

Management report to Council**Agenda item 6.1****Night Time Economy Advisory Committee - Evaluation and Extension****Council****Presenter:** Peter Armstrong, Acting Director Economic Development and International**31 May 2022****Purpose and background**

1. The purpose of this report is to seek Council's agreement to re-appoint the Night Time Economy Advisory Committee (NTEAC) members for another term and make minor amendments to the NTEAC Terms of Reference (ToR).
2. The night time economy describes the social, cultural and economic activities that take place between 6pm and 6am. Prior to COVID-19, Melbourne had Australia's fastest growing night time economy. Melbourne's night time economy was a key city differentiator and research from the Council of Capital City Lord Mayors estimated the 2018-19 night time economy in Melbourne contributed \$3.5 billion in annual turnover and represented 31,000 jobs.
3. The NTEAC is comprised of 18 committee members (Attachment 2) selected through an expression of interest process. It includes representatives of the hospitality, arts and entertainment sectors, members of academia, State Government representation and City of Melbourne Councillors. The first NTEAC meeting was held on 28 June 2021, and the committee has now met on seven occasions. This surpasses the prescribed number of meetings of six per annum, stipulated within the ToR.
4. The ToR adopted by the Future Melbourne Committee indicated the committee should: provide advice to Council on the growth and sustainability of the night time economy; provide feedback on proposed City of Melbourne initiatives that support the night time economy, and contribute to City of Melbourne decision-making with data and expertise. The establishment of the NTEAC contributes to Major Initiative 1 in the Council Plan ('Continue to strengthen Melbourne's economic recovery').
5. The NTEAC's progress and key milestones so far have included:
 - 5.1. Consultation and feedback used to inform the design of the second iteration of the Melbourne Money program including the emphasis on weekday trading over weekends and a larger percentage rebate to the consumer.
 - 5.2. Support for – and cooperation in – the City of Melbourne's Project Night Justice project, which includes the Night Safety Summit, Night Safety Charter and toolkit aimed at supporting women and gender diverse people to feel safe at night in the City of Melbourne.
 - 5.3. Development of a position statement for advocacy to State Government around vaccine/health pass trials and provision of recommendations from the sector on the reopening roadmap.
 - 5.4. Development of a collective vision statement and production of five key recommendations for Council's consideration:
 - 5.4.1. create a marketing campaign to promote the night-time economy
 - 5.4.2. bring people back
 - 5.4.3. inspire fearless creativity
 - 5.4.4. make Melbourne the City of Yes
 - 5.4.5. advocate for the State Government to prioritise the night-time economy.
6. At the Future Melbourne Committee meeting on 15 March 2022, these recommendations were broadly endorsed, with requests that management produce actions/strategies to respond to each. A further request was that management provide a report for Council consideration in May 2022 evaluating performance of and proposing future steps for the NTEAC

Key issues

7. Members of the NTEAC completed an online survey to evaluate their progress to date, outline areas that have worked well and suggest areas for improvement. Key themes from this feedback include: collegial and collaborative culture created by members; a need to concentrate on medium to long term night time economy objectives; a desire to capture momentum through further sector specific work in between meetings; and a view that there could be value in rotating the facilitation of meetings. To better inform their strategic advice, members also expressed an eagerness to better understand night time economy best practices and major trends in leading cities from around the world. Members regard the NTEAC as working well, with 100 per cent recording answers ranging from somewhat satisfied to extremely satisfied.
8. At the April meeting of the NTEAC, members further considered areas of potential improvement in the committee's performance. There is an eagerness to receive regular data driven information from the City of Melbourne in areas such as pedestrian activity and consumer spending, major events and programs such as Melbourne Money, and planning advice around proposed live music areas or precincts.
9. Members were appointed for an initial term of 12 months. All members have indicated that they would be prepared to continue for a further term.
10. The challenges throughout 2020-21 brought on by the COVID-19 pandemic, including rolling lockdowns and the inability to dine-in at hospitality venues, led the committee to concentrate on advocacy to reopen the economy and curtailed the committee's ability to focus on night time economy revitalisation initiatives. The output from the two meetings already held in 2022 have strongly evidenced that the group is highly motivated, well positioned and holds the requisite expertise to provide high quality strategic advice on revitalisation measures. As such, it is recommended that all NTEAC members be offered an extension for a further full 12 month term. As per the existing ToR, subject matter experts can be additionally invited to participate to provide specific expertise as required on a short-term basis.
11. At the April meeting, a discussion was held regarding the necessity to review the current ToR to slightly amend arrangements for the facilitation of meetings. An updated ToR containing these amendments is proposed at Attachment 3.

Recommendation from management

12. That Council:
 - 12.1. Approves the extension of all Night Time Economy Advisory Committee (NTEAC) members for a further full 12 month term until 30 June 2023.
 - 12.2. Endorses the revised NTEAC Terms of Reference (attachment 3).

Attachments:

1. Supporting Attachment (Page 3 of 8)
2. Committee members- (Page 4 of 8)
3. Proposed amendments to the ToR (Page 5 of 8)

Supporting Attachment

Legal

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

Finance

2. There are no financial implications to be considered by Council arising from this report other than that referred to in the ToR in relation to expense reimbursements.

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. In developing the position statement, all NTEAC members were invited to complete a sentiment survey to bring forward thinking of the NTEAC performance to date and suggest areas of improvement. These initial responses were then used as a basis for follow on discussions on Committee evaluation at the NTEAC meeting number seven.

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.

7. **Environmental sustainability**

In developing this report, environmental sustainability issues have been considered and no direct issues were identified.

Night-time Economy Advisory Committee members

External members

- James Young – CHAIR
- Simon Abrahams
- Patrick Donovan
- Angie Giannakodakis
- David Haberfeld
- Virginia Lovett
- Jackie Middleton
- Penny Miles
- Matt Mullins
- Kenneth Ngov
- Lauren O'Dwyer
- Liz Grossi Rodriguez
- Andrew Walsh

Ex-officio members

- Associate Professor Nicole Kalms
- Professor Michele Acuto

Council members

- Cr Roshena Campbell
- Cr Jason Chang

Victorian government representative

- Max Coffman

TERMS OF REFERENCE

Night Time Economy Advisory Committee

Background

Prior to COVID-19, Melbourne had Australia's fastest growing night time economy. Research from the Council of Capital City Lord Mayors estimated the 2018 night time economy in Melbourne contributed \$3.5 billion in annual turnover and represented over 31,000 jobs.

COVID-19 has disproportionately impacted the growth of the night time economy due to government policy settings such as the night-time curfew, restrictions on trade for nightclubs and ongoing venue density limits. The night time economy is also comprised of the sectors with significant COVID-19-related job losses, including accommodation, hospitality, theatre, arts and retail.

The City of Melbourne is committed to ensuring the night time economy not only recovers, but continues with a positive growth trajectory. The recovery effort needs to be coordinated, timely, informed, considered and consistent with the best interests of the city's stakeholders, residents, businesses, workers and visitors.

The City of Melbourne is responsible for the effective discharge of its duties under the Local Government Act and other relevant legislation. In upholding these duties, the Council is supported, where necessary and appropriate, by support from advisory committees.

With respect to the COVID-19 pandemic, this support can be sought through an external advisory committee to provide advice on economic recovery matters. The establishment of a Night Time Economy Advisory Committee (the Committee) will help shape the role of the City of Melbourne in future recovery efforts and is consistent with City of Melbourne governance principles.

Purpose and objectives

The purpose of establishing the Committee is to ensure the City of Melbourne harnesses strategic input from relevant industry and government representatives to ensure that the city economy responds to the impacts of COVID-19 on the central city.

Council wishes to formally engage with night time sector representatives to provide strategic advice and direction about the growth and sustainability of this important element of our city.

The Committee will provide a collaborative platform for exchange and consultation between Council and the night time economy sector to respond to COVID-19 and advance the Council plan and its agreed goals.

In conducting its work, the committee will consider the United Nations Sustainable Development Goals to ensure the future we build is prosperous and sustainable for all.

Role and responsibilities

The role of the Committee is to:

- Provide advice to the City of Melbourne on the growth and sustainability of the Night Time Economy;

- Provide feedback on proposed City of Melbourne initiatives that support the Night Time Economy; and
- Contribute to City of Melbourne decision-making with data and expertise.

The Committee has no binding decision making authority or executive function in the context of City of Melbourne activities, operations or obligations.

Members of the Committee are expected to act with due care, however they are not fiduciaries charged with fiduciary duties and responsibilities.

Membership

The Committee will be comprised of representatives from a cross section of the night time economy sector and the broader Melbourne community and will work collectively to ensure Melbourne consolidates its reputation as Australia's leading night time city. It will build positive synergies with Melbourne's other major sectors and identify opportunities for collaboration for the betterment and sustainability of the Melbourne city offer.

Council will make appointments based on merit, skill, expertise and leadership qualities. The Committee will bring specialist experience and skills, relevant network connections, innovative thinking, enthusiasm and passion for Melbourne's future night time prosperity and its role as a major international creative night time city.

To ensure that the objectives are met, Council will take necessary and reasonable measures to reach the broadest cross section of the night time economy sector and community when seeking to fill positions.

It is recognised that given the nature and complexity of issues facing the sector, at various times some members may be more active than others depending on the issues being considered by the Committee.

Composition

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

- Melbourne based night time economy sector organisations, including peak bodies and those working with demonstrated local, national and international networks.
- Professional artists, musicians and or producers participating and active in entertainment, music or events sector development, policy, and or advocacy.
- Live music, entertainment, events and hospitality venue operators, based in the municipality.
- Shopping centres and retail precincts, based in the municipality.
- Professionals and entrepreneurs from related sectors who can provide extensive and relevant global perspectives and knowledge.

The Committee will be constituted via a public expression of interest with a maximum of ten representatives external to Council, including the committee chair.

The Chair's role is to officially open and close meetings and perform the role of external spokesperson on behalf of the Committee to stakeholders such as the media. After opening a meeting, the Chair may invite other Committee members or external guest facilitators to facilitate the meeting/s on his/her behalf according to the member's area of expertise and specific agenda of the meeting.

The Committee may invite relevant industry stakeholders and subject matter experts, with specific skills and expertise to join the meeting or a sub-committee working group when relevant. Other Councillors may participate in meetings and council officers will attend meetings in order to support the Committee.

In addition to chairing meetings, the Chair will coordinate the provision of advice to Council. This may involve presenting at relevant council meetings and other forums as requested.

Representation will also be sought from the Victorian Government (one member) to join the Committee, to maximise the collaboration between the Council and government to ensure the ongoing prosperity of the city's night-time economy sector.

In addition, two Councillors are to be appointed.

The composition of the Committee will be consistent with the requirements of Council's Diversity Policy in addition to a set of criteria.

Tenure

Members of the Committee will be appointed for a one year term commencing from the first meeting. An option to extend the Committee's tenure is possible subject to Council approval.

Any member not able to attend two consecutive meetings in a calendar year without providing a substitute/proxy will be deemed to have resigned from the Committee. The member will inform the Chair of the substitution prior to the scheduled meeting. The nominated proxy will provide relevant comments/feedback about the attended meeting to the member they are representing.

In the event of a resignation of any member from the Committee, a replacement member will be appointed.

Additional members may be recruited to assist with special projects or initiatives, or to fill a particular skill gap within the existing membership, in accordance with the original selection process for the membership category.

Conflicts of interest

In the event of a conflict of interest arising for any member of the Committee, the matter must be immediately tabled and the member must abstain from any dialogue relating to that matter.

Public comment

Where Committee members are invited to provide public comment, they will need to ensure they engage with the City of Melbourne beforehand, to ensure alignment with Council's position. Failure to provide an opportunity for review would mean that the committee member would be in breach of their role.

Meeting frequency

The Committee meetings will take place at a minimum six times per year.

Length

The length of the Committee meetings will generally be limited to two hours. Longer duration meetings will be scheduled when applicable to accommodate special presentations and workshops.

Agenda, minutes, and other papers

Documents will be sent to members with a minimum of three business days in advance of a Committee meeting. This will include the following:

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

Quorum requirements

A meeting quorum will be seven committee members.

Evaluation

The Committee will evaluate its performance on an annual basis, and report to Council at the end of each financial year on the outcomes of its activities during the preceding year.

Insurance

Members of the Committee will be covered under the Council's insurance program and will not be responsible for any cost or liability incurred by Council as a consequence of Council acting on the advice of the Committee.

Expenses

No member of the Committee will incur any expense in relation to his or her activities as a member of the Committee, without the prior approval of Council's nominated officer.

Costs

Council will indemnify the members of the Committee against any claim or cost that arises from their activities as a member of the Committee, providing such activities are in accordance with these Terms of Reference and have been approved by Council or Council's nominated officer.