# Chapter 3 - Landscaping

## 3.3.1 Purpose

(1) To outline the circumstances in which contributions for landscaping, public art and street trees will be required as part of a development approval.

## 3.3.2 Applicability

(1) The local government will require a contribution in accordance with this policy towards the cost of public art and/or street trees as a condition of -

(a) a development permit pursuant to the *Integrated Planning Act 1997* in respect of a development application for -
(i) a material change of use that is assessable development; or
(ii) the reconfiguring of a lot that is assessable development.

## 3.3.3 Planted Landscaping

(1) As detailed in Chapter 4 - Security Bonding of this policy.

## 3.3.4 Public Art

(1) Public art - means artworks and designed landscape elements located in outdoor urban and semi-urban public places, such as footpaths, streets, parks, centres, foreshore areas and recreational areas. Public art is defined here as artworks and designed landscape elements occurring on public land. Public art can also include architectural features of buildings but would not usually include works of art such as paintings that are part of the art collection managed by the Redland City Art Gallery that are not able to be permanently located outdoors.

(2) The local government reserves the right to locate public art in the most appropriate and meaningful sites for the community. This principle supersedes the need for a direct spatial or visual relationship between the public art and the development that funds it.

(3) In determining the appropriate site for an artwork the following criteria will apply -

(a) the public art advisory panel will make recommendations in regard to the locations of the local government funded public artworks;

(b) desirable public art sites will be identified through the local area planning process; or

(c) pooling of funds for public art are encouraged within centres and in conjunction with Streetscape Improvement Projects.

(4) The location of private sector funded artworks will be subject to negotiation with the developer and will be determined within the following framework within -

(a) the defined centre in which the development is located; or

(b) a prescribed area such as an identified Streetscape Improvement Project.

(5) All proposals for public art are subject to a uniform evaluation process.

(6) Artworks are defined, costed and their association to the development conditions is to satisfy the reasonable and relevant test under the *Sustainable Planning Act 2009* (SPA).

(7) Contributions are negotiated on the following development proposals -

(a) material change of use in a centre; or
(b) developments participating in the local government Streetscape Improvement Projects.

(8) Contributions will be negotiated with the private sector at the time of the development application.

### 3.3.5 Street Tree Contributions

(1) The developer contributes towards street tree planting in accordance with Part 8 - Division 8 - Landscape Code.

(2) Contributions are made before the local government signs a plan of survey.

(3) The current contribution rate is listed in the local government's Schedule of Fees and Charges.

(4) Contributions are used to implement the Street Tree Planting program within the premises unless constrained by the site, in which case planting will occur in the nearest suitable location.