

Waverley Council

Indigenous Public Art Reference Group (Bondi Pavilion)

Terms of Reference

February 2021

The Bondi Pavilion Indigenous Public Art Reference Group has been established under the terms outlined below;

1 Aim of the Indigenous Public Art Reference Group

The Bondi Pavilion Indigenous Public Art Reference Group aims to:

- Foster the development of a high-quality Indigenous public artwork in Bondi Pavilion that reflects the local Indigenous history, culture and dreaming to enhance public knowledge and understanding of local Indigenous culture and;
- Provide expert cultural guidance and assistance in the development of a public artwork reflecting of our local Indigenous heritage and cultural identity.
- Involve the community through informing, connecting and consulting
- Ensure cultural protocols and best practice for working with Indigenous artists

• Objectives of the Indigenous Public Art Reference Group

- To support the development of a site-specific public artwork that reflects the local Indigenous identity and promotes significant cultural exchange, social dialogue and knowledge sharing while keeping correct cultural protocols and permissions
- To support the Curator, Artist, Architects and relevant Council staff working together by providing information and connections through the community
- Encourage creative and innovative design by First Nations artists that enhances and contributes to the provision of a continued highly visible Indigenous presence in the built environment
- To ensure that public art, cultural protocols and processes are met, managed and maintained in a respectful and professional manner
- To provide community consultation and feedback

2 Indigenous Public Art Reference Group

Convenor: Waverley Council Curator & Visual Arts Coordinator (tbc)

Committee Members: 5 appointed members of the community who have skills and expertise across the areas of Contemporary Art, Public Art, Curatorial Practice, Cultural Protocols, Community connection and kinship, and Cultural Knowledge and identify as Indigenous Australians.

Insert name 1
Insert name 2
Insert name 3
Insert name 4
Insert name 5

Administrative support: Waverley staff member

Relevant staff will attend meetings to provide advice, including staff from Arts & Culture, Major Projects, Landscape Architecture, Development and Strategic Planning, Engineering, and Community Development

Any Director is welcome to attend meetings.

Reference Group members will have the following credentials;

- Background, experience or expertise in the visual arts, public art and/or curatorial, architecture, design or other arts related discipline.
- Being a local resident of the La Perouse Land Council region or with strong demonstrable connections to La Perouse, Sydney Basin, and or the Waverley Community
- Experience and connections to working with community groups
- Identify as an Indigenous Australian

The Term for the Reference Group will be for the duration of the public artwork development and the term will complete on the installation of the public artwork.

3 Responsibilities of Indigenous Public Art Reference Group

- To attend Reference Group meetings as required.
- To provide guidance, connection, consultation advice and advocacy for the Artist, Curator, Architects, Council Staff and Indigenous community in the development of the Bondi Pavilion Public Artwork

4 Meetings of the Indigenous Public Art Reference Group

- Meetings of the Indigenous Public Art Reference Group will be held at least once every three months or more frequently as required, outside working hours.

- A quorum for a meeting of the Reference Group will be a majority of Reference Group members
- Notice of Reference Group meetings will be provided by email by the Council convener at least two weeks before the meeting specifying the time and place.
- Reference group members will be paid at the NAVA Consultant Industry rate of \$300 per hour for attendance at each meeting. Each group member must send an invoice to the Visual Arts Coordinator for their payment. Council has a strict 28 day payment cycle from the day of invoice.

5 Reference Group Agenda and Minutes

- Minutes and agenda of all Reference Group meetings are internal documents.
- Copies of agenda and associated papers (such as correspondence and reports) will be available for the artist, curator, Council Staff and the Architects.
- Minutes can be made available to the Waverley Public Art Committee for their information.

6 Council staff support for the Reference Group

- Council staff are responsible for providing administrative support for the meetings.

7 DECLARATIONS OF PECUNIARY INTERESTS AND PARTICIPATION IN MEETINGS

- A Reference Group member who has a pecuniary interest in any matter with which the Reference Group is concerned and who is present at a meeting of the Reference Group at which the matter is being considered must disclose the interest to the meeting as soon as practicable.
- The member must not be present at, or in sight of, the meeting:
 - at any time during which a matter in which the member has a pecuniary interest is being considered or discussed by the Reference Group, or
 - at any time during which the Reference Group is voting on any question in relation to the matter.
- A person does not breach the above clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.
- For the duration of their terms members of the Reference Group and their immediate families are ineligible from applying for programs run by Waverley Council including but not limited to, Waverley Artist Studios, Bondi Pavilion Gallery program, Waverley Library gallery program, Waverley Art Prize, Waverley Youth Art Prize, Bondi Pavilion Theatre Program, Bondi Festival, Bondi Wave, Public Art Tenders (permanent or temporary), The Bondi Beach Sea Wall, and community Small Grants program or any other program produced by Waverley Council which would benefit the member either directly financially or through critical recognition.



8 DECLARATIONS OF NON-PECUNIARY CONFLICTS OF INTERESTS AND PARTICIPATION IN MEETINGS

- A member of the Reference Group who has a non-pecuniary conflict of interest in any matter with which the Reference Group is concerned and who is present at a meeting of the Reference Group at which the matter is being considered will disclose the interest to the meeting as soon as practicable.
- If a member of the Reference Group has declared a non-pecuniary conflict of interest, there is a range of options for managing the conflict. The option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with.
- A Reference Group member will deal with a non-pecuniary conflict of interest in at least one of these ways:
 - It may be appropriate that no action is taken where the potential for conflict is minimal. However, the Reference Group member should consider providing an explanation of why it is considered that a conflict does not exist.
 - Are not involved by leaving the room in which the meeting is taking place and not taking part in any debate or vote on the issue.

9 MEDIA PROTOCOL

- Members of the Reference Group are not to speak to the media in their capacity as Reference Group members.

SIGNED: _____

DATED: _____

WITNESS SIGNATURE: _____

WITNESS NAME _____

DATED: _____

Glossary of terms:

Public Art	Public Art can take many forms in many different materials. It can be free-standing work or integrated into the fabric of buildings or outdoor spaces. It can be a sculpture, installation or even a performance work. Practitioners may work individually or with other practitioners and manufacturers to produce their works. Public Art can be permanent, lasting many years, or temporary, lasting a few hours, days or months. It can be site-specific, drawing its meaning from and adding to the meaning of a particular site of place, or non-site specific, located in a public place primarily for display purposes. ⁱ
Site Specific	Designed specifically for, and responsive to, a particular site through scale, material, form and concept. ⁱⁱ
Practitioner	A practitioner is engaged to develop a concept in response to a brief at the start of the commissioning process. Often a practitioner will subcontract to others to help fabricate and install a commissioned artwork. ⁱⁱⁱ
Professional Artist	A professional artist is someone who has an established track record as an artist creating and exhibiting original artworks. Professional artists may be categorised as emerging, mid-career, or established in their career. At times it may be appropriate for a commissioner to seek out artists in any one of these specific categories to carry out the work, or to seek out people outside the definition of a professional. ^{iv}
Collaborative practice	The project is realised by a design or artistic team of practitioners rather than the creative vision of a single practitioner. The team may involve other professionals such as architects, landscape architects, graphic designers or a team of practitioners working in collaboration. In this case the practitioner is engaged as an artist consultant to contribute to an overall collaborative design process, which may or may not result in a distinct work being produced by the practitioner later in the process. All members of the collaborative team need to be brought together at an early stage of the project in order to ensure that the overall design is created through a process of collaboration. ^v
Community Consultative practice	The project either requires or allows for consultation with relevant community members that informs and influences the project to some degree. Projects can be structured to allow for community input at any or all stages, from the development of the artist brief to design and selection, manufacture and installation. The commissioner will provide the artist with a description of the stakeholders, the consultation process, and the intended role of the artist in any consultation. The artist may independently recommend or undertake consultation as part of the artistic process ^{vi}

Community Participatory practice	The practice in which members of a community actively participate in the design and fabrication of an artwork. These projects generally fall within the field of community art and should be facilitated by an experienced community artist or arts worker. Practitioners undertaking community arts projects need to be aware that copyright and moral issues may not be as straight-forward as those relating to the creation of artworks by one individual. An approach to authorship should be determined before the start of the project ^{vii}
Cultural Protocol	Projects that engage with specific or identified cultural knowledge, customs, stories, traditions, language, rituals or expressions require a process of seeking and gaining approval to ensure the upmost respect is shown to cultural protocol. Cultural protocol is showing respect to the specific group, owner or custodian of a cultural practice. Best practice suggests clear discussion at the outset regarding project scope and how cultural heritage is proposed to be used. This includes consent obtained or required to be obtained to use cultural heritage, ongoing consultation requirements and processes. ^{viii}
Permanent	The status given to a Public Artwork with a minimum life expectancy of ten years

ⁱ NAVA Code of Practice: [3.2 Types of Public Art](#),

ⁱⁱ Public Art: Making it happen: Government of South Australia [p.4 Descriptors](#)

ⁱⁱⁱ NAVA Code of Practice: [3.2 Types of Public Art](#)

^{iv} NAVA: Best Practice for Commissioning Art in Public Space [p.9 The Artist/Practitioner](#)

^v NAVA Code of Practice: [3.2 Types of Public Art](#)

^{vi} NAVA Best Practice for Commissioning Art in Public Space [p.6 Community Consultative Model](#)

^{vii} NAVA Best Practice for Commissioning Art in Public Space [p.7 Community Participatory Model](#)

^{viii} NAVA Best Practice for Commissioning Art in Public Space [p.6 Community Consultative Model](#)