

# Public Art Policy

VERSION 1



CITY OF STONNINGTON PUBLIC ART POLICY

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**Policy Owner**

Visual Arts Officer – Community and Wellbeing

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**TRIM folder**

TBC

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**Approval date**

TBC

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**Approved by**

TBC

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**Review date**

This document will be reviewed as required and no later than 4 years from adoption date. In conjunction with the Art Acquisitions Policy, Art Acquisitions Advisory Committee Terms of Reference, and Deaccessioning Policy.

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**Version history**

Art in the Public Domain Policy 2013-2015

## Introduction

The City of Stonnington maintains a collection of public art located throughout its municipality. Public Art are works of art created specifically for installation and display in public spaces and facilities. As a highly visible form of art, public art can revitalize and reshape an urban space creating a dynamic environment that engages with, reflects, and explores the histories, stories, and culture of its local communities. Public art provides an opportunity for communities to develop a sense of belonging and identification with a public space while also enriching the cultural life of the municipality.

## Purpose

This policy provides the framework for the acquisition, commission, and maintenance of public art in the City of Stonnington.

## Scope

The policy applies to all public art commissioned or acquired into the City of Stonnington Public Art Collection and to decisions made by any Council Officers who are responsible for assessing the acquisition of public art. The policy does not apply to works of art acquired for the City of Stonnington's Art Collection which have a separate set of criteria. The Policy does not apply to temporary public art projects which are commissioned and administered separately. The Policy does not apply to public art on private property, historical/commemorative plaques, interpretative signs or advertising material.

The policy aligns with the City of Stonnington's Deaccessioning Policy which sets out specific criteria for the decommissioning and permanent removal of works of art in the public domain and the methods by which these works are to be disposed.

The policy also sits within the broader vision, strategies and framework of the City of Stonnington's Arts and Cultural Strategy and Future Stonnington (incorporating the Council's Vision 2040 and Council Plan, 2021-2025).

## Objectives

The objectives of the policy are to:

- Provide specific and mandatory criteria to dictate the decision-making process around the acquisition and commission of public art
- Ensure the acquisition and commission of public art is undertaken in a transparent and ethical manner
- Ensure the provenance of acquisitions of public art are verified, showing clear chain of ownership and valid legal title
- Ensure the acquisition and commission of public art are of the highest quality reflecting excellent artistic practice and achievement
- Provide a framework that respects the on-going moral rights of the artist and the integrity of the work
- Develop the Collection by acquiring works of art that demonstrate a strong connection to the City of Stonnington and reflect the uniqueness of the municipality with its diverse identities, perspectives, and communities

- Ensure the Collection is without gender bias
- Support the strategic directions of Council's Future Stonnington Plan of 'a thriving and unique place; an inclusive and healthy community; a people centred and future ready city.'

## Acquisition Criteria

Council requires that the acquisition and commission of public works of art meet **all** the following mandatory standards for acceptance into the Collection:

- Enhances, develops and/or consolidates existing collection strengths, themes, and media
- High quality, reflecting excellence in contemporary art practice
- Meet the objectives and requirements set out in the commission brief, demonstrating the suitability of the work to the context of the site, the community, and the municipality
- Provide evidence of sufficient budget, resources, and the capacity to deliver the commission within the specified timeline
- Established and verifiable provenance
- Unconditional purchase or donation with valid legal title of ownership
- Will not pose a risk to public safety or hinder public access
- Can be managed and conserved within the means of Council
- Respects the moral rights of the artist
- Must use materials and be designed and constructed so it is structurally sound and can withstand an outdoor environment
- Adheres to Council planning, heritage, environmental, risk management and social policies and plans

Council also requires that new acquisitions meet **one or more** of the following criteria:

- Artists must have a demonstrated professional visual arts practice and in the case of emerging artists exhibit a strong potential and commitment to establishing a long-term career in the visual arts
- Work produced by First Nations artists, with preference given to those from the Wurundjeri Woi Wurrung People and Bunurong of the East Kulin Nations
- Work produced by an artist who lives (lived) or works (worked), studies (studied) or made a significant contribution to the cultural development of the municipality
- Responds and/or demonstrates a connection to the people, culture, and geographical location of the municipality

## Policy

### Acquisition Decision Making and Process

All decisions to purchase or commission a public work of art for the Collection must adhere to and be guided by the acquisition criteria set out in this Policy. All proposals received for the acquisition or commission of public art must firstly be reviewed by the Art Acquisitions Advisory Committee in consultation with the Visual Arts Officer before proceeding to Council for endorsement and formal acquisition into the collection. Where applicable, external parties may be consulted, or a Council Working Group established to provide interdepartmental advice and expertise on an acquisition or commission.

The City of Stonnington develops its public art collection by way of the following processes:

**Direct Acquisition**

Council acquires an existing public work of art. This approach is used when the work of a specific artist is required, or a particular public work of art has been identified for purchase.

**Commission**

Council identifies/allocates a public space within the municipality for the installation of a public work of art. Council establishes and administers a commissioning process through an expression of interest or invitation to submit in response to a detailed project brief. The project brief includes all information applicable to the allocated site, design, creation, and installation of the work as well as budget.

**Works Initiated and Commissioned by Third Parties**

Council collaborates with Third Parties (property developers, community groups, State and Commonwealth government) in the commissioning of public art. Approval to proceed with such projects is made in dialogue and consultation with the Council. Such commissions are usually funded by Third Parties. This type of commission is managed by the Council on a case-by-case basis.

**Maintenance**

The Council maintains its collection of public art to a high level. It has in place a management plan and schedules ongoing maintenance of its public art collection. This plan is formed by the artist(s) who are required to submit a maintenance schedule at the handover of the work to the Council. A conservator assesses works as required, following which the artist, a conservator or material specialist will be engaged to treat the work as required. Council will firstly consult with the artist where major conservation treatment is required.

## Public Art Funding

Council is committed to incorporating public art and identifying suitable sites into future Civic Infrastructure projects in Council's Major Capital works program. The Public Art Policy recommends that Council allocates one percent of the total project budget for new Civic Infrastructure projects towards public art. This is a practice that has been adopted by many local governments across Australia.

By committing ongoing funding, this ensures that public art be considered from the earliest planning stages of appropriate Infrastructure projects, leading to the delivery of high-quality artwork that will maximise opportunities, enhance the experience for our community and reduce installation costs. Public Art can include stand-alone artwork such as sculptures and/or take an embedded approach through design elements such as seating, signage, or lighting. Implementation of any public art outcomes through these means must align to the objectives written in this policy.

**Private Developments**

The Public Art Policy supports public art commissions in private developments and will provide advice and implement best practice in the commissioning of public art through the objectives outlined in this framework.

## Definitions

| <b>Term</b>                         | <b>Definition</b>  |
|-------------------------------------|--|
| City of Stonnington Council         | Council  |
| City of Stonnington Art Collection  | Collection   |
| Art Acquisitions Advisory Committee | Committee  |
| Accessioned                         | The process whereby a work is recorded as being part of a collection and given a unique identifying number (accession number)                                      |
| Acquisition                         | Work of Art accepted into a permanent collection through purchase, donation, gift or bequest   |
| Art in private development          | Public art devised, developed, and delivered by third parties  |
| Collection                          | Works of art of various media acquired by the City of Stonnington Council that have been accessioned into the collection   |
| Commission                          | The act of requesting the services of an artist to create a work of art frequently for a specific location or purpose  |
| Deaccession                         | The permanent removal of a work of art from a collection   |
| Disposal                            | The means by which a work of art is permanently removed from a collection  |
| Gift                                | Work of art given to an institution with philanthropic intent and without the expectation of financial or material benefit or advantage                            |
| Legal Title                         | Legal right of ownership to property   |
| Moral Rights                        | Rights of a creator to protect the ownership and integrity of their work   |
| Public Art                          | Works of art created specifically for installation and display in public spaces and facilities   |
| Provenance                          | History and ownership of a work of art from the time of its creation to the present day from which authenticity and ownership can be determined                    |
| Permanent Public Art                | Works of art of various media that have an expected life span of more than twenty years  |
| Temporary Public Art                | Works of art of various media created specifically for installation and display in the public domain on a short-term basis   |
| Third Parties                       | Individuals and groups from across the private, public and not for profit sectors including property developers, State and Federal government and community groups |

## Responsibilities

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### Party/parties

### Roles and responsibilities

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|-------------------------------------|--|
| Council                             | Champion the commitment and principles for public transparency through leadership, modelling practice and decision making. Considers advice and recommendations of the Art Acquisitions Advisory Committee and makes formal decisions through council resolutions. |
| Director, Community and Wellbeing   | Champion the commitment and principles for public transparency through leadership, modelling practice and decision making. Monitors the implementation of the Policy.  |
| Manager Events, Arts and Culture    | Ensures the policy is functional and in keeping with wider arts and cultural policies, plans and strategies.   |
| Art Acquisitions Advisory Committee | Assess proposals for the acquisition and deaccession of works of art, and the commissioning of public art in accordance with the criteria set out in relevant policies. Advise on potential acquisition into the Collection.                                       |
| Visual Arts Officer                 | Prepares documentation for the Committee and ensures advice and recommendations comply with the criteria of the policies. Conducts a periodic review of the policies to ensure they are in keeping with industry practice and standards.                           |

## Monitoring, Evaluation and Review

Council commits to monitoring processes, information sharing and decision making to understand the overall level of success in the Policy's implementation.

A periodic review of this policy will be undertaken to ensure any changes required to strengthen or update the policy are made.

Officers are authorised to make minor editorial amendments as needed for administrative or updated information purposes (for example, but not limited to: changes to position and roles, references to legislation, definitions etc). Officers may also make amendments to the list of related documents at such times where reference material or guidelines require updating.

## Related Legislation and Policies

There are a range of legislation, codes and Council documents that inform and support this Policy. These include, but are not limited to:

| Legislation  | Council documents   |
|--|---|
| <ul style="list-style-type: none"> <li>• National Standards for Australian Museums and Galleries, (2<sup>nd</sup> version), 2023</li> <li>• Code of Practice for Visual Arts, Craft and Design, NAVA, 2023</li> <li>• Terri Janke, First Peoples: A Roadmap for Enhancing Indigenous Engagement in Museums and Galleries, Australian Museums and Galleries Association, 2018</li> <li>• Australian Best Practice Guide to Collecting Cultural Material, Department of Communications and the Arts, 2015</li> <li>• International Council on Museums (ICOM), Code of Ethics for Museums, 2013</li> <li>• Public Art Guidelines for Artists and Commissioners, Arts Law, 2021</li> <li>• Continuous Cultures, Ongoing Responsibilities for Australian Museums Working with Aboriginal and Torres Strait Islander Heritage, Museums Australia, 2005</li> <li>• Valuing Art, Respecting Culture: Protocols for Working with the Australian Indigenous Visual Arts and Crafts Sector, 2001</li> <li>• Museums Australia, Code of Ethics, 1999</li> <li>• Public Art, Making it Happen, Commissioning Guidelines for Local Councils, Arts SA, Government of South Australia</li> </ul> | <ul style="list-style-type: none"> <li>• Art Acquisitions Policy</li> <li>• Art Acquisitions Advisory Committee Terms of Reference</li> <li>• Deaccessioning Policy</li> <li>• Future Stonnington (incorporating Council's Community Vision 2040 and Council Plan, 2021-2025)</li> <li>• Creative Stonnington: Arts and Culture Strategy 2023 - 2026 Draft</li> <li>• Place-Led Economic Development Strategy (2023-2024) Draft</li> <li>• Open Space Strategy Draft</li> <li>• Receiving Gifts, Benefits and Hospitality Policy and Procedure</li> <li>• Reconciliation Action Plan</li> <li>• Conflict of Interest Policy</li> <li>• Mutual Respect Charter</li> <li>• Asset Disposal Policy</li> <li>• Asset Valuation and Revaluation Policy</li> <li>• Diversity and Inclusion Policy</li> </ul> |