

Burnie City Council



Schedule of

Delegation of Authority
and
Operating Procedures

to

**Public Art Projects
Special Advisory Committee**

Document Management

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Pursuant to Section 24 of the *Local Government Act 1993* (as amended) the Burnie City Council hereby establishes a Special Committee as detailed in Schedule 1 and 2 below.

Schedule 1

1. Name of Special Committee

The name of the Special Committee shall be the:

Public Art Projects Special Advisory Committee

Schedule 2

1. Objectives of the Committee

- 1.1. The objective of the Committee is to evaluate and assess all public art proposals (commissions, submissions and gifts) against the prescribed criteria of the **Public Art Policy** CP-CBS-SG-039 and be responsible for identifying new public art opportunities and making recommendations to Council.

2. The Committee Structure

- 2.1. The Committee shall consist of at least five members and a maximum of six members at any one time.
- 2.2. The Committee will include at least the following:
 - one Aldermen of Burnie City Council,
 - a professional artist (independent member), and
 - at least three, maximum of four, independent community members or representatives of a peer organisation (independent member).
 - the Director of the Burnie Regional Art Gallery (BRAG),
 - the Curator of the Burnie Regional Museum (BRM),
 - The Director of BRAG and Curator of the BRM shall be ex-officio members.
- 2.3. The Committee shall appoint a Chairperson at the Annual General Meeting.

3. Terms of the Committee Appointments

- 3.1. The alderman position on the Committee will become vacant directly following the Council election, and subsequent appointments shall be for a period of four years to the following election. If an Alderman of the Committee resigns prior to the election the Council will appoint a replacement at the earliest convenient time.

- 3.2. The Director BRAG and Curator BRM appointments to the Committee shall be by virtue of their position and not expire. These positions are required to be in attendance at meetings unless excused by the Chairperson.
- 3.3. The independent positions on the Committee will become vacant in line with the Council election. Appointed independent positions are for a fixed term of not less than two years and not more than four years and may be reappointed.
- 3.4. The General Manager has the power to end the term of the Chairperson or Independent Member.

4. Qualifications and Selection of Independent Members

- 4.1. The independent members are to possess an interest in public art and have a strong understanding of Burnie's cultural context and cultural development.
- 4.2. The appointed professional artist is to be a person with the creative ability to convey messages to a wider audience through at least one medium, who identifies themselves on the basis of skill, training or experience and is accepted by peers or the arts industry as professional.
- 4.3. Expressions of interest for independent members to the Committee will be advertised prior to the Council election. The General Manager will recommend the appointees utilising a predetermined merit selection process.

5. Meetings of the Committee

- 5.1. The Committee will meet at least two times per year.
- 5.2. The Chairperson is able to call additional meetings and is required to, if asked to do so by Council or at least two other members of the Public Art Projects Committee.
- 5.3. A special meeting may be required to review Public Art Proposals as they arise.
- 5.4. A quorum will consist of a majority of members which must include at least two independent members.
- 5.5. A submitting Artist or Artists may be asked to present their proposal in person at a Public Art Projects Special Committee.
- 5.6. Elected members of Burnie City Council are welcome to attend any meeting of the Public Art Projects Special Committee.
- 5.7. Minutes of each meeting will be kept by the Director of the Burnie Regional Gallery
- 5.8. Minutes will include at a minimum those present and an accurate record of any motion indicating the movers and seconder and the word 'Carried' or 'Lost' indicating the resolve of the motion.
- 5.9. The minutes shall be confirmed at subsequent Committee meetings.

- 5.10. The Committee shall within 14 days of a meeting, provide a copy of the minutes to Council for inclusion in the next ordinary meeting of the Council. Where recommendations are made by the Committee, the Chairperson shall include a report explaining any specific recommendations for Council approval.
- 5.11. Notice of each meeting, including special meetings, shall be given to each Committee member at least seven days in advance unless impractical to do so by reason or an urgent matter requiring a meeting to be held promptly.

6. Functions of the Committee

6.1. Identification

- 6.1.1. To identify opportunities to install public art in public places and spaces.

6.2. Assessment and Recommendations

- 6.2.1. To evaluate and assess all public art proposals, both commissions and submissions, against the prescribed criteria of the Public Art Policy and be responsible for identifying new public art opportunities and making recommendations to Council.
- 6.2.2. To evaluate and approve public art donations or gift proposals and memorials for public places and spaces in the Burnie municipal area against the prescribed criteria of the Public Art Policy.

6.3. Funding Requests

- 6.3.1. To explore a range of funding options and actively seek funding for public art projects, including:
- (a) Capital Works allocation within existing or proposed projects
 - (b) Unique Capital Works requests
 - (c) Partnership, sponsorship and donations
 - (d) State and Federal Government funding

6.4. Artist Selection

- 6.4.1. To select an Artist based on an expression of interest for a Public Art Project.
- 6.4.2. To prepare the project brief for the Artist.
- 6.4.3. To prepare the Artist contract.
- 6.4.4. Assist the Artist complete a risk manager and risk assessment of the Public Art Project.
- 6.4.5. Assist the Artist in accordance with the Public Art Policy.

6.5. Final Approval for Public Art Projects

- 6.5.1. Recommendations and endorsements for the implementation of Public Art projects will be submitted to Council by the Public Art Projects Committee. Final approved of any public art projects will be made by the Burnie City Council.

7. Restrictons on Committee Powers

- 7.1. The Public Art Projects Committee does not have the power to:

- (a) Impose fees, taxes, rates or charges
- (b) Rebate rates or charges
- (c) Apply for grants
- (d) Make grants
- (e) Borrow money
- (f) Make a rate
- (g) May a By-law
- (h) Execute a Deed
- (i) Sign a contract
- (j) Institute a legal proceeding
- (k) Call for tenders
- (l) Provide direction to staff
- (m) Advertise for and/or appoint an employee or servant
- (n) Sell land
- (o) Operate a bank account
- (p) Conduct business and acitivites otherwise than in accordance with Council's Risk Management and Occupational Health and Safety policies and practices

8. Remuneration

- 8.1. The Committee members are voluntary workers, and no remuneration will be provided to Committee members.

9. Secretariat and Support

- 9.1. The Council will provide the Committee with the necessary secretariat support to allow the Committee to function effectively.

- 9.2. The Director of Community and Economic Development will be available to provide information for the Committee.

10. Alteration to Delegation and Rules of Procedure

- 10.1. The Committee is to conduct a review of the terms of reference contained in this document providing Council with a recommendation for any changes, in the first instance after twelve months of operation, with subsequent reviews to be held every four years.
- 10.2. This delegation and rules of procedure may be amended at any time by Council.

11. Definitions

- 11.1. 'Committee' means the Public Art Projects Special Committee as stipulated in Schedule 1 of this document.
- 11.2. 'Council' means the Burnie City Council.
- 11.3. 'General Manager' means the General Manager of the Burnie City Council as appointed from time to time.