



New South Wales

State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, and in pursuance of the *Environmental Planning and Assessment Act 1979*, has been pleased to make the State Environmental Planning Policy set forth hereunder in accordance with the recommendation made by the Minister for Urban Affairs and Planning (P91/01064/002)

CRAIG KNOWLES MP
Minister for Urban Affairs and Planning

1 Name of Policy

This Policy may be cited as *State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 3)*.

2 Principal Policy

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

3 Aims, objectives etc

This Policy aims to amend the Principal Policy:

- (a) to provide that development consent is not required, either under the Principal Policy or any other environmental planning instrument, for development in respect of an Olympic Games project, OCA project or test event that is of minimal environmental impact, and
- (b) by way of law revision.

4 Application of this Policy

This Policy applies to the land to which the Principal Policy applies.

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:

Director of Planning means the Director-General of the Department of Urban Affairs and Planning.

existing venue or facility means an Olympic Games project or an OCA project for which development consent has been granted under this Policy.

operational plan means a plan to manage the operation of a venue or facility, a public road or a public place, used for or in association with the Olympic Games or Paralympic Games or test events, prepared by one or more of the following:

- (a) the Olympic Co-ordination Authority,
- (b) SOCOG,
- (c) the Olympic Roads and Transport Authority,
- (d) any other relevant body associated with the conduct of the Olympic Games or Paralympic Games or test events.

test event means an event conducted at an Olympic Games venue or facility, being an existing venue or facility or a venue or facility that is provided for the conduct of Olympic Games and Paralympic Games sporting events (including a public road or a public place), before those Games are held in order to test the capacity and operational functions of the Olympic Games venue or facility to provide for those sporting events.

[2] Clause 3

Insert “or the Paralympic Games” after “Olympiad” in the definition of ***Olympic Games Project***.

[3] Clause 3

Insert “or Paralympic Games” after “Olympic Games” in paragraph (a) of the definition of ***Olympic Games project***.

[4] Clause 11A

Insert after clause 11:

11A Olympic Games projects that comprise exempt development

- (1) Pursuant to section 76 (2) of the Act, development specified in Schedule 1 is exempt development.
- (2) Exempt development under this Policy must not be carried out unless it is approved by the Olympic Co-ordination Authority as complying with the *Building Code of Australia* or, if that Code does not apply, any relevant Australian Standard.

[5] Clause 14 Relationship to other environmental planning instruments

Insert at the end of clause 14:

- (2) Without limiting subclause (1), this Policy prevails over:
 - (a) *State Environmental Planning Policy No 47—Moore Park Showground*, and
 - (b) *State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries*,to the extent of any inconsistency.

[6] Schedule 1

Insert at the end of the Principal Policy:

Schedule 1 Olympic projects that comprise exempt development

(Clause 11A)

1. **Minor ancillary development that is of minimal environmental impact, and that is associated with the construction of an existing venue or facility**, being any one or more of the following and provided the minor ancillary development will be removed before 1 September 2000:

temporary parking associated with construction
the site office for a project
security fencing
a sign that identifies such a project or gives directions for deliveries and parking
a compound for the storage of materials or equipment workers and visitors amenities
waste collection facilities
temporary catering facilities
temporary roads
any other similar development that in the opinion of the Director-General of the Olympic Co-ordination Authority is of minimal environmental impact.

- 2. Change of use of a building or land for the purpose of an Olympic Games project, OCA project or test event until 31 March 2001 or such other date as is nominated by the Director-General of the Department of Urban Affairs and Planning if in the opinion of the Director-General of the Olympic Co-ordination Authority the change of use is of minimal environmental impact.**
- 3. Development that is of minimal environmental impact and that is part of the operation of existing venues or facilities, that is consistent with an operational plan, and that will be removed and the building or land either re-instated to its previous use and condition or to a better condition by 31 March 2001 (or such other date as is nominated by the Director-General of the Department of Urban Affairs and Planning), being any one or more of the following:**

 - viewing structures and seating
 - toilets
 - waste collection facilities

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Schedule 1 Amendments

fences, barricades and other facilities for crowd control and security

buildings (including extensions to existing buildings), tents and caravans that provide facilities for athletes, spectators, VIPs, staff, officials and other management, emergency services, the media, sponsors, security services, and for suppliers of information, food, beverages, and retail goods

roadworks

telecommunications facilities and infrastructure works

lighting

public entertainment

landscaping, signs, banners, bunting, flagpoles

catering facilities

equipment storage compounds or buildings

temporary pedestrian bridges, and the temporary removal of existing pedestrian bridges

Olympic-related sponsor advertising in accordance with a signage and advertising strategy adopted by the Director-General of the Olympic Co-ordination Authority

car and bus parking areas

works to improve pedestrian and vehicular access, separation or safety, including temporary road bridges and underpasses

any other similar development that in the opinion of the Director-General of the Olympic Co-ordination Authority is of minimal environmental impact.

4 **Development for the purpose of an Olympic Games project, OCA project or test event that is of minimal environmental impact and that is located outside existing venues or facilities, that is consistent with an operational plan, and that will be carried out on or**

after 1 July 1999 (or such other date as is nominated by the Director-General of the Olympic Co-ordinating Authority) and that will be removed and the building or land either re-instated to its previous use and condition or to a better condition by 31 December 2000 (of such other date as is nominated by the Director-General of the Department of Urban Affairs and Planning), being any one or more of the following:

the use of any public road or public place
viewing structures and seating
toilets
waste collection facilities
fences, barricades and other facilities for crowd control and security
buildings (including extensions to existing buildings), tents and caravans that provide facilities for athletes, spectators, VIPs, staff, officials and other management, emergency services, the media, sponsors, security services, and for suppliers of information, food, beverages, and retail goods
roadworks
telecommunications facilities and infrastructure works
lighting
small scale street entertainment, such as buskers
landscaping, signs, banners, bunting, flagpoles
catering facilities
equipment storage compounds or buildings
temporary pedestrian bridges, and the temporary removal of existing pedestrian bridges
car and bus parking areas
works to improve pedestrian and vehicular access, separation or safety, including temporary road bridges

any other similar development that in the opinion of the Director-General of the Olympic Co-ordination Authority is of minimal environmental impact.

5. Minor development, generally involving:

- (a) **the stockpiling or movement of fill material** within a development site provided it does not predetermine the footprint or form of any other proposed development and the fill is not contaminated,
- (b) **building alterations of a permanent nature** provided:
 - (i) the owner of the building has given approval, and
 - (ii) the building is not enlarged, and
 - (iii) if the building is identified in an environmental planning instrument as a heritage item or is on land comprising or within a heritage item so identified or an area so identified as a heritage conservation area, the alterations do not affect the heritage significance of the building,
- (c) **access ramps for the disabled, bus shelters, park and street furniture, playground equipment, cycle and pedestrian paths, signs, fences and walls** that are consistent with the Olympic Co-ordination Authority's strategies and codes.
