



Public Art and Collections Advisory Committee (PACAC)

Terms of Reference

1. Purpose

The purpose of Advisory Committee is to support strategy and policy development for the municipality and to ensure Council decisions are evidence based and informed by strong community input.

2. Objective

The PACAC will provide advice to Council on the commission, acquisition and deaccession of Public Art within the Shire in accordance with the Public Art and Collections Policy.

3. Definitions

- **Acting Chairperson** means a Councillor (appointed as a sub representative) or alternative Senior Council Officer/delegate, in the absence of the Chairperson
- **Chairperson** means a Councillor or Senior Officer of Council Staff appointed to support the Committee
- **Chief Executive Officer** means the Chief Executive Officer of Council
- **Committee** means any Council created Advisory Committee
- **Community Member** is a member of a Committee who is not a Councillor or a member of Council staff
- **Council** means Moorabool Shire Council
- **Councillor** means a Councillor of Moorabool Shire Council

4. Dates, Times and Places of Meetings

4.1 Times and dates of meetings of Council Advisory Committees shall be at the discretion of the Chairperson, after seeking the views of members of the Committee.

4.2 The Advisory Committees will hold a minimum of three (3) meetings over the February – November period inclusive. Additional meetings throughout the period will be subject to the approval of the Chairperson.

4.3 Meetings shall be held at an appropriate location (as determined by Council officers) or conducted virtually if circumstances require.

4.4 An agenda for meetings held, will be sent electronically to each Committee member at least 48 hours prior to the date of each meeting.

5. Membership and Attendance

5.1 Appointments to Committees

- a) Through an open expression process, Council will recruit external public art experts and local artists to join the PACAC. One Councillor representative will be invited to join this advisory committee.
- b) The Committee will be convened by Council and shall comprise
 - Arts, Culture and Events Officer
 - Coordinator Arts and Economic Development
 - Up to 3 Local Artists/Community representatives
 - Up to 3 Arts Industry Experts
 - 1 Councillor Representative

5.2 Term of Appointment

Councillor members shall be appointed for a period, as deemed appropriate, so long as the period of appointment does not extend past the Council term.

The period of appointment for Community members shall be for no longer than the duration of the existing Council term.

5.3 Attendance

A Committee member shall endeavour to advise the Chairperson and/or delegate of non-attendance at any meeting.

Attendance is recorded in the minutes.

In virtual meetings, Committee attendance can only be recorded where the member can confirm that they meet all three of the following:

- They can hear proceedings;
- They can see other members in attendance and can be seen by other members;
- They can be heard (to speak)

A quorum of members of the Committee is breached where a member forming a quorum cannot meet the above requirements.

5.4 Failure to Attend Meetings

Any member who is unable to attend three (3) consecutive Advisory Committee meetings shall notify the Chairperson or Chief Executive Officer in writing as to his/her availability to continue to be a member of the Committee.

5.5 Resignation of Committee Member

A Committee member may resign from the Committee by advising the Chairperson or Chief Executive Officer in writing.

6. Conflict of Interest and Confidentiality

6.1 Committee Members will enter into a Pledge of Confidentiality agreement at the commencement of their term.

6.2 Committee Members must disclose a Conflict of Interest in accordance with the Local Government Act 2020.

6.3 In the event of a Conflict of Interest arising the Committee Member:

- a) Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.

- b) Must leave the room and not participate in any discussion and/or decision.
- c) The disclosure must be recorded in the meeting minutes including the time the Committee Member left and returned into the room. If the Chairperson is declaring a conflict of interest, a deputy or elected Chair will take over the meeting until the next agenda item for which the Chair does not have a Conflict of Interest.

7. Quorum

- 7.1** A quorum is the majority of appointed members but must include either the Chairperson or Acting Chairperson.
- 7.2** If a quorum is not present within 30 minutes of the time appointed for the commencement of the meeting, the meeting shall lapse. If a quorum fails after the commencement of the meeting, the meeting shall lapse.
- 7.3** Business that is unfinished at the completion of a meeting may at the discretion of the Chairperson be referred to the next meeting of the Committee.

8. Chairperson

- 8.1** Meetings will be chaired by a Councillor or relevant Senior Officer of Council Staff and /or delegate.
- 8.2** Duties and Discretions
 - a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, Committee Member, member of Council staff, or member of the community; and
 - b) must call to order any person who is disruptive or unruly during any meeting.

9. Operations

- 9.1** Meetings shall be held in accordance with adopted Council meeting guidelines contained in its Governance Rules.
- 9.2** The Committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration.
- 9.3** The Committee shall follow the general consensus principle, when determining its preferred position on matters under discussion.
- 9.4** Committee members will not publicly comment on behalf of the group. Neither will it seek to advocate on the needs of individual organisations.
- 9.5** The Council will provide the necessary support to assist the Committee to function effectively including:
 - a) Maintaining contacts details of members.
 - b) Preparing and distributing agendas.
 - c) Preparing and distributing meeting minutes.

10. Sub-Committees

- 10.1** The Advisory Committee may auspice the establishment of special interest working groups as needed to progress specific initiatives for a defined period of time.
- 10.2** Subject to the approval of the Committee, these Sub-Committees may invite other members as required to address the specific subject matter at hand.

10.3 All Sub-Committees will comprise two or more Committee Members and may include relevant Council Staff.

11. Media

11.1 Committee Members are not to represent the Committee to the media.

12. Reporting

12.1 Endorsed minutes of the Committee meetings shall be presented to the next practicable Ordinary Meeting of Council.

13. Review

13.1 A review of the role, function, membership and productivity of the Advisory Committee will be conducted as required to ensure currency, effectiveness and stakeholder engagement.

13.2 Council retains the right to:

- a) Review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary.
- b) Revoke these Terms of Reference at any time.