



City of Busselton
Geographe Bay

LATE ITEMS

Council Agenda

22 February 2017

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CITY OF BUSSELTON

LATE ITEMS FOR THE COUNCIL MEETING TO BE HELD ON 22 FEBRUARY 2017

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6. REPORTS OF COMMITTEE

6.1 Settlement Art Project Steering Committee - 2/02/2017 - HERITAGE: LOCAL HISTORY; BUSSELTON SETTLEMENT ART PROJECT STEERING COMMITTEE

SUBJECT INDEX:	Cultural Planning
STRATEGIC OBJECTIVE:	A City where the community has access to quality cultural, recreation, leisure facilities and services.
BUSINESS UNIT:	Community Services
ACTIVITY UNIT:	Cultural Services
REPORTING OFFICER:	Cultural Development Officer - Jacquie Happ
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

This item was considered by the Settlement Art Project Steering Committee at its meeting on 2 February 2017, the recommendations from which have been included in this report.

PRÉCIS

The Busselton Settlement Art Project (BSAP) is a public art initiative commemorating the successful establishment of Busselton as one of the first settlements outside Perth. The project involves the commissioning of six (6) life-sized bronze sculptures (one per year) at a total cost of approximately \$770,000 (inc GST).

The project is overseen by a committee of Council, the Busselton Settlement Art Project Steering Committee (BSAPSC). At its informal meeting in January 2017, the BSAPSC voted to recommend the commencement of work on the Aboriginal sculpture by engaging a professional Aboriginal consultancy firm to assist with the process of developing a sculpture concept.

The purpose of this report is to seek Council endorsement for the Aboriginal sculpture to be the fifth in the series and to expend funds from the National Trust Appeal account as a means to engage a consultant to work with Artist, Greg James and the Aboriginal community on the development of a finalised concept for the Aboriginal sculpture.

BACKGROUND

In November 2011 Council awarded Tender 1/11 to Greg James (C1111/342) for the commissioning of BSAP sculptures. In June 2013, the BSAPSC was established (C1306/139) to provide a vehicle by which the commissioning of the sculptures could be overseen; and to initiate and coordinate fundraising activities.

At a formal meeting of the BSAPSC on 9 January 2014 (BSA1401/010) the Committee recommended that the order of commissioning for the first three sculptures be changed to:

1. Whaler's Wife
2. Timber Worker
3. John Garrett (JG) Bussell

These three sculptures have been completed, installed and unveiled. The fourth sculpture which is the Spanish Settler has been commissioned, and is due to be installed in September 2017, leaving two sculptures to be completed; the Pioneer Woman and the Aboriginal sculpture.

The original concept for the Aboriginal sculpture developed in 2011, was of a small child, alone, feeling stories in timber sleepers. There was strong concern from key Aboriginal stakeholders that there should be an elder included and as such the Artist developed a marquette that included the figure of a naked woman observing the child. The marquette depicting the naked woman caused some frustration and concern to the Aboriginal community, and as such it was subsequently removed from display.

There is an expectation by the Aboriginal community that there will be an Aboriginal sculpture, and a hope that it won't be the last one commissioned. There is no expectation about the delivery of the Pioneer Woman. The City's recent attempts to engage the Aboriginal community in projects of this nature, whilst good intentioned, have not been fruitful. In order to obtain an Aboriginal sculpture that is truly representative of the local Aboriginal communities' desires, it is recommended that the City engages an Aboriginal consultancy firm to coordinate the consultation process. In light of this, at its informal meeting of 12 January 2017, the BSPASC recommended that it would seek approval from Council to engage a professional Aboriginal consultant to work with the community to provide design concepts to the artist, Greg James.

In order to commission the development of the Aboriginal sculpture in September 2017 (and completion in 2018), consultation with the local Aboriginal community needs to commence in March 2017. The current project plan allows for a consultation timeframe of approximately 3 to 4 months, allowing for unexpected issues or room for discussion and negotiation.

A local Aboriginal artist has offered to donate four paintings for auction at a BSAPSC event with the money raised directed towards the Aboriginal sculpture and the consultation process. This event is expected to raise approximately \$5,000, however there is some risk that the paintings will not sell and what is raised will not cover the expected costs of \$8,500 for the Aboriginal consultation.

The City was recently notified of a \$52,000 Percent for Art Policy Cash-in-lieu contribution from Bunnings for their redevelopment project in Busselton, which will be specifically allocated to the BSAP. Bunnings, when presented with options on how to address their Percent for Art obligations were supportive of the cash-in-lieu option, recognising the Aboriginal sculpture as a way for the City to recognise its local Aboriginal people and providing a positive step towards the development of a City of Busselton Reconciliation Action Plan.

STATUTORY ENVIRONMENT

Under Section 5.8 of the *Local Government Act 1995* (the Act), a local government, by absolute majority, may establish Committees of three or more persons to assist the Council, and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Authority can be delegated to formally constituted Committees of Council in accordance with Sections 5.16 and 5.17 of the Act.

RELEVANT PLANS AND POLICIES

Social Plan 2015-2025

It is a goal of the City's Social Plan (2015-2025) that our culture is celebrated, valued and retained. The installation of the BSAP is in line with this goal.

City of Busselton's Ten Year Financial and Corporate Business Plans

The BSAP has been identified in the City's four year Corporate Business Plan. It has also been included as an allocation of \$85,000 in the City's Long Term Financial Plan for the 2016/2017 and 2017/18 Financial Years.

FINANCIAL IMPLICATIONS

The balance of the National Trust Appeal Funds after consideration of payments required for the Spanish Settler in the 2016/17 financial year is \$11,343.23. This is represented below as follows:

Table 1. National Trust Appeal Funds Balance

National Trust Appeal Funds	
01 January 2017 opening balance	\$43,589.23
Spanish Settler	\$32,246.00
Closing balance	\$11,343.23

The National Trust has advised the City that the Aboriginal sculpture consultation process is a permissible use of the Busselton Settlement Art Project Appeal funds. In response to this advice, the City issued an expression of interest to three (3) Aboriginal consultancy firms, with a list of key deliverables required out of the consultation process. In response, quotes have been received from 2 of the 3 consultants, including a local Aboriginal business. These quotes were as follows:

Table 2. Quotes received Aboriginal Consultation Process

Quotes: Business	Description	Cost
Indigenous Consulting Group	\$2,000 per day for 9 days	\$18,000.00
Mundumung	\$400 per day for 20 days	\$8,500.00

Should the Council endorse the Committee's recommendation, then the consultancy will be divided up into key milestones of achievement, with payments linked to the achievement of these.

The cost of the Aboriginal sculpture and the Pioneer Woman will be \$100,000 (ex GST) each. The City's Long Term Financial Plan currently has a provision of \$85,000 in each of the 2017/18 and 2018/19 financial years as a means to complete the BSAP. There are no additional financial implications to the City and a summary of the total financials for the remainder of the BSAP, should it progress as recommended, is as follows:

Table 3. Busselton Settlement Art Project Financials

SETTLEMENT ART TOTAL PROJECT BUDGET (EX GST)			
Revenue		Expenditure	
2017/18			
Municipal Funds 2017/18	\$ 85,000.00	Aboriginal Consultation	\$ 8,500.00
Previous Fundraisers (City Reserve)	\$ 2,156.36		
Percent for Art (City Reserve)	\$ 3,000.00	Aboriginal Sculpture	\$ 100,000.00
Jasper Jones Movie Fundraiser (City Reserve) *	\$ 2,000.41		
National Trust Appeal Funds	\$ 11,343.23		
Art Auction (National Trust Appeal Funds) *	\$ 5,000.00		
	\$ 108,500.00		\$ 108,500.00
2018/19			
Municipal Funds 2018/19	\$ 85,000.00		
Percent for Art (City Reserve)	\$ 15,000.00	Pioneer Woman Sculpture	\$ 100,000.00
	\$ 100,000.00		\$ 100,000.00

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

This matter aligns with the City of Busselton Strategic Community Plan 2013 and principally with the following strategic goal:

A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.

RISK ASSESSMENT

An assessment of the potential implications of implementing the Officer recommendation has been undertaken using the City's risk assessment framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well. The table below describes two identified risks where the residual risk, once controls have been identified, is identified as 'medium' or greater;

<i>Risk</i>	<i>Controls</i>	<i>Consequence</i>	<i>Likelihood</i>	<i>Risk Level</i>
Consultation on Aboriginal statue not complete in required timeframe for next commissioning in September 2017	BSAPSC can make a recommendation to the Council in August 2017 to reverse order of commissioning and the Pioneer woman as the fifth in the series	Moderate - Significant delays service delivery with unacceptable recovery time or inconvenient delays to major deliverables	Unlikely - Could occur at some time	M9
Insufficient funds raised from Art Auction	Additional funds from the City's Percent for Art Reserve funds can be allocated to the project	Moderate - Significant delays service delivery with unacceptable recovery time or inconvenient delays to major deliverables	Unlikely - Could occur at some time	M9

CONSULTATION

The BSAPSC considers that it is important to undertake consultation with local Aboriginal people to ensure that the Aboriginal sculpture is appropriate. In order to do this, it is recommended that an Aboriginal consultancy firm be engaged to facilitate this. It is proposed that three nominated members of the Aboriginal community would be responsible for working with the Consultant and the Artist in the final stages of the clay model of the sculpture to refine the facial features and position of the body.

The consultation timeframe is approximately 4 months and can be successfully achieved for August 2017 if it commences in March 2017.

The consultant is responsible for providing the concept design to the Artist and the expectation will be a written majority agreement on the concept design for the Aboriginal sculpture to the City signed by the consultant and nominated Aboriginal community members.

OFFICER COMMENT

All items within this report were discussed at an informal meeting of the BSAPSC held on 12 January 2017.

The cost of a consultant is approximately \$8,500 which would see concepts and themes raised by the Aboriginal community provided to the artist, fed back to the community, and refined by the artist. This concept would then be commented on by the Aboriginal community and the artist has recommended using live modelling to arrange the positioning and shape of the sculpture. Interested Aboriginal community members would be invited to participate in this part of the process as a group. The consultant would also be responsible for providing a signed agreement to the City with the Aboriginal community on the final concept design.

The final location of the Aboriginal sculpture in the Cultural Precinct is yet to be confirmed. The consultation process will provide a mechanism by which a recommendation can be made to the Council at the same time the Council endorses the final concept for the sculpture.

CONCLUSION

The BSAPSC recommends that the Aboriginal sculpture be the next sculpture to be commissioned in the 2017/18 financial year. In addition it is recommended that a consultant undertake engagement with the Aboriginal community to create a final concept for the Aboriginal sculpture of the Busselton Settlement Art Project.

There is adequate funding currently for the completion of the consultation and the sculptures over the 2017/18 and 2018/19 financial years. The consultation is proposed to be funded from the National Trust Appeal Funds. If the \$5,000 required to complete the entire project is not met by the sale of paintings at the Art Auction, there is sufficient additional funds in the City's Percent for Art reserve account that can be allocated for this project.

OPTIONS

The Council may choose not to authorise the expenditure of funds on the consultation for the Aboriginal sculpture. This would increase significantly the chance of the sculpture not being completed at all or experience significant delays.

The Council may choose to reverse the order of the sculptures and commission the Pioneer Woman as the fifth sculpture in the series.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Subject to Council endorsement, the consultation for the Aboriginal sculpture should commence in March 2017 and be completed in August 2017, in time for the City to engage the Artist Greg James on the next sculpture.

COMMITTEE RECOMMENDATION

That the Council endorses:

1. National Trust Appeal Funds to be expended to engage the consultant Mundumung to work with the Aboriginal community and the Artist to assist in the process of developing an Aboriginal sculpture concept.
2. The Aboriginal sculpture is the fifth to be commissioned.