



# Cultural Steering Group

## Business Paper

**date of meeting:** Wednesday 7 February 2018

**location:** Function Room  
Port Macquarie-Hastings Council  
17 Burrawan Street  
Port Macquarie

**time:** 8:00am

# Cultural Steering Group

## CHARTER

---

### 1.0 OBJECTIVES

- Assist Council in the implementation and review of the Cultural Plan.
- Assist Council in monitoring the success of the Plan against established criteria.
- Engage with and provide input to Council on other Arts and Cultural matters which are relevant to the Local Government Area.
- Provide and receive two-way feedback from the community.

### 2.0 KEY FUNCTIONS

- The Cultural Steering Group will provide a forum in which Local Government and community leaders can discuss and debate, plan and progress local and regionally significant cultural and creative outcomes that continue the growth of our community and our places in the Port Macquarie Hastings Local Government Area.
- The Steering Group is to be an interactive group that provides a forum for developing the strategic community arts, culture and active spaces direction for the Local Government Area. The Steering Group is committed to collaboration, innovation and development of a 'whole-of-place' approach for the purpose of promoting community capacity building that will ensure the wellbeing of our community while developing a clear sense of and connection to our place.

### 3.0 MEMBERSHIP

#### 3.1 Voting Members

- Councillors, Economic and Cultural Development Portfolio
- Director
- Group Manager Community Participation and Engagement
- Glasshouse Venue Manager
- Community representatives, as appointed by Council

#### 3.2 Non-Voting Members

- Other members, including State and Federal Government representatives and specific constituent groups within various sectors may be invited to attend meetings or working groups on certain issues or to progress an agreed outcome, as approved by the Steering Group.

#### 3.3 Obligations of Members

- Commit to working towards advancement of the cultural endeavours within the Local Government Area.
- Act honestly and in good faith.
- Act impartially at all times.
- Participate actively in the work of the Steering Group.
- Exercise the care, diligence and skill that would be expected of a reasonable person in comparable circumstances.
- Comply with this Charter document at all times.

- Facilitate and encourage community engagement with Steering Group and Council initiatives to support good cultural outcomes for our community.
- As per Section 226 (c) of the NSW Local Government Act 1993, the Mayor is the principal spokesperson for the governing body and Councillors that are members of a Steering Group are to obtain the Mayor's agreement to make media and other statements. Further, only the Mayor, or a Councillor with the Mayor's agreement and otherwise in accordance with Council policies and procedures, may release Council information through media statements or otherwise, and the release of such information must be lawful under the Council adopted Code of Conduct. Council officers that are members of Steering Groups are bound by the existing operational delegations in relation to speaking to the media.
- A Councillor as a member of a Steering Group or the Steering Group itself has no delegation or authority to make decisions on behalf of Council, nor to direct the business of Council. The only decision making power open to Councillors is through formal resolutions of Council.
- A Councillor as a member of a Steering Group or the Steering Group itself cannot direct staff and must abide by the decisions of Council and the policies of Council.
- Councillors, Council staff and members of this Steering Group must comply with the applicable provisions of Council's Code of Conduct in carrying out the functions as Council officials. It is the personal responsibility of Council officials to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

### **3.4 Member Tenure**

- Steering Group members will serve for a period of two (2) years after which Council will call expressions of interest for the next two (2) year period. Existing Steering Group members will be eligible to re-apply for a position and serve additional terms. Any changes in the composition of the Steering Group require the approval of Council.

### **3.5 Appointment of Members**

- A formal Expression of Interest process will be undertaken across the Local Government Area as a way of determining the independent representatives on the Steering Group. Members of the Steering Group will be representative of cultural interests across the Local Government Area rather than a single issue. The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the cultural and community sectors in the Port Macquarie Hastings region. Applications from individuals and representatives from interest groups, and who meet the selection criteria will be encouraged. Where practicable the membership will represent the geographical spread of the Port Macquarie-Hastings Local Government Area, and a diverse range of cultural, gender and age groups.
- Council, by resolution duly passed, will appoint members to the Steering Group.

## **4.0 TIMETABLE OF MEETINGS**

- Meetings will be held monthly (or more regularly if required). Meetings will generally be held at the main administration office of Port Macquarie-Hastings Council.

## **5.0 MEETING PRACTICES**

### **5.1 Decision Making**

- Recommendations of the Steering Group shall be by majority of the members present at each Meeting and each member shall have one (1) vote.
- The Chairperson shall not have a casting vote.
- In the event of an equality of votes on any matter, the matter shall be referred directly to Council's Executive Group and then to Council.
- Recommendations from the Steering Group are to be made through the General Manager or the relevant Director, who will determine under delegation, the process for implementation.
- The Steering Group has no delegation to allocate funding on behalf of Council. The Steering Group may make recommendations to Council about how funding should be spent in relation to the above-mentioned objectives, however those funds will only be applied and expended following a formal resolution of Council.
- The Steering Group may establish working groups to support actions and activities within the strategies or to assist in the delivery of projects and events as deemed appropriate. All projects are to be aligned with Council's suite of Integrated Planning and Reporting documents.

### **5.2 Quorum**

- The quorum for the Steering Group will be half of the members plus one. A quorum must include a minimum of one (1) Councillor and one (1) Council staff member being present.

### **5.3 Chairperson and Deputy Chairperson**

- The Chairperson shall be the Councillor, Chair Economic and Cultural Development Portfolio.
- The Deputy Chair shall be the Councillor, Alternate Chair Economic and Cultural Development Portfolio .
- At all Meetings of the Steering Group, the Chairperson shall occupy the Chair and preside. In the absence of the Chairperson and Deputy Chair, as the Steering Group's first item of business, the Steering Group shall elect one of its members to preside at the Meeting (elected chair must be a Council representative).

### **5.4 Secretariat**

- The Director is to be responsible for ensuring that the Steering Group has adequate secretariat support. The secretariat will ensure that the business paper and supporting papers are circulated at least three (3) days prior to each meeting. Minutes shall be appropriately approved and circulated to each member within three (3) weeks of a meeting being held.
- All Steering Group agendas and minutes will be made available to the public via Council's web site, unless otherwise restricted by legislation.

### **5.5 Recording of explicit discussions on risks**

- The Secretariat shall record all discussions that relate to risks.

## **6.0 CONVENING OF “OUTCOME SPECIFIC” WORKING GROUPS**

- The Steering Group can at times request a working group to be convened, for a limited period of time, for a specific action, these specifics will be minuted clearly. The working group will report back to the Steering Group with outcomes.
- These Working Groups, include, but not limited to:
  - Australia Day - To stimulate a public awareness and recognition of Australia Day and Australia Day Awards.
  - Handa Sister City - To further and implement the ideals of the relationship established in the sister city arrangement.
  - Aboriginal Advisory Group - to assist with the delivery of the Aboriginal portfolio of programs and activities and the ongoing implementation of the Aboriginal Awareness and Understanding Strategy.
  - Youth Advisory Council - to develop a voice for our youth in Council and the Community.
- Any working groups established under this Steering Group will be responsible for providing updates to the Group. The working groups will be an informal gathering with notes collected and managed by the senior staff member in attendance and will be tabled at the Steering Group meetings.

## **7.0 CONFIDENTIALITY AND CONFLICT OF INTEREST**

- Any independent members of the Steering Group will be required to complete a confidentiality agreement that will cover the period of their membership of the Steering Group.
- Steering Group members must declare any conflict of interests at the start of each meeting or before discussion of a relevant item or topic. Details of any conflicts of interest should be appropriately minuted.
- Where members or invitees at Steering Group meetings are deemed to have a real or perceived conflict of interest, it may be appropriate that they be excused from Steering Group deliberations on the issue where the conflict of interest may exist.

**Cultural Steering Group**  
**ATTENDANCE REGISTER**

<b>Member</b>	<b>28/06/17</b>	<b>02/08/17</b>	<b>06/09/17</b>	<b>04/10/17</b>	<b>01/11/17</b>	<b>06/12/17</b>
Councillor Rob Turner (Chair)	✓	✓	✓	✓	✓	meeting
Councillor Geoff Hawkins (Deputy Chair)	✓	✓	A	✓	✓	cancelled
Brian Barker	✓	✓	A	A	✓	
Chris Denny	✓	✓	A	A	✓	
Kate Ford	✓	A	✓	✓	A	
Beric Henderson	✓	A	✓	✓	✓	
Jennifer Hutchison	✓	✓	✓	A	A	
Simon Luke	✓	✓	A	✓	A	
Stacey Morgan	✓	✓	✓	✓	A	
Willhemina Wahlin	A	A	✓	A	✓	
Jeffery Sharp (Director Strategy and Growth)	✓	✓	✓	A	A	
Lucilla Marshall (Group Manager Community Place)	✓	✓	✓	✓	✓	
Pam Milne (Glasshouse Venue Manager)	A	✓	✓	✓	✓	
<b>Non-Voting</b>						

**Key:** ✓ = Present  
**A** = Absent With Apology  
**X** = Absent Without Apology

**Cultural Steering Group Meeting**  
Wednesday 7 February 2018

**Items of Business**

<b>Item</b>	<b>Subject</b>	<b>Page</b>
01	Acknowledgement of Country .....	<u>8</u>
02	Apologies.....	<u>8</u>
03	Confirmation of Minutes .....	<u>8</u>
04	Disclosures of Interest.....	<u>12</u>
05	Business Arising from Previous Minutes.....	<u>16</u>
06	Bicentenary Activities .....	<u>17</u>
07	Cultural Plan Review .....	<u>19</u>
08	General Business	

---

**Item: 01****Subject: ACKNOWLEDGEMENT OF COUNTRY**

---

"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

---

**Item: 02****Subject: APOLOGIES**

---

**RECOMMENDATION**

That the apologies received be accepted.

---

**Item: 03****Subject: CONFIRMATION OF PREVIOUS MINUTES**

---

**RECOMMENDATION**

That the Minutes of the Cultural Steering Group Meeting held on 1 November 2017 be confirmed.



---

**PRESENT**

**Members:**

Councillor Turner (Chair)  
Councillor Hawkins (Deputy Chair)  
Brian Barker  
Chris Denny  
Beric Henderson  
Willhemina Wahlin  
Group Manager Community Place  
Glasshouse Venue Manager

---

The meeting opened at 8:02am.

---

---

**09 ACKNOWLEDGEMENT OF COUNTRY**

---

The Acknowledgement of Country was delivered.

---

---

**10 APOLOGIES**

---

CONSENSUS:

That the apologies received from Kate Ford, Stacey Morgan, Simon Luke, Jenny Hutchinson and Director Strategy and Growth be accepted.

---

---

**11 CONFIRMATION OF MINUTES**

---

CONSENSUS:

That the Minutes of the Cultural Steering Group Meeting held on 4 October 2017 be confirmed.

---

---

**12 DISCLOSURES OF INTEREST**

---

There were no disclosures of interest presented.

---

---

**05 BUSINESS ARISING FROM PREVIOUS MINUTES**

---

06 Cultural Plan Progress Report

CONSENSUS:

A Cultural Plan Progress Report will be presented at the December 2017 meeting.

0.8.01 Art Youth Grant

Lucilla Marshall Group Manager Community Place confirmed that the Art Youth Grant will be considered as part of the Cultural Plan Review.

08.2 General Business – Economic Development Steering Group Collaboration

Lucilla Marshall Group Manager Community Place confirmed that a meeting between Economic Development Steering Group and the Cultural Steering Group will take place upon completion of the Cultural Plan Review.

08.01 Bicentenary Program

The Cultural Steering Group discussed the draft Bicentenary Program as an agenda item.

---

**06 BICENTENARY PROGRAM 2018**

---

CONSENSUS:

1. That the Cultural Steering Group note the proposed Bicentenary Activities.
2. That the Cultural Steering Group support a higher level of overall energy and focus on celebrating this event.
3. That the Cultural Steering Group support and encourages active involvement from the Birpai Local Aboriginal people in the bicentenary events.
4. That the Cultural Steering Group recommend to Council that a budget be allocated to support the event in both 2017/18 and 2018/19.

---

## **07 CULTURAL PLAN REVIEW**

---

The Cultural Steering Committee discussed the work continuing on the development of the reviewed Cultural Plan

The Cultural Steering Committee to consider appropriate and relevant measures.

The Cultural Steering Committee to ensure the new Cultural Plan aligns with Council strategies.

### **CONSENSUS:**

1. That the Cultural Steering Group continue the Cultural Plan Review discussion.
2. Council staff to provide an update of Actions in the current Cultural Plan for the December meeting.

---

## **08 GENERAL BUSINESS**

---

### **08.01 GLASSHOUSE SEASON LAUNCH**

---

Pam Milne, Glasshouse Venue Manager advised the Cultural Steering Group that the Glasshouse Annual Season launch is to be held in February 2018.

The Annual Season launch is a member only event with the intent to sell tickets to the season shows and this was discussed with the Cultural Steering Group to determine best approach. The intent is with tickets that it will encourage greater attendance.

---

The meeting closed at 9:04am.

---

Item: 04  
Subject: DISCLOSURES OF INTEREST

---

**RECOMMENDATION**

**That Disclosures of Interest be presented**

**DISCLOSURE OF INTEREST DECLARATION**

Name of Meeting: .....  
Meeting Date: .....  
Item Number: .....  
Subject: .....  
.....

I, ..... declare the following interest:

**Pecuniary:**  
Take no part in the consideration and voting and be out of sight of the meeting.

**Non-Pecuniary - Significant Interest:**  
Take no part in the consideration and voting and be out of sight of the meeting.

**Non-Pecuniary - Less than Significant Interest:**  
May participate in consideration and voting.

For the reason that: .....  
.....

Name: .....

Signed: ..... Date: .....

*(Further explanation is provided on the next page)*

**Further Explanation**

(Local Government Act and Code of Conduct)

A conflict of interest exists where a reasonable and informed person would perceive that a Council official could be influenced by a private interest when carrying out their public duty. Interests can be of two types: pecuniary or non-pecuniary.

All interests, whether pecuniary or non-pecuniary are required to be fully disclosed and in writing.

**Pecuniary Interest**

A pecuniary interest is an interest that a Council official has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Council official. (section 442)

A Council official will also be taken to have a pecuniary interest in a matter if that Council official's spouse or de facto partner or a relative of the Council official or a partner or employer of the Council official, or a company or other body of which the Council official, or a nominee, partner or employer of the Council official is a member, has a pecuniary interest in the matter. (section 443)

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. The Council official must not be present at, or in sight of, the meeting of the Council at any time during which the matter is being considered or discussed, or at any time during which the council is voting on any question in relation to the matter. (section 451)

**Non-Pecuniary**

A non-pecuniary interest is an interest that is private or personal that the Council official has that does not amount to a pecuniary interest as defined in the Act.

Non-pecuniary interests commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

The political views of a Councillor do not constitute a private interest.

The management of a non-pecuniary interest will depend on whether or not it is significant.

***Non Pecuniary – Significant Interest***

As a general rule, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest, but it involves:

- (a) A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the Council official or of the Council official's spouse, current or former spouse or partner, de facto or other person living in the same household.
- (b) Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- (c) An affiliation between a Council official an organisation, sporting body, club, corporation or association that is particularly strong.

If a Council official declares a non-pecuniary significant interest it must be managed in one of two ways:

1. Remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.
2. Have no involvement in the matter, by taking no part in the consideration or voting on the matter and leave and be out of sight of the meeting, as if the provisions in section 451(2) apply.

***Non Pecuniary – Less than Significant Interest***

If a Council official has declared a non-pecuniary less than significant interest and it does not require further action, they must provide an explanation of why they consider that the conflict does not require further action in the circumstances.

**SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION**

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of land in which councillor or an associated person, company or body has a proprietary interest ( <i>the identified land</i> )	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease trust, option or contract, or otherwise).  <input type="checkbox"/> Associated person of councillor has interest in the land.  <input type="checkbox"/> Associated company or body of councillor has interest in the land.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST</b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP ( <i>the subject land</i> ) <sup>iii</sup> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land.  <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain.  <input type="checkbox"/> Appreciable financial loss.

**Councillor's Name:** .....

**Councillor's Signature:** ..... **Date:** .....



**Important Information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the *Local Government Act 1993*. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

- 
- i. Section **443** (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative<sup>iv</sup> or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
  - ii. Section **442** of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section **448** of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
  - iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section **443** (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest..
  - iv. **Relative** is defined by the *Local Government Act 1993* as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

---

**Item: 05****Subject: BUSINESS ARISING FROM PREVIOUS MINUTES**

---

<b>Item:</b>	06	<b>Date:</b>	07/02/2018
<b>Subject:</b>	Cultural Plan Progress Report		
<b>Action Required:</b>	1. That Cultural Plan Progress Report be made a standing Cultural Steering Group agenda item.		
<b>Current Status</b>	1. The Cultural Plan Progress Report will be a standing quarterly agenda item from December 2017. The next report will be in April 2018.		

Reports to future meetings		
Report	Due Date	Requested
Cultural Plan Quarterly Progress Report	April 2018	04 Oct 17



---

Item: 06

Subject: BICENTENARY ACTIVITIES

Presented by: Strategy and Growth, Jeffery Sharp

---

## RECOMMENDATION

That the Cultural Steering Group:

1. Note the resolution of Council from the December meeting regarding the Bicentenary activities.
2. Determine the function and participants for the Bicentenary Working Group.

## Discussion

At an Ordinary Council meeting held on the 13 December 2017, Council adopted the below resolution:

---

### 10.06 BICENTENARY ACTIVITIES - OPTIONS FOR INVOLVEMENT & RESOURCES

---

*RESOLVED: Turner/Hawkins*

That Council:

1. Provide in principle support to projects that mark the 2018 John Oxley Bicentenary.
2. Set up a Bicentenary Working Group of the Cultural Steering Group (BWG) to assist with the strategy, the organisation and the implementation of the Bicentenary program.
3. Enable the ad hoc participation of suitably qualified persons (relevant experience and expertise) onto the BWG.
4. Request the BWG provides regular reporting to Council through updates via the Cultural Steering Group.
5. Workshop alternative wording for the draft Bicentenary logo with the BWG.
6. Establish a new line item in both the 2017/18 and 2018/19 Operational Plans – Bicentenary Activities.
7. Re-allocate GL 41433 'WW1 and ANZAC Commemoration' with a current budget of \$43,856 to 'Bicentenary Activities'.
8. Transfer \$80,000 from the Cultural reserve to Bicentenary Activities.
9. Approve a dedicated Bicentenary Grants stream from the current Community Grant budget.
10. Note that the John Oxley Memorial previously located at Town Beach is currently being rejuvenated for the John Oxley Bicentenary, and once complete, will be relocated in early 2018 to a new site in the vicinity that has significantly better pedestrian access.

## AGENDA

## CULTURAL STEERING GROUP 07/02/2018

*CARRIED: 8/0*

*FOR: Alley, Cusato, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner*

*AGAINST: Nil*

The Steering Group to discuss potential participants to assist in driving the direction of the Bicentenary program from May 2018 to 2021. This may include the development of a Bicentenary strategy and the identification of key projects and group into the future.

Suggested participants include:

Kevin Williams;  
Debbie Summers;  
Keith Upton;  
Jeanette Rainbow;  
Ray Cooper;  
Glen Dick;

As well as representation from the Steering Group.

### **Attachments**

Nil

---

**Item: 07**

**Subject: CULTURAL PLAN REVIEW**

**Presented by: Strategy and Growth, Jeffery Sharp**

---

**RECOMMENDATION**

**That the Cultural Steering Group continue the Cultural Plan Review discussion.**

**Discussion**

The Cultural Plan Review will be tabled at the meeting for discussion. This is a draft addendum, which identifies a revised vision, three key priority areas, with key actions to be delivered by the end of the 2018/2019 financial year.

**Attachments**

Nil