

**Northern Beaches Council**

**Public Art**

**Working Group**

**Terms of Reference**

**May 2019**

## **1. NAME**

Public Art Working Group (**PAWG**)

## **2. PURPOSE**

Northern Beaches Council is in the process of enhancing its Public Art Collection and requires expert and community advice on matters relating to the proposed commissioning and acquisition of permanent public art for the Northern Beaches, as required by Council's Public Art Policy.

The purpose of the Public Art Working Group is to assist Council in implementing the vision and goals of the Northern Beaches Arts and Creativity Strategy and public art objectives, which includes the delivery of the Coast Walk Public Art Strategic Plan and other public art projects initiated by Council.

Northern Beaches Public Art Objectives:-

- To enliven the Northern Beaches with works of public art that will contribute and enhance the character and design of memorable public places
- To celebrate and reflect the cultural, social and environmental significance of the Northern Beaches, exploring both the historic and contemporary cultural layers of the Northern Beaches through public art outcomes
- To deliver a distinctive program of permanent and temporary art initiatives to create a cultural connection for the Northern Beaches community.

## **3. WORKING GROUP CHARTER**

The Public Art Working Group operates according to these Terms of Reference and to their relevant Charter. Terms of Reference and Charters are adopted by resolution of Council and may also be amended by Council from time to time. The scope of the Working Group is detailed in the respective Charter (refer Attachment 1)

## **4. MEMBERSHIP**

Membership of the Group comprises of up to ten (10) members including:

- up to three (3) Northern Beaches Councillors, and
- up to seven (7) community members. Community membership of the Group will be by an open advertised invitation process and interested parties are able to self-nominate. The community members will be appointed by the Chief Executive Officer.

All members of this Working Group have an obligation to:

- consider options and provide feedback to Council on matters relating to the development of public art for the Northern Beaches;
- represent the views of the local arts community in relation to public art outcomes for the Northern Beaches and to support engagement between the arts community and other important stakeholders;
- assist Council to develop, design and implement strategies for the public art;
- review public art project ideas; and
- to provide advice on public art commissions (temporary and permanent), including the development of artists' briefs for artworks in the Northern Beaches.

The Working Group is advisory only and cannot commit Council to expenditure. As contributors to the development of strategies and artist briefs, the Working Group will not be involved in the assessment and selection of public art. A Public Art Selection Panel (PASP) will assess artist proposals in accordance with artist's briefs and recommend the selection of artworks. The final acceptance and procurement of artwork is a decision of Council.

## **5. ELIGIBILITY**

- All Councillors are eligible to nominate for membership on the Working Group. Appointments will be determined and endorsed by Council.
- Community representatives must possess such skills, expertise and experience as detailed in the membership and Charter.
- Council will advertise nominations for community representation on the Working Group.
- The selection of members will be undertaken in accordance with Council's Policy for Appointment of Community and Stakeholder Representatives on Working Groups.
- Should a representative vacancy occur during the terms of appointment, a new representative will be selected from eligible applications received from the original call for Expressions of Interest.
- Membership to be reviewed every quarter and if necessary, will be adjusted in accordance with the recommendation from the Working Group.
- If no suitable alternative representatives can be found from the original Expressions of Interest, vacancies would be filled via a further call for Expressions of Interest.

## **6. TERM OF OFFICE**

To assist with maintaining effectiveness and the continuity of knowledge within the Working Group the terms of councillors and community members have been staggered. The aim is for established members to provide assistance to incoming Councillors after the council election and 12 months later, reciprocally from Councillors to incoming community members.

- a) The term for Councillors on the Working Group is two (2) years or 12 months following the election of new Council.
- b) The term for other members on the Working Group is three (3) years commencing within 12 months after the election of Council.
- c) All Councillor memberships will cease during the election care taker period. New Councillors should be appointed at the earliest opportunity following the election.
- d) The terms above are subject to the conclusion of the Working Group, when all memberships cease.

## **7. SUPPORT PROVIDED**

- a) Council will provide necessary resources to the Working Group. This will include the venue and administrative support such as facilitating and running the meeting, preparation and distribution of the notice of meeting, agenda and the recording of the minutes.
- b) The Community, Arts & Culture Business Unit is responsible for managing the Working Group and will be the main point of contact for members on Working Group related matters. Specialist staff in the areas of public art, cultural development, parks and recreation and capital works will be

available to provide expertise, when required. The role of these representatives is to provide advice on:

- Status of current issues and projects
- Broad policy objectives
- Local Government regulations and relevant legislation.

## **8. TIMETABLE FOR MEETINGS**

- a) The Working Group is to meet up to four (4) times throughout the year.
- b) A meeting will be limited to a maximum of two (2) hours duration unless the Group resolves to extend the meeting to a particular time or until the completion of business.
- c) The schedule of meeting dates and venues will be provided to the members in advance and an agenda will be provided at least 7 days prior to meeting.

## **9. ATTENDANCE AT MEETINGS**

- a) All members are expected to attend the meetings, or otherwise tender their apologies to either the Chair or Working Group liaison person.
- b) If members are unable to attend - members may delegate their position to another member of their organisation, with the approval of the Chairperson.
- c) No member should be absent for more than two (2) consecutive meetings without first seeking, and being granted leave by the Chair. Without being granted such leave in these circumstances, the person's membership will be re-evaluated.
- d) While other Councillors may attend Group meetings as observers, the meetings will not be open to other members of the public.

## **10. MEETING PRACTICES AND PROCEDURES**

- a) The Council will ensure that each meeting is properly recorded with the use of minutes, which will be reported to Council.
- b) The quorum for each meeting will be one half plus a Councillor. If a quorum is not present within 30 minutes within the commencement time of the meeting, it will become an informal meeting with no recommendations or decisions made.
- c) A nominated Councillor is the Chair of the Working Group.
- d) The Chair directs the progress of the Working Group meeting. Subject to any determination by the Chair, each item is to be dealt with in the order in which it appears on the agenda.
- e) The Chair role is to facilitate the conduct of the meetings and ensure the Working Group focuses on its primary goal and objectives.
- f) This Working Group is advisory in purpose and should have the intention of reaching consensus when endorsing items and recommendations. It has no authority to make decisions on behalf of Council.
- g) It will be at the discretion of the Chair when a matter is to be put to the vote. In such circumstances voting is to be by way of a show of hands. For a

vote to be carried the matter must be supported by a majority of members present, with the Chair having a casting vote in the event the vote is tied.

## **11. MODEL CODE OF CONDUCT**

- a) All members of the Working Group are required to observe the adopted Model Code of Conduct and any other policy or requirement applicable to the proper functioning of the Working Group.
- b) Members shall act in a professional and responsible manner with the information they obtain.
- c) Members must respect each other (often despite differences) and work together to create an open and trusting atmosphere. The group requires openness and honesty in order to function well and members should feel free to express their opinions and views without fear of recrimination.
- d) A breach of the Terms of Reference may lead to the member being removed from the Working Group by the Chair.
- e) Members of the Working Group do not have the authority to make representations to the media on Council or the Working Groups behalf. In accordance with Council's Media Policy, the Mayor is the only person permitted to speak to the media on behalf of the Council and the Working Group.
- f) Conflicts of Interest: Council recognises that community representatives join such Groups and Committees because of special interests they may have, and Council welcomes their expertise. Nevertheless, it is important that Council understands the basis of advice it receives from the Groups, so members will be requested to declare any organisation they may represent. Disclosures of Conflicts of Interest, particularly pecuniary interests need to be made by members of the Group and recorded in the minutes in accordance with section 442 and 443 Local Government Act 1993.
- g) Confidentiality and Privacy: Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, unless the member is authorised to do so.

## **12. COUNCIL VALUES**

All members of the Working Group and all meeting attendees are expected to observe Northern Beaches Council Values outlined below:

- **Trust:** Because being open brings out our best.
- **Integrity:** Because we are proud to doing what we say.
- **Teamwork:** Because working together delivers.
- **Service:** Because we care as custodians for the community.
- **Respect:** Because valuing everyone is how we make
- **Leadership:** Everyone has a leading role

## **13. NEXT REVIEW DATE:**

- This Terms of Reference will be reviewed prior to the establishment of a new Working Group.
- Amendments to this Terms of Reference may only be determined by Council.

**CHARTER: Northern Beaches Council Public Art Working Group**

<b>Established: May 2019</b>	<b>Function:</b> To provide expert advice to Northern Beaches Council on matters relating to proposed projects for permanent public art for the Northern Beaches, as required by Council's Public Art Policy.
<b>Stakeholder Representatives:</b> <ul style="list-style-type: none"> <li>• Membership of the Group is provisionally for three (3) years however at its discretion, Council may vary the Term for any reason.</li> <li>• If there is a change to the Term, Northern Beaches Council commits to providing at least thirty days' notice to affected Working Group members.</li> </ul>	
<b>Quorum and Voting</b> <ul style="list-style-type: none"> <li>• The quorum for each meeting will be one half plus a Councillor</li> <li>• If a quorum is not present within 30 minutes within the commencement time of the meeting, the meeting shall become an informal meeting with no recommendations or decisions made.</li> <li>• The Group should have the intention of reaching consensus when endorsing items and recommendations.</li> </ul>	<b>Composition/Membership</b> Membership of the Group comprises of up to ten (10) representatives including: <ul style="list-style-type: none"> <li>• Up to three (3) Councillors</li> <li>• Up to seven (7) community representatives with expertise in public art and cultural development and experience and knowledge of the social, environmental and heritage significance of the Northern Beaches.</li> </ul> Eligibility for members is outlined in item 5 – Eligibility of the Terms of Reference and must meet the requirements of clauses 3.5 and 3.6 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.
<b>Reporting Procedures:</b> Notes of meetings will be reported to the Director Community & Belonging	
<b>Meetings:</b> <ul style="list-style-type: none"> <li>• The Group will meet as a minimum, four (4) times per year.</li> <li>• The schedule of meeting dates will be distributed at the formation of the Group.</li> <li>• Agenda items, time and venue will be provided to the members in an agenda at least seven (7) days prior to the meeting.</li> </ul>	
<b>Ex Officio Advisors:</b> Officers of Government and Statutory Corporations or other advisors as required. <ul style="list-style-type: none"> <li>• Executive Manager Community, Arts and Culture</li> <li>• Business Unit: Community, Arts and Culture</li> </ul>	<b>Council Members Appointed:</b> <ul style="list-style-type: none"> <li>• Executive Manager Community Arts &amp; Culture, or delegate</li> </ul>