

POLICY NAME: DRAFT Public Art Policy

POLICY REF:

MEETING ADOPTED: Resolution No.

POLICY HISTORY: 25 August 2005 – Resolution No.250805(019)



OBJECTIVE

The objectives of this policy are:

- a. To encourage the provision of innovative forms of public art in key locations which identify and reinforce the shire's cultural identity, community values and create a strong sense of place;
- b. To promote artistic expression by providing opportunities for artists, designers and local community groups/organisations/individuals to showcase quality works; and
- c. To reinforce Council's commitment of ensuring that public art is a valued and legitimate means of embellishing the shire's key public spaces.

BACKGROUND

Ballina Shire is located within the Northern Rivers region of New South Wales and is part of the traditional Country of the Bundjalung people.

Council acknowledges our community's strong cultural and historic ties to the land, the quality of the shire's natural and environmental attributes and the strength and diversity of the region's artistic community.

These values, recognised and embodied in Council's local sustainability strategy (*People, Place, Prosperity: A framework for a more sustainable Ballina Shire 2025*) underpin Council's desire to support the provision of public art in prominent locations within the shire. In so doing, the potential for public art to contribute as an economic stimulus within our local community through job creation and visitation is also recognised.

A public art policy was first adopted by Council in August 2005, outlining the processes for the procurement, co-ordination and management of public art. Few projects have been delivered under the initial policy and Council has a desire to increase its commitment and effectiveness in this aspect of its operations.

Council anticipates that the introduction of this second version of a public art policy has the potential to deliver the following benefits:

- Improve the visual appeal and amenity of the shire's urban environment;
- Acknowledge and express the 'distinctiveness' of the different parts of our shire;

- Promote social inclusion and recognise differing community values;
- Reinforce the cultural identity of Ballina Shire and its place within our region.

DEFINITIONS

For the purpose of this policy, the following definitions are used:

Public Art refers to lawfully undertaken artistic works, activities or expression created for and located within public spaces or on private property which is generally accessible to members of the public. The art work may have a primary or secondary function or utility value as an item of operational furniture or equipment.

Public Artist – is an artist skilled and experienced in the creation or fabrication of public art.

Community Public Art – is public art created by members of the community, or a community or service-based organisation, in consultation with and supervised by a public artist.

SCOPE OF POLICY

This policy applies to:

- Council employees and contracted employees/consultants
- Councillors
- Community members
- Public artists
- Proponents of certain commercial, retail and tourist development

RELATED COUNCIL DOCUMENTATION

Related documents, policies and legislation:

- Ballina Shire Council's current Community Strategic Plan, Delivery Program and Operational Plan.
- Ballina Shire Sustainability Strategy - *People Place Prosperity: A framework for a more sustainable Ballina Shire 2025.*
- Ballina Shire Development Control Plan 2012
- Plans of Management for Crown and Council-owned land
- Council procedure – Use of Public Infrastructure for Public Art

POLICY

For the purpose of achieving the objectives of this policy, the following actions will be employed:

- a. Council, as part of its annual preparation of its Operational Plan, will consider a budgetary allocation for the provision of public art;
- b. Commercial, retail or tourist developments having a capital value in excess of \$1 million proposed to be undertaken on land zoned for Business purposes under Council's local environmental plan must, as a condition of development consent,

incorporate an item of public art having a minimum value of \$15,000 as an integral part of that development.

In the alternative, Council will encourage the proponent of the development to contribute an equivalent amount toward the provision of public art in a public place. In these circumstances, Council will make every reasonable effort to work co-operatively with the development proponent or his/her nominated representative to ensure the public art commissioned is mutually acceptable to the developer and Council, and that it is to be exhibited/displayed in a location which is in reasonable proximity to the development site.

- c. Council will form a Public Art Advisory Panel that is responsible for providing advice to the Council's General Manager in relation to the effective implementation of this policy. The membership of the panel will be as follows:
- Three Councillors (one from each ward), one of whom will chair the panel; each will have voting rights
 - One representative of Arts Northern Rivers, with voting rights
 - Council staff members (as determined by the General Manager) - no voting rights.

The panel will operate under a Terms of Reference prepared by Council's General Manager but will not be provided with delegations of the Council's authority.

REVIEW

This policy is to be reviewed, at least, every four years.



**Ballina Shire Council
Public Art Advisory Panel**

Terms Of Reference

BALLINA SHIRE COUNCIL PUBLIC ART ADVISORY PANEL

Members

Membership comprises:

- Three Councillors, one of whom will chair the panel, each of whom is a voting member.
- One representative of Arts Northern Rivers (voting member)
- Two Council staff members (as determined by the General Manager, ie Manager Open Space and Reserves, and Gallery Co-ordinator) (non-voting members)

Objectives and Role of Members

Council believes the panel's assistance in implementing the Public Art Policy can best be achieved by employing the following measures:

1. Identifying preferred locations within Ballina Shire for the placement/display of public art;
2. Assigning priorities and developing themes for public art in respective locations, if considered appropriate;
3. Making recommendations to Council's General Manager in relation to budgetary allocations for the provision of public art;
4. Working with Council's staff to provide for public art in the preparation or review of plans of management for public land and/or in key urban improvement projects;
5. Establishing transparent procedures or guidelines in respect to the following:
 - procurement of public art.
 - artist engagement.
 - Project selection criteria.
 - Recording/registering works (asset management).
 - Redundancy.
 - artistic and/or intellectual property rights.
 - consideration of public art promotion and/or awareness opportunities (eg art trails, competitions).

Council's Public Art Policy is intended to complement other initiatives for the provision of public art within the shire. These other initiatives include Council's procedure for the use of its infrastructure for presenting public art and also agreements with other infrastructure providers that are in place (eg Council and Essential Energy).

Meeting Frequency

Meetings of the panel are scheduled as required.