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Public Art

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1. PURPOSE

The *Public Art Policy* provides an integrated framework for Council to encourage and support excellence, innovation and aspirations of the Shoalhaven region through the display and installation of public art.

2. STATEMENT

Shoalhaven City Council is committed to developing a management and best practice framework to establish a standard of excellence underpinning the implementation of public art throughout the region. This policy will refer to art that is distinctly separate from both the 'Shoalhaven City Council Regional Gallery Collection' and 'Shoalhaven City Council City Collection'.

2.1. Scope

For the purposes of this policy, public art typically refers to contemporary visual art practice comprised of diverse artforms and materials to produce permanent and temporal artworks for public exhibition in the public domain such as; site specific work, landscape and building elements, sculpture, local art, painting, digital media and conceptual art.

A best practice approach, particularly in integrated public art, involves close collaboration between artists, professionals or designers who work in the built environment, key project stakeholders and community. Examples might include street furniture (chairs, tables, gates etc), playground equipment, bike racks, signage, lighting, pavements as well as components in buildings, bridges and major asset developments.

The *Public Art Policy* and corresponding *Public Art Procedures* comprehensively outline strategies and procedures relevant to the achievement of public art projects and cover areas such as education, employment, training for the creative arts sector, cultural identity, heritage, innovative public art models, maintenance, conservation, archiving, de-accessioning of works and professional development for the artist/s.

2.2. Background

The development of public space portrays interactions within and between communities. As a contributing element in the shaping of public space, public art signifies its local and regional identity - revealing aspects of community history, character and aspirations. Public art provides opportunity to forge an environment of inclusiveness through careful selection, maintenance and appropriateness to the context of place.

Shoalhaven City Council seeks to build a strong vital arts and heritage culture that acknowledges, promotes and reflects the diversity of its people through the exchange of ideas and responsible urban planning that enhances the quality of public space for residents, ratepayers and visitors.

2.3. Policy Implementation

Shoalhaven City Council will support this Policy by implementing Council's strategies and corresponding procedures that constitute key categories:

- Major Art Projects
- Aboriginal and Torres Strait Islander Art
- Temporary Art
- Local and Community Art
- Art in New Development
- Partnerships
- Conservation
- Communication
- Art & Cultural Heritage Strategies 2010 - 14 (smARTspaces)

3. PROVISIONS

To achieve this commitment, and in partnership with stakeholders and relevant agencies, Shoalhaven City Council will put into practice the following specifications:

3.1. Key Principles for Public Art Acquisition

The process for acquisition of Public Arts provisions is outlined in the Public Art Procedures. Evaluation and implementation of all public artworks will be based on the following criteria:

- Standards of excellence and innovation
- Appropriateness of the work relative to purpose and context of its site
- Relevance to the objectives and actions of smARTspaces Art and Cultural Heritage Strategy 2010-14
- Consistency with current planning, heritage and environmental policies and plans of management
- Consideration of public safety; the public's access to and use of the public domain
- Consideration of sustainability and maintenance requirements
- Evidence of funding source and satisfactory budget including an allocation for ongoing maintenance if appropriate
- Evidence of formal agreement between Council and artist/s specific to the acquisition being undertaken
- Non-duplication of monuments commemorating the same or similar events

3.2. Acquisition Process for Public Art

The process for acquisition of Public Arts provisions is outlined in the Public Art Procedures, which detail directives for qualitative management and processes specific to the type of acquisition being undertaken. Primary means of acquisition include:

- Commissioning
- Purchase
- Loan
- Gift or donation

3.3 De-accessioning of Public Art

The process for de-accessioning of Public Arts provisions is outlined in the Public Art Procedures, which detail the process of selling or otherwise disposing of works for the purposes of rationalising the Collection. Primary considerations in de-accessioning of artworks include:

- Rationalisation for the proposed disposal of artwork
- Determine origins of artwork and acquisition status (loan, donation, purchase)
- Complete documentation and permanent archival records of the decommissioning process and artwork
- Manage proceeds from sale

3.4 Collection Responsibility

3.4.1 The collection is administered by Council's designated arts unit.

3.4.2 All items of public art shall be placed on a data base and insured in accordance with Council's asset management plans and catalogued with details including title, image, size, and medium, artist, and provenance, date of purchase, value, storage place and description.

3.5 Funding

The following sources of funding should be considered and pursued as appropriate:

3.5.1 Council's annual capital works and operational budgets.

3.5.2 Donations and sponsorships from the private sector.

3.5.3 State and Federal Government funding.

3.5.4 Public funding for projects and "in kind" support from the community and commercial sector.

4. IMPLEMENTATION

The City Services & Operations Group is allocated overall responsibility for the administration and implementation of this policy.

Internal departments tasked with responsibilities relating to public art will jointly implement the Public Art Policy and the Public Arts Procedure to maximise opportunities, coordinate efforts, ensure efficiencies and reduce costs.

5. REVIEW

To be reviewed within 1 year of the election of a new Council.

6. APPLICATION OF ESD PRINCIPLES

This policy meets the ESD Principle of developing Social Integrity. Council will maintain and conserve works to ensure the preservation of public art and Council's investment.

DRAFT



Shoalhaven Arts Board - Guidelines

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1. PURPOSE AND DELEGATION

The purpose of the Board shall be to oversee the Arts in the Shoalhaven in accordance with the delegation below.

Pursuant to Section 377 of the Local Government Act 1993 Council delegate the following functions to the Shoalhaven Arts Board:

- Foster ways to enrich, celebrate and develop the arts for the benefit, esteem and image of the whole of the Shoalhaven
- Organise and oversee the City's Arts Grants Program
- Act on Arts matters and in regard to Arts development and promotion matters
- Commit expenditure up to the limit determined by Council, including grant funding
- To develop and implement policy and planning pertaining to the development, promotion and enrichment of the artistic and cultural life of the City of Shoalhaven
- Allocate funding for arts projects and programs based on applications for financial assistance
- To provide recommendations to Council on Strategic and Financial matters relevant to Arts in the Shoalhaven

2. PROVISIONS

2.1. Appointment

- 2.1.1. Community representatives and Councillors shall be appointed and shall be known as The Shoalhaven Arts Board.
- 2.1.2. The Board only has authority to act on Arts matters.
- 2.1.3. On Arts development and promotion matters the authority of Shoalhaven City Council shall be delegated to the Shoalhaven Arts Board and, when acting on those matters, the Board acts as if it was Council.
- 2.1.4. Arts Board membership comprise 14 members, ie:
 - 2.1.4.1. the Mayor
 - 2.1.4.2. 4 Councillors
 - 2.1.4.3. 6 Community members
 - 2.1.4.4. 1 member being the Head of Campus of the University of Wollongong, Shoalhaven Campus
 - 2.1.4.5. 1 member being the CEO of the Bundanon Trust, and
and to clearly define that the University of Wollongong Shoalhaven Campus and Bundanon Trust, as invited members, are separate to a Community Member. Community members should possess strong management, leadership and administrative skills, be sympathetic

towards the arts and have an awareness of arts practice and contemporary issues.

- 2.1.5. Community Board membership will be for a term of two (2) years with opportunity to serve for two (2) consecutive terms. At the end of 2 consecutive terms the member can re apply through the community application process.
- 2.1.6. Nominations for membership will be called for through public advertisement. Nominations in writing will be considered for selection by an appointed sub-committee of the Board, their recommendations endorsed by the Board and formally ratified by Council.
- 2.1.7. Attention is drawn to Council's Code of Conduct. All members of the Arts Board are subject to the Code. A copy of the Code of Conduct will be provided to each board member. Members are required to read and abide by these provisions. If the provisions of the Code are not clear or understood, members of the Board should raise this with the Executive Officer for clarification.
- 2.1.8. Disclosure of Interest (Section 460) of the Local Government Amendment Act 1987 will apply to members of the Board.
- 2.1.9. A member who has direct or indirect pecuniary interest in any contract or proposed contract, or any other matters with which the Board is concerned, who is present at any Board meeting at which the subject is to be discussed, is required to disclose that interest and not take part in the discussion or voting. The interest of a spouse, defacto, partner or relative is also relevant.

2.2. Role

- 2.2.1. The Board acts within its delegated authority to provide guidance and advice in conjunction with Shoalhaven City Council: For matters outside the scope of this, the Board's delegated authority, it acts in an advisory capacity to Shoalhaven City Council. It is characteristic to;
 - 2.2.1.1. Offer creative leadership of the Arts.
 - 2.2.1.2. Provide a supportive environment in which diverse, quality, creative and innovative arts projects and programs can flourish.
 - 2.2.1.3. Provide funding for arts projects and programs based on applications for financial assistance.
 - 2.2.1.4. Support the creation of public Art.
 - 2.2.1.5. Be responsive to the creative and artistic needs of the community.
 - 2.2.1.6. Recognise the value of the arts and artists in our community.
 - 2.2.1.7. Promote a strong and positive Cultural image of the Shoalhaven.
 - 2.2.1.8. The Shoalhaven Arts Board only has authority to act on Arts matters in regard to Arts development and promotion matters. The Board, when acting on those matters, acts as if

it was Council and is able to commit expenditure up to its budget limit.

- 2.2.2. The primary function of the Shoalhaven Arts Board shall be to promote and develop arts and cultural activities in the City.

2.3. Meetings

2.3.1. Generally, the Board shall meet no less than four (4) times per annum to consider policy matters concerning Arts development and promotion for the City of Shoalhaven. The Board will set the times and places of the meetings, however they should be held on a regular basis wherever possible. The Shoalhaven Arts Board shall determine its own meeting procedures.

2.3.2. The Shoalhaven Arts Board meetings are open to the public and all Councillors are entitled to attend.

2.3.3. The Shoalhaven Arts Board shall hold a minimum of one (1) public forum per year. All members of the local community, who have expressed an interest in arts and culture shall be invited to the forum.

2.4. Quorum

A quorum shall consist of four (4) members provided that at least two (2) community members are present. In the event that a quorum does not exist within 30 minutes of the advertised starting time, then that meeting shall be abandoned and a new meeting called as soon as practical. In the event that members leave a meeting, then that meeting shall be deemed closed should a quorum no longer exist.

2.5. Office Bearers

2.5.1. Each year, the Chairperson will be elected by the Arts Board from the Councillors nominated by Council.

2.5.2. The Board will determine the Deputy Chairperson.

2.5.3. In the event that the Chair is absent from the meeting, then the Deputy Vice Chair shall assume the Chair but not have a casting vote.

2.5.4. In the event that both are absent from a meeting, a Chairperson for that meeting shall be elected from the floor. That Chairman shall not have a casting vote.

2.5.5. Elections for Office Bearers shall be conducted by the Executive Officer.

2.6. Executive Officer

2.6.1. The Executive Officer of the Shoalhaven Arts Board shall be the Shoalhaven City Council's Arts & Events Manager, or other officer as determined by the General Manager.

2.6.2. The Executive Officer will be there in an advisory capacity and is not entitled to vote.

2.6.3. The Executive Officer shall fulfil an advisory and administrative role and be authorised to implement and execute policy recommendations made by the Shoalhaven Arts Board.

2.7. Finance

- 2.7.1. The Board may recommend expenditure of funds within the sums voted for that purpose by Shoalhaven City Council.
- 2.7.2. The Board's financial year shall be from 1st July to 30th June each year.
- 2.7.3. The Executive Officer of the Board shall present financial statements to the Board at each of its meetings.
- 2.7.4. The budget will be established and sought prior to the beginning of the financial year so that Council can consider the amount within their total financial planning process.

2.8. Arts Development & Promotion

The Shoalhaven Arts Board is charged with the development, support and promotion of the Arts in the City of Shoalhaven. The main emphasis of its efforts shall be directed at arts practitioners and arts activities for the Shoalhaven. The development of the Arts shall include:

- 2.8.1. The preparation of a three (3) year Strategic Arts plan. This plan will be submitted to Council and will be published.
- 2.8.2. The preparation of an Annual Arts Plan (with the three year programme) that will be submitted to Council for the budget sessions of Council.
- 2.8.3. Once the Annual Arts Plan has been set and the budget approved, the authority to implement the Plan shall be delegated to the Board and its Executive Officer.
- 2.8.4. The plan should include the procedures and means to:
 - 2.8.4.1. Create strong links with the Arts Community.
 - 2.8.4.2. Administer an annual Arts Grants program, and to recommend to Council priority ratings in respect of Arts applications for grant funding.
 - 2.8.4.3. Consult with the community exploring existing and future arts needs and requirements and identifying future priorities.
 - 2.8.4.4. Develop a prestigious Shoalhaven City Art Collection.
 - 2.8.4.5. Forge closer links with Bundanon.
 - 2.8.4.6. Develop Arts commissions for the City.
 - 2.8.4.7. Attract Arts sponsorship, bequests and endowments for the City.
 - 2.8.4.8. Develop an Arts Scholarship scheme for community members.
 - 2.8.4.9. Further enhance the cultural image of the City.
 - 2.8.4.10. Establish an Arts Award system for the City.
 - 2.8.4.11. Develop a City Arts Calendar.
 - 2.8.4.12. Encourage arts research, dialogue and education.

2.8.4.13. Support the establishment or development of Arts spaces in the city and to optimise the practical use of existing facilities.

2.8.4.14. Develop links between the Arts, Business and Tourism.

2.8.4.15. Develop other arts related goals.

2.8.5. The three (3) year Strategic Arts Plan and Annual Arts Plan will be included in the Arts and Events Business Plan.

2.8.6. The Shoalhaven Arts Board shall assist groups or individuals who share similar aims as the Shoalhaven Arts Board in the development of the Arts in the City of Shoalhaven through a range of opportunities.

2.9. Reporting

2.9.1. The Shoalhaven Arts Board shall submit reports and minutes of its meetings to Shoalhaven City Council.

2.9.2. Achievement of Arts strategies and objectives will be reported quarterly and annually in accordance with Council's Management Plan and Delivery Program & Operational Plan requirements.

2.9.3. Secretarial support will be offered by Council.

2.10. Advisory Role

The Shoalhaven Arts Board will in addition fulfil the functions of an advisory body to Shoalhaven City Council on matters related to the Arts but beyond existing delegations including:

2.10.1. Any other matter relating to the Arts.

2.10.2. Arts Development required in the City of Shoalhaven to expand existing infrastructure and thereby enrich the quality of life in the Shoalhaven.

2.10.3. Requests from the Shoalhaven City Council or by officers of Shoalhaven City Council as to the suitability of specific projects within the Shoalhaven. These requests may be a result of arts applications or suggestions from various sectors of the community.

2.10.4. Sub-committees, working groups or task forces of the Board, utilising seconded members (authorised/appointed) by the General Manager or Council, should be formed to advise or consult with the Board on specific matters or to take responsibility for putting into action the Board's agenda.

2.11. Other Bodies

The Shoalhaven Arts Board shall liaise and interact with other similar arts bodies and arts organisation throughout Australia. These may include:

- a) Arts NSW
- b) The NSW Regional Gallery Association
- c) The Bundanon Trust
- d) The Australia Council
- e) Federal Department of Regional Australia, Regional Development, Local Government and The Arts

2.12. Public Involvement

The Shoalhaven Arts Board shall notify by way of magazines, website, media releases and brochures, all members of the local community who have expressed an interest in arts and culture and the activities of the Shoalhaven Arts Board.

2.13. Training, Communication and Customer Service

The Shoalhaven Arts board may conduct seminars and other communication activities to ensure that local arts practitioners and the arts community generally are kept up to date with Arts trends, Arts initiatives and business opportunities relevant to the Board's charter.

2.14. Patron

A prominent Australian shall be invited by the Shoalhaven Arts Board, to act as Patron. The role of Patron is seen as a model or exemplary figure in the Arts, to inspire, support and advocate on behalf of the Board and its mission.

- 2.14.1. The Patron is not required to attend board meetings but is welcome to attend in an observatory role and is not entitled to vote.
- 2.14.2. The Patron may contribute to committee meetings when invited by the Board's Chair.
- 2.14.3. The Patron is subject to the Council's Code of Conduct.

2.15. Honorary Life Member

An Honorary Life Member award is presented to an individual who has served a minimum of two (2) consecutive terms on the Shoalhaven Arts Board; made an extra ordinary contribution during their role as a Board member and have made significant contribution to the development of the Arts in the Shoalhaven over a period of no less than ten (10) years outside their role as a Board member.

- 2.15.1. Honorary Life Members are not required to attend board meetings but are welcome to attend in an observatory role and are not entitled to vote.
- 2.15.2. Honorary Life Members will contribute to committee meetings when invited by the Board's Chair.
- 2.15.3. Honorary Life Members are subject to the Council's Code of Conduct.
- 2.15.4. The appointment process of an Honorary Life Member is;
 - 2.15.4.1. Nomination accompanied by supporting statement will be submitted to the Board by a nominator and a seconder both being current board members.
 - 2.15.4.2. The case may be supported by testimonials if considered appropriate.
 - 2.15.4.3. Upon acceptance by a majority decision of the Board the nomination will be recommended to Council for final decision.
 - 2.15.4.4. The successful nominee of the 'Shoalhaven Arts Board Honorary Life Membership' be presented with the accolade at the Shoalhaven Arts Board Biennial Arts Awards.

2.16. Arts Awards & Prizes

- 2.16.1. The Shoalhaven Arts Board will support, recognise and encourage excellence, dedication and outstanding achievement in the Arts in the Shoalhaven region through awards and prizes which honour exemplary figures in the arts in the region.
- 2.16.2. These awards will be predominantly in the form of recognition only, but may include some seed funding for purchase of a perpetual trophy which will be considered on a case by case basis, and a Shoalhaven Arts Board Commemorative Certificate which will be presented to the recipient.
- 2.16.3. Existing financial commitments to Arts Prizes will expire at the end of the funding period and future support will be on the basis of recognition.
- 2.16.4. It is preferable that all Arts Awards are presented as part of the Shoalhaven Arts Board Biennial Arts Awards, however, it is noted that a number of long standing awards will be made annually through the relevant organisation. All such Awards should acknowledge the Shoalhaven Arts Board support.

3. IMPLEMENTATION

The City Services & Operations Group is responsible for implementation and administration of this Policy.

4. REVIEW

In view of the delegation of Council to the Shoalhaven Arts Board, in the event that the Shoalhaven Arts Board wishes to revise these guidelines, then it shall so advise Council and seek the ratification of Council of those revisions. Council may revise these guidelines at any time and in any way it sees fit, however, this Policy will be reviewed within one (1) year of the election of every new Council (as a minimum).

5. APPLICATION OF ESD PRINCIPLES

None applicable.