

***Draft* TERMS OF REFERENCE**

City of Ballarat Public Art Advisory Committee

1. Purpose

The purpose of Council's Public Art Advisory Committee is to provide Council with broadly-based expert vision, advice, critique, and comment on the ongoing development, guidance, and implementation of the City of Ballarat's Public Art Policy and Masterplan Implementation.

2. Advice to the City

2.1 Scope

The Committee will meet a minimum of four times per year with meetings convened and administered with Council's support in order to provide advice to Council as follows:

Permanent stand alone artworks

- Provide input to the Project Brief
- Assess respondents to the Project Brief
- Review and approve the shortlist of Artists
- Make recommendations to Council on Artists concepts for commissioning

Integrated Art/Placemaking projects

- Confirm projects as identified for Integrated Art/Placemaking
- Approving Artists concepts/proposals

Community Arts Projects

- Confirm projects identified as appropriate/best suited for Community Art
- Approving Artist's concepts/proposals

Temporary Art, Temporary Art Spaces and Art Platforms

- Identifying/approve sites for temporary work/platforms
- Review and approve curators/curatorial approach
- Approve a curated program

Existing Art Collection

- When required provide advice on the artistic and cultural value of artworks
- When required provide advice on priorities for Asset Management funding allocation

- When required provide advice on relocation, de-accessioning and decommissioning of works from Council's Collection

Externally Initiated Public Art

- When required provide advice on Public Art gifts, donations and proposals from external groups or individuals wishing to locate Public Artworks in the City of Ballarat

Public Art Policy/Procedures

- Provide advice as appropriate
- Monitor implementation and evaluate the Annual Public Art Plan
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2.2 The Public Art Advisory Committee should not:

- Oversee implementation of projects (design, fabrication and installation) other than to evaluate them and the public art program
- Act as a point of contact in relation to public art proposals from individuals or organisations
- Communicate any discussions/decisions of the Public Art Advisory Committee unless formally approved by the Committee

2.3 Referrals

The Committee will make recommendations and provide advice to the City on the matters referred to it having regard to the material forwarded to it in each case and in every case having regard to the City's adopted policies including the City's:

- Council Plan 2009-2013
- Health and Wellbeing Plan 2010-2013
- The Ballarat Planning Scheme and Municipal Strategic Statement
- Making Ballarat Central" The CBD Strategy
- Arts & Cultural Framework May 2008
- Environment Sustainability Strategy, 2007
- Sturt Street Gardens – Conservation and Landscape Management Plan
- Ballarat Open Space Strategy March 2008
- CBD Street Furniture Guidelines 2009
- Ballarat Central Business Area – Urban Design Framework
- *Economic Development Strategy, 2006*
- Towards 2020, Ballarat Tourism Strategy
- Ballarat Branding Strategy, October 2006
- Ballarat Entrances Strategy, 2006
- Ballarat Tourism Signage Program 2008
- Ballarat Heritage Study, Stage 1, Volume 1-3 July 2003

2.4 Panel provides advice only – no delegation of Power of functions

- a) The Committee has no power of authority, whether by delegation, agency or otherwise to exercise any function, right, duty or power of the city, whether under statute or other law, as a landowner or in any other capacity.
- b) The Committee will make recommendations and provide advice to Council for action.

3. Members

- a) The Committee will be chaired by a Councillor and will seek, where possible, to reach decisions by consensus. A quorum comprises a minimum of one Councillor and at least five other members. Co-opted members are not eligible to vote.
- b) The Chairperson will sit for a period of two years after which time Councillor representatives will vote for the next two year period.
- c) All probity issues relating to allocation of public art funding and selection of artists must be adhered to and therefore no artist committee member shall be eligible for involvement in Council funded public art or placemaking projects during the period of their participation on the committee. Similarly, no other committee member should have a direct involvement in a Council project or stand to benefit from any Council public art commission during the period of their term.
- d) Strict confidentiality must be maintained on all matters dealt with by the Committee, including artists, project budgets and decisions of the Committee.
- e) Membership of the Committee will apply for a period of three years with half the members appointed for twelve months to ensure continuity in the conduct of the Committee. To achieve this regular change over of half the committee each year, at the time of Committee establishment half the members will be appointed for three years and half for one year.
- f) Members of the Committee will be appointed by Council following an Expression of Interest process. A co-opted community representative position however will rotate and apply only for the period of a specific project and be invited by the Committee as required.
- g) Specialist Council staff may be co-opted for their advice and expertise for particular public art initiatives, projects or programs as required.
- h) Membership will include 9 voting members and 3 non voting members a total of 12. Co-opted non voting members will be in addition to this total.

- i) Non voting Council members of the Committee (3) shall be allowed to participate in the Committee's discussions, deliberations and consensus-making of recommendations to Council.
- j) If a member resigns from the Committee during the initial term, the City may appoint a replacement member who has similar expertise and skills.
- k) Members will be selected on merit and expertise and appointed as individuals and not as representatives of any particular organisation or group. Co-opted public/community membership appointments will be from individuals who are able to understand and represent the diverse and changing range of views of the community on the arts.
- l) No sitting fees will be paid to members of the Committee. Reimbursement will be provided for reasonable out of pocket expenses.

4. Conduct and Disclosures

4.1 Members must act lawfully and with honour, integrity and professionalism

4.2 Without limiting 4.1 members must comply with the pecuniary interest requirements and all other requirements imposed by the Local Government Act 1993 on persons providing advice to a Council.

5. Meeting Procedures

5.1 The Committee will meet at such place and time as notified to the Members by the City. It is expected that it will meet approximately four times a year on dates and at places to be set out in advance for each year.

5.2 The City may call an extraordinary meeting of the Committee with at least three days written notice to all Members.

5.3 The Chairperson will preside as Chairperson at every meeting of the Committee unless due to unavailability they have delegated their role in advance to another Councillor. The Chairperson will determine at the commencement of the meeting if adequate numbers are present to conduct the meeting.

5.4 If the Chairperson is not present within ten minutes after the time appointed for the meeting, an alternative Councillor Member may choose to be Chair for the purpose of the meeting.

5.5 Councillors and staff may attend the meetings as observers.

5.6 The City will take minutes of the Committee meetings. The minutes will include the following:

- a) attendance

- b) apologies
- c) declarations of interest
- d) a record of all recommendations made by the Committee in the form of Advice Sheets.
- e) Meeting minutes (in the form of Advice Sheets) will be reviewed and approved for circulation to the Committee by the Chairperson. The City will circulate minutes (Advice Sheets) to all members and all members must confirm the accuracy of the minutes.
- f) Meeting agendas must be approved by both the Director of Destinations & Connections and the Committee Chairperson.

6. Consideration by the Public Art Advisory Committee and providing advice

6.1 Individual Committee Members may be engaged by Council to provide to Council staff on specific projects and are required to report back to the full Committee on their review. The Committee may also recommend a Member or Members review a specific project and reports back to the full Committee.

6.2 The approved meeting minutes (Advice Sheets) are the report of the Committee

6.3 Meeting minutes will include Advice Sheets on specific projects reviewed by the Committee. These Advice Sheets will be made available to the City and communicated to the relevant proponents via Council staff. The Committee's advice will be included in Council reports which will be available to the public.

7. Review

The terms of reference and operation of the Public Art Advisory Committee may be reviewed by the City from time to time and will be reviewed after an initial term of two years.