POLICY
COUNCIL

Policy Name	Public Art
Policy Number	CD42
Responsible Section	Community Development
Responsible Department	Community Development
Date Last Adopted	11 July 2023
Date of Next Review	July 2026
Applicable Legislation	Copyright Act 1968 Children and Young People (Safety) Act 2017
Related Governance Documents	Placemaking Model Arts & Cultural Strategy Memorials Policy Guidelines Graffiti Management Policy Asset Management Policy Procurement Policy
City Plan Theme	Place Making – A City where people love to be

1. PURPOSE/OBJECTIVE

- To ensure a strategic placemaking approach in the realisation of quality public art outcomes that will create vibrant liveable places and spaces across the City of PAE;
- To facilitate the integration of public art into urban renewal and development projects from early planning stages;
- To protect the integrity of public art and rights of artists by providing guidelines for industry best practice on the commissioning, maintenance and deaccessioning processes associated with the realisation of art in public spaces;
- To ensure appropriate consultation or engagement is integrated into the public art process;
- To facilitate collaborative partnerships with community, private sector and all tiers of government to deliver public art outcomes;
- To support community placemaking initiatives by providing guidelines, support and resources;
- To provide consistent public art related terminology to guide decision making across all stages of public art management.

2. SCOPE

This Policy applies to all existing and future artworks in the public realm under the direct or presumed custodianship of Council and as well as Council's moveable art collection. In consideration of public art commissioned principally as a memorial or monument, this policy should be read in conjunction with the Memorial Policy (CD37) and Graffiti Management Policy (CD07). The Policy excludes heritage items in Councils local studies collection and heritage artifacts in the public realm.

3. POLICY

3.1 Key Principles

The following principles underpin decision-making in the development and care of public art by the City of PAE:
- We are committed to developing and maintaining public art that contributes to a vibrant arts ecology that strengthens and reflects the unique and diverse identity, values and needs of the local community;
- We are committed to developing and maintaining public art that contributes to great cultural places and spaces that support and encourage participation in and celebration of arts, culture and place;
- We are committed to developing and maintaining pubic art with impact that is valued for its contributions to the whole community and as a fundamental part of life. Our public art will be recognised and sought out to provide cultural, social, economic, environmental and health benefits.

3.2 Key considerations

The following key considerations will guide best practice in the development and care of public art by the City of PAE:
- We value the important role public art plays in local community life and identity by adequately funding and resourcing programs to achieve quality public art outcomes;
- We will implement transparent industry best practice methods of commissioning and deaccessioning of public art;
- We will ensure meaningful engagement of the community in significant public art projects;
- We will create and maintain an up-to-date register of public art assets and adequately resource appropriate levels of care throughout an artworks useful life;
- We will adhere to professional rates of pay for professional artists as determined by the National Association for the Visual Arts (NAVA);
- We will adhere to best practice guidelines in relation to artist's Moral Rights, Intellectual Property and Copyright outlined by NAVA and determined by the Copyright Act 1968;
- We recognise there are often no legal rights around the use of First Nations cultural heritage materials and expression and commit to observing the Australia Council for the Arts' Protocols for using First Nations Intellectual and Cultural Property in the Arts at all stages of delivering public art outcomes;
- We will support professional development opportunities to upskill and strengthen the local creative sector in the creation of public art outcomes;
- We commit to the development of public art that is physically and socially accessible to make art available as part of our community's everyday lives.
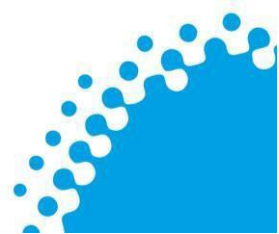
3.2 Community and stakeholder engagement

Appropriate community and stakeholder engagement is considered an integral part of delivering public art outcomes, and will be undertaken with consideration of the integrity and intention of the artist and their work. Council will work with the artist to identify the approach and relevant stakeholders for meaningful engagement suitable to the project.

3.3 Donations

In the case of a public artwork being offered as a donation or long-term loan, the City of PAE will undertake the process outlined in the Public Art Management Guidelines, including the assessment of the work for relevance against a set of criteria.

3.4 Commissioning

- The City of PAE will undertake the best practices outlined in the Public Art Management Guidelines;
- The process will be transparent and reflect the scale of the commission. Selection criteria and assessment process will be made clear in the expression of interest documentation where relevant, and a selection panel will be utilised for significant projects;
- Public art in the City of PAE may be realised through:
  - o The provision for public art within council's capital works programs
  - o Partnerships with external parties including developers and all tiers of government
  - o Council developed cultural programs and place making projects
  - o Community initiatives supported by Council
  - o Donation or long-term loan
- New public art initiatives should consider:
  - o The suitability and durability of materials, the life span and environmental conditions, and maintenance requirements
  - o Potential impact of maintenance costs and associated labour requirements
  - o Public safety standards, risk management, and mitigation against potential vandalism
  - o The potential impact on the public's use of and access to the public space
- Council encourages commissions that engage local professional artists living and/or working in the City of PAE;
- The City of PAE will support the community to develop artwork on Stobie Poles through guidance on SA Power Networks permissions process and the efficient administration of Council's design approval process.

3.5 Registration and maintenance

- Council is committed to ensuring the whole-of-life integrity of public art works, in accordance with its Asset Management Strategy and the Public Art Management Guidelines;
- Council recognises the importance of protecting artistic and cultural integrity and adequately resources proactive maintenance requirements identified in the Artist's Maintenance Manual.

3.6 Deaccessioning

- Council will undertake the best practices outlined in the Public Art Management Guidelines;
- The period for which the work is to be installed and the process for deaccessioning will be agreed upon with the artist at the time of Commission;
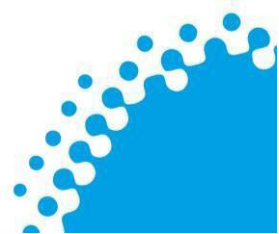
- An artwork will not be removed from public space on the basis of the aesthetic predilections of individuals, however Council recognises that community sentiment may change over time and will be taken into consideration as part of the deaccessioning process.

4. ROLES AND RESPONSIBILITIES

Elected Members are responsible for:
- Endorsing the budget and strategy relating to public art;
- Assisting in identifying possible locations for public art and articulating community needs;
- Endorsing the development of large-scale projects of regional significance.

The Placemaking and Activation Leader is responsible for:
- Implementing this policy;
- Overseeing a program of development and care of public art;
- Inviting Elected Members to participate in the commissioning process for larger-scale projects;
- Identifying opportunities for external public art funding;
- Acquitting public art grants and reporting on public art outcomes as required.

The Community Development and City Assets Departments are responsible for:
- Jointly identifying and supporting opportunities for public art;
- Jointly implementing the maintenance and care standards outlined in the Public Art Management Guidelines.

The Community Development Manager is responsible for the oversight and review of this policy.
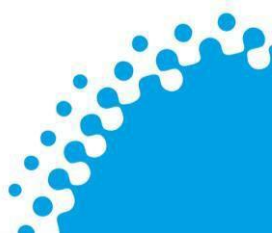
5. DEFINITIONS

Accession is the process of acquiring a work into a collection.

Asset Management is the process of commissioning, documenting and preserving public art in order to maintain artistic integrity of the work throughout its lifecycle, with the objective of providing the required level of service in the most cost effective and safe manner.

Commissioner is the person or organisation paying for the artwork to be made.

Community Art is art in the public realm in which the creation of the work consisted of a substantial component of community involvement; this may be in the development or production stages.

De-accession is the process of withdrawing an artwork formally from the collection. In the case of public art this would involve removing it from public display and may be in response to poor quality of the work, end of lifespan, development changes or broader community considerations.

Functional/Urban Art bespoke design in the public realm with a practical purpose such as lighting, seating, bollards, signage, rubbish bins, fencing.

Integrated Design usually refers to an artist working within a multidisciplinary design team such as architects, planners, urban designers and landscape designers to develop elements within or creatively inform the holistic design of public space.

Moveable Art refers to artworks not fixed to or created specifically for 'place'. For example, this might include framed paintings or smaller sculptural pieces.

Monument/Commemorative artwork or plaque that celebrates/honours a specific individual or historical occurrence**.** These types of productions are subject to the Memorials Policy (CD37).

Mural is a two-dimensional artwork (commonly painting, aerosol, or pasteups) on public walls or surfaces that have approval from relevant asset owners. Where permission was not granted, the defacement will be considered graffiti and the Graffiti Management Policy (CD07) will apply.

Placemaking often a collaborative and holistic approach to transforming and/or revitalising places linked to the cultural life and identity of the community and usually involves community's voice in shaping the space. Art is usually an integral part of this type of development.

Public Art usually conceptualised and created by an artist(s) or creative producer(s), can be stand alone or consist of bespoke elements (non-generic and/or commercially manufactured) integrated into the public realm, such as streetscapes, reserves or architectural projects.

Its purpose may be:
- **Site specific** – designed specifically for and in responsive to a particular site.
- **Functional** – bespoke design solutions within the public realm that serve a practical purpose such as seating, lighting, furniture, pavement or landscaping elements.
- **Commemorative** – created to acknowledge a specific event or person significant to the local community and relevant to place.
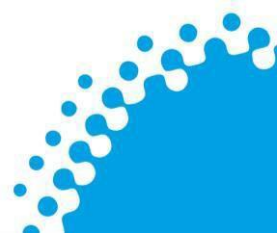
Its longevity can be:
- Permanent – long lasting usually 10+ years;
- Temporary – in-situ for a specified period. In most cases temporary works would not require proactive maintenance resourcing, however the commissioning process outlined in the Guidelines should inform best practice;
- Ephemeral – presented in the public realm for a very limited period, and may including performance, sound, or physical work using non-durable materials. The commissioning process outlined in the Guidelines should inform best practice.

Public Art Collection consists of moveable works donated to or purchased by Council, with identified cultural or financial worth to the community.

Sculpture usually an artwork that is three-dimensional.