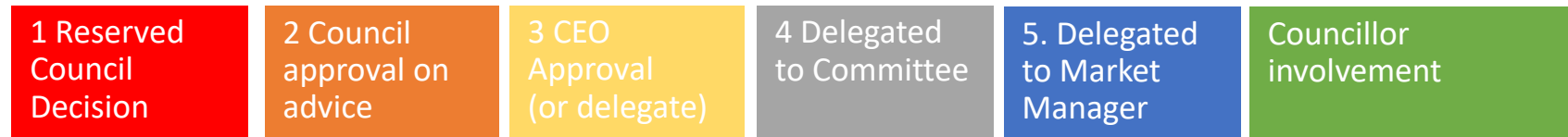
- Current delegation
- Proposed delegation

















	1 Reserved Council Decision	2 Council approval on advice	3 CEO Approval (or delegate)	4 Delegated to Committee	5. Delegated to Market Manager	Councillor involvement
16. Grants and Local Govt Funding opportunities						Informed
17. Trial/Pilot/Pop up projects and initiatives not in the approved Annual Business Plan				Up to value of [\$50k] new budget		
18. Leasing Strategy – principles for commercial mix, market vs direct negotiation, rental fee approach						Informed
19. Entering contracts for services and capital works between \$350k and \$1m				Committee to guide project scoping		Nil
20. Annual Reporting				Annual Report to Council		Informed
21. Legislative Compliance				SMM operations subject to oversight by Council Audit Comm.		Nil
22. Leasing Process – implement approved strategy (ie direct negotiation, termination, assignment)				Committee approves policy		Nil
23. Entering contracts for services and capital works between \$200k and \$350k			General Manager approval	Committee to guide project scoping		Nil



# Decision and Control Framework

-  Current delegation
-  Proposed delegation





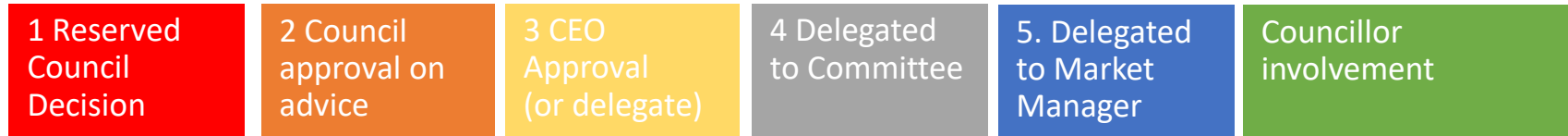
	1 Reserved Council Decision	2 Council approval on advice	3 CEO Approval (or delegate)	4 Delegated to Committee	5. Delegated to Market Manager	Councillor involvement
24. Community Consultation activities*					For activities approved  by Council in Annual Business Plan 	Consulted
25. External Stakeholder Management – private sector, key government agencies, other					Stakeholder engagement must be aligned to  Business Plan approved by Council 	Informed
26. Marketing and PR						Council Consulted*
27. Business Continuity					MM Required to comply with Council Policies and Procedures  	Nil
28. Facility Maintenance					Shared responsibility with Council’s Maintenance & Ops Team  	Nil
29. Operating Projects directly related to SMM					Council approve budget through normal annual process  	Council approved Business Case
30. Entering contracts for services and capital works up to \$200k					 	Nil
31. Employment of Staff (various levels)					MM required to comply with Council Policy and Procedures  	N/A







Note for 24. Any activities that involve major changes to the market would need council approval. Note for 26, marketing strategy and PR will generally sit with Market Manager to implement Council approved direction. There may be times where Council will need to be consulted on high profile or high impact items.



# Decision and Control Framework

-  Current delegation
-  Proposed delegation



32. Public Safety & Security*		Nil
33. Occupational Health & Safety *	MM Required to comply with Council Policies and Procedures  	Nil
34. Food Safety	MM Required to comply with legislation, Council Policies and Procedures  	Nil
35. Operational Reporting	As per current process for tracking and reporting on operations  	Nil

Note for 32 and 33. This is a complex area and further work is required to test appropriate delegations across the different levels.