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## PUBLIC ART GUIDELINES

### APPROVALS

<b>GUIDELINE NUMBER</b>	PECS-GDS-199	<b>DOC. ID</b>	4823209
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<b>GUIDELINE OWNER:</b>	Engaged Communities		
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## AIM

The Public Art Guidelines have been developed to assist applicants address the criteria for Public Art within the Isaac region. The information provided in this document is based on best practice models endorsed by NAVA (National Association of Visual Arts) Code of Practice for the Professional Australian Visual Arts, Craft and Design sector and Council.

## SCOPE

This document is for use by applicants seeking to install/present Public Art within the Isaac region. It is also used by Council officers to assist with the assessment of Public Art applications.

## DEFINITIONS

TERM	MEANING
IRC/Council	Isaac Regional Council.
Culture	The characteristic features of everyday life shared by a community in a place and time.
Public Art	Artworks installed in public places that may be permanent, temporary or ephemeral and can be represented in a range of artforms (e.g. sculpture, installation, projection, performance).
RADF	Regional Arts Development Fund.

## GUIDELINE

Consideration of all public artworks proposed by Council and/or community organisations and individuals in the public domain, or the acquisition of such works by way of donation or gift, will be based on the following:

- Alignment with Council's current strategic and operational priorities.
- Cultural and artistic merit of the public artwork.
- Relevance and appropriateness of the public art to the context of its site and community standards.
- Consistency with current planning, heritage, social sustainability and environmental policies.
- Alignment with existing site/facility management plans.
- Consideration of public safety and accessibility of public spaces and facilities.
- Whole of life consideration including long-term maintenance and durability, including the capacity of sponsoring organisations and/or individuals to fund upkeep.

Council will not accept custodianship of public art requiring significant ongoing maintenance or protection to a standard beyond which Council can reasonably provide. It is recommended that applicants make themselves familiar with the following documents before submitting a Public Art proposal and align with them wherever possible to provide a solid case for gaining support, funding and resources:

- Council's Vision, Mission and Values.
- Community Strategic Plan, Isaac 2035
- Isaac Regional Council Corporate Plan, 2017-2022
- Public Art Policy, PECS-POL-075
- Public Art Action Plan 2020-2024
- Arts and Cultural Policy, CORP-POL-031
- Arts and Cultural Action Plan 2018-2022
- Regional Arts Development Fund Applicant Guidelines, PECS-GDS-001
- Business Support Strategy 2019-2024
- Isaac Tourism Strategy 2019-2024
- Social Sustainability Policy, PECS-POL-116

## CONTACT

Prior to commencing an application for public artwork, intending applicants must contact Council's Arts and Cultural Programs Officer to discuss their proposal on 1300 22 47 27 or by email sent to [records@isaac.qld.gov.au](mailto:records@isaac.qld.gov.au) with the subject "Attention Arts and Cultural Programs Officer".

## PUBLIC ART PROPOSALS – WHAT TO INCLUDE

The below details areas that applicants must address when submitting a Public Art proposal to Council. Prior written approval from Council must be granted before the installation of any Public Artwork on Council owned or controlled sites. A proposal addressing the points outlined in these guidelines must be submitted to Council, who will undertake its own internal approvals process for Public Art and will advise applicants of the outcome by written notice.

Proposals for Public Art projects must be on a completed Public Art Application Form in Word or PDF format. Any additional supporting documentation must be provided in a suitable format and file size. Incomplete proposals will not be considered.

### Concept and Design

An outline of the proposed project should describe the concept for the artwork, why the work is requested and any social, economic, environmental, commercial or philosophical basis for the work, where it will take place, who is the primary audience, and what will the outcome be. Detail any research that has been undertaken to support this project and concept.

Applicants must provide a brief outline of the work including dimensions, theme, style, materials and the type of artwork together with a coloured sketch of the proposed design (A4 minimum size). Applicants may also include computer generated concept pictures. Include as many views as possible, i.e. from various angles and, if possible, illustrated as if in situ.

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Consideration must be given to the nature and colour of the proposed artwork to ensure consistency with the character and amenity of the surrounding area. The design must not constitute advertising or signage.

## **Demonstrated Community Benefit and Contribution to Social Sustainability**

Applications must demonstrate how the Public Art project will benefit the community where it is located. Proposals should identify how the community finds out about and engages with the project and what community needs the project will meet.

## **Stakeholders**

Your proposal should identify who is involved with the project (project manager, artists, volunteers, community groups, organisations, etc.) plus any relevant community stakeholders who will be impacted.

## **Location**

Applicants must provide specific details of the site including a simple plan and/or visual documentation showing the proposed location of the artwork and detailing whether the artwork is freestanding, on a wall, fence, etc. The applicant must also consider and provide notes on the proposed footings for the work, as some structural considerations may require engineering/developmental approval.

You must consider how you might wish this work to be understood by the community and visitors. The proposal must outline how you wish the proposed artwork, when complete, to be unveiled/launched to the public and the extent of Council's involvement in this process. You must also provide information for didactic plaques where appropriate including the artist's name, the title of the work, the medium in which it is created, the date of creation, any organisations involved in the project creation, information about the artwork and its meaning and connection to place.

## **Community Consultation**

Explain the methods that have been used to communicate and consult with the community and relevant Traditional Owner Groups in relation to the project. Document the consultations that have occurred or are to occur ahead of installation. Provide any supporting documentation and letters of support to indicate that adequate consultation has or will occur.

## **Consultation with Public Authorities (if applicable)**

Depending on the location of the proposed artwork, applicants may need to consult with and obtain approval from public authorities such as Transport and Main Roads QLD, Telstra and Ergon Energy. Council staff can assist applicants in connecting with the relevant authorities.

Conditions apply to projects planned to take place on infrastructure that is owned by Council and/or a third party. Applicants should note that artwork on any such infrastructure does not confer ownership or copyright over such infrastructure to other parties. Applicants also need to be aware that if the owners of such infrastructure need to repair or replace the infrastructure no responsibility is accepted by them for replacing the artwork.

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## Timeframe

Consideration should be given to the time required to complete the project. Your application should list when you propose to start and finish the project.

Please note, the Council approval process can take up to four months so you should take this into consideration when planning the project. Projects where site or infrastructure improvement is required will be subject to a longer approval process, depending on requirements.

lifespan and maintenance

Your proposal should address:

- the projected life of the artwork.
- The process for decommissioning of artwork including projected costs and timeframe if required.
- who will be responsible for maintaining the artwork in terms of public safety and aesthetics.
- what impact the artwork will have on the maintenance of the surrounding area.
- how climatic conditions will impact on the artwork.

## Curriculum Vitae and/or Samples of Work from Artists and Fabricators

Council is open to facilitating both the furthering of emerging visual artists as well as supporting established practitioners.

Public Artwork can be executed by a professional artist or under the project management of a professional artist. Fabrication may be completed by professional fabricators or the artist. Proposals should include the artist's CV, plus a letter of confirmation of availability for each artist involved in the project. Samples of work by associated artists and details of the fabricators (if applicable) should be included plus examples of work of a similar vein they have executed. If project management or delivery is undertaken by a community organisation, details of the management committee and their ability to manage the project should be included.

Information as to the method of engaging artists should be included in the application – i.e. via an expression of interest process or by commission.

## Intellectual Property and Copyright

Ownership of intellectual property rights (including copyright) in a public artwork generally remain vested in the artist but a license will be negotiated as part of the agreement with Council to enable the reproduction, communication, publishing and broadcasting of images of the work. Each agreement will be individually negotiated with the artist or commissioning group and your proposal should indicate if you have any requests or requirements in relation to copyright.

Council would not usually acquire the rights to reproduce an artwork in a three-dimensional form or to use the image as a logo or branding. If this is intended, it will be negotiated with the artist or commissioning group and included in the agreement.

## Materials

Your proposal should detail the materials that will be used for the artwork. Where appropriate, it is strongly encouraged that two coats of anti-graffiti treatment be applied to the artwork to protect it from graffiti vandalism (if applicable).

## Public Safety

Your proposal needs to note how the artwork will be designed to be safe. You're encouraged to attach a risk assessment for the project. Risk assessments must include consideration of all aspects of public safety, vandalism and workplace/site safety management during installation and life of artwork.

## Budget

Please provide detail of the costs involved with the project and a complete budget. Costs may include artist/s fees, materials, fabrication costs, transportation, project management, administrative costs, maintenance and repairs, insurance, consultation, installation, landscaping and signage.

Your budget should also include proposed grants and other funding, sponsorship and in-kind support.

The estimated cost for future maintenance and repairs should be determined after discussions with the artist, appropriate restoration experts and Council staff.

## Insurance

Until the work is complete and installed the artist/commissioning group must carry appropriate public liability insurance cover and indemnify and keep indemnified the Council (or any other third party owner of infrastructure) for all claims, actions, or legal proceedings that may arise out of injury or death to any third parties from use or in connection with the work.

## Partnerships

Public Art is an opportunity to engage with many stakeholders. Detail all partnerships associated with the project. These partnerships may include sponsors, community organisations and funding bodies. If logos are to appear on any supporting documentation (plaques, acknowledgements, etc.) then these should be supplied.

## OTHER CONSIDERATIONS

### Approvals and Agreements

Specific pieces, such as sculpture or works affixed to a surface that require structural considerations may require developmental approval. Written permission must also be obtained from the owner of the surface or area housing the artwork.

Agreement between the commissioning body and the owner of any public property, infrastructure or open space controlled by Council must be made prior to commencement of work. This would be in the form of a contract or memorandum of understanding.

## Rights and Responsibilities

Council reserves the right to decline the offer of any work proposed for a public place which does not meet the cultural, safety, aesthetic, structural or durability requirements.

## Retention/De-accession

Public Art held in the public domain may need to be moved, or de-accessioned over a period of time due to a range of circumstances.

Council may de-accession an artwork for a number of reasons including:

- Inadequate storage and appropriate conservation resources to maintain the specific artwork.
- A permanent or temporary work that has exceeded its expected longevity.
- An artwork that no longer meets functional or aesthetic requirements.
- An artwork that no longer can be considered safe.
- An artwork that has been irreparably damaged.
- An artwork that requires an increase in maintenance that cannot be sustained.
- An artwork whose location is no longer appropriate due to redevelopment, road works, building demolition.

The de-accession process may include relocation of artwork, sale of artwork, donation of artwork, storage of artwork and destroying of artwork.

## Policy Requirements

Legislation and Council policies that guide the acceptance and disposal of Public Art and the procurement and disposal of goods and services include:

- *Copyright (moral rights) Amendment Act 2000*
- *Local Government Act 2009*
- Council's Procurement Policy
- Council's Disposal Policy
- *Human Rights Act 2019*

Disposing of artworks should comply with Council's Disposal Policy. Damaged artwork, artwork deemed no longer safe or would be considered to be valued at less than \$1000 can be disposed of at the Director of Planning, Environment and Community Service's discretion.

The Chief Executive Officer may dispose of Public Art by any of the following methods, having regard for the relevant provisions of the Local Government Act 2009 and Council's Disposal Policy:

- Disposal as authorised by resolution of Council;
- Transfer to other public agencies or authorities;



- Transfer as a gift to a recognised charitable, aid or non-profit organisation;
- Archival action by the Queensland Museum or State Library;
- Reduction to scrap; or
- Destruction.
- Return to original artist or commissioning group.

## Moral Rights

The creator of an artwork is entitled to certain non-economic rights.

Moral rights include:

- the right to be named as the creator of the work
- the right to take action if the work is manipulated in a way that damages the integrity of the work.

Council has a number of obligations to artists when de-accessioning works including but not limited to:

- Suitable notice of 3 months or more given to artist/s should Council decide to de-accession their artwork or in the case of a community arts project where there are several creators, the organising committee or project manager.
- Artists given the opportunity to record or photograph their work in situ prior to its removal.
- The option for the artist to acquire the work in the event it is being disposed of other than through sale or donation. In the event that the artist does not wish to or is unable to acquire the work, then the organising committee and project manager should then be given the next option.

## WHAT HAPPENS ONCE YOUR APPLICATION IS SUBMITTED

Council's Arts and Cultural Programs Officer will contact you to advise receipt of your application. Following this, your proposal will be subject to Council's internal approval processes. Approvals will take approximately four months from receipt of your application. This timeframe may be extended if developmental approvals or additional structural works are required.

You will be kept informed throughout the approval process, but should you wish to discuss your proposal, please contact the Arts and Cultural Program's Officer on 1300 ISAACS (1300 472 227).

## ACCESSING FUNDING AND RESOURCES

There are a range of resources that IRC and its community partners can leverage to support the implementation of projects and programs.

### Funding

The following are some of the funding resources available for arts and cultural activity in Isaac Region.

- Isaac's Regional Arts Development Fund - [www.isaac.qld.gov.au/radf-grants/radf-2/1](http://www.isaac.qld.gov.au/radf-grants/radf-2/1)



- Arts Queensland - [www.arts.qld.gov.au/aq-funding](http://www.arts.qld.gov.au/aq-funding)
- Tourism and Events Queensland - <https://teq.queensland.com/events/events-support>
- Australia Council for the Arts - [www.australiacouncil.gov.au/funding/](http://www.australiacouncil.gov.au/funding/)
- Regional Arts Fund - [www.arts.qld.gov.au/aq-funding/6170-regional-arts-fund](http://www.arts.qld.gov.au/aq-funding/6170-regional-arts-fund)
- Australian Government, Office for the Arts - [www.arts.gov.au/funding-and-support](http://www.arts.gov.au/funding-and-support)
- Foundation for Rural and Regional Renewal - <https://frrr.org.au/funding/>
- Gambling Community Benefit Fund - [www.justice.qld.gov.au/initiatives/community-grants](http://www.justice.qld.gov.au/initiatives/community-grants)

## Sponsorship and Fundraising

Creative Partnerships Australia offer a range of workshops and resources to create successful sponsorship proposals and fundraising campaigns for the arts. State managers provide expert advice on philanthropy, fundraising and development, and securing investment and partnerships.

<https://www.creativepartnershipsaustralia.org.au/people/state-manager-qld/>

## State and National Artform and Service Organisations

There are many organisations in Australia that are willing to partner with regional communities to assist in building skills and developing projects that engage local communities. A good starting place to find organisations that might match projects is the funded organisation lists through Arts Queensland and Australia Council for the Arts. This is by no means a comprehensive list, but it is a starting point for research in finding the right match for projects.

[www.arts.qld.gov.au/case-studies/investment-program/organisations-fund](http://www.arts.qld.gov.au/case-studies/investment-program/organisations-fund) - previous recipient list

[www.australiacouncil.gov.au/programs-and-resources/list-of-key-organisations/](http://www.australiacouncil.gov.au/programs-and-resources/list-of-key-organisations/)

## Isaac Region Arts Organisations

There are a number of Isaac-based arts organisations that may be able to assist public art applicants with general advice about proposals and guidance for securing funding and partnerships. They may also be able to offer assistance with the design, project management, delivery and/or funding of projects. For more detail, please make contact with Council's Arts and Cultural Programs Officer who can put applicants in touch with any relevant local groups.

## Tools

A range of valuable tools is available through Arts Queensland's Arts Acumen Resources on their website. This includes marketing and promotion, entrepreneurship, partnerships and philanthropy, evaluation and reporting, governance and application writing.

[www.arts.qld.gov.au/arts-acumen](http://www.arts.qld.gov.au/arts-acumen)

## REFERENCES AND RELATED DOCUMENTS

- *Copyright (moral rights) Amendment Act 2000*
- *Local Government Act 2009*
- *Human Rights Act 2019*
- [Arts Law Centre of Australia](#)
- [Australia Council for the Arts, Protocols for Producing Indigenous Australian Visual Arts](#)

## DOCUMENT ID/NAME

ID	NAME
	Community Strategic Plan Isaac 2035
	5 Year Corporate Plan 2017-2022
CORP-POL-031	Arts and Cultural Policy
COM-PLN-007	Arts and Cultural Action Plan 2018-2022
PECS-POL-075	Public Art Policy
PECS-POL-121	Original Materials Collection Policy
PECS-PLN-068	IRC Public Art Action Plan 2020-2024
CORP-TOR-009	Terms of Reference - Isaac Arts and Cultural Advisory Committee
PECS-GDS-001	Regional Arts Development Fund Applicant Guidelines
	Business Support Strategy 2019-2024
	Isaac Tourism Strategy 2019-2024
PECS-POL-116	Social Sustainability Policy