



Arts and Culture Advisory Group

Terms of Reference

1. ESTABLISHMENT

- 1.1 The **Arts and Culture Advisory Group** (the Advisory Group) is established as an Advisory Group of the City of Victor Harbor (Council).

2. PURPOSE

- 2.1 The purpose of the Advisory Group is to assist the Council to plan and support the implementation of the City of Victor Harbor Community Plan 2030 with initiatives that cultivate a vibrant community culture and provide advice to the Council by:
- 2.1.1 Actively supporting the implementation of the City of Victor Harbor Community Plan and Culture Strategy: Arts and Heritage;
 - 2.1.2 Assessing applications received under relevant City of Victor Harbor Grant Programs and provide recommendations to Council for consideration;
 - 2.1.3 Providing advice regarding Coral Street Art Space exhibition applications;
 - 2.1.4 Reviewing and advising on Council documentation that relates to Arts and Culture.

3. ROLE AND FUNCTION

- 3.1 The Advisory Group:
- 3.1.1 has been formed to provide advice to the Council on specific matters **as** outlined within Clause 2 - Purpose. For clarity, it is not a committee formed pursuant to *Section 41 of the Local Government Act 1999* which would provide advice direct to the Council.
 - 3.1.2 is expected to stay within the Terms of Reference adopted by Council.
 - 3.1.3 will not commission work on their own initiative or have any decision-making powers delegated by Council, other than to provide advice to Council.

4. MEMBERSHIP

- 4.1 The membership of the Advisory Group shall consist of:
 - 4.1.1 six (6) community representatives who have relevant experience in arts and culture industries or related industries;
 - 4.1.2 one (1) First Nations Community Representative;
 - 4.1.3 two (2) Council Members of the City of Victor Harbor.
- 4.2 Community representatives shall be able to demonstrate prior or current involvement in the arts and culture activity.
- 4.3 The Advisory Group can co-opt up to two additional members, if it is considered that additional skills and experience would benefit a specific project or add value to the general performance of the Group.

5. TERM OF MEMBERSHIP

- 5.1 The term of membership of:
 - 5.1.1 Community members shall be for two years or as resolved by Council.
 - 5.1.2 Council Members shall be for the term of the Council or as resolved by Council.

6. ATTENDANCE

- 6.1 Any Council Member may attend the meetings of the Advisory Group
- 6.2 Advisory Group members are expected to attend all meetings where possible. Apologies for non-attendance must be submitted to the Advisory Group Facilitator prior to the meeting.
- 6.3 Where a member fails to attend three successive meetings without submitting a satisfactory explanation, the Chairperson will make a determination on their membership.
- 6.4 Members may participate in a meeting of the Advisory Group by electronic means which includes by telephone, computer or other electronic device used for communication.
- 6.5 A member participating in the Arts and Culture Advisory Group meeting by electronic means is taken to be present at the meeting provided that the member:
 - 6.5.1 Can hear all other members present at the meeting;

6.5.2 Can be heard by all other members present at the meeting; and

6.5.3 Can be heard by the person recording the meeting notes of the meeting.

7. ADVISORY GROUP FACILITATOR

7.1 An Advisory Group Facilitator:

7.1.1 shall be appointed by the Chief Executive Officer and/or their delegate.

7.1.2 shall be a staff member of Council and is responsible for co-ordinating the preparation of agendas, invitations, and meeting notes of the Advisory Group.

7.1.3 shall be responsible for co-ordinating any presentations from guest speakers and for considering requests from members of the public to address the Advisory Group in consultation with the Chairperson.

7.1.4 has the right to refuse a request from a member of the public to address the Advisory Group if it is deemed more appropriate for that person to address an Ordinary Council Meeting.

8. CHAIRPERSON

8.1 The Chairperson of the Advisory Group will be a Council Member.

8.2 In the absence of the Chairperson, another Council Member appointed to the Advisory Group or the Advisory Group Facilitator or delegate shall chair the meeting.

9. DECISION MAKING

9.1 The Group has an advisory role; its recommendations are made by consensus and no recommendation is deemed to be a decision of the Group. If consensus is not achieved the matter may be referred to Council for determination, if required.

9.2 The Chief Executive Officer and/or their delegate will determine which items are required to be referred to the Council and action accordingly.

10. QUORUM

10.1 The Advisory Group requires a quorum to hold a meeting. The quorum is at least fifty percent of the membership.

10.2 The Chairperson shall use their discretion to determine if any item on the agenda should be deferred to a future meeting if it is considered there are insufficient members at the meeting.

11. MEETING

- 11.1 The Advisory Group shall meet on as-needed basis.
- 11.2 The Advisory Group Facilitator in consultation with the Advisory Group members determine the times and dates of each meeting.
- 11.3 The Advisory Group meetings will be held at the Civic Centre, 1 Bay Road, Victor Harbor or another venue agreed to by the Advisory Group Members.
- 11.4 The Advisory Group meetings may be closed to the public, as declared by the Chief Executive Officer in accordance with Section 90(3) of the *Local Government Act 1999*.
- 11.5 The Advisory Group must provide one presentation to the Council per year, at a venue that is open to the public, outlining the work that has been occurring within the Advisory Group meetings.

12. AGENDA

- 12.1 The Agenda shall be determined by the Chief Executive Officer and/or her delegate in consultation with the Chairperson and include enough detail to enable matters to be considered at the meeting.
- 12.2 The agenda shall be distributed by email at least three (3) days prior to the next meeting date.

13. MEETING NOTES AND REPORTING

- 13.1 The Advisory Group is not a formal committee of Council, the meeting notes will record at a minimum the following:
 - 13.1.1 the place, date and time at which the Advisory Group meeting was held;
 - 13.1.2 the meeting attendees and apologies;
 - 13.1.3 the topics discussed; and
 - 13.1.4 any recommendations arising from the discussion and advice provided, noting that the Chief Executive Officer and/or their delegate shall determine if any individual recommendations/actions are required to be reported to the Council for determination.

14. CONDUCT OF ADVISORY GROUP MEMBERS

- 14.1 Community Members of the Advisory Group will be expected to:
 - 14.1.1 comply with Council's policies including the Volunteer Code of Conduct;

14.1.2 be honest and fair when dealing with all persons present at the meetings;

14.1.3 deal with information received in their capacity as a member in a responsible manner;

14.1.4 be aware of any conflict between their role as a Member of the Advisory Group and their private interests and disclose these conflicts either prior to the relevant matter being discussed or as soon as the conflict becomes apparent;

14.1.5 endeavour to provide accurate information to the group;

14.1.6 endeavour to establish and maintain respectful relationships with all Advisory Group Members, Council Members and Council Staff, regardless of difference of views and opinions.

14.2 Members of the Advisory Group are not permitted to speak to the media as representatives of the Group.

14.3 Confidential matters presented to the Advisory Group, shall be dealt with and remain in confidence until such time as confidentiality is withdrawn as advised by the Chief Executive Officer.

15. REMOVAL

15.1 A member of the Advisory Group may be removed from the group on the grounds that;

15.1.1 he or she was absent, without leave from the Advisory Group, from three or more consecutive meetings; or

15.1.2 he or she has made public statements that may be detrimental to the effective functioning of the Advisory Group; or

15.1.3 He or she, is behaving in a way which is detrimental to the smooth, efficient and effective workings of the Advisory Group.

15.2 The determination as to whether a Member's conduct constitutes grounds for removal from office will be made by a reference panel comprising the Mayor, Chief Executive Officer (or delegate) and the Advisory Group Facilitator.

15.3 The reference panel will observe the principles of natural justice in making any decision to remove a member from office. That is, the member will be given an opportunity to comment in relation to any adverse allegations against him or her in relation to any proposal that he or she be removed from office. Any comments made by the member will be taken into account by the reference panel before a decision is made.

16. VACANCIES

- 16.1 All members' positions of the Advisory Group are declared vacant after every local government election.
- 16.2 The filling of any vacancy occurring by resignation or removal of a member shall be at the discretion of Council through a Council resolution.

17. DISSOLUTION

- 17.1 Council may at any time abolish the Advisory Group and such action by the Council may include but is not limited to the Advisory Group:
- 17.1.1 has fully achieved its purpose for establishment;
- 17.1.2 has become unproductive;
- 17.1.3 can no longer attract membership;
- 17.1.4 no longer serves the service priorities and/or core business of Council.

18. AMENDMENTS TO TERMS OF REFERENCE

- 18.1 Council may amend the Terms of Reference by Council resolution.

19. DOCUMENT HISTORY

Version	Issue Date	Resolution No.	Description
1.0	24 June 2019	OC4612019	Endorsed Terms of Reference
2.0	26 August 2019	OC6002019	Member appointments
3.0	26 Oct 2020	OC5582020	Member appointments
4.0	29 January 2021	CEO	Appointed Louise Hampel as Arts and Culture Advisory Group Facilitator
5.0	23 August 2021	OC3732021	Membership Term extended
6.0	25 October 2021	OC5252021	Member appointments
7.0	22 August 2022	OC3542022	Terms of Reference updated to reflect the Group reports directly to Council via the responsible officer. Updated facilitator to Arts and Cultural Facilitator
8.0	12 December 2022	OC4972022 & OC4982022	Terms of Reference updated and Council Member appointments
9.0	11 December 2023	OC4482023	Membership term extended
10	25 March 2024	OC882024	Terms of Reference updated

SCHEDULE 1

ARTS AND CULTURE ADVISORY GROUP

Group Membership

Member	Representative	Appointed	Expires
Community Member	Margaret Worth	12 Dec 2022	June 24 Ordinary Council Meeting
Community Member	Julie Kelly	12 Dec 2022	June 24 Ordinary Council Meeting
Community Member	Zoe Crichton	12 Dec 2022	June 24 Ordinary Council Meeting
Community Member	Jan Foreman	12 Dec 2022	June 24 Ordinary Council Meeting
Community Member	John Crompton	12 Dec 2022	June 24 Ordinary Council Meeting
Community Member	Maria Ellers	12 Dec 2022	June 24 Ordinary Council Meeting
Community Member	Vacant		
City of Victor Harbor	Cr Marilyn Henderson	12 Dec 2022	Nov 26
City of Victor Harbor	Mayor Moira Jenkins	12 Dec 2022	Nov 26

Advisory Group Facilitator

Arts and Cultural Facilitator	Mia Stocks
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Office Bearers

Chairperson	Cr Marilyn Henderson
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