



Policy

120

PUBLIC ART

Strategic Outcome:	Supported and engaged communities	
Policy type	Strategic	
Date of Adoption:	15 November 2023	Minute Number: 325/23
Date for Review:	17 November 2027	
Responsible Officer:	Deputy Chief Executive Officer	
Document Control:	New policy	
Delivery Program Link:	3.2.1 Provide opportunities for life-long learning, culture, and recreation	

1. POLICY STATEMENT

The Public Art Policy has been developed to identify vision, themes, and procedures and to guide the delivery of quality public art that reflects the aspirations of the people within Berrigan Shire.

The policy reflects current priorities and aspirations identified from within Council.

2. PURPOSE

Public art, design and architecture can create a unique community identity that informs the sense of place and creates iconic branding of the council area.

The Berrigan Shire Council Public Art Policy was created to respond to and reflect the community vision for Council's existing and future public art works within Berrigan Shire.

The Policy aims to:

- develop a sense of identity and pride in Berrigan Shire.
- create high quality public spaces through the integration of public art, urban and landscape design,
- support the delivery of innovative and quality contemporary public art for Berrigan Shire.
- increase the understanding and enjoyment of contemporary art by the community,
- create opportunities for social inclusion through engagement practices that celebrate the diversity of the community and
- encourage the incorporation of public art within key commercial developments.



Policy

3. SCOPE

This Public Art Policy covers all permanent, integrated, or ephemeral artwork in a public space that is either commissioned by, or in partnership with, Berrigan Shire Council.

The development of public art projects will involve community engagement to review proposals or concepts and provide input regarding the artworks to be commissioned.

4. OBJECTIVE

This policy is developed to assist the Council with the Delivery Program Objective:

3.2.1 Provide opportunities for life-long learning, culture, and recreation.

5. DEFINITIONS

- Artist:** An artist can be a person
- who has specialist training within their field (not necessarily in academic institutions) and involved in the creation of art as their profession,
 - who produces works in any of the arts that are primarily subject to aesthetic criteria,
 - with high level interpretive, conceptualising, and creative skills that result in the creation of artwork and / or
 - who has demonstrated professional standing through exhibitions and commissions and is considered an artist by their peers.
- Public realm:** The public realm can be defined as including but not limited to streets, squares, parks and spaces that are within buildings, are accessible to the general public and in the ownership of, or under the care and control of public authorities (i.e. local or state government).
- Public art:** For the purposes of this policy, is defined as any permanent or temporary art object, installation or activity in the public realm excluding galleries, museums, and public collecting institutions.
- In general, public art is sited on public land and has been purchased or is owned by a public authority. However, public art situated in or on private property that is visible and accessible to the public from within the public realm is also considered public art.



Policy

Integrated artwork: Art and design work that is embedded within signage, seating, paving, fences, urban design, landscape design, architectural design etc.

Ephemeral public art: Artwork in temporary art spaces or platforms, such as lighting, projections, interventions and temporary installations, community engagement and place making initiatives.

Permanent public art: Artwork in this category might include signature works, landmarks, acquisition of existing artwork for a specific site, commemorative or monumental works, site specific artwork in a public place.

All these terms relate to the fact such works tend to be commissioned as set pieces of art in their own right. These artworks are often major commissions with significant budgets and therefore require a transparent and accountable commissioning process to ensure the best artists are considered and due process occurs.

Contemporary art: Any Artwork created today which is innovative for its time, comments on or otherwise engages with issues relevant to its time or uses materials and processes that are at the forefront of arts practice within their field at the time can be classed as contemporary art.

6. POLICY IMPLEMENTATION

6.1 Council's role

Public art exists in the public realm. It can elevate the aesthetic profile for our urban environments, play a role in attracting creative businesses and workers, and encourage the growth of a culturally informed public.

Local government has a significant role in shaping the public realm. Council has opportunities to increase public art through Council commissions, acquisition by purchase, donation or transfer and by facilitation and advocacy.

Council has high profile, well utilised and publicly accessible open spaces that include parks, reserves, squares and retail precincts. Some of these sites are suitable for permanent works, whilst many are suitable for temporary public art projects - responsive to emerging local issues and used in physical environments and contexts that are changing over time.

Council is also the owner of important community infrastructure such as playgrounds, halls, and libraries. These represent opportunities for the community to express its creative aspirations through public art.



Policy

As a planning authority, Council also has the capacity to encourage public artworks as part of private developments. The provision of public artwork can significantly improve the amenity of private developments, including the aesthetics and perception of public accessibility to individual architectural projects.

As a place manager of streets and as a local service provider, Council also has the capacity to facilitate public artworks using a place management approach; the commissioning of murals is a good example of this.

6.2 Management of public art

Much of private and community infrastructure development impacts on the public realm and contributes to the physical fabric of the council area. Council and private developers have the opportunity to contribute to a creative and liveable Berrigan Shire. This can be best achieved where creativity is embraced at the concept stages of the project and when public art is included as an important consideration of the design.

To increase public art in the council area, Council will explore opportunities to incorporate public art into future community infrastructure projects and will identify suitable sites in the public realm for temporary and permanent commissions.

To deliver the best outcome for the public from an aesthetic, functional and economic basis, public art should be considered (where appropriate) from the earliest planning stages of capital work projects. This allows for the design and function to influence the art and vice versa. Planning in this way also enables public art commissions to include diverse art forms, practices, and styles in response to each unique infrastructure project, site and context.

6.2.1 Integrated public artworks.

Many opportunities to integrate public art as part of streetscape or community building projects arise from urban design and infrastructure improvement projects. These provide valuable and appropriate opportunities for public art and consideration for its inclusion should be part of the scoping phase of Council led projects.

6.2.2 Temporary public art

The commission of temporary public art, sometimes on an ongoing platform, provides new points of interest to the Berrigan Shire community, opportunities for emerging artists and as a whole is more affordable than permanent works of art.

The identification of sites for the installation of temporary art (including billboards, projection sites, walls of buildings) will be managed by Council through the development of a public art program.



Policy

Temporary art may be for a period as short as a weekend or for a period of a year or more.

6.2.3 Murals/Street Art

Murals and street art are important art forms in their own right, with a long history and the ability to respond to architecture, culture and social contexts. It is also recognised murals and street art treatments can be used as a graffiti management tool.

Where appropriate, murals will be used to improve open space amenity and streetscapes. Murals and/or street art projects should focus on addressing gaps, facilitating, and fostering opportunities for emerging artists, artists from diverse backgrounds and those with capacity to produce high quality murals.

Council recognises the ongoing interest in murals and street art from artists, community members and businesses and will endeavour to play a facilitating role to enable private commissions. Reference documents such as fact sheets will be produced to provide information and guidance in this space.

In terms of murals and street art (including but not limited to paste up, stencil and spray-art) Council's role is:

- service provision (graffiti management projects) particularly in coordination with private property owners,
- facilitation - by providing information and guidance and
- commissioning.

6.2.4 Council's public art program

Council will take a leading role in including public art as a primary consideration in community infrastructure developments and will encourage private developers to do the same.

A Public Art Program that identifies priority areas in the council area for Public Art installations will be developed and reviewed every 4 years. Council will also encourage and facilitate opportunities for public art to be commissioned by private property owners.

Implementation of the Public Art Program will be dependent on:

- the provision of funding in future Council budgets,
- the ability to attract external grant funding for public art,
- the development of sponsorship or partnership arrangements with community, local businesses or industry and
- voluntary developer contributions that include public art.

6.3 **Commissioning or purchasing public art.**



Policy

Public art commissions and acquisitions will be assessed by the criteria outlined below. This applies to Council commissions, acquisitions and negotiated or unsolicited donations and transfers from external parties.

6.3.1 Assessment Criteria

1. Standards of excellence, innovation, and quality
2. Relevance and appropriateness of the work to the context of the proposed site
3. Consistency with Council's current planning, heritage, environmental and social policies
4. Consideration of public safety and the public's access to and use of the public domain
5. Consideration of ongoing maintenance and durability requirements
6. Adequate funding and resources
7. Responsiveness to any brief provided
8. Maintenance of Artworks
 - Council recognises the importance of adequate and appropriate maintenance of public artworks. As such, the life of the work should be considered in the commissioning phase and any ongoing maintenance requirements, and the cost for such maintenance, form a core part of the consideration for the work; an assessment of the work's ongoing durability, life of materials and the limitation of maintenance, are criteria for Council's consideration.
 - Council also recognises the ephemeral nature of some works, especially in the area of murals and street art works, and outside exceptional circumstances, adopts a five-year lifespan ceiling for murals and street art commissions. Council understands that many works may have an even shorter lifespan.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*
- Berrigan Shire Local Environmental Plan (2013)
- NSW Public Art Toolkit

7.2 Council policies and guidelines

- Governance Policy
- Code of Conduct

8. RECORDS MANAGEMENT



Policy

All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

9. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Policy (currently under development) or as required.

10. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

Berrigan Shire Council
56 Chanter Street
BERRIGAN NSW 2712

Ph: 03 5888 5100

Email: mail@berriganshire.nsw.gov.au

11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	15 November 2023	New Policy document	Deputy Chief Executive Officer

APPENDICES
