

This charter document defines the membership, authority, purpose, operational guidelines, responsibilities and resources of the Town of Cottesloe Public Art Advisory Committee, established by Council pursuant to Section 5.8 of the *Local Government Act 1995* (the Act).

1. Name

The name of this Committee is “Town of Cottesloe Public Art Advisory Committee”. All references to “Committee” in this charter mean “Town of Cottesloe Public Art Advisory Committee”.

2. Establishment

This Committee is established under the provisions of the *Local Government Act 1995 (Act)*, particularly section 5.8 of the Act.

3. Guiding Principles

This Committee is established with its guiding principles in accordance with the *Local Government Act 1995*, sections 5.8 to 5.25.

4. Purpose

The purpose of this Committee is to provide guidance on the collection of high quality public art works so that acquisitions are of long term financial and cultural value to the community.

5. Terms of Reference

- a. To advise Council and make recommendations on any acquisition to and the maintenance of the Town’s Public Art Collection;
- b. To assist Council with the implementation of the Acquisition of Artworks Policy; and
- c. Make recommendations to Council on matters relevant to the Committee.

6. Membership

Membership of this Committee will generally comprise of 5 members, consisting of:

- 3 Town of Cottesloe Elected Members; and
- 2 ‘expert’ Community Representatives (appointed by Council).

Community representatives are required to have experience and expertise in areas and disciplines that will assist the Committee in carrying out its Purpose.

Vacancies for the community representatives will be advertised in the local papers, the Town of Cottesloe webpage and notice boards. Council will then select and appoint new members.

Community representation is valid for two years, until the person resigns, the Committee is disbanded or the next Ordinary Council Election, whichever ever happens first. Nothing prevents an existing member re-nominating.

Organisations that provide representatives are free to select and endorse their representative as per their governing rules and processes. Council will endorse each organisation which provides a representative following each Ordinary Council Election. Organisations will be able to be represented until they write to the Town formally requesting to be relieved of representation on the Committee, the Committee is disbanded or Council resolves to amend the representation on the Committee.

7. Meetings

7.1 Annual General Meeting

Nil

7.2 Quorum

The quorum for any meeting of this Committee shall be 50 percent of the appointed members, as endorsed by Council at the time of the meeting.

7.3 Voting

Shall be in accordance with section 5.21 of the Act, with all members endorsed as voting members entitled and required to vote, subject to the provisions of the Act which deal with Financial and Proximity Interests.

7.4 Minutes

The Minutes of the meeting shall be recorded and prepared as per the provisions of section 5.22 of Act.

The content of the minutes shall be in accordance with the *Local Government (Administration) Regulations 1996* section 11.

The content of minutes of a meeting of a council or a committee is to include —

- (a) the names of the members present at the meeting; and*
- (b) where a member enters or leaves the meeting during the course of the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting; and*
- (c) details of each motion moved at the meeting, the mover and the outcome of the motion; and*
- (d) details of each decision made at the meeting; and*
- (da) written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration); and*
- (e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question; and*
- (f) in relation to each disclosure made under section 5.65 or 5.70 in relation to the meeting, where the extent of the interest has also been disclosed, the extent of the interest.*

If the Committee resolves, the minutes may include a table of ‘action items’, summarising the agreed actions.

7.5 Who acts if the presiding member is unavailable

Shall be in accordance with section 5.14 of the Act.

7.6 Meetings

Meetings shall be generally open to the public as per the provisions of section 5.23 of the Act.

7.7 Public Question Time

As the Committee has no delegated powers (section 5.24 of the Act), there is no specific provision for public question time.

7.8 Members’ Conduct

Council Members of the Committee shall be bound by the following

- The provisions of section 5.65 of the Act;
- Town of Cottesloe *Standing Orders Local Law 2012*;
- Town of Cottesloe Code of Conduct;
- *Local Government (Rules of Conduct) Regulations 2007*; and
- Regulation 34C of the *Local Government (Administration) Regulations 1996*,

with respect to their conduct at meetings and their duty of disclosure.

Elected Members and Officers of the Town of Cottesloe will be bound by these provisions, relating specifically to their participation in the Committee, at all times.

7.9 Secretary

The Chief Executive Officer (or their nominated representative) shall undertake the following secretarial duties;

- Prepare and distribute meeting papers as required
- Attend and record the Minutes of the meeting
- Provide the administrative support required to present the outcomes of the meeting to Council for consideration where required.

7.10 Presiding Member

The members (voting) will elect a presiding member and deputy member at the first meeting after these positions become vacant for any reason. The voting on and appointment of the presiding member and deputy member shall be in accordance with the provisions of section 5.12 of the Act.

7.11 Meeting attendance fees

Nil

8. Delegated Authority

This committee has no delegated authority.

9. Endorsement

This Charter was endorsed by the Town of Cottesloe Council at its meeting on 29 October 2019.