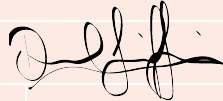


Procedure

Public Art

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|-----------------------------|--------------------------------|--------------|---|
| Responsible Manager (Title) | Community Services Coordinator | | |
| Manager authorisation | 25/11/2020 | Signature |  |
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| Related documents | Public Art Policy | | |

1 Purpose

This procedure document aims to provide clear guidelines for the application, implementation and management of public art policy within the Clarence Valley

2 Definitions

Artist is a person or a group of people who have created a work of art.

Artist File contains information on the artist and artwork/s.

Asset register records information on each artwork owned or managed by the Council.

Commissioner refers to the person, or company commissioning the artwork

Community art refers to art by members of the community or service based organisation, in consultation with and supervised by an artist.

Council refers to Clarence Valley Council and Council when acting as manager of reserves and Crown Lands.

Gallery refers to Grafton Regional Gallery.

NAVA is the National Association for the Visual Arts.

New Works are all proposals and acquisitions for permanent or temporary public art, including:

- professional artist collaborating with architects/designers, builders and community,
- proposals presented to Council from artists or community groups
- commissions, acquisitions and or bequests, and
- those created through artist residency programs.

Public Art is lawfully undertaken works/activities located in a public space or private sites impacting on the public domain. The public art spectrum includes; static art, performance art, kinetic/interactive installations and multimedia. It may be street furniture, sculptural works, street art, murals, or sound and light pieces. It has an expected life of 15 years. Public art does not include memorial spaces (e.g., statues, plaques, spaces).

Public Art Group is a working group, formed as required. The group will consist of the Clarence Valley Cultural Committee (S355 Committee), with selected invitees based on experience and knowledge (e.g., visual artists, council staff and relevant industries).

Public programs refer to activities and events that enhance the environment and community and may include public art.

Public space includes beaches, coastal/river walks, parks, gardens, foreshores, gateways, business centres, plazas, streets and indoor spaces such as public buildings, civic and cultural facilities, outdoor dining, playground/exercise spaces and skate parks. Can also include private spaces impacting on the public domain.

Street Art is public art created in areas identified and/or designated by Council to reinvigorate spaces (e.g. laneway, viaducts). It can include commissioned and spontaneous works.

3 Background/legislative requirements

The creation of public art builds a sense of place, ownership and pride. It can be permanent, temporary, commissioned or spontaneous. The works can be created for a specific space and may tell a story. Commissioned artworks must adhere to copyright, moral rights and resale as stated in the *Public Art* policy. The Clarence Valley Council has an existing asset register that is considered in this Procedure.

4 Procedure statement

Public art establishes community identity by reflecting its cultural diversity and acknowledging its history including recognising Aboriginal cultural heritage and multiculturalism. It can also explore emerging and contemporary themes. Public art supports community creativity and engages residents and visitors by developing relationships between people, place and ideas.

In considering the lifecycle of public art, Council is focused on:

- a. Creating an inclusive and creative environment.
- b. Developing partnerships across the community (e.g. bringing together creative professionals, business, and arts related bodies and industries).
- c. Linking communities to the creative planning processes, to encourage creativity and pride while helping to develop character within the Clarence Valley.
- d. Considering opportunities for public artworks to be supported by Section 94A contributions (private developments), external grant funding and private donations.
- e. Supporting and maintaining works that are safe for the public, with reasonable upkeep, and do not detract from the current vision for the Clarence Valley.
- f. Exploring educational and tourism opportunities.
- g. Ensuring consistency with current planning, heritage and environmental policies and plans of management.

Public art is enabled via the *Public Art Policy* with planning, fund-seeking, commissioning and promoting.

5 Procedures

5.1 PUBLIC ART PROPOSALS

All proposals of public art including commissions, acquisitions, gifts and bequests will:

- a. Complete the *Public Art Proposal* form, available on request from communitydevelopment@clarence.nsw.gov.au.
- b. Be assessed by the Public Art Group following the NAVA guidelines.
- c. Recommendations presented to the Executive of Council for approval.

Works exempt from this process are those created through the Grafton Regional Gallery artist residency program which will be referred to the Gallery Director for assessment and approval.

5.2 COMMISSIONING ART

Council and community public art commissions are to follow guidelines set by NAVA as a best practice to engage artists. (Non-NAVA members can access guidelines through Grafton Regional Gallery).

- a. Proposed designs will go on public display and feedback taken into consideration and noted by the Public Art Group.
- b. If required, amendments to the design can be made and presented to Council Executive for final approval or rejection.
- c. Approved artworks to be created by the commissioned artist following NAVA best practice guidelines.
- d. Upon completion the artwork will be inspected by a council authority, signed-off and added to the Council asset register

Private land commissions will be required to submit a council DA and follow usual protocols until approved or rejected.

5.3 MANAGING THE ASSET REGISTER

Artworks in the asset register will, to the best of Council's ability and discretion, be:

- a. Insured, maintained, audited and valued in accordance with Council's [Asset Management Strategy](#).
- b. Accessioned and relevant items stored (e.g. concept design drawings and maintenance manuals and spare parts).
- c. Promoted through publications, educational tools, signage and guides.
- d. Expanded through cooperative public art development and associated programs (e.g. with adjoining local government areas or service organisations).
- e. Supported by public art programs for the private sector with information and advice on selection of artists and artworks
- f. Used to identify significance of sites for public art

5.4 LIFESPAN, RELOCATIONS, REMOVAL & DISPOSAL

Assessment of works in the asset register may result in relocation, remedial work or disposal (due to safety, dilapidation, end-of-life or inappropriateness of theme or site).

Disposal includes; selling the artwork, recycling the materials, return to the artist or removal in consultation with relevant Council authorities.

6 Appeal/objections process

6.1 COMPLAINTS

If a complaint from a member of the public or community group arises in relation to an artwork in the asset register, the public art group will review the concern and make a final decision within three (3) months of the initial issue being raised.

If council decides the artwork meets community standards, the item will remain in the asset register and the source of the complaint be informed of the outcome.

If council decides the artwork does not meet community standards, arrangements will be made following usual council procedures. The outcome will be noted in the asset register and the source of the complaint informed.

6.2 UNREGISTERED ART IN PUBLIC SPACE

This art is organic in nature (ie. spontaneous street art, graffiti) and therefore not included the asset register.

If a complaint or issue is identified in relation to an unregistered public artwork, the council authority responsible will undertake steps as set out in this Procedure, on a case by case basis.

7 Attachments/Links

[Public Art Policy](#)

[National Association for Visual Arts Code of Practice](#)

8 Review

This procedure is to be review at least biannually (every two years) and in concert with the review term for the Public Art Policy.