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PUBLIC ART POLICY GUIDELINES

RATIONALE/BACKGROUND

This Public Art Policy Guidelines document was created to attribute the roles, responsibilities and procedural guidance required to implement the Public Art Policy.

The guidelines covers all permanent, integrated or temporary public art work in public space that is either commissioned by, or in partnership with Circular Head Council.

GUIDELINES

The development of a Public Art Program will involve the continued guidance of the Public Art Advisory Group who will review proposals or concepts and make recommendations to Council on artwork to be commissioned. The Public Art Advisory Group will operate in accordance with the Public Art Advisory Group Operating Procedures.

Public art projects may be engaged through the following processes:

- Direct or tendered commissions of work - permanent, temporary or ephemeral
- The loan or hire of realised work for a period time
- Engagement of artists for specific projects
- A collaborative design process for conceptual and design input to a capital work or project
- Collaborative community-based projects
- Artist-in-residence projects
- Collaborations with festivals and events

The Connected Communities Manager will be the first point of reference for all matters relating to public art and the development of the program. Council will operate in accordance with their Procurement Policy.

A Commissioning Process | Example Model

Depending on the commissioning process, the concept will either be developed in isolation, competitively, as in the case of a tender process, or in a more collaborative process, as for a community engagement project.

A commission brief will be developed using clear language that addresses the concept, the proposed location of the work and the commissioning amount. The brief may also include specific details, such as materials used or style of the installation, as necessary.

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The artist's initial response to a commission brief may take the form of rough drawings and a written explanation of the idea for the project and how this might be developed.

The initial concept will give enough of an idea of what the artist is proposing without him or her going to great lengths to resolve either the design or any technical issues. A detailed budget will be provided by the artist.

The Public Art Advisory Group may then shortlist artists it considers suitable for the project to develop their initial concepts further and provide detailed drawings, a maquette (three-dimensional model) or photomontage of the proposed work in situ, and/or samples, together with a detailed budget breakdown to ensure that the work is able to be fabricated within the available budget.

The concept drawings or maquette should be of a sufficiently high standard so that it is clear what the artist is proposing.

The commission brief and project scope need to be clear on the level of community engagement expected by the Public Art Advisory Group. The commission brief may require a Community Engagement Plan to be developed for the project. Any Community Engagement Plan should outline the purpose of engagement, method of engagement and people responsible for carrying out that process and be developed in consultation with the Connected Communities Manager.

Once the Public Art Advisory Group has selected the work to be commissioned from the shortlisted artists, a Contract is drawn up allowing the successful artist to commence fabrication.

Council will be responsible for permits and negotiations with landholders and other stakeholder agencies.

Sign off

The final sign off is undertaken when the work has been installed and an assessment can be made that the work meets the artistic, conceptual and technical standards agreed to in the Contract. At that point the ownership and responsibility for the artwork is transferred from the artist to Council.

A defects liability period of between six to twelve months usually applies after installation. After this time the Council is responsible for maintaining the artwork. Artists are usually required to provide details of maintenance regimes and scheduling.

Upon completion works will be entered onto the Public Art Register, Public Art Maintenance Schedule and the Circular Head Council Asset Register.

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Attribution

Artist's Moral Rights Legislation (part of copyright law) requires that artists be attributed as the creators of public art. This obligation is usually met by installing a plaque in the vicinity of the work that names the artist and can also include an explanation of the work. Moral Rights Legislation stipulates that an artwork can not intentionally be altered, modified or damaged in any way to alter the integrity of the artwork. Artists may want to retain copyright of their artwork and clauses dealing with copyright should be included in a Contract. Council may ask for the artist to grant a free license to reproduce images of their work in promotional materials. The artist should be acknowledged in any promotional material that reproduces images of their work.

All public artworks will have a CHC funded plaque that acknowledges:

- The artist, the commissioner, and any other funding or sponsor agreements
- The year the work is commissioned
- A short artist statement providing a context for the work

An estimated lifespan of the work will be determined at the point of contract.

CHC Public Art Assets may be removed, relocated or de-accessioned when the following conditions occur:

- When the environmental context of the work has changed significantly making that site inappropriate for the work.
- The cultural significance of the work or site has changed.
- Environmental concerns or vandalism occur that alter the lifespan of the work, the artists intent for the work or the integrity of the work.

Removal will occur:

- When the work is damaged to the point of non-repair or such a repair is of greater value than the perceived or real cost of the work.
- If the cultural or social context of the work is deemed no longer relevant or appropriate by the Public Art Advisory Group.
 - For removal of donated art work, the donor has first option to claim the work.
 - For removal of purchased art work, the artist has first option to buy the work.
 - For the sale of the removed art work, proceeds from a Council sale of the art work will be allocated toward the Public Art Advisory Group for the commissioning or care of other public art assets.

De-accessioning:

When a work is de-accessioned, it will be removed from the CHC Maintenance Schedule and Asset Register. Any de-accession would need to be endorsed by the Public Art

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Advisory Group. The work will be removed, resold, reclaimed or destroyed as deemed appropriate.

Definitions

Artist	An artist can be a person: <ul style="list-style-type: none"> • Who practises or performs any of the creative arts, such as a sculptor, film-maker, actor, or dancer. • Who possesses high level interpretive, conceptualising and creative skills that result in the creation of artwork. • Who has demonstrated professional standing through exhibitions and commissions and is skilled at a particular task.
Contemporary Art	Contemporary art is the art of today, produced in the second half of the 20th century or in the 21st century. Contemporary artists work in a globally influenced, culturally diverse, and technologically advancing world. Their art is a dynamic combination of materials, methods, concepts, and subjects that continue the challenging of boundaries. Diverse and eclectic, contemporary art is distinguished by the lack of a uniform, organising principle or ideology. Contemporary art is part of a cultural dialogue that concerns larger contextual frameworks, such as personal and cultural identity, family, community, and nationality.
Public Art	Public art is, for the purpose of this policy, defined as any permanent or temporary art object, installation or activity in the public realm (excluding galleries, museums and public collecting institutions). In general, public art is sited on public land and has been purchased, is owned or has been commissioned by a public authority.
Integrated Art Work	Art and design work that is embedded within signage, seating, paving, fences, urban design, landscape design, architectural design etc.
Temporary & Ephemeral Public Art	Works of temporary public art are intended to occupy a place, and have a presence, for a finite period. Works of ephemeral public art are non-permanent and distinguished by their fleeting and immaterial presence on site, or incorporation of their own changing state and disappearance as an integral part of the artwork. The term is usually used to describe a work of art that only occurs once.
Permanent Public Art	Artwork in this category might include signature works, landmarks, acquisition of existing art work for a specific site, commemorative or monumental works and site-specific art work in a public place. All these terms relate to the fact that such works tend to be commissioned as set pieces of art in their own right. These artworks are often major commissions with significant budgets and therefore

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	require a transparent and accountable commissioning process to ensure the best artists are considered and that due process occurs.
Public Realm	The public realm can be defined as including, but not limited to, streets, parks and spaces that are within buildings that are accessible to the general public, and in the ownership of, or under the control of, public authorities.

REFERENCES & RELATED DOCUMENTS

Public Art Policy
Public Art Group Operating Procedures

ATTACHMENTS

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