



NSW Government Public Art Toolkit

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ABORIGINAL IDENTITY

There are many definitions of Aboriginal Identity and people identify in different ways. For the purposes of this Toolkit we are using the term 'Aboriginal' that represents Aboriginal and Torres Strait Islander people living in NSW. The term 'Indigenous' is used by the United Nations as it is an intergovernmental global organisation and is only used here in the context of Indigenous Cultural and Intellectual Property (ICIP).

For more information visit [artslaw.com.au](https://www.artslaw.com.au)

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This resource was published in 2022 by Create NSW and the Department of Premier and Cabinet.



ACKNOWLEDGEMENT

In presenting this Toolkit we acknowledge the Traditional Custodians of the lands where we work and live and where all public artwork in NSW is made. We celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of NSW.

We pay our respects to Elders past and present and acknowledge the Aboriginal and Torres Strait Islander people who contributed to the development of this Toolkit.

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Welcome to the NSW Government Public Art Toolkit. The Toolkit aims to help NSW Government agencies apply best practice principles to planning, commissioning, implementing and maintaining public art. The Toolkit guidance notes and case studies summarise and illustrate the key steps in successfully creating public art along with links to further specialist information.

The objectives of the Toolkit are to:

- ▶ Promote to NSW Government agencies the value of high-quality public art and urge the inclusion of public art in our major infrastructure and placemaking developments, including health, education, transport, urban renewal and development projects.
- ▶ Make clear that NSW Government public art projects, in all instances, need to consult with First Nations community first and advise on the best way to do this.
- ▶ Promote employment opportunities for NSW artists within NSW Government infrastructure projects and provide guidance on the fair treatment of artists, and on artists' fees in accordance with industry standards.

- ▶ Help NSW Government agencies deliver public art within project budget, scope and site specifications, while managing risk in the delivery, public experience and maintenance of public art.
- ▶ Give guidance on making public art projects and activities consistent with government policies relating to the environment, planning and placemaking, heritage, access and inclusion, and community and social priorities.

We gratefully acknowledge the many sources used in preparing the Toolkit and references are provided as appendices. Three key organisations—the Arts Law Centre of Australia (Arts Law), the National Association for Visual Arts (NAVA) and the Copyright Agency—are especially acknowledged here for the invaluable guidance they provide to the arts and cultural sector and for their ongoing role advising individual artists and organisations.

NSW Public Art Principles underpin the Toolkit as a resource for NSW Government agencies. We trust, however, that other commissioners of public art—local government, private developers and philanthropic organisations—will also find the Toolkit useful.

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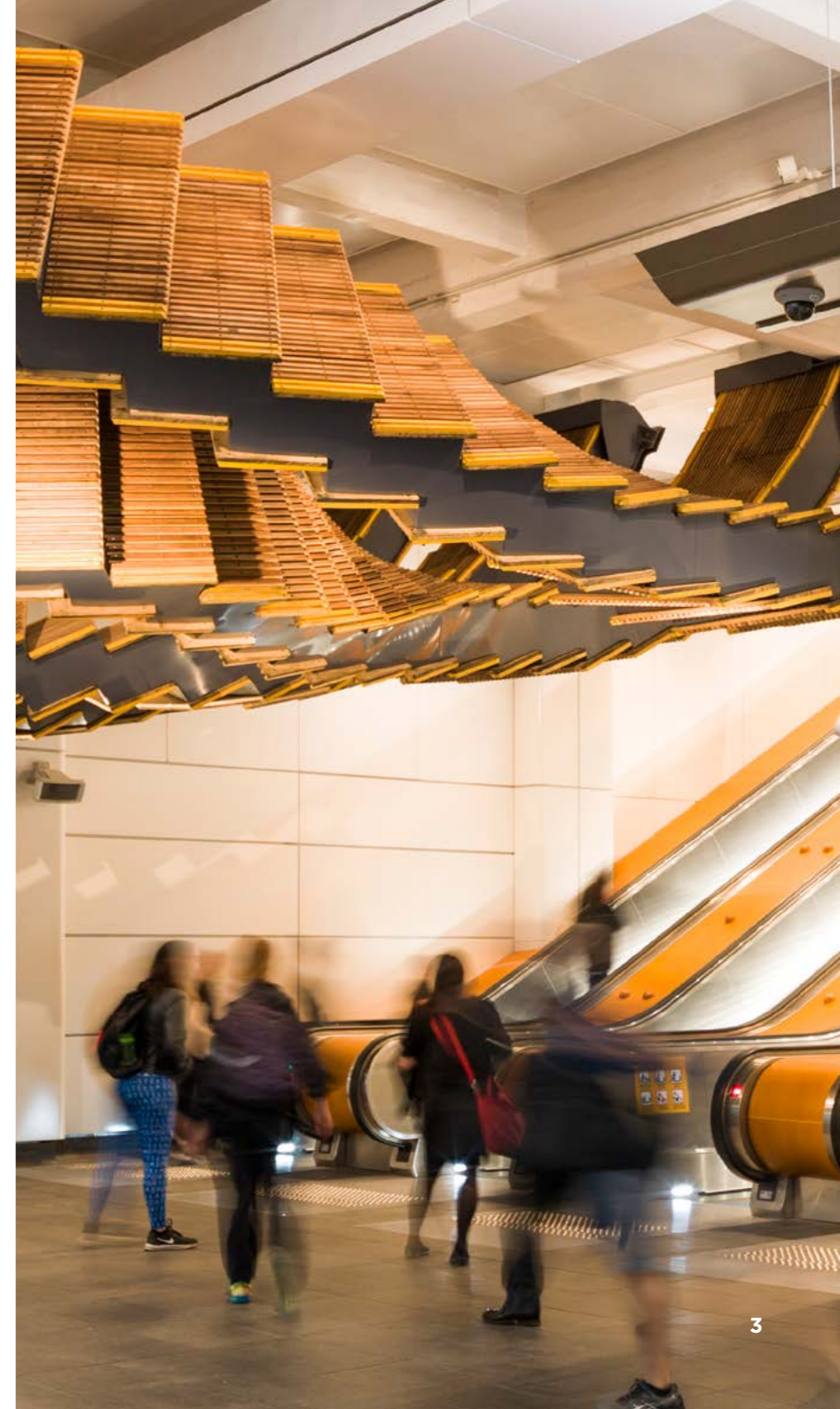
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Previous page image: *Self portrait*, Cameron Bloom, 2014, Dee Why, Sydney.
Photograph: Ian Hamilton. Courtesy of Transport for NSW.

This page: *Interloop*, Chris Fox, 2017, Wynyard Station, Sydney.
Photograph: Josh Raymond



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What is public art?

Public art exists in public spaces and is freely accessible to all.

Public art is made using a wide range of materials and includes large-scale and small works. A public artwork can be a stand-alone sculpture, mural, installation, or light projection. It may involve performance or multi-media or be integrated into the architecture of site-based structures.

Public art may take the form of:

- ▶ Sculpture: statues, fountains, installations
- ▶ Wall finishes: murals, street art, tiling, photographic, posters
- ▶ Construction hoardings, street furniture and utility infrastructure
- ▶ Pavement finishes: mosaics, tiling
- ▶ Transportation infrastructure: murals on buses, trams and trains
- ▶ Light art and projections

- ▶ Digital and multi-media art
- ▶ Banners and flags
- ▶ Land art
- ▶ Landscape design/cultural plantings
- ▶ Sound-based art: sound installations, oral history tours
- ▶ Art trails
- ▶ Street art: graffiti, stickers, stenciling, murals, yarnbombing, pavement/chalk art
- ▶ Performance, dance, theatre, poetry and installations.

Why is public art created?

Public art can be created as:

- ▶ a way to beautify, enrich and enliven a place
- ▶ an artistic interpretation of the heritage of a place, site or object

- ▶ an element of placemaking to encourage interaction with a place and promote wellbeing and community connectedness through collective or individual artistic expression.
- ▶ a personal story or social expression
- ▶ a signature or landmark that is part of the discovery of a place and which helps people find their way within it
- ▶ a design element that is integrated into architecture and site-based structures
- ▶ a functional item, such as street furniture, play equipment, shade structures
- ▶ a community-building process that contributes to city building and shaping, creating cultural infrastructure and precincts to attract and engage people from diverse backgrounds
- ▶ a celebration, memorial or monument to an event, person, organisation or other social or political movement

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The lifespan of public art

Public art is often categorised by its intended lifespan: ‘permanent’, ‘temporary’, or ‘ephemeral’.

- ▶ **Permanent**—Public art that has a lifespan well beyond 25 years is considered ‘permanent’, although it is difficult to find instances in policies where a specific period is stated. Melbourne City Council, for example, has defined permanent works as “enduring, site-specific cultural assets, commissioned with an expected lifespan of 25 years and minimum lifespan expectations.”
- ▶ **Temporary**—Temporary public art is intended to occupy a place or have a presence for a limited time only. Melbourne City Council has defined temporary works as “installations or actions which activate a location for a specific period. They are exploratory and experimental in nature and can have an expected lifespan of 1 day to 2 years.” While a lifespan of up to two years may seem to many to be beyond ‘temporary’, there is a category of public art described as ‘ephemeral’ which is deemed to be even less than temporary.

- ▶ **Ephemeral**—‘Ephemeral art’ is art which lasts only for a brief period of time. Ephemeral public artworks have a fleeting presence, sometimes for a day or a number of hours, and their existence changes in that time due to their changing state or relationship to the environment. Ephemeral artworks can include performances or happenings that only occur once, or sculptures made with natural materials that have a short lifespan.

When commissioning public art, be clear about the estimated ‘design life’ of the work and its life expectancy. More information on the lifespan of public artworks is available here: [When to deaccession/decommission public art](#).

CASE STUDIES 

- ▶ [Permanent public art—Interloop—Chris Fox, Sydney CBD \(2017\)](#)
- ▶ [Temporary public art—Melbourne Art Trams—various artists \(1973–1993; 2013\)](#)
- ▶ [Ephemeral public art—One a Day—Shona Wilson \(2014\)](#)

THE EVOLUTION OF PUBLIC ART

The definition of public art is constantly being challenged by artists and audiences:

Public art is a part of our public history, part of our evolving culture and our collective memory. It reflects and reveals our society and adds meaning to our cities. As artists respond to our times, they reflect their inner vision to the outside world, and they create a chronicle of our public experience.

— [Public Art in Philadelphia](#) by Penny Balkin Bach (Temple University Press, Philadelphia, 1992).

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How is public art made?

Public art is made by artists as individual practitioners, or by artists working in collaboration with other artists, creative producers and curators, architects, designers and engineers as part of a design team. Public art is also made by artists partnering with a community through teaching, consultation or leadership.

What is a public artist?

In the historical context of public art, an artist has been widely seen as a person engaged in activity relating to creation in visual or fine arts—painting, sculpture, ceramics, textiles and the like. A more contemporary understanding of the public artist will most certainly include skilled performers—in music, movement, dance, acting—who choose to perform in the wider public realm and not just in dedicated venues such as theatres and concert halls.

Some public artists may develop their practice at an institution, such as a college or university, while others may develop their skills through their own practice without a ‘formal education’ in the arts.

Who commissions public art?

Public art is sponsored or funded by all levels of government, the private sector, philanthropic organisations, and individuals:

- ▶ **Local government** authorities are responsible for urban streetscapes, outdoor recreation areas and other civic amenities. As a result, they are the most active level of government in commissioning public artwork. Many local government authorities have established policies and strategic approaches to commissioning public art.
- ▶ **State Government** service delivery agencies have been less active in commissioning public art than local government, but this is changing. Awareness of the community and wellbeing benefits of engagement with art is growing, while integrated approaches to urban planning and design means a greater focus on the amenity of State government owned and managed places. This includes transport infrastructure, hospitals, schools and new residential developments.

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- ▶ **Federal Government** agencies commission public art for public buildings, for example the Reserve Bank Headquarters in Martin Place, Sydney or Parliament House, Canberra.
- ▶ **Private sector** organisations and institutions include corporations, property developers (commercial buildings and residential) and philanthropic organisations.
- ▶ **Individual** artists and property owners: ‘Street art’ and ‘ephemeral art’ are growing in popularity, community acceptance and delight for the ability to enliven public spaces. Works may be sculptural, or image based. An artist must seek permission from the property owner to create an artwork on their property. Street art created without permission is illegal in NSW. There is a growing community acceptance and delight, however, in legally produced street art for its ability to enliven public spaces.

How is public art created?

Artists are commissioned to make site-specific, stand-alone artworks. They are often commissioned or employed as part of architectural and design teams for public infrastructure and building projects.

Where is public art found?

Public art is often found in government owned or controlled public places and infrastructure. This includes:

- ▶ parks, gardens, city squares and open spaces, laneways, streets, highways
- ▶ railway or subway stations, public buildings, hospitals, educational institutions
- ▶ cultural institutions: art galleries, museums, theatres and concert halls.

CASE STUDIES

- ▶ **Guwimilgabang Baaribang—Diane Riley McNaboe and Jonathan Jones, Dubbo Base Hospital, 2015**

▶ *Alfalfa House*, Philip Street, Enmore NSW, Tim Phibs. Commissioned by Inner West Council for its Perfect Match Program. Courtesy of Destination NSW.

▶ ABOUT THIS PROJECT

Perfect Match brings artists, residents, businesses, and community together to create new street artworks.



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How do artists create public art?

Artists who make public art need a broad range of skills that uniquely suit them to making work in the public realm.

Making public art requires artists to have or to develop unique skills. Not only are public artists asked to create work that is suited to the public realm, but in doing so, to engage in often lengthy and complex selection, design development and administrative processes.

Public artists must make a conscious effort to engage and collaborate in the public realm. The challenge for the public artist is to produce artworks that catch the public's attention, that engage and move the public audience. They may use public art to give issues a voice, or to help people respond to changing environments. Their work can rejuvenate locations, or provide the unexpected, prompting a smile or stimulating imagination.

Public art is not simply placing an existing artwork in a site. Being a public artist will more than likely require navigating the processes of public art commissioning. Competitive artist selection, including proposal and design development, may ask artists to develop original concepts and site-specific designs to submit and present. This may require considerable time, expense and input from other professionals the artist engages with, such as creative producers and curators, engineers, architects, and graphic designers.

Public art services

Before engaging an artist, you should clarify their expected roles and responsibilities. The services an artist may offer in creating a public artwork include:

- ▶ Concept Design
- ▶ Final Design
- ▶ Model maker
- ▶ Designer-Maker
- ▶ Fabrication
- ▶ Community consultation
- ▶ Installation
- ▶ Project management
- ▶ Collaboration with architect and design team
- ▶ Public and stakeholder presentations
- ▶ Maintenance and deaccession/ decommission advice

When engaging an artist, you should have a discussion with them to ensure all parties understand and accept the responsibilities. Once you have both agreed on the artist's specific responsibilities, these should be identified in the commissioning brief and in a contract between you (the commissioning entity) and the artist. For more advice, see [How to write an artist's brief](#) and [How to prepare contracts](#).

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Choosing the right artist

When you are commissioning an artist, look for the following attributes:

- ▶ ability to develop quality creative concepts and designs
- ▶ sensitivity and empathy toward community ideas and opinions
- ▶ understanding of a site from historical, civic and community perspectives
- ▶ ability to work to the criteria and specifications of the commission
- ▶ presentation skills
- ▶ ability to work collaboratively with other specialists involved at the site: planners, architects, designers, engineers
- ▶ understanding of the durability of design, materials and finishes particularly in relation to weather, safety, public liability and vandalism
- ▶ ability to manage budgets, scheduling and teams.

Working with self-employed artists

Most artists are self-employed and earn their living from more than one source. This might include commissions, exhibitions, regular teaching, occasional engagements such as workshops, as well as employment outside the arts sector.

Artists, in common with other professionals, may work flexible hours, and may be engaged in more than one project at a time. Projects may be at various stages of completion, so it is important to understand workloads, timelines and availability to keep the working relationship between you and the artist effective, productive and transparent.

Working with high profile artists

Some public art projects are designed to draw attention to a place by creating a landmark, or a ‘destination’ artwork that attracts international and national visitors. When initiating projects like this, it is not unusual to seek out a major international artist. [Chicago’s Cloud Gate, by Anish Kapoor](#), is a good example.

There is a cohort of global public artists with stellar reputations, whose powerful works are instantly recognisable. These in-demand artists command substantial fees, and their schedules are booked out many years in advance.

Interesting, important and well-loved public art is created by artists who are not so well-known and who live locally. Many NSW artists have the skills to create public art that excites, and, with their connection to place, allows them to focus the work in the specific locality and make a clear statement about a place.

FURTHER READING

- ▶ [Public Art Online—An Artist’s Perspective by David Patten](#)
- ▶ [Forecast Public Art—Alberto Burri’s monumental land art project in Sicily](#)
- ▶ [Americans for the Arts—An Open Letter to Public Art Administrators](#)

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What's the latest in public art?

Newer forms of public artwork began to arise in the late 20th Century, including digital art and new media installations, which can be more participatory and immersive. There are unique aspects to making newer forms of public art, but all the principles outlined in this Toolkit still apply.

New media and contemporary practice

Artists are often the first to take up new equipment, materials and methods to make original and innovative works. New media work may take the form of:

- ▶ digital projections onto 2D or 3D surfaces
- ▶ time-based video, slides, film, audio or computer-generated works
- ▶ art billboards (screen-based/curated program)
- ▶ sound-based installations
- ▶ light-based installations and projections
- ▶ computer-based interactive art
- ▶ virtual reality
- ▶ augmented reality
- ▶ multi-media—a mix of electronic media such as video, film, audio and computer-generated.

Public art is no longer limited to static, permanent structures. Contemporary public artworks may take the form of:

- ▶ live performance and events
- ▶ temporary installations
- ▶ ephemeral works, designed to break down, disappear or only occur once
- ▶ works made in 'real-time' with the audience as co-creator
- ▶ works involving all of the senses: sight, hearing, smell, taste and touch
- ▶ urban art/street art.

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Things to consider in planning for new media

- ▶ Keep in mind that the public, including some of your colleagues, may not be familiar with contemporary art practice and new media works. Stakeholders have various expectations of public art projects, and you can help to guide and educate them on contemporary art practice. While such works can be labelled ‘challenging’, this is not necessarily a negative thing. Discovering new ways of seeing and thinking about art is part of the benefit of public artworks, including ‘challenging’ ones.
- ▶ Your advisory/selection panel should include people who are familiar with new media and contemporary practice. Not only can they judge the quality of proposals, they will help to assess the suitability of the site and technical constraints that might exist.
- ▶ When new media art such as screen-based works or digital billboards are installed into new developments, they should be part of the design of the building. As with all forms of public art, new media art will be more

successful if it is considered as part of the whole design, rather than as an afterthought once construction is complete.

- ▶ There will be unique requirements for new media art, such as access to utilities, wi-fi, storage space for equipment, and ongoing technical support. These should be planned and budgeted for from the beginning of the project.
- ▶ New media artworks usually work best if they are hard-wired at the site. The artist will be your best expert technical advisor. They, along with other technical and art experts, can give you the specific information you need about the creation of the new work.
- ▶ Screens/audio equipment vary in quality and price. The finished product will reflect the budget you set for technology.
- ▶ Specifications and limits for new media formats should be included in the Expressions of Interest (EOI) and artist’s brief. You might specify that a digital billboard will be shared with commercial advertising or other artists’ work, that the works must be under 10 minutes, or must conform to specific file dimensions and resolutions, for example.

Things to consider when contracting artists in new media

- ▶ Is the artist giving you exclusive rights to the new work? Or will they be able to create similar versions of it to be placed or shown elsewhere?
- ▶ An archival version of the work should be attached to the contract.
- ▶ Clearly state all the conditions for showing the work—where it can be shown, for how long and in what context (alongside advertising, for example).
- ▶ State who has permission to change the format of the work if technology changes require it.
- ▶ Specify detailed technical requirements for the work, such as file size and dimensions.

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New media and copyright

- ▶ The usual copyright laws apply to digital artworks. An artist is automatically granted copyright for their own original work. This includes software codes, which, for the purpose of copyright law, are original 'literary work'.
- ▶ As with any form of art, the commissioner and artist must be careful not to breach anyone else's copyright in the new work (for example, by passing someone else's work off as their own or not obtaining permission to use copyrighted material).
- ▶ See the [Who owns the copyright?](#) section for more information about this topic, including Moral Rights, which give the artist the right of attribution and protect works from being changed or destroyed without permission.

Installation and maintenance

- ▶ Maintenance of new media art must be budgeted and planned for at the very beginning of the project. Decide who will be responsible for paying for, and carrying out, maintenance in the future.
- ▶ Consider setting up remote access and monitoring of the work.
- ▶ New media art and other contemporary art practice (especially ephemeral and performance works) may have a shorter lifespan than more traditional forms of public art. Stakeholder and community expectations about the permanence or otherwise of a work will need to be managed. Specify the work's lifespan in the contract and in stakeholder communications.
- ▶ Increase the duration of a project by having a platform that can be updated and used by other artists in the future.
- ▶ The artist should provide a maintenance manual and schedule for the work.
- ▶ Keep hard-wiring simple for ease of repairs and maintenance.

- ▶ A safety assessment should be carried out—especially if the new work is going to involve moving images, lighting, and sounds that can be a distraction to people.
- ▶ Security issues will also need to be managed by IT experts and the artist to prevent hacking and cyber-attacks.

FURTHER READING

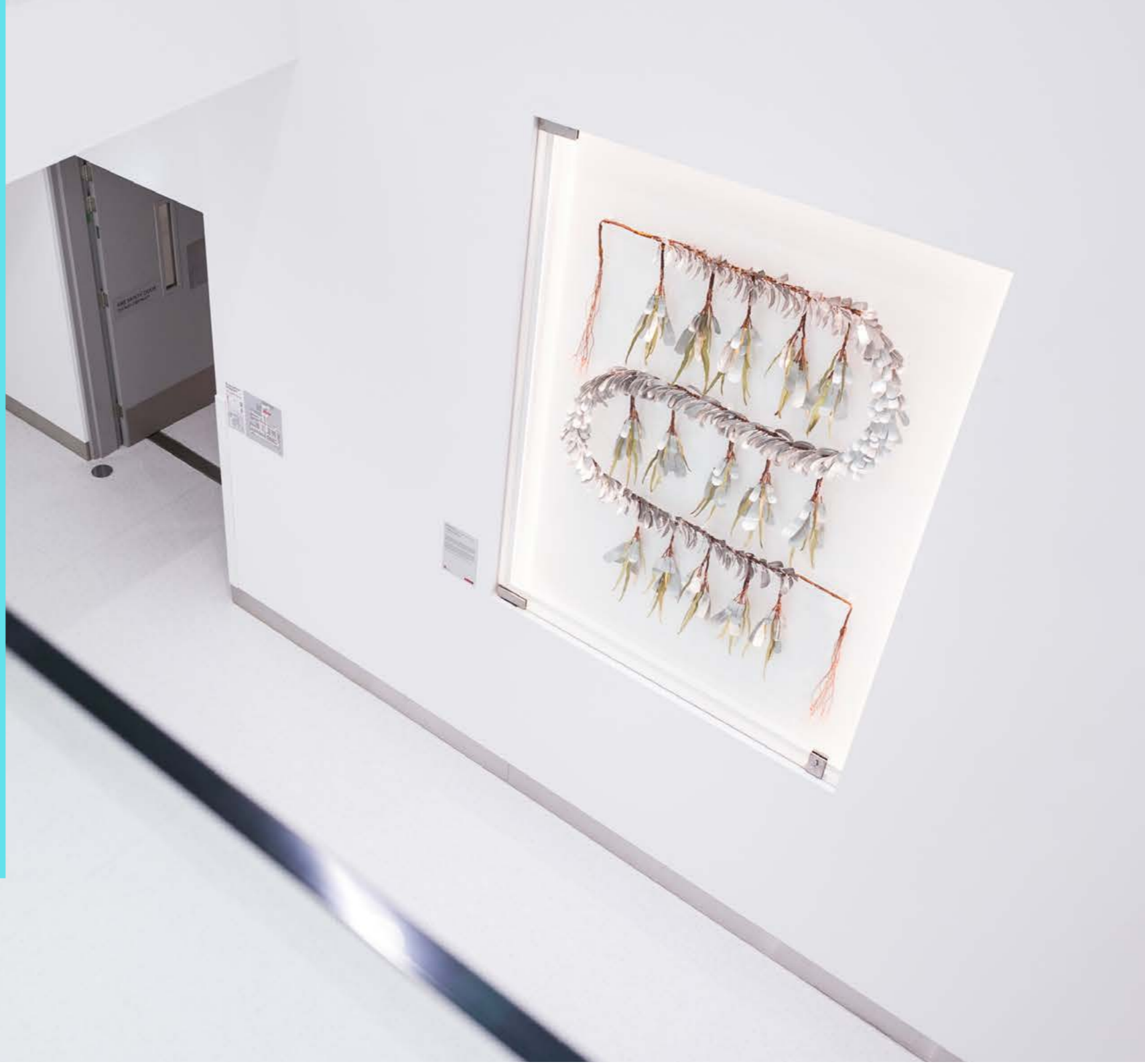
- ▶ [IP Australia—Copyright for digital products](#)
- ▶ [New media/contemporary public art—Case studies from DesignBoom.com](#)

CASE STUDIES

- ▶ [Wellama—Alison Page and Nik Lachajczak, Barangaroo, Sydney, NSW \(2019\)](#)

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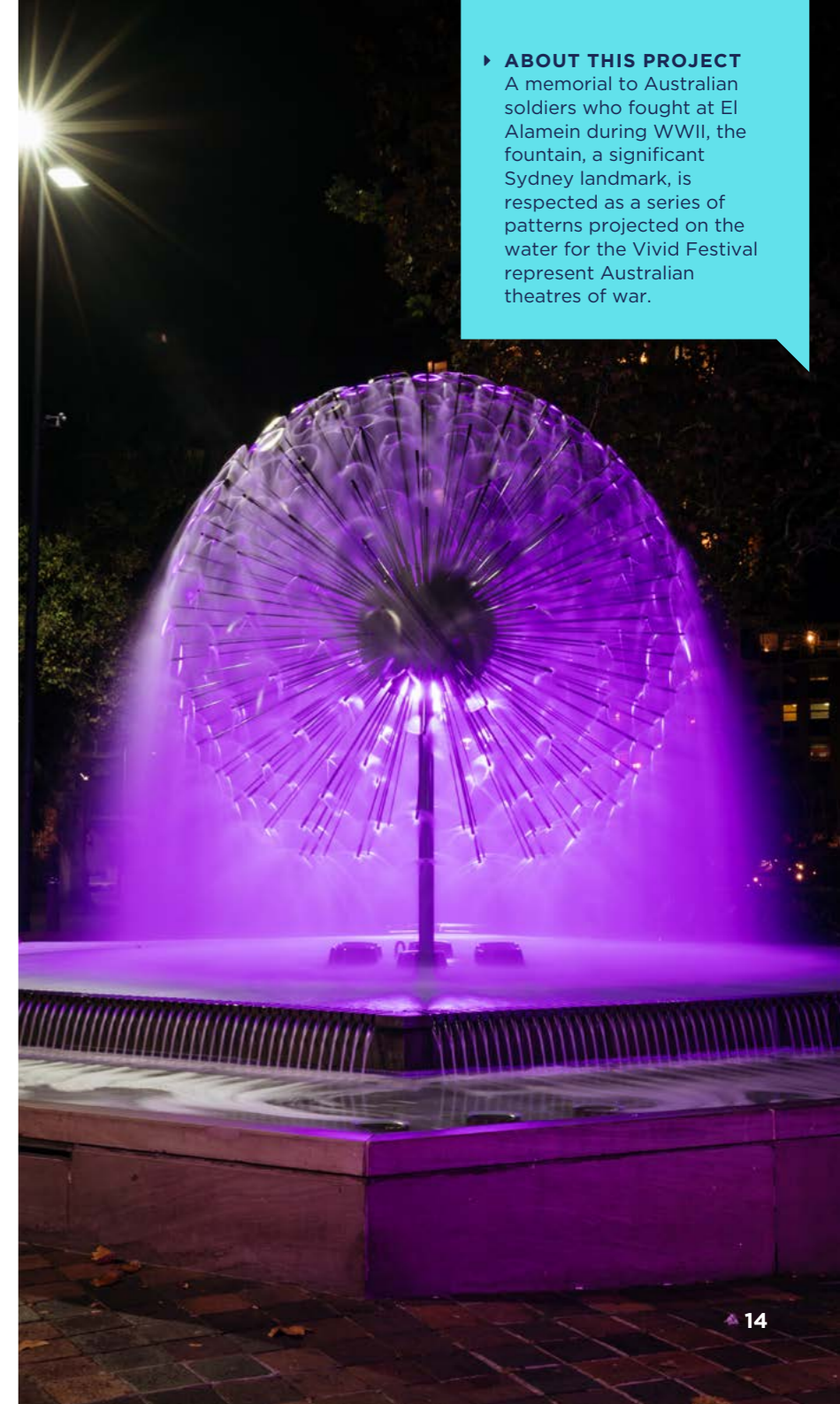
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Previous page image: *Guwimilgabang Baaribang* by Diane Riley-McNaboe and Jonathan Jones, 2016, Dubbo Hospital, NSW. Photograph: Courtesy of Dubbo Health Service, WNSWLHD.

This page: El Alamein Fountain, Kings Cross, NSW, by Robert Woodward. Featuring Colours of Remembrance, Vivid Festival, 2018, 32 Hundred and Ian Reid. Courtesy of Destination NSW.

► **ABOUT THIS PROJECT**
A memorial to Australian soldiers who fought at El Alamein during WWII, the fountain, a significant Sydney landmark, is respected as a series of patterns projected on the water for the Vivid Festival represent Australian theatres of war.



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Public art in placemaking

Public art is a vital element of placemaking, which aims to encourage individual and community interaction with a place.

Public art can improve public spaces for people by making them more meaningful. It attracts artists who can:

- ▶ listen to people first and put their desires and ideas at the heart of the design process
- ▶ apply what is learnt to a people-centered approach to public spaces
- ▶ recognise that engagement with a place involves cultural, economic and social activities
- ▶ recognise that placemaking is about what a place looks like, what happens there and how it works.

Why is placemaking important?

- ▶ New 'places' are being made all the time and old places are made over and revitalised. Personal and community connections to new places don't happen overnight. Active placemaking is a planned and systematic way of helping it to happen.
- ▶ The stresses of cities and contemporary urban living risk a disconnection of people from place, leading to a sense of 'placelessness'.
- ▶ Cities increasingly want to be less interchangeable and commodified and more distinctive.

- ▶ Cities are always growing, and many rural and regional towns must fight to stay viable and stop shrinking. Placemaking is about what can be done to make being in a place a happier, healthier experience.
- ▶ It is about making new and exciting places, either from the ground up, or out of old, unloved, disused, out-of-date places.

Public art and placemaking

Public art is one of the elements that contribute to effective placemaking. The term 'creative placemaking' is often used to differentiate the process of placemaking that relates to design and public art. Creative placemaking and public art involves artists who:

- ▶ actively influence the identity of a place to the 'outside' world, what is sometimes known as 'branded placemaking'
- ▶ help to weave a sense of community identity into man-made environments by interpreting a place, presenting a single vision for a community, or celebrating its diversity

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- ▶ celebrate the heritage of a place and project a community's aspirations for the future
- ▶ give a visual focus to a place or signify and introduce a civic space
- ▶ make places more attractive to people, especially local places that can inspire and facilitate walkable communities
- ▶ invite and stimulate dialogue
- ▶ create a 'destination' for commercial purposes, such as a tourist attraction or to promote a corporate brand.

RESTORING VARIETY TO THE CITY

Place is security, space is freedom: we are attached to the one and long for the other

— [Yi-Fu Tuan](#), *Space and Place: The Perspectives of Experience* (1977)

It is no accident that the public art styles people most seem to dislike reflect the dominant geometries of modern city architecture—the concrete and steel rectangles. The public art movement is 30 to 40 years old and was partly triggered by fears that central city street life was being destroyed by modern architecture. Public art was seen as a way to restore variety, symbolism and decoration to the city

— [Dr Chris McAuliffe](#), art historian and curator

It is difficult to design a space that will not attract people; what is remarkable is how often this has been accomplished

— [William H. \(Holly\) Whyte](#)

FURTHER READING

Search for the following resources on the linked homepages:

- ▶ [NSW Department of Planning, Industry & Environment—Local character and place guidelines](#)
- ▶ [Detroit Free Press—“A Tale of Two Parks”—Why placemaking is a community process, not a design process](#)

CASE STUDIES

- ▶ [Civic Park Fountain/James Cook Memorial Fountain—Margel Hinder, Newcastle, NSW \(1966\)](#)
- ▶ [Archibald Memorial Fountain—Francois Sicard, Hyde Park, Sydney \(1932\)](#)
- ▶ [The Gates of Light—Khaled Sabsabi, Western Sydney \(2014\)](#)
- ▶ [Borrowed Landscape—Jamie North, CBD Newcastle, NSW \(2019\)](#)

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Public art in heritage interpretation

Public art helps audiences to understand a heritage item or site, deepening their connection to place.

Heritage interpretation and public art intersect. Heritage interpretation is used to communicate information and ideas about the significance of a site or object, be it archaeological, historical, cultural, political, architectural, social, scientific, landscape, vegetation or geological. It conveys and conserves knowledge of a culture and its history.

Heritage interpretation is often used to acknowledge the significance of a site when its use changes or a development is undertaken. For example, when former factories become apartment blocks, or a road is placed through a landscape that has a spiritual meaning.

Using public art in heritage interpretation

Public Art is a vital tool for heritage interpretation: it is engaging, innovative and expressive. Traditional methods of interpreting heritage through art include monuments to historic events and statues of prominent figures. Some public art is made from heritage materials and may be an object of interpretation.

With the move towards 'site-specific' work, heritage interpretation is becoming a feature that artists use in their creations, even when not commissioned to do so.

Depending on the project, interpretation may be the integral feature of a new work, or just one of several themes. Interpretation may involve restoration, reconstruction, and conservation of the heritage item or site. The artist may work as part of a team undertaking heritage interpretation.

When undertaking a heritage interpretation project, the artist should be involved throughout the process. The scope of interpretation is included in the artist's brief. Depending on the size of the project and any legal or policy requirements, this may take the form of a very detailed and thorough heritage assessment and interpretation strategy. If so, the artist should be involved throughout the process if possible.

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First Nations' heritage interpretation

Aboriginal cultural heritage is vital to the understanding of all public art projects. It is critical to engage with local Aboriginal Land Councils, First Nations Elders and the Aboriginal people connected to the site of the proposed work. This is the first step in developing any public art project. Best practice is to seek a collaborative working relationship with the community and where possible engage in a co-design process to develop the work.

Aboriginal cultural heritage has, overall, been very poorly managed in Australia. Deeply ignorant, insensitive and cruel actions have destroyed countless significant heritage items and sites. Sacred and private objects have been taken or stolen from their owners, mishandled and shared with people without permission. In this regard, Aboriginal people and their culture have been ignored and disrespected.

In recent decades governments have created legislation, policies and protocols to prevent the destruction or insensitive handling of heritage items and sites. Poor treatment in the past has resulted in understandable complexities in the relationship between government and Aboriginal people.

Things to consider:

- ▶ It is critical to follow protocols and legal requirements if your public art includes Aboriginal heritage interpretation.
- ▶ Aboriginal cultural heritage is not limited to pre-contact times. There are many cultural items and places made significant in recent times and the same process should be followed.
- ▶ For best practice, consult the Australia International Council of Monuments and Sites Burra Charter (the Burra Charter) and its accompanying guidelines, or contact the **NSW Department of Planning, Industry and the Environment**.

For more information, see **First Nations and public art**.

NSW Interpretation Policy and Guidelines

The primary documents for NSW Government agencies undertaking heritage interpretation are:

- ▶ Heritage Interpretation Policy
- ▶ Interpreting Heritage Places and Items Guidelines

These documents provide best practice guidance and are **available here**.

ENRICHING LIVES AND DEEPENING UNDERSTANDING

Revealing hidden stories and meanings deepens people's understanding and expands their horizons. In particular it enables communities to better understand their heritage, and to express their own ideas and feelings about values inherent in the local culture.

— **Tideway Interpretation Strategy**

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The significance of some heritage items is easy to understand; but for others the values are not obvious and require interpretation. Many items have values that are better understood through interpretation.

Interpretation media including activities and events, signs, publications, audio, video, artworks and trails, can enhance understanding and enjoyment by appealing to different levels of experience and knowledge, as well as to different learning styles. Interpretation can strengthen and sustain the relationships between the community and its heritage.

– [Heritage NSW Interpretation Policy](#)

FURTHER READING

- ▶ [NSW Interpretation Policy—NSW Heritage Office, Department of Planning, 2005](#)
- ▶ [Burra Charter—Best practice standard for managing cultural heritage places in Australia](#)
- ▶ [Protection and Conservation in Australia—Legislation and measures to protect and conserve important sites in Australia](#)
- ▶ [Aboriginal Affairs NSW—Ensuring the voices and interests of Aboriginal people and communities are heard and represented](#)

CASE STUDIES

- ▶ [Wellama—Alison Page and Nik Lachajczak, Barangaroo, Sydney, NSW \(2019\)](#)
- ▶ [Interloop—Chris Fox, Sydney CBD \(2017\)](#)

▶ **ABOUT THIS PROJECT**
On The Night Train commemorates the former lamp room of the Stuart Town Station in the form of a 'ghost' structure, with a stone plinth inscribed with the words of the Henry Lawson poem, *On the Night Train*.



▶ *On The Night Train*, 2020, Tim Winters. Photograph: Courtesy of Orana Arts and Transport for NSW Heritage Division.

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What do people think is good public art?

Playful, thought-provoking, imaginative, has the ‘wow’ factor—this section describes the ingredients of “good” public art.

It’s not easy to pin down criteria for assessing the quality or impact of public art. Where a sense of ‘ownership’ is publicly shared, the public is clearly entitled to express its opinion. Expert assessment may guide and educate in appreciating public art, but it will be one perspective among many.

This selection of reaction and commentary—from the street, in the media, in academia—may help describe what people believe to be ‘good’ public art:

- ▶ **‘out of the ordinary’**—playful; fun; colourful; childlike; bright; unconventional; breaks up the monotonous nature of city working life; beguiling; makes you smile.

- ▶ **‘imaginative’**—thought-provoking; stimulates imagination; creates an emotional impression; gives an imaginative charge; compels a new way of thinking.
- ▶ **‘impressive’**—has the ‘wow’ factor; beautiful; awe-inspiring; good for the eyes, for the soul, for business; shifts the ground beneath your feet; remarkable.
- ▶ **‘right for its site’**—has local relevance; suits its setting; has a dialogue with its site; is a foil for the surroundings; promotes pride in its place.
- ▶ **‘socially engaged’**—confronts; raises awareness; advocates for social good; has everyday reach; has social impact; sparks a change; changes the way we see the world.

- ▶ **‘makes connections’**—the work speaks to the place and the people; it resonates; it is a public initiative; it is not the artist’s vision alone; it provokes; makes connections with others; is democratic and accessible (you don’t need to go to a gallery); connects people with a sense of belonging.

For more information, see [How to evaluate public art](#).

CASE STUDIES

- ▶ [Cloud Gate—Anish Kapoor, Millennium Park, Chicago, USA \(2006\)](#)

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What are the risks?

While there are risks associated with creating public art, these can be addressed by understanding and applying best practice, which is the primary aim of this Toolkit.

The story of 'public art', as concept and practice, contains both successful and unsuccessful processes and outcomes. Public art involves many more people in the conception and processes of its creation than a solo artist working in a studio or exhibiting in a gallery. Public art can also be exposed to a much larger, more diverse and potentially less sympathetic audience.

These factors increase the risk of negative impacts. Fear of these risks, however, can lead to a lack of ambition and ultimately to dull art. You can minimise risk by understanding and applying best practice. Here is a list of risks to consider:

Vision, conception and site

- ▶ There is a public view that a work costs too much or will not be of value.
- ▶ A work is inappropriate to its site, it becomes a nuisance or an 'eyesore'.
- ▶ A work is seen as having little or no connection to the site or meaning for its stakeholders or the community.

To minimise these risks, see [Site and context](#).

Community engagement and acceptance

- ▶ The community believes there was inadequate consultation.
- ▶ An artwork fails to win acceptance by the community.
- ▶ The work is a memorial to a person, an event or a socio-political perspective that is no longer generally acceptable in public opinion.
- ▶ A section of the community is offended by a work or think it is not appropriate to memorialise in the style used.
- ▶ The work is not accessible to some members of the community, especially people with a disability.

To minimise these risks, see [Community engagement principles](#) and [Delivering inclusive and accessible public art](#).

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Planning and management

- ▶ A commission is cancelled before or during execution and there is no formal contract.
- ▶ An artist claims they have been unfairly or ill-treated in the process, for example, underpaid, or budgets or timeframes are misrepresented.
- ▶ The artist believes their views or intentions are ignored, unduly influenced or denigrated in the process.
- ▶ Local conditions at the site make the work a nuisance, unworkable or unsafe for the artist and other workers.

To minimise these risks, refer to the [Project Planning checklist](#).

Technical, implementation and maintenance issues

- ▶ There is inadequate cost estimation, unexpected cost escalation or unrealistic timeframes.
- ▶ The artwork is not well made or made from inappropriate material and consequently does not last well.
- ▶ Mechanical, lighting or other elements cease to work and are not fixed.
- ▶ Work isn't maintained to the original vision, conception and purpose.
- ▶ A lack of maintenance or damage and vandalism cause it to become an eyesore.

To minimise these risks, see [How to budget for public art](#).

Public and critical response

- ▶ People do not like the work from an aesthetic perspective.
- ▶ People do not like what the work represents—it is out-of-date or inappropriate.
- ▶ A community leader decides for aesthetic or political reasons that they don't like it, and have it moved or removed.

FURTHER READING 

- ▶ [SITE—This studio is known for its public art structures](#)

CASE STUDIES 

- ▶ [Pyramid Tower \(Dobell Memorial\)—Bert Flugelman, Sydney \(1979\)](#)

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Making the case for public art

Understanding the benefits of public art will help you make the case for commissioning it.

Public art can be used to beautify or enhance a place or site, commemorate its history, promote community connectedness, or express personal, social or political ideas. Sometimes, public art has a commercial purpose, such as to increase a property's value or attract visitors to a shopping district.

Public art is integral to the history of art. Over the last 50 years, it has experienced something of a boom with the growing awareness of its benefits. No longer simply decorative, or a way to memorialize people and events in civic spaces, artists and their work enhance civic life, community cohesion and personal health and wellbeing.

In the public realm, public art increases the feeling of belonging to a place, uniting citizens within and with cities and towns. When confronting the popularly held misconception that public art lacks any practical use, you can effectively explain and demonstrate its value by pointing to its benefits, which include:

Improving wellbeing through creativity

- ▶ Public art positively impacts public health and wellbeing by evoking wonder and decreasing stress.
- ▶ It can help to develop shared identity and reinforces an individual's sense of their own capacity to deal with challenges and to pursue positive health behaviours.

Connecting place, memory and community

- ▶ Public art represents collective memory, public history and the artistic chronicling of public experience.
- ▶ It reflects and reveals our society, connecting us to places and people and promoting a sense of belonging and community cohesion.
- ▶ It creates a sense of past, present and evolving cultural and community identity.

Activating and enhancing civic spaces

- ▶ Public art helps to define a place and improves the public experience of buildings and spaces.
- ▶ It humanizes public space and the built environment and attracts new and visiting populations.
- ▶ It fosters community revitalisation and social connections, adding cultural, social, and economic value.

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Enhancing placemaking, urban renewal and economic value

- ▶ Public art makes places more attractive to people, especially local places that can inspire and facilitate walkable communities.
- ▶ It creates a 'destination' for commercial purposes, such as a tourist attraction or to promote a corporate brand.
- ▶ In people's movement around a space, public art can improve their feelings of wellbeing and safety, and provide places to rest, interact and engage in commercial and recreational activity.

FURTHER READING

- ▶ [The Psychological Value of Public Art—Public art influences how we move, think and feel](#)

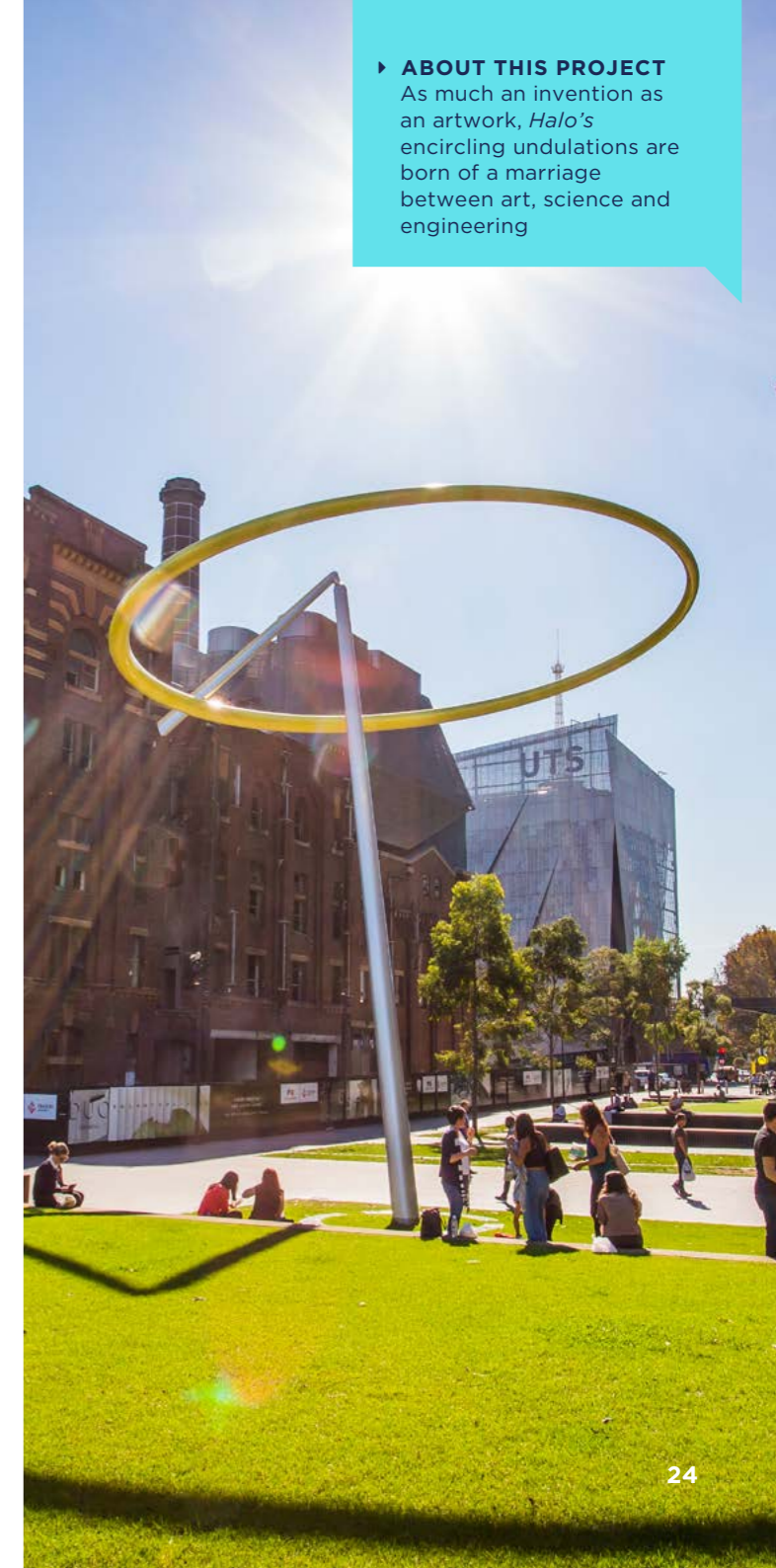
CASE STUDIES

- ▶ [Intangible Goods—Elizabeth Commandeur and Mark Stamatich, Sydney CBD \(2018\)](#)
- ▶ [Always Was, Always Will Be—Reko Rennie, Sydney CBD \(2012\)](#)

▶ ABOUT THIS PROJECT

As much an invention as an artwork, *Halo's* encircling undulations are born of a marriage between art, science and engineering

▶ *Halo*, Central Park, Sydney, 2012, Jennifer Turpin and Michaelie Crawford, Turpin + Crawford Studio. Engineering by Partridge. Courtesy of Destination NSW.



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Previous page image: Launch of *Wellama* at Barangaroo, Sydney. Photograph: Anna Kucera. Courtesy of Infrastructure NSW.

This page: *Snakes and Ladders* by Nadia Odlum and Digby Webster, 2021, Sydney Olympic Park, NSW.
Photograph: Alexander Kesselaar.

► **ABOUT THIS PROJECT**
“It’s always exciting to have the unique and compelling creativity of artists with disability showcased in public commissions such as this, and the incorporation of accessible digital elements means everyone can enjoy the work.”
Accessible Arts Interim CEO Morwenna Collett



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NSW Public Art Principles

These principles will guide you in best practice policy & strategy for making public art.

Public art aims to improve or enhance a place, a community and people's lives

Public art should aim to benefit people. Public art making should consider how public amenity, security and personal wellbeing in everyday life in public places and spaces can be improved.

Good public art is a civic responsibility, which aims to either improve a space or help to solve a problem. It has been demonstrated that public art can contribute to better social outcomes in health, transport, education and community-building.

Public art making must be sensitive to the historical and contemporary identity of the site. It should be aware of the physical, historical, and community elements that create meaning in place. It should contribute to its current and future identity.

Understanding place in NSW means respecting the First Nations' deep connection to country and enduring possession of the land

The NSW Government acknowledges the First Nations of this land, and the historical and contemporary significance of their cultural traditions. NSW Government seeks to actively engage with First Nations' culture and artists. The original custodians of the land on which any piece of public art is sited should be consulted and acknowledged according to cultural protocols.

Understanding place means respecting the natural world and applying principles of environmentally sustainable art practice

Makers of public art need to be aware of the environmental impact of materials and processes in art production. The physical impact of an artwork in its manufacture and maintenance and the impact of its audience on a site should be considered from inception.

Understanding place means understanding connections to community

Community connections to places are deep. Community voices are vital to the success of public art and should be engaged throughout the commissioning process. There should be a complementary relationship between the artwork and the community. Public art should be both informed by the community and should inspire and engage the community.

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Understanding community means acknowledging and reflecting diversity and practicing inclusion

Public art should reflect the diversity of voices, visions and practices that exist within a community. Diversity in all forms should be valued and respected throughout the commissioning process from conception to completion.

In commissioning and creating public art, principles of universal design and access need to be understood and used to guide site and materials selection, placement, risk management and access to appropriate modes of interpretation and appreciation.

Value creativity, the artist and the art practice

The artist's skill, vision and craftsmanship should be acknowledged and respected throughout the commissioning process and for the life of the artwork. Facilitating the vision of the artist within the demands of the brief is paramount to the success of the artwork.

Artists should be fairly compensated for their work and their rights should be set out in a contract in accordance with arts industry best practice. The artist's name and a description of their work should be available in a permanent form at the site of the work.

Valuing the artist means valuing and maintaining the integrity of the artwork

Public art should be fit for purpose and its integrity maintained for the duration of its existence, whether it is ephemeral, temporary or permanent.

The commissioning process must include management, safety, durability and maintenance of the artwork, ensuring works continue to convey artistic excellence and reflect the value of public art to the community.

Working together

NSW Government agencies should consider relevant public art policies and guidelines produced by other agencies and should work in conjunction with them to achieve the best outcomes. Public artwork should be in sympathy with the environment and other infrastructure and be sensitive to local government, industry and community values and priorities.

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First Nations and public art

To create meaningful First Nations public art projects, it is essential to engage and collaborate with First Nations people and abide by the following principles.

The value of public art is becoming more and more recognised. An essential piece of this is the benefit to placemaking by contributing to a community's identity through fostering both a sense of belonging and community pride.

This value cannot be fully achieved, however, without embracing and embedding First Nations principles and cultural and creative expressions that draw on the deep and rich continuum of cultural connectedness that First Nations people have with country, culture and their communities.

Through greater understanding and embrace of this cultural connectedness, new forms of relationships, both between individuals and within broader communities, can evolve that draw on this richness of understanding of people's connections to place and country.

This means there is a need to develop meaningful First Nations public art projects that not only embed the critical elements of First Nations agency and authority but have the courage to explore and follow First Nations leadership in charting new ways of doing business.

It is essential that First Nations stories and art should come from First Nations people. When working with a First Nations artist or local community it is important to understand the ownership and sensitivities of their cultural material, heritage and practices, and to acknowledge the rights of First Nations peoples.

Five principles for engaging First Nations artists and communities

It is no longer acceptable to simply badge a building with an Aboriginal word or name, or to put up a piece of Aboriginal art with no reference to its making or the cultural connections that are embedded within.

There must be an acknowledgement of the inherent value of First Nations knowledge systems, perspectives and ways of doing, and a willingness to cede authority to First Nations people.

To achieve this, engagement and collaboration with First Nations peoples is essential. Whether you are engaging a First Nations artist to create a piece of public art or engaging the local community in a discussion about an artwork by a non-Aboriginal artist, you must consider the following principles. Abiding by these principles is a crucial step towards creating more inclusive, representative and welcoming public spaces for all Australians.

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Cultural authority and agency

- ▶ First Nations people have the authority and agency to control their own culture.
- ▶ Tangible connection to the community should be at the core of the project, putting First Nations' perspectives and their connections to Country at the heart of the decision making.

Recognising rights and maintaining culture

- ▶ It is important to obtain appropriate permissions and that any collaboration agreement is made clear and understood by everyone.
- ▶ It is your responsibility to assist in making cultural protocols fully understood and followed and that Indigenous Cultural and Intellectual Property (ICIP) is protected. It should also be recognised in protocols, policies, contracts and legal agreements.

Prior informed consent and consultation

- ▶ Before recording or documenting any works, obtain appropriate permissions with prior informed consent.
- ▶ Consultation with the owners of the cultural knowledge, materials, stories and/or expression is essential before the project begins. This consultation includes ongoing communication and informing custodians about the implications of consent.
- ▶ If there are no custodians or elders to consult, the Local Aboriginal Land Council should be consulted.

Integrity of Aboriginal culture

- ▶ It is important to acknowledge and pay respect to where the cultural authority lies (be that Aboriginal leaders, elders, traditional custodians and/or communities), and to listen, observe and learn their cultural ways.
- ▶ It is your responsibility to fully understand and adhere to the protocols of dealing with specific cultural knowledge. You must

also maintain the integrity of the cultural information you have been given permission to use.

- ▶ Aboriginal cultural practices (such as dealing with deceased people and sensitive information) should be respected and their importance fully understood.

Attribution and sharing benefits

- ▶ The economic benefits from use of culture should always flow back to the source communities. Knowledge, advice and cultural services should be remunerated appropriately.
- ▶ Any First Nations people working on the project should be acknowledged.

These five principles come from the [Create NSW Aboriginal Arts and Culture Protocols](#), providing further guidance for First Nations people working in the arts and cultural sector.

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FURTHER READING

- ▶ [William Barak apartment building](#)— This development highlights issues that can arise from non-Aboriginal design and development
- ▶ [Koorie Heritage Trust Building, Federation Square](#)—Positioning Indigenous culture in the heart of Melbourne
- ▶ [Arts Law](#)—Information sheet on Indigenous Cultural and Intellectual Property
- ▶ [Indigenous Copyright](#)—Copyright Agency
- ▶ [Protocols for Working with Indigenous Artists](#)—Australia Council for the Arts
- ▶ [Aboriginal Arts and Cultural Protocols](#)—Create NSW
- ▶ [Engaging with Aboriginal artists and communities](#)—Create NSW
- ▶ [Designing with Country Discussion Paper](#)—Government Architect NSW

CASE STUDIES

- ▶ [Always Was, Always Will Be](#)—Reko Rennie, Sydney CBD (2012)
- ▶ [barrangal dyara \(skin and bones\)](#)—Jonathan Jones, Sydney Botanic Gardens (2016)
- ▶ [Guwimilgabang Baaribang](#)—Diane Riley McNaboe and Jonathan Jones, Dubbo Base Hospital, 2015
- ▶ [United Neytions](#)—Archie Moore, Sydney Airport (2017)
- ▶ [Wellama](#)—Alison Page and Nik Lachajczak, Barangaroo, Sydney, NSW (2019)
- ▶ [The Whales and The Canoes, The Eyes of the Land and Sea, Rock Weave](#)—Kamay Botany Bay, NSW (2020)

▶ **ABOUT THIS PROJECT**
Commonly used by the Wiradjuri people in this area, funnel style fish traps were woven from reeds and could be made to trap specific fish.



▶ 'Maya' Fish Trap, Uncle Ken (Tunny) Murray, Darren Wighton and Andom Rendell, 2014, Yindyamarra Sculpture Walk, West Albury, NSW. Courtesy of Destination NSW.

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The audience for public art

This section explains how to identify, understand and grow your audience.

Create NSW defines audience as those “who attend, visit, experience and/or observe art but do not actively participate in the development or delivery of the work” ([Create NSW Multiyear Funding Data Collection](#))

Who is your audience?

Your audience is likely to be:

- ▶ **Broad**—the audience for public art is as diverse as the public itself. Everyone’s experience will vary according to how much they know about the work, the artist/s who made it, or art more generally; whether they are locals, workers or people passing through, and so on.

- ▶ **Incidental**—Unlike the audience at an art gallery, who deliberately choose to see art, viewing public art may be incidental—that is, someone sees it because they just happen to be in the same place.
- ▶ **Specific**—Often, a public artwork will be of interest or value to a particular group. For example, the patients of a hospital, residents at the local park, or commuters at a railway station.
- ▶ **Virtual**—Your online audience may end up being many times greater than your physical audience. When considering how to reach new audiences online, think about giving online audiences a deeper understanding of the work than is usually gained from sharing work through Instagram, Facebook or Pinterest.

Methods for understanding your audience

The success of any public art project begins with understanding your audience’s composition and what they want. At a minimum, you will need to identify the demographics and needs of your audience. Some projects require a formal audience analysis or community consultation plan. For more information, see [Community engagement principles](#).

Here are some ideas for your analysis:

- ▶ Identify the current demographic. What needs and interests are present in the community? Which parts of your community are you already ‘connected’ to? Which parts do you still need to access? What are the social challenges or priorities in the area?
- ▶ Identify arts and cultural services, spaces, organisations and people in the area. What are their challenges and opportunities? Is the area already known for arts and culture? Can your project connect with the current cultural infrastructure in the area?

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- ▶ Analyse existing studies and policies that are relevant to the audience. Are there any findings that can help you understand your audience?
- ▶ Evaluate public artwork projects that have been delivered in the area. Were they well-received? What could be done better?
- ▶ Analyse future trends. Will changes to demographics, arts and culture, government policy, infrastructure and technology change your audience or impact their experience?

How to develop your audience

To broaden your audience and deepen engagement, you may need to prepare an audience development plan. Asking questions may help you decide if an audience development plan is needed:

- ▶ Is the new artwork challenging or in a new form? Or is it a popular or more traditional work?
- ▶ Will the work be installed in an area where mostly young people visit? Or is it in an environment with many transitory visitors (such as a railway station)?

There are three main goals for audience development in an arts context:

- ▶ **Broadening**—You want more of the same people to experience the work, increase visitor levels and achieve targets for international or national audience numbers. Generally, you can achieve this aim through marketing tactics.
- ▶ **Deepening**—You want the audience to have a more profound, intense, extensive experience of the work. You might achieve this through educational strategies or by providing ways to experience the work in a different context (at night, in concert with other arts and cultural programming, through technology, community participation, for example).
- ▶ **Diversifying**—You want to increase participation by those who wouldn't normally seek out a public artwork. You will need strategies that are very specific to the objectives of your project such as education, health and wellness, social inclusion, and so on. You will also need to have a thorough understanding of your target group/s, such as Aboriginal and Torres Strait Islander people, people with disability, older and

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younger people, people from Culturally and Linguistically Diverse backgrounds. You may need to get expert advice from other agencies/organisations/networks on how to reach these groups.

FURTHER READING

- ▶ [Creative Placemaking—An introduction to cultural asset mapping—Artsapediy.org](#)
- ▶ [Museums and Galleries NSW—Resources for engaging digital audiences](#)
- ▶ [Museums and Galleries NSW—How to engage young people](#)
- ▶ [What's the point of audience development plans?—ArtsProfessional.co.uk](#)

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Delivering inclusive and accessible public art

Good public art can create more inclusive, representative and welcoming public spaces and experiences for all people. This section explains how to deliver inclusive and accessible public art projects.

There are barriers to full inclusion in cultural, social and economic life for many people. As a result, the *NSW Government's Cultural Infrastructure Plan 2025+* includes the aim of “increasing cultural participation from target communities such as First Nations communities, people with disability, culturally and linguistically diverse communities and older people.”

To build inclusion and accessibility into the design and delivery of public art, it is important to:

- ▶ Consult people with disability, culturally and linguistically diverse people and older people about the processes of placemaking and the commissioning and creation of public art. This will enable

your public art project to be enjoyed by people of all abilities, ages and diverse cultural backgrounds.

- ▶ Commission public artwork from artists with disability, culturally and linguistically diverse artists and older artists.
- ▶ For more information on engaging with First Nations communities, refer to [First Nations and Public Art Principles](#).

A snapshot of diversity in Australia

- ▶ 18% of Australians have a disability—that's 4.3 million people, including 1.4 million people in NSW.

- ▶ NSW is Australia's most culturally diverse state: 27% of our residents were born overseas and 25% speak a language other than English at home.
- ▶ By 2031, around 20% of people in NSW will be aged 65 and over—that's 1.8 million people. Another 1.5 million will be aged 50 to 64.
- ▶ Rates of disability increase with age. In Australia, 60% of people aged over 65 have a disability.

What does 'disability' mean?

According to Arts and Disability in Australia, “Disability arises when people with impairments are prevented from participating in society because of negative attitudes, stigma and physical barriers. The social model considers disability a social problem, to be addressed by removing barriers in society.”

Impairments can include physical, intellectual, psychiatric, sensory, neurological and learning impairments. It's important to note that some people do not identify with disability. Many deaf people identify as part of a culturally

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and linguistically diverse group, while people with autism might identify as neurodiverse, for example.

Why are inclusion and accessibility so important?

Celebrating and promoting diversity supports vibrancy and social inclusion in our communities. Engaging in culture supports people's health and wellbeing as they age and builds stronger links within and across communities. It is important to raise awareness of what people in target groups need in order to experience arts and culture.

Methods for enhancing inclusion

- ▶ Establish an advisory panel that includes people in target communities. It's important to remember that each community is just as diverse as the rest of the community.
- ▶ Consult with arts, cultural and advocacy organisations about ways to connect with artists and other people in target communities.

- ▶ Write the artist's brief and Expressions of Interest for public art commissions to include information in accessible versions (Easy English, captioned video, Auslan video). Include a statement encouraging artists with disability, culturally and linguistically diverse artists and older artists to apply.
- ▶ Make sure access considerations are part of the early planning and budgeting stages and include 'access' and 'disability' in your business plan. Discuss 'access' at team meetings or project meetings. Keep it on your agenda and encourage staff to share their experience.
- ▶ Use Universal Access symbols at the site and on any promotional material.
- ▶ Provide captions for all screen-based artworks, audio descriptions of artworks and/or QR codes for smartphones.
- ▶ Provide braille signage and Easy English descriptions.
- ▶ Provide low sensory spaces such as low noise and light areas.

- ▶ Provide maps of the most accessible way to and around the site. Include placement of public transport, accessible toilets and accessible parking bays. Use signs to show the most accessible paths of travel.

Inclusion relating to artists

While it is necessary to create public artworks that are inclusive and accessible to the public, it is also important to extend inclusivity and accessibility to the artists creating these works. A number of major public artworks in NSW have been produced by artists living with a disability and this number can continue to increase as long as organisations and agencies commissioning public artworks provide a fair, inclusive and accessible process.

The existence of supported studios creates pathways for artists with a disability to be included in commissioning processes and achieve equitable outcomes when producing art, whether they be public or private works.

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What is professional support?

Professional support creates access to professional opportunities for artists with disability. Some artists may have an individual as a support person (e.g. an agent, manager, carer, family member, etc.) and some may be assisted by a supported studio. These people or organisations provide support in processes such as:

- ▶ Reading contracts
- ▶ Organising logistics
- ▶ Understanding EOIs
- ▶ Adhering and delivering to deadlines
- ▶ Managing invoices and receiving payment
- ▶ Managing transport to and from meetings, public artwork site, launch receptions, etc.
- ▶ Public relations and media opportunities

The support provided in these areas allows artworks and projects to be delivered successfully. Supported studios such as Studio A have helped produce a number of public artworks by artists with an intellectual

disability by assisting to respond to an EOI, help the artist understand the contract and assist to deliver to the agreed-upon deadline.

The costs of professional supports, including the extra costs or resources which may be required when working with artists with disability, must be included in the project budget. For instance, public transport may not be practicable for an artist and therefore the commissioning party should organize transport assistance to ensure the artist can attend planning meetings and make it safely to the project site. These costs must be considered in the budget, but they should not be a deterrent to working with artists with disability.

What is Universal Design?

Universal design considers the diverse needs and abilities of all people throughout the design process.

Taking a universal design approach to public art means considering the access requirements of different audiences from the beginning of any design or development process. This allows everyone, to the greatest extent

possible, regardless of age or disability, to enjoy public art without the need for specialised or adapted features.

Universal design assists everyone, for example, providing information in plain language can assist people who speak English as a second language and people with poor literacy. According to the [National Disability Strategy 2010–2020](#), as the population ages, the incidence of disability will increase, and universal design will become even more important.

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THE INVISIBILITY OF DISABILITY

So often people think of disability as a physical disability and physical access, but the majority of disability is not visible, so for people to understand that is really important, that is why inclusive design is a really valuable way of doing our work...That means that whatever we do when we are designing a program, we think about a range of people who might have different needs... different communication modes, different sensors, different ways of engaging—that is really the best way for us to make sure that we serve all - those with and without disability.

— Beth Ziebarth, Director of Access Programming at The Smithsonian Institution (USA)

FURTHER READING

Legislation, policies and strategies in NSW:

- ▶ **NSW Disability Inclusion Act 2014**—Disability Inclusion Action Plans (DIAPs)
- ▶ **NSW Multicultural Services and Programs Framework 2016**—The mechanism for agencies to show how they are planning effectively for people of culturally and linguistically diverse backgrounds, and to report on progress
- ▶ **Ageing Well in NSW: Seniors Strategy 2021–2031**—The NSW Government’s commitment to respond to the opportunities and challenges of our ageing population
- ▶ **NSW Health and the Arts Framework 2016**—Incorporating public artworks in health precincts and hospital buildings.

- ▶ **Accessible Arts**—The NSW service organisation for arts and disability
- ▶ **Diversity Arts Australia**—Australia’s national voice for cultural diversity in the arts and creative industries
- ▶ **National Association for the Visual Arts**—National peak body protecting and promoting the professional interests of the Australian visual and media arts, craft and design sector

CASE STUDIES

- ▶ **Sydney Opera House at Night (2014) and Bird Life Jungle Disco (2019)—Studio A artists**

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How to identify and engage stakeholders

A well thought out plan for engaging with stakeholders will help to maximise the benefits they have to offer.

The people, groups and organisations your public art affects or involves are your stakeholders. From passers-by to maintenance crew, structural engineers, the art community, journalists and local government representatives, your stakeholders have distinct needs and interests.

Some stakeholders will have a lot of influence over the project, some very little. How you engage, when you engage and how much you engage them will depend on the individual stakeholder's level of interest and influence.

What stakeholders can offer

- ▶ **Knowledge**—stakeholders can give you information that helps the project.
- ▶ **Support**—approval from stakeholders can lessen the chance of obstruction, which helps to keep the project running on time.
- ▶ **Resources**—stakeholders can give help such as financial or in-kind support or connections to other networks.

How to engage stakeholders

To maximise the benefits which stakeholders have to offer, you will need a well thought out plan. This plan may form part of your communications plan, but some larger projects will have standalone stakeholder engagement plans. Your agency may have guidelines for stakeholder engagement and the [Department of Premier and Cabinet has a toolkit here](#).

Effective engagement is open, transparent and participatory. To create an engagement plan, follow these steps:

- ▶ **Identify and analyse stakeholders**—rate stakeholders according to their levels of interest and influence. For example, your Executive Director will be rated high for interest and high for influence. The local school might be medium on interest and low on influence.
- ▶ **Determine how much you need to involve them and by what means**—the more influence and interest a stakeholder has based on your rating, the more engaged you should keep them.
- ▶ **Finalise your communication/engagement plan**—make a list of engagement methods. For example, briefing notes, cabinet submissions, steering committees, advisory boards, online forums, workshops, formal and informal briefings, door knocking, surveys and so on.

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Examples of public art stakeholders

Government elected representatives

- ▶ The Premier of NSW
- ▶ Your agency's Minister
- ▶ The NSW Minister for the Arts
- ▶ Local Council and Mayor
- ▶ Local, Federal and State MPs
- ▶ Relevant Federal Ministers

Government agencies

- ▶ Create NSW
- ▶ NSW Department of Planning, Industry, and Environment
- ▶ Infrastructure NSW
- ▶ The Treasury
- ▶ Local Council (including cultural and community/planning/technical services teams)

Arts and cultural organisations

- ▶ Arts and cultural service organisations such as National Association for Visual Artists, Museums and Galleries NSW
- ▶ Regional Arts Development Organisations (RADO)
- ▶ Cultural institutions such as the Art Gallery of NSW or the Museum of Contemporary Art, Sydney
- ▶ Local arts/cultural facilities

Local community

- ▶ Residents (property owners and tenants)
- ▶ Social, recreational, cultural, arts groups
- ▶ Precinct committees, resident action groups
- ▶ Schools and educational organisations
- ▶ Hospitals and aged care
- ▶ Aboriginal community and Aboriginal Land Councils
- ▶ Businesses and business groups
- ▶ Chamber of Commerce

Interest groups

- ▶ Aboriginal and Torres Strait Islander
- ▶ Disability
- ▶ Arts/creative
- ▶ Heritage
- ▶ Culturally and Linguistically Diverse Ageing Communities
- ▶ Youth

Media

- ▶ Traditional
- ▶ Digital
- ▶ Social

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First Nations stakeholders

Always engage with the Aboriginal community as part of your project, it is important to be clear about your project considerations, impacts and opportunities. Plan an engagement strategy that includes community consultation with local Aboriginal artists and arts organisations, traditional custodians, local elders, and the Aboriginal Land Councils. For more information, see [First Nations and public art](#).

FURTHER READING

- ▶ [Engaging with Aboriginal artists and communities](#)—Create NSW Fact Sheet, 2019

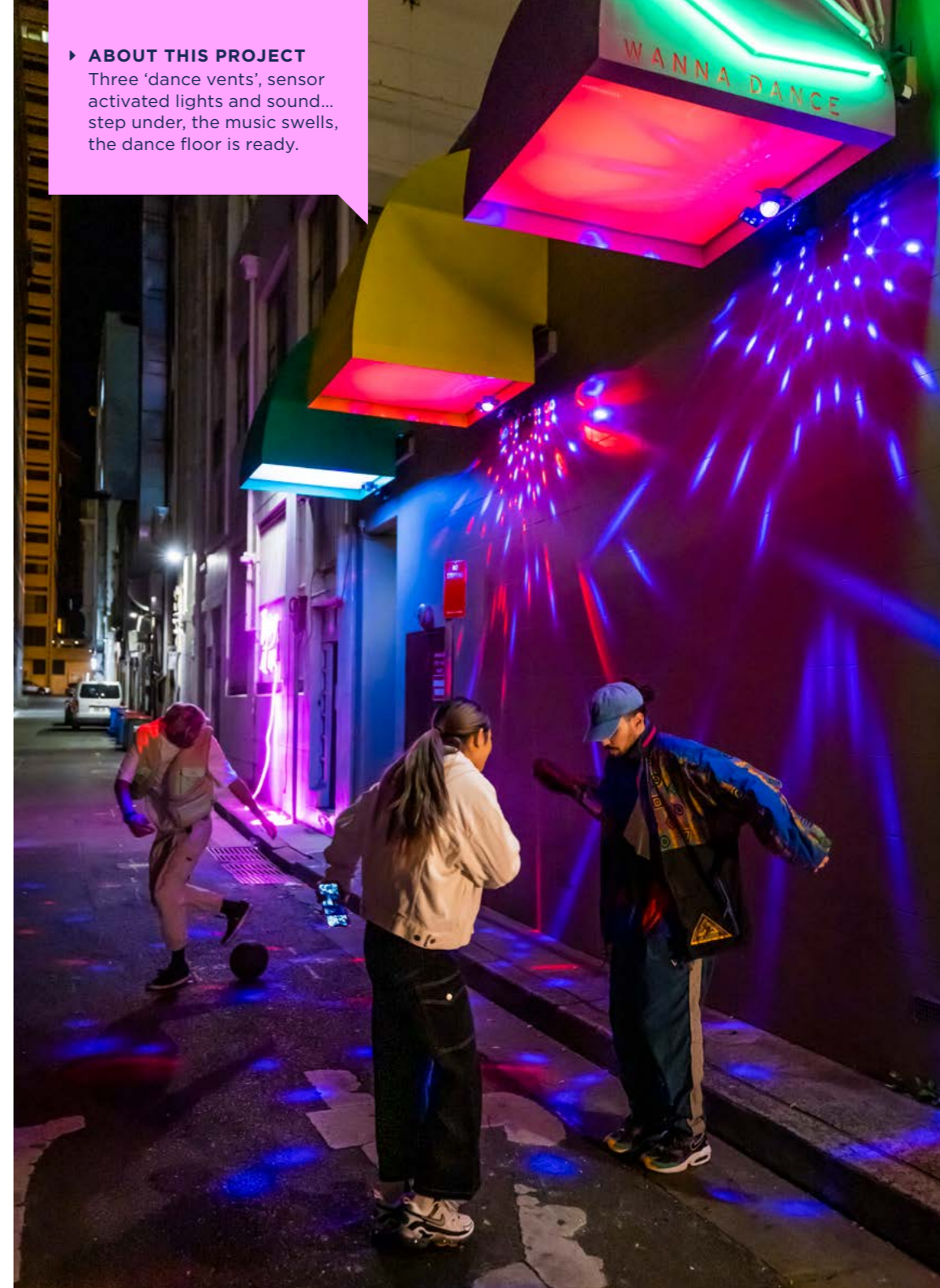
CASE STUDIES

- ▶ [Wellama \(Barangaroo\)](#)—Alison Page and Nik Lachajczak, Sydney, NSW (2019)

▶ *Wanna Dance* by Studio Chris Fox and City People, in collaboration with Emma Saunders (Dance Choreography), Tyson Koh (Music Production), Event Engineering (engineering), and Horne Art Studio (fabrication and installation). Photograph: Anna Kučera.

▶ ABOUT THIS PROJECT

Three 'dance vents', sensor activated lights and sound... step under, the music swells, the dance floor is ready.



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Community engagement principles

To what extent should you engage the community in the creation of public art? This section outlines six principles to guide your community engagement plan.

Public art has a role in developing and sustaining our community. It can promote a sense of pride in place and foster social cohesion. It can contribute to a collective community identity; reflect the community back to itself in all its diversity; revitalise and enrich culture; and create social connection. It is possible these benefits have flow-on effects too, such as reducing crime and increasing neighbourhood safety.

A public art project will always interact with a community whether the community comprises residents in a suburban neighbourhood or the people in a large public hospital. In all instances you should ask the following questions:

Do I need to consult/engage with the community?

Yes. The extent to which a community is involved will depend on the project and will vary at each stage.

▶ **Planning stage**—At the very minimum, you will need indirect community participation in the planning stage of a new artwork. This might mean consulting with your community for broader policy or planning documents and using those documents to guide your public artwork. For example, say a hospital is planning to extend its facilities and public art is part of the design. It may consult with its patients, staff, visitors, and the wider community to gain 'buy-in' and ideas that will underpin the design. This input will be reflected in the artist's brief.

▶ **Community-based approach**—At the other end of the spectrum, a community-based arts approach might be more suitable. If, for example, the outcome of the public art project is to build social connections among the residents in a public housing precinct, the residents might meet regularly to co-design and make the new work.

The best versions of these projects have a professional artist facilitating the work. They can encourage the participants' development, while keeping a focus on the artistic outcome.

▶ **Somewhere in between**—Other projects fall somewhere on the continuum between these two with some level of community input. For example, input may be limited to the theme or location of the new work.

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What are the principles for effective consultation?

Here are 6 principles to guide your community engagement strategy:

- ▶ Respect and acknowledge participants.
- ▶ Create a space where ideas can be proposed, explored, listened to, shared, debated, developed and supported.
- ▶ Let people know their contribution is valued and acknowledged as part of the success of the work.
- ▶ Conduct a process that is culturally aware and appropriate.
- ▶ Adopt an inclusive and accessible approach that facilitates the participation of underrepresented and socially disadvantaged groups.
- ▶ Facilitate a positive relationship between the artist and the community.

How much community input should you include in the brief?

Your public art brief should address the following questions:

- ▶ What is the makeup of the community who will interact with the site?
- ▶ What is the relevance of the project to the community?
- ▶ Are there barriers to participation (for example, lack of transport or childcare; cultural, religious, or accessibility issues, or sensitivity to cultural or religious matters) and how will these be overcome?
- ▶ How will you assist the community to access the project (promotion, support, consultation, for example)?

What are the best ways of engaging the community?

- ▶ Work with artists living in the community
- ▶ Hold forums
- ▶ Conduct community surveys
- ▶ Invite community members to join your advisory panel

- ▶ Invite community members to be co-creators of the design and/or making of the work
- ▶ Use the [NSW Government “Have Your Say” tools and processes](#)
- ▶ You must follow certain protocols when engaging with First Nations people. For more information, see [First Nations and public art](#).
- ▶ People who have a disability can face barriers to participating in consultation. For more information, see [Delivering inclusive and accessible public art](#).

How can you avoid conflict and disagreements?

People will often disagree about the merit of a new public artwork. Likewise, participants in a collaborative community-based artwork may have conflicts or different expectations. It's unlikely you will always be able to satisfy everyone. No matter what level of community engagement you undertake, it is vital to plan for conflict and controversy in your [risk management strategies](#). The process of engaging the community can lessen conflict.

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Site and context

When you invite an artist to create a new public artwork, they will usually be asked to ‘respond to the site’. But what does this mean?

“Public art is peculiar in that it integrates the site as part of the content,” observes Martin Zebracki in ‘Beyond public artopia: public art as perceived by its publics’.

In this Toolkit, a ‘site’ is understood to be the immediate location of the artwork. A site is also a ‘place’ or a location within a larger place that may be culturally and historically significant. For more information about the concept of place, see [Public art in placemaking](#).

When speaking of ‘site’ there are implementation and technical matters to consider. The traditional First Nations custodians of the site should be recognised and treated with respect. Likewise, any new public artwork must adhere to planning law in NSW.

This section covers some of the tangible and non-tangible features of sites. These should be described in the [artist’s brief](#):

The physical environment of a site

Tangible site features include:

- ▶ geological, topographical, ecological qualities—rocky, flat, natural drainage, wetlands
- ▶ spatial qualities—open or closed, narrow or wide, vegetation or built forms
- ▶ sensory qualities—visual, sounds, smells
- ▶ climatic and atmospheric conditions
- ▶ architecture and signage of the area
- ▶ infrastructure environment—footpaths, roads, fences, walls, lighting.

The human aspect of a site

Intangible site features include:

- ▶ First Nations significance
- ▶ European heritage and other cultural and historical significance
- ▶ planning designation of an area’s character
- ▶ demographics of the local community and other stakeholders
- ▶ other current uses and future plans for the site
- ▶ daily and seasonal changes of the area: night-time vs daytime, winter vs summer, school holidays.

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Things to consider

- ▶ How will the public artwork affect the site physically? Assess the sensitivity of the site to change, and the ‘magnitude’ of the proposed artwork—its scale, proximity to people, sensory impact. For example, how would a new public artwork change a pristine natural environment versus a built-up industrial area?
- ▶ Are the materials and construction methods suitable to the site?
- ▶ Who is responsible for approving the development on the site? What processes will apply to these approvals?
- ▶ Is the site/artwork easily accessible to all audiences? Map the area in which the public artwork will be visible, and identify existing viewpoints from residential, public/commercial buildings, and so on.
- ▶ What about security and ongoing maintenance? Consider whether the public artwork will create a security problem at the site or block traffic, pedestrian access, windows or entranceways to surrounding buildings.

First Nations cultural heritage sites

- ▶ The Commonwealth Government is responsible for protecting sites of national or international significance, or those on Commonwealth controlled land under the [Environment Protection and Biodiversity Conservation Act 1999](#). For more information, refer to the [Aboriginal and Torres Strait Islander Heritage Protection Act 1984](#).
- ▶ The NSW Government also protects Aboriginal cultural heritage under [The National Parks and Wildlife Act 1974](#) and [The Heritage Act 1977](#). It is currently developing new legislation to reform the way Aboriginal cultural heritage is conserved and managed in NSW. More information is available here.
- ▶ For more information, contact [Aboriginal Affairs NSW](#) or the [Department of Planning, Industry and the Environment](#).
- ▶ The [Burra Charter \(2013\)](#) provides a best practice standard for managing cultural heritage places in Australia.

UNDERSTANDING A LIVING, EVOLVING CULTURE

First Nations culture is a living culture, evolving, growing and ever changing. It is not fixed in time nor in deep history alone

— Jefa Greenaway, Founding Director and Chair, Indigenous Architecture and Design Victoria

The narrative of only honouring colonial powers and authorities is a very narrow view of the colony itself.

— Nathan Moran, Metropolitan Local Aboriginal Land Council

...there is significance in what is deemed worthy to cast in bronze and erect in public spaces. It matters what events are commemorated and celebrated. It may mark power and domination, or it may mark diversity and inclusion.

— Freya Higgins-Desbiolles, Senior Lecturer and Researcher, Tourism Studies, University of Adelaide

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FURTHER READING

- ▶ [NSW law and policy—Heritage and the environments](#)
- ▶ [Planning NSW—Local Character and Place Guideline 2019](#)
- ▶ [NSW Department of Planning, Industry and Environment—Specialists in urban and regional planning, natural resources, industry, environment, heritage, Aboriginal and social housing, and regional New South Wales](#)
- ▶ [Engage Early—A guide to best practice Indigenous engagement](#)

CASE STUDIES

- ▶ [Cloud Gate—Anish Kapoor, Millennium Park, Chicago, USA \(2006\)](#)
- ▶ [barrangal dyara \(skin and bones\)—Jonathan Jones, Royal Botanic Gardens, Sydney \(2016\)](#)
- ▶ [Interloop—Chris Fox, Sydney CBD \(2017\)](#)

▶ *Lucky Dip*, Jenny McCracken, Zest Events International, 2018, Gulargambone, NSW. From Water Tower Art stamp issue. Courtesy of Australia Post.

\$1.10 AUS

▶ **ABOUT THIS PROJECT**
Gulargambone - “watering place of many birds” - a small town situated on the lands of the Wiradjuri Nation, had its water tower transformed by a renowned artist into a huge glass of water and found itself on a stamp.



GULARGAMBONE, NSW | JENNY MCCRACKEN

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Sustainability principles

Careless public art practices can harm the environment and climate systems by using toxic, wasteful materials. Follow these guidelines to make public art sustainably.

Two key aspects of sustainability practice apply to public art:

- ▶ Art making practice that is environmentally aware and sustainable, and
- ▶ Art that addresses social, economic and political issues of sustainability, such as consumption and climate change. This is known as ‘eco-art’—any form of art which intentionally or unintentionally leads to behaviour that has a more favourable impact on the natural environment. For example, eco-art may embody NSW Government environmental policy in its concept/theme.

This section focuses on the first point—the more immediate aspect of making public art sustainably.

What materials and making methods are sustainable?

In keeping with NSW Government policy, the artist’s brief should require that all materials and methods used are non-toxic, energy efficient, and low waste. The artwork should:

- ▶ Be energy efficient: what is the design impact or total carbon footprint?
- ▶ use low impact materials
- ▶ support re-use and recycling
- ▶ have targeted durability
- ▶ use sustainable design standards
- ▶ be biodegradable (if it is an ephemeral work).

Sustainable art practices

There are lots of toxic and ecologically damaging substances involved in much art making. Reduce their impact by:

- ▶ avoiding single-use materials and by recycling where possible
- ▶ sourcing materials and making methods that are sustainable, non-toxic and petroleum-free where possible
- ▶ using locally sourced materials wherever possible
- ▶ identifying and mitigating potential impacts such as water run-off, noise, carbon emissions at the site and the surrounding areas, during construction and for the lifespan of the work
- ▶ challenging artists to turn waste material into art, or use found and recycled objects and natural objects as their raw material.

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Activate 2750—Ash Keating (2009)

To challenge people to question existing systems of production, consumption and disposal, Australian artist Ash Keating created Activate 2750 – a temporary installation made from tons of waste. Although the artwork interrupted the prescribed flow of waste management, it did not alter the system because the detritus was later returned to the waste management facility. By placing the waste in a position with close proximity to members of the public, Keating successfully raised awareness of unsustainable modes of consumption.

<http://eco-publicart.org/activate-2750/>

FURTHER READING

- ▶ [NSW Government—Sustainability in government agencies](#)
- ▶ [Curating Cities—How the arts can generate environmentally beneficial behavioural change](#)
- ▶ [Land Art Generator—Sustainable energy infrastructures that enhance the city as works of public art](#)
- ▶ [Climate Arts—Creating public art works of integrity, surprise and impact](#)

CASE STUDIES

- ▶ [Interloop—Chris Fox, Sydney \(2017\)](#)

▶ ABOUT THIS PROJECT

The Council adopted the concept of developing Walcha as an Open Air Gallery - to develop Walcha's distinctiveness and bring an extra dimension to the quality of life of the community.



▶ *Black Cockatoo*, 1999, Ross Laurie (artist and farmer), Southern entrance sign, Walcha, NSW. Courtesy of Walcha Council and Arts Out West.

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Developing public art strategy and program and project plans

A strategy, masterplan or framework can be vital when looking at public art across a wider context than a single location.

A key aspect of public art that may be overlooked is the benefit to be gained from public art that is strategically planned and built into the bigger picture of placemaking or infrastructure development.

Isolated public art opportunities can enhance a place, but when integrated with a broader context, public art can meaningfully contribute to transforming buildings, precincts, cities and communities.

A public art strategy may be required for your project. A strategy (or plan, framework, etc.) can be helpful when looking at public art across a wider context than a sole location. For example, some organisations or agencies will need to consider public art in the wider context of place planning, communities and large spaces or events. These documents also discuss the heritage, history, cultural importance and highlights of an area or event, so current and future public art plans are appropriate and well-considered.

For example, an over-arching Public Art Framework may be developed for the whole of a new residential district. This will provide strategic guidance for the development of all public art in the new suburb regardless of who it is delivered by—government, developers, local government—to ensure that what is delivered supports connection to place and helps define a unique identity for the precinct, while also delivering best-practice cultural outcomes. First Nations and connection to Country, heritage interpretation, local character and site responsiveness should be key themes of such a framework. Put simply, a public art strategy can help to consider the broader picture in a clear and cohesive manner.

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**Strategy and/or master
plan development**

While the topics listed below are detailed across the Toolkit, this simple checklist of the essential elements to include in a public art strategy, masterplan or framework is a useful guide:

Context, aims and objectives:

- Aims and objectives
- Key themes
- Future directions
- First Nations engagement, considerations and participation
- Economic and social considerations
- Guiding principles and strategic intent
- Population information
- Built and natural environment considerations
- Links to other policies and regulations
- Links to local strategic planning documents

Site selection and analysis:

- Analysis of development guidelines, planning and design
- Site and context analysis
- Research into local culture, history, environment and themes
- First Nations and heritage considerations
- Curatorial vision and themes
- Artwork opportunities (locations, medias)
- Project planning: project governance, organisational stakeholder identification, timeline, budget, procurement process, permits, insurances, risk management plan, stakeholder engagement plan.

Artist selection

- Curatorial sourcing of artists and short-listing
- Artwork Briefing Documents
- Artists selection
- Contract and copyrights
- Fabricator selection

Design development

- Design development from concept to final
- Consultant engagement
- Fabricator engagement
- Material selection
- Design documentation

Fabrication and Installation

- Fabrication (including existing alternatives)
- Installation—technical and logistical issues (site prep, artwork transport, equipment, labour, materials, site permits and Work Health and Safety)

Post-delivery

- Documentation (photo, video)
- Media
- Project evaluation
- Maintenance
- De-acquisition or de-commission

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FURTHER READING

- ▶ [Public Art Framework \(Parramatta Road Urban Amenity Improvement Program\), 2020—Create NSW](#)

▶ **ABOUT THIS PROJECT**

“The half human, half spirit figures in Kimber Lane represent our past, present and future ancestors. The themes of heaven and earth, the elements, and respect for ancestors past and present, are universal. The figures are inspired by Aboriginal and Chinese heritage but do not discriminate other cultures.”

- ▶ cityartsydney.com.au/artwork/in-between-two-worlds/

▶ *In Between Two Worlds*, Jason Wing, 2011, Kimber Laneway, Chinatown, Sydney. Photograph: Destination NSW.



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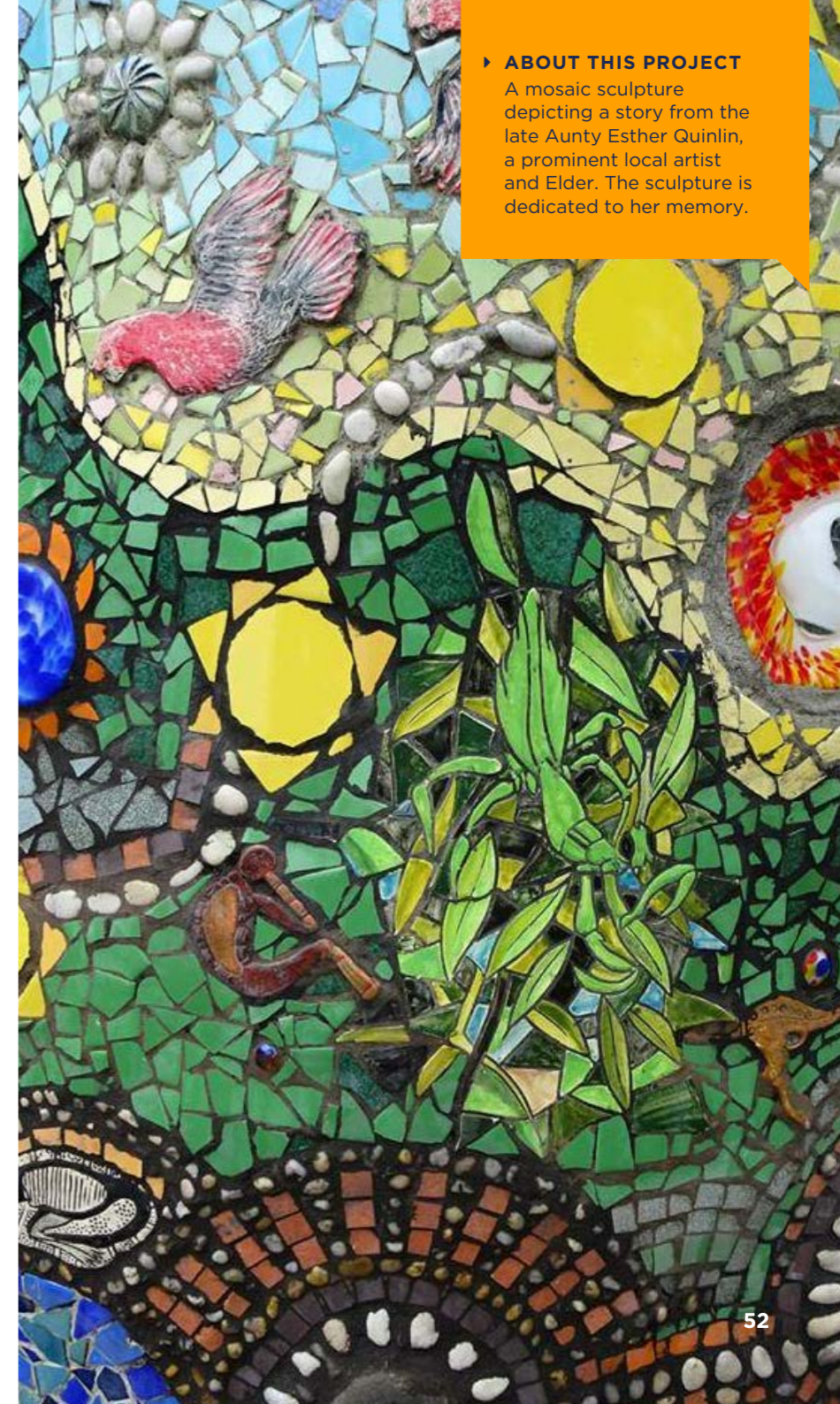
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Previous page image: *Interloop*, Chris Fox, 2017, Wynyard Station, Sydney. Photograph: Josh Raymond

This page: *Wupu Manhatinum* (Travelling Star), artists include Uncle Richard Campbell, Guy Crosley, Elwyn Toby and Malcolm Dickson with language advice from Aunty Caroline Bradshaw, CWA Park, Bellbrook, NSW. Photograph: Olivia Parker, Arts Mid North Coast.

▶ **ABOUT THIS PROJECT**

A mosaic sculpture depicting a story from the late Aunty Esther Quinlin, a prominent local artist and Elder. The sculpture is dedicated to her memory.



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Commissioning the artist

Successful artist commissioning is central to successful public art. Without artists there is no public art.

With the artist at the centre, commissioning artists is central to creating successful public art. It is through the commissioning process that aims and objectives can be agreed upon, differences of opinion and taste can come to the surface and unity of outlook and purpose found.

Creating public artworks that catch the public's attention and engage with their environment requires a broad range of skills. Finding the artist often draws on the advice of experts in the field, but also involves decision-making by people whose areas of responsibility may be entirely non-artistic. Together, it's their responsibility to have the artist and artwork commissioned match the vision, site, community and purpose outlined in the brief.

Many government agencies see 'public art' as a subject outside their day-to-day commercial and business operations. Developing knowledge and expertise within a government agency can aid in collaborative project planning with external consultants and advisors. Having the right team in place before commissioning an artist can mitigate risks of over-reliance on consultants and advisors, or to not following established government procurement principles and practice.

Setting up an expert panel to advise in the commissioning process and assessing proposals is strongly encouraged. A public art advisory panel needs to have a balanced membership reflecting the interests, requirements and values of key stakeholders. For more information see [How to set up advisory and selection panels](#) and [How to identify and engage stakeholders](#).

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Government procurement principles and practice

When NSW Government agencies commission public art, the process is subject to the rules and guidance that apply to all Government procurement.

The [NSW Government Procurement Policy Framework](#) outlines government procurement objectives and the NSW Procurement Board's requirements as they apply to each step of the procurement process.

The following objectives of the NSW Government Procurement Policy Framework are most relevant to procuring public art:

- ▶ **Value for money**—not necessarily the lowest price, nor the highest quality good or service, determining value for money requires a balanced assessment of a range of financial and non-financial factors, such as: quality, cost, fitness for purpose, capability, capacity, risk, total cost of ownership or other relevant factors.

- ▶ **Fair and Open Competition**—transparent, competitive processes build trust in government procurement practices and decisions, drive fair and ethical behaviour, safeguard probity and foster healthy working relationships between government buyers and suppliers.
- ▶ **Probity and Fairness**—you must have procurement that is fair, ethical, transparent and probity-rich and where probity is routinely considered in procurement decisions. You must treat tender and business information fairly, impartially and securely.

- ▶ **Transparency**—you must keep appropriate records of procurement planning, management and decision making. For projects worth over \$150,000 (including GST) you must comply with the contract disclosure and open access information requirements of the [Government Information \(Public Access\) Act 2009](#) including formal requests to access government information, subject to the public interest provisions in the act.
- ▶ **Easy to do business**—making government procurement simpler, easier and more efficient saves time and money for both agencies and businesses.
- ▶ **Notifying suppliers of business opportunities**—you must advertise open tenders electronically on the eTendering website. Print advertising may only be used in exceptional circumstances where electronic advertising will not meet the agency's needs.
- ▶ **Innovation**—the marketplace is a great source of innovation and can assist government to work smarter and deliver better services.

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- ▶ **Economic development, social outcomes and sustainability**—the government uses procurement to support small and medium sized businesses, Aboriginal-owned businesses, regional businesses and disability employment organisations. It is also using its substantial infrastructure investments to support jobs and skills development for a range of workers including Aboriginal people. Sustainable procurement focuses on spending public money efficiently, economically and ethically to deliver value for money on a whole-of-life basis.

Success factors

There are many ways of setting up and implementing a commission for public art. Each location is different, the objectives of the project change and the amount of resources is widely variable. There are, however, certain recognised principles that make a project more likely to be successful. These success factors are:

- ▶ **Clarity**—public art projects work best when the artist and the other professionals involved are clear about what the artist's role is and what they are expected to do.
- ▶ **Remuneration**—if artists are expected to contribute like other professionals, accordingly, they should be properly paid.
- ▶ **Timely appointment**—if the artist is to contribute effectively to planning and developing a project, they have to be in place early.
- ▶ **Management**—capacity should be allocated to manage and support the artist's involvement.
- ▶ **Support**—having an advisory and selection panel is beneficial to the success of projects. This panel can support organisations/communities in understanding the input of artists, particularly when their work is breaking new ground.
- ▶ **Legacy**—human and financial resources should be allocated to promoting the benefits of the scheme to a wider audience or encouraging other projects or related developments to take up the baton.

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How to commission artists




Who will you commission to make the artwork? What is the best approach for your project? For the best artistic outcomes, follow these steps.

In the past, artists were often commissioned to develop a 'ready-to-go' work that could be placed into a site. These days, it is more common for artists to create work that is 'site-specific'. This means it is made for and/or built into the fabric of the site.

Creating site-specific public art requires a strong relationship between you (the commissioner) and the artist. The commissioner needs to welcome the artist's unique perspective and be receptive to their vision, knowledge and experience.

Who will you commission?

Options include:

-  An individual artist creates a 'stand-alone' work for a designated site
-  An artistic or design team collaborates on a work that is part of a larger architectural or infrastructure project
-  Community based and artist-led: the artwork is made through community consultation, or community members are involved in creating the design and making the work.

What is the best approach?

Every artist has a different way of working, which will influence the outcome of your project. For the best results, Create NSW recommends the following approach:

Involve the artist early

Site-specific work often calls for the artist to collaborate with the community, designers, architects, engineers and other professionals. It is vital for the artist to be involved in the project at the very start.

- ▶ At the earliest stages of a commissioning process, give artists as much information about the project as possible. The sooner the artist can work with the advisory panel and design team (if there is one), the more it will benefit the project.
- ▶ Given the importance of community engagement, artists should be given ample opportunity to understand the community's views. They may even decide to involve the community directly in the design and fabrication of their artwork.

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- ▶ Given the importance of site and placemaking, artist should be given as much information as possible about the site and circumstances behind the proposed work.

Understand the artist's situation

- ▶ It can be time-consuming and potentially costly for an artist to prepare concept proposals. It is not appropriate to ask artists for concept proposals without giving them sufficient time and resources.
- ▶ Once artists have been shortlisted, it is best practice to pay them a fee to develop a concept for the final selection. The fee will depend on the size of the project, but National Association for Visual Arts (NAVA) recommends concept design fees range from \$500 to \$10,000 depending on the budget of the project and the requirements of the concept design. For more information, see [How to negotiate artist fees](#).
- ▶ Not all artists or groups have the resources or abilities to write submissions or EOs well. Some may not have immediate access to laptops and other materials which will help advance their submission. It is best practice to understand your audience and ensure

the artist/s are entering a fair process and supports are available to those who require assistance.

- ▶ Independent artists may not be set up like commercial businesses. They may not have the infrastructure or resources to pay for the administrative, legal or logistical requirements of a project. If this is the case, you will need to provide funds to pay for things such as engineer's reports, subcontractors, legal advice, insurance, materials and equipment and community consultation.
- ▶ Who will own the concept proposals? Intellectual property rights and copyright should be considered at a very early stage and be included in the design agreement.

Avoid conflicts of interest

To avoid a real or perceived conflict of interest with the artist, follow the rules and guidance that apply to all Government procurement. For more information, see [Government procurement principles and practice](#).

COMMISSIONING THE ARTIST

Often an artist has to invest an immeasurable amount of time in negotiating the best possible outcome for a commission. The success of a public art project can be directly linked not only to the quality of the artist's idea and its connection to its context but also to how the artist has developed and maintained good working relationships during the commissioning process

— [Visual Artists Ireland](#)

FURTHER READING

- ▶ [Arts Law—Legal advice and information to artists and organisations](#)
- ▶ [NAVA—leads advocacy, policy and action for the Australian arts sector](#)

CASE STUDIES

- ▶ [barrangal dyara \(skin and bones\)—Jonathan Jones, Sydney Botanic Gardens \(2016\)](#)

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Open competition

Open competition means allowing anyone to apply for the public art commission. Open competition brings transparency and integrity to the process of commissioning an artist.

Open competition usually involves a two-part selection process:

- 1) The commissioner invites “Expressions of Interest” (EOI) to arrive at a shortlist; and
- 2) Shortlisted artists submit their concept proposals, from which the final selection is made.

In line with the NSW Procurement Policy Framework, open competition is seen as the most appropriate and productive approach to commissioning public art. It brings transparency and probity to the process, while welcoming a mix of viewpoints, demographic and artistic background, practice and experience.

This is not to say that all EOI processes should be completely open. There are good reasons why an EOI may be limited in one way or another. For more information, see the sections on [Limited competition](#) and [Direct commission](#).

Advantages of open competition

- ✓ It is suited to larger projects with bigger budgets
- ✓ It can raise the profile of a project and is a method of publicity
- ✓ Artists who are unknown to you might apply
- ✓ It gives opportunities to emerging artists, including by developing their proposal writing skills
- ✓ It is the most transparent and equal method
- ✓ Complies with [NSW Procurement Policy Framework](#), which is usually the preferred method for publicly-funded projects, especially those with a large budget.

Disadvantages of open competition

- ✗ It requires a longer time for the process
- ✗ It may require additional costs
- ✗ It may require greater administrative support

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Open competition process

We recommend the following steps:

- ▶ **Creation of the brief**—the brief outlines the selection criteria, site description and expectations of the commissioning body
- ▶ **An open EOI**—invite artists to submit an EOI in response to your selection criteria. This may include a response to the brief and site, images of previous work, and a CV.
- ▶ **Shortlisting**—applicants are then shortlisted based on their EOI. You may decide to interview those shortlisted. Ideally, only two to three artists will be shortlisted.
- ▶ **Concept development**—invite shortlisted artists to respond to the brief by developing a concept. This may include drawings, site plans, and maquettes (a scale model). Artists must be given sufficient time, and ideally a sum of money, to develop their concept.
- ▶ **Final selection**—invite shortlisted artists to present their concepts, before making a final decision.

What should be included in an Expression of Interest?

You should allow 4 to 6 weeks for EOI responses. Required documentation usually includes:

- ▶ An artist CV
- ▶ An artist biography
- ▶ A written response to the brief outlining the artist's conceptual approach to the commission and how it relates to their practice (maximum 500 to 1000 words)
- ▶ Images of relevant previous work (you should not request drawings or renders at this stage)
- ▶ It is usually not appropriate to ask for concepts at this stage.

Where to advertise the call for EOIs may include:

- ▶ National press
- ▶ Art-specific press
- ▶ Social media
- ▶ Public art consultancy agencies
- ▶ Artshub website
- ▶ Mailing lists and newsletters
- ▶ Commercial and public galleries
- ▶ Tertiary art institutions
- ▶ Visual arts organisations such as National Association for Visual Artists, Viscopy, Museums and Galleries NSW
- ▶ Local government
- ▶ Local cultural and community groups.

It is also important to consider reaching out to First Nations artists, artists with disabilities and the groups who support these artists to ensure the EOI is reaching a wide audience. It is not enough to simply state that submissions from these groups are welcome.

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Accessibility and Inclusion in the Expression of Interest (EOI) process

It is important to consider accessibility and inclusion in the Expression of Interest (EOI) process. Providing a written response to an EOI may not be possible for all artists for a variety of reasons, including disability or remote access to technology. Your EOI submission process should be able to receive responses in various formats that ensure inclusion and diversity.

Sydney Metro Southwest (Public Art Expression of Interest Program 2018 - 2020) - Create NSW, Transport for NSW, Sydney Metro and various artists

Create NSW has partnered with Transport for NSW and Sydney Metro to support the delivery of public art programs and cultural engagement on the Newcastle Light Rail, the Sydney Metro and Southwest lines. These projects reimagine transport hubs, contribute to place activation, and deliver a cultural legacy through internationally renowned and diverse public art delivered by NSW artists. The Create NSW Strategic Projects team managed the Sydney Metro Southwest *Public Art Expression of Interest (EOI)*. The team was able to provide best practice advice on how a program of this scale can be managed effectively. NSW Government governance processes were in place and a best practice model was delivered.

— Information on this EOI process is available [here](#).

FURTHER READING

- ▶ [Guidelines for Commissioning Artists—Public Art Online UK](#)
- ▶ [Parramatta Public Art Projects—Expressions of Interest](#)

CASE STUDIES

- ▶ [Always Was, Always Will Be—Reko Rennie, Sydney CBD \(2012\)](#)

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Limited competition

Limited competition means inviting a small number of artists to apply for the public art commission.

A limited competition is where a small number of artists are directly invited to apply for a commission. When limiting competition, there needs to be careful consideration of fairness, transparency and ethical behaviour in process and documentation.

It usually involves a one or two-part selection process:

- ▶ Invited artists submit their concept proposals; or
- ▶ The commissioner invites a small number of artists to submit an EOI and /or take part in an interview. Successful artists then progress to concept proposals.

There can be good reasons to limit competition in commissioning public art, however, open competition is generally seen as the most appropriate in line with the [NSW Procurement Policy Framework](#).

Advantages of limited competition

- ✓ You can engage artists who create the type of work you want or who are from a specific group (such as First Nations, regional, or established artists),
- ✓ It is suitable for smaller budgets
- ✓ The timeframe is shorter and requires less administrative support than an open competition
- ✓ If emerging artists are selected, it can provide them with experience in writing proposals and the chance to compete with more established artists
- ✓ You can encourage artists who wouldn't usually apply to an open competition to submit an EOI or concept.

Disadvantages of limited competition

- ✗ It may not be as fair or transparent as open competition
- ✗ It can result in missing out on a good proposal from an artist who was not considered
- ✗ It limits the pool of ideas for the project and may lessen diversity amongst applicants
- ✗ It requires very thorough research and careful thought about the type of artist or work that is suitable. You should seek expert curatorial advice for limited competition commissions
- ✗ Some artists (particularly very prominent ones) may not want to compete, instead preferring a direct commission.

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Limited competition process

We recommend the following steps:

Creation of the brief—the brief outlines the selection criteria, site description and expectations of the commissioner



Shortlisting—an advisory and selection panel or curatorial experts will select a group of artists based on the selection criteria



EOI/Interview—artists respond with an EOI and/or attend an interview, and a final shortlist is made. (This step might be skipped, with invited artists moving straight to the step below).



Concept development—artists respond to the brief by developing a concept. This may include drawings, site plans, and maquettes (a scale model). Artists must be given sufficient time, and ideally a sum of money, to develop their concept.



Final selection—invite shortlisted artists to present their concepts, before making a final decision.

CASE STUDIES

▶ [United Neytions—Archie Moore, Sydney Airport \(2017\)](#)

▶ ABOUT THIS PROJECT

Incorporating hardwood timber seats framed by rust coloured steel rings, these artworks create viewing frames for the river.

▶ *Ageless Oura*, John Wood, 2016, Oura Beach Reserve, Oura, NSW.
Photograph: Chloe Smith Photography for Visit Wagga Wagga.



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Direct commission

A direct commission is when you invite only one artist or team of artists to respond to your brief and to develop a concept proposal.

A direct commission may be appropriate in limited circumstances, for example, if the goal of the project is to recognise the achievements of a specific artist. In general, however, open competition is seen as the most appropriate in line with the [NSW Procurement Policy Framework](#). For more information, see [Government procurement principles and practice](#).

Advantages of a direct commission

- ✓ It is suitable for smaller budgets
- ✓ It may require less administrative support than an open or limited competition
- ✓ It is often the preferred commissioning model for prominent artists, who may not wish to participate in a competition with other artists

- ✓ It can develop a close working relationship with the artist from the beginning
- ✓ It enables the commissioner to target the artist they think is best for project.

Disadvantages of a direct commission

- ✗ It is not as fair or transparent as open or limited competition
- ✗ You may miss out on a good proposal from an artist who was not considered
- ✗ It limits the pool of ideas for the project and may lessen the diversity of practitioners
- ✗ It requires very thorough research and careful thought about the type of artist or work that is suitable. You should seek expert curatorial advice for direct commissions.

Direct commission process

We recommend the following steps:

Creation of a brief—the brief outlines the selection criteria, site description and expectations of the commissioning body



Artist selection—this requires thorough research to assess the artist's suitability to the selection criteria



Concept development—The artist is asked to respond to the brief. Their response may include drawings, site plans, and maquettes (a scale model) as requested. The artist must be given enough time and resources, such as a small budget, to develop their concept.



Presentation and concept approval—the artist presents a concept to the commissioner/advisory panel for approval.

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Other approaches to commissioning and acquisition

In addition to open competition, limited competition or a direct commission, there are a few other approaches to commissioning and acquiring public art.

These include:

- ▶ **Combined open and limited competition**—when multiple artworks are planned for a site, a combined open competition and limited competition may be appropriate.
- ▶ **Eligibility list**—you may prefer to run periodic calls for expressions of interest, from which artists can be selected and placed into a pool for future commissions. This approach combines open/limited competition and direct commissions.
- ▶ **Purchasing an existing artwork**—you may purchase an existing artwork from a gallery or directly from the artist. This is not a common method, mainly because the artwork runs the risk of being viewed as having little or no connection to the site or the community. If acquiring an existing work, criteria should be established to assess the suitability of the work to the site and is in keeping with the location.
- ▶ **Acquiring an artwork**—you may receive an artwork as a gift, bequest or other philanthropic contribution.
- ▶ **Art competitions and acquisitive awards**—you may acquire an artwork as part of another program. For example, NSW councils have acquired several works from Sculpture by the Sea, while the winning work in the biennial Wollongong Acquisitive Sculpture Award (Sculpture in the Garden) becomes a permanent item in the Council's public art collection.
- ▶ **Unsolicited proposals**—Artists, members of the public or organizational staff may submit unsolicited proposals for public artworks to be placed in specific places.

These proposals may be for temporary, site-specific or permanent artworks which the submitter feels would benefit the vicinity or community in some way.

FURTHER READING

- ▶ [Guidelines for Commissioning and Selecting Artists—Public Art Online UK](#)
- ▶ [Public Art Commission—MetroTunnel Victoria Commission EOI](#)

CASE STUDIES

- ▶ [Cloud Gate—Anish Kapoor, Chicago, USA \(2006\)](#)

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How to set up advisory and selection panels

Advisory panels help to guide the commissioning process from the development of the brief through to the selection of the artist and work.

Advisory panels are an integral part of promoting and maintaining the principles of public sector procurement throughout the commissioning process.

Panels aim to be fair and open and encourage innovation and excellence, value for money and positive social, economic and sustainability outcomes for the delivery of high-quality public art.

Who should be part of your public art advisory/selection panel?

- ▶ **First Nations representation**—as the traditional custodians of the land, it is advisable to seek out First Nations representatives. For more information see [First Nations and public art](#).
- ▶ **Expert advice and art world representation**—according to best practice guidelines, the majority of panelists should represent artistic professions. Your panel might include practicing artists, curators, creative producers, local arts officers, academics, public art officers, for example.
- ▶ **Community representation**—membership of the advisory/selection panel should reflect the diversity of the community it represents. Choose panelists who demonstrate a diversity of expertise, experience and backgrounds, and represent the needs and interests of the community. These might include those with disability, people with culturally and linguistically diverse backgrounds, women, young people, seniors and people from other marginalised groups.
- ▶ **Corporate representation**—the need for corporate representation depends on the type of project. For example, corporate representation would be important for the success of the project if it is part of a private sector development.
- ▶ **Local government**—it may be important to include local government representatives on the advisory panel if your project is a joint partnership between state and local government. This will assist in making sure relevant policies are followed to achieve the best outcomes for the community.

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- ▶ **Commissioning body representation**—the panel may be independent, or it may include representation from the commissioning body.

What are standard terms of reference for advisory and selection panels?

The terms of reference will outline the purpose and function of the panel, its membership, and the rights and responsibilities of its members. It will explain why the advisory panel exists and what it would like to achieve under section that include:

- ▶ Context
- ▶ Vision
- ▶ Purpose
- ▶ Aims and objectives
- ▶ Membership—outline how many people will be on the panel, what is expected of them and their voting rights.
- ▶ Roles and responsibilities—detail what is required of the panel and of its individual members. Outline the type and timing of advice required.

- ▶ Code of conduct—a formal agreement that guides the panel members. It may cover issues such as conflicts of interest, accepting gifts, attendance and confidentiality.
- ▶ Payment for board or panel members may be required in some instances. An individual sitting on a board or panel may be entitled to remuneration, or an organisation may require payment if an employee is representing them and their views on a board or panel. Refer to the [NSW Government Framework on Remuneration for Boards and Committees](#) for specific information.

BRING A RANGE OF EXPERIENCE TO SELECTION

I have had the experience of working on public panels with Garda sergeants, nuns and consultant paediatricians who all made very worthwhile contributions to the discussions and were very quick to spot the best idea presented

— Annette Moloney, curator, Ireland

FURTHER READING

- ▶ [Undertaking commissions—Visual Artists, Ireland 2017](#)

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When and how to engage consultants and curators

An explosion of public art over the past 30 years has led to the rise of specialist consultants and freelance curators. This section explains how and when to use their services.

Specialist consultants can offer a wealth of skills and experience when it comes to commissioning and implementing public art. They undertake a range of tasks, including policy and strategy development, concept and design development, project management, stakeholder management and approvals, fabrication and installation.

The role of specialist consultants and curators

Specialist consultants advise government and the private sector on strategies for planning, commissioning, implementing and promoting public art. You may decide to seek their help

on one area of the project, or engage them long-term from start to finish, or across multiple projects.

Consultants will have a background in the arts, architecture, design, planning, or placemaking. When choosing consultants, make sure their expertise matches your specific project requirements or desired focus.

Some consultancy firms have direct access to a portfolio of artists, architects and designers who they use for projects rather than seeking expressions of interest. Keep this in mind as their recommendations may not relate to your site and the brief.

Freelance curators can also be hired to assist with public art projects. They are responsible for selecting the artist and artwork or working with other consultants to deliver aspects of the project. They engage with the cultural meaning of the work and must be sensitive to the interests and intentions of the artist. They may act as a conduit between the commissioning body and the artist.

How to select consultants

Selecting public art consultants and curators is subject to the same rules and guidance that apply to all NSW Government procurement. For more information, see [Finding the artist or artists](#).

FURTHER READING

- ▶ [The role of the curator—Art Gallery of NSW, Kaldor Arts Projects, 2009](#)

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Selection criteria checklist

When reviewing an artist's proposal, artistic merit is just one of many criteria you should consider.

Your selection criteria will help you select the best artist, or the best artist's concept proposal, for your project. Artistic merit is important, but so are project management and community engagement skills. Most public art projects involve multiple participants and present unique technical and artistic challenges.

Individual criteria include:

- ▶ Artistic merit
- ▶ Relevance to a community, a site and a history
- ▶ Experience in making a scale of work suitable for large infrastructure projects
- ▶ Delivery of permanent, durable and robust artworks
- ▶ Delivery of artwork as part of a larger team and to tight schedule timeframes.

Qualifications and relevant experience

When selecting an artist, which of the following criteria relate most to your project?

- Evidence of a high level of artistic merit and quality in their previous work as demonstrated by support material. This may include:
 - A record of exhibitions in museums, commercial or non-profit art galleries and spaces, previous public or private commissions, participation in artist-in-residency programs, or other related activities indicative of a professional art practice

- case studies of similar projects completed in the past, including reference checks for shortlisted project applicants
- case studies of previous work that demonstrates quality workmanship and an understanding of, and experience working with, a broad range of materials

- Awareness of the durability of design, materials and finishes in relation to weather, vandalism, safety and public liability.
- Demonstrated ability to think conceptually and to communicate a unique vision, ideas or perspectives in response to issues and themes presented in the artist's brief
- Produces work with a high degree of technical expertise, including reading and producing technical drawings
- Ability to work flexibly and in a constructive and open way within a collaborative team. Have they participated in collaborative projects with other artists, architects and design professionals?

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- Familiar with project design and management, with experience managing budgets and staying within a budget. Are they able to communicate, negotiate, research and identify critical components to provide adequate and complete costings?
- Familiar with sponsorship and in-kind support arrangements and are able to carry out principled negotiations. Do they demonstrate professional approaches to processes and presentations?
- Ability to manage key business aspects of a project such as insurances, contractual arrangements, sub-contracting. Can they demonstrate an awareness of legal, financial and risk frameworks involved in a project?
- Ability to understand timeframes, meet project deadlines and perform work in a timely and professional manner
- Demonstrated ability to undertake community consultation and work with relevant community representatives.

**When selecting an artist's concept,
which of the following criteria relate most
to your project?**

- Overall quality of the proposal: the strength of the ideas and concept and evidence of imagination, originality and inquisitiveness
- A demonstrated interest in issues relevant to the project
- Artistic excellence and merit, ambition, inventiveness, innovation, originality and integrity of the proposed artwork, evidenced by professional quality of craftsmanship, mastery of skills and techniques
- Appropriateness of the proposal to the project brief: is the design appropriate according to the parameters/goals of the design brief? How closely will the proposed artwork meet the goals set out in the brief and envisioned by the community?
- Appropriateness of the artwork to the context of the site: does the concept recognise the demands and limitations imposed by the site? Is the scale of the artwork appropriate?

- Ability of the proposed artwork to enrich the public environment and enhance the general public's access to, and understanding of, contemporary art from diverse fields of practice
- Contribution of the artwork to the animation, enhancement, enjoyment or understanding of its context: how will the concept impact on the public's day-to-day use of the public domain? Will it activate or enhance public space?
- Community support: does the concept demonstrate awareness of community attitudes and concerns? Is it relevant to the building or city, its values, culture, and people, a specific site and surrounding neighbourhoods?
- Technical feasibility, quality of production and the ability to successfully realise the proposal.

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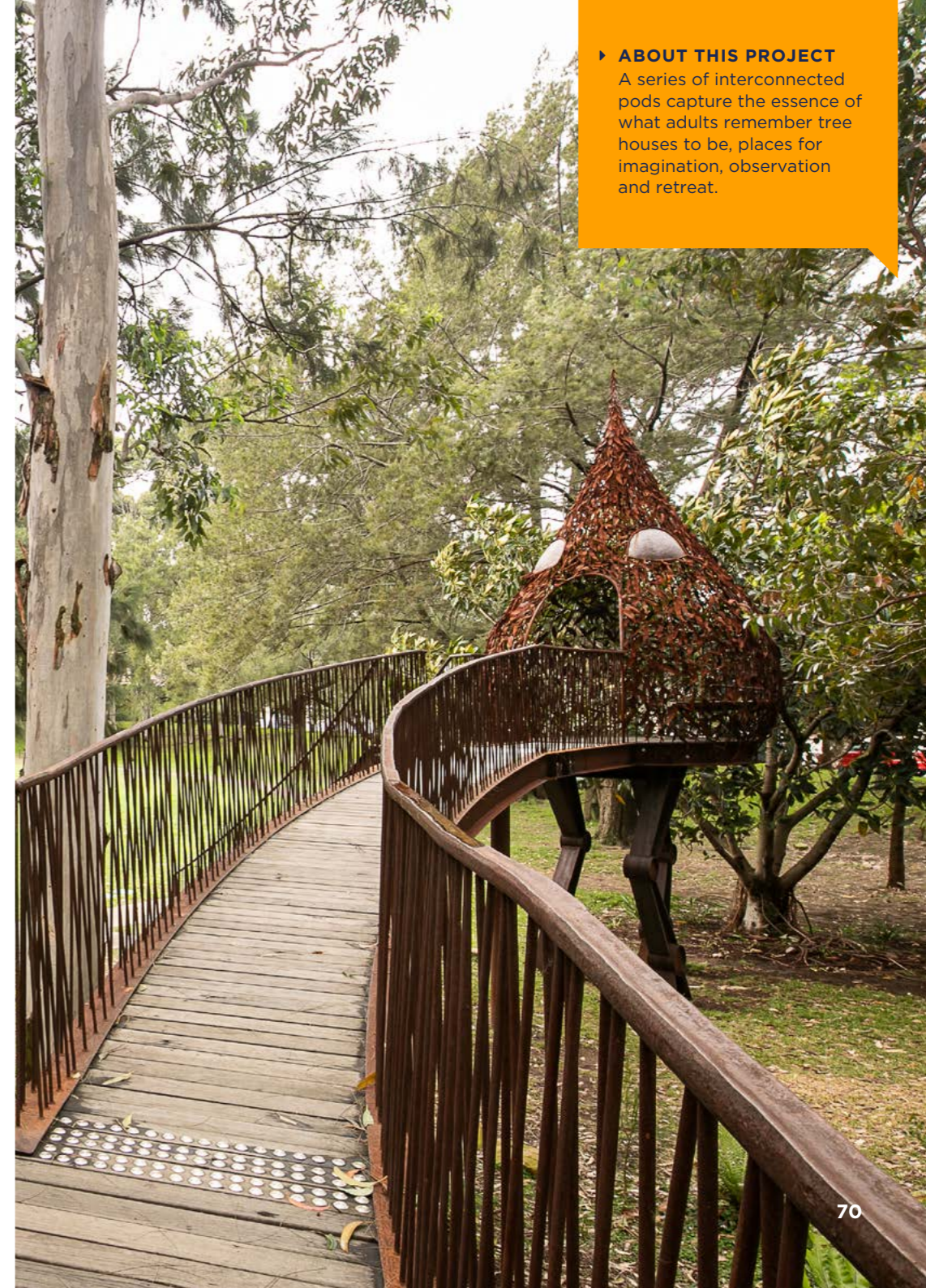
Resources

- Does the concept include specifications relating to design, choice of materials, location and the suitability of the work for outdoor display, issues of safety, operational requirements, durability to weathering, physical contact and resistance to vandalism, cost of maintenance and other life cycle costs?
- Can the artist undertake the design and fabrication stages within the timeframe? What is the probability of successful completion within stipulated timelines and budget? What is the suitability and viability of the artist's proposed approach to the commission and their capacity to professionally manage and deliver the project?
- Is their proposal consistent with relevant planning, urban design, heritage and environmental legislation, policies and Plans of Management? Obscene, offensive, obnoxious, derogatory or defamatory material, as defined in NSW Legislation, will not be permitted.

► *Eveleigh Treehouse*, Nell (with Cave Urban), 2019, co-commissioned by Mirvac and Carriageworks, curated by Daniel Mudie Cunningham. Photograph: Create NSW.

► ABOUT THIS PROJECT

A series of interconnected pods capture the essence of what adults remember tree houses to be, places for imagination, observation and retreat.



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How to write an artist's brief

A good brief outlines the project's vision, objectives and selection criteria while allowing space for creativity. Here are some tips and checklists.

When writing the brief for your public art project, it needs to communicate the vision, objectives and scope of the project. At a high-level, the brief explains the aspirations of the community and the commissioning entity.

At a practical level it supplies artists with the detail they need to efficiently respond to a request for proposal: the parameters, selection criteria and the processes by which the artist will be chosen.

Your brief should provide as much useful information as possible, while not pre-empting outcomes. It should support focus, but not limit ambition. It may even lead into a more open process, where a 'discussion' with an artist develops ideas in a collaborative way.

Which type of brief is right for your project?

Every brief differs depending on the desired outcome. It may:

- ▶ Have a tight focus and be looking for a specific thematic response from the artist (while still allowing for the artist's unique vision)
- ▶ Focus on a specific medium
- ▶ Focus on community engagement and process-based interaction to develop concepts and ideas for a finished work (community-based arts approach)
- ▶ Be tied to a conceptual or philosophical framework
- ▶ Be more open, giving scope for the artist's interest and practice

- ▶ Invite artists to write their own brief in response to a site, event or concept
- ▶ Seek to give the artist's ambition and form of practice the widest possible scope.

How to structure the brief

The sections and topics listed here are for guidance only. The aims and objectives, site and status, scope and scale of the project will determine how much information is needed.

Background

This section explains the commissioning body's reasons for commissioning a work, how it fits into their overall business strategy and vision for the community, and who will work on the project. It could include the following:

- ▶ Public art strategy
- ▶ Project aims and objectives
- ▶ Ideas and purpose of the commission
- ▶ Commissioning entity/agent
- ▶ Project partners (including funders, sponsors, project managers, fabricators, etc.).

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Curatorial Framework

Individual projects are often part of a broader program of public art which may be driven by particular themes or tell particular stories. This section could include:

- ▶ Purpose and objectives of the program
- ▶ Priorities of the program
- ▶ Public artwork opportunities within the program
- ▶ Artforms (media) that may be suitable
- ▶ Durability of work(s)
- ▶ Lifespan of the artwork(s).

Site

This section describes the geographical location for the artwork and the site's social and historical importance. It is especially important as the most successful public artworks respond to their site. It could include:

- ▶ Place or precinct management strategy
- ▶ Locations for artwork
- ▶ Site context
- ▶ Site characteristics

- ▶ First Nations significance
- ▶ Limitations and restrictions
- ▶ Water and power
- ▶ Site maintenance
- ▶ Specific site
- ▶ Relevant plans or photographs of the site.

The Artwork

This section provides guidance on the conceptual and technical aspects of the possible work but is also flexible enough to allow for a creative response. It could include:

- ▶ Concept
- ▶ Target audience
- ▶ Ambience of the work
- ▶ Materials
- ▶ Practical considerations.

Community and Stakeholder Engagement and Consultation

Community and stakeholder engagement are vitally important to the perceived success of the artwork. This section outlines who should be consulted, when, where and how. It could include:

- ▶ Target communities, including First Nations representatives
- ▶ Engagement and consultation methods
- ▶ Resources and timeframes.

Budget and Artwork Implementation

This section provides financial details for the project and could include:

- ▶ Implementation Strategy
- ▶ Budget and program overview

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Advisory and Selection Panel

In this section, the roles and responsibility (and membership, if already chosen) of the advisory and selection panel will be detailed. It could include:

- ▶ Project advisory panel
- ▶ Roles of parties in the project

Commissioning Process and Timeline

This section summarises the commissioning process and outlines its key stages:

- ▶ Commissioning process—summary overview
- ▶ Project Timeline

Phase: Expressions of Interest

- ▶ Expressions of interest assessment criteria

Phase: Design proposal

- ▶ Design proposal assessment criteria
- ▶ Scope of services
- ▶ Eligibility
- ▶ Selection criteria and process
- ▶ Selection Committee information
- ▶ Information about what to submit

Phase: Concept Design

- ▶ Design considerations

Phase: Artwork Commissioning (Fabrication and Installation)

- ▶ Exclusions

Public Realm Considerations

This section examines the potential risks associated with the implementation process and risks to the artwork itself. It could include:

- ▶ Public safety; soundness of fabrication
- ▶ Resistance to weather, wear and tear and vandalism

- ▶ Low maintenance
- ▶ Minimum design life (to be specified).

Artist Rights

The rights of the artist should always be addressed in the brief and considered throughout the commissioning process. Key issues include:

- ▶ Acknowledgement of the artists' moral rights
- ▶ Copyright ownership in the completed work
- ▶ Artist retention of copyright in submitted designs through selection process.

Coordination and Communication

This section details the communication process between the commissioning body and the applicants. This could include:

- ▶ An information session
- ▶ Notification of outcome of application and next steps

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Contracts

Contracts are necessary to determine the legal relationship between parties. The contracts could be between:

- ▶ The artist and the commissioning body
- ▶ The contractors involved in the implementation of the artwork, the artist and the commissioning body
- ▶ External media and the commissioning body

Insurances and certification

This section details who is liable if the artwork is lost or damaged during the creation process and installation. This section could include:

- ▶ Public liability insurance for artist. For more information, see the [Who is responsible for insurance?](#)

Fees and Payments

This section includes details of payment for an artist's expertise, labour, services and equipment. It could include:

- ▶ Fees for concept design
- ▶ Fees for selected artist.
- ▶ For a breakdown of fees, see [How to negotiate artist fees.](#)

Documentation

This section lists the documents required from the artists to demonstrate their ability to meet the selection criteria. This could include:

- ▶ Images of previous works
- ▶ Artist's curriculum vitae
- ▶ Written response to the site and artist's brief.

Engineering Notes and Specifications

This section outlines the technical and safety requirements, and all relevant Australian Standards and building codes.

Contacts

Include details of any relevant staff from the commissioning body. This could include positions such as:

- ▶ Cultural development manager
- ▶ Aboriginal arts officer
- ▶ Public art officer.

FURTHER READING

- ▶ [Public Art: Design and Commissioning Information Sheet—Arts Law](#)
- ▶ [Commissioning Brief—Advice for artists—Publicart, Ireland 2020](#)
- ▶ [St Peter's Park Sculpture Artist Brief—North Sydney Council, 2017](#)
- ▶ [Sydney Metro Art Integrated Art for Station Glass Panels Expression of Interest—Create NSW and Sydney Metro, 2020](#)

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How to negotiate artist fees

Artists are often not paid enough for the work they do. In the worst cases, they spend all their fees on producing the work and are effectively left working for no pay. This section offers a guide to paying artists fairly.

Artists are paid for their expertise, labour, services and equipment. They are paid different rates depending on who the artist is, and the type and amount of work they undertake. Artists must be paid properly for their work. All the terms and conditions of payment must be set out clearly in the commissioning agreement or contract. This contract should also address what will happen when things don't go according to plan.

How much do I pay the artist?

Artist fees are not set at a fixed rate. They will vary according to:

- ▶ **the artist's experience and reputation**—well-known artists can charge more for their work because there is greater demand for it, and they may have more experience
- ▶ **the artist's type of practice**—a solo digital artist will have lower overheads than a sculptor who needs a large studio and several assistants

- ▶ **the complexity of the project**—some projects require the artist to undertake many hours of extra work, such as community consultation, research or stakeholder meetings
- ▶ **The type of work being carried out**—creating the work itself might be paid at a different rate from other work undertaken by the artist, such as project management or talking at a public relations event.

For good guidance on calculating an artist's fee, the National Association for Visual Artists (NAVA) has developed a schedule of fees within their Code of Practice which can be found at their website: <https://visualarts.net.au/>

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Paying artists properly

Often, artists work for much less than the minimum wage because they are expected to do many hours of unpaid labour such as extra site visits, meetings, unexpected design changes, promotional activities or extra research. Obviously, this is unfair. Artists are no different from any other worker—they should be paid properly for the work they do.

When you are negotiating the artist fee, you should:

- ▶ Be aware that artists have to make a living from their work, and not just recover costs for the equipment or materials used on your project. As well as their living expenses, artists have to cover the costs for their entire practice including rent (or a mortgage) on workspaces, electricity, insurance, technology, heating, staff and superannuation.
- ▶ Separate the artist fee from the production costs and other expenses for the project. Some projects have relatively low production costs, but this doesn't mean your artist should be paid less just because the production is not labour intense.

- ▶ It is best practice to pay shortlisted artists a fee to develop a concept for the final selection. The fee will depend on the size of the project, but the National Association for Visual Arts (NAVA) recommends fees range from \$500 to \$10,000, depending on the budget of the project and the requirements of the concept design, as outlined in their [Code of Practice](#).
- ▶ Think about how much time an artist will need to give to the project outside the fabrication or installation. Acknowledge the many roles they play: will the artist be designing the work only? Will they be project managing? Fabricating and installing? Conducting community consultation? Will the artist need to make many site visits or have regular meetings?
- ▶ Separate the transfer of ownership or rights for the artwork from the artist fee in a separate Contract of Sale. For more information, see [Contracts](#).
- ▶ Provide superannuation if you are required to. To find out, contact the Australian Tax Office.

What goes in the contract?

Include artist fee arrangements in your contract or commissioning agreement. Artists are often paid at the completion of key stages such as design approval, fabrication and installation. The contract will normally specify how much will be paid, what will trigger payment of the fee and other terms of payment (for example, payment will be made within 14 days to the nominated bank account and is inclusive of GST).

Be clear about who is paying for what. For example, do you expect the artist fees to cover the material for the artwork or will this be a separate payment? Who will pay for engineer's reports? What about site visits or stakeholder meetings? Project management fees?

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What if things change?

The contract should also cover the following:

- ▶ **Amendment fees**—extra payment/s when the artist is asked to change the design or artwork because the commissioner has changed the plan
- ▶ **Death or incapacity of the artist**—according to Arts Law, the best practice is to offer pro-rata compensation of the costs already incurred and payment for instalments due for work already completed. The artist's estate should not be disadvantaged. The commissioner will then own the artwork and may engage another artist to complete it in consultation with the estate.
- ▶ **Interest**—payable if fees are paid late to the artist
- ▶ **Goods and Services Tax**—you should obtain professional advice about whether this will be payable.

FURTHER READING

- ▶ [NAVA—Public Art Fees](#)

▶ *Bird Houses*, Ludwina Roebuck, 2018 (updated 2021), Birdhouse Wall, Pioneer Park, Lithgow NSW.
Photograph: Lithgow Tidy Towns, Carolyn Hide (Cazeil Creative)/Arts OutWest.

▶ ABOUT THIS PROJECT

For a laneways revitalisation project, a 3D installation using wood, paint and found materials leaps off the wall of a local shop.



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How to prepare contracts

A contract is a written agreement between the commissioner and the artist. It must be designed for the purpose rather than modifying a standard service of delivery agreement.

Creating a public artwork is a complex process. Disagreements and misunderstandings between the commissioner and the artist can easily occur. According to the National Association for Visual Artists, approximately 80% of the disputes that come to them concern public art.

To avoid problems, it is important for all parties to communicate their expectations at the very beginning of the process and record their mutual obligations in a contract.

A contract is a clear and detailed written agreement that will reduce any ambiguity in the 'who, what, how, when and where' of a project. Each public artwork commission is unique, so it is essential to use an agreement designed for the purpose rather than modifying a standard service of delivery agreement.

This section offers general information about contracts. It is not exhaustive, and it is always advisable to obtain legal advice about your specific project.

Design and Commission agreements

You can separate the design and the commission parts of your public art project into two separate agreements or merge them into one agreement.

Your design and commission agreement/s need to describe what the artist will be providing and the price you (the commissioner) will pay. Important questions to ask when drafting these agreements are:

- ▶ Design, fabrication and installation— what are the completion dates, fees and processes for approval, delays and variations?
- ▶ What costs will the commissioner cover? (for example, materials, delivery, permits, equipment hire, traffic control, engineering reports)
- ▶ What are the arrangements for site preparation and access?
- ▶ What are the arrangements for maintenance, repairs and cleaning?
- ▶ What happens if there is a defect? What about warranties?

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- ▶ What are the deaccession (artwork removal) processes and rights?
- ▶ Who will own the work and what legal rights do all the parties have? (for example, intellectual property, copyright, moral rights, license to reproduce, royalties)

- ▶ Who is responsible for insurance and indemnity?

- ▶ What is the communication process throughout the project?

- ▶ What happens if there is a problem? What are the termination triggers and dispute resolutions?

Attachments to the agreement/s might include:

- ▶ The brief
- ▶ Site plans
- ▶ Artist's response to the brief, including their preliminary design
- ▶ Approved design
- ▶ Budget

- ▶ Schedule of Fees
- ▶ Insurance
- ▶ Any relevant policies such as Work Health and Safety, environmental, disability access, for example.

Other contractual matters

- ▶ **Contract of Sale**—in addition to a design and commission agreement, you and the artist will need to agree to a contract of sale or a transfer of ownership fee. If the ultimate owner of the artwork will be the commissioner, the contract of sale can be included in the design and commission agreement. If the intended owner is a different party, a separate contract will need to be negotiated. The contract of sale or transfer of ownership fee are separate to the artist fee.
- ▶ **Indigenous property rights**—if Aboriginal artists are involved, Indigenous intellectual property rights will need to be addressed in the agreement.

- ▶ **Other agreements**—you may also need separate agreements for fabrication, sub-contracting, manufacturing, collaboration, project facilitation, artwork reproduction/copyright license, and the involvement of volunteers.

FURTHER READING

- ▶ [Arts Law—Best Practice in Public Art—The Town of Victoria Park Case Study](#)
- ▶ [Arts Law—Contracts: Getting it right](#)
- ▶ [NAVA—The NAVA Code of Practice](#)

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Who owns the copyright?

In the case of public art, the artist will have copyright for both the physical designs and the artwork itself.

Intellectual Property (IP) gives certain legal rights and protections to the owners of creative work. There are four IP areas that are relevant to public art: copyright, Indigenous Cultural and Intellectual Property, Moral Rights and Resale Royalty Rights.

Copyright

The [Copyright Act 1968](#) (Cth) gives artists several exclusive legal rights over their creative material. There is no registration process to obtain copyright—it is automatically granted to the creator of an artistic work. The creator retains the copyright even if they sell the physical work, and only copyright owners can lawfully reproduce, communicate and publish the work including the design and production of merchandising material featuring the artwork.

In the case of public art, the artist will have copyright for both the physical designs and the artwork itself.*

The artist can either transfer the copyright to the commissioner or keep the copyright but grant the commissioner a (free or paid) licence to the copyright for a limited time. The latter option is preferable, according to [NAVA](#) and [Arts Law](#). NAVA recommends that if the copyright is transferred to the commissioner, the artist be adequately remunerated and granted a licence to reproduce the work. Arts Law sells a template Copyright Licence Agreement.

The artist will also need to adhere to copyright law. Their artwork should be original and not infringe anyone else's copyright or moral rights.

Indigenous Cultural and Intellectual Property (ICIP)

There are unique intellectual property considerations for artworks that refer to Aboriginal or Torres Strait Islander cultural property. [Indigenous Cultural and Intellectual Property \(ICIP\)](#) refers to the rights of Indigenous people to protect their traditional arts and culture. ICIP also refers to the protection of traditional knowledge, rituals, languages, sacred sites, stories and ceremonies.

The Australia Council for the Arts' protocols for producing Indigenous Australian Visual Arts explains this in detail. It is especially important that the protocols are followed during the creation of a public artwork, and appropriate intellectual property clauses are inserted into the legal agreements if required.

Moral Rights

Moral rights are provided under the Copyright Act 1968 (Cth). They give the artist the right of attribution. This means they must be

* Note that, Under the Copyright Act 1968 (Cth), it is not an infringement of copyright to make drawings, take photographs or film a sculpture that is on public display in Australia. This means that the copyright owner cannot demand payment for any visual reproduction made while the sculpture is in the public domain. However, this rule does not apply to all artistic works on public display, such as paintings, murals or mosaics.

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identified in reproductions, publications and communications. Attribution usually takes the form of a plaque next to the artwork. However, the artist may wish to be attributed in another way, and it is important to follow their wishes.

Moral rights also provide for the right of integrity, which prevents the derogatory treatment of the work. These rights are relevant to the communication and promotion of public art, and if the commissioner decides to move, change or remove the artwork.

Resale Royalty Rights

Royalty fees are another consideration when commissioning public art. Under the Resale Royalty Right for Visual Artists Act 2009 (Cth), artists may have the right to receive a 5% royalty of the sales price of their artwork when it is resold commercially. For more information see the [Copyright Agency](#).

THE IMPORTANCE OF COPYRIGHT LAW

Copyright law creates incentives for people to invest their time, talent and other resources in creating new material – particularly cultural and educational material, which benefits society

— [Australian Copyright Council](#)

FURTHER READING

- ▶ [Resale Royalty Scheme](#)—Royalties for artists
- ▶ [Copyright Agency/Viscopy](#)—An Australian not-for-profit that has been standing up for creators for more than 40 years
- ▶ [Australian Copyright Council](#)—Information Sheets on Copyright

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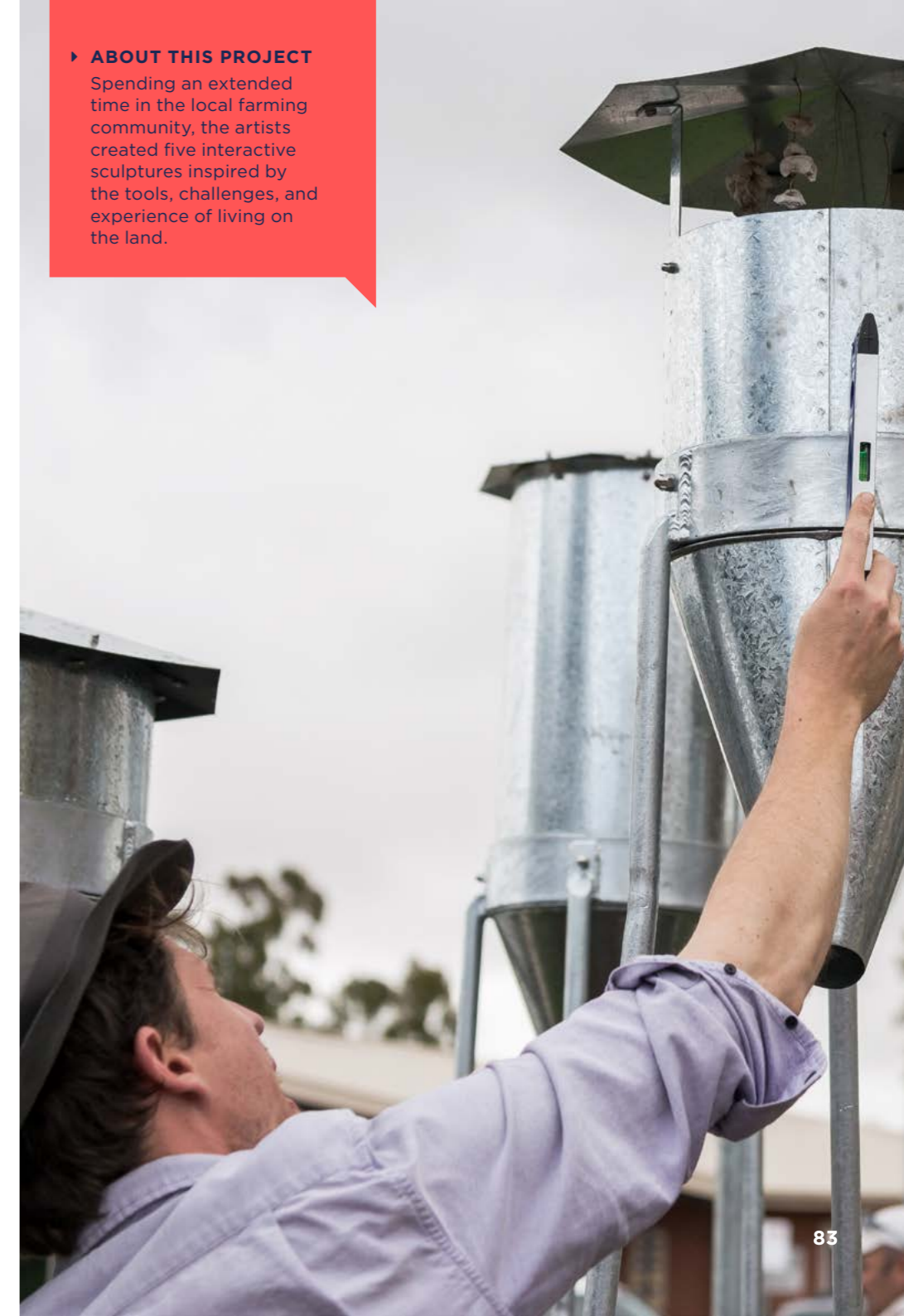
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Previous page image: Melbourne Art Tram in CBD. Photograph: James Morgan, courtesy of Keolis Downer (Yarra Trams)

This page: *Siloscopes*, Hugo Moline and Heidi Axelson, 2016, Forbes Hospital, NSW. Photograph: Jay Lee Zagrovic, courtesy of Arts OutWest.

▶ **ABOUT THIS PROJECT**

Spending an extended time in the local farming community, the artists created five interactive sculptures inspired by the tools, challenges, and experience of living on the land.



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Project lifecycle and planning checklist

Thorough planning and realistic timelines will give you the best chance of completing your public art project on time and within budget.

When you begin planning your public art project, it's important to set a realistic timeframe. Plot out all your tasks, resources and critical milestones—including approvals. This will give you a better chance of completing the artwork on time and within your budget.

Key phases of a public art project

Your timeline will be determined by the relative complexity of the phases in your project, and your administrative arrangements and approval processes. Make sure your timeline accounts for the following phases:

- ▶ conception/strategy/planning
- ▶ community consultation/expert advisory
- ▶ commissioning
- ▶ contracting
- ▶ design/fabrication/installation

- ▶ completion—publicity, launch,
- ▶ evaluation
- ▶ ongoing maintenance and promotion.

How to create a realistic timeline and a detailed project plan

- ▶ Set up a realistic timeframe in your project plan, which incorporates approval process times. For example, if you need to submit a Development Application, it will take time to gather the documentation and wait for the relevant authority to approve it. Your timeline will be affected by the broader plans, policies, projects, legislative and legal requirements of your agency and stakeholders, and those of other government agencies, including local government.

- ▶ Determine how the project tasks will be resourced and create your budget.
- ▶ Consider the site and what is involved in getting it ready.
- ▶ Prepare the marketing/communications plan and incorporate it into your broader timeline.
- ▶ Prepare your risk register and incorporate regular times to assess risk throughout the project.
- ▶ Allocate time for community consultation.
- ▶ Build in time for research, reports and meetings with your advisory and selection panel, experts such as engineers, construction team, planners, and so on.
- ▶ Contract negotiation can be a lengthy process, so allow enough time.
- ▶ Ensure time is consistently allocated for conversations with the artist at all stages of the project. Communication between the commissioning party and the artist should be consistent and will need to continue throughout the project.

FURTHER READING

- ▶ [Your guide to the Development Application process—Planning NSW](#)

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How to budget for public art

Each public art project is unique—and so is each budget. To prepare a credible budget, follow these guidelines.

There is no typical budget for a public art project, but they include costs for artist selection, artist fees, fabrication and installation of the artwork, contingency funds, site works, promotion and on-going maintenance. The context, intent and impact of the work and the artist commissioned will all influence the budget required.

Budgets for public art projects represent a significant risk when factors are not properly costed. This risk is best managed by fully understanding site constraints, the artworks' lifespan, the calibre, reputation and role of the artist, the role of community consultation and engagement, and ongoing maintenance requirements.

Breaking down the costs of public art

Budgets range from tens of thousands for small works to multi-million-dollar installations by internationally renowned artists. Artist fees often represent 10% to 15% of the total project budget depending on their role in the design, installation and delivery of the work. To create a credible budget, ask the following questions:

- ▶ What is the intended artist selection criteria and process?
- ▶ What is the exact role of the artist?
- ▶ Will there be community consultation to inform the design of the work?
- ▶ Is the work permanent, temporary or ephemeral?

- ▶ Are there specific requirements of external funding providers?
- ▶ What are the site requirements and constraints? Will public access or traffic to the site require management during installation?
- ▶ Who is responsible for fabrication and installation?
- ▶ What are the long-term security and maintenance requirements?
- ▶ How will the public engage with the work?
- ▶ How will it be communicated and promoted?
- ▶ Is there a not-negotiable launch date? This could mean last minute, and costly, additional installation labour if there are delays in the project.
- ▶ What about risk management and compliance?

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Budget Checklist

Use this checklist to account for income and expenses at each stage of your public art project. Remember to indicate if the budget includes GST or not.

Income

- Funding sources, grants, sponsorship and donations
- Allocation within a capital works budget
- In-kind donations of labour, materials and services

Expenses

- Developing a Public Art Plan or Public Art Strategy
- Project Management
- Managing selection, competition and commissioning process
- Advisory/Selection committee fees and meeting costs
- Planning approvals and development applications

- Community Consultation expenses
- Arranging exhibitions or presentations
- Site plans

Artist fees and related costs

- Professional Artist Fees vary depending on services provided by the artist. Services include design (from concept design to final design), fabrication, community consultation, installation, project management, public and stakeholder presentations. For more information, see [How to negotiate artist fees.](#)

- Collaborator fees
- Artist studio expenses
- Drawings and models
- Fees for modifications/amendments
- Travel costs
- Storage

Fabrication, installation and site works

- Fabrication materials, equipment and fees
- Insurances: accident and liability insurance and insurance for the artwork itself

- Permits and approvals
- Site preparation and works
- Workplace Health and Safety measures
- Transport and freight
- Installation equipment and fees
- Fencing, security, traffic and pedestrian control
- Emergency services
- Professional services/subcontractors—engineers, lawyers, architects, landscape architects, quantity surveyor, electricians, plumbing, legal advice and contract preparation
- Site presentation—lighting, landscaping, fit-out of surrounds, clean-up, accessibility and inclusion costs
- Accreditation plaques/signage
- Contingency budget—allow 10% to 15% of total budget to cover unexpected costs and cost increases due to delays, increases in Consumer Price Index (CPI) and potential increases in material costs

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Promotion and engagement

- Publicity and public relations
- Launch
- Photography and documentation for promotional and archive purposes
- Developing and running engagement, education and community programs
- Artist royalties/licence fees for image reproduction (for example, merchandise)
- Digital promotion and presentation.

Maintenance

- Ongoing maintenance requirements
- Conservator advice
- Decommissioning/removal costs
- Collection management

**HOW MUCH IS ENOUGH?
BUDGETING FOR PUBLIC ART**

I always think it's better to commission an artist of the highest standard and then find the money to fund what are usually amazing results, rather than commission the best artist you can for an inadequate budget. It's about pushing expectations of quality and striving to get the best

— Tracey McNulty, Group Manager Arts Programme and Development, London Borough of Barking and Dagenham

It seems like a lot of money for this project, but ... there's all these hidden things which you don't see in a public project, from health and safety, cherry pickers, to fixings and engineering.

— Artist Tracey Emin on making *The Distance of Your Heart* for City of Sydney, Sydney Morning Herald

FURTHER READING

- ▶ **Public Art Commissioning Guidelines**— Helpful advice regarding the role of the artist, the role of the curator, and the importance of an art plan.
- ▶ **Public Art Case Studies**—where possible, Create NSW has provided the budgets for public artworks included in the Public Art Case Studies section of this toolkit. The costs provided in case studies range from initial budget estimates to final costs.

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How to manage risk

When creating a new public artwork, it is important to identify and manage risk at every stage of the process from planning through to installing and maintaining.

When you are planning a new public artwork, it is a good idea to create a Risk Register. A Risk Register identifies the risks involved at each stage of the project, and the actions that may be needed to address them. Your risk register should be reviewed and updated throughout the life of the project.

This section of the Toolkit will help you mitigate the risks of managing a public art project. Here it is useful to consider the difference between managed risks and artistic risk-taking, where the concept of the work is new and challenging.

What to include in your Risk Register?

Planning and Design

- ▶ The finished work deviates too much from the artist's concept
- ▶ The finished work fails in its site because the scale or context is wrong
- ▶ Engineering and technical risks
- ▶ Project approval

To mitigate these risks, you should include provisions in the contract. Your contract should clearly state the allowed number of variations to the design because extra variations will impact the timing for completion and the schedule of fees. Keep reviewing the objectives of the project against the

proposed work in situ. For more information, see [Contracts](#) and [How to prepare for design and fabrication](#).

Site risks

- ▶ geographic/environmental problems
- ▶ technical impediments
- ▶ heritage and cultural issues
- ▶ arrangements for ownership/management of the site
- ▶ development limitations and special requirements for permits (planning law)
- ▶ difficult access for installation.

To mitigate these risks, a thorough check of the proposed site at the beginning of a project can save money and prevent delays in the future.

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Making and Installing

Consider engineering and technical risks related to the artwork itself and/or its installation:

- ▶ depending on the artwork, engineers and technicians will usually need to review designs in the planning and design phase. They may also need to be involved throughout the installation process
- ▶ the artwork and site will need to comply with the [Disability Discrimination Act 1992](#)
- ▶ check compliance with the various Australian Standards and Codes (for example, those relating to entrapment and construction, traffic and pedestrian access)
- ▶ adhere to relevant environmental legislation
- ▶ you and the artist will need to consider Work Health and Safety risks and comply with legislation

- ▶ consider public liability obligations for all stages of the project, including during the community consultation phase, if there is one, and when engaging volunteers. See [SafeWork NSW](#) for advice and resources
- ▶ planning for the unlikely event of the artist's death or incapacity.

Reputation risks

Creating a new public artwork can present a risk to the commissioner's reputation if the choice of an artwork or its execution are contentious. Although it will probably never be possible to please everyone, it is best practice to:

- ▶ have a fair and transparent selection process
- ▶ consult with the community
- ▶ develop and follow a communication and promotion strategy

These actions will give people more involvement in the decisions being made about the artwork and will hopefully lessen any feelings of disaffection.

Maintenance and vandalism risks

Over time, the artwork risks falling into disrepair and/or being vandalised. To mitigate these risks:

- ▶ consider what is involved in maintaining the artwork and whether its materials are robust enough for the site or to withstand vandalism
- ▶ develop a cleaning and maintenance schedule in collaboration with the artist and the maintenance crew
- ▶ conduct authentic community consultation—this is thought to deter vandalism because it gives people a personal connection to the work.

Financial Risk

Thorough scoping of the costs involved at the outset will reduce the risk of going over budget. Contracts should also be clear on who will cover what cost, and what will trigger each scheduled payment.

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Insurance

Insurance is a substantial component of risk management. These matters are covered in more detail here: [Insurance](#).

FURTHER READING

- ▶ [SafeWork NSW](#)—Advice and resources for a safe working environment
- ▶ [Disability Discrimination Act](#)—Regulations regarding accessibility for everyone
- ▶ [Environmental Planning & Assessment](#)—Information about sites of significance and heritage
- ▶ [Museums and Galleries NSW](#)—Legal requirements: Insurance and compliance

▶ ABOUT THIS PROJECT

A collaboration between the two Sydney artists and a local Wiradjuri artist, Lagoon illuminated Wagga Wagga's CBD for a two week local festival.



▶ *Lagoon*, 2021, Goldberg Aberline Studio and Wiradjuri artist Owen Lyons, Wollundry Lagoon, Wagga Wagga, NSW.

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Who is responsible for insurance?

What are the main types of insurance required, and who is responsible for them? Insurance arrangements should form part of the commissioning agreement or contract. This section covers the main insurance policies you are likely to need.

It is essential to abide by all relevant legislation and your agency's own policies concerning insurance. It is always advisable to get professional advice about the types of insurance required for your project. Keep in mind that some insurance companies specialise in the arts industry and may offer more appropriate policies.

Who is responsible for insurance?

- ▶ A rule of thumb is that the party who can best control the risks should be the party who maintains the insurance.

- ▶ Artists may not have the financial capacity to pay for insurance. In this case, best practice would be to allocate money in the project's budget towards the artist's insurance costs.
- ▶ If the artist has no experience in insurance matters, encourage them to contact NAVA and Arts Law. NAVA offers several types of insurance to sole practitioners as part of its membership packages.
- ▶ It is a good idea to obtain copies of any policies the artist is responsible for and provide the artist with the same in return.

- ▶ There may be situations where an insurance company considers a risk to be so high and the consequences so severe that it sets its premium much higher than the project budget can cover.

What is Workers Compensation Insurance?

Workers compensation insurance covers against workplace injuries and illnesses.

- ▶ It is standard for the artist to maintain workers compensation insurance for themselves and anyone they are required to under the law (such as paid assistants)
- ▶ Sole traders or artists in a partnership are not covered by workers compensation insurance. The artist is not legally required to maintain any insurance, but it would be wise for them to purchase personal cover for injury and income loss
- ▶ Volunteers are not covered by workers compensation insurance in NSW
- ▶ [iCare NSW](#) explains specific rules and definitions about this insurance.

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What is Public Liability Insurance?

Public liability insurance protects against accidents caused by negligence that result in injury or property damage. A classic example would be a member of the public tripping over on wet paint on the artist's studio floor. Public liability insurance could cover the costs of any claims of damages caused by the fall.

- ▶ It is common for the artist to maintain public liability insurance while the artwork is being made on their premises.
- ▶ Arts Law recommends that the commissioner maintain public liability insurance for claims that arise during the artwork's production/installation at the site and on the commissioner's premises.
- ▶ After the artwork is installed, public liability usually becomes the commissioner's responsibility.
- ▶ Think about the need for public liability insurance at other times in the project, such as community consultation or marketing events.

What is Professional Liability Insurance?

Professional liability insurance (also called professional indemnity insurance) covers damage caused by the insured person's professional activity. For example, an engineer might give the wrong advice about the required structural support for an artwork, which might lead to the artwork being destroyed.

- ▶ NAVA recommends that the commissioner pay for professional liability insurance for the artist as it can be prohibitively expensive
- ▶ Make sure engineers or technicians who are giving advice have appropriate professional liability insurance.

What is 'indemnity'?

Indemnity means to insure another party against claims made by third parties for death or injury, and loss or damage to property.

- ▶ Arts Law recommends that the commissioner should indemnify the artist against claims made by third parties during the fabrication and installation of the

artwork on site. This means that if someone is injured or dies, or property is damaged, the artist is covered.

- ▶ It also recommends that the artist indemnify the commissioner against any losses that result from copyright infringement by the artist.

Other types of insurance

You may also need to consider the following:

- ▶ Property insurance—covers the cost to repair or replace damaged or stolen equipment or art during its manufacture
- ▶ Transit insurance—covers the damage or theft of the artwork during delivery
- ▶ Volunteer insurance—covers injury or illness of volunteers involved in the project
- ▶ Product liability insurance—covers products that you have supplied or made when they cause harm, injure someone or cause property damage
- ▶ Goods in Physical and Legal Control—covers other people's property that is in your care.

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How to prepare for design and fabrication

In this section, we explain the process of accepting the artist's design and moving into the fabrication stage. Who is responsible for what?

After an artist has been selected for the commission, they will develop detailed designs of their proposed artwork. Once these designs have been accepted, they will begin fabricating or making the work. Some works will be made off site, some on site.

Sometimes an artist may be engaged just to produce designs for the new work, leaving the commissioner to fabricate and install it. Sometimes the artist will outsource the fabrication stage. For the purposes of this Toolkit, let's assume the artist will be responsible for design and fabrication.

Your contract with the artist should be very clear about what each party expects for both the design and fabrication of the artwork. For more information, see the [Contracts](#) section.

Working together

It is vital for you and the artist to discuss design and fabrication at the outset and maintain good communication throughout the whole process. Otherwise, the artist may spend lots of time designing/making something that is unsatisfactory. Likewise, if you don't explain the rationale behind any design and fabrication changes, the artist may feel it is an intolerable deviation from their original vision.

Very commonly these days, the artist will work collaboratively with architects, planners, engineers and landscapers on the design and fabrication of their work. Again, it is very important that everyone involved communicates early and regularly.

Design fees

Producing an original, site-specific design takes time and will create out-of-pocket expenses for the artist. Often, the artist must pay for advice from engineers, architects or other professionals. Consider this when you are negotiating artist fees. In the contract, you should separate the design fee from other expenses for the project, such as production costs.

The contract should also specify the amount the artist will be paid for the design and what will trigger the payment. Usually the artist is paid for their design in advance when they sign the contract or when the commissioner accepts the design. If the artist will be involved in the fabrication stage, the contract should also specify what fees the artist will be paid for participation in infrastructure/fabrication workshops and meetings. For more information, see [How to negotiate artist fees](#).

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The artist's role

- ▶ After signing the contract, the artist is obliged to deliver a detailed design that is based on their preliminary design and honours your brief.
- ▶ You may ask them to provide samples of materials, mock-ups, evidence of engineering/safety approval, fabrication and installation details, suppliers and subcontractors information, timelines or maintenance considerations.

Approval and changes to the design

- ▶ You should always accept the artist's design in writing. Even if you reject the design, the artist should still be paid their design fee (unless the design is delivered late or is significantly different from their preliminary design).
- ▶ What is the process if you want to change the design? There should be clear provisions in your contract about the number of changes allowed, as well as the notification

process and fees payable to the artist to compensate them for time spent amending the design.

- ▶ After accepting the design in writing, you should not ask for any changes that will make the design significantly different from the preliminary drawings or brief.

Fabrication: access and project management

When the design phase is complete, you are ready to move into fabrication. Ask the following questions:

- ▶ If the work is being created on-site, what are the access arrangements?
- ▶ Will the commissioner need to work with manufacturers or is the artist managing the whole process?
- ▶ If the artist is sub-contracting some or all of the fabrication work, what are their arrangements?

Approval and changes to the artwork

- ▶ What happens if the finished work is very different from the design? The artist should be given the chance to fix it up, but there should be a clear process for rejecting an artwork and recovering payments made to the artist.
- ▶ What is the process and timing for accepting the artwork?

Insurance, compliance, compensation

- ▶ Who is responsible for insuring the work during the fabrication stage? For more information, see [Insurance](#).
- ▶ Who is responsible for proving the artwork is fit for installation and public display? Are engineering or construction reports required to certify the safety and technical approval of the artwork, for example? Refer to your timeline and budget.

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- ▶ What happens in the event of an artist's death or incapacity to complete the artwork? According to Arts Law, the best practice is to offer pro-rata compensation of the costs already incurred and work already completed. With this, the artist's estate should not be disadvantaged.

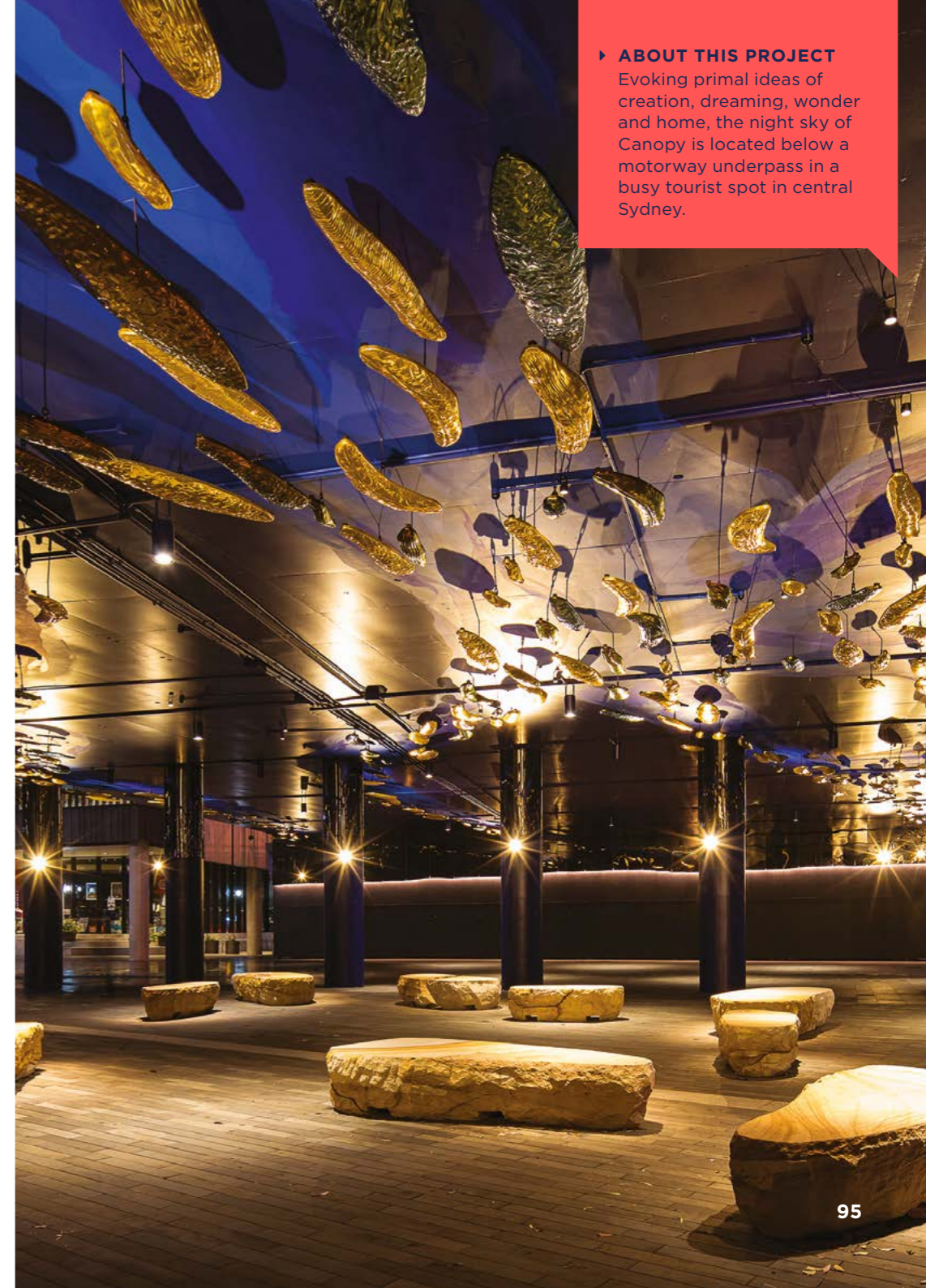
CASE STUDIES 🔍

- ▶ Interloop—Chris Fox, Sydney CBD (2017)

▶ *Canopy*, 2020, Jacob Nash, Darling Square, Australia.
Photograph: Create NSW.

▶ ABOUT THIS PROJECT

Evoking primal ideas of creation, dreaming, wonder and home, the night sky of Canopy is located below a motorway underpass in a busy tourist spot in central Sydney.



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How to prepare for installation

To make sure the installation runs smoothly, there is quite a bit of work to be done first. Here is a checklist to help you prepare.

The process of installing a public artwork will vary depending on the work itself and its proposed location. Some works will be made off site, some on site. Some works will be built into a structure, some will be craned onto the prepared location.

Whatever the site or the artwork, installing public art will usually involve quite a bit of preparatory work to make sure the site is ready. Many public art projects are majorly delayed and go over budget. Often, this occurs when the management team have not considered all the things that have to be in place before the new work can be installed. It is also understood that planning law in NSW must always be adhered to.

Are you ready for installation?

Usually, the commissioner is responsible for getting the site ready for the new work. Discuss with the artist what's needed and refer to your contract, which should clearly set out each party's roles and responsibilities. Issues such as site access, traffic management, safety and delivery of the artwork should all be covered.

Use this checklist to guide you during the preparation stage:

Approvals, compliance and documentation

- contracts approved
- site permissions and easements granted
- development applications approved
- environmental approvals

- engineering, lighting and building standards approval
- traffic management plan and road safety
- approval for signage placement
- site access and compliance with the Disability Discrimination Act (see also [How to manage risk](#))
- heritage and cultural approvals
- insurance and licencing—artist and subcontractors to provide copies.

Site preparation

- clear the site (for example, trees/landscaping, existing structures may need to be removed)
- map the underground network of pipes, wires and cables
- complete the foundation work (for example, excavation and earthwork)
- secure site access for vehicles, heavy equipment
- utilities connection—even if your artwork doesn't need electricity or water connections, the installation crew will.

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Communication and timetabling

- complete the installation schedule and procedures, with adherence to work health and safety compliance
- brief the installation team on the installation process
- confirm machinery/equipment/tool hire and materials delivery
- hold meetings about the installation process with stakeholders, including the community
- if the artist is not managing the installation process, brief them and obtain their agreement.

Installation

Often the artist is responsible for installing the work, but it's not always the case. Depending on the complexity of the project, many people may be involved, and the job of coordination can be great. Managing the installation is much like managing any other construction project. For example, you will need to:

- create a schedule that plots the timeline, roles and responsibilities for everyone involved in the installation

- make sure the artist approves the schedule and is involved in the process. If the artist is managing the installation, make sure you approve their schedule and check insurance certificates and licences of subcontractors
- confirm that everyone knows what they need to do, and when they are expected to start and finish their work
- have everyone's contact details at hand and give everyone your contact details
- check that you have sourced all the equipment you need and that the site is accessible for anyone who is making deliveries or working on site
- brief everyone on risks, emergency procedures, and health and safety concerns
- re-check insurance certificates, including transit insurance for the transport of the artwork to the site
- photograph the installation process for your records and promotion materials
- conduct all the necessary safety inspections (construction, engineering, lighting, plumbing, surroundings, for example) and have them documented by qualified experts before allowing public access.

Signage and attribution

- According to Australian copyright law, you must provide the artist with the right of attribution. This means you need to install a sign (or otherwise) that states who created the work.
- The attribution should be in place when the work opens to the public. If you are publishing photographs of the artwork in promotional material, make sure you include a caption stating the artist's name and the name and year of the work.

EVERY PROJECT IS UNIQUE

You will learn something major every time you install a new work of art. Artists, sites, and materials will create a new and interesting set of constraints that will be ever changing

— Public Art Placemaking Toolkit for Rural Communities, Jackson Hole Public Art, Wyoming, US

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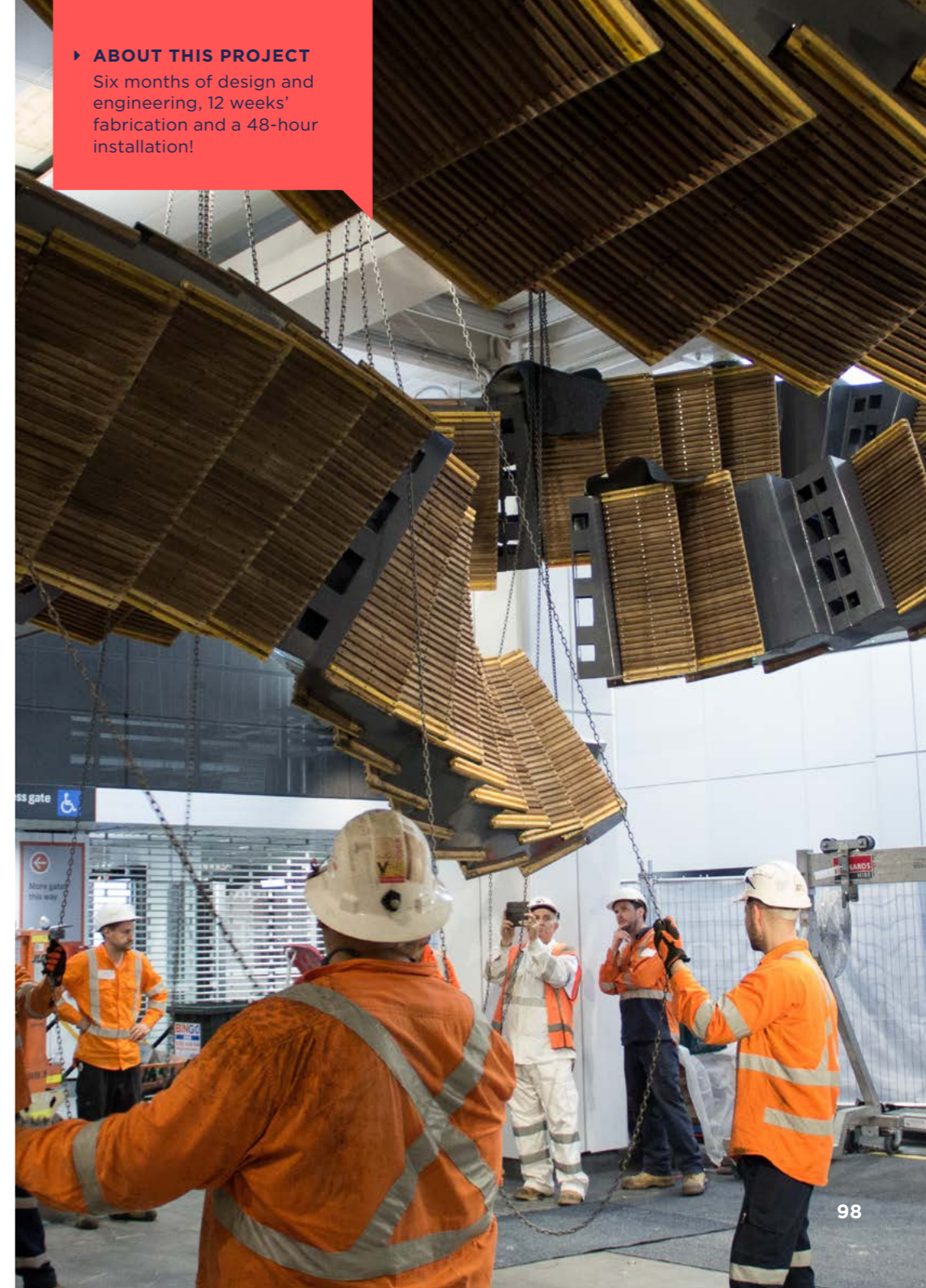
FURTHER READING

- ▶ [Disability Discrimination Act information](#)—Information about accessibility
- ▶ [Heritage and Aboriginal Cultural Heritage information](#)
- ▶ [Museums & Galleries NSW](#)—Legal requirements: Insurance and compliance
- ▶ [Australian Taxation Office \(ATO\)](#)—resources about payments, taxation and entitlements
- ▶ [Copyright Agency/Viscopy](#)—Advice and resources regarding copyright and visual arts

▶ **ABOUT THIS PROJECT**

Six months of design and engineering, 12 weeks' fabrication and a 48-hour installation!

▶ Installation of *Interloop*, Studio Chris Fox, Wynyard Station, Sydney, 2017.
Photograph: Josh Raymond, courtesy of Studio Chris Fox.



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How to communicate and promote your project

From the moment you develop the brief for a new public artwork, you should start looking for opportunities to publicise and promote it—at every stage.

From the moment you begin to develop the brief for a new public artwork, start looking for opportunities to promote it across the entire project timeline.

Community consultation is a natural way to start spreading the word. When the artwork opens to the public, you can use social media and launch events to draw people in.

It is best practice to develop a communication/marketing plan at the outset of the project. Usually this will be done in consultation with the communications section of your organisation and/or a marketing/PR agency.

Opportunities for promotion

From planning to implementation, there are multiple opportunities to promote your project. These include:

- ▶ **Community consultation stage**—raise awareness of your project by hosting meetings, workshops, online and face-to-face surveys and during site visits
- ▶ **Expressions of Interest**—when you invite artists to respond to your brief, it is an opportunity for targeted promotion. Depending on the type of artist you plan to engage (digital artists, traditional bronze sculptors, contemporary visual artists, for example) you can target relevant

artists' networks, art galleries, universities, arts-industry websites and social media forums

- ▶ **Short-list announcement**—publicise your shortlist across print, radio, television, social media and arts-industry websites
- ▶ **Finalist announcement**—publicise your selected artist/s across print, radio, television, social media and arts-industry websites
- ▶ **Fabrication and installation process**—provide updates via blogs, social media, YouTube, and traditional media channels
- ▶ **Official opening**—host media events and invite journalists from print, radio, television, social media, arts-industry websites and publications as well as influencers and stakeholders
- ▶ **Ongoing communication**—create an education/public program (such as workshops and artist talks) supported by events, publications, newsletters, blogs, social media, YouTube, and traditional media channels. Also consider partnerships with galleries and institutions for cross-programming and promotion.

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Identify your objectives

Now that you know some of the different strategies for communication and promotion, it's important to identify your objectives.

As with any marketing strategy, you will need to be clear on what you want to achieve from promoting your public art project. This is likely to depend on which stage of the project you are at.

At first, the goal may be to attract people to community consultation events. During the Expressions of Interest stage, you will need to promote the project so you can find the artists who are most suitable for the commission. Be clear about what you want to achieve at each stage so your communications/marketing team can shape the promotion strategy.

Determine your target audience

Having clear communication objectives can help you work out who you want to reach with each promotion. You will have different target audiences depending on the stage you are at and you will need to use different channels to make contact. An advertisement in the arts-industry website Arts Hub will tell artists that the commission exists but is unlikely to be an effective way to promote the community consultation stage, for example.

Digital promotion

Public art is perfect for social media and digital channels as these mediums are so visual. Your marketing team will recommend the best channels to promote the work and strategies to reach a large audience.

Audiences of public art can also provide unofficial promotional assistance via social media. Existing in the public realm, outside the rule-laden walls of galleries and museums, public art can be absorbed and appreciated in the viewer's own time and at their leisure. Many people will want to document their experience by taking photos either of the art

itself or of themselves enjoying the artwork. Social media platforms such as Instagram allow users to 'geotag' their images, sharing the location and details of a site. These details, in addition to the use of hashtags which may include the name of the artwork, artist or keywords, will provide a word-of-mouth style of promotion of the work.

Artist's promotion of the work

The artist may like to undertake promotion or communication about the public artwork at various stages. This can be beneficial as the artist may have a following who will continue to promote the work via social media or other platforms. Any permissions required for the artist to promote the work should be discussed, and timeframes to obtain these permissions should be built into the schedule.

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Acknowledgements and attributions

It is best practice to acknowledge sponsors in your promotional material. You may also have obligations or protocols for acknowledging your own agency or any other funding body. It is essential to attribute the work to the artist otherwise you may be infringing the artist's Moral Rights. See the [Copyright](#) section for more information.

ARTS MARKETING IN THE DIGITAL WORLD

Who makes amazing, irresistible content: artists do. Great content gets watched, re-watched and shared. It generates enquiry. It also generates a data trail as it makes its way across the web. You can start defining who your audience is very quickly online with free tools such as Facebook Insights and Google Analytics. And great art doesn't have a use-by date. It will keep being shared and shared and remarked upon, getting ever further across the web, driving people back to the source: you

— Ellis Jones Consultancy
(ellisjones.com.au)

FURTHER READING

- ▶ [Public art was always designed for the masses—and now for social media followers, too—StarTribune, 2015](#)

CASE STUDIES

- ▶ [barrangal dyara \(skin and bones\)—Jonathan Jones, Sydney Botanic Gardens \(2016\)](#)

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How to maintain public art

This section will help you choose durable materials and prepare a maintenance schedule to have your public artwork last as long as it's supposed to.

There are countless case studies across the world of damaged and dilapidated public artworks. Sometimes, the problem arises when a work is made using materials that are prone to damage. Other times, the owners don't carry out conservation work early enough, and the work is damaged as a result. Vandalism and environmental factors are common causes, too. This section gives advice on ensuring public art lasts as long as it is supposed to.

Respecting the artist and Moral Rights

- ▶ Not only is it disrespectful to the artist if a work falls into a bad state, it can reflect badly on their practice and may infringe their moral rights. Moral rights are provided under the Copyright Act 1968 (Cth). Among

other rights, they provide for the right of integrity, which prevents the derogatory treatment of an artist's work.

- ▶ Commissioners who fail to care for their works will quickly develop a reputation: other artists may think twice before agreeing to work with them.
- ▶ It is important to keep the artist's wishes at the forefront. This means respecting the artist's vision, choice of materials and consulting the artist to solve maintenance problems.
- ▶ The commissioner should always give the artist the first chance to repair any damage to the artwork. The artist should also provide the commissioner with a maintenance manual—or work with the commissioner to develop one—so the artwork can be cared for as they wish.

Choice of materials

During the design stage—before fabrication—ask the artist, conservators, technicians, and maintenance workers to talk about the artwork's proposed materials. The artist should provide information about the work's materials, manufacturing details, and technical specifications.

Ask questions such as:

- ▶ How long do we want this work to last? This will guide your decisions about materials and maintenance.
- ▶ Can the materials withstand the elements of the site such as wind, water, sun, temperature, pollution or human traffic?
- ▶ Is there a substitute material that can fulfil the artist's vision but is more durable?
- ▶ If the material is likely to be damaged—for example, through vandalism—is it easy and inexpensive to clean or replace?
- ▶ Are the materials high maintenance? If so, can you afford to maintain them?

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Most public artworks will require regular cleaning, conservation work and repairs.

- ▶ Prepare a maintenance schedule in consultation with the artist, maintenance crew and, if necessary, technicians and conservators. List how often the work will need to be cleaned, serviced and checked for damage. Get agreement from the people who will be carrying out the work and the artist.
- ▶ Set aside money in your ongoing budget for cleaning, regular maintenance and repairs of the work itself and its surrounds (landscaping).
- ▶ Have a plan for vandalism: who to contact and how to approach repairs.
- ▶ Identify what products can be used on the materials and methods for cleaning and maintaining.

- ▶ Maintain a record of the repairs or conservation work as they are carried out. Take photos and make notes. Future conservators will know the history and what treatment has worked or not worked.
- ▶ Assess the maintenance schedule on a regular basis and amend it accordingly. For example, you might find that the work is attracting a lot of vandalism and needs to be checked more regularly.

Warranties

- ▶ The contract or commissioning agreement should include the terms of warranties on the artwork.
- ▶ Arts Law's template agreement provides a 12-month warranty during which time the artist must fix any latent defects in the artwork not caused by the characteristics of the materials used or the site's environment.

THE 'LIFE' OF AN ARTWORK

Let's face it, maintenance is not the sexiest part of public art, but it is essential. Why? Public art is an investment for the future. The life of an artwork doesn't end after its purchase or installation date. By staying on top of maintenance you save a lot of time, money and damage down the road

— [Artwork Archive, Public Art Maintenance Best Practices](#)

FURTHER READING

- ▶ [Getty Conservation Institute—Resources for conservation](#)
- ▶ [City of Sydney—Conservation Program](#)
- ▶ [Artwork Archive—Public Art Maintenance Best Practices](#)

CASE STUDIES

- ▶ [Cloud Gate—Anish Kapoor, Chicago, USA \(2006\)](#)

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When to deaccession or decommission public art

In this section, we look at the reasons why an artwork might be deaccessioned, and the best practice principles involved in this process.

‘Deaccession’ means removing an artwork from public display with the view to either keeping it or disposing of it.

‘Deaccession’ is often used interchangeably with ‘decommission’, although sometimes the terms are used to mean different things (some people say that ‘to decommission’ means to remove an artwork from display but not from the collection, while ‘to deaccession’ means to remove an artwork from a collection’s register before disposing of it).

We look at the reasons why an artwork might be deaccessioned, and the best practice principles involved in the process. Having a clear deaccessioning policy helps to decide how, when, and why a commissioning body may choose to deaccession a public artwork.

Reasons a public artwork may be deaccessioned

- ▶ The artwork has fallen into such a poor state that it is unable to be repaired. Public art can easily be damaged by exposure to sun, water, extreme weather, pollution, mishaps and vandalism.
- ▶ The work is dangerous to the public, either because of its inherent design or something that has happened since its installation.
- ▶ The site has changed and the context in which the original work was made is no longer relevant.
- ▶ It can no longer be cared for or maintained. For example, parts that need to be replaced are no longer available, or the artwork has become too expensive to maintain (part of creating a new public work is budgeting

and preparing for its ongoing maintenance, however sometimes an artwork may become too expensive to maintain for an unforeseen reason and deaccession is the only solution).

- ▶ The work is not of high merit and lacks historical or cultural significance.
- ▶ It would be unethical or illegal to keep the work. For example, if the work infringed another artist’s copyright or was made of stolen or unethical materials.
- ▶ The work no longer fits into the overall vision of the public artwork collection.
- ▶ The work is an integral part of a building or other structure that is being redeveloped and it can’t be removed.
- ▶ The community or commissioner’s values have changed, and the artwork is no longer appropriate for current times.

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Best practice principles for deaccessioning and disposal of work

It is sensible to have a written policy on deaccession and the disposal of artworks. A policy will help to guide the deaccession process and keep things ordered and transparent.

Here are some recommendations for deaccession and disposal:

- ▶ Have a panel of impartial experts that can assess proposals to deaccession works
- ▶ Create assessment criteria by which you/ the panel can judge the proposals. This makes the process clear and decisions more objective
- ▶ Identify the person/people who have the authority to make the final decision on whether to deaccession a work or not
- ▶ Don't be swayed by fashion. Many decisions to remove works by artists who are out of favour are regretted later
- ▶ Check records, contracts, titles and legislation to determine whether you are obliged to keep the work

- ▶ Check that deaccessioning will not infringe the artist's moral rights (see below)
- ▶ Fully understand the work's cultural and historical significance before deciding to remove it
- ▶ Involve the artist or their estate in the process and put everything in writing
- ▶ Work out the best option for disposing of the work: you might give the artist the opportunity to take it; lend/give it to another government agency; relocate it to another site; sell it; store it; or destroy/ recycle it.
- ▶ Give the artist an opportunity to make a record of the work (take photos, film footage, for example) before it is removed
- ▶ If the work is sold, the artist may be entitled to a 'resale royalty'. For more information, see the [Copyright Agency](#).

Things to watch out for

- ▶ If you deaccession a living artist's work, it may adversely affect the market for their work
- ▶ Deaccession of works may damage your reputation among potential and existing donors, sponsors and artists
- ▶ Be mindful of political and community opinion. Removing artworks can be controversial.

Moral Rights

Moral rights are provided under the Copyright Act 1968 (Cth). Among other rights, moral rights provide for the right of integrity, which prevents the derogatory treatment (this term has a specific meaning in the Act) of an artist's work. Some of the scenarios above may infringe on the artist's moral rights. An example of infringement might be moving the artwork to a new site, or changing its surrounds, so that the artwork loses its meaning and the reputation of the artist is reduced.

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Contract

To prevent misunderstanding, your commissioning agreement or contract with the artist should set out the process and criteria for deaccession and the expected lifespan of the work. We recommend following the best practice principles listed above to inform the provisions in your agreement.

FURTHER READING

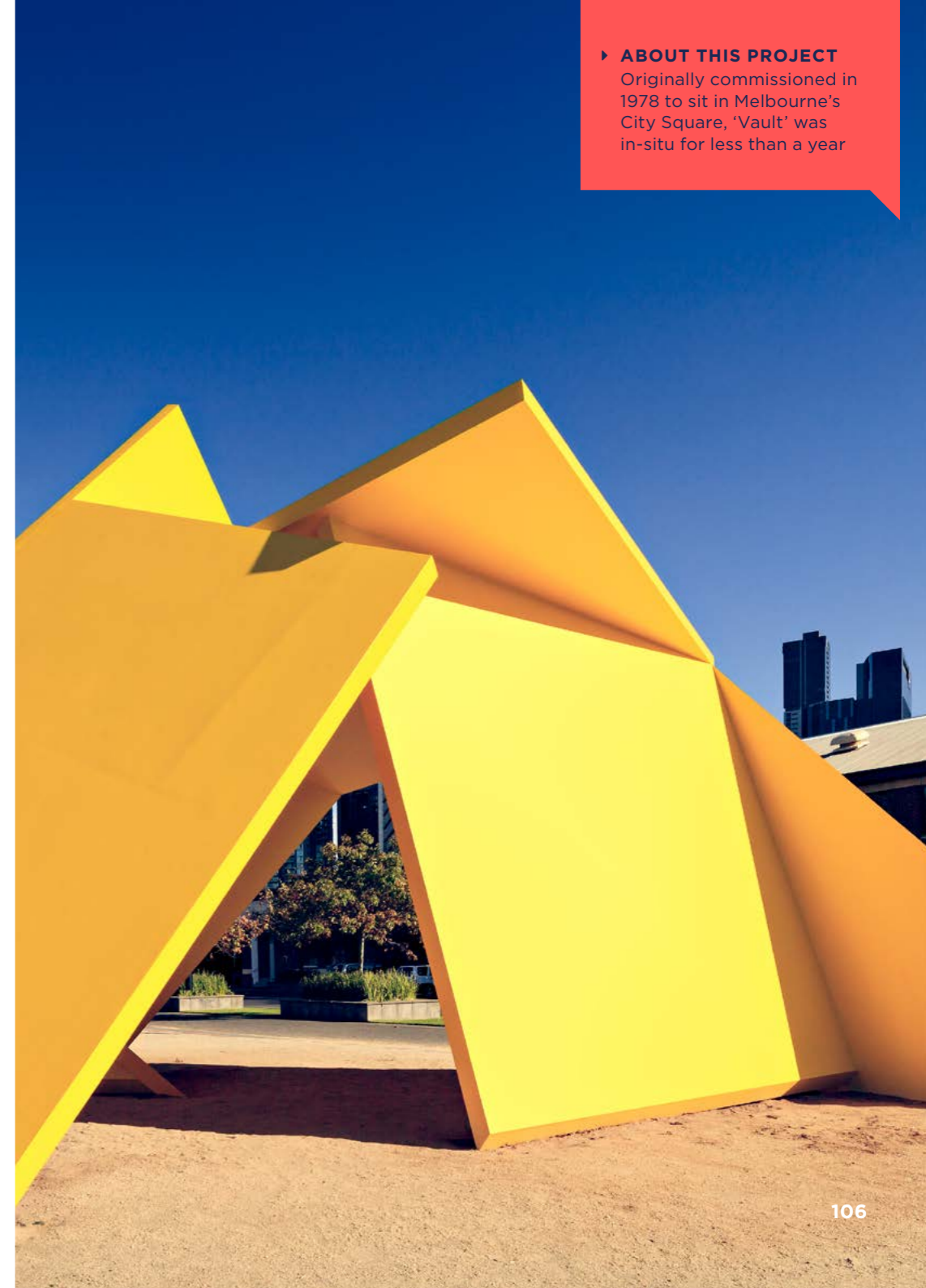
- ▶ [City of Sydney Acquisition and Deaccession Guidelines](#)—Policy guidelines regarding public art acquisition and guidelines
- ▶ [Museums and Galleries NSW](#)—information about the process of deaccession
- ▶ [International Council of Museums](#)—Guidelines on Deaccessioning
- ▶ [Collections Law](#)—Article by Shane Simpson

CASE STUDIES

- ▶ [Pyramid Tower \(Dobell Memorial\)—Bert Flugelman, Sydney \(1979\)](#)

▶ *Vault*, Ron Robertson-Swann, 1980, Melbourne.
Photograph: Patrick Rodriguez, courtesy of City of Melbourne.

▶ **ABOUT THIS PROJECT**
Originally commissioned in 1978 to sit in Melbourne's City Square, 'Vault' was in-situ for less than a year



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How to evaluate public art

The impact of public art can cut across multiple domains, from social, economic or environmental and can enhance social cohesion and collective wellbeing.

Evaluation is a process of gathering evidence before, during and after a project to find out how well the aims and outcomes have been achieved. Allocating resources for evaluation of outcomes and long-term benefits promotes excellent public art projects.

Collecting evidence to support the claims for the benefits of public art can have its challenges. While evidence for claimed benefits may primarily be anecdotal, the economic benefits from tourism and visitation are influenced by many factors, including the presence of a piece of public art. By thinking through and picking the right evaluation method, public art projects can be evaluated successfully.

What are you measuring?

To evaluate the success of a public artwork, you must first define what success means for your particular project. What results do you expect? Each project will have different desired outcomes. For example, a public art project in a hospital might aim to benefit the health and wellbeing of its patients, visitors and staff. A big budget project in a city center by a renowned international artist might aim to attract tourists.

There are various measures of public art outcomes, including:

- ▶ **Artistic value**—conceptual/technical innovation; aesthetic quality

- ▶ **Social value**—short- and long-term community development; improved health and wellbeing; improved safety and security; heightened sense of identity; social capital (connections/networks)
- ▶ **Environmental value**—physical environmental improvement; pollution and waste management; improved amenity
- ▶ **Economic value**—marketing/place identity; tourism.

Choosing the right area to focus on will depend on the nature of your project and what you are trying to achieve.

An important next step in the planning for evaluation is to describe how you intend for the program to work. A simple program logic can structure this and support early evaluation planning.

A program logic (also known as program theory or theory of change) will describe how the intended outcomes are linked to the actions that will be undertaken in the delivery of the public art.

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Helpful Resources

- ▶ Cultural Development Network—[Outcomes Schema](#)
- ▶ NSW Department of Premier and Cabinet Evaluation Toolkit—[Program Logic](#)
- ▶ betterevaluation.org—[Program Theory](#)
- ▶ NSW Department of Education, Centre for Education Statistics and Research—[Logic Modelling](#)

How to measure outcomes

If you have identified the outcomes that are desired from the project and how this will be achieved, creating a method to measure these are the next step.

If you install a public artwork, and you want to know whether it has improved the wellbeing of its audience, how can you tell? The impact of public art may be difficult to determine. There are ways to implement data collection, however, that may demonstrate its positive impact.

Some case studies include:

- ▶ Testimonies from people who were involved in the project in some way. For example, community members who were part of the design process
- ▶ Surveys or interviews gathering people's opinions
- ▶ Media attention and instances of audience engagement
- ▶ Digital presence, mentions or dwell time (the length of time a person spends at a website or page)
- ▶ Instances of damage/vandalism compared to instances of community care for an artwork
- ▶ 'Public Art Watch'—this means observing audience interactions with the work overtime including dwell time (the length of time a person spends looking at an artwork)
- ▶ Instances of the work being used in education and other programming or marketing.

Helpful Resources

- ▶ Creative Victoria—[Audience Research Toolkit](#)

Government policies and legal requirements for data collection

Before testing new methods of data collection, familiarise yourself with the legal requirements:

- ▶ *Commonwealth Privacy Act 1988* (Privacy Act)
- ▶ *NSW Privacy and Personal Information Protection Act 1998* (PPIP Act)
- ▶ NSW Government Open Data Policy, and the International Open Data Charter
- ▶ *State Records Act 1998*.

FURTHER READING

- ▶ [Evaluating Public Art—Determining the value of public art and the tools that can be used](#)
- ▶ [Museums and Galleries NSW—How to conduct audience research](#)
- ▶ [Understanding the value of arts & culture—The AHRC Cultural Value Project, Geoffrey Crossick & Patrycja Kaszynska](#)
- ▶ [Urban Art Projects - Public Art 360](#)



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Public art case studies

The case studies in this section showcase a mix of artists, genres, sites and commissioning approaches to bring to life the topics covered in this Toolkit, especially methods for commissioning and types of public art. There are many identified case studies of projects completed by NSW State Government agencies or local government.



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Diane Riley McNaboe, Jonathan
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Chris Fox, Sydney CBD (2017) 133

James Cook Memorial/Civic Park Fountain
Margel Hinder, Newcastle NSW (1966) 136

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Various artists (1973-1993; 2013) 138

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Secret World of a Starlight Ember
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**Sydney Opera House At Night (2014)/
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Archie Moore, Sydney Airport (2017) 150

Wellama (Barangaroo)
Alison Page and Nik Lachajczak,
Sydney, NSW (2019) 152

**The Whales and The Canoes,
The Eyes of the Land and Sea, Rock Weave**
Kamay Botany Bay, NSW (2020) 154



Case study
Always Was, Always Will Be

Case study—Temporary public art, First Nations, deaccession

Always Was, Always Will Be Reko Rennie, Sydney CBD (2012)

Combining traditional imagery with contemporary techniques, this mural was one of Sydney’s most iconic examples of public art from 2012 to 2017.

Title: Always was, always will be

Artist: Reko Rennie

Artistic genre: Geometric abstraction
(with text)

Year: 2012

Type of work: Mural (temporary)

Why was the work created?

The work was created to pay tribute and acknowledge the original Aboriginal custodians of the land.

Description

Always was, always will be by Reko Rennie is a mix of traditional imagery and contemporary techniques. The work features geometric diamonds, referencing the artist’s associations to north-western NSW and the traditional markings of the Kamilaroi people. He used fluoro-pigmented paint to achieve intense clashing colours, drawn from the palette used by graffiti artists rather than the subtle ochres, greys, and browns made from natural materials used in traditional Aboriginal painting.

As author Alessi Vincent explained in *Art and Australia*: “Rennie was not interested in making work that simply utilised traditional mark-making such as dots and lines within the

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narrow ochre palette. This was not because he did not associate with or want to be part of this tradition; rather the traditional symbol that he references—the diamond shape—formed only part of his identity. His urban upbringing, which had shaped him as an adult and, ultimately, as an artist, was just as significant. For Rennie, art was a means to explore identity, memory and Indigenous politics. It was a way for him to challenge the stereotypes that had characterized Indigenous art. And it was a way for him to explore what it means to be an urban Indigenous man in contemporary Australia.”

Site

The work was painted on the T2 Building, a former Commonwealth Bank built in 1910. The building sits on Taylor Square in Darlinghurst, Sydney.

Who commissioned and/or funded the work?

The work was part of Streetware, a temporary program of street art commissions by the City of Sydney that began in 2010. It aimed to

revitalise the City’s laneways and public spaces and support emerging artists in Sydney’s creative community.

How was the commissioning or acquisition done?

The Streetware program commissioned artworks through an open competition EOI process. Shortlisted artists were asked to develop concept proposals, with different artists then chosen for different projects.

Length of project

This was intended to be a temporary 6-month project, but the work remained on the building for approximately 5 years.

Rennie decided to paint over his artwork after learning the City of Sydney was putting the prominent building up for sale in 2017.

“There’s no way I want my artwork to be associated with a gaming venue or any licensed establishment, so unfortunately the City of Sydney gave me no other choice but to have the work removed because it couldn’t guarantee the future of it. I’d rather have the work taken down rather than glorifying some misappropriated venue,” he said.

Case study

Always Was, Always Will Be

Response

The bright colour palette of the work originally caused controversy among local residents. However, the work soon became an icon for the LGBTI community, which created an online petition asking for the building to be retained by Council and used as a LGBTI community museum.

Artist

Reko Rennie is a Kamilaroi/Gamilaraay/Gummaroi man, born in Melbourne. Rennie discovered street art when he was a teenager and quickly began producing original art on the streets of Melbourne. Rennie previously worked as a journalist for The Age but became a full-time artist in 2009 when he realised he was better able to share his ideas through visual arts.

FURTHER READING

- ▶ [City Art Sydney—Case study](#)
- ▶ [One of Sydney’s most iconic pieces of art is being removed—The Brag](#)
- ▶ [RekoRennie.com](#)



Case study
Archibald Memorial Fountain

Case study—Public art and placemaking

Archibald Memorial Fountain **Francois Sicard, Hyde Park, Sydney (1932)**

Created in 1932 from a bequest from JF Archibald—namesake of the Archibald Prize—the Archibald Memorial Fountain creates a pivotal meeting place within Hyde Park.

Title: Archibald Memorial Fountain

Artist: Francois Sicard

Artistic genre: Art Deco

Year: 1932

Type of work: Memorial (permanent)

Why was the work created?

Archibald Memorial Fountain commemorates the relationship between Australia and France in World War I and celebrates peace.

Description of work

The fountain is hexagonal in shape and approximately 18m in diameter. The central bronze figure, standing approximately 6m tall on a pedestal, is Apollo. Surrounding Apollo are mythical figures of Diana, Pan, and Theseus defeating the Minotaur. An arch of water representing the rising sun sprays out from behind Apollo. At Apollo's feet, water sprays from horses' heads into three basins. There are tortoises and dolphins in the basins that direct jets of water towards the centre.

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In 1926, a competition to redesign Hyde Park was held. The winning design included 'Birubi Circle', where the Archibald Memorial Fountain is now located at the intersection of the main avenues crossing Hyde Park.

**Who commissioned and/or
funded the work?**

The fountain resulted from a bequest in 1919 by the founding editor of The Bulletin, JF Archibald, who was a Francophile.

**How was the commissioning or
acquisition done?**

Archibald specified in his will that "a proportion of his estate should be devoted to the creation of some beautiful bronze symbolic open-air memorial by a French artist, commemorative of Australia and France having fought side by side for the liberties of the world. ... such memorial to take the form of an electrically lighted fountain to be placed, if possible, in the Botanical Gardens Sydney or if not in some suitable place in one or other of the public gardens of Sydney."

He also stipulated that the work had to be selected by the president of the Royal Academy of Arts in London and that the

money be invested for seven years after his death to increase the amount of money available for the commission.

The artist chosen, Francois Sicard, had never visited Sydney but used photos and sketches of the site to create models of the fountain. Once completed and delivered to Sydney, the fountain was handed over to the City of Sydney on 14 March 1932.

Cost

Approximately £17,000

Length of project

Permanent

Implementation and maintenance

The City of Sydney Council is responsible for the maintenance and lighting of the fountain. Extensive preservation work was undertaken by the City of Sydney in 2013.

Response

Sicard, and the fountain's Art Deco style, became an influence for change among young Sydney sculptors of the 1930s. Before being shipped to Australia, the statues were displayed in Paris at the Grand Palais. They were received with enthusiasm and praise.

In outlining the social significance of the fountain, the Hyde Park Plan of Management and Masterplan Heritage Review Study states that the fountain is "a pivotal point within the Park, the Archibald Fountain has social significance. Its prominent siting at the crossing of the two major axes within the park creates an important focus and meeting point."

Artist

Francois Sicard was a French artist, best known for work on the adornments of the Louvre. Sicard won the Premier Grand Prix de Rome in 1891 and was awarded a gold medal at the Exposition Universelle of 1900. He became an Officer of the Legion d'Honneur in 1910.

FURTHER READING

- ▶ [City Art Sydney—Francois Sicard](#)
- ▶ [City of Sydney—Archibald Memorial Fountain](#)
- ▶ [Dictionary of Sydney—Archibald fountain](#)



Case study

barrangal dyara (skin and bones)

Case study—Public art as temporary event and heritage interpretation

barrangal dyara (skin and bones)
Jonathan Jones, Sydney Botanic Gardens (2016)

This artwork involved deep and intensive engagement and collaboration with First Nations communities in the creation of the work.

Jonathan Jones (Wiradjuri/Kamilaroi), barrangal dyara (skin and bones), 2016, Kaldor Public Art Project 32. Gypsum, kangaroo grass (Themeda triandra) 8-channel soundscape of the Sydney Language and Gamilaraay, Gumbaynggirr, Gunditjmara, Ngarrindjeri, Paakantji, Wiradjuri and Woiwurrung languages. Dimensions and durations variable. Installation view Royal Botanic Garden Sydney.

Title: barrangal dyara (skin and bones)

Artist: Jonathan Jones

Artistic genre: Sculptural, soundscape and landscape/botanic installation

Year: 2016

Type of work: Memorial (temporary)

Why was the work created?

Responding to the immense loss of culturally significant Aboriginal objects, barrangal dyara (skin and bones) is a celebration of the survival and resilience of the world's oldest living cultures. The project began with Jones' search for Aboriginal objects from his traditional homelands, in order to connect with his own cultural identity as an Aboriginal artist.

◀ Photograph: Peter Greig; Courtesy the artist and Kaldor Public Art Projects, Sydney

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barrangal dyara (skin and bones)

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This sculptural installation stretched across 20,000 square metres of the Royal Botanic Garden. It created a stereo soundscape of the Sydney Language and Gamilaraay, Gumbaynggirr, Gunditjmara, Ngarrindjeri, Paakantji, Wiradjuri and Woiwurrung languages.

According to Kaldor Art Projects: “Jones presents the history and legacy of the Garden Palace from an Aboriginal perspective. A native meadow of kangaroo grass forms the heart of the installation, reinstating Aboriginal agriculture and symbolising the regenerative role of fire. Thousands of bleached-white shields echo the masses of rubble that lay strewn across the site in the aftermath of the fire, representing the bones of the Garden Palace and its layered history. The voices of south-eastern Aboriginal communities naming the objects that were destroyed by the fire, and those excluded from the display, form a multichannel soundscape throughout the site. Stories of Indigenous objects, languages, cultural practices, artists and communities from across the south-east region of Australia are revealed and celebrated in a series of talks, workshops and performances.”

Site

barrangal dyara (skin and bones) was located on the original site of the 19th century Garden Palace in the Royal Botanic Garden Sydney. The magnificent colonial edifice, which dominated the Sydney skyline, was constructed to host the prestigious 1879 Sydney International Exhibition. Just three years later, the entire building burned to the ground along with its contents, which included countless Aboriginal objects collected largely in the south-east of Australia.

Who commissioned and/or funded the work?

The project emerged from Jones’ winning entry for YOUR VERY GOOD IDEA (2014), the first Australian open competition run by Kaldor Public Art Projects. It was the first Kaldor Public Art Project to be produced with an Australian Aboriginal artist. The work was a centrepiece of the 200th anniversary celebrations for the Royal Botanic Garden Sydney.

How was the commissioning or acquisition done?

Kaldor Public Art Projects asked Australian artists to share their VERY GOOD IDEA for a site-specific temporary art concept as part of its 45th Anniversary Project.

The organisation was searching for ideas that would appear in unexpected spaces, or in landmark sites reimagined, inspiring the local public and Kaldor’s friends and followers in Australia and around the world.

Kaldor Public Art Projects received hundreds of applications from all over Australia, including applications from some of Australia’s most inspiring established artists, as well as those just commencing their careers. In September 2014, it announced the winning artist, selected by a panel of highly regarded curators who work in Australia and overseas. The panel included: Jessica Morgan, Daskalopoulos Curator of International Art, Tate Modern, London, and Artistic Director of the 10th Gwangju Biennale, South Korea; Nicholas Baume, Director and Chief Curator of Public Art Fund, New York; Alexie Glass-Kantor, Executive Director of Artspace, Sydney; James Lingwood, Co-Director,

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Art Angel, London; Nick Mitzevich, Director of the Art Gallery of South Australia, Adelaide; and John Kaldor, Director of Kaldor Public Art Projects.

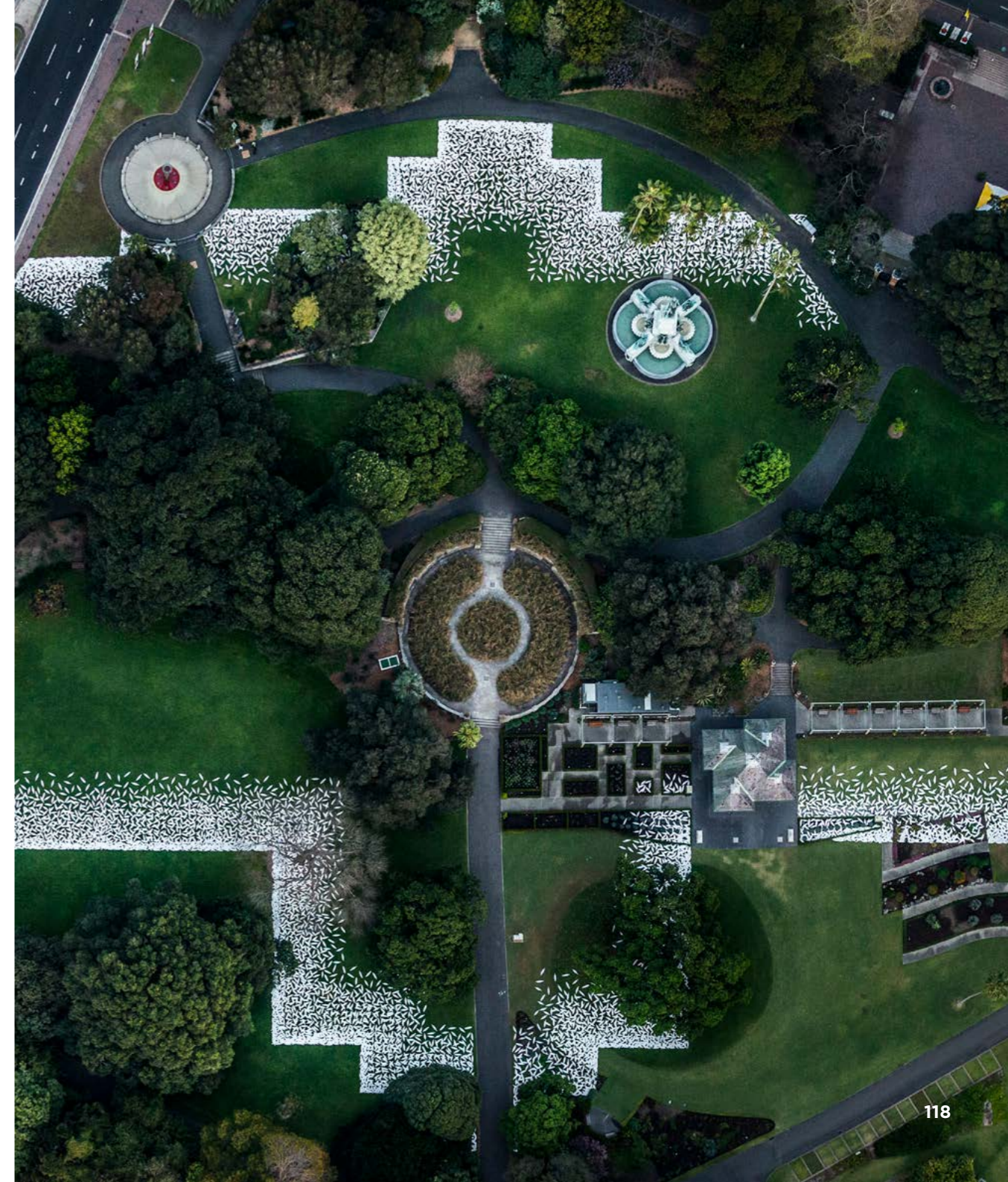
Artist profile

Sydney-based Aboriginal artist Jonathan Jones, a member of the Wiradjuri and Kamilaroi nations of south-east Australia, works across a range of mediums. He creates site-specific installations and interventions into space that use light, subtle shadow and the repetition of shape and materiality to explore Aboriginal practices, relationships and ideas.

FURTHER READING

- ▶ [MCA—Jonathan Jones](#)
- ▶ [barrangal dyara \(skin and bones\) Education Kit—Kaldor Art Projects](#)

▶ Photograph: Peter Greig; Courtesy the artist and Kaldor Public Art Projects, Sydney





Case study
Blueprint for a Landscape

Case study—Public art integrated with the architectural design of transport infrastructure

Blueprint for a Landscape
Sarah Sze, 2nd Avenue Subway, New York (2017)

This artwork integrated public art into the existing railway station building material and matched the physical experience of movement through space with the visual experience.

Title: Blueprint for a Landscape

Artist: Sarah Sze

Artistic genre: Conceptual, futurism, constructionism

Year: 2017

Type of work: Permanent installation: photographs and hand drawings printed onto porcelain tiles

Why was the work created?

The artwork has been built into the fabric of the building of a new subway station extension in New York City. The concept is that the work mirrors the physical experience of the commuter moving through the building, e.g. speed of movement and transitions from one space to another.

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Images printed in white on over 4300 porcelain blue wall tiles, covering approximately 14,000 square feet of wall in a subway station. The images on the tiles are objects related to the urban environment including paper scraps, scaffolding, birds, trees, and leaves.

The artworks are dynamic, and the composition evolves throughout the station, conceptualizing the changes in speed and movement of the viewer and the environment.

Site

Subway station (2nd Avenue Subway, New York City)

Who commissioned and/or funded the work?

The New York Metropolitan Transportation Authority, Arts & Design Department, commissioned the project.

How was the commissioning or acquisition done?

This project was part of a larger development of four new stops on a new part of the subway line in New York City. One artist was chosen for each stop: Chuck Close, Vik Muniz and Jean Shin were the other artists selected.

The Metropolitan Transportation Authority, USA, provided \$4.5 million to the project. The four artists were chosen from a pool of more than 300 applicants and were told “treat the stations as their very own and make them into individual installations”. (Art Underground: A First Look at the Second Avenue Subway, Randy Kennedy, New York Times, 19 December 2016)

Cost

\$4.5m USD for four stations

Length of project

The work is permanently installed

Implementation and maintenance

The artist was engaged early and worked with the designers and builders of the new stop from the beginning. Sarah Sze worked on the project for ten years from application to installation. Tiles were manufactured off site and installed during the construction of the building.

Artist profile

Sarah Sze is a New York-based artist that is best known for her sculptures and installations that use found objects, organic material, photographs, text and drawings. She has represented the USA at the Venice Biennale and her works are in major art museums.

FURTHER READING

- ▶ [SarahSze.com](https://www.sarahsze.com)
- ▶ [Sarah Sze explains her 2nd Avenue subway Art—Phaidon](#)
- ▶ [Art Underground: A First Look at the Second Avenue Subway—Randy Kennedy, New York Times](#)
- ▶ [MTA Art and Design](#)



Case study
Borrowed Landscape

Case study—NSW Government agency commission

Borrowed Landscape **Jamie North, Newcastle NSW (2019)**

Title: Borrowed Landscape

Artist: Jamie North

Artistic genre: sculptural integration of heritage objects and plants

Year: 2019

Type of work: permanent

Why was the work created?

Transport for NSW Newcastle Light Rail representatives met with Create NSW Strategic Projects and Engagement representatives to discuss the opportunity for artistic interpretation, urban intervention and placemaking project presented by the uncovering of heritage artefacts during early site works phase of the Newcastle Light Rail. The artefacts included steel rail tracks, sandstone blocks (from the old sea wall and the old Honeysuckle Station) and timber rail bridge support beams.

The design brief for the Newcastle Light Rail Public Art Project was to design a distinctive and original public artwork that significantly features the transport heritage artefacts and seeks to reflect the cultural identity and stories of Newcastle, historic or contemporary.

Description

Borrowed Landscape consists of a series of sandstone blocks arranged in a dynamic yet balanced formation. Native plant communities inhabit both the base and floating rock elements, occupying carved niches and core-drilled holes in the sandstone. When viewed from a distance, the suspended sandstone blocks seem to float in the air. Even when close, they seem to be improbably supported by flowering vines which twirl up the rebar to meet the blocks. The blocks themselves are inhabited by tough native rock orchids, Port Jackson fig and various fern species, creating small floating gardens against the sky.

◀ *Borrowed Landscape*, 2019, Jamie North, Commissioned by Transport for NSW and Create NSW.
Photograph: Simon Anders, courtesy of Transport for NSW.

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A 225-square metre space at Worth Place, between Hunter Street and Honeysuckle Drive was identified as the desired site for the artwork due to its adjacency to the Light Rail corridor and location near the new cultural hub of Newcastle.

Who commissioned and/or funded the work?

Transport for NSW funded the design, delivery and install of Borrowed Landscape.

How was the commissioning or acquisition done?

Create NSW in partnership with Transport for NSW sought expressions of interest (EOI) for the design and provision of an original public artwork as part of the delivery of the Newcastle Light Rail project. The EOI was open to artists from NSW with applications from the Hunter region strongly encouraged. The proposals were then evaluated by an Art Advisory Group (AAG). AAG members were

selected in accordance with their experience in and knowledge of contemporary visual arts, urban design, architecture, local history and context, and cultural practice relevant to Transport's NLR Project.

Implementation and maintenance

Borrowed Landscape once installed was then vested to Hunter and Central Coast Development Corporation for ongoing maintenance.

Response

Art Assessment Group (AAG) feedback on Jamie North's Concept Proposal "Borrowed Landscape evokes a powerful and richly layered sense of place. Jamie North's use of locally sourced materials including steel, sandstone and native plants connects his work to Newcastle's industrial past, to the land's enduring Indigenous presence and to the future of our creative city. As a landmark and meeting place Borrowed Landscape is a garden, a sculpture, a playful folly and a tribute to nature's elemental forms."

Artist

Jamie North's work operates at the intersection of the natural and the man-made. In his cast concrete sculptures, native Australian plant species are employed to seek out natural growth lines and explore the landscape of the work. In time, the selected plants become entangled with the inorganic concrete, creating a continuously evolving and living sculptural form.

FURTHER READING 

- ▶ [Jamienorth.com](https://www.jamienorth.com)
- ▶ [Jamie North's Newcastle light rail sculpture puts sandstone, steel relics in pride of place—Newcastle Herald](#)
- ▶ [Light Rail Art at Worth Place—The Newcastle Herald](#)



Case study
Cloud Gate

Case study—Public art as an iconic attraction, response to site

Cloud Gate **Anish Kapoor, Chicago, USA (2006)**

First unveiled in 2004, Cloud Gate is now one of Chicago's most photographed attractions.

Title: Cloud Gate

Artist: Anish Kapoor

Artistic genre: Abstract minimal conceptual

Year: 2006

Type of work: Sculpture (permanent)

Why was the work created?

Millennium Park is a park and cultural precinct that opened in 2004. As Kapoor said: "What I wanted to do in Millennium Park is make something that would engage the Chicago skyline so one will feel the clouds kind of floating in with those very tall buildings reflected in the work."

Description

Inspired by liquid mercury, Cloud Gate is a mirrored sculpture made up of 168 stainless steel plates welded together and placed on the ground in the shape of a bean. The work is approximately 10m tall, with a base approximately 20m by 13m, making it one of the world's largest permanent outdoor art installations.

The central arch provides a "gate" to the concave chamber. Its stainless-steel surface is highly reflective, inviting visitors to touch and interact with its surface and see their image reflected from a variety of perspectives.

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The work is located in Millennium Park between downtown Chicago and Lake Michigan.

Who commissioned and/or funded the work?

The work was commissioned by Millennium Park, which set up a committee that included representatives from the Art Institute of Chicago, Museum of Contemporary Art, Chicago, and some of the city's foremost art patrons. They were responsible for choosing artists for several public art installations across the park.

How was the commissioning or acquisition done?

The committee created a list of artists from around the world who had experience in large-scale outdoor works. Without soliciting specific ideas for the spaces in Millennium Park, the committee narrowed its list to just two artists: Anish Kapoor and Jeff Koons.

The committee directly commissioned both artists for works in separate areas of the park. The initial proposal from Koons, however, did not allow for disabled access and the physical size of the work might dominate the space. There was also concern that Kapoor's work would generate so much foot traffic that it would damage the organic installations. A new location (the location of the proposed Koons work) was chosen and the Koons project was scrapped entirely.

Cost

The initial budget for the project was \$6 million (USD), with telecommunications company Ameritech contributing approximately \$3 million. The final cost was significantly greater. At completion, Cloud Gate cost \$23 million. The total cost of Cloud Gate was underwritten by the Millennium Park Foundation using funds from private donors.

Length of project

Cloud Gate took over two years to be created, completed in 2005. It is a permanent work.

Implementation and maintenance

The process began with a wooden model of the work which was then turned into a digital image and fabricated into sample sheets of steel. Plates of steel were sent on trucks to Chicago, where final construction took place. The edges were then welded together and re-polished to provide a seamless finish.

Cloud Gate was first unveiled in July 2004 at the official opening of Millennium Park. The work was not complete at this unveiling as not all seams had been fully welded and polished. The work was supposed to be re-covered after the opening of the Park but due to its popularity it was decided that work on Cloud Gate would not continue until January 2005. Work resumed in January and continued through October when it was unveiled once again.

The bottom half of the work is cleaned up to 7 times a day to remove fingerprints. The work is also deep-cleaned and washed twice a year with 150 litres of liquid detergent.

Cloud Gate was vandalised in 2009 and 2019. In 2009 two names were scratched into the work and in 2019 vandals tagged the work with white spray paint. The work was quickly repaired with cleaners washing off the paint and polishing the damaged surface.

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Affectionately known as ‘The Bean’, Cloud Gate is one of the top things to see in Chicago and is one of the most photographed attractions. A large part of its popularity is due to its reflective surface, allowing people to take selfies with the city skyline. Millennium Park received 12.9 million visitors in 6 months in 2016.

In 2018 Anish Kapoor sued the National Rifle Association (NRA) for copyright infringement for a 2017 NRA ad that featured Cloud Gate. An out-of-court settlement was reached, which meant the NRA had to remove the work from the ad.

Kapoor also threatened legal action over a Chinese sculpture installed in an oil town in Xinjiang that bears a strong resemblance to Cloud Gate. Representatives for the work argued that the work resembled an oil bubble and reflects the ground whereas Cloud Gate reflects the sky.

FURTHER READING

- ▶ [Anishkapoor.com](https://www.anishkapoor.com)
- ▶ [The inside story behind Cloud Gate—The Clare](#)
- ▶ [Cloud Gate—Millennium Park Foundation](#)
- ▶ [Cloud Gate vandalism arrest—ArtNet](#)



Case study—Public art as placemaking

The Gates of Light **Khaled Sabsabi, Western Sydney (2014)**

When The Gates of Light was unveiled in 2014, it created a new landmark in Macarthur Heights—a suburb in Western Sydney.

Title: The Gates of Light

Artist: Khaled Sabsabi

Artistic genre: Sculptural, interactive

Year: 2014

Type of work: Light sculpture (permanent)

Why was the work created?

The Gates of Light was created for Macarthur Heights, a new suburb in Western Sydney.

UrbanGrowth NSW's Robert Sullivan said the Gates of Light captured the essence of Macarthur Heights: "Public art plays a huge part in new suburbs and becomes a destination point and landmark for gatherings and events."

Description

The work consists of three red and blue pointed arches made of tinted acrylic glass. Light panels depict stars and constellations to represent different cultures. It celebrates earth, the solar system and universe and symbolises an entry into knowledge, tradition and community.

Each arch points to major constellations, best viewed at the 'star-watching hour' — 9.30pm in winter and 10.30pm in summer. This contemporary work is also encrypted with a QR code, allowing people to scan the code and learn more about the sculpture and the astronomical bodies it represents.

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“I was inspired by the 88 constellations, which represents people from different ethnicities and cultures because we are a multicultural society,” Sabsabi said.

Site

The work is installed at Main Ridge Park below the University of Western Sydney Campbelltown campus observatory in Macarthur Heights. It is the area’s first “town and gown” master planned development, led by UrbanGrowth NSW in partnership with the university. Macarthur Heights includes 850 homes, parklands and cycle paths.

Who commissioned and/or funded the work?

Landscape architect firm, CLOUSTON, was commissioned to develop and implement all of the open space and streetscapes for the residential development.

How was the commissioning or acquisition done?

CLOUSTON directly commissioned Sabsabi to incorporate his astronomically themed piece Gates of Light as part of a placemaking strategy that links university research with the landscape and community.

Artist

Khaled Sabsabi, born in Lebanon, lives and works in Western Sydney. He works across mediums, geographical borders and cultures to create immersive and engaging media-based experiences.

FURTHER READING

- ▶ [Stunning lights illuminate Macarthur Heights—Macarthur Advertiser](#)
- ▶ [New community lights up Macarthur—Landcom](#)
- ▶ [KhaledSabsabi.com](#)





Case study
Guwimilgabang Baaribang

Case study—Public art in aid of health and wellbeing and community engagement

Guwimilgabang Baaribang
Diane Riley McNaboe, Jonathan Jones,
Dubbo Base Hospital (2015)

This artist-led installation at Dubbo Base Hospital was created in collaboration with local Wiradjuri people.

Title: Guwimilgabang Baaribang—Women's Long Dance Belt

Artists: Diane Riley McNaboe and Jonathan Jones

Artistic genre: Contemporary sculptural installation

Year: 2015

Type of work: This aluminium, brass and copper installation is a contemporary interpretation of a traditional Wiradjuri Women's dance belt.

Why was the work created?

The NSW Government recognises the power that art has in hospitals and encourages the integration of the arts into the design of new spaces. Dubbo Base Hospital's arts strategy is an example of this policy in practice. As a work, Guwimilgabang Baaribang symbolises healing and care for the sick, an appropriate theme for its location in a hospital. It acknowledges the historical links between the hospital, Indigenous culture and community relationships.

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The work is a contemporary interpretation/ revitalisation of a traditional Wiradjuri Women's dance belt. Traditional dance belts were made by tying real cockatoo and emu feathers together and used during ceremonies. The longer dance belts—on which this work is based—were only allowed to be worn by the older women, the healers of the community. During the dance, the women hold onto the long belt, linking the group together.

Community workshops were held to shape the aluminium and brass cockatoo feathers, which are roped together with copper wire. The feathers have an appropriate symbolic meaning: cockatoos act as a warning; feathers represent change; emus remind us to take care and tread lightly, and to look after sick people and their loved ones.

Site

The work is on display in the foyer of Dubbo Base Hospital and was created especially for the opening of the new birthing unit.

Who commissioned/funded work

In 2015, Create NSW provided Dubbo Base Hospital (via Base Arts Inc, an arts and community advisory group at the Hospital) with a grant of \$60,000 to commission this new work. The Hospital provided in-kind support worth \$30,000.

How was the commissioning or acquisition done?

The artwork choice was informed by the Hospital's arts strategy, which is part of its overall plans for a multi-million-dollar redevelopment. It was created using a best practice community-based arts approach:

- ▶ The commission was underpinned by conceptual principals, including an intention that the proposed work respond to the site and its audience
- ▶ The project was led by professional artists

- ▶ The artists were chosen for their connection to location—both were Wiradjuri
- ▶ The artists held several community workshops to make the artwork, ensuring the participation of local Wiradjuri people. The workshops brought people together to make intricate components of the work, mirroring the traditional making of the dance belt and the concept of healing in the work itself
- ▶ The project was evaluated in a written acquittal to Create NSW.

Cost

\$90,000 AUD

Length of project

Under one year

Implementation and maintenance

The coordinator of this project noted the main challenges were stakeholders not being able to visualise the end outcome, and some lack of understanding of the artwork's importance. However, once it was in place, it was well received even by those who were previously critical.

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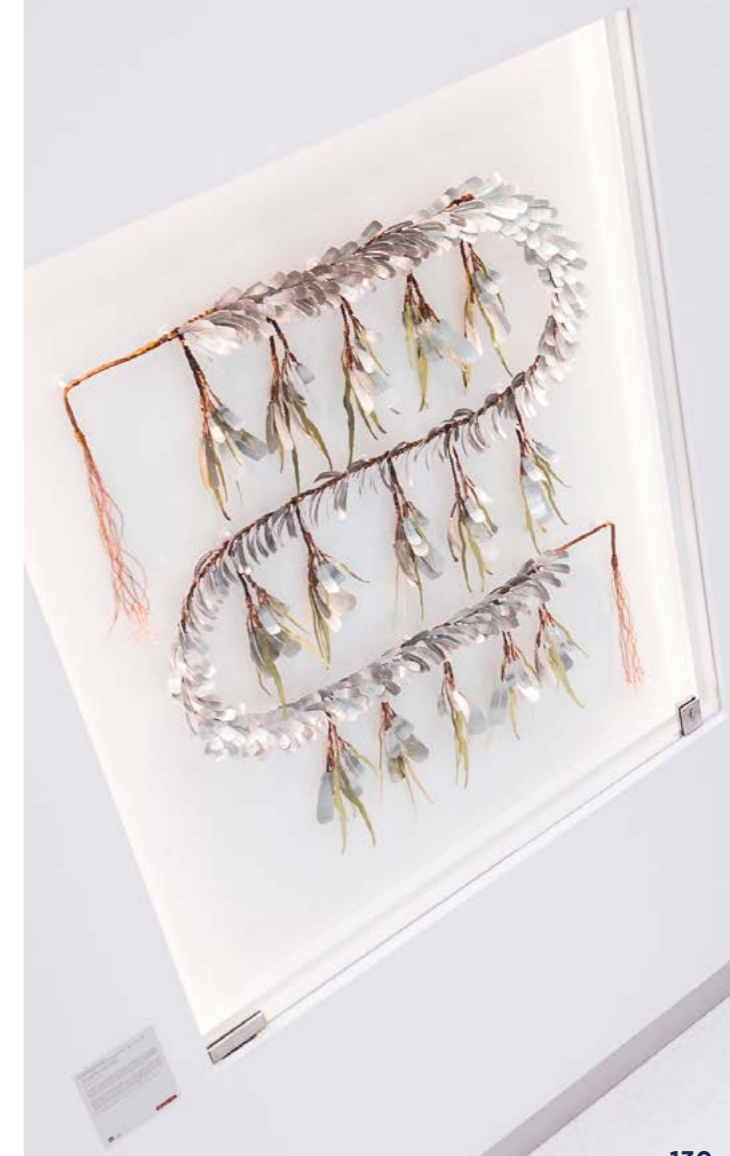
According to the coordinator, the work helped to garner support and recognition for the hospital's art program/strategy, which was important for future art proposals. The project was evaluated, and surveys of staff, visitors and patients revealed that the artwork is well-liked. It has featured in newspaper articles and the local news.

The coordinator for the project reported: "The project has been hugely successful, engaging both Aboriginal people and non-Aboriginal people with an artwork that not only makes the lobby warm and welcoming, but revives knowledge and interest in local cultural practice and fibre art whilst the contemporary interpretation of a traditional object places indigenous culture and healing very much into the present and right at the heart of our hospital."

Artists

Jonathan Jones is a Wiradjuri/Kamilaroi artist known for his light installations which explore Wiradjuri culture through traditional mark making and whose practice encompasses sculpture, drawing and public art.

Diane Riley McNaboe is a local Elder. She collaborated with Jones and allowed him access to knowledge, not only of local culture, but that of surrounding nations. Diane has strong family connections within the region and is a well-respected leader among the broader community.





Case study
Intangible Goods

Case study—Public art as social commentary and interaction

Intangible Goods
Elizabeth Commandeur and Mark Stamach,
Sydney CBD (2018)

From snack-sized bars of ‘Bravery’ to bites of ‘Belonging’, this two-week installation was designed to make Sydneysiders rethink the things they need to feed their psyche.

Title: Intangible Goods

Artist: Elizabeth Commandeur and Mark Stamach

Artistic genre: Interactive, Experiential

Year: 2018

Type of work: Temporary

Why was the work created?

After surveying about 500 Sydneysiders, Elizabeth Commandeur and Mark Starmach identified 10 things that Sydney residents need most in their lives: closer connection with others, purpose, structure, bravery,

spontaneity, calm, certainty, someone who will listen to them, faith in humanity and patience. Both artists have family members affected by mental illness and wanted to remove the stigma attached to “strange psyches, silent struggles and roller coaster relationships”.

Their work was developed in collaboration with mental health professionals. Each ‘product’ is designed to momentarily satisfy a need on Maslow’s hierarchy—a theory in psychology relating to human needs. All profits from the work were donated to Beyond Blue, the Mental Health Association NSW (WayAhead) and the Schizophrenia Research Institute at NeuRA.

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Passers-by could purchase 10 snack-sized products from the Intangible Goods vending machine. For \$2 each, they could buy Belonging, Friendship, Reassurance, Bravery, Structure, Chill, Spontaneity, Purpose, Connection and Imagination.

Site

The work was placed in parts of Sydney with high foot traffic, including Martin Place and Pitt St Mall.

**Who commissioned and/or
funded the work?**

City of Sydney funded Intangible Goods for Art and About, a month-long festival that showcases art in unusual places.

**How was the commissioning or
acquisition done?**

The City of Sydney sought Expressions of Interest from artists for ideas that “temporarily transform public and unusual spaces”. The EOI was open to all art disciplines and to artists from all over the world. The proposals were then evaluated by a panel including leading members of Sydney’s artistic community.

Cost

Up to \$85,000 funding was provided for the Art and About projects.

Length of project

2 weeks, from 26 March to 8 April 2018

Implementation and maintenance

The artists commissioned Automatic Vending Specialists to build the customised vending machine.

Response

The machine was refilled daily with 250 packets but was so popular it usually sold out by the end of the day. The most popular products were Imagination, Bravery, Purpose, Friendship and Chill. The work raised \$6330 for local mental health charities.

Founder of The Happiness Institute, Dr Sharp, said Intangible Goods made the topic of mental health more approachable: “By taking it out to the community and placing it in the public space, it’s clearly getting attention and that’s got to be a good thing if it gets people to think about their mental health in a different way.”

The artists are considering creating another limited edition run of the products and installing the vending machine at arts festivals across Australia and internationally.

Artists

Elizabeth Commandeur and Mark Starmach are an established advertising creative team and emerging artists based in Sydney. Commandeur is a senior art director with a background in visual communication, product management, and jewellery design. Starmach is a writer and artist currently based in Sydney, with a background in advertising, communications, and public relations.

FURTHER READING

- ▶ [Intangible Goods](#)
- ▶ [The Sydney vending machine selling Purpose and Spontaneity—The Guardian](#)
- ▶ [10 things Sydneysiders crave most—City of Sydney](#)



Case study
Interloop

Case study—Public art as connection to heritage

Interloop **Chris Fox, Sydney CBD (2017)**

With elements of heritage interpretation, Interloop celebrates the history of the Sydney city rail network by repurposing steps from the site's original escalators.

Title: Interloop

Artist: Chris Fox

Artistic genre: Abstraction

Year: 2017

Type of work: Large-scale, site-specific sculpture with elements of heritage interpretation (permanent)

Why was the work created?

This site-specific work maintains and celebrates the historic identity of the Sydney city rail network. It is made from a mix of reclaimed and new material.

Description

The accordion-shaped work is made of 244 wooden treads and 4 combs from the original Wynyard Station escalator. It weighs approximately 5000kg and measures 50m in length.

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Interloop hangs above the York Street escalators of Sydney’s heritage-listed Wynyard railway station.

Who commissioned and/or funded the work?

Transport for NSW

How was the commissioning or acquisition done?

A professional curatorial consulting company, Cultural Capital, held a limited competition to shortlist artists.

Length of project

The project took 6 months of design and engineering, 12 weeks’ fabrication and a 48-hour installation.

Implementation and maintenance

When Fox and his team began to fabricate the artwork, they were told they had only 48 hours to install the work—not two weeks, which was previously in the contract.

According to Fox: “That meant that the entire project had to change. And we were literally just about to order material so previously it was a steel tube that had a whole lot of elements that were attached to it, so we had to rethink that because it would have taken at least a week to install, even if we did night shifts because I kind of allowed for two weeks of day shifts on that. So, it turned out we ended up having to build this sort of fully fabricated aluminium accordion chassis, which meant that the whole process changed, we had to redesign, I had to get another whole team of engineers who were specialists in that and to look at other fabrication processes and that stuff was incredibly stressful.”

Response

The wooden escalator steps at Wynyard Station were some of the last to remain in the Southern Hemisphere and their preservation has received positive reactions from people on social media:

“Thank goodness someone had the foresight to save these beautiful icons from another era.” — Sue

“Finally, we in this city add value and art to the forgotten and historical. Bravo!” — Amanda

“That is wonderful. To rubbish those iconic beauties would have been criminal.” — Cathy

“Coming from a small country town, one of the things we had to do [during an excursion to the city in the 1930s] was to see and walk on the moving stairs.” — Jim

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The sculpture's installation was the final stage in the refurbishment of one of the city's busiest train stations. "We really wanted to give a nod to the history of the station and to the impressive wooden escalators," Marg Prendergast, Coordinator General of Transport For NSW, said. It was important to allay any concerns brought up by the public regarding the structure's safety, so all necessary safety and fire-retardant measures were undertaken and communicated.

Artist

Chris Fox holds degrees in both fine arts and architecture. He is the recipient of many awards, grants and residencies such as the 2018 National Trust Heritage Award for the Most Outstanding Project of the Year. Fox is a Senior Lecturer in Art Processes and Architecture at the University of Sydney School of Architecture, Design and Planning.

FURTHER READING

- ▶ Chrisfox.com.au
- ▶ [In conversation with Chris Fox—National Association for the Visual Arts Podcast](#)
- ▶ [Interloop preserves heritage as time moves on—ABC.net.au](#)

▶ Photograph: Josh Raymond





Case study

James Cook Memorial/Civic Park Fountain

Case study—Public art as iconic placemaking

James Cook Memorial/Civic Park Fountain **Margel Hinder, Newcastle NSW (1966)**

James Cook Memorial Fountain shows how public art can help to develop a sense of civic focus, creating a place of calm in a busy city.

Title: James Cook Memorial Fountain (known as 'Civic Park Fountain')

Artist: Margel Hinder

Artistic genre: Modernist abstraction

Year: 1966

Type of work: Sculptural fountain and pool (permanent)

Why was the work created?

This artwork was created for Civic Park in 1966, and renamed 'James Cook Memorial' in 1970 for the bicentenary of James Cook's voyage.

Description

Looking like "eroded formations on the coastline", the design symbolises the energy and industry of Newcastle.

Site

In the 1930s, Newcastle City Council decided to turn land that was formerly owned by a mining company into a park, although it wasn't officially known as Civic Park until 1978.

Who commissioned and/or funded the work?

Newcastle City Council

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How was the commissioning or acquisition done?

In 1961, Newcastle City Council held an Australia-wide open competition for the design of an illuminated fountain for Civic Park. Artist Margel Hinder was awarded £400 for her winning design and £100 for a model of the design. She beat about 90 other entries. All three judges independently chose Hinder's concept.

Cost

\$80,000 in 1966 (equivalent to approximately \$1.095 million in 2020)

Length of project

The concept of a fountain for the park arose in 1958. The design competition was held in 1961. The fountain was constructed by 1966 and was officially named 'James Cook Memorial Fountain' in 1970.

Implementation and maintenance

According to Newcastle Herald: "Margel Hinder and her husband Frank worked together on her copper fountain sculpture for two and a half years and it came in right on budget. Fabricated at the Hinders' Sydney base, the sculpture was then cut up for transportation to Newcastle, where it was reassembled."

Hinder threatened to sue Newcastle Council in 1973 after it put green lights in the fountain. She believed the original white lights served just as well for activating the park and discouraging anti-social behaviour.

"I think it behoves us to maintain the integrity of the artist and the artist's concept as much as possible" said curator Gael Davies. "Think of the fountains through hundreds of years, like the Trevi Fountain in Rome, they're icons and [the Civic Fountain] is an icon here. It's our icon."

Response

With a timeless, classic design, one passionate Sydney radio broadcaster has described the James Cook Memorial as "one of the finest pieces of public sculpture in Australia". However, when the fountain was officially

Case study

James Cook Memorial/Civic Park Fountain

opened in 1966, people complained the design was too modern. In 1993 the city council adopted a logo design based on the fountain, which was only replaced in 2019.

The City of Newcastle's council logo incorporating the James Cook Memorial was used from 1993 to 2019.



Artist

Born in New York, Margel Ina Hinder (1906-1995) was an Australian-American modernist sculptor. She is noted for her kinetic sculptural works, and in her later career for large public sculptures.

FURTHER READING

- ▶ [Margelhinder.com.au](https://www.margelhinder.com.au)
- ▶ [Margel Hinder's design survived many suggestions—Newcastle Herald](#)
- ▶ [Green lights at Newcastle's Civic Park fountain—Newcastle Herald](#)
- ▶ [Art Gallery NSW—Margel Hinder](#)



Case study
Melbourne Art Trams

Case study—Public art as temporary and mobile

Melbourne Art Trams

Various artists (1973–1993; 2013)

The Melbourne Art Trams project is designed to showcase Melbourne as a city that is infused with creativity.

Title: Melbourne Art Trams

Artists: Various

Artistic genre: Various

Year: 1973–93 (Transporting Art Project); 2013– (Melbourne Art Trams project)

Type of work: Temporary murals

Why was the work created?

The idea for artworks on trams came in the late '70s from artist Clifton Pugh and Melbourne Lord Mayor Irvin Rockman who wanted to make the streets of Melbourne more colourful and exciting. The idea was taken to the Victorian Premier, Rupert Hamer, who helped fund the project. The Transporting Art program ran from 1978 to 1993 and resulted in 36 painted trams being rolled out across Melbourne. It was revived in 2013 as the Melbourne Art Trams project.

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Local artists' works are wrapped around trams to create a "**mobile gallery**".

Works include The Late Supper by Nyein Chan Aung, an industrial designer and artist. It interprets Leonardo da Vinci's iconic painting, The Last Supper, depicting people eating at Melbourne's renowned Supper Inn Chinese restaurant.

Another example was by Lesley Dumbrell, a pioneer of the Australian women's art movement of the 1970s. She painted her tram in 1986, drawing on her technique of geometric abstract painting, injecting colour, light and emotion into a precise painting style. It was inspired by a trip to Italy where Dumbrell was drawn to the colour, costumes and music of a festival.

Melbourne Art Trams run on the Melbourne tram network, with one based at each depot. A digital app enables people to track the location of each art tram.

Who commissioned and/or funded the work?

The project is now a partnership between Melbourne International Arts Festival, Creative Victoria, and Public Transport Victoria.

How was the commissioning or acquisition done?

Eight artists are commissioned each year through an open EOI process for Victorian residents. The artists are chosen by a selection panel of representatives from Creative Victoria, Public Transport Victoria, Yarra Trams and Melbourne Festival. Since 2014, the artists selected have conformed to a largely constant set of principles: one of the trams is produced by a First Nations artist, another is based on community participation, while a third is reserved for a young, developing artist. The remaining artworks are selected from more established artistic talent. Within these guidelines, the selection committee is primarily focused on artistic merit as the prime criterion for commissioning works.

Cost

Each artist receives \$5000 for their commissioned artwork. The winner of the People's Choice Award receives an additional prize of \$5000.

Length of project

The artworks are exhibited on the trams from October to April.

Implementation and maintenance

The original trams (1973–93) were painted by the artists, taking about a month to complete. Since 2013 the artworks have been applied using wraps, which take several hours to adhere.

The fate of the original trams is mixed. One is in the care of the Ballarat Tramway Museum. One was sold to the city of Seattle. Several are stored at Newport Workshops. Others were sold to private owners, sold for parts or demolished.

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The reaction to the artworks has been largely positive. When art on trams was first introduced, broadcaster Philip Adams said: “Melbourne has invented the mobile mural, the electric fresco. To fully grasp the originality of the notion, imagine waiting at a bus stop in Rome to take a ride on the Sistine ceiling.”

More recently Martin Foley, Minister for Creative Industries stated: “These art trams are a great way to brighten commuters’ days with some of the best contemporary art Victoria has to offer. The trams show that Melbourne isn’t just a city where cultural experiences only exist inside galleries, museums and theatres—it’s a city where creativity is waiting for you at the tram stop.”

As with any artwork, opinions are divided. John Nixon’s minimalist tram was thought to not have significant artistic merit. Peter Corrigan’s tram included the Japanese naval flag with the slogan ‘Mother Knows’. The Japanese Embassy protested, and the flags were quickly painted over. Overall, the trams have generated a greater understanding and appreciation of contemporary art by the public.

Yarra Trams have also worked with Tram Sessions, a not-for-profit project started by Nicklas Wallberg and Carl Malmsten, to bring live and musical performances onto trams. Artists have included Xavier Rudd, Lisa Mitchell and Passenger.

Artist

Artists have included Mirka Mora, Howard Arkley, Michael Leunig, Jenny Watson, Aleks Danko, Reko Rennie and Brooke Andrew.

FURTHER READING

- ▶ [Melbourne Art Trams—EOI documentation](#)
- ▶ [Transporting Art—Melbourne’s Art Trams 1978–2018](#)
- ▶ [Art Trams 2019—Yarra Trams](#)



▶ Photograph: James Morgan, courtesy of Keolis Downer (Yarra Trams)



Case study
One A Day

Case study—Public art as ephemeral

One A Day Shona Wilson (2014)

Ephemeral Art Colour Series 2014.

Title: One A Day

Artist: Shona Wilson

Year: 2014

Type of work: Ephemeral site-sensitive sculptural works

Why was the work created?

Running parallel to her studio work, the One A Day project became a daily project in which artist Shona Wilson created natural ephemeral sculptures in response to any environment she found herself in each day for one year. Wilson photographed the works with her phone camera.

Description

The One A Day project is a collection of photographs of ephemeral sculptures made with only the natural materials of the site in which Wilson was each day. The photographs act as a record of the temporary artworks, and audiences are guided to focus on the site-sensitive sculptures created. The artworks displayed and encouraged an intimate engagement with the natural environment, promoting creativity, sustainability and curiosity.

Originally, each sculpture was photographed and uploaded to Wilson's social media account every day. Eventually the series was collated into a book published in 2015 and also titled 'One A Day'.

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Of the work, Wilson has stated “Growing organically (both practically and conceptually) from the first work made whilst on a camping trip to Barrington Tops National Park in Dec 2013, One A Day became a week, became a month and I soon understood I had a years’ project ahead of me”.

The premise of the work is outlined as follows:

- ▶ One a day project
- ▶ One ephemeral artwork a day for one year
- ▶ Using only found natural material on site
- ▶ No tools
- ▶ Rain or shine
- ▶ Tired or inspired
- ▶ 5 mins or 50
- ▶ A daily practice

Description of site

The site of each sculpture changed daily depending on Wilson’s location. The sites are all based in the natural environment, ranging from the beach, parks, home gardens to carparks.

Length of project

1 year

Implementation and maintenance

As this work is ephemeral and the sculptures eventually (or quickly) receded into their environment, there is no implementation or maintenance. The site is part of the artwork.

Response and significance: The social media response to One A Day was positive and grew as the project progressed through the 365 days. Utilising the features of social media, such as hashtags, Wilson posted to Instagram each day and kept herself accountable to the ‘rules’ of the project, i.e. explaining to followers that the works had to be made within 5–50 minutes, were responsive, playful and spontaneous.

Artist

Shona Wilson is a contemporary Australian sculptor, who has engaged with natural found material to create both abstract and representational assemblages and sculptures for over 20 years.

FURTHER READING

- ▶ [Shona Wilson, visual artist](#)
- ▶ [The Planthunter presents: Shona Wilson, Collaborations with Nature](#)



Case study

Pyramid Tower (Dobell Memorial)

Case study—Public art, public reaction and deaccession

Pyramid Tower (Dobell Memorial) Bert Flugelman, Sydney (1979)

Created to commemorate celebrated artist William Dobell, the Pyramid Tower is sometimes called ‘the silver shish kebab’.

Title: Pyramid Tower (Dobell Memorial)

Artist: Bert Flugelman

Year: 1979

Type of work: Sculpture (permanent)

Why was the work created?

The Dobell Memorial sculpture was created to commemorate Sir William Dobell, one of Australia’s most celebrated landscape and portrait artists. Dobell won the Archibald Prize three times and the Wynne Prize once.

Description

Standing 19 metres tall, Bert Flugelman’s stainless steel pyramids and tetrahedra sculptures were badly diminished in the passage from idea to realisation. By some accounts, Pyramid Tower should have been three times as high, while the joins in its segments should have been invisible.

Site

The work was originally installed in Martin Place, Sydney but now sits in Spring Street, Sydney. This towering column of repeating double-pyramids reflects the changing light patterns from adjacent buildings and passing vehicles.

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Who commissioned and/or funded the work?

The work was commissioned by the Sir William Dobell Art Foundation, which formed in 1971 from the artist's bequest for the benefit and promotion of art in NSW.

How was the commissioning or acquisition done?

In 1976, the Foundation commissioned 11 prominent Australian sculptors to submit maquettes for the Dobell Memorial sculpture to be sited in Martin Place. The judging panel unanimously recommended Flugelman's Pyramid Tower.

Implementation and maintenance

The Dobell Memorial Sculpture was presented to the people of Sydney on 15th October 1979 and was installed in Martin Place. The sculpture was moved to Spring Street in October 1999.

Response

The work was heavily criticised by Sydney Lord Mayor Frank Sartor, removed from Martin Place and relocated to the corner of Pitt and Spring Streets during upgrade work to Martin Place. The work was nicknamed the "Silver Shish Kebab".

Artist

Bert Flugelman was an Australian sculptor known for large-scale geometric works made of stainless steel. He also taught sculpture at universities in Australia for three decades.

FURTHER READING

- ▶ [Art Gallery of NSW—Bert Flugelman](#)
- ▶ [Dobell Memorial Sculpture—City Art Sydney](#)
- ▶ [Sculpture by the Sea, 2013, Bert Flugelman \(1923–2013\)](#)

Case study

Pyramid Tower (Dobell Memorial)



Case study

Secret World of a Starlight Ember

Case study—Public art exploring cultural identity. A commercial commission in a high profile location.

Secret World of a Starlight Ember Lindy Lee, Sydney (2020)

Our lives are finite, even the stars are finite, and yet each of our lives has this resonance and ripple effect that goes on beyond us. The ember is each and everyone of us, and that secret world is our secret lives in every moment that we exist—Lindy Lee

Title: Secret World of a Starlight Ember

Artist: Lindy Lee

Year: 2020

Type of work: Stainless steel sculpture on a plinth

Why was the work created?

The work was created to form part of a major retrospective of Lindy Lee's work, *Moonlight Deities*, at the Museum of Contemporary Art, Australia (MCA).

Description

Over 5m wide stainless steel horizontal ellipse ring with 100,000 small perforations all over. By day, the work reflects its surroundings but at night the light infiltrates and the tiny perforations glow.

Lindy Lee's work is partly concerned with her experience as an Australian born into a family which had immigrated to Queensland from China while the White Australia Policy was in force. This work further explores a central theme of Lee's life, Buddhism and Daoism.

◀ Lindy Lee, *Secret World of a Starlight Ember*, 2020, installation view, Lindy Lee: *Moon in a Dew Drop*, Museum of Contemporary Art Australia, Sydney, 2020, stainless steel, image courtesy the artist, Sullivan+Strumpf, Sydney and Singapore, UAP and Museum of Contemporary Art Australia, Sydney © the artist, photograph: Ken Leanfore

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During the exhibition and as part of Sydney Festival 2021, guided meditation sessions for visitors to the MCA were offered.

Site

On the forecourt of the Museum of Contemporary Art at Circular Quay, Sydney, Australia

Who commissioned and/or funded the work?

A Brisbane-based public art company, UAP, covered the cost of the commission. It will remain in its spot outside the MCA for a year and then will be offered for sale.

Implementation and maintenance

Creating the work during the COVID-19 global pandemic presented some obstacles for the artist. For other similar works, Lee had engaged Chinese fabricating specialists to hand mark the perforations in the stainless steel. Travel restrictions required all this work to be done remotely using models, with quality checks done over video meetings.

According to the MCA's Director, installing the 1-tonne sculpture and 4-tonne plinths on which it sits was also challenging: "We had to close the road to get the crane in," says Elizabeth Ann Macgregor. "There were moment when the crane got cancelled and we had to un-cancel it."

Three different authorities needed to sign-off on the installation. "I said to them: we're not building a house; we just want to put a sculpture on the forecourt." (Lee Tran Lam, Lindy Lee explores Chinese-Australian identity in major Sydney exhibition at Museum of Contemporary Art, ABC Arts)

Artist

Brisbane-born Lindy Lee has been a practicing artist for approximately four decades. She has exhibited widely both in Australia and internationally and has several major public art commissions including in China and in Australia. Her works are held by major art museums.

Case study

Secret World of a Starlight Ember

FURTHER READING

- ▶ [LindyLee.com](#)
- ▶ [Lindy Lee explores Chinese-Australian identity in major Sydney exhibition—ABC News](#)
- ▶ [Anybody who has to declare they belong, doesn't belong—The Guardian](#)



Case study

Sydney Opera House At Night (2014)/Bird Life Jungle Disco (2019)

Case study—Public art that is accessible and inclusive

Sydney Opera House At Night (2014)/ Bird Life Jungle Disco (2019) Studio A Artists

Titles: Sydney Opera House at Night and Bird Life Jungle Disco

Year: Sydney Opera House at Night—2014 Bird Life Jungle Disco—2019

Type of work: Construction hoarding and site-specific wall painting

About

Studio A is a supported studio in North Sydney. It provides professional development opportunities and support to artists living with intellectual disability and helps them build a self-supporting practice.

Studio A provides its artists with an accessible working space and studio, with specialised materials and support staff on-hand to assist. The studio's program is structured to invest revenue back into the program to increase

social and artistic outcomes. Income generated from the sale and exhibition of artwork directly benefits the artist.

The personal outcomes contributed to by Studio A include the increased self-esteem and aspirations of the studio's artists, increased financial security and broader social networks. The studio also contributes to an increased awareness of artists living with disability, reduces stigma and barriers, increases diversity and inclusion, and introduces new artists and new opportunities to the mainstream art sector. Artists from Studio A have produced a range of public artworks, both individually and as part of group collaborations.

◀ *Sydney Opera House at Night*, Emily Crockford, Studio A.
Photograph: Katherine Griffiths. Courtesy of City of Sydney.

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- ▶ Sydney Opera House at Night—Emily Crockford
- ▶ Bird Life Jungle Disco—Victoria Atkinson, Katrina Brennan, Emily Crockford, Annette Galstaun, Meagan Pelham, Lisa Scott and Damian Showyin

All artists involved in these works are members of Studio A.

Artistic genre

- ▶ Sydney Opera House at Night is a large-scale painting installation
- ▶ Bird Life Jungle Disco is a large-scale wall painting (site specific)

Why was the work created?

Emily Crockford’s Sydney Opera House at Night was originally created in 2014. In 2016/17 the City of Sydney licensed the artwork to be displayed on construction hoardings around the city as part of Creative City (Cultural Policy and Action Plan 2014—2024). The creative hoardings plan mandates that developers with construction sites in high traffic areas in the city must cover their hoardings in art by a

living Australian artist, or with historical images relevant to the area where the hoarding is located. Developers can commission their own artist or use work licensed by the City of Sydney.

The wall painting, Bird Life Jungle Disco, forms part of the design of the new UTS (University of Technology, Sydney) Central Food Court building in Ultimo, Sydney.

Studio A artist Annette Galstaun has long dreamed of going to university, so it was with great pride and excitement that she accepted this invitation, knowing her and her fellow artists’ work would enliven UTS for years to come. Diverse bird life of all shapes, sizes and colours defines Studio A’s artwork. Their diversity empowers their capacity, and they hope the work brings fun, respite and surprise to the UTS community—Gabrielle Mordy, CEO and Artistic Director, Studio A

Description of work

The hoardings which display Emily Crockford’s Sydney Opera House at Night vary in size and are site-specific. The City of Sydney advises developers as to which of the 10 available artworks is most suitable to the hoarding when an application is received.

The 175 sqm wall painting, Bird Life Jungle Disco, encircles the new UTS Central Food Court and spans three connected sites.

The artwork tells a colourful story of birds and animals at play in a busy social world. The mural speaks to the character and passion of each of the artists who made it, and to the diversity and energy of the UTS community itself. UTS ART is committed to working with individuals and organisations dedicated to social purpose. Stella Rosa McDonald, Curator, UTS ART

Description of site

- ▶ Sydney Opera House at Night: Construction site hoardings of assorted sizes and in various location across Sydney.
- ▶ Bird Life Jungle Disco: A new building with a contemporary design, UTS Central houses the UTS Library, student reading and study spaces, and classrooms.

Who commissioned/funded work?

Sydney Opera House at Night, an existing artwork created by Emily Crockford, has been licensed by the City of Sydney for use on creative hoardings.

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Bird Life Jungle Disco was a direct commission by UTS (University of Technology, Sydney). UTS Art manages the UTS Art Gallery and Collection and runs an annual program of events at the University. It is managing the implementation of a series of new public artworks at its building, UTS Central.

Artists

Victoria Atkinson, Katrina Brennan, Emily Crockford, Annette Galstaun, Meagan Pelham, Lisa Scott and Damian Showyin are all members of Studio A. These artists live with intellectual disability and are supported by Studio A to pursue artistic careers. The studio's program aims to foster artistic and creative freedom and confidence in its artists, contribute to financial independence and create a greater network for artists with disability.

FURTHER READING

- ▶ [Sydney Opera House at Night, the artist behind the work—Concrete Playground](#)
- ▶ [Emily Crockford, Artist Profile—Studio A](#)
- ▶ [Bird Life Jungle Disco—Meet the artists behind the art at UTS Central—youtube.com](#)

▶ *Bird Life Jungle Disco*—Studio A Artists.
Photo courtesy of Studio A.





Case study
United Neytions

Case study—Public art in a private facility, commissioned through limited competition

United Neytions **Archie Moore, Sydney Airport (2017)**

Hanging above the departure hall at Sydney Airport, United Neytions could be Australia’s most seen artwork.

Title: United Neytions

Artist: Archie Moore

Artistic genre: Symbolic Flag Designs

Year: 2017

Type of work: Hanging patterned textile installation (permanent)

Why was the work created?

Moore created the artwork in response to 19th-century anthropologist RH Mathews’ problematic map of 1900 which identified 28 Aboriginal ‘nations’. Moore’s 28 corresponding flag designs explore the intersection between identity, nationhood, falsehoods and authenticity.

The work was chosen to contribute to and strengthen the cultural experience for departing visitors at Sydney Airport. It was unveiled on International Day of the World’s Indigenous Peoples. Originally created for The National: New Australian Art in 2017, the airport site enabled him to reconfigure United Neytions on a much bigger, permanent scale.

“This opportunity has allowed this series of flags—which celebrate issues of place and identity—to adopt a scale and status that official international flags have. [It draws] attention to the histories, voices and presence of local Indigenous people on whose traditional lands the airport lies, but also the passages of cultures, pasts, territories, ages and cultural knowledges that airports foster,” Moore said in a statement.

◀ Photograph: Anna Kucera. Courtesy of Museum of Contemporary Art (MCA) Australia.

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Description

28 large colourful flags hang from a 17m high ceiling. Each flag carries a unique graphic design. The flags are sewn using woven and knitted polyester fabrics, each reflecting ideas relating to Aboriginal culture and identity.

Site

United Neytions hangs above the marketplace at Sydney Airport T1 International Terminal.

**Who commissioned and/or
funded the work?**

Commissioned by Sydney International Airport in partnership with the Museum of Contemporary Art Australia (MCA).

**How was the commissioning or
acquisition done?**

The Airport and MCA held a limited competition, inviting eight artists to put forward an expression of interest. Moore's work was selected by a panel including Curator Barbara Flynn, Sydney Airport's Kerrie Mather, Greater Sydney Commission Chief Commissioner Lucy Turnbull AO, City of

Sydney Design Director Bridget Smyth, and MCA Australia Director Curatorial and Digital, Blair French.

Length of project

The work is a permanent installation.

Implementation and maintenance

Architect Matthew Bennett helped design the steel hanging structure and the placement of the artwork within the departure hall. A detailed 3D CAD model was developed to consider a range of issues including sight lines to the artwork and the clearances required to maintain service operation and ongoing maintenance. The project was designed to be assembled on site from prefabricated elements to minimise installation time within the secured airside zone.

Response

Owing to its location, the work is probably one of the most viewed public artworks in Australia. Art and design studio UAP voted United Neytions as one of the top 12 public artworks of 2018.

Artist

Archie Moore is a multi-media Kamilaroi artist. He completed a Bachelor of Visual Arts at Queensland University of Technology in 1998. Moore has a fascination with the English language and how it has affected him as an Aboriginal man. His works often focuses on racism and identity.

FURTHER READING

- ▶ [Archie Moore](#)
- ▶ [First impressions are everything especially for art at an airport—Artshub](#)
- ▶ [Archie Moore United Neytions—Bennett and Trimble](#)
- ▶ [Archie Moore's vision arrives at Sydney Airport—MCA](#)



Case study
Wellama (Barangaroo)

Case study—Contemporary public art and new media

Wellama (Barangaroo)
Alison Page and Nik Lachajczak, Sydney, NSW (2019)

This audio visual artwork re-imagined Welcome to Country for visitors to The Cutaway at Barangaroo Reserve.

Title: Wellama (Welcome to Country).
“Wellama” means “to come back” in the language of First Nations people from the Sydney area, the Gadigal.

Artist: Alison Page and Nik Lachajczak

Artistic genre: Large scale fixed video screen—representational re-enactment

Year: 2019

Type of work: Documentary-style heritage interpretation of Indigenous life pre-invasion

Why was the work created?

Welcome to Country is a celebration of ritual, ceremony and story practised on Country since time immemorial. It welcomes visitors to Gadigal Country and pays respect to the Traditional Custodians of the land.

Description

This 10-minute audio visual artwork is a contemporary re-imagining of Welcome to Country, a customary greeting that our First Peoples extend to visitors, who in turn agree to respect the traditional laws and culture of Country.

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The artist, Alison Page, describes the traditional Welcome to Country in the following way: “Fundamental to the identity of over 300 nations in Indigenous Australia is the connection to homelands and the protocols that exist to maintain it. Indigenous people regard Country as a living, breathing entity; a member of the family to be cared for and nurtured. There is no separation between the people and the land. The stories and memories of the ancestors are as present as they ever were. Defying the very notions of time, 65,000 years of history and knowledge exists right here, right now... and always will.

“The Welcome to Country is an important cultural protocol that embodies these beliefs. It recognises, celebrates and respects the responsibility that the Traditional Owners have in caring for that land, and acknowledges the people that come to it meaningfully through the welcome. Its purpose is to put the visitors’ spirits at ease and invites them to join in the love and care for that country in which they have entered.”

Site

A 4m by 8m video screen is installed at The Cutaway, Barangaroo Reserve in Sydney. The Cutaway is a cultural venue, being a very large below-ground concrete space offering flexibility for a range of large-scale events. The concrete void is hidden beneath the artificial hill that is now the site of a new native botanic garden and is part of the re-created north western headland.

Length of project

Wellama played on a continuous 10-minute loop from 8am to 8pm, seven days a week, until May 30, 2020. The unbroken loop is intended to symbolise the cyclical nature of time and the connection between the past and present.

Who commissioned and/or funded the work?

Barangaroo Delivery Authority (BDA), an agency of NSW Government.

Case study Wellama (Barangaroo)

Artists

Alison Page is co-writer, co-director, producer and production designer of Wellama (Welcome to Country). A descendant of the Walbanga and Wadi people from La Perouse, she is an award-winning creative championing the creative expression of Aboriginal identity in interiors, public art, product design, installations and film.

Nik Lachajczak is the project’s co-writer, co-director, DOP, editor and sound designer. Nik is a Director, Cinematographer and Editor who has worked with communities in Australia and globally, spanning over two decades

FURTHER READING

- ▶ [ZakPage.com](https://zakpage.com)
- ▶ [About Wellama—barangaroo.com](https://aboutwellama-barangaroo.com)



Case study

The Whales and The Canoes, The Eyes of the Land and Sea, Rock Weave

Case study—Public art as a NSW Government agency commission

The Whales and The Canoes, The Eyes of the Land and Sea, Rock Weave Kamay Botany Bay, NSW (2020)

These artworks commemorate the deep history and cultural significance of an important site while working towards a reconciled future.

Titles: The Whales and The Canoes, Rock Weave, The Eyes of the Land and the Sea

Artists: Theresa Ardler, Julie Squires, Phyllis Stewart, Alison Page and Nik Lachajczak

Artistic genres: Sculpture

Year: 2020

Type of work: Bronze sculptures

Why was the work created?

Three bronze sculptures were installed in the Kamay Botany Bay National Park as part of the 250th Anniversary of the encounter between Aboriginal Australians and the crew of the HMB Endeavour.

Description

Situated in the Kurnell area at the southern headland of Kamay Botany Bay National Park, these public artworks have provided an update to the beautiful surroundings of the heritage site and prompted important conversations. The first encounter between Europeans and the Gweagal people at Kamay has often been told and commemorated from one perspective, shrouding the Aboriginal experience. The installations of these sculptures is a step to support interpretation and education and provides a way to highlight the cultural and historical importance of the site.

◀ The Whales bronze sculpture at Kurnell, Kamay Botany Bay National Park. Image supplied by DPIE. Photograph: Lisa Sturis/DPIE

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The Whales (Wi-Yanga and Gurung) and The Canoes, designed and sculpted by artists Theresa Ardlor and Julie Squires, depict a whale mother and calf with intricate engravings. The Whales are based on Ardlor's painting on her Budbili, a possum skin cloak. Ardlor stated the story of the mother humpback whales and her baby is depicted in the Sydney rock engravings at La Perouse on the shores of Botany Bay. The engraving is a prominent landmark from the original custodians of the land and holds great significance and connection to the sea and country.

The Canoes, or 'nuwi', resemble the traditional canoes used by the Gweagal Clan to fish in Botany Bay. Traditional fishing paraphernalia and replica fire moulds, which the Gweagal lit in the base of their nuwi to attract fish, can be found inside the sculptures.

Rock Weave, depicting a traditional fishing net, was woven by Aboriginal Master Weaver Phyllis Stewart and cast into bronze by Julie Squires. This piece sits alongside The Whales, illustrating the way this area was used by its traditional owners.

- The Eyes of the Land and the Sea bronze sculpture at Kurnell, Kamay Botany Bay National Park. Image supplied by DPIE. Photograph: Katherine Ashley/DPIE



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The Eyes of the Land and the Sea, created by Alison Page and Nik Lachajczak in collaboration with UAP Australia, is an abstraction of the ribs of the HMB Endeavour and the bones of the Gweagal totem, the whale. Each rib or bone has been treated differently on the surface and includes carvings and text to represent the various layers of culture and history in Kamay Botany Bay.

Site

Kamay Botany Bay National Park—Kurnell, NSW

Who commissioned the work?

The installation of these sculptures is a major component of the Kamay 2020 Project, a joint initiative of the Australian Government and NSW Government.

In February 2019 the Kamay Botany Bay National Park Kurnell Master Plan was endorsed, outlining a number of initiatives designed to reinvigorate the area and enhance its cultural and historical significance. One of the plans within the Master Plan was the installation of commemorative sculptures, as also highlighted in the Kamay 2020 Project. An

open tender for artwork submissions began in July 2019, and there was a public exhibition of shortlisted commemorative installations between October—November 2019. The final designs were chosen by the Kamay 2020 Project Board in December 2019.

The Kamay 2020 Project Board considered the public feedback in selecting the successful designs and reflected on how well the designs provided a legacy for future generations to reflect and hear true stories of this important place and the inclusion of Aboriginal representation.

Costs

The Commonwealth Government contributed \$25 million to the Kamay 2020 Project, with the NSW Government providing a matching \$25 million. The outcomes of the project to be obtained with these funds include these commemorative installations and the upgrade of park infrastructure, including construction of a new visitor centre, reconstruction of ferry wharves and other facility refurbishments.

Artist profiles

Gweagal woman Theresa Ardler’s working life has been focussed on education, working across all educational systems in Australia to educate school communities about Aboriginal culture and Spirituality within Australian society.

Julie Squires is an Australian sculptor who has worked extensively in the public art domain across the country. While public art has become her main practice, Julie also has extensive experience collaborating with Aboriginal artists and is passionate about facilitating opportunities for Aboriginal artists to work in the public realm.

Phyllis Stewart is a Tharawal (Dharawal) woman from the South Coast of NSW. Stewart has a family connection to La Perouse in Sydney and learned the art of shell work at a young age. Phyllis has since become a master weaver whose practice involves the collection and maintenance of native grasses, reeds, vines and bark, reflecting her ongoing engagement and connection with country.

Alison Page is a descendant of the Walbanga and Wadi people from La Perouse. She is an award-winning creative championing the



Case study

The Whales and The Canoes, The Eyes of the Land and Sea, Rock Weave

creative expression of Aboriginal identity in interiors, public art, product design, installations and film.

Nik Lachajczak is a Director, Cinematographer and Editor who has handled shooting, logistics, production and delivery on overseas and domestic features, broadcast documentaries, television series and online projects.

The planned public ceremony to unveil these artworks was unable to proceed due to the COVID-19 pandemic, however, a smoking ceremony was undertaken by the La Perouse Local Aboriginal Land Council for each sculpture upon arriving at Kamay.

The sculptures have gained appreciation among members of the public who visit the National Park for a range of reasons, from family gatherings to exercise. These works are an example of public art gaining traction via the use of social media, with audiences taking photographs of the sculptures and uploading to platforms such as Instagram. The images and the use of hashtags to group together content have increased the visibility and promotion of the sculptures.

FURTHER READING

- ▶ [Kamay 2020—NSW Department of Planning, Industry and Environment](#)
- ▶ [1770 and All That—Inside Story](#)

◀ The Canoes bronze sculpture at Kurnell, Kamay Botany Bay National Park. Image supplied by DPIE. Photograph: Katherine Ashley/DPIE

NSW Government
Public Art Toolkit

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Create NSW and other national policy and strategy resources

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Public art principles, policy & strategy	2020	Create NSW	NSW	Public Art Framework (Parramatta Road Urban Amenity Improvement Program)
Public art principles, policy & strategy	2019	Department of Planning and Environment	NSW	Local character and place guideline
Public art principles, policy & strategy	2018	Create NSW	NSW	NSW Cultural Infrastructure Plan 2025 (CIP)
Public art principles, policy & strategy	2018	Westconnex	NSW	M5 Public Art Strategy
Public art principles, policy & strategy	2018	Urban Growth Development Corporation	NSW	Waterloo Public Art Plan
Public art principles, policy & strategy	2018	NSW Health Infrastructure	NSW	Arts and Culture Strategy, Westmead Redevelopment
Public art principles, policy & strategy	2018	City of Melbourne	VIC	City of Melbourne Creative Strategy 2018-2028
Public art principles, policy & strategy	2017	NSW Government Architects	NSW	Better Placed: An integrated design policy for the built environment of New South Wales
Public art principles, policy & strategy	2017	Local Government NSW	NSW	Communities and Culture—LGNSW Research into Arts, Culture and Heritage

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Public art principles, policy & strategy	2016	City of Sydney	NSW	<u>Public Art Policy</u>
Public art principles, policy & strategy	2016	Transport for NSW	NSW	<u>Sydney Metro Northwest—Part 2 Project Metropolitan Planning Context & System Wide Design Framework</u>
Public art principles, policy & strategy	2015	Barangaroo Development Authority	NSW	Barangaroo Public Art and Cultural Plan
Public art principles, policy & strategy	2015	ACT Government	ACT	<u>ACT Public Art Guide 2015</u>
Public art principles, policy & strategy	2014	City of Melbourne	VIC	<u>Public Art Framework</u>
Public art principles, policy & strategy	2013	City of Sydney	NSW	<u>City Centre Public Art Plan</u>
Public art principles, policy & strategy	2012	WA Metropolitan Redevelopment Authority	WA	<u>Perth City Link Public Art Strategy</u>
Public art principles, policy & strategy	2010	City of Sydney	NSW	<u>Guidelines: Public Art Acquisitions and Deaccessions</u>
Public art principles, policy & strategy	2009	Australian Institute of Architects	National	Public Art Policy
Public art principles, policy & strategy	2006	City of Sydney	NSW	<u>Interim Aerosol Art Guidelines for the Creation and Management of Murals in the Public Domain</u>
Public art principles, policy & strategy	2006	City of Sydney	NSW	<u>Interim Guidelines for Public Art in Private Developments</u>

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Public art principles, policy & strategy	2006	City of Sydney	NSW	Interim Guidelines for the Creation and Management of Naming and Commemorative Plaques
Public art principles, policy & strategy	2017	North Sydney Council	NSW	St Peter's Park Sculpture Artist Brief
Commissioning	2019	NSW Customer Service	NSW	NSW Procurement Policy Framework
Commissioning	2018	Transport NSW/Create NSW	NSW	Metro Art—Integrated and Sculptural Public Artwork—EOI Information
Commissioning	2018	Transport for NSW/Create NSW	NSW	Metro Art—Screen-based—EOI Information
Commissioning	2018	Victorian Government	VIC	Metro Tunnel—Legacy Artwork program
Commissioning	Current	NAVA	National	NAVA Code of Practice Commissioning Art in Public Space
Commissioning	Current	Arts Law Centre	NSW	Commissioning Agreement: Private or Commercial Visual Artwork (pay to download)
Commissioning	Current	Arts Law Centre	NSW	Commissioning Agreement: Public Visual Artwork (pay to download)
Commissioning	2016	Arts Law Centre	NSW	Information Sheet—Public Art: Design and Commissioning
Commissioning	2000	Arts Law Centre	NSW	Public Art Guidelines for Artists and Commissioners

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Commissioning	2006	South Australia	SA	<u>Public Art—Making it happen—Commissioning Guidelines for Local Councils</u>
Placemaking	2017	Urban Growth NSW	NSW	<u>Parramatta North Historic Sites—Consolidated Conservation Management Plan Part C: Public Domain Policies and Guidelines</u>
Placemaking	2010	Property NSW (Place Management -SHFA)	NSW	<u>Sydney Harbour Foreshore Authority Public Art Policy</u>
First Nations—culture and connection to place	2007	Australia Council	National	<u>Protocols for producing Indigenous Australian visual arts</u>
First Nations—culture and connection to place	2006	Uni of Melbourne—Emily Hudson, IATSIS	National	<u>Cultural Institutions, Law and Indigenous Knowledge: A Legal Primer on the Management of Australian Indigenous Collections</u>
First Nations—culture and connection to place	2002	Australian Heritage Commission	National	<u>Ask First: A guide to respecting Indigenous heritage places and values</u>

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Websites

Agency/Org.	Location	Website	Description
NAVA	Australia	visualarts.net.au	<p>The National Association for the Visual Arts (NAVA) leads advocacy, policy and action for a contemporary Australian arts sector that's ambitious and fair.</p> <p>NAVA's key strategic focus across the next three years is to advocate the ethics, negotiate the partnerships and secure the commitments that make the NAVA Code of Practice the enforceable standard across the contemporary arts industry.</p>
Arts Law Centre	Australia	artslaw.com.au	<p>Arts Law is Australia's independent national community legal centre for the arts, a not-for-profit company limited by guarantee. Arts Law provides free or low cost specialised legal advice, education and resources to Australian artists and arts organisations across all art forms, on a wide range of arts related legal and business matters. Arts Law's Artists in the Black program delivers targeted services to Aboriginal and Torres Strait Islander artists nationally.</p>
The Copyright Agency	Australia	copyright.com.au	<p>The Copyright Agency is an Australian not-for-profit organisation that has been standing up for creators for more than 40 years. The Copyright Agency enables the reuse of copyright-protected words and images in return for fair payment to creators.</p>

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Agency/Org.	Location	Website	Description
Indigenous Art Code	Australia	indigenousartcode.org	The INDIGENOUS ART CODE (the Code) was developed in the first instance by the National Association for the Visual Arts (NAVA) and then by the Australia Council for the Arts, who worked closely with an Industry Alliance Group made up of artists, Indigenous art centres, commercial art galleries, public art galleries, auction houses and visual arts peak bodies; including the Association of Northern, Kimberley and Arnhem Aboriginal Artists, Umi Arts, Ananguku Arts, Desart, Australian Commercial Galleries Association, NAVA and the Australian Indigenous Art Trade Association.
Art and About	City of Sydney	artandabout.com.au	Art & About Sydney celebrates our city's creativity and imagination. Local and international artists bring their ideas, wit and unique spirit to the spaces we all share. Our creative community, and shared celebrations of this creativity, are fundamental to the identity of our city. The City of Sydney has long recognised the importance of fostering an environment where ideas and imagination can flourish through grants, public art programs and the encouragement of fine grain activity.
Public Art Online	UK	publicartonline.org.uk	The Public Art Online website and the PROJECT - engaging artists in the built environment website are both managed by ixia. Public Art Online was formerly managed by Public Art South West (PASW) - a public art development agency funded by Arts Council England (ACE). In December 2010, ACE transferred the ownership and management of Public Art Online to ixia (www.ixia-info.com).

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Forecast Public Art	USA	forecastpublicart.org	Forecast fosters dynamic, inclusive and resilient communities through public art, community-engaged design and transformative placemaking. For 40 years, we have improved the collective life of communities through a unique combination of responsive consulting services, rare one-to-one support for public artists, and abundant resources, including Public Art Review, the world's leading public art magazine.
Association for Public Art	Philadelphia, Pa. USA	associationforpublicart.org	The Association for Public Art (APA) seeks to respond to the conditions of our time, creating a legacy and maintaining a heritage for future generations.
Artscape DIY— Creative Placemaking	Toronto, Canada	artscapediy.org	Artscape is a not-for-profit urban development organization that makes space for creativity and transforms communities. Its work involves clustering creative people together in real estate projects that also advance multiple public policy objectives, private development interests, community and neighbourhood aspirations and philanthropic missions.
publicart.ie	Ireland	publicart.ie	A comprehensive public art resource, publicart.ie offers information from the practical to the critical. This site includes a continuously updated directory of almost 250 permanent and temporary, public and socially engaged, artworks made in Ireland, or of artwork made by Irish artists abroad.

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Biennial lab	Melbourne	bienniallab.com	<p>In 2016, the inaugural Public Art Melbourne Biennial Lab provided time, space and interaction with leaders in the public art field, as well as financial assistance for artists to explore, investigate and create new ideas for temporary public art in our city.</p> <p>Through the Biennial Lab, Public Art Melbourne offered dedicated creative development for up to ten early mid-career artists across all art forms to create place responsive works that responded to a significant city site. As the name suggests, this extraordinary opportunity is offered once every two years. For the inaugural Biennial Lab, Public Art Melbourne provided development and production support for the realisation of eight temporary public artworks.</p>
Project for Public Spaces	USA	pps.org	<p>Project for Public Spaces (PPS) is a non-profit organization dedicated to helping people create and sustain public spaces that build strong communities. We are the central hub of the global placemaking movement, connecting people to ideas, resources, expertise, and partners who see place as the key to addressing our greatest challenges.</p>
The a-n company	UK	a-n.co.uk/news	<p>a-n, The Artists Information Company, is the largest artists' membership organisation in the UK with over 24,000 members. We support artists and those who work with them in many practical ways, acting on behalf of our membership and the visual arts sector to improve artists' livelihoods. We have a reputation for providing compelling insights and playing a catalytic role in influencing and informing cultural policy.</p>

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