



# Arts and Culture Advisory Committee

## Terms of Reference

### 1. Objectives and Purpose

- 1.1 The Baw Baw Shire Council (Council) Arts and Culture Advisory Committee (the Committee) is a formally appointed Advisory Committee of Council.
- 1.2 The role of an Advisory Committee generally is to provide appropriate advice and recommendations to Council on matters relevant to its Terms of Reference to facilitate decision making by Council in relation to the discharge of its responsibilities.
- 1.3 The Committee does not have any executive powers, nor does it have any delegated financial responsibility.
- 1.4 The Committee does not have the authority to delegate tasks or form sub-committees.
- 1.5 The Committee is to assist the Council by offering specialised advice and assistance with research on issues of interest to Council and the Community as outlined below.

### 2. Duties and Responsibilities

The Committee will carry out the following duties and responsibilities:

- 2.1 Provide advice and recommendations to Council to assist with:
  - The creation, review and evaluation of policies, strategies and action plans that are related to Arts, Culture and Events.
  - Assisting with assessments of applications for programs and exhibitions where required.

- Ensuring the community is actively involved in local planning, decisions and actions and the community's needs in Council's future development of appropriate arts and cultural policy and service delivery are represented.
- Promoting Council's Arts, Culture and Events programs to enhance Baw Baw Shire's reputation as a vibrant centre for arts and cultural activity.
- Providing a means for residents to be actively involved in their communities and community life and feel more connected.

- 2.2 Provide appropriate advice and recommendations to Council Officers when requested.
- 2.3 The Committee's Staff Liaison will report to Council about committee activities, issues, and related recommendations through the circulation of minutes as outlined in the Advisory Committee Policy.
- 2.4 The Committee may be requested to help review its Terms of Reference and overall activity to help Council review the performance of its Advisory Committees.
- 2.5 Perform other activities related to this Terms of Reference as requested by Council resolution.

### 3. Membership and Tenure

- 3.1. The Committee will be a minimum of five members, consisting of:
  - 3.1.1. A minimum of two Councillors, with a maximum of three, appointed by the Council.
  - 3.1.2. A minimum of three external independent members, and a maximum of eight.
  - 3.1.3. A minimum of one representative from the following organisations: Not Applicable
- 3.2. Council Officers will support the Committee and will consist of representatives from the following Council Departments:
  - 3.2.1. Arts and Culture
- 3.3. Appointment of independent members shall be made by Council Resolution and be to the end of that current Council Term unless otherwise specified below:
  - 3.3.1. Membership Tenure: Council Term
- 3.4. Appointment to the Committee may be decided by factors such as suitability, experience, expertise, and with a view to ensuring a diverse and well-balanced Committee.
- 3.5. The following skillsets or experience are required prerequisites for membership of the Arts and Culture Advisory Committee:
  - Not Applicable

## 4. Conduct

- 4.1. While carrying out its duties, Advisory Committee members must adhere to the same standards of conduct as Council, as defined in the Model Councillor Code of Conduct.
- 4.2. Members are expected to:
  - 4.2.1. Contribute the time needed to study and understand the papers provided.
  - 4.2.2. Apply good analytical skills, objectivity and judgement.
  - 4.2.3. Express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of enquiry.
  - 4.2.4. Attend each Committee Meeting.
- 4.3. If a member misses two consecutive committee meetings without an accepted approval of absence, they will have disqualified themselves from membership.
- 4.4. Council may remove any member from the Committee if they have breached of the Terms of Reference or Model Code of Conduct.
- 4.5. If Council proposes to remove a member from the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard if that member so requests.

## 5. Meetings

- 5.1. The Committee will meet once a quarter. If circumstances require, additional meetings may be held, if approved by the relevant Director.
- 5.2. Meeting dates, times and locations shall be determined by the Staff Liaison in consultation with the Committee to ensure maximum attendance.
- 5.3. Meeting agendas and minutes will be provided electronically and in the timeframe specified in the Advisory Committee Policy.
- 5.4. Committee meetings will operate in accordance with Council's Governance Rules.
- 5.5. In the absence of the Chairperson from a meeting, the meeting shall be chaired by another present Councillor.

## 6. Conflicts of Interest

- 6.1. In accordance with Sections 126 to 130 of the Local Government Act 2020, members of the Committee are required to disclose all conflicts of interests and may not be eligible to vote on a matter or attend a meeting at which the subject of the conflict will be considered, depending on the nature of the conflict.

6.2. Members of the Committee are to comply with the provisions of the Local Government Act 2020, and any supporting Regulations, concerning conflicts of interest.

6.3. Failure to comply with provisions of the Local Government Act 2020 with regard to conflicts of interest may result in termination of the Member's appointment.

## 7. Confidentiality

7.1. All Members are subject to Section 125 of the Local Government Act 2020 in terms of information that the person knows, or should reasonably know, is confidential information as defined by the Act.

7.2. Failure to comply with provisions of the Local Government Act 2020 with regard to confidentiality may result in termination of the Member's appointment.

7.3. The Terms of Reference and Committee meeting minutes will be available on Council's website.

7.4. All independent members of the Committee shall sign a confidentiality agreement as shown below:

THIS AGREEMENT is made on (DATE)

BETWEEN

AND

I herewith agree that I must not whether during or after my membership of the Baw Baw Shire Council Arts and Culture Advisory Committee, unless expressly authorised by the Chief Executive Officer or in accordance with the law, make any disclosure or use of:

1. Any information or trade secrets of the Council;
2. The position of the Council or of any Councillor or Council Officer on any confidential matter;  
or
3. Any other information whatsoever, the disclosure of which may be detrimental to the interest of Council or of any other person who has provided it to the Council on a confidential basis, unless I am required to disclose the information by law. I must use my best endeavours to prevent the improper publication or disclosure or use of any such information by anyone else.

The termination or expiry of my membership of the Committee, for whatever reason, does not affect or derogate from my obligations of confidentiality set out above.

Signed by:

Date:

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ADVISORY COMMITTEE MEMBER

Signed by:

Date:

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(On behalf of Baw Baw Shire Council)

CHIEF EXECUTIVE OFFICER