

PUBLIC ART OPERATING GUIDELINES

PARENT DOCUMENT: Public Art Action Plan 2019-2022

PURPOSE

This Public Art Operating Guideline sets out the administrative processes and responsibilities for the delivery of the Public Art Action Plan 2019-2022 and outlines the processes relating to the public artworks and public art activity in the City.

The delivery of Public Art in the City of Adelaide is guided by the following six Statements of Intent which are detailed in the Public Art Action Plan 2019-2022:

Experience; Diversity and Intercultural Dialogue; Depth; Complexity and Quality; Investment and Economic Value; Interconnection and Planning; Collaboration.

OPERATION

Objectives

This Operating Guideline will inform the way the City of Adelaide develops, commissions, delivers and manages public artworks.

Integrated planning

- The City of Adelaide will adopt an integrated approach to the development, delivery and management of public artworks in the city, with the Public Art team being engaged for advice on all projects.

Open, Transparent, and Impartial Procedures

- The City of Adelaide will use procurement processes that conform to Local Government Legislation, Procurement Policy and will follow open, transparent and impartial procedures.

Artist Moral Rights

- The City of Adelaide's development, delivery and management of public artworks will respect and comply with the Moral Rights legislation under the Copyright Act 1968 (Cth), including the consultation of the artist / creator / copyright holder when any changes to an artwork or display or location of an artwork are planned. Detailed fact sheet Community and Culture – City of Adelaide Artist Moral Rights – Fact Sheet ACC2019/92573.

Community Engagement

- The City of Adelaide recognises that community input is vital in shaping public artwork in the city and will seek out, encourage and partner with the community, to develop the City's public art projects, and public art collection. As best practice, Aboriginal Traditional Owners (or their delegates) will be consulted including through Council's Reconciliation Committee in relation to proposed sites for artworks in the City and will have a place as a member of the Public Art Round Table.

Operating Procedures for Public Art

Public Art Partnerships

The City of Adelaide will maximise the delivery and development of public artworks and projects through a range of collaborations with internal/external parties including public, private, government, individuals and organisations.

External Proposals for Public Art

The City of Adelaide will consider proposals from external partners for council led co-funded projects for public art that will; add value to the public art collection; enliven the City; showcase creativity; build on Adelaide's reputation as a globally renowned cultural destination; and align with the statements of intent, goals and deliverables outlined in the Public Art Action Plan 2019-2022.

Detailed fact sheet Community and Culture – External Proposals for Public Art - Fact Sheet ACC2019/90413.

Gifts, Donations or Loans of Public Art

The City of Adelaide will also consider proposals of gifts, donations or loans of public art, including cash donations to fund the purchase or commissioning of public artworks that align with the directions of the Public Art Action Plan 2019-2022.

Detailed fact sheet Community and Culture – External Proposals for Public Art - Fact Sheet ACC2019/90413.

Council led commissioning and purchasing of Public Art

The City of Adelaide will commission public artworks that contribute to the objectives of the Public Art Action Plan 2019-2022. A variety of commissioning processes provide the flexibility to achieve successful outcomes based on the scope, budget and scale of individual projects.

Detailed operating procedure Community and Culture – Internal Commissioning Public Art – Operating Procedure ACC2019/90412.

Artwork acknowledgements and plaques

The artists or creators of public artworks within the City of Adelaide will be acknowledged on, incorporated into or near the artwork itself, unless the artist has requested in writing not to be acknowledged. A standard plaque that complies with Adelaide Park Lands Management Strategy 2015-2025 will include text that outlines the artist's name; name of artwork; date of commission; name of the commissioner; and details of any partner organisations or stakeholders. All acknowledgements need to be subtle and respectful. Sponsorship representation with logos is not permissible.

Maintenance and Management of Public Art

The City of Adelaide holds a significant public art collection that is of economic, cultural and social value to the City. The maintenance and management of these assets are crucial to maintain their financial and community value and the City's reputation as a public art destination. Detailed procedure Infrastructure - Infrastructure Asset Management Strategy.

Asset registration

At hand over of a public art project the artwork will be entered onto the City of Adelaide's asset register. At this time an Artwork Manual is required to be supplied by

the artist/s and will need to include artist/s names, copyright owner details if different from the artist/s, artistic intent of the artwork, date of commission, materials details, construction and recommended approach to operating and maintaining the artwork including a graffiti management plan, maintenance schedule detailing expected regular maintenance and when artist advice needs to be sought. These details will be included in the asset registration along with the identified life of the artwork and any particulars, such as the loan arrangements, as outlined in the commissioning and/or partner agreement.

Monitoring

Regular monitoring of the condition of public artworks is undertaken at least annually (or as identified by public realm activities) as it is important to enable any maintenance issues to be addressed early before substantial deterioration has occurred to the artworks. A full audit of the public art collection will be conducted every 4 years in line with the periodic valuation process of assets to ensure the value (fabrication cost and significance) of the public artworks are identified for insurance purposes.

Cleansing and repair

Prior to undertaking any cleaning or repair of an artwork the Artwork Manual must be consulted as a lead of how to proceed with any maintenance. As part of the ongoing care and maintenance of the City of Adelaide's public art collection regular cleaning and maintenance is budgeted for and routinely undertaken, including cleansing, coating replenishment, graffiti removal and minor repairs.

Graffiti management plan

All public artworks in the City of Adelaide, including murals, will have a graffiti management plan developed during the planning stages of the project in consultation with the artist and Asset Management. This will include the application of a graffiti coating as a sacrificial barrier prior to the completion of all murals and as appropriate for other artwork formats. The graffiti management plan will also form part of the regular maintenance schedule, as outlined in the Artwork Manual, with a planned response to address graffiti attacks and ensure integrity of the artwork.

Major Repairs

Major repairs will be undertaken as required, in consultation with professional conservators and the artist/s/copyright holder in accordance with Moral Rights legislation.

Detailed fact sheet Community and Culture – City of Adelaide Artist Moral Rights – Fact Sheet ACC2019/92573.

Community use of public artworks

City of Adelaide will consider request from the community to temporarily reinterpret public artworks in the public realm on a case by case basis, with consideration of artists moral rights, duration, content and intent of installation, and impact on the maintenance of the artwork.

Artworks within the collection are of community importance and are part of the city's identity. Commercial use of any public artwork from the City of Adelaide's collection is not acceptable, this includes using a public artwork for advertising or income generation purposes.

Use of a public artwork for charitable fund-raising purposes will be considered on a case-by-case basis.

De-accessioning Public Art

The City of Adelaide will de-accession public artworks at the end of the lifespan of the artwork as outlined in the commissioning agreement or if the artwork is unsafe or no longer meets Council's goals and deliverables. De-accession considerations include commitments in the commissioning agreement, artistic merit, social and economic value to the community, condition and future urban designs or master plans.

Detailed procedure Infrastructure – Acquisition and Disposal Policy.

OTHER USEFUL DOCUMENTS

Related documents

- **City of Adelaide Public Art Action Plan 2019-2022**
- City of Adelaide Cultural Strategy 2018-2023
- Adelaide Park Lands Management Strategy 2015-2025
- City of Adelaide Asset Management Policy

Relevant legislation

Implementation of this Public Art Operating Guideline will consider and comply with the following legislative requirements and standards:

Key legislation governing the delivery of Public Art:

Adelaide Park Lands Act 2005 (South Australia)
Copyright Act 1968 (Cth)
Copyright Amendment (Online Infringement) Act 2015 (Australia)
Copyright (Moral Rights) Amended Act 2007
Disability Discrimination Act 1992 (Commonwealth)
Intellectual Property Laws Amendment Act 2015 (Australia)
Local Government Act 1999 (South Australia)
Native Title Act 1993 (Commonwealth)
Planning, Development and Infrastructure 2016 (South Australia)

City of Adelaide policy informing the delivery of Public Art:

Access and Inclusion Strategy 2013 (under revision)
Adelaide Design Manual 2017
Adelaide Park Lands Management Strategy 2016
Community Consultation Policy 2018
Cultural Strategy 2017-2023
Infrastructure Asset Management Plans (as updated)
Stretch Reconciliation Action Plan 2018-2021

National protocols and Codes of Practice informing the delivery of the Public Art:

Code of Practice, National Association for the Visual Arts

Protocols for working with Indigenous Artists, Australia Council for the Arts

Protocols for Working with Children, Australia Council for the Arts

Community Fact Sheets

Community and Culture – External Proposals for Public Art – Fact Sheet
ACC2019/90413

Community and Culture – External Proposals for Donated Memorials – Fact Sheet
ACC2019/90408

Community and Culture – City of Adelaide Art Moral Rights – Fact Sheet ACC2019/92573

Community and Culture – Murals - Fact Sheet (under review)

City Works - Fact Sheets

[City Works Guide # 1: - Works in the Public Realm \(PDF\)](#)

[City Works Guide # 2: Works Impacting Council Assets \(PDF\)](#)

[City Works Activity Guide # 5 – Cranes and Elevated Work Platforms \(PDF\)](#)

[City Works Activity Guide #6 - Ladders, Industrial Bins and Shipping Containers \(PDF\)](#)

[City Works Guidelines. \(PDF\)](#)

Development Application – Fact Sheet

[How to Submit a Development Application \(PDF\)](#)

Internal Work Procedures

Community and Culture – Internal Commissioning of Public Art- Operating Procedure
ACC2019/90412

Community and Culture – Public Art Round Table Terms of Reference (under review)

Infrastructure – De-accessioning of Public Art & Memorials (to be developed)

Infrastructure - Infrastructure Asset Management Strategy (under development)

Infrastructure – Acquisition and Disposal Policy (under review)

Infrastructure - Asset Management Plan – Urban Elements ACC2016/17053

Infrastructure - Asset Management Plan - Park Lands and Open Spaces
ACC2016/17124

Strategy and Design – Graffiti and Bill Poster Management Policy and Operating
Guideline ACC2003/1144

Finance - Procurement and Contract Approvals Operating Guideline ACC2019/76152

Customer – City Works Operating Guidelines ACC2002/38306

Customer – Objects of Public Footpath Policy ACC2006/44865

GLOSSARY

Throughout this document, the below terms have been used and are defined as:

Public Art: Artwork created by an artist, and located in the public realm, including permanent, temporary and ephemeral works such as installations, sculptures, murals, mosaics, projection, lighting, soundscapes, multi-media and performance-based work. It also extends to unique street design and furniture elements created by an artist to add value to public realm projects such as paving, ornamental wall inserts, windows,

gates, grates, light fittings, bollards, water features and the like. Temporary artworks have a lifespan of under five years. These include relocatable and ephemeral artworks created with intentional temporary presence from a moment to under one year. Permanent art works have an expected lifespan of five years or more and enduring artworks are commissions with an expected lifespan of 25 years or more.

Artist: A creative person who devotes a reasonable portion of their time to making art, who promotes their work as art, and intends their work to be seen and read as art; and possesses qualifications in visual arts or has commensurate skills and experience. An artist will also usually have received public and peer recognition as a practising artist. At a minimum, an artist will be involved in the visual conception and planning of a Public Art work and typically lead the fabrication and installation of the work.

Integrated Art: The conceptual, and practical contribution of an artist to the design of public spaces and facilities. The product of an artist working as integral to a design team on major public renewal or development projects in response to a site through scale, material and form and created through a dedicated artistic process, resulting in project outcomes that have a unique character that differentiates it from the typical design process. May result in either an artistic contribution to the overall design process or creating distinct built or street elements that are recognised by the community as artwork.

Memorial: An object or landscaped feature, including commemorative plaques. The purpose is to honour and commemorate a person, place, historical or social event or idea of significance that strongly contributes to and expresses Adelaide's and/or South Australia's communities and their cultural values. Memorials purposefully express public sentiment, signify the past, look to the future, and provide places for community reflection and gathering.

Street Art: Un-commissioned artwork that can include stencils, paste-ups, stickers, graffiti art, murals, installations and is generally perceived as artwork, which does not include tagging and vandalism.

Public Realm: The public realm includes, but is not limited to streets, squares, parks, built form and spaces within buildings that are accessible to the public, generally under the control of Local or State Government and are not private land.

Commissioning: The act of authorising the creation of a public artwork, which could include, but is not limited to planning for, engaging artists and financing artworks.

De-accessioning: The procedure for a withdrawal of a public artwork from public display for various reasons, including end of lifespan, quality or condition of the artwork, and/or strategic directions according to best practice protocols. Council holds discretion, although works with artists wherever possible, to plan for either disposal or storage of works.

Asset management: The ongoing process of protecting, maintaining, repairing, cleaning and preserving a Public artwork so as to sustain the artistic integrity of the artwork. Public artworks registered as part of the City of Adelaide's Public Art collection will receive regular inspection and care undertaken as required by staff, contractors and conservators.

ADMINISTRATIVE

As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents

are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

This Operational Guideline will be reviewed every three years unless legislative or operational change occurs beforehand. The next review is required in 2022.

Review history:

Trim Reference	Authorising Body	Date/ Decision ID	Description of Edits
ACC2019/111953	CEO	27/08/2019	<i>Public Art Operating Guideline Approved by CEO and noted by Council</i>

Contact:

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