

Media Release



29 June 2009

Wyong Shire Council values public art – attempt to force developers to play benefactor

Wyong Shire Council has recently placed on exhibition *Wyong Public Art Draft Development Control Plan* (Public Art DCP) in an attempt to use the NSW Planning System to force a levy on commercial developers for the purposes of contributing a '*variety of public art work in the public domain*'. The Public Art DCP states, '*Major commercial development valued a \$5m or greater must implement public art as part of the development with a minimum of 1% of the total cost of the development to be designated to the public art budget.*'

Wyong Council is proposing a development levy on commercial developers starting at a minimum \$50,000 for any development proposal valued at \$5 million. Council want developers to foot the bill for public art which will include, '*free standing sculpture, interpretive components and kinetic works*'.

UDIA NSW Chief Executive Stephen Albin said, "Council is of the view that they can make such an outrageous policy and still be in accordance with the NSW planning framework. At best, Council is just confused by the complexity of the planning system. At worst this is a blatant attempt to inequitably raise funds from the development industry for little material public benefit."

Mr Albin said, "there is a simple choice for local residents, do they want their council to levy the development industry for things like free standing sculpture and interpretive works, or would they rather core community infrastructure such as roads and local parks."

The Public Art DCP requires a range of paperwork from the developer prior to lodgement of a development application (DA) including an '*Artist Verification Statement*'. Council also propose to refer the DA to a '*Public Art Advisory Group*' for assessment and will require developers to produce a certificate of completion signed by the artist prior to the release of the Occupation Certificate.

"This is like a bad dream. Hopefully council will wake up and commonsense will prevail", said Mr Albin.

For Media Comment, please contact:

Mr Stephen Albin
UDIA NSW Chief Executive
0431 084 651

For Media Enquiries, please contact:

Lisa Marshall
UDIA NSW Communications Manager
0417 493 899
02 9868 3677