

**TITLE:** [CNR-EMT] Report of the Public Art Reference Group (PARG)

**SUBMITTED BY:** Community and Cultural Services

Valid



**Supporting Community Life**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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### **SUMMARY OF REPORT:**

At the last meeting of Council's Public Art Reference Group (PARG) one community-initiated public art application was assessed. This application proposed the painting of the pedestrian walkway railing that runs alongside the bridge at the Smiths Creek crossing, Uki. The proposed work symbolises a memorial to all 'lost' children in the region; it stemmed from the death of Marley Cross, a local child of primary school age. The PARG's assessment of this application concluded that the concept and design content of the proposal is in keeping with Council's *Placemaking and Public Art Policy*. However, the PARG concluded that consideration of this matter should be reported to EMT in accordance with advice from Council's Engineering Services (see attached Memo), given the previous unlawful painting of the walkway railing and the consideration of this matter by the Council.

### **RECOMMENDATION:**

**That following consideration of the PARG's assessment of the application in accordance with its *Placemaking and Public Art Policy* and advice from Council's Engineering Services, the Executive Management Team endorses the painting of the Uki Bridge pedestrian railing in accordance with the Uki Residents Association's public art application and option one concept; and that the Public Arts Reference Group's convenor prepare a public Art Installation Agreement for the proposal in consultation with Council's Manager - Roads and Stormwater.**

## REPORT:

The last meeting of the Public Art Reference Group considered one application from the Uki Residents Association (UKIRA) to paint the pedestrian railing that runs alongside the Smith's Creek Bridge at Uki. The bridge and pedestrian walkway is located on the Kyogle Road, at the northern approach to the village. The proposed work was inspired by the death of a local primary school age child Marley Cross. It is proposed as a creative-based community memorial to Marley and 'all lost children' in the region.

The UKIRA application proposed three design concepts for the railing: the first, the painting of the rails in rainbow colours but depicting a 'mountain-scape', emulating the village's natural / scenic setting; the second, the painting of the bridge in blocks of colour in accordance with the vertical positioning of the rails and in shades of the colour magenta; the third, the painting of the bridge in blocks of colour and the shades of a rainbow.

Consideration of this matter by the PARG has not been straight forward. EMT will be aware that prior to the PARG's consideration of the application this matter has been before the Council, as the railing was illegally painted in a vertical-block-rainbow-scheme in November 2014 – as no consent had been sought / given. The illegal painting of the railing was reported in March 2015, when the Council resolved:

*... that, in accordance with the adopted position of Council, with regard to zero tolerance to graffiti:*

1. Council repaints the handrails on Smiths Creek Bridge Uki as resources permit.
2. The affected family and the Uki Residents Association be consulted regarding options for a suitable alternative memorial to all children lost in the Uki district.
3. The draft Graffiti Plan of Management, currently under development, specifically defines any unauthorised or unapproved painting of public infrastructure assets as graffiti, to be dealt with in accordance with the actions under the Plan.

Consultation with UKIRA representatives by Council's Manager of Roads and Stormwater followed the above noted Council decision. This consultation advised community members that an alternate site was the preferred option of Council, and preferably on private land. However, advice was given that in the case of proposing a future art work on a Council asset the matter would need to come before the PARG. The applicant proposed the painting of the bridge given its believed symbolism as representing a 'passing over' – in this instance from life to death.

As with all public art applications, this application was assessed in consideration of seven criteria. These are listed below along with a summary of the PARG's discussion according to each criterion. In all, the PARG concluded that the concept and design content of the proposal is in keeping with Council's *Placemaking and Public Art Policy*. Key facets of the proposal supported by the PARG included: it is a community-driven public art / placemaking initiative; it seeks to enhance the amenity of the village of Uki through creative action; it seeks to enhance the cultural life of the Uki community through creative / community action.

However, the PARG noted that consideration of this matter should be reported to EMT in accordance with advice from Council's Engineering Services (see attached Memo), given the previous unlawful painting of the bridge and the subsequent consideration of this matter by the Council in March 2015.

**Artistic / design merit:** The applicant's three design concepts were all considered by the PARG. The preferred concept was Option 1 as it: has broader reference to the local area through its depiction of a mountain scape, has a stronger artistic aesthetic than option two and three and which is in keeping with the place-setting of Uki village. This option was also considered quite distinctive to the previous illegal scheme, to which community representatives objected.

**Site suitability:** The location of the installation was considered and debated at length, as it is a railing that runs parallel to a traffic bridge on a public road (but separated by a pedestrian walkway). Overall, the PARG expressed that the location is suited to the work but recommended that the Group's convenor liaise with Council's Manager – Roads and Stormwater to establish its compliance with Council's Roadside Tributes Policy and / or consider any other issues that may be raised.

**Community consultation:** The PARG noted that following the prior (illegal) painting of the bridge, the UKIRA undertook a survey which indicated that 70% of community responses were in favour of the painting of the bridge. It is understood the community members who responded negatively were predominantly concerned that the bridge was previously painted without consent, not the concept and reason for the artwork.

**Community impact:** PARG members agreed that the work would generally have a positive impact, given the level of community support. Notwithstanding this conclusion, the PARG discussed that the prior painting of the bridge had been done illegally and impacted negatively on some in the community.

**Future management:** The application outlined a proposal for the artwork to be re-painted each year in remembrance of Marley, organised by the school and on the anniversary of his birthday each year in November. The PARG agreed that this proposal would engender community ownership of the work, as well as devolve maintenance responsibility of the work to the community; and that in the case of EMT's endorsement of the proposal a Public Art Installation agreement would establish conditions for maintenance to ensure it was undertaken appropriately and routinely. For instance, the PARG suggested that should community members 'default' on an agreement to routinely maintain the work Council would proceed to paint the asset in accordance with its usual maintenance procedure (i.e. the art work is painted over).

**Budget:** The applicant indicated that the costs of installation and maintenance of the work will be met by the applicant. This was considered favourable to the PARG, as it would further engender community ownership and responsibility for the installation as a community-based cultural asset.

Following the PARG's consideration of the application, liaison with Council's Manager - Roads and Stormwater resulted in the attached Memo advice to the PARG's convenor. The summary recommendations of this advice are as follows:

*That the public art proposal submitted by UKIRA for the Smiths Creek Bridge handrails not be supported for the following reasons:*

- *It is inconsistent with the primary role of the asset in a roadside environment;*
- *The cumulative impacts of similar approvals on public infrastructure assets are likely to inhibit future asset maintenance and renewal programs;*
- *The proposed public art is too similar to the existing unauthorised paint work which has attracted objections from community members, and further vandalism of the asset;*

- *It is not consistent with the intent of the previous Council resolution to repaint the bridge rails and achieve an alternative memorial;*
- *It remains inconsistent with the roadside tribute policy.*

In light of the above advice, the following counter points are made to further assist EMT's consideration of this matter:

- Roadway infrastructure such as bridges and adjacent walkways are often subject to public art works in other cities and local government jurisdictions;
- The proposal is to paint the pedestrian railing that runs along the walkway, which is not immediately adjacent the road;
- Any future proposal arising from this application as 'setting a precedent' would be considered by the PARG on a case-by-case basis;
- EMT / Council has the option to request the design proposal is subject to further community consultation before proceeding with installation of the work. In addition, there is the option to negotiate with the applicant proposed colours to make the work more distinct from the previous proposal;
- The installation is proposed as a public art work that has memorial symbolism, but which also has a placemaking intent.

Given the context of the UKIRA's public art application outlined above the following recommendation options are posed:

#### **OPTIONS:**

1. Following consideration of the PARG's assessment of the application in accordance with its *Placemaking and Public Art Policy* and advice from Council's Engineering Services, EMT endorses the painting of the Uki Bridge pedestrian railing in accordance with UKIRA's public art application and option one (1) concept; and that the PARG's convenor prepare a public Art Installation Agreement for the proposal in consultation with Council's Manager – Roads and Stormwater.
2. In line with advice from Council's Engineering Services, EMT does not endorse the painting of the Uki Bridge railing in accordance with UKIRA's public art application and option one (1) design concept; and UKIRA are advised to find an alternate location for the work.

#### **CONCLUSION:**

Council's Public Art Reference Group (PARG) recently considered UKIRA's proposal to paint the railing that runs alongside the bridge at the Smiths Creek crossing, Uki. The proposed work symbolises a memorial to all 'lost' children in the region, but stemmed from the death of a local child – Marley Cross. The PARG's assessment of this application concluded that the concept and design content of the proposal is in keeping with Council's *Placemaking and Public Art Policy*. However, this matter is reported in accordance with advice from Council's Engineering Services, given the previous unlawful painting of the railing and the consideration of this matter by the Council.

#### **COUNCIL IMPLICATIONS:**

##### **a. Policy:**

*Placemaking and Public Art Policy*

**b. Budget/Long Term Financial Plan:**

The installation and maintenance of the installation will be met by Marley Cross' family and UKIRA.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Following EMT's decision the PARG's convenor will liaise with UKIRA to advise of the outcome of this application. Further liaison with UKIRA will be required to either prepare a Public Art Installation Agreement or negotiate an alternate location for the work (or an alternate design), should this implicate a Council asset.

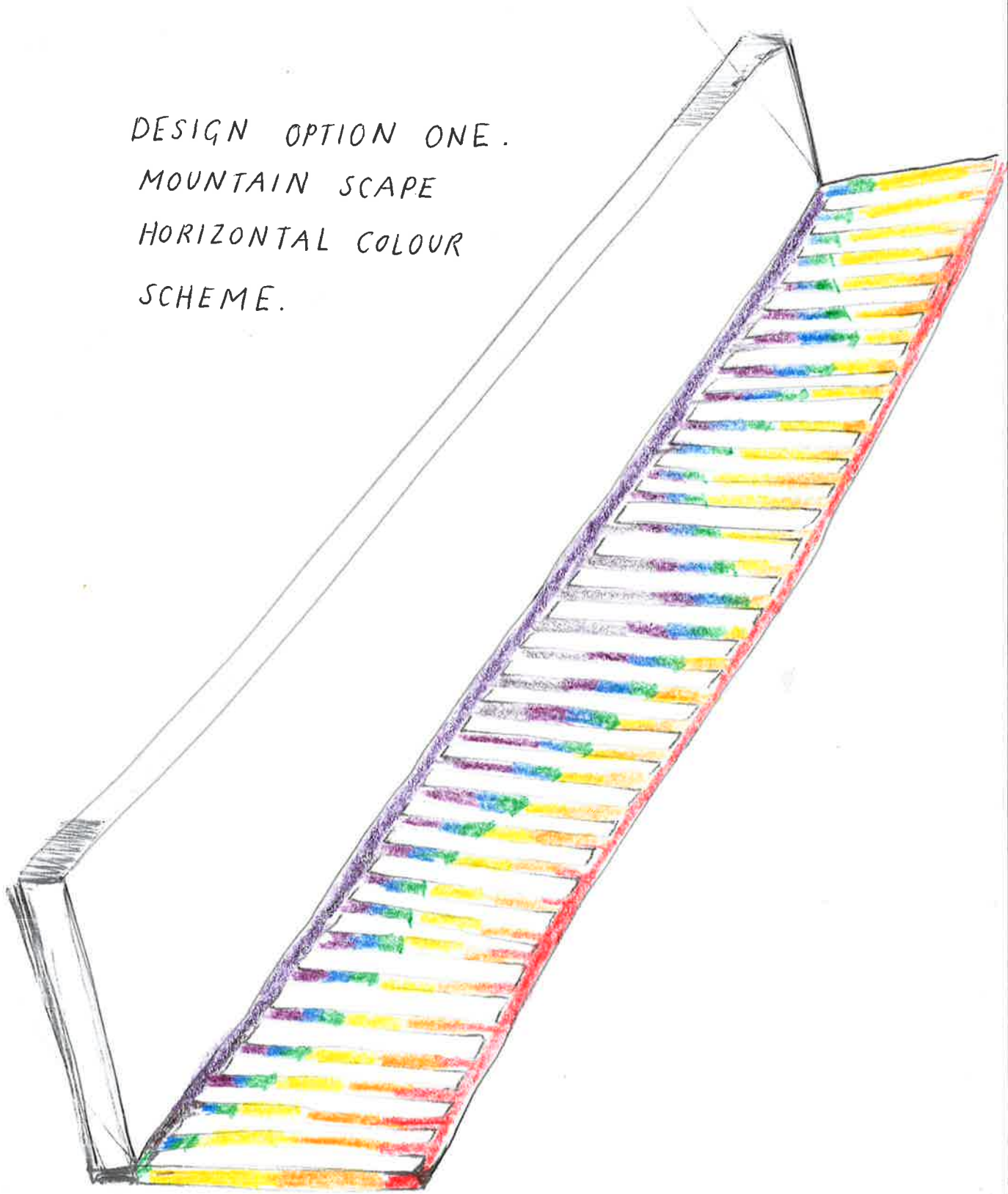
**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Memo – PARG – Smith's Creek Bridge, Kyogle Road Uki  
(ECM 3832812)

Attachment 2. Proposed Design Concepts – Uki Bridge pedestrian railing  
(ECM 3832828)

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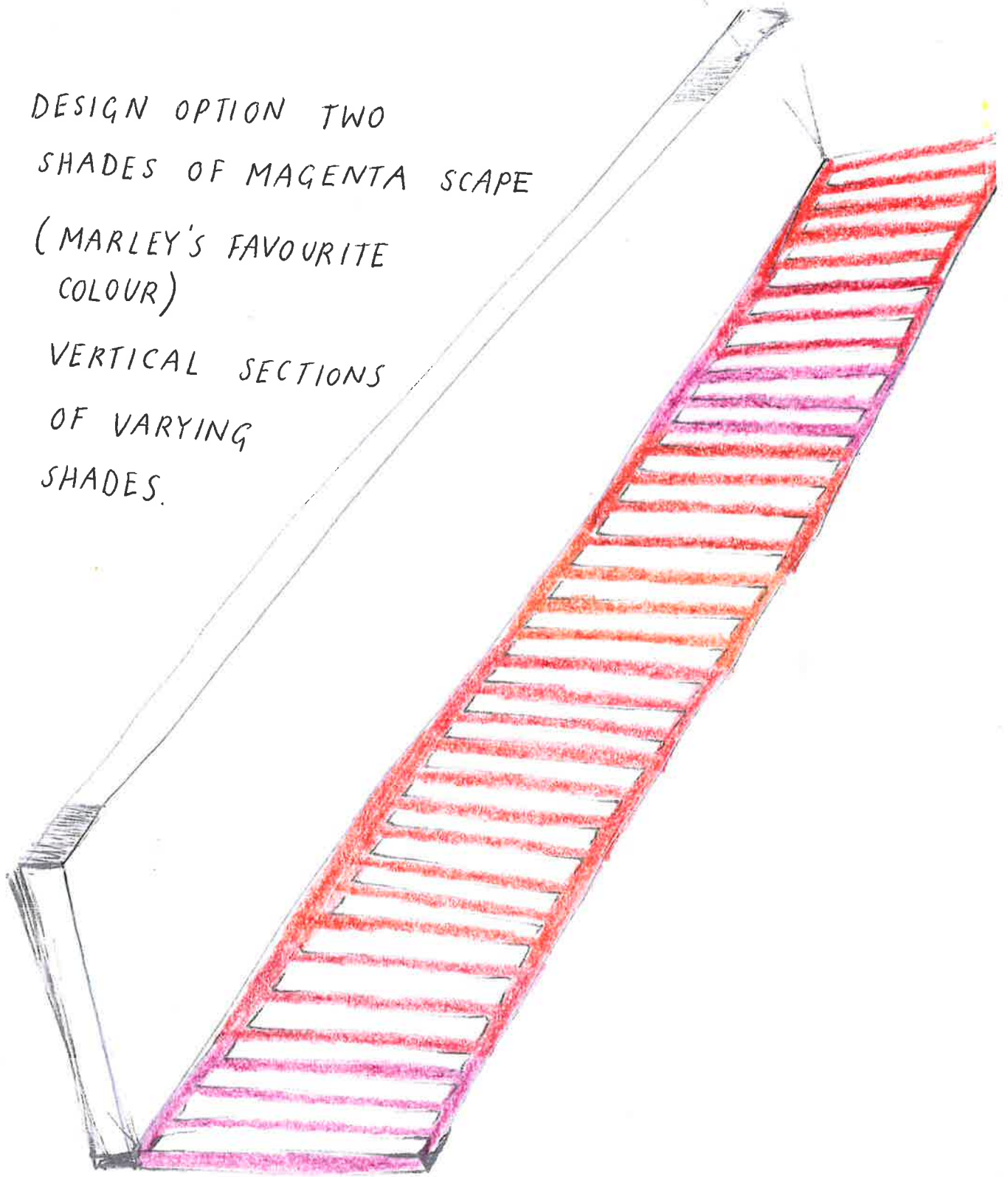
DESIGN OPTION ONE.  
MOUNTAIN SCAPE  
HORIZONTAL COLOUR  
SCHEME.



↖  
Walkway

↗  
Railing

DESIGN OPTION TWO  
SHADES OF MAGENTA SCAPE  
(MARLEY'S FAVOURITE  
COLOUR)  
VERTICAL SECTIONS  
OF VARYING  
SHADES.

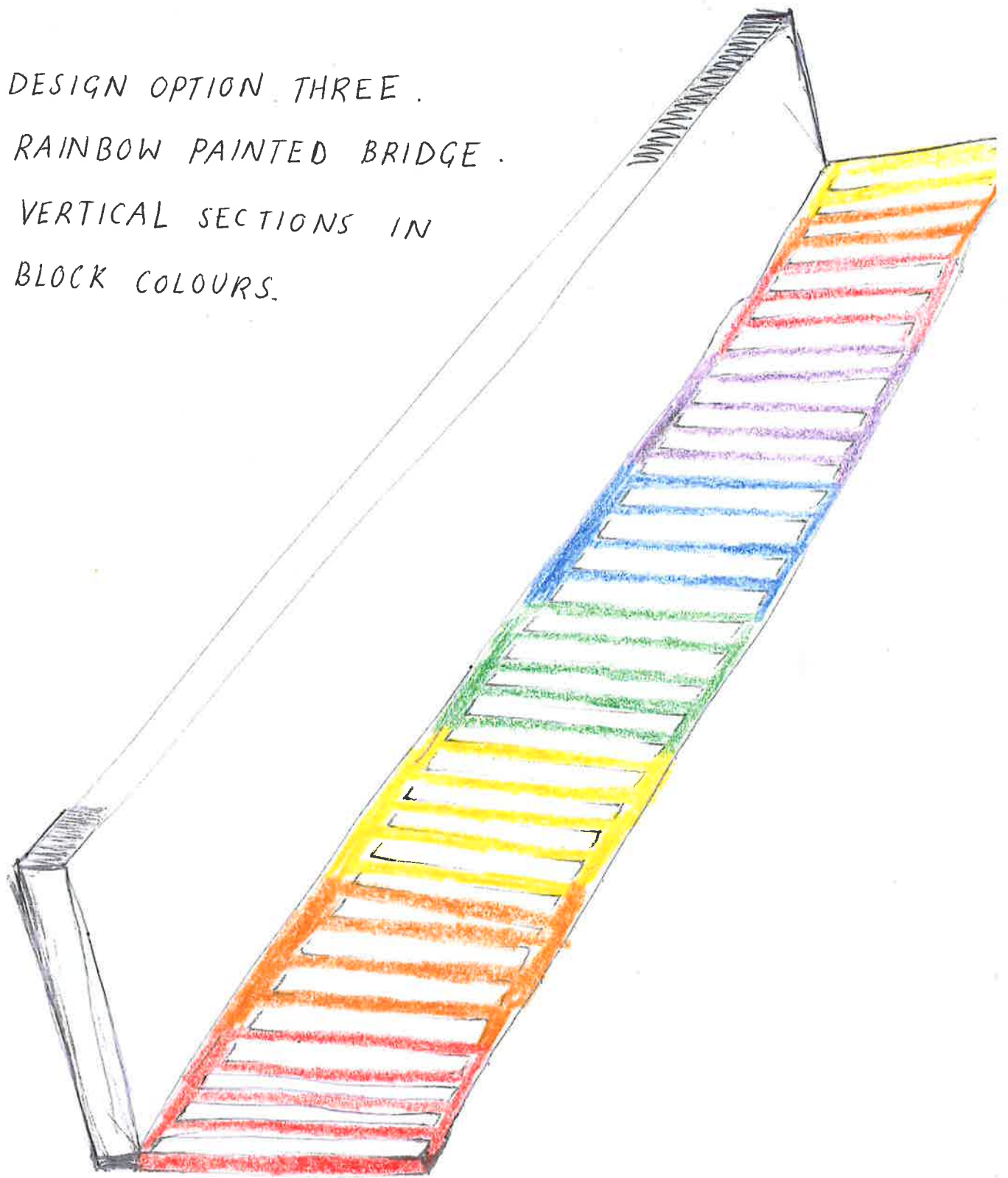


Marleyway

↑  
Railing



DESIGN OPTION THREE .  
RAINBOW PAINTED BRIDGE .  
VERTICAL SECTIONS IN  
BLOCK COLOURS.



Walkway



Railing





