



HOBART CITY COUNCIL PUBLIC ART STRATEGY

Prepared by:
brecknockconsulting
March 2005

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

contents

	Page #
Introduction	3
Part 1: Strategy Context	5
Part 2: Management Structure & Strategy Recommendations	15
Part 3: Procedural Guidelines	30
Part 4: Glossary	48
Appendix 1	53
Appendix 2	54
Artist Acknowledgements	55

introduction

Hobart City Council has an Arts and Cultural Strategy adopted in November 2002 that addresses relationships with cultural organisations, festivals and events, performance opportunities, Council's Cultural and Community Grants programs, cultural exchange and artist in residency opportunities, the Carnegie Gallery Program and the City of Hobart Art Prize and marketing and promotion of cultural activity. These programs and activities are grouped thematically under the headings of Arts and Community, Sustainability, Built and Natural Environment, City Identity and Effective Management.

The Arts and Cultural Strategy acknowledges the importance of public art and the need for Council to develop a suitable public art program for Hobart:

Policy Statement: The Hobart City Council will maximise the interpretation, promotion and celebration of Hobart's cultural heritage and its unique built and natural environment.

Strategy: Continue to provide opportunities for artists as part of Council's built and natural environment enhancement/redevelopment projects.

The action identified by Council to achieve this policy, as stated in the Cultural Strategy, is to:

Develop a suitable public art program for Hobart that:

- Reviews Council's current public art processes
- Considers public art models used by other cities
- Engages and actively involves relevant stakeholders

The staging of a review of Council's public art policy and program was included in the 2003/2004 and 2004/2005 Events and Cultural Development Unit Plans.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

Brecknock Consulting Pty Ltd responded to the tender brief calling for consultants and were appointed by Council to undertake the Public Art Review in June 2004.

Initial research and consultation was undertaken to:

- View examples of previous Council public art projects
- Examine current internal procedures in relation to public art
- Gauge the views of stakeholders in relation to Council's current public art activity
- Consider potential future partnerships and models

This research and consultation resulted in a Public Art Discussion Paper that was circulated and public comment was invited. A total of fourteen submissions were received, six of these were submissions from internal Council departments and eight were external submissions. This feedback was reviewed and considered prior to finalisation of the Hobart City Council Public Art Strategy. Those organisations and people who participated in the consultation or made a submission on the Discussion Paper are acknowledged in an appendix to this document.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

part 1:
strategy context



STRATEGY STRUCTURE

This document has been structured into three sections, Part 1 provides the overall context in which public art commissioning for Hobart will occur, Part 2 details the management structure and strategy recommendations, Part 3 provides Procedural Guidelines for public art commissioning. At the end of the document is a section that includes definitions to ensure an understanding of terminology used throughout the document.

Part 1: provides the overall context, Key Objectives and Vision for public art in Hobart

Part 2: presents the Key Recommendations

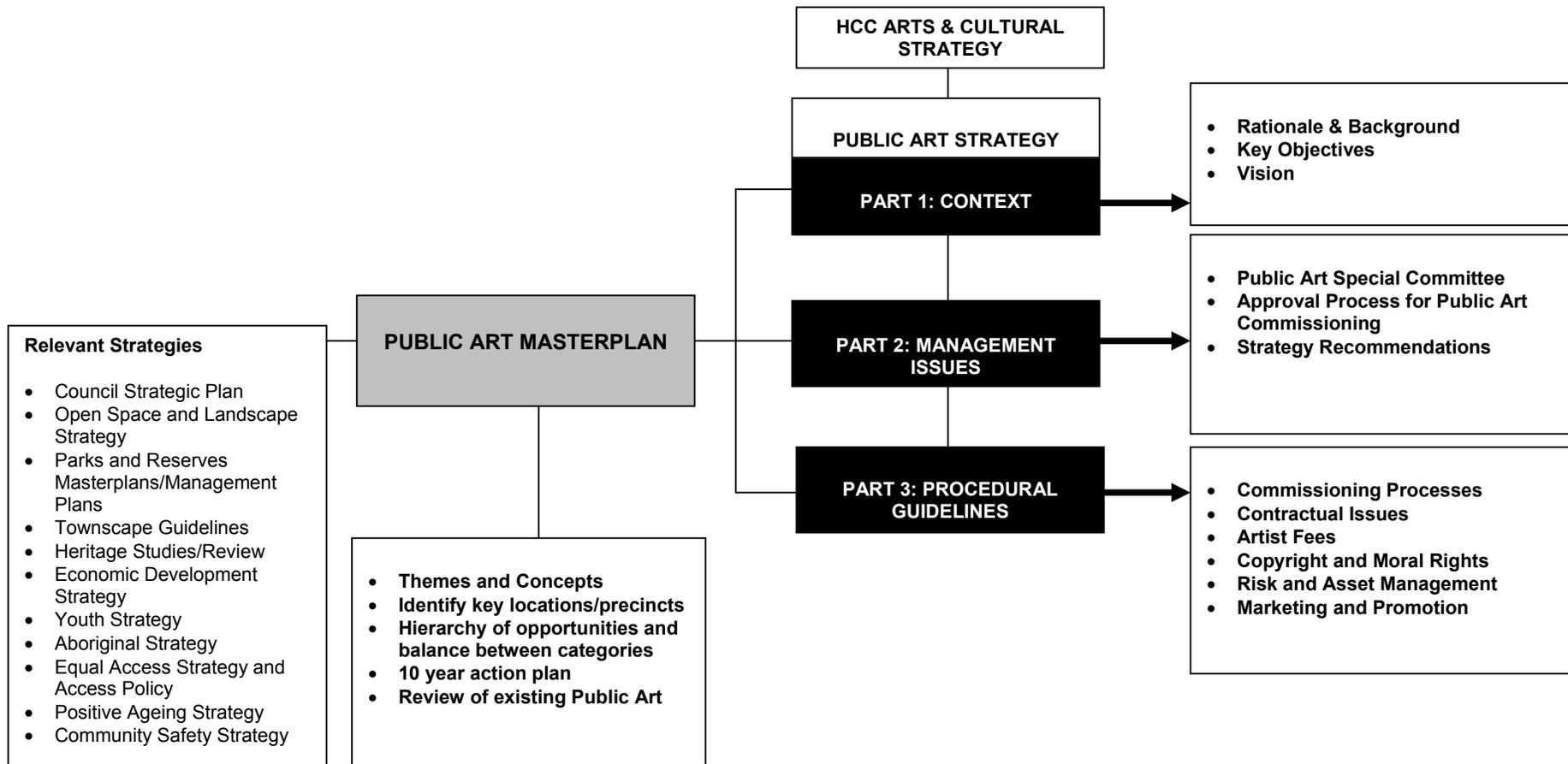
Part 3: details the Procedural Guidelines

Part 4: Glossary

Appendix: Stakeholders consulted and organisations and individuals who made submissions

In Part 2 there is a recommendation for a supporting document – the Public Art Masterplan. The Public Art Masterplan will provide the philosophical underpinning to this strategy and allow artworks to be achieved strategically and incrementally over time.

HOBERT CITY COUNCIL
PUBLIC ART STRATEGY



RATIONALE & BACKGROUND TO THE STRATEGY

There are many reasons why local government should be engaged in public art activity. Local government is the responsible authority for much of the planning and development of our urban infrastructure including open and public space development, provision of facilities and services at a local level and overseeing of private, retail and other commercial development. In broad terms local government's role is about improving and enhancing quality of life for residents, ratepayers and visitors to a city. Local government should therefore think carefully about public spaces and about the processes by which these spaces are shaped. Public art and artists can make a valuable contribution to the built and natural environment by celebrating, marking and revealing aspects of a community, its history, its character and its aspirations. A strong sense of place, identity and community invariably makes a city attractive to live in, work in and to visit.

Hobart City Council has undertaken a range of public art projects over the last few years including Elizabeth Street Mall, Wellington Court and North Hobart projects. These projects have resulted in a range of integrated art elements including seating, signage, wind screens, pavement works, drinking fountains, murals and play elements as part of streetscape works and has also been the recipient of a number of donated works.

This strategy comes at a critical time for Hobart as the Council is about to undertake a re-branding of the city as part of its marketing of Hobart. Any future city development or major event is also a significant opportunity to harness both public and private sector development to deliver world class design and public art and will inevitably lead to a redefinition of Hobart.

This strategy for public art will provide clarity in terms of Council's vision and processes that will enable it to be more effective in the delivery of its cultural programs.

ARTS AND CULTURAL STRATEGY PRINCIPLES

- Hobart will be recognised for:
 - the statewide pre-eminence of its arts and cultural practitioners, producers, facilities, festivals and events;
 - its significant cultural and built heritage;
 - its unique geographical location, lifestyle and strengths.
- Hobart will be a City that welcomes and celebrates cultural diversity.
- The Hobart City Council will plan for and support a sustainable, accessible and dynamic arts and cultural life for Hobart

Vision for Public Art

Hobart's Public Art will contribute to positioning the City as a pre-eminent centre of cultural excellence through the commissioning, interpretation, maintenance and promotion of contemporary public art, craft and design of the highest quality, strategic partnering to achieve program outcomes and delivery utilising best practice processes, management methods and community engagement principles.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

Council's Strategic Objectives as detailed in the Hobart City Council Strategic Plan 2001-2005 are:

1. A Liveable City

- A safe and convenient place for people, encouraging creativity and lifestyle opportunities

2. Management of our environment

- Protects and conserves its environment and natural beauty

3. Protection of our heritage

- Conserves and enhances its significant built and cultural heritage

4. Growth of our economy

- Encourage the sustainable growth and prosperity of our community

5. Gateway to Tasmania

- As the state capital, commits itself to the development of the economic, tourism, cultural and social life of Tasmania

6. Management of our resources

- Prudently manages its affairs and the delivery of quality affordable services

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

The following objectives for public art were developed through the public art review process. These underpin and align with each of Council's strategic objectives as detailed in its Strategic Plan 2001– 005:

- **Local Identity** – supports Council strategic objectives 1, 2, 3, & 5
- **Integration** – supports Council strategic objectives 1, 2, 3, 4, 5 & 6
- **Aesthetic Standards** - supports Council strategic objective 1 & 5
- **Diversity of Artforms** – supports Council strategic objectives 1, 3 & 5
- **Private Sector's Role** – supports Council's strategic objectives 1, 4, 5 & 6
- **Sustainable Program** – supports Council's strategic objectives 4 & 6
- **Community Engagement** – supports Council's strategic objectives 1, 4, 5 & 6
- **Advocacy** – supports Council's strategic objectives 1, 4, 5 & 6
- **Arts Development** – supports Council's strategic objectives 1, 4, 5 & 6

OBJECTIVES AND KEY OUTCOMES

Public art commissioned for Hobart will deliver:

Local Identity

- Reflect its authentic character geography, topography, history and aspirations of its communities
- Reflect the diversity and cultural richness of Hobart
- Express Hobart's image as a centre for creativity and innovation and the gateway to Tasmania
- Lead to the creation of a strong feeling of identity, public ownership and pride in public spaces
- Provide a focus for local pride, history and storytelling
- Contribute to the destination branding of Hobart
- Ensure opportunities for indigenous artists, stories and perspectives

Integration

- Identify and plan for public art at the earliest stages of development/redevelopment projects
- Animate and enrich public spaces and contribute to urban regeneration
- Create the highest quality public spaces through innovative integration of art, design, landscape/architecture and related elements
- Provide space and the opportunity within the built environment for play and exercise, reflection and quiet, comment, humour and performance and exhibition

Aesthetic Standards

- Reflect the highest standards of excellence in contemporary arts practice
- Provide opportunities for local, national and international artists as appropriate
- Improve the quality and design of spaces or provide a creative or unexpected aspect to the interaction of people within or around particular spaces
- Develop public understanding of and responses to specific environments

Diversity of Artforms

- Provide for permanent, temporary and ephemeral public art
- Commission public art that reflects a diversity of arts practice
- Commission public art using a diversity of commissioning models

Private Sector's Role

- Advocate for public art with the private sector
- Encourage private sector funding of public art
- Advocate for privately funded public artworks to be well maintained

Sustainable Program

- Ensure projects are adequately funded and allow for quality outcomes
- Seek to develop partnerships with other levels of government and other government departments, the private sector, key cultural and educational institutions and community based organisations to further the objectives of the program

Community Engagement

- Engage artists on a range of projects that build and strengthen communities
- Ensure effective, meaningful and relevant community consultation is undertaken
- Create landmarks in the urban and natural environment that will become natural gathering spaces

Advocacy

- Work with educational institutions to ensure training for artists interested in working on public art projects
- Ensure strategies are developed to market and promote Hobart's public art to locals and visitors
- Public art is seen as a contributor to economic enterprise
- Develop partnership opportunities to market and promote public art
- Develop an impetus for tourism
- Establish art and artists as recognised assets of the city

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

Arts Development

- Provide opportunities for emerging artists and mentorships
- Inspire and stretch younger artists and the City to reach high in terms of artistic excellence
- Contribute to arts industry activities relevant to public art
- Provide employment opportunities for local artists, craftspeople, artisans, designers, etc
- Increase the understanding and enjoyment of contemporary art by the community
- Increase the level of critical review, writing and discourse on contemporary art practice in Hobart

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

part 2:
management structure & strategy recommendations



KEY RECOMMENDATIONS

1. To establish a new Special Committee of Council to be known as the Public Art Special Committee.

A new Committee with authority to make decisions and recommendation directly to Council will be established to ensure both timely decision making and the necessary mix of skills and expertise in relation to public art.

The Public Art Special Committee will be delegated responsibility by Council in relation to:

- Overseeing the implementation of all Council public art projects in line with Council's Public Art Strategy
- Providing advice to the relevant standing Committee of Council on the relocation, removal or disposal of public artworks
- Providing reports to the Council's Arts Advisory Special Committee on the strategic direction and policy matters associated with the Council's Public Art Program
- Providing advice to the Council's Arts Advisory Special Committee on the Council's Public Art Masterplan and Annual Public Art Plans

The Public Art Special Committee will form Sub-Committees from time to time as required for its operation and hold meetings as required.

Recommendations from the Public Art Special Committee will not need to go back to the Arts Advisory Special Committee but can proceed to the relevant standing Committee and then Council for approval in relation to:

- Provision of comment and advice on the Council's Public Art Program and all Council's public art projects including the recommendation of selected artists, craftspeople or designers, in line with the Council's Public Art Strategy

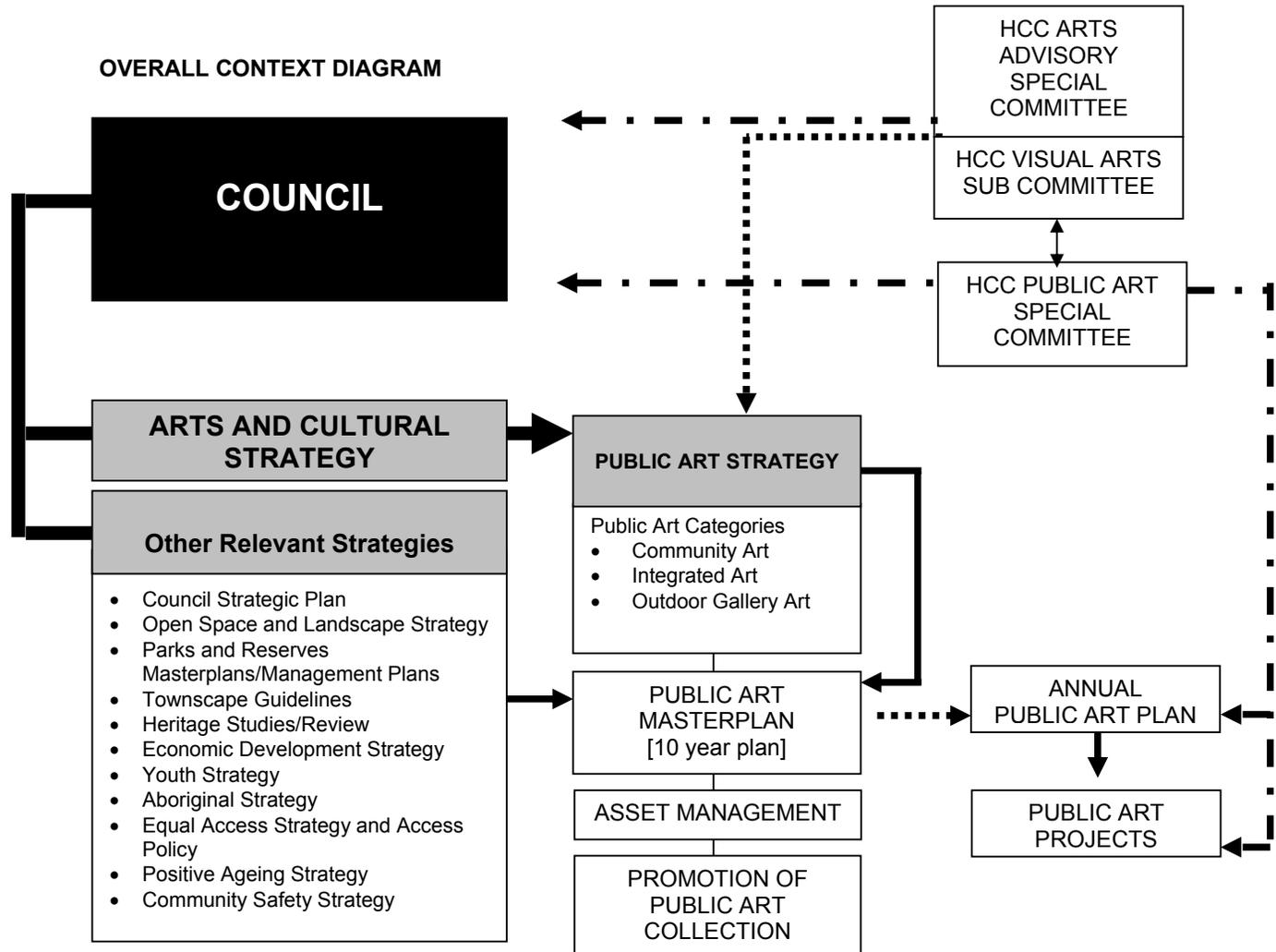
The diagram on the following pages illustrate the advisory and decision making associated with the establishment of a new Special Committee to Council focused specifically around public art.

This Committee should have some representatives who also sit on the Arts Advisory Special Committee to ensure information flow and consistency across these Committees.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

The Arts Advisory Special Committee includes key arts professionals with expertise across all artform areas and has as one of its roles to “provide strategic direction for, and oversee management of, Hobart City Council’s arts and cultural program including public art”. The Arts Advisory Special Committee is also responsible for “the periodic review, continuing development and implementation of the Hobart City Council Public Art Policy”.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY



HOBART CITY COUNCIL
PUBLIC ART STRATEGY

The membership of the Public Art Special Committee could include:

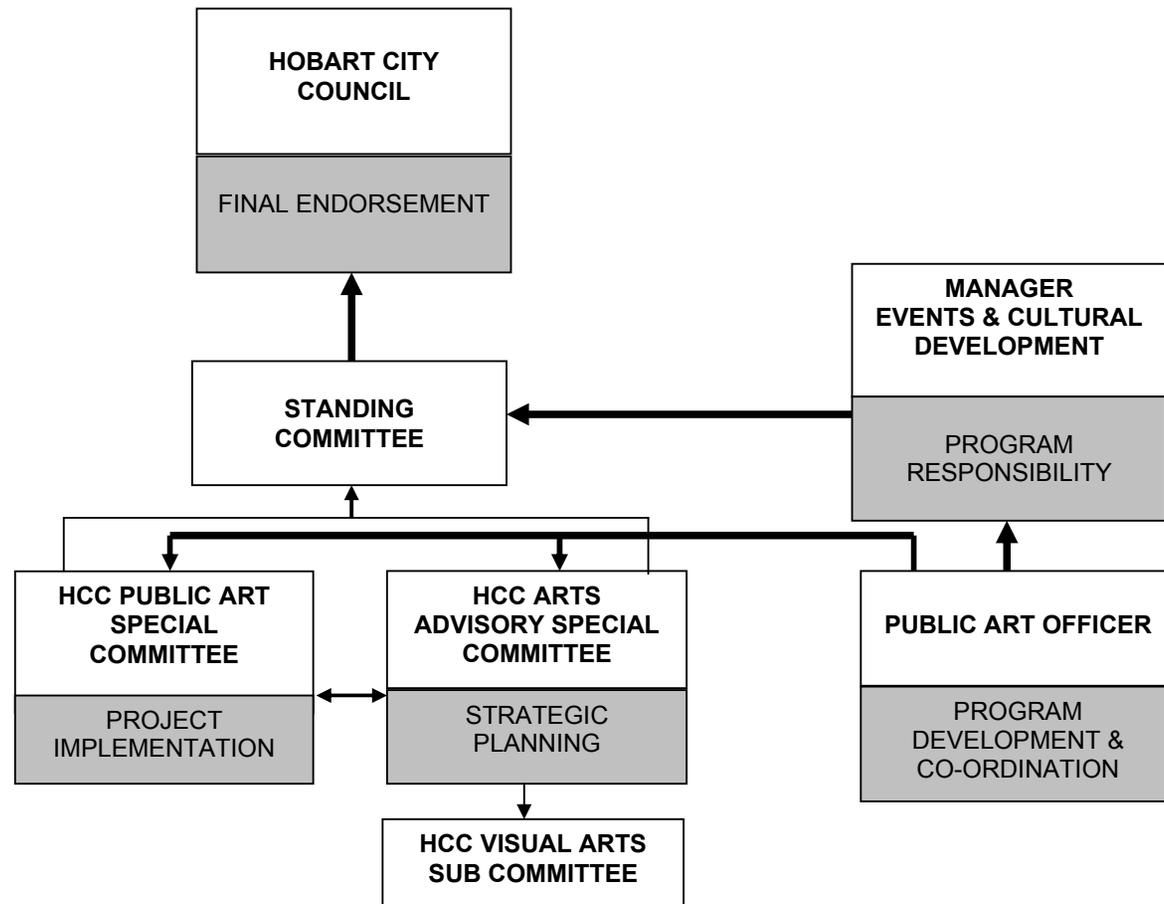
- One or two Aldermen
- An art historian, academic or art critic
- A curator or gallery director
- An architect
- An independent artist with public art experience
- A designer (could include graphic, industrial or theatre designer)
- Relevant Council Officers

A protocol will need to be established for members of the Public Art Special Committee to ensure potential or perceived conflicts of interest are avoided.

Project stakeholders and other Council staff involved in individual projects will meet with the Public Art Special Committee to provide them with advice and elaborate on the context of individual projects but will not take part in decision making. The Council will need to have confidence in the expert advice of this delegated committee. Once established the arts community will understand the processes for decision making, respect those entrusted with making those decisions and in turn be keen to participate in calls for Expressions of Interest in Council projects.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

RESPONSIBILITY FOR DECISION MAKING



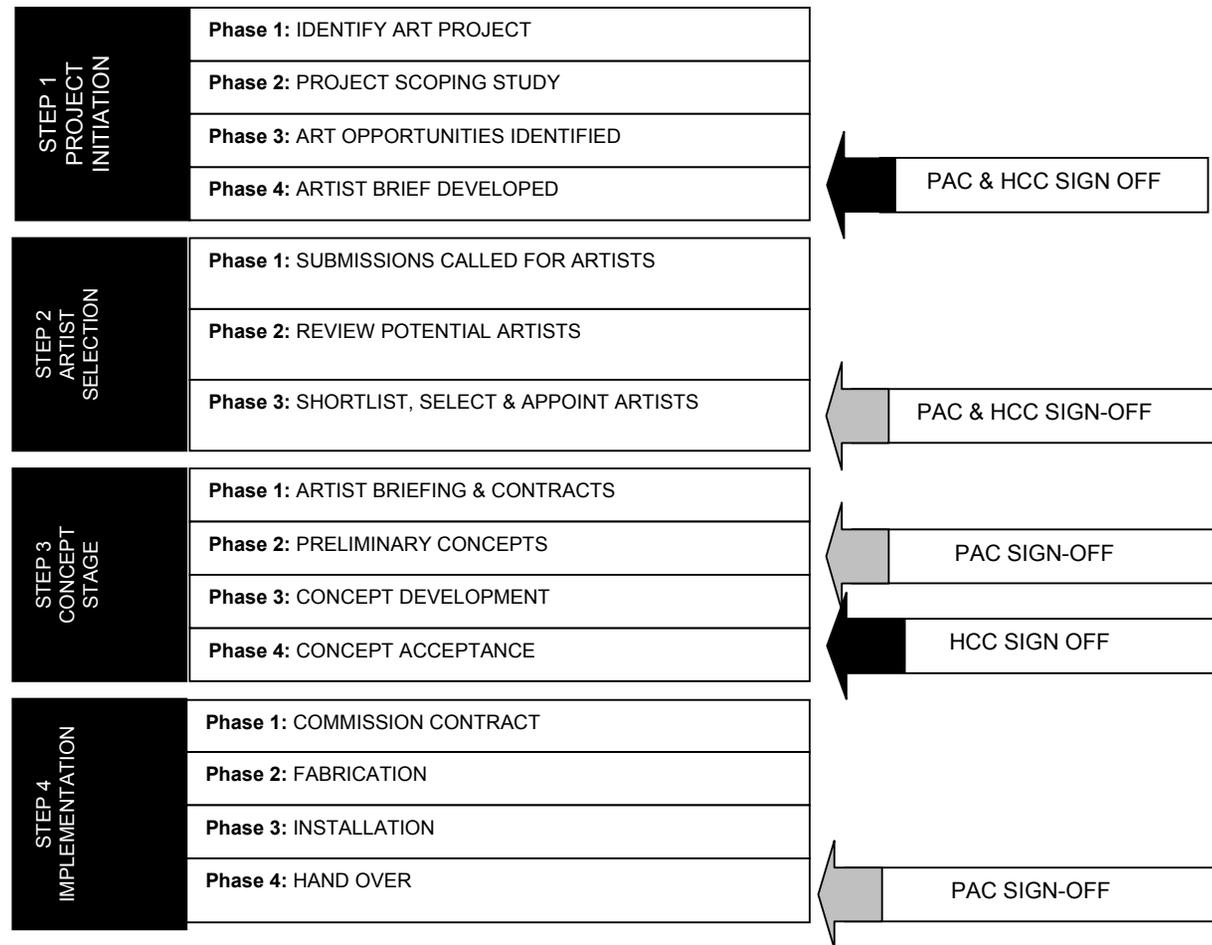
Approval Process for Public Art Commissioning

Once a public art project has been identified, agreed to and a budget allocated the process for commissioning a public artwork follows a logical series of stages. Agreement and sign-off at critical points in the process occur to enable all parties to move forward to the next stage and ultimately to successful completion of the project.

- The major sign-off points will involve recommendations being put forward by the Public Art Special Committee [PAC] to the relevant Standing Committee and to Council [HCC] for final sign-off
- The minor sign-off points are the responsibility of the PAC

The key stages of a public art project requiring sign off are detailed in the diagram on the following page:

Approval Process for Public Art Commissioning



2. To establish the position of Public Art Officer – to be located in the Events and Cultural Development Unit

The position of Public Art Officer will provide strong advocacy, undertake long-term planning for public art and ensure good management which is essential to Hobart achieving an effective public art program. This position will also be responsible for the strategic planning and day to day co-ordination of all matters to do with public art.

The Public Art Officer's role will include:

- Documentation of Council's Public Art Collection and significant artworks owned by others in Hobart
- Asset management and maintenance of the Public Art Collection in conjunction with other departments of Council
- Advocating for public art (internally to other parts of Council and externally to the private sector)
- Administering all aspects of Council's Public Art Program as detailed in the annual plan
- Establishment of partnerships to further the objectives of Council's Public Art Program (festival and events organisers, private sector developers, Arts Tasmania and other State Government departments as appropriate, other major cultural organisations and educational institutions in particular the Tasmanian School of Art, etc)
- Encourage discourse around public art
- Ensure appropriate marketing and promotion of Council's Public Art Collection
- Investigate planning provisions, by-laws and funding mechanisms to enhance public art opportunities for Hobart
- Formulation of the Public Art Masterplan and Annual Public Art Plan in consultation with other Council staff , the Public Art Special Committee and the Arts Advisory Special Committee

3. To develop a vision, aims and objectives to guide public art development for Hobart.

These have been detailed in Part 1 of this strategy.

4. To establish a mechanism within Council for commissioning, interpreting, promoting and maintaining public art with a budget of \$100,000 to be allocated annually.

Council will allocate the amount of \$100,000 annually from its capital works budget to public art. This budget does not include the salary of the Public Art Officer and will not be allocated to significant conservation of historic monuments. The annual allocation of \$100,000 may be allocated in a number of ways, for example:

- One significant commission with a budget of \$100,000
- Four temporary artworks each with a budget of \$20,000 and promotional material developed within a budget of \$20,000
- Two festival installations for \$30,000 each and one small permanent commission \$40,000
- Funds are carried over two financial years for a major sculpture event - \$200,000 with additional funding/sponsorship also sought

The Public Art Masterplan and the Annual Plan will guide annual expenditure.

In addition to this annual allocation a mix of funding approaches will need to be implemented to deliver Hobart the quality outcomes proposed and desired. These will include:

Allocation of funds on a project basis

In certain projects of a considerable scale such as part of an urban renewal or redevelopment program, consideration may be given to allocating additional funding for public artworks.

Partnerships

In addition to Council funded projects there are a number of external options for funding and in kind partnership arrangements that could become significant to Hobart's public art program.

Developer Contributions

Council will investigate a developer contribution scheme or incentives for developers to include public art as part of any proposed new development.

Gifts

Benefactors interested in contributing to the City's public art may wish to contribute funds toward the commissioning of new public artworks, for the care and maintenance of existing works or public art educational programs.

- 5. To develop a Public Art Masterplan for Hobart that identifies projects on Council's ten year Capital Works list and identifies other key sites that would benefit from the involvement of artists and/or have public art outcomes.**

Input from across Council will be sought in the development of the Public Art Masterplan.

Consideration of public art opportunities needs to occur when projects are in the initial planning stage. Hobart City Council has a ten-year capital works program that flags major development or redevelopment projects and considers these in relation to Council's other development opportunities. Identifying major opportunities, particularly for permanent public artworks ahead of time allows appropriate budgets to be allocated, consideration of the possible opportunities and the selection and appointment of an artist to be undertaken in a timely manner.

Any area of Council preparing a business case for capital works should be prompted to consider whether public art could enhance their project and accordingly include this opportunity within the project. Nominations of projects would be made as part of the 10 Year Capital Works Program and feed into the strategic Public Art Masterplan. An Annual Public Art Plan would flow from the Public Art Masterplan which is detailed on the following page. The Hobart City Council Arts Advisory Special Committee would make recommendations on these strategic documents on the advice of the Public Art Special Committee. Their recommendations would then go to Council to approve Annual Public Art Plans. This will ensure that public art is seen as integrated into major projects.

The best and strongest public art outcomes occur when they are planned for at an early stage.

Public Art Masterplan

The Public Art Masterplan should be city-wide and include the CBD, Sullivan's Cove and all precincts within the municipal bounds. The masterplan would help avoid a piecemeal approach to public art by allowing decisions to be made strategically and incrementally and can be a document that evolves and changes. The public art masterplan would identify:

- Appropriate themes and aesthetic conceptual approaches for various precincts
- Allow identification of future development sites (Council sites and private development sites) and flag public art potential
- Appropriate locations and zones for public art realised through different commissioning processes
- Establish a hierarchy for major and minor projects
- Nominate a 5 -10 year program for commissioning major projects
- Allows Council to be opportunistic as projects or sites become available
- Establish some equity across the city recognising that the CBD will have a special focus

Design projects that do not include artist involvement would not be included in the Public Art Masterplan, Annual Public Art Plan and would not come to either the Public Art Special Committee or the Arts Advisory Special Committee for comment or approval.

6. To investigate incentives within planning provisions to encourage private developers to include public art in their development and/or contribute to the inclusion of art in public spaces.

Council will work with developers on a number of fronts:

- To advocate for public art as part of their development
- Ensure privately funded public artworks are well maintained
- To encourage enhancement and value adding to the public realm

Further investigation is required to investigate a developer contribution scheme or incentives for developers to include public art as part of any proposed new development.

7. To undertake an audit of all outdoor artworks and cultural material including memorials, fountains, sculptures, murals, etc.

In order to manage Hobart's Public Art Collection, the Public Art Officer must understand the scope and significance of the collection in order to be able to prioritise maintenance and marketing of the collection to residents, visitors and tourists to Hobart. The audit should include all Council owned works and significant private works in the public domain.

8. To ensure all public artworks owned by Council are listed on Council's Asset Register and custodians are nominated.

A public art program will inevitably lead to the creation of a collection of valuable assets. Therefore asset management is critical.

A percent of Council's annual \$100,000 public art budget (say 5%) may be set aside to meet prioritised maintenance. The cost of regular basic cleaning can remain the responsibility of the departments who maintain the areas in which the public artworks are located. Training, funded through the public art budget, can be provided on correct cleaning procedures and how to identify when maintenance is required beyond this.

An Asset Management Plan should be developed to ensure that the regular cleaning and general maintenance is undertaken according to the artist's wishes. It is also worth undertaking regular condition reports to make sure that any problems are identified quickly before becoming major conservation tasks.

It is inevitable that some artworks will appreciate considerably in value as an artist's career develops and therefore a periodic re-valuing of the collection is worthwhile.

Relocation, Removal or Disposal

The Public Art Special Committee will be responsible for assessing existing public artworks on behalf of Council and making recommendations to Council. At times additional professional advice may be sought on issues related to relocation, removal or the ultimate disposal of artworks where it is considered such advice is required to make an informed decision. In all cases the artist should wherever possible be consulted on possible options for new sites or given first option on repair or removal.

Relocation:

- Can become an issue where the environment that a site specific work has been designed for has changed significantly

Removal from a public place:

- May be the result of damage or deterioration making the work unsightly and unsafe

Disposal will occur:

- In the event that the work is deemed to be beyond repair or of less value than the cost of repair
- In the event that the work is no longer considered relevant and appropriate in a cultural context

9. To ensure that infrastructure and local by – laws complement temporary artworks and events in public spaces.

Council will need to ensure that over time, infrastructure is developed that allows for temporary and ephemeral public art at minimal on-going cost other than artist fees.

Local by-laws will also need to be checked to ensure there is no conflict with public art activity.

10. To develop walks, information on Council's website and other material as appropriate to promote Council's public artworks to the local community and tourists.

A range of activities will be undertaken to promote new and existing public artworks including but not limited to:

- Postcards of artworks with information about the work
- The inclusion of information such as a location map, photos of Hobart's public art, press releases on new artworks or details of artworks on Council's website
- Artist talks with slides including a discussion of their commissioned public artwork in relation to their broader arts practice
- The development of themed walks brochures to encourage visitors and locals to explore Hobart

11. To utilise public artworks in marketing material to help further define the image and identity of the City.

Images of public art will be used in the new branding and marketing material developed for Hobart.

Opportunities for utilising imagery in broader promotion of Tasmania will also be sought.

12. To demonstrate best practice processes, procedures and management of public art.

Council will ensure that:

- Its processes are clear and transparent
- Its public art contract pro forma documents meet Australian and best practice standards particularly in recognising artists copyright and moral rights
- These processes and contract documents are broadly consistent with the Hobart City Council Code of Public Tendering 1998

These processes will ensure confidence in the program by Council and the arts community.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

part 3: procedural guidelines



PUBLIC ART COMMISSIONING MODELS

Concept Competition Model

The standard process will include a press advertisement announcing the competition, interested artists would then be provided with the commission brief and if their skills and level of experience is consider relevant, artists would then develop their concept. Concepts may take the form of drawings, photomontage or a scale maquette.

From the concepts put forward a preferred artist is then offered the commission. It is only at this stage that the artist will receive payment. In some cases a shortlist of three artists are selected and paid a design development fee to further develop their concepts. Once the design development is completed a second round of assessments takes place and the preferred artist is nominated.

This model is not used often as it requires the development of a concept by an artist with no remuneration. As with major architectural competitions this approach is usually only taken with extremely high profile projects with considerable budgets where the competition canvases artists nationally or internationally.

Expression of Interest Model

The expression of interest model will usually include a public call for Expressions of Interest [EOI], where interested artists are asked to submit copies of their CV and visuals of their work. From the submissions a shortlist of usually three artists are engaged for a concept fee to prepare concept proposals. Sometimes the shortlist will be developed through research by a curator rather than through the EOI process.

The preferred artist will then be engaged on the basis of their concept proposal. In this model all artists get paid for developing concepts.

Curated Competition Model

The curated limited competition model involves a curator developing a shortlist of appropriate artists. The shortlist is developed through research by the curator rather than through the EOI process. Selected artists are asked to submit copies of their CV and visuals of their work. From the submissions several artists may be engaged for a concept fee to prepare concept proposals.

The preferred artist will then be engaged on the basis of their concept proposal. In this model all artists get paid for developing concepts.

Direct Engagement Model

In circumstances where the artist is required to work in collaboration with an architect, landscape architect, urban designer or community the direct engagement model will be appropriate.

Panel of Providers

For smaller scale public art projects, especially those of an integrated nature the EOI process is expensive and time consuming. Therefore developing a Panel of Providers incorporates the best aspects of both a limited competition and direct engagement.

The Panel of Providers would involve an EOI every two years where interested artists demonstrate their capability through CV and visuals of work. From the EOI a panel of suitably skilled artists would be established from which artists with appropriate experience could be engaged to work with a design team. This approach is especially relevant for small-scale infrastructure projects such as streetscapes and park developments.

Commissioning Model Criteria

The following table shows the various commissioning models and provides an indication of the criteria that would influence the choice of model. For example where a project has a high degree of public significance, low degree of integration but has a significant budget and no critical time lines then a Concept or EOI competition would be desirable approaches.

Alternately if there is to be a high degree of integration or site specificity then Direct Engagement or engagement from the Panel of Providers would be relevant models.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

MODEL	PUBLIC SIGNIFICANCE	INTEGRATION	SITE SPECIFICITY	BUDGET	TIME LINES
Concept Competition	High	Low	Low	High	High
Expression of Interest	High	Low	Medium	High	High
Curated Competition	Medium/High	Medium/High	Medium/High	Medium/High	Medium/High
Direct Engagement	Medium/High	High	High	Low/Medium	Low/Medium
Panel of Providers	Low/Medium	Medium/High	Medium/High	Low/Medium	Low/Medium

ARTIST CONTRACTUAL ISSUES

The Artist Brief

The Artist or Commission Brief is the main means of Council communicating its intentions, desires and expectations for a project to an artist. The Brief also needs to set out any constraints and limitations for a project. Artists will look at a Brief and then decide whether they wish to pursue the opportunity and if so how they proceed.

An Artist Brief will usually contain:

Background

- On the commissioning organisation, its history and role
- On the local community and may include information in regard to – its history, geography, population, issues, future, etc
- On other cultural, industrial or environmental information considered important and relevant

Site

- Description – location, function, history, environment, community
- Restrictions – legal, safety, physical
- Alternatives – if applicable

Project Details

- Motivation of the commissioning organisation
- Target audience – local community, children, workers
- Ambience – compatibility with surroundings
- Materials – constraints, durability, maintenance issues
- Constraints – legal, safety, physical or specific compliance requirements

Budget

- Total budget and what this is to include
- Whether there is in-kind support, what this is for and to what degree this will be provided

Management and Selection

- Members of the selection committee and their roles
- Project Manager to be identified as point of contact
- Commissioning process and timelines
- Initial Expression of Interest requirements
- Selection criteria

Insurance and Risk Management Issues

- These will be in line with Council's contract standards

Deadlines

- Next stage – shortlisting requirements and timeframe
- Desired completion date

Consultation or Collaboration

- State who should be consulted or collaborated with
- Indicate at what stage of the project and to what extent this should occur
- What is the purpose of the consultation or collaboration

Shortlisting and Appointment of Artist/s - The selection of artists is dealt with in more detail under the selection process section however it is an important milestone in the commissioning process. The shortlisting and final appointment of artists should be signed off by the Public and Visual Art Committee who will have authority to make a recommendation to Council. The contract with the successful artist can then be developed.

Concept Contract - The Artist/s will need to have a Concept Contract signed by Council and an agreed concept fee. Depending on the commissioning process, the concept will either be developed in isolation or competitively as in the case of a competition process or in a more collaborative process as for an Integrated Art project.

Initial Concept – May take the form of rough drawings, sketches and possibly a written explanation of the artist's idea for the project and how this might be developed. The initial concept will give enough of an idea of what the

artist is proposing without him or her going to great lengths to resolve either the design or any technical issues. Budget details are not provided by artists at this stage.

Detailed Concept – The artist will develop the initial concept further and provide detailed drawings, a maquette, photomontage of the proposed work in situ and/or samples as may be appropriate together with a detailed budget breakdown to ensure that the work is able to be fabricated within the available budget.

The concept drawings or maquette should be of sufficiently high standard so that it is clear what the artist is proposing. Ownership of the maquette is usually retained by the artist and does not become the property of the commissioner even though they have paid the artist a concept fee. This is because maquettes can be beautifully crafted artworks in their own right and worth more than the concept fee. Commissioners can however negotiate the right to purchase maquettes.

Completion - Once a Commission Contract has been exchanged and the artist has commenced fabrication there are no further major sign off points for the Public and Visual Arts Committee until completion.

During the construction phase it is likely that the artist will require progress payments based either on a series of set milestones or on a percentage of work completed. Therefore the project manager will be required to review and certify that the milestone/percentage has been reached and payment can then be approved.

The final sign off comes when the work has been installed and an assessment can be made that the work meets the artistic, conceptual and technical standards agreed to in the Commission Agreement. At that point the ownership and responsibility for the artwork is transferred from the artist to Council.

A defects liability period of between six to twelve months usually applies after installation.

ARTIST FEES

Concept fees

All artists who are asked to provide a concept drawing or a scale maquette should be paid a fee for their concepts. The level of fee will be dependent upon the scale of project and the level of concept presentation required. It is important to remember that the concept stage is one of the most important and that it is the most creative from the artist's perspective and therefore should be valued accordingly. Concept fees can range from \$1,000 to \$5,000 depending on the scale and complexity of the project.

Detailed Design

For major public artworks there may be a stage between the artist developing a concept and the work being commissioned where further design development occurs to confirm structural issues, materials and fabrication costs. This protects both the artist and the commissioner from budget overruns or embarking on a project that is not feasible for other reasons. Artist fees for this stage can range from \$5,000 - \$10,000 depending on the scale and complexity of the project.

Commission Fees

It is difficult to establish a formula for an artist's fees for public art projects as this again will depend on the scale and complexity of the work, the 'status' of the artist and the overall budget. The artist fee should however be designated as a separate item within the budget.

Commission payments

The bulk of the budget will be processed during the construction and installation stage therefore the Commission Contract should include a schedule of progress payments and certifying criteria.

Most artists have limited capital and therefore cash flow is always a problem when it comes to the purchase of materials and payments to fabricators. Therefore it is very important that the artist is clear about what progress payments are required and what requirements there are for advanced payments for material purchase.

Council should also be very clear about invoicing processes and deadlines for payment.

Commission payment schedule may be as follows:

- There may need to be an up-front payment for materials
- A progress payment at say 50% completion of fabrication
- A further payment upon completion of fabrication
- The final payment upon completion of installation and following a site inspection for defects

Contracts

It is best practice to use two contracts for most public art projects and it is therefore recommended that Council do so for permanent/temporary projects and integrated art projects and have a different standard contract for community art projects. These contracts should generally be in line with Council's contracting procedures and should take account of particular issues relevant to public art commissioning such as copyright and moral rights.

Concept Agreement

This agreement will deal with the first phase of a public art project up to the point where the artist has presented his or her concept to Council and should include:

- Timelines - for delivery of concept and time taken to provide acceptance
- Concept fee – amount and when it will be paid
- Deliverables – scale, drawings, maquette etc
- Copyright - usually retained by artist

Commission Agreement

This contract is more comprehensive and closer to a standard contractor contract, with the differences being:

- Copyright - usually retained by artist
- Licence to reproduce images - licence to reproduce only for Council publicity and always with attribution of the artist
- Attribution – plaque and reasonable attribution on photographic reproductions
- Non destruction or alteration – usually no destruction, relocation or alteration is permitted. The artist has the legal right to no longer have the work attributed if altered
- Relocation – if for some reason in future the artwork has to be relocated the artist should be consulted as to an appropriate new site for the work

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

- Insurance requirements
- Taxation issues such as GST and ABN

Contracts need to include:

- Identification all parties involved and their obligations
- A detailed description of the commissioned work
- Payment Schedule
- Employment status of the artist
- Period of the contract, delivery date and termination
- Approval stages
- Life expectancy of the work
- Title and attribution
- Copyright
- Dispute resolution mechanism
- Ownership and maintenance
- Maintenance plan
- Insurance/warranty
- Relocation
- Requirements for acceptance of the work

Copyright and Attribution

In addition to the standard clauses found in most local government contracts an artist's contract will also deal with such issues as copyright, attribution, non destruction or alteration. These specific art clauses will be of particular interest to artists as they relate to the integrity of the work and are now part of Moral Rights Legislation under the Copyright Act.

It is the convention in commissioning artwork that the artist retains copyright in recognition of the intellectual property involved in the conception and creation of the artwork. The commissioner may wish to include a clause in the contract that gives the commissioner licence to use images of the artwork in any promotional material generated by Hobart City Council provided the name of the artist is acknowledged. Likewise the artist would be required to agree not to reproduce the exact artwork for any other commissioner unless it is recognised that the artwork commissioned is one of an edition.

Artist Plaques

It is recommended that a standard plaque be developed and the details of the plaque wording be established at the time of the commission contract.

A standard plaque for a public artwork includes:

- The name of the artwork [most prominent text]
- The artist's name
- The date of the artwork
- The name of the commissioner [Hobart City Council and possibly the logo]
- Details of any partner organisation [external funding bodies]

On some plaques an artist's statement is included to allow interpretation by the viewer. This should be kept to a minimum number of words so that the plaque doesn't become too large and unable to be located near the work.

RISK AND ASSET MANAGEMENT

All public art, even if it is temporary, is located in the public realm and therefore has potential for public risk, either during fabrication, installation or in-situ life, however short its life may be.

It is therefore beholden on Council to ensure that all concepts and final artworks are carefully assessed from a risk management perspective both at the concept stage and upon installation in line with AS/NZS4360.

Briefing notes

The artist brief should make it very clear what the constraints and limitations are in creating an artwork for a public space. Included in the brief will be any relevant standards and expectations of engineering certification requirements.

Concept review

At the time an artist's concept is being reviewed prior to being recommended to Council it is important that a technical review be undertaken, including:

- Structural engineering requirements
- Standards review
- Risk assessment
- Maintenance assessment

Community participation

It is important to consider the public liability issues related to community art projects especially in situations where community members are involved in art making, issues such as:

- Who is responsible for community members attending consultation sessions
- Who is responsible for OH&S during community participation in art making
- Who is responsible for community art installed in a public space

Maintenance Issues

Maintenance is an important issue to consider at the beginning of a public art project. Artworks can become liabilities rather than assets if they are poorly maintained. It is important to consider the following issues prior to the commencement of a project:

- What is the intended life of the artwork, permanent or temporary
- What materials are to be used and what is their durability
- An assessment of the environment in which the artwork is to be located and how this will effect the work
- Who is responsible for repairing the work if damaged and who pays for this
- When is the work damaged beyond repair
- What happens if the site is redeveloped in the future

Maintenance can include regular checking of the work for damage and washing to remove pollution and grime that may have built up. Some maintenance can be carried out by maintenance staff, cleaners or others responsible for a site. This will need to be negotiated and some training provided so that there is an understanding of the limitations of what staff can do, when maintenance beyond this is required and that this should be reported to the Public Art Officer for further action. Normal cleaning materials and procedures can be harmful so a clear understanding of these issues is essential.

There should also be a process for dealing with urgent maintenance such as vandalism and graffiti removal. Some anti-graffiti treatments are available but these can often affect the surface of the artwork treated and therefore the artist should be consulted and an agreement reached regarding the application of these.

Maintenance Manuals

As part of every commission agreement there should be the requirement for artists to provide Council with a Maintenance Manual that sets out:

- Details of construction and materials used
- Details of surface finishes and their expected life span
- Details of the cleaning and re-coating requirement and timelines
- Photographs where possible of the internal construction

Asset Management

The Public Art program will create significant and valuable assets for the Hobart City Council and should be treated as such. Asset management will include:

- Inclusion of public artworks on Council's Asset Register with details of each artwork, artist, date of commission, description of materials and construction
- A check of Council's insurance in regard to the excess before a claim for repair can be made
- That records are kept of condition reports and any maintenance undertaken
- Qualified art conservators or the artist themselves and not general tradespeople should carry out all significant conservation work
- Establish an annual maintenance budget for public art noting that maintenance carried out regularly will cost less than major conservation carried out infrequently

This area of public art management includes:

- Recording the details and history of items in Council's public art collection
- Conservation management
- Maintenance funding
- Valuing of the collection
- Removal or relocation of artwork

A public art program will inevitably lead to the creation of a collection of valuable assets. Therefore forward planning for asset management is a critical part of the public art strategy.

A portion of the annual public art budget may be set aside to meet future maintenance costs or budgets can be allocated for artworks prioritised for conservation in the Annual Plan

An Asset Management Plan will be developed to ensure that the regular cleaning and general maintenance is undertaken according to the artist's wishes. Regular condition reports will be undertaken to make sure that any problems are identified quickly before becoming major conservation tasks.

It is inevitable that some artworks will appreciate considerably in value as an artist's career develops and therefore a periodic re-valuing of the collection should also occur.

Relocation, Removal or Disposal

The conditions under which artworks can be removed or relocated are as follows:

The Public Art Special Committee will be responsible for assessing existing public artworks on behalf of Council. Additional professional advice on issues related to relocation, removal or the ultimate disposal of artworks may be sought from time to time to enable an informed decision. In all cases the artist should wherever possible be consulted on possible options for new sites or given first option on repair or removal.

Relocation

- Will occur when the environment that a site specific work has been designed for has changed significantly

Removal from a public place

- Will occur when the damage or deterioration making the work unsightly and unsafe

Disposal of a public artwork will occur:

- In the event that the work is deemed to be beyond repair or of less value than the cost of repair
- In the event that the work is no longer considered relevant and appropriate in a cultural context

MARKETING AND PROMOTION

Public art can create controversy which can be positive in creating debate about art. Sometimes however, debate can degenerate, get out of control and have a totally negative impact on individual artworks and on the future of public art programs.

Any new public artwork for Hobart will have a marketing and communication strategy developed to ensure the best climate in which an artwork can be understood and received. Marketing and promotion are also about advocacy for public art and developing the public's understanding of contemporary arts practice.

A Communication Strategy (internal to Council) will provide information to staff and Aldermen within the organisation on the project. The communication strategy might include:

- Regular updates on the development of the project
- A studio visit to see the work in progress
- Ensuring all customer service and reception staff have sufficient information to answer general enquiries when a new artwork is installed
- Ensure Aldermen and all relevant areas of Council are fully briefed prior to the artwork being installed and are able to respond to resident enquiries

A Marketing Strategy will also be developed to promote any new public artwork to the public and local community through local press and mainstream media. A marketing strategy might include:

- A press release or media kit developed and sent out to coincide with the installation of a new public artwork
- The artist being available for media interviews and photo shoot for local newspapers
- Radio interviews by the artist
- Information on a new public artwork might be included in Council newsletters to residents
- Photographs of major public artworks should be included in Council publications

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

Other things that can be done to promote new public artworks include:

- Postcards of the artwork with information regarding the work on the back
- Information such as maps photos, press releases or artists statements on Council's web site
- Artist talks with slides including a discussion of the work in relation to their broader arts practice
- Discourse on public art presenting a range of perspectives
- The development of walks brochures. These could be themed or encourage visitors and locals to explore Hobart.

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

part 4: glossary



Public Art

Could be defined as any permanent or temporary art object, installations or activity in the public realm excluding galleries, museums and public collecting institutions.

In general public art is sited on public land and has been purchased or is owned by a public authority.

Can include a wide range of artforms such as:

- Permanent 2D or 3D visual art, craft or design element
- New media works such as projection and digital artworks
- Temporary works such as installations
- Ephemeral artworks such as environmental artworks

Artist

Providing a definition of an artist is problematic as it is not an occupation defined by a professional structure such as an architect or certified accountant.

An artist can be a person:

Who has specialist training within their field [not necessarily in academic institutions] and involved in the creation of art as their profession.

With high level interpretive, conceptualising and creative skills that result in the creation of artwork.

Who has demonstrated professional standing through exhibitions and commissions and is considered an artist by his or her peers.

Public Realm

The public realm can be defined as including but not limited to streets, squares, parks and spaces that are within buildings that are accessible to the general public and in the ownership of, or under the control of public authorities.

Spaces accessible to the public but in private ownership such as shopping centres, corporate office buildings and residential development can be perceived as part of the public realm.

Community

The word community is often used in a very broad way to refer to the “public”. It is perhaps more useful to define community as a group of people who share a common interest or who have a whole variety of reasons for a sense of unity. Those things which bond a group of people arise out of a shared belief, a political commitment, a common cultural background or a concern for the environment.

A “community” may live in the same area, work together or participate in the same sporting or cultural group. A community may be comprised of all or some children, teenagers, older adults, women and/or men. In essence a sense of community grows out of recognition of a common unity and the acceptance of difference.

Contemporary Art

Any artwork created today which is innovative for its time, comments on or otherwise engages with issues relevant to its time or uses materials and processes that are at the forefront of arts practice within their particular field at the time can be classed as contemporary art.

Permanent Public Artworks

Artwork in this category might include Signature Works, landmarks or sometimes Art in Public Places. All these terms relate to the fact that such works tend to be commissioned as set pieces of art in their own right.

These artworks are often major commissions with significant budgets and therefore require a transparent and accountable commissioning process to ensure the best artists are considered and that due process occurs.

Integrated Art

Integrated Artwork can be defined as artwork created by an artist that has been conceived especially for a site or building and forms part of the built environment.

Integrated Artworks can be commissioned as part of Council's capital works programs such as streetscapes, parks or building projects.

Integrated Artwork is most likely permanent and non-transferable and may include functional streetscape or park elements.

The artist usually develops integrated artwork concepts in collaboration with the project architect, landscape architect or urban designer.

Events

This category may include one off or scheduled events in parks or other public spaces such as outdoor exhibitions. The events may be part of a festival or an artist residency program.

Temporary/Ephemeral

Temporary artworks are specifically designed to last for days, weeks or months.

The term ephemeral artwork might be used to describe projects such as projection or lighting works where there is no physical object created. It might also be applied to physical works in non-permanent materials.

Community Art

Community Art can be defined as work resulting from a high degree of community consultation and/or participation.

Community Art may be created by a professional artist in consultation with members of the community.

Community Art may be the result of practical art making by members of the community under the supervision of a community artist.

Community Art is a process through which artists and communities work together to express and/or articulate a collective vision in a creative and imaginative way. Community development is the primary aim of a Community Art process. In doing this, care and attention is paid to collective decision making processes. Issues of ownership and control over the development and outcomes of a Community Art project are important, as is the encouragement of a broad range of people. Community Art projects utilise the artform that is best suited to the desired outcome. Oral history, writing, visual arts, theatre, circus skills, dance, music and mask making are just some of the many artforms available to the community.

Design Advisors

A group of practitioners working collaboratively often including artists, architects, landscape, industrial and/or other designers.

APPENDIX 1

The following organisation and individuals were consulted during the initial stage of the project. All contributors are thanked for their time and contribution.

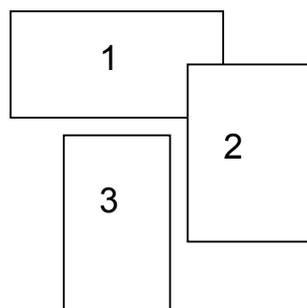
- Hobart City Council Aldermen
- Hobart City Council Arts Advisory Committee
- Hobart City Council Corporate Management Team
- Lynne Uptin, Director Arts Tasmania
- Allanah Dopson, Manager and Julie Payne, Acting Public Art Officer, arts@work
- Rebecca Greenwood, Project Art Officer arts@work on maternity leave
- Rosemary Miller, Director Salamanca Arts Centre
- John Nicoll, Director Screen Tasmania
- Bill Bleathman, Director, David Hansen, Senior Curator of Fine Art and Peter Hughes, Curator of Decorative Arts, Tasmanian Museum and Art Gallery
- Michael Edwards, Director, Contemporary Arts Services Tasmania, Fiona Lee, Touring Officer, Ian Bonde and David Smith, CAST Board Members
- Neil Wade and Prue Cotton, Jacob Allom Wade Architects/JAWS 2
- Scott Balmforth and Gerard Reinmuth, Partners, Terroir Architects
- Elvio Brianese, Director, DesignInc
- Bevan Rees, Rees Architects
- Robert Morris Nun, Morris Nun and Associates and Kim Millington CEO The Henry Jones Art Hotel
- Professor Noel Frankham, Head of School of Art, University of Tasmania
- Staff and Post Graduate Students of Tasmania School of Art
- Dick Bett, Director, Bett Gallery
- Peter Fischer, Project Manager Hobart Waterfront, Department of Primary Industry, Water and Environment
- Peter Gouldthorpe, Artist
- Artist Forum attended by Neil Haddon, Matt Calvert, Anne Mestitz, Simon Ancher, Sally Rees, Sharyn Woods, Gerhard Mausz, John Vella, Brigita Ozolins, Peter Battaglione, Martin Walch
- Hobart City Council Public Art Working Group
- Hobart City Council staff

APPENDIX 2

The following individuals and organisations made written submissions in response to the Public Art Discussion Paper providing feedback and comment on the direction for this Strategy:

- Peter Hughes, Curator of Decorative Arts, Tasmanian Museum and Art Gallery
- Noel Frankham, Head, Tasmanian School of Art, University of Tasmania
- Ian Bonde, Board Member Contemporary Art Services Tasmania [CAST]
- Michael Edwards, Director Contemporary Art Services Tasmania [CAST]
- Peter Battaglione, Artist
- Bevan Rees, Architect
- Paul Zika, Artist, Head of Painting, Honours Program Co-ordinator, Tasmanian School of Art, Chair Plimsoll Gallery Committee
- Jane Rankin-Reid, Contemporary Art Critic and Cultural Commentator
- Warren Nichols, Quality Improvement Manager, Hobart City Council
- Andrew Tompson, Director City Services, Hobart City Council
- John Vella, Artist and Exhibitions Officer, Hobart City Council
- Glenn Doyle, Manager Parks and Recreation on behalf of the Parks and Recreation Unit, Hobart City Council
- Penny Saile, Manager Community Programs on behalf of the Community Programs Unit
- Prue Slatyer, Carole Edwards and Julie Stoneman, Architectural Projects Unit, Tecton Projects, Hobart City Council

Artist Acknowledgement



Page	Artist/Artwork Description
5	Image 1: Criterion Street Paving, Artist Julie Stoneman, Photograph Hobart City Council
	Image 2: Elizabeth Street Mall, etched image on granite, Artist Patrick Hall, Photograph Brecknock Consulting
	Image 3: Elizabeth Street Mall, Artist Patrick Hall, Photograph Brecknock Consulting
15	Image 1: Wind Screen Elizabeth Street Mall, Artist Sharyn Woods, Photograph Brecknock Consulting
	Image 2: Paving Elizabeth Street Mall, Artist Paul Zika
	Image 3: Drinking Fountain <i>Fish Out of Water</i> , Artist Patrick Hall, Photograph Brecknock Consulting
30	Image 1: Migration Wall, Graphic Design Lynda Warner, Photograph Hobart City Council
	Image 2: North Hobart Community Art Project, Facilitator/Artist Julie Stoneman, Photograph Brecknock Consulting
	Image 3: Bidencopes Lane Youth Art Project, Artist Julie Stoneman, Photograph Hobart City Council
48	Image 1: North Hobart Community Art Project, Facilitator/Artist Julie Stoneman, Photograph Hobart City Council
	Image 2: Wellington Court, Artist Tom Samek, Photograph Brecknock Consulting
	Image 3: <i>Node</i> , Artist Ian Bonde, Image supplied by Ian Bonde

HOBART CITY COUNCIL
PUBLIC ART STRATEGY

Prepared by:

**Brecknock Consulting
32 – 33 Sussex Street
Coburg
Victoria**