

Arts & Cultural Development Committee

Business Paper

date of meeting: Tuesday, 26 March 2013

location: Committee Room,
Port Macquarie-Hastings Council,
17 Burrawan Street,
Port Macquarie

time: 4.00pm

Note: Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.



**PORT MACQUARIE
HASTINGS**

Arts & Cultural Development Committee

CHARTER

- (a) Steer the development of comprehensive Cultural Planning.
- (b) Advise on strategies for fostering community engagement with and active participation in arts and cultural programmes and projects.
- (c) Facilitate information flow between Port Macquarie-Hastings Council, cultural organisations and the wider community.
- (d) Facilitate partnerships and links to establish Port Macquarie-Hastings as a major cultural tourism destination.
- (e) Promote and support creative industries.

Frequency Of Meetings:

The Committee will meet at least once every three (3) months.

Convening Of "Outcome Specific" Working Groups:

The Committee shall convene outcome specific working groups from time to time.

Working Groups to consist of:

- At least one (1) Arts & Cultural Development Committee member
- Relevant Port Macquarie-Hastings Council staff
- Other co-opted community members relevant to the working group's focus.

Working Groups will have a Terms of Reference and report to the Arts & Cultural Development Committee on progress and outcomes.



**PORT MACQUARIE
HASTINGS**

Arts & Cultural development Committee

ATTENDANCE REGISTER

Member	28/02/12	24/04/12	03/07/12			
Heather Rawson	✓	✓	No			
Jenny Hooper	✓	✓	Quorum			
Jenny Hutchison	✓	✓				
Jo Davidson	A	✓	Meeting			
Kim Staples	✓	✓	Not			
Krissa Wilinon	✓	✓	Held			
Marg Duffy	X	X				
Rod Howard	A	✓				
Suzie West	A	X				
Vana Ford	A	A				

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



**PORT MACQUARIE
HASTINGS**

Arts & Cultural Development Committee Meeting

Tuesday, 26 March 2013

Items of Business

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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 Arts & Cultural Development Committee Meeting held on 24 April 2013 be confirmed.

PRESENT

Members:

Heather Rawson
Jenny Hooper
Jenny Hutchison
Jo Davidson
Kim Staples
Krissa Wilkinson
Rod Howard
Lesley Atkinson

The meeting opened at 4.00pm.

11 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

12 APOLOGIES

Consensus:

That the apologies received from Vana Ford, Kelly O'Brien and Liz Gillroy be accepted.

13 CONFIRMATION OF MINUTES

Consensus:

That the notes of the Arts & Cultural Development Sub-Committee Meeting held on 28 February 2012 be confirmed.

14 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

15 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

06 AQUASCULPTURE13

The AquaSculpture guidelines prepared by the Regional Gallery Director were considered by the Sub-Committee. The Gallery Director provided a brief outline on how the Gallery would manage the AquaSculpture13 project with the assistance of a Project Officer. A copy of the Guidelines is attached to these minutes.

One of the concerns raised by the Sub-Committee was that by moving AquaSculpture13 under the Gallery team, would result in the impression that a barrier is being created to prevent community involvement in the event.

The Director of Community & Cultural Development commented that perhaps the Sub-Committee could look at the Glasshouse website and discuss a 'community' component which would include the following areas :

Community:

- List of Committee members (Arts & Cultural Development and Regional Gallery)
- Grants
- Venue hire
- Events

This would also address some of the issues that Ms Round raised in her submission to the Sub-Committee which is under the General Business section of the meeting.

Consensus

1. That the possibility of the Glasshouse website being reviewed with the possibility of creating a 'community' component be followed up by the Director of Community & Cultural Development and the Manager Glasshouse.
 2. That given the limited time available in this meeting to discuss the AquaSculpture13 event, an Extra Ordinary meeting be arranged for 1 month's time to discuss the event and the Regional Gallery Director's guidelines on the event.
-

07 PLAYRITES 2012 - UPDATE ON EVENTS

The PlayRites report was sent to Sub-Committee members by email prior to the meeting and is attached to the minutes.

The Sub-Committee discussed the 2012 PlayRites event and also some issues raised by Krissa Wilkinson. Also discussed was the proposal that a different marketing model be considered for future events.

All present at the meeting agreed that the Outcome Working Group that was formed to run the event this year, was not a successful model and that an alternative model be considered.

Krissa Wilkinson's proposal that the Sub-Committee being the overarching approval committee for community initiated projects was briefly considered and gained some momentum during general discussion of both future AquaSculpture and PlayRites events, given that both events struggled to .

Consensus

That the PlayRites final budget be included as an attachment to these minutes.

08 GENERAL BUSINESS

08.01 Anne Round:

Prior to any of the above agenda items being discussed, the Director of Community & Cultural Development welcomed Anne Round to join the meeting as a special guest to address the Sub-Committee regarding concerns she raised in relation to issues that occurred during the PlayRites 2012 events in the Glasshouse.

Ms Round provided a range of questions to guide her conversation:

“Background

My ACDC concerns are embedded in concerns of the Glasshouse in general. These concerns are:

- *Absence of two way ownership and community inclusivity*
- *Inadequate and imbalanced local programs and local artists*
- *Lack of transparency and accessibility*

Questions

Due to no accessibility or available information, to the ACDC I ask:

- *Who are you?*
- *What do you do?*
- *Who do you represent?*

Recommendations

To minify 'hearsay', innuendo, inequity and alienation; to develop accuracy, transparency, accessibility and inclusivity, I recommend for the Sub-Committee's consideration:

1. *That all business of the Arts & Cultural Development Sub-Committee (ACDC) (and all other Boards/Committees) be made available online and hard copy. This business is to include its charter, role, programs, projects, names, contact information.*
 2. *That four sub-Committees representing the four arts strands (dance, drama, music and visual arts) be introduced into the ACDC.*
 3. *That expressions of interest (EOI) for all programs/projects of the ACDC be introduced. The EOI is to include project, description, costs, fees, scope, structure, participation at the outset.”*
-

Consensus:

1. That the Director of Community & Cultural Development discuss with the Group Manager Governance & Executive Services how the community can gain access to the Sub-Committee business papers.
2. That the Director of Community & Cultural Development discuss with the Glasshouse Manager proposed changes to the website so that there is more information regarding the members of the Glasshouse team.
3. That the Director of Community & Cultural Development draft guidelines for a revised way of working for the Sub - Committee, for consideration at the next meeting, along the lines proposed by Ms Round and Krissa Wilkinson in their discussions.

08.02 Creatability Art Workshops:

Kim Staples tabled the Creatability Art Workshops application form which is attached to the minutes. She encouraged Sub-Committee members to nominate people (especially young people) to a workshop in the Glasshouse for people who are living with a mental health condition.

08.03 Next Meeting:

Consensus:

1. That an Extra Ordinary meeting be setup for 1 month's time to discuss the AquaSculpture13 event.
 2. That the next meeting of the Sub-Committee be held on 3 July 2012.
-

The meeting closed at 5.20pm.

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

Non-Pecuniary - Insignificant Conflict:
May participate in consideration and voting.

For the reason that:
.....

Signed: Date:

(definitions are provided on the next page)



Definitions

(Local Government Act and Code of Conduct)

Pecuniary

An interest that a person has in a matter because of a reasonable likelihood or expectation or appreciable financial gain or loss to the person or another person with whom the person is associated. (LG Act s442 and s443).

A Councillor or member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Councillor or member of a Council Committee must not take part in the consideration and voting on the matter and be out of sight of the meeting. (LG Act s451)

Non-Pecuniary

An interest that is private or personal that the Councillor or member of a Council Committee has that does not amount to a pecuniary interest as defined in the LG Act.

If you have declared a non-pecuniary interest you have a number of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature and significance of your interest. You must deal with a non-pecuniary interest in one of the following ways.

Non Pecuniary – Significant Interest

(For example; family, a close friendship, membership of an association, sporting club, corporation, society or trade union).

- Have no involvement by absenting yourself from and not taking part in any consideration or voting on the issue as if the provisions in the LG Act s451(2) apply.
- A future alternative is to remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).

Non Pecuniary – Less than Significant Interest

- It may be appropriate that no action is taken. However, you must provide an explanation of why you consider that the conflict does not require further action.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

By <i>[insert full name of councillor]</i>	
In the matter of <i>[insert name of environmental planning instrument]</i>	
Which is to be considered at a meeting of the <i>[insert name of meeting]</i>	
Held on <i>[insert date of meeting]</i>	
PECUNIARY INTEREST	
Address of land in which councillor or an associated person, company or body has a proprietary interest (<i>the identified land</i>) 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.
MATTER GIVING RISE TO PECUNIARY INTEREST ⁱⁱ	
Nature of land that is subject to a change in zone/planning control by proposed LEP (<i>the subject land</i>) ⁱⁱⁱ <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 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.

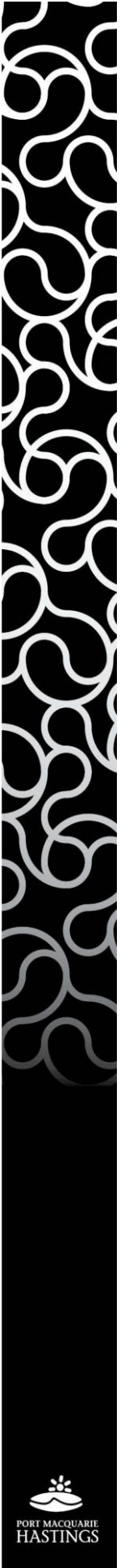
This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes 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^{iv} 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—see section **448** (g) (ii) of the *Local Government Act 1993*.
 - 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

Nil.



Item: 06

Subject: INTRODUCTION OF NEW CHAIRPERSON COUNCILLOR ADAM ROBERTS

Presented by: Community & Cultural Development, Lesley Atkinson

RECOMMENDATION

That the direction that the new Council is taking be received and noted.

Discussion

Councillor Roberts will provide some background regarding himself, and also the direction that the new Council is taking.

Attachments

Nil



Item: 07

Subject: PURPOSE AND FUTURE OF ARTS & CULTURAL DEVELOPMENT COMMITTEE

Presented by: Community & Cultural Development, Lesley Atkinson

RECOMMENDATION

That the Committee participate in the discussion on the purpose of the Committee, terms of reference, membership, length of membership and future of the Committee.

Discussion

Councillor Roberts will lead a discussion regarding the purpose of the Committee, its Terms of Reference, the membership, length of membership and future of the Committee.

Attachments

Nil



Item: 08

**Subject: COMMUNITY CONSULTATION REGARDING THE STRATEGIC
DIRECTION OF THE GLASSHOUSE**

Presented by: Community & Cultural Development, Lesley Atkinson

RECOMMENDATION

That the Committee receive and note the discussion of the strategic direction of the Glasshouse.

Discussion

Councillor Roberts will explain the process that Council is commencing to engage with the community to seek submissions regarding the strategic direction of the Glasshouse.

Attachments

Nil



Item: 09

Subject: GENERAL BUSINESS

Presented by: Community & Cultural Development, Lesley Atkinson

RECOMMENDATION

That the Committee discuss any items of General Business that are raised at the meeting.

Discussion

Nil.

Attachments

Nil

