

POLICY NAME: PUBLIC ART
POLICY REF: P03
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 Resolution No. 280716/34
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1 OBJECTIVE

The objectives of this policy are:

- a) to encourage the provision of innovative items of public art in key locations which identify and reinforce the shire’s cultural identity, community values and create a stronger sense of place;
- b) to promote artistic expression by providing opportunities for artists, designers and local community groups/organisations/individuals to present showcase quality works; and
- c) to reinforce Council’s commitment to ensure that public art is a valued and legitimate means of interpreting and celebrating Ballina shire’s unique heritage and contemporary culture in publically accessible spaces embellishing the shire’s key public spaces.

2 POLICY

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

2.1 Development and Public Art

Commercial premises, retail, or tourist and visitor accommodation and recreation facility (major and outdoor) developments having a capital value in excess of \$1 million, which are proposed to be undertaken on land zoned for Business or Private Recreation purposes under Council's local environmental plan must, as a condition of development consent, incorporate an item of public art with a minimum value of \$16 000 as an integral part of that development in a civic space.

Proponents may engage a public art consultant to assist in the preparation of documents and the selection of artists. They are encouraged to seek the advice of the Public Art Advisory Panel and refer to the Arts Northern Rivers - Northern Rivers Creative directory for local artists and art professionals who have expertise in public art works.

Public art for private development is governed by the relevant section on Public Art in Chapter 2 of the Ballina Shire Development Control Plan.

In the alternative, it is open to proponents to request that Public Art required pursuant to the DCP Chapter on Public Art be placed on Public Land within the town or local centre (rather than on the development site). To meet this requirement, Council may accept a payment (in the amount of the minimum value of public art as noted above) towards the provision of public art in a public place. Under such circumstances these funds will contribute to the commissioning of permanent public artworks in public areas in the shire as determined by the Public Art Advisory Panel. Council will encourage the proponent of the development to contribute an equivalent amount towards 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 within reasonable proximity to the development site

2.2 Council and Public Art

- a) Council, as part of the annual preparation of its Operational Plan, will consider a budgetary allocation for the provision of public art.
- b) 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:
 - i) Three Councillors (one from each ward), one of whom will chair the panel; each will have voting rights
 - ii) One representative of Arts Northern Rivers, with voting rights
 - iii) 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.

3 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 **Community Strategic Plan and Ballina Shire Cultural Plan** ~~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~~ **continue** 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:

- a) Improve the visual appeal and amenity of the shire's urban environment
- b) Acknowledge and express the "distinctiveness" of the different parts of our shire
- c) Promote social inclusion and recognise differing community values
- d) Reinforce the cultural identity of Ballina Shire and its place within our region.

4 DEFINITIONS

Council:	Ballina Shire Council
Public art:	Lawfully undertaken permanent or temporary 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 artwork may have a primary or secondary function of utility value as an item of operational furniture or equipment.
Public artist:	An artist skilled and experienced in the creation or fabrication of public art.
Community public art:	Public art created by members of the community, or a community or service-based organisation, in consultation with and supervised by a public artist/ s or art professionals .

5 SCOPE OF POLICY

This policy applies to:

- a) Council employees and contracted employees/consultants
- b) Councillors
- c) **Ballina Shire Public Art Advisory Panel**
- d) Community members
- e) Public artists **and art professionals**
- f) Proponents of eligible **commercial premises, tourist and visitor accommodation and recreation facility (major and outdoor) developments** ~~commercial, retail and tourist developments.~~

6 RELATED DOCUMENTATION

Related documents, policies and legislation:

- a) Ballina Shire Council's current Community Strategic Plan, Delivery Program and Operational Plan
- b) Our Community: Our Culture Ballina Shire Cultural Plan 2014 - 2020
- c) **Ballina Shire Development Control Plan 2012**
- e) Plans of Management for Crown and Council-owned land
- f) Council procedure – Use of Public Infrastructure for Public Art
- g) Commissioning Public Art - Expression of Interest – Artist Brief
- h) Ballina 2035: Ballina Major Regional Centre Strategy

7 REVIEW

The Public Art Policy will be reviewed at least every four years.