

ART IN PUBLIC PLACES POLICY

1 Introduction

Artworks are commonly used in public outdoor spaces as a means to enhance the environment, reinforce the cultural and community identity and promote cities and towns as centres of artistic and cultural excellence.

In her article on 'creative place-making' Cynthia Nikitin suggests that "Public art projects will be most effective when they are part of a larger, holistic, multidisciplinary approach to enlivening a city or neighbourhood".¹

2 Why have an 'Art in Public Places' policy?

The purpose is:

- To demonstrate an open and enabling approach to the concept of public art.
- To provide a consistent approach and clarity around the process of acquisition, siting and ongoing management of art works in the District.
- To set clear Council expectations for any provider/proposer/funder of public art work in the consideration of potential future installations.

3 What are the benefits of having art in public places?

Public Art:

- Reflects our identity as a community
- Makes art accessible to all
- Promotes civic pride and a sense of "place" by supporting and showcasing creativity
- Challenges perceptions, community ideas and feelings
- Enriches the cultural life of our District
- Enhances public spaces
- Celebrates and promotes an understanding of our cultural diversity and identity

4 Policy Objectives

- Enabling art in public places will promote the Waimakariri District's sense of community, civic pride, recognition of other cultures and our distinctive identity. The Treaty of Waitangi is honoured and practises of partnership are respected through the arts.
- Where feasible, public art will be integrated into the design and landscape of selected open spaces.
- Public art will be installed where it will enhance the public's enjoyment of public spaces.
- Installations will increase understanding and enjoyment of public art.
- Public art will contribute to the development of cultural tourism in the District
- To support the Waimakariri Public Art Trust (WPAT).

5 What are the principles that Waimakariri District Council will apply to public art?

- Art reflects a celebration of the uniqueness of the District's environment, history and cultural identity.
- Art enhances the experience by our community and visitors of the built and natural environment.
- The Council will respect the recommendations of the Waimakariri Public Art Trust as it recognises that art can be contentious

¹ Project for Public Spaces, Cynthia Nikitin (<http://www.pps.org/reference/collaborative-creative-placemaking-good-public-art-depends-on-good-public-spaces/>)
(TRIM: 150922133742)

Public Art Process

The WPAT evaluates and commissions potential public art works (including gifts and bequests) according to the following considerations:

- Standards of excellence and innovation
- Durability of artwork
- Ownership structure and conditions for movement or disposal of the art works
- Potential of artwork to capture the public's imagination and to help create a sense of place and identity for the Waimakariri District
- Fit with the topography and character and use of the relevant public places
- Cost implications including on-going maintenance costs and insurance where appropriate.

The WPAT will, in particular, consult with mana whenua at the earliest stages of planning new projects to identify and work together on areas of shared interest.

6 Maintenance and care of public art works

The Waimakariri District has a number of art works displayed in public places throughout the District that have arisen over time by a variety of processes. The Council is committed to ensuring that all public art works are identified and labelled and that each artwork's status and condition is recorded and regularly reviewed.

Council, through the WPAT, will ensure the collection of public art is properly cared for and maintained. It will seek advice and work closely with mana whenua in the care and maintenance of Māori taonga and Māori art in public space. Any additional cost associated with this will need to be considered and approved through the Council's Annual Plan process.

7 Re-siting, removal and deaccessioning of public art works

While the Council understands and values the need to retain the integrity of art works and their relationship to their sites, from time to time as the District changes and evolves, there may be reasons to review the location or retention of a public art work. If the result of this review is not to move the artwork the Council, through the WAPT, may also consider deaccessioning the work.

Re-siting, removal or deaccessioning of a public art work may be requested by the Council and/or the WAPT if one or more of the following criteria apply.

Note: these criteria may prompt a review, but they are not the criteria upon which a final decision is made.

- the artwork requires temporary removal for treatment or safe-guarding during redevelopment or works being carried out in its immediate vicinity;
- the art work is irreparably damaged or deteriorated;
- the public art work endangers public health and safety and remedy is impractical, unfeasible or would undermine the integrity of the public art work;
- Council is unable to reasonably guarantee the condition or security of the public art work in its present location;
- the public art work requires a high level of maintenance/or conservation, rendering unsustainable asset management expenses;
- the public art work possesses serious or dangerous faults in design or workmanship and repair or remedy is impractical, not feasible or undermines the integrity of the art work.

The WAPT will follow the same process as if the artwork was offered for the first time. The decision will also be made on consideration of consultation with the artist(s) (or the family of the artist(s) if necessary) and other relevant people or organisations involved in its establishment. If an artwork needs to be moved or altered in any way, consideration will be given to the moral rights of an artist under the Copyright Act 1994.

Options for deaccessioning artworks will include:

- selling or gifting the artwork back to the artist
- donating to a community group or facility, or organisation that operates for public benefit
- open sale or auction

Decisions on the above options will be made by the WAPT with guidance from the Council, based on criteria that include:

- resale value
- sensitivities around how Council came to own the artwork
- condition of the artwork.

8 Māori

The Council acknowledges Te Ngāi Tūāhuriri as mana whenua (people) of the Waimakariri District. Mana whenua have an interest in all Public Arts evaluations, commissions and placement in their takiwā (tribal area) regardless of the artworks maker, concept or installation protocols. The special position and interests of Ngāi Tahu generally and mana whenua specifically in relation to public land, waterways and sites of cultural importance are recognised.

Through this Public Art Policy the Council and the Trust will respect and promote Māori culture in partnership with Te Ngāi Tūāhuriri Rūnanga.

Any artist creating art work referencing Māori must demonstrate consultation with iwi. Any art work referencing Māori will involve consultation regarding the installation e.g. karakia (prayer).

9 Definitions

Public Art:

- Includes but is not limited to: sculpture, murals, sculptural architecture, water features
- Includes works of a permanent or temporary nature located in public places
- Does not include cemetery or war memorial architectural features (reference to agreement with RSA to maintain and restore war memorials)
- Does not include privately owned works of art on private property that simply happen to be visible or accessible to the public; or publically owned works on New Zealand Transport Agency Land.

Public Place:

- A place that is owned or administered by the Council where the public has free access.