

Town of
Port Hedland

Percent for Art Guidelines ▼

Revised May 2021



Acknowledgement of Country

The Town of Port Hedland would like to acknowledge the Kariyarra, Ngarla, and Nyamal people as the Traditional Custodians of the Town of Port Hedland lands. We recognise their strength and resilience and pay our respects to their Elders past and present.

We extend that respect to all Aboriginal & Torres Strait Islander people of the local community, and recognise their rich cultures and their continuing connection to land and waters.



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Introduction

Public art contributes to attractive urban design, built form and public spaces. Public art encourages social, cultural and economic activation of our public spaces and builds a sense of identity and belonging within the community. Developers play an important role in providing public art that connects our community and reflects the Town's unique cultural heritage and identity.

The purpose of the Percent for Public Art Guidelines is to:

- Assist developers through the percent for art process, from pre-development application to commissioning of an artwork;
- Ensure high-quality public art that celebrates the values of Port Hedland through its unique character, Indigenous history, and future aspirations; and
- Ensure public art meets the objectives of *LPP/04 Percent for public art* which contribute to vibrant, original public spaces that reflects our cultural history, shares our unique stories and enhancing visitor experience.

These guidelines are to be read in conjunction with the *LPP/04 Percent for Public Art*.



Percent for Art Scheme

The State Government's Percent for Art Scheme is part of a broad government strategy which aims to improve the quality of the built environment and the value of public facilities and to identify and create new professional and economic opportunities for artists. Percent for Art Schemes have been adopted across Western Australia, throughout local and State Government authorities.

Public art has an important role in educating people, promoting cultures and traditions, building connections. It is important for developers to consider the public art component in the early stages of development to ensure an integrated approach to public art. It is recommended you contact the Town's Planning and Development and Arts and Culture teams to discuss your project prior to the lodgement of a development application.



What is the process?

Option 1: Public Art Contribution

Owner/applicant chooses to coordinate and deliver a public art project themselves.

Pre-lodgement Process:

1. Contact the Town to discuss a preliminary concept for the site to consider the type of art and provide concepts of the art form;
2. Incorporate any feedback from the Town into the preliminary concept prior to finalising a development application.

Development Application Process:

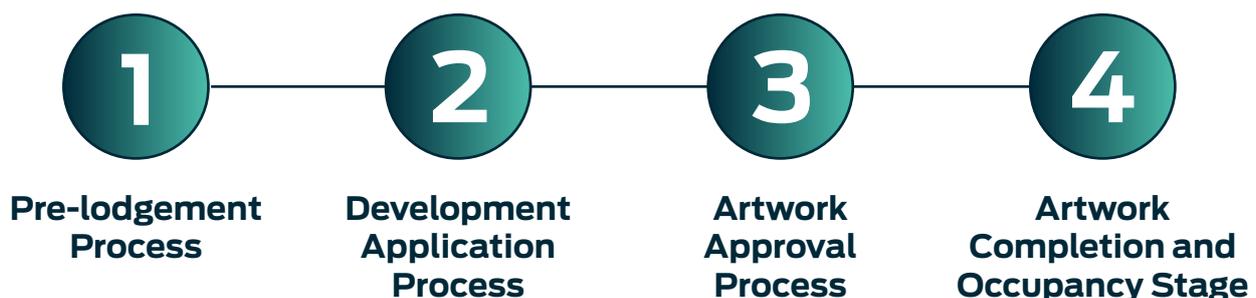
3. Submit a Preliminary Public Art Plan to the Town for consideration by the Senior Arts and Culture Officer.
4. The development application is amended, as required, to reflect the comments from the Senior Arts and Culture Officer and Town Planners.
5. Development receives approval with percent for art condition applied. The applicant will receive a letter outlining the steps for the percent for public art project.

Artwork Approval Process:

6. Contact the Town's Arts and Culture team to discuss the requirements for the Application for Artwork Approval.
7. At the time of Building Permit being lodged the applicant shall provide an Application for Artwork Approval and a Detailed Public Art Plan. The Town's Senior Arts and Culture Officer reviews the application for approval, should there be any amendments requested by the Officer, these shall be made prior to approval being issued.
8. When the developer enters into a contract with the artist for delivery of the approved artwork, a copy shall be provided to the Town.

Artwork Completion and Occupancy Stage:

9. The artwork is to be completed and installed (including acknowledgment plaque) prior to the occupancy of the development, and a Final Public Art Report provided to the Town.
10. The Town Planners and Senior Arts and Culture Officer will undertake a site visit to confirm clearance of all development approval conditions.



Public Art Plans

Preliminary Public Art Plan

Is to include an analysis of the location and subject site, public art opportunities, methodology for the selection and commissioning of artists and provide an estimated budget and program for the public art. An art consultant is not required for this plan, however it is recommended you consider an art consultant to undertake the commissioning process.

Detailed Public Art Plan

Should include public art concept/s illustrated to clearly communicate the location, form, dimensions, and material of the artwork. It should include a brief statement explaining the rationale behind the artwork, and how the artwork relates to the context of the site. It should include a program for documentation, fabrication, installation and integration with the construction, and provide engineer's drawings, if applicable, and expected maintenance requirements.

Final Public Art Report

Should provide information about the artworks and the artist, how the artwork was fabricated and installed on-site, photographs of the artwork, the documentation and final engineering drawings, if applicable, on the maintenance requirements and schedule, and any other relevant information regarding ownership and copyright of the work.

Public Procurement Options

1. Direct Acquisition or Engagement

This approach may be appropriate where a particular artwork or the work of a particular artist is sought. This process may also be preferred for smaller budget projects. In this case the proposed artist needs to be approved by the Town as an initial step.

2. Limited Competition

In a limited competition approach, the commissioner 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.

3. Open Competition

This model requires a public call for Expressions of Interest to provide a schematic response to the artist brief. Short listed artists or artist teams are invited to develop and present concept designs for a fee, and a preferred artist is selected.

Criteria for Artwork Approval

Public access: the artwork is visible from the public realm and positively contributes to the visual amenity of the location.

Concept: the artwork is designed by a professional artist that shows strong vision, innovation, and is unique and provides opportunity for community engagement or is functional, where appropriate.

Context: the artwork considers the relevant themes, history, geographical, social and/or cultural context of the site and the local identity.

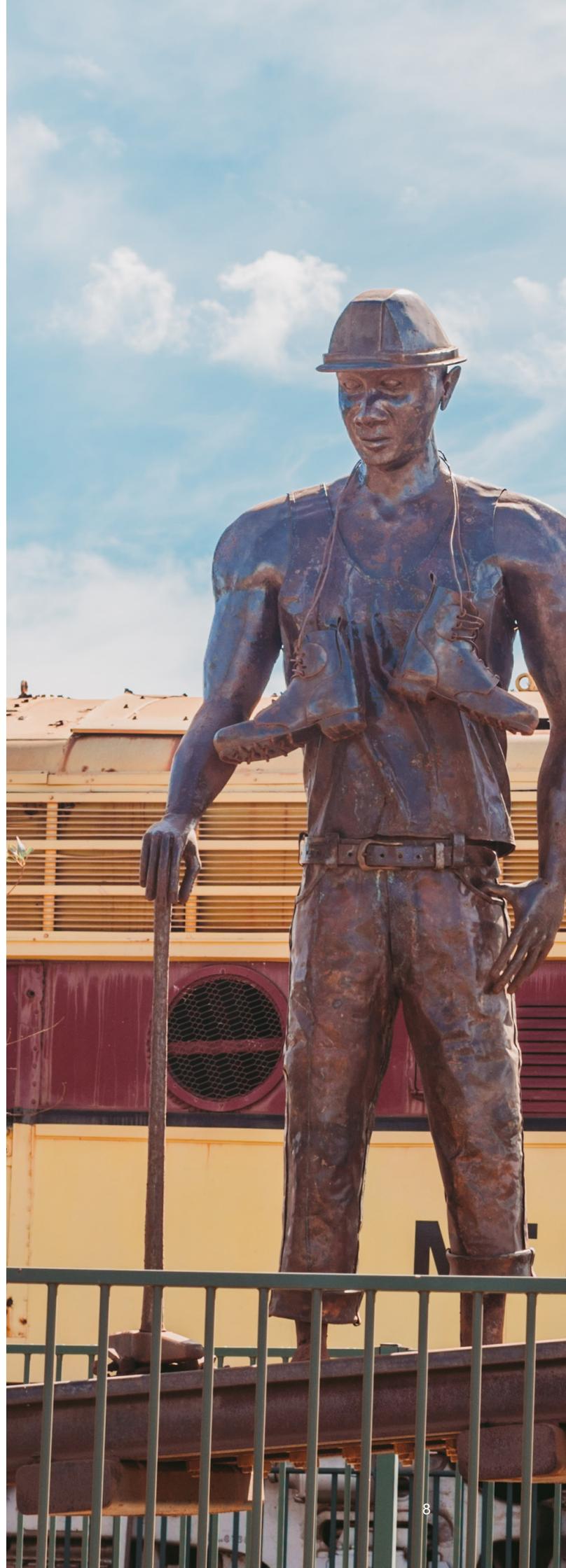
Professional artist: the suitability of the artist procured to create and install the artwork.

Traditional Custodians: any proposed Traditional Custodian artwork shall show evidence of consultation with the Kariyarra, Ngarla and/or Nyamal people.

Safety: the artwork is designed, constructed to not present a hazard to public safety.

Longevity: the artwork is designed to be structurally sound and resistant to theft, vandalism, weathering and excessive maintenance, and an expected life span of the artwork.

Special conditions: the artwork must adhere to any special conditions applied by the Town.



Aboriginal Art

Recognition of the social and economic disadvantage experienced by Aboriginal people and a commitment to overcoming the gap between Aboriginal people and non-Aboriginal Australians.

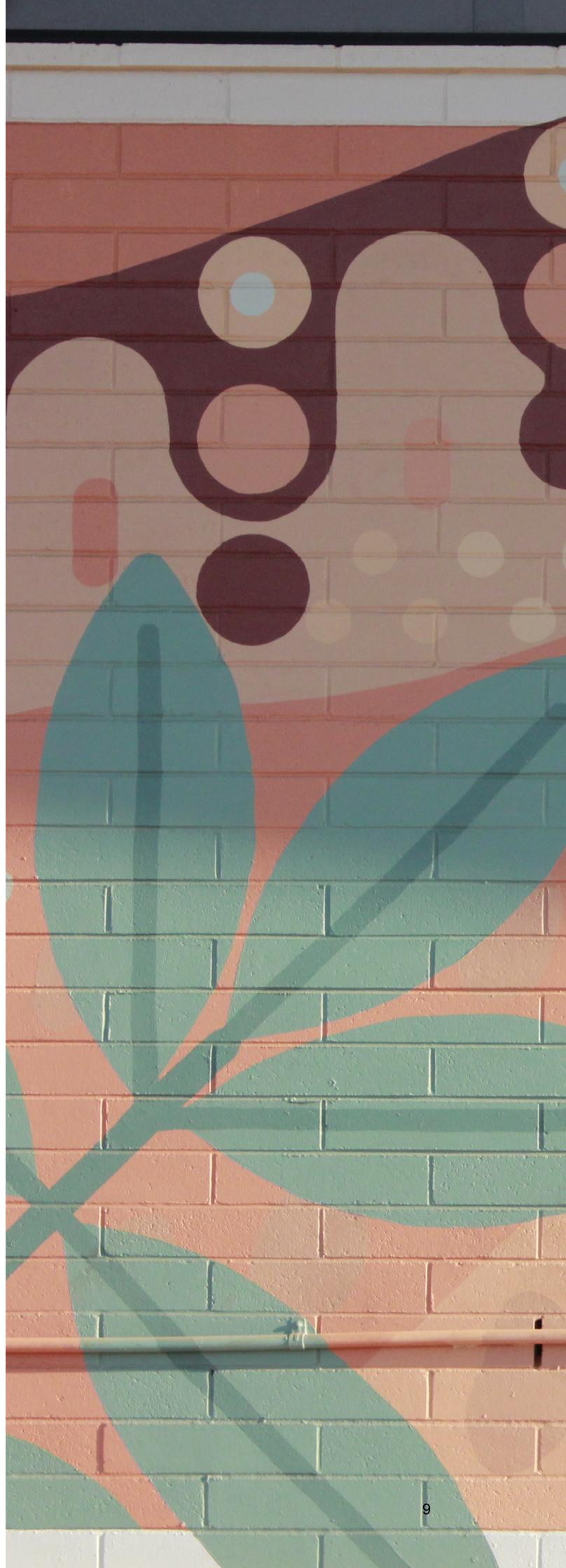
Consideration of a strategic approach to percent for art outcomes which abide by the following 'Closing the Gap' Core Principles:

- Respectful;
- Informed;
- Ethical;
- Meaningful;
- Outcome-focused;
- Follow up and Feedback;
- Reference to the guidelines set out in the Australia Council's Protocols for using

Reference to the First National Cultural and Intellectual Property in the Arts guidelines set out by the Australia Council. Protocols outline appropriate ways of engagement with Aboriginal cultural material and interaction with Aboriginal people and communities.

They encourage ethical conduct and promote interaction based on good faith, mutual respect, and cultural values. The guidelines set out the following ten principles:

- Respect;
- Self-determination;
- Communication, consultation and consent;
- Interpretation;
- Cultural integrity and authenticity;
- Secrecy and confidentiality;
- Attribution;
- Benefit sharing;
- Continuing cultures;
- Recognition and protection.



Cash-in-lieu Contribution

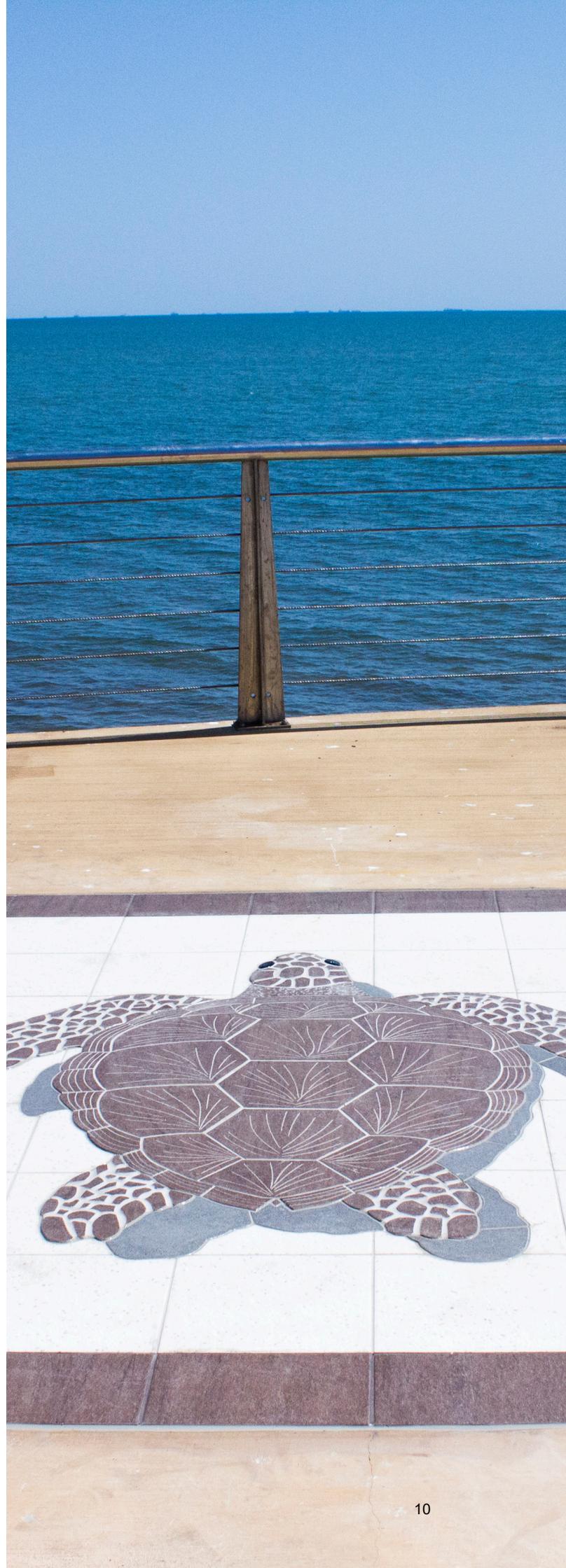
Owner/applicant chooses to pay cash-in-lieu

Development application process:

1. As part of the development application package, a cover letter outlining the developer is opting for a cash-in-lieu contribution.
2. Approval issued with condition for percent for art cash-in-lieu contribution.
3. Sign a Statutory Declaration within 14 days of the approval of the development application stating that you choose Option 2 Cash-in-lieu Contribution.

Building permit process:

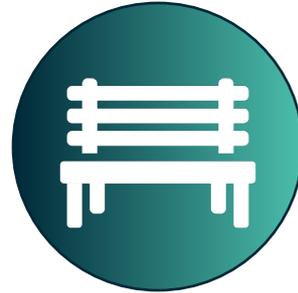
4. An invoice is raised when the Town receives a Building Permit Application.
5. The cash-in-lieu contribution is to be paid prior to the occupation of the development.
6. Using the contributed funds, the Town will install Artwork on public land. The Town may pool funds from multiple developments to procure a public artwork. For public art over \$100,000, the artwork will be approved by Council.



Types of Public Art



Decorative - A decorative public artwork aesthetically enhances the built environment, structure or public space. Examples include incorporated imagery or sculpture, decorative paving elements or lighting, murals, mosaics or bas-relief covering walls, floors and walkways.



Functional - A practical piece of public art that serves a second purpose such as public seating, benches, lighting, furniture, bike racks, rubbish bin surrounds, gates, fountains or playground structures which are unique to the development and produced by a professional artist.



Iconic - A stand alone or significant work, often site specific, where the artist's approach is largely independent. Examples include sculpture, water features, lighting or multimedia.



Integrated - 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. It can also be decorative and/or functional.



Interpretive - Where the primary purpose is to describe, educate and comment on local issues, events or situations. The artwork may be an interpretation of cultural heritage of the site the development is built on. Examples include pavement inlays, sculpture, seating, landscaping, murals and text based work. It can also be functional, decorative, iconic and site specific.



Site specific - Designed specifically for, and in response to, a particular site through scale, material, form and concept. Site specific works can be sculptural, glass, prints, media including sound, video projection, lighting or ephemeral.

Decommissioning Public Art

When the artwork is identified for decommissioning under LPP/04 Percent for Public Art the applicant/owner shall undertake a formal review and provide a report outlining the outcomes of the review to the Town. The review must include:

- Consultation with the artist, owner, maintenance contractors and professional assessors should be consulted. Where possible it is important to be sensitive to the views of the general public and to any community groups who were involved in the original commission and to any other culturally sensitive matters with regard to the work.
- Review of the artworks maintenance file, as well as any contractual agreements between the artist and the commissioner regarding the maintenance or decommission of the work.
- If the artwork is to be permanently removed from the site, the artist should have first right to acquire or purchase the work, otherwise all reasonable effort should be made to find it a suitable home, such as inside a public building.
- Preparation of a documented archival record of the artwork prior to its removal.
- The owner/applicant may remove the artwork for the purposes of relocating, selling, making a gift of, storing or otherwise disposing of the artwork, provided the applicant/owner has given the artist at least 28 days notice in writing.
- The destruction of the work should only be considered when all other alternatives have been exhausted.
- The opportunity to commission a new artwork for the site should be examined. It may or may not be considered appropriate to invite the artist who created the original work to put forward a proposal for the new commission.



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