



**Bayside Council**

Serving Our Community

# Public Art Policy

**27 April 2022**



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Public Art Policy

File: SF19/9379 Document: 22/18140

Policy Register: F16/951 Policy No.: PP22/13

Class of document: Council Policy

Enquiries: Manager Communications & Events



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# Contents

<b>1</b>	<b>Introduction .....</b>	<b>4</b>
1.1	Purpose .....	4
1.2	Objectives .....	4
1.3	Definitions .....	4
1.4	Scope of Policy .....	4
1.5	Policy Statement .....	5
<b>2</b>	<b>Public artwork .....</b>	<b>5</b>
2.1	Overview .....	5
2.2	Directions .....	5
<b>3</b>	<b>Public Artwork Principles .....</b>	<b>6</b>
3.1	Principles .....	6
<b>4</b>	<b>Assessment of public art.....</b>	<b>8</b>
4.1	Public Art Assessment Group .....	8
4.2	Assessment criteria .....	8
<b>5</b>	<b>Implementation of Public Art Projects .....</b>	<b>8</b>
5.1	Capital funding .....	8
5.2	Other funding matters .....	8
5.3	Asset management .....	9
5.4	Contractual arrangements .....	9
<b>6</b>	<b>Policy implementation .....</b>	<b>9</b>
6.1	Policy responsibilities .....	9
6.2	Procedures .....	9
<b>7</b>	<b>Document control.....</b>	<b>9</b>
7.1	Review .....	9
7.2	Related documents .....	10
7.3	Version history .....	10
	<b>Appendix 1 – Glossary of Terms .....</b>	<b>11</b>
	<b>Appendix 2 – Assessment Criteria .....</b>	<b>13</b>

# 1 Introduction

## 1.1 Purpose

This Policy provides a framework for assessment and acquisition of public artworks which are proposed for, donated to, acquired or commissioned by Bayside Council.

The Policy establishes a standard to ensure that public art in the area is enduring and of high quality contributing to the activation of open space and to the development of a sense of pride amongst the local community.

It establishes criteria for transparent decision-making when approving or declining proposed public artworks and projects in the Bayside Local Government Area. This Policy establishes principles and future direction for public artworks in Bayside.

## 1.2 Objectives

The objectives of the Policy are to:

- Contribute to the development of Bayside as a vibrant, safe and lively placethat celebrates our diverse cultural heritage.
- Establish principles and criteria to guide the commissioning, assessment andinstallation of public artworks and projects proposed for the Bayside area.
- Assist and guide artists, art consultants, architects, landscape architects, project managers, developers and other agencies in the provision of publicartworks in the Bayside area.
- Establish contractual arrangements which will govern public artworks acquired,commissioned or donated to Bayside Council.
- Encourage public artworks that relate to place and demonstrate excellenceacross Bayside.
- Establish the basis of a public art framework, supported by a strategy andguidelines.

## 1.3 Definitions

*Refer to Appendix 1 for a Glossary of Terms*

## 1.4 Scope of Policy

This Policy applies to both permanent and temporary public art including the following:

- All public artworks or programs commissioned by the Council, or acquired by purchase, donation or transfer as well as those owned by or under the control of Council including those embedded into major infrastructure.
- Public artwork in and around private development which is initiated through the Development Application (DA) process or a Voluntary Planning Agreement (VPA).

## 1.5 Policy Statement

Bayside Council is committed to providing high quality public art, which is well integrated into the local landscape, is both innovative and durable and reflects local character and identity.

## 2 Public artwork

### 2.1 Overview

Council recognises that public artwork contributes to the character of the area and to the lives of people who live here. It is a tangible expression of the Bayside community's heritage, culture and values and can contribute to a sense of pride and place.

In line with our strategic directions, public artwork can contribute to the vibrancy and accessibility of our places, enabling people to connect with interesting ideas and with one another.

### 2.2 Directions

This Policy identifies the following 5 directions:

**Celebrate and promote Bayside's rich Aboriginal cultural heritage as well as engage with local Aboriginal residents to better understand their communities.**

Bayside has been home for many generations of Aboriginal people, living along the Cooks River and around Kamay (Botany Bay). There are 1,550 Aboriginal and Torres Strait Islander people living in Bayside, including people with ancestral connections to Kamay, and others with contemporary or historical connections to the area (Source: Bayside Local Strategic Planning Statement 2020).

Whenever possible we will commission works by local contemporary and traditional Aboriginal artists that foster awareness in the local community of a history of the local land and its original peoples.

**Facilitate opportunities for reflection and celebration of local culture and cultural diversity.**

Whenever possible linkages will be created through public art to the rich diversity of the local area. Bayside will initiate and implement programs to communicate, educate and engage residents about art.

Opportunities exist to improve and grow our portfolio to respond to local stories and create opportunities for social engagement and pride in the local area.

**Embed public art into future infrastructure, urban design and town centre renewal projects.**

The inclusion of permanent public artwork should be considered for Council infrastructure, urban design or town centre renewal projects. This could include on

buildings including recreation, aquatic and community centres, in parks, on furniture and playgrounds or integrated into different types of infrastructure.

Where the opportunity arises, council will work in partnership with artists, and other agencies to support the commissioning of public art, or to integrate artistic work into the design of major infrastructure and renewal projects. This includes artists, public art consultants and other relevant creative industries at the initial briefing and design stage of projects.

### **Support high quality public artworks from private development to improve amenity.**

Public art provision improves the amenity of public spaces near and within private developments, including the *look and feel* and perception that these spaces are cared for and safe, desirable places to live.

The inclusion of public artworks incorporated into new developments is encouraged. The artwork can be integrated into infrastructure, may be functional such as a piece of furniture or play equipment or may be purely aesthetic.

This Policy guides the setting and scope of statutory planning guidelines and Voluntary Planning Agreement policy and guidelines around the provision of public art. It sets out the criteria and process by which public art can be approved.

It ensures public art is considered a priority when development occurs in Bayside.

### **Facilitate opportunities for creative expression and community participation.**

Growth of the Sculptures@Bayside, the signature element of the annual Bayside Arts Festival which includes an acquisition prize, and other public art initiatives that strive to increase collaboration with artists and participation with local residents is a priority.

Expansion of the Festival is desirable to include opportunities to bring events and cultural activities into Bayside town centres to enliven and activate these centres, support business and engage with more people.

To continue to build a creative Bayside, Council will, whenever possible, facilitate partnerships to realise opportunities for more public artworks that include an element of community engagement.

## **3 Public Artwork Principles**

### **3.1 Principles**

The following principles guide Council directions with public artworks, projects and programs:

#### **1 Aboriginal Heritage**

Aboriginal Heritage guides public artworks which can be developed in recognition of local Aboriginal culture. Bayside encourages engagement and consultation with Aboriginal people in the development of public artworks.

## **2 Local Identity & Cultural Diversity**

Local Identity and Cultural Diversity can influence the themes of public artworks in Bayside to celebrate the dynamic heritage, values and character of the community and of the site, contributing to Bayside's rich sense of place and identity. Where possible, local artists will be engaged to deliver public art.

## **3 Innovation and Excellence**

Innovation and Excellence are guiding principles for the development of best practice to deliver high quality and creative artworks which promote pride within the Bayside area. Artworks which demonstrate innovative and original ideas are desirable.

## **4 Relevance and Appropriateness to Site**

Relevance to site ensures that all aspects of Council's public art collection complements the environment where that artwork is located. The scale of artwork and the impact on surrounding built and natural environments and on general amenity must be considered and should be appropriate and safe.

Consideration of the specific environment is to be considered within all stages of public artwork development.

The artwork should enhance the location in which it sits perhaps drawing on local history and interpreting its context.

## **5 Durability and Maintenance**

Durability and Maintenance is essential so that permanent artworks endure and are able to be maintained at minimal cost.

## **6 Accessibility**

Accessibility is a guiding principle to increase liveability and utilisation of public spaces and encourage greater participation. All public art design and installation should consider accessibility in order to reduce barriers to participation.

## **7 Sustainability**

Sustainability is an important principle for creation, management and maintenance of public artworks. Artworks should respond to the challenge of climate change through sustainable design and fabrication. This includes the use of renewable materials and technologies in artists' designs, fabrication and installation processes

## **8 Engagement**

*Engagement* with residents should be included in the development and implementation of public artworks. Public artwork should continue to involve, engage and interest people of different ages and abilities on an ongoing basis.

## **9 Partnerships**

*Partnerships* ensure a strategic approach to public art development, through participation and collaboration between Council, the community, arts, government and commercial sectors. Partnerships also promote integration across Council to guide implementation of public art throughout Bayside.

## **10 Transparency of Process**

*Transparency of Process* ensures procedural integrity. All processes and procedures established for the development and management of public art are created and implemented in a transparent and open manner including the management of conflict of interest according to Council policy.

# **4 Assessment of public art**

## **4.1 Public Art Assessment Group**

All submitted public art works will be assessed by Council's Public Art Assessment Group (PAAG). This group will include relevant internal subject matter experts and Councillors who will be assisted by independent external experts as needed.

## **4.2 Assessment criteria**

In assessing potential public art projects, the PAAG uses the criteria as outlined in Appendix 2 and documented further in the Public Art Guidelines.

# **5 Implementation of Public Art Projects**

## **5.1 Capital funding**

Financial contributions towards public artworks can be from the following sources:

- Council, through its capital works program, can acquire sculptures that are part of its annual Sculptures@Bayside exhibition.
- Projects funded under Council's annual capital works program. Council should decide to include public art in major infrastructure or urban design projects throughout Bayside.
- On occasion, Council may consider it appropriate to allocate a special budget to acquire or commission a piece of stand-alone or iconic public artwork.
- Grants awarded through external agencies and state / federal government.
- Developer contributions (Section 7.11 contributions) or through a Voluntary Planning Agreement.
- Cash donations and/or sponsorships from external sources.

## **5.2 Other funding matters**

Consideration of appropriate maintenance and de-accession of public artworks need to be assessed carefully in light of operating and capital works budgets. Bayside provides an ongoing management system to maintain and assess works in its collection.



### 5.3 Asset management

Public Art:

- is managed in accordance with Council's Strategic Asset Management Plan 2018.
- is owned by Council, is recognised in Council's Asset Register; if it satisfies the definition and valuation threshold of an asset under the Asset Capitalisation Policy 2020, it is also recognised in Council's Fixed Asset Register.
- if acquired by Council or donated to Council must be accompanied by a certified transfer of ownership to Council.
- if disposed of (de-accession) is to be managed in accordance with Council's Asset & Materials Disposal Policy 2019.

### 5.4 Contractual arrangements

A contract between the artist and Council may be developed prior to work commencing. The contract typically includes commitments, fees, terms of ownership, intellectual property and appropriate insurances. These are addressed further in the *Public Art Guidelines*.

## 6 Policy implementation

### 6.1 Policy responsibilities

The Manager Communications & Events is responsible for monitoring and reviewing the PublicArt Policy.

The Manager Communications & Events and specialist staff across Council are responsible for its implementation.

The Public Art Assessment Group is responsible for assessing potential items of public art and making recommendations about acquisition or otherwise.

### 6.2 Procedures

Procedures and/or Guidelines that support this Policy may be approved by the General Manager or nominee from time to time.

## 7 Document control

### 7.1 Review

This Policy is reviewed every four years and when relevant legislation changes.

The Manager Governance & Risk may approve non-significant and/or minor editorial amendments that do not change the policy substance on the advice of the Manager Communications & Events.

## 7.2 Related documents

- Bayside Community Strategic Plan 2018-2030
- Bayside Local Strategic Planning Statement 2020
- Bayside Plan of Management for Community Land and Public Open Space 2016.
- Bayside Development Control Plan
- Strategic Asset Management Plan 2018
- Asset Capitalisation Policy 2020
- Asset & Materials Disposal Policy 2019

## 7.3 Version history

Version	Release Date	Author	Reason for Change
1.0	10/10/2018	Manager Community Life	Harmonised document with minor administrative updates only; policy content unchanged; approved for publication by the Manager Governance & Risk.
2.0	27/04/2022 (Council) 06/04/2022 (CSC)	Manager Community Life	Council resolution and adoption.

# Appendix 1 – Glossary of Terms

The definitions of certain terms are:

## ***Accessibility***

Information about Council's public art collection being freely available and obtainable by community members.

## ***Acquisition***

Gaining possession of an additional work to a collection.

## ***Aesthetics***

The consideration of the character, colour, location, style, size, material and usage of the public artwork.

## ***Best Practice***

All parties upholding legal obligations and industry standards to provide a valuable and secure asset to the community.

## ***Collection***

All current and future public art developments, acquisitions, commissions or donations under the ownership or guardianship of Bayside Council.

## ***Commission***

The hiring and payment toward the creation of a piece of art, often on behalf of another.

## ***Community Safety***

Minimising risk to the community through best practice design, environment and maintenance implementation; as well as creation of all public artworks with respect to legislation, regulation and any required standards and Council by laws.

## ***Decorative***

The primary purpose of artworks is to aesthetically enhance an environment or structure, such as incorporated imagery or sculpture, paving elements and lighting.

## ***Diversity***

The variety of community groups and audiences which contribute to the dynamic character of the City.

## ***Donation***

Works which are offered, presented or provided to Council.

## ***Feasibility***

The necessity, value, affordability and deliverables of a project.

## ***Graffiti***

A non-commissioned public facing artwork realised without the approval of Council.

## ***Innovative***

The quality of the design and performance, the relevance to the community and level of creativity.

***Integration***

A coordinated, holistic approach of public art development and implementation within Bayside Council and the wider community.

***Public Artworks***

Artistic expressions that have been created and implemented with the intention of being staged or visible within a public domain.

A permanent or temporary work of art created by a professional artist through a formal commissioning process that has been created and implemented with the intention of being staged or visible within, or part of a public space provided by both the public and the private sector.

***Relevance***

The positive usage and connection to social and environmental communities.

***Street Art***

A commissioned, attributed, public facing artwork such as a mural realised with the approval of Council.

***Sustainability***

The ability to maintain and preserve Council's public art collection at a certain level with available resources.

***Temporary Public Artworks***

The artwork is not intended to be permanent.

## Appendix 2 – Assessment Criteria

Assessment and approval of public artworks is based on the following criteria and will be administered by Council's Public Art Assessment Group.

Local Identity	<i>Public artworks that commemorate local heritage, history and culture; and embraces social value directly through community ownership and sense of place. Those which recognise the social significance of traditional landowners and/or significant sites.</i>
Cultural Diversity	<i>Public artworks which consider the diverse values, characteristics and social significance of the people of Bayside.</i>
Innovative	<i>Public artworks that support innovation, creativity and pride and leave an impressionable legacy. Those that meet the themes/character of works identified in Council's adopted strategies and plans; as well as through community consultation.</i>
Relevance to Site	<i>Public artworks which maintain a relationship with its domain, are aesthetically sympathetic to the surroundings, and complements both the built and natural environments.</i>
Accessibility	<i>Public artworks which increase liveability and utilisation of public spaces. Those that reduce barriers to participation, and open opportunities for learning for the Bayside community.</i>
Public Safety	<i>Public artworks which consider the safety of the community, are lawfully acceptable, and compliant with Australian standards and government policy. That which does not contribute to anti-social behaviour, discredit the professional image of Council or portray the Bayside community in an unfavourable light.</i>
Sustainable	<i>Public artworks which are safe, durable, practical, robust and vandal resistant. Artworks which have a detailed plan for maintenance including annualised costs.</i>
Feasibility	<i>Public artwork proposals which have evident sources of funding or in-kind support. Those which are timely and can be delivered responsibly. Artworks which have an agreement on terms and conditions for removal, re-location, de-accessioning and disposal.</i>
Partnerships	<i>Public artworks which create synergy through community, government and commercial collaboration, as well as those which support a strategic approach to integration of public art throughout Council departments.</i>