



kingston**arts**

JULY 2023

**PUBLIC ART  
POLICY**  
2023-2028



*City of*  
**KINGSTON**



## **Acknowledgment of Country**

The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past, present and emerging.

Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, song lines, dance, art and living culture.

Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Elders who have guided, and continue to guide the work we do.

# 1. | Purpose

The purpose of the Public Art Policy is to provide direction for Council's investment in public art and a framework and guidance for the ongoing provision of public art within the City of Kingston.

**The policy is underpinned by the following core objectives:**

- To encourage best-practice and a high-quality public art collection
- To guide the strategic integration of site-specific public art into Council's urban design and infrastructure projects
- To develop community connection through public art that is relevant and meaningful
- To create opportunities for artists to contribute to the City's liveability.

The Public Art Policy is accompanied and reinforced by strategic documents, which include:

- 1) The [Public Art Placement Plan](#) provides guidance for investment and identifies priority locations until 2028.
- 2) The [Public Art Guidelines](#) outlines the procedure associated with the commission, acquisition and collection of public artworks.

These documents should be referred to in conjunction with the policy.

## 2. | Policy Scope

This policy applies to all public art commissioned, purchased and maintained by Council.

The policy applies to:

- a new permanent or temporary public art project
- key capital works on land owned or managed by Council
- major infrastructure projects (including private and public sector development projects)
- the development of public art as part of major event and festival programs
- asset maintenance and infrastructure renewal
- creating or reviewing relevant policy / planning documents or strategies.

The focus of this policy is on the public domain including sporting reserves, parks and gardens, pedestrian zones, foreshores, retail shopping precincts, suburban streets, and outdoor and indoor public facilities. The policy also applies to public art programs that activate the cultural life of the city, such as creative placemaking activities.

The policy is relevant to:

- Councillors
- Council officers
- Developers
- Consultants, contractors, artistic advisors engaged by Council and/or advisory groups convened by Council
- Artists, art groups, business owners, residents and community groups
- Government agencies and funding bodies.

## 3. | Policy Statement

### 3.1 Defining Public Art

For the purpose of this policy, public art is defined as artworks or creative activities commissioned for public spaces or buildings, and includes the conceptual contribution of artists to the design of public spaces and facilities.

Public art refers to art in any medium that has been planned and executed with the specific intention of being sited, performed or staged in the public domain. It may be a commissioned work by professional artist/s or a community-inspired collaboration between artist/s, multi-disciplinary teams and members of a community.

The work may be of a permanent, temporary or ephemeral nature and can include sculpture, mosaics, murals, paintings, new media, landscape art and functional art such as street furniture.

Public art does not include:

- business logos and advertising
- directional elements such as supergraphics and signage
- mass-produced and off-the-shelf objects of art

For an asset to be considered Public Art in the City of Kingston it is required to be developed and managed through the processes outlined in the [Public Art Guidelines](#).

## 4. | Policy Guidelines

The following policy guidelines are further reinforced by the procedures specified in the [Public Art Guidelines](#), as well as the strategic priorities identified in the [Public Art Placement Plan](#). These documents should be referred to in conjunction with this policy. In general, the following considerations will be applied.

### 4.1 Policy Principles

In order to maintain a whole-of-council and strategically planned approach to the delivery of the city's public art program, the policy encourages public art to be:

- Integrated into the initial planning stage of new developments where possible and public spaces, and involves the conceptual contribution of artists at the earliest stage of design
- Responsive to the intended site or facility design and sympathetic to the surrounding built and natural environment as well as to the location's cultural and social history
- Reflective of a diverse range of creative expression and practice, while incorporating excellence, quality and innovation
- Enhancing the visual amenity of the city, beautifying public infrastructure and strengthening pride
- Accessible to Kingston's diverse community, irrespective of age, ability, social or cultural background.
- Cultivating appropriate engagement with the Traditional Custodians, the Bunurong peoples.
- A catalyst for collaboration co-operation and cross-sector partnerships and alliances with artists, communities, industry professionals and the private sector.
- Managed through the process outlined in the [Public Art Guidelines](#).

### 4.2 Acquisition and Commissioning of Public Art

The acquisition and commission of public artworks will be achieved in compliance with Council's Procurement Policy and in accordance with the objectives and principles of this policy. Procedures for the delivery of equitable and transparent processes for public artworks including murals, are further detailed in the [Public Art Guidelines](#).

#### 4.2.1 Acquisition Models

In general, there are three pathways for acquiring public art in Kingston:

- By direct resolution of the Council
- Via the Public Art Commissioning process outlined in the Guidelines
- Via the Arts Grants program and recommendations resolved by Council.



## 4. | Policy Guidelines

### 4.2.2 Commissioning Models

In general, the following commissioning methods will be applied:

- **Open Competition** – artists respond to an advertised expression of interest to provide a conceptual response to a project brief
- **Limited Competition** – specific artists or artistic teams are invited to submit proposals in response to a project brief or take part in concept development
- **Direct Commission** - a specific artist or artistic team is commissioned to create artwork for a project
- **Direct Purchase** – the artwork or design element is purchased directly from the artist or their agent.

### 4.2.3 Contract Management

All public artworks commissioned by Council will be delivered through an artist's contract which outlines the specific terms, conditions and payment schedule of the commission. Further details on this process are outlined in the [Public Art Guidelines](#).

### 4.3 Expert Advice

The Arts & Cultural Development Team will lead and facilitate a public art working group, comprising representatives from Council branches as well as from key stakeholders and consultants.

As business requires, a selection of qualified practitioners will be called upon to oversee the selection of new artworks and provide specialised advice and feedback to Council through the Arts & Cultural Development Team.

Co-opted representatives may be invited to participate when specialised skills and knowledge are required, and to contribute from their field of expertise. These may include:

- Representatives of Bunurong Land Council Aboriginal Corporation for First Nations advice
- Recognised external artistic advisors from different artistic fields such as professional artists, curators, architects or designers
- Council Officers
- Community members.

## 4. | Policy Guidelines

### 4.4 Assessment Criteria

Criteria for assessing and selecting artist/s and artwork acquired or commissioned by Council will be based on the principles outlined in 4.1 of this policy. Detailed Assessment Criteria, including fixed weightings are further outlined in the Public Art Guidelines and are included in the Artistic Brief.

### 4.5 Applications to Produce Public Art on Council Owned or Controlled Land

Applications to produce public artworks which are not being submitted as part of the Arts Grants program or as an Expression of Interest for a Council-initiated project must be submitted to the Kingston Arts website at [kingstonarts.com.au](http://kingstonarts.com.au). Applications must include:

- Statement of Intent and/or Business Case relevant to the principles, objectives and assessment criteria outlined in this policy
- Representation of the proposed work including location, drawings, site plan, technical information etc
- Details of artist/s and other creative personnel including Curriculum Vitae and images of past work.

### 4.6 Proposals to Gift, Donate or Transfer Public Art to Council

The donor body must submit a formal written proposal to Kingston Arts website at [kingstonarts.com.au](http://kingstonarts.com.au).

Proposals must address the objectives, principles and assessment criteria outlined in this policy.

### 4.7 Council Investment in Public Art on Private Land

Council funds will only support public art projects on private land if:

- The intended site is facing public land
- The proposed artwork improves public amenity
- The proposed artwork increases potential for broad economic uplift and enhancement of Council's city strategy
- The proposed artwork complies with the objectives, principles and assessment criteria outlined in this policy and the Public Art Guidelines.



## 4. | Policy Guidelines

### 4.8 First Nations

The City of Kingston's Reconciliation Action Plan 2022-24 outlines Council's commitment to improving relationships between non-Indigenous Australians and Kingston's First Nations communities. Specific actions relating to this policy include:

- Ensuring and maximising opportunities for Aboriginal and Torres Strait Islander artists
- Implementing Acknowledgment of Country on public artworks.

To initiate effective and collaborative procedures for public art projects, programs or commissions that concern cultural knowledge and artistic expression of Aboriginal and Torres Strait Islander people, the following conditions apply:

- Indigenous Cultural Intellectual Property (ICIP) applies to artwork by an Aboriginal or Torres Strait Islander artist or the artwork, or components thereof, or incorporates, is sourced from, or refers to, Indigenous objects, knowledge or works
- Traditional Custodians and/or relevant Aboriginal or Torres Strait Islander representative bodies will be consulted prior to commissioning, accessioning, removing, or relocating Indigenous artworks.

## 5. | Funding

### 5.1 Cultural Asset Reserve

Council's adopted annual financial contribution to public art allocates 2% of the Kingston capital budget for open space and building projects over \$1,000,000 in value. This provides a base level of funding for public art over the coming five years. These funds are allocated to a Cultural Asset Reserve for the commissioning of new public art within infrastructure and new developments. The Reserve allocations for the commission of public art includes:

- Project management fee
- Fabrication
- Concept development fees for shortlisted artists/creative team
- Site preparation
- Commission fee for selected artists/creative team
- Transportation
- Materials
- Lighting
- Engineering
- Acknowledgement plaque
- Promotion

### 5.2 Capital Works

Council will encourage all capital works and urban design projects to consider the inclusion of public art to enhance the project, with budget considerations commensurate with the public profile of the site and/or project. This includes masterplans and precinct developments, major street upgrades, parks and landscaping developments, urban renewal, as well as maintenance of public art and revitalisation and activation projects.

### 5.3 Annual Operational Funds

Council also allocates operational funds from its annual budget to resource public programs, projects and activities that generate community participation, skills development and presentation and promotion of the city's public art assets.

### 5.4 Maintenance and Renewal of Public Art

Procedures for the ongoing care and conservation of public art will be maintained in accordance with professional collection management standards and Kingston's Public Art Guidelines. In order to implement best practice maintenance and conservation, a secure, stipulated and sustainable budget will be factored into the commissioning of all new works.

## 5. | Funding

### 5.4 Private Development Partnerships and Contributions

Council will continue to collaborate and work with developers, business owners and investors in the city to foster private development partnerships and voluntary contributions towards public art that support the objectives of this policy. Processes and procedures to ensure that partnerships deliver mutually beneficial outcomes are further detailed in the [Public Art Guidelines](#).

### 5.5 Other Investment Opportunities

Council will actively pursue and encourage alternative opportunities for investment, including:

- State and Federal Government funding - either whole or part of project costs
- Partnership, sponsorship and donations - with artists, education sector, community groups and philanthropic organisations
- Developer-led commissions - encouraging private developers to incorporate public art in new residential and commercial developments
- Council's Arts Grants program - encouraging the creation of small-scale ephemeral, temporary and permanent public artworks initiated by the community and local artists.

## 6. | Roles and Responsibilities

The Public Art Policy will be implemented and monitored by Council's Arts & Cultural Development Team, with support from other Council directorates.

Entity	Role
<b>Council</b>	<ul style="list-style-type: none"> <li>• Provide advocacy, strategic direction and guidance for the overall public art program in accordance with the Public Art Policy, Public Art Guidelines and the Public Art Placement Plan.</li> <li>• Provide approval regarding the acquisition and commissioning of major permanent public artworks</li> </ul>
<b>CEO</b>	<ul style="list-style-type: none"> <li>• Make recommendations to Council on the allocation of funds and approval of public art projects</li> </ul>
<b>General Manager Community Strengthening</b>	<ul style="list-style-type: none"> <li>• Implementation, application and review of policy across the organisation and approval of public art projects under the tender threshold (where delegated)</li> </ul>
<b>Manager Arts, Events &amp; Libraries</b>	<ul style="list-style-type: none"> <li>• Oversee the implementation of Public Art Programs</li> <li>• Provide advocacy and advice to executive management and approval of public art projects under the tender threshold (where delegated)</li> </ul>
<b>Council's Arts &amp; Cultural Development Team</b>	<ul style="list-style-type: none"> <li>• Administration of Council's Cultural Asset Reserve towards the development, acquisition and commissioning of public art</li> <li>• Responsibility for the City of Kingston Public Art Program including the Management and or approval of all Council run public art projects</li> <li>• Facilitation of collection management and maintenance, including restoration and conservation</li> </ul>
<b>Across Council Staff</b>	<ul style="list-style-type: none"> <li>• Identify potential priority projects and partner, collaborate, facilitate and invest in the acquisition and commissioning of public art</li> </ul>
<b>Arts &amp; Cultural Advisory Committee</b>	<ul style="list-style-type: none"> <li>• May provide advice and recommendations to Council through the Arts &amp; Cultural Development Team on the acquisition and commissioning of public art.</li> </ul>

## 7. | **Related Documents**

- [Our Roadmap - Council Plan 2021-25](#)
- [Public Art Guidelines](#)
- [Public Art Placement Plan](#)
- [Arts & Culture Strategic Plan](#)
- [City of Kingston Procurement Policy](#)
- [Arts & Cultural Advisory Committee Terms of Reference](#)
- [Outcomes of Public Art Community Engagement Report](#)
- [Public Health & Wellbeing Plan](#)
- [Reconciliation Action Plan](#)
- [Disability Action Plan](#)
- [Multicultural Action Plan](#)
- [Safe & Secure Action Plan](#)
- [Health & Wellbeing Action Plan](#)
- [Prosperous Kingston – A framework for Economic Sustainability.](#)

## 8. | Definitions

Term	Definition
<b>Acquisition</b>	A formal process of obtaining possession of public artwork by purchase, donation, transfer or bequest.
<b>Commission</b>	A process in which an artist/artistic team is engaged to create permanent or temporary artwork for the public domain and is contracted and paid for their service.
<b>Indigenous Cultural Intellectual Property (ICIP)</b>	ICIP refers to the rights that Indigenous people have to protect their traditional arts and culture. ICIP is based on the principle of self-determination. <sup>1</sup>
<b>Integrated Public Art</b>	An artwork that is incorporated into another structure, such as a building, streetscape or landscape. <sup>2</sup>
<b>Permanent Public Art</b>	Permanent public artworks, such as sculptures and statues that are intended to last a minimum of ten years. <sup>2</sup>
<b>Public Art Collection</b>	A portfolio of public artworks or assets that has artistic, cultural and civic significance.
<b>Site Specific Public Art</b>	A site-specific installation describes a situation where the artwork and the site are equally important and each informs the other. <sup>2</sup>
<b>Stand-alone Public Art</b>	Stand-alone artworks are defined as being three-dimensional and independent of other structures, such as a building. <sup>2</sup>
<b>Temporary Public Art</b>	Temporary public artwork has a predetermined lifetime that can range anywhere from a few hours to several years. <sup>2</sup>

1 Indigenous Cultural and Intellectual Property (ICIP) - Arts Law Centre of Australia  
[www.artslaw.com.au/information-sheet/indigenous-cultural-intellectual-property-icip-aitb](http://www.artslaw.com.au/information-sheet/indigenous-cultural-intellectual-property-icip-aitb)

2 Australian Centre for Contemporary Art (acca.melbourne)





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