

# Percent for Art Scheme Local Planning Policy

## **Responsible directorate:** Planning and Community Development

### **Objectives:**

- To support the City's approach to public art through a Percent for Art Scheme for developments within the City.
- To contribute to a sense of place.
- To promote the expression of local identity and shared community values.
- To invest in public amenity and the built environment through high quality public art.

### **1. Authority:**

This policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

### **2. Application:**

The policy applies to all development proposals where the estimated total cost of the development meets \$2,000,000 and above, excluding the following:

- a. Developments comprised of ten (10) or fewer residential dwellings.
- b. Additions or extensions to existing buildings which are not visible from public spaces, as determined by the City.
- c. Developments subject to the Public Art Council Policy.
- d. Developments subject to an approved Structure Plan, Local Development Plan or other local planning instrument that contains requirements for the provision of public art in that area.
- e. Developments subject to a State planning instrument that contains requirements for the provision of public art in that area.

- f. Development comprised solely of demolition, site works or other servicing infrastructure, as determined by the City.

### 3. Definitions:

“**cash-in-lieu**” means a payment made by the developer to the City in place of not completing the required public art component themselves.

“**commissioning**” means the act of securing the services of a practitioner to fulfil a brief for an art project for the payment of a fee.

“**developer**” means the applicant or owner as stated on the Application for Development Approval form for the relevant development.

“**development proposal**” means an Application for Development Approval submitted to the City or submitted to another approval authority and referred to the City for comment.

“**Percent for Art**” means the scheme whereby public artworks are commissioned using a percentage of the total costs of development proposals.

“**professional artist**” means a person who is actively engaged in and conducts a professional artistic practice, and has industry recognition for their work. No artist commissioned for a public art project associated with this policy can have a familial relationship to the Developer, or a financial interest in the development.

“**public art**” means an artistic work that is created and located for public accessibility. The defining principle of public art is that the work has been designed by a professional artist for enhancement of a particular public space. Supported types of public art apply in accordance with the City’s Public Art Council Policy and the City’s Public Art Masterplan.

“**public space**” means suitable spaces that can be programmed for public art. This commonly requires the space to be in clear view to the public. This includes, but is not limited to, parks, foreshores, city squares, streets, indoor spaces of buildings such as entry foyers, and outdoor spaces of buildings such as courtyards and forecourts.

“**total project cost**” means the approximate cost of the proposed development, as stated on the Application for Development Approval form.

### 4. Statement:

The City acknowledges the important role played by public art in creating a sense of place, shaping community identity, and activating vibrant public spaces. To fulfil these roles and enable a culturally-enriched environment within its public spaces, the City provides accessible public art, utilising the strategic vision and framework of its Public Art Masterplan and Percent for Art Scheme to guide public art programs.

The City recognises the role that developments in the built environment have in shaping the characteristics of the public space, and the responsibility of developers to provide positive public art amenity.

This Policy assists in the delivery of high-quality, place-relevant public art on site or in the ward- vicinity of the development.

## **5. Details:**

### **5.1. Percent for Art Scheme:**

Development proposals subject to this policy are required to allocate **one percent (1%)** of the total project cost for the commissioning of public art. Developers can choose to make the required public art contribution through:

- a. providing public art on the site of the development proposal; or
- b. paying a cash-in-lieu contribution to the City in place of the developer providing the required public art component on site.

Conditions related to the public art contribution will be placed on the development approval issued. Where the City is not the determining authority, conditions will be recommended to be placed on any development approval issued.

### **5.2. Developer providing public art on site:**

- a. Public art shall be provided in accordance with the City's Public Art Council Policy, Public Art Masterplan, and Developer Guidebook, as well as any relevant precinct/area guidelines.
- b. Wherever possible, developers / landowners are to provide conceptual details of the artwork(s) in the development application for the main proposal to ensure that its design, installation and maintenance has been considered as part of the overall project.
- c. Details of the proposed public art are required to be provided to the City for approval prior to the building permit being issued.
- d. Inspection and sign-off of the installed public art are required to be undertaken by the City prior to the occupancy permit being issued.

### **5.3. Developer providing cash-in-lieu contribution:**

- a. Cash-in-lieu contributions will receive a 15% contribution discount.
- b. Cash-in-lieu contributions must be received in full by the City prior to the occupancy permit being issued.
- c. Cash-in-lieu contributions will be placed in a City public art reserve account and expended on public art commissions within the Ward of the situated development.
- d. Cash-in-lieu contributions must be expended by the City within 5 years of receipt of the payment.

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**Creation date:** <mmmm yyyy> <report ref>

**Formerly:**

**Amendments:**

**Last reviewed:**

**Related documentation:**

- Local Planning Scheme No. 3
- Public Art Council Policy
- Public Art Masterplan
- Visual Arts Collection Council Policy
- Western Australian Government Percent for Art Scheme

**File reference:** 109498