

Maitland Public Art Policy

Date Adopted: November 2010

Version: 1.1

Policy Objectives

Public Art can portray a new and contemporary creative direction. It contributes to creating more engaged communities, contributes to the overall cultural wellbeing of Maitland and enlivens the urban spaces, encouraging people to enjoy the public domain. The key objective of the Public Arts Policy is to:

- 1. Encourage the integration of contemporary and interesting public artworks to enliven the city spaces and create a vibrant public realm within Maitland.**

All public artworks and installations should also aim to:

- 2. Create a Sense of Identity and Belonging**

Through public art the distinctive layers of Maitland as a city and as a collective of communities with shared experiences is revealed. Maitland has experienced significant population growth and change. As our community changes, so do the ideas, values and inspiration which is mirrored through public art. Opportunities to celebrate the cultural, societal and demographic diversity and community aspirations through public art is a key element in creating a sense of place and belonging.

- 3. Encourage a Diverse Range and Scale of Public Art Installations**

A diverse range and scale of art in the public realm will be embraced to include a variety of art forms and urban design elements. Digital art and sound installations provide a contemporary medium for artistic expression. Council encourages a collection of permanent artworks as well as temporary and ephemeral artworks to provide an element of interest, surprise and variation to the urban fabric.

- 4. Create Public Spaces with Interesting, Contemporary and Innovative Public Art**

To enrich the visual and sensory experience of residents, workers and visitors to Maitland, innovative and contemporary public artworks are critical. It is also important for the fabrication, installation and materials to be of a high design quality. Understanding the site, context and community reveals an appreciation of the locality and appropriate themes, resulting in public artworks that are embraced by the community.

- 5. Encourage Collaboration, Flexibility and Inclusiveness**

Communities desiring meaningful public art need to participate in creating successful projects. As audiences change and diversify, collaboration and inclusiveness is imperative in agreeing what makes good public art and who decides what is good. Partnership opportunities with philanthropic, community, government and commercial sectors, as well as encouraging collaboration between artists, Council and the community is important to the overall success.

Access is also a consideration to enable maximum community inclusion. Public artworks can be specifically created for people with disabilities, such as sound and tactile objects for people with visual and hearing impairments. Functional objects, such as seating should also consider accessibility in the design process.

6. Support the Growth of Creative Industries Contributing to a Robust Local Economy

Public Art, due to its visibility in the public domain symbolises Council's dedication to artistic expression and to improve wellbeing of residents and the experience of visitors. Quality public art installations adds value to the local economy through such things as cultural tourism opportunities and diversifying the tourism offer, as well as employment and training opportunities for regional artists and craftspeople.

7. Seek the Integration and Management of Public Art within the Public Domain

Public art will be integral to Council programs, development, planning and improvement projects in the public domain. Ongoing management, maintenance and care by Council and the community will ensure that the public art collection is preserved for future generations.

8. Contribute to the Overall Cultural Wellbeing and Reinforce Maitland as a Leading Creative City

The future success of the public art program requires a holistic approach and ownership throughout all of Council. The Maitland Regional Art Gallery provides a focus of creative energy for Maitland and this combined with interesting public artworks and community support will provide Maitland with an exciting artistic direction, to reinforce Maitland as a leading creative city.

Policy Scope

Through public art, a sense of place and belonging can be created and the diversity and creative aspirations of the community reflected. The City of Maitland is a place of great historical importance with significant cultural assets, environmental features and strong economic growth and potential. The Maitland Regional Art Gallery embodies the importance of the arts and Council's desire to promote Maitland as a leading creative city. This regional institution is an enduring symbol of the creative potential and is a catalyst for artistic expression as a critical element in the revitalisation of Maitland.

The distinctive attributes of Maitland hold considerable value to those that live, work and visit. The city spaces and landscape provide a canvas for public art to represent the attributes, aspirations, values and commitment of the local community, all which provide ideas and inspiration for public art.

What is Public Art?

Quite simply, public art can be defined as art that is located within the public realm. It responds to the physical, cultural and social context of the location and community and helps to animate public spaces for the enjoyment of all.

Public art is represented by a variety of art forms, shapes, sizes and textures. Artworks can be sculpture, paintings, mosaics, or utilise more contemporary multi-media tools to produce soundscapes, lighting installations and projections. Earthworks and landscaping provide an alternative range of materials and textures for the creation of public artworks.

The 'everyday' elements of the urban landscape can also provide a canvas to facilitate public art. Opportunities are provided with pavement and wall treatments, banners, plaques, water features,

signage and functional elements such as lighting, street furniture, chairs, tables, rubbish bins, bollards, gates and fencing, bike racks and notice boards.

Public art installations can be permanent but also can be temporary or ephemeral works. Permanent artworks are generally considered to be made from materials and construction method that have a lifespan of at least 10 years in external conditions.

Temporary artworks are pieces that have a defined lifespan of no more than five years and often much less. Ephemeral artworks are works with a very short lifespan, such as chalk artworks, street art, performances and projection images

The contribution of public art to Maitland and its community will provide:

- An urban landscape that is interesting and surprising to create vibrant places and enhance the experiences of residents, workers and visitors;
- The creation of contemporary public artworks which represent the local identity of Maitland create a sense of place and belonging and reveal the ideas and aspirations of the community;
- A greater cultural understanding, community interaction and tolerance to strengthen the networks and collaboration within the community to facilitate a shared sense of belonging;
- Opportunities to encourage partnerships between artists, local organisations, businesses, government and the community to promote greater accessibility and appreciation of the visual arts;
- A new burgeoning creative and cultural environment which adds value to the local economy; and
- A public arts program that reinforces the status of Maitland as a leading creative city.

Implementation

The focus of this policy is on the public domain and to the enrichment of sites which have a civic, cultural or redevelopment significance within the local context. The public domain means all publicly accessible open spaces such as parks, urban spaces and squares, streets and laneways, the river foreshore and community and recreation facilities.

Although the focus is on the public domain, this policy acknowledges the opportunities for public artworks to be commissioned by private development. The assessment of public artworks will form part of the Development Application process for identified projects, key sites and major development proposals.

This Public Art Policy applies to:

- New and existing projects that are developed on areas owned or managed by Council;
- Projects by non-council parties on areas within the public domain, as defined above; and
- Construction of new public buildings, extensions, upgrades or refurbishing of public buildings.

Further application of this policy will be encouraged through:

- The integration of Public Art Policy objectives into the city's planning instruments; and
- The consideration of a public art component in the design of capital works and streetscape improvement programs undertaken by Council.

The effective implementation the Public Arts Policy, is critical to facilitate high quality public artworks. In addition to the specific guides for new public art, the following general considerations are critical to all public arts projects and programs.

Funding for Public Art Projects

Council aims to nurture an energetic creative environment in Maitland. Through the prudent use of available financial resources, Council will seek to provide incentives and support for new ideas and options to maximise value for a variety of public arts activities.

A range of funding options will be investigated, including a potential financial commitment by Council as well as funding from other sources. This would include:

- Donation, Acquisitions and bequests;
- Commonwealth and State Government funding and grants;
- Private sector contribution and sponsorship;
- The establishment of a public art fund to support Council initiated public arts projects.

Commissioning of Public Artworks

Commissioning of new public artworks should occur either by:

- *Commissioned Artwork*: that is installed in the public domain as the result of local government (or private) commissions; or
- *Community Projects*: that include the involvement of groups of people in the creation of public art work. This category will focus on community cultural development objectives with the process equalling the significance of the final work.

All future public art acquisitions, commissions or donations must reflect the objectives of this policy, must comply with the criteria established under the section “Guidelines for New Public Art” and demonstrate a high quality in its design, fabrication and installation.

Collaboration and Partnerships

The delivery of public artworks should be a collaborative process which can be achieved through consultation, networks and partnerships. A Public Arts Advisory Panel may be established to consider and evaluate public art proposals. The role of the advisory panel would be integral to the decision making for public art projects.

The composition of the Public Arts Advisory Panel may include: One elected representative of Council; Council’s Cultural Director (or their representative); and two (2) community members with relevant experience, knowledge and skill. The panel would convene on an as needs basis and, at their discretion, decide to involve Council staff and the community on any relevant project.

Partnerships with private organisations, community groups and other government departments is an important mechanism to obtain a quality collection of public artworks. Connections with artists, designers and craftspeople through support, training and artist mentoring enable future opportunities for collaboration to develop.

Management, Conservation and Maintenance of Public Artworks.

The ongoing management and maintenance of Maitland’s public art collection will be the responsibility of Maitland City Council. All public artworks require a professional standard of management, care and conversation to ensure its preservation for future generations.

• Public Arts Collection Register

In order to ensure that the public artworks owned and controlled by Council are managed appropriately, it is recommended that a Public Art Register be developed. The Public Art Register would note the artwork; its value; its location; the artist and/or project; and the date the artwork was produced.

A regular audit of public artworks should also be conducted and recorded to assess the condition and to manage the maintenance of the collection.

- **Durability of the Public Artwork**

The lifespan and materials used in the project need to be considered. The material must not negatively impact or cause damage to its surrounds and methods required to clean the art-work must also be considered.

- **Ownership, Copyright and Moral Rights**

It is important that all persons involved agree on ownership, copyright and moral rights. Upon fabrication, installation and payment of the artist(s), Council should take ownership and associated responsibility of the public artwork. It is usual that the artist retains the intellectual rights and copyright they may also seek some moral rights obligations.

Council may negotiate, with the artist a shared copyright agreement regarding public art works. Council may need to duplicate images of artworks in publications and should have the ability to do so without consultation with the artist. Council will include that reference is made to the artist and title of the artwork on all reproductions. Council will not have the ability to obtain commercial benefit from the artworks (such as selling postcards or replicas) without negotiation with the artist.

- **Removal, Modification or Destruction**

The removal, modification or deconstruction must be considered for the long-term management of the public art collection. The decision for this to occur would rest with the Cultural Director in consultation with the artist, advisory panel and Council. This process would be generally undertaken when the public artwork is:

- Irreparably damaged;
- Physically deteriorated to a point where public safety is at risk;
- Demonstrating faults of design in regard to materials or workmanship or no longer functions materially;
- Unsustainable burden on Council's resources; or
- There is legal evidence that the work belongs to another party.

- **Risk Management and Insurance**

Consideration of risk management issues due to public art being exposed to the elements and accessible to people without supervision. The design and choice of materials, fabrication and installation must ensure that no unacceptable level of risk is associated with any public artworks. Environmental and public safety during and after installation must also be addressed at the design stage.

Usual practice for the design and installation of public artworks involves the artist having insurance responsibilities up to and including the point of delivery to the site. In taking ownership of the public artwork, Council should treat it as an asset of and therefore it should be covered under the insurance policies of Council.

Guidelines for New Public Art

Council will identify and give priority to new projects and programs which demonstrate consistency with the stated objectives of this policy. In addition to the policy objectives, the criteria below forms the basis by which all public art proposals will be accessed.

Council will consider new public art proposals that:

- Contribute to the revitalisation of Maitland as a vibrant, interesting place to live, work and visit;
 - Increase the education and appreciation of the arts for residents and visitors;
 - Contribute to the diversity of art forms and explore ideas and issues relevant to Maitland and its community;
 - Demonstrate thoughtful site selection and responds positively to the site and its context;
 - Through innovative design, reflect the historic, cultural and social character of Maitland and represent the aspirations of the community;
 - Celebrate the influence that the local indigenous and multi-cultural communities have in shaping Maitland's identity;
 - Seek opportunities to integrate permanent or temporary public artworks through Council and community projects and programs, such as the annual events and festivals; and
 - Provide opportunities for regional artists to work in partnership with private, public and community stakeholders.
- **Project Management**

Proficient project management skill is required to ensure a high-quality outcome for any public arts project. In consultation with Council's Cultural Director, the artist will be expected to manage the design, consultation, design, fabrication and installation of the public artwork.

For all new public art proposals, the following project management details must be addressed:

- Project brief and timelines;
 - Source of funding and project budget;
 - Commissioning and Selection of Artist;
 - Artist and Project Contracts;
 - Community Consultation; and
 - Maintenance and ongoing management requirements.
- **Public Art Plans**

A Public Art Plan establishes the design concept and rationale of the proposed public artwork. Public Art Plans should demonstrate, but is not limited to the:

- Theme of the project and the artistic/cultural rationale;
- Site selection and relevance of the proposal to the site;
- Ability to achieve the objectives of the Public Arts Policy;
- Strategy for community involvement;
- Details as to the choice of materials and method for fabrication and installation;
- Timeframes, budget and potential funding source;
- Risk management and ongoing maintenance requirements; and
- Documentation, reporting and evaluation requirements.

The requirement to prepare a Public Art Plan is at the discretion of Council. However, general terms a Public Art Plan would be required when:

- New public art projects are initiated by Council or within new public buildings;
- Projects proposed by non-council parties within the public domain, whether on private land or land within public ownership; and

- As a part of the Development Assessment for a major development, key site or urban release area.
- **Conservation and Management Plans**

Each new public artwork must be accompanied by a Conservation and Maintenance Plan. This is to be developed in consultation with the Council and must be submitted prior to Council accepting ownership of the artwork.

A Conservation and Management Plan should include, but is not limited to the:

- Anticipated lifespan of the artwork;
- Type of management required—personnel;
- maintenance and materials required;
- Schedule of conservation required; and
- Deconstruction, removal or storage requirements

Policy Administration

Business Group:	City Services
Responsible officer:	Gallery Director
Council reference:	Ordinary Council Meeting 10 August 2010 - Item 10.4
Policy review date:	Three (3) years from date of adoption
File number:	
Relevant legislation	
Related documents	

Policy History

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	November 2010	New policy adopted
1.1	-	Updated to new branding and alignment to organisation structure. No change to content.