

11.4 Public Art Policy

REPORT BY THE MANAGER, COMMUNITY & CULTURAL SERVICES
TO 21 JUNE 2023 ORDINARY MEETING
GOV400103, REC800021

RECOMMENDATION

That Council:

1. receive the report by the Manager, Community & Cultural Services on the Public Art Policy;
2. place the Public Art Policy on exhibition for 28 days to seek feedback from the community; and
3. adopt the reviewed Public Art Policy if no submissions are received during the exhibition period.

Executive summary

Council's Public Art Policy was last endorsed by Council in 2018 and is now due for review.

Disclosure of Interest

Nil

Detailed report

Council's interests in arts and cultural activities have expanded since the last reiteration of this policy, including the employment of cultural staff and the opening of further arts facilities, such as the Mudgee Arts Precinct and its accompanying Cultural Workshop site.

Council's public art collection has also expanded since the policy was last endorsed. In the circumstances, this policy has been reviewed as per the attached document removing reference to the Cultural Development Committee.

Community Plan implications

Theme	Looking After Our Community
Goal	Vibrant towns and villages
Strategy	Maintain and promote the aesthetic appeal of the towns and villages within the region

Strategic implications

Council Strategies

Mudgee Arts Precinct Strategic Plan – Discusses the further development of Council's Public Art collection.

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Council currently has an ongoing budget in place to cater for sculptures across the region which encompasses acquisitions, installation and ongoing maintenance. As the number of works of public art installed increases, so too will there be a need for an increased maintenance budget in coming years.

Associated Risks

Not Applicable

FIONA SHEARMAN
MANAGER, COMMUNITY & CULTURAL
SERVICES

SIMON JONES
DIRECTOR COMMUNITY

17 May 2023

Attachments: 1. DRAFT - Public Art Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY
PUBLIC ART

*A prosperous
and progressive
community*

ADOPTED 21/02/2018 17 May 2023	VERSION NO 2.0
COUNCIL MEETING MIN NO 33/48	REVIEW DATE 22/02/2022 May 2027
DATE: 21/02/2018	FILE NUMBER REC800019/REC800021

Objective

This policy sets out Council’s commitment to developing a public art program that reflects our natural and cultural heritage, engages with our community and adds value to our infrastructure, attractions and public amenity. The purpose of this policy is consistent with the Community Plan, under the theme of Looking After Our Community. It specifically relates to the following goals and strategies as identified in the Community Plan.

GOAL	STRATEGIES
2. Vibrant Towns and Villages.	2.1 Respect and enhance the historic character of our Region and heritage value of our towns. 2.4 Maintain and promote the aesthetic appeal of the towns and villages within the Region.
4. Meet the diverse needs of the community and create a sense of belonging.	4.1 Support programs which strengthen the relationships between the range of community groups. 4.3 Support arts and cultural development across the Region.

The quality and uniqueness of public environments demonstrate a community’s creative ability and its aspirations. Council recognises that public art, integrated with good urban design and landscape architecture can assist the region to be recognised as prosperous and progressive, and foster community pride.

Through this policy, Council aims to:

- Develop and maintain a public art collection and program that is responsive to the region’s natural and cultural history and which gives the region a distinctive voice;
- Encourage the participation in and appreciation of art by our communities;
- Add value to our infrastructure, attractions and public amenities; and
- Ensure the design, installation and maintenance of public artwork is in accordance with state and national standards of practice.

Legislative requirements

Not applicable.

POLICY: PUBLIC ART PUBLIC ART | ~~2.015 NOVEMBER 2017~~

Related policies and plans

- ~~Mudgee Arts Precinct Strategic Plan~~
- ~~Art Collection Policy~~
- ~~Disposal of Assets Policy~~
- Public Art Plan

Definition

Public art may be in any medium, and form, created by a single artist, group of artists or artists working with members of the community. It may be permanent, temporary or ephemeral and will be located in a place easily accessed by the public.

Public Art Funding

Council, ~~with the help of the Cultural Development Committee~~, will explore local, regional and national options to fund future public art projects from governments, funding agencies, individual and corporate donors.

Ownership

Wherever possible and appropriate public artworks will be owned by Council on behalf of the community.

~~The Cultural Development Committee (see below)~~ Council staff may, from time to time, recommend to Council that public art works be loaned to local businesses and facilities, or even galleries outside of the region. Such loans are to be subject to endorsement by Council and appropriate paperwork will be completed to ensure the works are properly insured and maintained whilst on loan, and then returned to Council within a reasonable, stipulated timeframe.

Cultural Development Committee

~~The Cultural Development Committee is a section 355 Committee of Mid-Western Regional Council and provides advice to Council on:~~

- ~~The implementation of its Cultural Strategic Plan and any amendment of that Plan as required;~~
- ~~The relationship between Council and Orana Arts or any other peak regional arts body as applicable from time to time;~~
- ~~The NSW Arts and Cultural Policy Framework and any obligations and responsibilities of Council in relation to it;~~
- ~~The maintenance, display and storage of Council's cultural collections;~~
- ~~The use of cultural spaces and the needs and requirements of the cultural community;~~

- ~~proposals, acquisitions and public art programs within the parameters established by this policy;~~
- ~~The resources Council will need for the purchase, installation, including any ground works, development approvals, ongoing maintenance, restoration and insurance for new and existing works;~~
- ~~Processes relating to the commissioning, procurement and de-accessioning of public art;~~
- ~~Public engagement necessary for installations and programs;~~
- ~~Funding, partnership and donor opportunities;~~
- ~~Appropriate interpretation of public art for diverse audiences; and~~
- ~~This policy, in general, on a regular basis.~~

~~The Cultural Development Committee may also guide Council on commissioning, selection, maintenance, protection and de-accessioning of public art works and programs. The final decision on these matters, however, are to be made by the elected Council.~~

~~The Cultural Development Committee will comprise a range of stakeholder representatives, including one elected Councillor (for the duration of his/her Council term), one representative from a regional arts body, such as Orana Arts or the regional organisation which the Council is a member at the time, and at least three experienced regional community representatives. It is preferable that at least one of the community representatives is a current, practising artist and at least one other committee member has at least three years' experience in public art. Council staff will provide secretarial support and input to the committee.~~

~~The Cultural Development Committee may delegate its duties to a sub-committee (formerly known as the Public Art Advisory Panel) for particular tasks as appropriate.~~

~~Quorum for meetings will be four committee members (not including Council staff).~~

Advice to Council

A temporary committee of stakeholders may be formed at any time to provide advice to Council on any of the following matters concerning public art:

- The use of cultural spaces and the needs and requirements of the cultural community;
- Proposals, acquisitions and public art programs within the parameters established by this policy;
- The resources Council will need for the purchase, installation, including any ground works, development approvals, ongoing maintenance, restoration and insurance for new and existing works;
- Processes relating to the commissioning, procurement and de-accessioning of public art;
- Public engagement necessary for installations and programs;
- Funding, partnership and donor opportunities;
- Appropriate interpretation of public art for diverse audiences; and
- This policy, in general, on a regular basis.

The temporary committee may also guide Council on commissioning, selection, maintenance,

POLICY: PUBLIC ART | ~~2.015 NOVEMBER 2017~~

protection and de-accessioning of public art works and programs. The final decision on these matters, however, are to be made by the elected Council.

The temporary committee may be made up of a number of stakeholders not limited to:

- Council staff (including Cultural Services, Parks and Gardens and Building Services team members);
- Councillors (as appropriate);
- Artists; and
- Stakeholders related to any relevant artwork's provenance.

Public Art Procurement

Mid-Western Regional Council recognises the following methods for procuring public artworks:

- Commissioning of new works
- Commissioning of existing designs
- Purchase of existing works
- Leasing or fees for temporary installations
- Donations and bequests, works on loan
- Works acquired through competitions or other awards

~~Any significant public art purchases should be referred to the Cultural Development Committee for consultation prior to finalisation of the purchase.~~ The creator retains copyright after a work is sold. At the time of purchase and commission Council will request permission to create and publish images of the artwork.

Bequests and donations guidelines

Donations or bequests are encouraged provided they adhere to this public art policy, and with the following provisos:

- The works are accepted only where the donor has legal title over the works and usually only if the gift is made on the basis of full transfer;
- The work's provenance can be clearly established and verifiable;
- The work represents a high standard of artistic quality; or is
■ relevant and responsive to the region's cultural history;
- Artworks are in good condition and Council is able to budget for foreseeable conservation, insurance and/or storage costs; and
- Artworks are not foreseen as a likely risk of injury to the public once installed; and
- All donors are publicly acknowledged.

Care of the collection

Council acknowledges its responsibility to maintain, document and insure its public art collection. Prior to the approval of any public art installation, Council will consider, where appropriate, a budget for maintenance and conservation, and insurance of works. Where appropriate, professional conservators will be engaged as required to restore works that have been damaged. All works not on display will be securely stored.

Public Art Register

Council maintains a register of permanent public artworks. All artworks in this register are considered assets in Council's Corporate Asset Management System.

The key information retained includes:

- Artist's name;
- Title of work;
- Medium and materials;
- Size;
- Location;
- Value, date of valuation and valuer's name and organisation; and
- [Date of acquisition and image of the work.](#)
- [Artwork condition](#)

De-accessioning or re-locating ~~Artwork~~artwork

From time to time, decisions need to be made about the relocation or removal of public artworks from Council's ownership for a range of reasons including:

- Community relevance;
- Public safety;
- Changes to the design and use of the public space occupied by the artwork;
- A more appropriate site has become available for an artwork;
- The work sustains irretrievable loss or irreparable damage; and
- Deterioration of the work has progressed to such a degree that conservation of the work is valued at a cost greater than its current or potential value.

De-accessioning of an installation may occur as follows:

- Offered for sale or donation (as appropriate) to the donor or creator, in the first instance;
- Offered to another collecting institution;
- Exchanged, gifted or sold to appropriate individuals or institutions;
- Resold on the public market;

~~POLICY: PUBLIC ART PUBLIC ART | 2.015 NOVEMBER 2017~~

- ~~■ Destruction or recycling, if no other option is deemed suitable.~~
- ~~■ Regard will also be had to Council's Disposal of Assets Policy.~~

~~Review of the Policy~~

~~Any review of this policy is to be undertaken in consultation and collaboration with the Cultural Development Committee.~~