

PUBLIC ART PANEL TERMS OF REFERENCE

2017

Goals

1. The Public Art 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:
 - 2.1. promote Kāpiti Coast District's sense of community, civic pride and distinctive identity;
 - 2.2. acknowledge and celebrate the whakapapa and history of tangata whenua as well as matawaka cultural identity through toi Māori;
 - 2.3. provide opportunities for artists to work in and with communities in public places;
 - 2.4. 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;
 - 2.5. contribute significantly to the development of cultural tourism and economic development in the District;
 - 2.6. acknowledge and celebrate the diverse communities within the District;
 - 2.7. provide opportunities for young people to lead or be involved in the creation of public art;
 - 2.8. integrate public art into public space design including town centres, facilities and open space.

Membership

3. The 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
 - an elected member of Council
4. Members will be selected for their artistic expertise, experience and networks, and to ensure that collectively the panel has the following skill areas:
 - 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 principles of Te Tiriti o Waitangi
 - knowledge of tikanga Māori and toi Māori
5. Council staff will manage the Council's public art programme, facilitate engagement, and provide secretariat support to the Public Art Panel.

Appointment Process

6. Council will appoint one of its elected members to the 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 three-year term that coincides with the then current Council triennium.

Roles and Responsibilities

10. The panel will appoint a Chair at its first meeting of each triennium.
11. The role of the Public Art Panel is to provide input into 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 artwork for public spaces;
 - Protocols for artwork opening/unveiling, relocation and removal.
12. The Public Art Panel is authorised to determine the following:
- Commissioning processes, artist selection methods and brief development;
 - Selecting artists to respond to a brief, and reviewing expressions of interest;
 - Approving artist concepts and detailed designs for the production of public artworks.
13. Recommendations and progress reports to Council or delegated committee will be developed by Council staff with advice from the panel.

Meetings

14. Meetings will be held as required.

15. The quorum of the meeting shall be a simple majority of the panel.
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 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 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. The Public Art Panel should ensure that recommendations and decisions are made with due regard to New Zealand laws including those regarding copyright, censorship and obscenity.
23. Council will enter into formal agreements with artists and suppliers.
24. 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.

Remuneration

25. Membership is a voluntary role, and there will be no remuneration for members' time, or for attendance at meetings.

Resources and budget

26. Council will make available meeting rooms and any Council-owned presentation equipment required for meetings.
27. There is no Council operating budget allocated to the Public Art Panel. Council staff time will be met from existing operating budgets.

Fund sources and management

28. Council makes provision for the 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. Council will make payments to artists and suppliers associated with the agreed public art programme.

Code of Conduct

30. Members are required to declare any conflict of interest with any matter to be discussed by the panel.
31. 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.
32. 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 panel even if their personal view differs from the consensus view; and
 - treat information with sensitivity and confidentiality as appropriate.

Evaluation and review

33. Council may choose to alter these terms of reference at any time.
34. Council reserves the right to review the operations of, or need for, the Public Art Panel at any time.