

Art Acquisitions Advisory Committee Terms of Reference

Version 3



CITY OF STONNINGTON ART ACQUISITIONS ADVISORY COMMITTEE TERMS OF REFERENCE

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In conjunction with the Art Acquisitions Policy

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1 Purpose of the Committee

The purpose of the Art Acquisitions Advisory Committee is to provide advice for the acquisition of art for the City of Stonnington Art Collection.

The Advisory Committee's primary role is to:

- Identify, recommend, and assess works of art for acquisition into the Collection
- Identify, recommend, and assess projects for the commissioning of public art
- Identify, recommend, and assess works of art for removal from the Collection and their methods of disposal

The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

2 Background

The City of Stonnington Council maintains a significant collection of contemporary works of art. The Collection dates from the late twentieth century to present day and presents the work of emerging, mid-career and senior contemporary Australian artists with a particular strength of the Collection being works of art that demonstrate a connection to the City of Stonnington. The Collection is a valuable community asset, displayed in publicly accessible locations throughout Council buildings and contributes to the vibrancy and cultural landscape of the municipality.

The Committee provides advice to Council on the acquisition and deaccession of works of art from the Collection. The Committee plays an important role in assisting Council to maintain the highest level of custodianship and management of the Collection.

These terms of reference work in tandem with the City of Stonnington Art Acquisitions Policy, Deaccessioning Policy and Public Art Policy which set out specific criteria that must be followed by the Committee when assessing a proposed acquisition, deaccession or new public art commission.

3 Composition

The Committee shall comprise of:

- A maximum of 1 Council officer
- A maximum of 5 community members/external members/industry members/experts

The composition of the Committee will consist of members who have professional experience in:

- Contemporary visual arts practice, including an artist currently working or residing in the City of Stonnington
- The museum and gallery sector including directors, curators and collection managers
- Community arts or community cultural engagement
- Public art

External parties with specialist knowledge and up to two (2) additional Council Officers may be co-opted to advise on matters as required. Such parties will not have voting rights.

Committee members will be balanced across industry experience, cultural background, ethnicity, gender and gender identity, sexual orientation, disability and age. Preference will be given to people who reside, work, or have a strong connection to the municipality.

Committee members are welcome to reapply at the end of their term.

3.1 Role and selection of Councillor/s

Councillors may attend in an observer role only. The Councillor cannot actively participate in any discussion and may only speak if called upon by the Chair.

3.2 Role and selection of Council officer/s

The Visual Arts Officer will be responsible for the Art Acquisitions Advisory Committee.

3.3 Role and selection of external members

Eligible external community members (the Committee) will:

- Have an excellent understanding of the Australian visual arts sector and contemporary visual arts practices to provide expert advice to Council on the development of the Collection
- Be familiar with relevant Council Plans, Policies and Strategies related to the arts and the Collection
- Be familiar with the activities and interests of visual art organisations, community art groups, artists and key arts stakeholders located in the municipality

The approach and method for appointing external representatives will include the following:

- Council must resolve external representation is required on the Advisory Committee
- An advertisement may be placed in a newspaper, on Council's internet site and through local networks
- Applicants must make application via an expression of interest process
- Community and professional/industry members will be selected by a panel comprising one (1) Council Officer from the relevant department/directorate
- Members will be appointed for two (2) year term
- All members will be eligible to re-apply for appointment for one (1) further term, continuous membership for longer than four years will not be considered
- Council will be responsible for appointing all community and professional/industry representative members; and
- Casual vacancies which occur due to external members being unable to complete the full term of their appointments may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbents' terms. The selection panel will make a recommendation to the Chief Executive Officer or relevant Director, who will have the authority to appoint the recommended candidate to the committee for the remainder of the previous incumbent's term
- A member who is absent from two meetings in a row without prior notice will be deemed to have resigned from the Committee

External committee members unable to attend a committee meeting are not able to nominate a proxy.

4 Meetings

4.1 Meeting schedule

Meetings will be held on a quarterly basis and an annual schedule of meetings will be agreed upon at the first meeting of the Advisory Committee in each year.

Additional meetings may be scheduled from time to time as needed.

4.2 Meeting procedure

Meetings will follow standard meeting procedure protocols, which are in summary:

- Commence on time and conclude by the stated completion time
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member
- Encourage fair and reasonable discussion, participation, and respect for each other's views
- Focus on the relevant issues at hand; and
- Provide advice to Council as far as possible on a consensus basis.

As this is an Advisory Committee, voting on issues is not required. Any recommendations will generally be developed through consensus. Where a matter cannot be agreed the differing opinions should be clearly expressed in the notes of the meeting.

All proposed acquisitions, deaccessions and public art commissions discussed at each meeting must be approved by a majority of the Committee. A quorum of members must be present for a meeting to take place. A quorum will consist of three members. If a quorum is not achieved, a meeting can proceed at the discretion of the Chair, but decisions made at the meeting will not be considered to have been ratified and must be approved at the next meeting of the Committee.

Recommendations made by the Committee are presented to Council for endorsement at a Council meeting. If Council endorsement is received, new works of art are considered to have been formally accepted into the Collection, works proposed for deaccession can be formally removed and new proposals for public art can proceed.

Proposals and commissions where a majority consensus cannot be reached by the Committee will be referred to the Manager Events, Arts, and Culture for review and a decision made as to whether to proceed.

4.3 Role and selection of the Chairperson

The position of Chairperson shall be reviewed annually.

Election of Chairperson

- The Council officer responsible for the Advisory Committee must facilitate the election of the Chairperson
 - At the first meeting of the Advisory Committee, the Council officer will invite nominations for the Chairperson
 - Voting must be carried out by show of hands
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Voting Process

- If there is only one (1) nomination, the nominee must be declared to be duly elected
- If there is more than one (1) nomination, those present at the meeting must vote for one of the candidates
- In the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected
- In the event that no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes must be declared to be a defeated candidate. Those present at the meeting must then vote for one of the remaining candidates
- If one of the remaining candidates receives an absolute majority of the votes, they are duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one (1) of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected
- In the event of two (2) or more candidates having an equality of votes and one of them having to be declared:
 - a defeated candidate; and
 - duly elected;the declaration will be determined by lot.
- If a lot is conducted, the Council Officer will have the conduct of the lot and the following provisions will apply:
 - each candidate will draw one (1) lot
 - the order of drawing lots will be determined by the alphabetical order of the surnames of the candidates who received an equal number of votes except that if two (2) or more such candidates surnames are identical, the order will be determined by the alphabetical order of the candidates first names; and
 - as many identical pieces of paper as there are candidates who received an equal number of votes must be placed in a receptacle
 - If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the candidate who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected)
- After the election of the Chairperson is determined, the Chairperson must take the Chair and preside over the remainder of the meeting

If the Chairperson is not present at a meeting, any other person who has been appointed to the Advisory Committee shall be appointed Chairperson.

4.4 Public attendance at meetings

The Advisory Committee is not required to give public notice of its meetings and its meetings are not open to the public.

The Committee may invite observers to meetings from time to time. This is at the discretion of the Chairperson.

Guests may also be invited to attend and participate at meetings, this would generally be for a specific purpose and/or specified period of time. This is at the discretion of the Chairperson.

4.5 Reports, agendas and notes

An agenda and all relevant proposals and supporting material will be electronically circulated by officers to all Advisory Committee members no than five (5) working days prior to a scheduled meeting. Minutes of meetings will be prepared by the officer and sent to Committee members no more than ten (10) working days after each meeting.

The notes must:

- contain details of the proceedings and recommendations made
- be clearly expressed
- be self-explanatory
- incorporate relevant reports or a summary of the relevant reports considered by the committee; and
- be provided to Committee members as soon as practicable after the meeting.

The notes will be endorsed by the Advisory Committee at the subsequent meeting.

Agendas and notes from meetings are not required to be made available to the public, unless required by law or Council's Public Transparency Policy.

4.6 Budget and resources

The Advisory Committee has no budgetary allocation from Council (this includes budget for the payment of fees for external members or presenters).

Any budgetary allocation is at the absolute discretion of the relevant Director who is responsible for the Advisory Committee.

5 Conflicts of Interest

In performing the role of Advisory Committee member, a person must:

- Act with integrity
- Impartially exercise his or her responsibilities in the interests of the local community
- Not improperly seek to confer an advantage or disadvantage on any person
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information

Council officers are required to disclose conflicts of interest in accordance with Part 6, Division 2 of the *Local Government Act 2020* (Vic) and Chapter 5 of the Governance Rules.

Where an external community member has a conflict of interest or perceived conflict of interest in relation to a matter before the committee, the community member must disclose the matter to the group before the matter is considered or discussed. The external community member must then leave the meeting until the matter is dealt with. Disclosure must include the nature of the interest and be recorded in the meeting notes.

6 Compliance with Council’s policies, plans and strategies

Committee members must abide by Council’s policies, plans and strategies when conducting themselves in relation any functions of the Advisory Committee.

6.1 Media enquiries

Contact with the Media by Committee members will be conducted in accordance with the Media Policy.

External members should defer any media enquiries to the Manager Communications and Engagement.

7 Review and evaluation

Council commits to monitoring processes, information sharing and decision making to understand the overall level of success in the Policy’s implementation.

A periodic review of these terms of reference will be undertaken to ensure any changes required to strengthen or update the terms of reference are made every four years.

Officers are authorised to make minor editorial amendments as needed for administrative or updated information purposes (for example, but not limited to: changes to position and roles, references to legislation, definitions etc). Officers may also make amendments to the list of related documents at such times where reference material or guidelines require updating.

8 Council contact

Position Title	Contact number	Contact email
Visual Arts Officer	8290 1105	j.bitar@stonnington.vic.gov.au