



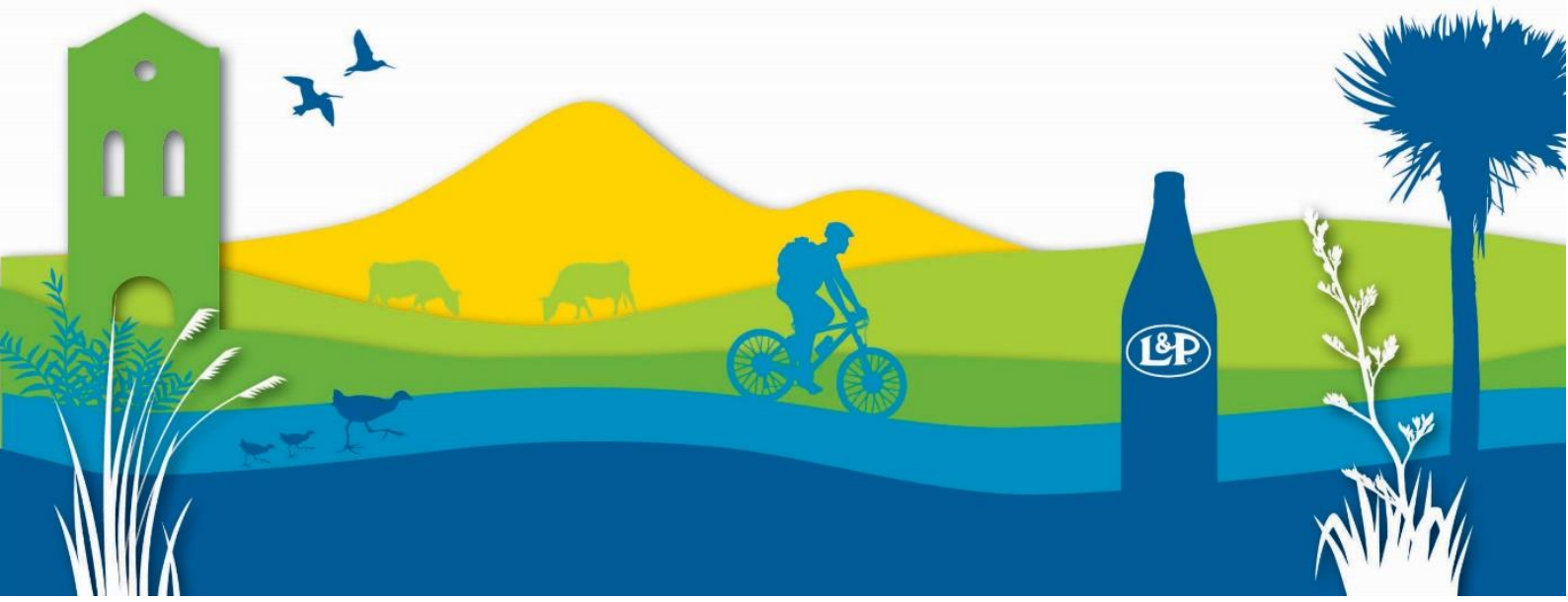
2023

Public Arts Policy

Kaupapa Here Toi Tūmatanui

our home, our future

tō tātou rohe kāinga, tō tatou ao tūroa





Contents

- 1. Introduction 1
- 2. Objective 2
- 3. Policy 3
- 4. Public Arts Fund 7
- 5. Assessment Panel 8
- 6. Enforcement 8
- 7. Related Council policies/strategies or guidelines 9
- 8. Glossary 9
- 9. Review 9
- 10. Document management and control..... 9



1. Introduction

- 1.1. The Hauraki District Council recognises the role art plays in making our public places energising, interesting and inviting. The Public Arts Policy (the policy) aims to encourage the creation of Public Arts.
- 1.2. The development of this policy is an action specified in Council's Manaaki Toiora Strategy. It will help the Council to achieve its goal of having vibrant, creative spaces in the district. This policy also helps the Council meet its vision and community outcomes, particularly *Vibrant and safe communities | Te Oranga pai o te Hapori*.
- 1.3. This policy applies to Public Arts in Public Places, and Public Arts proposed to be created and displayed in Public Places.
- 1.4. This policy provides the Council with the ability to assess applications for Public Arts in Public Places, and to accept or decline these applications. Applications will be assessed against a set of criteria, outlined in Section 3 of this document.
- 1.5. The criteria in this policy will also be applied where funding is sought from the Council for the creation and display of Public Arts on private land that is considered to be in the Public Realm.
- 1.6. The Council has a Public Arts Fund, which applicants proposing to create and display Public Arts (either in a Public Place, or on private land in the Public Realm) can apply for, providing they meet the criteria of this policy.

Capitalised words (such as Public Arts or Public Realm) indicate they have been defined in the Glossary (refer Section 8 of this policy)

For example a building that borders a Council reserve and is visible and accessible from the reserve is considered to be in the Public Realm



2. Objectives

- 2.1. The purpose of this policy is to encourage the creation of Public Arts in the Hauraki District, and define a set of criteria for Council to assess Public Arts.
- 2.2. Specific objectives of the policy are:
- a) Public Arts in the district will be creative, inspiring and meaningful.
 - Hauraki's Public Arts will give the district dynamic points of difference, be visually stimulating and interesting, and will contribute to positive perceptions of the district as a creative and vibrant space.
 - b) Public Arts activity in the Hauraki district will enhance sense of place.
 - Hauraki's Public Arts will align with the Council and the community's place making goals and enhance the sense of place in the local community.
 - c) Māori culture, whakapapa and history are expressed in Public Arts.
 - The Council recognises Mana Whenua and the past, present and future relationship of Māori with the district.
 - d) The diversity of culture in the district is reflected in our Public Arts.
 - Hauraki's Public Arts will acknowledge and reflect the diverse cultures in the district.
 - e) Locals are more engaged in the development of Public Arts.
 - During the process of creating Council's Manaaki Toiora Strategy and the development of the 2021-2031 Long Term Plan, communities told the Council they want towns that look good and have great character. This policy aims to increase public participation in Public Arts activity to achieve this.
 - f) Public Arts activity directly contributes to social and economic change and urban/suburban revitalisation.
 - Hauraki's Public Arts will aid in improving aesthetics, contributing to social and economic change by encouraging people to visit and spend money in the district, and revitalise disused/under-appreciated areas.



3. Policy

3.1. Application of the Policy

- a) For the purposes of this policy, Public Arts are defined in the glossary and have the below inclusions and exclusions:

Public Arts includes:

- Artists contributing to the thinking and design of Public Places.
- Art concepts, artworks and/or design features integrated into urban design developments (including buildings, streets and parks).
- Artists working in and with communities in Public Places.
- Art processes and artworks in Public Places that can be variously described as sculpture, murals, street art, mosaic, painting, photograph, carving or other art medium.
- Artworks displayed in Council-owned buildings, or in Council collections (such as in public libraries).
- Performance art in Public Places.
- Artworks on private land that:
 - are within the Public Realm, and
 - have been developed through, or directly benefited from any Council funded public art incentive scheme.
- Artwork may be Fixed Term or Permanent.

Public Arts does not include:

- Privately owned works.

- Events, and temporary art created through events.
- Advertising and billboards located in public spaces.
- Artworks on private property that are visible or accessible to the public and have not been developed through, or directly benefited from any Council funded Public Arts incentive schemes.
- Busking.

Refer to the Town Centre Footpath Management Policy for further information on busking


3.2. Public Arts Assessment Criteria

- a) Artists seeking to create Public Arts for Public Places are required to apply to Council for permission. Applicants need to show that the proposed Public Arts meet the criteria of this policy.
- b) Council will assess proposals and accept or decline based on the following criteria:
 - i. New artistic practices that would add innovation to Hauraki's Public Art scene.
 - ii. High standards of artistic excellence.
 - iii. Recounts Māori whakapapa and history, or celebrates Māori culture (with approval given by Mana Whenua).
 - iv. Helps to develop the artistic capability of Mana Whenua.
 - v. Reflects and incorporates the diversity of culture in the district.
 - vi. Demonstrates how local residents/communities will be engaged in the development of Public Art activity.
 - vii. Is incorporated in the (re)development of public infrastructure
 - viii. Implements programmes to communicate and educate people about Hauraki's Public Art activity.
 - ix. Responds to the proposed site, which means taking into consideration the site context (cultural, historical, environmental).
 - x. Shows consistency with Council's relevant reserve management plans, policies, strategies and plans, and meets the requirements of the District Plan.
 - xi. Considers and adequately addresses public safety and the public's access to and use of the Public Place.
 - xii. Considers maintenance and durability requirements and provides methods to satisfactorily address these.



3.3. Maintenance

- a) Public Arts, particularly those situated outdoors, require ongoing maintenance to prevent degradation and vandalism. For the purpose of this policy, the responsibility for maintaining public arts lies with the owner of the art.
- b) All Public Arts in Public Places are owned by the Council (unless an agreement stating otherwise has been entered into). Council will ensure that Public Arts are cared for and maintained in accordance with the artistic and cultural protocols appropriate to their origin, intended purpose and location.
- c) Council staff will carry out operational maintenance on public art works in Public Places on an annual (or as needed) basis.
- d) All Public Arts in the Public Realm that were developed through, or directly benefited from, any Council funded Public Arts incentive schemes are owned by the property owner (unless an agreement stating otherwise has been entered into). The property owner will ensure that the Public Art is cared for and maintained in accordance with the artistic and cultural protocols appropriate to its origin, intended purpose and location.



For example fixed-term art or art for the purposes of display for sale may remain the property of the artist

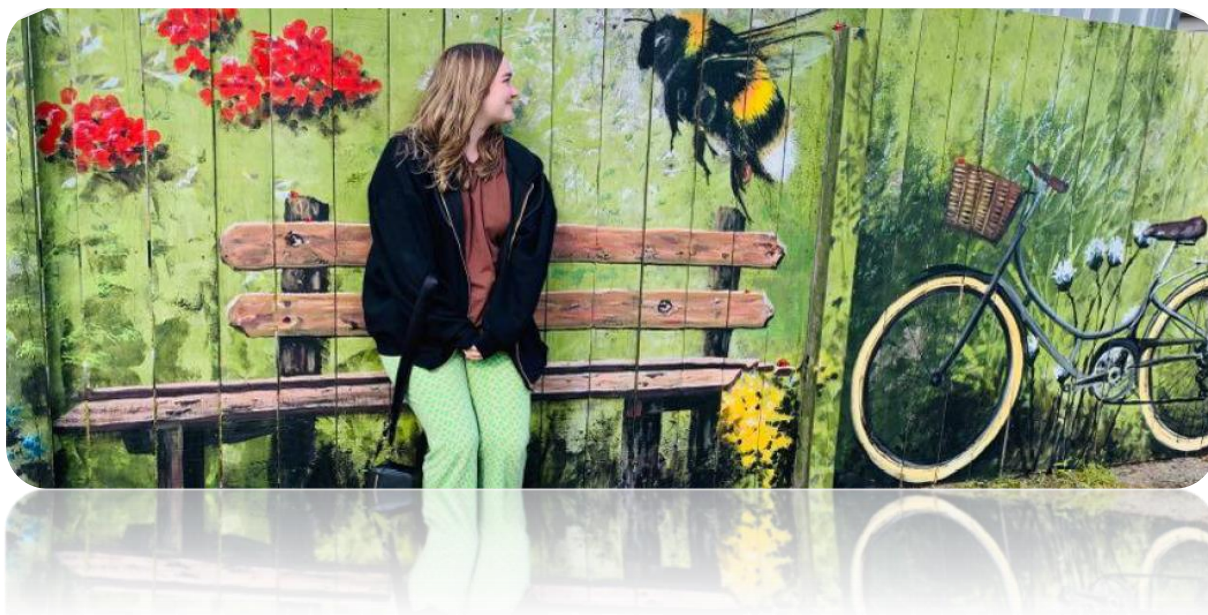
3.4. Relocation of Public Artwork

- a) The Council may consider relocating a public artwork for a range of reasons, including:
 - Artistic and historic relevance.
 - Public safety.
 - Changes to the design and use of the public space occupied by the artwork.
 - A new and better site has become available for the artwork.
- b) The Council will endeavour to consult with the artist/s (or the family of the artist/s where necessary) and any other relevant people or organisations involved in the establishment of the artwork, prior to making a decision on relocating the artwork.
- c) The Council will assess whether the public artwork in its current location meets the objectives and criteria of this policy. If the result of this assessment is a decision not to move the work, the Council may instead consider removing the artwork.
- d) The decision on whether to relocate the public artwork will be made by the Council, and will consider the recommendation of the Public Arts Assessment Panel.

3.5. Removal of Public Artwork

- a) The Council may consider removing public artworks for a range of reasons, including:
 - Artistic and historic relevance.
 - Public safety.
 - Changes to the design and use of the public space occupied by the artwork.
 - If the artwork is vandalised, damaged, or degraded and repair is not feasible.
- b) Decisions will be made after consultation with the artist/s (or the family of the artist/s where necessary) and other relevant people or organisations involved in the establishment of the public artwork.
- c) The decision on whether to remove the artwork will be made by the Council, and will consider the recommendation of the Public Arts Assessment Panel.
- d) Removal options 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.
 - Disposal.





4. Public Arts Fund

- a) The Council provides a Public Arts Fund that is open for applications from artists to create public arts that meet the objectives and criteria of this policy (refer section 2 and 3.2 above).
- b) The fund will be open for applications once a year. The annual funding round will be advertised through the Council's website and a district wide local newspaper.
- c) The fund is also open to those artists proposing to create Public Arts on privately owned land in the Public Realm. Applicants need to demonstrate their proposal meets the criteria of this policy (refer section 3.2).
- d) If the fund is oversubscribed, the Panel will prioritise applications that best meet the criteria listed above in section 3.2.
- e) If there are no, or limited applications or appropriate projects in a financial year, the fund may not necessarily be distributed. The funding will then be added to the following years' fund so there will be additional funds to distribute.
- f) All funding must be used for the purpose for which the application was granted, within 12 months of receipt of the funds.
- g) Upon completion of the funded project, recipients must return any unused portion of funding to the Council, and complete and return all required Hauraki District Council funding expenditure and accountability documentation.
- h) The Public Arts Assessment Panel will make the final decision on applications and the allocation of the Public Arts Fund.
- i) Please refer to the [Grants and Funding](#) page on the Hauraki District Council website for further information on the Public Arts Fund.



5. Assessment Panel

- a) The Public Arts Assessment Panel will be responsible for assessing whether proposals are in accordance with this policy for:
 - i. creating Public Arts for Public Places, and
 - ii. applications to the Public Arts Fund.
- b) The Panel will meet once a year, in line with the Public Arts Fund funding rounds (section 3.4), and as required to consider other artworks/proposals.
- c) The Assessment Panel is made up of:
 - At least two community appointments, appointed by the Council.
 - At least one Mana Whenua appointment, appointed by the Council.
 - At least one elected member appointment from the Hauraki District Council, appointed by the Council.
- d) The Panel will give permission for artworks on Council property based on whether the application meets the objectives and criteria in this policy.
- e) The Panel will determine funding allocation for applications to the Public Arts Fund based on how well the application meets the objectives and criteria in this policy.

6. Enforcement

- 6.1. The Council is responsible for the enforcement of this policy.
- 6.2. Enforcement will be reactive rather than proactive. The Council will enforce the policy when any concerns/complaints regarding Public Arts in Public Places or the Public Realm (and funded by Council) are received. The Policy provides clear rules around how Public Arts can be approved in Public Places. The Council will provide the policy to inform those making enquiries.

The Council will respond to complaints rather than actively monitoring compliance with the policy

7. Related Council policies/strategies or guidelines

- 7.1. The Manaaki Toiora Strategy.

8. Glossary

Public art	Artistic works or activities accessible to the public and owned by, or on loan to, the Council. Includes any mural, carving, mosaic, painting, photograph, sculpture, performance art or other art medium.
Public place	Is a place that is owned by, or under the control of, the Hauraki District Council and that is open to or being used by the public; whether or not there is a charge for admission.
Permanent public art	Includes public art intended to be in place indefinitely.
Fixed-term public art	Includes public art in place for a specified period no longer than 6 months (i.e. not in place indefinitely) such as for seasonal purposes, or special events such as Matariki or Christmas.
Gift	An artwork that is given to the Hauraki District Council willingly and without any expectation of payment.
Mana whenua	Customary authority exercised by an iwi or hapū in an identified area.
Ownership	The legal right to use, possess and give away.
Public realm	Private land (including buildings and structures) that are adjacent to, accessible and/or visible from, a public place.

9. Review

- 9.1. The policy will be reviewed within five years after the first policy is adopted by the Council and then at intervals determined by the Council.

10. Document management and control

Title	Hauraki District Council Draft Public Art Policy
Sponsor	Strategic Planning and Community Services
Approved by:	The Council
Adoption date:	25 October 2023
Review by:	October 2028
File ref:	3433956

Property of Hauraki District Council



For more information:

- **W** www.hauraki-dc.govt.nz
- **E** info@hauraki-dc.govt.nz
- **P** 07 862 8609 or 0800 734 834 (from within District)

Visit us at one of our offices:

- Paeroa: 1 William Street
- Ngatea: 84 Orchard West Road
- Waihi: 40 Rosemont Road