

# Public Art Advisory Panel

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## Terms of Reference

## 1. Established

Wagga Wagga City Council's Public Art Advisory Panel (PAAP) was established in 2008 with the formation of the initial Public Art Policy and as part of Council's Committee Structure by resolution 24/306 on 28 October 2024.

The term of the PAAP shall run for the duration of the Council term and may be extended for a period up to six months following the local government general election. Where appropriate, advisors (internal/external) with specialist expertise will be temporarily co-opted to the panel to assist decision making.

## 2. Purpose and Objectives

Council has established a Public Art Advisory Panel (PAAP) composed of stakeholder representatives to provide advice and input to the commissioning of public art works and management of the Public Art Collection in line with the Public Art Policy POL 109 and the current Public Art Plan.

The PAAP has the following tasks:

- Provide expert cultural, artistic and design advice
- Appraise and make recommendations for the selection of appropriate artists and proposals
- Provide expert input to the commissioning processes for artworks
- Report back to Council for endorsement of the recommendations prior to the commissioning of the artwork

## 3. Advice to the City

The PAAP has no power or authority, whether by delegation, agency or otherwise to exercise any function, right, duty or power of the Council, whether under a statute or other law, as a landowner or in any other capacity.

## 4. Membership

The PAAP consists of seven (7) members and should include the following representatives:

- Two Councillors
- One Industry representative
- Two Community representatives (with relevant arts background)
- Cultural Officer
- Wagga Wagga City Council Infrastructure Directorate representative
- Wagga Wagga Art Gallery Director

External applications are to be assessed as per Policy 117 - Appointment of Organisation Community and Individual Citizen Members to Council Committees Policy. As per this Policy, Assessment of Applications and Council endorsement:

*Where the number of nominations exceeds the number of individuals required for appointment or where a representative is required to have some particular skill or*

*professional training, the General Manager shall arrange for a Council Assessment Panel to be convened to assess the applications.*

The Assessment Panel shall provide a recommendation regarding membership for the respective committee(s) to Council for determination.

Where appropriate, key advisors (internal/external) with specialist expertise will be temporarily co-opted to the panel to assist in decision making.

Should any of these positions/roles accept the opportunity to become PAAP members, they will have full voting rights.

The PAAP will be responsible for annually selecting a person to act as Chair and Deputy Chair of the meeting and will nominate any other positions that are seen to be relevant to the activities and purpose of the PAAP.

If any member is absent from three consecutive meetings without having obtained a leave of absence from the PAAP, the member's membership will be terminated.

## **5. Term of Office and Voting**

All appointed positions will run for the duration of the current Council term.

1. When electing persons to such positions as Chair, Deputy Chair, Secretary or any other position deemed to be needed for the proper functioning of the PAAP, members will follow the normal processes of calling for nominations and seconders, and then proceed to a vote if there are more nominations than vacancies.
2. The term of the Chair and Deputy Chair will be one year from the first meeting, unless the member elected to that office resigns from the position in writing to the PAAP.
3. A proposition that receives a majority of votes (whether by vote or score based) from the members present (or scores from assessments submitted prior to the meeting) shall be a decision of the PAAP. Commissions will be assessed, with a period of time of deliberation to gain consensus from the PAAP.
4. Generally, voting connected with the election of a person to an office of the PAAP will be by show of hands or by ballot.
5. Each member of the PAAP has one vote on each question to be decided, except where the member has a conflict of interest.

## **6. Vacation of Office**

The office of an elected, appointed or representative member of the PAAP shall become vacant:

1. If a member resigns membership by notice in writing to the PAAP.
2. If a member is absent for more than three (3) consecutive meetings without prior leave of the PAAP.
3. If a member commits any breach of these Terms of Reference.
4. If the PAAP is dissolved by the Council.
5. If the position is used for any pecuniary interest of the individual.
6. On the end of term of the Council.

## 7. Meetings

- The Public Art Advisory Panel meets monthly at Wagga Wagga City Council.
- Positions on the Panel are honorary, and no fees are paid.
- Attendance of meetings may be in person or remote via video conference at the discretion of the committee.
- Agenda and Minutes of all meetings are prepared by Council staff.

## 8. Meeting Quorum

The quorum required for a meeting to commence will be 50% + 1 of current members. A meeting will be rescheduled if there is no quorum present within ten minutes of the scheduled commencement of the meeting.

## 9. Disclosure of Interests

### 1. Conflicts of Interest

- a. The first item on the agenda of all PAAP meetings, other than that held annually for election of the Chairperson (after apologies/requests for leave of absence) shall be the declaring of pecuniary and non-pecuniary interests/conflicts of interest.
- b. A member of the PAAP shall not at meetings of the PAAP vote on, or ~~be~~ part in the discussion of, any matter in which that person or any relation of that person, has, personally or by their immediate family, any pecuniary or significant non-pecuniary interest. Such interest shall be declared to the meeting at the earliest opportunity, and any member declaring any such interest shall refrain from any discussion of or voting on the matter.
- c. In declaring the conflict of interest at a meeting, the member, adviser, staff member or delegate must ensure that:
  - The details are sufficient to enable other PAAP members to appreciate in general terms the connection of the person with this matter under consideration.
  - The disclosure does not reveal sensitive information which is not relevant to the matter before the PAAP.
  - The disclosure does not reveal information which may be unnecessarily damaging to the reputation of some person(s) with whom the person disclosing is associated.
  - The disclosure will not unnecessarily prejudice a sensitive commercial or legal situation.
  - A disclosure made at a meeting of the PAAP must be recorded in the ~~Minutes~~ Minutes of the meeting.

### 2. Designated Person

Members of the PAAP are identified as designated persons under Council's Code of Conduct because the functions of the committee involve the exercise of the council's functions (such as contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

Members are required to complete a written return within three months of their appointment and then annually in accordance with Council's Code of Conduct.

## **10. Code of Conduct**

Council policy regarding conflict of interest will apply to all Public Art Advisory Panel members. PAAP members are not permitted to directly or indirectly benefit from participation in the Public Art Advisory Panel during their tenure and for a period of twelve (12) months following the completion of their term. Members must act lawfully and with honour, integrity and professionalism.

## **11. Dissolution**

The PAAP may be dissolved by a resolution of Council at any time.