

## POLICY



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**Policy title:** PUBLIC ART AND DESIGN

**Directorate:** COMMUNITY AND LIFESTYLE

**Branch:** LIBRARIES AND CREATIVE INDUSTRIES

**Policy objective:** To establish principles and mechanisms that will guide the development of public art and design projects.

Support the Logan City Council Arts, Culture and Heritage Strategy 2018 - 2022 key priority areas and goals.

Apply to the Logan City Council acquisitions and Logan Art Collection Management and maintenance asset register.

**Policy scope:**

1. This policy applies to areas of Council dealing with cultural and urban planning, economic development, lifestyle services and creative industries.
2. It supports Logan City Council's current corporate plan priorities.
3. Reiterates Libraries and Creative Industries mandate to provide quality libraries and creative industry services that meets community needs.
4. The Queensland *Sustainable Planning Act 2009* which requires maintenance of cultural, economic, physical, and social well being of people and communities as part of achieving ecological sustainability, including well serviced communities with affordable, efficient, safe and sustainable development.

**Policy statement:**

The Public Art and Design policy ensures that in the development, modification and refurbishment of existing buildings and public places, that quality design and public art opportunities are considered in planning, and are an aesthetic, social and potential economic enhancement, intended to improve the public amenity throughout the region of the City of Logan.

**Definitions:**

1. Limited competition or direct commission  
The artwork procurement method whereby the commissioner (council or council and developer) sources artists from a register of artists, from existing arts organisations,

databases and commercial art galleries. A direct commission also may purchase an existing artwork/s and is suitable for projects with small budget limits.

2. Open competition

The artwork procurement method preferred for the commission of major new works of art whereby a call for expressions of interest provides the process for registering interested artists.

3. Commissioner

The primary group, organisation, individual or government authority responsible for developing a permanent or temporary public art project.

4. Public art and design

- (a) Public art and design is any element or feature of a cultural, interpretive, referential, narrative, artistically conceptual or distinctly aesthetic nature that is to be incorporated within any space, area, building, environment or precinct to which the general community have access (limited or otherwise).
- (b) Public art and design projects may involve a wide variety of contexts and rationales, ranging from the involvement of an artist in developing or consulting on urban planning issues, participating in the design process for the decorative or utilitarian 'fittings' for public spaces, through to site specific, conceptual artworks or design features of both a permanent or temporary nature. Similarly, the scale of work may range from the intimate and subtle to the grand and monumental.
- (c) Public art may include or contribute towards the development of community facilities, public precincts and places, cultural animation and programming, including festivals and public events.
- (d) Public art and design projects are likely to be of a multi-disciplinary nature and involve consultation, integration and collaboration between the many areas of professional expertise associated with the development of public spaces. This could involve artists working on projects or events not only with other design professionals, but also 'artists' from different cultural backgrounds and other cultural activity areas or specialised fields - eg. theatre, literature, music, film and video, dance, fashion, community arts, youth arts, multicultural arts, etc.
- (e) Public art and design can be commissioned for both interior and exterior spaces and may involve the creation of unique and functional products by a local, national or international artist/designer.
- (f) Public art and design projects, where appropriate, may include a community consultation process and may also involve communities or community representatives working with artists collaboratively to make a work for a public area.
- (g) Public art includes murals in high profile areas for example, but not limited to, on Energex poles and these are commissioned and managed by the City Standards & Animal Care branch.

- (h) Public art and design project budgets may include these components; artist residencies, mentorship and trainee programs, and production of resources such as education kits, digital resources, brochures, catalogues and associated publications.

**Policy aims:**

The aims of the 'Public Art and Design' policy are:

1. To enhance and enrich the visual appearance, sense of civic identity and general liveability of the City of Logan and its environs.
2. To promote, emphasise and complement the desirable aspects, intrinsically unique qualities and ambient sense of place of its public spaces.
3. To further raise community appreciation, understanding and awareness of public art and design, and the value and benefits of the arts as a part of our everyday lives in both the natural and built environments.
4. To encourage the inclusion of art and artists as a valuable and implicit part of the City of Logan's civic planning, design and development processes, and those of its commercial and business sector.
5. To be known as a place of artistic innovation and stimulate interest and development in the creative industries for the region.
6. To provide employment and high level professional opportunities for the City of Logan's artists, craft workers and designers.
7. To enable Council to work with the private sector in partnership to develop and manage public amenity, share resources and responsibility for the region's creative development.
8. To celebrate the City of Logan's cultural diversity and heritage, and to revitalise the experience and appreciation of public spaces.
9. Encourage and facilitate a friendly and stimulating cultural dialogue within the community.
10. To enhance the sense of community ownership, civic pride and regional cultural identity.
11. To help consolidate the City of Logan as a city recognised nationally for its vitality and liveability, and its commitment to promoting and recognising cultural distinctiveness.
12. To implement, promote and further develop 'best practice' principles and processes relevant to the area of public art and design for the City of Logan.

**Policy strategy:**

The aims of the 'Public Art and Design' policy will be achieved through implementation of the following strategies:

1. The initiation, development, implementation and maintenance of a diverse range of suitably high standard, site specific, public art and design projects.
2. The early and comprehensive assessment (in conjunction with the Libraries and Creative Industries Manager and the Creative Industries Program Leader) of all of the

Council's projects involving the development, redevelopment or modification of public or civic space within the City of Logan to identify and consider all potentially suitable opportunities for the inclusion of public art and design elements and processes.

3. The early identification and involvement of relevant stakeholders, from both within the Council and from the wider community (including community groups, relevant cultural organisations, corporate bodies, the private business sector, etc) in the process of planning and developing projects of a public art and design nature.
4. The consultative or collaborative engagement of artists or other public art and design related professionals as early as possible in the planning and development stages of projects assessed as relevant to the 'Public Art and Design' policy.
5. The adoption and integration within the Council of appropriate public art and design processes, principles and standards to ensure suitable levels of excellence and equity are maintained in relation to public art and design projects.
6. The regular updating of information, across departments within the Council, regarding the progress of any projects or developments assessed as relevant to the 'Public Art and Design' policy and its aims.
7. The encouragement, where possible and appropriate, of all non-Council bodies, organisations and individuals to support and adopt the principles and guidelines as set out in this 'Public Art and Design' policy.

**Policy statement:**

These procedural guidelines cannot anticipate every circumstance. Accordingly, it is expected that derivations and variations will be developed where necessary and appropriate, in consultation with the Libraries and Creative Industries Manager and the Creative Industries Program Leader.

1. **Project Advisory Committee**

- (a) A Project Advisory Committee should be established for each public art and design project.
- (b) The committee shall be convened by, or in conjunction with, the Libraries and Creative Industries Manager and the Creative Industries Program Leader.
- (c) The committee shall be serviced by a nominated Project Manager, nominated from within the Council or engaged externally to co-ordinate all stages of the project.
- (d) The committee shall consist of representatives of key stakeholders, from both within the Council and from the wider community, for example, relevant departments of the Council, external funding sources, local residents, relevant community groups and cultural organisations, etc.
- (e) To ensure the administrative workability and effectiveness of the committee, it shall, where possible, be limited to the minimum necessary number of members.
- (f) The committee's role will be to consider all relevant factors associated with a public art and design project, identify opportunities and options, and to advise the Council on the preferred parameters (which would subsequently form the broad scope of the brief) and other issues as required throughout its duration.

## 2. **Planning issues and considerations:**

The following areas or issues are to be considered:

- (a) The mode of artist or arts professional involvement (eg consultation, collaboration, limited or open design competition, direct design commission, multiple artists or arts professionals mentorship).
- (b) The preferred or most suitable type of public art and/or design project (eg temporary, permanent, integrated design elements, conceptual artworks, sculptural elements, thematic design features, etc).
- (c) The recommended budget or constraints of the existing budget including consideration of design and commission fees, consultancy fees, advertising, inflation or material increases, expiry of quotes, manufacturing, administration, projected maintenance costs, etc).
- (d) The potential for additional or external funding, sponsorship or in-kind assistance from stakeholders or from other sources.
- (e) The formulation of a comprehensive project brief and equitable contractual agreements (e.g. design agreements, consultancy, collaborations, design and commission agreements, etc).
- (f) The project schedule or timeline (e.g. the preferred optimum time frame, the options and/or possibility of success within a pre-existing time frame, the necessary time required for each phase, etc) in relation to the construction timeframe and other constraints associated with new developments and refurbishments.
- (g) The method to be used in the contracting and selection of the artist or arts professional to be involved (e.g. open advertised tender, selection from pre-existing register, or multiple selections from a register combined with a limited competition, etc).
- (h) The design and commission phases and the fees payable to the artist for these phases that may include all or some of the following; initial sketch ideas, design ideas, visual graphics, detailed design drawings, presentation materials, maquette, research, site preparation costs, transport and any consultation fees such as engineering certifications and testing standards. Compliancy adjustments are included in the total budget for the procurement of an artwork/s.
- (i) The identification of the relevant site or sites and specific requirements, purposes, user groups, future use, limitations, contexts, etc.
- (j) The risk assessment in terms of public liability and workplace health and safety obligations, Australian standards and Council standards.
- (k) The design assessment process presentations by the artist/s in attendance with the Public Art Advisory Committee approves the design and commission phases of projects and whereby information on construction and installation requirements, risk assessments, materials guarantees and product information, artworks maintenance implications from conservators and/or structural engineers, and applicable standards, etc are addressed.

- (l) The commissioning of additional design phase or phases, and the corresponding fee (eg. for refinement or redesign of originally submitted proposal, etc); and re-working of approved designs.
- (m) The appropriate documentation of the project via electronic, hard copy and image recordings and entry of the completed asset to the Logan artworks collection management register/database.
- (n) The appropriate promotion of the project prior, during and for the project, launch or completion, including ongoing promotion and marketing opportunities.

### 3. **Funding projects**

Public art and design projects in the City of Logan may be funded through Council, the private sector, by application to the State Government through Arts Queensland for funding, or a combination of these funding sources.

### 4. **Developer contributions**

Developer contributions towards the costs of a public art and design project are encouraged and supported by Council.

Contributions may be pooled or matched with Council's support for a public art and design project.

### 5. **Policy exemptions**

- (a) housing and buildings for private or domestic purposes
- (b) demolition projects
- (c) repair and maintenance to buildings
- (d) capital equipment
- (e) police watch houses
- (f) hospital operating theatres and other non-public spaces in hospitals and community health centres.

### 6. **Public art and design procurement**

Where a potential public art/design project is being considered, the following procedure must be followed in order to ensure that the objectives of the Council's 'Public Art and Design' policy are met:

- (a) Following identification of a potential project, a preliminary meeting must be held between relevant employees of the Council and elected members. The following employees should be included:
  - (i) Libraries and Creative Industries Manager
  - (ii) Creative Industries Program Leader
  - (iii) representative/s from the relevant Council branch, Facility Manager, Project Leader and other professionals involved such as the Landscape Architect, Architect, and Consultants.
- (b) At this preliminary meeting the Project Advisory Committee for the project will be determined. The committee will co-opt appropriate employees such as:

- (i) a landscape architect, architect
    - (ii) the relevant Road Infrastructure Planning employee (eg traffic, structural)
    - (iii) a Community Development employee where relevant.
  - (c) The committee shall also include external stakeholders and expertise where appropriate:
    - (i) state government departmental representatives
    - (ii) property owner
    - (iii) developer
    - (iv) residents' representative (if appropriate)
    - (v) traders' representative (if appropriate).
  - (d) The preliminary meeting will also identify the Project Manager, who will coordinate the Project Advisory Committee meetings. The Project Manager is nominated from the Council branch/department. Non-branch/department initiatives may be managed by an external Project Manager or through Creative Industries.
7. **Artist's brief**
- (a) Following the preliminary meeting, the Project Manager will prepare an artist's brief for the project using project information and scoping documents. The artist's brief will be circulated to all Project Advisory Committee members with an agenda for the initial meeting which will be prepared by the Project Manager in consultation with the Libraries and Creative Industries Manager.
  - (b) Creative Industries assist and advise the Project Manager where required preparing a short list of artists suitable for the project. Other Committee members may nominate artists for inclusion in the short list presentation subject to the artist providing suitable information and images of their work. Where insufficient artists are represented through the Expressions of Interest process, a further advertisement seeking artists may be placed or other means of finding artists, for example through arts service organisations, will be undertaken within budget limitations.
8. **Initial management committee meeting**
- (a) Meetings of the Project Advisory Committee will be chaired by the Project Manager.
  - (b) At the initial meeting the Project Advisory Committee will:
    - (i) discuss, amend and formally approve the artist's brief
    - (ii) view the presentation prepared by the Project Manager with appropriate visual representations of artists' being considered for the project, and other relevant information such as historical, curatorial, geographic, architectural, that supports the artwork opportunities. The committee will discuss the short listed artists' work and select an artist or artists who will be asked to prepare designs.

- (c) Committee meetings are convened by the Project Manager for the purpose of approving the completion of design and commission phases of the project. At the meetings the artist presents to the committee the artwork designs and details required (reference to areas or issues to be considered (k)).
9. **Artist procurement**
- (a) The incorporation of artwork by artists, craft workers and designers, but not limited to only commission local artists.
  - (b) The Council will make a call (by means of a local, state or national print media advertising depending of relevancy) for expressions of interest by professional artists with experience in making public artworks. Artists will be asked to provide several images of appropriate works completed and to detail their relevant experience.
  - (c) Public art projects may use other databases for suitable artists.
  - (d) The Project Manager or the Creative Industries Program Leader may approach individual artists to provide material for the project.
10. **The commission process**
- (a) The commission process is the entire process of designing, fabrication and installing a public artwork, either permanent or temporary. The amount of artwork selected for a particular project is guided primarily by the available budget, project purpose and scope, and community benefit. These factors influence the commission model appropriate for the procurement of artworks for a particular project.
  - (b) Following the shortlist of artists the options are:
    - (i) limited competition: artists are selected by the Project Advisory Committee to each prepare an artwork concept in response to the artist's brief; or
    - (ii) direct commission: one artist is selected by the Project Advisory Committee to prepare up to three concepts in response to the artist's brief.
11. **Artworks maintenance**
- (a) The ongoing maintenance of all public art and design items in the Logan Art Collection Management register/database is of paramount importance. The provision of an artworks maintenance document will be incorporated into the artist's brief. The maintenance as specified by the artist will be budgeted for and managed by the Libraries and Creative Industries branch.
  - (b) In the case of mural works, these shall be maintained for a period of two (2) years by the artist. Mural artists will consider maintenance requirements and provide a regular maintenance schedule in their original quotation to produce the work for the Council. All maintenance issues arising from mural works are managed by the City Standards & Animal Care branch who will contact the artist directly for any maintenance required.
12. **Artwork relocation, removal or sale**
- (a) Public art works will be removed or relocated where:
    - (i) the work has been irreparably damaged

- (ii) the work is a burden on the Council's resources
  - (iii) there is legal evidence that the work belongs to another party; or
  - (iv) the site of the artwork is being re-developed.
- (b) In the case of murals artworks in public areas commissioned by the City Standards & Animal Care branch, the work or works will be maintained and managed for a minimum of two (2) years and considered for removal at the end of this 2 year period or in the instance where:
- (i) the artwork has not been irreparably damaged; or
  - (ii) the building or surface the mural is applied to remains sound in structure. It may be necessary to destroy a mural work if the attached building structure requires demolishing.
  - (iii) the management and maintenance of the artworks remains with a Project Manager through the City Standards & Animal Care branch.
- (c) Relocation, removal or sale of the work will not occur in response to current art trends or on the basis of individual personal taste.
- (d) Artwork relocation: in the instance that Council intends to relocate an artwork, the artist shall be notified in writing and be provided the opportunity to participate in the relocation process and to assist council in the process as agreed between council and the artist.
- (e) Sale of artwork: in the event that the Council intends to sell the work of art, the artist shall be given the first option to make a suitable offer for the work of art to obtain the artwork. The sale of artwork is based on the current value of the artwork according to the Logan Art Collection Management register/database.
- (f) In the event that Council intends to make a gift of the work of art, the artist shall be in the first instance, notified in writing of Council's intention and changes to the ownership (provenance) of the artworks and for moral and copyright purposes.
- (g) Disposal of artwork: in the event that Council intends to dispose of the artwork, the artist shall in the first instance be notified in writing and be provided the opportunity to participate in the process as agreed between Council and the artist.
- (h) A proposal to remove, relocate or dispose of works of art will be submitted by the Creative Industries Program Leader to the Director of Community and Lifestyle and requires a minimum of 30 days in advance notification.
- (i) Any work to be considered for sale will be subject to the current valuation according to the Logan Art Collection Management register/database and to an independent valuation by a recognised professional. At the discretion of the Creative Industries Program Leader, up to three independent professional valuations may be sought, depending on the value and significance of the work proposed for sale.
- (j) Disposal of art works shall accord with the requirements of the *Local Government Act 2009*.

- (k) No work of art will be disposed of to employees of the Council or close friends or relatives of such employees.
- (l) Funds obtained from the sale of art works will be assigned exclusively for the acquisition of alternative works of art in accordance with the 'Public Art and Design' policy.
- (m) At all times the artist's rights will be recognised and supported during any relocation, removal, sale, gift or disposal of an artwork.

**Related policies/legislation/other documents:**

DOC ID	DOCUMENT TYPE	DOCUMENT NAME
	Legislation	<i>Local Government Act 2009</i>
<a href="#">13185211</a>	Administrative	Arts, Culture and Heritage Strategy 2018-2022
<a href="#">6080032</a>	Policy	Community Art