

Public Art Advisory Group Terms of Reference



Introduction

- 1 Glen Innes Severn Council (Council), through its Public Art Policy, aims to guide and encourage the exhibition and inclusion of art within public places, ensuring the valued characteristics of the Glen Innes Severn Local Government Area (LGA) are enhanced. The Public Art Policy relates to visual and performing arts located in a public place. The Public Art Policy aims to complement, and not override, Council's planning regulations such as Development Control Plans and is subject to Council having a budget or funded project involving public art.
- 2 Council's Public Art Guidelines makes provisions for community involvement and consultation and considers that an effective means of engaging with the wider community to implement the Public Art Policy is by bringing together community representatives from various localities in the local government area to provide Council with information and recommendations regarding public art where proposed artwork is significant in relation to its impact to a particular site or location, or of a potentially controversial nature. It will also provide a mechanism for informing the local community in a meaningful way regarding policy decisions affecting public art.
- 3 The formation of Council's Public Art Advisory Committee (PAAG) is to be approved by Council resolution.
- 4 The PAAG will be bound, as relevant, by the *General Terms of Constitution*, Chapter 3 of the *Community Committees of Council Manual* (the Manual) except where varied by these Terms of Reference.¹

Scope and objectives

- 5 The Committee has no delegated power and functions as a wholly advisory committee to Council.²
- 6 The Committee will endeavour to reach consensus on issues/recommendations before they are referred to Council for consideration.³
- 7 In the event of the Committee not being able to reach a consensus decision, Council will consider the matter noting the various opinions of the committee.
- 8 The objectives of the PAAG are to:
 - (a) Provide for constructive consultation, feedback, advice, and open lines of communication between Council and community members regarding policy setting, decision-making and management of public art; specifically dealing with matters relating to:
 - i. Public art policy and guidelines;

¹ The Community Committees of Council Manual (the Manual) may be found on Council's website (www.gisc.nsw.gov.au) or by contacting Council.

² See section 7 of the Manual.

³ See section 19 of this Terms of Reference.

- ii. Developing strategies to:
 - Balance expenditure to meet community needs for public art;
 - Provide best value in the provision of public art;
 - Appropriately consult with the community regarding proposed public art; and
 - Secure alternative funding sources/arrangements for the provision of public art.
 - (b) Making recommendations to Council about public art matters in the Community Strategic Plan, Delivery Program and Operational Plan, including budgets;
 - (c) Contributing to raising the profile and recognition of art and art development;
 - (d) Making recommendations to Council for implementing processes so that public art complements and enhances the valued characteristics of the LGA; and
 - (e) Making recommendations to Council that may guide a coordinated and planned approach to the development, installation and management of public art.
- 9 The PAAG must not act outside of its Terms of Reference and any specific delegations of authority which Council has empowered it to perform on behalf of Council.
- 10 The PAAG must abide by the Public Art Policy and Guidelines as endorsed by Council.

Conduct

- 11 Members of the PAAG must not conduct themselves in a manner that:
- (a) is likely to bring Council or other Council officials into disrepute,
 - (b) is contrary to statutory requirements or Council’s administrative requirements or policies,
 - (c) is improper or unethical,
 - (d) is an abuse of power,
 - (e) causes, comprises or involves intimidation or verbal abuse,
 - (f) involves the misuse of position to obtain a private benefit, or
 - (g) constitutes harassment or bullying behaviour or is unlawfully discriminatory.

- 12 The Committee and Committee Members must comply with all applicable Council policies, procedures and requirements.⁴
- 13 The committee is not a forum for discussions between Councillors and staff. Its purpose is primarily to engage with the wider community.
- 14 Discussions are to be constructive, remain respectful and not be attacking or demeaning in nature.

Membership

- 15 Membership will be made up of a maximum of 9 members consisting of:⁵
 - (a) Community representatives from the various art and other relevant groups/organisations in the Local Government Area (LGA);
 - (b) One (1) representative from Glen Innes Business Chamber
 - (c) Three (3) representatives from the Open Spaces Committee
 - (d) A community Aboriginal representative as nominated by Council's Aboriginal Consultative Committee
 - (e) One (1) representative from Arts North West
 - (f) One (1) established artist from outside the LGA as nominated by Arts North West CEO;
 - (g) Two (2) Councillors as appointed by Council; and
 - (h) Relevant Council staff may be on the committee in an advisory and non-voting capacity as required.

Meeting Practice

- 16 Meetings shall be held in accordance with Chapter 4, *Meeting Practice*, of the Manual except where varied by these Terms of Reference.
- 17 Meetings will be held quarterly/as required.
- 18 An AGM must be held annually to elect members and the chair.

Quorum

- 19 The quorum will consist of one half the total number of voting members plus one.⁶

⁴ These are available on Council's Website at www.gisc.nsw.gov.au or by contacting Council.

⁵ See section 13, Committee Membership, in the Manual.

⁶ Whilst section 6 aims for the committee to achieve consensus on recommendations, a quorum is first required.

- 20 Should there not be a quorum in attendance within 15 minutes after the scheduled starting time, the meeting will be adjourned to the same time and place as the next scheduled meeting.
- 21 If a quorum is not present in accordance with section 20, the Chairperson may decide to hold an informal discussion of the agenda items noting that any decisions/motions to be actioned or voted on must be carried to the next meeting for ratification by the Committee. These informal minutes are to be forwarded to Council for record keeping purposes.

Office Holders

- 22 The Chair will be nominated from amongst the members at the AGM and appointed for a period of 12 months.
- 23 If there is more than one nomination, voting may take place through an open ballot by way of a show of hands.
- 24 In the absence of the Chair, the Mayor or Deputy Mayor may chair the meeting, otherwise the committee may nominate a member to chair the meeting.
- 25 The Committee Secretary will be the Department of Place and Growth's Executive Assistant.

Legislation and Supporting Documents

Local Government Act 1993

- 26 Community Committees of Council that have delegated functions are constituted under the *Local Government Act 1993* (section 355 and sections 377 or 378). The PAAG, being a wholly consultative committee, is not such a committee and is established purely as a community engagement exercise in accordance with these Terms of Reference.

Community Committees of Council Manual

- 27 The PAAG Terms of Reference as indicated in sections 4 and 16, are expanded upon by the Manual. Therefore, the relevant chapters of the Manual must be read with these Terms of Reference.

Variation And Review

- 28 The PAAG Terms of Reference will be reviewed every term of Council (four years), or earlier if deemed necessary, to ensure that it meets the requirements of legislation and the needs of Council. The term of the document does not expire on the review date, but will continue in force until superseded, rescinded or varied either by legislation or a new resolution of Council.
- 29 Amendments made to applicable chapters and sections of the Manual, as adopted by Council on 21 December 2023 (or any revised versions), that have not been varied by these Terms of Reference, may vary these terms.

30 Any amendments to the Terms of Reference must be made in consultation and approval of Council. If the amendments proposed are significant, the revised document is to go before Council for endorsement.

Appendix A

Document Control/Authorisation

Responsible Officer		Manager Governance (MG)			
Reviewed By		Public Art Advisory Group, Management Executive Committee (Manex)			
Review Due Date		August 2028			
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Versions	Date	Resolution Number	Description of Amendments	Author / Editor	Approved / Adopted By
			Creation of this document	MG	Council