



1. Introduction

Melton Shire Council's Land Developers and Community Public Art Guidelines are underpinned by Council's commitment to its six governing principles: Community Health & Wellbeing; Environment; Business and Employment; Managing Growth; Leadership and; Community Engagement.

2. Purpose

The Land Developer Public Art Guidelines set out the mechanisms for how Council require land developers and community groups to initiate, procure and plan their public art program.

The guidelines are linked to and referenced in the Landscape Plan Permit as a provision in the Melton Planning Scheme.

3. Scope

The Guidelines apply to land developers, community organisations and artists wishing to undertake public art projects in the shire of Melton. The Guidelines are to be implemented in conjunction with the Melton Shire Council's Public Art Policy 2010 – 2014.

4. Definitions

Word/Term	Definition
Public Art	Refers to contemporary works of art in any media that have been planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to all.
Integrated Art	Is public art that is included in the design of urban infrastructure elements or in capital works projects. Integrated public art requires the artists' involvement and collaboration in the early conceptual stages of development and design.
Stand Alone/Site Specific Public Art	Is public art that has been created to enhance a public space or in the public domain. The contemporary artwork responds to a place or a location.
Public Art Panel	Describes a panel made up of relevant land developer staff or community groups' staff and relevant Council officers.
Expression of Interest	Expressions of Interest are called through public advertisements promoting a public art opportunity either for integrated or site specific public art opportunities. Once applicants are shortlisted through the Public Art Panel, land developers or a community organisation engages the artist through a contract. A design fee is paid to artists to produce a concept design stage and a Marquette from which a final selection is made by the public art panel.

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Direct Invitation	This method is applied when the budget for the public art work is small in value or where it would not cater for an Expressions of Interest process. It is also used where a site has special or significant meaning and requires an artwork that complements these attributes.
Commission	Is a process by which the Commissioner (Land Developer) or (Community Organisation) commissions one artist to produce the work and under contract. The Commissioner can ensure that payments are made in stages once key design and fabrication specifications are met, Engineers technical drawings are approved and maintenance manuals have been delivered to the Commissioner.
Maintenance Manual	A manual that covers a range of matters pertaining to the conservation and maintenance required for the life of the artwork. It includes the cleaning schedule; the preferred cleaning methods; technical drawings relating to the installation of the artwork both above and below ground; any operating procedures and contact details for suppliers for all equipment including any subcontractors. Structural certification documents for the design, installation and the public art work itself must be included in the maintenance manual. Where an artwork is located indoors the maintenance manual must describe the preferred temperatures the artwork requires to keep it at its optimum condition. All public artworks commissioned by land developers or community organisations must include a maintenance manual.
Plaque	All public artworks commissioned by land developers or community organisations must ensure the artwork is attributed by way of a plaque. The plaque attributes the artist and includes details of the commissioner, the artist, the year the artwork was installed, the materials of the artwork and any artists' statement that is relevant to the work. The plaque ensures that the artist's reputation and integrity is maintained and complies with the Australian Copyright Act 1968.
Moral Rights of Artists under the Australian Copyright Act 1968	Moral rights are rights individual creators have in relation to copyright works they have created. Creators have the right to be attributed (or credited) for their work; not to have their work falsely attributed and not to have their work treated in a derogatory way.
Structural Certificate of Design	Is an Engineer signed and stamped document verifying the durability and safety of the technical drawings for both the footings and the art work to ensure that they comply with Australian Building Standards.
Public Art Hand - Over Documents	Are a set of documents pertaining to public art that include: <ul style="list-style-type: none"> • The maintenance manual; • Technical drawings for both footings and the artwork; • A copy of the Engineers Structural Certificate of Design; • A copy of the original contract/agreement between the land developer and the artist.

5. Public Art Procurement

Council prefers land developers and community organisations to involve relevant Council staff members in the procurement process through a Public Art Panel. This is to ensure that the public art work is durable, suitable for the location, will add value to council's collection and complies with council's maintenance and public safety standards. Council staff will participate in a manner that provides for reasonable judgements, and skill in the assessment of the suitability of the artworks.

Maintenance Manual

All public art works that are commissioned by land developers and community organisations must include a maintenance manual.

6. Plaques

Plaques must be included in the planning and installation of any public art work.

7. Location of Public Art

All land developer public art works are to be located in public open space. Council does not permit public art to be located on road reserves, nor public art budgets to be expended on entrance statements.

If public art works are to be integrated into the design of a community building or an open space, artists must be involved at the beginning of the conceptual stages of the development or design. A community building may include; a community hall or meeting rooms; a community gallery or meeting rooms; or a community sporting facility or meeting rooms.

Community or artist initiated public art must discuss the proposal with council, where the proposed public art work is located on council land or land held in trust for the State by council.

8. Contract between the Land Developer and the Artist

The Land Developer will ensure that council are referenced in the original contract between the Land Developer and the Artist under a special clause entitled Hand-Over. This will ensure that at hand-over time, the Artist is aware that the maintenance, repairs or de-accessioning will become the responsibility of the council. Council may write a new contract between the council and the Artist in recognition of the responsibilities council will incur as a result of the artwork now being under their custodianship.

9. Reference and links to legislation and other documents

The Land Developer and Community Organisation Guidelines are to be referenced to:

The Copyright Act 1968;

The Landscape Plans within the Melton Shire Council Melton Planning Scheme;

The Leisure Need and Open Space Strategy 2005;

The Open Doors Access and Inclusion Action Plan 2009 – 2013;

The Melton Shire Council's Public Art Policy 2010 – 2014.