

PART 1 – POLICY OPERATION

Owner	Planning and Sustainability
Implementation	XX Month 2021
Next Review	June 2025

Policy Development and Purpose

This Local Planning Policy (Policy) has been prepared under Schedule 2, Part 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This policy applies to all applications for development approval within the City for commercial, mixed use, multiple dwellings or non-residential developments (or additions or extensions to these developments) where the cost of the development exceeds \$2 million, excluding industrial development. The provisions of this policy also apply to development by the City. The purpose of this policy is to facilitate the provision of public art which contributes towards a sense of place and community identity and enhances the visual amenity of the public domain.

Policy Objectives

The objectives of this policy are to:

- contribute to a sense of place through the provision of public art which provides an interpretation and expression of the local area's natural, physical, cultural, heritage and social values;
- enhance public enjoyment and understanding of places through the integration of art into developments;
- add to the appearance, vibrancy, character and amenity of developments and their surrounding environment;
- create local landmarks; and
- establish a clear and equitable approach for the provision of public art as part of the development process.

Relationship to Other Policies, Guidelines and Documents

This policy is to be read in conjunction with the development standards and requirements of District Planning Scheme No. 2 and its associated policies.

PART 2 – POLICY PROVISIONS

1. Definitions

For the purposes of this policy, the following definitions apply. For other definitions the District Planning Scheme No. 2 definitions apply.

Public Art means an artistic work that is:

- a) permanent in nature and constructed of materials which can be maintained and repaired if necessary, including metal, plastic, paint or any other durable material;
- b) either freestanding or integrated into the exterior of a building or other structure; and
- c) created and located for public accessibility, either within the public realm or within view of the public realm, such as the street, park, urban square or public building; and has been designed by an artist or has been through a process overseen by an artist.

Artist means a person who meets any of the following criteria:

- a) a person who has obtained a Bachelor Degree or Diploma in visual arts or who is undertaking studies towards these qualifications;
- b) a person who has a track record of exhibiting and/or selling their own original artwork;
- c) a person who has had their own original artwork purchased by major public collections;
- d) a person who earns more than 50% of their income from arts related activities such as teaching art and selling their own artwork;
- e) a person who has secured work or consultancies in the arts field on the basis of professional expertise; or
- f) a person who has previous experience on their curriculum vitae in creating the form of public art proposed by an applicant or the Council under this policy.

Construction value means the estimated construction value of the development works as nominated at the Building Permit stage.

2. General policy provisions

2.1. Applications for development approval for the construction of commercial, mixed use, multiple dwellings or non-residential developments (or additions or extensions to these developments) where the estimated cost of the development exceeds \$2 million are to make a contribution to public art to the value of no less than one percent of the construction value of the development, but not exceeding \$500,000 by way of:

- a) Providing public art on the site subject to the development application, unless otherwise approved by the City; or
- b) Making a cash contribution towards public art, in lieu of (a) above.

- 2.2. Where the proponent provides public art, it shall be provided on site and is to be clearly visible from the public realm. The public art is to be installed prior to the commencement of use and/or occupancy of the development site and maintained to a high standard by the landowners for the life of the development.
- 2.3. Where a cash-in-lieu contribution is made as an alternative to providing public art, it shall be paid prior to the commencement of use and/or occupancy of the site, with the funds to be placed in a (Public Arts) reserve account and expended on public art projects that are located in and contribute to the immediate locality within which the development is located.
- 2.4. The public art shall contribute to an attractive, stimulating and functional environment and not detract from the amenity or safety of the public realm.
- 2.5. The public art shall be specifically designed for, and be suitable for, the building or site where it is to be located and contribute towards the sense of place for that locality.
- 2.6. The public art shall be of high aesthetic quality, low maintenance, durable and resistant to vandalism and graffiti and must be maintained to a high standard.
- 2.7. The public art shall be original and be designed and created or overseen by an artist/s and be fabricated in Western Australia.
- 2.8. The public art must be considered by the City to be safe and not have the potential to cause injury or hazard to any person or animal.
- 2.9. The public art must be designed and sited to avoid encouraging criminal activity on the site such that it should not be used for assistance in unauthorised entry or conceal any person.
- 2.10. The public art must not be considered by the City to be obscene, offensive or culturally insensitive in any manner.
- 2.11. The public art shall be consistent with the City's Cultural Plan objectives for the relevant area/precinct.

Form of Public Art

Public artworks may take the following forms:

- a) building features and enhancements such as screens and lighting;
- b) components of public spaces such as architectural street furniture, playable artworks and artistic paving which is an integral part of the space and contributes towards its artistic value and quality;
- c) murals, tiles or mosaics covering walls, floors and walkways;
- d) sculpture in durable, damage resistant and graffiti proof materials; and
- e) artist led community arts projects resulting in tangible artwork.

Public art does not include:

- a) Business logos;
- b) Advertising signage;
- c) Art objects which are mass produced or off-the-shelf reproductions;
- d) Landscaping or hardscaping which would normally be associated with the development; and
- e) Fencing, gates, benches and other functional items.

Information Requirements

The following details of the proposed public art are to be provided to the City for approval prior to installation:

- a) Design documentation including research, concept development and a detailed statement addressing the requirements of this policy;
- b) Detailed plans of the art work which are to scale and include dimension, details of the materials, colours, location, installation methods and timeframes
- c) Detailed and specific maintenance program and schedule, including costs and methodology; and;
- d) Curriculum vitae of artist, including a visual record of previous public artworks.