

1. INTRODUCTION

The purpose of this Local Planning Policy is to require eligible developments within the City of Armadale to contribute towards the provision of public art.

The City of Armadale recognises the ability for public art to improve the quality of the built environment and enhance the sense of place and the character of an area. This Local Planning Policy seeks to deliver public art within the urban environment that is vibrant and able to activate public spaces through community engagement as an interactive functional piece and not only through passive observation.

The Local Planning Policy has been prepared in accordance with Schedule 2, Part 2, Clause 4 of the Planning and Development (Local Planning Schemes) Regulation 2015, and should be read in conjunction with the City's Public Art Strategy and Public Art Policy (COM 8).

2. APPLICATION OF POLICY

2.1 With the exclusion of single residential development and developments within the zones listed in Clause 2.2 below, all development applications with a development cost:

- a) between \$1 million and \$2 million are required to:
 - i. make a monetary contribution to the City of Armadale Public Art Reserve Account equal to one per cent (1%) of the estimated total development cost.
- b) \$2 million or more are required to either :
 - i. make a monetary contribution to the City of Armadale Public Art Reserve Account equal to one per cent (1%) of the estimated total development cost; or,
 - ii. provide public art work to the value of one per cent (1%) of the total development cost and continuously maintain the public art work.

2.2 All development applications within the 'General Industry', 'Industrial Development' and 'Industrial Business' zones with a development cost of \$1 million or more are required to:

- a) Make a monetary contribution to the City of Armadale Public Art Reserve Account equal to one per cent (1%) of the estimated total development cost.

2.3 Public Art is defined in the Public Art Policy – COMD 8.

2.4 Development cost has the same meaning as the “approximate cost of proposed development” under the MRS Form 1 and the City’s Application for Development Approval Form.

3. POLICY OBJECTIVES

The objectives of the Local Planning Policy are:

- a) To provide new Public Art within the City through City funded projects and private development;
- b) To promote excellence, creativity and innovation in the delivery of public art, which enhances the public amenity of public spaces;
- c) To provide opportunities for a wide variety of artistic outcomes, including permanent, temporary and mural artworks, that engage and interact with the community; and,
- d) To enhance the local community identity and cultural tourism.

4. POLICY STATEMENT

4.1 In relation to proposals which are eligible to provide public art on site, the following requirements are applicable to the proposed public artwork:

4.1.1 Public artworks are to be situated so that:

- a) The artworks are clearly visible to the public from adjacent public areas of where the artworks are located.
- b) In order to create a meeting area, artworks are encouraged to be located in public spaces which contain public amenities (i.e. public benches and playgrounds).
- c) Artworks are encouraged to be located in places which experience high levels of pedestrian or vehicle traffic.
- d) Artworks should not obstruct openings to buildings, or obstruct pedestrian or vehicle circulation.
- e) Artworks are encouraged to be located in areas which do not create conflicts with surrounding advertisement signs.

4.1.2 Artworks located on private land are to be maintained by the land owner(s) to the satisfaction of the City.

- 4.1.3 Artworks should be low maintenance and consist of materials which are durable and resistant to weathering, or discourage vandalism.
- 4.1.4 Artworks may have a functional and interactive element, such as; seating, lighting, play/recreational element, shade structures etc. The following link provides precedent images to assist with the design development process:
https://www.armadale.wa.gov.au/sites/default/files/assets/documents/docs/Planning_and_Land_Use/PLN_3_12_Percent_for_Public_Art_Precedents.pdf
- 4.1.5 Artworks are to be produced by a professional artist in accordance with the City's Public Art Strategy and Public Art Policy – COMD 8.
- 4.1.6 The artwork is to include a plaque acknowledging the artist, and who funded the artwork.
- 4.1.7 The contributions towards the creation of public artwork is to be in accordance with this Local Planning Policy, the City's Public Art Strategy and Public Art Policy – COMD 8.
- 4.2 Where the applicant either chooses, or is required to pay a monetary contribution, as per section 2 of this Local Planning Policy, a monetary contribution shall be paid into a reserve account to enable the City to provide public art within the municipality, in accordance with the City of Armadale Public Art Strategy. Individual funds contributed may be accrued for more comprehensive or detailed public art projects within the City of Armadale, as outlined in the City's Public Art Strategy. Funds contributed may be used to meet any costs reasonably associated with the production, installation and documentation/identification of a public art work.
- 4.3 Where a development is staged, the proponent may enter into a bond agreement with the intention to complete the artwork(s) at a later stage as agreed by the City. Such agreements shall include a completion date for provision of the contribution, and must be secured via means acceptable to the City (such as a monetary bond, bank guarantee or caveat on land).

5. ARTWORK APPROVAL PROCESS

- 5.1 Depending on the eligibility and type of the proposed development, the City may condition the development approval requiring the landowner/applicant/developer to:
- a) lodge and obtain an approval to the public art submission (proposal) with the City prior to the commencement of development and complete the public art installation prior to the occupation of the development, following the City's assessment and approval of the proposal, in

accordance with the City's Public Art Policy and Management Practice (COMD 8) and Public Art Strategy;

OR

- b) pay a monetary-contribution to the City prior to the commencement of development in accordance with Clause 2.1, 2.2 and 2.3, instead of lodging a developer's public art submission (proposal).
- 5.2 If a public art submission is lodged, the details of the artist, along with all the required information set out in the City's Artwork Application Form shall be submitted. If the public art proposal is refused by the City, then the landowner/applicant/developer is required to resubmit a new proposal under Clause 5.1 and the City's Public Art Policy and Management Practice (COMD 8) and Public Art Strategy.
- 5.3 Once the approval has been issued for the proposed public art and the public art has been installed, or a suitable bond agreement has been made between the City and the applicant/landowner, the requirements of the condition are met and only maintenance may be required if the public art is located on-site.

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