

POLICY:	PUBLIC ART POLICY
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DIRECTORATE:	PLANNING AND ENVIRONMENT
DEPARTMENT:	ARTS, EVENTS AND TOURISM
RESPONSIBLE OFFICER:	COORDINATOR ARTS AND CULTURE

POLICY OBJECTIVE

This policy outlines the purpose of a public art collection for the City of Hobsons Bay and the mechanism and processes that will be implemented to effectively manage it.

The policy provides direction for the implementation and management of public art projects across the city that include public sculptures, murals, artist designed infrastructure and temporary art projects installed in a public space. It supports achieving the highest possible outcomes and delivery using best management methods and community engagement principles.

The Public Art Policy will support the implementation of a Public Art Strategy 2012 – 2017, noting opportunities for future public art commissions including suggested locations and themes.

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1. DEFINITION OF PUBLIC ART

Public art refers to art forms that are placed within and/or on an environment or integrated into building or infrastructure designs that are publicly visible, accessible and on public land. This includes parklands, village centres, streetscapes, public open space, freeway environs, significant gateways and entrances to the city and can include the internal and external spaces of public buildings. The art forms can include both permanent and ephemeral projects.

2. WHY HAVE PUBLIC ART

Public art can deliver many benefits to the City; it contributes to strong feelings of identity, ownership and pride within a community, and contributes to the positioning of the City as a centre of cultural excellence, both through the commissioning and promotion of public art.

Public art

- Can bring a sense of wellbeing and belonging to a community.
- Can highlight significant historical, cultural, environmental and social aspects of an area.
- Enhances the cultural tourism and visitor appeal of the city.
- Creates landmarks in the urban environment that define spaces, act as wayfinding devices and become natural gathering places.
- Revitalises and renews an area and can activate a space, providing social and economic benefits.
- Encourages interaction with a space or facility
- Improves the visual amenity and quality of public spaces.

3. AIMS AND OBJECTIVES

The policy aims to support the management of a public art collection that represents excellence and innovation and has significance to the cultural, social and environmental characteristics of Hobsons Bay. It is consistent with objectives in the Council Plan 2009 - 2013 and the Hobsons Bay Arts and Culture Plan.

The Public Art Policy is designed to:

- Ensure the highest aesthetic standards are met in the commissioning of artworks across the city.
- Ensure the integrity of the existing collection is maintained and enhanced through strategic commissioning standards and practice and through community consultation.
- Ensure there is diversity in the types of artworks that are commissioned across the municipality, and reflecting the cultural diversity and richness of our community.
- Express Hobsons Bay's image as a centre for excellence and innovation.
- Avoid the siting and commissioning of art works in areas that have not been identified as key sites for public art or that don't meet the stated vision and objectives of the Council.

- Provide employment and professional development to artists.
- Provide guidelines and expectations for other agencies and private developers in the commissioning of an artwork.
- Provide guidelines that support historical and cultural significance i.e.: Heritage Overlay, culturally significant sites and environmental impact.

4. THE COMMISSIONING PROCESS FOR PERMANENT PUBLIC ART COMMISSIONS

Public art can be commissioned through the following methods:

- By commissioning art works funded through the Council's capital works budget in accordance to the (planned) Hobsons Bay Public Art Strategy 2012 – 2017, which will identify areas of the municipality that may be enhanced by public artwork. Examples of this could include, and are not limited to, shopping villages, streetscapes, shared trails (i.e creek trails), public open space, gateways to the city and urban renewal (including brownfields) areas requiring activation.
- By commissioning art works that are integrated in the design of buildings constructed by Hobsons Bay City Council.
- As an outcome of a Council community art project which involves a professional artist creating an art work in collaboration with the local community.
- By commissioning an art work in partnership with other stakeholders/ developers and funding bodies that adhere to the policy guidelines and objectives.

4.1 Expressions of Interest by Advertisement

Upon approval of the Council and procurement of budget, a Project Advisory Group (PAG) is formed to oversee the commissioning process (refer to 7.1). Expressions of interest are advertised nationally to artists through public advertising and arts networks.

The PAG compiles a shortlist of three artists to develop concepts for the commission. The PAG selects a final artwork to be presented to the Council for endorsement. This is the usual and preferred method of commissioning.

Note:

In accordance with Section 186 of the Local Government Act, commissions with a value of over \$150,000 have a requirement to be advertised and expressions of interest or a request for tender to be sought. The Project Advisory Group acts as the tender evaluation panel in this circumstance for public art commissions and follows the requirements relevant to this Act.

4.2 Commissioning by Invitation

Upon approval of the Council and procurement of budget, Council officers select up to three artists to submit expressions of interest. The selection of these artists will be guided by expertise and knowledge of current art trends and the artist's proven ability and reputation.

A Project Advisory Group (PAG) is then formed (refer to 7.1). The selected artists will present concepts to the PAG for final selection; the proposed commission is presented to the Council for endorsement.

Instances where this method could be advantageous :

- To secure involvement of an artist if required for a funding application.
- To more effectively manage the commissioning process in the event of an opportunity that has less lead time and or where specialised knowledge is required.
- For projects that are in partnership with other organisations with specific objectives or requirements that need to be achieved.

4.3 Community Proposals for Public Artworks that are not identified in the Public Art Strategy

People or groups offering to donate a public artwork and or fund a public artwork are required to present a written proposal that includes :

- An image and or artist impression of the artwork proposed, as well as a written statement about the artwork.
- An overview of the proposed site for the artwork and the artwork's relationship to the site and or area it will be installed.
- A budget summary, how the artwork will be achieved.
- The name of the artists and or artist teams.
- A timeline for installation.
- Details of project manager and OHS practice.
- Commissioning process overview, and how it fits within the policy guidelines.
- Maintenance costs and requirements.

The Council may request a project advisory group be formed to oversee the commission if it is not an existing work. Potential donors are encouraged to contact officers at the earliest convenience if this is the case. Proposals will be assessed on a case by case basis, using the guidelines stipulated in the policy and a recommendation will be put forward to Council for approval.

5. ASSESSMENT FRAMEWORK FOR ARTWORKS NOT IDENTIFIED IN THE PUBLIC ART STRATEGY

An assessment framework that supports the objectives of the Council as outlined in this policy will be used to assess each application.

Assessment framework includes:

- Historical and cultural sensitivity i.e.: Heritage overlay areas, environmental and culturally significant sites and urban design framework.
- Council's vision and relevant strategic planning for the area in which the artwork is proposed to be sited.
- Aesthetics and proposed themes and their suitability for a public space and or area.
- Proposed treatments for integration of the artwork into the surrounding space or built form e.g. landscape works.
- Life span of proposed artwork.
- Proposed maintenance plan and associated costs and how they can be accommodated.
- How well the proposal meets the objectives of the policy. That the proposal has consent from planning, building or land management authorities.

The removal and all costs associated with the artwork when the life span has lapsed is the responsibility of the commissioner, artists and or artist team.

6. EPHEMERAL PUBLIC ART PROJECTS

Definition of ephemeral art projects:

Work exhibited within a public space that has a shorter life span, for example, temporary murals, projections, multimedia projects, billboard projects; as a guide, where the life span varies from 1 day to 2 years.

Council officers would undertake a process to engage with an artist or artist team to create an ephemeral artwork or a series of artworks that are temporary. This may occur due to a special festival or event.

Where specialist knowledge is required a consultant or senior art professional may be employed by Council. Ephemeral art projects are developed and budgeted for within the operational or programming budget of the Council.

7. DEFINITIONS, ROLES AND RESPONSIBILITIES

7.1 Project Advisory Group

The role of the Project Advisory Group (PAG) is to oversee the commissioning process of a permanent public art commission.

The PAG consists of Councillors, community representatives, Council officers, other government stakeholders (where applicable) and professional artists.

The PAG varies for each public art commission to allow the direct community of an area in which the artwork is to be sited to be involved in the consultation process, as well as to maintain a freshness of opinion and attitudes towards the art that is presented. All members invited to join a PAG bring particular expertise and perspectives to the group that will help inform decision making at key points of the project.

The PAG is provided with a Terms of Reference at the commencement of each project which outlines the roles and responsibilities of the group relative to the specific commission.

The PAG may be called upon for feedback in other matters such as landscaping or other areas of specialist expertise as applicable. This will occur on a project by project basis. Engineering, risk assessment and siting of the artworks are the responsibility of the project manager and commissioned artist.

The PAG makes a recommendation on a final artwork for the nominated site and this recommendation is then presented to Council for endorsement.

7.2 Project Team

The project team comprises the project manager (who can be a council officer with specialist knowledge and skills or a contracted consultant), representatives from other council departments such as Recreation, Planning and Parks who contribute to the project in their specialised fields as well as contractors appointed by the Council and or the artists. The project team is responsible for:

- Preparation of the project brief and advertisements for Expressions of Interest.
- Inviting representatives to join the project advisory group and managing the meetings.
- Preparation of contracts in consultation with the Contracts department.
- Overall project management, including seeking any relevant permits or consent.
- Overseeing OHS and work safe practices.

- Overseeing the installation of footings and artwork undertaken by the artists contractors.
- Overseeing any earthworks associated to the project, undertaken by the artists contractors.
- Coordinating landscape and lighting for the project if applicable.
- Collection Management and insurance evaluation of the project.

8. DESIGN CONCEPT FEES

In relation to permanent public art commissions, artists who have been invited or shortlisted to develop concepts will be paid a fee. On most occasions the artist would be paid \$1000. On the rare occasion the artist is required to adapt the concept and or resubmit a concept for any reason the artist fee can increase to an amount up to \$5000 per artist or artist team.

9. DEVELOPERS AND GOVERNMENT AGENCIES

In the case of major developments, Council may require artworks to be included as a condition of permit.

Where this opportunity arises, the Council can work in partnership with developers and other government agencies in commissioning art works or art work integration into major infrastructure projects.

If a developer and/or government agency proposes to commission a public artwork that is not a condition of permit, Council will address each application on a case by case basis using the framework specified in this policy.

Council will not support art commissions where the primary objective of the commission is to promote the identity or the location of new estates and/or for commercial gain.

As there are ongoing costs associated with public artworks it is essential the artwork commissioned meets the long term vision of the Council and its community. It is essential that all artworks commissioned by Council, developers and other stakeholders meet the high standards required for commissioning artworks in Hobsons Bay as outlined in this policy. It is also essential that any commissioned works by a developer or government agency maintains or enhances the high standards of the Council's Public Art Collection.

The following options are available for a developer to consider in commissioning a public artwork.

- a) Contribute financial support for a public art commission within the vicinity of the development or another location by negotiation and for the commissioning process to be managed by Hobsons Bay City Council
- b) Work in partnership with Council to commission a public artwork at a suitable site in accordance to the policy guidelines.

It is a requirement that the commissioning process follows the guidelines as stipulated in Section 4 of this policy and invites a Project Advisory Group (PAG), which includes representation from the developer to oversee the process. If the developer or agency representative does not agree with the decision made by the PAG, they can opt to withdraw the commission, with no remuneration for any costs incurred for design development fees paid to artists or artist teams. If the artwork is approved by the PAG including the developer/representative, it is then presented at an Ordinary Council Meeting for Council endorsement.

A memorandum of understanding or a funding agreement between the Council and the developer or government agency is to be signed clarifying roles and responsibilities and the transfer of ownership and maintenance obligations. This agreement also outlines artist moral rights and copyright laws.

10. OTHER CONSIDERATIONS

10.1 Historical and Environmental Considerations

The siting of all public artworks will be assessed based on the following considerations:

- Heritage Overlay
- Environmental impact
- Culturally significant sites
- Urban design framework
- Municipal Strategic Statement

10.2 Maintenance

Maintenance requirements are carefully assessed prior to the commissioning of an artwork to ensure long term sustainability.

Unless other arrangements are made, the maintenance and repair of artworks is funded through the Arts and Culture maintenance budget. The artworks are listed on the Council's asset register and insured appropriately.

At the completion of each public art commission, the artist is to supply a comprehensive maintenance plan for the artwork.

10.3 Life Span of Public Artworks

In order to effectively manage the existing public artworks in Hobsons Bay City Council's outdoor collection and any future public art commissions, three categories of expected life span are identified.

10 year life span - Public art that is sculptural in form and or made of durable materials that can withstand weather and time for a reasonable period and have minimal maintenance.

5 year life span - Public art in the form of public sculptures, murals, pavement designs, mosaic panels, that are made of non durable, non weathering materials that have a life span that is reduced and where the integrity of the work is no longer achieved due to this, and/or maintenance costs are deemed excessive, the expected life span is 5 years.

Ephemeral or less than two years life span - Public art in the form of sculptural elements, outdoor projections, street art projects, murals, flag installations, billboards are ephemeral projects that provide opportunities for participation from numerous artists and or groups and are enhanced by the opportunity to change regularly, have an expected life span of less than two years, and are assessed on a case to case basis.

10.4 Deaccession

Council reserves the right to deaccess any artwork after its expected life span has lapsed as outlined in Section 10.3. The Council also reserves the right to continue to maintain the artwork and or replace, after the prescribed timeframe has lapsed.

Further to the life span allocated to a particular work the following elements are also considered when deaccessing an artwork:

- The artworks prescribed lifespan has passed and the cost to revitalise the work is not financially viable.
- The artworks have dated and the site where the artwork is located requires rejuvenation.
- Other developments are planned and the artwork needs to be removed (in accordance to the moral rights of the artist)

10.5 Procedures for Deaccessing an Artwork

A Council report outlining the proposed works for deaccession will be presented at an Ordinary Council meeting.

Artists will be notified of the proposed deaccession in writing, and then of the outcome as determined by Council. Artists will be provided the opportunity for the artwork to be returned to them if viable.

With regards to deaccession of an ephemeral artwork that has a life span of less than two years, no consultation is undertaken and the art work is removed at the cessation of its life span.

11. HOBSONS BAY PUBLIC ART STRATEGY 2012 – 2017

The Public Art Strategy is to be developed by Arts and Culture in collaboration with Recreation, City Strategy, Urban Planning and Community Services. A working group will identify a strategic and incremental public art program to be implemented over the next five years, for Council consideration.

The Public Art Strategy will identify:

- Appropriate themes and aesthetics for the various precincts and locations.
- Opportunities for sites and locations for public art to be realised in accordance with the Public Art Policy.
- A five year public art program so that provision can be made in capital works planning and budget.
- Potential partnerships.