

ITEM NO. 6

**FILE NO: 20/319973
EDRMS NO: PSC2014-02649**

POLICY REVIEW: PUBLIC ART POLICY

REPORT OF: STEVEN BERNASCONI - COMMUNICATIONS SECTION
MANAGER
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Public Art Policy shown at **(ATTACHMENT 1)**.
 - 2) Place the revised Public Art Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.
 - 3) Revoke the Public Art Policy dated 27 March 2018, Minute Number 061, should no submissions be received.
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**ORDINARY COUNCIL MEETING - 8 DECEMBER 2020
MOTION**

279	Councillor Chris Doohan Councillor Steve Tucker It was resolved that Council: 1) Endorse the revised Public Art Policy shown at (ATTACHMENT 1). 2) Place the revised Public Art Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council. 3) Revoke the Public Art Policy dated 27 March 2018, Minute Number 061, should no submissions be received.
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The motion was carried.

BACKGROUND

The purpose of this report is to seek Council endorsement of the revised Public Art Policy (the policy) **(ATTACHMENT 1)**.

The purpose of the policy is to provide Council with a framework to approve or commission public art projects in the public domain.

MINUTES ORDINARY COUNCIL - 8 DECEMBER 2020

The policy details a best practice approach to manage public art procurement and management to maximise the social and economic benefits and create high quality public spaces.

A consistent approach to the management of public art provides clear processes to assist Council and the community develop high quality and place appropriate public art projects for the region.

Changes to the policy specifically relate to:

- streamlining and simplifying the language
- removing duplication between policy and guidelines
- broadening classification of types of public art initiatives in line with current delivery
- updates to content in line with the Our Incredible Place Strategy 2020
- update related documents

The policy is to be used in conjunction with the Public Art Guidelines which provides clear guidance for artists, developers, community groups and Council officers.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2018-2021
Thriving and Safe Place to Live	Support the amenity and identity of Port Stephens.

FINANCIAL/RESOURCE IMPLICATIONS

There is currently no annual budget for delivery of public art programs. Funding is available through grant programs, capital works projects, requirements contained within the Port Stephens Development Control Plan 2014 and external grant funding.

The recommendation will not result in any financial or resource implications.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

There are no known legal or policy implications as a result of the proposed recommendation.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that Council's reputation may be damaged as a result of decisions made in relation to the policy.	Low	Adopt the recommendations.	Yes
There is a risk that public art commissions negatively impact on the public domain.	Low	The Public Art Guidelines and application form provides guidance for best practice approach. Adopt the recommendations.	Yes
There is a risk that public art commissions are unsafe and have negative maintenance implications.	Low	The Public Art Guidelines and application form provides guidance for best practice approach. Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The policy details a best practice approach to manage public art procurement and management to maximise the social and economic benefits and create high quality public spaces.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Communications section.

Internal

- Assets section
- Strategy and Environment section
- Strategic Arts Committee

The Executive Team has been consulted to seek management endorsement.

External

In accordance with local government legislation, the revised Public Art Policy will be placed on public exhibition for 28 days.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Revised Public Art Policy.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

Policy



FILE NO: PSC2014-02649

TITLE: PUBLIC ART POLICY

OWNER: COMMUNICATIONS SECTION MANAGER

1. PURPOSE:

- 1.1 Port Stephens Council is committed to increasing the wellbeing and liveability of the Port Stephens community. Creating better spaces and better places that celebrate creativity and culture is part of this commitment.
- 1.2 The purpose of the Public Art Policy and related Public Art Guidelines is to provide Council with a framework to approve or commission public art projects in the public domain.
- 1.3 The policy details a best practice approach to manage public art placement, procurement and management to maximise the social and economic benefits and create high quality public spaces of public art as it relates to place-making and contributing to a vibrant cultural and economic life (Port Stephens Community Strategic Plan).

2. CONTEXT/BACKGROUND:

- 2.1 Public art is an integral factor in enhancing the physical, social and economic environment of Port Stephens. This is achieved by developing a sense of place using visual artworks in public areas. Public art has the potential to transform our places, create new experiences and celebrate our community identity.
- 2.2 In Port Stephens, interest in public art is growing, driven in part by a wider awareness and expectation of the benefits of public art, including enhancing infrastructure and the environment. The opportunity to enrich commercial developments is also recognised.
- 2.3 Public art is also closely aligned to tourism and related economic strategies that aim to build on the natural appeal of the Port Stephens and attract visitors to the region.
- 2.4 A consistent approach to the management of public art provides clear processes to assist Council and the community develop suitable high quality and place appropriate public art projects for the region.

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3. SCOPE:

- 3.1 This policy applies to all and any public art projects located, or proposed, in the public domain.
- 3.2 The Public Art policy refers to the placement, procurement, approval and management of art works (temporary or permanent) and complementing urban design.
- 3.3 This policy relates to all Councillors and Council officers who are engaged in the process of approving public art, either through commission, direct purchase or donation.
- 3.4 The supporting Public Art Guidelines is to be used to guide a best practice approach to public art.
- 3.5 The policy applies to Public art can be integrated into, but not limited to:
 - a) New developments proposed by commercial developers;
 - b) Existing areas as part of a master plan or upgrade being developed by Council;
 - c) Council-initiated public art projects
 - d) Public art purchases
 - e) Public art projects initiated by other Government agencies, private property developers, artists or the community
 - f) Public art received as gifts, donations and bequests
 - g) Existing public art in the public domain
 - h) Proposals submitted by community groups and or individual artists, for both permanent works and temporary display as part of a festival.
 - i) Development of Council's plans and strategies that relate to the public realm, including developer contributions and master planning, that provide opportunities to incorporate public art principles.
- 3.6 Council's Development Control Plan also provides for inclusion of public art into commercial and mixed-use development as part of the development consent process, depending on the scale of works proposed.
- 3.7 This policy does not apply to works that are solely commemorative in nature such as memorials or plaques. Such projects and proposals are considered in line with Council's Parks and Roadside Memorials Policy.

4. DEFINITIONS:

- 4.1 An outline of the key definitions of terms included in the policy.

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Public Art

Artworks and one-off designs created for, or located in, a public space and readily accessible to members of the public. The work may be of a temporary or permanent nature.

Commission

A commission is a direct request to produce a piece of art specifically for Council's public art collection. A public art commission by Council is a contracted transaction.

Decommission

Decommissioning is the term used for permanent removal of a work of art from a public art installation or collection.

Public Domain

Public places and/or open spaces that are situated within, vested in or managed by Council. This includes parks, beaches, outdoor recreation facilities, streets, laneways, pathways and foreshore areas and public buildings, facilities or enclosed structures, owned and managed by Council that are physically accessible to the general public.

5. STATEMENT:

5.1 The key objectives of this policy are to:

- a) Establish a consistent process for the commissioning, approval and decommissioning of public art.
- b) Enhance the natural and built assets of Port Stephens by enlivening and enriching public spaces.
- c) Create a sense of identity about Port Stephens heritage, culture and lifestyle.
- d) Facilitate the integration of public art into relevant facilities and infrastructure projects.
- e) Develop and enhance opportunities and promotion of local artists.
- f) Provide a policy foundation to Council's Development Control Plan for the inclusion of public art into commercial and mixed-use development.

5.2 It is expected that the implementation of this policy will lead to:

- a) The planning of public art in Council's urban designs to improve the quality of community spaces, the public domain and to enhance the pedestrian streetscape experience.
- b) Identification of sites/zones for future public art works, appropriate asset management, including safety and maintenance.
- c) Effective community engagement and consultation to ensure the art work will have meaning and relevance to the site in which it is located.

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- 5.3 Council officers are responsible for the commissioning, procurement and placement of public art should refer to the Public Art Guidelines. The accompanying guidelines provide a process through which Council can address public art procurement and planning, evaluation, including identifying sites/zones for appropriate future public art works, appropriate asset management, decommissioning, including safety and maintenance.

6. RESPONSIBILITIES:

- 6.1 The Community Development and Engagement unit manages, and provides technical advice and reports on public art as part of the cultural development program. It is the responsibility of other units across Council for implementing the policy and Public Art Guidelines.

7. RELATED DOCUMENTS:

- 7.1 Cultural Plan 2015-2018 Our Incredible Place Strategy 2020
 7.2 Port Stephens Development Control Plan 2014
 7.3 Port Stephens Section 94 Contributions Plan
 7.4 Asset Management Policy
 7.5 Graffiti Management Policy
 7.6 Public Art Guidelines for the approval and installation of public art in Port Stephens.

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2014-02649	EDRMS record No.	TBA
Audience	Councillors, Council staff, community		
Process owner	Communications Section Manager		
Author	Community Development and Engagement Coordinator		
Review timeframe	2 years	Next review date	TBA
Adoption date	10 November 2015		

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VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	10 November 2015	Communications Section Manager	Original policy and guidelines endorsed for public exhibition by Council at its 10 November 2015 meeting. No submissions received, therefore Policy and guidelines adopted by Council.	340
2	27 March 2018	Communications Section Manager	Public Art Guidelines section 6.0 updated to include mention of required approval relating to private developer public art contributions in the development assessment process. The value of capital investment for commercial development was changed from \$1 million to \$2 million in line with the Port Stephens Development Control Plan. Inclusion of Guidelines for the approval and installation of Public Art in Port Stephens in related documents section.	061

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3	TBA	Communications Section Manager	1.1 - added 'Port Stephens Council is committed to increasing the wellbeing and liveability of the Port Stephens community. Creating better spaces and better places that celebrate creativity and culture is part of this commitment.' 1.2 - deleted 'purpose of the' added 'Public Art Guidelines' deleted 'is to' added 's' on the end of provide added 'approve or commission public art projects in the public domain.' 1.3 - added 'The policy details a best practice approach to' deleted 'placement' added 'and create high quality public spaces' deleted 'of public art as it relates to place making and contributing to a vibrant cultural and economic life (Port Stephens Community Strategic Plan).' 2.1 - deleted 'This is achieved by developing a sense of place using visual artworks in public areas.' added 'Public art has the potential to transform our places, create new experiences and celebrate our community identity.' 2.2 – deleted paragraph. 2.3 – deleted paragraph. 2.4 - deleted: 'suitable' added 'high quality and place appropriate'	TBA
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			3.1 - added 'This policy applies to all and any public art projects located, or proposed, in the public domain'. 3.2 - deleted: 'Public Art' added: an 's' to refer added: 'approval'. 3.3 - added 'This policy relates to all Councillors and Council officers who are engaged in the process of approving public art, either through commission, direct purchase or donation.' 3.4 - added 'The supporting Public Art Guidelines is to be used to guide a best practice approach to public art.' 3.5 deleted 'Public art can be integrated into, but not limited to: deleted: a) New developments proposed by commercial developers. b) Existing areas as part of a master plan or upgrade being developed by Council. added: c) Council-initiated public art projects. d) Public art purchases. e) Public art projects initiated by other Government agencies, private property developers, artists or the community. f) Public art received as gifts, donations and bequests. g) Existing public art in the public domain. deleted: h) Proposals submitted by	
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			community groups and or individual artists, for both permanent works and temporary display as part of a festival. added: i) Development of Council's plans and strategies that relate to the public realm, including developer contributions and master planning, that provide opportunities to incorporate public art principles. 3.7 - added 'This policy does not apply to works that are solely commemorative in nature such as memorials or plaques. Such projects and proposals are considered in line with Council's Parks and Roadside Memorials Policy.' 4.1 - added in Public Art definition: The work may be of a temporary or permanent nature. added 'Commission' definition. added 'Decommission' definition. added: 'Public Domain' definition. 5.1 a) added 'Establish a consistent process for the commissioning, approval and decommissioning of public art'. 5.1 b) added 'and enriching'. 5.3 - added 'Council officers responsible for the commissioning, procurement and placement of public art	
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Policy



Version	Date	Author	Details	Minute No.
			should refer to the Public Art Guidelines'. deleted 'accompanying' added 'evaluation' deleted: 'including identifying sites/zones for appropriate future public art works'. added 'decommissioning and' deleted 'including' 6.1 - added 'provides technical advice' 'the' and 'program'. 7.1 - deleted: 'Cultural Plan 2015-2018'. added 'Our Incredible Place: Events, Arts and Cultural Strategy 2020'. 7.3 – deleted 'Port Stephens Section 94 Contributions Plan'. 7.6 - added: 'Public Art' deleted: 'for the approval and installation of public art in Port Stephens.'	

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