



City of Nedlands

Agenda

Public Art Committee Meeting

21 June 2021

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.

Prior to entry, attendees will be required to register using the SafeWA App or by completing the manual contact register prior to entry - as stipulated by Department of Health mandatory requirements.

The public can continue to participate by submitting questions and addresses via the required online submission forms at:

<http://www.nedlands.wa.gov.au/intention-address-council-or-council-committee-form>

<http://www.nedlands.wa.gov.au/public-question-time>

Ed Herne
A/Chief Executive Officer
17 June 2021

Table of Contents

Declaration of Opening	3
Present and Apologies and Leave of Absence (Previously Approved)	3
1. Public Question Time	3
2. Addresses by Members of the Public (only for items listed on the agenda).....	4
3. Disclosures of Financial and/or Proximity Interest	4
4. Disclosures of Interests Affecting Impartiality.....	4
5. Declarations by Members That They Have Not Given Due Consideration to Papers.....	5
6. Confirmation of Minutes	5
6.1 Arts Committee Meeting 15 March 2021	5
7. Items for Discussion.....	5
7.1 Appointment of New Public Art Committee Member	5
7.2 Health Workers' Tribute Project Update.....	8
8. Date of Next Meeting	13
Declaration of Closure	13

City of Nedlands

Notice of a meeting of the Public Art Committee to be held in the Council Chambers, 71 Stirling Highway, Nedlands on Monday 21 June 2021 at 5.30pm. This meeting will also be livestreamed.

Public Art Committee Agenda

Declaration of Opening

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

Present and Apologies and Leave of Absence (Previously Approved)

**Leave of Absence
(Previously Approved)** Nil.

Apologies Nil.

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.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

1. 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.

2. 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 as each item relating to their address is discussed by the Committee.

3. Disclosures of Financial and/or Proximity Interest

The Presiding Member to remind Council Members, Committee Members and Employees 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 Council 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 Council & Committee 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 Council & Committee Members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

4. Disclosures of Interests Affecting Impartiality

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

Council Members, Committee Members and employees 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). This association is (nature of the interest).

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 Council Member, Committee Members or employee is encouraged to disclose the nature of the association.

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

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

6. Confirmation of Minutes

6.1 Arts Committee Meeting 15 March 2021

The Minutes of the Arts Committee 15 March 2021 are to be accepted as a true and correct record of that meeting.

7. Items for Discussion

7.1 Appointment of New Public Art Committee Member

Public Art Committee	21 June 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the <i>Local Government Act 1995</i>	Nil.
Executive Manager	Pat Panayotou – Executive Manager Community
Attachments	Nil.
Confidential Attachments	Nil.

Executive Summary

The purpose of this report is to inform the Public Art Committee about a change to its membership. The newly-appointed Public Art Committee members is Cr. Bronwen Tyson, appointed by Council to the role in April 2021.

Recommendation to Committee

That the Public Art Committee:

1. receives the information that Councillor Bronwen Tyson has been appointed by Council to the Public Art Committee; and
2. welcomes Councillor Bronwen Tyson to her role as a member of the Public Art Committee.

Background

The Public Art Committee provides advice to Council on public art. The Committee's Terms of Reference state that its membership is to include:

- the Mayor or Deputy Mayor;
- a Councillor from each Council ward;
- and representatives from the community.

Discussion/Overview

Appointment of Councillor Tyson to Public Art Committee

Until his resignation from Council in 2020, ex Councillor Gordon Hay was a member of the Public Art Committee. Therefore, in April 2021, Council considered the vacancy on the Public Art Committee arising from Mr. Hay's resignation and appointed Councillor Bronwen Tyson to the role. The Chairperson of the Public Art Committee will now formally welcome Councillor Tyson to her new role as a member of the Public Art Committee.

Current Membership of Public Art Committee

For Public Art Committee members' information, there are now 7 members of the Public Art Committee, being:

- Mayor or Deputy Mayor – Deputy Mayor Leo McManus
- Hollywood Ward Councillor – Councillor Ben Hodsdon (Chairperson)
- Coastal Ward Councillor – Councillor Kerry Smyth
- Dalkeith Ward Councillor – Councillor Andrew Mangano
- Melvista Ward Councillor – Councillor Bronwen Tyson
- Community representative – City of Nedlands resident Alexandra Thompson
- Community representative – City of Nedlands resident Luke Hollyock.

Achieving a meeting quorum

A quorum must be achieved before a meeting of the Public Art Committee can go ahead. The Public Art Committee's Terms of Reference state that a quorum for the Committee is 50% of its members – i.e. in this case, 4 members constitute a quorum.

Key Relevant Previous Council Decisions:

27 April 2021 – CSD03.21 – Replacement Member Public Art Committee

Policy / Legislation

Committees of Council are governed by the requirements of the *Local Government Act (WA) 1995*.

Consultation

No community consultation was undertaken by Council on the appointment of a replacement member of the Public Art Committee. This was because the Committee's Terms of Reference stipulate that the replacement person has to be a Councillor from the Melvista Ward.

Strategic Implications

How well does it fit with our strategic direction?

The Public Art Committee's focus on contributing to the amenity of the local area is consistent with the City's Strategic Community Plan's vision, which states that "We will live in a beautiful place".

Who benefits?

All community members benefit from the work of the Public Art Committee, as it improves the amenity and aesthetic standards of the local area.

Does it involve a tolerable risk?

N/A

Do we have the information we need?

Yes. The information needed is that Cr. Bronwen Tyson is a Councillor who has been elected to the Melvista Ward, and is therefore eligible to represent Council on the Public Art Committee of Council.

Budget/Financial Implications

There are no financial implications of appointing Councillor Bronwen Tyson to the Public Art Committee.

Can we afford it?

N/A

How does the option impact upon rates?

N/A

Conclusion

It is recommended that the Public Art Committee receives the information that Councillor Bronwen Tyson has been appointed by Council to the Public Art Committee; and welcomes her to her role on the Committee.

7.2 Health Workers' Tribute Project Update

Public Art Committee	21 June 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the <i>Local Government Act 1995</i>	Nil.
Executive Manager	Pat Panayotou – Executive Manager Community
Attachments	Nil.
Confidential Attachments	Nil.

Executive Summary

Council has now approved all necessary aspects of the Health Workers' Tribute project, being:

- expenditure on a consultant public art coordinator;
- expenditure on the artwork itself – it's commission, fabrication and installation;
- and the use of Dot Bennet Park as the site for the artwork.

Therefore, the project can now proceed. The purpose of this report is to provide the Public Art Committee with an update on this project and the steps involved in its implementation. The key points are that Administration will now proceed with appointing a suitable public art consultant to co-ordinate the commissioning of the work; and that the Public Art Committee will consider all submissions from artists and will select the final work to be commissioned.

Recommendation to Committee

The Public Art Committee:

1. **receives the update provided on the Health Workers Tribute Project; and**
2. **notes the following steps involved in the project:**
 - a. **Administration appoints public art consultant;**
 - b. **Consultant calls for EOI's from public artists;**
 - c. **Public Art Committee shortlists submissions received;**
 - d. **Short-listed artists present proposals to the Public Art Committee; and**
 - e. **Public Art Committee selects the work to be commissioned.**

Background

For some time, the Public Art Committee (PAC) has been considering a public artwork that pays tribute to the role of health workers during the COVID pandemic. Initially, the PAC considered the purchase of an existing artwork and recommended this to Council. However, Council decided against that purchase, preferring to commissioning a work instead.

The PAC then considered the idea of commissioning a work; and on that basis, recommended that a consultant be appointed to co-ordinate the commission of the artwork. The consultant would be supervised by the Arts Centre Coordinator.

On 25 May 2021, Council agreed with the PAC's recommendation and approved the expenditure involved in appointing a consultant and undertaking the commissioning of the work itself. This Council decision also approved Dot Bennet Reserve as the site for the artwork. With the expenditure and site now approved by Council, the PAC can now go ahead with commissioning the Health Workers Tribute public artwork project. This agenda item provides the PAC with an update on this project and what will happen next, including the Committee's role in shortlisting proposals from artists, receiving presentations from the shortlisted artists and in selecting the final work to be commissioned.

Discussion/Overview

On 25 May 2021, Council decided as follows:

“Council:

1. approves the transfer of an additional \$20,000 from Council's Art Reserve Account for expenditure on a consultant to undertake the work involved in commissioning an artwork, rather than purchasing an existing work.
2. approves the expenditure of up to \$50,000 on the commissioning of the artwork itself (including advertising, artist fees, fabrication, traffic management, foundations, plaque and installation) from the approved 2020/21 Council budget; and
3. approves Dot Bennett Park as the site for the Health Workers' Tribute public art project.”

As the site and all necessary expenditure has been approved by Council, the project can now proceed. The key steps are:

- Administration to appoint a consultant
- The consultant to call for EOI's from suitable artists
- The artists to submit their written proposals
- The Public Art Committee to shortlist those proposals

- Shortlisted artists will each present in person to the Public Art Committee
- The Public Art Committee will select the winning proposal, which will then be commissioned.

Appointment of Consultant

Administration will now appoint a suitable public art consultant to coordinate the commissioning process. The consultant will be appointed through the City's standard RFQ process, by approaching at least 3 suitably experienced public art consultants for quotations on the work required. Arts Centre Coordinator, Lisa Macfarlane Reid, will provide the consultant with a written brief and supervise their achievement of it.

Calling for EOI's from Interested Artists

The consultant will call publicly for Expressions of Interest from suitably experienced artists. This EOI will be based on an artwork brief, which will be developed by the consultant, under supervision from the Arts Centre Coordinator.

Artists Submit Proposals

In response to the call for Expressions of Interest, artists will submit their written proposals. These are high-level concept proposals that are general in nature, providing an overview of the artist's broad concept rather than detailed plans.

Public Art Committee Shortlists Proposals

If more than 3 concept proposals are received from artists, then the PAC will meet, consider all proposals, then shortlist them to 3 proposals.

Shortlisted Artists Present to Committee

The 3 shortlisted artists will each be paid \$1,500 to develop their broad, high-level concept into a more detailed and developed project. The PAC will then receive an in-person presentation about their proposed artwork, from each of the shortlisted artists. PAC members will have the opportunity to ask questions of the artists. Following the presentations from the 3 shortlisted artists, the PAC then decides on which of the works has won the commission. Following this decision by the PAC, the artists will be notified of the outcome and the work will be commissioned.

Key Relevant Previous Council Decisions:

25 May 2021 – CSD05.21 – Council decision approving Dot Bennett Park as the site for the Health Workers Tribute Project artwork; expenditure of \$20,000 on public art consultant; and \$50,000 on the artwork itself.

Policy / Legislation

The Public Art Committee's Terms of Reference state that the Committee has delegated authority to implement public artworks of up to \$10,000. As the cost of this work is greater than \$10,000, Council approval must be received. Council approval of the associated expenditure and site has been provided; therefore, the project can now proceed.

Consultation

The PAC includes 2 community members who are full voting members of the Committee. They have both been part of the process of developing this project since its inception.

Strategic Implications

How well does it fit with our strategic direction?

This project fits well with the City's strategic direction as it is consistent with the vision stated in the Strategic Community Plan, which closes with the statement that "We will live in a beautiful place".

Who benefits?

The project will benefit health workers throughout the state by recognizing their generosity in a time of crisis. It will also benefit other community members by helping to strengthen community spirit through a sense of dealing with shared challenges.

Does it involve a tolerable risk?

The risks associated with developing a public artwork will be mitigated by:

- calling publicity for Expressions of Interest from artists and therefore giving the best chance of a quality outcome,
- considering only well qualified and experience public artists with strong track-records of developing public artworks that are safe, durable and require minimal maintenance.

Do we have the information we need?

Yes. The Arts Centre Coordinator has the knowledge and information needed to:

- identify a number of suitable public art consultants for quotations,
- appoint a suitable consultant,
- supervise the consultant, who will then co-ordinate the EOI process and the artists' presentations to the PAC.

Budget/Financial Implications

The budget for this project is \$70,000, being:

- \$20,000 on the public art consultant and
- \$50,000 on the artwork itself (commissioning, fabrication & installation).

The \$70,000 will come from the City's Art Reserve Fund.

Can we afford it?

Yes. The City has sufficient funds in its Arts Reserve Fund to undertake this project.

How does the option impact upon rates?

Because the project is funded from the City's existing Arts Reserve Fund, it does not impact the 2021/22 rates.

Conclusion

This agenda item is provided to the Public Art Committee for information only. It provides the information that Council has approved the site and expenditure for the project, which means it can now proceed. The item also outlines how the project will now proceed and what steps it will involve. The first step will be the appointment of a Public Art Consultant by Administration, with this process already being underway. Once the consultant is appointed, they will then call for EOI from interested artists and co-ordinate their presentations to the Public Art Committee. The Public Art Committee's role will be to consider the proposals, receive presentations from shortlisted artists and decide the winning proposal from those received. Therefore, it is recommended that the Public Art Committee receives the information provided in this report and notes the steps that will be undertaken to enable the Health Workers Tribute artwork to become a reality.

8. Date of Next Meeting

The next meeting of the Public Art Committee will be held on Monday 13 September 2021

Declaration of Closure

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