



New South Wales

# **State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 6)**

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, 15 March 2000

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## **2000 No 111**

Clause 1            State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 6)

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# **State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 6)**

## **1 Name of Policy**

This Policy is *State Environmental Planning Policy No 38—Olympic Games and Related Projects (Amendment No 6)*.

## **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**

This Policy aims to amend the Principal Policy so as to provide controls on large forms of advertising in the period leading up to, and during, the Olympic Games.

## **4 Where Policy applies**

This Policy applies to all land in New South Wales.

## **5 Relationship to other environmental planning instruments**

This Policy:

- (a) amends the Principal Policy in the manner set out in Schedule 1, and
- (b) excludes certain development from the operation of *State Environmental Planning Policy No 1—Development Standards*.

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## Schedule 1 Amendments

(Clause 5)

### [1] Clause 3 Definitions

Insert in alphabetical order:

***advertisement*** means a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

***advertising structure*** means a structure used or to be used principally for the display of an advertisement.

***Australia Centre*** means the Australia Centre shown on the map marked “SEPP 38 (Amendment No 6)—Australia Centre”, a copy of which is deposited in the offices of the Department.

***Darling Harbour Development Area*** means the Development Area within the meaning of the *Darling Harbour Authority Act 1984*.

***Olympic advertising*** means development that comprises:

- (a) the display of an advertisement, or
- (b) the erection of an advertising structure,

in accordance with such guidelines for Olympic related signage as are established for the time being by the Director-General of the Olympic Co-ordination Authority for the purposes of this Policy.

***Olympic sporting route*** means an Olympic sporting route shown on the map marked “SEPP 38 (Amendment No 6)—Olympic Sporting Routes”, a copy of which is deposited in the offices of the Department.

***Olympic sporting venue*** means an Olympic sporting venue shown on the map marked “SEPP 38 (Amendment No 6)—Olympic Sporting Venues”, a copy of which is deposited in the offices of the Department.

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*Olympic transport route* means any road that is marked as an Olympic Primary Route, Homebush Bay Regional Bus Route or Spectator Shuttle Route on the map prepared by the Olympic Roads and Traffic Authority, marked “Olympic Routes, Road routes for the Sydney 2000 Olympic Games” and dated June 1999, a copy of which is deposited in the offices of the Department.

*Olympics Live advertising control area* means an Olympics Live advertising control area shown on the map marked “SEPP 38 (Amendment No 6)—Olympics Live Advertising Control Areas”, a copy of which is deposited in the offices of the Department.

*Sydney and Middle Harbours* means such of the waters of Sydney and Middle Harbours (including the bays and inlets around Sydney and Middle Harbours) as lie east of a line between Longnose Point and Manns Point and west of a line between North Head and South Head, but does not include any waters of Middle Harbour that lie upstream of the Spit Bridge.

### [2] Clause 3, definition of “Olympic Games project”

Insert after paragraph (a):

- (a1) Olympic advertising, and

### [3] Clause 11A Olympic Games projects and OCA projects that comprise exempt development

Omit “Exempt development under this Policy” from clause 11A (2).

Insert instead “Development that is exempt development by virtue of subclause (1)”.

### [4] Clause 11C

Insert after clause 11B:

#### 11C Advertising structures and advertisements at or in the vicinity of Olympic sites and Olympic routes

(1) This clause applies to the following land:

- (a) Homebush Bay (including the Australia Centre), and land within 1,000 metres of Homebush Bay,

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- (b) the Darling Harbour Development Area, and land within 500 metres of the Darling Harbour Development Area,
  - (c) an Olympic sporting venue, and land within 500 metres of an Olympic sporting venue,
  - (d) an Olympic sporting route, and land within 500 metres of an Olympic sporting route,
  - (e) an Olympic transport route, and land within 500 metres of an Olympic transport route,
  - (f) an Olympics Live advertising control area, and land within 50 metres of an Olympics Live advertising control area,
  - (g) Sydney and Middle Harbours.
- (2) The following development is prohibited on land to which this clause applies:
- (a) the display of:
    - (i) a single advertisement that has an area of more than 5 square metres, or
    - (ii) a series of related advertisements that together have an area of more than 5 square metres,
  - (b) the erection of:
    - (i) a single advertising structure capable of being used to display an advertisement that has an area of more than 5 square metres, or
    - (ii) a series of advertising structures capable of being used to display a series of related advertisements that together have an area of more than 5 square metres.
- (3) This clause does not apply to the following development:
- (a) Olympic advertising,
  - (b) the display of one or more advertisements on a building (not being a building that is within, or forms part of, the Australia Centre) for the sole purpose of identifying the building or its occupants, and the erection of one or more advertising structures for the sole purpose of displaying such an advertisement,

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- (c) the display of not more than one advertisement on a building that is within, or forms part of, the Australia Centre for the sole purpose of identifying the building or its occupants, and the erection of not more than one advertising structure for the sole purpose of displaying such an advertisement,
  - (d) the display of one or more advertisements on a vehicle or vessel (otherwise than in circumstances in which the display of advertisements is the dominant purpose for which the vehicle or vessel is being used),
  - (e) the display of one or more advertisements by means of laser or other light projection equipment,
  - (f) the replacement of one or more advertisements by one or more new advertisements, where each of the new advertisements is no larger in area than the advertisement it replaces.
- (4) Subclause (3) (e) ceases to have effect on 1 September 2000.
  - (5) This clause does not apply to development that is the subject of a development application, or an application for a complying development certificate, that has been made but not finally determined before the commencement of this clause.
  - (6) *State Environmental Planning Policy No 1—Development Standards* does not apply to the display of an advertisement, or the erection of an advertising structure, on land to which this clause applies.
  - (7) This clause ceases to have effect on 31 October 2000.

BY AUTHORITY