# Moira Shire Council

## Public Art Policy

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| **Policy type** | Council |
| **Version Number** | |
| **Responsible Director** | Director Community |
| **Responsible Officer** | Manager Community Wellbeing |
| **Date endorsed by ELT** | |
| **Date adopted by Council** | |
| **Scheduled for review** | This Policy will be reviewed four years from the date of adoption, or sooner if required. |

## PURPOSE

The purpose of this Policy is to support the ongoing development of a vibrant arts sector in the Moira Shire in accordance with Moira Shire Council's Arts and Culture Strategy.

This Policy should be read in conjunction with the Public Art Guidelines.

## SCOPE

The Policy relates to Public Art which is developed, purchased, commissioned or maintained by Moira Shire Council (Council) on a Council owned or managed asset. This Policy may also apply to Public Art on privately owned property if the artwork is partially or fully funded by Council through a grant or funding stream.

## DEFINITIONS

| Term | Definition |
|---|---|
| Public Art | Public Art, in this context, refers to the principle of improving the environment through the arts. Included within this concept is the practice of involving artists in the conception, development and transformation of a public space. The term usually refers to contemporary art practice that occurs outside the traditional gallery or museum system.<br><br>In the built environment, Public Art can also involve a highly diverse range of design elements integrated in the built environment. Examples of Public Art range from seating and wall treatment to landscape and building design. |

## POLICY STATEMENT

Council is committed to maintaining a professional and well-managed process for the inception, coordination and management of public art in Moira Shire including its funding, commissioning, installation, maintenance and decommissioning (and deaccessioning where relevant) and the role of community engagement within these processes.

This Policy contributes to delivering the vision of Council's Arts and Culture Strategy by:

- encouraging artistic and cultural interaction in public places within Moira Shire;
- acknowledging the fundamental value of arts and culture as a cornerstone of a healthy community;
- providing a coordinated approach to Public Art resulting in a range of accessible Public Art (both temporary and permanent) locations/trails; and
- utilising Public Art commissioning where possible, to encourage creative industry development and reinforce cultural tourism within the Moira Shire.

As part of our commitment, Council will:

- encourage art installation in public open spaces;
- articulate the principles Council and the community seek to express through Public Art;
- assist with required community consultation in relation to Public Art; and
- provide direction and guidelines that will support the development of Public Art in the Moira Shire.



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The Public Art Guidelines will:

- provide guidance on the governance of funding, acquisition, management and disposal of Public Art;
- provide guidance for Public Art selection processes, location/display of Public Art and maintenance of Public Art; and
- provide guidance for assessing donations, bequests and memorials.

**Selection Criteria**

When considering the acquisition or installation of a public artwork selection, the following are taken into account:

- relevance to the objectives and actions in Council's Strategies, Plans and Policies including Council's Art and Culture Strategy;
- relevance to the principles of the Public Art Policy;
- artistic merit of the work;
- relevance and appropriateness of the work to the site and/or community identity;
- consideration of controversial, political or offensive themes;
- community views as determined through the application and/or consultation process if required;
- consistency with current planning, heritage and environmental policies where relevant;
- compliance with Occupational Health and Safety and public access;
- consideration of maintenance and durability requirements;
- evidence of funding source and budget including an allocation for ongoing maintenance, if needed;
- non-duplication of monuments commemorating the same or similar events; and
- any Council policies which may be relevant such as the Gift Benefit and Hospitality Policy and Memorials and Plaques Policy.

**Ownership**

All artworks commissioned on a Council asset, unless specially agreed otherwise, become the property of Council for insurance and asset management purposes. All projects undertaken within the scope of the Public Art Policy and Guidelines must proceed on this basis and appropriate paperwork be completed.

**Maintenance**

Maintenance of Public Art on a Council asset is the responsibility of Council. The level to which Public Art is maintained will be at the discretion of Council in line with the Council maintenance program. The requirements for maintenance, conservation or restoration will be included in all proposals for future acquisitions.

If an applicant or community member/group wishes to undertake or fund additional maintenance, this will be considered on a case by case basis.

**Decommissioning and Deaccessioning**

At times, works of art in the public domain may become damaged beyond reasonable repair, cease to have public relevance, or the site may be so changed that the work no longer fits or suits the site or is possible on the site. In these cases, Council Officers will consider and advise on the most suitable response.

In the case of works posing a risk to the public, immediate removal may be necessary.



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## MONITORING AND EVALUATION

The Community Development, Arts and Culture team will monitor applications for Public Art, liaising with relevant Council departments to determine the suitability of projects. In cases of non-compliance, the Community Development, Arts and Culture team will report to ELT and/or Council to determine a suitable course of action.

The Moira Shire Council Public Art Database will be updated with new works, maintenance requirements, and other key information that will be utilised to determine the success of the Policy.

This Policy will be reviewed four years from the date of adoption, or sooner if required, in line with the Arts and Culture Strategy.

## RELATED LEGISLATION

*Local Government Act 2020*
*Charter of Human Rights and Responsibilities Act 2006*
*Gender Equality Act 2020*

## RELATED POLICIES AND PROCEDURES

Arts and Culture Strategy
Memorials and Plaques Policy
Gift, Benefit and Hospitality Policy
Community Strengthening Grants Policy
Community Engagement Policy

## REFERENCES

Public Art Guidelines

## DOCUMENT REVISIONS

| Version | Summary of Changes | Approved by | Date |
|---|---|---|---|
| 1 | Original Policy adopted | Council | xxx |
| 1.1 | Administrative changes made to Policy (details of administrative changes) | xxx | xxx |
| 2 | Changes made to original Policy included xxxxxx | Council | xxxx |
| 3 | xxxxxx | Council | xxxx |
| 3.1 | Administrative changes made to Policy (details of administrative changes) | xxx | xxx |



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