



**Policy Owner:** Director Community, Planning & Environment

**Category:** Strategic

**Direction:** 4. Our Social Vitality

## 1. STATEMENT OF INTENT

1.1 The intent of the Policy is to:

- a) meet Council's arts and cultural objectives, strategies and key principles outlined in *the Arts and Cultural Strategic Plan* and the *North Sydney Public Art Masterplan*;
- b) foster the creation of high contemporary public art that celebrates the diversity and uniqueness of North Sydney, ensuring a commitment to excellence and innovation;
- c) foster the creation of high-quality public art that will enrich the visual appearance, sense of civic identity and liveability of the area
- d) deliver a public art program that brings our public domain to life with innovative cultural forms that embody North Sydney's aspirations to be a vibrant and culturally rich place to live and destination
- e) provide opportunities for a wide variety of permanent and temporary public artforms and outcomes with a commitment to place and site specificity. These may include for instance, new media and digital art, small to large scale sculptural works, installations, murals, street art, public artworks which incorporate glass, light or water elements, integrated public art and design projects, uniquely designed or site-related landscaping and streetscaping with a public art focus, and incorporation of public art into building design, façades or structures;
- f) encourage the inclusion of art and artists as a valuable and implicit part of North Sydney's civic planning, design and development processes;
- g) ensure a professional artist or suitably qualified public art specialist is engaged in the planning, design and development process;
- h) provide a mechanism for the delivery of high-quality and innovative artworks in new developments in publicly accessible locations;
- i) ensure developers include high-quality public art as part of their own development design process as outlined in the Arts Plan; and
- j) ensure the local community are consulted in the public art delivery process.

1.2 Council's *Development Control Plan* encourages the delivery high-quality and appropriate public art in the North Sydney local government area.

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- 1.3 This Policy guides and form the criteria for the assessment of all public art commissioned by Council, or for acquisition, donation or transfer, as well as providing a framework for the management and promotion of Council's collection of public art.
  - 1.4 This Policy guides and forms the criteria for the assessment of all public art commissioned in the public domain.

## 2. ELIGIBILITY

- 2.1 This Policy covers:
  - a) artworks created or commissioned by Council as community development projects (Arts & Culture Section) and which form part of the public art program;
  - b) artworks created or commissioned by Council as strategic planning, urban design initiative or open space-projects;
  - c) artworks created or commissioned for new developments in excess of 2,000 sq metres or abutting public open space;
  - d) "artworks accepted by Council as a donation" under *the North Sydney Public Art Masterplan*; and
  - e) temporary public art.
- 2.2 Public artists engaged for the commissioning or integration of public artworks by Council or in developments will hold tertiary qualifications in the Visual Arts, Fine Arts, Architecture or other related arts practises, and/or equivalent experience in the design and delivery of significant public art projects.

## 3. DEFINITIONS

- 3.1 Public art - is defined in the broadest sense as artistic works or creative activities accessible to the public. The term refers to works created for specific locations, which may be temporary or permanent, located in or part of a public space or facility provide by both the public and private sector. Public art also includes the conceptual contribution of an artist to the design of public spaces and facilities.
- 3.2 Public "artworks accepted by Council as a donation" - are works that meet the same criteria as works commissioned or created by Council and are required to meet Council's arts and cultural objectives, strategies and key principles outlined in *Council's Arts and Cultural Strategic Plan* and the *North Sydney Public Art Masterplan* and must meet the criteria detailed in 4.1.
- 3.3 Arts Plan - is a plan developed according to Council guidelines, to assist developers in creating public art as works, within their own development.

- 3.4 Temporary public art - is art that complies with this policy but is recognised to have a limited life, such as murals on hoardings, or art displayed as part of a changing and dynamic art program in the public domain.

## 4. PROVISIONS

### 4.1 Guiding Principles:

There are seven guiding principles for the prioritisation and implementation of public art across the North Sydney local government area:

- a) connection/relevance to North Sydney - the design process should take into account the unique characteristics and cultural heritage of the North Sydney local government area;
- b) alignment with major urban design projects - options for public art to be included in significant Council construction projects (building and landscaping) will be reported to Council;
- c) recognise and celebrate Aboriginal stories and heritage in public spaces - Council recognises the importance of acknowledging the First Nations people, and of the historical and contemporary significance of their cultural traditions. Public art initiatives by First Nations artists will be encouraged where culturally appropriate and cultural protocols will be respected;
- d) support professional artists and activate North Sydney through temporary art projects - temporary projects and events create an ongoing dialogue about place, community and belonging. Provision of temporary initiatives allows Council to respond flexibly to the innovations of artists;
- e) support vibrant and connected village, commercial and CBD areas - a range of public art projects which enhance and celebrate the distinct characteristics of North Sydney's village and commercial centres and contribute to the identity of each place;
- f) promote public art in private development - Council encourages the provision high quality and innovative public artworks in private developments in publicly accessible areas;
- g) initiate and implement programs to communicate, educate and engage the public such - as the North Sydney Public Art Trail and digit app. A register/database of public art will also be maintained and made available on Council's website, listing the details, images and locations of all public artworks.

### 4.2 Guidelines and Criteria for Public Art:

- 4.2.1 Selection of artists and public artworks will include the following criteria:

- demonstrated ability to meet Council's arts and cultural objectives and key principles as identified in Council's plans and strategies
- demonstrated qualifications and experience as a professional artist or public art specialist;
- ability to meet the artwork/project brief, objectives, schedule and budget;
- standards of excellence, innovation and originality;
- integrity, relevance and appropriateness of the artwork to the site, for example historical, cultural, and/or conceptual;
- public safety and the public's access to and use of the public domain;
- durability and adequacy of maintenance plan;
- adequacy of project breakdown including timelines, public liability; structural engineer's certificate, if required;
- non-duplication of other public art; and
- substantial community support

4.2.2 Artists selected for Council projects will be required to enter into a legal agreement that ensures the integrity and outcomes of the project.

While Council acknowledges that intellectual copyright is retained by the Public Artist (or Arts Planner) as determined by law, Council will seek to enter into an agreement with artists for the use by Council of images of the artwork for non-profit promotional purposes.

- 4.3 Public consultation is required for Council's public art projects as required under statutory requirements.
- 4.4 Council will consider, in the annual budget-for the delivery of public art under the objectives outlined in *Council's Arts & Cultural Strategic Plan*.
- 4.5 Council's public artwork collection will be reviewed on a ten-yearly basis to ensure suitability by Council's Community Development Department (Arts and Cultural Section).
- 4.6 Council retains the right to dispose of public artworks if deemed unsuitable following a review. Artists involved will be consulted on the procedures for disposal.

## 5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council's Community Development Department (Arts and Cultural Section) is responsible for:

- a) implementing the recommendations of the *Arts and Cultural Strategic Plan* in the delivery of one significant public art project biennially;
  - b) delivering the *North Sydney Public Art Masterplan* in line with Council's strategic planning and urban design initiatives and recommendations;
  - c) maintaining a register of public art, made publicly accessible on Council's website; and
  - d) preparing reports for Council initiated project, seeking Council endorsement of the selected artist and project with reference to the criteria outlined in Section 4.2.1.
- 5.2 Council's Strategic Planning Department and/or Engineering Infrastructure Department will manage the urban design projects, liaising with Council's Community Development Department (Arts and Cultural Section).
- 5.3 Council Officers will implement public art projects arising from masterplans for public open space, liaising with the Arts and Cultural Section.
- 5.4 Council Officers from Strategic Planning Department and the Arts and Culture Section will ensure the Arts Plan Process is adhered to during the Development Application process.

## 6 RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Artwork Acquisition Policy
- Artwork, Cultural and Historical Collections Deaccession Policy
- Arts and Cultural Strategic Plan
- Arts Plan Process - Pre DA Lodgement Meeting/Discussion (how to guide)
- Design Panel Policy
- Development Control Plan
- Donations Policy
- Public Art Trail Masterplan
- Public Art Masterplan

Version	Date Approved	Approved by	Resolution No.	Review Date
1	19 September 2005	Council	837	2008/09
2	4 June 2007	Council	348	2008/09
3	24 September 2007	Council	662	2008/09
4	16 February 2009	Council	61	2013/14
5	18 February 2013	Council	61	2016/17
6	25 June 2018	Council	214	2020/21
7	27 February 2023	Council	62	2024/25