

# Policy

## Percent for Art



## Policy Number

LPP 5.13

## Policy Type

Local Planning Policy

## Policy Purpose

The City of Cockburn Public Artworks Strategy focuses on the delivery of public art by the City in the public realm. It sets out key goal, including the following:

- Develop a collection of distinct and diverse public artworks.
- Increase awareness of public art as a significant cultural asset.

This Percent for Art Policy (policy) seeks to assist in achieving these goals by requiring the provision of professionally produced artworks on site as part of eligible developments within the City of Cockburn.

This policy is adopted pursuant to City of Cockburn Town Planning Scheme No. 3 (TPS 3).

The purpose of this policy is to require the provision of artworks produced by professional artists as part of eligible developments within the City of Cockburn.

The Cockburn Central and Cockburn Coast areas are subject to a site-specific Public Art Plan and Strategy that identifies themes and locations for public art in the area. Therefore, additional location-specific provisions are required to introduce the requirement for a public art contribution in accordance with the Public Art Plan and Strategy.

The Cockburn Central Public Art Plan and the Cockburn Coast Public Art Strategy includes locations for public art in the public realm, including Public Open Space. These public artworks will provide the opportunity to celebrate the place, promote community identity, and to assist with legibility. It is therefore appropriate that a cash-in-lieu contribution option be provided to developers which would enable the collection of funds for the provision of artworks in the public realm.

The key objectives of this requirement are to:

- (1) Improve the attractiveness and functionality of the City's built environment;
- (2) Develop and promote community identity within the City;
- (3) Increase the social, cultural and economic value of the City;
- (4) Establish new design partnerships between artists, architects and other professionals;
- (5) Increase public awareness of the value of art and design;

- (6) Improve legibility by introducing artworks that assist in making streets and buildings more identifiable;
- (7) Produce landmarks that act as focal points and icons for the City;
- (8) Provide new opportunities for artist commissioned artworks to celebrate a place, generate vibrancy, contribute to cultural identity and engage with the community above and beyond the art involved in building design and landscaping and hardscaping elements that would normally be associated with development.
- (9) Enhance legibility by introducing artworks that assist in making streets, buildings and Public Open Space in the Cockburn Coast and Cockburn Central areas more identifiable

## Policy Statement

### (1) Requirements

1. All development proposals for commercial (excluding industrial uses), civic, institutional, educational projects or public works of a value greater than \$1 million (exclusive of GST) are to set aside a minimum of one per cent (1%) of the total project cost (up to a maximum value of \$250,000) for the development of artworks on the subject land which reflect the place, locality and/or community.
2. All development proposals for multiple dwellings of a value greater than \$2 million (exclusive of GST) are to set aside a minimum of one per cent (1%) of the total project cost (up to a maximum value of \$250,000) for the development of artworks on the subject land which reflect the place, locality and/or community.
3. The total project cost means the approximate total cost of the proposed development, as indicated on the Application for Approval to Commence Development.
4. Where a development proposal is located within an area that is subject to a location-based Public Art Master Plan (or equivalent) and an associated percent for art local planning policy for that area the requirements of that specific policy shall prevail.
5. Artworks are to be situated where they are clearly visible to the general public. This means that artworks are to be clearly visible from the adjacent public street(s), public pathway(s), and/or public open space, and/or other publically accessible spaces where they are deemed by the City to function as public spaces.
6. Artworks are to be carried out by a professional artist(s), and for the purposes of this policy a professional artist is defined as:
  - (a) A regular exhibitor of public art work; offering work for sale, or selling work; having been awarded or eligible for a government grant; selected for public exhibition, awards or prizes; having secured work or consultancies

on the basis of professional expertise; having had work acquired for public or private collections; being a member of a professional association on the basis of his/her status as a professional artist.

(b) Notwithstanding, in certain circumstances it may be appropriate to be more flexible and seek people other than professional artists to carry out artwork commissions. This may apply in instances when young, emerging and indigenous artists or students may be considered appropriate.

7. Artworks should be low maintenance, robust, durable and resistant to vandalism.
8. Notwithstanding Clause (1) 1-3, the maximum contribution based on a total project cost shall not exceed \$250,000.
9. Notwithstanding Clause (1) 1-3 and Clause (5), where a development is staged, the proponent may enter into a legal agreement with the City with a view to consolidating their art contribution. Such agreements shall include a completion date for provision of the contribution and must be secured via means acceptable to the City (such as a monetary bond, bank guarantee or caveat on land).

## (2) Eligible Artworks

### 1. Artworks may include:

- (a) building features and enhancements such as bicycle racks, gates, benches, lighting, fountains, playground structures or shade structures which are unique and produced by a professional artist;
- (b) landscape art enhancements such as walkways, bridges or art features within a garden;
- (c) murals, tiles, mosaics or bas-relief covering walls, floors and walkways;
- (d) sculpture which can be freestanding or wall-supported in durable materials suitable for the site; and
- (e) fibreworks, neon or glass art works, photographs, prints and any combination of media including sound, film and video systems.

### 2. Artworks ineligible for consideration include:

- (a) business logo(s)/Business signage;
- (b) directional elements such as supergraphics, signage or colour coding;
- (c) 'art objects' which are mass produced such as fountains, statuary or playground equipment;
- (d) most art reproductions;
- (e) landscaping or generic hardscaping elements which would normally be associated with the project; and
- (f) services or utilities necessary to operate or maintain artworks.
- (g) artwork or architectural features designed by an architect, building designer or town planner.

(3) Eligible Costs

1. Costs associated with the production of an art project may include:

- (a) professional artist's budget, including artist fees, Request for Proposal, material, assistants' labour costs, insurance, permits, taxes, business and legal expenses, operating costs, and art consultant's fees if these are necessary and reasonable;
- (b) fabrication and installation of artwork;
- (c) site preparation;
- (d) structures enabling the artist to display the artwork;
- (e) documentation of the artwork, and
- (f) an acknowledgment plaque identifying the artist, art work and development.

(4) Approval of Artworks

Artworks are required to be approved by the City prior to their installation.

(5) Installation of Artworks

The artwork must be completed and installed prior to the occupation of the new development, and maintained thereafter by the owner(s)/occupier(s).

(6) Acknowledgement of Artwork

The proponent will install a plaque or plate near each artwork, acknowledging the name of the artist, and the name of the person, agency or company who funded the artwork.

(7) Cockburn Coast

1. Where development is proposed within the Cockburn Coast area, an owner/applicant can choose to either:
  - (a) Coordinate an artworks project themselves; or
  - (b) Make a cash-in-lieu contribution to the City in which case the City will coordinate an artwork project in line with the Cockburn Coast Public Art Strategy
2. Where the owner/applicant chooses the cash-in-lieu option, the cash-in-lieu is to be:
  - (a) Paid to the City of Cockburn (Cockburn Coast Public Art Fund)
  - (b) Expended on a Public Art project located on public land within the Cockburn Coast area in accordance with the Cockburn Coast Public Art Strategy
3. Cash-in-lieu funds paid may be accrued for more comprehensive or larger public art projects in line with the Cockburn Coast Public Art Strategy, as determined by the City.
4. Ownership of artworks commissioned under this policy will depend upon the location of the artworks as follows:
  - (a) Where situated on private property, the artwork is owned and maintained by

the owner

- (b) Where situated on public property, the artwork is owned and maintained by the City, regardless of who coordinated the project

(8) Cockburn Central

1. Where development is proposed within the Cockburn Central West and Town Centre Precinct areas, an owner/applicant can choose to either:
  - (a) Coordinate an artworks project themselves; or
  - (b) Make a cash-in-lieu contribution to the City in which case the City will coordinate an artwork project in line with the Cockburn Central Public Art Plan
2. Where the owner/applicant chooses the cash-in-lieu option, the cash-in-lieu is to be:
  - (a) Paid to the City of Cockburn (Cockburn Central Public Art Fund)
  - (c) Expended on a Public Art project located on public land within the Cockburn Central area in accordance with the Cockburn Central Public Art Strategy
3. Cash-in-lieu funds paid may be accrued for more comprehensive or larger public art projects in line with the Cockburn Coast Public Art Strategy, as determined by the City.
4. Ownership of artworks commissioned under this policy will depend upon the location of the artworks as follows:
  - (a) Where situated on private property, the artwork is owned and maintained by the owner
  - (b) Where situated on public property, the artwork is owned and maintained by the City, regardless of who coordinated the project

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