



New South Wales

State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Urban Affairs and Planning.

ANDREW REFSHAUGE MP
Minister for Urban Affairs and Planning

Sydney, 25 November 1999

1999 No 627

Clause 1 State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 5)

1 Name of Policy

This Policy is *State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 5)*.

2 Principal Policy

In this Policy, *State Environmental Planning Policy No 38—Olympic Games and Related Projects* is referred to as the Principal Policy.

3 Aims of Policy

This Policy aims to amend the Principal Policy:

- (a) to specify the Olympic Games projects and Olympic Co-ordination Authority projects that are to comprise exempt development for the purposes of the *Environmental Planning and Assessment Act 1979*, and
- (b) to specify the circumstances in which exempt development under the Principal Policy may be carried out, and
- (c) to make other minor amendments.

4 Land to which Policy applies

This Policy applies to all land in New South Wales.

5 Amendment of Principal Policy

The Principal Policy is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 5)

[1] Clause 3 Definitions

Insert in alphabetical order:

Homebush Bay means:

- (a) the land shown by distinctive colouring or marking on the drawing numbered HS-P-P-722 dated 1 November 1999 deposited in the office of Olympic Co-ordination Authority, and
- (b) land that is vested in the State Sports Centre Trust constituted by the *State Sports Centre Trust Act 1984* and that is leased to the Olympic Co-ordination Authority.

[2] Clause 3

Omit the definition of ***Olympic Games project***. Insert instead:

Olympic Games means the Games of the XXVII Olympiad to be held principally in Sydney in the year 2000, and includes:

- (a) the Paralympic Games, being the games for athletes with a disability that are to be held principally in Sydney in the year 2000, and
- (b) a test event, being an event conducted at a venue or facility at which Olympic Games and Paralympic Games sporting events are to be conducted before those Games are held in order to test the capacity and operational functions of the venue or facility to provide for those sporting events, and
- (c) a special event within the meaning of the *Olympic Roads and Transport Authority Act 1998*.

1999 No 627

State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 5)

Schedule 1 Amendments

Olympic Games project means:

- (a) any development that is required for venues and facilities for hosting the Olympic Games, including the following:
 - (i) venues to conduct sporting events,
 - (ii) training facilities for competitors,
 - (iii) media centres and other communications facilities for the media,
 - (iv) residential accommodation for competitors, officials and members of the media,
 - (v) storage facilities for sporting, communication or other equipment,
 - (vi) catering facilities for venues, training facilities, media centres and residential accommodation,
 - (vii) helicopter landing facilities,
 - (viii) transport and other physical infrastructure associated with any of the above venues or facilities, and
- (b) any other development determined by the Director-General of the Olympic Co-ordination Authority to be required for or as being associated with the Olympic Games.

[3] **Clause 3**

Omit the definition of ***Sydney Region***.

[4] **Clause 4 Land to which this Policy applies**

Omit “the Sydney Region”. Insert instead “all land in New South Wales”.

[5] **Clause 11A Olympic Games projects and OCA projects that comprise exempt development**

Omit subclause (2). Insert instead:

- (2) Exempt development under this Policy may be carried out only if:
 - (a) the Director-General of the Olympic Co-ordination Authority is satisfied that the proposed development meets the criteria in Schedule 1, and

- (b) the Olympic Co-ordination Authority has approved the proposed development as complying with:
 - (i) the *Building Code of Australia*, if that Code is applicable to the proposed development, or
 - (ii) any relevant Australian Standard, or
 - (iii) the *Local Government (Approvals) Regulation 1993* as in force at 30 June 1998.

[6] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Olympic Games projects and OCA projects that comprise exempt development

- (1) **Olympic Games projects and OCA projects of a temporary nature**, where the development:
 - (a) is of minimal environmental impact, and
 - (b) is consistent with an operational plan, and
 - (c) is removed and the building or land reinstated to its previous use and condition or to a better condition by 30 June 2001, or such later date as agreed by the Director-General of the Department of Urban Affairs and Planning.
- (2) **Minor development** which is of minimal environmental impact and is (or is part of) an Olympic Games project, an OCA project, or development linked to operations at Homebush Bay, including:
 - (a) amenities and communications buildings and associated infrastructure, information booths, kiosks, access ramps for people with disabilities, bus shelters, park and street furniture, playground equipment, cycle and pedestrian paths, signs, fences, walls, utility installations, and any similar development, and

1999 No 627

State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 5)

Schedule 1 Amendments

- (b) entertainment, merchandising, food and beverage outlets, markets, festivals and the like which are consistent with guidelines and management strategies adopted by the Olympic Co-ordination Authority, and
- (c) building alterations provided that the owner of the building has given approval, the building is not enlarged, and, if the building is listed in an environmental planning instrument as a heritage item, the development does not impact on the heritage significance of the building.

(3) **Subdivision of lands within Homebush Bay** owned, controlled or managed by the Olympic Co-ordination Authority which is of minimal environmental impact and which is generally consistent with the Masterplan or a development consent.

BY AUTHORITY
