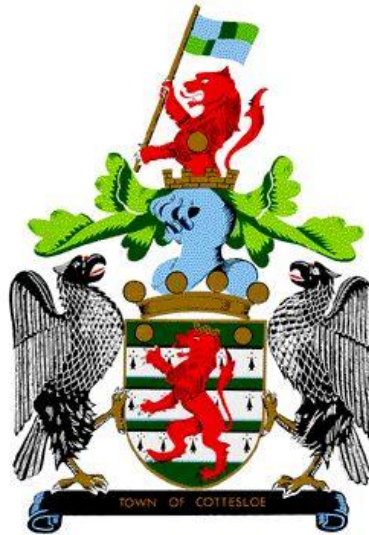


# TOWN OF COTTESLOE



## SPECIAL PUBLIC ART ADVISORY COMMITTEE MEETING

# UNCONFIRMED MINUTES

SPECIAL PUBLIC ART ADVISORY COMMITTEE MEETING

HELD ON SITE

Main Cottesloe Beach, Cottesloe

5:00pm Wednesday, 25 March 2020

**NEIL HARTLEY**

Acting Chief Executive Officer

31 March 2020

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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member announced the meeting opened at 5:04pm.

**2 DISCLAIMER**

The Presiding Member drew attention to the Town’s Disclaimer.

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Cr Harben advised the meeting was informal and held for the purpose of discussing preferred artworks purchases. The only item for discussion was in effect Item 8.2.1 Possible Art Purchase 2020.

Due to the current climate, and suggestion that meetings be kept to minimum unless absolutely necessary, Cr Harben asked that the PAAC Action List be circulated to the committee. This will allow for the community representatives to be aware of the tasks they are involved in and can keep working on.

**4 ATTENDANCE**

**Members**

Cr Caroline Harben	Presiding Member, Elected Member
Cr Michael Tucak	Elected Member
Mr Stephen Mellor	Committee Member
Ms Rosalin Sadler	Committee Member
Ms Ellie van Rhyn	Committee Member

**Officers**

Ms Ann-Marie Donkin	Governance Officer
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**Visitors**

Nil

**Apologies**

Mayor Philip Angers	Elected Member
Mr Neil Hartley	Acting Chief Executive Officer

**5 DECLARATION OF INTERESTS**

Mr Stephen Mellor declared an IMPARTIALITY interest by virtue of “The artist Tony Davis is known to me” (Artwork – Vessel/Capsule).

Cr Michael Tucak declared an IMPARTIALITY interest by virtue of “Through this process the artist Tony Davis is also known to me” (Artwork – Vessel/Capsule).

**6 CONFIRMATION OF MINUTES**

Due to the nature of this meeting, all agreed item #6 be deferred to the next scheduled meeting of the PAAC.

**7 PRESENTATIONS**

Nil

**8 REPORTS**

**8.1 REPORTS OF OFFICERS**

Nil.

## 8.2 ITEMS FOR DISCUSSION

### 8.2.1 POSSIBLE ART PURCHASE 2020

**Attachments:** Nil

For noting: Cr Tucak requested today's meeting as a matter of urgency as the artworks in question were being prepared for shipment back to the artists. The cost of purchase would then increase significantly to accommodate shipping back to Cottesloe.

Cr Harben as Presiding Member had agreed to the holding of an informal meeting for the purpose of discussion.

#### **Item for discussion brought by Cr Michael Tucak.**

This item is in relation to the email extract below:

**From:** CR Michael Tucak

**Sent:** Friday, 20 March 2020 4:17 PM

**To:** CR Caroline Harben; Ellie van Rhyn; Mayor Philip Angers; Neil Hartley - Acting Chief Executive Officer; Rosalin Sadler; Stephen Mellor

**Subject:** SxS 2020 acquisition - urgency

Dear All,

In light of SxS closing a few days early, and the huge impact of current changes re COVID-19, it's my view we should be moving swiftly to resolve our acquisition from this year's SxS, for these reasons:

1. Most works will start to come down (as they would have anyway) from early next week, so if we want to re-visit any particular works, we now have a few days left to do so (it is safe to).
2. If a work we want does get de-installed before we finalise, we do risk letting an artist incur an unnecessary de-install & freight cost – unsure yet what support SxS can give to artist there.
3. Perhaps crucially, artists across the board are suffering greatly as events and exhibitions of all kinds are cancelled, as I'm sure you're heard. Months of income is being wiped out & with no 'safety net'. *We have a unique opportunity to go against this trend if we make our acquisition.*
4. Council was unanimous in ensuring the Sculpture Acquisition Fund for 2020 remained in place and I do think this reflects the desire to support exhibiting artists, alongside support for SxS.

I would therefore be extremely keen for us to make a decision expediently on our 2020 acquisition(s).

#### **Potential Acquisitions – for comment and input**

Unfortunately, "Lost At Sea" was sold to a Melbourne buyer, for a private location. So, that leaves it:

#### **\$37K 'flat' Reserve (ie with commission paid to SxS as normal)**

- 34 'Shell Resonance' – \$38.5K with price negotiation or Budget inc.

- \*51 'Starman' x 2 – if we acquired two matching editions, \$18K each PLUS \$600 freight on #2
- ~~29 'Lost At Sea' \$9.5K PLUS 'Black Emperors' (\$27K) OR 'Float' (\$26K)~~
- \*51 Starman x 1 (\$18K) PLUS 4 'Coral Boy' Allesandra Rossi (\$18K)

**\$50K "full" Reserve (ie WITHOUT any commission paid to SxS)**

- 68 'Journey' - \$56K with price negotiation / SxS known commission
- ~~\*29 'Lost At Sea' \$9.5K PLUS 'Shell Resonance' (\$38.5K) – total \$48K~~
- ~~\*29 'Lost At Sea' \$9.5K PLUS 51 'Starman' x 2 (\$36K, 2 x \$18K) – \$47.5K~~
- ~~\*29 'Lost At Sea' \$9.5K PLUS 51 'Starman' x 1 PLUS 'Coral Boy' – \$45.5K~~
- \*51 'Starman' x 1 (\$18K) PLUS 'Black Emperors' (\$27K) OR 'Float' (\$26K)

Note: 'Starman' & "Shell Resonance" both have gallery commission payable, which may be 15 – 20%.

**COMMITTEE RECOMMENDATION**

**Moved Cr Tucak Seconded Member Mellor**

**The Committee recommends that;**

- 1. Starman by Michael Sibel - \$11,700;**
  - 2. Converse by Henning Meeves and Claire Molloy - \$2,600; and**
  - 3. Vessel/Capsule by Tony Davis - \$20,000,**
- be purchased as the Sculpture by the Sea purchase by the Town of Cottesloe in 2020.**

**Carried 4/1**

**For: Cr Tucak, Member Mellor, Member Sadler and Member van Rhyn**

**Against: Cr Harben**

**Presiding Member Comment**

Cr Harben advised the committee she was not comfortable with making an art purchase at this time and requested the following points be noted for the Minutes:

- Council has already committed funds. Funds that were requested by Sculpture by the Sea (SxS), so that the event could be held – this in itself shows the Town is supportive and committed to keeping the event in Cottesloe.
- Since the allocation of funds for artworks, "the world has changed dramatically" due to the COVID-19 coronavirus and the purchase of artworks at this point ought not be a priority for Council.
- These are unprecedented and uncertain times and the purchase of art by the town during this crisis would seem unwise. Council is therefore likely to be greatly concerned about the extra expenditure.
- The Council is unlikely to wish to commit to any unnecessary ratepayer funds in such uncertain times and particularly if there might potentially be members in our community struggling financially.



### Discussion Notes

- **Cr Tucak provided the following information;**
  - The artist of 'Vessel/Capsule' (Tony Davis) has reduced the price to keep the works together.
    - The artist has advised the work would weather well in it's current position.
    - The artist claims the work would last 100 years.
  - Members are being prudent – SxS has waived commissions, the pieces are affordable and supports local artists.
  - The funds have already been allocated for the purpose of SxS purchases.
  - These funds for this are in the Reserve and must be spent on what they have been allocated for.
  - The purchases would amount of \$34k leaving \$3K of the allocation in Reserve.
  - This money has already been provided to the committee for this purchase.
  - Council should use the Reserve for its purpose – they (Council) would otherwise need to resolve to close it and the money used for an alternative purpose or returned to the General Account. The only way Council should stop this is by modifying/stripping the Reserve.
  - It is not up to the committee to pre-empt what Council would or wouldn't do.
  - The Art Acquisition Policy provides for the Committee to make recommendation of these purchases directly to the CEO, [as per the policy](#).
- **General Discussion Points;**
  - It is this committee's role to choose artworks, support SxS and build the Town's art collection –this is being done within budget allocation.
  - Possibly not in budget – a direct contribution has already been made to SxS.
  - Concern that PAAC would be seen as a frivolous enterprise – it is not. It supports the artists here.
  - Cottesloe businesses are well supported by the influx of visitors to SxS, however the artists can only be supported by purchases of their work.
  - Assisting SxS is not supporting the artists who have already done the work – caution needed to not erode the artists confidence – not purchasing is not supporting.
  - Justification and rationale needs to accompany the committee's recommendation (this will be supplied to Ms Donkin by Cr Tucak once developed post meeting).

### Rationale (supplied for the Minutes 26 March 2020)

1. Just prior to SxS 2020, Council unanimously put \$37,000 aside for 2020 Sculpture acquisition.
2. The 3 works represent excellent value for money, after reductions offered by artists and SxS.
3. PAAC considers that all 3 works will add greatly to the amenity of Cottesloe, in locations we have earmarked in deliberations and have been supported by SxS as suitable for acquisition.

4. There are two WA artists and one Victorian whose work was strongly supported by the PAAC so a large part of the above purchases will go to support WA artists, who are SxS “regulars”.
5. Tony Davis work was one of the short-listed works from SxS 2018, when an acquisition was postponed whilst the Public Art Strategy was finalised, and the work remains available today.
6. AAP funds from 2018 were “rolled over” into 2019, but not used, and so then again into 2020.
7. Tony Davis exhibited a new work in 2020, which he has allowed to remain on the beach, and his 2018 work is of similar materials & style and is a highly durable work capable of location near to the ocean, which will nourish it. PAAC believes it can add great amenity to the Town.
8. The acquisition of Tony Davis’ work reflects the postponement and rolling over from 2018, a desire to complete the Town’s sculpture collection (ie it has one every year) in what could be potentially the events’ final year in Cottesloe, or at least the end of the SxS in current format, and therefore allows Mayor & Council to leave a legacy of the SxS’s life in the Town to date.
9. The \$70,000 granted to SxS itself does not go to artists *and* was largely in-kind contribution.
10. As the above 3 purchases do not involve any commission to SxS, and the \$70K was in lieu of commission and the \$10,000 fee due to SxS under the licence, the \$70,000 is in effect a only an additional \$45,000 contribution in-kind for ‘toilets and traffic’ in 2020 (ie not \$70,000).
11. Artists do not receive any income from SxS unless their work sells, and most are businesses relying on sales to recoup their expense in making the work and a return for their labour, and artists have volunteered their time throughout SxS to do artist talks and tours for no payment.
12. All the work by these artists in creating work, installing it, and volunteering for artist’s talks or tours has already been completed in the hope of securing a sale of the work during the event (artists rely on *sales* just like other businesses, and their work at SxS has *already been done*).
13. If Council was to “grab back” the \$37,000 allocated a few days prior to the 2020 event and to “go back on its word” undoes the PAAC’s hard work in sole reliance on that recent allocation, after Council has enjoyed all the positives in announcing \$70K for the event itself in February.
14. If Council considers its financial position needs to be reassessed, funds should not be taken from an allocation that relates to work and event already done and completed, but should be discussed properly and accountably as part of proper discussion on what the Town can save.
15. The mid-year Budget contains several sums that could easily be postponed (for work not yet done) totalling more than the sum to acquire these works as above (eg bike racks @\$20,000, document scanning \$12.5K, Boatshed carpark \$25K and other

Reserve funds, as just a few) but Council has not yet discussed such wider austerity measures or the requirement for them.

16. Both State and Federal government members in Cottesloe (Dr D Honey and Celia Hammond) have publicly demonstrated high support for SxS and its artists, each granting \$1,000 of their own funds to an artist directly. Cottesloe will be well “out-of-step” if it does not acquire works this year, as *none of our \$70K goes to artists*, and artists are the “vital heart” of the SxS event.
17. In the uncertain times ahead, our community will rely more than ever on arts and culture to be mentally healthy, and without public events, our public spaces and artworks are a key way to deliver this benefit to our residents. These 3 works can be installed very quickly and deliver a boost to community positivity at a time when the joy of “Sculptures” is fresh in all our minds.
18. Current times call for leadership, and with the arts sector’s future scope for work decimated, Mayor and Council have a unique opportunity to follow through on our word to acquire work already completed, from an event that the community highly enjoyed, and support the arts – to the contrary, to go back on this and claw back such funds can be seen as a panic action.
19. At no stage in making the 2020 \$37,000 allocation to acquire work was Council advised that putting it into the Reserve would require the additional step of Council approval to take it out, as the sum was clearly intended by Council to purchase works from artists at SxS – plus the Policy is clear that Council approval is not required for an acquisition, and in approving that Policy in 2017 a majority of Council (incl Cr Angers) voted *against* requiring Council approval.
20. Mayor and Council are able to demonstrate a support for the ongoing hard work of the PAAC and those artists who are the “heart” of what most residents love in Cottesloe every March, by upholding its \$37,000 allocation on 25 February and proceeding with this modest acquisition.

**Addition to Rationale provided by member Mr S Mellor via email 26 March 2020:**

21. A commitment to acquire also puts a firm marker in place that the Town of Cottesloe supports SxS more than ‘in kind’, supports the continuation of SxS at Cottesloe Beach and positions Cottesloe to negotiate the contact renewal with SxS from a demonstrated positive standpoint.

**9 GENERAL BUSINESS**

**9.1 COMMITTEE MEMBERS**

The Committee would like to commend Sculpture by the Sea on the exhibition, especially considering it was undertaken under such difficult circumstances leading up to the event and the current health crisis forcing early closure.

**9.2 OFFICERS**

Nil.

**10 NEXT MEETING**

To be advised.

**11 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 5:50pm.