

Public Art

Council Policy



Owner	Elected Members		
Responsible Officer	Director Community Development		
Decision Number	R-66-2026		
Document Number		Approval Date	31/03/2026
Records Number	D2026/006787	Next Review Date	2030

1 Purpose

This policy guides Alice Springs Town Council's (Council) approach to funding, procuring, maintaining, and decommissioning public art.

2 Definitions

For the purpose of this policy, the following definitions apply:

Term	Definition
Acquisition	A formal process of obtaining possession of public artwork by purchase, donation, transfer, or bequest
Commission	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.
Contributed assets	In the context of public art, these are artworks contributed to Council by developers or other entities as part of a development for Council's care and control.
Decommission	To relocate, sell, donate, or dispose of a piece of artwork.
Integrated	Artwork that is incorporated into a structure like a building, streetscape, or landscape.
Moral rights	Personal rights connecting a creator to their work, ensuring proper naming, treatment, and that the work doesn't hurt the creator's reputation.
Percent for Art	A public art funding mechanism that requires a percentage of an eligible capital works project budget be used to commission public art.
Public Art	<p>An artwork in any medium, planned and executed outside of a gallery context and intended specifically for exhibition within public space.</p> <p>For the purposes of this policy, public art:</p> <ul style="list-style-type: none">• Includes: permanent works, temporary works, stand-alone works, site-specific installation, integrated works into another public structure, works applied to a separate surface or structure, artistic memorials, sound-based works, and digital works designed to be visible and accessible to the broader audience, namely the public.



	<ul style="list-style-type: none"> • Does not include: the Alice Springs Town Council Art Collection, public assets with a solely functional purpose and no involvement from artists, monuments or memorials, interpretive signs or structures, performing arts, exhibitions (permanent or temporary), playground equipment, community arts programs, objects that are mass-produced or reproduced, most art reproductions, graffiti and unauthorised street art and any works not commissioned by Council.
<p>Public Art Advisory Panel</p>	<p>A group of internal and external stakeholders convened to provide advice about relevant public art projects. This group may include Council Officers, Elected Members, industry experts and community members.</p>

3 Policy Statement

3.1 Principles

3.1.1 Council’s approach to commissioning and acquiring public art is guided by the *Alice Springs Public Art Masterplan 2020-2030* (the Public Art Masterplan) principles.

3.1.2 Council is committed to meeting industry best practice in alignment with the National Association for the Visual Arts’ *Code of Practice – Commissioning Art in Public Space*, including to:

- Consult with Traditional Custodians (appointing a First Nations curator when appropriate).
- Provide clear artist briefs and management structure.
- Implement transparent and equitable selection processes.
- Set realistic expectations for budgets and timelines.
- Meet legal obligations in intellectual property, and Indigenous Cultural Intellectual Property.
- Pay shortlisted artists for Concept Proposals.
- Pay artist fees fairly and promptly, providing clarity and transparency of processes.
- Budget for access provisions for d/Deaf artists and artists with a disability, separate to artist fees, when appropriate.
- Contact artist if their work is to be relocated, decommissioned, or destroyed, or if the work requires maintenance or conservation.

3.1.3 Council will not consider public art that contains:

- offensive messaging, as determined by Council.
- illegal activities, violence, threatening images, or promote anti-social behaviour.
- glorification or encouragement of smoking, alcohol or drug consumption.
- business logos, advertising signage or commercial promotions.

3.1.4 Council will advocate for businesses, developers, and government agencies to incorporate art into the design and budgeting of all suitable public Alice Springs development projects.



3.2 Funding Public Art

Council will fund the commission and development of public art through the following means:

3.2.1 Annually budget operational funds

Council annually allocates an operational budget for the management and development of public art to meet the objectives of the Public Art Masterplan.

3.2.2 Percent for Art Scheme

Through Council's annual capital works program, funds will be allocated to the development of public art unless considerations in 3.2.3 apply.

Funding allocations include:

- For projects over \$250,000: a target of up to two percent of the total project cost may be allocated to public art.
- For projects under \$250,000: a budget allocation is discretionary and may be considered. An allocation of two percent is still recommended.

Applicable capital works projects may include the construction of new infrastructure and major refurbishment to existing infrastructure (for example, buildings, paths, playgrounds, outdoor furniture, roundabouts, lighting, fencing, shade). Public artworks funded through this scheme can either be integrated within the design, installed on-site, or located elsewhere.

The percent for art scheme is not applicable to the maintenance or repair of existing buildings and roads, or demolition of any kind.

Council will endeavour to include a Percent for Public Art component when applying for capital works funding, if permissible by the funding guidelines.

3.2.3 Percent for Art Scheme Considerations

In some instances, Council may decide not to allocate target funding of two percent to public art for eligible capital works projects. Such circumstances include, but are not limited to:

- Projects considered as offering a limited public benefit if public art was to be incorporated (for example, machinery necessary for functional operations);
- Projects where the adherence to the recommended Percent for Art allocation will compromise utility, functionality and/or will significantly change the scope of the broader construction due to overall budget constraints.

In alignment with this clause, Council may choose to allocate a lower percentage of funding where appropriate, based on the overall nature and total budget of the project.

The target allocation of two percent is calculated only on Council's financial contribution to an eligible jointly funded capital works project. This does not include contributions from other funding partners, unless the associated grant agreement specifically allows the inclusion of additional funding.

3.2.3 Grant funding

Council Officers may apply for grant funding to help meet the objectives of the Public Art Masterplan.

3.3 Procurement of public art

Council's public art procurement, through both commission and acquisition processes, will be undertaken in line with relevant legislation, Procurement Policy, Public Art Masterplan, Public Art Framework and this policy.

3.3.1 Public Art Criteria

Council's decisions on public art will be based on the following criteria. The criteria may vary in priority according to the specific aims of a project, and other criteria may also be added when relevant.

- **Artistic concept and relevance** – the work is of high artistic standard, original, responsive to the brief, enticing to viewers and clearly articulated.
- **Artist experience and portfolio** – the artist demonstrates the capability to deliver with comparable past projects, their portfolio contains quality work, and the artist has appropriate experience to deliver the concept at the required scale, to the required timeframe.
- **Project methodology** – the artist's submission details a clear and feasible plan that meets the required timeframe, and defines the appropriate availability of resources to execute the works. The project and/or work does not present any significant risks to Council, including but not limited to financial, reputational, and environmental.
- **Technical capability and feasibility** – the fabrication, physical integrity and durability is appropriate to the work's intended lifespan and location, and meets all relevant codes and regulations applicable to the work, including safety and structural compliance.
- **Maintenance and durability** – the artist has accounted for serviceability and maintenance with consideration for longevity and environmental appropriateness including anti-vandalism measures.
- **Value for Money** – the budget has been clarified and is detailed, and includes considerations related to cost-efficiency as well as the work's life expectancy and overall value.
- **Sociocultural impact** – the work will be accessible to diverse audiences, is environmentally friendly and aligned with Council's Climate and Environment Policy. The artist has engaged with community and stakeholders to ensure the design is inclusive and respects cultural protocols.
- **Local benefit** – the work supports the engagement of local suppliers or contractors.

3.3.3 Commissioning of public art

Major Public Art Projects (over \$150,000)

The procurement of major public artworks must be managed as per legislated tender requirements. Major public artworks will be considered by Council's Public Art Advisory Panel, who will provide recommendations to Council on the selection of works.

Moderate Public Projects (\$10,000-\$149,000)

The procurement of moderate public artworks must be managed as per legislated public quotation requirements. Moderate public artworks will be considered by Council Officers who may use the Public Art Advisory Panel to provide advice or to assist in decision-making if the need is determined. Council Officers will update Council on these works.

Public Art

Council Policy



Minor Public Art Projects (Up to \$10,000)

Minor public artworks will be considered by Council Officers, who will update Council on these works.

3.3.4 Acquisition of public art

Council may on occasion be offered:

- donations or bequests of existing public artworks
- funds to have public artworks produced and installed
- the opportunity to directly purchase existing public artworks

Consideration will occur in accordance with this policy, the Public Art Masterplan, as well as any financial commitments related to installation and maintenance.

Council Officers, and when required, the Public Art Advisory Panel, will review potential acquisitions, and provide recommendations to Council.

Council reserves the right to decline the offer of any public artworks.

Government agencies or private developers may on occasion plan to include public art in their developments and intend for these to be transferred to Council's care and control. Council will only consider acceptance of contributed public artwork assets when the developer has:

- obtained Council's prior, in-principle acceptance of the public artwork
- provided Council with visibility and input in the planning, development, commissioning, and delivery of the public artwork
- demonstrated compliance this policy's principles, and all relevant regulations and legislation.

3.3.5 Community consultation

For significant commissions, acquisitions or decommissions, Council Officers may invite community feedback in line with Council's Community Engagement Policy.

3.4 Management of public art

Council is responsible for the management and maintenance of any public artwork that it commissions or acquires.

3.4.1 Maintenance

Council will ensure its public art is maintained in good condition in accordance with the maintenance plan provided by the artist, and appropriate for public display throughout the agreed lifespan of the work.

An annual budget allocation will be set aside for the ongoing maintenance of Council's public art.

3.4.2 Register of public art

Council owned public art is commonly recorded in Council's asset register when it meets the asset recognition criteria as per Council's current asset procedures. These assets will be managed and maintained in an accurate and up-to-date manner.

3.4.3 Decommissioning, Relocation or Disposal

Public art can be decommissioned, relocated or disposed of by Council if:

- the site where an artwork is located is to be redeveloped, demolished, or sold
- an artwork requires a high level of maintenance and/or conservation, rendering excessive asset management expenses
- an artwork poses a serious safety risk, and repair or remedy is impractical, not feasible, or will undermine the integrity of the public artwork
- the artwork is no longer considered appropriate
- the determined lifespan of the artwork has been reached.

Consultation with the artist, Public Art Advisory Panel, key stakeholders, and community, if relevant, will be undertaken should an artwork be considered for decommissioning. Council will follow relevant legislation and policies related to asset disposal when decommissioning public artwork.

3.5 Copyright and moral rights

Council will adhere to the *Copyright Act 1968* by not knowingly infringing, or allow others to infringe, on copyright held by artists in their work. Council will endeavour to ensure the agreements it enters with artists appropriately protect Indigenous Cultural and Intellectual Property (ICIP) rights and give Council the Intellectual Property rights it needs for the proposed use of the works to ensure compliance with the *Copyright Act 1968*.

Council recognises, and will observe and work to protect, the moral rights held by artists over their work.

3.5.1 First Nations cultural and intellectual property rights

Council recognises the specificity of ICIP rights and acknowledges that imagery and symbols contained in some works of art by First Nations artists carry meaning for a wider cultural group and therefore ownership of concepts becomes shared between the artist and that group. Council is committed to upholding ICIP by not permitting anything that may denigrate or damage ICIP in the works it uses or commissions.

4 Responsibilities

The Director Community Development is responsible for the implementation of this policy.

5 Related Legislation and Documents

- *Copyright Act 1968*
- *Local Government Act 2019*
- *Local Government (General) Regulations 2021*
- Alice Springs Town Council Public Art Masterplan 2020 – 2030
- Procurement Policy
- Climate and Environment Policy
- Community Consultation Policy
- Public Art Framework
- National Association of Visual Arts (NAVA) Code of Practice

Public Art

Council Policy



6 Communication and Training

Will this policy be communicated through consultation to teams?	Yes
Where will this policy be available?	Council Website
Will training needs arise from this policy? If yes, who will be responsible.	Community & Development