



New South Wales

Sydney Local Environmental Plan Amendment (Street Art) 2017

under the

Environmental Planning and Assessment Act 1979

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

MONICA BARONE, CHIEF EXECUTIVE OFFICER,
THE COUNCIL OF THE CITY OF SYDNEY
As delegate for the Greater Sydney Commission

Sydney Local Environmental Plan Amendment (Street Art) 2017

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Sydney Local Environmental Plan Amendment (Street Art) 2017*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to all of the land to which the following environmental planning instruments apply:

- (a) *Sydney Local Environmental Plan 2005*,
- (b) *Sydney Local Environmental Plan 2012*,
- (c) *Sydney Local Environmental Plan (Glebe Affordable Housing Project) 2011*,
- (d) *Sydney Local Environmental Plan (Green Square Town Centre) 2013*,
- (e) *Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013*,
- (f) *Sydney Local Environmental Plan (Harold Park) 2011*,
- (g) *South Sydney Local Environmental Plan No 114 (Southern Industrial and Rosebery/Zetland Planning Districts)*.

Schedule 1 Amendments relating to street art

1.1 Sydney Local Environmental Plan 2012

Schedule 2 Exempt development

Insert in appropriate order:

Street art

- (1) Must not project more than 30mm from a wall or other surface.
- (2) Must not constitute signage.
Note. Signage includes advertisements and advertising structures.
- (3) Must not be located on a heritage item or within a heritage conservation area or a special character area.
- (4) Must not contain material that:
 - (a) discriminates against or vilifies any person or group, or
 - (b) is offensive or sexually explicit.
- (5) In this clause, **street art** means art that is painted, marked or otherwise affixed to the outside of a building and that is visible from a public place (within the meaning of the *Local Government Act 1993*).
Note. Street art may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities (such as RMS). See also Part 2 of the *Graffiti Control Act 2008* for graffiti related offences.

1.2 Sydney Local Environmental Plan (Glebe Affordable Housing Project) 2011

Schedule 2 Exempt development

Omit “(When this Plan was made this Schedule was blank)”. Insert instead:

Street art

- (1) Must not project more than 30mm from a wall or other surface.
- (2) Must not constitute signage.
Note. Signage includes advertisements and advertising structures.
- (3) Must not be located on a heritage item or within a heritage conservation area.
- (4) Must not contain material that:
 - (a) discriminates against or vilifies any person or group, or
 - (b) is offensive or sexually explicit.
- (5) In this clause, **street art** means art that is painted, marked or otherwise affixed to the outside of a building and that is visible from a public place (within the meaning of the *Local Government Act 1993*).
Note. Street art may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities (such as RMS). See also Part 2 of the *Graffiti Control Act 2008* for graffiti related offences.

1.3 Sydney Local Environmental Plan (Green Square Town Centre) 2013

Schedule 2 Exempt development

Insert in appropriate order:

Street art

- (1) Must not project more than 30mm from a wall or other surface.
- (2) Must not constitute signage.
Note. Signage includes advertisements and advertising structures.
- (3) Must not be located on a heritage item or within a heritage conservation area.
- (4) Must not contain material that:
 - (a) discriminates against or vilifies any person or group, or
 - (b) is offensive or sexually explicit.
- (5) In this clause, **street art** means art that is painted, marked or otherwise affixed to the outside of a building and that is visible from a public place (within the meaning of the *Local Government Act 1993*).
Note. Street art may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities (such as RMS). See also Part 2 of the *Graffiti Control Act 2008* for graffiti related offences.

1.4 Sydney Local Environmental Plan (Green Square Town Centre— Stage 2) 2013

Schedule 2 Exempt development

Insert in appropriate order:

Street art

- (1) Must not project more than 30mm from a wall or other surface.
- (2) Must not constitute signage.
Note. Signage includes advertisements and advertising structures.
- (3) Must not be located on a heritage item or within a heritage conservation area.
- (4) Must not contain material that:
 - (a) discriminates against or vilifies any person or group, or
 - (b) is offensive or sexually explicit.
- (5) In this clause, **street art** means art that is painted, marked or otherwise affixed to the outside of a building and that is visible from a public place (within the meaning of the *Local Government Act 1993*).
Note. Street art may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities (such as RMS). See also Part 2 of the *Graffiti Control Act 2008* for graffiti related offences.

1.5 Sydney Local Environmental Plan (Harold Park) 2011

Schedule 2 Exempt development

Omit “(When this Plan was made this Schedule was blank)”. Insert instead:

Street art

- (1) Must not project more than 30mm from a wall or other surface.
- (2) Must not constitute signage.
Note. Signage includes advertisements and advertising structures.
- (3) Must not be located on a heritage item or within a heritage conservation area.
- (4) Must not contain material that:
 - (a) discriminates against or vilifies any person or group, or
 - (b) is offensive or sexually explicit.
- (5) In this clause, *street art* means art that is painted, marked or otherwise affixed to the outside of a building and that is visible from a public place (within the meaning of the *Local Government Act 1993*).
Note. Street art may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities (such as RMS). See also Part 2 of the *Graffiti Control Act 2008* for graffiti related offences.

1.6 Sydney Local Environmental Plan 2005

Clause 16 Exempt and complying development

Insert after clause 16 (1):

- (1A) Clause 3.1 of, and Schedule 2 to, the *Sydney Local Environmental Plan 2012* (to the extent that they specify street art as exempt development) apply to development on land to which this plan applies in the same way as they apply to development on land to which that Plan applies.

1.7 South Sydney Local Environmental Plan No 114 (Southern Industrial and Rosebery/Zetland Planning Districts)

Clause 29

Insert after clause 28:

29 Application of Sydney Local Environmental Plan 2012—street art is exempt development

Clause 3.1 of, and Schedule 2 to, the *Sydney Local Environmental Plan 2012* (to the extent that they specify street art as exempt development) apply to development on land to which this plan applies in the same way as they apply to development on land to which that Plan applies.