

# Landscape Architectural Competitions Policy



Australian Institute of  
Landscape Architects

## 1. Introduction

This policy sets out high level, in-principle criteria only in regard to design competitions. It is not designed as a 'how-to' guide. It provides a framework for the Australian Institute of Landscape Architects (herein after referred to as AILA) to provide endorsement (or otherwise) of any competitions that may attract landscape architects.

### 1.1 Purpose

The purpose of this policy is to clearly articulate a set of principles and performance criteria that represent AILA's position on the conduct of landscape architectural design competitions in Australia.

The policy is aimed at all key participants in landscape architectural competitions – sponsors/clients, entrants, jurors and advisers.

### 1.2 The Need for a Policy

The procurement of landscape architectural services occurs within a progressively more dynamic environment, in which the roles and responsibilities of all key players are undergoing constant change. Therefore, there is a need for clarity, consistency and equity in the conduct of landscape architectural competitions as part of the procurement process.

### 1.3 Value of Design Competitions

There is growing recognition of the intrinsic, long-term value of design. A landscape architectural competition, when conducted appropriately, can generate a higher level of innovation in design solutions. However, design competitions are not always the most appropriate means of procurement and therefore must be robustly evaluated against other methods of procuring the design team for any specific project.

### 1.4 Jurisdiction

This policy applies to landscape architectural competitions conducted within Australia, irrespective of the location of the project or site. AILA may also consider advising on competitions outside of Australia, and provide advice if required and assess against the same criteria to provide guidance for members.

## 1.5 Definitions

<b>Landscape Architectural Competition</b>	The process by which a landscape architect or landscape architectural led design team is selected for a project, based on the competitive submission of conceptual designs.
<b>Client</b>	A person or organisation on whose authority the competition is conducted. This person or entity will be the principal client for the completed project that is the subject of the competition. It is this person or entity who will be the owner or operator of the completed project that is the subject of the competition
<b>Competition Brief</b>	Detailed information provided to entrants, which sets out Client and project aspirations, site information, budget, functional requirements and any other parameters relevant to development of an effective design concept for the project.
<b>Competition Conditions</b>	The documented set of requirements, principles and timelines that govern the conduct, judging and submission processes of a landscape architectural competition.
<b>AILA Endorsement</b>	Formal prior recognition by the Australian Institute of Landscape Architects that the proposed conditions governing the conduct of a landscape architectural competition are consistent with the relevant requirements of this policy.
<b>Probity Adviser</b>	An appropriately qualified and independent person, who advises the Professional Adviser, or Client on, and validates, the probity, equity and integrity of the processes of a landscape architectural competition.



<b>Professional Adviser</b>	a Registered Landscape Architect, or appropriately qualified person, who advises the project Client on the conduct of a landscape architectural competition, and who prepares and coordinates the running of the competition on their behalf.
<b>Promoter, Sponsor or Proponent</b>	The person or organisation who organises the competition and who accepts responsibility for the running of the competition and any failures/ non-compliance with AILA's requirements, and who indemnifies AILA for failures/ non-compliance should the client not abide by the terms of this Competitions Policy.

## 2. Context

### 2.1 Advantages

Compared to other approaches, a landscape architectural competition to select a landscape architect or landscape architectural led team, for the design or concept for a project has the following advantages in that it may:

- Generate wider range of design ideas for a project
- Identify a broader range of landscape architects, including emerging landscape architects, and students who may not otherwise be approached
- Generate public interest in the project or its purpose
- Provide a valuable opportunity for Client consensus on design direction and the design team
- Expand public discussion about design generally or about the specific project
- Increase exposure and credibility of the sponsor
- On certain projects, allow opportunities for student participation.

### 2.2 Disadvantages

A landscape architectural competition may not always be the preferred way to select a landscape architect or landscape architectural led team, for the design or concept for a project because it may:

- Offer limited exposure of the design team to the Client, key users or stakeholders
- Allow limited scope to value manage and control the budget
- Require significant amounts of unpaid time to be spent by a substantial number of landscape architects
- Provide an unreasonably limited time frame in which to address very complex brief requirements.

### 2.3 Appropriate Context

A competition is appropriate when the project:

- is of public significance
- will benefit from a wide degree of design investigation
- is on a significant or unusual site
- will generate and benefit from heightened public interest
- will promote a higher level of design excellence for the project type or location.

### 2.4 Inappropriate Context

A competition is inappropriate when:

- there is not adequate time to plan, organise, manage, and judge it
- there is insufficient time for entrants to undertake the necessary design work
- an appropriately qualified jury is not appointed
- there are insufficient funds to meet the cost of running the competition
- the project is speculative, funding is inadequate or uncertain, or the Client is not certain of proceeding with the project, and this is not clearly stated in the Competition conditions
- a sound and well-developed brief is not available
- the brief is substantially inconsistent with current development controls for the site
- the prizes and recognition offered for participants are inadequate
- a professional adviser is not to be appointed
- the competition conditions are not consistent with this policy.

## 3. Configuration

### 3.1 Competition Purpose

Competition configuration will vary, depending on the objective of the competition. Broadly, competitions either lead to a commission for the winner, or they may be theoretical in nature, speculating outcomes but not necessarily proposing built works.

#### 3.1.1 Competition Purpose

A project competition will in most cases lead directly to the construction of a specific project on a specific site or sites. The objective of such a competition is to select the design that best responds to a clearly defined project brief. The author of the winning design is subsequently engaged to develop the design and complete the project (subject to reasonable conditions).

#### 3.1.2 Competition Purpose

An ideas competition does not lead directly to engagement of the winner to realise their winning



design. It is used to explore major design issues or design opportunities, generally for a significant site.

An ideas competition is not appropriate where it:

- only promotes or advances a private or commercial interest, or
- does not benefit either the public or the profession, or
- is not explicit about its purpose.
- there is insufficient competition budget.

### 3.2 Competition Types

The configuration of a competition will vary dependent on entrant eligibility. Generally, competitions fall into one of the following two categories;

#### 3.2.1 Open Competition

An open competition does not limit eligibility of entrants, or limits it only to a broad cohort (e.g. landscape architects, design professionals, students, etc.). Entrants self-select provided they meet the broad eligibility criteria.

#### 3.2.2 Limited Competition

A limited competition limits eligibility to a specific cohort with entrants selected by the competition Client, based on defined selection criteria. The selection criteria may be purely qualification-based, or may require an initial, broad conceptual design response to the brief.

### 3.3 Competition Staging

A landscape architectural competition can assess entries through a single process, or through a number of stages, requiring a progressively more detailed response.

#### 3.3.1 Single Stage Competition

In a single stage competition, all entries are judged at the same time, and a winner or winners declared. Single stage competitions are most suited where only a very broad conceptual solution is sought, or where the brief is highly developed and clearly defined.

#### 3.3.2 Multi-Stage Competition

Where detailed design concepts are required, a multi-stage process allows less suitable entries to be filtered out before their authors are required to expend significant levels of time or cost in preparing their entry. It can also allow for relevant Client feedback and input before the final submission. Typical competition stages are:

- A. Expression of Interest (EoI) Stage:** Entrants submit details of relevant qualifications, background and experience only. No design proposals or fee proposals are provided at this stage. From the submissions received the Sponsor selects a number of entrants to progress to the next stage.
- B. Initial Concept Stage:** Entrants at this stage prepare an initial concept design, at a broad level, for assessment by the jury, which determines a short list

for progression to the next stage. No fee proposals are provided at this stage.

- C. Final Concept Stage:** Entrants at this stage prepare a final concept design for assessment by the jury, which determines the winning entry(ies). Entrants may also be requested to provide a fee proposal (refer 3.5) for subsequent engagement as the landscape architect for the project.

A two-stage competition can comprise stages A and C, or stages B and C. A three-stage competition would include stages A, B and C.

The number of stages and the conditions applicable to each must be specified at the time of the initial competition announcement. (refer 5.2)

### 3.4 Competition Deliverables

For a competition to be fair and equitable, the competition brief must clearly define the material required to be submitted by entrants. Such material should be sufficient to allow jury evaluation of design intent, but should not require excessive detail that is unnecessary or excessively costly or time-consuming to produce. Requirements beyond a minimum level are only reasonable where entrants are appropriately compensated.

#### 3.4.1 Design Concept

For open competitions, ideas competitions and single-stage competitions, drawings and diagrams sufficient to explain the concept and a short-written statement will generally be sufficient for the jury to determine the competition outcome.

#### 3.4.2 Concept plus detail (cost, time, compliance, visualisations, etc.)

For limited competitions and multi-stage competitions, a more developed design concept may be required, along with relevant supporting information such as a cost estimate, program, compliance statement or more sophisticated visualisations (fly-throughs, digital models, or physical models).

### 3.5 Fee Proposals

Where a fee proposal is required as part of the submission for the final stage of a competition, the Client, in collaboration with the Professional Adviser and where reasonably necessary, a suitably qualified Quantity Surveyor, must pre-determine a reasonable range within which the fee would be considered acceptable and each entrant's fee proposal must be:

- submitted under separate cover
- opened only once the preferred design is determined
- accepted if it falls within the pre-determined range
- subject to negotiation with the author of the preferred design if it is not within the predetermined range.



## 4. Key Participants

### 4.1 Entrants

#### 4.1.1 Entrant Eligibility

At the closing date for entries in a landscape architectural competition, entrants must meet the eligibility criteria stated in the competition conditions, and where applicable:

**Landscape Architects** must be Registered Landscape Architects with the Australian Institute of Landscape Architects (AILA).

**Graduates** must have successfully completed a university course that is recognised for the purpose of registration as a landscape architect in Australia.

**Students** must be currently enrolled in a university course that is recognised for the purpose of registration as a landscape architect in Australia.

**Teams** All teams must be led by a Registered Landscape Architect, or landscape architectural practice. All collaborative participants such as architects, engineers, cost consultants, builders, artists, graphic designers, etc. must meet all applicable Australian accreditation or registration requirements for their specific discipline. Where none exist, they should be a member of their relevant professional body.

#### 4.1.2 Ineligible Entrants

The following are ineligible to enter a landscape architectural competition:

- all jurors and reserve jurors
- the Client or Promoter/Proponent
- the Professional Adviser or Probity Adviser, and any person involved in the preparation or organisation of the competition
- an elected representative or officer of any relevant consent authority
- a family member, associate or employee of any of the above, except where the Probity Adviser or Professional Adviser formally documents that the entrant has declared the relationship substantiated, in writing, that the circumstances of the relationship do not give that entrant any actual or potential advantage over other entrants.

#### 4.1.3 Entrant Obligations

All entrants in a landscape architectural competition must:

- comply with the published competition conditions
- maintain anonymity and confidentiality, where these are competition requirements
- respect moral rights and copyright of others in relation to development of their entry
- promptly inform the Professional Adviser or Probity Adviser of any actual, potential or perceived conflict of interest

- make no attempt to unfairly or inappropriately influence the jury process or any member of the jury accept the decision of the jury as final.

### 4.2 Client

#### 4.2.1 Client or Promoter Obligations

The Client of a landscape architectural competition must:

- Indemnify the AILA and Professional Adviser and in Promoter against any claims made as a consequence of the competition being held, by any party of its endorsement of the competition and provide evidence of such indemnity as part of receiving AILA endorsement of the landscape architectural competition
- Have the authority to conduct the landscape architectural competition, to make all required decisions and determinations in relation to it, and to make all required payments to competition participants
- Act in accordance with and ensure compliance with the competition conditions
- Ensure anonymity and confidentiality, where these are conditions of the competition
- Respect the moral rights and copyright of entrants
- Promptly inform the Professional Adviser or Probity Adviser of any actual,
- Potential or perceived conflict of interest
- Ensure that all entrants, winners, advisers and jury members are paid all agreed prize money, honoraria or fees, or awarded any commission, in accordance with the competition conditions
- Make no attempt to unfairly or inappropriately influence the jury process or any member of the jury
- Accept the decision of the jury as final.
- Engage the winning entrant in a project competition as the landscape architect for the full scope of consultancy services specified in the competition conditions.
- Pay the costs of running the competition including organising, communications, publicity, exhibition, jurors, professional and probity advisers.

### 4.3 Professional Adviser

#### 4.3.1 Mandatory Requirement for Professional Adviser

A landscape architectural competition conducted in Australia must be coordinated by an appropriately qualified Professional Adviser. A Professional Adviser must be a built environment professional, academic or critic, who has:

- formal education or professional engagement in landscape architecture or design, and
- a thorough understanding of and commitment to comply with this Policy.



#### 4.3.2 Professional Adviser Obligations

The Professional Adviser for a landscape architectural competition must:

- have clearly defined authority from the Client to prepare and coordinate the landscape architectural competition and to make all necessary decisions and determination relation to it
- ensure that the Client, Jury, any specialist advisers or consultants and all entrants comply with the published competition conditions
- ensure anonymity and confidentiality, where these are conditions of the competition
- ensure that all entries comply in all respects with the competition conditions, and disqualify (in consultation with the Probity Adviser, where applicable) any entry that does not fully comply, except where the entrant can substantiate extenuating circumstances and that the breach does not give that entrant any advantage over other entrants
- ensure that entrants have the opportunity to ask questions and receive answers to all questions asked by entrants
- promptly respond and take appropriate action after advice of any actual,
  - potential or perceived conflict of interest
  - make no attempt to unfairly or inappropriately influence the jury process or
  - any member of the jury
  - accept the decision of the jury as final.

#### 4.3.3 Payment of Professional Advisors

All costs associated with performance of the Professional Advisors duties in relation to the competition, including travel, accommodation and related costs, must be met by the Client. In addition, a reasonable fee for service should be paid to the Professional Advisor to cover their commitment of time to the competition.

#### 4.4 Probity Adviser

##### 4.4.1 Requirement for Probity Adviser

A Probity Adviser will not be required for all competitions, as the Professional Adviser can ensure a competition is conducted fairly, equitably, with integrity and in line with any overriding process requirements of the Client.

However, a Probity Adviser should generally be appointed where the competition is subject to public accountability, where the Client is government-based, or where the project is:

- of exceptionally high value, or
- highly complex, unusual or contentious, or
- particularly politically sensitive.

The minimum obligations of a Probity Adviser would be

to review competition rules before issue, and at each stage and report on probity and governance to the Client/Promoter/Professional Adviser.

##### 4.4.2 Payment for Probity Adviser

All costs associated with performance of the Probity Adviser's duties in relation to the competition, including travel, accommodation and related costs, must be met by the Client. In addition, a reasonable fee for service should be paid to the Probity Adviser to cover their commitment of time to the competition.

#### 4.5 The Jury

##### 4.5.1 Jury Size and Composition

The jury shall be composed of three or five relevant professionals, with the majority of jurors being Registered Landscape Architects. The jury should reflect a diversity of gender, age, geographic location, and professional expertise and experience. The jury may include a Client representative or stakeholder, but not as jury chair.

##### 4.5.2 Independence of Jurors

A majority of jurors must be completely independent of the Client.

##### 4.5.3 Payment of Jurors

All costs associated with performance of the jurors' duties in relation to the competition, including travel, accommodation and related costs, must be met by the Client. In addition, a reasonable fee or honorarium should be paid to each juror to cover their commitment of time to the competition.

##### 4.5.4 Reserve Jurors

One or more reserve jurors may be appointed to cover the potential absence of a member of the jury, especially in high value or unusually significant landscape architectural competitions. Reserve jurors must attend, but not vote at, all meetings of the jury. Once called upon to replace an absent jury member at a meeting of the jury, the reserve juror must remain on the jury and the replaced juror shall cease to be a member of the jury.

##### 4.5.5 Announcement of Jurors

The names and basic credentials of the jurors, jury chair and any reserve jurors must be included in the competition conditions and published before the competition is open for entries.

##### 4.5.6 Role of Chairs

A chair of the jury shall be appointed by the Client, in consultation with the Professional Adviser. The chair must be independent of the Client. The chair shall conduct meetings of the jury and, where the jury has an even number of members, shall have the casting vote. It is typically the role of the jury chair to author, or co-author with the professional advisor, the jury report as per clause 4.5.9.



#### 4.5.7 Consensus or Majority Vote

The jury chair shall determine, in consultation with the Professional Adviser, whether decisions of the jury shall be by consensus or majority vote.

#### 4.5.8 Jurors in Multi-Stage Competitions

The members of the jury must remain the same, subject to the need for inclusion of any reserve juror, for all stages of a competition that require submission and evaluation of a design concept.

#### 4.5.9 Publication of Jury Report

The rationale for the jury's decisions must be set out in a formal jury report to the Client, signed by all jurors. The report must be available to the Client prior to the public announcement of the winner(s). After such announcement, the jury report should be available to all entrants and, in the interests of transparency and accountability, made public.

#### 4.5.10 Obligation to Make Awards

The jury must make awards. The awards shall be final and the names of winning entrants shall be made public by the date stated in the competition conditions. The jury must give the number and total monetary value of awards stipulated in the competition conditions. However, in exceptional circumstances, it may distribute the awards differently to that proposed in the conditions, provided the total monetary value of prizes awarded is equal to the total amount originally stipulated.

In any landscape architectural competition where entrants are selected by the Client, and in an ideas competition, a first prize must be awarded.

#### 4.5.11 Publication of Entries

The Client must arrange for the public exhibition or publication, either physically or online, of all awarded entries. Where possible, all entries considered at the final stage of the competition should be included in the exhibition or publication.

### 4.6 Technical Advisers or Panels

#### 4.6.1 Technical Advisers

Where considered appropriate, the Client may appoint one or more expert advisers to provide detailed evaluation of particular aspects of submitted entries, where such evaluation may be beyond the scope or skills of the jury. Commonly such technical advisers can include a Quantity Surveyor or Planning Consultant, but may also include specialist environmental, sustainability consultants, disability and discrimination experts, services or building performance consultants, depending on the nature of the project.

#### 4.6.2 Technical Panels

Where the competition brief is particularly complex or sophisticated, the Client may establish a technical

panel to assist the Professional Adviser or the Jury in responding to entrant questions or evaluating submissions. The members of such a panel will generally, but not always, be drawn from the professional staff of the Client organisation.

Establishing a technical panel can overcome the perceived need to include subject matter experts from within the Client organisation on the jury.

## 5 The Competition Process

### 5.1 Planning the Competition

The Client of a landscape architectural competition must recognise that a competition is a substantial undertaking, often requiring considerably more cost, time and effort than initially envisaged. The Client must ensure that they have allowed:

- for appointment of the Professional Adviser at the earliest possible time
- sufficient time before the launch of the competition to develop, with the Professional Adviser, a detailed, effective and realistic plan for the competition
- adequate time for the assessment, technical review and jury review of the competition submissions at all stages.
- adequate time after the public announcement of the winner(s) for the exhibition of selected entries, establishment and mobilisation of the project team for the commission that results from the competition.

### 5.2 Competition Conditions

#### 5.2.1 Announcement of Open Competitions

Notice of an open landscape architectural competition shall be given by the Client by publication online or in relevant journals or other media, to enable, as far as possible:

- all potential entrants to become aware of the competition simultaneously
- prospective entrants to register and obtain full details of the competition conditions and competition brief at the earliest possible time
- no prospective entrant to be unfairly advantaged or disadvantaged by the way in which the competition is announced, or the competition conditions and brief are to be obtained.

#### 5.2.2 Announcement of Limited Competitions

Invitation to participate in a limited landscape architectural competition shall be communicated by the Client to the selected entrants, to ensure, as far as possible that:

- all potential entrants become aware of the competition simultaneously



- selected entrants obtain full details of the competition conditions and competition brief at the earliest possible time
- no entrant is unfairly advantaged or disadvantaged by the way in which the invitation is made, or the competition conditions and brief are to be obtained.
- Public notice of a limited competition shall be given by the Client by publication online or in relevant journals or other media, to ensure the profession is aware that it is being conducted, and on what basis.

#### 5.2.3 Entry Costs

No fee should be payable by an entrant to register for a landscape architectural competition, or to obtain copies of the competition conditions or brief.

Where they wish to limit registration to bona fide entrants, particularly in an open competition, the Client may charge a deposit for the competition materials, which must be refunded on submission of a compliant entry.

#### 5.2.4 Essential Conditions

The competition conditions must clearly distinguish mandatory requirements and those for which the entrant has discretion, and must include, as a minimum:

- The name of the Client
- The purpose of the competition and its intended outcome
- A clear explanation of the overall competition process including details of the requirements for registration and every stage of the competition
- Information about any deposit payable by the entrant
- Details of the number of prizes and the total prize money
- A schedule of key dates, including submission dates for all stages and dates by which payment of prize money and honoraria will be made
- A clearly detailed list of all submission requirements
- The method by which entrants' questions are to be asked and answered
- Names and background details of each member of the jury
- Details of the criteria by which entries will be evaluated by the jury
- Intellectual property, moral rights, copyright and confidentiality
- Obligations and rights of the entrant, jurors and Client
- A requirement for all competition participants (entrants, Client, jurors and advisers) to declare any circumstance that might give rise to an actual or perceived conflict of interest
- The proposed form of contract for any post-competition commission

- Any other provision required by this policy.

#### 5.2.5 Multi-Stage Competitions

The competition conditions must be published when the competition is launched and must cover all obligations and rights of entrants for all stages of a multi-stage competition. Any significant change to the conditions after completion of one stage must be agreed to in writing by all entrants selected to proceed to a subsequent stage. Entrants must also be alerted to the potential for any delays between stages.

#### 5.2.6 Changes to Competition Conditions or Processes

The Professional Adviser must promptly notify entrants (and where the competition is endorsed, AILA) of any material change in the competition conditions, key dates, the project brief, or the constitution or identity of any of the key participants, including jurors.

#### 5.2.7 Treatment of Non-Compliant Submissions

The competition conditions must clearly state the consequences that will apply (including mandatory or discretionary disqualification) where an entry:

- does not comply in all respects with the competition conditions, or
- includes design proposals that do not meet all mandatory requirements of the competition brief.

### 5.3 Competition Brief

#### 5.3.1 Completeness and Clarity

The competition brief must set out a clear vision for the project, including a detailed statement of the project's purpose and objectives, the Client's aspirations for the project, and their intentions regarding its implementation. Background information provided to entrants (social, economic, technical, geographical, topographical, etc.) must be clear, complete, specific and not open to misinterpretation. Functional requirements of the Client that are to be accommodated in the design concept must be sufficiently clear and comprehensive to enable the level of detail required in the entrants' submissions.

Supplementary briefing information may be provided to entrants that are selected to proceed to the final stage of a multi-stage competition.

#### 5.3.2 Mandatory vs Discretionary Requirements

The competition brief must clearly distinguish mandatory requirements and those for which the entrant has discretion or freedom of interpretation.

However, mandatory requirements should be kept to a minimum, to enable the greatest possible degree of innovation and the advancement of landscape architectural thinking.



## 5.4 Good Practice Principles

An effective landscape architectural competition in Australia should be based on this policy and must reflect the following principles.

### 5.4.1 Equity

The competition conditions, all decisions of the Client/ Proponent on the advice of the Professional Adviser and the processes adopted by the jury must ensure that no entrant has or obtains an unfair advantage over other entrants.

### 5.4.2 Anonymity

Entrants in both open and limited landscape architectural competitions should be anonymous. Where entrants in a multi-stage competition are required to be anonymous at one stage, the names and design submissions of all entrants who do not proceed to a later stage must remain undisclosed until announcement of the winner(s).

### 5.4.3 Winning Authorship

In all project competitions, the Client must engage the author of the winning design as the landscape architect for the project.

Where the author of the winning design in an open project competition cannot demonstrate that they have the capacity, resources or capability to act as the landscape architect for the project, they must be engaged to undertake the commission in association with another landscape architect who is acceptable to both the winner and the Client.

### 5.4.4 Scope

Open competitions may be open to entrants from any location, but the competition conditions must be identical for all competitors, irrespective of nationality or practice location.

Limited competitions must have a majority of entrants who are based in Australia, except where all selected entrants are teams that each comprise an Australian landscape architect and an overseas landscape architect. In the latter case, a requirement for a local practice to partner with an international practice must be demonstrated as a consequence of a project's specific complexity, technical requirements or otherwise limiting effect on local participation.

## 5.5. Prize Money and Honoraria

### 5.5.1 Costs of Entry Preparation

Entrants in a landscape architectural competition will generally expend considerably greater time and cost in preparing their entry than the competition Client envisages. As a result, the quality of entries is likely to be higher where entrants perceive the potential rewards of participation as fair compensation for their effort and risk.

### 5.5.2 Prize Money

The amount of prize money must relate to the size of the project, the extent of competition deliverables, the likely costs of preparing a compliant submission and whether the entrants are also paid an honorarium.

### 5.5.3 Number of Prizes

The number of prizes must relate to the nature and size of the project, the type of competition, the number of entrants, and the nature of any post-competition commission. At least one and generally no more than three prizes should be awarded.

### 5.5.4 Honoraria

All finalists in an open competition or in the final stage of a multi-stage competition must be paid a reasonable honorarium, in addition to the prize money offered and to any fees associated with a post-competition commission. Entrants in a limited competition may similarly be paid an honorarium at the Client's discretion.

### 5.5.5 Payments

All payments to entrants, whether prize money, honoraria or other payments for compliant participation in a landscape architectural competition must be made strictly in accordance with the timing set out in the competition conditions, which must be within 30 days of the announcement of the winner or of any shortlist for a subsequent stage.

Prize money for the winning entrant shall not form part of the fees for the commission to act as a landscape architect for the project.

## 5.6. Copyright and Moral Rights

### 5.6.1 Author Retains Copyright

Each entrant, as author of their design, whether they are the winning entrant or not, must be entitled under the competition conditions to retain copyright in their work. No use of design work, be it the whole or in part, shall be used without prior licenced release by the design author.

The winner may be obligated by the competition conditions to provide the Client with a licence to use the winning design for the purposes of the project or other objectives of the competition. Unless specifically prescribed otherwise, such licence is to be for one use only.

### 5.6.2 Client to Preserve Moral Rights of Entrants

Each entrant will retain all moral rights relating to their entry. Except in an ideas competition, the competition conditions must not prescribe any diminution or waiver of an entrant's statutory moral rights.

### 5.6.3 Treatment in Ideas Competitions

In an ideas competition, the competition conditions may require entrants to waive any rights that would otherwise



restrict the ability of the Client to use the ideas submitted, but such waiver must be limited to the stated purpose of the competition.

#### 5.6.4 Right to Reproduce Entry Materials

The competition conditions may provide for the Client to have the right to reproduce the winning design or any entry materials, solely for a purpose that is directly related to the competition and its promotion.

#### 5.6.5 Attribution

Except where anonymity of entries is required, any publication, exhibition or reproduction of an entrant's design must be appropriately attributed to its author(s).

### 5.7. Risks

A landscape architectural competition can reduce or eliminate a range of risks in the selection of a landscape architect or landscape architectural led design team and identification of the preferred design concept.

However, the Client and Professional Adviser must recognise that there can still be significant risks associated with running a landscape architectural competition. While application of this policy is intended to mitigate such risks for all participants, a thorough risk assessment must be undertaken as part of the planning process, including identification of relevant risk mitigation strategies, covering at least:

- Financial risks
- Regulatory, authority and approval risks
- Legal risks
- Risks of a dispute over competition processes or outcomes
- Risk associated with too many or too few entrants in an open competition
- Risks associated with process failure
- Reputational risks for all parties.

### 5.8 Costs

The Client must allow sufficiently for the cost of planning and running a landscape architectural competition, in addition to other project costs and consultants fees, including:

- Sponsor direct and indirect costs, including staff and travel costs
- Advisers' fees, expenses and administrative support costs
- Jury and technical panel fees, honoraria and expenses, and all costs associated with meetings of the jury
- Costs of acquiring and documenting relevant site information, including a site model if appropriate
- Exhibition costs, whether physical or online.

## 6 AILA Endorsed Competitions

### 6.1 Purpose of Endorsement

AILA endorsement of a landscape architectural competition has two primary purposes:

- to affirm that the competition conditions are in line with this policy, and
- to permit the competition to be promoted by AILA, when requested to do so by the competition Client.

### 6.2 Value of Endorsement

AILA endorsement can add significant value to a landscape architectural competition by:

- branding the landscape architectural competition as AILA endorsed
- leveraging AILA media and association profiling and communication network
- giving all participants in the competition (entrants, client, jury and advisers) assurance that the competition conditions are in line with the AILA's policy, and therefore that it will be fair, equitable and conducted in accordance with good practice principles
- protecting the rights of competition entrants
- potentially increasing the number of entrants in an open competition
- potentially increasing the quality of entrants in a competition
- offering effective, targeted promotion of the competition, where requested, to AILA's membership
- supporting the Professional Adviser with advice to assure the Client that the competition will be well-run
- decreasing the risk of the competition or the project attracting negative publicity, as the result of either public or entrant criticism
- increasing the likelihood that the winning submission will represent the highest possible design quality.

### 6.3 When is Endorsement Required?

AILA endorsement is not mandatory for the conduct of a landscape architectural competition in Australia. However, where the Client of a landscape architectural competition is based in any level of government in Australia, or where entrants have been selected from outside Australia, the competition should be endorsed.

Where AILA, including any State Chapter, is the Client of a landscape architectural competition, the competition must be formally endorsed by AILA National Council.



#### 6.4 Minimum criteria for Endorsement

AILA endorsement will only be given or maintained for a landscape architectural competition in which:

- The individual or team entering the competition is a Registered Landscape Architect (in accordance with section 4.1.1)
- All entrants are treated equitably (in accordance with section 5.4.1)
- All entries are anonymous (where required in accordance with section 5.4.2)
- Submission deliverables are minimised (in accordance with section 3.4)
- Conflict of interest is prohibited (in accordance with section 5.2.4)
- Fee proposals are separate and limited to a prescribed range (in accordance with section 3.5)
- Other than in the instance of an Ideas Competition, the author of the winning design is to be engaged as the project landscape architect (where appropriate in accordance with section 5.4.3)
- Prize money and honoraria are specified to be paid within a reasonable time (in accordance with section 5.5.5)
- A majority of entrants are Australian-based (in accordance with section 5.4.4)
- Intellectual property and moral rights of entrants are protected (in accordance with section 5.6)
- AILA is notified of any material change to competition conditions or process (in accordance with section 6.5)
- AILA is provided with a copy of the final jury report at the conclusion of the competition.

#### 6.5 Maintaining Endorsement

The Client/Proponent must promptly notify AILA of any material change in the competition conditions, the constitution or identity of any of the key participants, including jurors, or in relation to any of the above minimum criteria. AILA may then decide to rescind endorsement or may advise of subsequent action required to retain endorsement.

#### 6.6 Endorsement Authority and Procedure

Endorsement of a landscape architectural competition must be in accordance with this policy.

The AILA Board (or nominee) has delegated authority to coordinate evaluation of the conditions of a prospective landscape architectural competition for endorsement, and to make all determinations or interpretations required in relation to such evaluation.

Endorsement by AILA of a landscape architectural competition will require a minimum 4-week review timeframe, and where appropriate, advice may be sought from relevant members before a final determination is made.

The decision of the AILA Board to endorse, or not endorse, a landscape architectural competition is final.

AILA will not endorse, support or otherwise promote any competition that fails to require entries to comply with legal obligations for non-discriminatory access and enjoyment of the features.

### 7 Review and Publication

#### 7.1 Review

This Landscape Architectural Competitions Policy will be reviewed at five-yearly intervals or as directed by the AILA Board.

#### 7.2 Publication

This Landscape Architectural Competitions Policy, together with all related documents, will be published on the AILA website, updated as necessary and freely available to members and the public.

#### 7.3 Promotion

AILA will actively promote this policy and its related documents to the profession, the construction industry, governments at all levels and to other relevant stakeholders.