



**CITY OF PORT PHILLIP
ART ACQUISITION REFERENCE COMMITTEE
TERMS OF REFERENCE**

1. Council Plan

Council is committed to collaboratively delivering its Council Plan by valuing and utilising the wealth of skills and knowledge in the community. It acknowledges that sound governance practice for local democracy is high quality, well informed, responsive and accountable decision making in the best interests of the community.

The Art Acquisition Reference Committee will be guided by the Council Plan as adopted from time to time.

All decisions, made by Council or by officers under delegation, will be informed by an analysis of community views. The establishment of Reference Committees is integral to Council's Good Governance principles. Through Reference Committees Council recognises and encourages community leadership, and seeks to maximise community feedback in its decision making process.

2. Adding value

To maximise the value of the contribution of Reference Committees, Council invites interest from residents who have:

- knowledge, professional experience and passion for issues related to the visual arts;
- knowledge of local community arts sector and understanding of local networks;
- the ability to appreciate a range of interests and factors impacting on the matters under discussion; and
- a demonstrated commitment to participative and consultative processes.

In selecting community members Council will seek to:

- achieve a mix of skills relevant to the purposes of the Reference Committee;
- ensure a broad representation of the Port Phillip community; and
- create a forum for full discussion of relevant matters.

3. Purpose

The purpose of the Art Acquisition Reference Committee is to assist Council by providing advice and expertise in relation to Council's visual art acquisition program.

The Art Acquisition Reference Committee will act as an advisory committee on behalf of Council and the Port Phillip community, with delegated responsibility held



by the General Manager Community Development under a separate Instrument of Delegation which has been authorised by resolution of Council. The Art Acquisition Reference Committee will:

- provide advice according to the Port Phillip City Collection Policy criteria for the allocation of the annual art acquisition budget towards the purchase of one or more works of art;
- provide advice according to the Port Phillip City Collection Policy criteria for public art acquisition including commissions and donations;
- provide advice according to the de-accession criteria for the de-accessioning of artworks in the Port Phillip City Collection;
- provide advice on policy development and planning and best practice trends in the visual arts;
- Make recommendations to the General Manager Community Development for art acquisitions according to the Port Phillip City Collection art acquisition criteria and principles. The criteria is based on: having a connection with the City of Port Phillip; valid and verifiable provenance and legal title; ability to enhance the collection and be displayed and maintained as required

Council's delegate (refer to attached Instrument of Delegation) will make the final determination, after taking into consideration the Committee's recommendations, where practicable.

4. Committee Composition

Council will establish and maintain the Reference Committee as an ongoing committee with members appointed for a three (3) year term. This can be renewable for a further one (1) year to provide continuity over consecutive terms. This may increase the committee composition at such times.

Council appreciates that a Committee may evolve and adapt to remain functional and relevant.

The Art Acquisition Reference Committee will comprise an appropriate membership to facilitate its functioning and the achievement of its purposes. The composition of the Committee will be as follows:

- A Councillor,
- Up to two (2) practising artists who either live or work in the City of Port Phillip;
- Up to three (3) art curators/ gallery directors/ collection managers or visual art academics, external to the organisation;

In consultation with the Committee, Council may co-opt specialist professionals to the Committee, or any sub-committee established by the Committee, as required.

5. Opportunities for new members

If a member

- resigns from the Reference Committee;
- fails to attend three consecutive meetings without providing apologies to the Chairperson, and accepted by the Committee;



- is removed from the Committee by Council (after consultation with the Committee) for not acting in accordance with the principles stated herein; or
- was appointed to represent an external organisation but no longer represents that external organisation

During the life of the Reference Committee, Council may choose to alter the composition of the Committee. New members may be selected as required from the previous call for nominations or previously co-opted members.

OPERATIONAL MATTERS

6. Meetings

The Chairperson of the Reference Committee will be appointed by Council. Meetings should be scheduled in advance and desirably recorded in a forward meeting program to give each member the best possible opportunity to participate. It is anticipated that the Reference Committee will meet up to a maximum of two times annually.

The quorum for a meeting will be half the number of members plus one.

7. Conduct principles

Committee members are expected to:

- actively participate in Committee discussions and offer their opinions and views;
- treat all persons with respect and have due regard to the opinions, rights and responsibilities of others;
- act with integrity;
- attend each meeting where practical; and
- avoid conflicts of interest and the releasing of confidential information.

8. Committee operation

New committees will be briefed on the expected range of work to be undertaken, including discussion of how the committee relates to the work of Council, the roles of all parties, and any relevant policy or legislative framework impacting on the work.

The Reference Committee is to operate at all times in accordance with its Terms of Reference.

The Committee has no delegated powers but may provide advice and recommendations in line with this Terms of Reference. Neither the Committee, nor its members, may speak on behalf of Council.



9. Remuneration

Normally no remuneration will be paid to Reference Committee members, however Council may decide to reimburse Committee members for some out of pocket expenses.'

10. Declaration of interests

If a member believes they have a conflict of interest in a matter before the Reference Committee, then that member must declare their interest and not partake in any discussion or decision on the matter. The declaration will be recorded in the minutes of the meeting. A person nominated or appointed by Council to a Reference Committee of Council and for which they receive no remuneration, would not normally have a conflict of interest. However a person would have a conflict of interest if they have a personal or private interest that might compromise their ability to act in the public interest.

11. Resourcing

City of Port Phillip staff nominated by management will support the Reference Committee. Other Port Phillip staff may attend the meetings as required to assist the Committee.

The nominated Council officer will prepare agenda papers for meetings (with the agreement of the Chairperson).

The nominated Council officer prepares all reports, notices and recommendations, based on Reference Committee advice, for the General Manager (delegate) and Councillors as required.

Agendas and supporting material will be circulated three clear working days prior to meetings to ensure a reasonable opportunity to read the meeting papers.

At all times, the nominated Council officer remains under the direction of their General Manager.

12. Reporting

Council officers are responsible for the following reporting:

- The business conducted at each meeting will be recorded in the minutes and copies of the minutes will be distributed to Reference Committee members;
- The Council officer will submit nominations for new Reference Committee members to Council;
- The Council officer will advise Council (through the Instrument of Delegation) of the art acquisition decisions
- Council may request a formal report from the Committee.



13. Communication

Council officers are responsible for ensuring that Reference Committee members and General Manager (Council delegate) are advised of:

- progress or outcomes of any feedback provided by the Reference Committee;
- dates of Council meetings considering matters relevant to the work of the Reference Committee;
- any Council report or Council decision relevant to the Reference Committee's work.