



Public Art Policy

Strategic Reference	Provide leadership, good governance, and efficient, effective and responsive Council services
File Reference / Record No	Economy, Tourism & Community
Responsibility	Group Manager Economy, Tourism & Community
Version Number	1.0 <i>This policy replaced the Art Installation in Public Places Policy</i>
Last Revised Date	March 2021
Minute Book Reference	C21033
Next Review Date	February 2024
Applicable Legislation	Local Government Act 1999 Planning, Development and Infrastructure Act 2016
Related Policies	Procurement Policy Public Consultation Policy Risk Management Framework Policy
Related Procedures / Documents	

1. Objective

The purpose of this policy is to:

- 1.1. Ensure a strategic approach to the commissioning and acquisition of quality permanent and temporary public art that will enhance the cultural life of the District Council of Yankalilla and bring diversity and vibrancy to the public realm;
- 1.2. Provide prescriptive criteria and conditions for the evaluation, acceptance, development, approval, management and maintenance of public art, public art gift proposals for public spaces in the district; and
- 1.3. Integrate quality public art into the district's natural and built environment by embedding provision for public art in the scoping and design process at the inception of significant projects.

2. Scope

This policy applies to all existing public art under the care and control of the Council and to all future public art procurements including memorials, community public art projects and public art donations located within the District Council of Yankalilla.

3. Definition

3.1. For the purpose of this policy:

Public art means new, commissioned, temporary or permanent works created by professional artists; integrated art, generated in the concept planning for new capital developments or refurbishments; temporary works generated by the community with professional artists and outdoor cultural objects including memorials.

Professional artist (established) means an arts practitioner with a clear and relevant track record in the arts who is accepted by their peers and the arts industry as professional.

Quality means considered to be of a high artistic standard, underpinned by a strong, relevant conceptual response. Quality work reflects the highest standards of research, production and presentation, is original, innovative, robust and aesthetically appealing.

Memorial means an artwork or structure that specifically serves to preserve the memory of a deceased person/s or a significant past event. It may be instigated by a third party, unrelated to the District Council of Yankalilla. However, if it is to be installed in or on a Council owned or administered public space, it is considered public art.

Community Art means artwork created by members of the community, either working with an artist or wholly motivated by a community group.

Decommission means the process of permanently removing a public artwork from the public realm.

4. Policy Statement

Council is committed to developing and promoting innovation, collaboration and creativity of public art. Public artwork that embraces our unique identity, increases awareness of Kaurna, Ngarrindjeri and Ramindjeri culture and celebrates our environmental assets will enliven the community spirit and enhance our District's cultural fabric.

5. Policy

Throughout history, art has been in the public realm in various forms in all societies and is a crucial link that defines a culture. Within a local setting, public art connects with the community through unique stories that reflect local history and culture. Local Government has primary responsibility for planning and design of public spaces including a regulatory role in managing development approvals. Therefore Local Government often determines the look and feel of its city.

A district-wide place-making approach ensures people enjoy spending time in vibrant places that are culturally attractive. Public art procurements either through planned commissioning, partnerships or contributions add to our city's "sense of place". The District Council of Yankalilla advocates that all significant new developments and precincts should have quality public art element/s integrated into the design.

5.1. Guiding Principles

Council will aspire to:

- 5.1.1. Develop awareness within the Council and the community of the value of art in public places:
- 5.1.2. Integrate public art where appropriate into the Council's infrastructure development designs to enhance community spaces and pedestrian streetscape experience;
- 5.1.3. Encourage the use of collaborative arrangements between artists and other design professionals such as urban designers, engineers, architects and landscape architects in the creation and commissioning of public art;
- 5.1.4. Include integrated public art into major developments such as urban streetscapes, community facilities or reserve transformation.
- 5.1.5. Seek contributions from private developers of commercial and mixed-use developments for public art in accordance with the estimated construction cost. Adopt transparent industry best practice methods of commissioning and de-commissioning public art, as outlined in the Local Government Association document Public Art, making it happen: commissioning guidelines for local councils.
- 5.1.6. Add all public artworks approved by the Council to its Assets Register with regular maintenance of the asset scheduled accordingly.

5.2. Acquisition of Public Art

- 5.2.1. Council recognises the following methods for acquiring public artworks:
 - 5.2.1.1. Direct acquisition of an existing work.
 - 5.2.1.2. Engagement of an artist to create a new work responding to a brief. This approach may be appropriate where a particular artwork or the work of a particular artist is required.

- 5.2.1.3. Limited competition, where the commissioner selects and invites artists to submit proposals in response to a brief. This may be appropriate if the artist is required to work in collaboration with a consultant, such as an architect or urban designer;
- 5.2.1.4. Open competition, where the commissioner makes a public call for Expressions of Interest to provide a response to a brief.
- 5.2.1.5. Donations/gifts from individuals, corporate entities, artists or a commissioning body other than Council.

5.2.2. Assessment Criteria

The District Council of Yankalilla Arts and Culture Advisory Group will assess any proposed Public Art project against the following criteria:

- 5.2.2.1. Represents and respects aspects of historical, cultural, environmental or social significance to the district.
- 5.2.2.2. Respects the primary purpose of the public place.
- 5.2.2.3. Enhances and re-vitalises public areas and facilities within the district.
- 5.2.2.4. Involves a high standard of excellence.
- 5.2.2.5. Creates employment, training and opportunities for local artists, craftspeople, community members and businesses.
- 5.2.2.6. Complies with public health and safety and access requirements during and after construction.
- 5.2.2.7. Installations are durable and of adequate structural standard.
- 5.2.2.8. Consideration for public access, day and night, and in diverse weather conditions;
- 5.2.2.9. Evidence of funding source and satisfactory budget including an allocation for ongoing maintenance;
- 5.2.2.10. Consistency with current planning, heritage and environmental policies and plans; and
- 5.2.2.11. Non-duplication of monuments commemorating the same or similar events.
- 5.2.2.12. Proposals that address the goals identified in Council's Strategic Plan and other strategic documents.
- 5.2.2.13. Projects that offer mentoring and development opportunities for local artists.
- 5.2.2.14. If within a public road reserve, is supported by Public Liability insurance.
- 5.2.2.15. For proposed art installations located within public road reserves, the application will be assessed for compliance with the Department of

Infrastructure and Transport publication: Artwork in Road Reserves – Traffic Management Operational Instruction.

A report including the recommendation from the Arts and Culture Advisory Group will be presented to Council for final approval prior the commencement of any work on a new public art proposal.

5.3. Decommissioning and relocation of public art

If artwork has been commissioned as a permanent piece then all reasonable effort should be made to avoid permanent removal within five years of its installation.

However, public artworks may reach a point where they are no longer able to stay in the public realm.

Reasonable attempts to consult with the artist will be made prior to the de- commissioning or relocation of the public art work.

5.3.1. Assessment Criteria

The District Council of Yankalilla Arts and Culture Advisory Group will consider the removal of public art if:

- 5.3.1.1. The existence of damage or deterioration that has reached a point that it is not possible to repair. The expertise of an arts conservator will be sought in these instances;
- 5.3.1.2. Maintenance/ conservation requirements become prohibitive in relation to the value and age of the artwork;
- 5.3.1.3. Major change to the site meaning the artwork can no longer remain in the designated area. In this instance, all avenues will be explored to relocate the artwork to a more suitable location;
- 5.3.1.4. Consideration of artist rights or concerns that may impact the integrity of the work;
- 5.3.1.5. The contractually-agreed life span of the artwork has expired; and/ or The artwork has become unsafe or is affected by changes in health and safety regulations.

The Arts and Culture Advisory Group will provide a recommendation to Council outlining the reasons and justification for the decommissioning of public art.

5.4. The Role of the Arts and Culture Advisory Group

The Arts and Culture Advisory Group will:

- 5.4.1. evaluate and assess all public art proposals, including commissions, submissions and donations, against the criteria as outlined in clause 6.2; and

- 5.4.2. assess the decommissioning or relocation of any permanent public art, against the criteria as outlined in clause 6.3
- 5.4.3. where deemed appropriate, for culturally significant or major public art commissions, form an assessment panel that may include specialists related to the project e.g. historical group, representative of Indigenous or cultural group, architect, engineer.

5.5. Community & Stakeholder Engagement

- 5.5.1. The District Council of Yankalilla is committed to genuine, effective and timely community consultation for new public art works.
- 5.5.2. Each public artwork is unique and not everyone will necessarily like each new commission as it is integrated into the public realm. Often the challenge is in finding the right balance between consulting and engaging whilst upholding the integrity and intention of the artist and his or her work.
- 5.5.3. The District Council of Yankalilla will play a key role in identifying local residents, community groups and other stakeholders for meaningful engagement in public art projects where appropriate.

6. Legislation and Compliance

The Planning, Development and infrastructure Act 2016 will apply in the event that the work requires development approval.

Council shall be considerate of the views of the general public, artist/s, and any community groups who were involved in the original commission, and to any other culturally sensitive matters with regard to the work.

7. Risk Management

This policy incorporates principles of risk management and its application will be consistent with Council's Risk Management Framework policy.

8. Implementation/Delegations

Council's approach to individual pieces of art will be informed by professional advice from officers and the Arts and Culture Advisory Group.

Council is the delegated authority to approve the implementation of public art projects. The Chief Executive is delegated the authority to implement this Policy.

9. Related Documents

Local Government Association: *Public Art, making it happen: commissioning guidelines for local councils.*

Department of Infrastructure and Transport publication: *Artwork in Road Reserves – Traffic Management Operational Instruction.*

10. Further Information

This policy will be available for inspection at the Council office listed below during ordinary business hours and provided to interested parties as per Council's Fees and Charges Register. Copies are available to be downloaded, free of charge, from Council's website: www.yankalilla.sa.gov.au/policies

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11. Grievances

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

12. Review Cycle

This document is subject to review in two (3) years from the date of authorisation.

13. Document History

Date	Version	Council Resolution No.	Description of changes
16 March 2021	1.0	C21033	Adoption of Policy
February 2024			Review of Policy