

Art Built-in Policy Evaluation

A report prepared for the Queensland Government

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Contents

Executive summary	4
Acknowledgments	5
Methodology	5
Summary of recommendations	8
Term of Reference 1	11
Evaluate the success of the <i>Art Built-in</i> policy in delivering on the policy principles and benefits	11
Artistic and cultural benefits	11
Employment and economic benefits	13
Social benefits and community engagement	14
Environment and heritage principles	16
ArtWorks Queensland	17
Training and Education	18
Term of Reference 2	19
Measure reported outputs to assess the efficiency of the <i>Art Built-in</i> guidelines and toolkit processes and procedures to deliver on the policy principles and provide value for money	19
<i>Art Built-in</i> guidelines	19
<i>Art Built-in</i> toolkit	19
State Purchasing Policy and value for money	19
Public art project management	20
The public art advisory group	20
The <i>Art Built-in</i> three-stage commissioning process	21
The role of the curator in <i>Art Built-in</i>	22
Term of Reference 3	23
Assess the administration of the <i>Art Built-in</i> policy and the success of the partnership between the Public Art Agency and Project Services to deliver on the policy principles and benefits, including compliance by Government departments	23
Administration and partnership	23
Compliance and participation	24
Challenges to the '2% for art' quantum principle	25
Term of Reference 4	26
Examine and make recommendations on the existing <i>Art Built-in</i> policy principles in the context of the Queensland Government priorities and the Queensland Government arts and cultural policy, <i>Creative Queensland</i>	26

Term of Reference 5	27
Benchmark the success of the <i>Art Built-in</i> policy against public art programs interstate and internationally	27
Civic ‘% for art’ (annual program fund) models	27
Nonprofit arts organisation models for public art	28
Term of Reference 6	29
Make recommendations on the future direction of the <i>Art Built-in</i> policy and program	29
Ambition for policy	29
Art built in?	29
Compliance with policy	29
Funding of the public art policy	30
Pooling	30
Quality of public art	31
Temporary art	32
Heritage and Public Art	32
Education	33
Project administration	33
Overall policy and administration	33
Commissioning of artists	34
Rights of Indigenous artists	35
Funding flow to artists and arts workers	35
Transparency	35
Public liability	36
Recording and promoting outcomes	36
Involvement of international artists	36
Bibliography	38
Appendix 1: List of public submissions	39
Appendix 2: List of focus groups attendees	43

Executive summary

As an overall finding, the *Art Built-in* policy has been instrumental in changing the culture of the public building sector in Queensland by positioning public art as a vital contribution to the enhancement of the public realm.

Across the broad range of submissions received, and from the focus group discussions, it was made evident that *Art Built-in* is regarded as being successful in having established an awareness of public art among the wider community. It is considered to have improved the understanding of the value of public art in public buildings and spaces and to have increased the appreciation of art and of what artists can offer society. It has also increased the professionalism of artists and their arts practice with regard to the delivery of public projects. Many artists, client agency representatives, project managers, curators and related professionals claim to have learnt from their engagement with *Art Built-in*.

The success of the policy can also be gauged by its adoption by private developers that have chosen to engage artists within the building process. The policy has achieved a measure of fundamental education through the art that has been created and through the process of creative conceptualisation guided by the policy. Its achievements are most visible in the flagship projects, such as the Brisbane Magistrates Courts. However, the impact of the policy has also been felt in many regional communities, large and small. Virtually all contributions to the structured focus groups and many of the written submissions were prefaced by comments that indicated that the policy is well regarded for what has been achieved and that it is considered to be a nationally significant policy.

Despite the widespread appreciation of the policy, the Expert Reference Group found that there are several areas of weakness and a lack of consistency in adherence to the policy across government departments. Submissions from some expert agencies and art critics were critical of the quality of public art conceived under the policy. Evidence was provided of a lack of supportive management on some projects, inexperience and resistance from some clients, and many cases where projects have been successful largely because of the goodwill of participants drawn into the *Art Built-in* process.

These difficulties stem, in part, from the core branding of the policy with its focus on art that is built-in on a project-by-project basis, with a myriad of interrelated policy and operational decisions to be taken for each project.

The flexibility suggested in the original policy document has rarely been employed, with few examples of innovative practice overcoming the impediments to the achievement of the objectives of the *Art Built-in* policy. It is of note that only a small number of projects have been directed towards design or craft, and that little has been done to achieve a strong educational program to support the achievement of high quality public art.

Considerable effort has been expended by the Public Art Agency to develop tools and processes to enable the achievement of *Art Built-in* within conventional building construction contracts and management processes. A criticism made by many is that the implementation of the policy is far too demanding in terms of bureaucracy and compliance resulting in any concern for the conceptual quality of the art being subsumed by the extent of the processes to be followed. Several submissions indicated that the extent and complexity of the processes to be followed worked against effective collaboration with other members of the construction project team and prevented the timely incorporation of the artwork into the construction process. This, in turn, resulted in work that was applied rather than integral to the project.

There was widespread agreement that the extent of the consultative and management processes worked against the quality of the artworks to be produced, with a sense that a considerable number of works were weakened by committee processes of approval during concept development.

The issue of risk was mentioned widely: the management process generated by the policy was taken to have been generated to minimise risk and to cushion decision-makers rather than to provide stewardship for the artwork during the development and implementation stages of an *Art Built-in*/ capital works project.

It is of concern that so many submissions from artists conveyed a view that the process of selection was insufficiently transparent. It was frequently commented that a relatively small pool of artists received the greater share of the commissions. This was a particular concern of artists and curators in the regions who felt that Brisbane-based artists were more likely to be selected for significant commissions.

The recommendations that address these and other issues are grouped as a response to the Terms of Reference 4 and 6. The response to terms of reference 1, 2, 3 and 5 are largely a mapping of the discussion and analysis that underpins the recommendations. The response to these four Terms of Reference embodies data provided by Arts Queensland. The response to Terms of Reference 1, 2 and 5 also includes and builds on elements drawn from the Supplementary Submission from Arts Queensland, where those statements are authoritative statements of fact rather than interpretation. This approach was agreed with the ERG to minimise the need to restate factual material.

The recommendations are offered to assist Government in consolidating the outcomes and successes of the first generation of *Art Built-in*, and to encourage a more adventurous and ambitious level of support for public art in Queensland.

During the course of the evaluation it became known that there was a separate and parallel review of Arts Queensland conducted under the auspices of Queensland Treasury. The outcomes of that review have led to a reorganising of the structure of Arts Queensland that has left the Public Art Agency in a vestigial state. The positive recommendations of this evaluation should give weight to the re-establishment of a focused policy unit within Arts Queensland with a stronger and clearer mission to provide leadership of a reinvigorated public art policy for Queensland.

Acknowledgments

I would like to acknowledge and thank all who made submissions and those who contributed to the focus group discussions. The ideas, comments, criticisms and suggestions received were invaluable in shaping the evaluation of the policy and in formulating the recommendations. Particular thanks are due to the members of the Expert Reference Group, whose expert guidance and advice, underpinned by both a critical perception and a passionate concern for the best outcome for the public as a whole. I personally appreciate the contribution of Cathy Hunt of Positive Solutions, who skilfully organised the focus group sessions and drew together the outcomes in a cogent fashion. Finally, I acknowledge the professional and unstinting support given to the evaluation by the former Executive Manager of the Public Art Agency, John Stafford, and his team.

Methodology

I was appointed by the Minister for Education and the Arts to conduct the evaluation in December 2004. Supporting documentation and reference material was provided by the Public Art Agency as required throughout the evaluation, although the Public Art Agency was not party to the shaping of recommendations.

I was assisted directly by the appointment of an Expert Reference Group (ERG). The ERG met five times throughout the evaluation of the *Art Built-in* policy and was made up of the following members:

- Cr Julie Boyd, Mayor, Mackay City Council
- Ms Simone Eisler, Artist

- Ms Fiona Foley, Adjunct Professor, Contemporary Australian Indigenous Art, Queensland College of Art, Griffith University
- Mr Timothy Hill, Architect, Donovan Hill
- Mr Peter Webb, Project Manager, Bovis Lend Lease
- Ms Rosemary Axonsmith, Architect and Project Manager, Project Services, Department of Public Works with alternate representation provided by Mr Keith Whenmouth, also of Project Services.
- Dr Rex Butler, Senior Lecturer, Art History, School of English, Media Studies & Art History, The University of Queensland.

The meetings of the ERG were given administrative support by Arts Queensland through the Public Art Agency, but members of the Public Art Agency did not attend other than to brief members of the ERG on process and background.

The evaluation entailed:

- review and analysis of collated internal Public Art Agency research and commissioned external reports
- the analysis of collated media coverage of the *Art Built-in* policy and its projects
- the analysis of measurable outputs, including jobs creation and Indigenous involvement
- an open call for public submissions was made with approximately 50 submissions received. The request for submissions sought for comments to be made in response to the terms of reference. The submissions were circulated to the ERG membership for consideration and analysis
- meetings with five focus groups (Cairns, Townsville, Cooloola and two in Brisbane — Government clients and arts industry stakeholders), with invited stakeholder representatives from Government, industry and community, conducted by an independent facilitator who prepared a written report summarising the key points arising from discussion. An additional focus group meeting occurred with representative members of the Department of Public Works. The focus groups excluded involvement from members of the Public Art Agency
- several one-on-one interviews conducted by the evaluator on request
- scoping meetings of the ERG and the Chair held on 3 June 2005 with invited public art project managers, curators, architects and artists

The Evaluation Report is structured in direct response to the Terms of Reference. The recommendations are grouped as a response to terms of reference 4 and 6, but underpinned by the statements and findings grouped with relation to the other four Terms of Reference.

Definition of ‘job’: Throughout the text there are references to ‘jobs’. For the purpose of this report the Public Art Agency definition of ‘job’ has been adopted as follows

All employment generated by the *Art Built-in* policy falls into four main categories:

1. **Public art project management** — this consultancy continues for the entire project and may have both periods of full-time employment and part-time employment.
2. **Curators** — this consultancy can continue for the entire project and can be either full-time employment or part-time employment in the same project.
3. **Cultural consultants** — these consultancies may or may not continue for the entire project. They can be considered both full-time in the initial stages of the consultancy, and possibly continuing part-time for the remainder of the project.
4. **Artists** — depending on the commissioning model employed, artists are engaged in a series of three contracts (concept design, design development, commissioning) with each of these phases being short-term employment (e.g. four weeks). Each commissioning phase is considered a separate job.

All jobs created for public art project managers, curators and cultural consultants are considered as one job each per project. These would constitute both full-time and part-time employment given particular reference weeks within the project. All employment statistics for artists are based on the contractual arrangements used in each project. Therefore each contract issued is considered one job. For works purchased, each work (which may include multiples within one work) is considered one job.



Jill Kinnear, *Veil*, 2002. Suncorp Metway Stadium, Brisbane. Photo: Rod Buchholz

Summary of recommendations

Recommendation 1: Ambition for policy

That Government retain and strengthen the *Art Built-in* policy for the provision of public art. In doing so it should adopt a more adventurous stance and encourage significant public artworks through seeking the highest quality outcome in each case.

Recommendation 2: Art built in?

That the Government reconsider renaming the policy to enable the focus to be on the contribution of public art to public spaces.

Recommendation 3: Compliance with policy

- i) That the lack of compliance with the policy be reviewed in detail as the policy is revised and that alternative methods of allocating appropriate levels of funding be adopted as advised in Recommendation 4.
- ii) That greater engagement with the provision of public art be achieved through targeted communication and development activities with client departments across government.

Recommendation 4: Funding of the public art policy

That an overall annual budget allocation be made for public art to be drawn from the capital works program and the projected transportation infrastructure program to enable greater certainty in the planning of public art.

Recommendation 5: Pooling

That the pooling of funds for public art should be adopted to facilitate greater flexibility in the application of the policy.

Recommendation 6: Quality of public arts

That curatorial oversight be provided by a Curatorial Panel for Public Art to be chaired by a Government Curator reporting to Arts Queensland.

Recommendation 7: Temporary art

That temporary art, performance art and ephemeral art of all kinds are appropriate forms of public art and should be encouraged by the policy. Further flexibility should be encouraged so that particular art forms may be selected to directly relate to the core business of the commissioning client agency.

Recommendation 8: Heritage and public art

That the Policy be revised to encourage and facilitate the engagement of public art with heritage places and settings.

Recommendation 9: Education

- i) That education and mentoring remain as core objectives of the public art policy.
- ii) That Government encourage and assist selected tertiary institutions to increase the provision of public art in their courses.

- iii) That funding be allocated to assist with the mentoring of young and emerging artists by artists recognised for their accomplishment in the field of public art.
- iv) That travelling scholarships be provided on a competitive basis to enable young and emerging artists to experience public art practice interstate and overseas.

Recommendation 10: Project administration

That the administration processes governing public art projects be reviewed and revised to ensure that effective, timely and purposeful administration is provided appropriate to the scale of each project.

Recommendation 11: Overall policy and administration

- i) That the revised policy be supported by a refreshed Public Art Agency to provide leadership, advocacy and administrative support in the deployment of the policy.
- ii) That the Public Art Agency be provided with core funding to fulfil its required functions.
- iii) That the administration of public art projects related to specific capital works projects be undertaken by Project Services as appropriate to its core function.

Recommendation 12: Commissioning of artists

- i) That the commissioning processes and the contract conditions relating to the employment of artists and related professionals be revised to ensure stewardship of the creative concepts, and to enable full integration with over-arching design concepts where this is required.
- ii) That the policies concerning intellectual property, copyright and moral rights be modified to permit the reproduction and remaking of works in recognition of contemporary arts practice.

Recommendation 13: Rights of Indigenous artists

That appropriate protocols for intellectual property and moral rights for Indigenous artists be developed, together with the adoption of sufficient time frames to enable full consultation when working with Indigenous artists and communities.

Recommendation 14: Funding flow to artists and arts workers

- i) That the basis on which artists and related professionals are remunerated be reviewed and that allowance is made for consultative and collaborative involvement with the development, fabrication and installation of public art.
- ii) That experience, skill and standing of artists be recognised and factored into the agreement of appropriate remuneration.

Recommendation 15: Transparency

That the processes for the selection of artists and related professionals be reviewed in detail so as to achieve greater transparency. Outcomes of expressions of interest rounds and competitive tenders are to be published.

Recommendation 16: Public liability

That the possibilities for and implications of Government departments assuming the public liability insurance for public art projects be further investigated.

Recommendation 17: Recording and promoting outcomes

That the overall body of artworks representing the outcomes of the policy be recorded and featured in publicly accessible media, such as on a website and in supporting publications.

Recommendation 18: Involvement of international artists

- i) That in order to achieve excellence the most able artists be appointed in each case and that interstate and international artists be invited to submit expressions of interest for significant public projects.
- ii) That opportunities be created to enable visiting, internationally recognised, artists to contribute to the development of public art in Queensland as 'artists-in-residence'.



Daniel Templeman, *Confluence* (detail), 2004. Brisbane Magistrates Court, Brisbane. Photo: supplied courtesy Albert Smith Group and the artist

Term of Reference 1

Evaluate the success of the *Art Built-in* policy in delivering on the policy principles and benefits

The evaluation of submissions and focus group discussions finds that *Art Built-in* has largely met artistic and cultural principles outlined in the original *Art Built-in* policy statement.

The *Art Built-in* policy stated five principles and outlined in a more detailed way specific issues that the policy should address. The *Art Built-in* principles and benefits fall under five major headings and are published in the *Art Built-in Policy and Guidelines 2004*, p. 9-10. These policy principles are:

- artistic and cultural
- economic
- social
- environment and heritage
- training and education.

Artistic and cultural benefits

Since its inception, *Art Built-in* has given priority to Queensland artists and arts workers, designers, public art project managers, cultural consultants and curators. On a total of 179 projects, 1154 'jobs' have been created for Queensland artists and arts workers with a total *Art Built-in* commitment of \$23.1 million since the introduction of the policy. The term 'job' refers to individual contracts as defined under 'Methodology' and is the unit used by the Public Art Agency to report the extent of activity arising from the policy.

It is of note that no international artists have been commissioned under the policy, despite the potential value of skills transfer and mentoring of Queensland artists that could have resulted. The Millennium Arts project has provided the first significant possibilities of international and interstate artistic commissions and related mentoring. Mentoring and training opportunities for young and emerging artists have proved to be much easier to establish in temporary public art projects such as *Art Built-in* South Bank and *Art Built-in* Musgrave Park.

The *Art Built-in* guidelines align with other whole-of-government policies such as the State Purchasing Policy (SPP) and the Capital Works Management Framework and with widely recognised industry standards for commissioning public art. The latter are given on the website of the National Association for the Visual Arts — www.visualarts.net.au The implications of value for money and effectiveness of the *Art Built-in* process, as enshrined in the *Art Built-in* guidelines and toolkit, are discussed under the response to Term of Reference 2.

The quality or intrinsic value of public art commissioned under the policy has been variable, and on occasion has attracted spirited criticism from recognised art critics. Given the public nature of artworks commissioned under the policy, opinion about quality and artistic excellence is likely to be varied and contested. This is a core function of public art and art in general — to expose the public to artworks and initiate debate about art and aesthetic concerns, public places and their amenity. *Art Built-in* has stimulated debate and has raised the consciousness of many in the wider community as to the nature of art and its relationship to culture and place. Although many submissions suggested that the policy had been successful in this regard, several submissions queried the overall standard of public art and questioned why, in their opinion, no outstanding examples could be cited.

The Public Art Agency suggests that the notion of art museum ‘artistic excellence’ or Australia Council ‘artistic excellence’ is not explicitly transferable to the public domain, and rather that artistic excellence in public art is subject to values additional to aesthetic value, such as relevance to place, or resonance within community. It is notable that *Art Built-in* has been flexible enough to encompass the range of communities and community expectations across Queensland.

The policy has succeeded in increasing the public’s exposure to distinctive and engaging public art. Notable examples include Dan Templeman’s *Confluence* 2004 Sebastian Di Mauro’s *Drift* 2004 and Jill Kinnear’s *Veil* 2002. *Sophie Cadman’s, Gilbert, Olivier, Penelope, Roxanne & Yasmin* 2003 at the Centre of Contemporary Art in Cairns are good regional examples, as is Kevin Todd’s *Clouds* 2003 at the Cooloola Sunshine Institute of TAFE Mooloolaba Campus.

The impact of *Art Built-in* processes on public art outcomes, particularly the public art advisory group mechanism, is discussed under Term of Reference 2.

Integration, a key principle of the policy, has been achieved to a considerable extent in many *Art Built-in* projects, but largely only as physical integration rather than physical and conceptual integration as flagged originally by the policy. There are some notable exceptions where both have been achieved, such as Jill Kinnear’s *Veil* 2002 for Suncorp Stadium (the 2005 Design Excellence and Innovation major award winner), or several of the commissions for the Brisbane Magistrates Court.

The difficulties of commissioning the artworks at an early stage of the overall building contract has often caused the artistic concept to be developed at a later stage in the overall construction program with a sense of art ‘cast around’ rather than truly ‘built-in’.

Submissions indicated that artists were most commonly engaged at contract documentation or contract administration stage, with only project services stating that artists on their projects are most commonly engaged at design development stage. Inevitably, the failure to appoint artists at an early point in the project delivery process has hindered the prospects for design collaboration, and has restricted the potential synergies between architectural design and the creative concepts of the selected public artists.

Many of the submissions to the review emphasised the value of temporary art and other forms of art such as performance art, pyrotechnic art and the like. The value for money imperative that attaches to capital works procurement has resulted largely in permanent public art outcomes, despite the inclusion of temporary art in the policy guidelines. Government clients have been reluctant to allocate funds to public artworks that do not offer a lasting presence. One notable achievement with regard to more progressive contemporary practices has been the development of public art systems to facilitate screen-based initiatives. Examples include the Queensland Health Skills Development Centre, QUT Creative Industries Precinct and Logan Entertainment and Cultural Centre. Temporary public art and a mechanism to address this in a significant way is discussed further under Term of Reference 6.

During the period 1998-2005, Arts Queensland prioritised support for Queensland artists, professional arts practice, regional arts, Indigenous arts and culture and the social justice areas — women, Indigenous arts, young people, older people, cultural diversity and arts and disability. Endeavours under *Art Built-in* have addressed all of these issues with varying degrees of success. See the section on social benefits of the *Art Built-in* policy for the discussion of the policy’s progress in achieving access and equity for different communities of interest.

The *Art Built-in* policy directly affects local government capital works only where local government partners the State Government in a capital works project. The policy stipulated that the 2% applied to the state’s quantum of any such jointly funded project with encouragement for local government to match this contribution. Major *Art Built-in* outcomes on state–local government capital works projects include Airlie Beach Lagoon, the Cairns Esplanade, Townsville Strand and the Logan Entertainment and Cultural Centre.



Sophie Cadman, Gilbert, Olivier, Penelope, Roxanne, Yasmin, 2004. Centre of Contemporary Arts (CoCA), Cairns.
Photo: David Campbell Photography

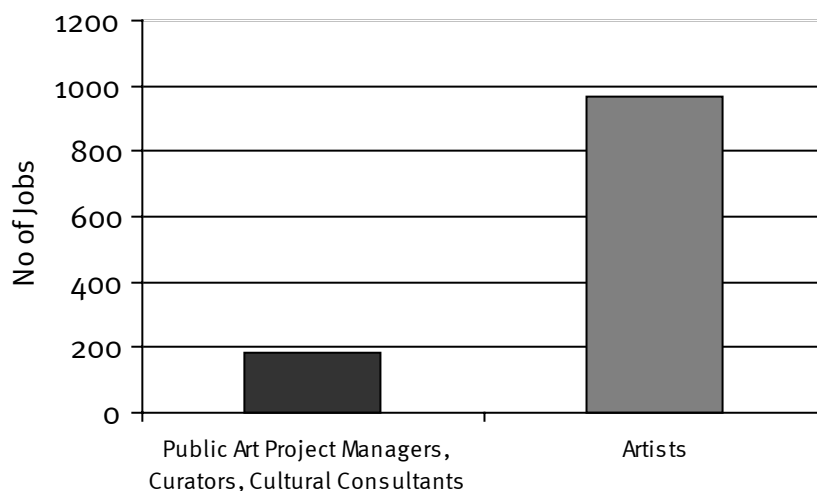
Local government and local community representation is encouraged on the public art advisory groups on *Art Built-in* projects in metropolitan and regional Queensland, but such involvement has not always been successful. The limited resourcing of the Public Art Agency restricted its capacity to respond to the separate public art pursuits of local government. It is of note that several local councils have developed and implemented public art policies of their own, of which the most recent is the Brisbane City Council policy.

Employment and economic benefits

The policy has been successful in creating employment for artists and designers in Queensland. Further, the policy has created a significant demand for associated services, such as public art project management and artwork fabrication, resulting in significant development of strengths in these areas in Queensland.

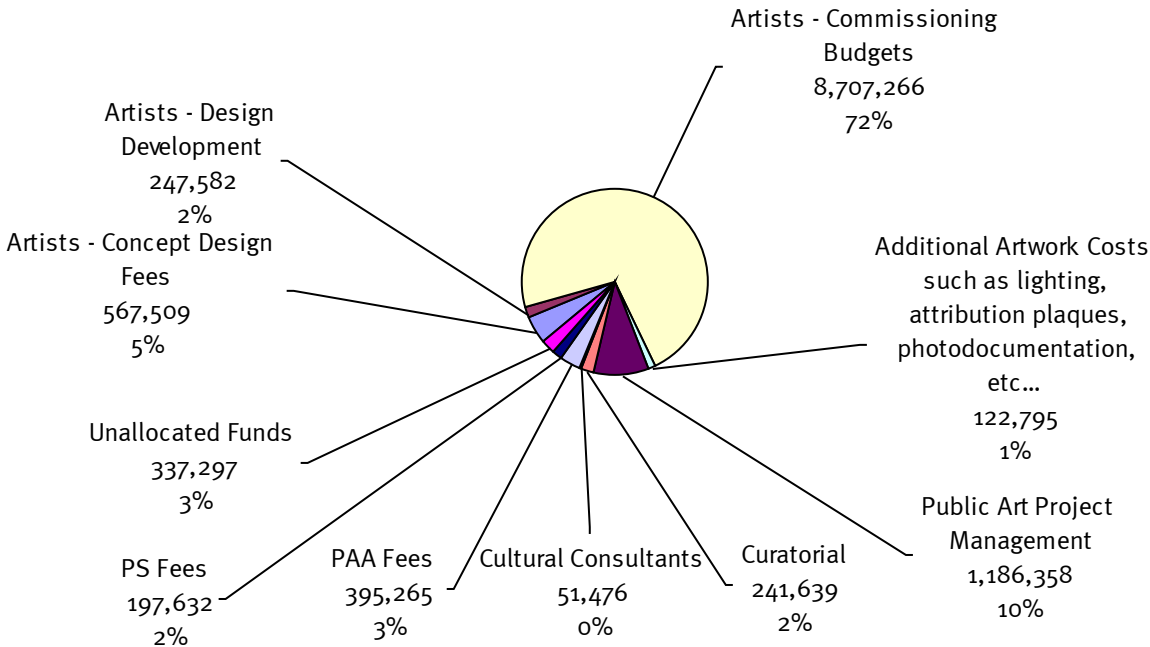
The majority of jobs resulting from the *Art Built-in* policy have gone to artists as the graph below indicates.

Table 1: Breakdown of job types on active and practically completed projects



The pie chart below shows *Art Built-in* expenditure on completed projects since 1 July 1999, with a breakdown of that expenditure indicating the spend on administration, project management and artists and artwork commissions.

Table 2: Completed projects *Art Built-in* allocation expenditure breakdown



Flow-on employment benefits

The policy has been very successful in creating employment for artists by allocating funds from the capital works building program in support of professional artists and designers in Queensland. In addition, the policy has been clearly successful in creating a significant demand for associated services, such as public art project management and artwork fabrication, resulting in significant development of those industries in Queensland. To date, a total *Art Built-in* commitment of \$23.1 million has created 1154 jobs for Queensland artists and arts workers on 179 projects throughout the state.

Since the advent of *Art Built-in*, there has been a noticeable increase in private sector commissions for public art in Brisbane. This is largely due to the developers levy advocated by council where 0.25% of building budgets is required to be spent on public art.

Although Government-owned corporations (GOC) and commercialised business units (CBU) were only required by Cabinet to undertake ‘best endeavours’ to implement the *Art Built-in* policy, several, including Powerlink Queensland and Statutory Authorities like South Bank Corporation, have contributed to the commissioning of public art projects. For example, Powerlink Queensland chose to direct its *Art Built-in* contribution in the form of a sponsorship totalling \$272 000 to the Great Walks of Queensland, Art and Environment Program implemented by the Queensland Parks and Wildlife Service of the Environmental Protection Authority.

Social benefits and community engagement

In *Queensland: A State for the Arts 1990–91*, Premier Wayne Goss and his Arts Committee reviewed the arts in Queensland and precipitated the creation of policies that brought about a greater engagement of artists and related professionals in contributing to the shaping and energising of the public realm.

Art Built-in has generally delivered well on the cultural principles outlined in the original *Art Built-in Policy Statement 1999*, and has achieved significant artistic, cultural and social outcomes for Government. This has been done in the context of growing community expectations and in the face of initial concern within many sectors of Government about embracing such an innovative policy.

The policy has raised awareness of public art in Queensland, employed many Queensland arts workers while raising the profile of arts workers in the public art context, and has contributed materially to the public environment. The policy's continued existence, the current existing support across areas of government and industry, and the success of the policy to date represent a significant achievement. Many submissions commenced by indicating appreciation for the achievements of the policy and for the leadership that the Queensland Government has taken through its creation and implementation.

In addition, *Art Built-in* has opened up a wider discussion about arts and culture and the quality of the built environment through the implementation of a diverse range of projects from community justice centres in the Cape, to ambulance stations in regional centres, to major sporting venues in Brisbane. *Art Built-in* has exemplified the claim of the original policy statement that building is 'a cultural act as much as it is a physical one' (*Art Built-in Policy and Guidelines 2004*, p.2). Engagement with the \$55 billion infrastructure plan over the next 20 years would enable arts and cultural activity to become an even more important driver of success in social terms.

Encouragingly, women artists, regional artists and Indigenous artists have all fared well under the policy. However, more work is needed to address cultural diversity and disability outcomes.

The Public Art Agency and the *Art Built-in* policy's capacity to respond to issues of access and equity of provision is tied to the imperatives of building procurement and to the building program of Government in general, as made tangible through the location and function of projects. For example, it is notable that there has been comparatively less building project related public art west of the Divide since 1999, and the *Art Built-in* statistics reflect this. In one instance – funds were transferred from the 33 Charlotte Street project to the Alan Ticehurst Government Office Building in Cloncurry to allow for a more substantial public art component on this project. Yet the public art tendering process failed to elicit sufficiently experienced and regionally located public artists to undertake the project and eventually a Brisbane artist was engaged.

Major social justice findings reported by the Public Art Agency are:

- 46% of all jobs have been contracted to regional Queenslanders. There is still a clear advantage for artists resident in South east Queensland (SEQ) in getting the jobs in SEQ region where the majority of the capital works and *Art Built-in* spend is. Artists resident in regional Queensland are competitively securing only 13.5% of jobs generated by *Art Built-in* in the SEQ region. Artists resident in metropolitan Brisbane are competitively securing 25% of available regional artist *Art Built-in* jobs
- 49% of jobs have gone to women
- 9.6% of all jobs have gone to artists from non-English speaking backgrounds
- young people have secured 2.8%, older people 0.9%, people with a disability 0.9% and Australian South Sea Islanders 0.1% of all jobs generated under the policy. More focused attention is required to address the area of people with disabilities
- Aboriginal and Torres Strait Islander outcomes — Indigenous jobs, both Aboriginal (16.2%) and Torres Strait Islander (2.7%), represent 18.9% of all jobs generated under the policy — the majority of these are in regional Queensland. This is a major achievement of the policy — making local Indigenous artists visible in our public buildings is an achievement that works in concert with state and federal tourism strategies to promote Indigenous culture internationally. However, there are significant skill shortages in Indigenous curatorship and Indigenous public art project management evidenced over the last six years, which is an issue that needs focused attention.

The *Art Built-in* process has periodically become a focal point for advocacy relating to cultural issues and concerns. This has been particularly so with Indigenous cultural matters relating to major building projects in Brisbane, such as the Roma Street Parkland and the Suncorp Stadium. In some *Art Built-in* projects, the matter of Aboriginal Customary Law has arisen and has been resolved to varying degrees of success. Such issues are ongoing and beyond the capacity of the Public Art Agency or the *Art Built-in* policy to respond to.

There remains a need for improvement in dealing with Indigenous artists in the public art process, including the development of protocols covering intellectual property and moral rights for Indigenous artists, and appropriate consultation and consultation timeframes when working with Indigenous artists and communities. This is further addressed in the recommendations under Terms of Reference 4 and 6.

Multicultural affairs principles and policies and cultural diversity

The policy gives recognition to *Multicultural Queensland — Making a World of Difference Policy 2004*, but has not performed in any significant way in providing specific outcomes for people from diverse cultural backgrounds living in Queensland. One notable exception was the Johnstone Shire Cultural Association River Reflections Project, funded under the Collaborative Design Fund grant program, that galvanised a community in recognising and celebrating its culturally diverse identity. The Public Art Agency managed this grant program in 1999.

Community involvement in the *Art Built-in* policy and process, particularly in the form of community representation on public art advisory groups has been achieved with varying degrees of success. Concerns that have arisen include that the process for appointment of community representatives to public art advisory groups is ad hoc, is not transparent and the role is unpaid for anyone other than contracted consultants and departmental staff. Submissions to the evaluation and focus group discussions identified the need for mechanisms to focus on regional involvement and greater participation by artists and the public in the regions.

Environment and heritage principles

Few submissions were received that addressed environment and heritage principles and, although raised with focus groups, there were few comments received on this topic. This matter may warrant further review should the Government accept the advice to continue with and to advance the policy.

The *Art Built-in* processes address issues of public art and heritage through three strategies:

- the Integrated Cultural Opportunities Assessment (ICOA) as a unique and core component of the *Art Built-in Policy* guidelines and toolkit that enables both natural and cultural heritage issues, among other concerns, to be assessed and addressed
- public art and heritage research
- *Artworks Queensland*, the Queensland Government collection of public artworks.

The Public Art Agency reports that there has been some criticism from heritage professionals that the *Art Built-in* quantum on projects could not be used for conservation works, social history exhibitions or other similar projects, and an observable reluctance to involve contemporary artists in the refurbishment of historical buildings or heritage listed buildings. Nonetheless, *Art Built-in* has been successfully employed on buildings of heritage significance, such as the Innisfail Courthouse, which is listed on the Queensland Heritage Register and the Register of the National Estate.

Site and landscaping, temporary public art projects, cultural programming and furniture and fit-out are all forms of public art under *Art Built-in* that could be explored more fully in a heritage context. This is an area that warrants specific attention in future. Public art can assist in making the meaning and significance of heritage places more accessible for a contemporary audience.

The ICOA and the Artworks Commissioning Brief

Art Built-in recognises the importance of preserving and protecting cultural and natural heritage in Queensland, and has attempted to integrate knowledge of heritage significance, an awareness of place, local cultural planning, Indigenous and non-Indigenous history and community in the commissioning of public art under the policy. This has been primarily through the Integrated Cultural Opportunities Assessment (ICOA) and its transference into the Artworks Commissioning Brief. Use of the ICOA has raised awareness of heritage values and of the historical significance of places and the environment. The ICOA is unique to *Art Built-in* and has been a key means by which the policy has achieved conceptual integration of public artworks and place.

Despite its recognised worth, the ICOA is perceived by some as a time-consuming and expensive exercise, particularly on smaller projects. The required expertise for this form of integrated assessment often spans across several disciplines including cultural heritage assessment, conservation, architectural design and public art. Experience in bridging the spread of these disciplines is limited and there is little education in such interdisciplinary engagement at present.

The *Art Built-in* policy requires that the ICOA be developed at the same time as the project brief (developed in the project definition phase of the Capital Works Management Framework), which has not been achieved on any project to date. The timely development of the ICOA could be facilitated by the ability to fund this process separately from the budget of any single project, enabling the commencement of the process in step with the development of the project brief.

Public art and heritage research

The Public Art Agency has also addressed issues of cultural heritage through the Australian Research Council (ARC) funded Public Art and Heritage Project, a three-year research project (2001–04) supported by the Public Art Agency (Arts Queensland), the Cultural Heritage Branch (EPA), the Key Centre for Media and Cultural Policy at Griffith University (2001–02); and the Australian Centre, University of Melbourne (2002–03). The two key outcomes from this project were the publication of the book, *Monumental Queensland: signposts on a cultural landscape*, written by Dr Lianne Gibson and Ms Joanna Besley, in partnership with University of Queensland Press; and a research report, *The Governance of Heritage Significance in Outdoor Cultural Objects and the Protection of Public Art in Queensland* authored by Dr Lianne Gibson (unpublished).

ArtWorks Queensland

ArtWorks Queensland is the Queensland Government's public artworks collection and is a dispersed collection that exists outside of the traditional museum or gallery system. It comprises: *Art Built-in*; Pre-*Art Built-in* public art; commemorative artworks; development collections; and other significant art assets. To advise Arts Queensland on the establishment of a collection, a fixed-term position of Government Curator was created in 2003. The Department of Public Works has assisted the Public Art Agency in funding the position and in the early development of the collection. The Government Curator's role has been to implement an informed and transparent process to ensure the integrity of the collection and to further its preservation through the application of a whole-of-government collection management strategy and process.

Training and Education

Training and mentor opportunities

When the *Art Built-in* policy was introduced, there were no tertiary or educational courses in the areas of public art or public art project management in Queensland. The Public Art Agency played a key role in the development of TAFE curriculum modules in public art — the only modules of their type in a Vocational Education Training (VET) context in Australia. The Public Art TAFE course is currently being offered through Southbank, Bremer and Cairns TAFEs.

Training in public art at a tertiary level is otherwise not provided for in Queensland. There is little opportunity in the way of interdisciplinary or cross-disciplinary practices across the tertiary sector. This lack of structured educational provision amplifies the value of on-the-job training in the form of mentorship opportunities.

The issue of education is discussed further under Terms of Reference 4 and 6.

Art Built-in Artist-in-Residence Program

The *Art Built-in* Artist-in-Residence Program was introduced in 2004 by Education Queensland in partnership with the Public Art Agency, Arts Queensland. The initiative demonstrates EQ's commitment to implementing the spirit and intent of the *Art Built-in* policy, while placing the utmost priority on the provision and enhancement of educational facilities in concert with the educational curriculum and the department's capital works program.

Schools have reported that the experience was overwhelmingly positive, providing a rare opportunity for teachers, students, parents and, in some cases, the wider community to work with an artist to enhance their built environment and work together to realise a shared creative vision.

Schools reported that the *Art Built-in* Artist-in-Residence Program:

- contributed to the amenity of their built environment — students had the opportunity to 'make their mark' and leave a reminder of their presence and contribution to their school
- promoted the value of art and public art in schools and communities through practical experience. This was particularly so in communities where art may be seen as a luxury and not a viable career option for students to pursue
- provided a vehicle to bring community, parents, students and teachers together in a creative pursuit, forging stronger relationships and a sense of shared endeavour
- provided the opportunity for students to learn new skills in art making (e.g. mosaics, multimedia)
- provided a professional development opportunity for art teachers working in collaboration with a professional artist in a school environment
- allowed the whole school to work together as a team, in many cases from primary through to secondary, toward the successful completion of a shared goal
- provided access to professional practising artists and an insight into the life and career of creative artists
- delivered cross-curriculum learning outcomes in many projects.

The program essentially exposes teachers and students to *Art Built-in* and is an important means of development and advocacy for a new generation of Queensland public artists. The program is being reoffered in 2005 at the same program budget level of \$200 000.

Term of Reference 2

Measure reported outputs to assess the efficiency of the *Art Built-in* guidelines and toolkit processes and procedures to deliver on the policy principles and provide value for money

The degree of success achieved by *Art Built-in* in delivering on the original policy principles and benefits is discussed under Term of Reference 1. The *Art Built-in* guidelines and toolkit have been instrumental in the delivery of this success.

***Art Built-in* guidelines**

The Public Art Agency reports that the guidelines were framed so as to make the process of planning for and commissioning of public art as familiar as possible for government purchasers unused to the purchase of artworks, especially on the level required by the policy. The structure and content of the guidelines ensured that *Art Built-in* conformed to over-arching capital works planning and purchasing policies as defined by the Department of Public Work.

***Art Built-in* toolkit**

The *Art Built-in* toolkit offers agencies and public art project managers a coherent and consistent process to assist with the commissioning activity as outlined in the guidelines.

The efficiency of the *Art Built-in* toolkit and whether it constitutes value for money is a key issue that has arisen in assessments of *Art Built-in*'s success by both Government and industry alike. Many submissions to the evaluation commented on the value of the toolkit in guiding the commissioning and delivery of public art.

The main steps of the process – the Integrated Cultural Opportunities Assessment (ICOA), concept design and/or design development and commissioning – are required to be followed for all projects. The ICOA is considered by many to be time consuming as it entails the need for research and analysis to produce a meaningful document.

State Purchasing Policy and value for money

The State Purchasing Policy (SPP) is a whole-of-government policy managed by the Department of Public Works. Ensuring value for money is a core objective of the State Purchasing Policy through the interaction of three factors:

- contribution to the advancement of Government priorities
- non-cost factors such as fitness for purpose, quality, service and support
- cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods or services.

The Public Art Agency states there has been criticism that the *Art Built-in* toolkit does not constitute value for money for Government and is not cost effective particularly on smaller projects. It argues that a major value for money factor for the *Art Built-in* policy is its social and cultural achievements which contribute to Government priorities for the arts. Such achievements are difficult to quantify in terms of monetary value.

Ensuring probity and accountability for outcomes is another factor in best practice purchasing. Probity and accountability has been built into the processes outlined in the *Art Built-in* toolkit and have often contributed significantly to the overall administration cost of an individual project. The Public Art Agency states that regional projects with smaller *Art Built-in* allocations (\$100 000) have used an open competition process (i.e. public advertisement) to ensure an open and transparent process — often to avoid suggestions of cronyism among a local elite. A considerable number of submissions and discussions with regional focus groups suggest that the process of the allocation of commissions for artists and related professionals is not believed to be fully transparent. This matter is addressed further under Terms of Reference 4 and 6.

The Public Art Agency states that its administering of the policy in accordance with the principles established in the toolkit has:

- maximised opportunities for artists to ‘have a go’
- provided for industry development and for diversifying cultural business opportunities and developing the creative industries contributing to Government priorities
- allowed clients external to Government — interstate public and private sector clients, including developers and local government, to benefit from public policy experience and advice
- provided access to research and development such as the *Art Built-in* toolkit itself.

It is of note that capital works building projects may be subject to a Parliamentary Committee Inquiry, which provides another mechanism for the assurance of probity.

Public art project management

The role of the public art project manager is to manage all the risks associated with delivering a time, cost and quality outcome to ensure the public art approved is completed. On smaller projects, the public art project manager also provides curatorial advice and makes recommendations about suitable artwork sites and on short-listing artists against these sites.

There has been criticism that the *Art Built-in* toolkit is not cost effective or profitable for public art project managers working on smaller projects. The Public Art Agency instigated an audit in 2001 which revealed that:

- public art project management constitutes only part of the public art project manager’s overall business activities and in financial terms, for many suppliers, compares poorly with other kinds of work that they do
- preferred supplier arrangements with an opportunity to re-register annually would remove onerous project-by-project tendering and increase profitability
- levels of administration for projects should match the scale of projects
- there needs to be more flexibility in application of *Art Built-in* toolkit
- earlier contracting of public art project managers would be beneficial.

Discussions with some focus groups indicated that the public art project managers were not considered to champion or nurture the creative concept, but worked to drive the delivery process.

The public art advisory group

The *Art Built-in* guidelines and toolkit recommend that agencies undertaking an *Art Built-in* project convene a public art advisory group to assist in steering the public art process to a successful outcome. The Public Art Advisory group is a consultative committee of stakeholder representatives who take part in identifying appropriate public art opportunities and in selecting artists. Their role is:

- to undertake the Integrated Cultural Opportunities Assessment (ICOA)

- to appraise and make recommendations for the selection of appropriate public art project managers (where required)
- to provide expert cultural, artistic and design advice
- to appraise and make recommendations for the selection of appropriate artists
- to oversee the commissioning and procurement processes for artworks
- to report to the principal's representative when making recommendations and seeking approval.

The *Art Built-in* policy states that a public art advisory group should include the following representatives: representative of principal or procuring agency; project manager; managing contractor; principal architect or associate; public art project manager; curator, as required. In addition, it is recommended that one considers the inclusion of: building users; community representatives (including young people, older people, people with a disability, Indigenous Australians and people from diverse cultural backgrounds); other cultural experts, where relevant, such as environment and cultural heritage consultants. Public Art Agency staff has also participated in public art advisory group meetings to ensure the *Art Built-in* policy and guidelines are met. The criticisms of the public art advisory group mechanism are that it is commonly:

- too big, with too many diverse stakeholders, to be effective, particularly on projects with smaller budgets
- too time consuming with commercial providers such as architects not paid for their time
- too broad in its membership to realise good artistic outcomes
- there is not enough community or public representation in decision making
- conversely there is too much lay or non-expert representation on the committee.

The Public Art Agency reports that suggestions have been made that rather than have community involvement on the public art advisory group process that a consultation process on concept designs be undertaken to ensure that the public has its say on artwork commissioned under the policy — much like building concept and displays are exhibited for public comment.

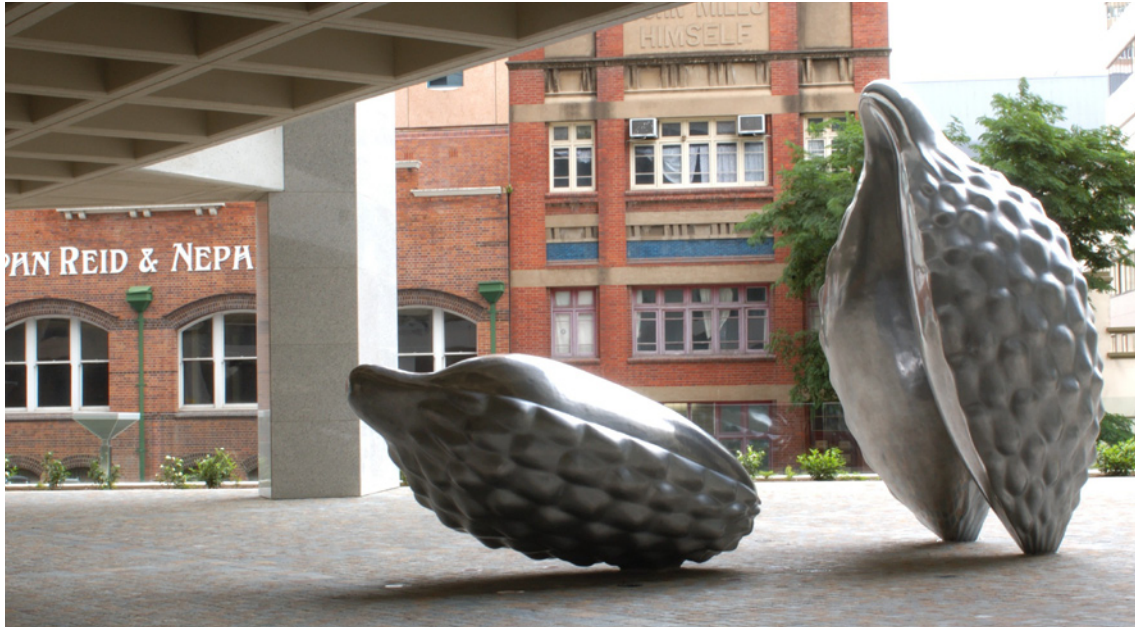
The size and role of the public art advisory group should be reconsidered with a view to reducing its size and increasing expertise, with the makeup of the public art advisory group being tailored to the specific size and nature of the project.

The *Art Built-in* three-stage commissioning process

The three-stage commissioning process for artists — concept design, design development and commissioning — detailed in the *Art Built-in* toolkit, mimics the three-stage architectural process. Concerns have been raised about the cost of processing three contracts including legal costs and the administration fees (included in the scope of services for the public art project manager).

The three stages offer artists an opportunity to engage with the process at each stage, meaning a number of artists may be employed for concept design, but do not proceed to design development, and then again may not proceed into commissioning. Currently the jobs for artists on completed and practically completed projects are: concept design (337); design development (126); and commissioning (381) (including purchased works).

The Public Art Agency advises that the three-stage process is considered by the arts industry as best practice public artworks commissioning, in that it gives artist and client the capacity to address significant issues in the design development phase such as suitability of materials, liability issues and risk management, appropriateness of content and form. However, several submissions indicated that the process was unwieldy and potentially disruptive of the creative and conceptual development of an artwork.



Sebastian Di Mauro, *Drift*, 2004. 33 Charlotte Street, Brisbane. Photo: Rod Buchholz

The role of the curator in *Art Built-in*

Public art curators provide the rationale and context and facilitate the engagement and commissioning of artists to produce works that aesthetically engage with the specific requirements of the site and project, for example the Roma Street Parkland and Suncorp Stadium.

As public art commissions grow in size and projects become more complex in terms of public art deliverables, the role of the curator has become more crucial to the success of projects and the articulation of a conceptual framework for clients, artists and the public. There has been comment made about the tension between the architect and the curator in terms of successful meshing of artistic vision.

Term of Reference 3

Assess the administration of the *Art Built-in* policy and the success of the partnership between the Public Art Agency and Project Services to deliver on the policy principles and benefits, including compliance by Government departments

Administration and partnership

The administration of *Art Built-in* has been the responsibility of the Public Art Agency, which has achieved national prominence because of the advances it has made in generating processes and tools to assist with the commissioning, generation and delivery of public art within the framework of capital works programs and funding. Many comments were received commending the Public Art Agency for its contribution to the advancing of public art in Queensland, and its former Executive Manager, John Stafford, is especially commended for contributing both to the administration of the policy and for his strong advocacy and support for public art.

Project Services has two overlapping roles in providing services through a service level agreement to the Public Art Agency and procurement management and project management services to client agencies. The services provided to the Public Art Agency are principally the collection of the Public Art Agency fee from client agencies, information dissemination, policy advice and interpretation, (i.e. education and advocacy and information management and advocacy). The Public Art Agency provides some project management services to client agencies where required, such as drafting ICOA documents and assisting in tendering for public art services.

Together, the Public Art Agency and Project Services should jointly be driving the cause of public art within Government. However, it would seem from several submissions that, on occasion, there has been an apparent lack of congruence between the two agencies. In particular, the submission received from Project Services is critical of the actions and some policies of the Public Art Agency. It is noted that recent changes in personnel have occurred which may serve to improve the relationship between the operational teams in the two agencies. In its submission, Arts Queensland makes no comment on the relationship between the two agencies, except to encourage that responsibilities should be aligned with the core business of the relevant departments should the policy continue to be implemented.

Comments received in other submissions generally point to the value of the assistance given by the Public Art Agency in providing overall advice and the contributions made by Project Services in the management of specific projects. It was also stated that there was some confusion among some artists and related professionals as to the demarcation of responsibilities between the Public Art Agency and Project Services. Some comments were received from consultant project managers and curators who believed that there was unfair competition between Project Services and private providers when services were being commissioned.

The issue of the future carriage of the policy is addressed further in the recommendations made for Terms of Reference 4 and 6. It is strongly encouraged that the roles and responsibilities of the respective agencies be unambiguously defined and that a culture of mutual support be fostered between them.

Compliance and participation

The *Art Built-in* policy is not a statutory policy and neither the Public Art Agency nor Project Services have regulatory powers that enable either agency to enforce compliance. The submissions received from Arts Queensland and from Project Services suggest that some departments have upheld the policy well, while others have made only a marginal observation of the policy. The attached table indicates the level of implementation by departments from 1998–2005.

Table 3: *Art Built-in* implementation by department

Department	No of projects	<i>Art Built-in</i> allocation	No of jobs
Education and Arts	18	3,914,554	110
Public Works	18	4,501,392	145
Health	39	3,943,499	176
Justice and Attorney-General	20	2,594,698	186
LGP&SRQ	8	2,513,520	97
Employment and Training	14	1,403,615	87
State Development and Innovation	12	1,535,311	98
Child Safety	4	707,627	45
Transport	7	609,284	22
Environmental Protection Agency	3	515,980	16
Other	2	66,000	10
DATSIP	16	244,838	61
Emergency Services	6	302,031	16
Main Roads	3	61,314	19
Premier and Cabinet	2	42,930	6
Primary Industries and Fisheries	1	39,950	4
Housing	1	25,000	6
Communities	2	70,696	14
Police	1	10,000	15
Treasury	1	9,336	19
Industrial Relations	1	7,000	4
TOTAL	179	23,118,575	1154

* Data compiled prior to September 2006

Challenges to the ‘2% for art’ quantum principle

One of the major challenges to the consistent implementation of the ‘2% for art’ principle has been on major capital works building projects, where budget constraints (and building industry costs escalation) on certain projects have mitigated against full compliance. The implementation of the ‘2% for art’ principle has consequently been inconsistent in this category of building project. Below is a comparative table of major projects and *Art Built-in* allocations.

Table 4: Comparison of *Art Built-in* allocations of major projects

Project	Total budget	Actual allocation	%
33 Charlotte Street	\$56,670,000	\$1,315,000	2.32
Roma Street Parkland	\$72,000,000	\$1,440,000	2.00
Gold Coast Convention Centre	\$100,000,000	\$500,000	0.50
Brisbane Magistrates Court	\$126,700,000	\$1,700,000	1.34
Millennium Arts Project, QCC	\$263,841,054	\$886,046	0.34
Suncorp Stadium	\$280,000,000	\$500,000	0.18

Some departments, such as the Queensland Police Service, have been designated by Cabinet as being able to comply on a ‘best endeavours’ basis. Others, such as Education Queensland with its Artist-in-Residence Program, have sought to comply with the spirit of the policy with a strategy that best suits the role and priorities of the Department.

Table 4 would seem to suggest that recent major projects have achieved less and less compliance with the 2% allocation for public art. In part, this would seem to be because of the escalation in construction costs experienced over the past two years in Queensland. Regrettably, the expenditure on public art has fallen well below the requisite 2%, which signals the possibility that more departments will follow suit and reduce compliance as suits the contingencies facing any one project. This issue is dealt with further in the recommendations made under Term of Reference 6.

In part, the lack of compliance relates to the very real sense that 2% has been taken away from a budget, rather than added to the initial budget. Secondly, the relevance of public art to the achievement of overall Government objectives is not well understood and so given a low priority by some client agencies. Finally, greater flexibility is required within the policy and its processes to enable departments to generate *Art Built-in* strategies that best meet the needs of their core business.

The submission from Project Services suggests that many departments minimised initial compliance for several years by claiming that their capital works programs had been approved prior to the approval of the policy in 1999.

Project Services makes the valuable suggestion that an education and training program should be developed and delivered to client agencies to embrace: What public art is?, the objectives of the policy, who the art is for, the role and responsibilities of the client, and the need for the client to set aside personal taste and consider the tastes and views of their public audience.

Recommendations: Recommendations arising from the above statements and findings are grouped under the response to Term of Reference 6 concerning the future of the policy.

Term of Reference 4

Examine and make recommendations on the existing *Art Built-in* policy principles in the context of the Queensland Government priorities and the Queensland Government arts and cultural policy, *Creative Queensland*

The findings and recommendations for this Term of Reference are intimately bound to those generated for Term of Reference 6. For this reason, the two Terms of References are addressed together under Term of Reference 6, under which the key recommendations have been marshalled.

Term of Reference 5

Benchmark the success of the *Art Built-in* policy against public art programs interstate and internationally

It has proved difficult to offer accurate benchmarking with other established public art policies because of the inadequacy of comparative data. Findings have been restricted to fundamental comparisons between structure and funding methods, and are dependent on initial material provided by the Public Art Agency and comments drawn from the 2005 National Conference on Public Art, titled *Claiming Ground* held in Tasmania.

Public art programs have emerged internationally and are recognised as contributing to the cultural development of communities and to the definition and declaration of cultural identity within the complexities and uncertainties of the shaping and reshaping of the urban environment.

Public art policies have been in operation in Australia for over 25 years, with the earliest introduced in Tasmania in 1979. Other more comprehensive policies such as the Western Australian Percent for Art Scheme and South Australia's Art for Public Places scheme have been in operation since the late 1980s or early 1990s. It is of note that there is currently no national policy or strategic framework to guide the development of public art in Australia. Neither is there a national policy concerning the development of design.

Introduced in 1999, the Queensland policy, *Art Built-in*, is the newest and most comprehensive public art policy in Australia, and as mentioned elsewhere in this report, has involved Queensland artists and designers in over 179 projects with an expenditure of nearly \$23.1 million.

Despite the increase in public art policies, there has been no national investigation of the success of such programs. No quantitative and qualitative analysis of programs across Australia has yet been undertaken of their efficiency and effectiveness in cultural and economic terms, or of their ideological and political underpinning. The only other state to have evaluated its public art policy is Western Australia.

Further, there is no national forum for public art that might promote discussion across the variety of state, city and local authority public art policies and schemes. Issues that could be addressed nationally include standards for professional indemnity and public liability insurance for artists, commissioning models, standards for conservation and maintenance of public art, and moral and copyright issues for public artists.

Civic ‘% for art’ (annual program fund) models

Numerous international civic ‘% for art’ models exist around the world with perhaps the San Francisco Arts Commission, Seattle Office of Arts and Cultural Affairs and New York City programs among some of the most well-known and the most long-standing (30+ years).

Many of these programs pool funds from all departments into a single annual program fund allocation. In the US, civic government is responsible for city infrastructure and services such as libraries, police, hospitals, justice. Consequently, the capital works budgets can be levied (authorised by legislation) across the civic government programs (in Los Angeles or San Francisco), which facilitates allocations being pooled into an annual program fund for public art in an effective way.

Such civic jurisdictions often form one over-arching advisory committee for public art programs to provide oversight within the jurisdiction of the authority — usually limited to a city scale.

To apply such a model in Queensland would clearly require significant changes to the methodology for garnering the 2% of capital funding across all agencies, together with an appropriate structure for administration of the funds, negotiation with Government agencies about their needs and preferences, as well as the core decisions relating to public art outcomes.

This method of allocating funding is considered to be an efficient administrative arrangement for the Government with several related benefits as described under Term of Reference 6.

Nonprofit arts organisation models for public art

An alternative to the ‘% for art’ legislation public art model is nonprofit arts organisations such the Public Art Fund and Creative Time in New York City and Artangel in London. These organisations are similar to CIP clients of Arts Queensland in that they are governed under a nonprofit community board/committee structure, and while they receive some Government funding, are independent of Government.

It should be noted that such organisations are able to regularly generate sums of several million dollars (US) for their major projects — primarily from private sector sources. There are significant contextual issues in relating these models to Queensland, where Government would be challenged to raise this kind of private sector partnership sponsorship for a public art commission. Nevertheless, this is a challenge that should be taken up, as it is appropriate that private sector sponsorship be sought to assist with the creation and acquisition of major public art works that enhance the public realm.

Term of Reference 6

Make recommendations on the future direction of the *Art Built-in* policy and program

Examine and make recommendations on the existing *Art Built-in* policy principles in the context of Queensland Government Priorities and the Queensland Government Arts and Cultural policy, *Creative Queensland*. This section includes findings and recommendations that also address Term of Reference 4.

Ambition for policy

Government is urged to capitalise on the many successful outcomes brought about since the inception of *Art Built-in* by adopting an even more adventurous and ambitious stance with regards to the future of public art in Queensland. The adoption of this over-arching recommendation will require the acceptance that art need not always be permanent and that processes should be adopted to acquire the highest quality outcome in each project. The recommendations that follow are directed to this aim.

Recommendation 1:

That Government retain and strengthen the *Art Built-in* policy for the provision of public art. In doing so it should adopt a more adventurous stance and encourage significant public art works through seeking the highest quality outcome in each case.

Art built in?

The existing title, *Art Built-in* has been helpful in establishing an identity for the policy that signals the relationship between the funding of the acquisition of public art and the capital works program. Although this was useful in initiating the policy, it also acts to constrain possibilities. When applied rigorously, one outcome is the acquisition and installation of a range of works specific to a particular project that in themselves are of relatively small scale and that may be relatively inaccessible or unknown to the public at large because of their location within that project. One of the realities of the application of the *Art Built-in* policy is that major commissions have often commenced relatively late in the design and construction of a project, leading to major pieces of art being placed adjacent to the building with which they were associated rather than being 'built-in' as the policy originally intended. Such a practice would eventually lead to a disjointed set of relationships between separate artworks in a common precinct. It is urged that an alternative name be found to signal a renewed objective for the policy, such as *Art in Place*.

Recommendation 2:

To consider renaming the policy to enable the focus to be on the contribution of public art to public spaces.

Compliance with policy

The data referred to under Term of Reference 3 indicates that compliance with the policy is uneven across client departments and that the compliance with the 2% allocation has dropped significantly on recent major projects. It is of concern that the flagship cultural arts project for the state, the Millennium Arts project, has been so affected by escalation of construction costs that the component for public art is reported to have been reduced to 0.34%. In part, the lack of compliance relates to a lack of flexibility of setting allocations that are related to the nature of the specific project in a way that can

respond to pressures such as escalation. Further, it was reported that there was a lack of understanding in some departments as to how public art could relate to a department's priorities and core business. Although compliance would not be an issue if the policy was a statutory policy, it is not considered to be appropriate to direct the efforts and resources of a department towards public art if there is little genuine link with the core business of that department.

Recommendation 3:

- i) That the lack of compliance with the policy be reviewed in detail as the policy is revised and that alternative methods of allocating appropriate levels of funding be adopted as advised in Recommendation 4.
- ii) That greater engagement with the provision of public art be achieved through targeted communication and development activities with client departments.

Funding of the public art policy

Many responses indicated that 2% was the appropriate amount of a capital budget for any one project and this was seen to be an advance on the limits set in public art programs in other states and internationally. The reality is that, with a few exceptions, the amount set aside for public art has often been far less than 2% as documented within the response to Term of Reference 3. Further, the amount that reaches the artist in any one case is often substantially diminished by the amount spent on administration, project management and the curating of the art.

Increasingly, there is a reluctance on the part of budget managers to allocate the full 2% for art largely because of other budget pressures often brought about by escalation and variations.

An alternative approach would be for the Government to establish an annual budget allocation for public art to be funded from the overall capital works program. This would establish a known budget allocation which would provide certainty for the public art program independently of the pressures affecting the funding and delivery of any single capital works project. The amount to be allocated would need to be determined in relation to the relative priority with respect to other needs, but it is suggested should not be less than the average allocation over the life of the current policy, which is approximately \$4 million per year.

It is further encouraged that the projected transportation infrastructure program also be included as a contributor to public art, as equivalent programs nationally and internationally have generated major public artworks such as the Melbourne Gateway project. Should this be accepted in principal then the budget allocation would be increased accordingly.

Recommendation 4:

That an overall annual budget allocation be made for public art to be drawn from the capital works program and the projected transportation infrastructure program to enable greater certainty in the planning of public art.

Pooling

The allocation of funds from the capital works budget on a project-by-project basis was a useful strategy in the initial stages of implementing the policy. Unintended consequences include the capturing of art works within individual projects and an increasing difficulty of securing major artworks on an urban scale. Some regional locations have failed to benefit from the policy because of the infrequency of construction of large capital works projects in some regional locations.

Several alternative approaches to the funding of the programs arising from the policy were considered, including continuing with the current method, the 'two spheres' model proposed by Project Services involving partial pooling of funds, linking project submissions for public art to Treasury submissions for capital works projects, creating a sliding scale of percentage allocations for public art and making allocations to regions rather than to projects.

It is strongly urged that the pooling of funds for the acquisition of public art should be adopted as this would have several significant benefits:

- larger and more significant works could be commissioned beyond the budget that could be provided from a single capital works project
- works could be commissioned to be designed to suit urban precincts and key locations rather than being tied to individual projects
- allocations could be made for works to suit regional locations and to enhance projects with relatively low capital budgets.

The pooling of funding would entail applications for funding from the pool, which would encourage greater engagement from client groups as funding would be additional to a project rather than subtracted from a project's budget. An assessment process would also be required to assess applications for funding and to recommend which projects should be funded (see Curatorial Panel below).

Recommendation 5:

That the pooling of funds for public art should be adopted to facilitate greater flexibility in the application of the policy.

Quality of public art

Numerous submissions from the arts sector questioned the overall quality of the artwork resulting from the policy. The Queensland Art Gallery commented that: the standard of the work varies significantly, from the mediocre to a few quality works of high standard. There are however, few outstanding projects that can be cited'.

Curatorial decisions are made only for larger projects on a project-by-project basis, with little or no opportunity to establish an overall expectation for the standard of the art works across the whole program. Although a measure of oversight of the quality of art works has been provided by the Public Art Agency, there is little evidence of a strong focus on excellence and the achievement of a consistent standard of public art that an over-arching curatorial responsibility would provide.

There has been little research on the public's response to public art except for anecdotal responses and comments recorded in media articles. Despite the occasional controversy concerning individual works, there is generally a lack of focused critical debate concerning public art.

The submission from the Brisbane City Council (BCC) did include the following reference to quantitative data: 'Quantitative data undertaken by the Brisbane City Council over the past two years through the AC Nielson Omnibus Survey reports that 77% of the Brisbane community surveyed are aware of public art. 68% value the inclusion of public art in public spaces'. The submission went on to say: 'Anecdotal research through *Your City Your Say* and through community consultation undertaken at the planning stages of BCC's capital projects consistently report requests for public art inclusion'.

A common theme from submissions and focus groups was that the *Art Built-in* processes worked to minimise risk and to preclude adventurous and experimental works.

It is considered that the outcome of the revised policy would be enriched by curatorial oversight provided by a Curatorial Panel for public art to be chaired by a Government Curator or equivalent expert position, which would be responsible for raising the quality of public art, for promoting and leading public debate concerning public art, for oversight of the shape and quality of the overall program of public art and for assisting with the selection of projects and programs to be funded from the proposed, pooled, public art funds. This panel would report to the Department of Education, Training and the Arts.

Recommendation 6:

That curatorial oversight is provided by a Curatorial Panel for Public Art to be chaired by a Government Curator reporting to Arts Queensland.

Temporary art

The direct relationship between *Art Built-in* and the capital works program has led to most commissioned works being permanent works. Although the guidelines that accompanied the original policy indicated a broad range of art forms that could be commissioned, by far the largest number of commissions have been for permanent works.

It is considered that greater flexibility should be encouraged to embrace other outcomes for the policy and to seek responses to the policy that directly associate with the core business of each client agency. One imaginative scheme employed by Education Queensland is the Artists-in-Residence Program that works with individual schools to enlarge the students' understanding of the creative arts. Other benefits accrue including an involvement of other members of the school community, parents and families.

Recommendation 7:

That temporary art, performance art and ephemeral art of all kinds are appropriate forms of public art and should be encouraged by the policy. Further flexibility should be encouraged so that particular art forms may be selected to directly relate to the core business of the commissioning client agency.

Heritage and Public Art

Although only a few submissions directed comments to the interaction between heritage assets and public art, there was a reported perception that the application of the policy prevents or minimises the engagement of public art with historic settings or heritage fabric. Several submissions, including that from the Queensland Art Gallery, argued that there are many possibilities for contemporary artworks to aid the comprehension and interpretation of heritage sites and settings. Public art clearly has the potential to assist in revealing the heritage significance of such places.

Recommendation 8:

That the policy be revised to encourage and facilitate the engagement of public art with heritage places and settings

Education

Despite the recognition by the *Art Built-in* policy of the need to develop training opportunities for young and emerging artists and related cultural industry professionals, there has been insufficient investment or focus in delivering on this aspect of the policy. Although some programs have been developed to meet some of the needs of the policy, such as the adoption of a training module by South Bank, Bremer and Cairns TAFE colleges, there seems to have been little initiative shown by the key tertiary providers of education for the creative arts in specifically addressing the issue of public art.

Since the adoption of the public art policy by Government, there has only been a limited response from education institutions to provide training for artists, project managers and curators in the creation and acquisition of public art.

Additionally, several submissions advised that consideration should be given for the provision of training in the public art processes for clients.

Numerous artists raised the importance of the mentoring of young and emerging artists by artists with substantial experience with the creation and delivery of public art.

Recommendation 9:

- i) That education and mentoring remain as core objectives of the public art policy.
- ii) That Government encourage and assist selected tertiary institutions to increase the provision of public art in their courses.
- iii) That funding be allocated to assist with the mentoring of young and emerging artists by artists recognised for their accomplishment in the field of public art.
- iv) That travelling scholarships be provided on a competitive basis to enable young and emerging artists to experience public art practice interstate and overseas.

Project administration

The current process of project administration is considered by many to be cumbersome and unwieldy, particularly for smaller projects. Most artists consulted considered the committee driven processes of the public art advisory group to be an obstruction to the achievement of high quality outcomes and to diminish the sustenance of the concept for the artwork. Others considered that the extent of the selection, commissioning, curatorial and project management procedures hindered the ability to integrate the artworks with the design and construction of the building project.

Recommendation 10:

That the administration processes governing public art projects be reviewed and revised to ensure that effective, timely and purposeful administration is provided appropriate to the scale of each project.

Overall policy and administration

The administration of the policy has largely rested with the Public Art Agency, which many submissions and focus group contributions indicate is regarded as having performed well given the constraints that have hemmed in its activity. Principal among these is that the Public Art Agency was considered as having to be funded on a percentage of the 2% deducted from capital projects for public art. As the extent of adoption of the policy was less than planned, and as 2% was rarely actually provided, the income stream for the Public Art Agency was significantly diminished. As a result of the restructuring of Arts Queensland and the hiatus caused by the review, the Public Art Agency has virtually been dismantled, with the Executive Manager and key staff moved to other roles with Arts Queensland.

In order to deliver the policy robustly to meet its objectives, strong administration, advocacy and leadership is required. The most effective response would be to create a statutory authority to manage all aspects of the policy, with its role to include:

- assisting all departments and agencies
- providing curatorial expertise
- developing marketing, education and public outreach
- undertaking evaluation
- managing the pool of public art funding
- assisting artists and other related professionals
- developing partnerships for projects with local government authorities and the private sector
- undertaking research and development
- facilitating international and interstate links.

Recommendation 11:

- i) That the revised policy be supported by a refreshed Public Art Agency to provide leadership, advocacy and administrative support in the deployment of the policy.
- ii) That the Public Art Agency be provided with core funding to fulfil its required functions.
- iii) That the administration of public art projects related to specific capital works projects be undertaken by Project Services as appropriate to its core function.

Commissioning of artists

Where public art is to be incorporated as part of a larger urban precinct or capital works project, it is recommended that the earliest engagement of the artist be pursued, particularly when collaborative or integrated approaches are sought.

Further, it is crucial that sufficient time for the initiation, consultation and development of creative concepts is allowed for in the procurement and development program.

There is a need to review the contracts with artists with a view to simplifying the contracts as far as possible, and to include issues that concern the anticipated life expectancy of the works, maintenance, decommissioning and the like.

The Government's policies towards intellectual property, copyright and moral rights should be reconsidered with regard to public art. One consequence is the limiting of the possibility of making multiple works of art, the prevention of the reproduction of works and prohibiting the remaking of a work should it need to be moved to another location.

Recommendation 12:

- i) That the commissioning processes and the contract conditions relating to the employment of artists and related professionals be revised to ensure stewardship of the creative concepts, and to enable full integration with over-arching design concepts where this is required.
- ii) That the policies concerning intellectual property, copyright and moral rights be modified to permit the reproduction and remaking of works in recognition of contemporary arts practice.

Rights of Indigenous artists

As discussed under Term of Reference 1, there remains a need for improvement in dealing with Indigenous artists in the public art process, including the development of protocols covering intellectual property and moral rights for Indigenous artists and appropriate consultation and consultation timeframes when working with Indigenous artists and communities.

Recommendation 13:

That appropriate protocols for intellectual property and moral rights for Indigenous artists be developed together with the adoption of sufficient time frames to enable full consultation when working with Indigenous artists and communities.

Funding flow to artists and arts workers

The reference within the branding of the existing policy to ‘2% for *Art Built-in*’ may give the impression that artists are well remunerated for their work, which is largely not the case. A significant amount (20% on average) of the funds for each project are consumed by the selection, administration, curatorial and management processes. In addition, there are manufacturing, delivery, installation, insurance and/or procurement costs to be met. A vexatious point for many of the artists interviewed was that the committee processes that govern the execution of the artwork often entail substantial amounts of unfunded work to prepare, revise and resubmit works. A similar situation relates to architects who are expected to develop collaborative relations with the artist and to contribute to the committee processes, but mostly are not remunerated for this additional work.

An anomaly mentioned by some was that artists with prominent national reputations and significant achievements in the creation of public art were treated and remunerated in the same way as emerging and relatively inexperienced artists.

Recommendation 14:

- i) That the basis on which artists and related professionals are remunerated be reviewed and that allowance be made for consultative and collaborative involvement with the development, fabrication and installation of public art.
- ii) That experience, skill and standing of artists be recognised and factored into the agreement of appropriate remuneration.

Transparency

Considerable concern was expressed by artists, project managers and curators that the processes of commissioning and of the development of commissioned works were often not sufficiently understood. Many were concerned by the lack of clarity as to how to be appointed, and by the ways in which expressions of interests were called — this was a view strongly held by those respondents located in the regions. Further, there was concern that the outcomes of expression of interest rounds were insufficiently published. These views amplified a belief that many of the key commissions were offered to a relatively small group of artists because of the extent of their prior experience with creating public art.

There is a strongly held view that many of the key commissions are offered to a relatively small group of artists that now have considerable experience of the public art process in Queensland. Again, artists in the regions were particularly concerned about the difficulty of being appointed to any sizeable commission because of their lack of direct experience of the *Art Built-in* processes.

Recommendation 15:

That the processes for the selection of artists and related professionals be reviewed in detail so as to achieve greater transparency. Outcomes of expressions of interest rounds and competitive tenders are to be published.

Public liability

The need for substantial levels of public liability insurance is an impediment for some artists, especially young and emerging artists, and is considered an impediment to building a strong body of high achieving artists in Queensland.

Recommendation 16:

That the possibilities for and implications of Government departments assuming the public liability insurance for public art projects be further investigated.

Recording and promoting outcomes

Several key submissions and focus group discussions suggested that there was insufficient publicity and promotion of the individual projects, or any easily available public record of the overall achievements of the public art program. This is less true for the large projects which generally are featured in supporting catalogues or publications. Smaller projects are less well featured. Considerable effort has been made by the Public Art Agency to document the overall collection of public art, including those works dating from before the introduction of the *Art Built-in* policy. This register reveals the breadth of the public art assets held by the Queensland Government across most portfolios and most regions.

Recommendation 17:

That the overall body of artworks representing the outcomes of the policy be recorded and featured in publicly accessible media, such as on a website and in supporting publications.

Involvement of international artists

Although the *Art Built-in* policy includes reference to the possibility of commissioning works from international or interstate artists few commissions of this nature have been made. Understandably, the inclination in most cases has been to employ Queensland artists and manufacturers. Nevertheless, the commissioning of leading artists from interstate or from overseas would enable the transfer of skills, enrich the quality and standing of public art, and provide training and mentoring opportunities for young and emerging artists. Further, it would enhance the international network for Queensland artists with the possibility of building international collaborations through public art. The creation of an artists-in-residence program would also facilitate the building of strong international networks in the field of public art.

Recommendation 18:

- i) That in order to achieve excellence the most able artists be appointed in each case and that interstate and international artists be invited to submit expressions of interest for significant public projects.
- ii) That opportunities be created to enable visiting, internationally recognised, artists to contribute to the development of public art in Queensland as artists-in-residence.

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Appendix 1: List of public submissions

	Name	Format
1	Allan Tesch A/Director-General	Posted
2	Beth Jackson	Posted
3	Caroline Treloar Director	Posted
4	Cathy Skippington Deputy Director-General	Posted
5	Doug Hall Director	Posted
6	Frances Thompson Director	Emailed
7	Francois Davin Site-specific environment artist	Emailed
8	Frank Rockett Director-General	posted
9	Gavin Ryan Studio	Posted
10	George Nelson Education Manager	Email
11	Hayden Wright Acting Divisional Manager	Posted
12	J W Parker Manager	Faxed
13	Jacqueline Waters Vice President	Emailed
14	Janene Dixon A/Executive Support Officer	Emailed
15	Jason Furner Acting Chief Facilities Officer	Posted
16	Jemima Wyman	Emailed
17	Jill Kinnear BA MVA Artist, textile & surface designer	Emailed
18	Joan Webb Designer	Emailed
19	Jodie Cox Project Manager	Emailed
20	Judith Gilmore Royal Australian Institute of Architects	Emailed
21	Karl Sismey Executive Support Officer Office of the Director-General	Faxed

22	Lance Bressow Artist	Posted
23	Leigh Tabrett Deputy Director-General	
24	Lone White President	Emailed
25	Mal Leckie Artist	Emailed
26	Mark Crawley Chief Executive Officer	Posted
27	Matthew Tobin	Emailed
28	Michael Kinnane ESM FAIM Director-General	Posted
29	Michael Rayner Architect	Emailed
30	Neville Patterson Executive Director	Posted
31	Nicole Manttan Project Officer	Emailed
32	No name on submission	Posted
33	Paul D Johnson Full-time public sculptor	Posted
34	Paul Jenkins Chief Executive Officer	Emailed
35	Pedro Guedes	Emailed
36	Peter Bellas & Josh Milani	Posted
37	Rachel Hunter Director-General	Posted
38	Ralph Henderson Director	Emailed
39	Rex Butler ERG Member	Emailed
40	Ronan Lee Member for Indooroopilly	Emailed
41	Sandra Selig Artist	Emailed
42	Simone Eisler Artist	Emailed
43	Simone Eisler ERG Member	Emailed
44	Spence Jamieson Architect	Emailed
45	Steven Hall Designer	Emailed

46	T P Brennan Chief Executive Officer	Posted
47	Tony Whiteley <i>Art Built-in</i> Procurement Manager	Posted
48	Trevor and Sue Rodwell Artists	Posted
49	Zygmunt Libucha Sculptor	Emailed
50	Tory Jones Executive Manager Planning	Emailed

Appendix 2: List of focus groups attendees

Government Officers Focus Group Meeting

9am Friday 1 July 2005

Name Department/Agency

Bob Cannock Education
Kevin Tutt Health
Garry Robinson Justice
Greg Tenbrink Main Roads
John Parker Police
Alberto Vides Public Works (Building Division)
Don Allan Public Works (Industry Policy)
Kath Ghidella Public Works (Procurement & Purchasing)
Stewart MacIntyre State Development & Innovation
Rosemary Axonsmith Project Services and Member of the ERG

Arts Industry and University Representatives Focus Group Meeting

12noon Friday 1 July 2005

Name Department/Agency

Genevieve Atkinson Brisbane Marketing
Christine Ballinger Craft Queensland
Paul Jolly Griffith University QCA
Peter Denham Museum of Brisbane
Kate Fell Youth Arts Queensland
Jo Forsyth Arts Law Centre of Queensland
Peter Lavery QUT (Facilities Kelvin Grove)
Stephanie Outridge Field Fusions

Art Built-in **Focus Group Report**

Cooloola Focus Group Meeting

5pm Wednesday 6 July 2005

Name Position Organisation

Elizabeth Woods Artist
Richard Newport Artist
Nicole Voevodin-Cash Artist
Kevin Todd Artist/Lecturer Sunshine Coast University
Josie Proserpino Artist/Researcher
Kevin Todd Lecturer Sunshine Coast University

Cairns Focus Group Meeting

3pm Thursday 14 July 2005

Name Organisation

Rae O'Connell Kick Arts Collective
Louise Doyle Cairns Regional Gallery
Ruby Wingrove Cairns City Council
Jandy Pannell Artist
Lone White Visual Arts Association FNQ
Mark Buttrose Peddlethorpe Architects
Keith Whenmouth Project Services and Member of the ERG

Townsville Focus Group Meeting

9.30am Friday 15 July 2005

Name Organisation

Keith Whenmouth Project Services and member of the ERG

Stephen Naylor James Cook University

Jane Hawkins James Cook University

Michael Johnson Aboriginal and Torres Strait Islander Cultural Centre