

PUBLIC ART POLICY

POLICY ADMINISTRATION

Dates	Policy approved 20/04/2020 This policy is effective upon its approval. Policy is due for review April 2023
Approved by	Council Meeting 20/04/2020 Council Resolution CCL016-20
Exhibition Period	20 January 2020 to 16 February 2020
Policy Owner	Manager Community and Cultural Development
Related Documents	Create Georges River Cultural Strategy 2019 Public Art Implementation Plan 2020 – 2025 Public Art Guidelines (currently in development) Public Art Advisory Panel – Terms of Reference Economic Development Strategy 2018-2022 Open Space, Recreation and Community Facilities Strategy
References & Legislation	This policy should be read in conjunction with related legislation, planning controls, codes of practice, relevant internal procedures as listed below: <ul style="list-style-type: none"> • <i>Local Government Act 1993</i> • <i>Copyright Act 1968</i> • <i>Copyright Amendment (Moral Rights) Act 2000</i>
Document Identifier	Policy #: Pol-072.01 Doc #: D20/109029
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.
Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the NSW State Records Act 1998, Georges River Council's Corporate Records Policy and adopted internal procedures.

PURPOSE

Council supports the provision of public art across our Local Government Area (LGA). This Policy (and associated *Guidelines*) aims to provide a framework for the acquisition, assessment, development and management of public art in the Georges River LGA in accordance with community needs and industry best practice.

It also establishes the key principles and criteria for informed, transparent and high quality decision-making when developing, approving, or declining proposed public art projects.

This Policy enables Council to develop, facilitate and support an ongoing program of public art for the LGA that reflects the area's unique character and cultural heritage, and ensures the ongoing care and maintenance of public artworks within the Georges River LGA.

SCOPE

This Policy applies to all public art projects located, or proposed, in the public domain within the Georges River LGA. In addition, the Policy serves as a guide to developers, State Government, organisations, community groups and individuals who are submitting public art projects for Council's consideration.

This Policy does not apply to memorials or plaques, non-commissioned or unauthorised art or design including but not limited to: graffiti; private art; community and political signage.

Public art is diverse and complex by nature. A whole-of-Council approach is integral to the successful development, delivery and maintenance of public art. A coordinated approach ensures that public artworks are relevant, meaningful and physically appropriate.

This policy should be considered when:

- a new stand-alone public art project is being considered;
- key capital works are developed on land owned or managed by Council;
- conceptualising major infrastructure projects i.e. architecture, urban design, open space and landscape (including both private and public sector development projects);
- developing major events and festivals;
- development applications for public art are considered through the Development Control Plan;
- asset and maintenance plans for infrastructure are created or renewed;
- new relevant policy/planning documents or strategies are created or reviewed.

DEFINITION OF TERMS

Term	Meaning
Public Art	<p>Public art refers to art in any medium that has been planned and executed with the specific intention of being sited, performed or staged in the public domain. It may be a commissioned work by professional artist/s or a community inspired collaboration between artist/s, multi-disciplinary teams and members of a community.</p> <p>Commonly, there are three types of public art:</p> <ul style="list-style-type: none"> • Ephemeral: any art form that is transitory, changing and exists for a brief time in the public domain. Ephemeral works may include art that brings life, fun and interest to public spaces and events such as pop-up events, street art, artistic interventions, multimedia, performance, music, new media and technologies. • Temporary: any work that has a limited life such as a project or special event that is less than five years. Temporary works may include art such as light and sound installation, land and environmental art, murals, and kinetic art. • Permanent: any work that is permanently sited in the public domain. Permanent works may include art such as visual markers and entrance gateways, sculptures, architectural and urban design elements, facades, functional forms such as paving, fencing, and public domain furniture to sound and light installations.
Excellence	<p>Artworks which have been well executed in design of concept and application of technique/s and are appropriately created for the scale of the project brief. Excellence in public art requires careful planning, appropriate strategies and attention to detail.</p>
Site Specific	<p>Artwork created for a particular location that is informed by the environmental, social, cultural and/or historical significance of the area.</p>
Public Domain	<p>The collective, communal part of urban areas, with shared access for all. It is the space of movement, recreation, gathering, events, contemplation, and relaxation. Both indoor and outdoor spaces that are accessible to the public including parks, waterways and foreshores, plazas, streetscapes, buildings and public spaces.</p>
Public Art Advisory Panel	<p>A group of individuals who provide relevant specialist expertise and advice on public art. The Panel has the responsibility for strategically considering public art and recommending approvals. Membership is based on appropriate professional knowledge and experience to evaluate the artistic, aesthetic and practical qualities of artists' concepts/proposals.</p>

POLICY STATEMENT

1. Context

- 1.1. Culture and landscape are fundamental to shaping our LGA, and are inherently linked with memory, meaning, and identity.
- 1.2. This Public Art Policy relates to both physical and tangible art interventions, as well as more intangible creative processes and dialogue in ‘art-making’. It considers making new connections and seeking answers through collaboration and a combination of multiple viewpoints to achieve unified civic, social, cultural, economic and environmental solutions.
- 1.3. This Policy also advocates that Council adopt an inclusive process to use public art as a tool to engage all stakeholders in making sure the area's places remain vibrant, attractive and useable, yet respect and enhance local character.
- 1.4. This Policy is framed in context within a broader planning framework that includes alignment with:
 - Better Placed (Government Architect NSW, 2017): a design policy outlining an integrated design-led approach for New South Wales. These place sensitive standards advocate for integrated design as an essential component and skill that should be utilised in planning and development processes;
 - Our Greater Sydney 2056 South District Plan (Greater Sydney Commission, 2018): guiding priority that “arts and culture promote active participation in community life and are critical to the creation of vibrant local centres, streets and open spaces”;
 - The NSW Cultural Infrastructure Plan 2025+ (Create NSW, 2019): a plan that advocates for the use of public art as a driver for creating vibrant places – making sure that it is embedded in long-term land-use planning across local government areas within the state.
 - Georges River Community Strategic Plan 2018-2028: which has a defining community vision of “a progressive, environmentally and culturally rich community enjoying a unique lifestyle”;
 - Create Georges River (2019): which outlines the development of this Public Art Policy for the LGA to support the development of “interesting and creative public domain spaces”; and increase opportunities for art to inform the LGA’s “identity and legibility”;
 - The Georges River Local Strategic Planning Statement 2040 including the Draft Commercial Centres Strategy 2019 (which will inform amendments to the LEP in 2022): which promotes cultural and arts programs and/or

festivals, and the establishment of arts/creative industries, especially in strategic centres, to foster a sense of greater community identity.

2. Statement and Principles

- 2.1. This Public Art Policy (and associated Guidelines) is built upon the following guiding statement and key principles:

Guiding Statement

- 2.2. Georges River Council aspires for public art to be an everyday experience that expresses the community's unique attributes, culture, heritage and people. Public art contributes to the creation and vibrancy of the local area's public spaces and landscapes for the enjoyment of residents and visitors. It elevates the visual profile of our places and provides insight into our cultural life and community values.

Key Principles

- 2.3. Reflect and empower our local community

Public art reflects and empowers our communities to have a voice, and actively shapes the future of a place. Public art plays a role in supporting the social, economic and spiritual wellbeing of our communities through building strong social capital and exchange; exploring ideas and encouraging curiosity, interaction and provoking healthy debate.

- 2.4. Enhance the liveability and distinctiveness of our LGA

Public art introduces opportunities for people to meet, converse, and be inspired by our centres, reflecting our unique natural and built environment, history, culture, values and lifestyle. Public art creatively activates our public spaces and is a key component of our place planning.

- 2.5. Create key partnerships and collaborations to produce high quality public art

Successful public art projects that align with key Council strategies and major capital works will require partnerships and collaborations with a range of stakeholders including arts organisations, artists, developers, and State and Federal government.

- 2.6. Support artists and recognise the depth and breadth of contemporary public art practice

Public art includes a diverse range of styles and practices across a wide range of media, and can create pathways for artists to develop their skills and experience. Council acknowledges that public art can generate discussion, debate and differences of opinion, and will not shy away from challenging topics.

3. Process

- 3.1. Broadly, culture plays a crucial role in helping to build a more sustainable community and contributes to the connectedness, vitality and liveability of the Georges River LGA.
- 3.2. The role of public art in urban design, placemaking and activation is widely recognised for its ability to enliven spaces, contribute to a positive sense of place and reinforce a range of social, cultural, economic, environmental and heritage values particular to the Georges River LGA.
- 3.3. This policy reflects the key directions identified in Council's vision, plans and strategic priorities. It also outlines a position and approach to public art that is flexible to ensure outcomes can respond appropriately to the changing development of the Georges River LGA and the broader community.
- 3.4. Council plays a key role in the development of public spaces and as such holds the key to including public art in its many forms, whether through direct commissions, in partnership with other tiers of government and/or the private sector, or through community driven initiatives.
- 3.5. This policy presents a collaborative, integrated methodology to be implemented across Council, community and the private sector to support and promote public art.
- 3.6. This includes mechanisms for Council to facilitate and encourage artists to work in multidisciplinary teams in the development of projects that shape and redesign Georges River's built environment and public domain, and to promote the inclusion and integration of site specific public artworks within major developments (via planning controls and agreements) that make a positive contribution to the urban environment and add to the cultural dimension of the LGA.
- 3.7. Council commits to:
 - the adoption of a best practice approach to planning, implementation and delivery of public art;
 - the development of high quality and original public art projects as an integral part of the urban fabric, animation and community life of the LGA;
 - instilling a culture of creativity that values the contribution of artists and includes public art outcomes across a range of cross functional Council plans, strategies and work areas;
 - encouraging innovative approaches and responses to public places and promoting civic engagement and community interaction;
 - promoting the integration of public art into new developments via the implementation of statutory planning controls and agreements;

- securing adequate resources to build and maintain a collection of public artworks through:
 - a) Council’s capital works program and/or operational budgets
 - b) Private sector contributions and sponsorships
 - c) Public funding for projects and in-kind support from the community;
- implementing a regular public art maintenance program that safeguards and assists in identifying the life expectancy of our public art assets.

4. Governance and Implementation

- 4.1. The Public Art Policy is supported by the **Public Art Guidelines** (currently in development) that outline a consistent whole-of-Council approach to the commissioning, acquisition, donation and management of public art across the Georges River LGA that must be adhered to by staff and is to be used as the best practice basis for Council’s approach to public art.
- 4.2. Public art projects under \$50,000 will be implemented as a part of Council’s ongoing Public Art Program and will be determined and approved by Council’s Community and Culture staff as a standard part of operational activity, in accordance with Georges River Council’s delegations.
- 4.3. For public art projects over \$50,000, the establishment of a **Public Art Advisory Panel** will help guide the delivery of major public art initiatives with the Georges River LGA.
- 4.4. The Public Art Advisory Panel will be selected based on the following criteria:
 - professional art expertise;
 - knowledge of contemporary public art applications and issues;
 - experience in art, art curatorship, art policy, architecture and/or design disciplines.
- 4.5. Where appropriate, advisers (internal/external) with specialist expertise relevant to the project brief will be temporarily co-opted to the panel to assist decision making.
- 4.6. The Public Art Advisory Panel will consist of up to seven members and be subject to a Terms of Reference that articulate their role to:
 - assist in steering the delivery of public art across the LGA, including advice and assessment;
 - ensure effective consultation across Council and the community regarding public art initiatives;

- facilitate Council's transition to the integration of public art approaches in capital works program and the development of public art developer program.
- 4.7. For public art projects costing \$50,000 to \$250,000, recommendations from the *Public Art Advisory Panel* on the development of public art proposals/projects (and the selection of curators and artists) will be submitted to the Director Community and Culture in accordance with Georges River Council's delegations and Procurement Policy.
- 4.8. For public art projects over \$250,000, Council will have final approval of the artwork/s in accordance with Georges River Council's Procurement Policy, based on the recommendation/s of the *Public Art Advisory Panel*.
- 4.9. The *Public Art Advisory Panel* will also have a role in recommending to Council staff approvals of public artwork/s undertaken by developers as part of public art development controls in the Development Control Plan.
- 4.10. Other directorates of Council shall adopt the guiding principles in this Policy and shall first consult with Community and Culture staff and/or the *Public Art Advisory Panel* to facilitate broader public art delivery. The strategic basis for public art projects will be determined in line with this Policy and public art project briefs will be developed in consultation with all key stakeholders.
- 4.11. Public art project briefs will guide artists in the development of public artworks. These project briefs will outline overarching themes, timeframes and site requirements that public art proposals must respond to. Community consultation will take place as part of the development of a public art project brief, in order to inform any overarching themes for the public art project.
- 4.12. When developing Capital Works programs, Council should include public art in the scope of works and budget, for Open Space, Building and Civil Works projects where feasible and factor the maintenance of these items into existing budgets. For Capital Works projects over \$1 million, a minimum of 1% of the total cost of the project is to be allocated for public art.
- 4.13. From time to time, Council will receive proposals for public art projects from external organisations, including developers. Major developments (commercial, public administration, and retail development) and mixed-use developments valued at \$5 million or more, must include public art as part of the development. A minimum of 1% of the total cost of the development is to be allocated to the public art budget. Developers must refer to the *Georges River Council Public Art Guidelines*, as outlined in Georges River Council Development Control Plans, to determine any requirements they may have for including public art in new developments, and to review what constitutes public art.
- 4.14. Council commits to an ongoing maintenance program for all public artworks. As part of the commissioning process for permanent public art works, a detailed

maintenance plan is to be provided and an expected life span specified. At the end of the expected life span, or if a work becomes significantly damaged, Council will assess the work's suitability for decommissioning.

5. Criteria

- 5.1. Each public art project will be assessed on its merit.
- 5.2. Evaluation and approval of all public artworks proposed by Georges River Council, the private sector, other public authorities, individuals and other groups within the LGA is based on the following criteria:
- d) Reflects excellence in contemporary art practice and standards of high quality
 - e) Presents creative, original and innovative ideas
 - f) Appropriateness to the context of the project brief, site and community
 - g) Technical feasibility and ability to successfully realise the proposal/work
 - h) Consideration of public safety and the public's access to and use of the public domain
 - i) Relevance to the strategic objectives and actions of Georges River Council
 - j) Consistency with current Georges River Council plans and procedures
 - k) Maintenance and durability requirements
 - l) Value for money

RESPONSIBILITIES

The Public Art Policy (and Guidelines) will be monitored and implemented by Council's Community and Cultural Development team with support from other Council directorates. Compliance with the provisions of this policy, and any relevant guidelines, is mandatory.

Position	Responsibility
Council	Decision making on the outcome of tender submissions relating to public art. Approval for public art expenditure as listed in the Operational Budget within the Operational Plan.
General Manager	Make recommendations to Council on the allocation of funds. Approval of public art projects under the tender threshold.

Director Community and Culture	Implementation, application and review of policy across the organisation. Approval of public art projects under the tender threshold (where delegated).
Manager Community and Cultural Development	Application of policy across Community and Cultural Development department. Update the Public Art Policy when necessary. Oversee the implementation of Public Art Programs, investigate breaches and enforce compliance.
Coordinator Cultural Services	Management and Coordination of the Public Art Advisory Panel. Advice on Public Art Policy and associated Guidelines.
Public Art Advisory Panel	Provide specialist advice and expertise on public art. Strategically considers and makes recommendations to Council officers and/or Council on public art projects.

VERSION CONTROL AND CHANGE HISTORY

Version	Amendment Details	Policy Owner	Period Active
1.0	Complete new Georges River Council Public Art Policy	Manager Community and Cultural Development	20/04/2020 - ongoing