



**BYRON
SHIRE
COUNCIL**

Policy

Public Art

2023

INFORMATION ABOUT THIS DOCUMENT

Date Adopted by Council	2 August 2018	Resolution No.	18-481
Document Owner	Director Corporate and Community Services		
Document Development Officer	Manager Social and Cultural Planning		
Review Timeframe	Four years		
Last Review Date:	29 November 2023	Next Scheduled Review Date	29 November 2027

Document History

Doc No.	Date Amended	Details/Comments eg Resolution No.
E2017/22026	March 2017	Presented to Public Art Panel 16 March 2017
E2017/24759	May 2017	Revised following PAP feedback and presented to Public Art Panel 4 th May 2017
E2018/12472	March 2018	Revised following development of the Draft Public Art Strategy with revisions considering the Strategy.
E2018/66341	August 2018	Adopted resolution 18-481
E2023/121098	29/11/2023	Administrative amendments at parts 1,2,3,5,6 and part 7 amended due to newly adopted Arts and Culture Action Plan

Further Document Information and Relationships

Related Legislation*	
Related Policies	Procurement and Purchasing Policy, Arts and Culture Action Plan
Related Procedures/ Protocols, Statements, documents	Cultural Plan 2008-2012, Northern Rivers Arts and Creative Industries Strategy, Tourism Management Plan 2008 - 2018

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.

TABLE OF CONTENTS

1. PURPOSE	2
2. OBJECTIVES	2
3. SCOPE	2
4. DEFINITIONS	3
5. GUIDING PRINCIPLES	4
6. STATEMENT	4
7. LEGISLATIVE AND STRATEGIC CONTEXT	6

1. PURPOSE

Byron Shire Council recognises that the daily lives of residents and visitors can be enriched and enlivened through the presence of quality works of art in the Shire.

Public Art is one way to recognise local artists while adding a new dimension to public spaces in the Shire. This policy is designed to support Public Art in Byron Shire within a framework that clearly outlines the practical considerations for management and selection of such artwork. The framework will support the distinctiveness of the towns, rural villages and localities is reflected by Public Art installations. It is to be used by Council staff and external parties such as developers, architects and urban designers for commissioning new works, acquiring existing works, collection management and maintenance.

Public Art falls under the Community Strategic Plan theme of Inclusive Community: *We have an inclusive and active community where diversity is embraced and everyone is valued*; and under the objective of *'Foster opportunities to express, celebrate and participate in arts and cultural activity'*.

The Public Art Policy guides public art commissioned by Council, or acquired by purchase, donation or transfer, as well as providing a framework for the management and promotion of the collection of visual art owned by Council. The Policy also informs public art installations commissioned as part of private development.

2. OBJECTIVES

A high standard of public art through:

1. The establishment of consistent and effective processes for the procurement and de-commissioning of public art, which are appropriate to the budget, function, social impact and expected longevity of the piece;
2. The implementation of a whole-of-Council approach to the commissioning of public art in the Byron Shire to ensure the highest possible standards in both process and outcome;
3. The identification of opportunities for the commissioning or acquisition of public art by Council, the private sector and other stakeholders, including property developers, that contribute to Byron Shire as an important cultural destination;
4. Encouraging collaboration and fostering investment within the business and wider community and leveraging Council's funds through grant, sponsorship or other opportunities;
5. The strengthening of the Byron Shire cultural economy through the employment, training and provision of professional development opportunities for local artists, designers and project managers;
6. The provision of accessible creative opportunities and experiences, through public art projects and the celebration and interpretation of the Byron Shire's heritage and contemporary culture for residents and visitors.

3. SCOPE

The focus of this policy is on art works in public spaces or on private sites which impact on the public domain. This includes any area in a public space that is deemed appropriate by Council including parks, public buildings, streetscapes, and other public recreation areas.

This policy also applies to public owned or managed lands:

- 3.1. Private commercial, retail, tourist, event, leisure and recreation developments over a certain value (as governed by the Development Control Plan).
- 3.2. All Council developments or programs that are concerned with the natural and built environment including:
 - a) capital works
 - b) urban design
 - c) integrated planning and design
 - d) environment and parks
 - e) roads and transport corridors
- 3.3. Projects by non-council parties on areas owned or managed by Council.
- 3.4. Facilitation of projects by Council where others own or occupy the area.
- 3.5. Section 7.12 contributions for Public Art.

This policy excludes privately owned or managed land and buildings for domestic purposes.

Special conditions in the policy:

Donations of money for Public Art will be utilised in public places where deemed appropriate by Council. Priority will be given to installation of permanent public art as determined by the Public Art Panel.

4. DEFINITIONS

Public Art	Defined in the broadest sense as artistic works or activities accessible to the public. The work may be of a temporary or permanent nature. Located in or part of a public space or facility provided by both the public and private sector, public art also includes the conceptual contribution of an artist to the design of public spaces and facilities.
Placemaking	Placemaking is the process of enhancing and creating publicly accessible places that respond to the local context and build meaningful relationships between people and their local environment. There are many aspects to placemaking, including place activation and place management. At its core, placemaking aims to capture the unique ‘essence’ or character of a place and to protect, support and build on a local area’s authentic attributes. Public Art can be an important contributor to a holistic placemaking approach.
Community Art	A collection of work that arises from a community need and contributes to a narrative about the community for residents and visitors. These works of art are not to the scale and type as public art and are generally not subject to the commissioning process that is required of large public art works. They may be commissioned by community groups in public spaces or provided by artists donating their skills/ art to the community. They are of a more temporary nature and typically include such art as murals and small-scale mosaic projects involving community workshops or similar.
Visual Art Collection	Council have received a collection of visual artworks over many years by collection donation or acquisition. As there is no public gallery in Byron Shire, these artworks are displayed in public buildings such as Council offices and community facilities.

5. GUIDING PRINCIPLES

1. Distinctive Spaces - Create and commission innovative, public art that reflects the values of the Shire's communities, including First Nations Peoples.
2. Diverse Art Forms - encourage new, innovative art forms and styles.
3. Resourcing - develop funding mechanisms for commissioning and acquiring public art through both the public and private sector.
4. Local Skilling and Employment - provide opportunities for local artists and community members to develop their professional skills and upscale their creative projects.
5. Partnerships - develop and maintain collaborative partnerships with those involved in public art projects.
6. Local Culture- Public Art will reflect the local cultural diversity, identities, issues, values and sites of significant cultural and natural heritage.
7. Strategic Planning - develop and implement pro-active planning strategies within Council that develop and expand resources for public art, integrating art policy considerations into relevant Council policies and documents.
8. Asset Management - ensure that the quality Public Art is monitored, managed and maintained in an appropriate and professional manner.
9. Quality Facilities - create public art that contributes to the provision of quality amenities and facilities.
10. Sponsorship - encourage private and commercial sector contributions to public art and effective mechanisms for partnerships.

6. STATEMENT

The Policy aims to position Byron Shire as an arts and cultural centre of Northern NSW with vibrant, contemporary public art through an innovative program that reflects and promotes the unique character and lifestyle of the region. Council recognizes that high quality public art has the ability to enhance public places and spaces. It can also add immeasurably to a community's sense of place, contribute to civic identity, address community needs, and activate public spaces.

1. Public Art

- a. Public art acquisitions will be:
 - i. Integral to social and cultural development as outlined in the Byron Shire Community Strategic Plan.
 - ii. Developed and managed by appropriate procedures and processes (see b)
 - iii. Created considering standards of excellence, in a professional manner
 - iv. Adequately planned with relevant stakeholders throughout the project duration
 - v. Meaningful, aesthetically stimulating and site specific
 - vi. Aimed to provide a cultural outcome (see Cultural Outcomes below)
 - vii. Supportive of local creative industries
- b. Public art commissions, donations or loans are managed through the Public Art Guidelines and Criteria. Council will consider each proposed donation or loan of public art (either temporary or permanent) according to criteria set out in the Guidelines and Criteria.

- c. Council will commission projects according to the Public Art Guidelines, the Arts and Culture Action Plan, and these guidelines.
- d. Community art is not public art as defined in this policy and will be assessed by Council staff.
- e. Public art owned by Byron Shire Council will be recorded in the Public Art Register. The public art listed in the Register will be valued for insurance purposes every five years.
- f. Public artworks will be appropriately maintained as Council-owned assets, inspected by Council field staff at least once per year and the condition of the work assessed against the maintenance requirements and risk assessment submitted at the time of acquisition.

2. Public Art in Private Development

Public art in private developments is governed by the Development Control Plan Chapter on Public Art.

3. Arts and Creative Industries Committee

The Arts and Creative Industries Committee will oversee the acquisition of public artworks according to the Public Art Guidelines and Criteria and the Public Art Strategy, and make recommendations to Council.

4. Public Art Strategy

A Public Art Strategy is required to achieve the aims and objectives of the Policy, to articulate the values, priorities and identify suitable locations for Public Art.

5. Public Art Guidelines and Criteria

Guidelines are required to assist Council with the procurement of public art which provides clear processes with regards to commissions, acquisitions, bequests and Council capital works; and embodies current best practice.

6. Public Art Register

A Public Art asset register is a comprehensive database of all public artworks throughout the Shire which is maintained as per Council policies on the maintenance of assets.

7. LEGISLATIVE AND STRATEGIC CONTEXT

The Arts and Culture Action Plan guides our involvement and investment in arts and cultural activities in the Byron Shire. The plan sits above the Public Art Policy and was adopted by Council at the 28 September 2023 Meeting.

The Arts and Culture Action Plan identifies four broad priorities:

- Acknowledge and Celebrate Aboriginal voices and stories, communities, cultural expression, and creativity.

- Supporting arts and cultural activity, participation and creative experience for the whole community
- Fostering a resilient creative sector committed to climate consciousness and ecological sustainability
- Nurturing, amplifying and supporting our artistic and creative industries — makers, artists and communities.

The plan identifies four key delivery areas with one being: Public Art & Creative Activation of the Public Domain. Through the action in the plan Council will foster creativity in public spaces and improve public art outcomes, maintain and resource existing Public Art, support and enable community activation of public space and embed public art and creative activation in Council-led major projects

Public Art has a broad reach across a range of policy areas including social, civic, economic and environmental outcomes.