

# KNOX POLICY

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## PUBLIC ART POLICY

<b>Policy Number:</b>	2013/11	<b>Directorate:</b>	Community Services
<b>Approval by:</b>	Council	<b>Responsible Officer:</b>	Manager - Youth, Leisure Cultural Services
<b>Approval Date:</b>	23 October 2017	<b>Version Number:</b>	2
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### 1. PURPOSE

The purpose of this policy is to provide a framework for the planning, acquisition, commissioning, deaccession and management of public art activity across the municipality.

### 2. CONTEXT

This policy recognises that contemporary public art practice includes a diverse range of styles and practices. Public art includes both permanent and/or temporary art, including installations, billboard art, sound installations, video or laser projections, text, urban art and street banners.

Knox has a strong history of involvement with art in the public realm, including past programs of community arts and the Knox Placemakers projects which have left a legacy of community focused artworks across the municipality.

In recent years there has been an expansion of activities to include artworks commissioned as part of new open space projects. In addition, a series of temporary and ephemeral art projects have been developed utilising 'platforms' such as the Cinema Lane light boxes and the Skate Park billboard.

Initiatives such as these allow for Council to partner with a large number of artists to create vibrant public places and to show their work to the public.

As a result of the on-going commissioning of public art in its many forms Council has built a substantial collection of artwork in public places across the municipality. Council is committed to developing further public art in the future to enhance the vitality and amenity of the municipality. This Policy aims to support a well-planned and sustainable approach to public art in Knox, and guide the acquisition of public artworks that contribute to a sense of place, urban vitality, arts development, community capacity and Councils strategic plans for place-making and community engagement.

This policy is implemented through the Public Art Plan.

### 3. SCOPE

This policy relates to the commissioning of public art by Council and the private sector and to creating a supportive policy environment that enables Council to partner with artists and the community to undertake permanent, temporary or event based art activities and projects in the public realm, as guided by a Public Art Plan.

### 4. REFERENCES

The following plans and policies have been considered in the development of the Knox Public Art Policy:

#### 4.1 **Community & Council Plan 2017-2021**

- **Goal 1:** We value our natural built environment
- **Goal 5:** We have strong regional economy, local employment and learning opportunities.
- **Goal 7:** We are inclusive, feel a sense of belonging and value our identity

#### 4.2 **Relevant Legislation**

- Local Government Act 1989 – Conflict and Interest Provisions
- Copyright Amendment Act 2000

#### 4.3 **Charter of Human Rights**

- This policy has been assessed against and complies with the charter of Human Rights.

#### 4.4 **Related Council Policies**

- Election Period Policy
- Councillor Code of Conduct

#### 4.5 **Related Council Plans & Strategies**

- Knox Community and Council Plan 2017 - 2022
- Knox Municipal Strategic Statement
- Knox Public Art Plan
- Asset Management Plans
- Community Safety Plan
- Health and Wellbeing Strategy
- Livable Streets Plan
- Open Space Plan
- Various Capital Works Plans
- Knox Arts and Cultural Plan 2012 - 2022
- Leisure Plan 2014 – 2019

### 5. DEFINITIONS

‘Public art’ is a term that has become accepted as covering a range of arts activities in the public realm. Public art can adopt many forms and approaches from community cultural development activities, place-making projects, stand-alone artworks to artworks integrated with buildings, landscape or urban developments and a wide range of temporary art activities in public places.

The following definitions are provided as a guide to understanding the range and nature of the different approaches associated with artworks that have come out of the gallery and into the public realm and therefore also into our everyday lives.

<b>Urban Art</b>	Means large pieces of commissioned work that utilise aerosol/outdoor paints or paste-ups as a medium, created by one or more persons requiring considerable skill in the design and in the execution of the artwork (not to be confused with illegal graffiti or tagging).
<b>Art in Public Places</b>	Refers to artworks that are stand-alone sculptures or landmark artworks commissioned specifically for a site. They may be large or small-scale objects that are unique, site specific and special to a place.
<b>Art interventions</b>	Means artworks encountered unexpectedly within the City. It is about an artist challenging perceptions about place and forcing a rethink about how we perceive particular spaces in our City. Interventions are traditionally the initiative of an artist who chooses the location and subject matter for the work and then seeks permission from Council to implement the proposal, with or without financial support from the City.
<b>Art Platforms</b>	Means permanent infrastructure elements designed as a site for temporary art installations. They may be located in parks, plazas, streets or the entry to a civic building. Platforms may include curated 'billboards', 'light boxes', or digital screens that can be used for new media art as well as for event programming and special broadcasts.
<b>Community Art</b>	Means artworks in public places that have resulted from an artist working with the community to develop the conceptual content and creation of the final artwork.
<b>Acquisition</b>	Means a Council purchase of an already created artwork
<b>Commission</b>	Means a Council purchase of an artwork that is the result of a new work being created for a specific site or purpose.
<b>Deaccession</b>	Means the removal, sale, relocation or disposal of an existing artwork owned by Council.
<b>Community Cultural Development</b>	Means the process utilising the arts as a means for community engagement and community development. It is typified by projects that bring diverse groups or targeted groups together to explore a social issue that affects them, and collaborate on ideas that result in the development of a creative outcome or artwork within the public realm.

<b>Community Group(s)</b>	Means a legal entity that provides services, support or activities to the Knox community.
<b>Council</b>	Means Knox City Council, whether constituted before or after the commencement of this Policy.
<b>Individual(s)</b>	Means a resident(s) of the Knox municipality.
<b>Integrated Art</b>	Means artists creating artworks as an integral part of the landscape, buildings, play spaces or civic spaces such as facades, glazing, architectural detailing and public space paving, street furniture, retaining walls or interpretive signage.
<b>Public Art</b>	Means artwork forms such as memorials, monuments, sculptures or murals and designed functional objects such as fountains, street furniture, lighting and paving that is installed or displayed in the public realm. It includes both permanent and/or temporary, including installations and performances, billboard art, sound installations, video or laser projections, text, aerosol art and street banners. Public art works may be commissioned by public or private sectors and may therefore be located on either public or privately owned land.

## 6. COUNCIL POLICY

### 6.1 Overview

Knox City Council is committed to building a culturally rich and engaged community through the arts, including the objective to promote and celebrate the arts in Knox and provide an environment in which artistic and cultural expression in the public domain is encouraged and valued.

To deliver on this objective, this Policy provides a framework within which to, plan, develop and deliver culturally appropriate artworks in publicly accessible spaces across the municipality, with deliver of this policy supported through the Public Art Plan.

### 6.2 Resourcing Public Art

Council will ensure that the delivery of public art is adequately resourced, to enable a highly visible and growing public art program, and to safeguard quality, relevance and sustainability of each project. This policy supports a range of funding opportunities including both Council and non-Council sources as follows:

#### 6.2.1 Council Funded: New and Upgrade Capital Works Projects

1.0% of the total annual new and upgrade Capital Works Project Budget will be allocated towards Public Art.

In addition, any “New and Upgrade Capital Works Projects valued at over 2 million dollars will include 2.5% of the total project budget toward public art as part of the

project design/delivery. The maximum project budget for artwork will be capped at \$500k for any individual project.

Where public art is proposed to be included as part of open space (within the definition of the Subdivisions Act 1988), open space contributions will be the preferred funding source for the proposed public art.

### **6.2.2 Council Funded: Artwork Renewal Capital Works Allocation**

Existing and new public artworks will be included on Council's Asset Register, along with an asset maintenance schedule funded through the Capital Works Artwork Renewal program. The capital works funding provision will be an annual allocation that provides for the appropriate maintenance and deaccession of public artworks, as detailed in item 6.4.

### **6.2.3 Non-Council Funded: External Grant Opportunities**

Council will, where relevant opportunities exist, identify external grant opportunities from the private sector and other levels of government linking the funded artwork to current Capital Works projects where appropriate.

### **6.2.4 Non-Council Funded: Developer Contributions**

Council will negotiate with developers of strategic investigation sites (identified in the Knox Housing Strategy 2015) and other major urban renewal developments through its urban planning roles (on a case-by-case basis) for a voluntary 1.5% (of the estimated cost of the development) contribution towards accessible and integrated public art within their development or elsewhere to the satisfaction of Council.

### **6.2.5 Council Interdepartmental Partnerships**

Council will pool resources, knowledge and skill within Council to ensure a cohesive approach to the delivery of art works, ensuring relevance and quality, and allow for funding to be targeted effectively for specific projects.

## **6.4 Maintenance and Deaccession of Public Art**

Council recognises that public art works are a valuable City asset and will ensure that works are appropriately maintained and regularly reviewed, to safeguard against unnecessary value depreciation.

Following the implementation framework provided by the Public Art Plan, public art will receive planned maintenance attention including regular condition reviews, cleaning and maintenance. This will include the systemic recording of assets, development of maintenance manuals, condition reports and maintenance assessment criteria. Council will consider the deaccession process for public art to enable those works either in extremely poor condition or of no value to the Council to be removed from the register and from Council's collection, or where an artwork is intact and of value, the process for safe removal with the intent for sale or relocation.

## **6.5 The Copyright Amendment Act 2000**

In the commissioning, acquisition, management, maintenance, promotion and deaccession of the public art work, Council will meet the requirements of the Copyright Amendment Act 2000 and ensure that an artist's intellectual property rights are respected in line with legislative requirements.

## **6.6 Public Art Assessment Panel**

A Public Art Assessment Panel will be appointed to make recommendations to Council regarding the Public Art Program. The panel will operate alongside a terms of reference outlining the guiding principles for public art acquisitions, artwork selection and site selection, program management and deaccession of public artworks in Knox in line with the Public Art Policy and Public Art Plan.

The Panel will comprise external members with art expertise, specialist Council staff and a community representative of the Knox Arts & Culture Advisory Committee.

## **6.7 Approval process for the commissioning of Public Artworks in Knox**

The Knox Public Assessment Panel will make recommendations for the commissioning/acquisition of public art in Knox based upon the principles outlined in the Public Art Plan and their Terms of Reference.

Authority for approval of public art works will follow the framework provided by the Public Art Plan, and as follows:

- Works of value greater than the approved budget allocation for public art works to be approved by Council; and
- Works of equal value or less than the approved Council budget allocation for public art works to be approved by the Director – Community Services. All Councillors will be informed of the recommendation of the Knox Public Art Assessment Panel prior to approval (or otherwise) by the Director – Community Services.

All current and future public art projects must be implemented in conjunction with the implementation of the relevant master plan where such a plan is applicable.

## **7. ADMINISTRATIVE UPDATES**

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.