

Public Art Panel Terms of Reference – updated 23 March 2023

Goals

1. The Public Art Panel (The Panel) is appointed by the Kāpiti Coast District Council to act as an expert advisor on the Council's public art programme and to make decisions on the selection of public artworks that assist the Council to implement its public art programme and Public Art Policy.
2. By encouraging, providing and managing public art the Council aims to:
 - promote Kāpiti Coast District's sense of community, civic pride and distinctive identity;
 - acknowledge and celebrate the whakapapa and history of tangata whenua as well as matawaka cultural identity through Toi Māori;
 - provide opportunities for artists to work in and with communities in public places;
 - encourage a culture of creativity and innovation in the public realm, which heightens people's understanding and enjoyment of art, including introducing work from noted artists living and/or working outside the District;
 - contribute significantly to the development of cultural tourism and economic development in the District;
 - acknowledge and celebrate the diverse communities within the District;
 - provide opportunities for young people to lead or be involved in the creation of public art;
 - integrate public art into public space design including town centres, facilities, open space, and buildings including indoor space.

Membership

3. The Public Art Panel shall have five members, including dedicated roles for:
 - an arts professional nominated by Te Whakaminenga o Kāpiti;
 - a representative nominated by Mahara Gallery Trust; and
 - an elected member of Council.
4. Members will be selected for their appropriate expertise, relevant experience, and networks, to ensure that collectively the Public Art Panel has the following skills:
 - credibility and relationships in the community, especially the creative community
 - experience in the commissioning of public art
 - ability to identify strong artistic concepts
 - knowledge of local, national, and international public art history
 - knowledge of Kāpiti's geography, local environments, social and built heritage
 - appreciation of Kāpiti's changing demographics and diversity and the opportunities and challenges these pose to the development of the district
 - a globally informed perspective of the role creativity plays in place-making and transformation
 - commitment to understanding the principals of Te Tiriti o Waitangi
 - knowledge of tikanga Māori and toi Māori
5. Council staff will manage the Council's public art programme and provide secretariat support to the Public Art Panel.

Appointment Process

6. Council will appoint one of its elected members to the Public Art Panel.

7. The Public Art Panel will be appointed by the Council from a shortlist prepared by Council staff in response to expressions of interest and nominations from Te Whakaminenga o Kāpiti and Mahara Gallery.
8. Expressions of interest for two positions on the Public Art Panel will be called for through advertising.

Tenure

9. Members of the Public Art Panel are appointed for a term that coincides with the then current Council triennium.
10. The Public Art Panel may co-opt temporary members during the triennium where stronger or more diverse expertise is required to advise on a particular activity of project.

Roles and Responsibilities

11. The Public Art Panel will appoint a Chair at its first meeting of each triennium.
12. The role of the Public Art Panel is to provide strategic direction, oversight, and advice on the Council's public art programme, including advising on:
 - Site priorities and selection;
 - Timelines;
 - Strategic aims;
 - Budget utilisation;
 - Artworks to be deaccessioned or relocated;
 - External proposals, bequests, donations or loans of large or valuable artworks for public spaces.
13. Recommendations, proposals and progress reports to Council will be developed by Council staff with advice from the panel.

Meetings

14. Meetings will be held as required.
15. Recommendations and decisions of the panel are made by a simple majority of those present, except that decisions about selection of a public artwork must be a unanimous decision of the full panel.
16. Each member has one equal vote.
17. Any member who is absent from three consecutive meetings of the Public Art Panel without leave of absence from the panel, or without reason satisfactory to the panel, shall cease to be a member of the Panel.
18. Meeting agendas, minutes, and arrangements (notifications, room bookings and so on) will be made by Council staff. Meetings will not generally be open to the public (unless the Public Art Panel chooses to make a meeting public).

Process and Jurisdiction

19. The Public Art Panel will provide advice and input for the development of Council's public art programme.
20. Once the public art programme has been approved, the Public Art Panel have delegated authority to select public artworks provided that:
 - The location and priority for the artwork has been approved by the Council;
 - The cost of the artwork is within the approved budget;
 - The decision of the Public Art Panel is unanimous.
21. The Public Art Panel's recommendations and decisions must be developed with reference to and in accordance with the Council's Strategy for Supporting the Arts (April 2012), the Council's Public Art Policy (August 2013) and the Council's public art acquisitions budget and approved programme.
22. Council will enter into formal agreements with artists and suppliers
23. The Public Art Panel can advise Council staff on public communications and engagement plans. The Public Art Panel cannot make public statements on behalf of the Council without prior approval from the Council's Communications Team.

Remuneration

24. Membership is a voluntary role. A yearly honorarium is available to appointed members to cover some of their expenses and to recognise members' contribution.

Resources and budget

25. Council will make available meeting rooms and any Council-owned presentation equipment required for meetings.
26. There is no Council operating budget allocated to the Public Art Panel. However, the Council has a budget for travel expenses which will be drawn on to provide a small honorarium to members to recognise their contribution.
27. Council staff time will be met from existing operating budgets.

Fund sources and management

28. Council makes provision for capital expenditure on public art in its Annual Plan process. The Council or the Public Art Panel may seek to secure additional funds from outside sources (e.g., central government agencies, corporate or private funders) for public art. Details of expenditure are included in the Council's regular financial reports.
29. The Council will make payments to artists and suppliers associated with the agreed public art programme.

Storage of information and documentation

30. Minutes of Public Art Panel meetings, proposals and advice given to the Kāpiti Coast District Council will be held in the Council filing system.
31. Details of Council-owned public art will be recorded in the Council's Art Collection Register.

Code of Conduct

32. Members are required to declare any conflict of interest with any matter to be discussed by the Panel.
33. Members are not permitted to directly or indirectly benefit from their participation in the Public Art Panel during their tenure, and for a period of 12 months following the completion of their term.
34. Members are required to:
 - prepare for and actively participate in meetings;
 - act in a courteous manner, respecting views and opinions of others;
 - respect the decision of the consensus view as adjudicated by the Chair;
 - publicly support recommendations made by the Public Art Panel even if their personal view differs from the consensus view; and
 - treat information with sensitivity and confidentiality as appropriate.

Evaluation and review

35. The Council may choose to alter these Terms of Reference at any time.
36. Council reserves the right to review the operations of, or need for, the Public Art Panel at any time.