

Provision of Public Art in Development Proposals

Policy Type: Local Planning Policy Policy Owner: Director Urban Planning	Policy No. LPP1.4 Last Review Date: 20 September 2016
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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 and social values.
- To enhance public enjoyment and understanding of places through the integration of art into developments.
- To add to the appearance, vibrancy, character and amenity of developments and their surrounding environment.
- To create local landmarks.
- To provide increased public exposure to, and understanding of, public art.

Policy Scope

This policy applies to all applications for development approval for multiple dwellings, mixed use or non-residential developments (or additions or extensions to these developments).

Definitions

Public Art

Is a work that is created by an artist and is sited in a visually accessible public location.

Public art can include (but is not limited to):

- (a) The artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique.
- (b) Landscape art enhancements such as walkways, bridges or art features within a garden.
- (c) Murals, tiles and mosaics covering walls, floors and walkways.
- (d) Sculptures, free-standing or incorporated as an integral element of a buildings' design.

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.

Artist

Is a person who meets a minimum of two of the following criteria:

- (a) Has a Bachelors Degree or Diploma in visual arts or any similar field;
- (b) Has a history of exhibiting their own original artwork at reputable art galleries that sell the work of professional artists;
- (c) A person who has had their own original artwork purchased by major public collections, including (but not limited to) the Art Gallery of Western Australia, any of the university collections or Artbank;
- (d) A person who earns more than 50% of their income from art related activities, such as teaching, selling artwork or undertaking public art commissions.

Policy Statement

Application

- 1 Each application for the construction of a multiple dwelling, mixed use or non-residential development (or alterations, additions or extensions to these developments) where the cost of development exceeds \$1 million, are to provide public art to the value of 1% of the cost of development.
- 2 Details of the proposed public art will be required to be provided for approval by a City panel prior to the approval of any development application, or at a later date as specified by a condition of development approval. Alternatively, where the developer elects, and the Council agrees, the public art contribution may be satisfied by cash-in-lieu based on the % rate described in (1) above. Cash-in-lieu payments will be received into and held by the City of Melville Capital Arts Budget.



Installation

- 3 Public art is to be located within the lot boundaries of the development site. Alternatively, a cash in lieu payment may be paid into the City's Capital Arts Budget.
- 4 No additional development approval will be required for the installation of the public art located within the lot boundaries, unless it will result in any variations to the applicable development requirements for the Precinct or unless required by other standards or legislation.
- 5 Only professional artists or persons supervised by a professional artist will be eligible to carry out public art commissions.
- 6 Once approved, the public art should be installed prior to the initial occupation of the development (or a later time as agreed by the Council in writing) and thereafter maintained in perpetuity by the property owner/s.
- 7 Where cash-in-lieu is provided, such funds will be expended by the City on approved public art located within the applicable neighbourhood . All funds to be spent within 5 years of their receipt.
- 8 A plaque or similar identifier is to be installed on, or in close proximity to the public art which details the artist's name, name of the installation and date of the installation.

Information Requirements

- 9 The following details of the proposed public art are to be provided to the City for approval prior to its installation:
 - (a) Design documentation including research, concept development and a detailed statement addressing compliance with the Performance Standards outlined in Clause 10 below.
 - (b) Detailed plans of the art work which are to scale and include dimensions, details of the materials, location, colours and installation methods.
 - (c) Cost calculations of the proposed public art. These can take into account the artist's fees, labour, materials, installation, operating costs and costs of any required permits or approvals. Where the public art is to replace a functional and/or required part of the development, such as a balcony balustrade, the cost calculation shall reflect the difference in cost between the provision of the standard component and the cost of the artist prepared component.
 - (d) For artwork to be located over public land, a copy of the relevant public liability insurance is to be submitted prior to approval being issued.

Performance Standards

- 10 Public art should satisfy all of the following criteria:
- (a) Be located where it can be clearly seen from the public realm.
 - (b) Be an original artwork.
 - (c) Be of high aesthetic quality.
 - (d) Be durable, sustainable and easy to maintain.
 - (e) Contribute to an attractive and stimulating environment.
 - (f) Not detract from the amenity or safety of the surrounding area.
 - (g) Where considered appropriate be lit at night by the use of energy efficient lighting but such that there is no adverse amenity impact on the surrounding locality
 - (h) Be responsive to the site context and reflect the local area's natural, physical, cultural or social values history.
 - (i) Take into account the existing public art in vicinity so to avoid repetition and to ensure the artwork is unique.
 - (j) That the public art be functional where appropriate.
 - (k) Be to the value of no less than 1% of the estimated cost of development.
 - (l) Be resistant as possible to vandalism.

References that may be applicable to this Policy

Legislative Requirements:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015
Procedure, Process Maps, Work Instructions:	Planning Application Directorate Procedure
Other Plans, Frameworks, Documents Applicable to Policy:	Local Planning Scheme No. 6
Delegated Authority No:	DA-020: Planning and Related Matters

ORIGIN/AUTHORITY

Ordinary Meeting of Council 16/04/2013

Item No.

P13/3378

Reviews

Ordinary Meeting of Council 19/08/2014

P14/3527

Ordinary Meeting of Council 20/09/2016

P16/3718