



City of Nedlands

Agenda

Arts Committee Meeting

18 November 2019

ATTENTION

This Agenda has yet to be dealt with by the Committee.

The Administration Recommendations, shown at the beginning of each item, have yet to be considered by the Committee and are not to be interpreted as being the position of either the Committee or Council.

The Minutes of the meeting held to discuss this Agenda should be read to ascertain the decision of the Committee.

Before acting on any recommendation of the Committee a check must also be made in the Ordinary Council Minutes following the Committee Meeting to ensure that Council did not make a decision at variance to the Committee Recommendation.

Mark Goodlet
Chief Executive Officer
15 November 2019

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City of Nedlands

Notice of a meeting of the Arts Committee to be held in the Meeting Room at the City of Nedlands, 71 Stirling Highway, Nedlands on Monday 18 November 2019 at 5.30pm.

Arts Committee Agenda

Declaration of Opening

The Presiding Member will declare the meeting open at 5.30pm and will draw attention to the disclaimer below.

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

Present and Apologies and Leave of Absence (Previously Approved)

Leave of Absence Nil.
(Previously Approved)

Apologies Councillor B Hassell Dalkeith Ward

Disclaimer

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example, by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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1. Appointment of Chair

Committee to appoint Chairperson for the Arts Committee.

2. Public Question Time

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question. Questions tabled at the meeting may be unable to be answered due to the requirement for technical research and will therefore be answered direct afterwards.

Questions must relate to a matter contained within the agenda of this meeting.

3. Addresses by Members of the Public (only for items listed on the agenda)

Addresses by members of the public who have completed Public Address Session Forms will be invited to be made at this point.

4. Disclosures of Financial Interest

The Presiding Member to remind Councillors and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter is discussed.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

5. Disclosures of Interests Affecting Impartiality

The Presiding Member to remind Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

Councillors and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to the matter in item x..... I disclose that I have an association with the applicant (or person seeking a decision). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

6. Declarations by Members That They Have Not Given Due Consideration to Papers

Members who have not read the business papers to make declarations at this point.

7. Confirmation of Minutes

7.1 Arts Committee Meeting 7 October 2019

The Minutes of the Arts Committee 7 October 2019 are to be accepted as a true and correct record of that meeting.

8. Items for Discussion

8.1 Review Terms of Reference

Arts Committee	18 November 2019
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	1. Arts Committee Terms of Reference October 2019.

Executive Summary

The purpose of this report is for the Committee to review its Terms of Reference.

Recommendation to Committee

Committee receives the Terms of Reference of the Arts Committee as per attachment 1.

Discussion/Overview

At the Special Council meeting on Tuesday 5 November, Council amended the Arts Committee’s Terms of Reference. A copy of the amended Terms of Reference is provided at Attachment 1 – Arts Committee Terms of Reference October 2019.

The change to the Terms of Reference is that membership of the Arts Committee will now include the Mayor and four Councillors, being one from each ward. Previously, the Arts Committee included the Mayor and three Councillors, with no requirement in relation to wards. This change is consistent with the setup of all Council Committees, to provide equitable representation of all wards.

Key Relevant Previous Council Decisions

Nil.

Consultation

N/A

Budget/Financial Implications

Nil.

Conclusion

It is recommended that the Arts Committee accepts this information on its amended Terms of Reference.



Arts Committee – Terms of Reference

Purpose

The Arts Committee will be established under the Local Government Act 1995 to implement public art projects within the City of Nedlands.

Aim

To ensure that the City of Nedlands includes artworks of a high standard in the public domain.

Scope

The Committee will undertake the following within the City of Nedlands:

1. Initiate, consider and decide on proposals for public artworks.
2. Oversee the implementation of public artworks.
3. Consider external proposals for public artworks to be donated to the City of Nedlands.
4. Promote awareness of the City's existing public artworks.
5. Review the City's art collection and make recommendations to Council on its conservation.
6. Review Council's Public Art Policy as required and make recommendations to Council on any proposed changes.
7. Develop a draft Percent for Art Policy and make recommendation to Council on its adoption.

Procedure

After adoption of the City's budget by Council each year and before commencing its work for the ensuing year the Committee shall:

- Consider the budget and any other available funds for art works to be acquired in the ensuing year.
- Formulate a plan of priorities and objectives for the year including the proposed siting of any public art works.
- Present that plan for review and amendment or approval by the Council.



Delegated Authority

The Committee has delegated authority to implement public artworks of not more than \$10,000 each to the value of up to, in all, the budget allocation approved by Council within the current financial year's budget. Artworks over \$10,000 shall be recommended to Council for approval.

Membership

1. Mayor and four (4) Councillors (one from each Ward) with the Councillors being determined by nomination and if necessary, a ballot conducted at a Council Meeting
2. Two community representatives with professional expertise in public art, who are residents of the City.
3. One youth representative with an interest in public art, aged 12 – 25 years, who is a resident of the City.
4. Non-residents of the City of Nedlands may be appointed as non-voting members.

Meetings

1. The Council Committee operates under the Council's Standing Orders Local Law.
2. The quorum for a meeting will be 50% of the offices of the Arts Committee as per section 5.19 of the Local Government Act 1995.
3. Meetings are open to community and Councillors.
4. Voting members are listed under Membership above.
5. Non-voting members may participate in all aspects of the meeting other than voting.
6. Non-voting attendees (as distinct from non-voting members) will have observer status.
7. Meetings will be held quarterly or as required.



Staff

The following staff will attend meetings to provide support and advice:

- Manager Community Development, as required.
- Tresillian Arts Centre Coordinator, as required.
- Any other officer, as required.

Terms of Reference

The Terms of Reference will be reviewed annually.

Approved / Reviewed

10 December 2013 – CM11.13 Arts Committee and Terms of Reference
27 October 2015 – 14.6 Arts Committee and Terms of Reference
23 February 2016 – CM01.16 Appointment Community Members Arts Committee
24 October 2017– Arts Committee Terms of Reference
23 April 2019 – 14.1 Notice of Motion - Arts Committee Terms of Reference
5 November 2019 – Item 5.3 Special Council Meeting

8.2 Appointment of Community Members

Arts Committee	18 November 2019
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	Nil.

Executive Summary

This item is being presented to the Arts Committee to consider applications from community members wishing to be members of the Arts Committee. Should the Arts Committee support these applications, it must then make a recommendation to Council on the matter, as only Council can appoint members of a committee of Council.

Recommendation to Arts Committee

That Council appoints Alexandria Thompson and Luke Hollyock as Community Members of the Arts Committee.

Discussion/Overview

In October 2019, the City called for Expressions of Interest from community members interested in becoming members of the Arts Committee. This is consistent with the Arts Committee's Terms of Reference. Two Expressions of Interest were received, being from Alexandria Thompson and Luke Hollyock.

Both Alexandria and Luke have previously served as community representatives on the Arts Committee for four years. Both have interest and expertise in the arts, as required by the Terms of Reference. Both have contributed positively to the Arts Committee in the past. Luke and Alexandria are residents of the City of Nedlands and therefore meet the criteria outlined in the Terms of Reference to be voting members of the Arts Committee.

Key Relevant Previous Council Decisions

Nil.

Consultation

The CEO advertised in both local newspapers, calling for Expressions of Interest from community members with an interest and expertise in the arts and wishing to be members of the Arts Committee.

Budget/Financial Implications

Nil.

Conclusion

Given the positive contribution of both applicants, it is recommended that the Arts Committee recommend to Council the appointment of Alexandria Thompson and Luke Hollyock to the Arts Committee, as community representatives on the Arts Committee.

8.3 Installation of Artworks in Annie Dorrington Park.

Arts Committee	18 November 2019
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll
Attachments	Nil.

Executive Summary

This item is being presented to the Arts Committee to provide a final update on the installation of the public artworks in Annie Dorrington Park, Mt Claremont.

Recommendation to Committee

That the Arts Committee receives this information.

Discussion/Overview

The artworks for Annie Dorrington Park will be installed in the near future. The date for installation is now 5 -12 December 2019.

All aspects of this major public artwork are expected to be completed in the near future. The work will be installed in the park in early December 2019. Additionally, all payments to do with the artwork, including the final payment to the artist and all costs to do with installation, are already committed and are expected to be paid out by then end of the 2019 calendar year. Finalising all payments related to this artwork will mean that most of the \$50,000 allocated to public art in the current financial year has been spent. Any further expenditure by the Arts Committee will need to be approved by Council.

Once the works are installed in Annie Dorrington Park, it is intended that there will be a combined launch of the works and opening of the park early in 2020.

Key Relevant Previous Council Decisions

Nil.

Consultation

N/A

Budget/Financial Implications

There are no budget implications of this report, since this report simply updates the Arts Committee on installation of the works. All budgetary expenditure on this artwork has been previously approved by Council.

Summary

Therefore it is recommended that the Arts Committee receives this update on the completion of the artworks for Annie Dorrington Park.

8.4 Notice of Motion on Temporary Suspension of Arts Committee

Arts Committee	18 November 2019
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll
Attachments	Nil.

Executive Summary

This item is being presented to the Arts Committee to provide information on the upcoming Notice of Motion proposing the temporary suspension of the Arts Committee; and to provide Administration's response to the proposed Notice of Motion.

Recommendation to Arts Committee

That the Arts Committee receives this information.

Discussion/Overview

On 26 November 2019, Mayor de Lacy will raise a Notice of Motion proposing temporary suspension of the Arts Committee.

Temporary suspension of the Arts Committee could be undertaken without any negative impact on the City's public art program. The current timing is opportune as the Arts Committee is at the stage of having finished one major public artwork and not yet made any major decisions about the next work.

Impact on Public Art Program

The Arts Committee could be temporarily suspended without any negative impact on Council's public art program. The Arts Committee's Terms of Reference are such that key decisions about public art – the nature of the work to be commissioned, expenditure and location – are all made by Council. The Arts Committee considers these matters and makes recommendation on them to Council, with Council making the final decision.

Therefore, if the Arts Committee were to be suspended, any such decisions could simply go directly to Council for consideration, rather than coming to Council via the Arts Committee. This would also have the advantage of expediting decision-making.

Timing

The Arts Committee has achieved a strong record in relation to the commissioning and purchasing of some significant public artworks in the City, since its inception. It has recommended to Council the purchase of two works from Sculptures by the Sea; and the commissioning of one work for a park in Mt Claremont. This commissioned work is the Arts Committee's most recent achievement.

The artwork commissioned for the Annie Dorrington Park in Mt Claremont will be installed in the near future. Having completed its decision-making about the Annie Dorrington Park artwork, the Arts Committee was in the earliest stages of considering its next public artwork. The first step for any public artwork is to identify the site. The Arts Committee has been considering two possible sites in Swanbourne but has not yet decided on a site. Therefore, this (potential) public art project is still in its very earliest stage, with no commitment having been undertaken.

If the Arts Committee is to be temporarily suspended, now is a good time for this to occur as decision-making for the Annie Dorrington Park project is complete; and the next (potential) project is not yet underway.

Focus on Strategic Priorities

Perhaps most importantly, the City's public art program now needs to be focus on its strategic priority. The City's new Local Planning Scheme now presents a unique opportunity to introduce a Percent for Art Scheme, should Council wish to do so. In essence, such a scheme would allow Council to require new non-residential developments over a certain value to spend a percentage of the cost of the development on public art. However, before Council can introduce such a scheme, it must have in place a Public Art Strategy.

Drafting this Public Art Strategy and presenting it to Council for consideration now needs to be the focus of the City's public art program. Should Council wish to adopt such strategy, it would then be integrated into the City's planning system. This approach has the potential to result in far greater expenditure on public art in the City of Nedlands – with the artworks funded by developers - than it would be possible for Council alone to achieve through commissioning its own works. Percent for Art Schemes typically specify criteria for the selection of artworks that lead to high calibre artworks by recognised and awarded artists.

A temporary suspension of the Arts Committee will allow Administration to focus on presenting Council with a draft Public Art Strategy, as the initial statutory requirement for a Percent for Art Scheme, rather than on implementing the next Council-funded public artwork.

Key Relevant Previous Council Decisions

Nil.

Consultation

N/A

Budget/Financial Implications

In the current financial year, Council approved expenditure of \$50,000 on public art. \$39,000 of this amount has already been spent and a further \$7,800 is already committed, being the final payment to the artist for the Annie Dorrington Park artwork. Therefore, most of the \$50,000 allocated to public art in the current financial year has been spent or committed.

If the Arts Committee does continue to operate in the current financial year and it wishes to proceed with its next public artwork, then it would need to request approval from Council to spend unbudgeted funds, in order to undertake the next public art project. So, in this respect too, the timing is opportune the Arts Committee has already committed most of the funds approved by Council for expenditure on public art in the current financial year. And has not yet embarked on the next project, which would require further budget approval from Council.

Conclusion

Temporarily suspending the Arts Committee can be undertaken without any negative impact on the City's public art program. The public art program can continue, with significant decisions going directly to Council, rather than going firstly to the Arts Committee and then to Council. The expertise held by Councillors on the Arts Committee will, in any case, still be available on Council. If Council does decide to pause the work of the Arts Committee, now is a good time to do that, given the completion of the Annie Dorrington Park Artwork and the fact that the next public artwork has not been decided on or entered into. Pausing the work of the Committee will also allow the City to focus on the strategic opportunity presented by the LPS3, of considering the introduction of a Percent for Art Scheme.

8. Date of Next Meeting

The next meeting of the Arts Committee will be held on Monday 17 February 2020.

Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed.