



# **PUBLIC ARTS COMMITTEE TERMS OF REFERENCE**

## **PURPOSE, SCOPE AND OBJECTIVE**

These Terms of Reference set out the operating conditions for the Shire of Dandaragan Public Arts Committee (PAC), including the purpose, structure and responsibilities of the group's members established by Council.

The purpose of the Public Arts Committee is to make recommendations to Council when promoting public art as a tool for cultural expression and development and provide a platform where Councillor members and other members effectively represent the interests, views, opinions and values of the Shire of Dandaragan's electors, residents and ratepayers, when commissioning and selecting significant public artworks.

The scope of the PAC is limited to assisting the Shire of Dandaragan for the period stated in the Terms below, or until otherwise reviewed by Council. The PAC will provide feedback, input and recommendations to Council in regard to:

- Matters relating to Public Art policy and projects.
- The selection and commissioning of new works and the de-accession of existing works.
- Proposed public art projects to be included in private and/or commercial developments.
- Community suggestions for public art projects.
- Risk identification and management, indigenous protocols (where appropriate), environment protection and ethical principles of public art development.

The objectives of the PAC are:

- To assist Council to meet the policy objectives of its Public Art and Percent for Art Policy;
- To enhance community voice in decision-making processes and outcomes related to implementing the Public Art and Percent for Art Policy

The PAC is a formal Committee of Council created under S5.8 of the *Local Government Act 1995*, however the Committee has no delegated authority to make decisions on behalf of Council.

## **MEMBERSHIP**

### **Group Structure**

The PAC will consist of voting members:

#### *Voting Members*

- A maximum of three (3) elected Councillor representatives as nominated by Council
- A maximum of four (4) community members with experience in the following fields:
  - Arts or arts industry
  - Indigenous community
  - Tourism
  - Youth
  - Heritage

Ideally, preference will be given to have a voting member from each town within the Shire of Dandaragan.

A member of the committee will be nominated by the committee as the Presiding Member in accordance with the Local Government Act. This may be a Councillor representative or a community member.

### **Other Advisory Participants**

The Shire of Dandaragan Chief Executive Officer (CEO) (or his representative) will attend meetings, and other staff will attend meetings on an 'as-needs basis' to provide input on community planning, town planning, engineering, open space planning, tourism, marketing or other operational aspects.

At the request of the Committee, the CEO may invite suitably skilled persons to join the PAC in an advisory capacity, for a specified purpose and for a specified period of time. Co-opted participants are not entitled to vote.

### **Membership (community) to the Public Arts Committee**

The CEO will formalise appointments to the Public Arts Committee following approval by Council. The Shire will coordinate a public expression of interest process to invite a pool of applicants. Committee members will be appointed based on their responses to selection criteria, including:

- Expertise in relevant fields
- An appreciation and understanding of art in the public domain
- Experience in working with community and community groups

### **Term**

The term of membership is two (2) years, subject to compliance with these Terms of Reference. Members may submit another EOI at the end of their term, however priority may be afforded to new applicants in the assessment process to ensure diversity and evolution of community participation is possible.

### **Vacancy**

In the event of a member vacancy, a replacement shall be recommended by the Chief Executive Officer (CEO) by revisiting unsuccessful EOI applications, or by targeting individuals of a particular interest group, with the approval of Council.

### **Termination**

A member may be removed from the PAC if they are absent from three (3) consecutive meetings. Members may also be removed if they breach these Terms of Reference. The CEO will formally notify the member in writing if their removal is required.

Members may terminate their membership at any time. Notice of membership termination must be provided in writing to the CEO.

### **Roles and Responsibilities**

The PAC provides information, advice, views and recommendations to Council. Any information, advice, views and recommendations will be recorded in the minutes. The group has the opportunity to influence Council decision-making, however, does not have decision-making authority. This remains the function of Council.

## *SHIRE OF DANDARAGAN*

The CEO will:

- Provide relevant officers in an 'advisor' role; and
- Provide an officer in an administration support role for creation of agendas, business papers and minutes.

## *MEMBERS*

The Presiding Member will oversee the coordination of the PAC, including:

- Participating in meetings and adhering to the Terms of Reference;
- Ensure Committee adherence to the Terms of Reference;
- Keep Council informed of the activities, advice and recommendations of the PAC.

Other members will:

- Attend and participate in meetings;
- Adhere to the Terms of Reference;
- Councillor members are to represent the policy position and strategic views of Council, when participating as a member appointed by the Council;
- Represent community views and provide information and advice to the Committee on items related to the Committee's purpose, scope, and objectives.
- Strategic and policy recommendations of the Committee will be reported to Council for decision;
- Management and operational recommendations will be reported to the CEO for decision

## **MEETINGS**

If the Presiding Member is not present due to a notified absence or not present within ten minutes after the time appointed for the meeting, the members may choose one of their numbers to act as Presiding Member for the purpose of the meeting.

The administration officer will provide administrative support to the PAC by preparing the Agenda, Progress Reports and Action Lists of the Committee's meetings formatted in accordance with Council's templates. The Shire's community services team will help facilitate the selection of artists, provide support to the PAC and liaise with all relevant departments of the Shire.

## **Frequency**

The PAC will meet four (4) times per year, for approximately two hours at the Shire Administration Centre. Depending on the agenda and discussion, meeting run times may be shortened or lengthened. Members may join meetings online, however two (2) business days notice must be provided to the Admin Support.

Council may call a special meeting of the PAC with at least 14 days written notice to members.

## **Agendas and Minutes**

The Presiding Member will set the agenda. Each agenda will incorporate a standing agenda item called 'Disclosure of Interests' and require members to declare any conflicts of interest they may have, with any particular agenda item/s or issue/s to be discussed at the meeting. Interests can include financial, in-direct financial, proximity or any other interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest, and includes an interest arising from kinship, friendship or membership of an association. Members can request other items be added to the agenda.

Agenda items can be provided to the administration officer not less than five (5) business days before the scheduled meeting. The Agenda will be provided to members not less than two (2) business days before a scheduled meeting. Members will deliberate based on the set agenda items.

Minutes will include Attendance; Apologies; Disclosure of Interests'; and a record of all recommendations made by the PAC. Minutes will generally be circulated within seven (7) days following a meeting.

The final minutes will be uploaded onto the Shire website within three (3) weeks of the meeting and be registered in the Shire's records management system.

### **Voting**

Each PAC member shall be entitled to one (1) vote in respect to any advice or recommendations of the group. The working group shall aim to make decisions by consensus, when possible, otherwise the decision of the group shall be by the majority of votes cast in favour.

In the case where a majority vote cannot be reached, the matter will be referred to the CEO who may provide additional information, for a revote to be held. If a decision is not forthcoming, the matter will be determined by the Presiding Member casting a second vote.

A quorum of a meeting of the PAC will be one more than 50% of the permanent members. No business of the PAC will be considered unless a quorum is present. If within half an hour from the time of the appointed meeting a quorum is not present, the meeting will be deferred to a later date.

## **RECORD KEEPING**

The Shire of Dandaragan will manage record keeping of the group's activities in Shire's internal records management system, including:

- Member details – as provided on the EOI application (personal details will be managed confidentially, in accordance with Council's privacy standards);
- EOI applications and other selection process documentation;
- Register of when meetings were held;
- Terms of Reference;
- Agendas and minutes for each meeting; and
- Any other related correspondence or information.

## **REPORTING**

The recommendations of the PAC will be reported to Council by way of a Council Agenda Item prepared for the Committee by the administration officer. The relevant decisions of Council will in turn be reported to members of the PAC.

Recommendations made by the PAC will inform the decisions made by Council for Public Art.

## **PUBLIC RELATIONS AND DEALING WITH THE MEDIA**

The Shire of Dandaragan Shire President (or the CEO at the direction of the Shire President) will

be the official spokesperson for the PAC. All official public relations matters and media enquiries about public art should be referred to the CEO. The PAC are not authorised to speak to the media on behalf of the Shire unless approved by the Shire President. Committee members may make comment in a public setting from an individual context with due regard and support for the democratic nature of the Committee.

## **DISCLOSURE**

The following information will be published on Shire's public website:

- Names of the members;
- Terms of Reference; and
- Agendas and minutes of each meeting.

## **RESPONSIBLE DEPARTMENT**

Corporate and Community Services