

PUBLIC ART POLICY	
Council Policy	
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1. POLICY STATEMENT

Council is committed to the enhancement of our natural and built environments through the use of Public Art, to build upon our cultural heritage, diversity and sense of identity and to provide opportunities for our artists to contribute to Port Augusta's cultural diversity.

2. PURPOSE

2.1 Purpose

This Policy will guide the Council in the future development of Public Art by encouraging the growth of public art within Port Augusta and to improve the civic identity and aesthetic appeal of the region. This policy will ensure that a consistent and planned approach is applied to the commissioning, maintaining, managing and de-commissioning of public art.

2.2 Scope

This policy is to be applied by Council throughout the process of commissioning, management, maintenance and de-commissioning of public art in public open spaces and on Council owned facilities.

2.3 Definitions

Commissioning Agent means the organisation, business group or individual that instigates and manages the development of a piece of public art, generally in collaboration with a professional practising artist.

De-Commissioning means the process of removing and disposing of art works.

Public Art refers to art in any media that is planned and executed with the intention of being sited or staged in the physical public domain and accessible to the public.

2.4 Strategic Reference

1 Community

1.2 We are resilient, inclusive, safe and a vibrant community where people feel proud to live.

1.3 People of all ages, cultures, abilities and interests have access to services, facilities and experiences that support their wellbeing.

3. PRINCIPLES

3.1 Public Art Visions, Goals and Strategies

This Policy aims to enhance the aesthetic appeal and development of public arts in the Council area through the implementation of the following visions, goals and strategies:

3.1.1 Recognition of Port Augusta as a leader and patron public art;

3.1.2 Effective planning, promotion and advocating with the public and private sector;

3.1.3 Establishing public art as a positive contributor to the identity of the region;

3.1.4 Integrating public art into all major public works and buildings;

3.1.5 Developing and maintaining a community that is informed about and inspired by public art and artists;

- 3.1.6 Maintaining and managing the regions public art collection;
- 3.1.7 Seeking external funding for the provision of further public art;
- 3.1.8 Promoting Aboriginal and Torres Strait Islander arts and culture.

3.2 Council's Role in Public Art

3.2.1 Council as a Leader in Public Art

Council endeavours to be a leader in public art by setting and implementing the visions, goals and strategies as outlined in this Policy, encouraging community engagement and involvement, and advocating for public art within the region.

3.2.2 Council as an Enabler of Public Art

As an enabler of public art, Council will provide information in relation to the installation and potential locations for public artwork. Council may promote and where appropriate sponsor community public art events and initiatives.

3.2.3 Council as a Provider of Public Art

As a provider of public art, Council may fund public art, actively pursue external funding for public art, provide public art related events, operate public art facilities such as galleries and theatres, and display public art at Council facilities.

3.3 Management of Public Art

3.3.1 The Commissioning Agent will be granted ownership over the artwork and will have a legal responsibility to care for the public art.

3.3.2 The development of public art will be subject to planning, design, safety and construction standards, which may include a formal development application, depending on the nature, location and size of the artwork. A structural certification from a qualified engineer is necessary for any structure over 1.8m in height.

3.4 Identifying Site Options

Potential sites for future public artworks will be selected according to sustainability, functionality, social profile, community perceptions and values and visual quality.

3.5 Types of Art Forms

3.5.1 Council may develop artwork for the community that is permanent or ephemeral (art that is transitory, changing and exists for a brief time).

3.5.2 Council may commission public art in a variety of forms including, but not limited to, visual art, performing art, sculptures, multi-media (light and sound), landscaping, functional art, signage, animation and bonsai.

3.6 Funding and Supporting Public Art

3.6.1 Grants and Funding

To reduce costs, Council will seek funding and sponsorship to support the development of public art.

3.6.2 Donations

In accordance with Council's Donations and Memorials on Local Government Land Policy, Council may accept donations of artwork.

3.6.3 Public and Private Sector Collaborations

Council is committed to exploring the potential for partnership within the community and private sectors for in-kind support, material sponsorships, alignment of special expertise and financial support in relation to public art.

Partnerships may include public art as designed gardens and plantings; creating destinations in open spaces, installing art exhibits in vacant shopfronts; and hosting exhibits in publicly accessible places.

3.6.4 Budget Allocation

Council may provide budget for the provision of public art in the region, through capital works, sponsorship, arts and events.

3.6.5 Percent for Art Scheme

Council will endeavor to allocate a percentage of publicly funded capital works projects annually to incorporate public art. This will assist in providing public art projects irrespective of any arts budget or external funding.

3.7 Commissioning Process

3.7.1 Public artwork will be procured in accordance with Council's Procurement Policy.

3.7.2 Council will call for artists to submit expressions of interest to be awarded a contract for the provision of public art.

3.7.3 There may be some occasions where artists are procured by direct invitation or as part of an acquisitive prize, or where artwork is directly purchased by Council for installation.

3.7.4 Council may elect to consult with the community depending on the size, location or nature of the public art.

3.7.5 Engaging Local Artists and Commissioning Fees

Council shall support the development of local and regional artists. Commissioning fees will generally include the cost of construction/fabrication, installation, transport and an artist's fee that covers the artist's role in interpreting the brief and conceiving and designing the work as a professional practising artist.

3.7.6 Insurance

Artists and project developers will be required to provide evidence of current public liability insurance prior to commencing work.

3.7.7 Asset Management

The ongoing management of the artwork as an asset will need to be considered in the commissioning phase. This will include the suitability of materials for use in public environment, durability and environmental conditions, and proposed asset life. The artist should provide ongoing maintenance guidelines for Council to care for and maintain the work and specify the proposed life duration of the artwork.

3.8 Unsolicited Public Art

3.8.1 Individuals or groups may submit a proposal to Council to offer public art outside of any planned commissioning process. This may include a proposal to create a permanent or temporary public artwork or to donate or sell an existing artwork for installation by Council or other party in the public realm.

3.8.2 Upon receipt of unsolicited public art proposals, Management Group will consider the proposal and assesses if the acquisition of the work is in keeping with Council's current vision, goals and strategies and if it is financially viable. A recommendation will then be provided to Council for consideration to either accept or decline the offer.

- 3.8.3 The following consideration will be given in relation to unsolicited public art proposals:
 - 3.8.3.1 The nature and relevance of the artwork to community needs and values;
 - 3.8.3.2 The alignment of the artwork to Council's existing public art collection;
 - 3.8.3.3 Cost of installation and ongoing maintenance of the work for the duration of its life and the impact on Council's Long-Term Financial Plan;
 - 3.8.3.4 Partnership opportunities, particularly for the development of new public artworks; and
 - 3.8.3.5 The significance of the artwork or artist and the benefit for Council and/or the community if the work is acquired.
- 3.8.4 Unsolicited public art erected on Council land without prior approval from Council may be considered as illegal dumping or graffiti, regardless of its artistic merits.
 - 3.8.4.1 Unsolicited, spontaneous and ephemeral installations will be reviewed at an executive level in accordance with a risk assessment, primarily in relation to public safety and offensive material.
 - 3.8.4.2 Where Council staff discover unsolicited, spontaneous and ephemeral installations information must be forwarded to the executive level for the appropriate risk assessment, prior to the removal of any installation.
 - 3.8.4.3 Illegal dumping and graffiti on Council land may be removed or disposed of by a Council officer or SAPOL and there may be legal implications for persons involved.

3.9 Repair and De-Commissioning

- 3.9.1 As a commissioning agent, Council will be responsible for the ongoing cleaning, maintenance and protection of the art, where it remains financially viable to do so.
- 3.9.2 Council staff, community members and organisations may notify Council if they believe a piece of public art requires repair or removal.
- 3.9.3 Upon notification of the need for repair or removal of a piece of public art, Council will obtain relevant advice in relation to future options and costs for the artwork.
- 3.9.4 Public art may require repair or removal, due to the following factors:
 - 3.9.4.1 Deterioration of the artwork as a result of natural age
 - 3.9.4.2 ing or weathering;
 - 3.9.4.3 Damage from natural causes such as a disaster or major weather event;
 - 3.9.4.4 Damage caused by vandals or as a result of an incident/ accident;
 - 3.9.4.5 The artistic merit of the work has diminished;
 - 3.9.4.6 The artwork is no longer relevant or valued by the community;
 - 3.9.4.7 A change in land use or environment is no longer suitable for the artwork.
- 3.9.5 Where the artwork still has significance to the community and the repairs required are reasonable and within the budget parameters, Council may contact the original artist to arrange for the art to be repaired for a reasonable fee. If the original artist is uncontactable, deceased or does not want the right of repair, a Council officer or other suitable person may repair the art.

- 3.9.6 Where it is appropriate for the public art to be de-accessioned, Council will provide notice to the community of intention to de-accession the artwork, to allow the community adequate time to provide feedback.
- 3.9.7 Following community consultation a report must be presented to Council for determination in relation to the de-commissioning of the public art. The report will include the following information (where available):
 - 3.9.7.1 Reason for de-commissioning along with evidence to support the decision;
 - 3.9.7.2 The level, if any, of opposition to de-commissioning the artwork;
 - 3.9.7.3 The process undertaken to evaluate the artwork and its relevance;
 - 3.9.7.4 Relevant damage assessment reports;
 - 3.9.7.5 The history and provenance of the artwork including its original purpose and the parties involved with its development;
 - 3.9.7.6 Results of the community consultation;
 - 3.9.7.7 Re-location or long-term storage options that may be considered;
 - 3.9.7.8 Potential financial impact including the cost of repair, ongoing maintenance, removal, storage and relocation; and
 - 3.9.7.9 A timeline for de-commissioning and the practical requirements for this.
- 3.9.8 Where the art is to be de-accessioned, Council will endeavour to contact the relevant artist to advise of the process to be undertaken.
- 3.9.9 Art that is commissioned temporarily or ephemerally for a specific purpose or event will be de-accessioned by Council at the end of that event or when it is determined by Council that the Art is no longer needed. Temporary art does not need to go to community consultation or to a Council decision prior to de-commissioning.

3.10 Public Art Working Group

- 3.10.1 Council may establish working groups to assist with the development of more detailed public art strategies, in relation to specific forms of public art, to draw on relevant expertise within the community.
- 3.10.2 Where a working group is established, a Terms of Reference will be developed to define Council's objectives, the scope of work for the group, and any reporting requirements.
- 3.10.3 Recommendations from any working group will be provided to the Council for final determination.

4. RESPONSIBILITY & REVIEW

4.1 Responsible Officer

Director City Services

4.2 Availability

This policy will be available on Council's website

4.3 Review

This policy will be reviewed within 12 months of a General Election for Local Government, or as required to meet other obligations.

5. REFERENCES

5.1 Legislation

Local Government Act 1999

5.2 Other References

Procurement Policy

Donations and Memorials on Local Government Land Policy

Sponsorship Policy

Pre-purchase checklist Equipment & Structures in the Public Realm