



# Cultural Steering Group

## Business Paper

**date of meeting:** Wednesday 3 June 2020

**location:** Via Teams

**time:** 8:00am

# Cultural Steering Group

## CHARTER

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### 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 Economic and Cultural Development
- Glasshouse Venue Manager
- Community representatives, as appointed by Council (refer 3.5).

#### 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, as shown below in no particular order, and who meet the selection criteria will be encouraged:
  - Birpai Local Aboriginal Land Council
  - Bunyah Local Aboriginal Land Council
  - Local creative industries
  - Local Arts Groups
  - Local Heritage Groups
  - Greater Port Macquarie Tourism Association
  - Education Institutions
- 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**

- A quorum must include a minimum of one (1) Councillor or one (1) Council Executive staff member being present. The quorum for the Steering Group will be met if half of the members plus one are 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, may 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.
- 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**

Member	07/08/19	04/09/19	02/10/19	06/11/19	05/02/20	04/03/20
Councillor Rob Turner (Chair)	No	✓	✓	✓	✓	No
Councillor Geoff Hawkins (Deputy Chair)	Quorum	A	A	✓	A	Quorum
Brian Barker		A	A	✓	✓	
Chris Denny		✓	A	✓	✓	
Kate Ford		X	X	A	X	
Beric Henderson		✓	A	✓	✓	
Jennifer Hutchison		A	A	A	X	
Simon Luke		✓	✓	✓	A	
Stacey Morgan		✓	X	✓	X	
Willhemina Wahlin		A	✓	A	A	
Jeffery Sharp (Director Strategy and Growth) Holly McBride (acting)		✓	✓	✓	✓	
Liesa Davies (Group Manager Economic and Cultural Development)		✓	✓	✓	✓	
Pam Milne (Glasshouse Venue Manager) Bec Washington (acting)		✓	✓	✓	✓	

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

**Meeting Dates for 2020**

5/02/2020	Function Room	8:00am
4/03/2020	Function Room	8:00am
1/04/2020	Function Room	8:00am
6/05/2020	Function Room	8:00am
3/06/2020	Function Room	8:00am
1/07/2020	Committee Room	8:00am
5/08/2020	Function Room	8:00am
7/10/2020	Function Room	8:00am
4/11/2020	Function Room	8:00am
2/12/2020	Function Room	8:00am

# Cultural Steering Group Meeting

Wednesday 3 June 2020

## 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>14</u>
05	Business Arising from Previous Minutes.....	<u>18</u>
06	Welcome to the New Group Members and Introductions .....	<u>19</u>
07	Cultural Plan Implementation Update .....	<u>20</u>
08	Public Art Policy and Recent Public Art/interpretation Requests.....	<u>21</u>
09	Port Macquarie Historic Courthouse Curtilage.....	<u>25</u>
10	Port Macquarie Museum Transformation Project .....	<u>27</u>
11	General Business	

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

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"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."

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

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**RECOMMENDATION**

That the apologies received be accepted.

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

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**RECOMMENDATION**

That the Minutes of the Cultural Steering Group Meeting held on 5 February 2020 be confirmed.

**PRESENT**

**Members:**

Councillor Turner (Chair)  
Brian Barker  
Chris Denny  
Beric Henderson  
Director Strategy and Growth  
Group Manager Economic and Cultural Development  
Glasshouse Venue Manager

**Other Attendees:**

Uncle Bill O'Brien  
Ashley Grummitt, Group Manager Commercial Business Units (item 9 only)  
Jane Ellis, Destination & Cultural Development Manager  
Skye Frost, Creative Place Facilitator  
Linden Duke, Cultural Events Officer

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The meeting opened at 8:00am.

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**12 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**13 APOLOGIES**

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**CONSENSUS:**

That the apologies for Councillor Geoff Hawkins, Simon Luke and Willhemina Wahlin be accepted.

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## **14 CONFIRMATION OF MINUTES**

### CONSENSUS:

That the Minutes of the Cultural Steering Group Meeting held on 6 November 2019 be confirmed.

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## **15 DISCLOSURES OF INTEREST**

There were no disclosures of interest presented.

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## **05 BUSINESS ARISING FROM PREVIOUS MINUTES**

### 06 Develop and Empower our Region's Art and Cultural Communities and Assets

A potential site visit to the Port Macquarie Museum was discussed for a future date.

### 09 Ensure the Effective Planning, Funding, Integration and Measurement of Council's Arts and Culture Programs

Refer to item 7.

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## **06 CSG MEMBERSHIP TERM**

Group Manager Economic and Cultural Development spoke to the planned February Council report and expression of interest and that existing members are welcome to reapply. The Chair spoke to the value of the Group and diversity members bring.

Uncle Bill noted keenness for Land Council to be more involved and encouraged good communication with the CEO to ensure broader community voice can contribute views.

### CONSENSUS:

That the Group note the proposed expression of interest process to seek members for the next term of the Cultural Steering Group during March 2020.

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## **07 PLANNING FOR 2020/2021 CULTURAL DEVELOPMENT BUDGET**

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Group Manager Economic and Cultural Development provided an overview of draft 2020/2021 budget noting proposed recurring budget items, new bids, existing grant funding and potential grant avenues being pursued.

It was noted that the draft budget will be presented to Council for public exhibition on 18 March 2020 and further feedback welcomed at that time.

The Group asked questions and provided feedback on the items including the funding bids for Create NSW.

### **CONSENSUS:**

That the Group note;

1. Preparation of the draft 2020/2021 Cultural Development Budget is underway, with Council's draft 2020/2021 budget and operational plan to be placed on public exhibition in coming months.
2. Staff will circulate further detail on the Create NSW grant application to the Group.

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## **08 CULTURAL ECONOMY PLAN PROJECT**

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The Group Manager Economic and Cultural Development noted the importance of the project as a key action in the Cultural Plan and great work to date by Council's Creative Place Facilitator.

The Creative Place Facilitator noted project background, current survey work, upcoming focus group workshops, benchmarking and key elements in the scope of work;

- Desktop and data review and analysis
- Cultural mapping audit
- Venues audit
- Creative industries skills audit
- Draft findings report with recommendations.

The Chair encouraged members to ensure they complete the survey and share their views by the 10 February 2020 deadline.

The draft Cultural Economy Plan is due to be finalised in May 2020.

### **CONSENSUS:**

That the Group note:

1. Progress in the development of Council's Cultural Economy Plan.
2. It is anticipated the final plan will be presented to the May 2019 CSG meeting.

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## **09 DRAFT GLASSHOUSE PLAN 2020-2022**

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Group Manager Commercial Business Units provided an overview of the draft Plan it's development, focus and current exhibition and encourage feedback.

In considering the draft the members of the Group noted;

- The visual appeal of the document
- Better alignment emerging between Council strategies and plans
- It has solid actions and strategies

Members of the Group also suggested;

- Review of the 2013 vision
- To improve the flow of the document - actions should be moved to the end
- Actuals and targets be defined as part of the KPI's
- Consideration be given to where the Glasshouse sits in Council management structure.

Group Manager Commercial Business Units noted the potential to align Cultural Plan and Glasshouse Plan reporting to Cultural Steering Group and Council in future.

### **CONSENSUS:**

That the Cultural Steering Group:

1. Note the draft Glasshouse Plan 2020-2022 as detailed in this report and reported to the Ordinary Council Meeting held on 11 December 2019;
2. Note that the draft Glasshouse Plan 2020-2022 is currently on public exhibition to 21 February 2020;
3. Note that a further report will be tabled at the March 2020 meeting of Council, detailing the submissions received during the exhibition period;
4. Be invited to provide feedback to the General Manager on the draft Glasshouse Plan 2020-2022 as part of the public exhibition period.

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## **10 DRAFT DESTINATION MANAGEMENT PLAN**

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The Chair and Destination and Cultural Development Manager spoke to the draft Destination Management Plan and alignment with the Cultural Plan.

They encouraged members to make a submission during the public exhibition period.

### **CONSENSUS:**

That the Group note:

1. The Draft Destination Management Plan is on exhibition until 24<sup>th</sup> February 2020.
2. It is anticipated that the final plan and information on submissions will be presented to the March 2020 Ordinary Council meeting.

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## **11 GENERAL BUSINESS**

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### **11.01 EXHIBITION LONG POINT WINERY**

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Brian Barker flagged his current exhibition at the Long Pont Winery and invited attendance.

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### **11.02 PORT MACQUARIE SURF MUSEUM**

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Brian Barker spoke to his concern regarding Port Macquarie Surf Museum's desire to take over Hastings Valley Fine Arts Gallery property lease at the Maritime Museum site.

Director Strategy & Growth noted it is a NSW Department of Planning, Industry & Environment site. The State Zoning is for the site is "heritage groups" and the existing sub-lease is in question. There will be a land tenure audit by State Government and Council is awaiting advice on this before further discussion.

It was agreed this matter would be discussed further with the Group at an appropriate time.

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### **11.03 ABORIGINAL INCLUSION OFFICER POSITION**

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Uncle Bill O'Brien inquired as to what is happening with the Aboriginal Inclusion Officer position. Director Strategy & Growth responded noting a recent restructure in that team and further details would be discussed at a separate meeting.

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### **11.04 KOALA SCULPTURE PARK AT ROTO HOUSE AND STATE GOVERNMENT FUNDING ANNOUNCEMENT**

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Chris Denny advised that Margret Meagher Project Director of Hello Koalas is proposing the creation of Koala Sculpture Park at Roto House grounds and met recently with key stakeholders.

The Group noted positively the announcement of a \$2.1 million NSW Government grant for NSW Forestry Corporation for the development of a tourism precinct at Cowarra State Forest.

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The meeting closed at 9:40am.

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**Item: 04**  
**Subject: DISCLOSURES OF INTEREST**

**RECOMMENDATION**

**That Disclosures of Interest be presented**

**DISCLOSURE OF INTEREST DECLARATION**

<b>Name of Meeting:</b>	
<b>Meeting Date:</b>	
<b>Item Number:</b>	
<b>Subject:</b>	
<p><b>I, the undersigned, hereby declare the following interest:</b></p> <p><input type="checkbox"/> <b>Pecuniary:</b> Take no part in the consideration and voting and be out of sight of the meeting.</p> <p><input type="checkbox"/> <b>Non-Pecuniary – Significant Interest:</b> Take no part in the consideration and voting and be out of sight of the meeting.</p> <p><input type="checkbox"/> <b>Non-Pecuniary – Less than Significant Interest:</b> May participate in consideration and voting.</p>	
<b>For the reason that:</b>	
<b>Name:</b>	<b>Date:</b>
<b>Signed:</b>	
<b>Please submit to the Governance Support Officer at the Council Meeting.</b>	

*(Refer to next page and the Code of Conduct)*

**Pecuniary Interest**

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will 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 you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- your interest, or
  - the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- Your "relative" is any of the following:
    - your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - the spouse or de facto partner of a person referred to in paragraphs (i) and (ii)
  - "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c)
- if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

**Non-Pecuniary**

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

**Managing non-pecuniary conflicts of interest**

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
- a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
  - other relationships with persons who are affected by a decision or a matter under consideration 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.
  - an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
  - membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
  - a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
  - if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

**SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION**

*This form must be completed using block letters or typed.  
If there is insufficient space for all the information you are required to disclose,  
you must attach an appendix which is to be properly identified and signed by you.*

<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 the affected principal place of residence of the councillor or an associated person, company or body <i>(the identified land)</i>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The 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"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has interest in the land.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST<sup>1</sup></b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the subject land<sup>2</sup>)</i> <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 or associated person <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

*[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest]*

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

*This form is to be retained by the council's general manager and included in full in the minutes of the meeting*

Last Updated: 3 June 2019



**Important Information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will 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.

"Relative" is defined by clause 4.4 of the Model Code of Conduct 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.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at 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.

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<sup>1</sup> Clause 4.1 of the Model Code of Conduct 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 clause 4.6 of the Model Code of Conduct.

<sup>2</sup> 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 clause 4.3 of the Model Code of Conduct has a proprietary interest

Item: 05

Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

<b>Item:</b>	<b>07</b>	05/02/2020
<b>Subject:</b>	<b>PLANNING FOR 2020/2021 CULTURAL DEVELOPMENT BUDGET</b>	
<b>Action Required:</b>	<ol style="list-style-type: none"> <li>Staff to circulate further details on the Create NSW grant application to the group.</li> <li>That the Cultural Steering Group consider Council's draft 2020/2021 budget and operational plan, to be placed on public exhibition later in the year.</li> </ol>	
<b>Current Status</b>	<ol style="list-style-type: none"> <li>Glasshouse Gallery Program – 3-year \$300,000 funding sought</li> <li>2020/21 budget discussions scheduled for July CSG</li> </ol>	

<b>Discussion topics at future meetings</b>		
	<b>Due Date</b>	<b>Requested</b>
Creative Hub – Requirements and management/operational model	Future meeting	5 December 2018
Six-monthly update on Cultural Plan	May 2020	6 November 2019
Port Macquarie Surf Museum	Future Meeting	5 February 2020

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Item: 06

Subject: WELCOME TO THE NEW GROUP MEMBERS AND INTRODUCTIONS

Presented by: Strategy and Growth, Jeffery Sharp

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### RECOMMENDATION

That the Group note the new membership and provide a short self-introduction to other members.

### Discussion

At the 20 May 2020 Council meeting, the new membership of the Group was resolved:

#### **15.01 EOI-20-02 INDEPENDENT MEMBERS OF THE CULTURAL STEERING GROUP**

*RESOLVED: Turner/Hawkins*

*That Council:*

- 1. Appoint the following people as independent members of the Cultural Steering Group for a two (2) year term:
  - (a) Mr Brian Barker*
  - (b) Mr Chris Denny*
  - (c) Ms Wendy Haynes*
  - (d) Mr Beric Henderson*
  - (e) Ms Stacey Morgan*
  - (f) Ms Skye Petho*
  - (g) Ms Debbie Sommers*
  - (h) Ms Marie Van Gend*
  - (i) Ms Willhemina Wahlin**
- 2. Commence the appointments by inviting the new members to the next Cultural Steering Group meeting at a date to be confirmed.*
- 3. Formally thank outgoing members of the Cultural Steering Group for their commitment and contribution during their recent tenure.*
- 4. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-20-02.*

*CARRIED: 8/0 FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner AGAINST: Nil*

### Attachments

Nil

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**Item: 07**

**Subject: CULTURAL PLAN IMPLEMENTATION UPDATE**

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

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### **RECOMMENDATION**

**That the Group note activity over the past 6 months in implementing the Cultural Plan and current priorities.**

### **Discussion**

At the November 2019 meeting, it was noted that 6 monthly updates on Cultural Plan implementation would be presented commencing May 2020. No meeting was held Apr-May 2020 given COVID-19, hence the update being scheduled for this meeting.

Council's Group Manager Economic and Cultural Development and Manager Destination and Cultural Development will present an overview of recent actions under the plan and current priorities.

The review/redevelopment of the Cultural Plan is planned for early 2021, and we recognise there will also be a need to consider project priorities as a result of the COVID Recovery Working Group activity currently underway.

### **Attachments**

Nil

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Item: 08

Subject: PUBLIC ART POLICY AND RECENT PUBLIC ART/INTERPRETATION REQUESTS

Presented by: Strategy and Growth, Jeffery Sharp

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## RECOMMENDATION

That the Group note:

1. Council adopted the new Public Art Policy at the 18 March 2020 meeting;
2. The multiple recent requests from community members for new public art/interpretation for commemorative purposes;
3. Agree these requests be considered in Council's future public art planning and funding, taking into consideration Council's Public Art Policy (as finalised), Guidelines and Masterplan (yet to be finalised) and Interpretation Guidelines.

## Discussion

Following consideration by the Cultural Steering Group on 6 November 2019, Council's updated draft Public Art Policy was placed on public exhibition from 12 December 2019 - 20 February 2020. During the exhibition period, three submissions were received providing an array of comment relating to public art, but expressing broad support of the proposed draft Policy. The Policy was subsequently adopted by Council on 18 March 2020. This Policy and the associated guidelines and masterplan will be key to assessing and prioritising the development of new public art across our Local Government Area.

While the policy was under development, Council received requests for new public art and/or interpretative signage relating to:

- the acknowledgement of Grace Easterbrook and her work to establish the Port Macquarie Conservation Society (November 1971) and protect Windmill Hill from development;
- The February 2021 centenary of the first aircraft landing in Port Macquarie;
- A commemorative piece for all who have lost their lives off our beaches, including Bronson Rhodes (Flynn's Beach); and
- Interpretation to promote the Port Macquarie Geotrail.

Staff will provide further details regarding the requests for discussion at the meeting.

## Attachments

[1](#). Policy-Public-Art-adopted-2020-03-19



Authorised by: Council  
 Authorised date: 18/03/2020  
 Effective date: 19/03/2020  
 Next review date: 2024  
 File Number: D2020/063319

## Council Policy PUBLIC ART POLICY

### 1. INTRODUCTION

Port Macquarie-Hastings Council recognises that vibrant public art and dynamic local creative industries are intrinsic to Council's cultural vision for the region. Public art plays an important role in creating connected, effective and empowered communities. Council is committed to integrating high quality public art into infrastructure and urban design projects and to enabling communities across the Local Government Area to express their character and identity through public art. This policy is supported by Council's Public Art Guidelines and Master Plan.

### 2. POLICY STATEMENT AND SCOPE

Public art in the Port Macquarie-Hastings is integral to our region's cultural brand and central to our sense of place. We want our growing collection to be celebrated locally and recognised nationally.

Public art delivers a unique sense of place and time and enhances tourism opportunities for the region. Exciting, dynamic and vibrant artworks help enrich our public places with historical and community significance, and foster a special sense of belonging. Identifying and creating contemporary public art narratives (Indigenous and non-Indigenous) shares community stories with residents and visitors.

Council will ensure that public artworks are relevant, meaningful and physically appropriate to local communities. Building the capacity of our local arts industry and enabling local communities to undertake artistic projects enhances local creative industries. The Public Art Policy details the framework of program parameters, decision-making, funding, procurement and, management for public art throughout the Port Macquarie-Hastings region.

When planning new public art, Council is committed to collaboration and consultation with the community, professional artists, architects, landscape designers, planners and developers, and other professionals.

#### 2.1 Objectives

This Policy aims to:

- Enhance the Port Macquarie-Hastings Council's 'Cultural Brand' with high quality public art that contributes to its recognition as a cultural leader.
- Provide clarity regarding the acquisition and management of public art for Council, developers, artists, project partners and the broader community.
- Develop artistically innovative and environmentally sustainable well-maintained public art.
- Recognise and promote the region's local culture and character (including the indigenous cultural history and traditions and European heritage and contemporary culture) and natural and environmental assets, to enhance a distinctive sense of place.
- Encourage local artists and creative industry participation in public art projects.
- Encourage partnerships and collaborations with other agencies, governments, the private sector and our community to extend existing resources to create a significant public art collection.

## 2.2 The Nature of Public Art

Council will support a diverse range of public artworks that are most suited to the nominated site, and shaped by the following themes:

- Our Environment - engaging with and showcasing the diversity of our natural environment and the unique features of this land.
- Our Community - the histories and stories of Indigenous and non-Indigenous peoples.
- Our History and Heritage - our rich and diverse history and these journeys in time and landscapes.
- Our Seasons and Culture - recognising agriculture, tourism, and a thriving cultural and festival economy.

Public artwork may include, but is not limited to the following types:

- Decorative;
- Iconic;
- Integrated/functional;
- Site specific;
- Interpretive;
- Commemorative; and
- Temporary.

Public artworks will be considered in the following type of projects in accordance with Council's Public Art Masterplan:

- Council infrastructure projects and digital corridors;
- Gateways and thresholds (transport nodes) - arterial corridors / cycleways and walkways;
- Streetscape projects - laneways and community spaces / leisure and entertainment precincts;

Green spaces – eg. open space, play space; nature reserves and pathways;

- Festivals, events and celebrations;
- Private developer projects; and
- Community and artist led projects.

## 2.3 Funding

The Public Art Program will be funded via a range of opportunities, including:

- Council Investment - specific allocations considered via the annual budget process and as a component of key capital projects (to be defined);
- Private development - as outlined in the Port Macquarie-Hastings Development Control Plan or Voluntary Planning Agreements;
- Grants and Philanthropy;
- Community or business-led initiatives or collaborations.

## 2.4 Procurement of Public Art

Public Art will be procured via a range of methods, and in accordance with the processes identified in Council's Public Art Guidelines. These include:

- Council commissioning via open competition, limited tender and direct commission. These commissions will be subject to consistent public art assessment criteria.
- Donations by artists and members of the community, on the basis that they are professional artworks and meet the donations guidelines;
- Community initiated and Social Engagement Public Art Projects, that is, where an individual, community group or other external party create and or fund a piece of public art.

Each procurement will be assessed against Council's Public Art Assessment Criteria. Council's Public Art guidelines will detail the appropriate assessment body, which may include Council staff, the Cultural Steering Group and/or Council's Professional Reference Group.

The key criteria include:

1. Public Art Policy and Planning Alignment;
2. Artistic Merit, Integrity and Engagement;
3. Place and Site;

4. Design Life - Context Compliance, Access and Viability.

#### 2.5 Managing and Maintaining Public Art

All procured artwork will be added to Council's asset register and detail a description of the artwork, maintenance/restoration requirements and considerations for decommissioning. Where circumstances change and an artwork is rendered inappropriate or requires relocation, Council will consult with the artist and consider requirements regarding insurance, risk assessment, valuation, engineering and legal, before making a decision on the future management/location of the artwork.

### 3. RESPONSIBILITIES AND AUTHORITIES

- Group Manager Economic & Cultural Development: will oversee the implementation, compliance with and review of this policy.
- Cultural Steering Group: will act as a reference Group to support assessment of proposed new artworks in accordance with the Public Art Guidelines.
- Professional Reference Group: a panel of highly qualified arts and cultural practitioners and urban development professionals, to be convened as required, to provide advice on and assess proposed new artworks (particularly those being undertaken by private developers), in accordance with the Public Art Guidelines.

### 4. REFERENCES

The Port Macquarie-Hastings Public Art Policy and Plan (2019–2024) draws upon the following Council documents, in respect of both governance and vision for public art in the Port Macquarie-Hastings region:

- Port Macquarie-Hastings Council Cultural Plan (2018-2021)
- Port Macquarie-Hastings Development Control Plan 2013
- Greater Port Macquarie Destination Management Plan
- Aboriginal Awareness and Understanding Strategy (2013–2017)
- Port Macquarie-Hastings Council Towards 2030 Community Strategic Plan
- Economic Development Strategy 2017-2021.

### 5. DEFINITIONS

- Public art: art in any visual media that is planned and executed to be seen in the public domain, usually outside the traditional gallery/museum system and accessible to all. Public art can adopt a wide range of art forms and can be permanent, temporary or movable, or installations such as street banners, performance-based work, or lighting and multi-media installations utilising photographic, digital or illuminated imagery.
- Public Art Guidelines: provide further detail to assist with decisions around the acquisition, management and disposal of public art.
- Public Art Masterplan: outlines a five-year plan for Council's Public Art including strategic placement opportunities for public art across the local government area.
- Group Manager: 3rd tier management position and titled assuch;
- Council officer: A member of Council staff.

### 6. PROCESS OWNER

The Group Manager Economic & Cultural Development is responsible for the Public Art Guidelines that provide more detail on the processes supporting this policy.

### 7. AMENDMENTS

N/A.

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Item: 09

Subject: PORT MACQUARIE HISTORIC COURTHOUSE CURTILAGE

Presented by: Strategy and Growth, Jeffery Sharp

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## RECOMMENDATION

**That the Group note the correspondence from the Port Macquarie Historic Courthouse Curtilage Community Group and discuss the matters raised.**

### Discussion

At the 4 March 2020 meeting, the Town Centre Masterplan Committee (TCMP) considered the attached correspondence and resolved:

#### *06 CORRESPONDENCE FROM PORT MACQUARIE HISTORIC COURTHOUSE CURTILAGE - POLICE CONSTABLES COTTAGE AND LOCKUP*

*That the Town Centre Master Plan Sub-Committee:*

- 1. Note the information provided in this report.*
- 2. Note the details to be included in the proposed response to the Port Macquarie Historic Courthouse Curtilage regarding their request.*
- 3. Supports the general principle of the “upgrading” of the level of historic protection for the entire area incorporating the Courthouse, Cottage and Police Station.*
- 4. Retain as a standing item on further agendas to remain across the issue.*

At the TCMP meeting, staff noted that under the Cultural Plan it is proposed that Council develop a Port Macquarie CBD Cultural Precinct Plan in the next financial year. The relevant action is:

#### *1.2 Creative Precincts and Hubs*

*Investigate, plan and advocate for future creative precincts and cultural hubs designed to connect, build on the capabilities of, and showcase our significant cultural assets and the work of our local creative practitioners, with a key focus on developing a Port Macquarie CBD cultural precinct plan.*

There is scope to consider matters like the curtilage under this project which would seek to move from individual ‘cultural assets’ (eg the Glasshouse, Museum, Historic Courthouse and Cinema) to an integrated precinct with connections between the physical buildings, the collections, programs and people within them. The aim is to develop a Cultural Precinct which presents a vibrant visitor experience for tourists and locals alike, celebrating and recognising the diversity and strengths of these assets.

## Attachments

- 1 [↓](#). Correspondence from Port Macquarie Historic Courthouse Curtilage



## PORT MACQUARIE HISTORIC COURTHOUSE CURTILAGE

STAGE 2 HAY STREET, PORT MACQUARIE. NSW

PROJECT: POLICE CONSTABLES COTTAGE AND LOCKUP

Hi *Geoff*,

At a recent meeting held at the Historic Courthouse, concern was raised about the protection of the Historic Police Cottage and Lockup (built circa 1875 )

These two buildings make up part of a collection of buildings that are what is identified in the TCMP as Port Macquarie's Historic Precinct.

Would the TCMP be the appropriate channel through which to seek a plan of management, that would lead to reclassification to protect these buildings particularly now as the Police are intending to vacate.

Speaking for those at the meeting, I'm asking you to seek advice at the next TCMP meeting and thereafter to advise Council of the need for protection.

Sincerely

*Glenn Dick and Janette Hyde*

11 February 2020

### Interested Community Group

Cr. Rob Turner & Cr. Geoff Hawkins, Brian Tierney, Jeff Gillespie, Alan Jeffrey, Janette Hyde, Chris Denny, Steve O'Connor, David Bawden, Paul Dawson, Mitch McKay,, Ramsey Collins

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**Item: 10**

**Subject: PORT MACQUARIE MUSEUM TRANSFORMATION PROJECT**

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

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### **RECOMMENDATION**

**That the Group note the Port Macquarie Museum Transformation Project and its potential significant value as a key cultural and tourism asset for our region.**

### **Discussion**

On 04 March 2020, some members of the Group received a presentation from Debbie Sommers and Clive Smith representing the Port Macquarie Museum, on the Museum Transformation Project.

The Museum was established in 1957 and officially opened in 1960. Supported by a Council community grant, the Museum Board has developed a masterplan for the Museum site which will completely transform the museum (including multi-storey expansion behind the current State Heritage listed museum building). The project and concept plans were viewed by members in attendance very positively and it was suggested it be discussed further at the next Cultural Steering Group meeting.

The Museum Project is noted as a priority in Council's recently adopted Destination Management Plan under "Destination Experience Development":

2.11 Support the heritage sector to collaborate and to enable the growth and development of contemporary and integrated heritage experiences including the proposed development of the Port Macquarie Museum site.

### **Attachments**

Nil