Policy P316 Developer Contribution for Public Art & Public Art Spaces

Policy Objectives

To facilitate development of public art as a means of celebrating the identity and history of the community, enhancing the environment and contributing to a sense of place in accordance with the Public Art Strategy.

This policy requires developers of projects with a value of $4 million or greater to contribute towards public art within the City of South Perth.

For the purposes of this policy, public art is defined as follows:

Public art must be clearly seen from and/or located in the public realm. Public art is usually site specific and can be permanent or temporary. It can be sculptural, mural, and significantly diverse in form. Monuments, statues and memorials are some of the oldest and more traditional forms of sanctioned public art. Today however, public art is extremely diverse in form and can include interactive works, urban art, street art, architectural street furniture, 2D and 3D projection, multi-sensory artworks, temporary and ephemeral works.

Policy Scope

This policy applies to developers of applicable projects within the City of South Perth, as described in the policy statement.

Policy Statement

The City of South Perth supports the development of public art in the City in accordance with the Public Art Strategy.

Developers of projects with a value of $4 million or greater are to contribute at least 1% of the construction value towards public art.

Construction value means the estimated cost of the equipment, financing, services and utilities that are required to carry out a development but does not include the cost of land acquisition. The City will generally accept this to be the same as the estimated cost of development stated by the applicant on the building permit application.

The contribution can be delivered as:

- Option A – Public art or public art space within the development itself;
- Option B – Public art on land owned by the City; or
- Option C – A contribution to the City’s Public Art Fund.

On submission of a development application the proponent must nominate the way in which the public art contribution will be met, for consideration by the City.
Conditions to Option A
1. A maximum of $200,000 or 50% of the required contribution, whichever is greater, can be spent on one or more artworks within the development itself. All remaining monies must be paid into the City’s Public Art Fund (Option C) or delivered as artwork on City land (Option B).
2. All proposed artwork concepts must be approved by the City and will be assessed against the Qualitative Assessment Criteria for public art as outlined in Appendix 1: Public Art Toolkit – A Guide for Developers.
3. Developers may elect to submit a proposal that delivers the percentage contribution in the form of a ‘Public Art Space’. Public art spaces will be assessed against additional selection criteria as detailed in Appendix 1: Public Art Toolkit – A Guide for Developers. Public Art Spaces may include but are not limited to:
   - Publicly accessible art boxes or light box displays;
   - Artwork billboards;
   - Gallery windows;
   - Publicly accessible artist-in-residency space or other form of public space where the production of art is visible, accessible and available to the public; and/or
   - Performance art programme that is free and available to all members of the public.
   At a minimum, public art spaces must:
   - Be available to the public and located in the public realm;
   - Must be used as prescribed for its intended use (as detailed in the proposal submission) as approved by the City;
   - Must remain in use for the life of the building or for a period of time as approved by the City.
   A detailed proposal submission must be submitted at the time of artwork application.

Conditions to Option B
Artwork on City land must be approved by the City. The City will be guided by Appendix 1: Public Art Toolkit – A Guide for Developers, the Public Art Strategy and the instructions of relevant City officers in assessing artwork on City land.

Conditions to Option C
Developers wishing to contribute all of their required contribution to the City’s Public Art Fund are eligible for a 10% reduction on the policy obligation.

Developers of public or commercial projects of a lesser value than $4 million are encouraged to contribute public art or a nominal amount, being generally in the order of 1% of the construction value, to the City’s Public Art Fund.

Legislation/Local Law Requirements
City of South Perth Town Planning Scheme No.6

Other Relevant Policies/Key Documents
City of South Perth Public Art Strategy
City of South Perth Policy P101: Public Art

Appendices
Appendix 1: Public Art Toolkit – A Guide for Developers
CITY OF SOUTH PERTH
PUBLIC ART TOOLKIT.
A GUIDE FOR DEVELOPERS
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Introduction

The City of South Perth is committed to its investment in the arts and as such has developed a distinct and diverse collection of temporary and permanent artworks in public places that celebrate and contribute to the City’s unique culture. The City of South Perth has acknowledged that public art helps create a sense of place within the community which nurtures cultural awareness and the identity of a location.

The City invests in public art through a percent-for-art provision in Policy P101: Public Art, whereby the City contributes 2% of the total cost of City projects with a value greater than $2 million towards public art. This is seen as an investment into the community by enhancing the quality of life, increasing property values and stimulating the economy.

A second policy, P316 Developer Contribution for Public Art and Public Art Spaces, requires developers of projects with a value of $4 million or greater to contribute at least 1% of the construction value towards public art. The contribution can be delivered as public art within the development itself, on land owned by the City, or as a contribution to the City’s Public Art Fund. This toolkit supports Policy P316 and the City’s overarching Public Art Strategy by providing information for developers who are required to contribute towards public art.

Developers of public or commercial projects of a lesser value than $4 million are encouraged to contribute to public art or a nominal amount, being generally in the order of 1% of the construction value to the City’s Public Art Fund.

What are the main objectives of these policies?

The main objectives of the policies are:

- To improve the quality of the built environment and the value of public facilities;
- To identify and create new professional and economic opportunities for artists.

What is the purpose of this guide?

This guide provides practical information on how developers can meet the public art contribution. The guide is intended to assist with an expeditious approval process and positive public art outcomes.

What are the developer benefits?

For developers or investors, public art provides value, cultural investment and a connection with local communities. In many cases it provides a point of difference for a development or it can become an identifiable landmark to an area. It also offers a way to engage with the people who will live, use, interact or benefit from the development.
Definitions

Construction value: The estimated cost of the equipment, financing, services and utilities that are required to carry out a development but not including the cost of land acquisition. The City will generally accept this to be the same as the estimated cost of development stated by the applicant on the building permit application.

Acquisition: The act of acquiring or gaining the public artwork.

Procurement: The act and process involved in acquiring or purchasing the public artwork.

Commission: Mutually agreed transaction, can involve an agent.

Commissioner: Developer, builder or person responsible for acquiring the artwork.

Public Art Consultant: Agent or arts industry specialist contracted to manage the procurement project.

Understanding Public Art

What is Public Art?

Public art must be clearly seen from and/or located in the public realm. Public art is usually site specific and can be permanent or temporary. It can be sculptural, mural, and significantly diverse in form. Monuments, statues and memorials are some of the oldest and more traditional forms of sanctioned public art. Today however, public art is extremely diverse in form and can include interactive works, urban art, street art, architectural street furniture, 2D and 3D projection, multi-sensory artworks, temporary and ephemeral works.

The broad terms are described below.

Types of Public Art

<table>
<thead>
<tr>
<th>ICONIC</th>
<th>A stand alone or significant work, often site-specific, where the artist's approach is largely independent of other considerations – art for art's sake. Examples include sculpture, water features, lighting or multimedia.</th>
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<tbody>
<tr>
<td>INTEGRATED</td>
<td>Works that are fully incorporated within the design of the built or natural environment. Integrated works may include floor and window design, lighting, landscaping and associated elements. However it must first and foremost be an artwork.</td>
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<tr>
<td>SITE SPECIFIC</td>
<td>Designed specifically for, and in response to, a particular site through scale, material, form and concept. This definition could apply to all listed categories.</td>
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<td>---------------</td>
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<tr>
<td>EPHEMERAL</td>
<td>The artwork is designed to last for a short time. It can be transitory and may be seasonal. This may include, but is not limited to; artwork projects such as digital projections, temporary installations, moveable artworks, lighting displays and public participatory interactions.</td>
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<tr>
<td>INTERPRETIVE</td>
<td>Where the primary purpose is to comment or educate on issues, events or situations. These artworks may provoke/evoke deeper responses in the viewer. Examples include sculpture, seating, landscaping, murals and text based work. It can also be functional, iconic and site specific.</td>
</tr>
</tbody>
</table>
| PUBLIC ART SPACES | Public Art Spaces may include but are not limited to:  
- Publically accessible art boxes or light box displays;  
- Artwork billboards;  
- Gallery windows;  
- Publically accessible artist-in-residency space or other form of public space where the production of art is visible, accessible and available to the public; and/or  
- Performance art programme that is free and available to all members of the public.  
Note that special criteria apply where developers propose to contribute public art spaces, see Page 10. |

**Artist Value**

**Definition of an artist**

Only professional practicing visual artists will be eligible to carry out public art commissions. The term ‘artist’ is self-referencing; therefore for the purposes of this toolkit, a professional practicing visual artist can be defined as a person who fits into at least two of the following categories:

- A person who has a university degree or minimum 3 year full time TAFE diploma in visual arts or, if the brief calls for it, other art forms such as multimedia.
- A person who has experience or a history of exhibiting their artwork at reputable art galleries that sell the work of professional artists.
• A person who has chosen to commit a significant amount of their time to their artwork practice and earns the majority of their income from arts related activities such as teaching art, selling artwork or undertaking public art commissions.

At times it may be appropriate to seek people that sit outside of the above conditions to carry out artwork commissions. This may apply in instances when young, local, emerging, Indigenous artists or students may be considered appropriate for a particular project.

Although collaboration between artists and architects is desirable, particularly in the early stages of a commission, under this definition architects are not artists.

**Why engage a professional artist?**

Artists play a critical role in placing an emphasis on process. They are commentators and provocateurs who can explore and articulate social concerns and issues of significance. They creatively engage with communities and work to monitor, record, express and respond to the world around us. Artists as members of design teams, working collaboratively and contributing to the use and form of urban planning and development through research, reflection and propositions can enrich a community as a whole.

An artist with a notable reputation can also bring further value to the building or precinct in which the public art is located.

**Public Art Process**

**Project outline**

When the Development Application (DA) states that the development attracts a P316 approval contribution, the developer must nominate one of three options to satisfy the condition, as set out in policy P316.

The public art contribution can be as public art within the development (Option A), as public art on land owned by the City (Option B) or as cash-in-lieu to the City’s Public Art Fund (Option C- NOTE: a discount applies to this option).

**Developers are encouraged to discuss these options with the City’s Arts Officer in a pre DA lodgement meeting as they will need to have an artist agreement prior to applying for a Building License.**

The procurement process will involve varying degrees of involvement from the City depending on which option the developer chooses. The City will monitor developer contributions to public art and proposals at key stages aligned with the applications for development approval and building license/s.
**Option A: Public art within the development**

Where the developer chooses to provide public art within the development itself, the developer will be responsible for selecting a preferred public art concept and then lodging an “Artwork Concept Application” using the form at Appendix C. The developer should be mindful of the information in this toolkit, in particular the Public Art Criteria, which will be used by the City to assess the artwork concept.

The City’s Arts Officer can be invited to attend a panel shortlisting, which may assist in approval turnaround times. The City will approve the artwork concept before the developer commissions the artist and advise of any required technical documents and/or building license applications that may need to be included in the contract.

*Figure 1 – Option A: Process for providing public art within the development.*

**Conditions to Option A (as set out in policy P316):**

1. A maximum of $200,000 or 50% of the required contribution, whichever is greater, can be spent on one or more artworks within the development itself. All remaining monies must be paid into the City’s Public Art Fund (Option C) or delivered as artwork on City land (Option B).

2. All proposed artwork concepts must be approved by the City and will be assessed against the Qualitative Assessment Criteria for public art as outlined in the current Public Art Toolkit – A Guide for Developers.

3. Developers may elect to submit a proposal that delivers the percentage contribution in the form of a ‘Public Art Space’. Public art spaces will be assessed against additional selection criteria as detailed in the Public Art Toolkit – A Guide for Developers.
Public Art Spaces may include but are not limited to:

- Publicly accessible art boxes or light box displays;
- Artwork billboards;
- Gallery windows;
- Publicly accessible artist-in-residency space or other form of public space where the production of art is visible, accessible and available to the public; and/or
- Performance art programme that is free and available to all members of the public.

At a minimum, public art spaces must:

- Be available to the public and located in the public realm;
- Must be used as prescribed for its intended use (as detailed in the proposal submission) as approved by the City;
- Must remain in use for the life of the building or for a period of time as approved by the City.

A detailed proposal submission must be submitted at the time of artwork application.

**Option B: Public Art on land owned by the City**

Where a suitable site is available within the vicinity of the development, the developer may choose this as the location of the public art contribution. In many cases this will be City owned land such as public open space. The City will be more actively involved in the process of selecting and commissioning artwork where it is to be located on City land than when it is on private land.

For public art contributions on City land, the developer will prepare the artwork commission with involvement from the City and/or the community as appropriate. The City will be required to approve the artwork commission brief prior to advertising for expressions of interest. The City will then be involved in the shortlisting and selection of artists and artwork concepts, including the final selection of a preferred detailed concept.

*Produced through community engagement and consultation with the general public, the City provides a map for potential artwork sites which outlines suggestions for types of works, ideas and aspirations for public art on City land. Developers can also access this map here: https://yoursay.southperth.wa.gov.au/public-art-strategy/maps/art-in-south-perth*

**Conditions to Option B (as set out in policy P316):**

Artwork on City land must be approved by the City. The City will be guided by the City’s Public Art Toolkit – A Guide for Developers, the Public Art Strategy and the instructions of relevant City officers in assessing artwork on City land.

**Option C: Contribution to the City’s Public Art Fund**

The developer may provide their contribution as cash in lieu to the City’s Public Art Fund. The developer contribution will be pooled with funds from other sources in the Public Art Fund and allocated to public art projects in accordance with the Public Art Strategy. The City will assess the best possible application
of the funds at the time of spend, taking into consideration the needs of the community and the best outcomes for the City. Where a public art project is financed from the Public Art Fund, the funds shall be expended within a project scope and process as determined by the City.

**Conditions to Option C (as set out in policy P316):**

Developers wishing to contribute all of their required contribution to the City’s Public Art Fund are eligible for a 10% reduction on the policy obligation.

**Acquisition Guidelines**

Should a developer choose to commission their own public art (Option A) the following qualitative assessment criteria will be used as the basis for assessment by the City and should be directly addressed in the artwork concept application.

**Public Art Qualitative Assessment Criteria**

<table>
<thead>
<tr>
<th>ESSENTIAL</th>
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<tbody>
<tr>
<td>1. The proposed artwork concept shall be in accordance with the City’s Public Art Strategy and Policy P316 - Developer Contribution to Public Art.</td>
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<tr>
<td>2. The proposed artwork/s can be clearly seen from and/or are located in, the public realm.</td>
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<tr>
<td>3. The proposed artwork/s is an original artwork/s, designed and created by a professional artist/s as defined in the Toolkit.</td>
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<tr>
<td>4. The concept proposal must include a budget with indicative costings for;</td>
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<tr>
<td>- Artist fees or artist payment schedule</td>
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<tr>
<td>- Consultancy fees (if applicable)</td>
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<td>- Design development (if applicable)</td>
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<tr>
<td>- Fabrication</td>
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<tr>
<td>- Insurance</td>
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<tr>
<td>- Permits and Drawings</td>
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<tr>
<td>- Installation</td>
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<tr>
<td>- Concept fees (if applicable).</td>
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<tr>
<td>5. The proposed artwork/s shall not detract from the amenity or safety of the public realm.</td>
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</tbody>
</table>
6. Any proposal must adhere to any special conditions and building codes applied by the City or State, this is inclusive of a building permit (if applicable) and certified engineers drawings.

7. The artwork concept must demonstrate a diversity of concept and/or scope.

8. The proposed artwork/s contributes to an attractive, stimulating and functional environment.

DESI RABLE

1. Integrated artworks (such as screens) must at foremost be an artwork with secondary purpose demonstrated as functional.

2. The proposed artwork/s demonstrates standards of excellence and innovation.

3. The artwork/s is a site specific response to the building and/or site.

4. Consultation with the local community and/or the City is included in the development of the artist brief and/or in the selection process of the artist/artwork as required by the City of South Perth.

Eligible artworks

Art projects eligible for consideration include:

- the work of an artist working individually, with the community or in collaboration.
- art that encourages awareness or challenges ideas.
- art that enhances a sense of play and celebration.
- art that engages with aspects of contemporary art and design in line with an artist’s studio practice.
- art that provides an artistic interpretation of historical or archaeological research.
- art that encourages interaction with a social space.
- art that encourages collaboration with aboriginal community members connected to the area.
Exclusions to Public Art

Public art projects ineligible for consideration include:

- commercial promotions and offshore fabrications in any form.
- artworks that include a business logo.
- directional elements such as super graphics, signage or colour coding.
- ‘art objects’ that are mass-produced, such as fountains or playground equipment.
- most art reproductions including decorative perforated screens.
- landscaping or generic hard-scaping elements that would normally be associated with the project.
- services or utilities necessary to operate or maintain art works.

Public Art Spaces Criteria – applicable only to Option A as defined in Policy P316

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<tr>
<th>ESSENTIAL</th>
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<tbody>
<tr>
<td>1. The proposed project’s vision is to provide opportunities for artists to showcase their art practice in the public realm.</td>
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<tr>
<td>2. The project vision must be relevant to the arts community and show evidence of engagement and/or collaboration with local artists.</td>
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<tr>
<td>3. Must remain in use for the life of the building or for a period of time as approved by the City.</td>
</tr>
<tr>
<td>4. The general public has access to the artworks and the project vision involves inclusive practices in line with the City’s Disability Access and Inclusion Plan and Strategic Community Plan.</td>
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<tr>
<td>5. The space provided must adhere to any special conditions and building codes applied by the City or State.</td>
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<tr>
<td>6. The developer must provide evidence that they are actively seeking to develop artistic and professional outcomes in at least two of the following avenues:</td>
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<tr>
<td>▪ training and education in areas relevant to their creative practice (not limited to academic training);</td>
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<tr>
<td>▪ developing an independent body of high quality creative work;</td>
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<tr>
<td>▪ exhibiting work or delivering other public outcomes from the creative practice housed in the space.</td>
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</tbody>
</table>
**DESIRABLE**

1. Commercial opportunities for artists to sell their work and promote their professional profile.

2. Proposals present opportunities for the community to be exposed to the arts at a national and international level.

3. Temporary or site-specific works that may complement or disrupt the architectural characteristics of the development and any of the surrounding public open spaces (by negotiation with the City) are encouraged.

4. Project visions that include, but are not reliant on, additional sponsorship are encouraged.

5. Social enterprise and other innovative models to provide a platform for emerging creatives.

**Acquisition process**

This section provides clear guidelines for the procurement of public art and is based on current best practice. The involvement of artists and art professionals in the initial stages of project planning is important to successful and meaningful public art outcomes.

It is also important to factor in the various fees and charges and understand what the City expects the commissioner to accommodate as part of the public art contribution.

Developers are encouraged to use a public art consultant.
What does the 1% public art contribution include?

Typically a public art commission consists of a variety of fees and charges that sit outside of the scope of the actual artwork. The 1% public art contribution includes the following expenses as part of the total project cost:

| Public art consultancy fee | Each public art project is different and requires a tailored scope of works. There are a number of factors taken into account when calculating fees, which will vary. In line with WA State Government Projects Buyers Guide (via Building Maintenance and Works), the consultancy fee should be between 7-12% of the P316 obligation. **Should the developer wish to pay more to the consultant, this is their prerogative but the higher fees will not be accepted by the City of South Perth as a percent for art contribution spend.** |
| Advertisement fees | Fees associated with the community participation and engagement or marketing of the artist engagement process. |
| Artist concept design | Artists will, in most instances, be paid a pre-determined fee for preparation of the design concept. The fee is usually between $1,000 to $3,000 and is related to the overall budget. |
| Commission value | The commission value is usually a lump sum amount that, in most cases, will include design, fabrication and installation, ex GST. |
| Photographs and marketing | A professional photographer is engaged after the artwork is installed. A high resolution copy of the artwork images are provided to the City with a promotional blurb (100-250 word) for use on the City’s Public Art Inventory. A template is on the City’s website. |
| Plaque or acknowledgement | The commissioner is responsible for acknowledging the artist and their work with a plaque or signage. The wording on the plaque should acknowledge the project is a result of the City’s policy. A template is on the City’s website. |

On completion of the project the commissioning agency accepts responsibility for the ongoing maintenance of the artwork (Option A only).

The percentage contribution **does not** include:

- the maintenance and conservation of the artwork;
- any further administration relating to the artwork once it has been installed;
• decommissioning, relocation or removal of the work; or
• any ongoing remuneration to the artist.

**Duration**

It is important to note that an Artist/s should be engaged at the soonest possible opportunity. From Artist Brief to artwork installation, the artwork may take anywhere from 6 months to 2 years before reaching completion. The City expects the artwork to be completed and installed prior to occupancy certification being issued unless agreed otherwise.

**Procurement and commission process**

Please see Appendix A for a guide to the procurement and commission process and submit the paperwork as requested for evaluation by the City as stated in Appendix C.

**NOTE:** Where public art projects are developed to tell Aboriginal stories, the City of South Perth’s Aboriginal Reference Group, comprising of cultural representatives from the Aboriginal community, will advise of the cultural appropriateness of projects in Whadjuk Nyoongar country. The City’s Arts Officer can advise of the meeting dates for this group.

**Permanence, maintenance and moral rights**

Artists may expect that if a work is commissioned for a public site, it will remain there permanently. This is hard to guarantee. It is better to agree that the work will remain in the proposed location for a specific period and its location will be reviewed, in conjunction with the artist, after that time. Any decision to relocate the work should involve the artist and maintain the integrity of the work.

To ensure that the issues of maintenance and longevity of the artwork are addressed, consideration should be given to:

• The intended life of the work
• The materials to be used and their durability
• The environment where the work will be located (dampness, extreme wear and tear etc.)
• Who is responsible for repairing the work if it is damaged
• Who decides when the work is damaged beyond repair
• What the process will be should the site/building be redeveloped
• Urgent maintenance issues such as vandalism and the removal of graffiti

Moral rights for artists have been incorporated into the Copyright Act of 1968\(^1\) and further information can be found in sections 195AC to 195AM. They provide artists with the right of public acknowledgment as creator of a work and the right of integrity, which means that the work will not be materially altered or distorted, or treated in a way that is prejudicial to its reputation. This creates an obligation on the commissioner to ensure that the artist is consulted prior to any amendment or relocation of the artwork. It also creates an obligation to the commissioner to ensure that the artwork acknowledges the artist by way of plaque or other signage. A template for a plaque is available on the City’s website.

At the conclusion of a public art project, the developer is to provide the City’s Arts Officer with a digital copy of the artwork maintenance schedule that includes engineer’s drawings, insurances, specifications and agreed maintenance expectations. It is to include photo documentation of the artwork fabrication and installation. The template for a manual is available on the City’s website.
## Appendix A: Procurement and Commission Process

<table>
<thead>
<tr>
<th>Commission a Public Art Consultant</th>
<th>For those commissioners unfamiliar with a public art procurement process, the City recommends the use of a qualified agent or consultant with evidence of past experience in managing public art projects. (See list of Public Art Consultants)</th>
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<tr>
<td></td>
<td>Appointing art consultants with heritage, curatorial and technical expertise will assist in the procurement process for a variety of reasons including:</td>
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<td>▪ Assistance with the development of a community engagement strategy and targeted public consultation</td>
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<td>▪ Access to a wide network of professional art sector organisations and artists</td>
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<td>▪ Skilled matching of your project goals with artwork/artists of the highest calibre</td>
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<td></td>
<td>▪ Ensures best practise in the artist selection process</td>
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<td>▪ Provides additional support to communicate the artist's design proposal</td>
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<td>▪ Comprehensive documentation for the client and stakeholders</td>
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<tr>
<th>Decide on acquisition approach</th>
<th>Acquisition of public art can be achieved via three main methods:</th>
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<tbody>
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<td></td>
<td>1. direct procurement or engagement of a particular work or artist;</td>
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<td>2. a limited competition approach, where the commissioner selects and invites specific artists to submit proposals in response to an art brief; or</td>
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<td>3. open competition, which requires a public call for expressions of interest to provide a schematic response to an artist brief. Shortlisted artists or artist teams may be invited to develop and present concept designs for a fee, and a preferred artist is selected.</td>
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<thead>
<tr>
<th>Artwork brief</th>
<th>Advertising public art opportunities through professional art sector organisations is also considered a way to improve the artist selection process.</th>
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<tbody>
<tr>
<td></td>
<td>The Public Art Consultant will prepare an artwork brief after consultation with appropriate stakeholders. The brief should leave sufficient flexibility for artistic interpretation and a creative response to the brief.</td>
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<thead>
<tr>
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<th>The brief should contain the following, as a minimum:</th>
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<tr>
<td></td>
<td>▪ Information about the commissioning agent, project and lines of responsibility</td>
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<td>▪ Background information on the community, the precinct, the site or any heritage of the area, if known</td>
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<td></td>
<td>▪ A clear framework of expectation, project background, vision or themes for the artwork, location, budget, timing (deadlines and required completion date) and any objectives or constraints with regard to the form/type, stylistic preferences, scale, materials or site of the artwork</td>
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<tr>
<td></td>
<td>▪ Technical requirements that must be met, including site analysis and constraints, engineering information, plans, elevations and other drawings</td>
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<td></td>
<td>▪ Sub-contracting options and responsibilities</td>
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<td>▪ Artists’ submission requirements (response to the brief)</td>
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<td>▪ Collaboration opportunities/expectations</td>
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<td>▪ Details about the project briefing sessions (if applicable)</td>
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<td></td>
<td>▪ Identify what the commissioner will provide as set in the budget</td>
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<td></td>
<td>▪ Desired outcomes of the project (material, social, artistic)</td>
</tr>
</tbody>
</table>
- Criteria for selection and who will make the selection (committee or otherwise)
- The selection criteria should be in line with the Public Art criteria in this toolkit, to ensure consistency with the City’s requirements
- Confidentiality assurances including clarification of what will happen to the maquette/plans/drafts etc. of the original proposals (including the successful proposal) and acknowledgement of moral rights
- Outline the proposed contract arrangements

### Expression of interest (EOI)

Once the brief is determined, a call for expressions of interest (EOI) will be advertised. The artist/s will be required to provide a response to the brief and indicate relevant experience. The call for EOI may run for between three and eight weeks, dependent on the size and complexity of the commission.

The Public Art Coordinator/Consultant should identify the scale and expectation required for the EOI submission to ensure a decision is made on an equitable basis. At a minimum, a current resume, relevant examples of the artist’s original work and a schematic and written response to the brief should be requested. An offer of an appropriate design fee should also be communicated.

### Short list

A review and assessment of the EOIs against the predetermined selection criteria outlined in the brief will result in the selection of a small group to prepare a design concept, with the offer of an appropriate design fee. The shortlisted artists will be invited to submit a design concept.

### Design concept

The artwork brief is reviewed and updated to provide any available additional information, and to provide criteria and submission requirements for the final selection. Each shortlisted artist will be required to prepare a design concept in response to the brief to be approved by the commissioner.

### Design selection

In the case of a private commission, the developer, public art consultant and/or a selection panel will meet with the artists to view the design concepts, select the preferred concept and prepare a formal engagement document.

### Contract

Once approved, the artist will enter into a formal written contract with the commissioner. The contract will be agreed to by both parties and will:
- set out terms and obligations of both parties;
- include a work program with milestone dates for sign off and a payment schedule for staged payments against each achieved milestones; and
- responsibility for various types of insurance such as public liability, professional indemnity and insurance for the artwork itself.

A standard ‘service delivery’ contract does not address arts industry expectations. A public art consultant can provide a contract designed for these types of projects; however, Arts Law offers a range of contracts for sale, including a standard commission contract. See [www.artslaw.com.au](http://www.artslaw.com.au).

### Design development

The artist must prepare final detailed plans and documents required for the commissioner and any government approvals.

### Preparation of art work

The artist creates or supervises the creation of the art work. The commissioner will, in most cases, require sign off at specified milestones outlined in the artist’s contract and will pay staged payments as agreed. Where appropriate, progress updates and images are to be provided and may include studio or site visits.
| Installation and handover | The artist and commissioner should agree on the terms with regard to completion prior to installation. Responsibility and terms for the safe and legal installation of the artwork should also be determined between the parties.

The commissioner will arrange for a plaque or sufficient signage that acknowledges the artist and displays the title of the work and year it was made.

The artist is required to provide the ‘as constructed’ details of the artwork and a public art maintenance report to the commissioner. It is the commissioner’s responsibility to provide a copy of this to the City. There is an expectation that this information will be passed from owner to owner should the artwork change hands. |
| Celebration | A launch, dedication or opening of the artwork assists in creating a sense of importance and provides a good public relations opportunity for the City, the developer and the artist. Attribution plaque is installed, crediting the artist. The City’s plaque template is available on the City’s website and must be approved by the Arts Officer and site inspection pre occupancy certification. |
Appendix B: Important Contacts

Public Art Consultants

The following public art consultants have lodged their contact details with the City of South Perth. Employing a public art consultant is considered a legitimate expense (specified between 7-12%) from the percent for art (P316) funds. The City encourages the Commissioner to seek at least three quotations:

<table>
<thead>
<tr>
<th>Contact Name</th>
<th>Business</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alison Barrett</td>
<td></td>
<td>0419 192 657</td>
<td><a href="mailto:ambpublicart@gmail.com">ambpublicart@gmail.com</a></td>
</tr>
<tr>
<td>Andra Kins</td>
<td>Urban Thresholds</td>
<td>0418 929 297</td>
<td><a href="mailto:andra@iinet.net.au">andra@iinet.net.au</a></td>
</tr>
<tr>
<td>Artsource</td>
<td></td>
<td>9335 8366</td>
<td><a href="mailto:consultancy@artsource.net.au">consultancy@artsource.net.au</a></td>
</tr>
<tr>
<td>Corine Van Hall</td>
<td></td>
<td>0419 194 058</td>
<td><a href="mailto:corine@iinet.net.au">corine@iinet.net.au</a></td>
</tr>
<tr>
<td>Helen Curtis</td>
<td></td>
<td>0413 56 0413</td>
<td><a href="mailto:helen.curtis@iinet.net.au">helen.curtis@iinet.net.au</a></td>
</tr>
<tr>
<td>Jenny Beahan</td>
<td></td>
<td>0408 921 671</td>
<td><a href="mailto:jennyaab@bigpond.com">jennyaab@bigpond.com</a></td>
</tr>
<tr>
<td>Jenny Kerr</td>
<td></td>
<td>0451 534 030</td>
<td><a href="mailto:jennykerr77@gmail.com">jennykerr77@gmail.com</a></td>
</tr>
<tr>
<td>Jude van de Merwe</td>
<td></td>
<td>0408 954 363 9295 4364</td>
<td><a href="mailto:judevandermerwe@iinet.net.au">judevandermerwe@iinet.net.au</a></td>
</tr>
<tr>
<td>Maggie Baxter</td>
<td></td>
<td>(+61 8) 6460 1111 0401 031 939</td>
<td><a href="mailto:magb@iinet.net.au">magb@iinet.net.au</a></td>
</tr>
<tr>
<td>Paola Anselmi</td>
<td>Paola Anselmi Contemporary Art</td>
<td>0411 982 537</td>
<td><a href="mailto:paola@paolaanselmiart.com.au">paola@paolaanselmiart.com.au</a></td>
</tr>
<tr>
<td>Malcolm McGregor</td>
<td></td>
<td>0409 191 696</td>
<td><a href="mailto:m.mc@bigpond.net.au">m.mc@bigpond.net.au</a></td>
</tr>
<tr>
<td>Mariyon Slany</td>
<td></td>
<td>0401 694 252</td>
<td><a href="mailto:mariyonslany@iinet.net.au">mariyonslany@iinet.net.au</a></td>
</tr>
<tr>
<td>FORM</td>
<td></td>
<td>(+61 8) 9226 2799</td>
<td><a href="mailto:mail@form.net.au">mail@form.net.au</a></td>
</tr>
</tbody>
</table>
Other public art consultants wishing to be included on this list should provide their details to the City’s Arts Officer for inclusion in the next update of this document.

City Contacts

City of South Perth

Contact Number: (+61 8) 9474 0777

Email: enquiries@southperth.wa.gov.au

Post/Visit: City of South Perth Civic Centre, Cnr Sandgate St & South Tce, South Perth, Western Australia 6000

Planning

Contact Development Services to discuss any items relating to your development application.

Cultural Development

For further information about the City’s Public Art strategy or for further advice about the City’s public art expectations, please contact the City’s Arts Officer on 9474 0762.

Local History

There are links to local history here: http://library.southperth.wa.gov.au/Local-History/

For further information about the City’s local history feel free to contact the City’s Local History Librarian at localhistory@southperth.wa.gov.au.

Local Heritage

There are links to local heritage here: https://southperth.wa.gov.au/development/planning/local-heritage
Appendix C: Artwork Concept Application

Applications will be assessed against the selection criteria and the budget scrutinised to ensure the full contribution has been acquitted. Please provide a copy of this form to the Arts Officer at the City of South Perth to ensure all required details can be considered in the assessment.

Address of development........................................................................................................................................................................

Development Approval Number........................................................................................................................................................................

Name of Property Owner................................................................................................................................................................................

Owner’s address................................................................................................................................................................................................

Telephone.................................................................................................................................................................................................

Email........................................................................................................................................................................................................

Name of applicant......................................................................................................................................................................................

Applicant’s address....................................................................................................................................................................................

Telephone.................................................................................................................................................................................................

Email........................................................................................................................................................................................................

Name of architect/designer....................................................................................................................................................................

Architect/designer’s address......................................................................................................................................................................

Telephone.................................................................................................................................................................................................

Email........................................................................................................................................................................................................

Name of artist............................................................................................................................................................................................

Artist’s address........................................................................................................................................................................................

Telephone.................................................................................................................................................................................................

Email........................................................................................................................................................................................................

Name of public art consultant...................................................................................................................................................................

Address........................................................................................................................................................................................................

Telephone........................................................................................................................................................................................................

Email........................................................................................................................................................................................................

City of South Perth
Please attach all the following information on the proposed artwork:

1. **Description of proposed artwork**

Please describe the proposed artwork, including:

- information about the artist including qualifications, experience and suitability for the project
- artist's concept and historical references (if any)
- relationship to the building design and the surrounding area, location, size, materials, life span/decommission date, and accessibility to the public

2. **Artwork documentation**

Please attach one document (max 5 MB) that includes drawings of the proposed artwork showing colours, materials, dimensions, specifications and an indication of maintenance required.

Large files can be sent as wetransfer or dropbox. Multiple files are unacceptable. Please save as one document.

3. **Location of proposed artwork**

Please attach pdf plans that show the proposed artwork location in relation to the building and site.

4. **Indicative artwork budget inc. GST**

Please attach a detailed artwork budget in the format provided at Appendix D. If the artwork is integrated, the City may request to see the QS sums against existing budgeted components of the build.

A letter of approval will be issued by the City prior to a formal contract being offered and the artwork moving to design development and then fabrication.

5. **A copy of the fully notarised contract between the developer and artist covers the concept, fabrication and installation**

Attach one document of the contract between the developer and artist (prior to the development being commercially marketed depicting any artwork).

6. **Completion and installation of artwork**

It is a condition of approval that the artwork is to be installed prior to the issuing of an occupancy permit. Should an extension of time for installation of the approved artwork be required, please contact the City’s Arts Officer in writing before the deadline. A written response will be provided in due course.

Once the artwork has been installed, the owner/applicant must notify the city in writing and ensure they have provided all of the relevant documents. This will allow for a site inspection to be conducted ensuring compliance with the artwork approval

If you require any assistance with completing this application, please contact the City on 9474 0777.

---

City of South Perth
### Appendix D: Format for Budget Analysis

**Project Name:**
**Total Commission Budget:** $

<table>
<thead>
<tr>
<th>Commission Costs</th>
<th>Local</th>
<th>National</th>
<th>International</th>
</tr>
</thead>
<tbody>
<tr>
<td>Artist’s Materials</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>(sum of paper, drawing equipment etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Material Expenditure</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>(please itemise)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(sum of concrete; paint; glass; metal etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fabrication costs</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>(please itemise)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(sum of moulds; foundry; laser cutting; casting; or equipment hire etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering Services</td>
<td>$</td>
<td>%</td>
<td></td>
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<tr>
<td>(please itemise)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(sum of documentation; certification costs; etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Digital Design/3D Modelling</td>
<td>$</td>
<td>%</td>
<td></td>
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<tr>
<td>(please itemise)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(sum of computer support; CAD drafting etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Installation Costs</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>(please itemise)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(sum of hire of equipment; labour; etc.)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Studio/Workshop/Storage Hire/Rent</td>
<td>$</td>
<td>%</td>
<td></td>
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<tr>
<td>Safety Equipment</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>Employment of Assistants</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>Travel and Freight</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>(please itemise)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(sum of vehicle running costs; fuel; taxi; freight)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration Costs</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>(sum of photocopying; printing; paper; models; postage; phone; etc.)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Imports from Overseas</td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>(please itemise)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Insurance for the Project</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>------------------------------</td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other Expenditure</strong></td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>Please itemise</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Professional photography</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Artist’s remuneration after costs</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>If you allowed for a contingency what was the budget percentage?</strong></td>
<td>$</td>
<td>%</td>
<td></td>
</tr>
</tbody>
</table>