

Introduction

The Mornington Peninsula is home to a dynamic and growing creative community. From the rich cultural practices of our Aboriginal and Torres Strait Islander peoples to contemporary music, visual and performing arts, festivals, maker markets, and more — the region's creative and cultural sector offers vibrant opportunities to celebrate our stunning natural environment and to explore the diverse identities, histories, and perspectives that shape our community. This thriving sector is a valuable asset to both locals and visitors, fostering connection, creativity, and a deeper appreciation of place.

As outlined in the Council Plan, the Mornington Peninsula Shire Council has a commitment to encouraging a rich, inclusive, and vibrant arts and culture community.

1.0 Purpose

- 1.1 The Arts and Culture Advisory Panel (ACAP) was established in 2016 to support the Mornington Peninsula Shire in realising its vision for arts and culture across the region. Members of ACAP, otherwise known as Panel members, provide strategic input, advocacy, and expert advice to guide Council's efforts in promoting, supporting, and growing the arts across the Mornington Peninsula.
- 1.2 As an advisory committee to Council, ACAP plays a key role in advocating for the creative and cultural sector, advising on sector trends and impacts, and making informed recommendations on the delivery of arts and cultural initiatives throughout the Shire.

2.0 Functions

- 2.1 ACAP has an advisory role only. The functions of the Panel members are:
 - to provide advice and insight to Councillors and Council Officers on current and emerging issues affecting arts and culture in the region.
 - to advise on strategies and plans to enhance community awareness of the cultural needs, aspirations, and opportunities within the community.
 - to advocate for the arts by promoting the value, visibility, and broad benefits of a thriving creative sector across the Mornington Peninsula.
- 2.2 The following is not a function of ACAP:
 - Panel members are not responsible for involvement in the day-to-day operations related to Council services. Panel members have the same opportunity as all community members to raise issues and ask questions through appropriate Council channels.
 - ACAP is not a decision-making Committee and has no responsibility for Council Budget.

3.0 Membership

- 3.1 Members of the Panel shall comprise of:
 - Two (2) Councillors appointed annually by Council as primary and secondary representatives
 - Up to eight (8) community representatives; and
 - Two (2) Council officers.

3.2 Community representatives must be Mornington Peninsula residents and represent one or more sectors of the creative industry.

3.3 Panel members will be recruited with the aim of achieving representation from Aboriginal and Torres Strait Islander peoples and Youth, as well as representatives with experience in Community Arts, Performance, Music, Visual Arts, and History and Heritage.

4.0 Terms of Appointment

4.1 Following an expression of interest and interview process, community representatives will be appointed to ACAP in writing by Council officers.

4.2 Participation of community representatives is voluntary. Volunteer induction will be provided by Council officers.

4.3 All community representatives will be appointed for a period of two (2) years and will be eligible for subsequent terms.

4.4 A Panel member who missed three (3) consecutive meetings without leave or a reasonable explanation, may be asked to explain. If absenteeism continues, the Chair may request the CEO to declare the position vacant.

4.5 Resignations shall be submitted in writing to the Chairperson, CEO, or the Council officer responsible for convening ACAP.

4.6 Council officers will arrange member reappointments and new member appointments and will advise Council of changes to membership including new appointments, as required.

5.0 Roles

5.1 All Panel members will:

- a) support the purpose and functions and participate in meetings in a positive and constructive manner.
- b) conduct themselves and their activities in accordance with Council's values of Integrity, Courage, Openness, Respect and Excellence. Further information can be found on the Shire's website.
- c) Conduct committee meetings in accordance with the Code of Conduct set out in the Committee Management Policy.

5.2 Community representatives must fill the positions of Chairperson and Deputy Chairperson annually.

5.3 The Chairperson will:

- a) be elected by the Panel and supported by Council officers as required
- b) chair all meetings of the Panel ensuring meetings stay on track and on time and are conducted with fairness and equality to allow everyone to speak.

5.4 The Deputy Chairperson shall fulfil the role of Chairperson when the Chairperson is absent.

5.5 Council officers on the Panel will fulfil the role of Convener, including:

- a) prepare and issue meeting agendas in consultation with the Chairperson.
- b) record minutes at each meeting and manage publication of meeting minutes and summaries

- c) support the Chairperson to fulfil their duties.
- d) along with invited guests, provide the Panel with information requested by the chairperson and/or required to run the meetings within reasonable limits and where resources are available.

5.6 Nominated primary and secondary representatives of Council may:

- a) attend and participate in Panel meetings.
- b) report back to Council at Council Meetings.

5.7 Other Council officers can be invited to attend as subject matter experts, as required by the business being considered.

6.0 Meeting agendas, minutes and reporting

6.1 Meeting agendas will be determined jointly by the chairperson and Council officers.

6.2 Meeting agendas will be distributed at least one week prior to a meeting.

6.3 Minutes will be shared within two weeks of a meeting.

6.4 Minutes will be shared on Council's website, unless they contain details or attachments that are confidential in nature.

6.5 A summary of the minutes will be published quarterly in alignment with the quarterly community report.

6.6 Councillor representatives can report back to Council at Council Meetings during the 'Councillors and Delegates' section of the Council Agenda.

7.0 Meeting frequency

7.1 There will be four ACAP meetings per year. Meetings will be held at a local arts venue, or at a Council office or facility. Online video conferencing will be accommodated as required.

7.2 Panel members can request extraordinary meetings for urgent items. Additional meeting requests will be subject to approval by Council officers.

8.0 Quorum

8.1 ACAP will operate with a quorum that must be a minimum of half the number of community representatives plus one.

9.0 Decision making

9.1 The Panel has no delegated decision-making responsibilities from Council.

9.2 The remit for the Panel falls within the 'consult' and 'involve' categories of the IAP2 community engagement spectrum (dependent on intent of activity and project scope). IPA2 public participation categories are designed to explain the role of participation and extent of influence in any community

participation program. In this case, the Panel's participation category sits between 'consult' (to inform, listen and acknowledge ideas and concerns) and 'involve' (to ensure ideas and concerns are reflected in agreed tasks/actions when possible), dependent on activity/task.

- 9.3 Decision making will be obtained through discussion and consensus within the panel, recognising that when a consensus cannot be reached a majority vote will be sought, and that Shire officers and Councillors do not have a vote on this Advisory Panel.
- 9.4 Votes will be recorded, and minority position points reflected through the minutes. Community members have voting rights.

10. Proxy Membership

- 10.1 Community representatives cannot appoint a proxy member to attend on their behalf.
- 10.2 Council officers can appoint a proxy member to attend on their behalf with appropriate notice being forwarded to the Chairperson prior to the next meeting. Proxy members have voting rights in decision making.

11.0 Media and communications

- 11.1 Community representatives must not make any public comment or statement that would lead anyone to believe that they are representing Council or expressing its views or policies.

12.0 Conduct and values

- 12.1 Panel members are required to behave in a manner that respects the interests and viewpoints of the other members, Councillors and Council officers. All members will abide by the Code of Conduct outlined in the Committee Management Policy and Organisational Values (Excellence, Courage, Integrity, Openness and Respect) or the most relevant/up to date version of this document. A copy of the Code of Conduct will be made available to each Panel member.
- 12.2 Members will respect and consider the interests and views of others.
- 12.3 Members will aim to provide advice to Council which is representative of the broader community.
- 12.4 Members will respond to all communications relevant to the organisation of meetings and agreed actions in a timely manner.

13.0 Confidentiality

- 13.1 Ensure that any sensitive or confidential information and documentation remains within the membership of the Panel.

14.0 Conflict of interest

- 14.1 Panel members will declare any perceived, potential, or actual conflicts of interest in relation to agenda items at the commencement of each meeting.

- 14.2 If a conflict of interest is declared, the Panel member may be asked not to participate in activity or provide feedback.
- 14.3 Any declared conflicts of interest and Panel member exclusions of participation will be recorded in the Minutes.

15.0 Review period

- 15.1 The Panel, including purpose, structure and membership, and the Terms of Reference will be reviewed in the second year of operation.
- 15.2 The Terms of Reference will be reviewed a minimum of every three years thereafter.