

SOUTH GIPPSLAND SHIRE COUNCIL COUNCIL POLICY



South Gippsland
Shire Council

PUBLIC ART COLLECTION MANAGEMENT POLICY

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| Policy No. | C91 | Adoption Date: | Council Meeting 13 December 2023 |
| Directorate: | Economy and Community | Department: | Economy, Community and Investment |
| Revision Date: | December 2027 | | |

GOOD GOVERNANCE FRAMEWORK – OVERARCHING PRINCIPLES

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| Supporting Pillar: | Pillar 1. Direction & Leadership Pillar 3. Decision Making Pillar 4. Structure, Systems & Policies Pillar 7. Risk & Compliance Pillar 8. Monitoring & Performance Review |
| Link to Pillar: | The Policy aims to ensure that the Council's Public Arts Collection is appropriately managed and maintained in accordance with best practice. |

1. PURPOSE

- 1.1. The purpose of the *Public Art Collection Management Policy (C91)* (the Policy) is to provide a framework to assist South Gippsland Shire Council to make considered decisions on public art, its funding, commissioning, installation, maintenance and de-accessioning. It will also assist Council in response to requests, proposals and offers of donation of art works in public places.
- 1.2. The aims of the Policy are to:
 - 1.2.1. Provide a strategic direction for the development of the Public Art in South Gippsland;
 - 1.2.2. Encourage art installation in public open spaces.
 - 1.2.3. Ensure that the brand and identity of the Shire is celebrated through Public Art.
 - 1.2.4. Provide Public Art acquisition guidelines that govern funding acquisition, management and disposal of public art.
 - 1.2.5. Provide guidelines for the selection processes, location/display and maintenance of Public Art.
 - 1.2.6. Adherence to the best quality and standards of construction and installation.
 - 1.2.7. Provide guidelines for assessing sponsorship, donations, and bequests.

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1.2.8. All artwork shows respect for and upholds the *Charter of Human Rights* and *Anti-Discrimination* law.

1.3. This Policy has been developed to support the objectives of the South Gippsland Arts, Culture and Creative Industries Strategy 2022-2027

2. SCOPE

2.1. The scope of this Policy applies to criteria for the assessment of all Public Art considered for commissioning by Council, or acquired by purchase, donation or transfer, and provides a framework for the management of the Public Art collection.

2.2. Public Art is art that exists in public spaces and is freely accessible to all.

2.3. Public Art is made using a wide range of materials and includes large-scale and small works.

2.4. Public Art may be permanent or temporary.

2.4.1. Permanent Public Art is art in the public realm that exists for more than two (2) years. It is enduring from the outset and comprises durable materials and robust fabrication methods that can be maintained with reasonable effort for its approved life in the public realm.

2.4.2. Temporary Public Art is art in the public realm with a finite lifespan of up to two (2) years.

2.5. The scope of this Policy does not apply to standard street furniture, interpretive signs, playgrounds and fountains unless designated as pieces of public art. Memorials, including war memorials, are also outside of this scope and are covered by Council's Assets Management Plan. Events, and activations associated with events, also sit outside the scope of this policy.

3. POLICY PRINCIPLES

The importance of Public Art to South Gippsland

3.1. South Gippsland Shire Council recognises that Public Art projects have a special role to play in connecting communities. Public Art leads to an enhanced sense of wellbeing of the participants, as well as greater community awareness of creative sector.

3.2. Public Art in South Gippsland will integrate the arts into everyday life and help tell important stories about its places, its people, and its common values and ideas.

What will be included and consider in Public Art projects?

3.3. In assessing Public Art proposals, the following will be considered;

3.3.1. Relevance to South Gippsland: its community, landscape, themes and concerns.

3.3.2. Public Art may interpret historical sites and tell important local stories in a contemporary fashion.

3.3.3. Public Art may encourage community and visitor engagement with a particular place.

3.3.4. Public Art projects may be utilised to increase community connectedness.

3.3.5. Public Art will always reflect a high standard of artistic practice.

- 3.3.6. Public Art is usually made or designed by an artist, with or without community participation.
- 3.3.7. While the quality of the artwork and artist are primary considerations, where other factors described above are equal, local arts practitioners will be preferred.

Artwork materiality

- 3.3.8. Public Art may include music, poetry, sound and light installations, temporary installations, street furniture, street lighting, gardens, paving, water features, sculptures, street theatre, parades, murals and street art
- 3.3.9. Multimedia, and digital art can create projected or screened, or electronically conveyed images and films, and soundscapes in public places may be movement activated or at specific times of day and night.
- 3.3.10. Landscaping and gardens may also be considered works of Public Art. Gardens developed with experienced landscape artists may help connect diverse sectors of the community and enhance significant and everyday places.

3.4. Durability of the work

- 3.4.1. Public Art will not be limited to works that are physical and permanent.
- 3.4.2. Works of art in public places may occur for a short time or have a long-term placement. Some works of very short duration may be able to be repeated, electronically or manually activated.
- 3.4.3. Permanent works of art will be made of durable materials and be affixed to a location for an agreed lifespan (usually a minimum of five years).

3.5. Safety and suitability

- 3.5.1. Council will assess permanent works for safety and durability
- 3.5.2. The public artwork project and maintenance costs will be considered.

3.6. Potential sites for Public Art

The context of Public Art is important. Public art will be used to enliven sites and events throughout the Shire. These may be large-scale, small or very subtle. Some works will encourage quiet, extended contemplation.

Areas where people congregate such as town centres, public parks and gardens, children's' playgrounds, walking trails, empty or under-utilised spaces, bare walls of buildings, and streetscapes may all be suitable sites for public art.

Public Art for South Gippsland should be designed or selected to consider the following:

- 3.6.1. Suitability for a specific place, including character, heritage, permissions and position on the site.
- 3.6.2. Public safety concerns – this may include the shape and nature of the materials used.
- 3.6.3. Visual impact and spatial considerations and the potential for vandalism.

- 3.6.4. Present and future uses of the area.
- 3.7. How Public Art works are accessioned by the Council.

South Gippsland Shire Council may acquire or sponsor Public Art in any of the following ways;

 - 3.7.1. Purchase of existing works of art.
 - 3.7.2. Commissioning of works of art for specific sites or projects.
 - 3.7.3. Acceptance of donation of art works.
 - 3.7.4. Community arts projects or workshops where an artist works with the community on a project and the resulting works are displayed in a public place on a temporary or permanent basis.
 - 3.7.5. Projects funded by grants, philanthropic trusts, individuals etc.
 - 3.7.6. Works that are developed as part of external development projects.
 - 3.7.7. Partnerships with, or sponsorship of, Public Art by a group, organisation, government department, or commercial enterprise.
 - 3.7.8. Public Art that is curated on a theme, commemoration or specific event supported by the Council.
 - 3.7.9. Public Art produced during Artist in Residence projects.
- 3.8. Public Art on Property not owned by South Gippsland Shire Council
 - 3.8.1. South Gippsland Shire Council values the opportunity to partner with private property owners, community, commercial and other levels of government to achieve Public Art outcomes.
 - 3.8.2. Strategically important spaces throughout the municipality that interface with the public domain can provide valuable opportunities for Public Art.
 - 3.8.3. Council will provide support and advice to, or if possible, work with developers interested in increasing their community dividend through Public Art.
 - 3.8.4. Written agreements will be put in place for Council commissioned art on the property of others.
- 3.9. Funding sources for Public Art
 - 3.9.1. A Budget bid for specific Public Art projects will be considered as part of Council's annual budget which considers acquisition, installation and whole of life costs.
 - 3.9.2. Working across Council departments to identify opportunities for arts practitioners to contribute to the overall design of public place projects.
 - 3.9.3. Where possible, utilise existing budgets for seating, paving, lighting, parks and gardens, special signage etc to commission unique objects designed or made by artists.

- 3.9.4. Additional funding may be sourced through partnerships with local organisations, community groups and enterprises and State and Federal Government.
- 3.9.5. Explore external grants and other funding opportunities from State and Federal Governments, agencies and philanthropic trusts.
- 3.9.6. Private or business donation, bequests and sponsorship.
- 3.9.7. Consider offers of existing artworks for public places, funded proposals for new public artworks, bequests and other offers of funding for Public Art in a fair, transparent and consistent manner.

3.10. Public Art Assessment Panel

Council's decisions on Public Art projects will be informed by advice from an independent Public Art Assessment Panel that will be brought together for each individual project.

- 3.10.1. The Public Art Assessment Panel will comprise of Council's Arts Development Officer, representatives from the South Gippsland Arts Advisory Committee and other community members with relevant expertise or connection to the site/artwork.
- 3.10.2. The Public Art Assessment Panel will determine if an Expression of Interest Process is to be undertaken and a public vote is required.
- 3.10.3. Relevant Council officers from Council Departments such as Open Space, Infrastructure, Planning, Visitor Economy, Communications and Community Strengthening will be engaged as required, but without voting rights.
- 3.10.4. A maximum of five (5) people will form the base Panel, with additional short-term members selected from communities or groups involved with a special project, or to provide special expertise.
- 3.10.5. The Public Arts Assessment Panel will enter a Code of Conduct to ensure it acts within a professional manner treats all applications with confidentiality.

3.11. Public Art selection and management process

A designated Council Officer will be primarily responsible for planning and delivering the Council's program of Public Art activities.

- 3.11.1. All new Public Art proposals must be outlined in a project brief that draws out information as required in sections 3.2 and 3.3 of this policy.
- 3.11.2. The brief will be initially assessed by a Council Officer who will determine if it is within the scope of this Policy. If it is deemed suitable then it will be considered by the Public Art Assessment Panel.
- 3.11.3. The Public Art Assessment Panel will advise on the brief and make recommendations to Management, assessing the proposal against:
- 3.11.4. A work of excellence that contributes to contemporary arts practices.

- 3.11.5. Is significant to the local history and unique character of South Gippsland.
- 3.11.6. Is a high calibre work by respected emerging, mid-career or established artists who have or had a connection or will draw to interest to South Gippsland.
- 3.11.7. Reflects current social, cultural and environmental issues that relate to South Gippsland.
- 3.11.8. Durability of work
- 3.11.9. Safety and suitability
- 3.11.10. Artwork materiality
- 3.11.11. The Public Art Assessment Panel will provide advice to Management to make the final decision.

3.12. Donations and Bequests

Donated work must meet the assessment criteria in section 3.2 and 3.3, in addition, Council may:

- 3.12.1. Require or propose a donation from the artist towards ongoing maintenance or installation of any donated works.
- 3.12.2. Donors will be required to sign an agreement granting ownership of works donated to Council.
- 3.12.3. Donations and sponsorship will be acknowledged on appropriate signage and documented in the Public Art register.
- 3.12.4. The acceptance of a donation does not imply any rights of that organisation or person to control management of the project.
- 3.12.5. Loans of Public Art to Council will not be considered.

3.13. Recording of Public Art works

- 3.13.1. All Council permanent and semi-permanent works of Public Art will become part of the Council's collection.
- 3.13.2. When received or commissioned, all works will be catalogued, photographed, and assessed for condition which is the responsibility of the Arts, Culture and Visitor Economy unit to update and document.
- 3.13.3. The Public Art collection will be available to the community via an online portal.

3.14. Maintenance of Public Art

- 3.14.1. Artworks in public places are significant and valuable assets for South Gippsland Shire Council.
- 3.14.2. All new works of art installed in public places must be supplied with maintenance instructions, preferably written by the artist. Works of art that are subject to the vagaries of weather, interaction with people and

natural decaying processes, will be inspected as required to assess and prevent damage.

- 3.14.3. Council is responsible for the maintenance and safe keeping of all Council commissioned or acquired public artwork. Inspections of permanent works will be carried out as required to ensure safety and the integrity of the work and avoid the necessity for costly repair later.
- 3.14.4. Excepting contractual exclusions, assets procured under this policy are to be managed under Council's Asset Management Policy and procedures, with specific regard to maintenance linked with Council's corporate and business plans (including the Long-Term Financial Plan), budgets and reporting processes.
- 3.14.5. Donors or sponsors of permanent public art may be requested to provide a yearly maintenance budget. Similarly, when funding is being sought for a public art project, maintenance will be included in the budget, if appropriate.

3.15. Deaccessioning of Public Art

From time to time works of art in the public domain may become damaged beyond reasonable repair, or cease to have public relevance, or the site may be so changed that the work no longer fits or suits the site. In the case of works posing a risk to the public immediate removal may be necessary.

In these cases, the relevant Council officers will consider the following options and advise Management and if necessary, Council on the most suitable option:

- 3.15.1. Relocation of a work to a more suitable site
- 3.15.2. If total removal is required donors in the first case, or artists, will be offered return of the artwork
- 3.15.3. Sale of work, with funds raised used for other public art projects
- 3.15.4. Destruction of artworks will only be considered as a last resort.

4. RISK ASSESSMENT

This policy aims to address the following identified risks;

Reputational

- 4.1. Confidence in Council to install works of Public Art that are appropriately considered and maintained.

Financial

- 4.2. Considers funding opportunities and constraints.

Governance

- 4.3. The shared responsibilities of Council Officers, Council and the Public Arts Assessment Panel to ensure consistency and professional standards are applied to projects at different levels.

5. IMPLEMENTATION STATEMENT**Human Rights Charter**

5.1. This Policy has considered the Charter of *Human Rights and Responsibilities Act 2006*.

Gender Equality

5.2. This Policy has considered the *Gender Equality Act 2020* in its development.

Roles and Responsibilities

5.3. The Public Art Assessment Panel makes recommendations

5.4. Final approval on permanent Art installations by the Executive Leadership Team

5.5. Approval for temporary Public Art approved by Manager Economy, Community and Investment or delegate.

6. MONITORING, EVALUATION AND REVIEW

6.1. This Policy will be reviewed and adopted by Council on a four-year cycle.

7. REFERENCE DOCUMENTS

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| Legislative Provisions | <i>Charter of Human Rights and Responsibilities Act 2006</i> <i>Freedom of Information Act 1982</i> <i>Gender Equality Act 2020</i> <i>Local Government Act 1989</i> <i>Local Government Act 2020</i> |
| Council Supporting Documents | Arts, Culture and Creative Industry Strategy Asset Management Plan - Parks and Gardens (internal) Asset Management Policy (C04) Asset Management Strategy |
| Related External Documents (optional) | < indicate relevant external documents - <i>remove entire line if not applicable</i> > |

8. DEFINITIONS

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| Public Art | Public Art is defined as artwork located in public spaces that enriches our experience of those spaces. Public Art can include forms or approaches that are: <ul style="list-style-type: none"> • installations integral to a place, including cultural markers such as Reconciliation Stones, or environmental art • stand-alone, three-dimensional public art such as sculptures • 'landmark' artworks conceived from the outset as a destination or cultural icon • features applied to an exterior surface, such as mosaics or murals creative activation that may be transitory in nature, such as digital art For the purposes of this policy, public art does not include; <ul style="list-style-type: none"> • Commercial promotions or objects that are commercially mass-produced such as fountains, street furniture, signage etc. • Works of art that are held in public or private collections, including those of artists, museums and art galleries. |
| Arts Advisory Committee | An endorsed committee that it made of seven (7) creative locals who purpose is to collaborate with Councils Art, Culture and Visitor Economy team and contribute to the future planning and decision making in the arts, specifically in the delivery of the Arts, Culture and Creative Industry Strategy (2022-2026) |
| Public Art Assessment Panel | An approved panel comprising of Council's Arts Officer, representative from the Art Advisory Committee and other relevant committee members to make recommendations to the Executive Leadership Team of the proposed Public Art installations. |
| Acquisition | Purchase or acquire |

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| Commissioning | Engaging an artist to create a work of Public Art |
| Decommissioning | Take a Public Art piece out of action |

9. REVISION HISTORY

| Approved By | Approval Date | Sections Modified | CM9 Ref# |
|-----------------|---------------|-------------------|----------|
| Council Meeting | December 2027 | Policy Review | |

10. ATTACHMENT SUMMARY

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