

**Report to General Manager**Attachments:
Public Art Policy**SUBJECT:** Public Art**AUTHOR:** Martin Ellis, Director, Community and Library Services**ENDORSED BY:** Ken Gouldthorp, General Manager**EXECUTIVE SUMMARY:**

Council has a Public Art Policy that enables it to accept Donations of Public Art. This is a point of some significance given that the Council-funded Public Art Trail program has been fully utilised.

A separate Confidential report has been provided outlining opportunities that Council may wish to consider. If Council wishes to discuss the opportunities in detail it will be necessary to do so in Confidential Session in accordance with s10A 2(d) of the Local Government Act.

FINANCIAL IMPLICATIONS:

- There are no funds for the creation of additional Public Art in the current Delivery Plan.
- Completion of the existing Public Art Trail involved the expenditure of \$356,000 for three vacant sites:
 - First Methodist Church Site (corner Blue Street and Pacific Highway) \$100,000 in 2016.
 - Victoria Cross in 2017 (via a Deed with the private owner) \$150,000.
 - St Peter's Park \$100,000 in 2019.
 - Public Art Trail App \$6,000 in 2017.
- The adopted *North Sydney Arts & Cultural Strategic Plan 2019-2022* foreshadows a Biennial Public Art Commission of \$100,000, in the next Delivery Plan.

RECOMMENDATION:

1. THAT Council note the status of the Public Art program and authorise consideration of potential future donations as outlined in the Public Art Policy and Confidential Report.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

- Direction: 2. Our Built Infrastructure
 4. Our Social Vitality
- Outcome: 2.2 Vibrant centres, public domain, villages and streetscapes
 4.2 North Sydney is creative and home to popular events

BACKGROUND

At its meeting on 26 June 2017 Council resolved:

***THAT** a Public Art Trail Masterplan be prepared by Council's City Strategy Division which identifies appropriate sites and sculptures along the North Sydney Public Art Trail, considers whether the Public Art Trail ought to extend to foreshore locations, define the process for identifying appropriate sites and the artworks to occupy them and outline the internal processes for a Development Application or other mechanism to proceed.*

This Masterplan is funded in the 2019/20 Financial Year and is underway, managed by Council's Team Leader, Arts and Culture in consultation with staff from City Strategy.

Council's Public Art Policy allows for accepting Donations: *"Public Artworks accepted by Council as a donation are works that meet the same criteria as works commissioned or created by Council, with respect to community consultation, siting, maintenance and de-accessioning."*

The *North Sydney Arts & Cultural Strategic Plan 2019-2022* adopted in August 2019 notes the following initiatives proposed to be considered in the next Delivery Plan are approximately:

1. Individual Creative grants: \$10,000 annually.
2. Biennial Public Art Commission: \$100,000.
3. The small-scale cultural uses and compliance project can be done in-house, involving the arts, events and strategic planning staff.

CONSULTATION REQUIREMENTS

Community engagement will be undertaken in accordance with Council's Community Engagement Protocol.

SUSTAINABILITY STATEMENT

The sustainability implications were considered and reported on during the initiation phase of the Public Art Trail.



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Policy Owner: Director Community and Library Services

Category: 4. Our Social Vitality

1. STATEMENT OF INTENT

1.1 The intent of the Policy is to:

- a) meet Council's strategic arts and cultural objectives, including in relation to Indigenous art, and art recognising the culturally diverse character of North Sydney;
- b) foster the creation of high quality public art in North Sydney, ensuring a commitment to excellence, innovation and diversity;
- c) provide opportunities for a wide variety of public art outcomes, including for instance, small and large scale sculptures, murals, glass and water features, innovative communication techniques to identify spaces (such as musical notes on pavements for buskers and sound and tactile signage for people with disabilities), uniquely designed or site-specific paving or landscaping, streetscape elements (furniture, lighting, signage and bollards) and parts of buildings, (lights, film, photography, large screens);
- d) provide a control for high quality artworks in new developments in publicly accessible locations;
- e) encourage developers to include public art as part of their own development design process; and
- f) involve the local community at an early stage in the design process.

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

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

2. ELIGIBILITY

2.1 This Policy covers:

- a) artworks created or commissioned by Council as community development projects;
- b) artworks created or commissioned by Council as urban design projects;
- c) developments in excess of 2,000 sq metres or abutting public open space;
- d) "artworks accepted by Council as a donation"; and
- e) temporary public art.

- 2.2 Public artists on developments in excess of 2,000 sq metres or abutting public open space will have tertiary qualifications in Fine Arts, Architecture, Interior Design Landscaping or other related arts practises, and/or equivalent experience in art projects.

3. DEFINITIONS

- 3.1 Public art - is defined in the broadest sense as artistic works of 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, with respect to community consultation, siting, maintenance and de-accessioning.
- 3.3 Public Art Plan - is a plan developed according to Council guidelines, published to assist developers in creating public art as works in-kind, 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 exhibition space.

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 people of this land, and of the historical and contemporary significance of their cultural traditions. Indigenous artwork will be encouraged where culturally appropriate and cultural protocols will be respected wherever required.

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- d) Support local artists and activate North Sydney through temporary art projects - temporary projects and events create an ongoing dialogue about society and public space. Provision of temporary initiatives allows Council to respond flexibly to the innovations of artists.
 - e) Support vibrant village/commercial areas - a range of public art projects which enhance and celebrate the distinct characteristics of North Sydney's village/commercial centres and contribute to the identify of each place will be permitted.
 - f) Promote high quality public art in private development - where permissible, Council encourages the provision of public artworks in private developments where there is significantly publicly available space.
 - g) Initiate and implement programs to communicate, educate and engage the public. Council will publish a guide making clear the aims and objectives of this policy. A register of public art will be maintained and made available on Council's website, listing the details 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:

- Standards of excellence and innovation;
- Integrity of the work;
- Relevance and appropriateness of the work to the context of the site - temporary or permanent;
- Public safety and the public's access to and use of the public domain;
- Durability and adequacy of maintenance plan including costs;
- Adequacy of funding breakdown, including for example; structural engineer's certificate, if required;
- Substantial community support; and
- Non-duplication of other public art.

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 estimates, an allocation for "community based" public art.

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- 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 is responsible for:
- a) implementing the recommendations of the *Arts and Cultural Strategic Plan* in relation to public art;
 - b) maintaining a register of public artists to allow for select tendering;
 - c) maintaining a register of public art, made publicly accessible on Council's website;
 - 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) where appropriate.
- 5.3 Council Officers will implement public art projects arising from masterplans for public open space, liaising with the Arts and Cultural Section where appropriate.
- 5.4 Council will consider reports from the Community Services Reference Group, North Sydney CBD Working Group and Streetscape Committees as they arise, and provide funding for endorsed public art projects through the annual estimates process.
- 5.5 The relevant Streetscape Committee will ensure appropriate design principles and functions of public art are.
- 5.6 Council Officers will monitor the details required for an Arts Plan during the Development Application process.

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6 RELATED POLICIES/DOCUMENTS/LEGISLATION

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

- Artwork Acquisition Policy
- Arts and Cultural Strategic Plan
- Artists' Studio Policy
- Design Panel Policy
- Development Control Plan

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