Introduction

The term “art” is defined as the product of practitioners who intend their work and activities to be seen and read as art. It embraces material and immaterial products and concepts emanating from the imaginative and creative thinking of artists (Public Art policy, City of Sydney Council, p 4).

The term “public art” is 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 section, public art also includes conceptual contribution of an artist to the design of public spaces and facilities (Public Art policy, City of Sydney Council, p 4).

The creation and adoption of new artwork in the public forum is most successful when a community engagement approach is used.

This procedure has been developed to respond to the cultural needs of the community and to support arts and culture in the Bega Valley Shire. The process is designed to provide an integrated approach to public art planning and to enhance a sense of community identity; balancing the need for engagement and social inclusion with a strategic view.

The overarching intention of this procedure is to:

- Recognise and celebrate Aboriginal stories and heritage in public spaces
- Support local artists
- Help create identities for each respective town or village
- Initiate communication, education and engagement within the community
- Provide an integrated, transparent and quality system for managing public art

Implementation

Commissioning new artwork

The commissioning of artworks or culturally relevant objects will be based on a competitive and transparent selection process in accordance with policy 5.08 Procurement of Assets and Services.

Prospective creators of public artworks will be invited to submit competitive expressions of interests and quotations in accordance with the guidelines contained in Procedure 5.08.1 – Procurement procedures manual. Voluntary proposals to create and supply artworks or memorials will be required to adhere to the same principles and procedures included in Council’s procurement manual.

Public Art pieces selected will be:

- Contemporary in nature and of a high quality
- Specific to the site location, surrounding area and environment
- Accessible to all members of the community
- Suitable for civic or public domains
- Durable
- Consistent with the direction of policy 3.14 Character and Amenity
- Consistent with current planning, heritage and environmental policies and procedures.
- Consistent with Council’s Asset Management Plans
- Consistent with public safety requirements

Works will have permanency providing the pieces retain physical integrity and relevance to the community.

Request to decommission an item may also be made by the community, another government authority or by Council itself. Any such request must be submitted in writing to the General Manager and must clearly articulate the reasons for the request.

When considering a request to decommission public art, Council will factor into its decision the following criteria:

- The relevance or consistency of the piece with the purposes and objectives of the Shire’s Community Strategic Plan (CSP) as well as any relevant Management Plans.
- The physical integrity of the object.
- The objects authenticity and if there are any duplications of the object.
- The availability of adequate care and maintenance provisions
- The cost of adequate care and maintenance of the object over a five-year period exceeds the original value of the item.
- The object poses a public risk
- The item is not consistent with redevelopment of the public space it occupies.

Guidelines for acquiring new public art pieces

Engaging the community

Council will endeavour to create and foster relationships with other organisations including State and Federal Government Departments, Non-government Organisations (NGO’s), local businesses, and individuals within the Bega Valley.

To facilitate the process Council will engage the community at large as well as residents of individual towns or villages to determine the need and desire for public art. The community will be invited to participate in the concept development of proposed public art pieces, and at times, the production of artwork.

The Manager – Community and Culture in consultation with the Community Engagement and Planning Coordinator will oversee the public consultation process. Suggestions for new pieces can be submitted to Council using various mediums including:

- In writing via the post
- In writing via electronic mail
- Visiting a Council Office
- Using the Bega Valley Views site
- Using Council’s Facebook page
- Using Council’s suggestion box (available at various outlets within the Shire)
A report will be submitted to Council representing the demand for public art. Council will consider this report and thus make a decision for or against the proposal to purchase or have commissioned new public art.

**Public Art Advisory Panel (PAAP)**

Council will establish a Public Art Advisory Panel to assist in the development and proposal of recommendations to Council involved with commissioning or purchasing public art. The Advisory Panel will include:

- 1 x Councillor
- The Manager Community and Culture
- Civil Assets Engineer
- A regional arts representative
- 3 x community representatives (practicing artists)

When appropriate, internal and external advisors with relevant expertise will be temporarily co-opted to the group.

The formation of the PAAP will be for a two year period. Prospective members of this group will be required to submit an expression of interest to participate, outlining their skills, experience, and knowledge relevant to public art management. The group will be coordinated by the Manager Community and Culture and be convened on a needs basis.

The PAAP will provide technical advice to Council in relation to the cultural, artistic and design implications of proposed Public Art pieces and be involved in determining the specifications provided in the Expression of Interest documents.

The group may also be involved in the appraisal and selection of artists and their respective proposals, in accordance with policy 5.08 Procurement of Assets and Services.

The PAAP will have no decision-making responsibility or financial delegation.

**Calling for Expressions of Interest (EOI) or Requests for Quotes**

Expressions of Interest and Requests for Quotations will be called for; being advertised both locally and nationally using various communication channels including:

- Local newspapers via Council’s Community Link
- National newspapers – in particular the Canberra Times, Sydney Morning Herald and Melbourne Age, as well as other relevant government publications.
- Council’s website
- Council’s Facebook page
- Local radio stations

**Submissions or proposals for Public Art**

Proposals for new public art should be addressed to:

The General Manager  
Bega Valley Shire Council  
PO Box 492  
Bega NSW 2250

Submissions can also be made via email to council@begavalley.nsw.gov.au
The Manager – Community and Culture or their delegated representative will record the details of all submissions and develop a report outlining the proposals. This report will be presented to Council for consideration.

Upon the recommendation of Council, the Manager Community and Culture will instigate a process of commissioning public art pieces.

**Decision criteria**

Expressions of Interests and quotations will be assessed on the requirements previously determined by the Council via public consultation. Public Art pieces will be selected based on the:

- Resource capacity of Council’s budget allocation for Public Art at the time
- Contemporary in nature and high quality artwork
- Nature of the site location, surrounding area and environment
- Accessibility of the artwork to all members of the community
- Suitability for civic/public domains
- Durability and sustainability of the item

Proposed artworks will be:

- Consistent with the intentions of Council’s policies, in particular:
  - 1.03 Arts and Culture
  - 1.08 Cultural Diversity
  - 3.02 Lands under Council Jurisdiction
  - 3.05 Public Regulation
  - 3.14 Character and Amenity
  - 4.01 Asset Management
  - 5.05 Work Health and Safety
- Consistent with Council’s Asset Management Plans
- Consistent with current planning, heritage and environmental policies and procedures.

The successful artist will provide Council with a conceptual design of the artwork prior to commencing its production.

**Funding**

The need to generate recurrent funding for public artwork has been recognised by Council. The associated costs are not only for the purchase or commissioning of objects, but for their maintenance, promotion and possible future removal.

Bega Valley Shire Council has recognised the need to incorporate public art into its planning processes and will allocate 1% of its capital works budget (excluding sewerage component). Some projects may be partially or completely funded by State or Federal Government Grants. In the event that other agencies' funds are provided, the conditions of such grants will take precedence over this policy.

The need for alternative funding is also recognised. Council will actively look to source grants and funding from State and Federal government departments. Philanthropic donations which contribute to public art will also be considered.
Guidelines for decommissioning public art pieces

Request to decommission artwork

A request can be submitted to Council to decommission public artwork. Such requests may be submitted by individuals from the community, business within the community, other government agencies, or Council itself.

Upon receipt of the request the General Manager’s office will liaise with the Manager Community and Culture to instigate a process of assessment to determine the outcome of the request.

The Manager Community and Culture will present the request to the Public Art Advisory Panel (PAAP) and will include any additional information which may assist in the decision making process. Council may engage an independent consultant at any time to help determine the outcome of the request.

Council will notify the community that a request had been received to decommission the said artwork. Members of the community will be provided an opportunity to provide comments and feedback on the proposal in accordance with policy 5.10 Communications, and 5.17 Community Engagement.

A report will be presented to Council which will include a summary of community feedback and the recommendations of the PAAP. Council will make the final decision.

Decisions regarding possible decommissioning

The decision of Council may be to:

- Permanently remove the artwork with no replacement piece
- Permanently remove the artwork call for new expressions of interest to supply public art in the location.
- Relocate the art work to another location

Council will endeavour to pass on its decommissioned public art pieces to other Local Government Areas, Private Enterprises, or identified organisations/community groups.

The decision of Council to decommission the artwork will be clearly recorded in the Council meeting minutes.

When decommissioning public artwork, Council will:

- Give the artist an opportunity to reclaim the artwork if it is not being relocated.
- Make reasonable attempts to notify the artist.
- Written notice will be given to the artist, stating:
  - The Council’s intention to remove or relocate the artwork
  - The artist may have a three week period to have access to the artwork for record keeping or reclaiming purposes.

If the artwork is easily accessible, Council will give the artist suitable time to take action should they chose to reclaim the work.

If the artwork is to be relocated, the artist may request to be un-identified as the creator of the piece. Council will comply with this request.

Council is under no obligation to agree to any demands of the artist, whether or not those demands or requests are reasonable.