

Knox Public Art Policy

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1. Purpose

The purpose of this policy is to provide a framework to guide the management of Public Art in Knox, including resourcing, acquisition, asset management, deaccession and promotion of public artworks owned by Knox City Council, as well as provisions for guiding community and private investor led public art in Knox.

2. Context

Public Art is a form of creative placemaking, through the introduction of outdoor artworks that contribute to the aesthetics, sense of safety and community identity, cultural tourism and a strong sense of positive community connection to spaces in the public realm. Public art also promotes human centered design through addressing community needs, beyond the functionality of a space.

Local Government plays a key role in guiding the development and integration of Public Art within the community, often as part of placemaking, renewal and infrastructure redevelopment projects, to contribute to a sense of place for the community. Artworks can include temporary and permanent installations, and a wide variety of dimensions and mediums. Public Art is generally site specific, responsive to the local environment, community or future vision of the location in which they are placed.

Knox has a strong history with Public Art, including past programs such as the Knox Placemakers projects which has left a legacy of community focused public artworks across the municipality. In recent years, Public Art has transformed into large scale, iconic and contemporary works, installed as part of major redevelopment projects, as well as socially engaged arts that support cultural development and neighbourhood renewal.

Public Art often involves complex project and risk management, long term financial planning, and collaboration across many areas of Council to deliver safe and impactful works. These projects play a key role in local and regional arts development, and is a significant source of employment for many artists.

Community led and investor initiated Public Art in Knox also requires guidance by Council, as projects trigger a range of community engagement, risk, safety and reputational elements, supported through this policy framework.

Public Art strengthens the social, cultural and economic development of a community through building vibrant spaces hinged upon strong local partnerships within retail precincts, reserves, sporting facilities, community hubs, public amenity and urban development areas.

3. Scope

The Policy provides a scope for:

- The value and rationale for Council's role in leading and investing in public art
- Resourcing Public Art through a sustained financial framework
- The submission, assessment and approvals process for acquisition and deaccession
- Asset management of Public Art including maintenance, insurance and asset registration
- The deaccession framework for the disposal, sale, return or removal of public art
- Development of cultural tourism and public participation models
- Council's role in supporting and moderating community led and investor initiated public art

4. References

- 4.1 Council Plan 2021 - 2025
 - Goal: Connection, Resilience and Wellbeing
 - Goal: Neighborhoods, Housing and Infrastructure
- 4.2 Relevant Legislation
 - Local Government Act 2020 – Conflict and Interest Provisions
 - Copyright Amendment Act 2000
 - Worksafe Victoria regulations
 - National Association of Visual Arts Code of Conduct
- 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
 - Civic Art Policy
 - Councillor Code of Conduct
 - Graffiti Management Policy
 - Strategic Procurement Policy
 - Community Facility Planning Policy
- 4.5 Related Council Plans, Strategies & Resources
 - Knox Arts and Culture Plan
 - Open Space Strategy
 - Retail Activation Strategy
 - Various Neighbourhood Renewal and Structure Plans
 - Livable Streets Plan
 - Open Space Plan
 - Play Space Plan
 - Strategic Procurement Framework
 - Terms of Reference, Knox Arts and Culture Committee
 - Gender Impact Assessment Framework
 - Public Art Assessment Matrix and Report (AAP templates)
 - Public Art Deaccession Matrix and Report (AAP templates)
 - Asset Register and Asset Management Plan

5. Definitions

Public Art	A public artwork is an artwork in any medium, such as sculpture, projection, murals or new media, planned and executed as a site specific work, usually outdoors in the public realm
Accession	An accession is an acquisition that an institution formally adds to its collection and is administered through the collection policy.
Deaccession	The removal, sale, relocation or disposal of an existing artwork, including information sharing with the artist/s and key stakeholders, where items are to be deaccessioned.
Acquisition	Purchase of a pre-existing artwork
Arts and Cultural Development	Utilising the arts as a means for community engagement and development, usually with a Public Art outcome that contributes to placemaking.
Creative Placemaking	Increasing community wellbeing and cultural tourism by introducing Public Art that improves the aesthetics, safety, connection and interest in a public space.
Public Realm	An outdoor public space where the community can access, visit or view.
Permanent Art	A public artwork that has at least a two - five year life space at the installation site.
Ephemeral Art	Temporary artwork that is either installed or presented in a space for up to two years.
Artistic Brief	A document that supports a Public Art Expression of Interest process, providing a design theme, project scope, budget and assessment criteria for submissions.
Public Art Assessment Matrix	A combination of Council’s standard procurement assessment matrix, plus a series of weighted criteria specific for public art design submissions to reflect best industry practice.

6. Council Policy

6.1 Objectives

The objectives of the Knox Civic Art Policy are as follows:

- To provide a clear framework for a sustained financial investment in Public Art
- To provide a clear framework for the acquiring of Public Art in Knox through acquisition or commission
- To manage Public Art as a valued civic asset, using a best practice model
- To inform a clear rationale for deaccession of Public Art
- To support arts and cultural development, placemaking and civic pride
- To support cultural tourism, placemaking and community engagement with Public Art
- To harness innovation and arts development in Knox
- To guide external stakeholders, particularly those who are planning Public Art in Knox

6.2 The Art Assessment Panel (AAP)

The Art Assessment Panel (AAP) is a working group that assesses and makes recommendations for the acquisition and deaccession of public art in Knox, alongside the Knox Public Art Policy. This group is also responsible for recommendations related to the Knox Civic Art Policy.

Membership and processes of the AAP are as follows:

- Up to six internal officers from a range of relevant service areas across Connected Communities, City Liveability, and Infrastructure Directorates; plus
- Between two and four community members from the current Knox Arts and Culture Committee, nominated at the commencement of their term, and reflected in the Committee Terms of Reference; plus
- At least one Councillor will be nominated from the Arts and Culture Committee, who will take on the role of Chair. Where multiple Arts and Culture Committee Councillors' wish to take part in the AAP, the role of Chair will be given to the Mayor or Deputy Mayor, or negotiated where this does not apply.
- Meetings will be scheduled on an ad-hoc basis as required. Assessment, consultation and recommendations for projects may also be undertaken via email communications.
- Assessment undertaken by the AAP will be alongside Item 6.4, and recommendations of the AAP will be captured in a group consensus Public Art Acquisition or Deaccession Report.

6.3 Resourcing Public Art

Public Art is funded in a variety of ways, with budget allocations reflecting benchmarks set by other Local Government Authorities with a committed Public Art portfolio, National Association of Visual Arts Fee Schedules.

6.3.1 Public Art Projects (Council Capital Works Annual Budget)

The annual Arts and Culture - Public Art Projects capital works allocation is based on approximately 1.0% of the total annual new and upgrade Capital Works Project Budget, with a minimum annual allocation of \$200,000 towards this program reviewed annually alongside budget cycles.

This Arts and Culture managed allocation funds stand-alone projects that respond to identified community needs for neighbourhood renewal, community safety, retail activation and placemaking, on a case by case basis. This budget also supports the funding of the Public Art Project Officer project management fee for these projects (E10-20%) and allocation for contingency (E10%) of project budgets.

6.3.2 Major New and Upgrade Infrastructure Projects "Percent for Art" (Council Capital Works Project Budgets)

A project based 'percent for art' investment in Public Art is applied to all major "New and Upgrade" capital works infrastructure and open space projects valued over 2 million dollars. This is applied as 2.5% of the capital construction budget, with a maximum of \$500,000 applied to any single public artwork, with larger investments only applied in response to a Council directive. This percent for art approach reflects industry best practice, and allows for a scalable model where the scope of artwork included reflects the scope of the development initiative.

The percent for art allocation will cover the end to end design, fabrication and installation of public artwork (E80%), project management fee (E10-20%) and contingency (E10%), with the public art project budget managed by Arts and Culture and spent against the Major Initiatives project budget code. Arts and Culture will provide a project manager, usually the Public Art Projects Officer, who will liaise with project control group.

Projects are to be planned in collaboration with Arts and Cultural Services at capital works business case initiation stage, to enable integrated design and resource planning. Where significant artwork already exists on a site, or the type of capital upgrade is deemed unsuitable for public art, Arts and Culture will negotiate with the project lead to consider an alternate approach, which may include no public art, a reduced scale of work, renewal, relocation or deaccession of an existing work, with such works funded within the project percent for allocation.

6.3.3 Artwork Renewal (Capital Works Renewal Annual Budget)

Existing and new permanent public artworks will be included on Council's Asset Register, along with an asset maintenance schedule funded through the Artwork Renewal capital works program. The renewal funding provision will be an annual allocation of 0.8% of the total market value of the current Public Art asset register pool, with a minimum of \$80,000 per year. This provides for the appropriate asset management, maintenance and deaccession of public artworks listed in the asset register collection, and reviewed annually alongside Council budget cycles.

6.3.4 Partnership and Engagement Initiatives (Council Operational Budget)

From time to time, projects may be funded through operating budgets where public artworks or public art engagement programs are developed in collaboration across Council and contribute to festivals, events or other keynote projects. These one off projects will be planned on an annual basis, and will either be funded through Arts and Culture, the initiating lead Unit, or a cost sharing model, as deemed viable. Where Public Art is initiated outside of Arts and Cultural Services, the team will provide guidance, support and a project management toolkit to inform a process that reflects this policy framework.

6.3.5 Special Projects (External Grant Funding)

Council will seek opportunities to apply for State, Federal, Private and Philanthropic grants to contribute to planned projects, or enable new projects outside of the current Council Funded allocations, and be prompted by opportunities that support the objectives of this policy. Where Council is embarking on funding advocacy campaigns for major new and upgrade infrastructure projects, the percent for art is to be included as part of the proposed budget for State or Federal funding.

6.3.6 Developer Contributions (Externally Funded)

Council will negotiate with developers the inclusion of Public Art within major developer led infrastructure projects, aiming for a financial allocation of 1.5% of the estimated total construction budget for projects over \$2million. This will be negotiated at the time of planning permit applications to Council. Where such projects are situated in outdoor publicly accessible spaces, the design proposal will be assessed by the AAP, with a recommendation presented to the developer for their consideration.

6.3.7 Community Led Projects (Externally Funded or via Council's Grant Programs)

Community led projects are those initiated and funded by groups outside of Council, including those funded through Council's grant programs. Community led projects in the public realm must follow this policy, and Council will provide guidance, support and a project management toolkit to inform a process that reflects this policy framework.

6.4 Acquisition Framework

Acquisition of public art may take place by way of a purchase of an existing public artwork, or more often, the commission of a new artwork that is designed for a specific site. Artwork acquisition is implemented using the following framework.

6.4.1 Initiating Public Art Projects

Public Artworks will be initiated alongside the resourcing framework outlined in Item 6.3 including:

- Annually planned public art projects that respond to identified community needs for neighbourhood renewal, community safety, retail activation and placemaking, on a case by case basis.
- Major new and upgrade infrastructure and open space projects prompted through capital works initiatives
- Public artworks developed in collaboration across Council and contribute to festivals, events or other keynote projects, and are usually of a temporary or ephemeral nature.

- Community and Private led public art projects, where Council plays a role in the guidance, assessment and approval of works in public space.

6.4.2 Submission and Artwork Assessment Process

Public Art acquisition will be undertaken through the following submission and assessment process:

- An Artistic Brief will be developed that provides project objectives, artistic themes, site requirements, scope and submission requirements, and will sit alongside the necessary strategic procurement documents and framework.
- All applications will be individually assessed by AAP members alongside a Public Art Assessment Matrix with weighted criteria, with individual scores combined to establish a total score for each submission.
- Where more than eight submissions are received, Arts and Culture Officers will undertake an initial scoring and seek AAP assessment for no more than the top scoring eight applications.
- For projects valued at over \$100,000, the top three (maximum) scored submissions will be invited to move to a second stage of developed design submission, inclusive of a NAVA approved design fee. The AAP assessment will be repeated, and further advice sought from other stakeholders as needed.
- Final artwork selections will then be presented within a recommendation report, for progressing for financial approval as per Item 6.5.

6.5 Approval Process

6.5.1 Financial Approval

Once a design has been selected, the procurement of services and/or capital works follows the strategic procurement framework, and supported by the required levels of procurement planning and reporting prompted by financial values. The approval of public art follows the financial delegation levels below.

Financial Delegation Limit	Procurement framework	Financial Approval Levels
Up to \$10,000	Minimum of one simple written quote	Team Leader Creative Placemaking
\$10,001 - \$50,000	Three simple written quotes	Team Leader Creative Placemaking
\$50,001 - \$100,000	Three detailed written quotes	Coordinator Arts and Cultural Services
\$50,001 - \$250,000 (Goods & Services) \$50,000 - \$500,000 (ICT & Works)	Three detailed written quotes	Manager Active & Creative Communities Executives and Councillors may be consulted.
Up to \$1,500,000	Public tender process projects over \$500,000 and goods and services over \$250,000.	Director Connected Communities Other Executives and Councillors may be consulted.

6.5.2 Written Agreement

The procurement of a public artwork will require a written form of agreement, whereby works up to \$100,000 will be supported by an Artists Agreement, and works over \$100,000 will prompt a formal Commission Contract developed using Council’s standard contract template, plus current arts law practice, co-signed by the supplier and the financial approver in line with the delegation limits provided by the procurement framework.

6.6 Asset Management of Public Art

6.6.1 Insurance and Asset Registration

All completed artworks will be accessioned into the collection and recorded in the asset register and listed onto Council insurance based on the value of the work at the time of accession, and reviewed annually alongside Council's insurance policy.

6.6.2 Lifespan of Public Art Works

In order to effectively manage the existing public artworks in Knox City Council's Public Art Collection three categories of expected life span are identified, at which time an assessment is undertaken to determine future life span:

- **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. Most public artworks will require a ten year life span within the written agreement with the artist/supplier.
- **2-5 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 2-5 years.
- **Ephemeral or less than two years' life span:** Public Art in the form of sculptural elements, outdoor projections, street art projects, flag installations, billboards and light boxes 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

6.6.3 Maintenance

Council recognises that Public Artworks are a valuable asset and will undertake maintenance and review with the aim to preserve the value and lifespan of the works. 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 as part of the Artists Agreement/Contract, condition reports and maintenance assessment criteria. Renewal of the public art collection is resourced by the Capital Works renewal budget, and approved as per Item 6.5.

6.6.4 Deaccession

A deaccession process for Public Art will be assessed alongside a Deaccession Matrix, and will enable those works either in extremely poor condition, have exceeded their expected lifespan, be of no value to Council, or assessed as no longer reflective of Council's values, to be removed from the register and from Council's collection, or where an artwork is intact and of value and requires removal for other reasons, such as site redevelopment, the process for safe removal with the intent for sale or relocation.

Artworks for deaccession from the collection must undergo a transparent and consistent assessment and approvals process, as follows:

- Arts and Cultural Services will identify and respond to the need for artwork deaccession, and prepare a deaccession brief to the AAP, including an initial assessment based on the Deaccession Matrix, the risk implications of keeping or removing the work/s, and the proposed method of deaccession.
- The AAP must reach majority consensus (over 51%) for a proposed deaccession of artwork, which will be captured in a Public Art Deaccession Report to support the approval process, as per Item 6.5.

- Where the work is of cultural heritage value, perceived community value, is not posing a public safety risk, requires removal due to site development, and is beyond restoration as per the deaccession matrix, the ward councilor will be consulted to discuss community engagement before deaccession process commences.
- The Deaccession Report must be approved by the delegated authority, based on the artwork value at time of deaccession following the same approval process as per Item 6.5.
- Items cannot be proposed for deaccessioning purely aesthetic grounds, if they have been in the collection for less than five years, or if they have a legal encumbrance that prohibit them being deaccessioned.
- Deaccession costs will be funded through the Artwork Renewal, or if part of a redevelopment site, costed as part the 'percent for art' budget.

6.6.5 Private and Community Public Art Assets

Council will not be responsible for the maintenance or deaccession of Public Art on land not owned by Council, unless it is considered culturally significant, is on the Council asset register, or is considered to be a good financial or planning decision for Council to do so. This will be assessed on a case by case basis in collaboration with the AAP and alongside the approvals process in Item 6.5.

6.7 Communications and Engagement

All completed public artworks will be announced to Council staff and Councillors through internal publications. Council will also deliver initiatives that promote active enjoyment, education, visitation and engagement with Public Art in Knox. This will be achieved through leading and supporting the following:

- Local creative placemaking initiatives.
- Cultural tourism initiatives.
- Cultural asset mapping.
- Public art trails.
- Arts and cultural events.
- Regional visitor strategies.
- Community and private investor led projects.
- Online resource kit and enquiry portal.

Many of these activities are reflected as Council priorities through a variety of plans, policies and strategies, requiring a collaborative approach to planning, communications, engagement and reporting.

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.