

Management report to Council**Agenda item 6.10****Creation of Invest Melbourne Advisory Board****14 December 2021****Presenter:** Peter Armstrong, CEO Invest Melbourne**Purpose and background**

1. The creation of Invest Melbourne is a Major Initiative in the City of Melbourne Council Plan 2021-25. This initiative ensures Melbourne is the easiest place to start and grow a business through facilitation of headquarter attraction, business support and fast-tracked permits. To assist the delivery of this initiative it is proposed that an advisory board is created to support Invest Melbourne.
2. The proposed Invest Melbourne Advisory Board (the Board) will provide stakeholder and industry engagement and the provision of strategic advice to maximise potential investment in Melbourne. This report also outlines the proposed Terms of Reference for the Board (Attachment 2).
3. While COVID-19 restrictions have substantially lifted, sectors are still being significantly impacted and will take some time to recover. The recovery of these sectors relies heavily on attracting investment into the city from both state and federal governments in addition to private investment. The Board will provide advice and support to Invest Melbourne to leverage investment sources to speed up the recovery and reactivation of the city economy.

Key issues

4. The City of Melbourne has actively supported the economy via a wide range of initiatives, including business grants, marketing campaigns, the Business Concierge service and supporting and delivering events and activations.
5. Appropriate urban planning and permits have also been important contributors to the success of Melbourne's economy as has working with a wide range of firms that contribute to Melbourne's economy. Advocating for and providing recovery support has supported a faster reactivated city economy.
6. Reinvigorating Melbourne's economy will require market intelligence, input and support from a broad range of stakeholders. The City of Melbourne is committed to ensuring the economy of the city not only recovers, but regains a positive growth trajectory with effective advocacy and targeted facilitation being key metrics for success.
7. The Terms of Reference propose that the Board will:
 - 7.1. provide strategic advice to council on potential opportunities to streamline investment processes making it easier for the community to do business in and with City of Melbourne
 - 7.2. provide feedback on proposed City of Melbourne initiatives that support investment in the city economy
 - 7.3. contribute to City of Melbourne decision-making with data and expertise.
8. Via an expression of interest process, up to six representatives (including the Chair) will be appointed for an initial 24 month term. Expertise will be sought in fields that contribute to the current or potential future investment sector. In addition, 1 representative from the Victorian Government and up to two Councillors (based on Portfolio responsibilities) will be appointed as members.
9. The Board will meet at least three times each year with City of Melbourne management providing secretariat support. Invest Melbourne will provide a report to Council at the end of each financial year detailing the Boards activities during the preceding year.

Recommendation from management

10. That Council:
 - 10.1. Establishes the Invest Melbourne Advisory Board (the Board).
 - 10.2. Adopts the attached Terms of Reference (Terms of Reference) for the Board.
 - 10.3. Endorses the Invest Melbourne Advisory Board Code of Conduct.
 - 10.4. Authorises the General Manager, City Economy and Activation to make any further minor editorial changes to the Terms of Reference prior to publication.

Attachments:

1. Supporting Attachment (Page 3 of 14)
2. Draft Terms of Reference (Page 4 of 14)
3. Code of Conduct (Page 9 of 14)

Supporting Attachment

Legal

1. There are no direct legal implications for Council in the recommendation of this report

Finance

2. No significant financial implications arise from the recommendation contained in this report.

Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Health and Safety

4. In developing this proposal, no Occupational Health and Safety issues or opportunities have been identified.

Stakeholder consultation

5. Stakeholder engagement will be conducted as part of the recruitment of the Board.

Relation to Council policy

6. The Council's Diversity Policy – Appointments to Key Melbourne City Council Advisory Committees, Bodies and Boards of Subsidiary Companies aims to ensure that opportunities for new or replacement appointments are made known to the broadest cross section of the community. For the purposes of the Policy, diversity includes gender, age, ethnicity and cultural background.

Environmental sustainability

7. In developing the Board, environmental sustainability issues have been considered and no direct issues were identified.



Invest Melbourne Advisory Board

Terms of Reference

1. Purpose and Objectives

- 1.1. The Invest Melbourne Advisory Board's purpose is to
- .1.1.1. Provide strategic advice and independent thinking regarding economic recovery and investment strategies that reinforces Melbourne as a key investment destination and the easiest place to start and grow a business i.e. for existing and new businesses, attracting foreign direct investment and opportunities of State significance.
 - .1.1.2. Be a champion and proactive advocate of Invest Melbourne to the Australian and International business community, as well as with key government departments, industry associations and other prominent stakeholders.
 - .1.1.3. Provide critical understanding of business, market and industry trends while also providing insights and options for improving the delivery of strategic business development initiatives of Melbourne.
 - .1.1.4. Provide advice on potential ways to streamline business processes making it easier for the community to do business in and with City of Melbourne.

2. Roles and responsibilities

- 2.1. The role and responsibilities of Board members is to:
- Provide strategic advice to the City of Melbourne on the potential opportunities for growth of investment for the city;
 - Provide feedback on proposed City of Melbourne initiatives that support investment in the city;
 - Attend and participate in meetings of the Board (including planning sessions and relevant training) and work co-operatively with other members;
 - Use existing networks to remain informed regarding the views and interests of the particular sector they represent; and
 - Abide by the Council's Code of Conduct and other related policies and protocols.
- 4.2 The Board has no binding decision making authority or executive function. Members of the Board are expected to act with due care, however they are not fiduciaries charged with fiduciary duties and responsibilities.

3. Membership

- 3.1. The Board will be comprised of representatives from a cross section of the investment sector and the broader Melbourne community and will work collectively to ensure Melbourne consolidates its reputation as a globally leading city for investment opportunity.
- 3.2. The Council will make appointments based on merit, skill, expertise and leadership qualities. Board members will bring specialist experience and skills, relevant network connections, innovative thinking, enthusiasm and commitment for harnessing initiatives from across the Australia and South East Asia markets to realise and mobilize investment opportunities for Melbourne.

4. Composition of Membership

4.1. The Board will comprise of:

- Up to 6 community members, or representatives with personal and or professional experience, knowledge and expertise in strategic investment initiatives and Melbourne's economy;
- 1 representative from the Victorian Government; and
- Up to 2 councillors appointed by Council.

4.2 Council officers will support the Board.

Advisory Committee Members

4.3 Membership across the City of Melbourne will be actively encouraged from a broad range of organisations and individuals including those with specialist skills and knowledge in enhancing Melbourne's investment and business development environment.

4.4 The Board may invite relevant industry stakeholders, with specific skills and expertise, to participate in discussions from time to time. Other Councillors may participate in meetings and Council officers may attend in order to service the Board.

Appointments and Tenure

4.5 Tenure of Board members shall be for two year period with a review at this time to determine effectiveness

4.6 Appointment of Board members, including the Chair, shall be made by the Council by way of a public advertisement, and Council resolution.

Disqualification of a Member

4.7 If the council proposes to remove a member from the Board, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard if that member so requests.

4.8 If a member misses two consecutive Board meetings without an accepted approval of absence, they will have disqualified themselves from membership.

4.9 Any vacancies will be filled by reviewing previous applicants or by placing a public advertisement as soon as possible.

4.10 Members may be required to undergo Police and/or Working with Children checks.

Selection Criteria

4.11 External members will be sought from, but not limited to, a cross section of the following categories:

- Melbourne based economy sector organisations, including peak bodies and those working with local, national and international networks.
- Experienced business development professionals who are actively advocating for the facilitation of major new investment proposals in Melbourne.
- Investment attraction individuals that have worked to actively strengthen the opportunity for the leveraging the Victorian Government's investment pipeline.
- Personal and/or professional associations committed to Melbourne maintaining its reputation as the 'events capital of Australia'.

4.12 The role of the Chair is to:

- Chair meetings in accordance with the Terms of Reference, Code of Conduct and meeting agenda;
- Liaise with the Chief Executive Officer Invest Melbourne to determine the Agenda for each meeting;
- Facilitate the discussion of items on the agenda in a timely manner;
- Facilitate the moving of recommendations and voting by Board members; and
- Ensure all committee members have the opportunity to participate

5. Public comment

5.1. Where the Chair or Board members are invited to provide public comment, they will need to ensure they engage with the City of Melbourne beforehand.

6. Meetings

Conduct of Meetings

6.1. The Chief Executive Officer Invest Melbourne, or delegate, will:

- Provide the support required to enable the meetings of the Board and invite members of staff or others to attend meetings to provide pertinent information as necessary;
- Coordinate meetings, agendas and minutes;
- Provide policy and secretarial support to the Board;
- Supply interpreters, cab vouchers or any other requirements in order to support members to attend and participate in meetings; and
- Facilitate a collaborative meeting format.

Attendance and quorum

6.2. All Board members are expected to attend each meeting with quorum being 5 members.

6.3. In the absence of the Chair, the meeting shall appoint an acting Chair from the members present.

Meeting frequency

6.4. The Board meetings will take place at a minimum of three times per year.

Meeting papers

6.5. Documents will be sent to members a minimum of five business days in advance of the Board meeting. This will include:

- Agenda for the upcoming meeting;
- Minutes of the previous meeting; and
- Any other documents/information/attachments to be considered at the meeting.

Conflicts of Interest

- 6.6. In the event of a conflict of interest arising from any member of the Board, the matter must be immediately tabled and the member must abstain from any dialogue in relation to that matter.

Confidential and sensitive information

- 6.7. Members are expected to comply with the confidential information provisions contained in sections 3(1) and 125 of the *Local Government Act 2020*.
- 6.8. Members must treat information they receive as confidential unless otherwise advised. The documents presented to the Board will often be in draft format and not ready for wider community distribution.
- 6.9. Members must not use confidential information other than for the purpose of performing their function as a member of the Board.
- 6.10. Draft documents cannot be referred to or used in any grant applications, presentations or in the private working roles of members.

7. Reimbursement of Expenses

- 7.1. For Board members, reimbursement of reasonable expenses associated with attendance may be made, subject to prior agreement and approval by the Chief Executive Officer Invest Melbourne. Such reimbursement may include transport, child care or interpreting services.
- 7.2. For Councillors, expense reimbursements are to be made in accordance with Councils Expenses Policy.

8. Review

- 8.1 The Invest Melbourne Advisory Board will be reviewed after two years.



Invest Melbourne Advisory Board Code of Conduct

December 2021

Acknowledgement of Traditional Owners

The City of Melbourne respectfully acknowledges the Traditional Owners of the land, the Boon Wurrung and Woiwurrung (Wurundjeri) peoples of the Kulin Nation and pays respect to their Elders, past and present.

Invest Melbourne Advisory Board Code of Conduct

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Invest Melbourne Advisory Board Code of Conduct

Foreword

At the City of Melbourne we set and uphold high ethical standards. As an organisation, we think not just about what we do but also how we do it through our people, the way we work and our customers' experience.

The rules and guidelines in this handbook give examples of how all Board members are expected to behave, and provide the boundaries within which we must operate.

Council's vision is that Melbourne will be bold, inspirational and sustainable. It's therefore critical that we have a shared understanding of how we collectively work. The code provides instructions and advice as we work to make the difference for Melbourne and its people.

The code works in close harmony with our values and culture. A constructive culture is critical to realising our vision. Everyone plays a part in creating our culture at the City of Melbourne.

The code cannot describe every requirement or present all the details of our policies. Board members must use their own judgement in applying these rules and guidelines. It is up to you to seek information if you are unclear on any area of conduct.

What do you need to do?

1. Read it: please read this code and make sure you understand it. If there is anything you don't understand it is your responsibility to ask.
2. Agree to it: you must agree to abide by the code by signing and returning this document to Council.
3. Live it: we expect you to always work and behave in accordance with the code.

We encourage you to speak up if you see a potential breach of the code or if there is an opportunity to improve the ways we work.

Breaches of the code are a serious matter and can result in sanctions up to and removal from the Board.

Together, we can uphold and protect the high ethical standards we have set for ourselves and our organisation and achieve our vision of a leading organisation for a leading city.

Section 1: Understanding and using the Code

Why do we need a code of conduct?

The City of Melbourne serves the community and Council and aims to be a leading organisation for a leading city. That's why it's important we provide the best possible service.

Board members should also respect and promote the human rights set out in the Victorian Charter of Human Rights and Responsibilities. This includes making recommendations consistent with human rights, and actively implementing, promoting and supporting human rights.

Board members should adhere to the code and not breach its principles.

The CEO will exercise judgement and action where an appointed member may need to be removed from the Board due to poor conduct.

Disclosable Interest Protocol

The Disclosable Interest Protocol and Declaration applies to all Council's Advisory Bodies. In addition to this code, all Board members will comply with the Disclosable Interest Protocol and Declaration.

Section 2: Commitment to our people

Fairness, equity, diversity and inclusion

The City of Melbourne promotes inclusivity, diversity, fairness and equity. This means the differences between the ideas, aspirations and needs of people are considered and valued equally.

The principles

At the City of Melbourne, we recognise and embrace the diversity each person brings. Our aim is to create an environment of trust, mutual respect and appreciation where everyone is treated fairly and with respect, and has the opportunity to realise their full potential.

Board members are encouraged to feel confident that the diversity of their experiences will be valued and supported, regardless of their gender, age, language, ethnicity, cultural background, ability, religious belief, identification as gay, lesbian, bisexual, transgender, intersex or queer (LGBTIQ), working style, educational level, work and life experiences, socio-economic background, opinions, job function, geographical location, marital status and family responsibilities.

Your responsibility

1. Value diversity and consider diversity in recommendations, program and policy advocacy.
2. Speak up if you see or hear things that are not in the spirit of our commitment to fairness, equity and inclusivity or if you are concerned about discriminatory behaviours.
3. Know the policies which guide behaviour, address gender inequality and challenge attitudes and behaviours around issues such as violence against women.

Workplace diversity and inclusion ensures everyone enjoys the opportunity for full participation. City of Melbourne supports the development and achievement of well-informed and culturally-appropriate business outcomes.

It also involves managing and recognising the value of individual differences in the workplace.

Diversity and inclusion are important because we value and embrace all contributions. Everyone is able to bring something unique due to different backgrounds, varying work and life experiences, and multiple perspectives. Collectively this makes us a better organisation.

What do we mean by 'diversity'?

Diversity consists of all visible characteristics such as age, cultural diversity, ability, gender (as well as gender identity and gender expression), sexual orientation and language. It also includes characteristics such as education, caring responsibilities, socio-economic background, life experiences, opinions and working styles. Diversity recognises the characteristics of the whole person and treats all individuals, customers and the communities in which we operate – with fairness and respect.

What do we mean by 'inclusion'?

Inclusion is the way our organisational culture, values and behaviours make a person feel welcomed, respected, valued and included. An inclusive environment draws on the unique differences of its people; where all people are treated fairly and respectfully with equal access to opportunities and resources. There are anti-discrimination and equal opportunity laws that support fairness, equity, diversity and inclusion. These laws apply to how we treat each other. It is your responsibility to be aware of the relevant laws and comply with them.

Ask yourself

- Am I being fair and respectful?
- Are my personal feelings, prejudices or preferences influencing my decisions?
- Am I using inclusive language?
- How will I respond if I witness behaviour that is not respectful?

Section 3: Harassment and bullying

Harassment occurs when someone engages in conduct that would make a reasonable person feel offended, humiliated or intimidated because of their age, race, religion, gender or gender expression, sexual orientation or some other attribute specified under anti-discrimination legislation.

The Principles

The City of Melbourne does not tolerate bullying or harassment.

We do not tolerate any action, conduct or behaviour which is humiliating, intimidating or hostile.

Bullying, harassment and discrimination may lead to removal from the Board.

Your responsibility

1. Speak up and tell the person if you're upset by their actions or behaviour. Explain why and ask them to stop.
2. Report inappropriate behaviour.
3. We all have a responsibility to create a positive, safe environment which is free from harassment, discrimination and bullying.

Bullying is repeated, unreasonable behaviour directed toward an individual or group of individuals that creates a risk to health and safety. There is no place for harassment or bullying at the City of Melbourne. Not only does it go against our values, it is unlawful and breaches our policies. It is fundamental that we recognise and value the diversity of others, and ensure that City of Melbourne is free from discrimination, harassment and bullying.

Ask yourself

- Have I behaved in an intimidating or threatening manner?
- Have I made inappropriate jokes or comments?
- Have I distributed or displayed potentially offensive material? If I'm witnessing behaviour that goes against our values, do I need to step in and say something?

- Am I supporting a culture of inclusion?

What is bullying?

Bullying occurs when a person or group of people repeatedly act unreasonably towards an individual or a group.

Unreasonable behaviour includes victimising, humiliating, intimidating or threatening. Whether the behaviour would be considered as unreasonable is based on whether a reasonable person might see the behaviour as unreasonable in the circumstances. Bullying behaviour creates a risk to health and safety.

Examples of bullying include:

- behaving aggressively
- teasing or practical jokes
- pressuring someone to behave inappropriately
- excluding someone from work-related events
- unreasonable work demands.

Section 4: Drug and alcohol use and a smoke-free workplace

We're committed to ensuring that you're able to safely perform the requirements of the role as a Board member.

The Principles

If you are affected by alcohol or drugs, you should not attend a Board meeting.

The possession or use of illegal drugs at any City of Melbourne location is strictly prohibited in line with the law.

Exposure to other people's smoke is a hazard. That's why it's important that City of Melbourne premises are smoke-free.

Your responsibility

1. Do not smoke or use an e-cigarette within any of our premises or vehicles, or within five metres of any entry point to our premises and vehicles.
2. Be aware of the impacts of your smoke drift on other people's health. Exposure to high levels of environmental tobacco smoke can increase the risk of heart disease by 50 to 60 per cent, as well as increasing the risk of stroke and nose and sinus cancer among non-smokers.
3. Do not litter. Protect our buildings and equipment through keeping them clean and discarding of cigarette butts appropriately.

Next steps and key contacts

Thank you for reading the Invest Melbourne Advisory Board Code of Conduct. It provides you with acceptable standards of behaviour for the way we work. As a member of a City of Melbourne Board you are required to adhere to and uphold these standards.