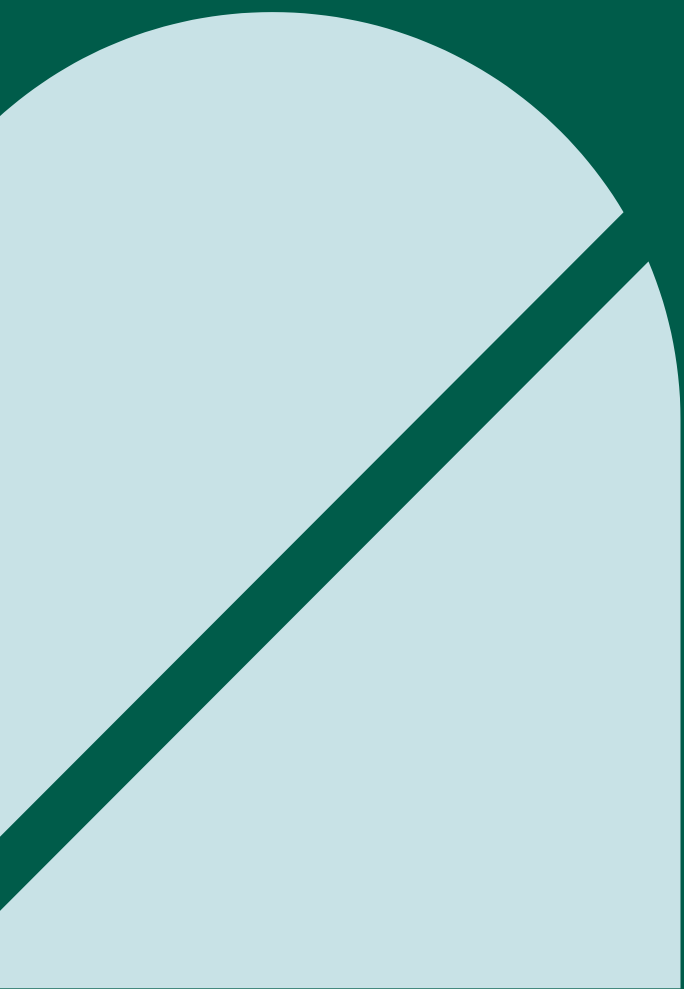


City of Hobart

Creative City  
Portfolio Committee

Terms of Reference





# Vision for the City of Hobart

Hobart breathes.

Connections between nature, history,  
culture, businesses and each other  
are the heart of our city.

We are brave and caring.

We resist mediocrity and sameness.

As we grow, we remember what  
makes this place special.

We walk in the fresh air between all  
the best things in life.

In recognition of the deep history and culture of our city, we acknowledge the Tasmanian Aboriginal people as the Traditional Custodians of this land. We acknowledge the determination and resilience of the Palawa people of Tasmania who have survived invasion and dispossession and continue to maintain their identity, culture and rights.

We recognise that we have much to learn from Aboriginal people today, who represent the world's oldest continuing culture. We pay our sincere respects to Elders past and present and to all Aboriginal people living in and around Hobart.

## 1. SUMMARY

Council Portfolio Committees are established within the context of the Community Engagement Framework, pursuant to section 24 of the *Local Government Act 1993*, to support Council with the implementation of the Hobart Community Vision and Capital City Strategic Plan 2019-29.

Council's Portfolio Committees focus on key strategic areas of policy development as detailed in the Capital City Strategic Plan 2019-29.

The **Creative City Portfolio Committee** focuses on:

- Developing a Creative City Strategy that enables a thriving, diverse and sustainable creative industry sector in the City.
- Identify advocacy goals and investment across the sector at all levels of government.
- Promoting investment in all stages of the creative process through grants, programs, capital works development, exhibitions, conferences and events.
- Promoting the annual events, activations and festival calendar to ensure Hobart is a thriving Capital City.
- Collaborating with the community, regional groups, business and government agencies to achieve consistent and broad reaching improvements that will provide benefits to the whole of Hobart and surrounding areas.

## 2. OBJECTIVES

The Hobart Community Vision and Capital City Strategic Plan 2019-29 will guide the Creative City Portfolio Committee, providing the context for the operation of the Committee.

The Objectives of the Creative City Portfolio Committee are to:

- Provide input to Council to support the development of relevant strategies and initiatives relating to the portfolio area, under the Capital City Strategic Plan 2019-29.
- Contribute ideas for opportunities to work with Council on key projects relating to the portfolio area under the Capital City Strategic Plan 2019-29.
- Support community engagement activities related to the portfolio area to:
  - Keep communities informed of goals and actions;
  - Involve and empower communities to determine future goals and actions.
- Discuss the likely impact of any relevant State and Commonwealth policies on the local community in relation to the portfolio.
- Support the development of recommendations for future actions regarding the portfolio area.
- Consider reports on the progress of stakeholder initiatives regarding the portfolio area against the goals of the Hobart Community Vision and Capital City Strategic Plan 2019-29.
- Establish and maintain collaborative relationships with all other relevant committees and stakeholders, including other Portfolio Committees.

### **3. ROLE OF THE COMMITTEE**

The role of the Creative City Portfolio Committees is to:

- Provide local area “lived experience” knowledge to support Council decision making regarding the portfolio area to support the implementation of the Hobart Community Vision and Capital City Strategic Plan 2019-29.
- Provide subject matter expertise to the Portfolio Committee to further the understanding of the portfolio group.
- Advise the City on how to best engage local communities regarding the portfolio area.
- Advise the City on key local projects regarding the portfolio area identified as important by the local community and organisations through the development of the Capital City Strategic Plan 2019-2029.
- Facilitate communication between Council, local communities and organisations in relation to the Hobart Community Vision and the Capital City Strategic Plan 2019-29.

### **4. DEFINITIONS**

Act: The *Local Government Act 1993*.

CEO: The Chief Executive Officer of the City appointed by Council. Council/the City: The City of Hobart.

Elected Members: Elected officials representing the City of Hobart including the Lord Mayor.

Council officer: All staff of the City, including all contractors and volunteers engaged by the City, and the Executive Leadership Team.

ELT: Executive Leadership Team consisting of the Directors or Heads of Divisions who all report to the Chief Executive Officer.

## **5. TERMS OF REFERENCE**

### **5.1 Expected / Definite life of the Committee**

- 5.1.1 The life of the Committee is the Capital City Strategic Plan 2019-29.
- 5.1.2 The term of community and stakeholder membership will be the length of the Council term.
- 5.1.3 Members may re-apply for a second term. However, no more than 50 per cent of members who have served a full term may be reappointed at the commencement of a new term.
- 5.1.4 If a member wishes to resign their appointment, they must provide the relevant Elected Member with a written resignation. The resignation takes effect on the day it is received by the Director, or if a later day is specified in the resignation, on that later day.
- 5.1.5 A member who is absent from two consecutive meetings, without forwarding an apology, will be deemed to have resigned from the Committee.
- 5.1.6 If a member is elected into office as a City of Hobart Councillor during their term on the Portfolio Committee, the member will be deemed to have resigned from the Committee.
- 5.1.7 If a member becomes a City of Hobart employee during their term on the Portfolio Committee, the member will be deemed to have resigned from the Committee.
- 5.1.8 Council staff will ensure that the Portfolio Committee's Chairperson is promptly informed of all resignations.
- 5.1.9 The relevant Portfolio Sponsor (Director), together with the Chairperson, may also end a member's appointment term early if the member fails to disclose a conflict of interest or adhere to the conditions in this Terms of Reference.
- 5.1.10 The Committee will conduct a review of its effectiveness prior to the conclusion of the initial term and, where appropriate, make recommendations to Council regarding a revised Terms of Reference.

### **5.2 Appointment of members**

- 5.2.1 The appointment of members on the Committee shall follow the following process:
  - a) The City will publicly advertise seeking applications from community members requiring them to demonstrate how they meet the key selection criteria.
  - b) Where relevant, the City will invite a representative from a specific organisation/s to be a Committee member, thus providing subject matter expertise and strengthening partnerships. These members shall be known as 'expert members' with delegation for their appointment being by Chief Executive Officer discretion.
  - c) Membership of the Portfolio Committee is based on representation of the community with specific experience and/or interest, and if relevant, representation from specific organisations/stakeholders.

Community member selection is based on the demonstration of the following attributes and skill sets:

- Live, work, study or volunteer in Hobart and be aged 16 or over.
- Interest in advancing the goals in the Hobart Community Vision and Capital City Strategic Plan 2019-29.
- Demonstrated or willingness to learn leadership and relationship-building skills.

- Knowledge and experience of the portfolio.
- Strong community linkages with the ability to engage a broad range of community members and views.
- Willingness to constructively participate in an advisory capacity to the City.
- Formal acceptance and signing of the Terms of Reference.

Following receipt of applications and the reaching the closing date for applications the applications will be assessed against the selection criteria and the requirement for a broad cross section of members.

Should there be insufficient members appointed by the open process the City may approach individuals considered to meet the selection criteria and request they submit an application for consideration.

Membership of the Committee is as an individual, and not as a representative of any group or organisation unless otherwise specifically recruited for under clause 5.2.1 b of the Terms of Reference.

Members cannot be currently serving as City of Hobart Elected Members or be the spouse or partner of an Elected Member or be staff members.

Except as outlined in clause 5.2.1 b of the Terms of Reference, appointment of committee members is delegated to the Council.

### **5.3 Replacement of members**

- 5.3.1 In recognition that natural attrition will occur, an annual recruitment process shall be undertaken to fill any vacancy occurring in the preceding 12 month period. This process will be undertaken by a publicly advertised process as outlined in clause 5.2.1 of the Terms of Reference
- 5.3.2 The City may elect to invite applicants who were unsuccessful in the previous round to have their application reconsidered as part of this process without the need to submit a new application

### **5.4 Composition of the Committee**

- 5.4.1 The number of committee members on the Committee shall be no less than six and no more than 12 and will live, work, study or volunteer in the City of Hobart.
- 5.4.2 Committee members will be representative of gender and diversity in line with Hobart's community.
- 5.4.3 The Committee will be chaired by the Councillor Portfolio Chair holding the relevant portfolio.
- 5.4.4 If the Portfolio Chair is absent or otherwise unavailable, the sponsoring Director or Manager may be required to chair committee meetings and to perform other duties on behalf of the Committee as appropriate.
- 5.4.5 The Committee will also be attended by the following:
  - The sponsoring Director or Manager;
  - Council officers from relevant area;
  - Additional staff may be invited to attend when their area of work is relevant to the work of the Committee; and

- Other Elected Members are welcome to attend.

## **5.5 Role of committee members**

- 5.5.1 Commit themselves to the Terms of Reference of the Committee.
- 5.5.2 Attend meetings of the Committee personally (no proxy allowed) and attend at least 50 per cent of all meetings.
- 5.5.3 Abide by best practice in the conduct of the Committee by declaring any real or perceived personal conflicts of interest as soon as such becomes known.
- 5.5.4 Bring their subject matter expertise to the Committee and contribute to the development of collective wisdom.
- 5.5.5 Actively contribute by participating in discussions and offer opinions and knowledge.
- 5.5.6 Treat others with respect and have due regard to the opinions, rights and responsibilities of others.
- 5.5.7 Maintain the confidentiality of information provided as information advised or marked as confidential.
- 5.5.8 Act in a voluntary capacity.

Note: A “representative” of an organisation is expected to be able to represent the views and ideas of that organisation while participating in the Committee as an individual with their own views, ideas and experience to be contributed for the benefit of the Committee.

## **5.6 Authority of the Committee**

- 5.6.1 The Committee is an advisory committee for the purposes outlined in the Terms of Reference, therefore does not have delegated authority, and reports to Council through the Committee Chair as required.
- 5.6.2 The Committee has no power to commit the City to any decision or action, or to direct Council staff in their duties.
- 5.6.3 The Committee has no financial delegation authority.
- 5.6.4 The Lord Mayor is the media spokesperson for the Council in accordance with the *Local Government Act 1993*.
- 5.6.5 Portfolio Committee Chairs may speak to the media about their Portfolio Committee outcomes and activities in consultation with the sponsoring Director and in accordance with the monthly communications plan.
- 5.6.6 Portfolio Committee members may speak to the media about their own views but must not purport to represent Council.

## **5.7 Conflict of Interest**

- 5.7.1 If a Committee member determines that they have a Conflict of Interest in any matter which is to be considered at a meeting of the Committee then that person must:
  - If they intend to be present at the meeting, disclose the nature of the interest immediately before the consideration or discussion; or If they do not intend to be present at the meeting, disclose the nature of the interest to the Chairperson of the Committee at any time before the meeting is held.
- 5.7.2 While discussion is taken on the subject matter the member must:



- Leave the room and notify the Chairperson that they are doing so; and remain outside the room and any gallery or other area in view or hearing of the room.

5.7.3 The Chairperson of the Committee must record the declaration and the nature of the interest in the minutes of the meeting.

## **5.8 Timing, Place and Communication of Meetings**

5.8.1 The Committee will meet every quarter and for no more than two hours.

5.8.2 The Committee may decide to meet more often to consider specific issues in a workshop format, this must be approved by the sponsoring Director.

5.8.3 The Committee will be hosted by the City in an appropriate venue.

5.8.4 Committee members will be able to attend in person or virtually.

5.8.5 A meeting of the Committee will not be called with less than two weeks' notice to all members, unless there are exceptional circumstances.

5.8.6 The Committee may decide to open its meetings to the public.

5.8.7 The Committee may decide to invite members of the public or stakeholder organisations to provide deputations to the Committee.

## **5.9 Meeting Agenda**

5.9.1 The Standing Agenda will include:

- Acknowledgement of Country;
- Attendance and apologies;
- Declaration of any conflicts of interest;
- Minutes of the previous meeting;
- Business arising from previous meeting;
- Matters identified by committee members in writing for discussion and action; and
- Summary of matters to be reported on at the next meeting.

## **5.10 Meeting Procedure**

5.10.1 The Chairperson shall chair the meetings, taking account of both the need for efficiency and the importance of accountability.

5.10.2 If the Portfolio Chair is absent or otherwise unavailable, the sponsoring Director or Manager may be required to chair committee meetings and to perform other duties on behalf of the Committee as appropriate.

## **5.11 Meeting Quorum**

5.11.1 A quorum is a simple majority, not including Council officers or Elected Members.

5.11.2 If less than a quorum attends, the meeting may proceed.

## **5.12 Work Plan**

5.12.1 The Committee shall prepare, in consultation with the Chair and Sponsoring Director, an annual work plan that aligns with the objectives outlined in the City's Annual and Strategic Plans.

5.12.2 The work plan shall be endorsed by the Council.

### **5.13 Reporting Requirements**

5.13.1 The Committee shall report to Council providing an update of activities and achievements against the work plan at least annually.

5.13.2 Agendas will be circulated at least one week prior to the scheduled meeting date.

5.13.3 Minutes from the Committee meeting will be circulated as soon as possible after the meeting has been held.

### **5.14 Secretariat**

5.14.1 A Council officer will support the Committee.

5.14.2 The Council officer will prepare the agenda for every Committee meeting in consultation with the Chairperson and circulate the agenda and any meeting papers to Committee members before the meeting.

5.14.3 Access to information and request for support from Council departments will be led through the division holding the Creative City Portfolio.

5.14.4 Minutes of actions and decisions will be recorded and distributed to Committee members.

5.14.5 Minutes, reports and correspondence of the Committee will be registered in Council's record keeping software.

### **5.15 Facilities & Resources**

5.15.1 The Committee will not have a budget for approved activities but will advise Council annually on budget if it recommends that a budget allocation be made for these items: research, advocacy, promotions and community engagement.

### **5.16 Reimbursement**

5.16.1 Participation on the Committee is on an honorary basis, therefore it is an 'unpaid' position, however, participants can claim for reimbursement of expenses incurred to enable them to attend meetings such as local travel. Delegation for reimbursements is by Chief Executive Officer discretion..

## **6. ATTACHMENTS**

Creative Hobart Strategic Framework 2013

Public Art Framework 2019

<b>Responsible Officer:</b>	Jacqui Allen
<b>First adopted by the Council:</b>	12 December 2022
<b>History</b>	
<b>Amended by Council</b>	24 April 2023
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