

Public art policy

1. Purpose

This policy is to ensure that there is a consistent, fair, transparent and accountable approach towards the provision of art within the City of Tea Tree Gully.

This policy will also ensure the method for commissioning public art is supported by progressing Council's strategic vision to create a vibrant city that expresses a unique character and identity and that the City of Tea Tree Gully's Art Collection is maintained to a high standard through planned maintenance, conservation, de-accessioning, and appropriate resourcing.

2. Policy

Public art can play a significant role in creating and celebrating the City of Tea Tree Gully's unique identity and sense of place, increasing the aesthetic appeal of our public places, promoting social inclusion, diversity and artistic expression. Public art can encourage people to participate and interact with the Artwork within the location.

2.1. Types of public art

This policy recognises there are three types of public art, each forming separate components of a dynamic and integrated public art program:

2.1.1. Integrated art

Public art incorporated into infrastructure projects such as paving, gates, lighting, signage, street furniture, playground equipment, railings, landscaping etc. This is often referred to as 'site specific', as it is designed and made for the specific place in which it is installed. Production of such art involves collaboration between artists, planners, architects, fabricators and engineers at an early stage in the development of a project.

2.1.2. Community art

Art involving a degree of community consultation and participation in its creation. Crucial to this form of public art is the process of skill development and strengthening community connections in regards to the Artwork. Community Art often communicates a message of social, historic or environmental importance to those involved in the design and making of the work. Its processes can be facilitated by an artist or passionate community member and can involve all forms of visual and performing arts. The completed work is referred to as public art.

2.1.3. Stand alone art

Art Commissioned for particular sites or a series of sites which may be permanent or ephemeral, and includes hired works and/or works on loan. This can range from iconic works marking gateways to the City to interpretive work which comments on or describes issues or events. Examples of interpretive work might be murals, signage or sculpture. Stand alone art can also include ephemeral works for short term display such as projection art.

2.2. **Acquisitions**

The acquisition of public art within the City of Tea Tree Gully will be guided by principles of transparency, sustainability, and alignment with Council's strategic objectives. All acquisition proposals must consider long-term implications including maintenance, community safety, and legal responsibilities.

2.2.1. **Joint funded**

Funding for public art may be pursued through partnerships and associations. Collaborators may include Create SA, Australia Council for the Arts, private sector sponsorship, donations and bequests, development approvals and other Commonwealth and State Government funding opportunities.

2.2.2. **Donations**

Acceptance of private donations of public art must be reviewed objectively to ensure long term maintenance, community safety, durability, insurance, legal considerations, and precinct planning are considered.

2.2.3. **Resourcing and funding**

Acquisition proposals will consider ongoing funding and resourcing requirements. public art projects must be planned and project managed to ensure the required scope, intent or scale of the works can be delivered to a high standard and reflect industry best practice standards. This includes taking into account maintenance, community safety, durability, insurance and legal considerations.

Strategic projects will target 0.5% - 2% of the total project budget toward the delivery of public art outcomes.

2.3. **Planning**

Public art opportunities and treatments are considered within strategic projects and precinct planning. The planning of public art will be focused on relevance to the local community by considering the history, culture, function and natural features of the location.

Where public art is to be developed on infrastructure not owned or maintained by Council, permission must be sought from the owner of the infrastructure (eg: Stobie Poles – Department for Infrastructure and Transport – South Australia).

2.4. **Evaluation**

Criteria for the evaluation of public art are established in the early stages of each project. This should be based on:

- a) Supporting Council's broader strategic priorities.
- b) Development of the ways our community engages with public space.
- c) Ability to stimulate creative and cultural opportunities.
- d) Positioning the City as exciting, innovative, vibrant and prosperous.
- e) Community Safety and ongoing maintenance.

2.5. **Documentation**

An internal register of public artworks for the City of Tea Tree Gully is maintained. Work Health and Safety compliance, insurances and safety and risk assessments are undertaken in relation to the design, installation, maintenance, refurbishment and removal of any public art work.

2.6. Themes

Council's duty of care requires that any pieces of public art in the public realm or exhibited within Council buildings do not contain offence material, depicting imagery or content including, but not limited to: racism, sexism, religious intolerance, cultural discrimination or any other potentially offensive material, with consideration given to context and anticipated audience.

2.7. Exhibitions on Council property

For short period of time, visual artwork is displayed in Council buildings, including Gallery 1855, Community Art wall - Library community centres or externally in parks or part of events. Examples of exhibitions include: curated and hired displays, competitions, community displays, screenings and festivals.

2.8. Maintenance

Care of existing and future collections of public art, and ongoing maintenance operations are funded to ensure a continuous cultural connection is maintained between public art works and the City. This ensures fulfilling Council's obligations towards the artist/s with regard to copyright and moral rights being protected.

2.9. De-accessioning

Council will be provided with an audit on the Council's Art Collection on a 4-yearly basis, and as required, including recommendations for de-accession, preservation and conservation works.

A work of art may need to be removed from public display or the Art Collection for a range of reasons, including:

- deterioration in its condition
- where public safety is at risk, or
- if circumstances impact on the site of the work and compromise its integrity.

The de-accessioning of works will respect the artworks, the location, the artist, and any contractual obligations entered into when the work was acquired. The de-accessioning of acquired artworks will be conducted in line with the Disposal of Land and Assets And Acquisition of Land Policy and in consultation with the artist or donor where possible.

2.10. Decision making process for the commissioning, acquisition and de-accessioning of public art

Council recognises that the community, local businesses and contractors will from time to time have an interest in the manner and the approach adopted by the Council when determining the commissioning, acquisition and de-accessioning of public art.

Council will delegate the appropriate authority to the CEO to make decisions regarding the matters covered in this policy where the commission, acquisition or disposal of artworks is estimated at less than 2% of a Strategic Project Budget or less than \$25,000 (excl. GST) for stand-alone art, and involved in Councils budget for the relevant period.

Council acknowledges that the CEO may sub delegate matters related to this Policy to employees or other persons employed or engaged by Council. Council may also delegate matters covered by this policy to a Council Committee or any or subsidiaries of Council.

3. Definitions

For the purposes of this policy the following definitions apply:

CEO

Refers to the Chief Executive Officer (including their delegate) of the City of Tea Tree Gully.

Commission

This is the process of acquisition of public art.

Art collection

Inclusive of all:

- a. paintings and ceramics historically accumulated from the City of Tea Tree Gully's Painting and Ceramics Exhibitions.
- b. Public art and
- c. Any items acquired under this policy.

De-accession

This is the process of permanently removing a public artwork from the public realm.

Ephemeral

Denotes public art that is not permanent. It may have a set period of time that it is to remain in the public realm or may organically decompose and/or disappear to be removed.

Public art

Is defined as artistic works that present a creative and/or interpretive statement in a public realm. Public art may comprise of stand-alone pieces or may be incorporated into, infrastructure, or open spaces.

It may be:

- a) Permanent or temporary.
- b) External or internal to any building or place.
- c) Integrated into functional infrastructure.
- d) Literary, visual, performing, craft or design.

The City

The geographic area covered by the Council.

4. Legislative framework

4.1. Reference to legislation

There is no legislative requirement for Council to have a policy relating to this area.

The following legislation applies to this policy:

Local Government Act 1999

Section 209(1) of this Act provides that fixtures and equipment installed on a public road (i.e. stobie poles, padmount electricity transformer cabinets) by the provider of public infrastructure (i.e. SA Power Networks) remains the property of the provider of that infrastructure.

Section 221 of this Act provides that a person (other than Council or a person acting under some other statutory authority) must not make an alteration to a public road unless authorised to do so by Council. A person makes an alteration to a road if the person:

- Erects or installs a structure in, on, across, under or over the road
- Changes or interferes with a structure associated with the road.

Development Act 1993

Painting public infrastructure (eg: stobie poles and padmount electricity transformer cabinets) does not constitute development under this Act therefore development approval is not required. However, approval from the owner of the infrastructure is required.

Copyright Act 1968 (Cth)

We will comply with best practice in relation to the artist's rights under the Act (including Moral Rights), and ensure their work has the right attribution.

4.2. Other references

Council's document including:

- a) Use either points that consist of either numbering or lettering

External document including:

- a) Use either points that consist of either numbering or lettering
 - i) If lettering dot points don't restart at a when they should, right click the letter dot point > click 'Restart at a'

5. Strategic Plan 2030

5.1. Strategic objectives

The following strategic objectives and aspirations in Council's Strategic Plan 2030 are the most relevant to this report:

Strategic Objective		Comments
1. Our Community	We create opportunities for people to connect with one another and to their local community.	
1.1.	Our programs, events and services are accessible, inclusive and adaptable to meet community needs.	Public art fosters community connection and inclusion by encouraging participation, storytelling, and shared cultural experiences that reflect the diverse identity of the City.
2. Our Economy	Our city is the place to invest, work and do business.	
2.1.	Our centres are vibrant with Modbury Precinct as the region's key activity centre.	Strategically placed public art contributes to the revitalisation of the Modbury Precinct by enhancing its visual appeal, activating public spaces, and attracting community engagement.
4. Our Places	Our City is a desirable place to live, stay and play.	
4.1.	Our public places are attractive, adaptable and fit for purpose.	Integrated public art improves the aesthetic and functional quality of public infrastructure, making streets, paths, and parks more inviting, safe, and accessible for all users.

5.2. Organisation Plan

Our Strategic Plan is supported by an Organisation Plan which focuses on four key pillars of customer care, trust, teamwork and growth. The pillar most relevant to this policy is customer care.

6. Policy Implementation

This Policy will be implemented by the Chief Executive Officer or relevant portfolio General Manager and managed in accordance with Council's scheme of delegations.

Record number	D25/37460
Responsible Manager	Manager Project Management Office
Other key internal stakeholders	General Manager Strategy and Finance General Manager Community Services Manager, Community Connections
Last reviewed	26 May 2026
Adoption reference	Council
Resolution number	944
Previous review dates	20/10/21, 28/02/2017
Legal requirement	Nil
Due date next review	2030
Delegations	Y