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Amendments to the draft Cultural Collections Management and Gifts Policy and Guidelines

KEY THEMES	COMMUNITY FEEDBACK	COUNCIL RESPONSE	Amendments to draft Cultural Collections Management and Gifts Policy and Guidelines
Diversity and Access			
Aboriginal and Torres Strait Islander	<p><i>Good to see! I know that Aboriginal heritage items may not appear in the collection, but think it would be good to specifically allude to the strong Aboriginal history of the area in some way, especially in the light of your policy statement items:</i></p> <ul style="list-style-type: none"> <i>Interpret the history, development and significance of the area and its communities</i> <i>Contribute to and foster historical and cultural debate</i> 	<p>Feedback noted about lack of acknowledgement of Aboriginal and Torres Strait Islander representation in the Policy. After consultation with the Aboriginal Heritage Office, who hold a collection of items of significance from across the northern suburbs of Sydney, an addition to the Policy is recommended that defines Council's relationship with items of Aboriginal cultural heritage for the benefit of the community.</p>	<p>Recommended change to the Policy Principles:</p> <p><u>Additional Principle:</u> Aboriginal people are the cultural owners and managers of items or objects relating to their heritage on the Northern Beaches, and as such, any cultural material offered to Council will be referred to the appropriate custodians</p>
Children and Young People	<p><i>I am a strong supporter of the Arts and am pleased to see what seems to me to be a complete and coherent policy. As arts are sometimes undervalued in our society today, I would like to arts displays, acquisitions, etc. address the interests of Northern Beaches residents of all ages, to support the developing interest of children in the arts. Thank you.</i></p>	<p>Feedback noted. The Policy defines Council's high-level aim to make the cultural collections more accessible to all members of the community, including young people, students and children. The Policy will guide collection programming and encourage exhibitions, festivals and events that utilise the community's cultural assets to speak to children and young people.</p>	<p>No change to the Policy</p>
Seniors and the elderly	<p><i>Importance for the elderly to participate.</i></p>	<p>Noted. The Policy defines Council's high-level aim to make the cultural collections more accessible to all members of the community, including the elderly.</p>	<p>No change to the Policy</p>
Funding			
Fundraising	<p><i>Overall this document provides a framework for the NBC. I have a couple of comments that maybe useful re 3.1 Collection Development – Acquisitions. There is no reference to organisations such as the Manly Art Gallery & Museum Society, Manly Art Gallery & Museum Foundation, Private PAF's, Donations via other specific bodies as a way of raising funds. Funds raised would be tied to a specific Council body and need to be managed by that Body for acquisition purposes in conjunction with the funding body. Are such funds included or excluded within the policy?</i></p>	<p>The raising of donations and funds are specific to each sub-collection and currently managed through operational policies and procedures. This policy has streamlined 12 former council cultural collections into the five sub-collections that now comprise the Northern Beaches Cultural Collection. As not every sub-collection has Deductible Gift Recipient (DGR) status this has been specifically omitted until Council has overarching gift recipient structures in place.</p>	<p>No change to the Policy</p>
Budget allocation	<p><i>Conservation and storage needs annual funding</i></p>	<p>Noted. The Policy defines the management standards and resourcing requirements (such as conservation and storage requirements) for the Northern Beaches Cultural Collection. This will be used for future funding allocations for this valuable Council asset.</p>	<p>No change to the Policy</p>

KEY THEMES	COMMUNITY FEEDBACK	COUNCIL RESPONSE	Amendments to draft Cultural Collections Management and Gifts Policy and Guidelines
Assessing Acquisitions			
Community consultation	<i>Public consultation on acquisition.</i>	The acquisition of all material into the sub-collections of the Northern Beaches Cultural Collection is professionally managed by qualified curators, historians and Local Studies librarians who have operational policies and procedures in place to assess their specific acquisitions. Broader community engagement regarding the acquisition of cultural material can occur through project-based working groups, such as the Coast Walk Public Art project.	No change to the Policy
	<i>I think there should be proper Curatorial management of all collection and gifts.</i>	Noted and agreed. Professional expertise is required to manage the acquisition of all material into the Northern Beaches Cultural Collection. In-house professional expertise and operational procedures for acquisitions is in place for each sub-collection, with the exception of the Public Art Collection. A Public Art Selection Panel is recommended to be established to provide expert professional advice to Council as it develops its Public Art Collection.	No change to the Policy
	<i>Council has the opportunity to appoint a suitably qualified curator to manage gifts in conjunction with its Public Arts Guidelines, then make recommendations to Executive Managers and others. I would suggest that Council appoint a body that consists of Council officers, Councillors, Curators and representatives from the public.</i>	The recommended appointment of a Public Art Selection Panel for the commissioning and acquisition of all artworks for its Public Art Collection will comprise suitably qualified external professionals to support Council's professional staff in their decision-making processes associated with the Public Art Collection.	No change to the Policy. See comments regarding the draft Public Art Policy on acquisitions.
Scope of Collections			
	<i>In the section for Local Studies Collection it refers to 'items'. Would it be advisable to have definition off what 'items' covers. eg images, writing, recording, ephemera, realia, maps, etc. printed and electronic format? For example, items like art works are redirected to the Art Gallery. Is there a limit of size of objects donated to the Local Studies Collections? All three collections have written a development and acquisition policy so it should be easy to use the wording from these documents.</i>	Each sub-collection of the Northern Beaches Cultural Collection has existing operational policies and procedures that define the scope of what types of items/objects/artworks are acquired. It is not included in the policy document as the policy provides an overarching set of principles to guide the future development and current management of cultural material held in Council's care.	No change to the Policy
	<i>Manly gallery should be able to accept donations of any work of great artistic merit. Not just from local artists. If somebody gave us a blue period Picasso on condition that it remain and not be sold off we should accept it.</i>	Noted and agreed. The Essential Acquisition Criteria will be amended accordingly.	Recommended change to the Policy Principles: <u>Remove Principle:</u> Distinctive and verifiable connection with the Northern Beaches
	<i>No mention is made of digital works.</i>	Noted. Manly Art Gallery & Museum has an existing operational procedure that defines the scope of what types of items/objects and artworks it acquires and so is not included in the policy document.	No change to the Policy
Artists Moral Rights			
	<i>No mention of Intellectual property and copyright in either document.</i>	Intellectual property and copyright are embedded in the principles of the	Recommended change to the

	<p><i>Consider including below info.</i> <i>Ownership of intellectual property rights (including copyright) in a commissioned public artwork generally remain vested in the artist. The artist is responsible for attributing all authors of any work that comprises part of the artwork, and for procuring the consent of said authors as appropriate. Any display of the artwork should clearly identify the artist. Publications, representations or descriptions of the artwork, including audio, video, film, electronic or photographic means, should identify the artist as the creator of the work. While intellectual property rights remain with the artist, a license may be negotiated as part of the commissioning contract to enable the commissioning party to reproduce, communicate, publish and broadcast images of the work. The commissioning party would not usually acquire the rights to reproduce an artwork in a three-dimensional form or to use the image as a logo or branding. If this kind of use is intended, it should be outlined in the Artist's Brief and negotiated with the artist. Such a requirement would impact on the artist fee and may involve royalties. More information about artist's moral and intellectual property rights protected under the Copyright Act 1968 (Commonwealth) is available on the Arts Law Centre of Australia website (www.artslaw.com.au/legal/information-sheets).</i></p>	<p>policy and contracts ICOM code of Ethics for Museums, the NSW Heritage Office Movable Heritage Rules and the Australian Copyright Council Moral Rights referred to in the Principles of the Cultural Collections Management and Gifts Policy See below:</p> <p>“All collecting activity and collection management processes will be conducted in accordance with the ICOM Code of Ethics for Museums and within the framework of the NSW Heritage Office Movable Heritage Principles and Australian Copyright Council Moral Rights”</p> <p>Intellectual property and copyright are also referred to in the Cultural Collections Management and Gifts Guidelines <u>4.1.7 Artist's Moral Rights</u>. This clause can, however be made more robust and will be amended to provide further clarity for the community.</p>	<p>Guidelines:</p> <p>Cultural Collections Management and Gifts Guidelines <u>4.1.7 Artist's Moral Rights</u> (revised)</p> <p>Artist's moral rights will be observed when artworks from the Collection are exhibited, with the right of public acknowledgment as creator of a work and the right of integrity, that the work will not be materially altered or distorted, or treated in a way that is prejudicial to the artist's reputation. Artworks will be displayed in good repair and condition and if they are to be relocated or repaired the artist will be informed. When an item on display is a reproduction this will be acknowledged.</p>
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Amendments to draft Public Art Policy and Guidelines

KEY THEMES	COMMUNITY FEEDBACK	COUNCIL RESPONSE	Amendments to draft Public Art Policy and Guidelines
Management of public art			
	I suggest that since the management of public art is complex and often contentious that every effort is made to ensure the program is managed within the relevant Department in Council's organisation structure. e.g. the nexus between the Council's skilled and experienced staff in the MAGM and the Creative Space should be facilitated and encouraged.	Public art projects are overseen by the Executive Manager, Community Arts & Culture who manages both Manly Art Gallery & Museum and the Arts and Cultural Development team. Public art commissions, offers of donation, art activations and community art projects are allocated by the Executive Manager and managed accordingly.	No change to the Policy or Guidelines
	There is an opportunity to ensure that art works are part of an integrated curated approach. There seems to be no oversight of what get done in this policy. Many major developments appoint a public art consultant to work on the delivery of high quality works. There is an opportunity for the Council to appoint a Curator on staff (or a guest Curator) to develop an overall integrated approach and plan.	The oversight of this Policy sits with the Executive Manager, Community Arts & Culture and includes the expertise of both Manly Art Gallery & Museum and the Arts and Cultural Development team. It is recommended that a Public Art Selection Panel with external curatorial expertise be established to assist Council's professional staff in their decision-making processes associated with the Public Art Collection.	Recommended change to the Policy: <u>Additional section: Acquisitions</u> Acquisitions to the Public Art Collection will be considered with the support of a Public Art Selection Panel. The Public Art Selection Panel will comprise of up to two (2) suitably qualified Council staff and up to four (4) representatives with professional expertise and extensive experience in the selection and commissioning of public art, the visual arts, architecture, urban and landscape design or Aboriginal cultural heritage.
	Maintenance and repair of existing public art. For example how about restoring the fountain sculpture in front of the ferry wharf.	The draft Policy includes the principle 'Manage and maintain the Northern Beaches' collection of permanent artworks, monuments and memorials'. Council is updating operational procedures for annual asset management and appropriate allocation of funding. This is an operational matter and not included in the policy document.	No change to the Policy or Guidelines
	Transparency regarding policy and analysis of costs and benefits. As an example of public art debacles look at the Sydney City proposal for a steel ribbon over George Street.	Specific artwork budgets will be scoped and managed operationally and are overseen by the Chief Executive Officer. All allocations for public expenditure are published in Council's Annual Report and the Community Strategic Plan and therefore publically available.	No change to the Policy or Guidelines
	I have read the policy and guidelines re Public Art. They speak of high quality art - but there is no mention anywhere of who would make selection decisions - quality is important, but who decides what it is?	It is recommended that a Public Art Selection Panel with external curatorial expertise be established to assist Council's professional staff in their decision-making processes associated with the Public Art Collection. Temporary art proposals, including festivals, events, installations and activations will be assessed by Council's professional curatorial and arts and cultural development staff.	Recommended change to the Policy: <u>Additional section: Acquisitions</u> Acquisitions to the Public Art Collection will be considered with the support of a Public Art Selection Panel. The Public Art Selection Panel will comprise of up to two (2) suitably qualified Council staff and up to four (4) representatives with professional expertise and extensive experience in the selection and commissioning of public art, the visual arts,

			architecture, urban and landscape design or Aboriginal cultural heritage.
	2.1 Commissions and 5.1 Delivery Procedures BAAC supports the establishment of an independent expert Public Art Advisory or Review Panel. This will ensure that Council considers public art matters, and makes decisions in relation to complex public art matters, that are informed and in keeping with Council Policy. This reflects and acknowledges the high levels of expertise in public art and placemaking within the Northern Beaches community and also reflects the complexities of commissioning diverse public art projects across the LGA.	It is recommended that a Public Art Selection Panel with external curatorial expertise be established to assist Council's professional staff in their decision-making processes associated with the Public Art Collection. Temporary art proposals, including festivals, events, installations and activations will be assessed by Council's professional curatorial and arts and cultural development staff.	Recommended change to the Policy: <u>Additional section: Acquisitions</u> Acquisitions to the Public Art Collection will be considered with the support of a Public Art Selection Panel. The Public Art Selection Panel will comprise of up to two (2) suitably qualified Council staff and up to four (4) representatives with professional expertise and extensive experience in the selection and commissioning of public art, the visual arts, architecture, urban and landscape design or Aboriginal cultural heritage.
	Public Art Program Management The need for an integrated approach to the management and curating of Council's Public Art Program should be acknowledged within the Guidelines. This is a specialist and complex area of Council's business and the management role should be recognised in Council's structure. The nexus between the management and expertise of the Manly Art Gallery and Museum and Council's Public Art Policy and Guidelines should be documented.	Public art projects are overseen by the Executive Manager, Community Arts & Culture who manages both Manly Art Gallery & Museum and the Arts and Cultural Development team. Public art commissions, offers of donation, art activations and community art projects are allocated by the Executive Manager and managed accordingly.	No change to the Policy or Guidelines
Public Art in large-scale public and private developments			
	Great document, thanks. The biggest sculptures are buildings, and it would be good to think through the implications of that in the policy, rather than seeing 'Art' and 'Architecture' as 2 separate domains. I look forward to seeing how the ideas develop and are implemented.	Council's Strategic and Place Planning teams are currently developing Public Domain Design Guidelines and Place Plans for Avalon, Manly and Mona Vale that include community aspirations for high quality public art outcomes across the urban, suburban, foreshore, parkland and bushland environments of the Northern Beaches. Council's draft Arts and Creativity Strategy also recommends public art integration into Council-managed public spaces and important future capital developments. A high priority for Council's planning and delivery teams is the review of internal planning processes to ensure public art is incorporated into all Council's future large-scale infrastructure projects such as new buildings, new amenities and existing building and infrastructure renewals.	No change to the Policy or Guidelines
	I applaud the initiative to develop this Public Art Policy and supporting guidelines. Best practice in contemporary public art however indicates that the commissioning of public art should extend beyond the public domain and be encouraged in private developments e.g. in multi-storey developments, in mixed use (commercial and residential) developments	Opportunities to integrate public art into large-scale private developments has been referred to Council's strategic planning and development assessment teams for further review. Mandatory public art plans aligned with the development application process for large private developments are being explored as a sustainable and ongoing funding model for public art across the Northern Beaches. The Public Art Policy will be updated to reflect the implementation of any new planning processes as they occur.	No change to the Policy or Guidelines

	and in developments with significant publicly accessible spaces e.g. shopping centres, hotels, clubs. Private developers should be required to prepare a Public Art Plan (prepared by a curator/ consultant) as part of the DA process and to ensure quality outcomes including detail of concept designs, location, budget, materials, maintenance etc.		
	There appears to be no clear definition of the contribution, quality or proportion that would be directed to public art in major developments. The Sydney City Council guidelines give a strategy that could be used. Note that art in developments over \$10m must be integrated and not PLONK art, ie properly reflected in the DA process. There is a opportunity to set a min proportion eg 1% or more for art works.	Opportunities to integrate public art into large-scale private developments has been referred to Council's strategic planning and development assessment teams for further review. Mandatory public art plans aligned with the development application process for large private developments are being explored as a sustainable and ongoing funding model for public art across the Northern Beaches. The Public Art Policy will be updated to reflect the implementation of any new planning processes as they occur.	No change to the Policy or Guidelines
	<p>Definitions The definition needs to reflect that public art should be integrated into any space that interfaces with the public and not just 'public domain' spaces that are situated within, vested in, or managed by Council. This would reflect the role that Council's Public Art Policy should have in ensuring public art is integrated into both public and private development. Private developments that are eligible for consideration for the incorporation of public art include:</p> <ul style="list-style-type: none"> • Multiple storeys (five or more) • Mixed use (commercial and residential combined) • Have a significant amount of publicly accessible space (e.g. shopping centres, office buildings). 	Noted. It is recognised that public art is not just art in the public domain and on property owned or managed by Council and the definition has been amended to reflect this broader definition.	<p>Recommended change to the Policy:</p> <p><u>Amended definition:</u> Public art refers to a range of artwork and art-based activities that interface with the public, including property in private ownership that has publicly accessible space and the public domain. Public art can include sculpture, place-making elements, wall embellishments, art integrated into the design of buildings, artist designed seating and fencing, paving work, lighting elements and other creative possibilities. Public art can serve both an aesthetic and functional purpose.</p>
	Draft Public Art Guidelines Section 2.5. Art in Private Development. The Guidelines should reflect the Policy and specify a, say mandatory, % of capital expenditure for art in private development over a specified capital works dollar level e.g. \$2M. Council must do more than encourage public art in private developments and should require a public art plan as a condition of consent. Public Art Plans in private developments As part of the DA a public art plan should be required from developers to provide a framework for the type of artworks to be included in the development, location, budget, materials, maintenance and life span. The Plan should be prepared by a public arts consultant/ curator to assist with the commissioning process. This then informs the Artists Brief and subsequent concept, designs, fabrication, installation etc.	<p>Opportunities to integrate public art into large-scale private developments has been referred to Council's strategic planning and development assessment teams for further review. Mandatory public art plans aligned with the development application process for large private developments are being explored as a sustainable and ongoing funding model for public art across the Northern Beaches.</p> <p>The Public Art Policy will be updated to reflect the implementation of any new planning processes as they occur.</p>	No change to the Policy or Guidelines
Local artists			
	I would love to see Public Art on display by way of	Noted and agreed. Council is currently delivering the Coast Walk Public Art	No change to the Policy or Guidelines