



# Public Art Policy

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<b>Authorisation</b>	Council – 25 June 2018
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<b>Responsible officer</b>	Manager Libraries
<b>Policy owner</b>	Arts Engagement and Development Officer

## 1. Purpose

This policy guides the commissioning, maintenance and deaccessioning of public art in the City of Melton.

## 2. Scope

This policy applies across all of Council and guides Council's engagement with third parties who may wish to collaborate in provision of public art on council land and in open public spaces.

It articulates the approach for works that are developed and managed by Council. It also defines Council and third party roles in facilitating privately commissioned works.

The policy applies to:

- Public art commissioned and developed by Council
- Public art commissioned and developed by private enterprises, associations, individuals, property developers, community groups, businesses or other third parties.
- Public art commissioned by third parties (including other government bodies) and transferred or donated to Council

The policy will influence guidelines for commissioning and maintenance of public art.

## 3. Definitions

Word/Term	Definition
Public Art	<p>Artwork in any medium that has been planned and executed in the physical public domain, either outside or in public precincts or buildings, and accessible to all. Public art must include the conceptual contribution of a qualified artist to the design, either to an artwork and/or to the design of public spaces and facilities. Deliberate artistic intent is a key defining feature of all cultural assets defined as public art.</p> <p>The work may be:</p> <ul style="list-style-type: none"> <li>• Of a temporary or permanent nature</li> <li>• Located in or part of a public space or as part of a facility or precinct provided by the public or private sector</li> </ul> <p>Public Art is not:</p> <ul style="list-style-type: none"> <li>• Park furniture, equipment or seating</li> <li>• Landscaping, landscape furniture or equipment</li> </ul>

Word/Term	Definition
	<ul style="list-style-type: none"> <li>• Public assets with a solely functional purpose</li> <li>• A memorial or monument with a heritage or historical focus</li> <li>• A heritage site or object of historical significance</li> </ul>
Public Art Collection	All Council managed public art works listed on the Public Art Register
Permanent Public Art	Enduring, site-specific cultural assets designed by artists, which are often permanently located in a major infrastructure or landscape. The expected lifespan of a permanent work is 5 to 25 years.
Temporary Public Art	<p>Temporary works are defined as art installations or actions by artists which are placed or affixed to a location for a period of time between 1 day and 5 years.</p> <p>Art forms may include short lived, non-physical, transient or deliberately degradable works. Examples include street art, projection art or lighting works where there is no physical object created, sculptures of biological matter which naturally degrade and performance art.</p>
Major Public Art	Defined as an artwork in excess of \$100,000 or where the site is in a high profile or high pedestrian use area, or there is potential for adverse public opinion.
Transferred or donated work	Public art of either permanent or temporary definition, which was not commissioned by Council, but which is now proposed by a third party for Council to acquire.
Deaccession	The formal process of removal of public art from the collection.
Public Art Working Group	<p>The internal working group of Council that considers public art commissions, acquisitions and de-accessions, led by the Arts and Culture unit. The role of the Public Art Working Group (PAWG) will be to provide specific expertise and guidance on the development and management of the Public Art Collection.</p> <p>The PAWG will act as a first stage assessment panel, assisting the Arts Engagement and Development Officer to make initial recommendations to Council regarding public art proposals. Some members of the PAWG will be able to contribute to public art project installation and delivery.</p> <p>This cross-council working group includes representatives from:</p> <ul style="list-style-type: none"> <li>- Arts and Culture / Libraries (Chair of PAWG)</li> <li>- City Design, Strategy and Environment</li> <li>- Capital Projects</li> <li>- Operations</li> <li>- Property Services</li> <li>- Engineering Services</li> <li>- Community Planning</li> <li>- Community Participation (as required)</li> <li>- Youth Services (as required)</li> <li>- Economic Development and Tourism (as required)</li> </ul>
Arts and Culture Advisory Committee	An advisory committee of Council that provides a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in the development of arts and culture.
Public Art Review Sub-committee	<p>A Sub-committee of the Arts and Culture Advisory Committee which is formed on a project to project basis to assess all proposals for permanent works and occasional proposals for significant temporary work such as large scale wall murals. The sub-committee will comprise:</p> <ul style="list-style-type: none"> <li>- Two Community members from the Arts and Culture Advisory Committee</li> <li>- One Councillor from the Arts and Culture Advisory Committee</li> </ul>

Word/Term	Definition
	<ul style="list-style-type: none"> <li>- Three representatives from the Public Art Working Group</li> <li>- Arts Engagement and Development Officer</li> <li>- Coordinator Library Activation and Engagement</li> <li>- Manager Libraries</li> </ul> <p>The sub-committee is convened by the Arts Engagement and Development Officer at the beginning of the planning phase of each new public art work.</p>

## 4. Policy

### 4.1 Rationale/objectives

This policy guides the approach to the development of public art across the municipality. It provides direction regarding the funding, commissioning, management, maintenance and de-accessioning of public art work.

Council's objectives in developing a Public Art program in the City of Melton are to:

- Enhance new and existing public spaces in our rapidly growing City
- Grow a public art collection that demonstrates strong contemporary arts practice
- Reflect stories, themes and issues that are relevant to our residents
- Provide opportunities for place-making and community engagement

### 4.2 Strategic alignment

This Public Art Policy aligns strategically to the Council and Wellbeing Plan 2017-20 by responding to the following objectives and strategies:

- Objective 1.4 A resilient community promoting social cohesion
  - Strategy 1.4.3 Increase opportunities for cultural expression, sharing and celebration
  - Strategy 1.4.7 Provide opportunities for arts participation and appreciation
- Objective: 3.3 Public spaces that are vibrant and engaging places for all
  - Strategy: 3.3.4 Provide and promote public art
- Objective: 3.5 A City that encourages and enables people to work, shop and spend time locally
  - Strategy: 3.5.4 Maintain and enhance the amenity of the public realm through graffiti removal, public art, street sweeping and beautification initiatives

### 4.3 Funding

The allocation of funding to public art demonstrates Council's commitment to the Arts and this leadership can leverage further support through grant funding or private sector contribution.

Council will allocate annual funding to public art projects through the capital works program. A long term public art capital program will be developed to provide a funding cycle that enables the development of temporary and permanent public art projects. An annual allocation will allow for the commissioning of at least one work per year. In addition, Council may also make further one-off allocations for public art as part of major infrastructure projects.

### 4.4 Commissioning and Acquisition

The commissioning and acquisition of Public Art will be aligned with Arts and Culture program priorities and will respond to the following criteria.

#### **4.4.1 Public art criteria**

Public art commissions, acquisitions, transfers and donations of works will be assessed against the following six criteria:

1. Evidence of high quality, contemporary arts practice. The artist or artists have experience and skills to deliver strong public art outcomes.
2. Suitability of the work to the site. The proposal considers existing/planned urban design, public safety, public use, environmental and physical impact.
3. Relevance of the work to local stories, themes or issues. The proposed work is relevant to residents and/or includes plans for community engagement.
4. Expected durability and required maintenance of the work
5. Adequate budget and resources to deliver proposed work
6. Consistency with Council's current planning, heritage, environmental and social policies

#### **4.4.2 Permanent Works commissioned by Council**

Permanent Public Art commissioned by Melton City Council can occur at both existing and new public sites and facilities across the municipality. Permanent public art work is planned to remain in situ for between 5- 25 years. Where it is commissioned on new council-owned sites, it must be considered as part of civic infrastructure and urban design planning, and incorporated into the earliest stages of planning. All permanent public art must be planned in conjunction with the Arts and Culture unit and reviewed by the Public Art Working Group. Major Public Art will be reviewed by the Public Art Review Sub-committee, and recommendations put forward to Council through the Arts and Culture Advisory Committee.

#### **4.4.3 Temporary Works commissioned by Council**

Temporary Public Art commissioned by Council will provide opportunities for lower-cost temporary or semi-permanent installations that respond to current community themes. Temporary works may be exhibited anywhere from between 1 day to 5 years. Temporary works will enable emerging and professional artists to access new opportunities for career development and gain experience in delivering public art work. The Temporary Works program will include Street Art projects. All temporary public art will be both planned and commissioned through the Arts and Culture unit and approved by the Public Art Working Group. Major Public Art will be reviewed by the Public Art Review Sub-committee, and recommendations put forward to Council through the Arts and Culture Advisory Committee.

#### **4.4.4 Works commissioned by third parties**

Public art commissioned and developed by private enterprises, associations or individuals (property developers, community groups, businesses or other third parties) that will be located in publicly accessible or visible space requires approval through the Arts and Culture unit and Public Art Working Group of Melton City Council. Major Public Art will be reviewed by the Public Art Review Sub-committee. Further guidelines for commissioning public art in private development will be developed.

#### **4.4.5 Donation or transfer of works**

Public art donated or transferred to Council must also meet Council's criteria for the acquisition or commission of works, and will be considered by the Public Art Review Sub-committee following the same process as 4.4.4.

#### **4.4.6 Process for commissioning or acquiring Permanent and Temporary Works by Council**

To ensure high-quality outcomes for public art, Council's commissioning process is aligned to its stated criteria for the selection of public art. Council will adopt a process for commissioning as follows:

1. The budget for new works is approved through the annual Council budget process. The budget includes all material costs, the commission fee and allocated fees for up to 6 artists to respond to concept briefs for each commission.
2. A brief is developed for each new public art project and presented to the Public Art Review Sub-committee (or Public Art Working Group for smaller projects) for review and approval, along with recommendations for community engagement.
3. Artists are invited through a call for EOIs in response to the brief.
4. A shortlist of artists is selected by the Public Art Review Sub-committee (or Public Art Working Group for smaller projects) and invited to submit full concept proposals
5. Fees are paid to shortlisted artists on receipt of each concept design that meets requirements.
6. Concept design submissions are reviewed by the Public Art Review Sub-committee (or Public Art Working Group for smaller projects)
7. Final concept is selected to proceed to final commission.
8. Commissioned artist contracted to deliver project.
9. Community engagement activities conducted (where recommended) and proposal adjusted.
10. Technical and engineering report approved.
11. Public art work is installed

#### **4.4.7 Process for reviewing private commissions or acquisitions**

To ensure high-quality outcomes for public art commissioned by private third parties, Council requires that proposals for new public art be submitted to the Public Art Review Sub-committee. Council requires the following information to be submitted for review at staged milestones before the proposed commencement of works:

1. Site proposal and concept design including maintenance responsibilities (Stage 1)
2. Community engagement plan (Stage 2)
3. Technical and engineering report (Stage 3)
4. Maintenance plan and interpretation (Stage 4)

### **4.5 Maintenance of Public Art Works**

Council is responsible for the maintenance and safe-keeping of all Council commissioned or acquired public art work. Excepting contractual exclusions, assets procured under this policy are to be managed under Council's Asset Management Policy and procedures, with specific regard to maintenance linked with Council's corporate and business plans (including the Long Term Financial Plan), budgets and reporting processes.

#### **4.5.1 Public Art Register and Maintenance Plan**

Public art is listed on Council's Public Art Register and Maintenance Plan, which is the responsibility of Arts and Culture Unit to update and document, and for Council's Asset Management team to implement.

#### 4.5.2 Maintenance Plan Budget and Renewal

Every five years Council will commission an assessment of the maintenance needs of Council and allocate specific maintenance and conservation works for collection maintenance as required. Every year, Council will allocate the necessary budget to facilitate the ongoing maintenance of all works in the public art collection, as recommended in the maintenance plan.

#### 4.5.3 Required documentation for accessioning new works

Public artworks commissioned by Council must include a maintenance report, which is incorporated into Council's Public Art Register and Maintenance Plan. Compulsory information includes:

- Artist contact details
- Maintenance and conservation schedule
- List of major sub-contractors and materials suppliers
- List of materials and material specifications
- Expected lifespan of the work
- All other information required by the Public Art Maintenance Plan

#### 4.6 De-accessioning works

Public artworks can have a limited life span and the Public Art Collection must be managed to account for damage, degradation and potential theft. Circumstances where council might de-accession a piece of public art include:

- The cost of repairing the artwork exceeds the original value of the artwork;
- The artwork has been vandalised, or parts have been removed, to the extent that it is irreparable or the reputation of the artist is at risk;
- It has out-lived its intended lifespan (particularly for Temporary Works under 5 years)
- That negative public opinion influences the removal of the art work;
- In any of these circumstances the moral rights of the artist must be respected under the Copyright Act 1968 and correct procedures followed with respect to the artists' reputation, attribution, and as the first copyright owner of the work. Artists must always be contacted prior to de-accessioning a work.
- Where applicable the Arts Engagement and Development Officer will write a report to council notifying the council of the rationale behind the option to de-accession an artwork.

### 5 Responsibility /Accountability

<b>5.1</b>	<b>Arts Engagement and Development Officer</b> <ul style="list-style-type: none"><li>• Convenes and coordinates the commissioning, maintenance and deaccessioning of public art in the City of Melton.</li></ul>
<b>5.2</b>	<b>Manager Libraries</b> <ul style="list-style-type: none"><li>• Responsible for the oversight of public art</li></ul>
<b>5.3</b>	<b>Property Services and Asset Management</b> <ul style="list-style-type: none"><li>• Responsible for the maintenance of public art.</li></ul>

## 6 References and links to legislation and other documents

Name	Location
Asset Management Policy	Policy and Procedures Intranet
Asset Disposal Policy	Policy and Procedures Intranet
Council and Wellbeing Plan 2017-20	<a href="http://www.melton.vic.gov.au">www.melton.vic.gov.au</a>
Open Space Plan 2016-26	<a href="http://www.melton.vic.gov.au">www.melton.vic.gov.au</a>
Community Infrastructure Planning Policy	<a href="http://www.melton.vic.gov.au">www.melton.vic.gov.au</a>
Community Engagement Policy	<a href="http://www.melton.vic.gov.au">www.melton.vic.gov.au</a>