



Arts & Culture Advisory Committee Terms of Reference

Local Government Act 2009

1. PURPOSE

The Arts and Culture Advisory Committee (ACAC) has been established as an Advisory Committee in accordance with section 264 of the Local Government Regulation 2012 ("the Regulation").

Its purpose is to provide information and advice about current and emerging arts and culture related matters to Townsville City Council for the purpose of decision-making and planning.

2. SCOPE AND OBJECTIVES

The Arts and Culture Advisory Committee (ACAC) is a community engagement body that will assist in identifying and offering advice on arts and cultural matters to Townsville City Council and provide feedback on Council projects/initiatives relevant to the artistic community. The information that the Arts and Culture Advisory Committee provides will assist Council in operational and strategic planning related to arts and cultural community of current or future importance.

The objectives of the Committee are to:

- Provide a forum to enable Council and community projects, initiatives, and strategic issues to be discussed.
- Provide an opportunity for Committee Members (as representatives of the artist community) to provide advice and make submissions for Council's consideration.

3. AUTHORITY/DELEGATION

The Committee provides advice that will inform the development of recommended courses of action to be considered by Council.

The relationship between Council and the Committee is reciprocal in that the Committee contributes advice to Council and Council provides information to the Committee (and the various groups and organisations that it represents) about Council decisions, projects, and initiatives relevant to the purpose and scope of the Committee.

The Committee has the authority to provide 'recommendations for consideration' to Council. Recommendations by the Advisory Committees will be by consensus.

4. ROLES AND RESPONSIBILITY

The role of the Committee is to consider matters within its defined purpose and scope, and to advocate for the arts community and arts projects within their networks and sphere of influence.

The Committee shall have a role in considering the strategic direction across Council and providing feedback in relation to Council artistic decisions, projects, and initiatives.

Role of the Committee is to:

- Liaise between Council and the communities/groups/organisations it represents on items of relevance to the Committee.
- Advocate for the Townsville community at Local, State and Commonwealth levels within the defined scope and objectives of the Committee.
- Contribute to discussions about the implementation of Council's Strategic documents or other plans that relate to the purpose and scope of the Committee.
- Provide comment and information regarding the planning and provision of Council's cultural decisions, projects, initiatives, and facilities.

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5. MEMBERSHIP

The maximum voting membership of the Committee will be 15 persons, including the maximum two Councillors, one being the Chairperson. In addition, the Mayor is an ex officio member of each advisory committee. The Mayor may address the committee on any issue but does not have an entitlement to vote.

Membership of the Committee is voluntary, final appointment of Members is endorsed by Council.

Councillors will be appointed to the Committee for the term of the Council unless otherwise removed by a resolution of Council or acceptance of a resignation. In the event of a Councillor resigning their position on the Committee, the Council will nominate a Councillor to fill the vacant position.

The Advisory Committee Meeting Facilitator and Council Secretariat Officer are not considered a member of the committee and only supports the meeting in a non-voting capacity.

Townsville City Council Officer/s can observe and participate at Committee meetings in a non-voting capacity. Participation will need to be arranged in advance in accordance with the Advisory Committee Procedure.

With endorsement by the Chairperson and Advisory Committee Meeting Facilitator, invitations can be made to include non-ACAC members (either organisations, groups and/or individuals) to actively participate in Committee discussions as a subject matter expert.

Working groups of the Committee can be formed, as required, and endorsed by the Committee Chairperson and Advisory Committee Meeting Facilitator, led by an Arts & Culture Advisory Committee member with individuals and/or organisations within the community.

5.1. APPOINTMENT OF CHAIRPERSON

The Chairperson of the Committee shall be appointed by Council.

5.2. ROLE OF CHAIRPERSON

The Chairperson who presides at meetings is responsible for the conduct of the meeting and order of business. The Chairperson has a duty to preserve order and ensure proceedings are conducted in a proper manner, by:

- Determining that a quorum is present.
- Informing the Committee as to the business and objective of the meeting.
- Confining discussion to within the scope and purpose of the meeting and within reasonable limited of time.
- Preserving the order and conduct at the meeting
- Focusing on serving the public interest
- Putting relevant questions to the meeting and conducting a vote where required.
- Declaring the result.
- Ensuring the record of minutes of the meeting is maintained and clearly articulates any recommendations for consideration to Council.
- Adjourning the meeting when circumstances justify that course
- Declaring the meeting is closed when its business is complete.

The order of business for Advisory Committees will generally be:

- a) Opening of meeting
- b) Acknowledgement to Country

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- c) Apologies and Leave of Absence
- d) Confirm Quorum
- e) Confirmation of Minutes of previous minutes
- f) Disclosure of interests
- g) Agenda Submissions and Meeting Action Register Update
- h) Presentations
- i) Agenda Items
- j) General business
- k) Confirmation of next meeting
- l) Close of meeting

In the absence of the appointed Chairperson, the meeting will appoint an Acting Chairperson from the Councillor members or Council workers present, for the duration of that meeting.

The Chairperson becomes the spokesperson on behalf of Council in discussing matters relating to the Committee; provides leadership at Committee meetings; and represents the Committee at the Community and Cultural Development Committee (CCDC).

5.3. COMMITTEE MEMBERS ROLES AND OBLIGATIONS

The role of Committee Members is to apply a collective action approach to advocate and consider opportunities relating to the purpose and scope of the Committee for the benefit of the local government area.

The responsibilities of the Committee members are to:

- Actively contribute to discussions.
- Confine remarks to matters then under consideration.
- Act with due decorum in order that the meeting is conducted in an efficient and effective manner.
- Be respectful, reasonable and professional.
- Interact in a participatory manner.
- Share information with their relevant community connections.
- Not interrupt another speaker, disturb or converse aloud while another person is speaking.
- immediately cease speaking when the Chairperson speaks
- Declare any conflicts of interest that may arise during Committee discussions.

5.4. TERMS OF MEMBERSHIP

a) Representation

Membership of the Committee will consist of representatives from various groups, organisations or individuals within the Townsville community who can directly contribute and provide community leadership on matters relating to diversity of artistic and cultural expression, including, but not limited to, the visual arts, the performing arts (such as theatre, dance, technics/logistics, and music), writing, education, and festivals and events.

Individual Member – is a Committee Member independent of a community group or an organisation who has a

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skill set or knowledge base relevant to the specific topic of the Committee. Individual members must be a resident of Townsville.

Member Organisation / Member Community Group – are an organisation or community group appointed as a Committee Member represented by a delegated person who has authority to represent the organisation/community group in decision making. The organisation/community group provides a skill set or knowledge base relevant to the specific topic of the committee. The organisation/community group must be based in Townsville and predominantly operate for the purposes of the Townsville community.

b) Proxy

Members are required to give due notice of their unavailability for a meeting. Member Organisations/ Member Community Groups are able to provide a proxy. No proxy's allowed for Individual Members.

c) Working Groups

Working Groups that are endorsed by the Chairperson of the Committee may be formed as required.

Working Groups may be led by members of the Committee appointed by the Chairperson and may include individuals/groups/organisations from outside the Committee membership that represent special interest areas, topical issues, and/or target groups that are the subject of the sub-committee's deliberations.

Working Groups must follow the Advisory Committee Terms of Reference. Members of the Working Group will be provided a copy of the Terms of Reference before their commencement.

d) Membership Process

The Chairperson of the Committee and the Advisory Committee Meeting Facilitator will determine the most appropriate representation, skill set, and knowledge base required for an Advisory Committee.

Committee Membership composition (establishment, resignation or alternation) can occur through invitation, expression of interest or selection criteria application process, whichever is deemed appropriate by the Chairperson of the Committee and Advisory Committee Meeting Facilitator.

Assessment and selection of potential members will be made by a panel consisting of the Chairperson of the Committee, second appointed Councillor and the Advisory Committee Meeting Facilitator. Final appointment will be consistent with section 5.4(e).

e) Appointment of Members

Appointment of the Committee Membership will be by Council and based on recommendations made by the Committee Chairperson and Advisory Committee Meeting Facilitator.

f) Terms of Membership

Members of the Committee will be appointed for the duration of the local government term, after implementation of the selection process.

There is no maximum number of terms to be served on the Committee. However, the assessment and selection process will take into consideration the number of terms served, and areas of knowledge/connection required to support the purpose and scope of the Committee.

Membership will be discontinued if a Committee Member, or their delegate, fails to attend three (3) consecutive meetings.

Committee Members can apply to the Committee Chairperson in writing for a leave of absence of up to a year from the Committee, and request that an alternative delegate attend on their behalf. Notice must be received in writing prior to the relevant meeting.

As set out in clause 6.3, if the Chairperson decides unsuitable conduct of a member has occurred that person's membership may be considered for discontinuance. Before a decision is made to discontinue membership, the panel will consider the severity of the conduct and whether the member has had any previous warnings for unsuitable conduct issued.

g) Replacing Vacating Members

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If a Committee Member wishes to relinquish their position on the Committee, the Member should notify the Chairperson of the Committee in writing. The Committee's Chairperson and Advisory Committee Meeting Facilitator will recommend a replacement for the vacating member for Council's approval.

An Organisation Representative Member who relinquishes their membership on the Committee may nominate a replacement representative from their organisation who has skills like their own in writing to the Chairperson of the Committee for consideration.

6. MEETINGS

6.1. QUORUM

The quorum for the Committee is half (rounded down if required) plus one of the Committee appointed membership. (For clarity, the ex officio membership of the Mayor is not considered when calculating the quorum).

6.2. FREQUENCY AND LOCATION

Meetings of the Committee will be held every two months unless otherwise advised in the months of February, April, June, August, October and December, at a location to be confirmed.

An annual calendar will be distributed at the beginning of each calendar year. Any changes to meetings will be advised to Members no later than 1 week prior to the meeting date.

Additional meetings of the Committee may be called at the discretion of the Chairperson as required.

6.3. CONDUCT

Meetings must be conducted in accordance with the provisions of the Local Government Act 2009 and Local Government Regulation 2012. If there is a dispute regarding meeting procedure or the conduct of an individual, the Chairperson may refer to the Townsville City Council Code of Meeting Practice.

If the Chairperson decides unsuitable conduct has occurred, the Chairperson may request the member to take remedial action such as:

- Ceasing the unsuitable conduct and refraining from exhibiting the conduct
- Apologising for their conduct
- Withdrawing their comments

If the member fails to comply with the Chairperson's request for remedial action, the Chairperson may caution the member that failing to comply with the request could result in a warning being issued.

If the member fails to comply with the Chairperson's request for remedial action or the Chairperson decides a remedial action is not sufficient in consideration of the severity of the conduct, the Chairperson may:

- Require the member to leave the meeting and stay out for the duration of the meeting
- Record a warning of the members conduct in the meeting minutes

If a member is warned on two or more occasions in a 12-month period, the member's membership on the committee will be considered for discontinuance.

Assessment to discontinue a member membership following unsuitable meeting conduct will be made by a panel consisting of the Chairperson of the Committee, second appointed Councillor and the Advisory Committee Meeting Facilitator.

6.4. STANDARDS OF ATTIRE

The appearance and dress of Committee Members, any attending guest or Council workers should be appropriate to the advisory committee being attended.

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Councillor appearance and dress must in accordance with the Councils Code of Meeting Practice Policy.

6.5. CONFLICT OF INTEREST

At the commencement of each meeting, Committee Members must declare:

- any material personal interest (using the definition of that term in the Local Government Act 2009, to the extent it applies to the committee member); and
- any perceived or actual conflict of interest they have in respect of a matter before that meeting. Committee members with a material personal interest must not participate in discussion or decision about the matter in which they have the material personal interest; and
- any other committee decision about a matter if that decision has any possibility of impacting upon the matter in which they have the material personal interest (for example, a decision about another grant application).

When a Committee Member declares a perceived or actual conflict of interest and the Committee Member does not decide to refrain from discussing or voting upon the matter, the other Committee Members must vote upon whether the declaring member must refrain from discussing or voting upon the matter. The results of the ballot are binding upon the declaring member.

6.6. MEETING AGENDA

Agenda topics will be open to Committee Members as well as the general community and Council staff by deputations.

Agendas are to be submitted through the Arts & Culture Advisory Committee (ACAC Webpage). Agenda submission will close 4 weeks prior to each meeting date, any agenda items received post the cut-off date will be considered for the subsequent meeting. ACAC webpage – <https://www.townsville.qld.gov.au/about-council/council-meetings/advisory-committees/arts-advisory-committee>

The Chairperson is to decide what matters are included in an agenda and the order in which matters are listed for consideration.

The agenda will be issued to the Committee no less than two business days prior to the committee meeting.

6.7. MEETING RECORDS

The Committee shall keep minutes of its proceedings.

Only authorised persons may make an audio or video recording of the meeting in accordance with Section 35 of *Local Law No. 1 (Administration) 2011*.

Minutes of the Committee will include –

- the names of Committee members present at the meeting;
- the moving and seconding a motion and the outcome of that motion;
- any disclosure of a material personal or conflict of interest; and
- each relevant report for the meeting, other than to the extent the relevant report contains information that is confidential to the local government.

The minutes of a meeting are a record of the decisions made and are not transcripts of discussions that occur at the meeting.

A copy of the minutes will be made available to the Committee members within 10 days after the end of the meeting; and

At each meeting, the minutes of the previous meeting must be considered by the Committee members present and:

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- amended by a resolution of the meeting if required;
- once agreed by a majority to be a true record, confirmed and signed by the Chairperson of the later meeting.

7. REPORTING

The minutes of the Committee meeting will be reported to Council through the Community and Cultural Development Committee (CCDC). The report will contain both the Committee's deliberations and any recommendations for consideration for Council.

8. REVIEW AND PERFORMANCE EVALUATION

The Committee shall review these Terms of Reference at the first Committee Meeting of each calendar year.

8.2. PERFORMANCE EVALUATION

At the first Advisory Committee of each calendar year, the Committee will:

- Review the Terms of Reference; and
- Undergo a self-assessment process to ensure all the functions and business of the Committee is being dealt with in an efficient and effective manner.

The assessment process shall include but not be restricted to time of meetings, length of meetings, attendance at meetings, location of meetings (suitability), content of meetings, results of recommendations on matters discussed, achievements, satisfaction rating of members and meeting management.

9. COUNCIL WORKERS

The Committee will be supported by Townsville City Council Officers in facilitating the function of committee secretariat and Meeting Facilitator.

Attendance by relevant Townsville City Council Officers from various Divisions of Council may be requested by the Committee through the Committee Chairperson and appropriate internal channels.

Townsville City Council Officers (as required) will also attend meetings in an observation/nonvoting capacity to provide and/or seek information from the Committee.

10. DEFINITIONS

ACAC – means Arts and Culture Advisory Committee

CCDC – means Community and Cultural Development Committee

11. ASSOCIATED DOCUMENTS

Council Advisory Committees Policy

Advisory Committee Procedure

Townsville City Council's Code of Meeting Practice Policy

Local Government Act 2009

Local Government Regulation 2012

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