

*Southern Grampians Shire Council is undertaking a significant amount of groundwork to progress the establishment of a New Hamilton Gallery (NHG). Here are some of the most frequently asked questions associated with the project, and the most recent developments - namely the establishment of a skills-based Board.*

## *Frequently Asked Questions...*

### **Why does Hamilton Gallery need a Board?**

After considerable research, development and advice, a skills-based Board governance model was the most appropriate governance structure to progress the NHG project whilst also ensuring the protection of Council's significant cultural asset, being the collection, for the benefit and enjoyment of our community for many more years to come.

While corporate partnerships and sponsorships are unaffected by different corporate arrangements for galleries, philanthropy and donations are affected. Some philanthropic foundations can only donate to registered charities – that is, non-profit entities that are listed on the Australian Charities and not-for profit Commission (ACNC) register. Local governments are not charities and therefore cannot receive these funds.

The Hamilton Gallery Board is a company limited by guarantee (a public company designed for non-profit organisations) which is a charitable entity and able to receive such funds.

Progressing the NHG project without significant support from philanthropic funders would not be viable.

### **I've heard adopting a Board will mean the Gallery will be privatised. Is this true?**

No, it is not. The Hamilton Gallery Board is a governance model, established with the support of Council with a highly skilled board of Directors. It is a charitable entity (a company limited by guarantee), and in order for it to be charitable, it cannot be controlled by Council.

An agreement, outlining the role and responsibilities of both parties (the Board and Council) in relation to all stages of bringing the new Hamilton Gallery into realisation and into the future, will always be in place.

The collection, and the Gallery building, will always remain a significant public asset, owned by the people of the Southern Grampians Shire Council via Council – this will not change.

The primary purpose of the Board is to promote the Arts, in particular visual arts, in Hamilton and the surrounding regions, without limitation.

## **Why does the Gallery need a Board now? Why not wait until the new Gallery is built?**

Key to the future of NHG will be the fundraising and investment undertaken by the established Board. The Board can also generate funding, which will be its primary purpose in the next few years.

We are extremely fortunate to have the three Council endorsed Directors, Mr Allan Myers AC QC, Ms Merran Kelsall and Mr Gordon Dickinson, engaged as the initial Directors for the Gallery Board.

Their fundraising and philanthropic experience and knowledge, as well as their significant contribution to the visual arts sector in Australia, will be vital during this phase of the project.

Just like when the current gallery was built nearly 60 years ago it took significant public and private support to both build and support it. In order to achieve a visionary outcome, in which will be needed for the NHG, Council will need to partner with a range of private and government stakeholders.

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## **Isn't the purpose of the Trust Fund to raise funds for the Gallery?**

The Hamilton Gallery Trust Fund raises funds and has been a significant contributor to the development of the Collection for over the past 50 years.

However, its purpose is purely to acquire artworks for the Collection and is restricted to purchasing of these artworks.

The Hamilton Gallery Board will have no such restrictions and may fund operational and capital investment for the Gallery building as well as the acquisition of artworks.

## **What other regional galleries operate under a Board governance model?**

Art Gallery of Ballarat and the new Shepparton Art Museum operate under a Company limited by guarantee (Board structure), who also steer their fundraising leadership. Geelong Gallery is solely run by a Board governance model and has no link to Council.

The most common arrangement is for the building and the collection to be owned by local government (Council) who take responsibility for the core assets.

Arrangements for acquisitions, day to day operations and fundraising vary considerably and often evolve over time, depending on each galleries unique operation, history and future development.

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## **Covid-19 is everyone's concern now, not Art Galleries. Why not hold off on progressing this project?**

Council believe connection, collaboration, enjoyment and wellbeing, in which the arts play a key role, will be vital during the time to come for our community. Funding of NHG is likely to take a number of years and Council resolved in 2017 to progress a funding mechanism. This has not been an overnight decision and in the context of a decision three years ago, it is not unreasonable to now progress the potential fundraising, governance and planning works.

Delaying the momentum of the groundwork already achieved for the project will impact on the long term viability and potentially delay the project for the long term.

There is still much work to be done.

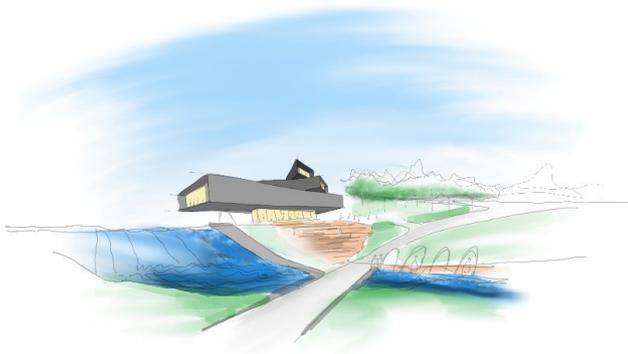
# Frequently Asked Questions...

## What are the next steps in the project?

The Hamilton Gallery Project Reference Group, comprising of Councillors, CEO, Gallery stakeholders and community representatives, are meeting this month to discuss the project.

This group will oversee the initial phases of advocacy, communications and engagement with stakeholders as well as develop and assist fundraising, alongside the Hamilton Gallery Board, for the NHG.

Updates from this group will be key in communicating the key steps throughout the project and will provide a single voice for the project's advocacy.



## I'm not sure I like the design of the building. Is this what the Gallery will look like?

The concept drawings of NHG by architects Denton Corker and Marshall, are just that - concepts.

Concept drawings give a project life and an idea of what can be possible.

Once the overall project progresses, from a funding focus to project delivery, the design of the building will then be revisited. This would most likely be in the form of an architectural competition. Detailed design preparation will then be able to progress.

## Will the Board will run the current Gallery?

No. Council will continue to operate the current Gallery under its present arrangements. The Board will oversee the management of the NHG once constructed.

A Memorandum of Understanding (MoU) between Council and the Board has been developed by lawyers who specialise in art gallery governance models. The MoU will ensure that the Board and Council have a clear agreement as to their respective roles and responsibilities in relation to the Gallery throughout all stages of the project.

A MoU is an evolving document, with its primary purpose being to set out the roles of both parties, reviewed over the years and modified only with mutual consent of both parties. The MoU ensures ongoing accountability to Council, who will continue to own the collection, the land upon which the NHG is built and the NHG building itself. In that sense the Board will be holders of effectively a head lease for a building comprising an art gallery collection.

Once the NHG is built, Council will engage the new entity to operate, or assist with the operation, of the NHG under an agreed strategy, including the MoU. This strategy will clearly define the roles and responsibilities of each party and success will come from this collective vision for promotion of the arts in the region.

When the project enters this phase, the Hamilton Gallery Board will consist of those with the skills and experience relevant to promotion of regional arts, governance and operations of art galleries, art education, fundraising, tourism and connections to the community.

For information regarding this project, please contact:

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