



## **ROOM TO CREATE PANEL Terms of Reference**

### **1. Background**

The City of Yarra is concerned about infrastructure related issues facing the creative sector; these relate to affordability, security of tenure, fit for purpose and capacity to operate effectively in a city area of increasing density and arising challenges of amenity.

The cultural landscape that was established in the City is changing yet again. In the 1960s, as Yarra's manufacturing industries declined, the vacated warehouses and factories became artists' studios, galleries, performance spaces. The result of this is that in comparison to all surrounding municipalities, Yarra has the highest percentage of residents who are creative practitioners. Yarra is often seen as the engine room of the arts, with iconic live music venues that is the platform for the next generation, over 60 galleries and artist runs spaces and the home of peak arts organisations.

Over the past years the pressures of increased land value and diminishing availability of warehouse style stock is forcing some, particularly young and emerging artists out of Yarra. Increased population density, has also meant that some of Yarra's iconic live music venues have come under increased pressures related to noise and patron behaviour.

Council recognises that over time, losing live music venues, artists and arts organisations from the municipality will greatly affect the character of Yarra as a place for the arts. This is likely to change the identity of Yarra and may have a negative social and economic impact.

As a way forward, Council established the Live Music Working Group in May 2010 to get a better understanding of the issues faced by live music venues and residents in Yarra. The Group worked through a range of issues and provided Council with recommendations.

Council has actively participated in sector discussions leading to the State Government's adoption of the Agent of Change Principle in 2014. Council has also allocated \$25,000 to establish a scheme to assist live music venues in Yarra to deal with issues related to acoustic treatments and issues related to patron behaviour.

Council as a leader in this field has also established a perpetual fund to support creative infrastructure in the City. The Room to Create Fund ('the Fund') was established with the Lord Mayor's Charitable Foundation in 2014.

The Fund is established as one of the means for Council to directly support a valued sector by specifically assisting to create more affordable spaces. It is hoped this will enable arts and cultural organisations to be more economically viable and give incentives for them to be able to stay within Yarra. It will also strengthen artistic practise in the municipality, assisting in retaining this character of the municipality which is recognised as an economic driver within Yarra.

Council committed \$100,000 for the establishment of the Fund and this was matched by a further \$100,000 from the Lord Mayor's Charitable Foundation.

## **2. Purpose**

Council is advised on cultural matters by the Yarra Arts Advisory Committee (YAARTS). The City of Yarra Room To Create Panel ("the Panel") is a sub-committee of YAARTS. The Panel will provide specialist advice as required on matters related to the creative infrastructure in the City of Yarra.

The key role of the Panel is to:

- (a) Advocate for the importance of creative infrastructure in the City;
- (b) Contribute to strategic direction and policies related to the Room to Create Fund;
- (c) Contribute to development of fundraising strategies for the Fund; and
- (d) Advise on grants made by the Council towards creative infrastructure.

## **3. Membership**

The Panel has a core membership 10 including the following:

- (a) The YAARTS Councillor;
- (b) A YAARTS representative;
- (c) The Business Unit Manager Arts, Culture and Venues;
- (d) The Manager Statutory Planning;
- (e) The Coordinator Economic Development;
- (f) The Lord Mayor's Charitable Foundation representative; and
- (g) Four ordinary members selected as local cultural industry representatives with expertise in creative infrastructure matters.

## **4. Panel Quorum**

A quorum for the Panel comprises:

- (a) The Councillor or Business Unit Manager Arts Culture and Venues;
- (b) Two local cultural industry representatives; and
- (c) The Lord Mayor's Charitable Foundation representative.

## **5. Co-opted Members**

Arts and Cultural Services may invite suitably skilled persons to join the Panel in an advisory capacity, for a specified purpose and for a specified period of time. Co-opted members are not entitled to vote.

## **6. Term of Office**

The term of office for ordinary members is for a period of three years. Members must demonstrate a strong link to the City of Yarra, such as be a resident, own property or business, work, study in the City of Yarra.

When vacancies arise new members will be invited to apply. Potential members must make a written application, including a resume.

The appointment of Panel members is by recommendation from staff of Arts and Cultural Services to the Director of Community Wellbeing; the appointment of a new member is ratified by the Chief Executive Officer.

The Councillor representatives are appointed by Council in December each year.

In the event of a member resigning during their term, the Arts and Cultural Services Unit will appoint a replacement in accordance with the procedures for appointing new members, including ratification by the Chief Executive Officer.

## **7. Member Responsibilities**

In order to fulfil the Panel's objectives, members are expected to:

- (a) Keep informed of current developments, issues and concerns in regard to the creative sector and some of the challenges facing creative infrastructure in the municipality; and
- (b) Prepare for and actively participate in meetings.

## **8. Reporting Procedures**

The Panel is not a formal standing Committee of Council, but rather a sub-committee of YAARTS that has been established by Council.

Where necessary, reports and recommendations made by the Panel must seek Council approval at scheduled Council meetings before being fully endorsed and acted upon.

## **9. Management of the Panel**

- (a) Chairperson

The Chairperson shall be elected by the Panel.

- (b) Meetings

Meetings shall be arranged at regular intervals as determined by the Panel or as

required.

(c) Panel Support

The Panel will be resourced by Council's Arts and Cultural Services Unit, responsible for preparation of minutes, agendas, reports and other administrative functions.

**10. Conflict of Interest**

(a) Definition

A Panel member is considered to have a conflict of interest if the member:

- i) has a direct or indirect pecuniary interest in the matter; or
- ii) is of the opinion that their interest in the matter may conflict with their proper performance of duties in respect to the matter.

(b) Disclosure

If a member has a conflict of interest with a matter that is to be, or is likely to be, discussed at a Panel meeting, the member must:

- i) disclose the nature of the conflict of interest immediately before the discussion; or
- ii) if not intending to be present at the meeting, disclose the nature of the conflict of interest to the Coordinator Arts and Cultural Services before the meeting is held.

While any discussion or vote is taken relating to the matter, the member must:

- iii) leave the room and notify the Chairperson that they are doing so; and
- iv) remain outside the room or other area in view or hearing of the room.

After the discussion, the Chairperson must notify the member that they may return to the room.

The declaration and nature of the conflict of interest must be recorded in the minutes of the meeting.

**11. Public Statements**

Ordinary members of the Panel cannot make public statements on behalf of Council as an independent group without prior approval of the Business Unit Manager, Arts and Cultural Services.