



Arts and Culture Advisory Group

Terms of Reference

1. Establishment

- 1.1 The City of Victor Harbor (Council) resolved on 27 May 2019 (OC4012019) to establish an Advisory Group to be known as **Arts and Culture Advisory Group** (the Advisory Group).
- 1.2 The Advisory Group is a sub-committee of the City Activation and Strategic Planning Advisory Committee (the Committee).

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 2036 and Strategic Directions 2016-2020* with initiatives that cultivate a vibrant community culture and provide advice to the Committee by:
 - 2.1.1 Reviewing and advising on Council documentation that relates to Arts and Culture.
 - 2.1.2 Facilitating and supporting arts and culture activities, festivals and events
 - 2.1.3 Activating streets and public places for creative and social activities
 - 2.1.4 Providing infrastructure that supports arts and cultural activities
 - 2.1.5 Work within the current creative communities partnership agreement with Country Arts SA

3. Role and Function

- 3.1 The Advisory Group:
 - 3.1.1 has been formed to provide advice to the Committee on specific matters. 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 the Committee.

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 two (2) Elected Members of the City of Victor Harbor.
 - 4.1.3 one (1) Aboriginal Community Representative
- 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 (2) 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 Committee.

5. Term of Membership

- 5.1 The term of membership of:
 - 5.1.1 Community members shall be for two (2) years or as resolved by Council.
 - 5.1.2 Elected Members shall be for the term of the Council or as resolved by Council

6. Attendance

- 6.1 Any Elected 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.

7. Advisory Group Facilitator

- 7.1 An Advisory Group Facilitator:
 - 7.1.1 shall be appointed by the Chief Executive Officer and/or her delegate or as resolved by Council.
 - 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 or the Committee

8. Chairperson

- 8.1 The Chairperson of the Advisory Group will be an Elected Member.
- 8.2 In the absence of the Chairperson, another Elected Member of the Advisory Group or a delegated staff member 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 Committee. If consensus is not achieved, and if required, the matter shall be referred to the Committee for determination.
- 9.2 The Chief Executive Officer and/or her delegate will determine which items are required to be referred to the Committee and action accordingly.

10. Quorum

- 10.1 The Advisory Group requires a quorum to hold a meeting. The quorum is 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 at least four (4) times per year, or more frequently if determined by the Chief Executive Officer and/or delegate in consultation with the Advisory Group Members.
- 11.2 The Advisory Group shall meet at times and dates determined by consensus of the Group.
- 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 Council's Informal Gathering Policy, as matters that will be discussed involve:
 - 11.4.1 a planning session of a general or strategic nature; or
 - 11.4.2 is a briefing session relating to information or a matter of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999; or
 - 11.4.3 exchange information on proposals that are being worked on by staff or ideas that need to be investigated including options for engaging the community.
- 11.5 The Advisory Group must provide two (2) presentations to the Committee, outlining the work that has been occurring within the Advisory Group meetings at a venue that is open to the public.

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 no later than least three (3) days prior to the next meeting date.

13. Minutes 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 recommendations arising from the discussion and advice provided to the Chief Executive Officer and/or her delegate shall determine if any individual recommendations/actions are required to reported to the Committee 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 disclosure 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, Elected 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 or the Committee 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 or the Committee

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

SCHEDULE 1

ARTS AND CULTURE ADVISORY GROUP

Group Membership

November 2020

Member	Representative	Appointed	Expires
Community Member	Nisa Schebella	26 Aug 2019	30 Sept 2021
Community Member	Margaret Worth	26 Aug 2019	30 Sept 2021
Community Member	Sonya Hender	26 Aug 2019	30 Sept 2021
Community Member	Julie Kelly	26 Aug 2019	30 Sept 2021
Community Member	Zoe Crichton	26 Aug 2019	30 Sept 2021
Community Member	Gina Allain	26 Aug 2019	30 Sept 2021
Community Member	Vacant		
City of Victor Harbor	Cr Andrew Robertson	24 Nov 2020	Nov 2022
City of Victor Harbor	Cr Marilyn Henderson	24 Nov 2020	Nov 2022

Advisory Group Facilitator	
Arts and Culture Facilitator	Peta Johnston

Office Bearers	
Chairperson	Cr Marilyn Henderson