

Tasmanian Government Art Site Scheme  
ARTISTS' HANDBOOK



***International Orange***

Josh Foley

Acrylic paint

Commissioned for Taroona High School

Photograph: Josh Foley



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### Cover

The cover images are details of artworks presented throughout this handbook. Image credits are available on the following pages, starting at top left, clockwise: page 36, page 23, page 31, page 26, page 1, page 43.



***From Paddock to Plate III***

Alex Miles

Steel and Redwood timber

Commissioned for Tasman Peninsula

Trade Training Centre

Photograph: Alex Miles

## INTRODUCTION

The Tasmanian Government Art Site Scheme (formerly the Art for Public Buildings Scheme) began in 1979 and was the first scheme of its kind in Australia. Its introduction demonstrated a visionary understanding of the way in which artworks enrich both public buildings and spaces and created a vital interface between Tasmania's professional artistic community and the general public.

The scheme has since managed over 1 000 commissions, funded from the capital works budgets of new or renovated State Government premises, making it a major source of government investment in the visual arts in Tasmania. This investment also flows through to the wider community, not only in the educational and health outcomes known to derive from public art, but to local suppliers as artists procure services and materials for the creation of the artwork.

Today's vision for the scheme is to deliver a robust, diverse, vibrant public art program that is valued by Tasmanians. Public art should be immersed in every day life as an omnipresent feature of the environments in which contemporary Tasmanians and visitors work, play and live.

The numerous artworks commissioned or purchased through the Tasmanian Government Art Site Scheme form a significant collection of public art that brings pleasure and pride to the people of Tasmania. This collection grows stronger every year and reflects the

diversity and skill of Tasmania's artists, designers and craftspeople. The collection's artworks are located in a wide range of public buildings and spaces throughout the state, including schools, hospitals, government offices and sports, community and early learning centres.

The Tasmanian Government Art Site Scheme offers artists the opportunity to extend their practice and realise large scale projects in a supportive environment. It challenges them to deliver an artistic solution in response to the key ideas and purpose of each individual project. The scheme also exposes their work to a wide and diverse audience and propels it into the public sphere, becoming part of Tasmania's public art collection that reaffirms the enriching and empowering presence of creativity at all levels of public life.

This handbook has been designed to provide artists with comprehensive information on the Tasmanian Government Art Site Scheme and assist them in understanding the complexities of applying for and delivering a public art commission. It clearly describes the steps involved at all stages of the commissioning process and outlines the roles and responsibilities of all parties involved in a commission. It defines common terms used throughout the commissioning process, such as client and building user, to assist artists in understanding commissioning terminology. It's a great go-to resource for artists from the application stage, through to the completion of a commission.



***Paper to Pixel, 2016***

Futago

Spray painted steel

Commissioned for Launceston LINC

Photograph: Arts Tasmania



# BEHIND THE TASMANIAN GOVERNMENT ART SCHEME

This section takes a look behind the Tasmanian Government Art Site Scheme and explains how it's funded and managed, the types of artworks commissioned or purchased, who is eligible to apply, how the commissions are advertised, plus more.



## BEHIND THE TASMANIAN GOVERNMENT ART SITE SCHEME

### HOW THE SCHEME IS FUNDED

The Tasmanian Government Art Site Scheme is based on the agreed principle that two percent of the pre-tender estimate for all new state government building or renovation projects over \$250 000 must be allocated for the commissioning or purchase of artworks. The artwork budget is currently capped at \$80 000 per project and may be used in its entirety for a single commission, or split into a number of separate commissions depending on the needs of the site.

### HOW THE SCHEME IS MANAGED

The Tasmanian Government Art Site Scheme is managed by Arts Tasmania which acts as the conduit between the Tasmanian Government departments that commission artwork and the artists who create the artworks. Arts Tasmania is committed to offering a public art program which:

- enriches public environments with contemporary art
- is supportive to all people involved in the project
- develops the capacity of Tasmanian artists
- collaborates with a wide range of professionals and organisations
- delivers public artwork that strengthens Tasmania's public art collection
- demonstrates leadership in the field.

Arts Tasmania also offers a wide range of public art consultancy services to the private sector and local government agencies and at times will manage public art commissions on their behalf.

Arts Tasmania employs public art officers in both the north and the south of the state to manage projects across Tasmania. The public art officers provide professional support and advice to all parties involved in a commission. They also manage the government's administration of a commission, such as the development of Artist's Briefs, commission deeds and the facilitation of artist payments. Good communication is vital for a successful commission so the public art officers are in constant contact with all parties throughout and encourage all parties to copy them in on correspondence and keep detailed diary notes of any meetings, discussions and agreements that may occur. Public art officers are on-hand to offer advice in such instances as a major change being proposed to the scope of an artwork, or in engaging the right expertise with the aim of producing the best possible outcome for each commission.

### TYPES OF ARTWORKS COMMISSIONED

Contemporary artworks by professional Tasmanian artists from across artforms are acquired for the Tasmanian Government Art Site Scheme. The majority of artworks are commissioned, however at times pre-existing two or three-dimensional artworks will be purchased depending on the needs of the client and the site.

The scheme includes work in a wide range of formats, including but not limited to, glass panels, display cases, sculptures, paintings, photographs, prints, textile works, customised fittings, furniture, fixtures and furnishings, bas-relief works, gates, screens, interactive works, video and soundscapes.



“Public art brings into the limelight creative practises to stimulate our lives on a day to day basis. It enriches our environments with beauty, whimsy and the humane. Art in public places engages our senses, challenges our preconceptions and brings us together within a constructed world touched by the creative mind and heart of the artist. It represents our dreams and diversity, it gives voice to the poetic and it brings vitality and life into shared experiences of cultural richness. As a result art in public places makes places out of spaces.  
*Julie Stoneman, public art officer, Arts Tasmania*”

To maintain the integrity of Tasmania’s public art collection, artworks must be an excellent example of the artist’s work.

### WHO CAN APPLY

Applications are open to practicing artists who have been resident in Tasmania for six of the past twelve months. Applications from groups or collaborations are encouraged as long as there is a least one Tasmanian member. Early career, mid career and established artists are encouraged to apply, as well as Tasmanian Aboriginal artists and artists from culturally diverse backgrounds.

Arts Tasmania welcomes applications from post-graduate students where the student is a demonstrable professional. Arts Tasmania believes that involvement with public art projects is a significant contributor to emerging artists’ development and thus actively encourages their involvement. A commission cannot, however, be used as part of the artist’s post-graduate course assessment.

### NEW COMMISSIONS ANNOUNCEMENT

New commission opportunities are posted on Arts Tasmania’s website and electronic newsletter.

Arts Tasmania also uses social media to advertise commissions or remind followers of impending closing dates.

### Register for the newsletter

Visit: [https://www.arts.tas.gov.au/about\\_us/stay\\_informed](https://www.arts.tas.gov.au/about_us/stay_informed) and sign up for our newsletter

### Browse Arts Tasmania’s website

[https://www.arts.tas.gov.au/industry\\_development/public\\_art](https://www.arts.tas.gov.au/industry_development/public_art)

### Follow Arts Tasmania on social media

Facebook: [www.facebook.com/ArtsTasmania](http://www.facebook.com/ArtsTasmania)

Twitter: [https://twitter.com/arts\\_tasmania](https://twitter.com/arts_tasmania)

### COMMISSION ENQUIRIES

Enquiries about the Tasmanian Government Art Site Scheme and its commissions can be directed to the following public art officers:

#### **Melissa Smith (Launceston)**

Phone: (03) 6777 2789

Email: [melissa.smith@arts.tas.gov.au](mailto:melissa.smith@arts.tas.gov.au)

#### **Catherine Wolfhagen (Launceston)**

Phone: (03) 6777 2791

Email: [catherine.wolfhagen@arts.tas.gov.au](mailto:catherine.wolfhagen@arts.tas.gov.au)

#### **Mish Meijers (Hobart)**

Phone: (03) 6165 6672

Email: [mish.meijers@arts.tas.gov.au](mailto:mish.meijers@arts.tas.gov.au)

#### **David Patman (Hobart)**

Phone: (03) 6165 6665

Email: [david.patman@arts.tas.gov.au](mailto:david.patman@arts.tas.gov.au)



*Fabric slings for deckchairs, 2015*  
Alex Miles  
Printed linen  
Commissioned for Three Capes Walk  
Photograph: Alex Miles



## STAGES AND STEPS OF PUBLIC ART COMMISSION

There are many stages involved in the successful delivery of public art commissions. Some stages are purely administrative and are undertaken by the relevant government entity, some are purely artistic and are undertaken by the commissioned artist/s and their sub-contractor/s and some require close co-operation between all of the parties. This section provides detailed information on every stage of a commission, from identifying eligible projects through to the completion and handover of the artworks and beyond. It also offers artists a brief overview of the commission steps and stages relevant to them.

# 02

## STAGES AND STEPS OF A PUBLIC ART COMMISSION A BRIEF OVERVIEW FOR ARTISTS

### THE ARTISTS BRIEF

Arts Tasmania identifies eligible building projects within the annual state budget and after consulting with the commission client (e.g. the Department of Education) and other relevant parties (e.g. the architect and a representative of those who use the building), a public art officer writes an Artist's Brief. The Artist's Brief outlines the scope of the commission and contains information on its key ideas and purpose, any design considerations, the artwork budget and project timeline. It provides all information necessary for an artist to develop an artistic response to the brief. Ministerial approval for the artist's brief must be obtained from the Minister for the Arts and the client Minister before the commission can be advertised

### ADVERTISING THE COMMISSION

The Artist's Brief and any supporting images or plans are uploaded to Arts Tasmania's website and then the commission opportunity is advertised in Arts Tasmania's fortnightly electronic newsletter and through its social media channels.

**ARTIST NOTES**  
Be registered for the Newsbyte newsletter to receive notifications.

### APPLICATIONS

Artists then develop and submit an online application in response to the Artist's Brief. Applications must contain details about the artist/s, details of the proposed artwork, support material and artist's résumé.

**ARTIST NOTES**  
It is recommended artists discuss their application with a public art officer prior to submission.

### SELECTING THE ARTISTS

A selection committee assess the applications against a set of criteria to determine which artist/s to commission in order to best realise the aspirations for the commission. If the selection committee cannot decide then they may elect to shortlist two or three artists in order to obtain further information.

Once a decision has been reached by the selection committee, the successful applicant is contacted by the public art officer.

## THE GRANT DEED

A grant deed is then prepared and signed by the principal artist (this is either the solo artist, or the artist chosen to represent a collaboration) and the Director of Arts Tasmania, on behalf of the Minister for the Arts. The deed details the commission, outlines expectations of the principal artist, notes insurance and risk management considerations, plus more.

Unsuccessful applicants are notified that they have not been selected this time.

**ARTIST NOTES**  
Artist's payments occur in 3 stages. Stage 1 payment will be made upon receipt of the signed deed and the provision of an insurance certificate.

## THE DETAILED DESIGN PACKAGE

The artist prepares a detailed design package. This is the proposal they then present to an executive of the selection committee for consideration. The detailed design package may include items such as the development of the conceptual ideas behind the artwork, preliminary work prints or drawings, themes and colours, materials or fabrication samples, construction drawings and certifications and a budget and timeline. Fabrication may only commence once the detailed design package has been approved by an executive of the selection committee in writing.

**ARTIST NOTES**  
Once the detailed design package has been approved, stage 2 payment is made.

## MAKING THE ARTWORK

The artist starts making the artwork in line with the detailed design package. If the artist wants to change the work from what was presented in the detailed design package at any time during the making of the artwork they must seek approval before proceeding. The artist is expected to liaise directly with relevant stakeholders during the construction and installation phase, ensuring the public art officer is copied in on all correspondence. Artists may employ sub-contractors to construct and/or install the artwork and are required to supply a list of sub-contractors to the public art officer.

**ARTIST NOTES**  
Continued communication with relevant stakeholders is essential at all stages of the commission to ensure its success.

## COMPLETING THE COMMISSION

The artist notifies the public art officer upon completion of the artwork. Once installed, the artwork is inspected by the public art officer, the client and the building user representative. If approved the artwork is signed off by all parties and a handover certificate is issued. Ownership of the artwork then transfers from the artist to the client. An artwork plaque is mounted near the artwork and publicity of the completed public art commission can be organised by the artist.

**ARTIST NOTES**  
Once the handover is complete, stage 3 payment is made.

# 02

## STAGES AND STEPS OF A PUBLIC ART COMMISSION BEFORE THE ARTIST IS SELECTED

### IDENTIFYING ELIGIBLE PROJECTS

Eligible building projects are identified within the annual state budget which outlines infrastructure projects to be undertaken by the Tasmanian Government. Depending on the size of the artwork budget and the particular requirements of each site, artworks will be either commissioned or purchased via an online application process.

### THE ARTIST'S BRIEF

After consulting with the client, the building user and the project architects, a public art officer will write a brief for each public art commission. This brief is approved by the Minister for the Arts and the client Minister prior to advertising.

The brief provides all information necessary for an artist to develop an artistic response and includes:

- the project background
- key ideas and purpose of the commission
- what artforms (media) may be suitable
- possible locations for the artwork
- the agreed lifespan of the artwork
- any relevant plans or photographs of the site
- design considerations
- the budget
- selection criteria and process
- eligibility criteria
- selection committee information
- timeline for the project
- information about what to submit
- a summary of the commissioning process
- the purpose and objectives of the scheme
- the current priorities of the scheme.

### Artwork budget

The artwork budget for the project must be used to cover all of the artist's costs associated with the commission such as labour, design fees, travel, sub-contractor fees, materials, fabrication, construction, certification and more.

The budget must also cover all installation costs unless the Artist's Brief states otherwise. It is important that artists have a clear understanding of these costs and any associated certification that may be required to ensure that the proposed design can be realised within the budget.

### ADVERTISING THE COMMISSION

The Artist's Brief and any supporting images or plans are uploaded to Arts Tasmania's website and advertised in its electronic newsletters and on occasion through social media channels. Full details on how to be notified of new commission opportunities are available on page 8 of this handbook.

Commissions are usually advertised for 6-8 weeks prior to the closing of applications although occasionally this time frame may be longer or shorter depending on the requirements of individual projects.

Arts Tasmania seeks applications in this way to encourage a wide range of artists to apply, to offer diversity in the artwork presented to the selection committee and in order to maintain transparency in the awarding of commissions.



To support artists' understanding of all stages of a public art commission, common terms used throughout the commissioning process, such as client, building user and lifespan, have been defined in Section 5: Resources and references



## APPLICATIONS

Applications are open to practicing artists who have been resident in Tasmania for six of the past twelve months. Artists intending to apply for a commission are strongly encouraged to discuss their application with a public art officer in order to gain feedback and clarification on what is required for each commission before making their submission.

Applications must be completed by the principal artist, who is either the solo artist, or in the case of collaborations, the nominated artist for the purpose of contracting and project management.

Applications are completed online. You will need to provide:

- your contact details
- a résumé (max 2 pages) for each key artist proposed for the commission
- a description of the proposed artwork including:
  - an artistic concept highlighting the strength, creativity and innovative nature of the artwork.
  - what materials, techniques, finishes and processes are being proposed and what skills/experience the artist has using them
  - an indication of the proposed location and scale of artwork
  - the suitability and viability of the proposed approach to the commission with reference to the Artist's Brief
  - the capacity of the artist to professionally manage and deliver the project with reference to previous experience
  - who will assist the artist and how, for example potential fabricators and

consultants to certify compliance with relevant Australia Standards and the Building Code of Australia

- the benefit of the commission to the artist's own professional practice and to the development of Tasmania's public art collection.
- support material.

### Support material

Support material must be uploaded to the application and will not be accepted after applications close.

Support material may consist of:

- up to 15 jpeg images to support the idea and illustrate the quality of the artist's work (preferably 600 x 800 pixels and between 200kb and 500kb each)
- footage no longer than five minutes.

Up to 5 of the images may be used to demonstrate the design ideas for the proposed artwork, for example photographs of a model, hand drawn sketches or digital drawings, plans or elevations. If images of other artists' work are included as exemplars, it is essential that these images are referenced and acknowledged.

### Submissions

Applications and support material must be submitted online no later than 11:59pm on the closing date detailed in the Artist's Brief.

## 02 STAGES AND STEPS OF A PUBLIC ART COMMISSION BEFORE THE ARTIST IS SELECTED

You will receive an automated acknowledgement of the receipt of your application. If you do not receive this immediately please contact Arts Tasmania.

Once applications have closed, the public art officer will check and collate the applications and distribute them to the selection committee.

### SELECTION COMMITTEE

For each project, the public art officer assembles a selection committee which is responsible for assessing all applications and determining which artist/s to commission in order to best realise the project outlined in the Artist's Brief.

The selection committee is comprised of:

- a client representative (for example, the Department of Education senior facilities program officer)
- a building user representative (for example, the school principal)
- the architect
- one of Arts Tasmania's public art officers.

Members of the selection committee may each vote on which artist/s they recommend be commissioned in order to best realise the project.

The selection committee may also from time-to-time invite others to attend meetings however they are present in an advisory role only and cannot vote. They may include:

- a member of a project reference group that the client or building user wishes to involve (for example, a relevant parent or community group)

- a member of Arts Tasmania's staff
- a representative from the artist register of peers who can advise on particular artform issues and provide another artistic perspective
- other contractors such as the landscape architect.

All discussions and decisions during the selection committee meeting are confidential, although subject to the 'Right to Information Act 2009 (Tas)'. This act recognises that some information held by a public authority should not be released and one such type is "internal deliberative (working) information". Arts Tasmania considers that the workings of Tasmanian Government Art Site Scheme selection committees fall into this category, noting that any exemptions are subject to a public interest test.

### SELECTING THE ARTIST

The selection committee assesses all applications against the following criteria:

#### 1. Suitability

To what extent do the artistic concept, design, materials and delivery method address the brief?

#### 2. Viability

How feasible is the project given the commission budget, constraints and timelines?



### **3. Capability**

To what extent does the team demonstrate the necessary skills and experience to deliver the commission?

### **4. Vision**

How well does the proposal demonstrate a creative or innovative vision in terms of concept, media, construction methods, materials and/or collaborations?

If the selection committee cannot choose between two or more applications, then they may elect to seek further information from a shortlist of two or three artists. Design fees may be paid to shortlisted artists, depending on the additional information required.

Once the selection committee has reached a decision, it may then identify any issues to be negotiated or clarified with the recommended principal artist.

### **Notification**

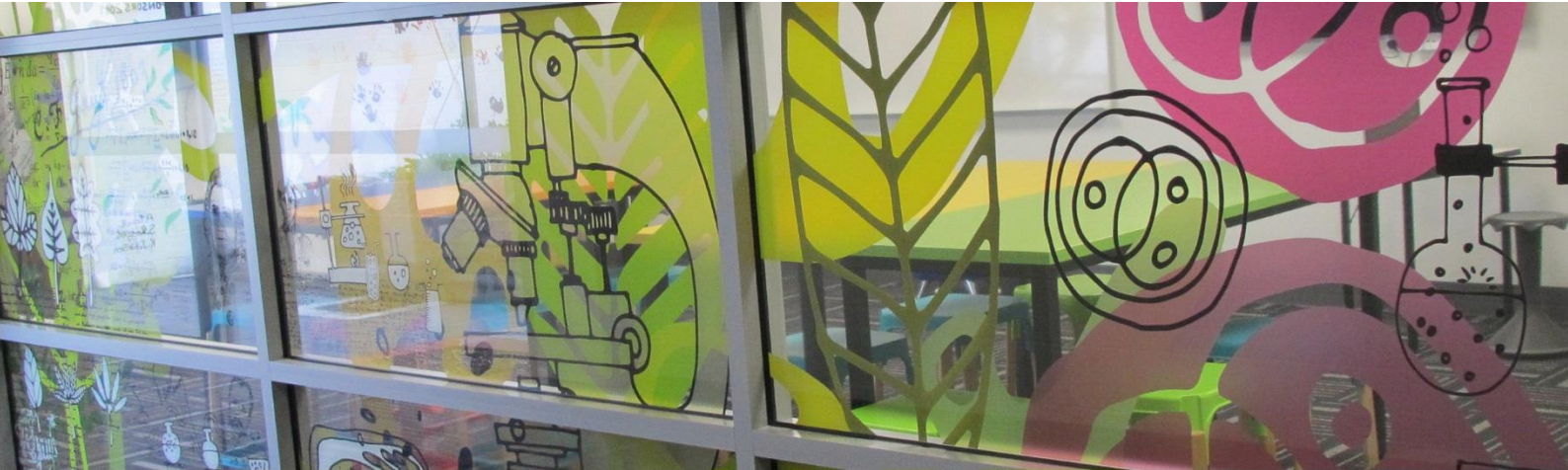
Applicants will be notified of the outcome once the selection committee has reached a decision.

Artists will be notified of the outcome of their application via email or letter.

### **Unsuccessful applicants**

Unsuccessful applicants may seek feedback from the public art officer on the outcome of their application. Debriefing will be conducted in accordance with the Tasmanian Government guidelines for debriefing

unsuccessful tenderers, with the purpose of assisting prospective artists to be more competitive in the future by learning how to improve their application presentation skills. The debriefing discussion will not be used to justify the selection of the successful artist. No aspect of the successful artist's application, or any other application, will be discussed.



## Epiphany

Jerome Dobinson and Amanda Kay

Vinyl, supersize print and Perspex

Commissioned for Rokeby High School

Photograph: Jerome Dobinson



# 02 STAGES AND STEPS OF A PUBLIC ART COMMISSION AFTER THE ARTIST IS SELECTED

## THE GRANT DEED

The public art officer, on behalf of the Minister for the Arts, prepares a Crown contract for the commissioning of the artworks – the grant deed. One copy of the grant deed is sent to the principal artist for signing and must be returned to Arts Tasmania. The deed is then signed by the Director of Arts Tasmania on behalf of the Minister for the Arts and an electronic copy is emailed to the principal artist.

The grant deed contains:

- contact details for the relevant parties
  - details of the commission
  - commencement and completion dates for the project, determined with reference to the schedule for the building works
  - expectations of the principal artist and required approvals:
    - during preliminary discussions
    - in the development and presentation of the detailed design package
    - during fabrication, installation, completion and handover
  - notice of the expected lifespan of the artwork
  - details of the commission fee and payment schedule
  - communication requirements
  - requirements around compliance with the Australian Standards and Building Code of Australia
  - insurance requirements
  - details of title and copyright
  - details of repair procedures
  - dispute resolution procedures
- termination terms and conditions
  - warranty and defects liability requirements
  - documentation requirements.

On signing the grant deed the principal artist commits to delivering the commission according to the terms and conditions of the contract. The principal artist then develops and delivers the ideas contained in their application.

Artists may not commence work on the project until the fully executed grant deed has been returned to the artist.

## Insurance

Artists are responsible for their own insurance and, given the complexity of insurance and liability issues, artists are encouraged to seek specialist advice on what insurances are required and what cover and protection this offers.

In accordance with the terms and conditions of the grant deed, all artists and sub-contractors must hold public liability insurance for a minimum of \$10 million for a single occurrence for the duration of the period commencing upon the signing of the grant deed and continuing until the issue of the handover certificate. The principal artist must provide Arts Tasmania proof of such insurance by way of a certificate of currency to be returned with a signed copy of the grant deed. If the commission timeframe extends beyond the expiry date of the original certificate of currency, the principal artist must provide proof of renewed cover prior to the expiry date and continue to do so until the issue of the handover certificate.

## 02 STAGES AND STEPS OF A PUBLIC ART COMMISSION AFTER THE ARTIST IS SELECTED

Other insurances such as product liability, professional indemnity, cover for loss or damage during construction and/or installation, or loss of income due to injury or illness, are at the discretion of, and remain the sole responsibility of, the artist.

### Risk

In addition to the terms and conditions of the grant deed, the principal artist is responsible for identifying and effectively managing the risks and hazards on a commission. As the body responsible for managing the Tasmanian Government Art Site Scheme, Arts Tasmania requires a copy of a Risk Assessment and a Clearance to Work Certificate from the principal artist when they submit their detailed design package.

A risk management plan enables artists to consider what could go wrong and whether they are making assumptions that could be proven to be incorrect. It helps to identify the risks and determine the best way of mitigating them.

In scoping the commission, Arts Tasmania recognises that hazards may be present with the artist's work on site. These will be communicated to the artist through a Scope of Work Risk Assessment which will be provided while the Detailed Design Package presentation is under development. Hazards identified through the Scope of Work Risk Assessment must be addressed in the Clearance to Work Certificate and Risk Assessment, along with any others identified during the development of the design idea.

Arts Tasmania shall supply the principal artist with a template that they may use to assist in the

development of a Risk Assessment. This template can be downloaded from the website under Resources at: [https://www.arts.tas.gov.au/public\\_art](https://www.arts.tas.gov.au/public_art)

For further information about the legislation, responsibilities and links to codes of practice visit: <http://worksafe.tas.gov.au/home>

### THE DETAILED DESIGN PACKAGE

Once the grant deed has been signed and approved the design phase of the commission can commence. Artists at this stage are required to develop a detailed design package for approval by an executive of the selection committee comprised of the public art officer, the client and the building user. Once accepted by the selection committee executive, the design as presented in the detailed design package is then the agreed artwork that the principal artist must deliver.

The detailed design package should ideally be presented in person to the executive of the selection committee, however exceptions can be made to this depending on the scale or scope of the commission. This must be discussed with the public art officer as early as possible.

When considering the themes and aesthetic qualities of the design, artists should bear in mind the purpose and objectives of the scheme as outlined in the artist's brief, particularly those objectives relating to audience and artistic development. In considering the technical specifications of the design, it is important for artists to consider the safety, lifespan and maintenance requirements of the artwork.

“The Tasmanian Government Art Site Scheme still offers a very safe, managed way for an artist to perform large commissions that they might not otherwise get in the normal course of events.

*Tim Whiteley, artist  
commissioned through the  
Tasmanian Government Art Site Scheme*”

The detailed design package must include documented details of:

- conceptual ideas behind the work and the way they inform the artwork and address the Artist’s Brief
- preliminary work prints or drawings for two dimensional artworks including artwork dimensions, finished dimensions and an estimation of finished weight **or** scaled drawings and/or models for three dimensional artworks
- themes and colours
- materials or fabrication samples having ensured that all materials are available and fit for purpose
- construction drawings for any elements that require
- certification
- engineering or other certification confirming compliance of the plans and construction/fabrication details with relevant Australian Standards and the Building Code of Australia
- a project timeline update taking into account any subcontractor timeframes
- a completed risk management plan and a safe work methods statement
- budget breakdown including but not limited to:
  - design fee and labour cost
  - travel and accommodation expenses
  - materials and construction/fabrication costs
  - insurance costs
  - freight and installation costs
  - sundries sum
  - engineering certification or other compliance costs if required
  - subcontractor fees

- a project management fee for the principal artist if sub-contractors are used.

For digital artworks, the detailed design package must also include:

- image, video or audio files that demonstrates the concepts or technologies
- details of proposed audio, video, mechanical, lighting
- and/or projection components etc. and associated requirements
- details of the length of material and loop cycles
- noise levels associated with the commission
- details of software package/s and infrastructure requirements to realise the commission
- guidelines for use of the equipment
- licence agreements associated with any software
- ongoing costs associated with IT maintenance, power consumption.

### Compliance issues

The integration of artworks in the public arena raises issues of public health and safety and accordingly artworks must comply with the relevant Australian Standards and the Building Code of Australia relating to the design, fabrication and installation of the commission. This may require the artist to engage a consultant to work with the artist on matters relating, but not limited to, engineering, playground design and material certification where relevant. It is the responsibility of the principal artist to provide evidence of such compliance at both the detailed design package stage and at installation. The principal artist should include these costs in the artwork budget.

## 02 STAGES AND STEPS OF A PUBLIC ART COMMISSION AFTER THE ARTIST IS SELECTED

### MAKING THE ARTWORK

Once the detailed design package has been approved the artist may start making the artwork. The principal artist must not make any changes to the artwork as presented and approved at the detailed design package stage unless approval has been granted in writing by the executive of the selection committee through the public art officer. If the principal artist makes changes to the artwork after the approval of the detailed design package and these changes have not been approved and signed off in writing by the executive of the selection committee, then the client may refuse to accept the artwork or may require the principal artist to make the necessary changes to deliver the artwork agreed in the detailed design package. Both of these outcomes could have financial and time implications for the principal artist which is why it is essential to keep the public art officer informed of anything that might have an impact on the principal artist's ability to deliver the artwork as agreed.

Principal artists are expected to liaise directly with the building user, the architect and any other relevant stakeholder during the construction and installation phases to ensure that all parties are aware of progress and so that any issues from either side can be flagged. As the manager of the commission and the conduit between the client, the building user and the principal artist, it is essential that the public art officer is copied in on all communications so that they are aware of any issues that may arise or can anticipate any issues that need to be resolved.

The client's project builder and subcontractors must allow access to the building site to the artist/s when it is safe to do so. The principal artist will need to negotiate access times in advance and ensure that they work in a professional manner, being respectful to staff and visitors while on the client's premises. Artists may need to be inducted into the site in order to comply with the health and safety requirements of the builder. If required to do so then the artist must comply and must not enter the site until properly inducted.

### Changes by other parties to the project

The architect or the client should supply all relevant and accurate dimensions, drawings and locations that relate to the artwork and its place in the building project. Any changes to these specifications after the principal artist has been contracted must be presented to the principal artist in writing as early as possible as these changes may have a significant effect on the artwork. If these changes require any redrawing of the artwork plans or major modifications in the design then the public art officer will negotiate with the principal artist and the client to determine whether these changes are within the scope of the agreed commission payment or additional to it.

### Sub-contractors

Artists may employ sub-contractors to construct and/or install the artwork or its components. The principal artist should ensure that they have sought information on sub-contractors' risk management plans and practices and their safe work methods statements. It is a requirement that the principal artist must supply a list of sub-contractors to the public art officer.

It is the principal artist's responsibility to ensure that any sub-contractors have a minimum of \$10 million public liability insurance and that their sub-contractors comply with any induction requirements if on-site.

It is also the principal artist's responsibility to manage and resolve any issues that arise with their sub-contractors including, but not limited to delays, rescheduling, price increases, faulty workmanship or inability to deliver the required quality within the specified timeframe and budget. These issues should be considered in the principal artist's risk management plan. Consideration should be given to conflict resolution processes and procedures that the principal artist may use.

### Delays

The principal artist is contracted to deliver the commission by the agreed date. Should there be any delay to the realisation of the commission caused by the principal artist, either directly or indirectly – for example a delay in access to materials or sub-contractors not being available – the principal artist must notify the public art officer as soon as possible. The public art officer can then negotiate with the client and the building user on the principal artist's behalf to try and accommodate the delay if possible. Any changes to the agreed timeline must be approved by the key stakeholders in writing.

If delays in the building or fit out mean that the principal artist cannot install the artwork according to the agreed schedule then the client may be required to provide suitable storage for the artwork until installation can be effected.

## COMPLETING THE COMMISSION

### Handover

On completion of the artwork, the principal artist should notify the public art officer of the intended installation date for the commission. If there have been compliance requirements associated with the commission, for example engineering specifications, then the principal artist will need to ensure that the engineer signs off on the installation. The public art officer, or an agent, will sight the required sign offs and inspect the installed artwork with the building user and client representatives. Digital images are taken of the installed artwork and added to the inventory that Arts Tasmania maintains of all artworks in the Tasmanian Government Art Site Scheme.

If there are any outstanding issues associated with the delivery of the commission that mean the artwork cannot be handed over, for example if the artwork varies substantially from the agreed detailed design package or engineering certification is missing, the principal artist will be notified of these issues, along with a timeframe for rectification. A second handover inspection may be required after the outstanding issues have been resolved. If the artwork has been completed to a high professional standard in accordance with the agreed design is signed off in the detailed design package, the public art officer recommends the artwork for acceptance by the client and the building user. If the client and building user agree that the artwork meets the agreed design and is a high quality, finished artwork, then they sign the handover certificate along with the public art officer. This

## 02 STAGES AND STEPS OF A PUBLIC ART COMMISSION AFTER THE ARTIST IS SELECTED

transfers ownership of the artwork to the client and care of the artwork to the client and/or building user.

One copy of the handover certificate is retained by the building user, one copy is retained by the public art officer and kept on file and a copy is sent to the principal artist to signify that the commission has been completed.

### Care and maintenance

Responsibility for the care and maintenance of artworks falls to either the building user or the client.

As part of the handover of the artwork, the principal artist must complete and return the artwork manual provided by Arts Tasmania. Arts Tasmania retains this information in its files and provides a copy to the building user and the client.

This manual includes the following details of the finished artwork which remain on file thus enabling tracking, care and maintenance of the artwork over its lifespan:

- the title and year of the artwork
- the artist's name and the artist's statement
- a description of the artwork
- dimensions of the artwork and materials used
- fabrication and installation techniques and certificates
- subcontractors engaged
- cleaning/maintenance requirements and instructions.

These details become increasingly important the more time that elapses after the handover of the artwork.

Over time the original personnel involved with the commission may move on and the corporate knowledge around the commission could be lost. This record enables that knowledge to remain in the Tasmanian Government Art Site Scheme and with the client.

Building users should report any damage, vandalism, or deterioration of the artwork to Arts Tasmania. The public art officer will then consult with the artist in regard to the appropriate repair requirements before engaging any conservation work.

### Artwork plaques

A plaque detailing the artist's name, the title of the artwork, the year, the materials used and acknowledging the commissioning of the artwork under the Tasmanian Government Art Site Scheme will be affixed near all installed artworks using the details provided by the principal artist on the plaque order form provided by Arts Tasmania.

The principal artist may request additional plaques if more than one artwork has been commissioned and may order over-sized plaques to allow for explanatory text about the artwork to be included. Any additional plaques will be at the artist's cost.

Moral rights legislation requires that the artist is properly acknowledged, so it is important that the plaque be ordered and installed promptly. Principal artists are urged to forward the plaque order form to the public art officer as early as possible to ensure that the plaque is ready when the artwork is being installed.



## Publicity

Some publicity for completed commissions and purchases may be arranged by Arts Tasmania however artists are encouraged to generate their own media interest. To assist with this, a media kit can be downloaded at [www.arts.tas.gov.au/publicart](http://www.arts.tas.gov.au/publicart).

Building users are encouraged to host an event to unveil completed commissions, or to include unveiling of the artwork in the building opening ceremony and to acknowledge the artist/s and the Tasmanian Government Art Site Scheme in any publicity surrounding the artwork.

Arts Tasmania will promote Tasmania's public art collection with images of selected public art commissions uploaded to the Arts Tasmania website as well as listing current and completed commissions on the site.

## Evaluation

Arts Tasmania is committed to ongoing evaluation of the Tasmanian Government Art Site Scheme. Evaluation data will be collected from the artist/s at the end of each commission.

Evaluation will ensure that both artists and Arts Tasmania have a chance to formally respond and reflect on the critical aspects of the commissioning processes. This information will provide high level quality feedback, advice and measures, enabling Arts Tasmania to develop, improve and identify future changes to the scheme.

## PAYMENTS TO THE PRINCIPAL ARTIST

The total artwork budget for the commission is advertised in the Artist's Brief and must cover all costs associated with the commission, apart from the artwork plaque which shall be paid for by Arts Tasmania. These costs may include but not be limited to, the artist's:

- design fee and labour costs
- meeting time and expenses
- travel and accommodation expenses (if applicable)
- administrative expenses
- materials and construction/fabrication costs
- freight and installation costs
- making good the fabric of the building if any damage has occurred during the installation of the artwork
- sub-contractor and/or collaborator fees (if applicable)
- project management fee for the principal artist if sub-contractors are used
- insurance costs
- engineering certification or other compliance costs (if applicable)
- sundries.

Principal artists are paid in 3 instalments which are usually:

- Instalment 1:  
25 per cent of the total artwork budget within 30 days of the receipt by Arts Tasmania of the signed grant deed



***Light Air Movement (Part I)***

Tracey Allen

Alucabond aluminium panels, mirrored stainless steel  
Commissioned for North West Cancer Care Centre

Photograph: Arts Tasmania

## 02 STAGES AND STEPS OF A PUBLIC ART COMMISSION AFTER THE ARTIST IS SELECTED

- Instalment 2:  
35 per cent of the total artwork budget within 30 days of receipt by the principal artist of written notice of approval and acceptance of the detailed design package
- Instalment 3:  
40 per cent of the total artwork budget within 30 days of the notification that the commission is accepted and the handover completed.

Principal artists must invoice Arts Tasmania for all payments. Invoices must show the principal artist's ABN. Where the principal artist is registered for GST, they must provide a valid tax invoice. If the principal artist is not registered for GST, it must clearly state on the invoice that the total amount is exclusive of GST.

Where a principal artist does not provide an ABN, a statement by a supplier (reason for not quoting an ABN to an enterprise) form should be provided, or the department will have to withhold 49 per cent of the payment. The Statement by a Supplier form is available from the Australian Taxation Office or its website.

If the principal artist has completed the artwork but cannot install it due to delays in the building or fit out, the public art officer may split the principal artist's final payment and advance some of the completion fee to ensure that the principal artist's cash flow is not adversely affected by issues outside of their control.

### DEACCESSIONING

Deaccessioning is the process of permanently removing an artwork from Tasmania's public art collection. This can occur naturally at the end of an artwork's commissioned lifespan or as a result of deterioration or other factors that may impinge on the integrity of the artwork, or subsequent building works on site.

If the client and/or building user considers it is necessary to deaccession an artwork, Arts Tasmania must be contacted and a careful assessment of the artwork will be made either by Arts Tasmania or by a specialist. The deaccessioning of public artworks is only considered after a careful evaluation of the circumstances is undertaken and only when there is no other option available. Deaccessioning involves the same degree of rigour as a decision to commission a work: informed by careful, sound and transparent processes using best practice principles and in conversation with all of the relevant professionals and stakeholders as determined by Arts Tasmania. The artists' moral rights will be respected and all efforts will be made to contact them and involve them in the deaccessioning process. The process of deaccessioning will be fully documented by Arts Tasmania and a visual record of the work in situ will be made. These details will be kept on file.

“ It’s a great scheme and we really enjoy the process of developing each of the projects including working with different community groups and collaborating with other contemporary artists.  
*Futago, graphic design studio  
commissioned through the  
Tasmanian Government Art Site Scheme*”

Building users have a responsibility to retain public artworks in situ for the stated lifespan of the artwork as long as the artwork:

- has no serious structural faults through damage or deterioration
- can be cost effectively maintained in line with the principal artist’s care instructions or repaired at reasonable cost to the building user
- is not hazardous to people or the environment
- can be retained in its original location.

If an artwork cannot be retained in its original location, the artwork may be able to be sensitively relocated, only after discussions between Arts Tasmania, the client, and the principal artist has occurred.

Other reasons for deaccessioning are where:

- the artistic merit of the artwork falls below the level to which Tasmania’s public art collection aspires
- continued display of the work undermines the artist’s or the commission’s intention
- emergency deaccessioning is required due to rapid physical deterioration or an accident occurring
- the site is unable to reasonably guarantee the security of the artwork in its present location
- on request, in writing, from a significant number of individuals or organisations in the local community and only if supported in writing by a recognised arts professional
- the artwork may be found to be offensive, hurtful or discriminatory by Arts Tasmania
- the artwork lacks authenticity, or is a duplication.

### Disposal of deaccessioned works

There are a number of options for deaccessioned artworks. This can occur naturally at the end of an artworks contracted lifespan. If the work cannot continue to exist in its original location or be moved to a new one, the first option to be explored is gifting it to the Tasmanian Museum and Art Gallery, the Devonport Regional Gallery, the Burnie Regional Art Gallery, the Queen Victoria Museum and Art Gallery or any publicly-owned Tasmanian gallery which is interested in absorbing particular deaccessioned works if they are relevant to their collection.

If the work is not taken by a publically owned gallery other options explored, with the permission of the Secretary or Minister of the relevant Tasmanian Government department, include selling the work or returning the work to the artist or their estate. If the work has deteriorated beyond the point of repair the work may have to be destroyed.

The costs of deaccessioning will be the responsibility of the client or building user or, in the case of the sale of a building, the new owner of the artwork if not explicitly stated otherwise in the commission contract between the Crown and the principal artist.

***Tree Flower***

Matt Calvert

Aluminium and toughened glass

Commissioned for Brooks High School

Photograph: Arts Tasmania





## ROLES AND RESPONSIBILITIES

This section lays out the roles and responsibilities of the parties to a Tasmanian Government Art Site Scheme public art commission including the principal artist, Arts Tasmania, the client and the building user.

# 03 ROLES AND RESPONSIBILITIES

## ROLES AND RESPONSIBILITIES OF THE PRINCIPAL ARTIST

On signing of the grant deed, the client commits to the artist as the selected candidate to deliver the project. In the case of collaborations, one artist must be nominated as, and accept the responsibilities of, principal artist. In the case of solo commissions the artist is automatically deemed to be the principal artist.

The principal artist must:

- ensure the commission is delivered according to the terms and conditions of the grant deed, meeting specified timelines and within budget
- ensure the artwork is delivered to a high, professional standard
- ensure that they, and any collaborators or sub-contractors have the relevant insurances in place to undertake the commission
- supply budgets, timelines and all other elements noted in the detailed design package checklist
- supply lists of contractors and other artists associated with the project and assume responsibility for the actions of any such party in relation to the commission
- ensure that the artwork complies with all relevant Australian Standards and the Building Code of Australia and should secure product and/or service warranties from any sub-contractor
- inform the public art officer of any changes to the artwork design and/or possible changes to the timeframe from that stated in the detailed design package. These changes shall not be

automatically accepted and must be agreed to by the client and Arts Tasmania in writing

- in the case of a collaboration, ensure all collaborators are aware of the contractual requirements of the commission and must negotiate all financial and intellectual property agreements with the collaborators
- provide maintenance instructions, including any ongoing budgetary implications to the client and building users at the time of handover
- work in a professional manner and be respectful to staff and visitors while working on the premises of the client
- ensure their work practices, and the practices of any sub-contractors are safe and do not risk personal or public safety at all stage of the commission
- co-ordinate site access and management strategies with the building/site foreman when installing artwork within the public domain.

## ROLES AND RESPONSIBILITIES OF ARTS TASMANIA

As the body responsible for managing the Tasmanian Government Art Site Scheme, Arts Tasmania employs public art officers whose primary duties relate to the management and administration of the scheme. Arts Tasmania is responsible for overseeing the operation of the scheme and provides information on the Tasmanian Government Art Site Scheme commissions to government as part of its reporting requirements.

The public art officer:

- undertakes initial negotiations with the client to establish the commission including timeframes and budget
- develops the Artist's Brief after consultation with the client, the building user and the project architects
- establishes and coordinates the selection committee to assess expressions of interest
- manages each public art commission or purchase project through to its completion
- seeks approval from the relevant Ministers to advertise the Artist's Brief for the commission
- arranges grant deeds and payments
- manages detailed design package approval
- gains approval from the selection committee, or an executive of the selection committee, for each relevant stage of the commission
- inspects and documents completed commissions
- authorises final acceptance of commissions in consultation with other relevant stakeholders
- advises building users of processes that need to be followed in the case of repairs, maintenance or removal of the artworks after they are handed over to the client
- identifies best practice, transparent, equitable and inclusive processes in accordance with the principles of public sector administrative decision making
- advises artists of their obligations and commitments to a commission from the first meeting with the public art officer through to the handover and evaluation processes

- provides professional support and advice to artists throughout the commissioning process when required
- is available to provide advice regarding engaging the right expertise with the aim of producing the best possible outcome for each commission
- is responsible for arranging plaques, maintaining database records and for some marketing and promotion.

## ROLES AND RESPONSIBILITIES OF THE CLIENT AND THE BUILDING USER

The owner of the artwork is the government department that commissions or purchases the artwork – the client. The users of the building may or may not be staff of the client department. When the location that houses the artwork is occupied by the client, the maintenance and repair of the artwork falls to the building user. Where there is a third party tenant, the responsibility falls to the client unless specified otherwise in a leasing agreement.

### Client

The client must:

- liaise in good faith with the principal artist, the architect and Arts Tasmania in regard to the commissioning of the artwork
- in consultation with the architect, provide Arts Tasmania with details regarding the compliance standards relating to the Australian Standards and the Building Code of Australia that the principal artist will be required to meet in delivering the commissioned art work



“Interactive lighting installations is my preference - using a range of materials with credibility in the user-friendly, future-friendly and new technology areas. I favour a concept of the interactive nature as it offers the community a role in personalising/curating the installation through usage. Giving a sense of ownership...putting the public in public art.  
*Loz Abberton, artist  
 commissioned through the  
 Tasmanian Government Art Site Scheme.*”

- supply a representative to sit on the selection committee, sign off on the detailed design package, inspect the installed artwork and sign off on the handover certificate
- provide any additional information as required by the public art officer on behalf of the artist, for example building information, specifications and compliance requirements
- inform Arts Tasmania and the principal artist of any changes to the agreed plans that will impact on the artwork. Such notification must be made in writing and, if the changes require a substantial alteration to the approved artwork outlined in the detailed design package and/or redrawing of the plans, then the client may need to compensate the principal artist for the additional costs incurred
- provide storage space for the artwork if delays to the building or fit out result in the principal artist not being able to install the artwork according to the agreed schedule
- assume ownership of the artwork at the handover which is approved by the client in writing
- ensure that they are aware of, and meet, their obligations in regard to the artist’s moral rights and artist’s copyright.
- supply a representative to sit on the selection committee and coordinate any relevant reference group representatives who may attend selection meetings in a non-voting capacity
- supply a representative to sign off on the detailed design package, inspect the installed artwork and sign off on the handover certificate
- assume care and maintenance of the artwork at the handover if they are part of the commissioning client
- ensure that they are aware of, and meet, their obligations in regard to the artist’s moral rights and artist’s copyright
- notify Arts Tasmania in the case of damage, loss or theft of the artwork and work with Arts Tasmania to determine the most appropriate repair or replacement strategy.

### Building user

The occupiers of the site in/on which the commissioned artwork is located must:

- liaise in good faith with the principal artist, the architect and Arts Tasmania in regard to the commissioning and/or installation of the artwork for the site or building



**Surveyor**

Alex Miles

Timber and steel post and stone next with 3 bronze eggs  
Commissioned for Three Capes Walk

Photograph: Alex Miles



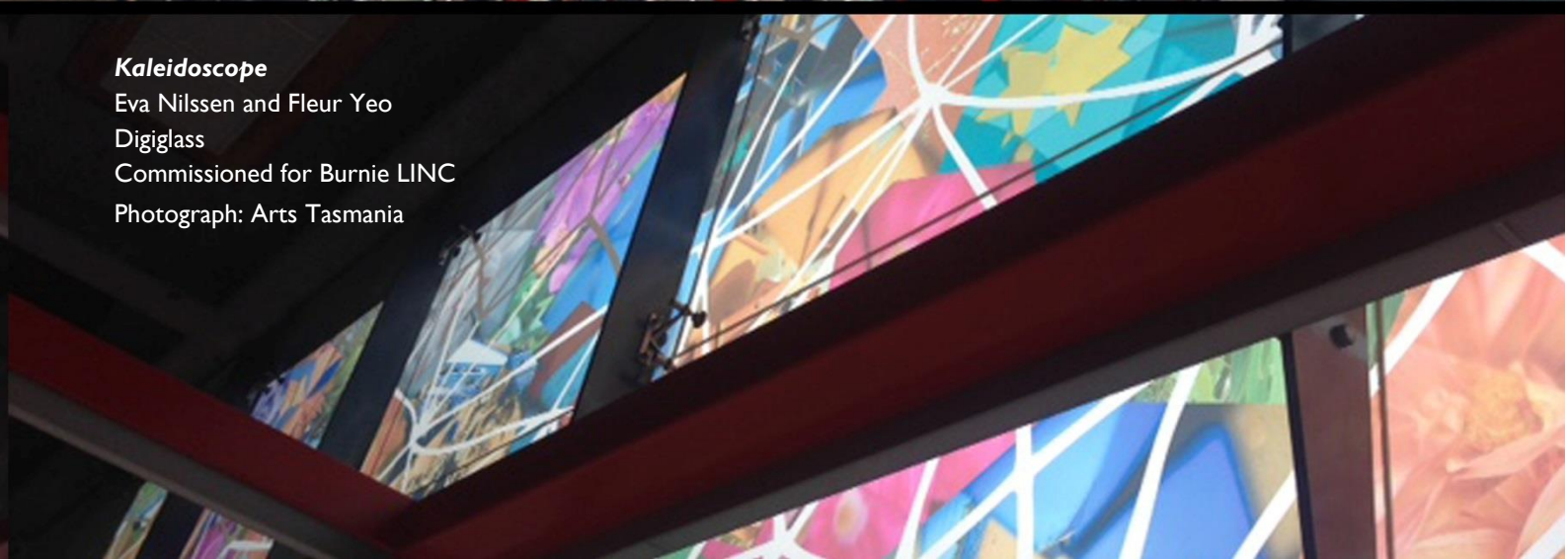
***Kaleidoscope***

Eva Nilssen and Fleur Yeo

Digiglass

Commissioned for Burnie LINC

Photograph: Arts Tasmania



# 04 ARTISTS' RIGHTS

This sections outlines the rights of artists in regards to dispute resolution, copyright and moral rights inclusive of attribution, false attribution and integrity.

# 04 ARTISTS' RIGHTS

## DISPUTE RESOLUTION

Should a dispute arise between the principal artist and the building user, architect or client, the public art officer will attempt to resolve the matter. Failing this, the dispute may be referred to an independent arbitrator agreed to in writing by the parties or lawful action may be commenced.

## COPYRIGHT

The artist retains copyright in the work, except for providing the client and Arts Tasmania with limited rights to reproduce images of the artwork and design proposal for the purposes of giving fair publicity for the artwork and the scheme. The client and Arts Tasmania shall attribute the reproductions of the commission to the artist and artistic collaborations where appropriate.

The scope of copyright in Australia is defined in the 'Copyright Act 1968 (Cwlth)'.

The Act can be accessed at:

<https://www.legislation.gov.au/Details/C2008C00593>

## MORAL RIGHTS

It is important that artists, the clients and the building users are aware of legislation that protects moral rights. Moral rights are protected through an amendment to the 'Copyright Act 1968 (Cwlth)' passed in 2000. This legislation protects the rights of attribution and integrity belonging to authors of literary, dramatic, musical and artistic works and cinematograph films.

The following three rights are recognised:

- the right of attribution of authorship
- the right not to have authorship falsely attributed
- the right of integrity of authorship (the right of integrity).

Moral rights are additional to the economic rights already provided for by the 'Copyright Act 1968 (Cwlth)'. Only individuals have moral rights. This means that corporate bodies cannot claim moral rights under Australian copyright law.

### Attribution

The right of attribution of authorship impacting on public art requires a person to identify the author of an artistic work if reproducing it, publishing it, transmitting it or exhibiting it in public. Identification of the author can be made in any reasonable way and must be clear and reasonably prominent. In the case of the Tasmanian Government Art Site Scheme, this is achieved with the artwork plaque.

### False attribution

An artistic work can be falsely attributed by using a person's name in connection with the work, as well as by affixing or inserting the name in or on the work in such a way as to falsely imply that the person is the author of the work. It is also false attribution to deal with an altered artistic work, or reproduction of the work, as if it were unaltered, knowing that the work or reproduction is in fact altered. The right not to have authorship of a work falsely attributed is infringed if a person does an act of false attribution in respect of an artwork.

### Integrity

The right of integrity establishes that an author has the right not to have his or her work subjected to derogatory treatment. 'Derogatory treatment' is a material distortion or alteration, mutilation, or anything else that is prejudicial to the honour and reputation of the author. A public exhibition of an artistic work that is prejudicial to the author's honour and reputation because of the manner or place in which the exhibition occurs is also derogatory treatment.



*The Tree of Life*

Mandy Hunniford

Huon Pine veneer, timber, inkjet print, acoustic panels, steel

Commissioned for Mersey Community Hospital

Photograph: Mandy Hunniford



# 05

## RESOURCES AND REFERENCES

This sections defines common terms used throughout the commissioning process and provides useful resources to assist artists to undertake a successful public art commission



## DEFINITIONS AND COMMON TERMS

### A

#### **Artwork budget**

This is the total amount paid to the principal artist to realise all aspects of the commission. The artwork budget is expressed as the GST exclusive amount, for example \$72 000 (ex GST). The budget will be grossed up if the artist is registered for GST.

#### **Australian Standards**

Standards are published documents that set out specifications and procedures designed to ensure products, services and systems are safe, reliable and consistently perform the way they are intended to. They establish a common language that defines quality and safety criteria. On their own, Standards have no legal status and no requirement for compliance by manufacturers, consumers or the public, hence the term 'voluntary Standard'. Australian or joint Australian New Zealand Standards are often called up in State and Commonwealth legislation. When this happens, these Standards become mandatory and can be subject to the scrutiny of the courts.

### B

#### **Building Code of Australia**

The Building Code of Australia (BCA) provides a nationally accepted and uniform set of technical requirements for all areas of building, from design to construction. Developed by the Australian Building Codes Board (ABCB) on behalf of the Commonwealth, State and Territory Governments, the BCA is referred to as the building regulation in all States and Territories.

#### **Building user**

The organisation or business occupying the premises where the artwork is installed, or responsible for the management and care of the outdoor site in which the artwork is located, for example Elizabeth College.

### C

#### **Client**

The name of the body providing the funding for the commission, for example the Department of Education.

#### **Contemporary art**

Art that is current, offering a fresh perspective and point of view, and often employing new techniques and new media. Arts Tasmania considers contemporary artists to be those who give voice to current theoretical arts practice and reflect the values and/or issues of our time.

#### **Commissioning**

The process undertaken to create and install an artwork in the public realm.

### D

#### **Detailed design package**

The documents presented to the selection committee detailing the developed design elements (including any certification requirements) that give the committee a clear idea of the intended artwork to the degree that they are able to sign off on its creation. A full list of

“The scheme allows me to contribute as an artist to a wider community, invests particular sites with my work in the medium to long term and provides vital economic support for my practice  
*Raymond Arnold, artist  
commissioned through the  
Tasmanian Government Art Site Scheme*

the detailed design package documents is found in the detailed design package checklist sent to the principal artists with the grant deed.

## E

### **Ephemeral**

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

### **Executive of the selection committee**

The executive of the selection committee is comprised of the public art officer, the client and the building user. They are responsible for approving relevant stages of a commission once the artist has been selected by the full committee, including sign-off of the detailed design package and proposed alterations to an artwork post approval of the detailed design package.

## G

### **Grant Deed**

A legal contract, between the State Government and the principal artist that details the terms and conditions of the commission and the grant monies.

## H

### **Hazards**

Hazards are inherent in the many and varied work practises and processes involved in the actual creation of the commission and need to be considered in order to protect personal and public health and safety. Hazards can include physical, mechanical and/or

electrical, chemical, biological, radiation and/or psychosocial.

## L

### **Lifespan**

The general lifespan for commissioned works is 15 years unless the artwork is temporary or ephemeral. The agreed lifespan of the artwork, in consultation with the client, will be stated in the advertised Artist's Brief, the grant deed and in the artwork manual.

## P

### **Principal artist**

The solo artist or, in the case of a collaboration, the nominated artist for the purpose of contracting and project management.

### **Professional artist**

Arts Tasmania defines professional artists as those who demonstrate a commitment to their artistic work as a major aspect of their life and who demonstrate a manner of working that qualifies them to have their work judged against the highest professional standards of practice. Consideration is also given to whether the artist has regular public exhibitions of artwork; offers artwork for sale, or sells artwork; is eligible for or has been awarded a government grant; selected for public exhibitions, awards or prizes; has secured work or consultancies on the basis of professional expertise; has had work acquired for public or private collections; and/or is a member of a professional association on the basis of his/her status as a professional artist.

## 05 RESOURCES AND REFERENCES

### **Public Art**

At a minimum, public art can be defined as art specifically created to be experienced in the public realm outside the gallery and museum context. Like art that can be found in galleries and museums, public art offers a response to significant physical, cultural, social and environmental issues. Public art also needs to be robust enough to withstand the physical environment where it stands, be sensitively curated and designed for its location, have meaning to its relevant audience and retain its own artistic rationale as a work of art.

Ultimately, public art embraces its environment and helps create places that inspire investigation and interaction and are enjoyable and meaningful in their own right. Public art can provide enduring strength and pride for communities and also challenge our assumptions in forms limited only by our imagination.

### **Public space**

Includes but is not limited to squares, parks, streets and buildings that are accessible to, and for the use of, the public.

## **R**

### **Risk**

A risk is a potential event or condition that, if it occurs, could have a detrimental or negative effect on the commission. These risks could be environmental, financial, managerial or operational, or related to personnel. A risk assessment and risk management plan help to identify these risks, determine the likelihood of them occurring, define the impact they

would have on the commission and develop strategies to mitigate or manage the risks.

## **S**

### **Selection committee**

Comprising as a minimum, a representative from Arts Tasmania, the client, the building user and the architect. Additional attendance may be invited from an artist peer representative and representative/s from a community reference committee (all non-voting).

### **Subcontractor**

A subcontractor is an individual or a business that is employed to perform a specific task on behalf of the principal artist, for example, an engineer or metal fabricator.

## **T**

### **Tasmania's public art collection**

The state public art collection is comprised of artworks commissioned under the Tasmanian Government Art Site Scheme and its predecessor, the Art for Public Buildings Scheme. These artworks are owned by the state but cared for and maintained by individual government departments and building users.

### **Tasmanian Government Art Site Scheme policy**

A framework for actions that reflect the principles and objectives of the scheme and its key commitments. It includes reference to the responsibilities of all parties involved in the commission process and guides the associated procedures and protocol.

“As a regional artist who does not teach, a public art commission is an excellent way for me to work. Each project brings up new challenges and I’m on a constant learning curve which develops my practice  
Lorraine Biggs, artist  
commissioned through the  
Tasmanian Government Art Site Scheme”

### **Tasmanian artist**

Arts Tasmania defines Tasmanian artists as those who have resided in Tasmania for at least six out of the previous twelve months.

## **ARTIST RESOURCES**

### **Arts Tasmania’s website**

Arts Tasmania’s website contains information on the Tasmanian Government Art Site Scheme and useful resources to assist artists in the delivery of a public art commission.

For information on the scheme; current commission opportunities; risk management, budget templates and artists’ media kit visit:

[https://www.arts.tas.gov.au/public\\_art](https://www.arts.tas.gov.au/public_art)

To sign up to receive Arts Tasmania’s newsletter that advertises new commission opportunities visit:

[www.arts.tas.gov.au/about\\_us/stay\\_informed](http://www.arts.tas.gov.au/about_us/stay_informed)

For information on budgeting, insurance, legal issues and project management visit the Resources tab on:

[https://www.arts.tas.gov.au/public\\_art](https://www.arts.tas.gov.au/public_art)

### **Useful organisations**

#### **Worksafe Tasmania**

Worksafe Tasmania is an initiative of WorkCover Tasmania and Workplace Standards. The website is a useful resource with links to the legislation covering work health and safety. It also has codes of practice which are practical guides to achieving the standards of health, safety and welfare required by law and which could help in the development of risk management

plans and safe work methods statements.

Phone: 1300 366 322

Website: [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au)

#### **Standards Australia**

Standards Australia is an independent organisation recognised as the peak non-government Standards body in Australia. Standards Australia develops internationally aligned Australian Standards which can be searched and purchased through their website.

Phone: 1800 035 822

Website: [www.standards.org.au](http://www.standards.org.au)

#### **Australian Copyright Council**

The Australian Copyright Council provides user-friendly information, legal advice, education and forums on Australian copyright law for artists and consumers.

Phone: (02) 8815 9777

Website: [www.copyright.org.au](http://www.copyright.org.au)

#### **Arts Law Centre of Australia**

The Arts Law Centre of Australia provides legal advice and information on a wide range of arts related legal and business matters including contracts, copyright, business structures, defamation, insurance, employment and taxation to artists and arts organisations across artforms.

Phone: 1800 221 457

Website: [www.artslaw.com.au](http://www.artslaw.com.au)

#### **National Association for the Visual Arts Ltd**

The National Association for the Visual Arts is the national peak body for the visual and media arts, craft and design sector. They offer expert advice, referrals, resources, professional representation and

development, grant programs and a range of other opportunity brokerage and career development services.

Phone: (02) 9368 1900

Website: [www.visualarts.net.au](http://www.visualarts.net.au)

### Useful publications

#### ***The Arts Insurance Handbook: A Practical Guide for Artists and Arts Organisations***

Catherine Fargher and Seth Richardson, Arts Law Centre of Australia, 2nd Ed., 2005

This handbook is a user-friendly guide to the insurance world for artists and non-profit arts organisations. It outlines the various types of insurance cover available and offers tips on what to look out for when buying insurance, reducing insurance costs, public liability and insurance for volunteers, where to shop for insurance and how to make a claim. The obligations and rights that derive from an insurance contract are also explained.

This publication can be purchased from:

<https://www.artslaw.com.au/product/the-arts-insurance-handbook-3rd-edition/>

#### ***The Code of Practice for the Professional Australian Visual Arts, Crafts and Design Sector***

National Association for the Visual Arts Ltd, 5th Ed., 2016

This publication sets out is the national best practice standard for the sector. It provides a set of practical and ethical guidelines for the conduct of business between visual art, craft and design practitioners and their galleries, agents, retailers, buyers, sponsors, commissioners and the managers of residencies,

workshops, competitions, prizes and awards. Written in plain accessible language, the publication is an essential professional tool for the negotiation of contracts, agreements and entry conditions, and for the explanation of the business protocols and procedures of the visual arts and craft sector.

This publication is available at:

[www.visualarts.net.au/code-of-practice](http://www.visualarts.net.au/code-of-practice)

#### ***Respecting Cultures: Working with the Tasmanian Aboriginal Community and Aboriginal Artists***

Arts Tasmania, 2nd Ed., 2009

Respecting Cultures promotes greater awareness of the protocols needed to ensure that Aboriginal artists are acknowledged and their intellectual property and culture is respected and protected. It is an important tool in managing the ethical use of Tasmanian Aboriginal culture and arts and recommended reading for artists looking to liaise with the Aboriginal Community for the use of Aboriginal content in their projects.

This publication can be downloaded from:

[https://www.arts.tas.gov.au/\\_data/assets/pdf\\_file/0016/202282/Respecting\\_Cultures\\_October\\_2009\\_Revised\\_2014.pdf](https://www.arts.tas.gov.au/_data/assets/pdf_file/0016/202282/Respecting_Cultures_October_2009_Revised_2014.pdf)

#### ***Indigenous Art Code***

The Indigenous Art Code is a system to preserve and promote ethical trading in Indigenous art. Read about the code from:

<https://indigenousartcode.org/>

***Valuing Art, Respecting Culture***

National Association for the Visual Arts Ltd, 2014

Valuing Art, Respecting Culture sets out protocols to guide non-Indigenous people in their relationships with Indigenous artists and communities

This publication can be found at:

[www.visualarts.net.au/guides](http://www.visualarts.net.au/guides)



*Topographical compilation (greatest hits)*

Jacob Leary

Paper

Commissioned for Professional Learning Institute



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