

Policy

Placemaking and Public Art

Version 1.3

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Policy Objective

Placemaking capitalises on a local community's assets, inspiration, and potential, ultimately creating good public spaces that promote people's health, happiness, and well being¹.

Policy objectives to meet the Tweed Community's goals for the built and natural environment are to:

- (a) develop collaborative partnerships between design professionals (planners, architects, urban designers), business, artists and arts related industries in appropriate Council capital works projects
- (b) cultivate a climate in which innovative and creative design contributes to the cultural life, livability and amenity of our Shire
- (c) integrate art, design and planning processes by all levels of government and the private sector
- (d) involve the wider community in the creative and planning processes
- (e) ensure that all existing cultural assets and the procuring of future Public Art are managed, maintained and conducted in an appropriate and professional manner
- (f) include Public Art as an integral component in all suitable capital works projects undertaken by Council
- (g) provide opportunities to engage artists in creative and income generating projects
- (h) maintain a register of Council's artwork and include the works in Council's Assets Management Program

Definitions

Public Art is defined in the broader sense as artistic works or activities created for, located in, or part of a public space or facility. The term also encompasses the conceptual contribution of the artist/s to the design of public spaces and facilities.

Placemaking is a multi-faceted approach to the planning, design and management of public spaces. Put simply, it involves looking at, listening to, and asking questions of the people who live, work and play in a particular space, to discover their needs and aspirations².

Professional Artist is an artist who:

¹ (http://www.pps.org/reference/what_is_placemaking/)

² Project for Public Spaces: www.pps.org

- identifies him/herself as such, on the basis of skill or experience
- is accepted by peers or the arts industry as a professional
- may or may not earn income from work.

Visual Art/Performance Art

Includes: Design (commercial, industrial, urban, graphic, furniture); Ceramics; Mixed Media; Multi Media; New Media (computer, video, holography); Mosaics; Painting (all media types); Photography; Print; Sculpture; Textiles; Woodwork; Installation; Drama; Music; Physical Theatre; Literature; Film; Sound and Audio Visual.

Public Space/Open Space includes: parks, gardens, foreshores, business centres, plazas, streets and indoor spaces such as public buildings, civic and cultural facilities.

New Works refers to new artworks for an existing public space and the contribution of artists to the design of new public spaces.

Collections refers to existing Public Art Assets in Council's ownership and Non Commissioned Gifts in Council's ownership, care or on Council-controlled land.

Public Art Reference Group (PARG) advises applicants of the public art commissioning process and receives submissions/design proposals, including Integrated Cultural Opportunities Survey (ICOS) and is convened to assess applications. Participants will be invited based on experience and knowledge relevant to the proposal; as a basis, the reference group will include Council's Art Gallery Director, Landscape Architect, Civil Design Engineer, Manager Community and Cultural Services, Cultural Development Officer and a representative of Arts Northern Rivers.

Policy Background

This *Placemaking and Public Art Policy* provides a blueprint to guide our approach to public art and a means to formalise the process by which Council will manage and preserve existing and future cultural resources.

The *Placemaking and Public Art Policy* demonstrates Council's commitment to the four themes identified in Council's *Community Strategic Plan 2013/2023*:

Civic Leadership – Tweed Shire's *Placemaking and Public Art Policy* recognises Council's responsibility to manage projects sustainably and strategically while maintaining existing Public Art assets. It achieves this through clear policy strategies, procedures and protocols which meet best practice standards. The Policy sets its objectives and priorities through ongoing community consultation and inclusion.

Supporting Community Life - Tweed Shire Council recognises that Placemaking and Public Art have a proven impact in creating healthy, safe and connected communities. This Policy is a core strategy in improving the quality of community life and creating civic pride. Placemaking and Public Art strategies and projects are created in harmony with the natural environment.

Strengthening the Economy – This Policy recognises the role of Placemaking and Public Art in strengthening the local economy through the rejuvenation of the Tweed Heads and Murwillumbah CBDs as well as other locales in the Shire. With tourism a core industry in the Tweed, high quality integration of art into public spaces improves the aesthetic appeal of the region and increases cultural tourism opportunities. Projects themselves create employment opportunities for local artists and designers.

Caring for the Environment – The *Placemaking and Public Art Policy* values projects which celebrate and complement the natural environment. By increasing civic pride, the Policy aims to increase community value, respect and participation in the care and management of both natural and built environments in the Tweed. Placemaking and Public Art in the Tweed encourages access to existing services, protects the village character, enhances safety of public spaces and honours peaceful surroundings.

Policy

1. Ensure that ongoing Public Art programs/projects are strategically planned, adequately resourced and effectively managed.
2. Implement the guidelines and criteria for all Public Art commissions, acquisitions, bequests and Council projects that include, but are not limited to, the prior completion of an Integrated Cultural Opportunities Survey (ICOS).
3. Include Public Art (or dedication of funds to Public Art) as an integral component in relevant capital works programs/projects undertaken by Council.
4. Research and pursue funding and sponsorship potential at all levels of government and private sector.
5. Investigate opportunities for Section 94 Contribution Plans to include Public Art.
6. Develop innovative strategic partnership projects with other levels of government and the private sector.
7. Encourage architects and developers to apply quality design and environmental criteria in new works.
8. In consultation with other organisations and the community, establish an agreed vision for the future of the local built and natural environment.
9. Initiate Public Art projects in line with specific events.
10. Ensure proper implementation of New Works as per Appendix 1.
11. Apply the Public Art Collection Protocol as per Appendix 2.

12. Convene the Public Art Reference Group in order to review Public Art Project submissions and expressions of interest and provide objective independent recommendations to Council.

Related Legislation

Not applicable

Compliance

Not applicable

Forms

Integrated Cultural Opportunities Survey (ICOS)

Appendices

Appendix 1. Implementation of New Works

- a) Tweed Shire Council will have the right of final approval for all new Public Art proposals in the Shire.
- b) A range of projects will be considered, including:
 - the meaningful participation of artists in the preparation of urban design studies
 - artists' participation in integrated design teams collaborating with architects, urban and landscape designers as well as community representatives
 - commissions
 - acquisitions
 - bequests
 - artist residency programs.
- c) Priority will be given to high-quality, innovative and well-developed proposals which:
 - consider public safety, risk and the public's use of and access to the public space
 - consider maintenance and durability requirements
 - clearly demonstrate the relevance of the proposed work site
 - address aspects of the Tweed's history, culture, environment and society
 - aim to enhance and vitalize neglected or problem areas and facilities in the Shire.
- d) The preparation of thorough proposal details is essential and should address:
 - project brief
 - scale of Work
 - proposed site
 - budget and source of funds
 - timetable
 - community consultation
 - maintenance and on-going requirements
 - delivery, installation and risk management.
- e) Evaluation Criteria will be implemented for all New Works in Council's ownership, care or on Council controlled land. Approval of all new artworks and monuments on Council controlled land will be based on the following criteria:
 - standards of excellence and innovation
 - relevance and appropriateness of the Work in relation to its site
 - relevance and appropriateness of the Work to the Tweed Shire
 - consistency with current planning, heritage and environmental policies and plans of management
 - consideration of public safety and the public's use of and access to the public space
 - consideration of maintenance and durability requirements
 - evidence of funding sources and satisfactory budget, including an allocation for ongoing maintenance

- evidence of appropriate Public Liability Insurance to cover construction and installation of Work
- substantial community support.

Appendix 2. Public Art Collection Protocol

a) Public Art Maintenance

The Artist will be required to provide preliminary information relating to cleaning and maintenance in conjunction with the ICOS and ensure delivery of a detailed cleaning and maintenance manual on completion of the installation of the Work.

Tweed Shire Council is responsible, to its best endeavours, to ensure that maintenance of the public artwork is undertaken in the manner set out in the maintenance manual.

b) Liability

The Artist and/or the Commissioner will be liable for any loss or damage arising at Common Law or under any statute relating to property damage and personal injury during construction and installation of the Work.

Tweed Shire Council will take out appropriate public liability insurance cover and indemnify and keep indemnified the Artist in connection with the work on completion of the installation of the Work.

c) Moral Rights

Tweed Shire Council is obliged to:

Identify the creator of the Work wherever the Work is exhibited to the public and whenever the Work is reproduced in a material form, published, or broadcast.

Ensure, to its best endeavours that the Work or any adaptation of the Work will not be subject to any material distortion, mutilation or alteration that is unreasonable or is prejudicial to the honour or reputation of the Artist.

d) Title and Copyright

Although the Artist retains ownership of copyright in the design and the Work, this right is separate from title to the model or drawing which contains the design, as well as title to the Work.

Title to both the Design and the Work vests in the Commissioner. All copyright in the Design and the Work belongs to the Artist.

e) Relocation, Removal or Sale of Public Art

As it is recognised that some Public Artwork will have a limited lifespan when relocation, refurbishment or removal of an artwork is considered, Tweed Shire Council will consult, where possible, with the original artist.

Provided that the Artist has at least 28 days notice in writing, Tweed Shire Council in consultation with the Artist may remove the Work from its location for the purposes of relocating it (permanently or temporarily), selling it, making a gift of it, storing it or otherwise disposing of it.

In the event that the Work is to be disposed of other than through the sale or donation of the work, the Artist will, where possible, be given the option to acquire the work.

Review Period

This policy will be reviewed within 12 months of the election of each new Council or more frequently in the event of any legislative changes or change in circumstances.

Useful Links

[Tweed Shire Council website](#)

Version Control:

Version History		
Version #	Summary of changes made	Date changes made
1.2	Incorporated into new policy template	20/06/2013
1.3	Updated to include new governance process in absence of Public Art Advisory Committee (PAAC) and an overarching Community Cultural Development Advisory Committee (CCDAC)	12/10/2013