

BUILDINGS QF1 – QF4 MASCOT CURATORIAL FRAMEWORK

PREPARED FOR
LOGOS Development Management Pty Ltd
2023

ACKNOWLEDGMENT OF COUNTRY

We acknowledge the Aboriginal and Torres Strait Islander peoples as Traditional Custodians of the lands, skies and waters we now all share, and pay our respects to the Kameygal people.

We pay tribute to their enduring cultures, seeking to engage with and learn from them for the cultural enrichment of our community.

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This Curatorial Framework document has been prepared by Cultural Capital for LOGOS Development Management Pty Ltd.

DEFINITIONS

LOGOS Development Management Pty Ltd – Applicant
Lacoste and Stevenson – Architects
Cultural Capital – Public Art Consultant
Cox Inall Ridgeway – Connecting to Country Consultant
Bayside Council – Local Government Area Council
Gujaga Foundation – La Perouse Aboriginal Community Foundation

This document shows images of artworks of varying typologies and scales. Please note these are not curatorial recommendations, they are reference images only.



INTRODUCTION

CHAPTER 01



1.1 CURATORIAL FRAMEWORK SUMMARY

LOGOS Development Management Pty Ltd (LOGOS) is developing four large scale multi-level warehouse and distribution centres with complementary land uses in Mascot, preliminarily known as QF1, QF2, QF3 and QF4. The large scale facades of each of these developments will face Qantas Drive, which serves as the main thoroughfare for arrivals and departures to and from the domestic and international airports.

These public facades of QF1 - QF4 offer an exciting opportunity for contemporary art to be implemented across a large scale canvas.

Over the 10-year development timeframe of these projects, architecturally integrated Aboriginal artwork will be commissioned for buildings QF1 - QF4 creating a 700 metre long welcome to Sydney, a powerful experience for motorists and pedestrians. The welcome will extend to local, interstate and international visitors as well as holding a special significance for all of Australia's Indigenous people and communities, providing a specifically Sydney welcome.

This purpose of this Curatorial Framework document is to provide a guideline to synthesise the approach to commissioning public art. This document;

- Outlines a curatorial framework for public art on buildings QF1-QF4 encompassing an overarching curatorial approach and examples of integrated artwork typologies;
- Outlines the methodology for implementing Public Art including project phases, commissioning models, artist brief, artist selection criteria, artist engagement and artwork delivery;
- Provides a historical analysis and public art audit of the precinct;
- Includes relevant case studies of collaborative public artworks working with Aboriginal Elders and artists.

1.2 THE SITES

This Curatorial Framework relates to the following four sites located in King Street, Kent Road and Coward Street, Mascot;

QF1 - 263 - 273 and 273A Coward Street

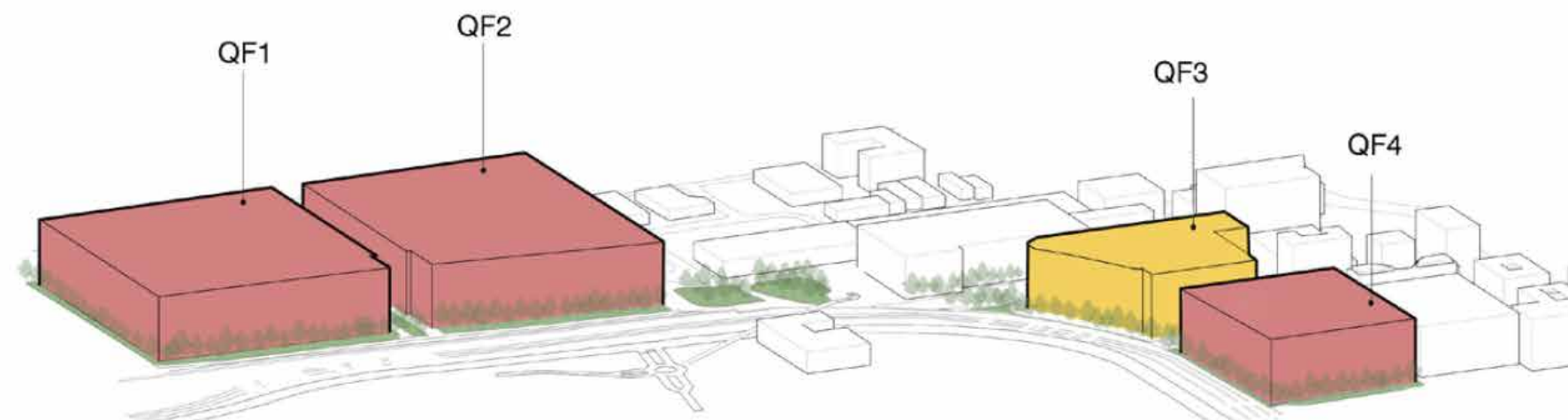
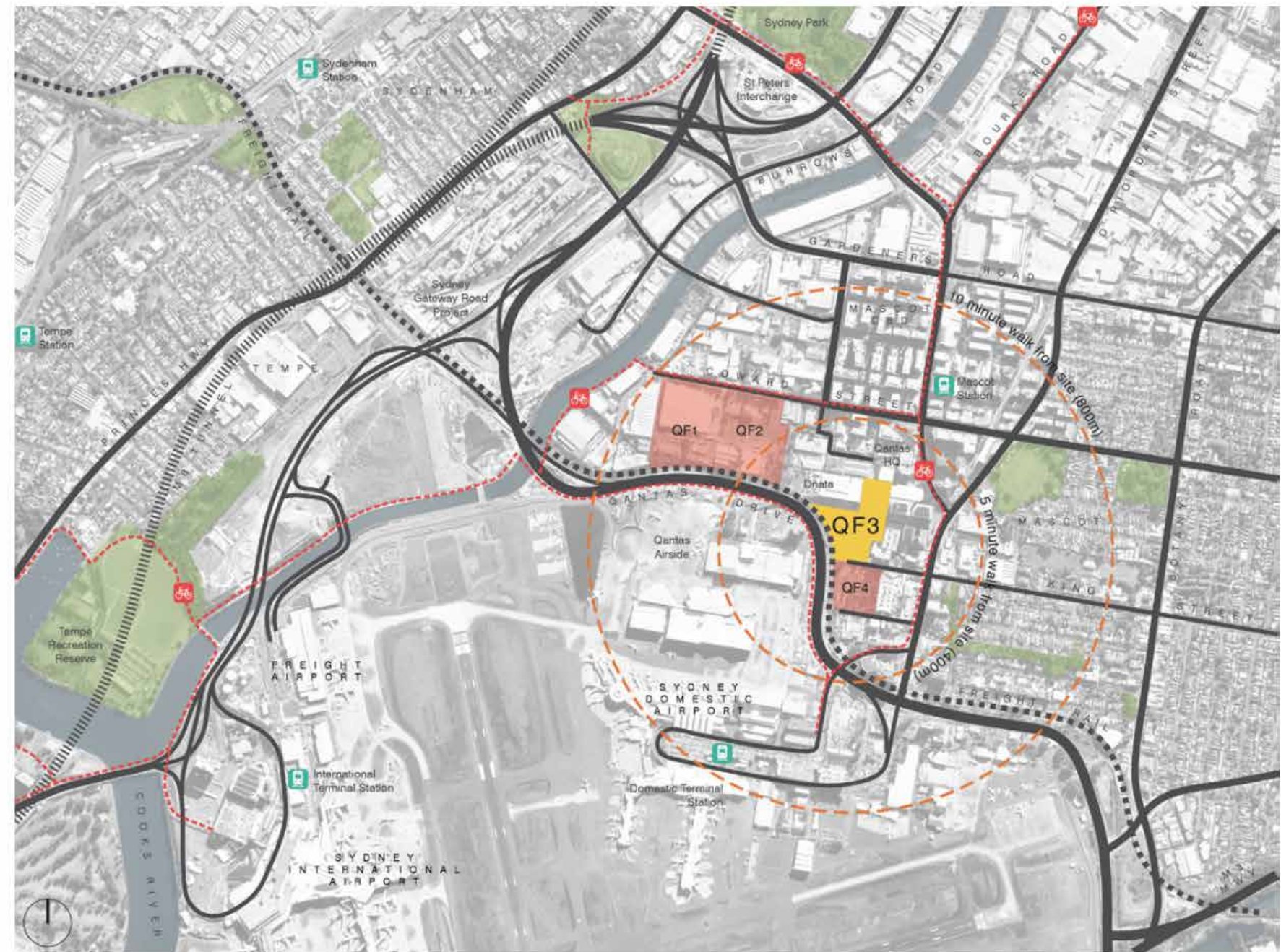
QF2 - 76 - 82 Kent Road

QF3 - 297 King Street

QF4 - 350 King Street

The sites are located within an established industrial precinct. The surrounding context generally comprises of industrial and commercial buildings.

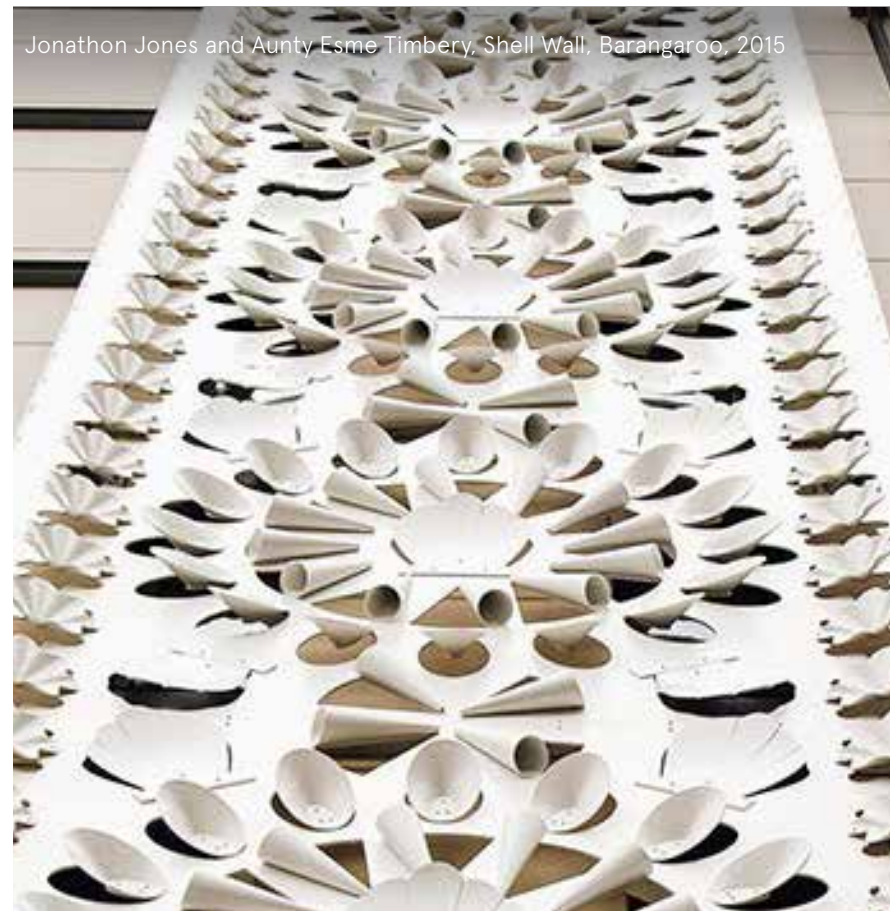
The sites are positioned along King Street, Kent Road and Coward Street. The proposed developments will be highly visible from Qantas Drive and the elevated Sydney Gateway road project under construction. Sydney Domestic Airport is located across Qantas Drive to the south and west.



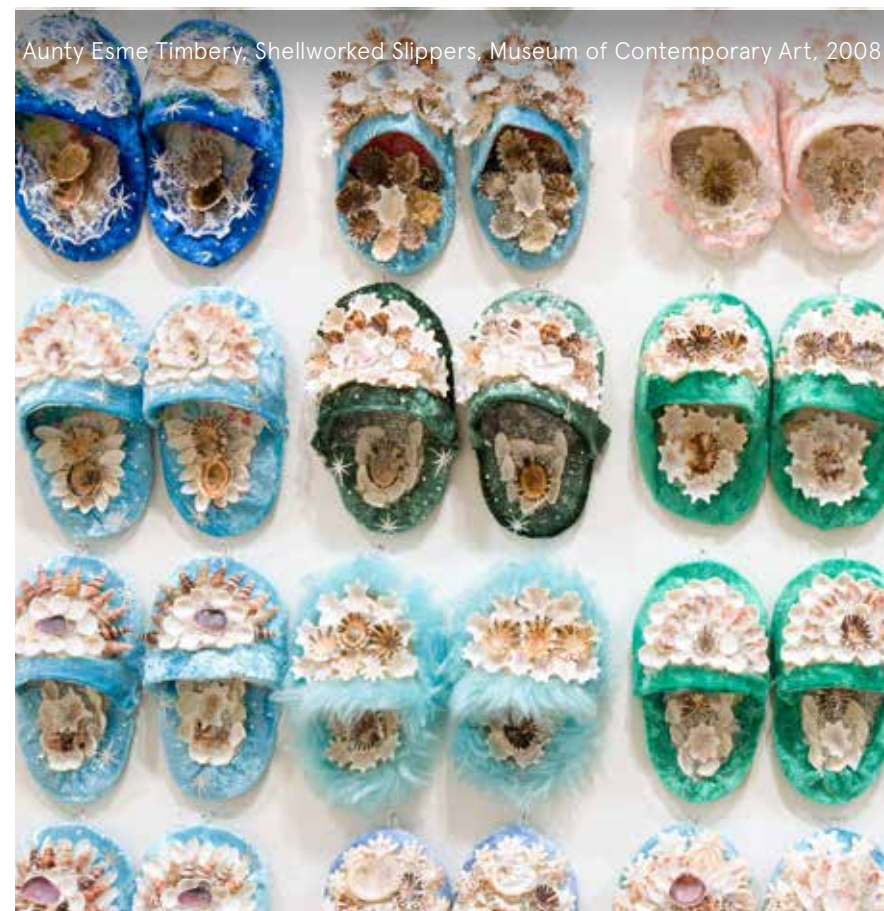
map and renders right provided by Lacoste and Stevenson Architects

CURATORIAL FRAMEWORK

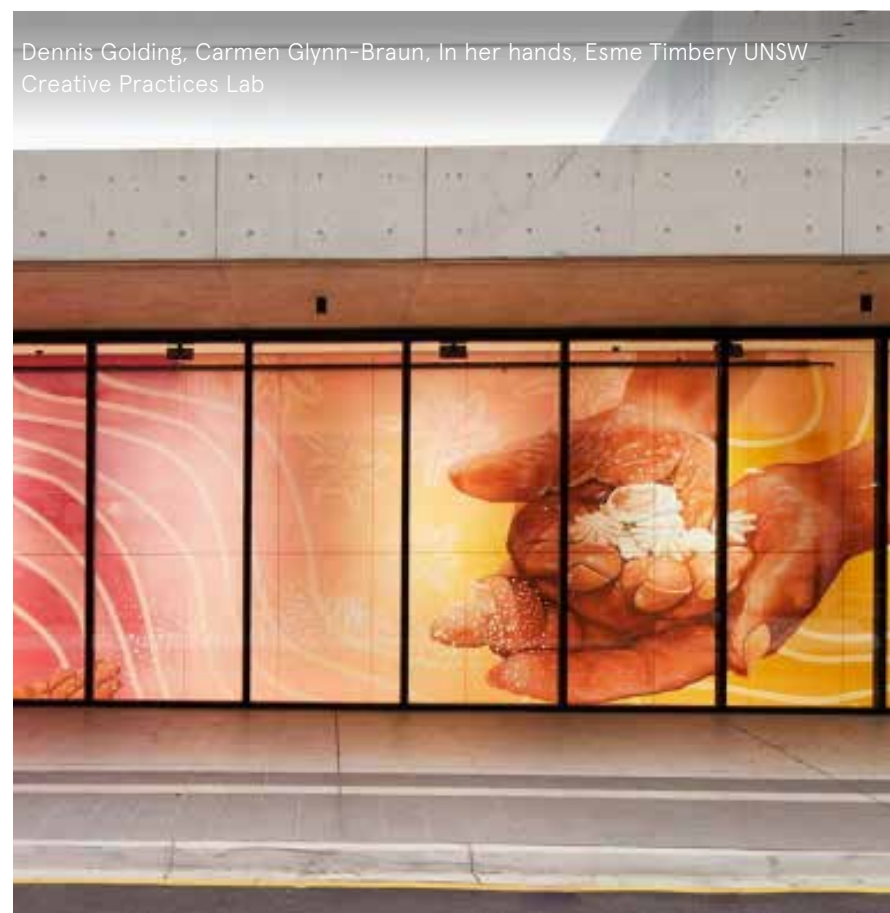
CHAPTER 02



Jonathon Jones and Aunty Esme Timbery, Shell Wall, Barangaroo, 2015



Aunty Esme Timbery, Shellworked Slippers, Museum of Contemporary Art, 2008



Dennis Golding, Carmen Glynn-Braun, In her hands, Esme Timbery UNSW Creative Practices Lab



Marilyn Russell, Aunty Esme Timbery, CM+ Architects, Movement of Shells, Movement of Time, Campbell Road Ventilation Facility St Peters, 2023

Above are four artwork examples referencing the traditional cultural shell work practice of La Perouse.

2.1 CURATORIAL APPROACH

ONE STORY FOUR WAYS

A large facade artwork expressing Aboriginal Connection to Country is a significant and meaningful way of recognising and acknowledging the continuing connection of Aboriginal peoples to their Country.

The 700-metre-long journey of integrated artworks proposed on buildings QF1 - QF4 will create a powerful Welcome to Sydney at a truly momentous scale. The welcome will extend to local, international and interstate visitors as well as holding special significance for all of Australian's Indigenous people and communities by providing a specifically Sydney welcome.

The overarching narrative of 'One Story, Four Ways' will inform the individual commissions, bringing the four buildings together with a collection of artworks while leaving enough space for individual interpretation by each artist to explore the selected story in their own unique, dynamic and contemporary way.

The first artist commissioned for QF3 can act as the lead artist beginning the artwork journey of 'One Story, Four Ways'. This narrative will ultimately span across all four facades interpreted in different ways by other Aboriginal artists. The artist engaged for the individual commissions will interpret different aspects of the story to create a collection of related works. To ensure a sense of overall cohesion, the lead artist can also act as curator and design advisor to any other artists engaged for the remaining commissions.

The result will be a large scale, visually engaging Welcome to Sydney that celebrates cultural knowledge, heritage and the ways Country has supported local Aboriginal communities for millennia.

2.2 CURATORIAL THEME

ONE STORY, FOUR WAYS

For tens of thousands of years Australia has hosted a rich and meaningful cultural life. Indigenous practices have proven sustainable – in harmony with the landscape and finding in it, significance, and a sense of the sacred. By engaging local Aboriginal artists and practitioners for this project, we can explore, interpret, and express aspects of this enduring cultural heritage.

The proposed architecturally integrated artworks on the four facades facing Qantas Drive are sited on Gameygal Country. Acknowledging and respecting local community, the commissioned artist will have strong connections and/or ties to La Perouse community. The artist will be asked to engage with the Gujaga Foundation and Elders to develop a local story relating to cultural practice, song lines or a dreaming significant to the La Perouse community into an artwork.

This artist commissioned for QF3 can act as the lead artist beginning the artwork journey of 'One Story, Four Ways' that will ultimately span across all four facades interpreted in different ways.

Engaging an experienced Aboriginal artist for the commission on QF3 paves the way if any emerging artists are commissioned on buildings QF1, QF2 and QF4 by providing an opportunity to upskill local artists and introduce them to working collaboratively with project teams on large scale projects.

The story that will inform the basis of the narrative for the artworks will be selected in consultation with LOGOS and Project Design Teams, establishing a relationship between the Gujaga Foundation, Elders, artist/s and design teams. This curatorial framework recommends a fully integrated design approach between artist/s and design teams.

A collaborative design process between artists and architects will ensure a seamless integration of art and architecture and create space for a rewarding experience – not only in the exchange of talent and skills, but in a cultural exchange – a process that can reveal unexpected and exciting hybrid design outcomes.



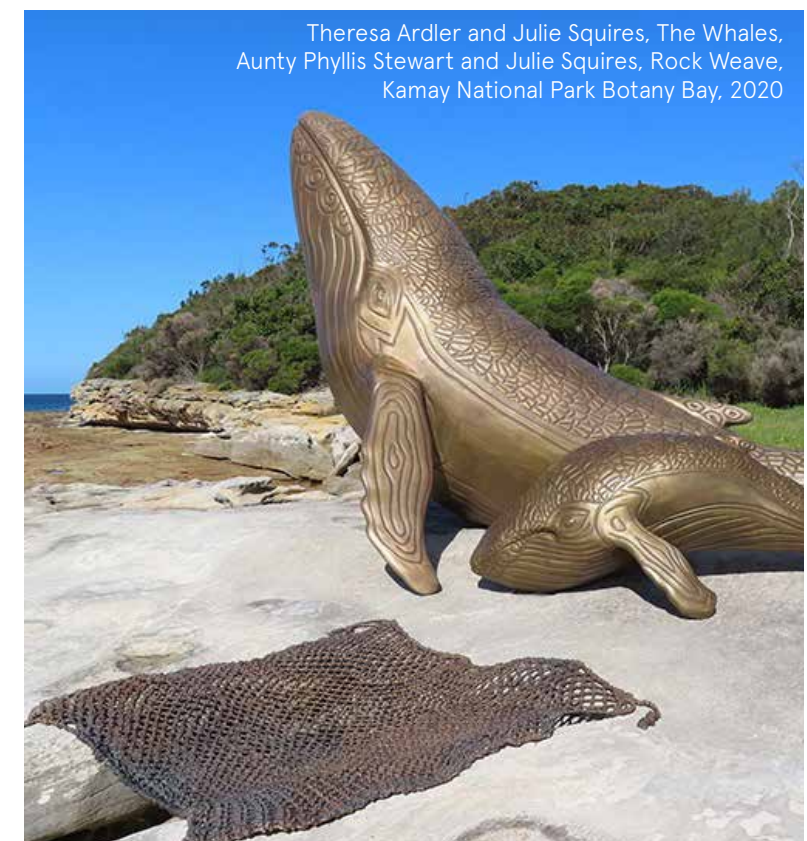
Traditional Owner Laddie Timbery selling wooden artefacts at the Loop La Perouse



Laddie Timbery, wooden artefact (example of traditional burning designs)



Dean Kelly, Nawis, Kamay National Park Botany Bay, 2020



Theresa Ardler and Julie Squires, The Whales, Aunty Phyllis Stewart and Julie Squires, Rock Weave, Kamay National Park Botany Bay, 2020



Shannon Foster (T/O), Buldyan Grandfather, painted design



2.3 INTEGRATED FACADE TYPOLOGIES

Architecturally integrated facade artworks have been utilised in Australia and around the world using various production methods. This way of working delivers powerful artworks at significant scale. On the next pages are examples of facade artworks implemented using;

- perforated screens
- aluminium panels for kinetic artworks
- sculptural design approach

Jade Oakley, The Bay, Woolworths Double Bay, 2015

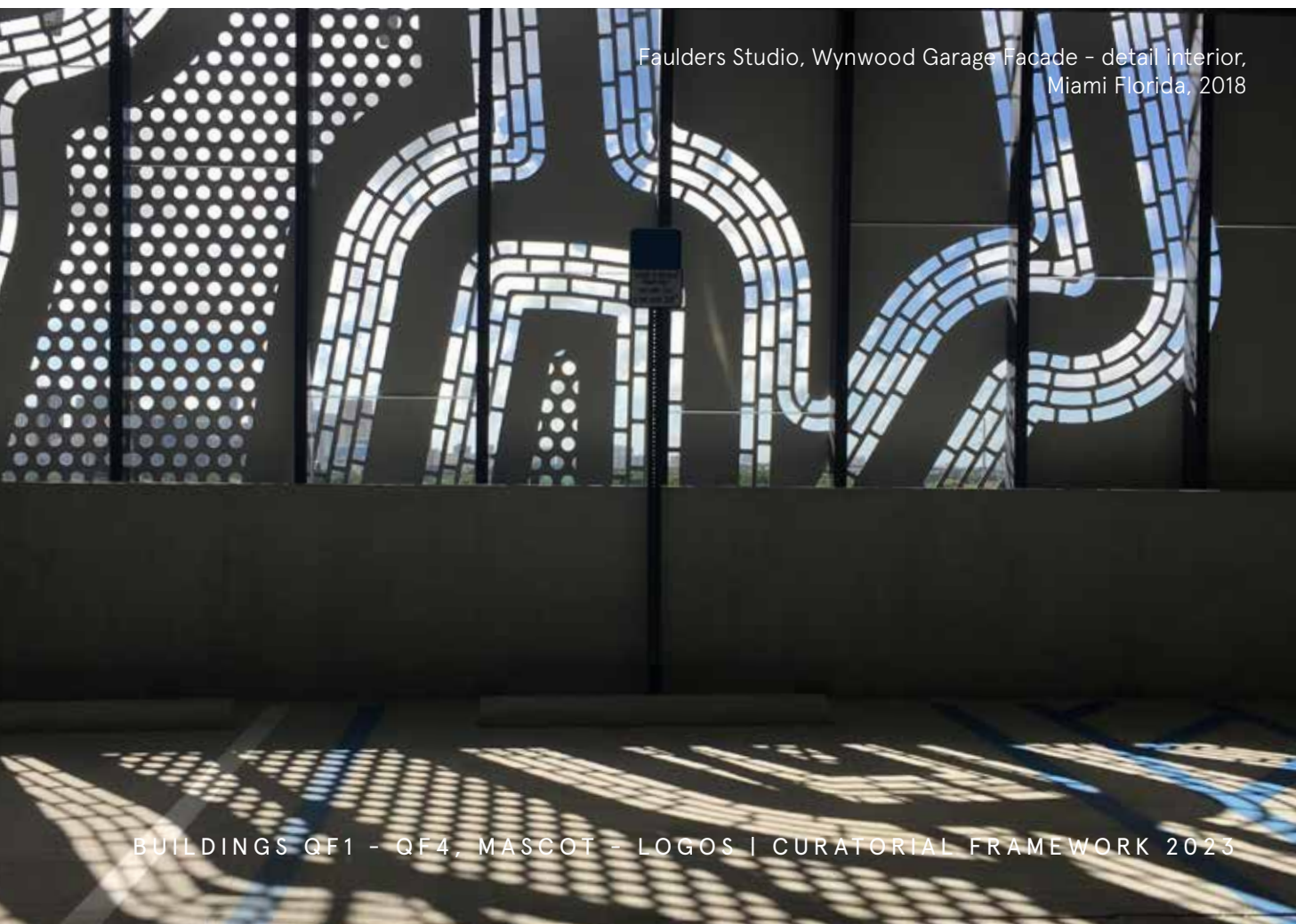


Ameller Dubois and Associes, Police Station, Les Mureaux, 2016



PERFORATED SCREEN ARTWORK

Faulders Studio, Wynwood Garage Facade – detail interior, Miami Florida, 2018



Full Crism, Under the Surface, Parap Pool, Darwin, 2019



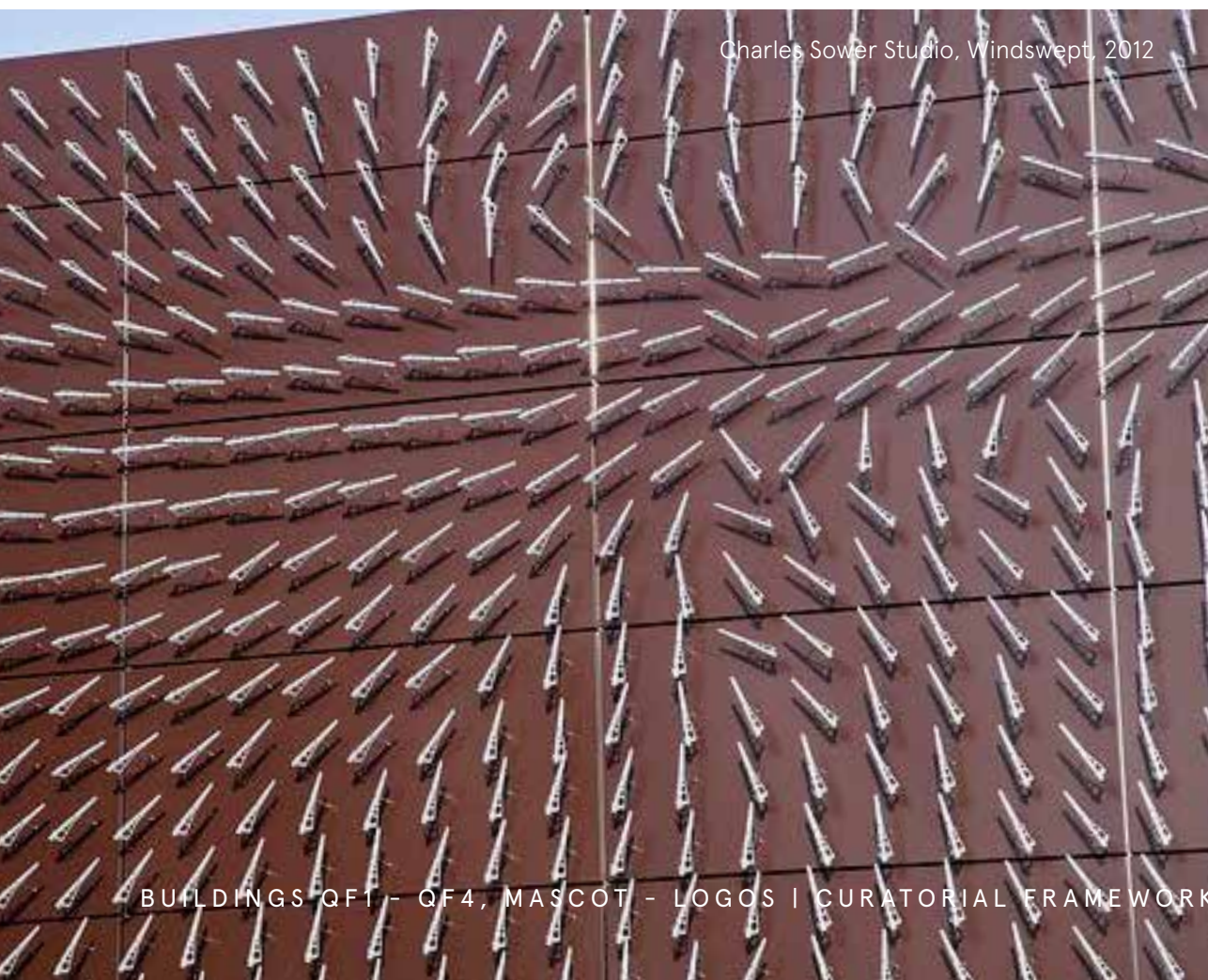


Ned Khan, Turbulent Line, Brisbane Domestic Airport, 2012



Ned Khan, Turbulent Line, Brisbane Domestic Airport (detail), 2012

KINETIC ARTWORK



Charles Sower Studio, Windswept, 2012

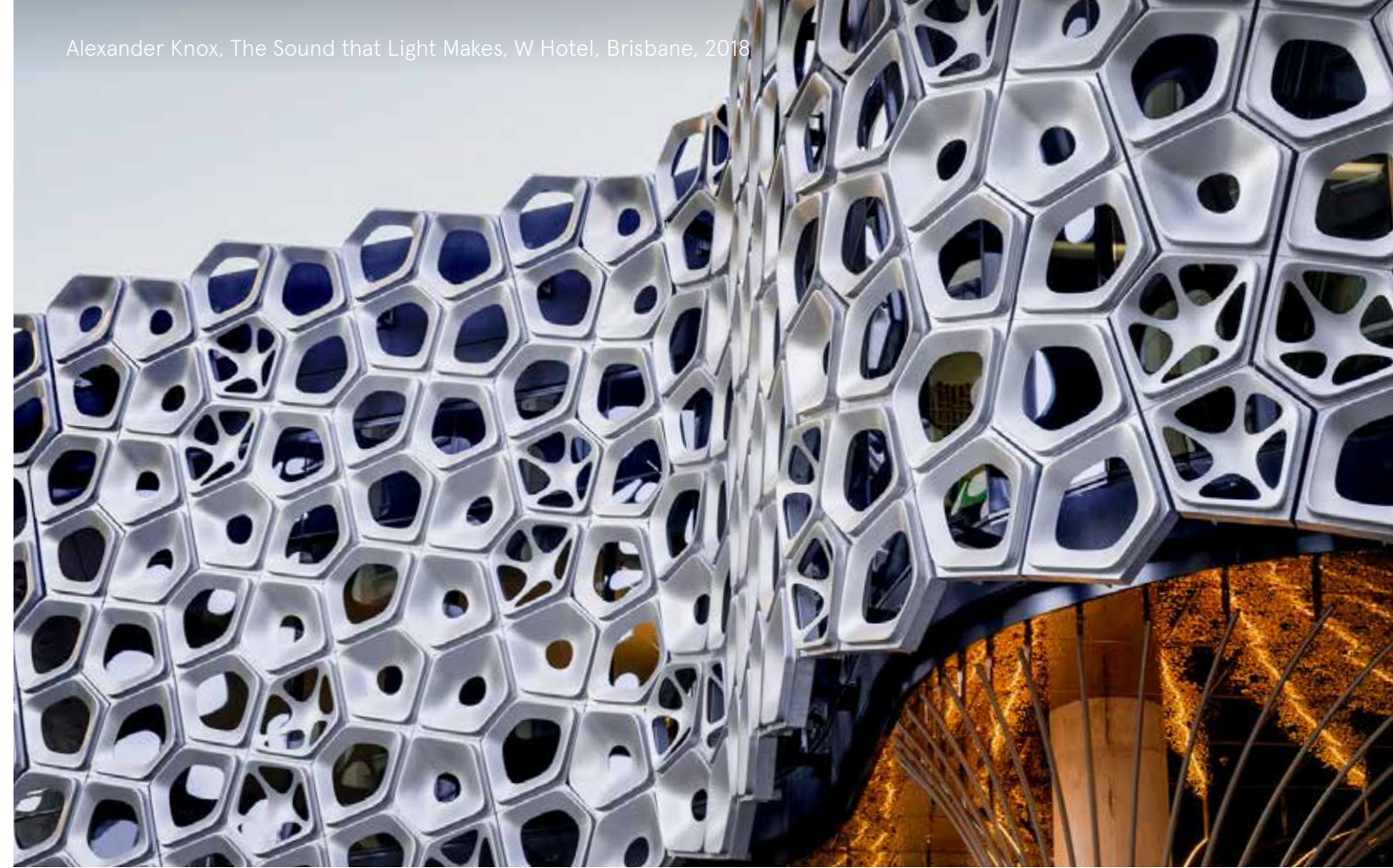


Ned Khan, Wind Abor, Marina Bay Sands, Singapore, 2010

Jennifer Marchant, Landlines, Albert Street, Brisbane

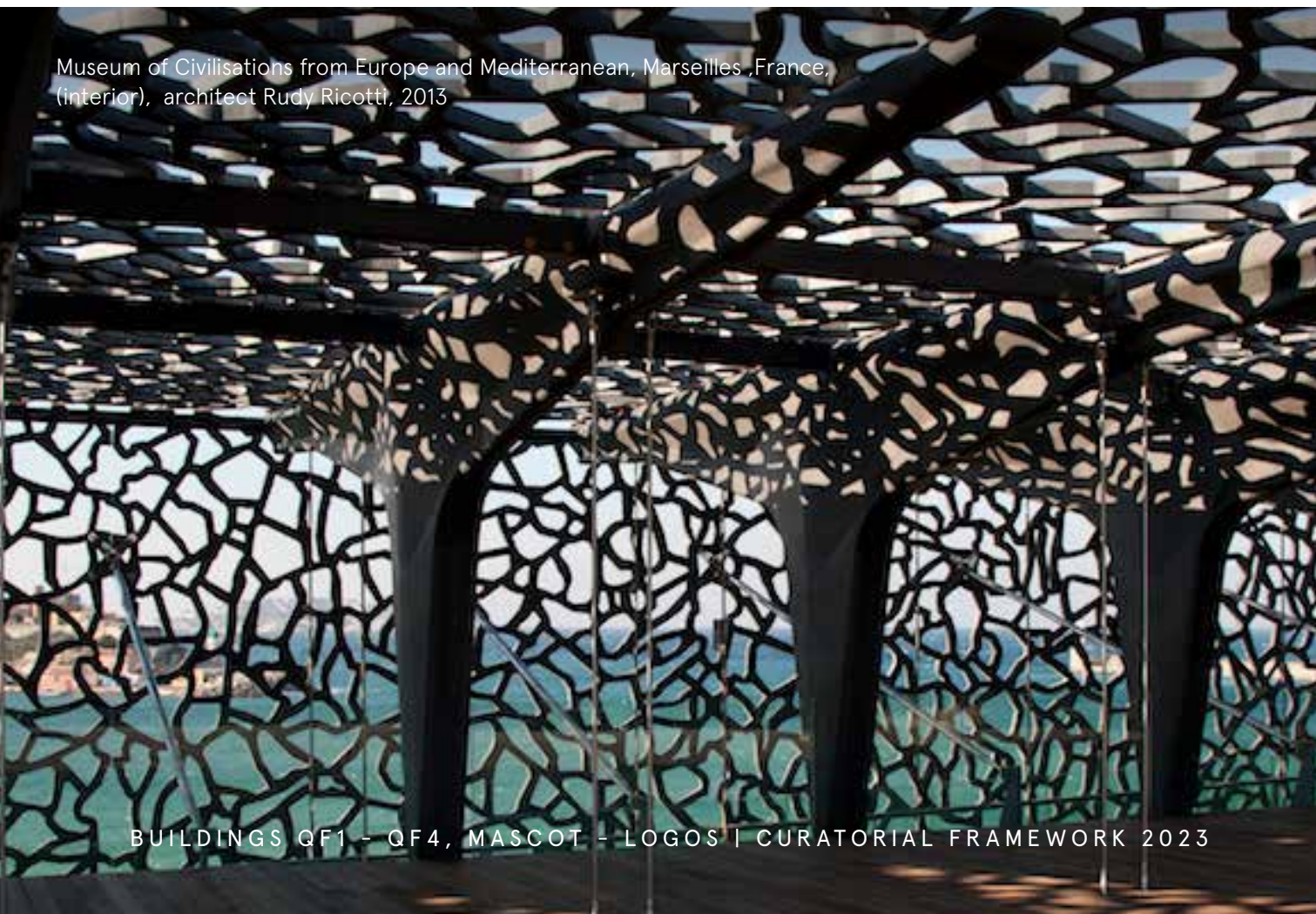


Alexander Knox, The Sound that Light Makes, W Hotel, Brisbane, 2018



SCULPTURAL ARTWORK

Museum of Civilisations from Europe and Mediterranean, Marseilles ,France,
(interior), architect Rudy Ricotti, 2013



BUILDINGS QF1 - QF4, MASCOT - LOGOS | CURATORIAL FRAMEWORK 2023

Rob Ley, May-September, Eskenazi Hospital Car Park facade, Indiana, USA, 2014



METHODOLOGY

CHAPTER 03

3.1 PROPOSED PROJECT STAGES

The project stages outlined below are indicative only based on a collaborative design procurement process. The governing body/s and approval stages may vary between buildings QF1 – QF4.

4 WEEKS

1

PUBLIC ART STRATEGY

- Curatorial framework
- Methodology
- Proposed governance framework
- Budget
- Context
- Case studies

DELIVERABLES:

- Public Art Strategy

GATEWAY DECISION:

- Public Art Strategy is approved by LOGOS and submitted with the DA to relevant governing body/s approval

4-6 WEEKS

2

ARTIST SELECTION AND ENGAGEMENT

- Draft the artist brief and information pack
- Artist/s selection process
- Prepare the artist and Gujaga Foundation commissioning agreements
- Engage the artist/s
- Engage Gujaga Foundation for Elder consultation

DELIVERABLES:

- Artist brief/s
- Artist commissioning agreement/s
- Select and contract the artist/s
- Gujaga Foundation commissioning agreement

GATEWAY DECISION:

- Identification of preferred artist/s by LOGOS, the Public Art Panel and Public Art Consultant
- Relevant governing body/s informed of artist selection outcome
- Gujaga Foundation informed of artist selection outcome

3-5 MONTHS (TBC)

3

CONCEPT AND COLLABORATIVE DESIGN DEVELOPMENT

- Artist/s concept proposal finalised and approved
- Inception meeting with artist/s, curator and Lead Designers from Project Design Teams
- Inception meeting with Gujaga Foundation and Elder/s
- Collaborative workshops with artist/s and Project Design Teams (detailed design development phase)
- Final detailed design package

DELIVERABLES:

- Selected 'story' for overarching narrative (and four ways interpretation)
- Artist concept proposal
- Artist and Project Design Teams final detailed design package (including; materiality, architectural drawings, engineer certification, final costings)

GATEWAY DECISION:

- LOGOS approval of artist concept and story
- LOGOS approval of design development package
- Design development package submitted to relevant governing body/s
- Gujaga Foundation (and Elders) informed of design outcome

9-12 MONTHS (TBC)

4

FABRICATION AND ARTWORK DELIVERY

- LOGOS engage fabricator / builder
- Artist/s and curator approve design elements, scale, colours through fabrication process
- Artist updates Gujaga Foundation and Elders of progress
- Fabrication, delivery and installation of artwork

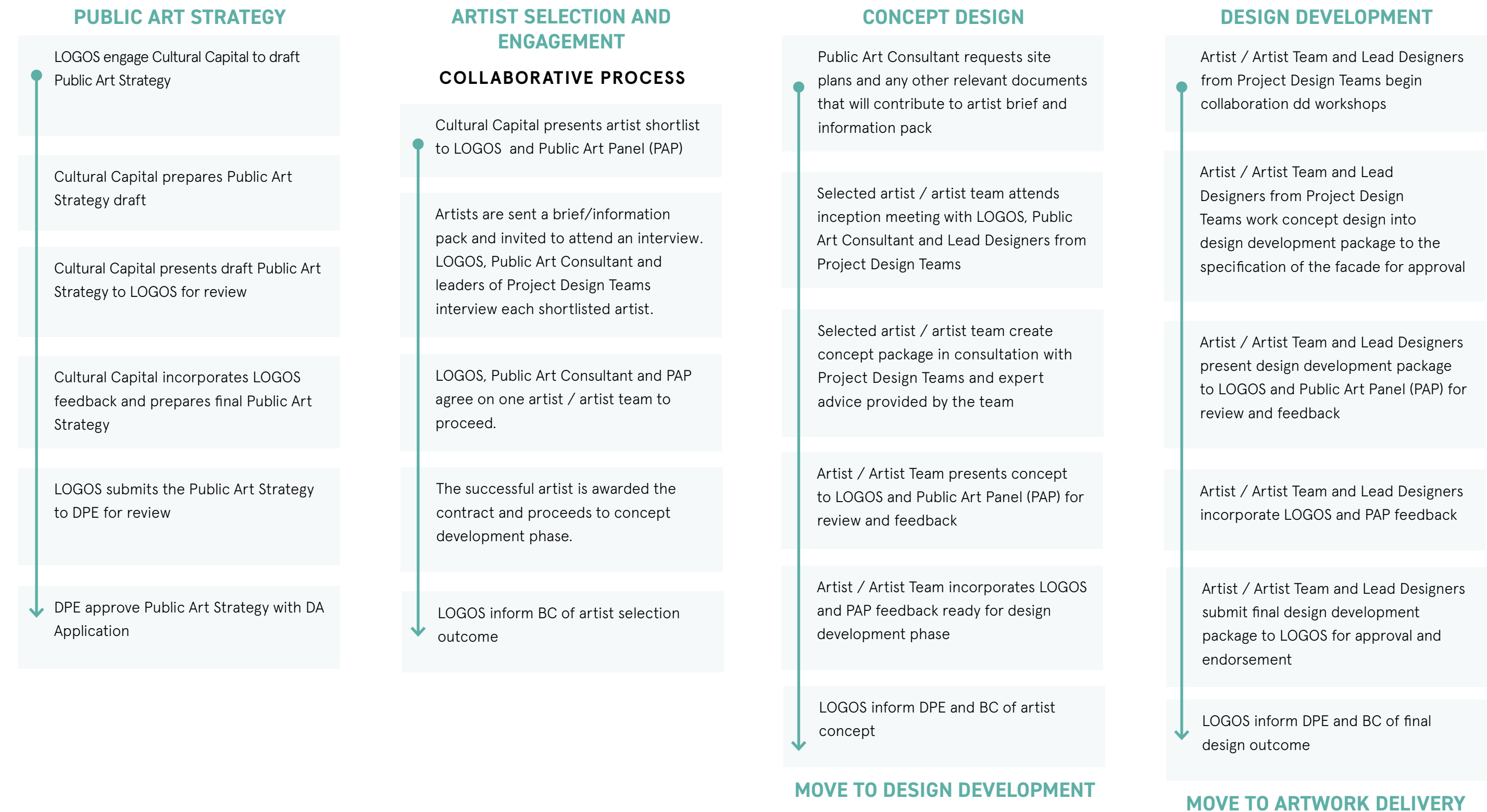
DELIVERABLES:

- Fabrication, packing, freighting and installation of the artwork
- Certification of the artwork
- Maintenance Manual

GATEWAY DECISION:

- LOGOS approval of public artwork
- Gujaga Foundation (and Elders) informed of public artwork outcome

3.2 REVIEW AND APPROVAL GATEWAYS



ARTWORK DELIVERY

LOGOS engages fabricator and builders for production and install of artwork

Artist / Artist Team and curator consulted with on design fabrication elements during first fabrication stages

LOGOS approve 50% design fabrication

Artist / Artist Team and curator consulted with on design fabrication elements during final fabrication stages

LOGOS approve 100% design fabrication

Work packaged, freighted and installed on site

The works are commissioned. Approval from LOGOS of completion of the project and handover.



3.3 ARTIST COMMISSIONING MODELS

Artists can be commissioned through a mix of Direct Commission, Limited Tender, Collaborative Process or Mentorship Collaborative Process. Depending on the commissioning model selected, a shortlist of artists will be prepared for each site and a rigorous selection process undertaken. Once selected, artist/s will be engaged, contracts negotiated, and scope of work agreed. Artists will be managed through artwork design delivery phase by the Public Art Consultant.

LIMITED TENDER

01 Public Art Consultant prepares a longlist of up to ten artists to present to LOGOS, the Public Art Panel.



02 LOGOS, the Public Art Panel and Public Art Consultant agree on a shortlist of three to four artists who are sent the artist brief and invited to submit a concept, CV and examples of relevant works for a fee.



03 The shortlisted artists present their concept to LOGOS, the Arts & Culture Panel and Public Art Consultant. LOGOS, Public Art Panel and Public Art Consultant select one artist to proceed to commissioning the work. The successful artist is awarded the contract.



DIRECT COMMISSION / INVITATION

01 Public Art Consultant prepares a shortlist of up to six artists to present to LOGOS, the Public Art Panel, or one artist is nominated for direct commission / invitation.



02 LOGOS, the Public Art Panel and Public Art Consultant agree on one artist who is sent the artist brief and is invited to submit a concept, CV and examples of relevant works for a fee.



03 The artist presents their concept to LOGOS, the Public Art Panel and Public Art Consultant. LOGOS, the Public Art Panel and Public Art Consultant agree to proceed to commissioning the work. The successful artist is awarded the contract.



COLLABORATIVE PROCESS

01 Public Art Consultant prepares a shortlist of three artists to present to LOGOS, the Public Art Panel, and design team/s.



02 Artists are sent a brief / information pack and invited to attend an interview. Public Art Consultant, LOGOS and leaders of design team/s interview each shortlisted artist.



03 LOGOS, the Public Art Panel and Public Art Consultant select one artist to proceed to work collaboratively with the design team/s. The successful artist is awarded the contract.



MENTORSHIP + COLLABORATIVE PROCESS

01 Public Art Consultant prepares a shortlist of **emerging and established artists (established artist in mentor role)**, willing to collaborate together, and present list to LOGOS, the Public Art Panel, and design team/s.



02 Artists are sent a brief / information pack and invited to attend an interview. Public Art Consultant, LOGOS and leaders of design team/s interview each **emerging and established** shortlisted artist.



03 LOGOS, the Public Art Panel and Public Art Consultant select **one emerging artist and one established artist to form an artist team** to proceed. The artist team will work collaboratively together (the established artist in mentor role) and with the design team/s. The successful **artist team** are awarded individual contracts.



Please note; relevant governing body/s may need to be informed of the artist selection and/or selected concept proposal before proceeding to design development phase.

3.4 RECOMMENDED COMMISSIONING MODELS

COLLABORATIVE PROCESS

Cultural Capital strongly recommends a fully integrated design approach between artist/s and the project design team. Collaborative relationships between artists and architects will ensure valuable creative conversations, leverage the value of the art to the built environment, and ultimately lead to seamless integration of art and architecture.

A collaborative design process is not only an exchange of knowledge, talent and skills, but also a rewarding cultural exchange — a process that can reveal unexpected and exciting hybrid design responses.

CAPACITY BUILDING

MENTORSHIP + COLLABORATIVE PROCESS

A mentorship pathway provides opportunities for emerging artists to upskill by working with established artists who are often experienced in the delivery of public art and working collaboratively with project teams on large scale projects.

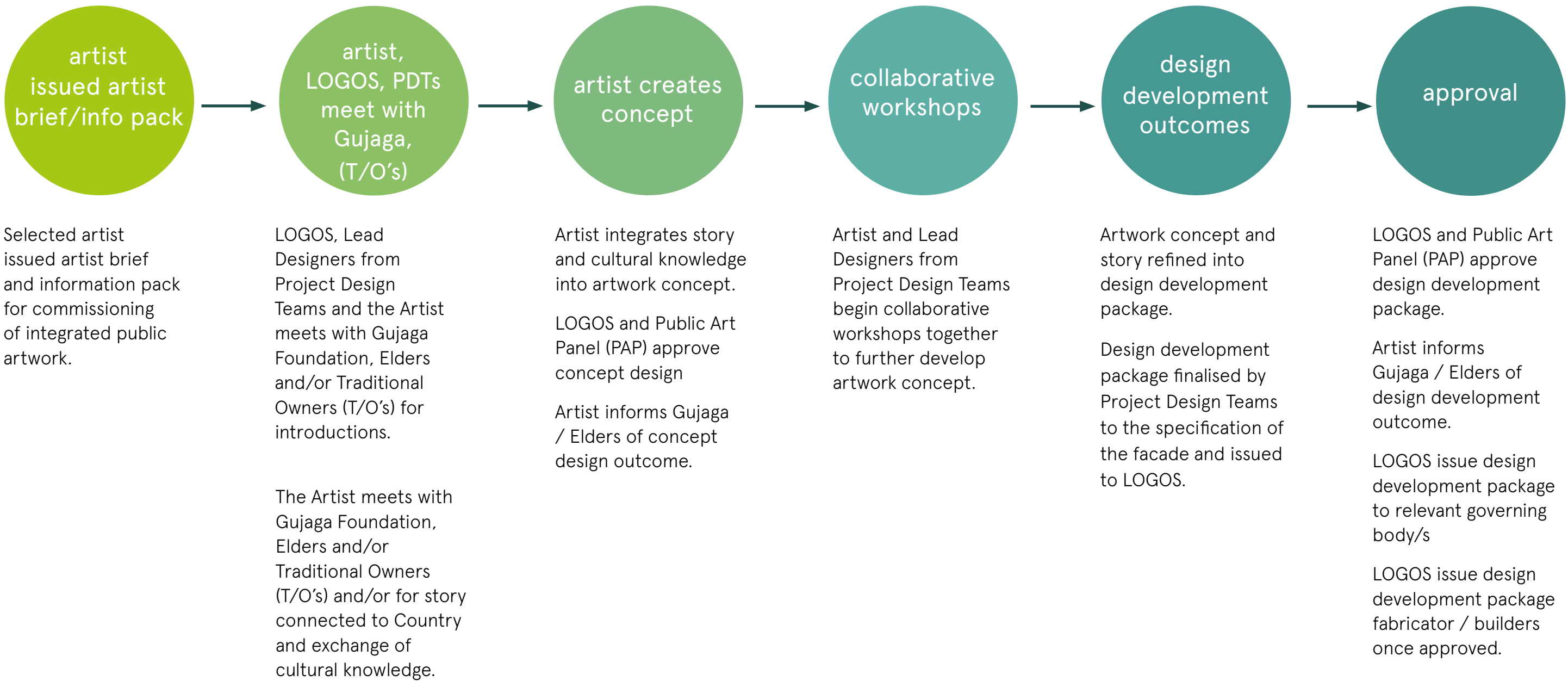
Emerging artists will benefit from receiving feedback in the development of their concepts, helping to develop their conceptual rigour and knowledge of materials and production processes for large artworks.

Providing emerging artists with the opportunity to be mentored not only benefits communities through upskilling their artists, but also recognises the value of creating exciting opportunities for emerging artists in the wider arts and cultural community.



3.5 COLLABORATIVE DESIGN PROCESS INTEGRATED PUBLIC ARTWORKS

Below is an example of Artist, Elders and Project Design Team collaborative **design** process;



3.6 PUBLIC ART PANEL

PURPOSE

This Curatorial Framework document recommends that a Public Art Panel is established to assist LOGOS and the Public Art Consultant in selecting artists for commissioning artwork designs.

The primary role of the Public Art Panel is to review the quality of the artistic proposals, guide the process for future selection and commissioning of artwork designs, and involve stakeholders in the process at key milestones.

The Public Art Panel will operate under Terms of Reference drafted by the Public Art Consultant and endorsed by LOGOS.

ROLE OF PUBLIC ART PANEL

The Public Art Panel will consult with LOGOS, the Public Art Consultant, and stakeholders at key milestones in the selection of artists/artworks, and may comprise of nominated members from:

- LOGOS
- LOGOS's Public Art Consultant
- Project Design Teams
- Aboriginal consultant /curator
- Bayside City Council

Wiesflecker Architecture, High School, Schillerstraße in Kufstein, Austria, 2013



3.7 ARTIST BRIEF

The artist brief is a comprehensive document designed to inspire and challenge artists. At the same time it establishes parameters for the commission.

The artist brief for each commission will include the overarching curatorial approach to provide additional context for the artist. The lead artist will be advised in the artist brief of the proposed and existing collection of Aboriginal artworks in the surrounding areas of Mascot, Tempe and St Peters and to consider how to thoughtfully contribute to the collection.

CHAPTERS MAY INCLUDE:

- Context
- Curatorial approach
- Curatorial theme
- Aboriginal engagement framework
- Any stakeholder consultation requirements
- Site analysis
- Technical specifications
- Submission requirements for concept proposal
- Selection criteria
- Research references

3.8 ARTIST SELECTION CRITERIA

Artists are expected to respond to the Artist Brief accompanied by a concept for the identified public art opportunity. Reviewing multiple concept proposals may be considered against the following criteria.



CONTEXT

- Relevance to the site and themes
- Appropriateness of the concept to the historical and cultural site context of the project



VIABILITY

- artistic ability
- demonstrated capacity to produce work within agreed timeline (and budget)
- demonstrated cultural competencies
- maintainability of work without regular monitoring



ARTISTIC MERIT

- Appropriateness of response to the brief
- Artistic rationale and process
- Degree of originality or innovation inherent in the concept
- Quality of works previously produced



AUDIENCES

- strong potential to engage, stimulate and inspire a wide range of audiences
- increases or diversifies audiences for the arts and strengthens their artistic experiences
- may increase Australians' and visitors experience of Aboriginal arts and culture

3.9 ENGAGING THE ARTIST

Once selected, the artist will be engaged, contracts negotiated, and scope of work agreed. The successful artist will be contracted to LOGOS using a Commissioning Agreement.

Considerations for the commissioning agreement and guidance on Indigenous Cultural Intellectual Property are in Appendix A and Appendix B.

3.10 BUDGET RECOMMENDATIONS

An artwork budget is typically 1% of the overall construction cost for the build of a singular site.

The procurement and install of the facade infrastructure and artwork is the responsibility of LOGOS and any fabricator / construction teams engaged.

ARTIST FEES

It is recommended the allocation of artist fees be discussed with the Public Art Consultant before each commission. Artist fees are typically 15-20% of the overall artwork budget. Artists are usually paid an artwork concept fee of between \$3,000 - \$5,000.

If the collaborative mentorship procurement model is adopted, separate artist fees for both the established and emerging artist will need to be allocated.

Fees for consultation with Gujaga Foundation and Elders will also need to be considered.



3.11 CONSIDERATIONS FOR PUBLIC ART IN COUNCIL CONTEXTS

MATERIALS



The basic materials specified and approved for any artwork will be non-corrosive and long-lasting, durable materials for long term outdoor exposure, including, but not limited to stainless steel, bronze, aluminium, stone, masonry, and some timbers. It is expected that all materials will be able to be warrantied for a 10-year minimum life, before any remedial works will be necessary. Any manufacturers warranties to be passed on to the client. Fittings and cables for any hanging works will be of high-quality marine grade stainless steel. Suitable material certification of quality will be part of the artist brief and artists are encouraged to source sustainable and Green Star certified materials.

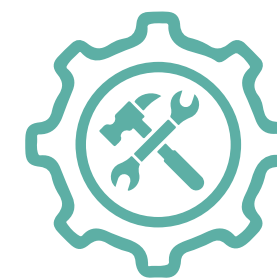
CLEANING



Cleaning will vary depending on the work and the public's interaction with it. However, typically the work would be washed down and cleaned annually – and this would be combined with an overall inspection of all components.

LOGOS will use reasonable endeavours to ensure that the maintenance program is in accordance with fabricator's specification.

MAINTENANCE



Maintenance will be at the cost of the owners/operators of the building. A maintenance manual outlining any specific cleaning or upkeep requirements for the artworks will be prepared by the fabricators and supplied to building owners/operators upon completion of install. Building owners/operators will be responsible for following guidelines in the manual.

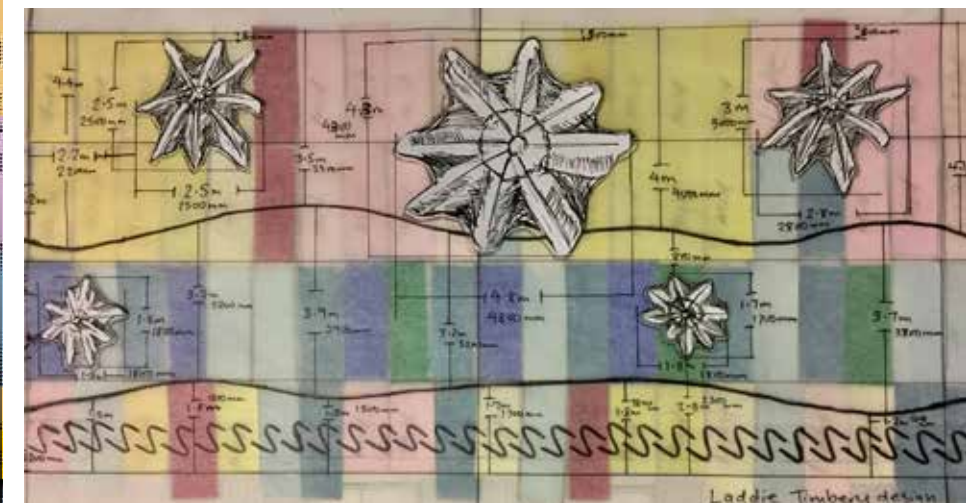
CASE STUDIES

CHAPTER 04

4.1 BUDGET AND COLLABORATIVE CASE STUDY



Marilyn Russell and Aunty Esme Timbery, Movement of Shells, Movement of Time, M4-M5 Link Tunnels Campbell Road Ventilation Facility, St Peters, 2019-2023



MARILYN RUSSELL, AUNTY ESME TIMBERY, CULTURAL CAPITAL, ASBJV & CM+ ARCHITECTS

BUDGET

Artwork facade costs including fabrication, panels and installation - **1.2 million**

Total building cost including artwork (excluding cut and cover structure and Mechanical and Electrical fit out) - **16 million**

Fabrication and installation completed in 2023

‘Movement of Shells, Movement of Time’ is a collaboration between Bidjigal artists Marilyn Russell, her mother Elder Aunty Esme Timbery, Cultural Capital and Project Design Teams from ASBJV, and CM+ Architects

Commissioned by ASBJV (Acciona Samsung Bouygues Joint Venture) ‘Movement of Shells, Movement of Time’ is an integrated facade artwork for the Westconnex M4-M5 Link Tunnels Campbell Road Ventilation Facility. A collaborative project with CM+ architects, Cultural Capital and ASBJV working closely with Aboriginal Bidjigal shellwork artists Marilyn Russell and her mother Aunty Esme Timbery to bring the narrative of their Connection to Country to life at a civic scale.

Collaborative workshops were held over three months in 2019. Cultural Capital curator and artist Cathy Drew assisted Marilyn and Esme in creating the concept design and assembling design elements on scale drawings. Lead designers from CM+ Architects and ASBJV refined these design elements with CAD and developed them for seamless manufacture of the steel facade. Marilyn and Esme were consulted by the project teams for approval of final colour selections and scale of the perforations during design development and fabrication stages.

Arcadia was engaged to engineer, fabricate and install the artwork. The artwork was constructed on Arcadia’s Muse® Perforated Facade System. Nine meters high and across over 300 panel modules, wrapping the full perimeter using the building as a canvas, the artwork is an unprecedented opportunity to welcome international and local visitors to Country. It reinforces a sense of place while delivering a positive legacy for road users and the community. This artwork is one of the largest Aboriginal public artworks in Australia.

4.2 CASE STUDY - COLLABORATIVE PROCESS



JONATHAN JONES & AUNTY ESME TIMBERY

'Shell Wall' is a collaboration between senior Bidjigal/Eora artist and Elder Aunty Esme Timbery and contemporary Wiradjuri/Kamilaroi Aboriginal artist Jonathan Jones

Installed in 2015, 'Shell Wall' is a seven-storey shell art installation located on the southern façade of the Alexander residential building, providing a southern gateway to Barangaroo's waterfront promenade, Wulugul Walk. The artwork celebrates the important shell-work tradition of La Perouse and the contemporary practice of respected artist Aunty Esme Timbery, a fourth-generation shell artist.

'Shell wall' was developed in dialogue between Aunty Esme Timbery and artist Jonathan Jones. Esme and Jonathan worked on the concept and initial design over

the months of May to July 2015, based on a proposal developed and submitted in 2014. The artists continued refining the design and its details. The shells are designed by Esme and were laid out in collaboration with Jones to follow patterns similar to her celebrated harbour bridges, boxes and booties.

It is constructed with multiple 8mm-thick aluminium panels creating a 22.35 x 3.5 metre artwork. Each panel is decorated with a combination of larger-than-life cast aluminium shells welded to the screen adjacent to their corresponding cut-out shell shapes on the panel.

The work was manufactured by DCG Design, Melbourne, over four months in July–December 2015 and installed in December of that year.

Aunty Esme Timbery and Jonathan Jones had collaborated on many projects and exhibitions over a period of fifteen years. Both artists brought a wealth of experience, skills and accomplishments to the project. This is the first time they had created a work together of such scale.

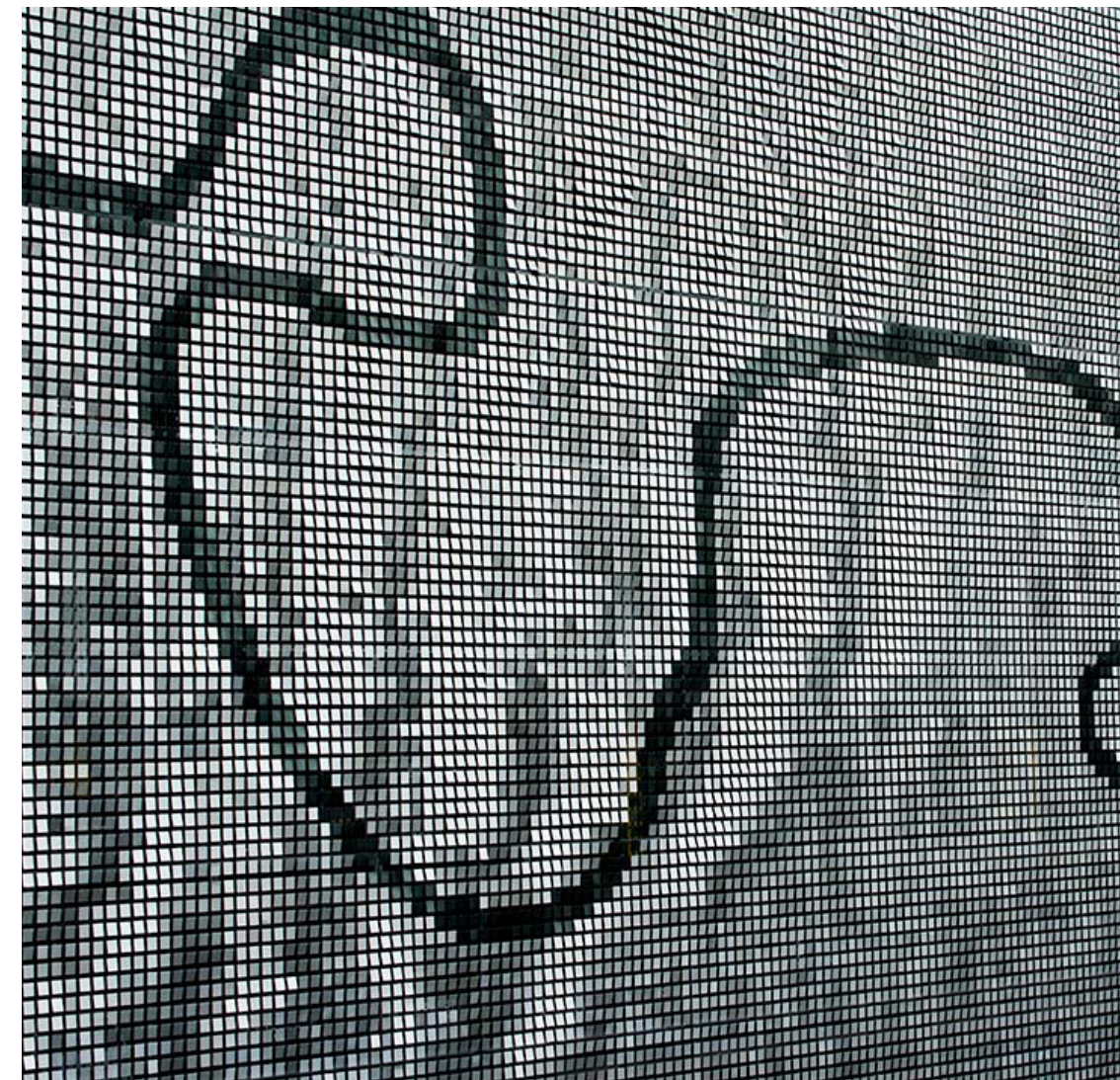
4.3 CASE STUDY – INTEGRATED CAR PARK FACADE



JENNIFER MARCHANT – LANDLINES 53 ALBERT STREET, BRISBANE, 2008

'Landlines' is an exterior screen facade wrapping three sides of 53 Albert Street, creating a 'veil' over the existing car park. Artist Jennifer Marchant created the design by referencing a map that defined the contour lines of the landscape stretching towards Brisbane's southern mountain ranges. The screen obscures car park activity behind and provides natural ventilation thereby reducing the building's carbon footprint. The 'contoured map' is approximately 2500 square meters, made of 549 powder coated, laser cut aluminium panels, all 1.2m x 3.6m. The underlying square grid reinforces the map reference and provided a systemised method for construction and installation. Art management was by UAP. 'Landlines' has become an iconic work in the Brisbane CBD urban landscape.

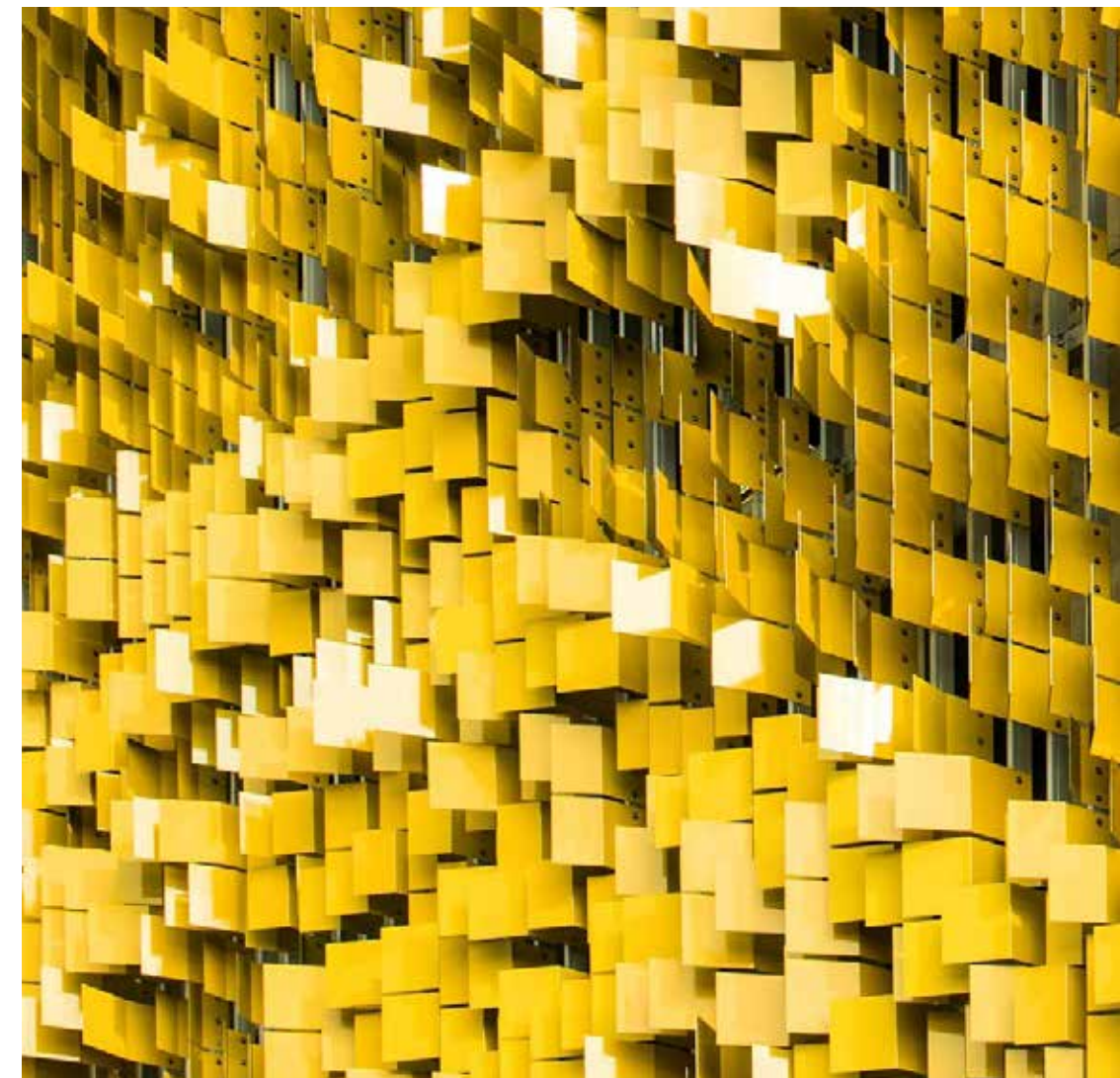
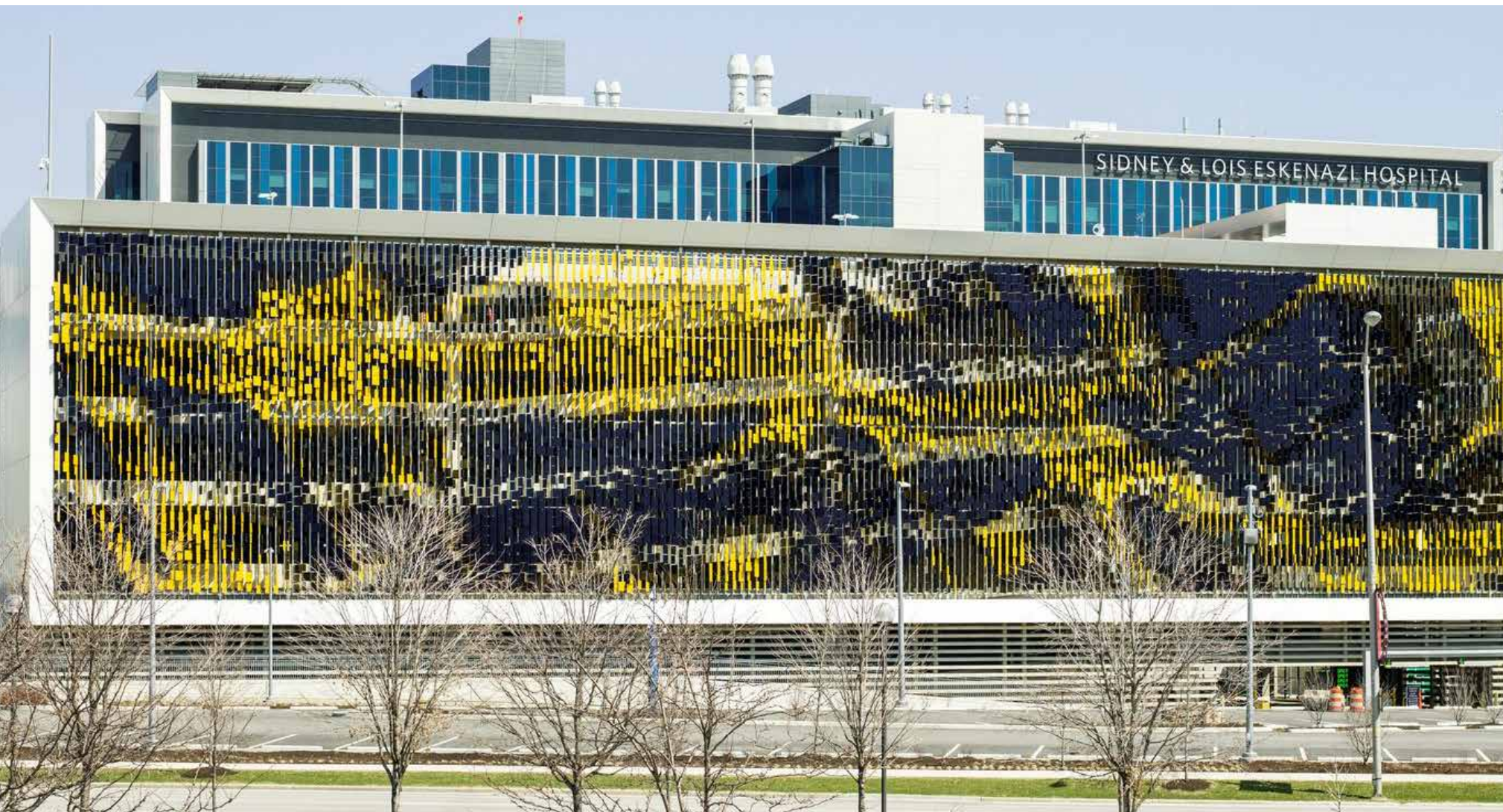
4.4 CASE STUDY - INTEGRATED CAR PARK FACADE



NED KHAN - TURBULENT LINE BRISBANE DOMESTIC AIRPORT, 2012

Completed in 2012, 'Turbulent Line' is by San Francisco based artist Ned Khan renowned for his large-scale sculptures that incorporate natural elements. Kahn was appointed through a competitive selection process to create an eight storey high, 5000 square meter kinetic façade covering the car park for the Brisbane Domestic Terminal Carpark. Consisting of 250,000 hinged aluminium panels - perforated and anodized to render a photograph of a mast of a sailing ship reflected in water. Viewed externally, the car park's eastern side appears to ripple fluidly as the wind activates approximately 117, 000 suspended aluminium panels. The design also provides practical environmental benefits such as shade and natural ventilation. The Brisbane Airport Corporation engaged with UAP to curate, commission and deliver an integrated artwork opportunity.

4.5 CASE STUDY - INTEGRATED CAR PARK FACADE



ROB LEY - MAY-SEPTEMBER ESKENAZI HOSPITAL, INDIANAPOLIS, 2014

'May-September' is an interactive venticular façade artwork that changes the notion of a car park façade by transforming it into a binary, synthetic terrain. The effect is created by a field of 7,000 angled aluminium panels in 18 different sizes/angles combined with an articulated east/west colour strategy. The result is a dynamic façade system that offers pedestrians and motorists a unique visual experience depending on their vantage point and the pace at which they are moving through the site.

Urbana Studio was commissioned to design and then implement the fabrication and installation in August, 2012. They developed the concept, an idea stemming from active camouflage techniques, then worked through the design development. Material and structural considerations were worked through, and a local fabricator handled the fabrication and installation.

CONTEXT

CHAPTER 05

5.1 ABORIGINAL HERITAGE CONTEXT

Aboriginal people have inhabited the Sydney Basin region since at least 30,735+ BP, with some evidence of potential occupation as early as 40,000 years ago (JMCHM 2005a). With the absence of written records, it is difficult to infer what life was like prior to the arrival of European settlers. An understanding of Aboriginal life pre-colonisation is informed by the histories documented in the late 18th and early 19th century by European observers.

Given the early European contact with Aboriginal tribes in the Sydney region, more is known about these groups than those which inhabited regional areas. In the general Sydney area, the land was occupied by the clans of the Eora tribe. The meaning of 'Eora' is unknown, but their land is documented to extend from the Hawkesbury River plateau margins in the north to Botany Bay and the Georges River in the south. There is some controversy regarding the linguistic origins of the Eora People. Some argue that the Eora People were a part of the Darug language group (Kohen, 1993). Others suggest the Eora People formed a distinct and separate language group (Hughes, 1987). The various clans of the Eora people include the Kameygal, Kameraigal, Wanegal, Borogegal and Gadigal. The Gadigal, also known as Cadigal, were believed to occupy the south side of Port Jackson, from South Head to Long Cove (now Darling Harbour) (Tindale, 1974; Turbett, 1989).

The concept of different language groups in the region may partially arise from historic accounts such as those discussed by Smith (2005) that the 'coastal' groups indicated they could not communicate with the 'inland' groups, presumably resulting from a linguistic barrier. Some archaeological models such as those posited by Ross (1976, 1988) and Kohen (1986, 1988 all in McDonald 2008) suggest a social division between coastal and hinterland people, who operated independently within culturally prescribed areas and with social interaction primarily resulting from ceremonial activities.

Historical accounts from the late 1700s differ in the estimations of the Aboriginal population of the Sydney region, but most suggest between 3000-5000 occupants (Attenbrow 2010:158). The lack of accurate baseline data poses problems for estimations of the population decrease following the arrival of the British, but it is believed that around half of the traditional inhabitants died within the first few years post-contact, resulting from introduced disease and particularly following a massive outbreak of smallpox in 1789 that spread through the Sydney region and Cumberland Plain more broadly (accounts of Philip (1790 and 1793) and Fowell (1790) in Attenbrow 2010; Heiss and Gibson 2013).

As Attenbrow (2010) asserts, there was significant and rapid loss of land following the establishment of British communities from 1788, and within 40 years the pre-Colonial life of Sydney had generally disappeared. For decades, many Aboriginal people became afraid to enter Sydney, or other areas with a dominant white population, for fear of violence or death from guns and other weapons (Heiss 2013). However, many people continued to fight alienation from traditional land, and established strong communities at places such as La Perouse, Mulgoa, Emu Plains, Manly, Campbelltown, Sackville, and Camden, comprising people traditionally of the Sydney area and surrounds, and continuing pre-Contact customs and ways of life where possible.

The Kameygal is most likely a clan name based on a variation in spelling of Kamay, the name recorded for Botany Bay (Attenbrow 2010). The Kameygal lived on the north shore of Botany Bay along the banks of the Cooks River from the west and south to Botany and La Perouse. In the language spoken by the Eora, kamey is the generic name for a spear, therefore, the Kameygal were known as the 'spear clan' (Smith 2017).

The Kameygal were the first Indigenous People in the Sydney coastal region to encounter Europeans. Two French frigates, Boussole and Astrolabe, commanded by Jean François de Lapérouse, entered Botany Bay on 26 January 1788 as the First Fleet ships were leaving for Port Jackson. They stayed for six weeks at 'Frenchmans Bay' in the vicinity present day La Perouse with some negative interaction recorded as the French firing their guns upon the local inhabitants (Smith 2017).

The Cooks River valley was crisscrossed with tracks which formed trade, social and ceremonial networks fundamental to the social and economic structure of Aboriginal society. These pathways linked sources of water and food from bays, rivers, creeks and waterholes. It is believed that clans travelled in response to the changing seasons, spending spring and summer near the coast and autumn and winter further inland (Muir 2013).

Large shell middens at camp sites near the mouth of the river and in sandstone rock shelters on its north and south banks are evidence of occupation of the valley for at least between 1,000 and 4,000 years. It is probable that lime-burning, quarrying and other land excavation activities since 1788 have disturbed many of the archaeological deposits, but a stone axe head was found on the site of Club, two stone artefacts were located with shell material in Kendrick Park and one rock art site remains. Within one of the sandstone caves at Undercliffe are 23 white hand stencils, two of them with forearms, and two foot stencils, a rarity in the Sydney region (Muir 2013).

According to Muir (2013), by 1845 only three women from the Botany Bay group remained, and altogether only 50 Aboriginal people remained in the area. Fish stocks in Botany Bay had depleted from netting practices and the food supply was severely reduced by the demands of colonial settlement. It is likely that those who survived the epidemics of infectious diseases moved further west or into Sydney and thus lost their connection with the Cooks River valley (Muir 2013).

Source; Adapted from URBIS Aboriginal Cultural Heritage Assessment, 297 King Street, Mascot (2023) commissioned by LOGOS.

5.2 NON-ABORIGINAL HERITAGE CONTEXT

The Site lies north of the area in today's as Botany Bay, the name of which reflects the arrival of the Endeavour to the bay in 1770, and the botanical research undertaken by Joseph Banks and Daniel Solander. The first recorded non-Aboriginal person to take up land in the area was former convict Edward Redmond in 1809, who established a farm he called 'Mudbank' on account of the composition of the land, which in the area was generally scrubby and swampy in character. The road to Mudbank was mapped by Sir Thomas Mitchell ca.1827, but it was replaced by a safer route along today's Bunnerong Road. The proximity of the area to the water of the bay meant that a number of small villages were established.

In 1812, Simeon Lord, an ex-convict, acquired 135 acres originally granted in 1810 to Edward Redmond, expanding this to nearly 800 acres by 1823. He rapidly set about modifying the local landscape, including damming of Blackwattle Creek to establish a privately run wool mill, and a flour mill. The two ponds created by Lord are still extant south-east of the subject site and are known as the Mill Pond and the Engine Pond. Market gardeners cultivated areas on and around Lord's grant from the 1830's onwards, with many local swamps drained and granted to veterans and enterprising colonists.

Following the death of Simeon Lord in 1840, his land was subdivided, but settlement of this area was slow until the late 1850s. The subdivision of the area in the 1850s gradually led to the establishment of roads such as Geddes and Herford Streets, and establishment of industry. Employment opportunities, led to increasing settlement of the area. With this growing population, the demand and need for local infrastructure and government grew. The Municipalities Act of 1867 led to the establishment of the Municipality of Botany, West Botany, and North Botany, in which the site is located.

The 1850's saw the importance of North Botany rise as a supply of fresh water to the fledgling city of Sydney. Rapid and widespread development in the city area had led to poor management of the water sources of the local area, and many of the streams were too polluted to drink from. The Botany Pumping Station was established in 1859, operating until 1886, and supplying water to the city from the Botany Swamps.

The interest in horse riding in the local area was formally realised in 1904 with the establishment of the Ascot Racecourse. Opened by Ascot Racing Club Ltd, on the site of the Sydney Airport south of the subject area. The half-mile racecourse was used for unregistered horse racing until 1941. A wide expanse of the Ascot Racecourse was chosen by aviator Joseph Hammond as a landing spot for his light plane in 1911. Another significant event in 1911, the North Botany council held a referendum to decide on a new name for the municipality. The name "Mascot" was officially adopted, a slight variation to 'Ascot' the nearby racing course.

In 1921 the Commonwealth Government's acquired 65ha of land for the establishment of a large public airfield. The first flights between Sydney and other Australian capital cities commenced in

1924, expanding to overseas flights in 1934. By 1938 the airport had three small strips, with the longest gravelled runway being 1000 yards (just over 900m).

In 1946, approval was given for upgrades to the airport, and the following year saw large tracts of swampy ground resumed for construction of new facilities. The bed of the Cook's River was diverted, land was reclaimed, and substantial parts of Simeon Lord's Engine Pond and Mill Pond, established from his damming of Blackwattle Creek, were filled in. The coastline was modified to provide for new runways. General Holmes Drive was built through the former Engine and Mill Ponds and a new weir was built across the water channel. The Ascot Racecourse was farewelled in 1947, when it was subsumed into the airport's land, along with several public sports facilities and some private residences.

Upgrading and expansion works continued at the airport in the latter half of the 20th Century, including commencement of construction of the International Terminal ca.1965, and the north-south runway extension in 1968. It was extended again in 1974, with the third runway completed in 1994. Since 1994, expansions and changes have continued, including modifications to terminals, car parking, and access.

Source; Adapted from URBIS Heritage Impact Statement, 297 King Street, Mascot (2020) commissioned by LOGOS.



Map of Botany ca 1867, Historical Parish Maps, Parish of Botany, County Cumberland, Historical Land Records Viewer, undated



Aerial photograph of the subject site, 1943 (Source: SixMaps)

5.3 URBAN CONTEXT

The present day suburb is dominated by the Sydney Kingsford Smith Airport, and also contains areas of commercial and industrial development in its north, adjacent to and generally associated with the Airport; and residential areas primarily at east.

The sites wrap around the Botany Freight Rail Corridor and Qantas Drive, and the new elevated roads that connect Westconnex and the Sydney Domestic Airport as part of the Sydney Gateway Project currently under construction.



5.4 POLICY ALIGNMENT

New artworks will be considered within the context of existing Council and Government policies which influence this jurisdiction particularly;



BAYSIDE COUNCIL PUBLIC ART POLICY

Large scale public artworks integrated onto the building facades will be developed within the context defined by the existing Bayside Council Public Art Policy (27 April, 2022).

The public artworks will celebrate and promote local Aboriginal cultural heritage and will be safe, durable and robust.

5.5 PUBLIC ART CONTEXT

Current, proposed and public artworks under construction in Mascot, Tempe, Rockdale and St Peters are predominantly focused around new urban infrastructure elements, property developments and revitalised parks.

‘Where the sky meets the Earth and Sea’ – Sydney Gateway (under construction), Tempe and Mascot

Artists; Dennis Golding and Carmen Glynn-Braun, Cultural Advisors; Uncle Steven Russell and Aunty Phyllis Stewart

Project Teams; Cultural Capital, CM + Architects, John Holland Seymour Whyte Joint Venture (JHSWJV), Context Landscape Design



Dennis Golding and Carmen Glynn-Braun, *Follow the glistening mullet*, Qantas Drive Bridge, Viaduct retaining walls, Image; artist render provided by CM+ Architects



Dennis Golding and Carmen Glynn-Braun, *As above so below*, Tempe Land Mound. Image; artist render provided by CM+ Architects and Context Landscape Design



Dennis Golding and Carmen Glynn-Braun, *Follow the glistening of the sun*, Qantas Drive Bridge Viaduct Screen (detail). Image artist render (sunset) provided by CM+ Architects

Sydney Gateway is a New South Wales (NSW) Government and Transport for NSW (TfNSW) project that will improve road and freight rail through Sydney Airport and Port Botany. The Gateway project generated a unique opportunity for cultural placemaking at the scale of a Motorway with the integration of culturally appropriate Aboriginal-led public art. Aboriginal emerging contemporary artists Dennis Golding and Carmen Glynn Braun (who together form Re-Right Collective) worked with Cultural Advisors Uncle Steven Russell and Aunty Phyllis Stewart to create culturally appropriate designs for five project areas across the site including; two large scale landscape forms (Tempe and Northern Land Mounds), retaining walls and viaduct screens.

The mounds are adorned with large-scale weaving patterns that reference the traditional weaving practices of the Tharawal and Yuin peoples of the South East Coast of NSW. The narrative of the mullet fish weaves both the artworks and infrastructure elements together. The artists worked closely with community to translate the oral narrative of the mullet fish into pictorial form that takes shape across the project site. Accompanied with this story of the mullet are core elements such as fish hooks and flints (bara), weaving patterns and boomerangs that share greater knowledge of how Country took care of people, and how people cared for Country and cultural knowledge.

This was a truly collaborative project. Inputs were provided by project managers from JHSWJV, architects CM+ in association with Context Landscape, artists Dennis Golding and Carmen Glynn-Braun, Cultural Advisors Uncle Steve and Aunty Phyllis and curators from Cultural Capital. The relevance of these design elements and their meaningful ‘Connection to Country’ was an insightful and widely discussed part of the design development journey. The designs were slowly refined through an iterative process until a final solution was reached. Intensive collaborative design workshops were held regularly, both virtually and at the Mascot project offices.

Vicky Golding, Floodwall Design, President Avenue, Rockdale, M6 Motorway, Stage One Project (upcoming in 2024-2025)



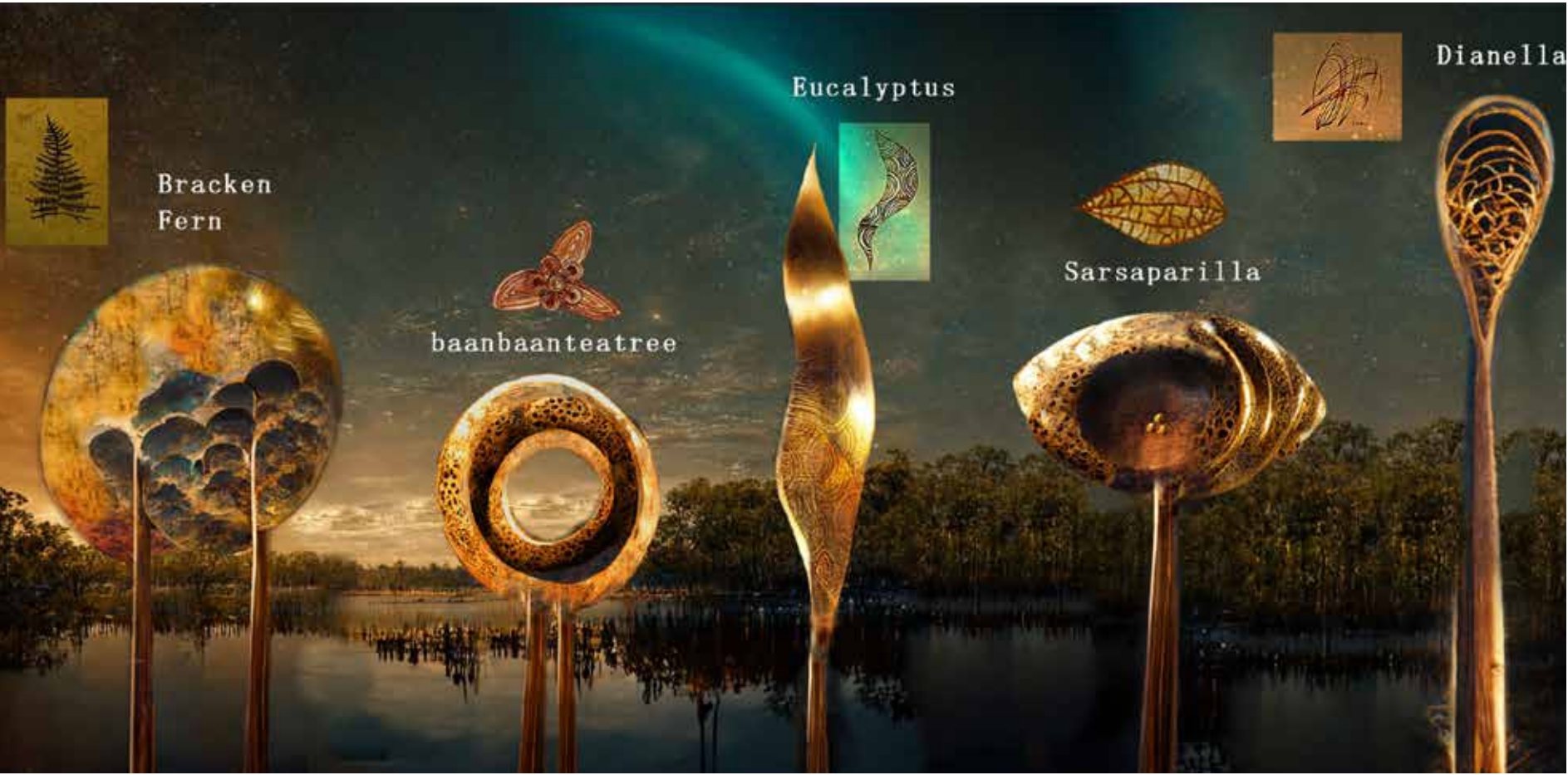
Top image; artist's impressions from Hassell studio- integrated urban artwork to be sandblasted to floodwall. Image bottom; Artwork design by Aboriginal artist Vicky Golding with her son Dennis Golding.

The artwork by local artist Vicki Golding references the community of Tharawal and Bidjigal people of this land as well as neighbouring clans surrounding the south east coast of Sydney. The main food source across these lands are fish and shellfish. The coastline of this land is highlighted to reference where Aboriginal people continue to live, work and play while continuing their traditional practices and sharing knowledge to upcoming generations. The whale and stingray are significant to the coastal people of this area as it marks a place of storytelling and cultural connection to their Country.

(Text supplied by artist Vicki Golding.)

The artwork will be sandblasted into the concrete floodwalls leaving an integrated relief of the design over certain extents. Vicki Golding worked with her son Dennis Golding on the final design.

Alison Page and Nik Lachajczak, Five Sisters Stand for Country, Bicentennial Parklands, Rockdale (upcoming in 2025, for M6 Motorway Stage One Project)



Alison Page, Nik Lachajczak, Five Sisters stand for Country, artist impression render, Bicentennial Park, Rockdale

Launching in 2025, these five artworks proposed by artist team Alison Page and Nik Lachajczak represent the botanical manifestation of five sisters who have come to the revitalised parklands to bring a sense of healing to the land, water and sky. They stand up strong on their gold stems, providing a bridge between Country and sky to invoke a spiritual reclamation and bring healthy land energy back to the site.

The artist team propose that this work is a new story, one that will be co-written with local Bidjigal Elders Aunty Barbara Simms Keeley and Aunty Yvonne Simms to heal the parklands. This approach brings together multi-generational voices, different disciplines of art practice and cultural knowledge. The story will engage the users of the parklands and live on until the water, the air and the soil of the park are cleaned of their toxic past. Encoded in this story are the knowledges of Traditional medicinal plants, which informs the names of the sisters. Aunty Barbara Simms Keeley and Aunty Yvonne Simms are well-known in community for their specialised cultural knowledge of plants.

The proposed artworks will be fabricated in bronze and situated in five different locations in the revised Bicentennial Park and its connecting parklands as part of the M6 Motorway Stage One project.

Bronwyn Bancroft, Gift Given, Robyn Webster Sports Club, Tempe Reserve, 2006



Bronwyn Bancroft, Gift Given, Robyn Webster Sports Club, Tempe Reserve, 2006

In 2006 Bronwyn was approached by the Marrickville Council and the Marrickville Aboriginal Consultative Group to create a design for the Robyn Webster Sports Club located in Tempe Reserve. For this project Bronwyn developed a mural which covered all 3,800 square metres of the centre transforming the former concrete mixing shed into the largest mural in the Southern hemisphere.

The artwork Bronwyn created utilised 5 symbols in paying homage to the original caretakers of the land, the Wangal people. Within the work can be seen the female and male forms, the sand goanna, the rainbow serpent, and a fish, replicated in different sizes and patterns to communicate the traditional stories of the Wangal people.

Source text; <https://www.bronwynbancroft.com/tempe-reserve>

**Movement of Shells, Movement of Time
Campbell Road Ventilation Facility, St Peters, 2023**



Marilyn Russell and Aunty Esme Timbery, *Movement of Shells, Movement of Time*, M4 M5 Link Tunnel Campbell Road Ventilation Facility, St Peters, 2019 - 2023

Commissioned by ASBJV (Acciona Samsung Bouygues Joint Venture) 'Movement of Shells, Movement of Time' is an integrated facade artwork for the Westconnex M4-M5 Link Tunnels Campbell Road Ventilation Facility, St Peters. CM Plus architects, and Cultural Capital worked collaboratively with Bidjigal artists Marilyn Russell, her mother Aunty Esme Timbery to bring the narrative of their Connection to Country to life. Nine metres high and encompassing more than 300 panel modules, 'Movement of Shells, Movement of Time' transforms the functional building into a giant canvas, welcoming international and local visitors to Country.

**1-3 Burrows Road, St Peters
Facade Lightwork (current SSDA under assessment)**



Artist impression 1-3 Burrows Road provided by Welsh and Major Architects.

The 1-3 Burrows development site proposes an integrated facade lightwork using 6000 LED lights embedded in the building's facade.

The concept of 'constant change' forms the curatorial vision for the site. This encompasses both the Aboriginal experience of seasonality and natural rhythms, as well as the context of the site as a nexus of urban activity. Artists will be invited to use light and scale to explore the layered cultural and context histories of the site.

**Canal to Creek
St Peters Interchange, Sculpture Park**



Greg Johns, *Near The Centre (There Is Music)*, 2021

Canal to Creek is a program of 18 artworks commissioned by WestConnex, curated by Cultural Capital. Each work is its own site-specific exploration of the relationship between people and place. St Peters Interchange is home to seven sculpture commissions creating a trail of art through the new parkland area adjacent to the M4 M5 Link Tunnel Campbell Road Ventilation Facility. Cultural Capital worked closely with WestConnex to deliver and install the program from St Peters to Beverly Hills. St Peters interchange includes artworks by Greg Johns, Andrew Rogers, Gill Gatfield (NZ), Yioryios Papayoriyou and Dharug artist Adam King. Together the works help to transform the walking trail into a cultural landscape.

**Canal to Creek
St Peters Fences Playground
Simpson Park, St Peters**



Mike Hewson, *St Peters Fences Playground*, 2019, Simpson Park, St Peters

One of the artworks commissioned by Westconnex for the Canal to Creek public art program is 'St Peters Fences Playground' – an assemblage of climbable brick fences. Each fence is built brick-for-brick from archive images recreating front fences of homes in St Peters. Artist, Mike Hewson co-created with community, including engagement workshops with St Peters Public School students. Designed for accessible, inclusive and imaginative play, St Peters Fences Playground transforms Simpson Park into a new type of museum playscape that explores community history and memory is fun and interactive for children and adults alike.



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APPENDIX A - COMMISSIONING AGREEMENT CONSIDERATIONS

SAMPLE IP, MORAL RIGHTS AND LICENSING CLAUSE

This is an amended excerpt from an artist contract from a recent project that Cultural Capital was engaged to deliver. The client for this project was a state government body. This contract was between the artist and the state government body. To ensure the seamless engagement of an artist, we suggest that these clauses are raised with the relevant commercial team well in advance of engaging an artist.

Intellectual property rights

To the extent that you or any Artist's Personnel create any Deliverable (including any additional or modified Deliverable), you and/or the relevant Artist's Personnel retain all intellectual property rights. In order, however, to permit PRINCIPAL to enjoy the benefits of the commission, you agree not to reproduce or otherwise use the Work or any other Deliverable (or to authorise any such reproduction or use) except for your own promotional and archival purposes, and in particular not to produce a Work that is substantially similar to the 'Work'.

Licence

In addition to the licence to use the Work in and for the purposes for which the Work is commissioned (as set out in the Commissioning Brief), you grant PRINCIPAL a non-exclusive, perpetual, irrevocable, royalty free, worldwide, transferrable licence (including the right to sub-licence) to use and otherwise deal with the Work and other Deliverables, to:

- (a) promote PRINCIPAL or its Agent (including the respective roles of PRINCIPAL or its Agent in relation to the Work and the commissioning of the Work);
- (b) promote you; and
- (c) promote the Work.

For clarity, insofar as the Work is concerned, the additional licence granted under clause 10.1 extends only to the finished version of the Work and to representations of how the finished Work does or is likely to look when completed (for example, without limitation, in architectural and design drawings, and in renderings and models of the Work in situ) but not otherwise to any draft version of the Work.

Moral rights

PRINCIPAL will take reasonable steps to ensure that:

- (a) where it is customary to do so, attributes you as the author of the Work, as set out in the Preferred Attribution in the Project Specific Terms; and
- (b) otherwise respects the moral rights in the Work under the Copyright Act 1968 (Cth).

Wherever reasonably practicable, PRINCIPAL will attribute you in any PRINCIPAL publication, media release or other public communication concerning the Work

As the appointed artist is likely to be Indigenous Australian, special Indigenous Cultural and Intellectual Property (ICIP) Indigenous clauses will also need to be included in artist contracts. Further information on how to manage is included in Appendix C "Indigenous Cultural & Intellectual Property (ICIP)" from the Arts Law Centre of Australia.

APPENDIX B - INDIGENOUS CULTURAL AND INTELLECTUAL PROPERTY (ICIP)

INDIGENOUS CULTURAL & INTELLECTUAL PROPERTY (ICIP)

ICIP is a short way of saying Australian “Indigenous Cultural and Intellectual Property”. Sometimes the words “Cultural Heritage” are used to mean the same thing.

1. What is ICIP?

ICIP refers to all the rights that Indigenous people have, and want to have, to protect their traditional arts and culture.

The idea of ICIP is based on the principle of self-determination. ICIP is said to include the following rights:

- Right to protect traditional knowledge and sacred cultural material
- Right to ensure that traditional laws and customary obligations are respected, particularly when money is made from ICIP
 - Eg when a T-shirt is manufactured with a print of a traditional motif on it, the design should be one that is allowed to be used for this purpose.
- Right to be paid for use of ICIP, particularly if it has been used in a way which is inconsistent with traditional laws or without the community's permission
 - Eg if someone copies traditional artwork onto fabric and sells it, then the community is compensated for the illegal use of that work.
- Right to full and proper attribution or naming of the community connected with the ICIP
- Right to prevent insulting, offensive and misleading uses of ICIP in all media
 - Eg an artwork containing traditional knowledge is printed on underwear.
 - Eg a large painting containing traditional knowledge is cut up by a gallery to make 10 small paintings.
- Right to control the recording of cultural customs and expressions, and language which may be essential to cultural identity, knowledge, skill and teaching about Indigenous culture
 - Eg Aboriginal and Torres Strait Island communities can place conditions on an anthropologist who wants to write a book about their languages.

2. What does ICIP cover?

ICIP can cover many different forms of traditional culture and expression. Some of these are:

- writing eg a book, poetry;
- music eg a song;
- performances eg dance, ceremonies;
- artistic work eg painting;
- languages;

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- tangible cultural property eg sacred sites, burial grounds;
- intangible cultural property eg stories passed on orally;
- documentation of Indigenous peoples' heritage in all forms of media eg reports, films, sound recordings.

3. Does Australian law protect ICIP?

Laws all over the world known as "intellectual property laws" protect some of the things that people produce as a result of their intellectual effort. The things protected include artworks and designs.

Australian intellectual property laws *only* protect some forms of ICIP. Australian laws only protect individuals and do not recognize any communal rights. In Australia, the law protects:

- Musical, dramatic, literary and artistic works created by individuals who are living or recently passed away (within 70 years) which are protected by the *Copyright Act 1968 (Cth)* such as paintings, craftworks, sound recordings, films and books. For more information see Arts Law's information sheet on [Copyright](#).
- Moral rights of individual artists. For more information see Arts Law's information sheet on [Moral Rights](#)
- Individual performer's rights. For more information see Arts Law's information sheet on [Performers' Rights](#).
- Designs that come under the *Designs Act 2003 (Cth)*. For more information see Arts Law's information sheet on [protecting your designs](#).
- Medicines, treatments and other products which are 'novel' and 'inventive' can be protected under the *Patents Act 1990 (Cth)*. However a patent is unlikely to be available to protect traditional medicines or treatments based on traditional knowledge handed down over many generations. For more information see Arts Law's information sheet on [Patents](#).

Australian law does **not** protect other aspects of ICIP, including:

- The underlying idea or information that is put into a work eg the story told in a painting;
- A style or method of art eg cross hatching or dot painting techniques;
- Traditional languages;
- Performances such as dance and music which have not been recorded or written down;
- Products or processes based on traditional knowledge such as traditional medicines or methods (for example, traditional methods of weaving).

Need more help?

Contact Arts Law if you have questions about any of the topics discussed above.

Telephone: (02) 9356 2566 or toll-free outside Sydney 1800 221 457

Also visit the [Arts Law website \(www.artslaw.com.au\)](http://www.artslaw.com.au) and the [Artists in the Black website](#) for more articles and information sheets.

Disclaimer

The information in this information sheet is general. It does not constitute, and should be not relied on as, legal advice. The Arts Law Centre of Australia (**Arts Law**) recommends seeking advice from a qualified lawyer on the legal issues affecting you before acting on any legal matter.

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Artists in the Black is a specialised Indigenous program run by the Arts Law Centre of Australia.

Artists in the Black receives financial support from the Australian Government, Department of the Prime Minister and Cabinet, Office for the Arts through its National Arts and Crafts Industry Support (NACIS) program.



Australian Government

National Arts and Crafts Industry Support