

Public Art Policy

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EFFECTIVE	16 April 2020
AUTHORITY	Council
CONTACT OFFICER	Director Corporate Services

1 PURPOSE

- 1.1 Council, through its Community Strategic Plan, recognise that public art has a significant role in the cultural experience of residents and visitors. The purpose of this Policy is to provide a strategic framework for Council's Public Arts Program including guidelines for the acquisition, commission, management, maintenance, deaccessioning and implementation of public art.
- 1.2 The intent of this Policy is to maintain a suite of public art in the Forbes Shire that:
- i. activates public spaces;
 - ii. fosters visitation;
 - iii. promotes Forbes as an arts and culture destination;
 - iv. aligns with current artistic trends; and
 - v. is professionally produced and presented.
- 1.3 Furthermore, this Policy will ensure that gifts or donations of art to Council are assessed through a consistent process which incorporated consultation with the Public Art Working Group, as defined in cl. 3.1.

2 SCOPE

- 2.1 This Policy applies to all public art installations owned by Council located, or proposed to be located, within the Forbes Local Government Area (LGA) public domain. These installations can be stand-alone projects or proposals developed by Council or the community.

3 DEFINITIONS

- 3.1 For the purposes of this Policy, the following definitions apply:

Term	Definition
Public art	Public art is defined as artistic works or activations specifically created to be experienced in the public realm outside of a gallery and museum environment. Public art can be permanent or temporary in the landscape.
Public domain	The public domain includes open spaces such as parks, streets, recreation and sporting facilities (including indoor).
Place making	Place making is a multi-faceted approach to the planning, design and management of public spaces. Place making capitalises on local community assets, inspirations and potentials, with the intention of creating public spaces that promote health, happiness and wellbeing and contribute to the growth and sustainability of the LGA.
Public Art Working Group	The Public Art Working Group is a group of eight (8) members (one non-voting) formally appointed by Council to provide independent advice to Council on matters concerning public art. The remit and composition of this Working Group is further outlined in cl. 4.3

4 RESPONSIBILITIES

- 4.1 Council is responsible for approving the installation of public art in accordance with this Policy. Council reserves the right to refuse the installation of any public art based on the assessment of Council's risk and liability exposure in relation to the artistic works or activation.
- 4.2 Council's General Manager is responsible for the implementation of and oversight of public art and associated matters. The General Manager is supported by Council's Manager Community and Tourism who is responsible for liaison between Council and external stakeholders including the Public Art Working Group.
- 4.3 The Public Art Working Group, as defined in cl. 3.1, will provide advice and recommendations to Council regarding the management and installation of public art within the Forbes LGA public arts policies, procedures, guidelines and assist with the acquisition, commissioning, and deaccessioning process as they arise. In addition the Public Art Working Group will provide support to Council Officers and programs relating to public art.

The Public Art Working Group will operate within the purpose of the Public Art Policy and be comprised of eight (8) representatives including:

- i. Council's General Manager or their nominated delegate;
- ii. Three (3) Councillors;
- iii. A member of the Forbes Art Society (to represent children/youth art, indigenous art and art from culturally diverse backgrounds);
- iv. Council's Manager Community and Tourism;
- v. A community representative with an interest in art and tourism from a group not otherwise represented; and
- vi. A practicing artist or professional arts administrator (non-voting).

The Public Art Working Group will be appointed following an expression of interest process. Appointments to the working group will be for a one (1) year term. Council will provide some support to the working group to ensure that they network with other public art programs and other shire galleries to ensure that their knowledge is maintained.

5 POLICY STATEMENT

- 5.1 Council values public art that shares, celebrates, honours and engages with the past, present and future history and culture of the Forbes LGA; revitalises public domains; fosters community spirit and enhances the local and regional economy through tourism.
- 5.2 The key objectives of this policy are to provide a framework which:
- i. Outlines clear and accountable processes for the management of Council's public art collection;
 - ii. Ensures that informed strategies and programmes are in place for the storage, preservation and display of public art;
 - iii. Integrates public art into infrastructure and natural environments in order to enhance public buildings, facilities and spaces;
 - iv. Incorporates public art into the scoping and design phase of urban design and infrastructure projects;
 - v. Incorporates community consultation and provides opportunity for community involvement in the development and acquisition of public art; and

- vi. Provides a defined maintenance plan for Council's public art which incorporates and clearly outlines responsibilities and resourcing requirements aligning to the public art's installation and display term.

6 FUNDING

- 6.1 Council acknowledges the requirement of a financial investment into place making within the Forbes LGA and will commit funds through its annual Operational Plan for the acquisition, installation and ongoing maintenance and management (including administration and marketing support) of public art.
- 6.2 Council, in consultation with the Public Art Working Group, will develop a long term public art plan to inform Council's Long Term Financial Plan and assist in securing grant funding opportunities.
- 6.3 Public art donated or gifted to Council is a valuable and valid method by which Council can acquire public art. Any public art transferred to Council must meet the criteria outlined in cl. 8.2 of this Policy, including maintenance requirements and relevance to the Forbes LGA. Any proposed donations or gifts are to be considered by the Public Art Working Group under this policy with a recommendation to be provided to Council for approval prior to transfer.
- 6.4 Funds received from the deaccession of public artworks, as further outlined in cl. 8.1, are to be recontributed to Council's public art funding for the acquisition of new or additional public art and the ongoing maintenance and repair of existing.

7 MANAGEMENT OF PUBLIC ART

- 7.1 Council will implement appropriate controls and measures for the installation, care, maintenance and deaccessioning of public art under Council's ownership. This will incorporate matters relating to protocols and procedures for cultural heritage, copyright, risk and liability, intellectual property and authenticity. Council will conduct regular reviews of the appropriateness of public art.

8 ACQUISITION AND COMMISSION OF PUBLIC ART

- 8.1 The acquisition and commission of public art, including by donation or gift to Council, must be undertaken in accordance with the items below and Council's Procurement Policy:
 - i. Direct procurement or engagement of a particular artwork or artist;
 - ii. A selective competition approach where specific artist are invited to submit proposals in response to a project brief; or
 - iii. An open competition approach where artists response to an advertised experience of interest in response to a project brief.
- 8.2 In addition any public art acquired, donated or commissioned must meet the following criteria:
 - i. the artwork must be made of robust materials that will withstand weathering and normal wear in a public place as well as vandal attack. Commonly used materials are stone, bronze or stainless steel;
 - ii. the size and theme of the artwork must be considered in the context of its proposed location and notably the scale of the surrounding landscape or built form;
 - iii. the artwork must comply with public safety requirements;
 - iv. the artwork must not raise security issues in accordance with crime prevention objectives;

- v. the artwork must not contain content that may offend and must meet any relevant Australian Government legislative requirements;
- vi. the artwork must be installed and subsequently maintained for the duration of its lifespan within available resources; and
- vii. if the artwork relates to Indigenous cultures or sites, the proposed work must be assessed by relevant Indigenous communities (or their nominated representatives) as to its appropriateness for ownership by Forbes Shire Council.

9 DEACCESSION OF PUBLIC ART

- 9.1 Deaccession is the process by which Council may legally donate, sell, relocate or dispose of public art owned by Council. All proposed deaccession of public art is to be undertaken in consultation with the Public Art Working Group with significant caution and consideration. Deaccession must also be undertaken in accordance with Council's *Asset Disposal Policy and Procedure*.
- 9.2 Public art can only be considered for deaccession if one or more of the following criteria is met;
- i. no longer relevant to the intent of the policy (see clause 1.2);
 - ii. are a reproduction, copy, duplicate or subject to copyright infringements; and/or
 - iii. are in a poor condition and/or have been subject to irreparable damage.

10 VARIATION

- 10.1 Council reserves the right to vary the terms and conditions of this Policy subject to a report to Council.

11 APPENDICES

- 11.1 This Policy is supported by the following appendices:

Appendix No.	Description
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Nil.	
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Revision History

Version	Adoption Date	Authorised by	Approved by	Revision Date
V1		General Manager	Council	16/04/2022

Change History

Version	Change Details
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V1	Initial Policy
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Related Documents

Title
