

Council Policy – Public Art

Responsible Directorate	Community Engagement
Responsible Business Unit/s	Community Development
Responsible Officer	Manager Community Development
Affected Business Units	Community Development Statutory Planning and Compliance Engineering Operations Finance

Objective

The objective of this Policy is to:

- Support the Shire of Serpentine Jarrahdale's (the Shire) Public Art Strategy and Masterplan in creating vibrant and meaningful public spaces where art reflects the spirit of Serpentine Jarrahdale, and
- Connect people and celebrate creativity by thoughtfully integrating permanent and temporary artworks into streetscapes, parks, plazas, trails, and civic buildings that contribute to cultural tourism and destination appeal.

Scope

This Policy applies to:

- **Shire-led projects:** All capital works and place making projects where public art is included.
- **Developer led projects:** All developments captured by Local Planning Policy 1.6 (LPP 1.6), including cash in lieu into the Public Art Reserve and on-site artworks.
- **Community initiated proposals:** Artworks proposed and funded by community groups for installation on Shire land (subject to approval procedures).
- **Other public realm initiatives:** Permanent installations, temporary/ephemeral works, murals and integrated elements on Shire owned or managed land or to otherwise be transferred to the Shire's care and control.

Policy

This Policy guides all aspects of the Shire's Public Art projects, programs and services in conjunction with the Public Art Strategy and Masterplan and Local Planning Policy (LPP) 1.6 - Public Art for Major Developments.

Public Art Acquisitions

Artworks may be acquired for public spaces through a number of avenues. Acquisition of all public artworks will consider alignment with the Principles and Themes set out in the Shire's Public Art Strategy and Masterplan.

Contributed Public Art Assets

Public Art included in the developments of the Western Australian Government, other government entities, or private developers with the intent for these works to become contributed assets, transferred to the Shire's care and control.

Developer-Led Public Art

Private developments are required to comply with Local Planning Policy (LPP) 1.6 - Public Art for Major Developments, by either delivering on-site public art or making a cash-in-lieu contribution to the Public Art Reserve.

The Shire will only accept these assets when the developer has obtained the Shire's prior in-principal acceptance of the proposed assets.

Shire-Led Projects

The Shire may allocate budget for Public Art Projects from the Public Art Reserve, in line with the Public Art Strategy and Masterplan. The Public Art Reserve may be used for costs including but not limited to commissioning, design, fabrication, installation, project management, and documentation for public art works only.

Community-Led Projects

Public art projects proposed, funded, or led by community members, groups, or organisations. Community-led projects must include a full proposal, outlining how the project aligns with the Shire's Public Art Strategy and Masterplan as well as material, structural, installation and maintenance information as required. Proposals will be assessed by Officers on a case-by-case basis and referred to the Director Community Engagement, CEO or Council for approval in line with the Shire's *Delegated Authority Register* and any application policies.

Donations

The Shire will consider donations of Public Art works, based on assessment of the individual work in accordance with the Public Art Strategy and Masterplan. Acceptance of donations is subject to CEO approval as set out in Council Policy – Community Contributions and requires completion of documentation to give effect to the transfer of title of the item to the Shire.

Procurement

Commissioning of works will be undertaken in accordance with the Shire's procurement policies, using appropriate methods (expressions of interest, formal quotes, public tenders or justified direct invitations) based on thresholds.

Lifecycle Management

Accession

All artworks accepted for acquisition in the Shire collection shall be documented on the Public Art Register with full acquisition, provenance and catalogue information.

The lifespan of each public artwork and the Shire's maintenance commitments will be determined at the time of acquisition or commission through a written agreement between the Shire and the artist(s).

Maintenance, conservation and preservation

The Shire is committed to the ongoing maintenance of its Public Art Collection. Artwork registered in the Public Art Register will include a maintenance manual where available, to guide the appropriate maintenance and conservation methods in line with the artwork's identified lifespan.

Re-locating Public Art

The Shire may relocate a public artwork if its condition allows and the current site is no longer appropriate or sustainable, and following consultation with the artist where possible. Relocation will be undertaken by qualified professionals under the Shire's direction, with all associated costs covered by the party requesting the relocation.

Deaccession and/or disposal

Artworks may be considered for de-accession based on criteria such as:

- End-of-life condition
- Irreparable physical damage or condition
- Site redevelopment
- Sustained cultural misalignment
- Obstacle or safety risk to people or the intended use of the site.

A recommendation to deaccession an item from the Public Art Collection may be made to Council for consideration following consultation with relevant parties and stakeholders and a valuation of the item.

When a public artwork is approved for deaccession and is removable, the Shire will provide the artist or their estate with the first right to reclaim the work. This opportunity will be offered within a reasonable timeframe and under terms consistent with the Shire's policies.

If the artwork cannot be reclaimed, the removal process must respect the artist's moral rights and include consultation with the artist, relevant specialists, and, where appropriate, community consultation.

Governance and Advisory

All public art proposals will be reviewed by suitable Officers from the Shire based on the nature, scale and location of the work. Additional independent arts professionals, Traditional Owner cultural advisors, access and inclusion specialists, and other external stakeholders are consulted as needed.

For significant or site-specific artworks, the Shire will undertake community engagement proportionate to the scale and impact of the project. Cultural advice and guidance will be sought from Traditional Owners where thematically or geographically relevant.

Approval for public art will be undertaken in accordance with the following:

Type	Value (ex. GST)	Approval
Permanent public artworks commissioned by the Shire in accordance with the Public Art Strategy and Masterplan or other Shire plan.	Financial value up to \$50,000	Chief Executive Officer
	Financial value \$50,001 or above	Council
Public art for Major Developments	Any	In accordance with Local Planning Policy 1.6, Local Planning Scheme No. 3 and Register of Delegations and Authorisations.
Temporary public artworks on Shire owned or managed land or infrastructure	Any	Director Community Engagement; Director Infrastructure Services; Director Operations.

In instances where a public artwork (permanent or temporary), may be located in a particularly high-profile zone, heritage area or place, or as part of a significant project or event, Officers may provide a report to Council for information or approval, regardless of monetary value.

Recordkeeping and Reporting

The Shire will maintain a register of all Public Artworks under the ownership or management of the Shire. Additional registers and reporting relating to funds held as a result of developer contributions and cash in lieu payments will be maintained in accordance with *Local Government Act 1995* and Local Planning Policies.

Rights and obligations

The use and reproduction of works of Public Art, or images of works of Public Art for display, exhibition, and publication shall comply with contractual arrangements established with the artist and all relevant laws governing copyright and intellectual property.

The Shire is not authorised to grant permission to third parties to reproduce works of art or images of Public Art for commercial purposes or any other purpose not covered by Fair Dealing as defined by the Australian Copyright Council.

The Shire's non-exclusive license to copy or reproduce Public Art through photography or other means for any purpose is subject to approval by Public Art Officers to ensure quality of reproduction and uphold commitments made in agreements with artists, creators, donors, or copyright holders under the *Copyright Act 1968 (Cth)*.

Definitions

Integrated elements means artistic features incorporated into functional infrastructure (e.g., seating, paving, lighting, signage).

Murals means large-scale artworks that transform walls and surfaces into vibrant storytelling canvases.

Permanent Art Installation means long-term artworks that become part of the landscape.

Professional Artist means an artist meeting at least two criteria such as formal qualifications, gallery representation, acquisition by public collections, demonstrated public art delivery, or majority income from arts activities

Public Art Reserve means a dedicated account holding cash in lieu contributions for commissioning public art under LPP 1.6.

Public Art means creative works (permanent or temporary) displayed in publicly accessible spaces, becoming part of the everyday landscape and contributing to local vibrancy.

Temporary/Ephemeral Art means works with a defined short duration, embracing natural dissipation or one-off events.

Related Documents

- Local planning Policy 1.6 – Public Arts for Development
- Local Planning Scheme No.3
- Council Policy – Request for Memorials Plaques, Monuments and Trees
- Public Art Strategic and Masterplan.

Legislation / Local Law Requirements

- *Local Government Act 1995*
- *Copyright Act 1968 (Cth)*
- *Copyright Amendment Act (Moral Rights) Act 2000*
- *State Records Act 2000*

Amendment Record

Relevant Delegations		Delegation 1.1.6 – Reserves under control of Local Government	
		Date	Resolution Number
Council Adoption		20 July 2026	OCM-215-2026
Version	Date	Resolution Number	Amendment Details