

# Art in public places

## Auckland Council Draft Public Art Policy

May 2013



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# Art in public places – in brief

*The following is a summary of Auckland Council's draft Public Art Policy. It provides an overview of the key elements of the policy including the council's vision for public art and the key things we want to achieve. For more details please read the full draft policy document.*

## **Art, artists and Auckland's vision**

Art and artists are a significant part of the creativity and dynamism of the Auckland region; and public art is a key way to engage artists' creativity and ideas in developing Auckland's contemporary public realm.

Auckland Council has a strong interest in supporting public art activity in all its forms because it contributes to Auckland becoming the world's most liveable city. Art works range from the traditional to the highly inventive, from the intimately scaled to the landmark. These are, and will be, created by artists from both near and far, and evoke Auckland's highest aspirations, New Zealand's stories and diverse cultural landscape.

Auckland's vision is stated in the Auckland Plan: *As the world's most liveable city Auckland will be a place that Aucklanders are proud of, they want to stay or return to, and others want to visit, move to, or invest in.*

Public art is a local public service that enhances the attractiveness, interest and design quality of public places in Auckland's network of towns, villages, neighbourhoods and open spaces.

Public art helps achieve several of the desired outcomes of the Auckland Plan, including a culturally rich and creative Auckland with a Māori identity that is Auckland's point of difference in the world; an Auckland of prosperity and opportunity; and a beautiful Auckland that is loved by its people. It also contributes to the Auckland Plan strategic directive to integrate art into our everyday lives (*see Section 1.2*).

## **Why do we need a public art policy?**

A policy is required to ensure excellence and alignment of all public art activity across council. There is a strong legacy of investment in public art and a collection of over 1000 public artworks throughout the region that required coordinated, expert care. Council is the guardian of the public realm on behalf of all Aucklanders; and therefore has a responsibility to manage and influence what happens in public space and to ensure openness and transparency in the way decisions are made about public art. The public art policy articulates council's commitment to public art for the benefit of all Aucklanders (*see Sections 2.1 and 2.2*).

In addition to saying what council will do, this policy aims to encourage the arts sector and Auckland's communities to be involved in public art activity, and it sets out what council will do to support, enable and celebrate the work created by other parties (*see Section 2.2.1*).

## **What do we mean by public art?**

Public art is both a process of thinking about the character and design of the public realm; and resulting art works.

Public art relies on artists' innovation and imagination; and the ways artists think of and develop art in the public realm are diverse and constantly evolving. Therefore the definitions section of the policy seeks to be as inclusive and open-ended as possible in order to achieve a public art programme that is inspiring and dynamic. Public art in this document refers both to council's own public art activity as well as any art activity in public places that is planned and delivered by external third parties (*see Section 2.3*).

## **What are the benefits and value of public art?**

Through council's own public art activity and by encouraging others, council seeks to have public art across Auckland that connects with people, reflects and celebrates our unique identity and generates a sense of pride and belonging.

Art possesses the power to challenge people's and communities' ideas, feelings and values. It is an essential component of high quality place-making that enhances the liveliness and cultural richness of public

space. Public art is a key contributor to Auckland's attractiveness as a visitor destination, making our region unique and welcoming (see Section 2.2)



*Michio Ihara, Wind Tree 1977 / 2011, Wynyard Quarter; restoration and re-siting project, photo courtesy of "Big Little City" (top); Jeff Thomson, Pupuke to the Sea 2012, Milford Plaza (bottom)*

**Cover images:** Francis Upritchard, *Loafers* 2012, Symonds and Wellesley Streets (top); Phil Dadson and Carol Brown, *Urban Devas* 2010, Living Room Programme, Quay Street (bottom)

## Our vision for public art:

*Everyone has the opportunity to experience thought-provoking, culturally vibrant, enjoyable, challenging and inspiring public art and public spaces that are distinctive and unique to Auckland.*

We want to achieve public art that is:

<b>Unique and distinctive to Auckland: Public art that emphasises our place</b>	<p>Auckland's public art is distinctive because it gives importance to:</p> <ul style="list-style-type: none"> <li>• site-specific approaches to commissioning that ensure Auckland's public art is unique, relevant and memorable</li> <li>• Māori visibility through public art forms which celebrate, express and give mana to Mana Whenua stories, histories, Mātauranga Māori (traditional Māori knowledge, wisdom and understanding) and communities</li> <li>• Pasifika art forms which give expression to and celebrate Auckland's Pasifika diversity and richness</li> <li>• Public art processes and forms that express and reflect the diversity of Auckland's people and cultures</li> <li>• defining Auckland as a unique international destination with recognisable cultural signifiers</li> </ul>
<b>For all Aucklanders and visitors: Public art that delights, welcomes, challenges and inspires</b>	<p>Public art gives form to the full diversity of ideas and sensations:</p> <ul style="list-style-type: none"> <li>• It has a place in creating forms that people recognise as their own and which reflect back to them their character, stories, sense of place and culture. Public art marks significant sites and honours our treasured memories; generates surprise, laughter and contributes to a sense of fun; and it is a part of what makes Aucklanders feel more at home in their town centres and neighbourhoods</li> <li>• It has a role in challenging people's ideas, feelings and values. Public art may confront what we know, think and feel; it may create mystery or intrigue; and give rise to debate. It is memorable for its impact as a talking point; and its power to stimulate the imagination</li> <li>• Whether familiar and reassuring, or unexpected and challenging, public art enhances people's experiences of public places; contributes to Auckland's attractiveness for children, young people and families; contributes to making the region unique and welcoming for locals and visitors alike; and desirable as a destination and place of enjoyment</li> </ul>
<b>Known for its artistic quality, variety, depth and innovation: Public art that celebrates cultural richness and creativity and models international best practice</b>	<p>Auckland's public art possesses a rich artistic variety, depth and innovation; and what constitutes public art is shaped by artists working in public space:</p> <ul style="list-style-type: none"> <li>• through council's support, celebration and involvement of Auckland's arts sector, Auckland's public art and art in public places is a tangible indicator of our city's creativity, wealth of talent, cultural diversity, openness and richness</li> <li>• council also involves the creativity of artists from throughout New Zealand and from overseas</li> </ul>
<b>Making a difference: Public art that transforms Auckland's public places</b>	<p>Public art is developed and encouraged where it is most likely to have transformative impacts on public places. Public art:</p>

	<ul style="list-style-type: none"> <li>• provides a unique dimension to public places and therefore has a key place-making role in helping achieve high quality design of public places</li> <li>• contributes to transforming the appearance and experience of places making them more attractive and dynamic</li> <li>• is deployed as an innovative and creative means of helping to solve particular urban design challenges</li> <li>• includes integrated, and sometimes functional, art and design features within the design of larger development projects (such as bridges, walkways, streets, facilities)</li> <li>• includes temporary artworks and activities that contribute to the liveliness of Auckland's public realm</li> </ul>
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## Our Guiding Principles – the way we will work

Council will be an effective leader in place-making through public art by:

- **Working with others** to recruit, foster and support the enthusiasm, ideas, talents and resources of organisations and individuals to help plan and deliver public art activity
- **Valuing Mātauranga Māori** through recognition of the important partnership role it has with the 19 Mana Whenua groups of the region
- **Investing in the right expertise and capability** in public art curating and management, planning and delivery, care and maintenance
  - ensuring that the governing body and 21 local boards have access to expert recommendations on the artistic content of public art programmes and projects
  - engaging independent expert advice in the form of a Public Art Panel
- **Delivering best practice** in all areas of public art activity, from the selection of opportunities and the conception of projects through to the delivery, care and maintenance of Auckland's public art within an environment of continuous improvement

## Who makes decisions?

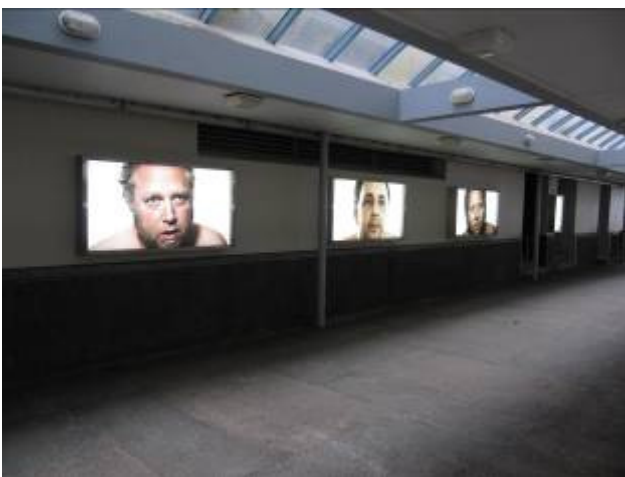
The policy takes into account Auckland Council's unique shared governance structure recognising that whilst Auckland is now one collective entity, it is also many communities governed by both a regional governing body and 21 local boards, each with its own aspirations and plans. These two governance arms each have distinct decision-making responsibilities for public art.

Decision-making for public art is shared between the council's two governance arms, with local boards responsible for local public art work and local public art programmes; and the governing body responsible for the region-wide public art programme and regional public artworks (*see Sections 1.1 and 2.5*).

Local boards and the governing body will make public art decisions based on expert guidance, advice and recommendations from council's arts and culture unit.



*Robin Rawstorne, Massey Library Children's Section rendering 2011, courtesy of the artist and Warren & Mahoney Architects (top); Terry Stringer, Mountain Fountain, (re-installed September 2010), a restoration and re-siting project from Aotea Square to Holy Trinity Cathedral, Parnell (bottom)*



*Tiffany Singh and Tessa Laird, Wihaan, 2010, Micro Sites project, Constitution Hill, Learning Quarter, Auckland (top); Jennifer Mason, Experiment 14: The point at which five subjects lose control over their facial expression due to physical exertion, Bledisloe Walkway Light Boxes, 2010 (mid-left); Young-Hae Chang Heavy Industries, The Life of the City of the Mind 2011, Living Room Programme, Lorne Street (mid-right); Caroline Rothwell, Caroline Rothwell, Red Tree, Rocket Park, Mt Albert, 2012 remedial work (bottom left); Neil Miller, Reconciliation Bridge 2003, Opanuku stream, bridge linking Corban Estate and Henderson Park (bottom right).*

## Who are some of the key players?

### The council organisation

Within the council organisation, the arts and culture unit are primarily responsible for planning and delivering the region-wide programme of public art activities. This unit provides expert guidance, advice and management support for local and regional public art activity to both the local boards and governing body. The combination of curatorial leadership, planning expertise and delivery capability in council's arts and culture unit means that council is able to plan and deliver public art programmes and public artworks across council, with CCOs, and in partnership with other external parties (*see Section 4.2*).

### Advisory Panel

Expert public art advice is important to help council make informed decisions. Council works with an independent and external public art panel. The panel's advisory role is to review and discuss council's public art plans, programmes and projects and to make recommendations to council officers. The Panel is comprised of people with expertise in public art, Mātauranga Māori (traditional Māori knowledge, wisdom and understanding), architecture and urban design (*see Section 4.3*).

### Council Controlled Organisations (CCOs)

Many public art opportunities occur within the capital works programmes of several of the Council Controlled Organisations (CCOs), especially Auckland Transport, Auckland Waterfront Development Agency and Regional Facilities Auckland. From time to time other CCOs may also be involved in public art activity. Whenever the CCOs are involved in public place-making projects they have a shared responsibility with council for assessing the potential for public art activity. The CCOs are required to act in accordance with the full purpose, objectives and processes of the public art policy (*see Section 4.4*).

### Mana Whenua

The Mana Whenua of the Auckland region bear the traditions and history which make Auckland unique. Council will work in partnership with Mana Whenua by seeking their advice; and working together in the planning and creation of public art; and in the care and maintenance of Māori taonga in public space (*see Section 4.6*).

## How we work with others?

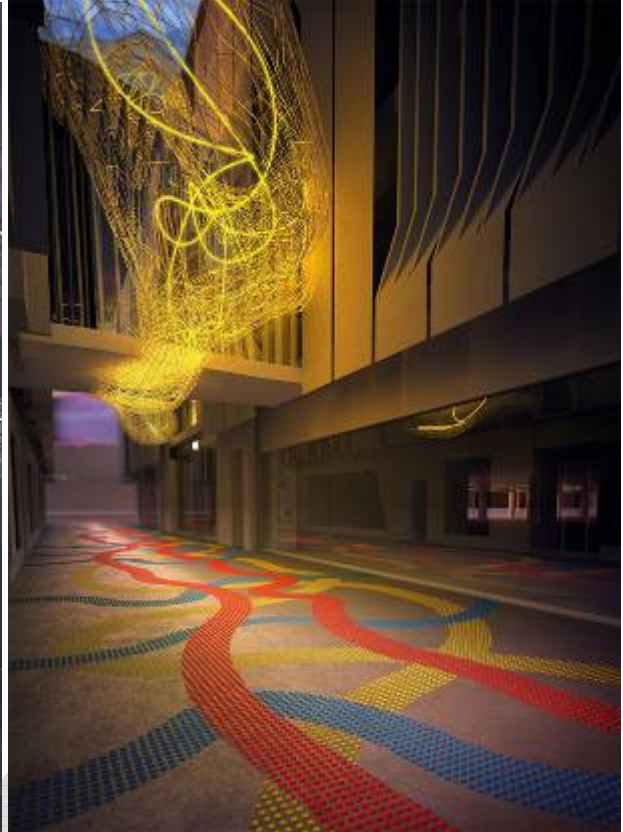
A wide range of agencies, groups and individuals have a role in the conception and delivery of public art. These range from artists, curators and architects; to philanthropists and sculpture trusts; to government agencies, communities and the education sector. Council will build relationships and works collaboratively with these and all relevant others (*see Section 4.8*).

Council has appointed a number of other advisory panels, whose role is to identify and communicate the interests and preferences of Auckland's communities. Council will engage with all relevant advisory groups (*see Section 4.7*).

## How do we plan, manage and care for public art?

### We plan strategically and early to get best results

Ensuring that public art is included where it has the greatest benefit relies on planning for the potential of public art as early as possible in place-making projects. Therefore the design briefs for all council and CCO major public place development projects and all major infrastructure projects are required to include consideration of the potential for public art (*see Section 5.1*).



Gregor Kregar, Sara Hughes and Davor Popadich, *Transition Cloud* (concept renderings), Infratil New Lynn development; due for completion 2013; Regan Gentry, *Learning Your Lines* 2012, Papatoetoe Returning Serviceman's Association, Papatoetoe War Memorial Library and Burnside Park; images courtesy of the artist and Auckland Council (bottom left and right); Ani O'Neill performance and participation project 2012, *Living Room Programme*, Khartoum Place (bottom left); Paula Roush performance and participation project 2010, *Living Room Programme*, Queen Elizabeth II Square (bottom right)



*Billy Apple, Wairepo Swamp Walk and The Corner Post 2011, Kingsland (top and bottom left); Yarn Bombing, unknown artist and location (bottom right)*

## Public art is a permitted activity

Council's unitary plan (currently in draft) makes provision for public art as a permitted activity in all districts in order to streamline permitting processes for public art, subject to all other controls. This is particularly beneficial for encouraging others to develop temporary art activities in Auckland's public places (see *Section 5.2*).



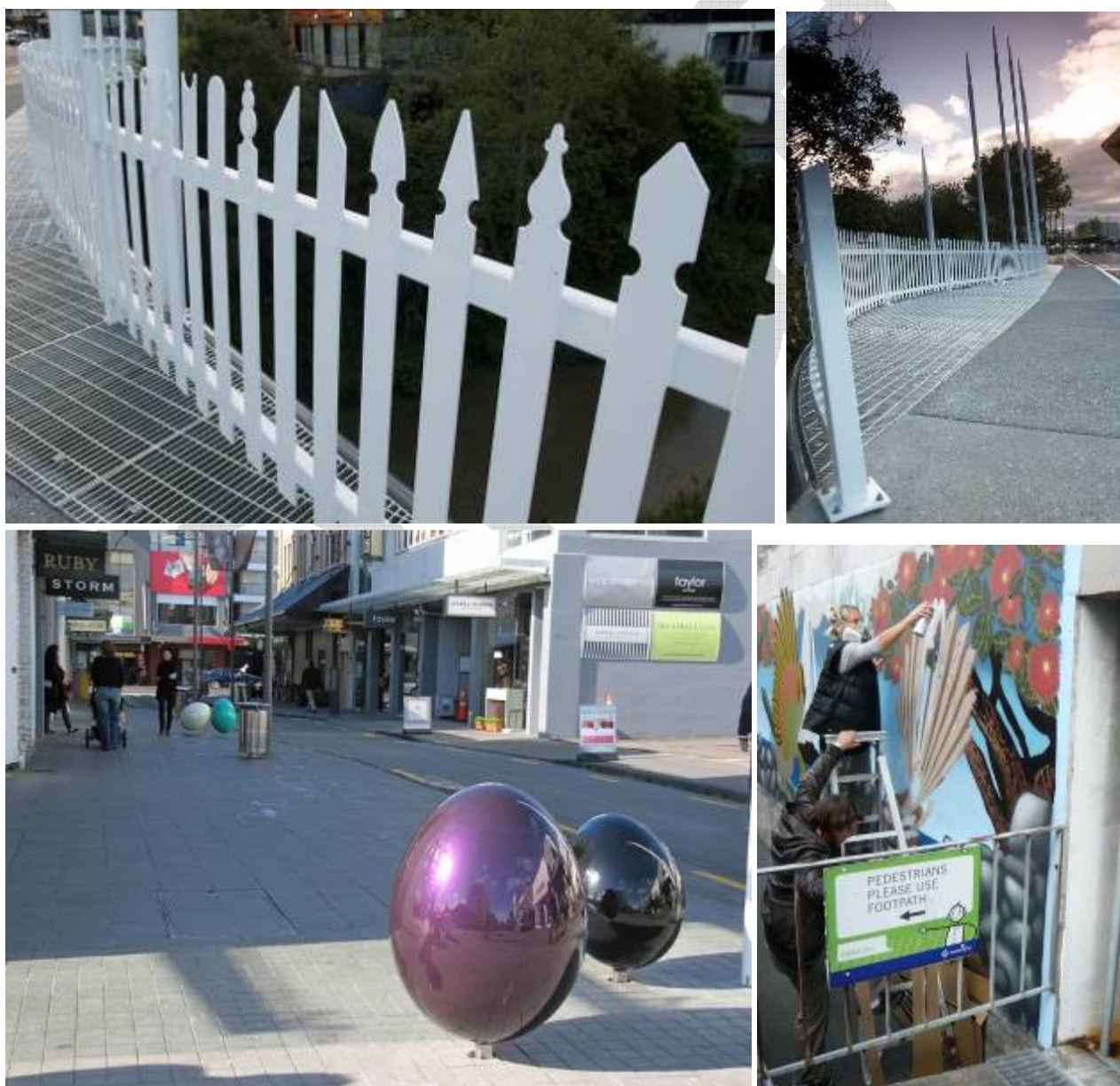
*Creative Spaces (architects), Mangere Arts Centre - Ngā Tohu o Uenuku, 2010 (left); John Ioane, "Kaha Molosi - Strength Strength", 2005, Kotuku House, Manukau (right); Ujino, Dragon Head 2011 (temporary installation), Living Room Programme, Aotea Square, Auckland*

## **We will manage and monitor permanent public art**

Because council is the guardian of public space on behalf of all Aucklanders, council will closely manage and monitor permanent public art. By permanent we mean artworks of durable materials intended to be fixed to one site for an agreed lifespan of several years (typically a minimum of between 5 and 15 years), that require care and maintenance as a capital asset. All permanent public art planned by others is required to follow council's public art administration and governance processes (*see Section 5.2*).

## **We have dedicated public art funding and encourage investment by others**

What council seeks to achieve through this public art policy requires investment in public art activity. Council has dedicated public art funding to support council's public art activity. Council's public art is funded by general rates and over time this will be based on percent-for-art guidelines; this funding includes both capital and consequential operational budgets (*see Section 5.3*). Council will also work to secure investment from others in the cultural, private and public sectors, and in communities (*see Section 5.4*).



Jason Hall, *Oratia and Opanuku Bridges*, Henderson; images courtesy of the artist and Auckland Council. (top); Seung Yul Oh, *Glob Glob* 2011, Newmarket Arts Trust commission, Newmarket (middle left); Flox, 2011 mural on Cross Street (middle right)

## **We maintain and care for public art**

Auckland has a public art collection of more than 1000 art works. Council is committed to ensuring that all public art works are identified, catalogued and labelled; and that each art work's status and condition is recorded and regularly reviewed. Council will ensure that the collection of public art is properly cared for and maintained; and that when needed its public artworks are repaired (*see Section 6*).

## **When required we consider re-siting and removal of public artwork**

While council understands and values the need to retain the integrity of art works and the relationship to their sites, from time to time, as the city changes and evolves, there may be reasons to review the location or retention of a public artwork. Re-siting or removal of public artworks is considered only after careful and robust evaluation, and when no other option exists. The policy sets out the criteria and procedures for reviewing, re-siting and removing art works (*see Section 7*).

## **Gifts, proposals and acquisitions are considered in a consistent and transparent way**

Auckland Council receives offers of gifted public artwork, which may include offers of existing artworks for public places or proposals for new public artworks. Council works carefully to ensure all gift offers are considered in a fair, transparent and consistent manner and this policy sets out the criteria for evaluating gifts, proposal and acquisitions (*see Section 8*).

## **Our implementation plan**

The Public Art Action Plan referred to in this policy is the operational implementation plan that council is developing so that it can give full effect to the policy objectives and processes. The action plan identifies four strategic objectives that provide areas of focus for operational activity:

- Provide increased opportunities for participation in Auckland's public art activity across all areas
- Make sure all aspects of council's involvement in public art are planned and delivered to the highest quality and with innovation
- Ensure that council works consistently and effectively with others in a spirit of shared enterprise to achieve the desired impacts of public art for Auckland
- Make it easier to plan and deliver public art in Auckland

The images in the draft policy provide examples of the inclusive breadth and creative diversity of public art forms which this policy embraces. They reveal the variety of artists and public art approaches which are possible across Auckland. Auckland's public art includes, but not be limited to the range illustrated here. Over time council expects that an even greater variety of art forms and approaches is evident across Auckland. The examples shown are neither exhaustive nor prescriptive (*see Section 2.3 for further definitions of public art and art in public places*).

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# 1. Introduction

Art and artists are a significant part of Auckland region's creativity and dynamism. Public art is the process and result of engaging artists' creativity and ideas in developing Auckland's contemporary public realm. What council seeks to achieve is that all Aucklanders and visitors have the opportunity to experience thought-provoking, culturally vibrant, enjoyable, challenging and inspiring public art and public spaces that are distinctive and unique to Auckland. Auckland's public art celebrates the region's creativity; reflects and expresses the diversity and character of Auckland; generates pride and belonging; and transforms the city's public places.

The Public Art Policy reflects Auckland Council's long-term commitment to developing and supporting public art activities and caring for Auckland's collection of public art assets.

Public art enhances the attractiveness, interest and design quality of public places in Auckland's network of towns, villages, neighbourhoods and open spaces.

Auckland Council has a strong interest in supporting public art activity in all its forms because it contributes to Auckland becoming the world's most liveable city.

Auckland's vision is stated in the Auckland Plan: *As the world's most liveable city Auckland will be a place that Aucklanders are proud of, they want to stay or return to, and others want to visit, move to, or invest in.*

This policy has been developed to clearly articulate why and how the council is involved in public art, what council seeks to achieve from supporting and investing in public art, the principles that guide council's actions, the various roles the council plays and the context within which decision making for public art occurs.

## 1.1 Auckland Council context

The policy takes into account Auckland Council's unique shared governance structure recognising that whilst Auckland is now one collective entity, it is also many communities governed by both a regional governing body and 21 local boards, each with its own aspirations and plans. These two governance arms each have distinct decision-making responsibilities as defined in the Local Government Act and in the allocation of decision-making for non-regulatory activities in the Auckland Council Long-term Plan 2012-2022. Decision-making for public art is shared between the council's two governance arms, with local boards responsible for local public art work and local public art programmes; and the governing body is responsible for the region-wide public art programme and regional public artworks.

Council controlled organisations such as Auckland Transport, Auckland Waterfront Development Agency Limited and Regional Facilities Auckland; and less frequently, Auckland Council Property Limited and Watercare Services Limited, are also variously involved in and responsible for the development of new public artworks and the care and maintenance of public art assets in accordance with this policy.

The governing body and the 21 local boards are supported by the council's arts and culture unit and by others in the council organisation in the planning and operational delivery of public art programmes and projects and in the care and maintenance of the public art collection.

Collectively, the two governance arms, the relevant CCOs, and the council administrative organisation (hereafter referred to as the council organisation), make up the Auckland Council group that is involved in the development and care of public art.

## 1.2 Strategic Links

Public art activity supports the Auckland Plan vision to be the world's most liveable city.

What council seeks to achieve through the Public Art Policy is aligned with the desired outcomes of the Auckland Plan and the City Centre Master Plan, particularly:

- An Auckland of prosperity and opportunity
- A beautiful Auckland that is loved by its people
- A culturally rich and creative Auckland
- A Māori identity that is Auckland's point of difference in the world
- The integration of art into our everyday lives

Public art activity specifically supports four strategic directions identified in the Auckland Plan and one outcome in the City Centre Master Plan (CCMP), namely:

- Strategic Direction 2: Enable Māori aspirations through recognition of Te Tiriti o Waitangi / The Treaty of Waitangi and Customary Rights
- Strategic Direction 3: Integrate arts and culture into our everyday lives
- Strategic Direction 6: Develop an economy that delivers opportunity and prosperity for all Aucklanders and new Zealand
- Strategic Direction 10: Create a stunning city centre, with well-connected quality towns, villages and neighbourhoods:
  - CCMP Outcome 4, Target 1: A city centre that is a window on the world where all of Auckland's many cultures are celebrated; with a targeted increase in the number of public artworks in the city centre

Public art is also a vehicle for achieving the outcomes, objectives and priorities of local board plans. This policy is not intended to be prescriptive or unduly restrict the decision-making role of local boards; rather, it underpins the strategic outcomes that may inform the development of future local board plans and priorities in relation to public art and enables regional and local initiatives to collectively support Auckland's community, cultural, economic aspirations.

Public art also contributes to a wide range of other strategies and plans that support the implementation of the Auckland Plan. Those which are relevant to the Public Art Policy include but are not limited to:

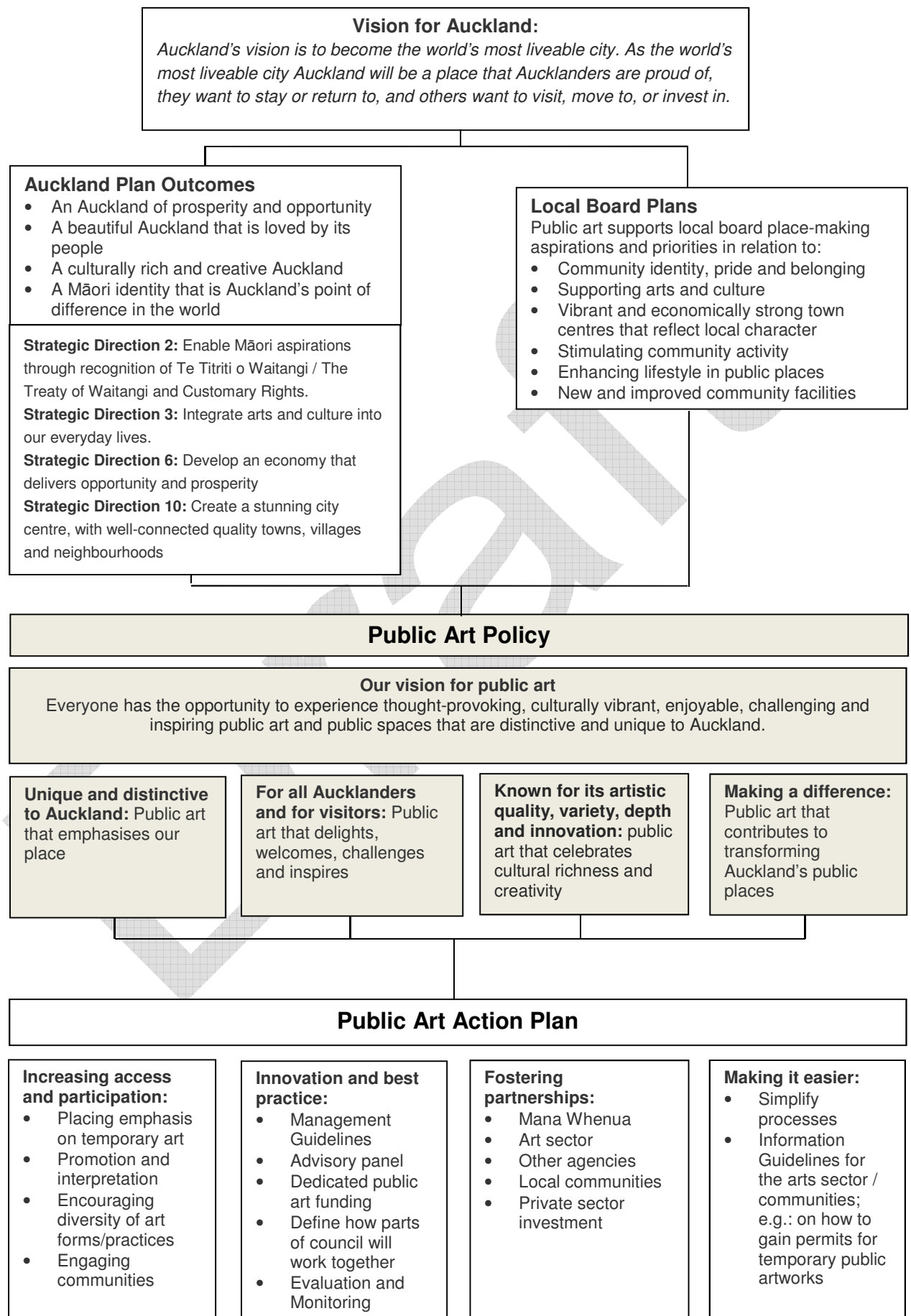
- Arts and Culture Strategic Action Plan<sup>1</sup>
- Auckland Design Manual
- Auckland City Centre Master Plan
- Auckland Waterfront Master Plan
- The Unitary Plan
- Open Space Strategy and associated strategies and plans
- Any plan that is about place making in Auckland

The Public Art Action Plan outlines what the council organisation and relevant CCOs will do to deliver on the public art policy; and identifies areas of focus to ensure best practice in planning and delivery, and care and maintenance of public art.

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<sup>1</sup> The Arts and Culture Strategic Action Plan is in development concurrently with the Public Art Policy development and the two projects are working closely to ensure that they are aligned.

**Figure one: Strategic Links**



## 2. Purpose and scope

### 2.1 Purpose: why do we need a policy?

A policy is required for facilitating excellence, alignment and transparency in all public art activity; and to bring clarity and cohesion to Auckland Council public art delivery and care and maintenance of its public art collection. Council has a strong legacy of investment in public art and a collection of more than 1000 public artworks throughout the region. As guardian of the public realm on behalf of all Aucklanders council has a role to lead and inspire; and a responsibility to manage and influence what happens in public space and to ensure openness and transparency in the way decisions are made about public art.

The public art policy enables key stakeholders, the public, elected representatives (both governing body and local boards), the council administration and council controlled organisations, to understand why and how council is involved in public art, what council seeks to achieve, the principles that guide council's actions, the various roles the council plays and the context within which decision making for public art occurs.

In particular the policy sets out to:

- define the desired impacts of council's involvement in public art
- articulate the value and benefits of public art for Auckland
- clarify the complementary decision-making roles and responsibilities of the governing body and 21 local boards for public art within the context of the allocation of non-regulatory decision-making responsibilities
- clarify the public art roles and responsibilities of the different parts of the council organisation, including the council-controlled organisations (CCOs)
- define key terms relating to public art and art in public space and the scope of council's work in public art
- provide a framework for evaluating the success of the policy using measures described in the Action Plan.

The policy is supported by a Public Art Action Plan which identifies what the council organisation will focus on to build on Auckland's successes in public art and improve public art planning, delivery and care and maintenance.

### 2.2 Policy Rationale: why and how is council involved?

Auckland Council supports and invests in public art activities as a local public service because of the many benefits art in public spaces provides for Auckland's communities; including:

- meeting the community need for best practice place-making that reflects and contributes to Auckland's dynamism and economic prosperity
- contributing to the liveliness and cultural richness of public space and to the diversity of creative expression in the city's public realm
- giving visibility to, and celebrating, Auckland's distinctive and unique Māori identity and culture
- reflecting and expressing Auckland's distinctive Pasifika identities and cultures
- reflecting and expressing Auckland's unique point of difference in the world and the character and identity of our diverse peoples, places and communities

- generating a sense of pride and belonging in Aucklanders
- enhancing Auckland's attractiveness as a distinctive destination for visitors and new arrivals
- the aesthetic enhancement and improvement of the public realm through creative interpretation, knowledge and inspiration
- attracting additional publicity and increased inbound tourism
- helping solve particular public space challenges, such as how to make places more accessible and safer, through integration with urban planning and improvement processes

### **2.2.1 Council's involvement**

Auckland Council's involvement in public art includes:

- guardianship and / or ownership of a region-wide collection of public art and Auckland's public places on behalf of Aucklanders
- planning and delivering an on-going portfolio of public art activities, both temporary and permanent, in support of the Auckland Plan and 21 local board plans and development priorities
- ensuring council has appropriate expertise to guide the curatorial vision and planning for the whole portfolio of public art activity which includes supporting and advising local boards and the governing body, CCOs and other external organisations working together with council
- an on-going portfolio of public art plans and projects devised in partnership with CCOs, Mana Whenua, sculpture trusts and other external organisations
- facilitating, celebrating and supporting the activities of Auckland's arts and cultural sector in public places

Aside from the varied council-led public art projects, many public art activities in Auckland occur with little or no involvement from Auckland Council apart from granting permits to undertake the activity in public places.

The policy provides guidance on council's involvement and aims to encourage the arts sector and Auckland's communities to initiate, plan and deliver public art activity either in partnership with Auckland Council or alongside council's portfolio of activity.

Council's role in relation to public art activity includes:

- providing curatorial strategic direction and planning
- commissioning and delivering
- facilitating public art activity planning through council processes (e.g., designating public art as a "permitted activity" in Auckland's Unitary Plan provisions)
- managing the impact of public art activity on local communities and the environment
- processing consents, permits and licenses required to create public art activities
- monitoring compliance with regulatory and licensing requirements (e.g., national legislation, unitary plan, bylaws)
- supporting public art activity delivered by others
- incentivising public art activity delivered by others (e.g., through Floor Bonus Scheme provisions)
- providing venues for staging temporary public art activities
- promoting and interpreting public art
- providing advice and support to build capability in the public art sector
- providing leadership and guidance towards best practice and innovation in public art activity

## 2.3 Definitions of public art

Art and artists are a significant part of the Auckland region's creativity and dynamism. Public art is defined and shaped by artists working in the public realm. For artists, public art, like all art, is a place of enquiry and experimentation; therefore what constitutes public art continues to evolve. Council's policy applies to the following definition of public art:

*Public art is the process and the result of artists' creativity and ideas in developing Auckland's contemporary public realm.*

Public art in this document refers both to council's own public art activity as well as any art activity in public places that is planned and delivered by external third parties.

### 2.3.1 Public art: process and form

Auckland's public art includes but is not limited to:

- the integration of artistic or design features into urban design elements such as buildings, streets, bridges, public transport stations and hubs, plazas, parks, the water's edge including coastal walkways and stream regeneration sites, and other public places
- discrete artistic objects such as sculpture and murals in public places
- the processes and the results of participation by artists on design teams that develop public places
- the processes and the results of artists working in and with communities for the purpose of enhancing public places
- art processes and artworks in the public sphere that may be variously described as sculpture, performance, sound, moving image, light, digital art, painting, photographs, murals, street art, paste-art, graffiti art (excluding territorial tagging) and other 2-dimensional art forms, new-genre public art, land art, folk art, integrated art and design features, knitting and crochet-bombing, sculptural architecture, relational aesthetics and / or installations
- temporary artworks and activities, including, but not restricted to performance, ephemeral and time-based sculptural installations, temporary installations of durable artworks, light art, sound art, video projections, poster art, broadcast art and other media arts, flash mobbing and / or movable artworks.

### 2.3.2 Temporary public art and art in public places

This policy identifies that there are transformational opportunities for Auckland in giving significant focus to developing temporary public art activities across the region. By temporary, this policy means:

- artworks intended to have a lifespan of less than 5 years; though the duration of most temporary artworks may be as brief as minutes, hours or days; or as long as weeks or months
- murals and street art, including graffiti art (excluding territorial tagging) where the work is intended to be removed, replaced or refreshed within 5 years to ensure the artwork's relevance to its site and community interests; and its on-going good repair
- artworks that engage any of the processes and forms defined in Section 2.3.1 of the Public Art Policy and any future forms of art that artists devise which may be realised in a temporary form; including, but not restricted to performance, ephemeral and time-based sculptural installations, temporary installations of permanent artworks, light art, sound art, video projections, poster art, broadcast art and other media arts, flash mobbing and / or movable artworks

Council delivers temporary public art activity; and council also seeks to encourage temporary public art delivered by external third parties and to facilitate their activity through simplified permit processes.

### 2.3.3 Permanent public art

Permanent public artwork is defined as:

- intended as a permanent feature of a place-making project in the public realm, an existing public site, or accessible to the public, whether delivered by council, CCOs, or private interests which are developed through council incentives, such as the floor bonus scheme (including new commissions as well as gifted artworks)
- artworks of durable materials intended to be fixed to one site for an agreed lifespan of several years (typically a minimum of between 5 and 15 years), that require care and maintenance as a capital asset; noting that the lifespan is reviewed periodically as many artworks remain in the public art collection for many decades
- including any of the processes and forms defined in Section 2.3.1 of the Public Art Policy and any future forms of art that artists devise which may be realised in a permanent form
- including art and design features, conceived by artists, which may have a functional purpose that are integrated within the design of larger development projects (such as bridges, walkways, streets, facilities and parks)

## 2.4 Scope of policy – public art collection

Artworks of the public art collection within the scope of this policy are:

- public artworks in Auckland Council's public art asset collection (including loan items), or located on council property;
- public artwork owned by a third party, and located on a third party site, but developed in partnership with Auckland Council, or covered by a standard loan agreement (SLA) or memorandum of understanding (MOU) with council (e.g., artworks on motorway infrastructure, owned by NZTA)
- artworks in public space or on private property, accessible to the public and which have been developed through, or directly benefitted from, district plan floor space bonus schemes, or other council-controlled public art incentive schemes that council may devise
- any other public art activity that is not specifically excluded (below) and that requires a permit or consent

Certain objects that are not usually classed as public art may on occasion be included in the public art collection; especially where they are conceived and designed by an artist, and intended as an artwork. Therefore, unless conceived and designed by an artist, and intended as an artwork, the following are excluded from the scope of this policy:

- council heritage items (such as historic fountains, memorials, military artefacts, machinery, and historic statues or heritage monuments);
- council gift archive (corporate gifts)
- architectural features, either incorporated as part of a larger project (a building or a landscape), or resulting in architectural ornamentation (railings, light fixtures, floor surfaces, etc.), or standalone elements (e.g., tiles created by a designer, or a town icon created by an engineer)

Other policy exclusions:

- moveable artworks displayed inside council owned buildings and facilities (referred to as the Indoor Art Collection)
- artworks in discrete collections such as those held by libraries, or managed by CCOs such as The Edge (Aotea Centre) or Auckland Art Gallery unless located on council land and / or covered by a contract, such as a Loan Agreement or Licence and intended as a public artwork

- privately owned artworks on private property that simply happen to be visible or accessible to the public are excluded (unless they have been developed through, or directly benefitted from, district plan floor space bonus schemes, or other council-controlled public art incentive schemes)

## 2.5 Public art: definitions of local and regional

“Local” and “regional” are terms used in local government legislation to determine areas of responsibility for the governing body and 21 local boards. Local and regional public art, for the purposes of this policy, are defined as follows:

### 2.5.1 Local public art

Local public art is public art where there is local board decision making and occurs in these cases:

- local public artworks are those where local boards make decisions about those temporary and permanent public artworks and public art activities which occur within their defined local board area and / or adjoining local board areas; and which are primarily intended for the benefit of the communities and audiences local to that area
- local public art programmes are those where local boards make decisions about the annual and multi-year plans for public art activity which are intended for their defined local board area; and / or adjoining local board areas
- all public artworks are governed by local boards and considered to be matters for local decisions unless they meet the criteria for regional public artworks (see below)

### 2.5.2 Regional public art

Regional public art is public art where decision making is held by the governing body and occurs in these cases:

- regional public artworks are those which are intended from the outset for a region-wide audience, including both Aucklanders and visitors; or are an integrated part of a regional or national facility; or a regionally significant development project

### 2.5.3 Regional public art programme

The regional public art programme is a governing body responsibility and refers to council’s region-wide programme of public art across Auckland. This covers all council’s public art activity, including stand-alone public art projects (both local and regional) and art integrated within capital developments. The regional programme is planned, managed and implemented as a regional programme developed in conjunction with local boards, CCOs and other parties.

While curated and managed as a regional programme, in the main the programme is delivered locally with local boards responsible for decision-making on all local projects within the regional programme.

## 3. Our vision for public art

Auckland Council supports and invests in public art to deliver on the Auckland Plan and local board plans. This policy draws together the key ideas and outcomes from these plans and expresses in one place what the council is seeking to achieve collectively through public art activity. The shared vision for Auckland’s public art is:

*Everyone has the opportunity to enjoy attractive, vibrant, challenging and inspiring public art that expresses and reflects our places and peoples, celebrates our creativity, generates pride and belonging, and transforms our public places.*

## 3.1 What we seek to achieve

Public art can be a highly visible and tangible expression of the ideas, values, stories and histories of people and place. We want to achieve public art that is:

<p><b>Unique and distinctive to Auckland:</b> <b>Public art that emphasises our place</b></p>	<p>Auckland's public art is distinctive because it gives importance to:</p> <ul style="list-style-type: none"> <li>• site-specific approaches to commissioning that ensure Auckland's public art is unique, relevant and memorable</li> <li>• Māori visibility through public art forms which celebrate, express and give mana to Mana Whenua stories, histories, Mātauranga Māori (traditional Māori knowledge, wisdom and understanding) and communities</li> <li>• Pasifika art forms which give expression to and celebrate Auckland's Pasifika diversity and richness</li> <li>• Public art processes and forms that express and reflect the diversity of Auckland's people and cultures</li> <li>• defining Auckland as a unique international destination with recognisable cultural signifiers</li> </ul>
<p><b>For all Aucklanders and visitors: Public art that delights, welcomes challenges and inspires</b></p>	<p>Public art and art in public places gives form to the full diversity of ideas and sensations:</p> <ul style="list-style-type: none"> <li>• It has a place in creating forms that people recognise as their own and which reflect back to them their character, stories, sense of place and culture. Public art marks significant sites and honours our treasured memories; generates surprise, laughter and contributes to a sense of fun; and is a part of what makes Aucklanders feel more at home in their town centres and neighbourhoods</li> <li>• It has a role in challenging people's ideas, feelings and values. Public art may confront what we know, think and feel; it may create mystery or intrigue; and give rise to debate. It is memorable for its impact as a talking point; and its power to stimulate the imagination</li> <li>• Whether familiar and reassuring, or unexpected and challenging, public art and art in public places enhances people's experiences of public places; contributes to Auckland's attractiveness for children, young people and families; contributes to making the region unique and welcoming for locals and visitors alike; and desirable as a destination and place of enjoyment</li> </ul>
<p><b>Known for its artistic quality, variety, depth and innovation: Public art that celebrates cultural richness and creativity and models international best</b></p>	<p>Auckland's public art and art in public places possesses a rich artistic variety, depth and innovation; and our understanding of what public art is is fundamentally shaped by artists working in public space:</p> <ul style="list-style-type: none"> <li>• through council's support, celebration and involvement of</li> </ul>

<b>practice</b>	<p>Auckland's arts sector, Auckland's public art and art in public places is a tangible indicator of our city's creativity, wealth of talent, cultural diversity, openness and richness</p> <ul style="list-style-type: none"> <li>council also involves the creativity of artists from throughout New Zealand and from overseas</li> </ul>
<b>Making a difference: Public art that transforms Auckland's public places</b>	<p>Public art and art in public places is developed and encouraged where it is most likely to have transformative impacts on public places. Public art:</p> <ul style="list-style-type: none"> <li>provides a unique dimension to public places and therefore has a key place-making role in helping achieve high quality design of public places</li> <li>contributes to transforming the appearance and experience of places making them more attractive and dynamic</li> <li>is deployed as an innovative and creative means of helping to solve particular urban design challenges and problems</li> <li>includes integrated, and sometimes functional, art and design features within the design of larger development projects (such as bridges, walkways, streets, facilities)</li> <li>includes temporary artworks and activities that contribute to the liveliness of Auckland's public realm</li> </ul>

## 3.2 Our guiding principles – the way we will work

Council will be an effective leader in place-making through public art by:

- **Working with others** to recruit, foster and support the enthusiasm, ideas, talents and resources of organisations and individuals to help plan and deliver public art activity; this includes working collaboratively across the council organisation and with CCOs.
- **Valuing Mātauranga Māori** by building and maintaining respectful relationships and partnerships with the Mana Whenua groups of Auckland. . Note: Mātauranga Māori is the accumulated knowledge and understanding of how Māori interpret the world. The values, traditions and language provide the unique blend of traditions which identifies Aotearoa New Zealand in the world.
- **Investing in the right expertise and capability** in public art curating and management, planning and delivery, care and maintenance
  - ensuring that the governing body and 21 local boards have access to expert recommendations on the artistic content of public art programmes and projects
  - engaging independent expert advice in the form of a Public Art Panel
- **Delivering best practice** in all areas of public art activity, from the selection of opportunities and the conception of projects through to the delivery, care and maintenance of Auckland's public art within an environment of continuous improvement. Council's aspiration for the best artistic results across all art genres and types also means ensuring that there is a strong connection between the artwork and its site, neighbourhood and its community or context and high quality processes and materials are used in the design, making and installation of artworks to ensure their robustness and durability.

## 4. Roles and Responsibilities

The various parts of council have different and complementary roles and responsibilities in respect of public art. The following sections set out the specific functions and responsibilities for each body.

### 4.1 Governing Body and Local Boards

Auckland Council has a unique shared governance structure comprising a regional governing body and 21 local boards that share decision-making for public art activity. The governing body has allocated decision-making responsibility for non-regulatory activities such as public art to the 21 local boards in accordance with the provisions set out in Section 17 of the Local Government (Auckland Council) Act 2009. While local boards make decisions regarding most public artworks, decision-making for public art is shared between these two governance arms as set out in the Auckland Council Long-term Plan 2012-2022:

<b>Auckland Council's public art activity is comprised of a region-wide programme delivered locally</b>	
<b>Local boards</b> are allocated decision-making responsibility for: <ul style="list-style-type: none"> <li>local public artwork and local public art programmes</li> <li>maintaining the service capacity and integrity of local assets throughout their useful life in accordance with Auckland-wide parameters and standards set by the governing body</li> </ul>	<b>The governing body</b> is allocated decision-making responsibility for: <ul style="list-style-type: none"> <li>regional public artwork and regional public art programmes</li> <li>maintaining the service capacity and integrity of regional assets throughout their useful life and setting Auckland-wide parameters and standards for all asset management planning</li> </ul>

#### 4.1.1 Decision-making about public art

The key activity stages at which the governing body and 21 local boards make decisions in relation to public art are set out below.

<b>Activity</b>	<b>Local Boards input and decisions</b>	<b>Governing body decisions</b>
<b>Regional public art programme</b>	Review and input on public art projects and opportunities in their area	Approve programme and budget
<b>Regional public artworks</b>	Review and input on regional projects in their area	Approve opportunity / site Approve concept Approve budget
<b>Local public art programmes</b>	Approve programme and budget	
<b>Local public artworks</b>	Approve opportunity / site Approve concept Approve budget expenditure (budget follows decision-making going forward in each following financial year)	
<b>Gifts, Acquisitions, Re-siting &amp; Removal</b>	Approve for local artworks in their area	Approve for regional artworks
<b>Renewals; and</b>	Input on region-wide programme of	Approve region-wide programme of

<b>care and maintenance</b>	renewals; and care and maintenance plans for artworks in their area.	renewals; and care and maintenance plans. Maintain the service capacity and integrity of regional assets throughout their useful life and setting Auckland-wide parameters and standards for all asset management planning.
<b>Council's public art administration supports the governing body and 21 local boards with:</b> <ul style="list-style-type: none"> <li>• Expert curatorial guidance and advice and project management recommendations on local and regional public art opportunities, benefits, priorities, artists' concepts and developed plans</li> <li>• Expert guidance and advice on gifts, acquisitions, re-siting and removal projects</li> <li>• Public art programme and budget planning</li> <li>• Expert administration and management of public art delivery processes</li> <li>• Expert advice and management to ensure proper care and maintenance of public art assets in accordance with Auckland-wide parameters and standards set by the governing body</li> </ul>		

In keeping with their governance roles, the governing body and 21 local boards make decisions with regard to strategic alignment, development and place-making priorities, budgets and timing, and provide oversight of the processes of the council administrative organisation.

The governing body and 21 local boards are supported by the public art expertise of the council administrative organisation for recommendations on the art content and on the artistic nature of public art programmes and projects. Council's administrative organisation is also supported by an Advisory Panel that provides independent public art, place-making and Mātauranga Māori expertise.

#### **4.1.2 The place-making role of local boards**

Local boards have a key role in establishing Auckland's place-making priorities. Most public artworks are local by nature. Auckland's 21 local boards are uniquely placed to know and understand the aspirations, diversity, character and needs of their local communities and the distinctive places of their board area. Local board input to region-wide programme planning is required to identify local development and community priorities.

## **4.2 The council organisation**

Within the council organisation, the Arts and Culture unit is primarily responsible for planning and delivering the region-wide programme of public art activities. This unit provides expert public art curatorial guidance, advice and operational support for local and regional public art activity to both the local boards and governing body. The combination of curatorial leadership, planning expertise and delivery capability among council's Arts and Culture unit means that council is able to plan and deliver public art programmes and public artworks across council, with CCOs, and in partnership with other external parties.

Other council departments are responsible for facilitating external events (which include temporary public artworks), licensing and compliance and granting landowner consents.

There are other parts of the council organisation that are involved in the planning and delivery of public artworks and activity either in a regulatory or supporting function or because public artworks are integrated within wider development projects (such as town centre up-grades or precinct developments).

## 4.3 Public art panel

Council works with an independent and external expert panel, whose advisory role is to review and discuss council's public art plans, programmes and projects and to make recommendations to council officers. The Panel is comprised of people with a balanced array of arts, culture and design expertise, including public art, Mātauranga Māori (traditional Māori knowledge, wisdom and understanding), architectural and urban design expertise. The Panel's advice is also available to the governing body and local boards through council officers.

The external advisory function has many benefits for both elected representatives and the council administrative organisation. Terms of Reference (TOR) and membership of the Panel ensure that the council organisation receives independent advice that meets the requirements of a region-wide programme of public art and the needs of the shared governance structure of Auckland Council.

## 4.4 Council Controlled Organisations (CCOs)

Many public art opportunities occur within the capital works programmes and place-making activities of the CCOs.

The following CCOs share responsibility with council for the delivery and care and maintenance of public artworks and are required to act in accordance with the full purpose and objectives of the public art policy:

- Auckland Transport and Auckland Waterfront Development Agency Limited with regard to on-going public capital works programmes in which place-making projects may include integrated public artworks; and land and asset ownership with implications for the care and maintenance of public artworks
- Watercare Services Limited on a case-by-case and occasional basis with regard to public capital works place-making projects within which there are from time to time integrated public artworks (e.g., Twin Streams projects)
- Regional Facilities Auckland and Auckland Council Property Limited: regional and national facilities development; and asset acquisitions with implications for the care and maintenance of public artworks

This policy requires CCOs involved in public art and public place-making projects to give effect to the full purpose and objectives of policy and this includes requiring their administrative teams to work closely with council's Arts and Culture unit and to follow the policy processes, to ensure the region-wide integration of all public art activity within council's regional programme of public art

Similarly, council asset managers and CCOs will work together to collectively ensure that council's region-wide public art collection is cared for and maintained according to the processes and levels of service requirements stated in council's Arts and Culture Asset Management Plan and other relevant plans.

The mechanisms and processes for council and CCOs working together will be addressed through the development of appropriate protocols and Memorandums of Understanding (MOUs).

## 4.5 Independent Māori Statutory Board

The Independent Māori Statutory Board (IMSB) has a role to monitor the council with regard to its engagement with iwi in Tamaki Makaurau, and to ensure the council acts in accordance with Te Tiriti o Waitangi/ the Treaty of Waitangi. Auckland Council is obligated under Part 7 of the Local Government (Auckland Council) Amendment Act 2009 to consider the recommendations of the IMSB and where applicable work with the board on policies and plans that have a significant impact on

Māori. This means that in relation to public art the Auckland Council organisation and CCOs have a duty to ensure that any recommendations made by the board, through their representation on the Governing Body, are carefully considered, and where appropriate incorporated into the public art programme.

These obligations to the IMSB, do not preclude any other statutory obligations the council has to iwi and Māori. It is essential, that council builds its relationship with Māori organisations and to ensure that the policy reflects their interests and aspirations.

## 4.6 Mana Whenua

The Mana Whenua of the Auckland region bear the traditions and history which make Auckland unique.

Mana Whenua have articulated that public art is a vehicle for expressing the indigenous culture of Tāmaki Makaurau and they wish to see:

- that the special relationship between Mana Whenua and Auckland Council is recognised
- Māori have visibility across Auckland and especially in key locations where it might be expected (such as CBD, metropolitan centres and regional gateways)
- early involvement with Council in planning
- a consistent, simple and more streamlined interface between Council and others

Council will work closely with Mana Whenua by seeking their advice and by working together in the planning and delivery phases of its public art activity; and in the care and maintenance of Māori taonga and Māori art in public space.

Council will in particular, consults with Mana Whenua at the earliest stages of planning new projects to identify, and work together on, areas of shared interest.

The mechanisms and processes for Mana Whenua and Council working together will be defined and developed as an action in the Public Art Action Plan.

## 4.7 Mātāwaka

Mātāwaka is a term that applies to all Māori (residents, ratepayers and groups) living in Auckland whose whakapapa is outside of the region. In the context of this policy it encompasses Māori artists and arts groups.

In keeping with the policy objectives to celebrate and support Auckland's arts and culture, the creative activities of Mātāwaka will be celebrated and supported through Council's public art activities.

## 4.8 Council's other advisory panels

Council has appointed a number of other advisory panels, whose role is to identify and communicate the interests and preferences of Auckland's communities relating to the specific portfolio of the panel, and to advise on ways to engage with these groups. Council will engage with all relevant advisory groups including, but not limited to, the following:

- Pacific Peoples Advisory Panel
- Ethnic Peoples Advisory Panel
- Youth Advisory Panel

- CBD Advisory Board
- Heritage Panel
- Disabilities Strategic Advisory Group
- Rural Advisory Board
- Business Advisory Board
- Urban Design Panel

## 4.9 Arts sector, organisations and communities

A wide range of other agencies, groups and individuals have a role in the conception and delivery of public art and council will build relationships and work collaboratively with these, including:

- Artists (including local, national and overseas)
- Curators, arts managers, and the creative sector
- Mātāwaka (Māori artists, curators, arts groups and other creative professionals living in Auckland whose whakapapa is outside of the region) Auckland Pasifika creative communities
- Community Arts Councils
- Auckland's diverse communities and local neighbourhoods
- Architects, designers, landscape architects, urban planners and developers
- Public sector capital works organisations (e.g., New Zealand Transport Agency and KiwiRail)
- Business Improvement Districts (BIDs) and Business Associations
- Philanthropic trusts and individuals, including private sculpture trusts
- New Zealand Government and cultural agencies (e.g., Creative New Zealand) and foreign government and cultural agencies (e.g., The British Council)
- Education sector organisations, including universities, colleges and art and design schools

# 5. Planning and funding public art

## 5.1 Planning inclusion

Ensuring that public art is included where it has the greatest benefit relies on planning for the potential of public art as early as possible in place-making projects. Therefore the design briefs for all council and CCO major public place development projects and all major infrastructure projects are required to include consideration of the potential for public art

Council and CCO place-making teams are required to engage collaboratively with council's public art administrative team and cultural expertise at the earliest concept and master planning stages in order to assess the strategic potential for public art projects and to set public art priorities.

These requirements include the following types of project:

- capital works place-making projects such as metropolitan and town centre master plans, major waterfront and regional infrastructure precinct developments and open space developments
- new local, regional and national facility projects (including, but not limited to community centres, libraries, recreational facilities, swimming pools, service centres, art centres, art galleries, theatres and stadiums)

- town and village centre and major street upgrade and development projects
- infrastructure projects (including, but not limited to pedestrian and transport bridges, train stations, transport hubs, wharfs and coastal walkways)
- architectural projects where public space objectives and public art outcomes can be achieved through artist-architect collaborations
- park and landscaping developments where public space objectives and public art outcomes can be achieved through artist-landscape architect collaborations

## 5.2 District plan provisions and managing public art

Council's unitary plan (currently in draft) makes provision for public art as a permitted activity in all districts in order to streamline permitting processes for public art, subject to all other controls. This is particularly beneficial for encouraging others to develop temporary art activities in Auckland's public places.

There is also provision for public art through the Floor Bonus Scheme in the central city and this is proposed to continue in the unitary plan.

Council will also closely manage and monitor Auckland's permanent public art – as council has guardianship of public places and of art the public realm on behalf of all Aucklanders, it also has certain responsibilities with regard to decisions about permanent public artworks. As a consequence, permanent public artworks planned by others and located on council owned or controlled land are required to follow council's public art administration and governance processes before they are permitted to proceed. Therefore council monitors compliance with regard to all requirements for permanent public artworks developed by others.

## 5.3 Public art fund for council public art projects

Council has a dedicated public art fund to deliver a region-wide programme of public art projects. The public art fund is comprised of a capital fund and an associated and consequential Operational fund.

Dedicated public art funding is one of the key factors that ensures that council achieves an innovative and transformational public art programme that benefits Auckland and all Aucklanders.

Council's public art is funded by general rates. The capital public art budget will be based on a percentage of council's overall capital budget (working towards 1% of capital expenditure, developed incrementally over the life-time of the policy).

Council's capital fund for its region-wide programme of public art enables:

- commissioning of new public art projects within council and CCO place-making capital works projects; including, but not limited to:
  - infrastructure developments (e.g., motorway and highway projects, pedestrian and transport bridges, train stations and transport hubs, wharfs, coastal walks)
  - major precinct developments (e.g., waterfront, city centre, metropolitan centres, greenfield projects)
  - facility development projects (e.g., community libraries, swimming pools, service centres, art centres)
  - town centre, village centre and major street upgrade and development projects
  - parks development projects

- an appropriate scale and integration of public art of activity within major place-making developments
- the strategic reach of permanent and integrated public artworks across the whole region
- renewal of existing public artworks to extend their lifespan and therefore their benefits to all Aucklanders
- re-siting and removal of artworks
- partnership projects including integration of gifted artworks and development of co-joint projects with the arts, education and private sectors

Council's consequential operational fund for its regional programme of public art enables:

- continuity of planning and delivery of permanent and temporary public artworks
- the increased and equitable reach of temporary public projects across the whole region
- care and maintenance of the region-wide public art collection
- the right public art expertise and curatorial leadership within the Council administrative organisation to plan public art programmes, to advise local boards and the governing body and to work with council's partners
- project management and administrative capability
- communication with Aucklanders and visitors about the public art programme and collection
- leverage to secure partnership investment from external organisations and philanthropists

## 5.4 Investment by others

Council will work closely with others to achieve dynamic and distinctive public artworks and activities across the whole region. To this end council will work to secure investment in public art activity from others in the cultural, private and public sectors, and in communities:

- through direct partnerships to achieve public place-making projects involving public art
- by means of floor bonus schemes and other incentive programmes that council may develop
- through philanthropy, gifts and bequests
- by streamlined permitting processes where appropriate
- by encouraging and facilitating the independent public art activity of others
- by demonstrating leadership in the achievement of high quality place-making through public art

## 6. Care and maintenance

Auckland Council has a region-wide collection of public artwork; and council and others continue to develop new public artworks across the region.

Auckland Council will ensure that all public artworks are identified and catalogued and their location, ownership status and condition are recorded and regularly reviewed. Council will also ensure the proper care and maintenance of its region-wide collection of public art, and where required, the repair of its public artworks. In some cases the responsibility for care and maintenance is shared between council and CCOs.

Auckland Council will work with Mana Whenua to ensure appropriate protocols are in place for the proper care and maintenance of Māori taonga and artworks in public space.

Auckland Council's governing body and 21 local boards share decision-making for regional and local asset care and maintenance, and renewals, as indicated in Section 4.1 of this policy.

Auckland Council's Arts and Culture Asset Management Plan specifies minimum levels of service for the cataloguing and on-going care and maintenance of Auckland's public art collection; and is one of the resources used in reviewing the public artwork collection.

## 7. Re-siting and removal

Cities constantly evolve; and its people and places change. Good urban design helps create attractive, liveable, and functional cities for residents, workers and visitors alike. Auckland Council is committed to the on-going development and evolution development of high quality public places that people use, value and enjoy.

Public artworks often have particular relevance to their site and the history of the area. Auckland Council seeks to retain the integrity of artworks and the relationship to the sites for which they were created throughout their lifespan, in keeping with original intentions, and consistent with the rights afforded by contractual agreements and copyright legislation.

There is recognition, however, that from time to time, as the city changes and evolves, there may be reasons to review the location or retention of a public artwork.

Re-siting or removal (de-accessioning or disposal) of public artworks is considered only after careful and robust evaluation and when no other option exists. Evaluation follows the criteria and process summarised below which are fully detailed in council's re-siting and removal operational process guidelines. Council aims to achieve clear, transparent and rigorous processes for decision-making; respect for moral rights of the artist and integrity of the public artwork and its site; compliance with council's contractual obligations; good management of the public art collection; and a positive contribution to high quality urban design.

Re-siting or removal of a public artwork may be considered if one or more of the following criteria apply. Note that 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 public artwork has been lost or stolen
- the artwork is irreparably damaged.
- council's loan agreement, licence or other relevant contract is terminated or expires.
- council is no longer able to meet the terms of acquisition, the terms of bailment / loan agreement or the terms contained in any agreement governing Council's lease or purchase of the public artwork.
- the public artwork endangers public health and safety and remedy is impractical, not feasible or undermines the integrity of the public artwork.
- council is unable to reasonably guarantee the condition or security of the public artwork in its present location.
- continued display of the public artwork undermines the artist's intention
- significant and / or substantial changes in the pattern of use, community, character or design of the environment where the public artwork is located necessitates a re-evaluation of the relationship of the public artwork to the site

- the public artwork site or part of the site is to be redeveloped, demolished or sold and it is not possible to incorporate the public artwork into the redevelopment without compromising the integrity of the public artwork or incurring excessive costs
- the public artwork requires a high level of maintenance and / or conservation rendering unsustainable asset management expenses
- the public artwork possesses serious or dangerous faults in design or workmanship and repair or remedy is impractical, not feasible or undermines the integrity of the artwork
- the public artwork in Auckland Council's opinion, is a forgery, is inauthentic or violates (or may violate), a law or by-law, including copyright law.
- the public artwork is not (or is rarely) displayed because it lacks a suitable site
- the public artwork has been in storage for five years or more

The criteria upon which a final decision is made takes regard of the particular circumstances which have prompted the review of the artwork and consider whether the decision to either re-site or remove the artwork:

- is supported by the artist, or their heirs or legal representatives; and by the artwork donor / lender or any other parties directly involved in the original commission
- enhances Auckland's goal of attractive, vibrant and challenging high quality public art that expresses and reflects our places and peoples, celebrates our creativity, and transforms our public places
- contributes to the diversity of types of works in the public art collection
- contributes to the overall objectives of the regional public art programme
- enhances the experiences of audiences engaged by the public art collection
- significantly enhances the site and surrounding environment in question
- if re-siting, can be achieved within the available resources
- enhances council's effective care and maintenance of the region-wide public art collection within available resources for the duration of the artwork's intended lifespan

Auckland Council has a long-term stewardship role and must weigh up responsibilities to a wide range of stakeholders including artists, donors or lenders, the community, business groups as well as the city's collective cultural heritage.

The final decision with respect to the re-siting or removal of public artworks rests with the relevant local board for most public artworks, or with the governing body for regional public artworks, after consideration of all of the issues within the context of wider public outcomes for the city.

Detailed process guidelines for decision-making relating to the re-siting or removal of public artworks are defined in the Public Art Action Plan.

## 8. Gifts, proposals and acquisitions

Auckland Council receives offers of gifted public artwork from time to time, which may include offers of existing artworks for public places or proposals for new public artworks. From time to time council may acquire such artworks. Auckland Council will work carefully to ensure all gift offers are considered in a fair, transparent and consistent manner.

Council's public art administration assesses all gift offers and proposals in relation to the desired impacts of public art for Auckland and reports their findings and recommendations to the relevant

local board, or in the case of the intended gift being of regional significance, to the governing body for a decision.

Council's priorities include ensuring best practice in shaping the city's public art; and encouraging and developing public artworks that are site specific. Council does not generally acquire public art works or speculative proposals that are not site-specific, except in certain circumstances where the artwork:

- makes a significant, contribution to council's region-wide programme of public art
- enhances Auckland's goal of attractive, vibrant and challenging high quality public art that expresses and reflects our places and peoples, celebrates our creativity, and transforms our public places
- contributes to the diversity of types of works in the public art collection
- contributes to the overall objectives of the regional public art programme
- enhances the experiences of audiences engaged by the public art collection
- occupies a site that will expose it to an appropriate audience
- suits the characteristics of the proposed site and surrounding environment in which it will be placed
- is be able to be installed and subsequently cared for and maintained within available resources for the duration of its intended lifespan

