

# Public Art and Collections Policy

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<b>Service Unit</b>	Connected Communities
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## 1. Purpose

This policy provides a framework to ensure Moorabool Shire Council's Public Art Collection is high quality, well maintained and represents the Shire communities and cultural heritage.

The policy guides the provision, commissioning, maintenance and deaccessioning (removal) of public art for Moorabool Shire Council. Public Artwork can be obtained by the shire through:

- Gift or donation
- Transfer
- Commission
- Purchase

## 2. Scope

This Policy applies to public art commissioned, developed or purchased and maintained by Council and guides Council's engagement with third parties who may wish to collaborate on provision of public art on council land and in open public spaces. It outlines the internal systems to develop and manage Council's Public Art Collection and articulates the relationship between Council and third parties 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

It does not cover historical/commemorative plaques, interpretive signs or advertising material.

## 3. Definitions

### Public Art

Public Art refers to all forms of permanent, temporary and ephemeral artworks located in a space which has public visibility, use and access. This includes open spaces, urban places, public and civic buildings where communities can view and access art of many forms.

Traditionally it has encompassed diverse artforms from two-dimensional works such as paintings, mosaic and murals to sculpture. Contemporary public art practice and activity now includes digital artworks, interactive new media artworks, performance and sound art. There are many works in public spaces that have a high degree of interactivity and movement such as those employing light, sound and

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water. Public art activity can also occur at events, festivals and celebrations in public spaces.

Public Art Collection	Public Art Collections are all Council managed public art works listed on the Moorabool Shire Public Art Register.
Permanent Public Art	Public artworks that have an intended enduring lifespan. Permanent public artworks are generally considered to be made from materials and construction methods that guarantee a lifespan of at least 10 years in external conditions.
Temporary Public Art	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. 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.
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.

## 4. Policy Objectives

Council's objectives in developing a Public Art program in Moorabool Shire Council are to:

- Create moments of Joy in everyday life
- Enhance new and existing public spaces
- Grow a public art collection that demonstrates strong contemporary arts practice
- Reflect stories, themes and issues that are relevant to our community
- Provide opportunities for place-making and community engagement
- Explore and foster a diversity of experiences, art forms and locations
- Showcase Moorabool as a creative place
- Celebrate local distinctiveness and cultural diversity
- Inspire a sense of identity and pride in public spaces
- Increase the appreciation and understanding of public art
- Equitable distribution of Public Art across the shire to ensure Public Art is not concentrate only in high density areas in the Shire
- Create conversation and social connection
- Increase access to and participation in public art

## 5. Strategic Context

The importance of Public Art was identified as a key priority through extensive consultation undertaking for the development of Moorabool's 2021 – 25 Arts & and Culture Strategy. This policy provides a framework for the commissioning and management of public art and support's the strategies goal 'to be a regional home for thriving creative communities and creating a vibrant and connected Shire with healthy and inclusive communities and a sustainable Arts Sector'.

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The policy supports Council's vision to create an inspiring place for everyone to live, work and play. The policy addresses the following objectives in Council's plan:

- Objective 1: Healthy, inclusive and connected neighbourhoods

## 6. Public Art Criteria

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

- Evidence of high quality, contemporary arts practice. The artist or artists have experience and skills to deliver strong public art outcomes
- The proposed work is best suited to the site with consideration to existing urban design, heritage, public safety, public engagement, environmental and physical impact
- Works reflect the unique identities of our townships and their communities
- Works that consider our unique heritage and environment
- The proposed work includes plans for community engagement through the development and installation of the work
- Artworks include prominent signage and appropriate interpretive elements
- Appropriate materials are used to ensure durability and reduced maintenance of the work
- Adequate budget and resources to deliver proposed work
- Consistency with Council's current planning, heritage, environmental policies

## 7. Governance and Decision Making

### 7.1. Public Art Working Group (PAWG)

The internal working group of Council that considers public art commissions, acquisitions, and deaccessions, led by Moorabool Shire's 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.

The PAWG will act as a first stage assessment panel, assisting Council's Arts and Culture 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.

This cross-council working group includes representatives from:

- Arts, Culture and Events Officer
- Major Projects
- Operations
- Assets
- Engineering Services
- Finance
- Planning
- Park and Gardens (as required)
- Community Engagement (as required)
- Youth Services (as required)
- Economic Development and Tourism (as required)
- Environment and Waste management (as required)
- Other council departments (as required)

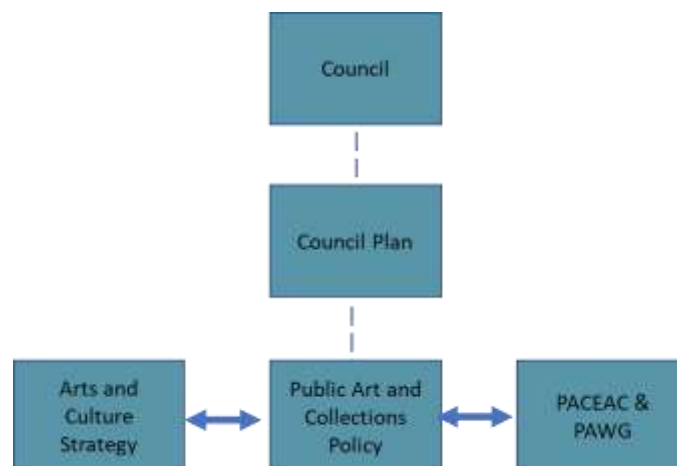
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## 7.2. Public Art and Collections Advisory Committee (PACAC)

Through an open expression process, Council will recruit external public art experts and local artists to join the PACAC. One Councillor representative will be invited to join this advisory committee. The PACAC will provide advice to Council on the commission, acquisition and deaccession of public art in accordance with its Terms of Reference.

PACAC membership will include:

- Arts, Culture and Events Officer
- Senior Connected Communities Engagement Officer
- Up to 3 Local Artists/Community representatives
- Up to 3 Arts Industry Experts
- 1 Councillor Representative



## 8. Commissioning Process

- 8.1.** Council will approve the Annual Public Art program through the annual budgeting process. Council will delegate authority to Council Officers and the PACAC for Public Art program activity and commissioning. Temporary and ephemeral public artworks may be referred to the PACAC for advice depending on scale. Any further one-off allocations for public art as part of major infrastructure projects will be brought to council for approval.

To ensure high-quality outcomes for public art, Council’s commissioning process is aligned to the Public Art Criteria for the selection of public art. This process relates to Public Artworks identified and included within the Annual Public Art Program. Council will adopt a process for commissioning as follows:

### Stage 1: Annual Program development

- The budget for new works is approved through the annual Council budget process
- An annual Public Art program is developed in line with the criteria laid in this policy, ensuring geographic equity across the shire and subject to the approval PAWG.
- Individual Public artwork budgets developed.

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## Stage 2: Engaging Artists

- A brief is developed for each new public art project and presented to the PACAC for review and approval, including a community engagement plan.
- Artists are invited through a call for Expressions of Interest in response to the brief.
- A shortlist of artists is selected by the PACAC (smaller projects may be developed in consultation with the PAWG) and invited to submit full concept proposals.
- Concept design submissions are reviewed by PAWG and then the PACAC.
- Final concept is selected to proceed to final commission.

## Stage 3: Implementation

- Commissioned artist contracted to deliver project.
- Community engagement activities conducted (where recommended).
- Technical and engineering report approved by PAWG.
- Public artwork is installed.

## Stage 4: Evaluation and ongoing maintenance

- Regular communication will be provided to Councillors on the public art program.
- A maintenance plan is developed for each artwork including the expected life span and deaccession plans and costs associated.
- Project Evaluation conducted to ensure processes are continuously improved and any issues addressed.

## 8.2. Commissioning through Community Grants

Public Artwork commissioning projects can be proposed through the community grants process, Arts and Culture Stream. Where a submitted application includes public art a separate approval process will be triggered. Proposals will be to the approval of the PAWG and PACAC before proceeding. This approval process will take place prior to the approval of the grant application by the grant assessment panel.

## 9. Resourcing

### 9.1. Internal Resourcing

With guidance from the PACAC, Council may develop specific budget bids to support the delivery of a public art program. These budget bids will be for specific initiatives and will be used to ensure geographic equity. This budget will also be used to leverage state and federal funding opportunities, often requiring co-contribution match funding.

### 9.2. Capital Projects Contribution

The allocation of funding to public art illustrates Council's commitment to the Arts and this can leverage further support through grant funding submissions or private sector contributions. Council will consider an annual funding allocation for 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 a pipeline 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.

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## 9.3. Public Art by Developers

### 9.3.1. Develop Public Art Proposal Process

Council will collaborate with developers to facilitate high quality, impactful public artworks. Public art is an integral part of creating liveable environments. Council encourages private developments to consider public artwork in early project planning stages.

Public Art can significantly enhance private developments, positively influencing the identity and character of residential and commercial developments. Developers can collaborate with Council on public art projects in the following ways:

- Developers can make a contribution to Council's Public Art Fund to support the commissioning of an artwork within their development.
- Developers and Council can work in partnership to commission public art
- Developers can propose donation of public artworks to Council, though acceptance is not guaranteed.

As part of a long-term vision through this policy, Council seeks to create a public art collection of high calibre. All public art works within the Shire, including those commissioned in partnership with developers, must be approved by Council through the proposal process. Artworks must be in a space accessible or be visible to the public and adhere to this policy's Public Art criteria. The proposal process for Developers is as follows:

- Developers wanting to integrate public art into their development should submit an application for public artwork design approval. The application will include:
  - Proposed site and concept design including maintenance responsibilities
  - Community engagement plan
  - Technical and engineering report
  - Maintenance plan and interpretation
  - Responses to the Public Art Policy criteria
- Applications will be brought to PACAC and PAWG for approval
- Developers provide notification of completion of works including any community engagement undertaken.

**9.3** Upon request Council, where possible and ensuring all statutory requirements are met, will assist businesses to improve facilities through public art.

## 10. Asset Management

Council is responsible for the maintenance of all Council commissioned or acquired public artwork. Excepting contractual exclusions, assets procured under this policy are to be managed under Council's Asset Management Policy and procedures. A maintenance plan will be developed for each artwork including the expected life span and deaccession plans and costs associated.

### 10.1. Public Art Register

Public art is listed on Council's Public Art Register. It is the responsibility of Council's Arts and Culture Officer to update this document. Artworks of significance will also be registered in councils Assets Register managed by the Asset Management Team.

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## 10.2. Maintenance Plan Budget and Renewal

Every year, Council will allocate the necessary budget to facilitate the ongoing maintenance of all works in the public art collection. Council's Community Assets and Infrastructure department will be responsible for maintenance of all works in conjunction with the Arts and Culture Officer and informed by the maintenance plan for each artwork.

## 10.3. Required documentation for accessioning new works

Public artworks commissioned by Council must include a maintenance plan. Details included:

- 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 to ensure effective maintenance

## 10.4. 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 deaccession 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 outlived its intended lifespan (particularly for Temporary Works under 5 years);
- That negative public opinion influences the removal of the artwork;
- 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.

## 11. Roles and responsibilities

<b>Roles and Responsibilities</b>	
<b>Activity</b>	<b>Responsibility</b>
<b>Annual Program development</b>	
Budget Confirmed	Council
Annual Public Art program developed	PAWG
Individual Public artwork budgets developed.	Arts and Culture Officer
<b>Engaging Artists</b>	
A brief is developed for each new public art project	Arts and Culture Officer
Artists EOI distributed	Arts and Culture Officer
A shortlist of artists is selected	PACAC
Submissions are reviewed.	PACAC
Final concept is selected	PACAC
<b>Implementation</b>	

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<b>Roles and Responsibilities</b>	
<b>Activity</b>	<b>Responsibility</b>
Commissioned artist contracted to deliver project.	Arts & Culture Officer
Community engagement activities conducted	Arts & Culture Officer
Technical and engineering report approved	Arts & Culture Officer, PAWG
Public artwork is installed	Arts & Culture Officer, PAWG
<b>Public Art by Developers</b>	
Applications received	Arts and Culture Officer
Approval	PAWG, PACAC
Implementation	Developer, Arts and Culture Officer
<b>Evaluation and ongoing maintenance</b>	
Regular communication with Councillors	Arts & Culture Officer
A maintenance plan is developed for each artwork	Arts & Culture Officer, Community Infrastructure and Assets Team
Project Evaluation	Arts and Culture Officer, PAWG

## 12. Related Documents

- Moorabool Council plan
- Moorabool Community Vision 2030
- Moorabool Arts and Culture Strategy 2021 - 25
- Health and Wellbeing Plan
- Community Engagement Policy
- Council Asset Management Policy

## 13. Council Plan Reference

Objectives: Objective 1: Healthy, Inclusive and Connected neighbourhoods

Context: Facilitate opportunities for the community to gather and celebrate  
Implement annual actions of the Arts and Culture Strategy

## 14. Review

As a minimum, this policy will be reviewed every fourth year.