

5.3 OUTCOME OF ADVERTISING: LOCAL PLANNING POLICY - PERCENT FOR ART

- Attachments:**
1. **Local Planning Policy - Percent for Art**
 2. **Summary of Submissions**

RECOMMENDATION:

That Council **PROCEEDS** with **Local Planning Policy No. 7.5.13 – Percent for Art**, pursuant to **Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*** included as **Attachment 1**.

PURPOSE OF REPORT:

To present the outcome of community consultation and seek approval of Local Planning Policy No. 7.5.13 – Percent for Art, at **Attachment 1**.

BACKGROUND:

The City's [Percent for Art Policy](#) (the Policy) was published on 24 August 1998 and was WA's first local government percent for art policy. Several reviews and amendments have been undertaken since then, with the latest being adopted on 5 December 2015.

The purpose of the Policy is to require larger developments to contribute one percent of their development value as Public Art or make a cash-in-lieu contribution to the City so that public art can be commissioned on their behalf.

In 2021, a review of the Policy was undertaken in accordance with the City's adopted [Policy Development and Review Policy](#).

On 1 October 2021 a Policy Paper was distributed to Elected Members, with further information provided via email on 16 February 2022 outlining the Policy review approach including a Communications Plan.

On 21 September 2022 a Policy Paper was distributed to Elected Members including the draft Policy and Stakeholder Engagement Summary.

At its 15 November Ordinary Meeting (item 9.2), Council resolved to approve the draft Percent for Art Policy for the purpose of advertising.

DETAILS:

The draft Percent for Art Policy was advertised in accordance with the City's [Community and Stakeholder Engagement Policy](#), from 23 November and 18 December 2022 via the following methods:

- notice published on the City's website;
- notice posted to the City's social media;
- notice published in a local newspaper;
- notice posted in the City's e-newsletter and business e-newsletters;
- Dedicated project page on Imagine Vincent, providing opportunity to comment generally or fill out a survey;
- notices at the City's Administration Centre and Library; and
- distribution of flyers at City sponsored events.

The results of the public consultation period are as follows:

- Unique page views – 20;
- Document downloads – 12; and
- Survey participants – 10.

The submissions received were from a variety of professionals. Six have experience with percent for art projects. Of these, four represented artists, arts fabricators, arts consultants or arts workers and two represented architects or developers.

Submitters' views were mixed, although largely supportive of the draft Policy and its intent.

A summary of the comments received are outlined below, according to the themes raised within the survey. A full summary of the submissions and administration comments is at **Attachment 2**. No further revisions are recommended to the Policy based on the submissions received.

Temporary and Ephemeral Public Artworks

Submissions generally supported the inclusion of ephemeral and temporary public artworks. It was generally well received and supported for their role in the diversification of public artworks, the delivery of more conceptually responsive artworks, their adaptability to unique locations, and their ability to activate public spaces.

One submission raised concerns regarding the standard and type of public artworks which would be delivered. With another submission seeing temporary and ephemeral artworks as being a loophole for lessening the impact of art and the Policy.

It is recognised that ephemeral or temporary artworks allow for a greater variety of art forms within the City. As per the Policy, they are required to adequately demonstrate that they will provide activation opportunities for the area. As an alternative option to the standard public art projects, applications will be dealt with individually and these types of projects will be guided by Administration and the Arts Advisory Group to ensure project's success.

Mentorship and Upskilling for Emerging Artists

All submissions were supportive of the inclusion of mentorship and upskilling for emerging artists in the delivery of percent for art projects.

Public Art Infrastructure

While largely supportive of the importance of public art infrastructure for both artists and community, submissions were divided on the acceptability of the inclusion of this infrastructure in the Policy. Submitters questioned the delivery of physically suitable spaces for artists, and the management and funding required to ensure the success of these spaces long-term.

Any proposal of public art required by the Policy is subject to development conditions and agreements with the City to ensure compliance with the Policy and suitable management of any art proposed. As an alternative option to the standard public art projects, applications will be dealt with individually and these types of projects will be guided by Administration and the Arts Advisory Group to ensure project's success.

Professional Artist Definition

Submissions generally supported the professional artist definition. Submissions suggested that reference be made to young emerging artists, criteria be weighted towards local arts providers and fabricators, and that the requirement for the previous delivery of public art be removed as a requirement.

Emerging artists are to be supported through General Provision 1.5.3 of the Policy. Local arts providers and fabricators are supported through the City's Procurement Policy.

One submission suggested that the inclusion of Aboriginal and Torres Strait Islander Artists in the criteria gave preferential treatment.

Feedback from targeted stakeholder engagement in the review of the draft Policy indicated that the current definition of a Professional Artist in the Policy is not met by a substantial number of otherwise suitably skilled and experienced Aboriginal and Torres Strait Islander Artists. The inclusion of the fifth category *is an Aboriginal and/or Torres Strait Islander Artist* allows for this to be facilitated and aligns with the Innovate Reconciliation Action Plan 2022 – 2024, providing more opportunities for Aboriginal and Torres Strait Islander creatives and to celebrate Noongar artwork and culture in public spaces.

The definition has been expanded from the previous definition allowing more artists to be employed by the implementation of the Policy.

CONSULTATION/ADVERTISING:

Administration has notified all submitters of this item being presented to Council for approval.

Administration will notify all submitters of the outcomes of the Ordinary Meeting of Council and will publish a notice of the resolution in accordance with Schedule 2, Part 2, Clause 5 of the Regulations.

LEGAL/POLICY:

- *Planning and Development Act 2005*; and
- *Planning and Development (Local Planning Schemes) Regulations 2015*.

RISK MANAGEMENT IMPLICATIONS

Low: Approving the Policy is low risk.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Connected Community

An arts culture flourishes and is celebrated in the City of Vincent.

We have enhanced opportunities for our community to build relationships and connections with each other and the City.

Thriving Places

Our physical assets are efficiently and effectively managed and maintained.

Sensitive Design

Our built form is attractive and diverse, in line with our growing and changing community.

Our built form character and heritage is protected and enhanced.

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*, however sustainability is a consideration in the assessment of percent for art proposals in terms of design, materiality and ongoing maintenance requirements.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Increased mental health and wellbeing

FINANCIAL/BUDGET IMPLICATIONS:

The cost of Council approving the Policy will be met through the City's existing operational budget.

The employment of artists through the requirement of a public art contribution delivers a local economic benefit and greater delivery of art throughout Vincent than could be achieved through the City's budget.

COMMENTS:

Artworks in the public realm not only increase vibrancy and improve the experience of the area but can also increase the mental health and wellbeing of users particularly when the artwork expresses the context, heritage and culture of the area as well as the people who live, work and play there. When people can identify with public artworks and spaces it creates a sense of belonging and connectivity.

It is recommended that Council adopt Local Planning Policy No. 7.5.13 – Percent for Art at **Attachment 1**.



Percent for Art Policy

Legislation / local law requirements	This Policy has been prepared under the provisions of Schedule 2, Part 2 and 3 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Relevant delegations	16.1.1 Determination of various applications for development approval under the City's Local Planning Scheme
Related policies, procedures and supporting documentation	Public Art Policy 3.10.8 (2017)

PART 1 – PRELIMINARY

INTRODUCTION

Art plays a vital role in creating a vibrant and thriving city. Art helps to create a sense of belonging and it contributes to identity through insight, reflection, and allowing a space for the expression of ideas. Public Art can encourage social, cultural and economic activity and be positive for existing or future residents, employers and investors.

Developers are responsible for contributing to the key strengths and characteristics of the areas in which they develop. The City of Vincent ("the City") encourages and supports innovative and high-quality Public Art that improves the public amenity and the City's built environment.

PURPOSE

The purpose of the Policy is to:

- Establish a framework to require commissioned Public Art as part of public and private development projects within the City of Vincent; and
- Provide guidance around the collection and expenditure of cash-in-lieu of Public Art.

OBJECTIVES

1. Develop and promote community identity within the City;
2. Increase the social, heritage, cultural and economic value of the City;
3. Improve public amenity for existing or future users of developments;
4. Enhance the built environment and align with the City's Local Planning Strategy objectives; and
5. Ensure developers consider how public art integrates with the development and the public realm to produce high quality Public Art.

SCOPE

1. Development proposals subject to this Policy are to set aside a minimum of one percent (1%) of the Total Project Cost for the development of Public Art. This Policy applies to:
 - 1.1 Proposals for Commercial and Mixed Use developments over the Threshold Value; and
 - 1.2 Proposals for Residential developments over the Threshold Value that also meet the following criteria:
 - 1.2.1 comprise of ten (10) dwellings or more; and
 - 1.2.2 are zoned Centre, Commercial, Mixed Use or Residential R60 and above.
2. Where this Policy is inconsistent with an area-specific local or State planning instrument, the requirements of that other planning instrument will apply to the extent of the inconsistency.



DEFINITIONS

“Applicant” means the person or entity who submitted the Application for Development Approval to the City for the relevant development.

“Application for Public Art Design Approval” means the application the Owner/Applicant submits if they are choosing to make the Percent for Art contribution themselves (Option 1).

“Arts Advisory Group” means a group that operates in an advisory capacity to advocate and promote arts in the City and to provide expert advice and recommendations to the City on arts projects. The Arts Advisory Group (AAG) operates within the context of this Policy and the AAG Terms of Reference.

“Art Consultant” means the person or organisation nominated by the Owner/Applicant to be responsible for the Public Art commissioning process under Option 1.

“City of Vincent Arts Plan” means a plan that provides objectives and strategies for arts investment in the City of Vincent over five years.

“Owner” means the owner of the land upon which the relevant development is proposed to be built. The Owner may also be the Applicant.

“Professional Artist” means a suitably qualified artist with extensive Public Art experience. A Professional Artist can be defined as a person who fits into at least two of the following categories:

- has a tertiary qualification or equivalent experience in the visual arts, or when the brief calls for it, other art forms such as multimedia;
- has a track record of exhibiting and selling art;
- is represented in major public collections;
- A person who earns more than 50% of their income from arts related activities such as undertaking Public Art commissions; and
- Is an Aboriginal and/or Torres Strait Islander Artist.

No Professional Artist under consideration for a Percent for Art commission may have a familial relationship to the Owner/Applicant or have financial interest in the development.

“Public Art” means an enduring, temporary or ephemeral work of art, created by a Professional Artist that has been commissioned specifically for its location and to be made accessible within the public realm.

Enduring – Public Art that lasts at least 20 years, such as but not limited to sculptural, free-standing, functional, decorative, integrated or iconic works.

Temporary – Public Art that is only intended to last up to 5 years, such as but not limited to an installation.

Ephemeral – Public Art that is usually event based and only lasts for a very short time. Public Art types under this category could include but are not limited to performance art, projection, audio and/or visual media.

“Public Realm” means all public spaces including thoroughfare or streets, public car parks, reserves/public open space, civic squares and other areas used by and accessible to the community.

“Threshold Value” means the amount determined by the Council at the commencement of each financial year setting the minimum amount for which developments are required to contribute to Percent for Art. The amount is determined annually and set out in the City’s Prescribed ‘Fees and Charges’.

“Total Project Cost” means the approximate total cost of the proposed development, as indicated on the Application for Development Approval.



PART 2 - POLICY PROVISIONS

1. GENERAL PROVISIONS

- 1.1 Where this Policy applies, specific requirements will be stipulated in a condition of Development Approval.
- 1.2 Public Art must be commissioned by a Professional Artist and located on either private or public property such that it is highly visible to, or accessible within the public realm.
- 1.3 The Owner/Applicant is required to provide signed, written confirmation to the City stipulating the choice of:
 - 1.3.1. Option 1: Owner/Applicant coordinates and delivers Public Art; or
 - 1.3.2. Option 2: Owner/Applicant pays percent for art contribution.
- 1.4 Subject to approval by the City, Public Art may encompass diverse public art types, such as, but not limited to:
 - 1.4.1 building features and enhancements such as bicycle racks, gates, benches, fountains, neon, glass art or playground structures which are unique and produced by a Professional Artist;
 - 1.4.2 2D works such as murals, tile artworks, mosaics or bas-relief applied to building surfaces and walkways. Murals may be painted or incorporate a variety of materials;
 - 1.4.3 3D works which can be freestanding or supported;
 - 1.4.4 multimedia, including any combination of media such as sound, video projection or lighting;
 - 1.4.5 community projects resulting in tangible Public Art, i.e. community murals; and
 - 1.4.6 Public art infrastructure such as artist-in-residency spaces or other forms of public space where art or the production of art is visible and accessible to the public.
- 1.5 The City may also consider alternative Public Art that does not satisfy clause 1.4 where it includes:
 - 1.5.1 landscape art that is integrated into the property (in addition to any required landscape plan), if it is created by or led by a Professional Artist;
 - 1.5.2 ephemeral or temporary Public Art provided it is adequately demonstrated that it will provide activation opportunities for the area; and/or
 - 1.5.3 Professional Artist supported Public Art projects that include mentorship or upskilling for emerging artists who do not have extensive Public Art experience.
- 1.6 Public Art must not consist of:
 - 1.6.1 business logos, wording or names related to the development or Owner/Applicant;
 - 1.6.2 Public Art that is not in clear public view;
 - 1.6.3 Public Art or elements of the Public Art which are mass produced;
 - 1.6.4 "off the shelf" or reproduced Public Art; and
 - 1.6.5 landscaping or architectural elements which are required as part of the development, as per the relevant planning framework (unless integrating an artistic component or otherwise approved by the City).



2. OWNER/APPLICANT PROJECT (OPTION 1)

2.1 Where an Owner/Applicant chooses an Art Consultant* to manage the process or decides to coordinate the Public Art project themselves the following process must be followed:

01 Inform the City

Before submitting an Application for Development Approval, discuss the initial concept, location, and potential Artist(s) with the City. If seeking Design Review Panel (DRP) advice, provide information on the Public Art concept as part of the DRP assessment.

02 Preliminary Discussions

Have preliminary discussions with building designer and any other relevant parties about potential locations and types of Public Art.

03 Sign Written Confirmation

Provide signed, written confirmation, stating that Option 1 has been selected. Submit this prior to submitting a building permit. If applicable, art consultant should be engaged at or before this stage to manage the remainder of the process.

04 Define Public Art Opportunity

Prepare an Artwork Brief and coordinate the procurement of a Public Art concept by a Professional Artist. (Please note Artists are to be paid for concept designs).The Owner/Applicant must enter into a contract with their approved chosen Professional Artist, before they submit an application for Public Art Design Approval to the City.

05 Submit Application

Submit application for Percent for Art Approval to the City of Vincent which will be provided to the Arts Advisory Group for comment. The Public Art concept is one of a number of requirements of the application which can be found on the City's website.

06 Assessment and Approval

The application is assessed against the criteria. If approved, notification will be provided in writing. Once the application is approved the project obtains full project approval from the City. If not approved the reasoning will be discussed and a revised application will be required.

07 Artwork and Attribution Plaque

Professional Artist(s) complete detailed design, then artwork is fabricated (if applicable) and installed. A plaque must also be installed next to the Public Art to acknowledge the artist and the City of Vincent. A template can be found on the City's website.

08 Submit Artwork Completion form

The Public Art must be completed, with a notice of Public Art completion form submitted to the City, including a budget report for the full amount of the contribution, prior to the City's granting of a building occupancy permit.

*It is highly recommended that an Art Consultant be appointed to manage Public Art projects for developments that have larger percent for art contributions of \$80,000 and over.

ASSESSMENT CRITERIA

01 Concept: the Public Art is designed by a Professional Artist that shows strong vision, innovation, and excellent craftsmanship. The application should demonstrate how the breakdown of fees will achieve a high-quality Public Art outcome.

02 Context: the Public Art is site specific and considers the relevant themes, architectural, historical, geographical and/or sociocultural context of the site and community identity.

03 Public Access: the Public Art is highly visible to the public realm and positively impacts the visual amenity of the development.

04 Public safety: the Public Art is designed, constructed and installed with best practice risk management and the Public Art does not present a hazard to public safety.



05 Longevity: with the exception of ephemeral and temporary categories of art, the Public Art is designed to be structurally sound and resistant to theft, vandalism, weathering, and excessive maintenance to ensure reasonable life of the Public Art.

06 Special conditions: Public Art must adhere to any special conditions applied by the City, including but not limited to:

Temporary or Ephemeral Art: Must demonstrate that the Public Art will deliver a significant arts and cultural activation that provides short-term and long-term outcomes for the local community. It should provide measurable outcomes that the activation will increase audience accessibility to an engaging arts and cultural experience.

Public Art Infrastructure: Will be dealt with on an individual basis due to the unique context of each project. Ongoing management and/or programming will need to be addressed for Public Art Infrastructure. Liaison with the City's Arts Team and Arts Advisory Group will determine a reasonable and mutually acceptable means of calculating the value of Public Art Infrastructure. Possible approaches may include:

- Calculations based upon the agreed market value of an allocated space within the development.
- Lump sum contributions held in trust, or similar, for the purposes of managing the public art space, delivering a program of public art events or activities, or for disbursement (e.g. for artist residencies) in a manner approved by the City.
- Entering into a contractual arrangement with an arts management organisation with the capacity to manage funds and program a public art infrastructure for a determined period of time.

If the set terms are not met, the Applicant/Owner will be required to communicate that in writing to the City and it will then be determined by the City how to proceed.

BUDGET AND PROCUREMENT

The 1% Public Art contribution amount can cover the following expenses:

- Professional Artist's budget, including artist fees material, assistants' labour costs, insurance, permits, taxes, business and legal expenses, and operating costs.
- Fabrication and installation of Public Art.
- Art Consultant's fees.
- Site preparation.
- Documentation of the Public Art.
- Attribution plaque.

In the application for Percent for Art Approval, the 1% Public Art contribution amount should be clearly demonstrated with a breakdown of fees, particularly in regards to the Professional Artist fees for the design concept, fabrication, installation and project management or art consultant fees.

The procurement approach will be dependent on the objectives of each project, the budget and the developer's procurement requirements. The main procurement approaches are listed below:

- **Direct acquisition or engagement**
This approach may be appropriate where a particular Public Art or the work of a particular Professional Artist is sought. This process may also be preferred for smaller budget projects. In this case the proposed Professional Artist needs to be approved by the City as an initial step.
- **Limited competition**



In a limited competition approach, the /Owner/Applicant selects and invites artists to submit proposals in response to an Artwork Brief. This may be appropriate if the artist is required to work in collaboration with an architect, landscape architect and/or an urban designer.

- **Open competition**

This model requires a public call for Expressions of Interest to provide a schematic response to the Artwork Brief. Shortlisted Professional Artists are invited to develop and present concept designs for a fee, and a preferred Professional Artist is selected.

3. PERCENT FOR ART CONTRIBUTION (OPTION 2)

- 3.1 Where the Owner/Applicant chooses the cash-in-lieu option, they will receive a 15% discount on the Percent for Art contribution.
- 3.2 Cash-in-lieu funds are to be paid to the City (or payment plan entered into) prior to the granting of a building occupancy permit.
- 3.3 If the Development Approval expires or is amended to remove the respective condition the cash-in-lieu contribution will be refunded to the Owner/Applicant.
- 3.4 All Public Art cash-in-lieu payments will be collected by the City and combined into a reserve for the purpose of Public Art.
- 3.5 Public Art projects funded by the cash-in-lieu reserve is to be expended in the public realm and in alignment with the objectives of the City of Vincent Arts Plan.
- 3.6 Cash-in-lieu funds will be expended on Public Art projects in the same catchment area as the contributing development, unless otherwise agreed by the City and applicant, provided that the Public Art is consistent with the objectives of this Policy the City of Vincent Arts Plan.
 - 3.6.1 Catchment areas are centred around Town Centres (highlighted in pink in Appendix 1). Any address would be considered part of the catchment area of whichever Town Centre is in closest proximity.
 - 3.6.2 Cash-in-lieu contributors will be notified by the City as to the Public Art project that their contribution will be expended on.
- 3.7 Appendix 1 to this Policy presents a map of locations for Public Art projects in the City of Vincent.
 - 3.7.1 Public Art projects within each catchment area will be prioritised and implemented through the City of Vincent Arts Plan.

4. OWNERSHIP, COPYRIGHT AND MORAL RIGHTS

- 4.1 Ownership of Public Art commissioned under this Policy will generally depend upon the location of the Public Art:
 - 4.1.1 Where situated on private property, the Owner is responsible for the ongoing maintenance and upkeep of the Public Art; and



- 4.1.2 Where situated on public property, the Public Art is owned and maintained by the City, regardless of who coordinated the Public Art. In addition, ownership of the Public Art during the design and installation of the Public Art is subject to agreement between the Professional Artist and the Owner/Applicant or, where the Owner/Applicant chooses the cash-in-lieu option, the Professional Artist and the City.
- 4.2 The City will have the right to reproduce extracts from the design documentation of the Public Art and photographic images of the Public Art for non-commercial purposes, such as annual reports, information brochures, and information on the City's website.
- 4.3 Australian Copyright Law requires all original Public Art to be attributed to the Artist. A didactic plaque must be installed, by the Owner/Applicant, next to the Public Art to acknowledge the Professional Artist. Artists are also to be acknowledged when images of their work are published.

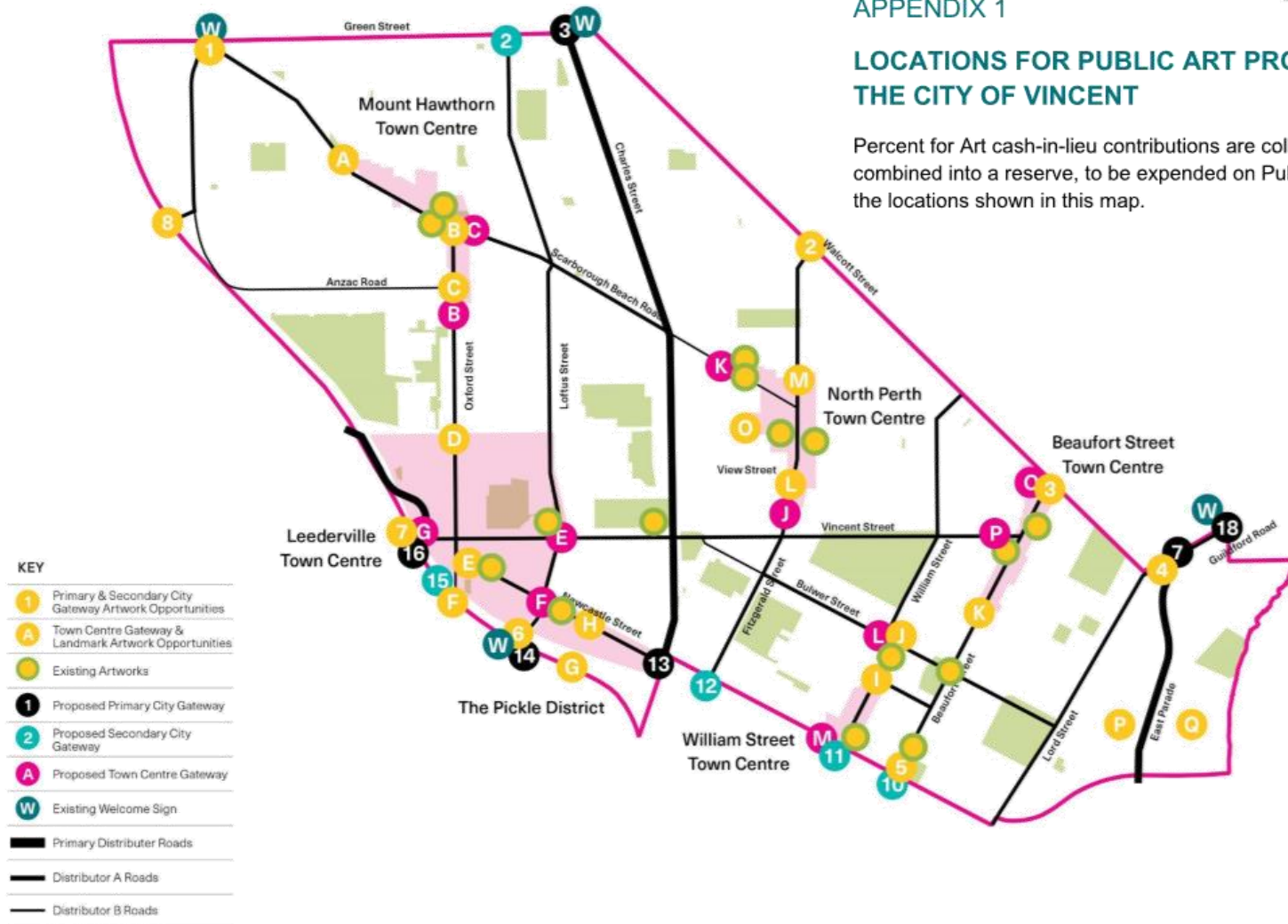
OFFICE USE ONLY	
Responsible Officer	Manager Policy & Place
Initial Council Adoption	24 August 1998
Previous Title	Local Planning Policy 7.5.13 Percent for Public Art
Reviewed / Amended	2022
Next Review Date	2025



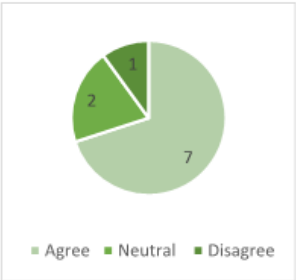
APPENDIX 1

LOCATIONS FOR PUBLIC ART PROJECTS IN THE CITY OF VINCENT

Percent for Art cash-in-lieu contributions are collected and combined into a reserve, to be expended on Public Art projects at the locations shown in this map.



Attachment 1 – Summary of Submissions – Percent for Art

	Submitter's Comments	Administration's Comments								
Public Art Definition										
<p>Question 2: Do you agree that ephemeral and temporary artworks should be encouraged as percent for art contributions?</p>  <table border="1"> <caption>Survey Results for Question 2</caption> <thead> <tr> <th>Response</th> <th>Count</th> </tr> </thead> <tbody> <tr> <td>Agree</td> <td>7</td> </tr> <tr> <td>Neutral</td> <td>2</td> </tr> <tr> <td>Disagree</td> <td>1</td> </tr> </tbody> </table>	Response	Count	Agree	7	Neutral	2	Disagree	1	<p>Question 3: Do you have any other comments or feedback regarding ephemeral and temporary public artworks?</p> <p>Submission Summary: Majority of submissions indicated support for the inclusion of ephemeral and temporal public artworks as they diversify public artworks, deliver conceptually responsive artworks, adapt to unique locations, activate public spaces, and allow for greater creative expression.</p> <p>Submitters who were neutral or disagreed raised concern about the control of quality and the type of public artworks which would be delivered. They also indicated that ephemeral and temporary artworks can lessen the impact of art and the Percent for Art Policy.</p> <p>Submission Detail: S1. Submitter agreed with the definition, supporting the inclusion of ephemeral and temporary public artworks as they provide a greater diversity and can suit the uniqueness of particular locations. They indicated their support for more ephemeral and temporary public artworks. S3. Submitter indicated that ephemeral and temporary public artworks should be managed by the City using cash-in-lieu funding from Option 2 of the Policy. This would ensure that the quality and type of projects are delivered in a more controlled manner. S4. Submitter agreed with the definition as it would be a healthy and progressive way of enabling a wider variety of artistic expression. The Pickle District in West Perth was noted for its current work in this field. Submitter suggested that further supporting this area would enable a precedent for this form of artwork.</p>	<p>Expansion of the public art definition to include temporary and ephemeral artworks is anticipated to introduce greater diversity of artworks to the community and provide better community outcomes. Artworks of temporary or ephemeral nature are assessed and approved by the City according to the assessment criteria set out in the Policy:</p> <ul style="list-style-type: none"> - They must demonstrate that the Public Art will deliver a significant arts and cultural activation that provides short-term and long-term outcomes for the local community; and - They should provide measurable outcomes that the activation will increase audience accessibility to an engaging arts and cultural experience. <p>This criteria ensures that the public artwork delivered through the Policy is of a high quality, acts to enhance and engage Vincent and its community, and provides greater accessibility for the public to arts and cultural experiences.</p>
Response	Count									
Agree	7									
Neutral	2									
Disagree	1									

D23/10420

1

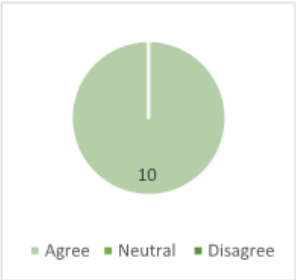
Attachment 1 – Summary of Submissions – Percent for Art

	Submitter's Comments	Administration's Comments
	<p>S5. Submitter agreed that diversity of public artworks was an important and necessary progression from the stand-alone 'brooch' type sculptures that currently exist. This diversification will act to ensure that public artworks are created with more cultural and community input, in turn delivering more relatable arts concepts for the public.</p> <p>S6. Submitter agreed with the definition, further suggesting that projects over a determined monetary value, could have a percentage of their budget used for non-permanent works.</p> <p>S7. Submitter raised concern over the inclusion of ephemeral and temporary artwork viewing this as a loophole for lessening the impact of art and the Percent for Art Policy. The submitter emphasised the importance of the Percent for Art Policy in fostering cultural growth, noting that the inclusion of ephemeral and temporary public artworks should be conscious of maintaining that connection, and not be seen as an arts money pool.</p> <p>S10. Submitter strongly agreed with the definition adding that there are some instances in which ephemeral and temporary public artworks would be more appropriate than physical, long-lasting artwork. Submitter also noted that there are instances in larger projects where the percent for art budget is large enough to accommodate both physical, long-lasting artworks and events-based artworks to help activate an area.</p>	
Mentorship and Upskilling for Emerging Artists		
<p>Question 4: Do you agree that percent for art projects that involve mentorship and upskilling by Professional Artists for emerging artists should be</p>	<p>Question 5: Do you have any other comments or feedback regarding percent for art projects that involve mentorship and upskilling for emerging artists?</p>	
	<p>Submission Summary: All submissions were supportive of the inclusion of mentorship and upskilling for emerging artists in the delivery of percent for art projects.</p>	<p>The Policy allows Public Art projects that include mentorship or upskilling for emerging artists who do not have</p>

D23/10420

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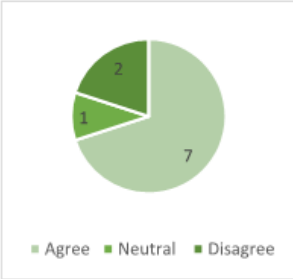
Attachment 1 – Summary of Submissions – Percent for Art

	Submitter's Comments	Administration's Comments
<p>delivered as percent for art projects in Vincent?</p>  <p>A pie chart with a legend below it. The legend has three items: 'Agree' (light green square), 'Neutral' (dark green square), and 'Disagree' (medium green square). The pie chart is almost entirely dark green (Disagree) with a very thin slice of light green (Agree). The number '10' is written in the center of the pie chart, indicating 10% for Agree.</p>	<p>Submission Detail:</p> <p>S3. Submitter agreed and suggested that the practice of mentorship or upskilling in arts projects would best be supported through the provision of guidelines or criterion determined by the City to ensure a suitable standard of excellence is maintained, and to ensure the projects' success.</p> <p>S4. Submitter agreed, and further noted the work of West Perth based Public Arts Company, VOXLAB in this field, and encouraged the City to be aware of leaders in this area and support their ambitions to provide more of these opportunities.</p> <p>S5. Submitter agreed, noting the work of VOXLAB in providing opportunities for young emerging artists to work on large public art projects, adding that there should be greater support by the Percent for Art Policy for this type of mentorship.</p> <p>S6. Submitter strongly agreed, noting that experience in government percent for art processes is often limited. Submitter further suggested that this could be addressed within the mentorship of a public artwork project, or it could be advice that the City provides or helps facilitate.</p> <p>S10. Submitter strongly agreed, noting the difficulties that many young emerging artists face when trying to break into the sector, such as financial stresses which often lead to renting and working out of non purpose-built spaces.</p>	<p>extensive Public Art experience as an alternative option to the standard public art project applications where the criteria clause 1.4 isn't met.</p> <p>As this is an alternative option, applications will be dealt with individually and these types of projects will be guided by administration and the Arts Advisory Group to ensure project success. Due to project types within this category being varied, it is difficult to work up a specific guideline document to encompass all.</p> <p>All remaining submissions noted.</p>
Public Art Infrastructure		
<p>Question 6: Do you agree that public art infrastructure projects are acceptable as percent for art contributions?</p>	<p>Question 7: Do you have any other comments or feedback regarding percent for art projects that involve public art infrastructure?</p> <p>Submission Summary:</p>	<p>The Policy has expanded the public artworks that the City would support</p>

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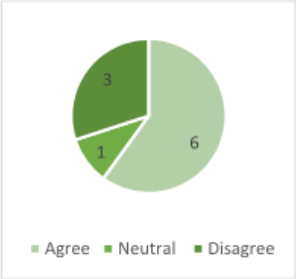
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 <p>A pie chart illustrating the distribution of responses regarding the acceptability of Public Art Infrastructure as a percent for art contribution. The chart is divided into three segments: a large light green segment representing 'Agree' at 7, a smaller medium green segment representing 'Neutral' at 2, and a very small dark green segment representing 'Disagree' at 1. A legend below the chart identifies the colors: light green for 'Agree', medium green for 'Neutral', and dark green for 'Disagree'.</p>	<p>Submissions were mixed regarding the acceptability of Public Art Infrastructure as a percent for art contribution. Most submissions agreed that Public Art Infrastructure was a much-needed asset in the community, but concern was raised over the ongoing funding and management of these spaces. There was also concern over the delivery of Public Art Infrastructure which was not fit for purpose.</p> <p>Submission Detail:</p> <p>S1. Submitter agreed that Public Art Infrastructure was an acceptable percent for art contribution, querying whether there could be further mechanisms to make the process more achievable such as supporting land and business owners to facilitate these spaces.</p> <p>S4. Submitter agreed, calling for support for the Pickle District and their endeavours and leadership in this field.</p> <p>S5. Submitter agreed with the inclusion, noting the importance of having artists living and working in the community. Submitter raised concern over the delivery of such spaces, stating that this could provide developers with an easy opportunity to create space for art to happen with a commercial price tag, or provide small, unsuitable spaces which do not allow large-scale art to be created. It is suggested that there be measures in place to control the delivery of public art infrastructure.</p> <p>S6. Submitter disagreed, noting that this is a good idea in theory, but in practice, the delivery of Public Art Infrastructure can be shown on a Development Application, and the long-term management of these spaces is often unsuccessful or not well managed.</p> <p>S7. Submitter disagreed, noting the critical role these spaces play in vibrant and mature communities and suggesting that Public Art</p>	<p>through the percent for art scheme to meet demand for creative arts spaces throughout Vincent.</p> <p>The delivery and ongoing management of this infrastructure is guided by the provisions in the policy. Applicants must also liaise with the City's Arts Team and Arts Advisory Group to determine a reasonable and mutually acceptable means of calculating the value of Public Art Infrastructure. While the City will not deliver the infrastructure themselves, they still have a role in the assessment and approval of these spaces.</p> <p>Funding contributed through this option is held in a reserve account, in accordance with Part 6, Division 4, section 6.10 of the <i>Local Government Act 1995</i>. Under this legislation, changes to the purpose or, or use of the money held in this account requires an Absolute Majority vote by Council, requires one month's local public notice of the proposed change of purpose or proposed use. This is to ensure transparency and accountability in the management of local government funds.</p>

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	Infrastructure be considered and funded through means other than percent for art funding. Submitter raised concerns of the impact of this inclusion on the integrity and voracity of the Percent for Art Policy, suggesting that the Policy remain planning related to protect this, and maintain the critical connection between development and art outcomes.	
Professional artist definition		
<p>Question 8: Do you support the proposed change to the Professional Artist definition in the draft Policy?</p>  <p>A pie chart showing the distribution of responses to Question 8. The chart is divided into three segments: a large light green segment representing 'Agree' with a value of 6, a medium dark green segment representing 'Neutral' with a value of 3, and a small dark green segment representing 'Disagree' with a value of 1. A legend below the chart identifies the colors: light green for Agree, dark green for Neutral, and a darker green for Disagree.</p>	<p>Question 9: Do you have any other feedback or comments regarding the Professional Artist definition?</p> <p>Submission Summary: While predominantly in support, submissions were varied in their views on the definition of professional artist. Submissions suggested that:</p> <ul style="list-style-type: none"> - Reference be made to young emerging artists, and that the criteria be weighted towards local arts providers and fabricators. - The inclusion of Aboriginal and Torres Strait Islander Artists in the criteria gave preferential treatment to Aboriginal and Torres Strait Island people. - The delivery of public artwork as one of the criteria for professional artist should be removed. <p>Submission Detail: S2. Submitter disagreed with the inclusion of "Aboriginal and/or Torres Strait Islander Artist" as one of the categories that could be met to satisfy the definition of professional artist. Submitter stated that this promotes preferential treatment, does not focus on talent and does not believe that cultural heritage should be included in the definition of a professional artist. S3. Submitter was neutral, querying the exclusion of terms of reference relating to emerging artists.</p>	<p>The definition of professional artist refers to public art as a suggested means of income to meet the criteria.</p> <p>While young and emerging artists are not referred to in the professional artist criteria options, the City seeks to provide opportunities for emerging artists through mentorship and upskilling.</p> <p>The City's Reconciliation Action Plan refers to the Reconciliation Australia guidelines which includes: <i>Opportunities; Providing opportunities for Aboriginal people to actively participate in the social, economic and political activities within the City of Vincent. One of the intentions of this Policy is to provide ample opportunity for Aboriginal and Torres Straits Islander artists in engaging in public artwork projects within the City.</i> The inclusion of "Aboriginal and/or Torres Strait Islander Artist" as one of the criteria that can be met to satisfy the definition of</p>

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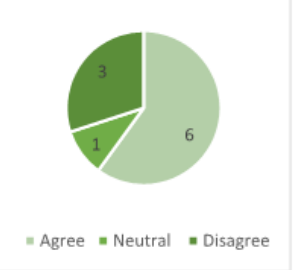
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	<p>S4. Submitter agreed, noting that support and recognition of local content is vital. Suggested that the criterion could be weighted for local arts providers who employ and fabricate locally.</p> <p>S6. Submitter disagreed stating the definition is purely wrong stating that someone can be a professional artist without having delivered public art. Suggesting the two matters, being a professional artist and having public art should be separated through the policy requirements rather than the definition.</p> <p>S7. Submitter disagreed, raising concern over the authenticity of developer proposals, suggesting that the artist definition may be a key component of this. Submitter suggested that there is plenty of scope for commissions and arts projects within the community that do not need to be funded by percent for art funding. Submitter emphasised that the intent of this Policy is addressing the impact of development and the need for art within the community preferably within the developments' locality, and recommends that Council do not lose sight of this.</p>	<p>professional artist is strongly aligned with this endeavour and with the City's Reconciliation Action Plan.</p>
Cash-in-lieu framework (Option 2)		
<p>Question 10: Do you agree that more developers should be encouraged to take Option 2, a cash contribution in lieu of public art, in order to achieve a more strategic approach to public art in the City of Vincent?</p>	<p>Question 11: Do you have any other feedback or comments regarding the cash-in-lieu framework?</p> <p>Submission Summary: Submissions were mixed on whether developers should be encouraged to take Option 2 of the cash-in-lieu framework. Submissions in support focused on the strategic outcomes that Option 2 would facilitate. Submissions opposed were largely concerned with the discount provided for choosing Option 2, indicating that this discourages independent commissioning, and acts as an easy out for developers. Submissions also questioned the process itself, raising concerns about the management and integrity of fund distribution and allocation.</p>	<p>The Policy includes a cash-in-lieu framework to provide transparency as to how and where the cash contributions will be spent.</p> <p>Funding contributed through this option is held in a reserve account, in accordance with Part 6, Division 4, section 6.10 of the <i>Local Government Act 1995</i>.</p>

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 <p>A pie chart illustrating the distribution of responses from submitters. The chart is divided into three segments: a large light green segment representing 'Agree' with a value of 6, a medium dark green segment representing 'Disagree' with a value of 3, and a small white segment representing 'Neutral' with a value of 1. A legend below the chart identifies the colors: light green for 'Agree', dark green for 'Disagree', and white for 'Neutral'.</p>	<p>Submission Detail:</p> <p>S1. Submitter agreed, indicating that they would love the opportunity to contribute to the strategic approach of Public Art in their locality.</p> <p>S2. Submitter disagreed with a discount being offered for Option 2 and indicated that the developer has the right to choose what artwork is supported.</p> <p>S3. Submitter disagreed with a discount being offered for Option 2 suggesting it is an opt-out option for a developer, and easier than providing artwork for their project, adding that there should be no difference in developer contribution regardless of which option is chosen.</p> <p>S4. Submitter disagreed with the inclusion of Option 2, adding that the discount provided discourages developers from independent commissioning. Concerns were raised over the City's tendency to create and over-manage conceptually poor arts outcomes.</p> <p>S5. Submitter disagreed with the inclusion of Option 2 raising concern over the framework directing money away from the art and into managing the process of delivering art. Submitter further suggested that it is the work of artists in the management of art that leads to better art outcomes, and not consultants.</p> <p>S6. Submitter was neutral but raised concern over the integrity of funding allocation and distribution, and potential for funds to be used for other purposes. Submitter suggested that encouraging developers to provide art on their sites strengthens the Policy intent should it be challenged.</p>	<p>Under this legislation, changes to the purpose or, or use of the money held in this account requires an Absolute Majority vote by Council, requires one month's local public notice of the proposed change of purpose or proposed use. This is to ensure transparency and accountability in the management of local government funds.</p> <p>The intent of the Percent for Art Policy is to increase the social, heritage, cultural and economic value of the City through improved public amenity and enhanced built form. The provision of a value cap in the cash-in-lieu framework would act to provide constraint to the delivery of public artworks through this policy. Larger developments are a welcome opportunity to provide greater benefit for the community.</p>

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	<p>S7. Submitter agreed suggesting that increasing the proportions of the total cost of development to 1.25% for Option 1, and 30% for Option 2 would offer greater incentive for Option 2.</p> <p>S10. Submitter agreed, noting that Vincent is saturated with public artworks which are of varying impact and strongly agreed with the notion of pooling funds for a more strategic outcome.</p>	
General comments	<p>There is a large amount of public art within Vincent at present. A developer should be permitted to choose whether to include public art as part of their development.</p> <p>An analysis of the 330-submissions made to City independent of this survey in response to the Bunnings development application in the Pickle District should be included. This is a perfect test case for Percent for Art going directly into cultural infrastructure and a precedent to enable progressive arts sanctuary concepts complimenting urban infill.</p>	<p>Through the preparation of the planning framework for the Pickle District the City is reviewing:</p> <ul style="list-style-type: none"> • the provision of art; or the provision of art and infrastructure through development incentives for community benefit provisions; and • the 330 submissions for context of the place and for strengths and opportunities.

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