

MURRAY RIVER COUNCIL  
COUNCIL POLICY

**DRAFT**  
**PUBLIC**  
**ART**  
**POLICY**

POL-603.V#1



murray river  
council

## **1. INTRODUCTION**

Public art plays a pivotal role in commemorating significant events, individuals, and cultural heritage, connecting people to places and each other, and enhancing the aesthetic appeal of council owned and / or managed land.

Public artworks in Murray River Council serve as tangible reminders of the region's history, values and identity. These artworks contribute to a deeper understanding of local narratives and foster a sense of community pride and belonging.

Council's acquisition, commissioning, curation and maintenance of public art aims to create dynamic and engaging environments that celebrate the diversity and vitality of the community while preserving the integrity of Council owned and / or managed land and natural landscapes.

## **2. OBJECTIVES**

The primary objectives of this Policy are as follows:

- ▶ Ensure a strategic approach to undertake the acquisition, commissioning, curation and maintenance of both permanent and temporary public art that will enrich the cultural fabric of the Murray River Council region, introducing diversity and vibrancy to Council owned and / or managed land.
- ▶ Define the criteria that guide the assessment, selection, development, approval, management and maintenance of public art within the Murray River Council Local Government Area (LGA).
- ▶ Seamlessly integrate high-quality public art into the natural and built environments of the region by incorporating provisions for public art during the scoping and design phases of significant capital projects. This proactive approach ensures that public art becomes an integral component of the overall vision from the inception of such projects.

## **3. SCOPE**

This Policy applies to all existing public art under the care and control of Murray River Council, as well as to all forthcoming public art projects and donations. This includes art within the public domain that is:

- ▶ Commissioned or developed by Council,
- ▶ Commissioned or developed by the community, private enterprises, associations, individuals and property developers; and
- ▶ Commissioned by third parties (including other government bodies) and transferred or donated to the Council.

This Policy excludes the following:

- ▶ Signage, entry statements and interpretive panels; and
- ▶ Public art that is privately funded, on private property and not under the care or control of Council.

Public art projects that fall outside the scope of this Policy are encouraged to voluntarily engage with Council for guidance and advice.

Whilst there are existing public art projects that may predate this Policy, existing public art should not be taken as a precedent for future approvals.

## **4. LEGISLATION**

- ▶ Local Government Act 1993 (NSW)
- ▶ Australian Human Rights Commission Act 1986 (CTH)
- ▶ Heritage Act 1977 (NSW)
- ▶ Human Rights Commission Act 1981 (CTH)
- ▶ Environmental Planning and Assessment Act 1979 (NSW)

- Graffiti Control Act 2008 (NSW)
- Environment Protection & Biodiversity Conservation Act 1999 (CTH)
- Regulations associated with the above legislation.
- Relevant State Environmental Planning Policies

## **5. POLICY STATEMENT**

Public art within the Murray River Council area reflects our commitment to enhancing community spaces with artworks that inspire, challenge, educate, and beautify. Our approach is inclusive, aiming to represent the diverse voices within our community through art that speaks to our shared history, values, and aspirations.

### **5.1 GENERAL PRINCIPLES**

- (a) Public artworks should complement their surroundings, embodying the physical, cultural and historical essence of their location to create harmonious and engaging spaces.
- (b) Artists are encouraged to work closely with local communities, ensuring that artworks resonate with the community's values, aspirations, and identities.
- (c) Public artworks, especially permanent installations, must be constructed with durable materials requiring minimal maintenance to ensure sustainability and longevity.
- (d) Ensuring public artworks and events are accessible to all, including people with disabilities, is crucial. Public art should celebrate diversity and promote inclusivity within the community.
- (e) Compliance with safety and public liability standards is mandatory to protect the well-being of the public and minimise risks.
- (f) Council supports innovative and creative public art projects that explore new ideas, materials, and techniques.
- (g) Artworks should be environmentally sustainable, minimising their ecological impact and promoting stewardship of the natural environment.
- (h) Artists must respect the local community's cultural heritage and traditions, particularly in culturally significant locations.
- (i) Maintenance of plaques and memorials must be undertaken by Council.
- (j) Generally, public artworks will be retained in place for as long as practicable, with the following exceptions:
- (k) If a public artwork is removed, Council does not guarantee a replacement of the artwork or initiative.
- (l) Council will base its commissioning, acquisition, curation and maintenance of public artworks on guidance from the Economic Development and Tourism team.

### **5.2 EXISTING PUBLIC ARTWORKS**

Existing Public Artworks will generally be retained in place for as long as practicable, subject to exceptions as listed in 5.1.

### **5.3 NEW PUBLIC ARTWORKS**

- (a) All public art projects within the scope of this policy are required to submit a written application to Council, describing the project and demonstrating how the project meets the Policy.
- (b) Proposals for new public art on Council-managed land will be rigorously assessed to ensure they enhance the public realm, reflect community values, and meet all planning, safety and accessibility standards.

#### **5.4 FIRST NATIONS ARTWORKS**

- (a) If the artwork is by an Aboriginal or Torres Strait Islander artist or the artwork incorporates, is sourced from, or refers to, Indigenous objects, knowledge or works, Indigenous Cultural Intellectual Property (ICIP) is considered by Council.
- (b) Permission will be obtained from the traditional custodians and/or local Aboriginal or Torres Strait Islanders before commissioning, accessioning, removing, relocating or deaccessioning Indigenous objects, knowledge or artworks.
- (c) Traditional custodians and/or relevant Aboriginal or Torres Strait Islander representative bodies will be consulted as much as possible with regard to how the community should be attributed to and given the opportunity to approve the way in which any ICIP material is used.

#### **6. ROLES AND RESPONSIBILITIES**

<b>Position</b>	<b>Responsibility</b>
CEO	To lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this policy and related Procedures.
Directors, Managers and Supervisors	To communicate, implement and comply with this policy and related Procedures.
All Council Employees	To be aware of and ensure compliance with this Policy.
Council Committees	To be aware of and adhere to this Policy.

#### **7. EVALUATION AND REVIEW**

It is the responsibility of the Manager Economic Development and Tourism to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

#### **8. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS**

##### External:

Nil

##### Internal:

- MRC Policy - Procurement Policy
- MRC Policy - Community Engagement Policy
- MRC Policy - Risk Management Policy
- MRC Policy - Investment Policy
- MRC Policy - Committee Policy
- MRC Policy - Graffiti Policy
- MRC Policy - Plaques and Memorials Policy
- MRC Policy - Asset Management Policy
- MRC Policy - Signage and Advertising Structures Policy
- MRC Plan - Community Strategic Plan 2022-2032
- MRC Strategy - Art & Culture Strategy 2024-2034

Definitions:

Term	Definition
Council owned and / or managed land	<p>All Council-owned or managed land that is open or accessible to people. This includes:</p> <ul style="list-style-type: none"> <li>▶ Council-owned and / or managed public open space, including bushland reserves and sportsgrounds and courts.</li> <li>▶ The exterior or interior of Council buildings within Council owned and / or managed land.</li> <li>▶ Reserve furniture within Council owned and / or managed land (such as benches).</li> <li>▶ Physical infrastructure, including footpaths, median strips, public squares, malls and laneways.</li> <li>▶ Road reservations.</li> </ul>

## 9. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	DRAFT	VF/24/1323	N/A

Council reserves the right to review, vary or revoke this policy at any time  
This Policy is scheduled for review in before 2028

**NOTE:**

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**DISCLAIMER:**

This document was formulated to be consistent with Murray River Council's legislative obligations and with the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail. This document does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1)