

# Mitcham Art Advisory Group (MAAG) Terms of Reference

Endorsed 14 March 2023

## 1. Establishment of the Mitcham Art Advisory Group

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The City of Mitcham Council (Council) establish a group to be known as the Mitcham Art Advisory Group (**MAAG**) (the **Group**) for the purpose of advising Council on significant public or community art projects, particularly providing recommendations on the awarding of public art grants and other matters.

## 2. Delegation

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- 2.1 The Group is delegated with the power to adopt its own minutes as a true and accurate record of proceedings.
- 2.2 MAAG is not a decision-making body but is able to advise Council on relevant matters related to public and community art

## 3. Membership

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- 3.1 Membership of MAAG will consist of a minimum of four (4) persons to a maximum of (8) with various skills and experience relevant to public and community art and other relevant skills or experience which would complement or benefit MAAG.
- 3.2 Community representatives will be selected by Council staff, on a merit basis, as result of an Expression of Interest. Administration will seek a broad cross selection of skills and experience relevant to public and community art through the selection process.
- 3.3 The Manager, Community Connections (or nominee) will attend meetings to provide advice and information but is not a Member.
- 3.4 The Group will appoint a Presiding Member (or Chair) from within the Group.
- 3.5 The Group may appoint a Deputy Presiding Member of the Group.
- 3.6 Members of MAAG shall hold office for a 2-year term and are eligible for reappointment after this.

- 3.7 Council are not members of MAAG but may attend meetings as observers.
- 3.8 Diversity in membership will be encouraged through the recruitment and selection process including representation of (but not limited to) women, people with disability, people from culturally and linguistically diverse backgrounds, LGBTIQ+ people, and young people.
- 3.9 First Nations representation on MAAG will be encouraged through the recruitment and selection process.

#### **4. Assessment of Public Art/Community Art Proposals and Initiatives**

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- 4.1 MAAG will consider and/or assess public art/community art proposals and initiatives in relation to the Guiding Principles and the Value Statement established in Council's Public Art Policy and make recommendations to Council on the allocation of grant funding.
- 4.2 Members of MAAG are prohibited from applying for a Public Art or Arts Activation Grant, including being engaged by another artist/s to support their application during the term of their MAAG membership.
- 4.3 Successful recipients of a Public Art Grant or Arts Activation Grant may not reapply for funding two years in a row.

#### **4. Meeting Times**

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The Group shall hold its first meeting at a date and time to be determined by the Manager, Community Connection (or nominee) in consultation with the Presiding Member and shall meet thereafter as determined by the Group.

#### **5. Meeting procedures, minutes and documents**

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- 5.1 The Group shall determine their own procedures. Agendas and minutes of MAAG will be published on Council's website.
- 5.2 The Group shall act at all times in strict accordance with relevant legislation and with written policies, guidelines and protocols of the Council which are relevant to the

Group in the performance of its functions.

- 5.3 Ordinary meetings of the Group will be held in the Council Offices or at any other such place the Group (including virtual meetings) from time to time determine.
- 5.4 A quorum for a meeting of the Group shall be half plus one for meetings that are intended to assess public art proposals and make recommendations.
- 5.5 All recommendations of the Group shall be made on the basis of a majority of the members present.
- 5.6 MAAG will meet a minimum of two times a year or more, as required.
- 5.7 Members of MAAG are required to inform the Manager, Community Connections (or nominee) if they are unable to attend a meeting and may convey their views about the agenda.

## **6. Meeting cancellation**

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- 6.1 The Manager, Community Connections (or nominee) or Presiding Member of the Group is authorised to cancel the respective meeting if it is clear that there is no business to transact for that designated meeting.
- 6.2 Members are to be advised as soon as possible before the scheduled meeting.

## **7. Members liability**

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- 7.1 No civil liability shall attach to a member of the group for an honest act or omission in the exercise performance or discharge or purported exercise, performance or discharge of the members or group functions or duties. A liability that would but for the foregoing attach to a member of the group, attaches instead to the Council.

## **8. Conduct and disclosure of Interests**

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- 8.1 Members of the Group must comply with the conflict of interest provisions of the Local Government Act 1999, in particular Sections 62 (general duties), 63 (code of conduct) and 73-74 (conflict of interest, members to disclose interests) must be adhered to.
- 8.2 Members of the Group must comply with the Behavioral Standards of the Framework of the Local Government Act.

## 9. Council Administration's Role

- 9.1 The Chief Executive Officer (or delegate) shall provide administration support to the Group to enable it to adequately conduct its business.
- 9.2 The CEO has delegation to spend up to 10% above the approved grant funding for any one project, to cover increasing cost pressures associated with delivery of the public art projects during any financial year, to be reported to Council and reflected at the next budget review.

## 10. Reporting requirements

- 10.1 The Chair of MAAG will communicate as required with the Manager, Community Connections (or their delegate).
- 10.2 All decisions of the Group (with the exception of those decisions made under delegated authority) will be referred to Council as recommendations of the Group.
- 10.3 The minutes of the Group will be made available for inspection on Council's website.

DOCUMENT CONTROL	
Last Reviewed:	<ol style="list-style-type: none"> <li>1. 14 March 2023, Item 10.9</li> <li>2. 8 October 2019, Item 9.5</li> <li>3. 14 March 2023 Item 10.9</li> </ol>
Version Control	
Relevant Council Decisions	10.9
Next Review:	2028
Endorsed by Council:	<b>At the Council meeting of 14 March 2023</b>
Document Owner	Governance
ECM Number:	5227894
Executive Officer	