



New South Wales

# **Blue Mountains Local Environmental Plan 2005**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P00/00144/PC)

FRANK SARTOR, M.P.,  
Minister for Planning

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## **Blue Mountains Local Environmental Plan 2005**

under the

Environmental Planning and Assessment Act 1979

### **Part 1 Preliminary**

#### **Division 1 Administration**

##### **1 Name of plan**

This plan is *Blue Mountains Local Environmental Plan 2005*.

##### **2 Land to which plan applies**

- (1) This plan applies to all land within the City, except land:
  - (a) to which *Blue Mountains Local Environmental Plan No 4* applies, being land shown on the Map by distinctive colouring as “Area subject to LEP 4”, or
  - (b) to which *Blue Mountains Local Environmental Plan 1991* applies, being land:
    - (i) shown on the Map by distinctive colouring as “Area subject to LEP 1991”, or
    - (ii) not shown on the Map.
- (2) Clause 3, for the purpose only of delineating the land to which this plan and those plans apply, also applies to the land to which those plans apply.
- (3) Land shown as “Deferred Matter” on the Map by a distinctive hatching is not subject to this plan (being land that is excluded from the application of this plan under section 68 (5) or 70 (4) of the Act).

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

- (1) This plan amends *Blue Mountains Local Environmental Plan No 4* by replacing clause 3 with the following clause:

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Clause 4            Blue Mountains Local Environmental Plan 2005

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### 3 Land to which this plan applies

This plan applies to certain land within the City of Blue Mountains, being that land shown on the Map, within the meaning of *Blue Mountains Local Environmental Plan 2005*, by distinctive colouring as “Area subject to LEP 4”.

- (2) This plan amends *Blue Mountains Local Environmental Plan 1991* by replacing clause 2 with the following clause:

### 2 Land to which this plan applies

This plan applies to certain land within the City of Blue Mountains, being:

- (a) that land shown on the Map, within the meaning of *Blue Mountains Local Environmental Plan 2005*, by distinctive colouring as “Area subject to LEP 1991”, or
  - (b) that land not shown on the Map within the meaning of *Blue Mountains Local Environmental Plan 2005*.
- (3) *State Environmental Planning Policy No 1—Development Standards* does not apply to:
- (a) clause 90 (9), (which relates to the area of a development space within the Living—Bushland Conservation zone) even if that provision is a development standard, and
  - (b) the provisions of Schedule 1 that relate to “site coverage” or “development density” and apply to development of land within the Village—Housing zone, even if those provisions are development standards.
- (4) For the purposes of the application of *State Environmental Planning Policy No 9—Group Homes*, a reference in this plan:
- (a) to multi-dwelling housing includes a reference to a residential flat building containing a dwelling that is a group home within the meaning of that Policy, and
  - (b) to accessible housing does not include a reference to such a group home.

### 4 Regulatory instruments

- (1) For the purpose of enabling development to be carried out in accordance with this plan (as in force when the development is carried out) or in accordance with a consent granted under the Act, any agreement, covenant or similar instrument imposing a restriction as to the erection or use of buildings or as to the development of land for certain purposes, shall not apply to any such development.

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- (2) Nothing in subclause (1) affects the rights or interests of the Council or any other public authority under any registered agreement.
  - (3) Nothing in subclause (1) affects a covenant required by the consent authority to be imposed.
  - (4) In accordance with section 28 (3) of the Act, before the making of this plan the Governor approved of subclauses (1), (2) and (3).

## **5 Consent authority for this plan**

Blue Mountains City Council is the consent authority for the purposes of this plan, subject to the Act.

## **6 Definitions and interpretation**

- (1) A term defined in the Dictionary at the end of this plan has the same meaning when used in this plan.
- (2) In this plan:
  - (a) a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for that purpose, and
  - (b) a reference to a map is a reference to a map held within the offices of the Council, and
  - (c) a reference to the Council's *Better Living DCP* is a reference to Part D (Standards for Development) of the *Better Living—Development Control Plan* approved by the Council on 8 March 2005.
- (3) Explanatory notes to this plan, diagrams and captions to diagrams, and the list of contents, are not part of this plan.

### **(4) Savings and transitional provision**

Local environmental plans (including *Blue Mountains Local Environmental Plan No 4*) as in force immediately before the commencement of this plan, apply to a development application that was made but had not been finally determined before that commencement as if this plan had been exhibited but had not been made.

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Clause 7                Blue Mountains Local Environmental Plan 2005

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### **7 Map supporting the plan**

The land to which this plan applies is shown on the Map, with each sheet of the Map illustrating a part of the land and divided into three panels as follows:

- (a) “Map Panel A: Zones, Precincts and Provisions” shows the zone or zones, any precincts and any map-designated provisions applying to that part of the land, and
- (b) “Map Panel B: Protected Areas” shows any protected area or areas applying to that part of the land, and
- (c) “Map Panel C: Heritage Conservation and Special Use” shows land that is subject to the heritage conservation provisions of this plan and land that is subject to the special use provisions of this plan.

### **8 Zones, precincts, protected areas and other map designations**

- (1) Land is within a zone specified in subclause (2) if it is shown on Map Panel A by distinctive colouring as being within that zone.
- (2) This plan uses the following zones:
  - (a) Village—Town Centre,
  - (b) Village—Neighbourhood Centre,
  - (c) Village—Tourist,
  - (d) Village—Housing,
  - (e) Living—General,
  - (f) Living—Conservation,
  - (g) Living—Bushland Conservation,
  - (h) Employment—General,
  - (i) Employment—Enterprise,
  - (j) Regional Transport Corridor,
  - (k) Recreation—Private,
  - (l) Recreation—Open Space,
  - (m) Environmental Protection—Private,
  - (n) Environmental Protection—Open Space.
- (3) Land is within a precinct if it is shown on Map Panel A by distinctive edging and annotation as being within that precinct.
- (4) Land is subject to the map-designated provision specified in subclause (5) if it is shown on Map Panel A by distinctive hatching, edging or annotation as being subject to that provision.

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- (5) This plan uses the following map-designated provisions:
- (a) Accessible Housing Area,
  - (b) Acquisition Requirement,
  - (c) Consolidation (CONS) Requirement,
  - (d) No Subdivision (NS),
  - (e) Proposed Road Closure.
- (6) Land is within a protected area specified in subclause (7) if it is shown on Map Panel B by distinctive colouring, hatching or edging as being within that protected area.
- (7) This plan uses the following protected areas:
- (a) Slope Constraint Area,
  - (b) Vegetation Constraint Area,
  - (c) Ecological Buffer Area,
  - (d) Escarpment Area,
  - (e) Water Supply Catchment,
  - (f) Riverine Scenic Quality Corridor,
  - (g) Period Housing Area.
- (8) Map Panel C identifies land that is a heritage item, a heritage item of State significance or within a heritage conservation area by distinctive edging, hatching or colouring.
- (9) Land is subject to a special use designated in subclause (10) if it is shown on Map Panel C by distinctive colouring as being subject to that special use.
- (10) This plan uses the following special use designations:
- (a) cemetery,
  - (b) defence,
  - (c) depot,
  - (d) educational establishment,
  - (e) emergency services,
  - (f) hospital or health centre,
  - (g) parking facility,
  - (h) public building or facility,
  - (i) waste management facility.

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Clause 9 Blue Mountains Local Environmental Plan 2005

Part 1 Preliminary

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### 9 Considerations before development consent

Before granting consent to the carrying out of any development on land to which this plan applies, the consent authority is to be satisfied that the development:

- (a) is consistent with the aim of this plan and the principles and practices of ecologically sustainable development, and
- (b) complies with the principal objectives of the plan that are relevant to the development, and
- (c) complies with the locality management provisions within Part 2 that apply to the land, and
- (d) complies with the assessment requirements and provisions within Part 3 that are relevant to the development, and
- (e) complies with the development provisions within Part 4 that are relevant to the development.

## Division 2 Planning principles

### 10 Aim of the plan

The aim of this plan is to provide a comprehensive and explicit framework for the development of land within the City, as the “City within a World Heritage National Park”, in a manner that is consistent with and promotes the principles and practices of ecologically sustainable development.

### 11 Ecologically sustainable development

- (1) In this plan, *ecologically sustainable development* means development that improves the quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.
- (2) This plan acknowledges the following principles and practices of ecologically sustainable development:
  - (a) **Integration**—the effective integration of environmental, social and economic considerations in decision-making.
  - (b) **Community involvement**—recognition that sustainability cannot be achieved, nor significant progress made toward it, without the support and involvement of the community.
  - (c) **Precautionary behaviour**—where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:



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- (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
  - (ii) an assessment of the risk weighted consequences of various options, with particular consideration given to cumulative impacts and ensuring that previous environmental damage is not compounded.
  - (d) **Equity within and between generations**—fairness and equal access to opportunities both in our lifetimes, as well as for future generations.
  - (e) **Continual improvement**—the declining environmental situation means there is an imperative to take immediate action to ensure development becomes more sustainable and to make continual improvement in the management of that development.
  - (f) **Conservation of biological diversity and ecological integrity**—the protection of biological diversity and the maintenance of essential ecological processes and life-support systems should be a fundamental consideration.
  - (g) **Improved valuation and pricing of environmental resources**—environmental factors should be included in the valuation of assets and services.

## 12 Principal objectives of the plan

The principal objectives of this plan are:

- (a) To maintain the unique identity and values of the City as the “City within a World Heritage National Park”.
  - (b) To meet the needs of residents, visitors and the business community through the provision of an appropriate balance of land uses and built forms that respond to the principles of ecologically sustainable development.
  - (c) To conserve and enhance, for current and future generations, the ecological integrity, environmental heritage and environmental significance of the Blue Mountains.
  - (d) To identify and conserve the distinct Aboriginal and European cultural heritage of the built forms and landscapes of the Blue Mountains.
  - (e) To preserve and enhance watercourses, riparian habitats, wetlands and water quality within the Blue Mountains, the Hawkesbury-Nepean River catchment and Sydney’s drinking water catchments.
  - (f) To prescribe limits to urban development having regard to the potential impacts of development on the natural environment and the provision, capacity and management of infrastructure.
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Clause 12            Blue Mountains Local Environmental Plan 2005

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- (g) To limit exposure to bush fire hazards and to ensure that development of bush fire prone land incorporates effective measures that protect human life, property and highly valued environmental and other assets from bush fire, without unacceptable environmental impacts.
- (h) To identify and retain the diverse built and landscape elements that contribute to the character and image of the Blue Mountains.
- (i) To promote the provision of accessible, diverse and affordable housing options to cater for the changing housing needs of the community.
- (j) To ensure that the social needs of existing and future residents are met through the provision of appropriate community facilities, open space and services.
- (k) To provide sustainable employment opportunities and strengthen the local economic base by encouraging a range of enterprises, including tourism, which respond to lifestyle choices, emerging markets and changes in technology, while protecting local amenity, character and environmental values.
- (l) To ensure that the siting and design of new buildings, facilities and structures intended primarily for public use make reasonable provision for safe and comfortable access to those buildings for all people, including older people, people with a disability and those with limited mobility.
- (m) To integrate development with transport systems and promote safe and sustainable access opportunities, including public transport initiatives, walking and cycling.

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## **Part 2    Locality management**

### **Division 1        Locality provisions**

#### **13    General locality management**

- (1) Consent shall not be granted to the carrying out of any development on land to which this plan applies unless:
  - (a) the development complies with the zone objectives within Division 2 (Zone objectives) that apply to the land and that are relevant to the development, and
  - (b) the development proposed to be carried out is permissible within the zone applying to the land in accordance with Division 3 (Permissibility of land use).
- (2) Consent shall not be granted to development on land that adjoins land in another zone unless the development proposed to be carried out does not compromise achieving the objectives of the adjoining zone and the consent authority is satisfied that sufficient consideration has been given to the measures proposed to reduce any adverse impacts of the development on land within that adjoining zone.

#### **14    Locality management within the villages**

Consent shall not be granted to development within the:

- (a) Village—Town Centre zone, or
- (b) Village—Neighbourhood Centre zone, or
- (c) Village—Tourist zone, or
- (d) Village—Housing zone,

unless the development proposed to be carried out has been assessed in accordance with the provisions that apply to the land, as specified for the relevant village within Schedule 1, and complies with those provisions.

#### **15    Locality management within the living zones**

- (1) Consent shall not be granted to development within the Living—General zone unless the development proposed to be carried out has been assessed in accordance with the provisions that apply to the land, as specified within Part 1 of Schedule 2, and complies with those provisions.

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Clause 16            Blue Mountains Local Environmental Plan 2005

Part 2                Locality management

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- (2) Consent shall not be granted to development within the Living—Conservation zone or to development within roads shown uncoloured on the Map and adjoining the Living—Conservation zone unless the development proposed to be carried out has been assessed in accordance with the provisions that apply to the land, as specified within Part 2 of Schedule 2, and complies with those provisions.
- (3) Consent shall not be granted to development within the Living—Bushland Conservation zone unless the development proposed to be carried out has been assessed in accordance with the provisions that apply to the land, as specified within Part 3 of Schedule 2, and complies with those provisions.

### **16 Locality management within the employment zones**

- (1) Consent shall not be granted to development within the Employment—General zone unless the development proposed to be carried out has been assessed in accordance with the provisions that apply to the land, as specified within Part 1 of Schedule 3, and complies with those provisions.
- (2) Consent shall not be granted to development within the Employment—Enterprise zone unless the development proposed to be carried out has been assessed in accordance with the provisions that apply to the land, as specified within Part 2 of Schedule 3, and complies with those provisions.

### **17 Locality management within the recreation zones**

- (1) Consent shall not be granted to development within the Recreation—Private zone unless the development proposed to be carried out has been assessed in accordance with:
  - (a) the relevant precinct provisions within Part 1 of Schedule 4, or
  - (b) Division 2 of Part 1 of Schedule 4, where the development proposed to be carried out is not within a specific precinct,and complies with those provisions.
- (2) Consent shall not be granted to development within the Recreation—Open Space zone unless the development proposed to be carried out has been assessed in accordance with the provisions that apply to the land, as specified within Part 2 of Schedule 4, and complies with those provisions.

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## **Division 2      Zone objectives**

### **18    Village—Town Centre zone**

The objectives for the Village—Town Centre zone are as follows:

- (a) To promote and consolidate the larger towns and villages within the Blue Mountains as the focus of retail, commercial, and community activity.
- (b) To promote the unique character of each of the towns and villages of the Blue Mountains.
- (c) To promote the economic viability of the towns and villages.
- (d) To encourage a broad range of tourist activity in the towns and villages.
- (e) To encourage a mix of residential land uses in association with business and community land uses.
- (f) To focus large scale retailing and other higher order uses in appropriate locations within the district centres of Katoomba and Springwood.
- (g) To promote high quality urban design of built forms.

### **19    Village—Neighbourhood Centre zone**

The objectives for the Village—Neighbourhood Centre zone are as follows:

- (a) To encourage a range of local convenience shopping facilities and associated commercial and community activities.
- (b) To encourage a mix of residential land uses in association with a primarily commercial or retail land use.
- (c) To direct future major commercial, retail and professional services to the village areas, thereby discouraging ribbon development along major arterial roads.
- (d) To ensure that development contributes to the creation of a distinct village identity.
- (e) To ensure that the non-residential uses are environmentally compatible with the residential uses and do not unreasonably affect the residential amenity within the zone as a result of factors such as operating hours, noise, loss of privacy, and pedestrian and vehicular traffic.
- (f) To promote high quality urban design of built forms.

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Clause 20            Blue Mountains Local Environmental Plan 2005

Part 2                Locality management

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### **20    Village—Tourist zone**

The objectives for the Village—Tourist zone are as follows:

- (a) To allow opportunities for the development of a variety of tourist-orientated land uses and services within a predominantly residential area.
- (b) To allow for the consolidation of tourism-related land uses in existing major tourism precincts in the Blue Mountains.
- (c) To ensure that development contributes to a strengthening of the landscape character and visual setting along significant tourist routes.
- (d) To retain and enhance the established traditional streetscape character and heritage values, including mature vegetation and gardens, that contribute to the attraction of the area for residents and visitors.
- (e) To ensure that the building form and design of non-residential land uses do not unreasonably detract from the amenity of adjoining or adjacent residents or the existing quality of the environment by its scale, height, bulk or operation.
- (f) To only permit development that does not place unacceptable demands on infrastructure and services.

### **21    Village—Housing zone**

The objectives for the Village—Housing zone are as follows:

- (a) To provide diverse housing types in terms of size, access, tenure and levels of affordability.
- (b) To consolidate residential opportunities in areas within close proximity to commercial centres and railway stations.
- (c) To make area-specific provisions in relation to density, design, form, building materials and landscaping to retain the distinct character of the relevant village location and maintain appropriate transitions to adjoining land uses.
- (d) To encourage the provision of housing options that are designed to be accessible for people with special needs or are easily adaptable for these needs in the future.
- (e) To ensure that residential development has a scale and character at the streetscape that is consistent with adjoining residential land uses and minimises adverse impact on environmental quality and on the amenity of residents.
- (f) To permit only development that does not place unacceptable demands on infrastructure and services.

**22 Living—General zone**

The objectives for the Living—General zone are as follows:

- (a) To allow for residential development primarily in the form of detached single dwelling houses in a variety of types, designs and tenures.
- (b) To promote residential development in locations that are accessible to services and facilities, thereby encouraging use of transport modes other than private motor vehicles.
- (c) To ensure that residential and non-residential development maintains and improves the character of residential areas, in a manner that minimises impacts on the existing amenity and environmental quality of those areas.
- (d) To allow a range of non-residential land uses that are consistent with the predominant scale and height of adjoining buildings and do not unreasonably detract from the amenity of adjoining or adjacent residents.
- (e) To ensure that development responds to the environmental characteristics of the site.

**23 Living—Conservation zone**

The objectives for the Living—Conservation zone are as follows:

- (a) To retain and enhance the character of residential areas that are formed by larger allotments and single dwelling houses within a prominent traditional garden setting.
- (b) To enhance the landscape character and setting along roads of heritage significance where the road forms a visually significant entrance to a village or a linkage/pathway between major visitor destinations.
- (c) To ensure development, including development within adjoining road reserves, retains the prominence of landscape elements and traditional garden settings.
- (d) To ensure that established gardens are retained or landscape settings are re-established as part of any development of land, including development involving major alterations and additions.
- (e) To allow for a limited range of non-residential land uses where these are conducted in association with a predominantly residential land use and are consistent with the retention of a residential character based on a landscape or open space setting.

## **2005 No 633**

Clause 24            Blue Mountains Local Environmental Plan 2005

Part 2                Locality management

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### **24    Living—Bushland Conservation zone**

The objectives for the Living—Bushland Conservation zone are as follows:

- (a) To allow for residential development in the form of single detached dwellings where this development is within the capacity of the environment to sustain such development and is undertaken in a manner that minimises impact on environmentally sensitive areas.
- (b) To preserve and re-establish native bushland in areas that exhibit a predominantly bushland character, where consistent with the protection of assets from bush fire.
- (c) To permit only low density residential land uses and to retain large allotment sizes in fringe urban locations or locations that do not have reasonable access to services and facilities.
- (d) To allow a limited range of non-residential land uses only where these are conducted in association with a predominantly residential land use.
- (e) To ensure that the form and siting of buildings, colours, landscaping and building materials are appropriate for and harmonise with the bushland character of the locality.
- (f) To encourage the retention and re-establishment of native bushland along significant fauna corridors and in areas of high visual significance, including escarpment areas and along the Regional Transport Corridor.

### **25    Employment—General zone**

The objectives for the Employment—General zone are as follows:

- (a) To encourage the establishment of a broad range of industrial and associated land uses which will generate greater local employment opportunities.
- (b) To allow a wide range of employment generating land uses and facilities including industry, advanced technology, wholesale sales, storage, distribution, servicing, research and ancillary administrative uses, where these incorporate measures to conserve the sensitive environment of the Blue Mountains.
- (c) To ensure that industrial development incorporates measures to mitigate the impact of its operation on the environment from noise generation or pollution.
- (d) To allow retail development where it is associated with a primarily industrial land use or for appropriate bulky goods retailing.



- 
- (e) To ensure that the form and siting of buildings, colours and landscaping elements contribute to development of a landscape setting for industrial land uses and retain any existing bushland character.
  - (f) To allow industrial and other compatible development which incorporates controls on potential impacts on the amenity of residents in adjoining residential areas.

## **26 Employment—Enterprise zone**

The objectives for the Employment—Enterprise zone are as follows:

- (a) To promote the development of mixed use residential and business areas with a high quality built environment and amenity.
- (b) To provide greater opportunities for the location and growth of small businesses, particularly those related to information technology and cultural industries such as arts and design-based businesses and associated production.
- (c) To permit minor retail uses where they are ancillary to the primary land use and do not detract from the growth of the town and village centres as primary retailing centres.
- (d) To ensure that the design of new development is adaptable for both residential and business land uses.
- (e) To ensure that development incorporates landscape elements that provide an appropriate landscape setting for business and residential land uses.
- (f) To allow for the provision of recreational facilities.

## **27 Regional Transport Corridor zone**

The objectives for the Regional Transport Corridor zone are as follows:

- (a) To clearly identify land for the provision of major transportation networks and facilities.
- (b) To recognise corridors of existing railway and classified road lands and to identify future road and railway alignments.
- (c) To ensure that development within the zone is integrated with the surrounding natural, physical or built environment.
- (d) To ensure that all works contribute to the safe and effective operation of classified roads for pedestrians, cyclists, public transport users and motorists.
- (e) To identify land that is required for widening of the corridor and to enable its acquisition by the relevant authority.

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Clause 28            Blue Mountains Local Environmental Plan 2005

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### **28    Recreation—Private zone**

The objectives for the Recreation—Private zone are as follows:

- (a) To encourage the development of land in a manner which satisfies the private recreational needs of the community.
- (b) To allow development of land uses and activities that support and are compatible with private recreational land use.
- (c) To ensure that recreational development is environmentally sensitive and site responsive and compatible with use of the land for sport, entertainment, education, tourism and accommodation of older people and people with a disability.

### **29    Recreation—Open Space zone**

The objectives for the Recreation—Open Space zone are as follows:

- (a) To enhance the quality of life of residents and visitors and improve the amenity of the villages in the Blue Mountains through the provision and management of open space.
- (b) To identify and provide public land to be used for open space and public recreational purposes.
- (c) To provide for a range of recreational settings to cater for the needs of local residents and visitors.
- (d) To promote improved recreational facilities on publicly owned land.
- (e) To improve the environmental quality of the area and ensure that recreational development is environmentally sensitive and site responsive.
- (f) To identify privately owned land that should be acquired for recreational purposes.
- (g) To ensure that the development of land is consistent with any plan of management applying to the land.

### **30    Environmental Protection—Private zone**

The objectives for the Environmental Protection—Private zone are as follows:

- (a) To protect land that is environmentally sensitive or has high scenic value from development, where that land is privately owned or is not intended to be used as public open space.
- (b) To encourage land restoration works on disturbed bushland areas.
- (c) To allow bush fire hazard reduction that is in a form consistent with the protection of natural ecological values.

- 
- (d) To restrict development on part of land that is inappropriate by reason of physical characteristics or high bush fire hazard, but only where less restricted development is allowed by this plan elsewhere on the land due to its different zoning.
  - (e) To contribute to the maintenance of bio-diversity in the Blue Mountains.
  - (f) To allow for low impact nature-based recreational activities that are consistent with the protection of the land's natural ecological significance.

### **31 Environmental Protection—Open Space zone**

The objectives for the Environmental Protection—Open Space zone are as follows:

- (a) To ensure conservation and facilitate management of environmentally sensitive land and areas of high scenic value in the City.
- (b) To provide a buffer around areas of natural ecological significance.
- (c) To restrict development on land that is inappropriate by reason of the physical characteristics or the high bush fire hazard of the land.
- (d) To allow bush fire hazard reduction that is in a form consistent with the protection of natural ecological values.
- (e) To provide for nature-based recreational opportunities that are compatible with the land's natural, cultural and aesthetic values and to foster an appreciation of those values.
- (f) To encourage land restoration works on disturbed bushland areas.
- (g) To ensure that the development of land is consistent with any plan of management applying to the land.
- (h) To identify privately owned land that should be acquired for environmental protection and open space purposes.

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Clause 32            Blue Mountains Local Environmental Plan 2005

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### Division 3            Permissibility of land use

#### 32    Land use matrix

- (1) Except as otherwise provided by this Division or Division 4 of Part 3 (Heritage conservation), development that:
- (a) is allowed without development consent, or
  - (b) is allowed only with development consent, or
  - (c) is prohibited,
- is specified in the land use matrix in subclause (6).
- (2) The following symbols are used in the land use matrix in subclause (6):



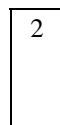
development that is allowed within the relevant zone without development consent.



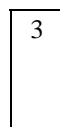
development that is allowed within the relevant zone only with development consent.



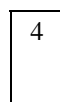
development that is allowed within a precinct within the Recreation—Private zone only with development consent.



development that is allowed within the Katoomba Precinct VTC-KA02, Springwood Precinct VTC-SP01 and Winmalee Precinct VTC-WL01 in the Village—Town Centre zone only with development consent.



development that is allowed within the Katoomba Precinct VTC-KA01, Katoomba Precinct VTC-KA02 and Springwood Precinct VTC-SP01 in the Village—Town Centre zone only with development consent.



development that is allowed only with development consent, except where it is allowed without development consent by clause 36 (Bush fire hazard reduction).

5 development that is allowed within the relevant zone only with development consent, except where development is allowed without development consent by clause 126 (Special use).

6 development that is allowed within the relevant zone only with development consent, except on bush fire prone land where it is prohibited.

development that is prohibited.

- (3) The subdivision of land or demolition of a structure is allowed within any zone with development consent.
- (4) The clearing of vegetation is allowed within any zone only with development consent, except where otherwise allowed by clause 54 (Preservation of trees) or clause 54A (Bushland protection).
- (5) Subject to subclauses (3) and (4) and clause 33 (Exempt and complying development), all development not identified in the land use matrix is prohibited.
- (6) The following land use matrix applies for the purposes of this plan:

Zone:	Village				Living			Employment		RTC	Recreation		Environment Protection	
Development for the purpose of:	TC	NC	T	H	G	C	BC	G	EN		PR	OS	PR	OS
accessible housing	C		C	C	C						1			
advertising structures	C	C	C	C	C	C	C	C	C		C	C		
amusement centres	C													
animal establishments								C			C			
arts and crafts galleries	C	C	C					C	C		C			
bed and breakfast establishments	C	C	C	C	C	C	C							
boarding houses	C	C	C	C	C									
bulky goods showrooms	C							C						
bush regeneration	•	•	•	•	•	•	•	•	•	•	•	•	•	•
bush fire hazard reduction	4	4	4	4	4	4	4	4	4	4	4	4	4	4
camping sites											C	C		
car repair stations								C						

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Zone:	Village				Living			Employment		RTC	Recreation		Environment Protection	
Development for the purpose of:	TC	NC	T	H	G	C	BC	G	EN		PR	OS	PR	OS
caravan parks											C	C		
caretakers' dwellings								C	C		C	C		
child care centres	C	C	C	C	C	C		C	C		C	C		
clubs	C							C	C		C	C		
cluster housing							C							
commercial premises	C	C						C						
community buildings	C	C	C	C	C			C	C		C	C		
community centres	C	C		C							C			
dams							C				C	C		
development ancillary to a dwelling house	C	C	C	C	C	C	C		C	C			C	
display gardens	C	C	C	C	C	C	C		C		C	C		
district supermarkets	2													
domestic swimming pools	C	C	C	C	C	C	C	C	C	C	C			
drive-in take-away food outlets	3													
dual occupancies	C		C	C	C				C					
dwelling houses	C	C	C	C	C	C	C		C	C				
educational establishments	C	C	C	C	C			C	C		C			
exhibition homes	C		C	C	C	C	C		C					
general stores	C	C	C	C	C	C		C	C					
granny flats	C		C	C	C	C	C		C					
hazardous industries or hazardous storage establishments														
health care practices	C	C	C	C	C	C		C	C					
holiday lets	C	C	C	C	C	C	C							
home businesses	•	•	•	•	•	•	•	•	•	•	•			
home employment	C	C	C	C					C					
home occupations	•	•	•	•	•	•	•	•	•	•	•	•	•	•
hospitals	C			C	C			C						
hotels	C													
industries								C						

Zone:	Village				Living			Employment		RTC	Recreation		Environment Protection	
Development for the purpose of:	TC	NC	T	H	G	C	BC	G	EN		PR	OS	PR	OS
institutions														
integrated housing	C	C	C	C	C	C	C		C					
land management works	•	•	•	•	•	•	•	•	•	•	•	•	•	•
light industries								C	C					
liquid fuel depots								6						
medical centres	C	C		C				C	C					
motor showrooms								C						
multi-dwelling housing	C		C	C										
nature-based recreation											C	C	C	C
offensive industries or offensive storage establishments														
panel beating workshops								C						
parking	C	C	C	C	C	C	C	C	C	C	C	C		C
parking facilities	C	C						C	C	C				
permaculture			•	•	•	•	•				•	C		
places of assembly	C	C		C				C	C		C			
places of worship	C	C	C	C	C			C	C		C	C		
public buildings	C	C	C	C	C			C	C		C	C		
public transport terminals	C	C								C				
public utility undertakings	•	•	•	•	•	•	•	•	•	•	•	•	•	•
recreation areas	C	C	C					C	C		C	C		
recreation facilities	C	C						C	C		C	C		
refreshment rooms	C	C	C	C							C	C		
remediation of contaminated land	C	C	C	C	C	C	C	C	C	C	C	C	C	C
retail plant nurseries	C	C						C	C					
roads	C	C	C	C	C	C	C	C	C	C	C	C	C	C
road transport terminals								C						
self-storage units								C						

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Part 2 Locality management

Zone:	Village				Living			Employment		RTC	Recreation		Environment Protection	
Development for the purpose of:	TC	NC	T	H	G	C	BC	G	EN		PR	OS	PR	OS
service stations								6		6				
sex establishments								C						
shop-top housing	C													
shops	C	C												
special uses	5	5	5	5	5	5	5	5	5	5	5	5		5
take-away food outlets	C	C												
telecommunications facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C
tourist accommodation	C	C	C											
transport depots								C						
utility installations	•	•	•	•	•	•	•	•	•	•	•	•	•	•
veterinary establishments	C	C						C	C					
visitor facilities	C	C	C	C	C	C	C			C	C	C		C
warehouses								C						
waste processing facilities								C						

### Abbreviations relating to zone names:

BC	Bushland Conservation
C	Conservation
EN	Enterprise
G	General
H	Housing
NC	Neighbourhood Centre
OS	Open Space
PR	Private
RTC	Regional Transport Corridor
T	Tourist
TC	Town Centre



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**33 Exempt and complying development**

- (1) Notwithstanding clause 32 (Land use matrix), development of minimal environmental impact listed in Schedule 1 to *Blue Mountains Development Control Plan No 33*, as adopted by the Council on 24 August 1999, is exempt development, despite any other provision of this plan.
- (2) Notwithstanding clause 32 (Land use matrix) and subject to this clause, development listed in Schedule 2 to *Blue Mountains Development Control Plan No 33*, as adopted by the Council on 24 August 1999, is complying development if:
  - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
  - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Blue Mountains Development Control Plan No 33*, as adopted by the Council on 24 August 1999.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Blue Mountains Development Control Plan No 33*, as in force when the certificate is issued.

**34 Development near zone boundaries**

- (1) Notwithstanding clause 32 (Land use matrix) but subject to subclause (2), development that (in the absence of this clause) would be prohibited in a zone may be carried out with development consent within the maximum distance from the boundary between that zone and another zone, if it is allowed in the other zone either with or without development consent.
- (2) Consent shall not be granted to development pursuant to this clause unless the consent authority is satisfied that carrying out the proposed development will:
  - (a) have the effect of extending development that is being or will be lawfully carried out in the zone in which it is allowed in the absence of this clause, and
  - (b) comply with the objectives of the zone in which it will be carried out.
- (3) In this clause, *the maximum distance* means 20 metres or, if the otherwise prohibited development will be carried out within the Environmental Protection—Private or Environmental Protection—Open Space zone, 10 metres.

## **2005 No 633**

Clause 35            Blue Mountains Local Environmental Plan 2005

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### **35    Temporary use of land**

- (1) Notwithstanding clause 32 (Land use matrix) but subject to subclauses (2)–(4), consent may be granted to the temporary use of any land or building for any purpose (including but not limited to an exhibition, concert, fair, sporting event, fete or market) provided the consent authority is satisfied that:
  - (a) the use will cease within a specified time, and
  - (b) suitable arrangements have been or will be made for the removal of any waste, or any temporary structures erected or works carried out in connection with the temporary use, and for the restoration of the land after the cessation of the temporary use, and
  - (c) the temporary use is reasonable having regard to the nature of the temporary use and the economic use of the land pending its development otherwise in accordance with this plan, and
  - (d) the temporary use will not unreasonably adversely affect residential amenity, and
  - (e) the temporary use would not be likely to unreasonably affect the economic viability of any village centre in the locality, and
  - (f) the objectives of the zone in which the land is located will not be compromised over the long term by the temporary use.
- (2) Consent may be granted to the temporary use of any land or building for not more than 28 days, whether consecutive or non-consecutive, in any one year.
- (3) Consent may be granted for a temporary use under this clause over a period of not more than 3 consecutive years, allowing the temporary use for not more than 28 days in each of those years.
- (4) This clause does not apply where:
  - (a) the temporary use would be designated development, or
  - (b) the land proposed to be used for the temporary use is located in the Environmental Protection—Private zone or Environmental Protection—Open Space zone.
- (5) Any requirement within this plan for the preparation of assessments, studies or plans may be waived where the consent authority is satisfied that the preparation of these assessments, studies or plans is unreasonable or unjustified having regard to the nature of the temporary use.

### **36    Bush fire hazard reduction**

Development consent is not required for the doing of:

- 
- (a) emergency bush fire hazard reduction work, or
  - (b) managed bush fire hazard reduction work, or
  - (c) work that complies with a bush fire hazard reduction certificate issued in accordance with the *Rural Fires Act 1997*, or
  - (d) bush fire hazard reduction work that complies with any requirement for the establishment or maintenance of an asset protection zone approved by the consent authority.

### **37 Bush fire safety authority**

Notwithstanding clause 32 (Land use matrix), consent shall not be granted for:

- (a) the subdivision of bush fire prone land for residential purposes, or
- (b) the development of bush fire prone land for a special fire protection purpose,

unless a bush fire safety authority required by the *Rural Fires Act 1997* has been issued by the Commissioner of the NSW Rural Fire Service.

### **38 Development of land for certain additional purposes**

- (1) Notwithstanding clause 32 (Land use matrix) but subject to subclause (2), a person may with consent carry out development on land identified in Schedule 8 that is specified in that Schedule for the land, subject to such conditions as are so specified.
- (2) Consent shall not be granted to development for those items numbered ALU01, ALU02 or ALU03 in Schedule 8, after the expiration of 1 year from the appointed day.
- (3) Nothing in subclause (2) shall prevent consent from being granted to the carrying out of alterations or extensions to, or the rebuilding of, a building or place being used for a purpose for which consent has been granted in accordance with this clause.

### **39 Consolidation (CONS) requirement**

- (1) Notwithstanding clause 32 (Land use matrix), where a consolidation requirement is shown by the notation (CONS) for land shown edged by a heavy line on Map Panel A, development (other than an existing use or for the purpose of bush fire hazard reduction) is prohibited unless all adjoining lots with this notation, which are shown edged with a heavy line, have been consolidated into one lot.
- (2) Consent may be granted to a subdivision of land to which subclause (1) applies only if the proposed subdivision is:
  - (a) a boundary adjustment where no additional lots are created, or

## **2005 No 633**

Clause 39      Blue Mountains Local Environmental Plan 2005

Part 2          Locality management

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(b)    for the purpose of providing land for a public purpose.

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**40 No subdivision (NS)**

- (1) Notwithstanding clause 32 (Land use matrix), where a no subdivision requirement is shown by the notation (NS) for land shown edged by a heavy line on Map Panel A, the subdivision of that land to create additional lots is prohibited.
- (2) Consent may be granted to a subdivision of land to which subclause (1) applies only if the proposed subdivision is:
  - (a) a boundary adjustment where no additional lots are created, or
  - (b) for the purpose of providing land for a public purpose, or
  - (c) a strata subdivision.

## 2005 No 633

Clause 41            Blue Mountains Local Environmental Plan 2005

Part 3                Assessing the site and environmental context

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### Part 3    Assessing the site and environmental context

#### Division 1        Site analysis

##### 41    General

The objectives of the site analysis provisions within this Part are:

- (a) to require the impact of development on the natural and built environment to be taken into account as part of the site planning process, and
- (b) to establish a sound basis for design or management responses to be incorporated into development proposals to minimise that impact.

##### 42    Site analysis plan

- (1) The consent authority may decline to grant consent to development, excluding development comprised of minor additions, unless it has considered a site analysis plan, which should be included as part of the statement of environmental effects.
- (2) The site analysis plan must:
  - (a) include such information specified in clause 43 (Contents of site analysis plan) as is relevant, in the opinion of the consent authority, to enable the full consideration of the environmental impacts of the proposed development, and
  - (b) be accompanied by a written statement explaining how the design and location of the proposed development has had regard to the objectives in clause 41 and to the site analysis.
- (3) The components of a site analysis plan may be supplemented by further assessments and plans, as specified elsewhere in this Part.

**Note.** Assessments and plans required by clauses within this Part should include all details necessary to show that the development complies with the relevant objectives and provisions within this Part. Where a number of clauses apply and require a site analysis plan, detailed environmental assessments and other environmental studies, these requirements may be met by a single consolidated environmental study. This is to remove the need for repetition where multiple environmental constraints would otherwise result in a number of environmental studies being required.

##### 43    Contents of site analysis plan

A site analysis plan is to include or be accompanied by supporting information, where appropriate, about the site and its surrounds in accordance with the following Table:

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**TABLE****Contents of site analysis plan**

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- (1) With respect to *site characteristics*:
  - (a) the location, boundary dimensions and area of the subject site and the north point, and
  - (b) contours of the subject site at an appropriate interval and the contours of adjoining allotments to the extent necessary to depict slope conditions that may affect the subject site, and
  - (c) the movement of sun across the site, and
  - (d) the prevailing wind direction and likely wind speeds across the site.
- (2) With respect to *flora and fauna*:
  - (a) the location and identity of any significant vegetation community on the site, including scientific and common names, and
  - (b) the location and identity of any threatened species, populations or ecological communities on the site, including scientific and common names, and
  - (c) the location and identity of any rare species of flora on the site, including scientific and common names, and
  - (d) whether the site contains or forms part of a fauna corridor, and
  - (e) the location and identity of all vegetation to be removed, including scientific and common names, and
  - (f) the total area of vegetation to be removed in square metres, and
  - (g) details of the qualifications and experience of the person who supplied the particulars required by this paragraph.

## 2005 No 633

Clause 43 Blue Mountains Local Environmental Plan 2005

Part 3 Assessing the site and environmental context

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### Contents of site analysis plan

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- (3) With respect to *other environmental characteristics*:
- (a) the location of, and measures proposed to protect, vegetation to be retained, and
  - (b) the location and extent of all existing and proposed water permeable areas, including lawns, and shrub/garden beds, and
  - (c) the total area of the lot covered or proposed to be covered by water permeable surfaces in square metres and the percentage of the lot covered by water permeable surfaces, and
  - (d) the location of all existing and proposed hard or impervious surfaces on the site, including areas covered by buildings, sealed driveways or paving, and
  - (e) the total area of the lot covered or proposed to be covered by hard surfaces in square metres and the percentage of the lot that will be covered by hard surfaces when the proposed development has been carried out, and
  - (f) the location of all slopes greater than 20 per cent and the direction of fall or drainage from those areas, and
  - (g) the soil type, structure and characteristics of any part of the site that has slopes greater than 20 per cent on which development or clearing is proposed to be located, and
  - (h) the location of any watercourse corridor on the site, or within 100 metres of the site with the potential to receive surface water run-off or sub-surface water from the site, and
  - (i) the location of any significant natural features such as rock outcrops, rock ledges and cliffs.
- (4) With respect to *character*:
- (a) the character of surrounding areas (best displayed with photographs of buildings on adjoining sites and adjacent streetscape), and
  - (b) setbacks, height, use and location of buildings on adjoining land, and other uses, including any potential noise sources, private open space areas or windows which may overlook the site, and
  - (c) any views to and from the land.
- (5) With respect to *heritage*:
- (a) the location of any heritage item on the site, including its curtilage, and
  - (b) a statement that the site falls within a heritage conservation area where applicable, and
  - (c) the location of any archaeological sites on the land, and
  - (d) the location of any Aboriginal object or Aboriginal place.



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**Contents of site analysis plan**

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- (6) With respect to ***bush fire***:
    - (a) a statement that the site is bush fire prone land, where applicable, and
    - (b) for bush fire prone land, the location, extent and vegetation group of any bushland on or within 140 metres of the site, and
    - (c) for bush fire prone land, the slope and aspect of the site and of any bush fire prone land within 100 metres of the site, which may determine the likely path of any bush fires, and
    - (d) any features on or adjoining the site that may mitigate the impact of a high intensity bush fire on the proposed development, and
    - (e) for development of bush fire prone land, a statement assessing the environmental impact of any proposed bush fire protection measures.
  - (7) With respect to ***other hazards***, the identification of any present or past usages of the site that may represent a risk to community health or the environment with respect to site contamination or potential site contamination.
  - (8) With respect to ***services***:
    - (a) the position of any drainage services and easements, as they relate to the pattern of water movement across the site, and
    - (b) the location of above ground or below ground services, including those for the provision of power supply, water supply, water storage and disposal of wastewater.
  - (9) With respect to ***carrying out the proposed development***:
    - (a) the location of any existing buildings or structures on the site and their use, and
    - (b) the location of existing or proposed access to the site, including any pathways, tracks or driveways and the number and location of on-site car parking areas, and
    - (c) for bush fire prone land, the existing and proposed road network, including the width of roads, and whether they are connector roads or cul-de-sacs, and
    - (d) the location of any proposed “cut” or “fill” and details including retaining structures, proposed fill material, level of finished fill, extent of finished fill in relation to adjoining properties and the effect on adjoining properties, particularly in relation to water flow, and
    - (e) any other buildings or structures proposed for the site.
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## 2005 No 633

Clause 44 Blue Mountains Local Environmental Plan 2005

Part 3 Assessing the site and environmental context

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### Division 2 Protecting the natural environment

#### 44 Environmental impact

(1) **Impact on the National Park**

Consent shall not be granted to development proposed on any land adjacent to the Blue Mountains National Park, unless the consent authority:

- (a) has considered the impact of the proposed development on the aesthetic, historical, natural, scenic and scientific attributes of the land within the National Park, and
- (b) has considered any comments from the Department of Environment and Conservation in relation to the effect of the proposed development, and
- (c) is satisfied that the development incorporates effective measures to avoid, remedy or mitigate any adverse environmental impact on land within the National Park.

(2) **Subdivision**

Consent shall not be granted to the subdivision of land to create additional lots unless the development will incorporate effective measures, satisfactory to the consent authority, to ensure that the development, and any asset protection zones required to protect the land to be subdivided, will have no adverse environmental impact on any development excluded land.

(3) **Development on lots created within the Living—Bushland Conservation zone**

Where a lot is created by the subdivision of land within the Living—Bushland Conservation zone in accordance with this plan, consent shall not be granted to any development (excluding a work for the purpose of providing public utility services) proposed to take place wholly or partly on development excluded land, unless the consent authority is satisfied, by means of a detailed environmental assessment, that the development, including any required asset protection zones, will have no adverse impact on the development excluded land concerned.

(4) **Other development**

All buildings and works, and any asset protection zone, not subject to subclauses (2) or (3) should be designed and sited so as to have no adverse environmental impact on any of the following:

- (a) any significant vegetation community,
- (b) the habitat of any threatened species, populations or ecological communities,

- 
- (c) any rare species of flora,
  - (d) any fauna corridor,
  - (e) the hydrological aspect of the locality,
  - (f) any watercourse or wetland,
  - (g) any significant natural features, including rock outcrops, rock ledges and cliffs.
- (5) Where an adverse environmental impact cannot be avoided for development to which subclause (4) applies, consent shall not be granted unless the consent authority is satisfied that the development:
- (a) has been designed and sited so as to have the minimum possible adverse impact on the environmental attributes identified in subclause (4) (a)–(g), and
  - (b) incorporates effective measures to remedy or mitigate any adverse environmental impact, and
  - (c) offsets those environmental impacts through the restoration of any existing disturbed areas on the site.
- (6) In determining whether an adverse environmental impact cannot be avoided in accordance with subclause (5), the consent authority shall:
- (a) have regard to the purposes for which the land is intended to be used with reference to the zone objectives applying to the land, and
  - (b) be satisfied that no practicable alternative is available in terms of the design, type and site coverage of the proposed development (including any measures required to protect life and property from the threat of bush fire) and the suitability of the physical characteristics of the land for the proposed development.
- (7) **Impact of bush fire protection measures**
- The provision of asset protection zones as referred to in subclauses (2), (3) and (4) shall balance the conservation of the natural environment with the protection of life and property from bush fire by being designed, sited or maintained so as to:
- (a) not exceed the level of clearing and reduction of vegetation prescribed in the bush fire code, unless otherwise prescribed by the provisions of this plan, and
  - (b) minimise environmental disturbance by using the method of bush fire hazard reduction that is suited to the characteristics of the site, in accordance with the Council's *Better Living DCP*, and
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- (c) not be located on any land that has contiguous areas of slope greater than 33 per cent, unless no other viable alternative is available, and
- (d) retain, where practicable, any existing mature smooth-barked trees which contain faunal habitat hollows, and
- (e) incorporate the planting of species that have bush fire resistant properties and are compatible with locally indigenous vegetation.

### 45 Protected Area—Slope Constraint Area

- (1) Consent shall not be granted to development on any land within a Protected Area—Slope Constraint Area that has contiguous areas of slope greater than 20 per cent (*protected land*) unless the consent authority is satisfied, by means of a detailed environmental assessment, that the development complies with the objectives and other provisions within this clause.
- (2) The objectives for a Protected Area—Slope Constraint Area are:
  - (a) to restrict development of land that has contiguous areas of slope greater than 20 per cent or physical characteristics that render the land inappropriate for development, and
  - (b) to ensure that development on land that has contiguous areas of slope greater than 20 per cent is designed and sited to minimise vegetation clearing and soil disturbance, and
  - (c) to encourage the retention, restoration and maintenance of disturbed native vegetation on steep land.
- (3) Development, including the erection of buildings, carrying out of alterations to buildings, clearing of native vegetation, and the carrying out of works that disturb the soil or alter the natural drainage pattern, on land to which this clause applies, is to:
  - (a) retain and maintain all existing native vegetation outside the area immediately required for the development, and
  - (b) incorporate measures to regenerate native vegetation on all land with slopes greater than 20 per cent that has already been cleared and does not form part of the site of existing development or the proposed development, and
  - (c) not adversely impact on the rate, volume or quality of water leaving the site, and
  - (d) be undertaken only where an assessment, which may include the preparation of a geotechnical report, demonstrates that the soil characteristics and structural elements of the protected land are suitable for the proposed development, and

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- (e) be sited outside protected land unless no other practicable alternative is available.
  - (4) When considering whether development could be sited outside protected land in accordance with subclause (3) (e), the consent authority shall consider:
    - (a) the design, type and site coverage of the proposed development, and
    - (b) the physical characteristics of the area on which the development is proposed to be carried out, and
    - (c) the suitability of the land for the proposed development.

#### **46 Protected Area—Vegetation Constraint Area**

- (1) Consent shall not be granted to development on any land within a Protected Area—Vegetation Constraint Area (*protected land*) unless the consent authority is satisfied, by means of a detailed environmental assessment, that the development complies with the objectives and other provisions within this clause.
  - (2) The objectives for a Protected Area—Vegetation Constraint Area are:
    - (a) to identify and require assessment of vegetation that is likely to be a significant vegetation community, and
    - (b) to protect significant vegetation communities and vegetation that is faunal habitat or part of a wildlife corridor, and
    - (c) to ensure development is designed, sited and managed to avoid or mitigate any adverse environmental impact on any significant vegetation community and the ecological buffer required to protect that significant vegetation community, and
    - (d) to encourage the restoration and maintenance of native vegetation, including vegetation that does not form part of a significant vegetation community.
  - (3) Development on any land within a Protected Area—Vegetation Constraint Area is to:
    - (a) incorporate effective measures to comply with clause 44 (Environmental impact) as it relates to the protection of a significant vegetation community, and
    - (b) provide an adequate ecological buffer to protect any significant vegetation community, and
    - (c) retain and maintain all existing native vegetation outside the area immediately required for the development, and
    - (d) incorporate measures to regenerate any disturbed native vegetation within the protected land, and
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- (e) in the case of protected land on which any significant vegetation community is located, be sited outside protected land unless no other practicable alternative is available.
- (4) When considering whether development could be sited outside protected land in accordance with subclause (3) (e), the consent authority shall consider:
  - (a) the design, type and site cover of the proposed development, and
  - (b) the physical characteristics of the land on which the development is proposed to be carried out, and
  - (c) the suitability of the land for the proposed development.

### 47 Protected Area—Ecological Buffer Area

- (1) Consent shall not be granted to development on any land within a Protected Area—Ecological Buffer Area (*protected land*) unless the consent authority is satisfied, by means of a detailed environmental assessment, that the development complies with the objectives and other provisions within this clause.
- (2) The objectives for a Protected Area—Ecological Buffer Area are:
  - (a) to protect water quality and aquatic ecosystems in the Blue Mountains, and
  - (b) to protect watercourse corridors and significant vegetation communities, and
  - (c) to restrict development so that it does not occur, as far as practicable, within ecological buffers to watercourse corridors or significant vegetation communities, and
  - (d) to ensure development is designed, sited and managed to minimise impact on the ecological and hydrological functions of the buffer, and
  - (e) to encourage the restoration and maintenance of native vegetation and the ecological processes of land within and adjacent to watercourse corridors or significant vegetation communities.
- (3) Development on any land within a Protected Area—Ecological Buffer Area is to:
  - (a) incorporate effective measures to manage any riparian vegetation within a watercourse corridor and any significant vegetation community, and
  - (b) be designed and sited to maintain connectivity of vegetation and minimise vegetation clearing, soil disturbance and alterations to

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- the rate, volume or quality of surface and ground-water flows, and
  - (c) retain and maintain all existing native vegetation outside the area immediately required for the development, and
  - (d) incorporate measures to regenerate native vegetation for all disturbed areas within the protected land, and
  - (e) incorporate appropriate stormwater and erosion control measures to protect the protected land from surface water run-off or other disturbance, and
  - (f) be sited outside protected land unless no other practicable alternative is available.
- (4) When considering whether development could be sited outside protected land in accordance with subclause (3) (f), the consent authority shall consider:
- (a) the design, type and site cover of the proposed development, and
  - (b) the physical characteristics of the land on which the development is proposed to be carried out, and
  - (c) the suitability of the land for the proposed development.

#### **48 Protected Area—Water Supply Catchment**

- (1) Consent shall not be granted to development which the Council has been required by an environmental planning instrument to refer to the Sydney Catchment Authority on any land within a Protected Area—Water Supply Catchment (*protected land*) unless the consent authority is satisfied that the development complies with the objectives and other provisions within this clause.
- (2) The objectives for a Protected Area—Water Supply Catchment are:
- (a) to protect and, where possible, improve water quality within that part of the Blue Mountains and the Hawkesbury-Nepean River catchment that is within Sydney's drinking water catchments, and
  - (b) to restrict development that will adversely impact on the natural systems that are essential for maintaining and improving water quality, and
  - (c) to restrict development in areas that cannot be connected to reticulated sewerage, and
  - (d) to ensure development is designed and sited to minimise the impact of vegetation clearing and soil disturbance, which could detrimentally alter the quality or quantity of the natural surface or sub-surface water movement, and

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- (e) to encourage the restoration and maintenance of areas of disturbed native vegetation.
- (3) Development on any land within a Protected Area—Water Supply Catchment is to:
  - (a) have a neutral or beneficial effect on the water quality of rivers, streams and groundwater in the hydrological catchments, including during periods of wet weather, and
  - (b) incorporate water quality management practices that are sustainable over the long term.
- (4) The consent authority shall not consent to any development on protected land that requires the disposal of wastewater unless:
  - (a) it is to be connected to a reticulated sewerage system, and confirmation of availability of the system is received by the Council from Sydney Water Corporation prior to the granting of consent, or
  - (b) where a reticulated sewerage system is not available, and in the case only of a dwelling house to be erected on a lot that existed on the appointed day, the dwelling house is to be served by a wastewater pump out system.

### 49 Protected Area—Escarpment Area

- (1) Consent shall not be granted to development on any land within a Protected Area—Escarpment Area (*protected land*) that involves the clearing of native vegetation unless the consent authority is satisfied, by means of an assessment of the landscape and environmental impact of the proposed development, that the development complies with the objectives and other provisions within this clause.
- (2) The objectives for a Protected Area—Escarpment Area are:
  - (a) to preserve and enhance the visual, cultural and ecological values of the escarpment systems within the City of Blue Mountains, and
  - (b) to restrict development, including buildings, alterations and vegetation clearing, so as to minimise adverse impact on the perception of escarpments as significant natural features, and
  - (c) to limit the proportion of hard surfaces in close proximity to escarpment systems, and
  - (d) to ensure that the design and siting of development minimises environmental impact, and
  - (e) to encourage the retention, restoration and maintenance of areas of disturbed native vegetation.



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- (3) Development, including the clearing of native vegetation, on any land within a Protected Area—Escarpment Area is to:
- (a) not adversely impact on the ecological or scenic values of the escarpment system, and
  - (b) retain and maintain all existing native vegetation outside the area immediately required for the development, and
  - (c) incorporate measures to regenerate native vegetation within the escarpment system in those areas which are already cleared and do not form part of the site of any existing development or the proposed development, and
  - (d) be designed and sited to respond sympathetically to the landform in which it is proposed to be situated, and
  - (e) not protrude above the existing vegetation canopy of the immediate locality, and
  - (f) not protrude above the height of adjacent buildings, and
  - (g) not visually disrupt the skyline by protruding above the ridgeline within or behind the site or above adjacent buildings, and
  - (h) incorporate unobtrusive and non-reflective materials and exterior surfaces with colours that help blend structures into the natural environment, and
  - (i) incorporate measures to minimise reflection of sunlight from glazed surfaces.

#### **50 Protected Area—Riverine Scenic Quality Corridor**

- (1) Consent shall not be granted to development on any land within a Protected Area—Riverine Scenic Quality Corridor (*protected land*) that involves the clearing of native vegetation unless the consent authority is satisfied, by means of an assessment of the landscape and environmental impact of the proposed development, that the development complies with the objectives and other provisions within this clause.
- (2) The objectives for a Protected Area—Riverine Scenic Quality Corridor are:
  - (a) to preserve and enhance the visual, cultural and ecological values of the protected land, and
  - (b) to restrict development, including buildings, alterations and vegetation clearing, so as to minimise the impact on the perception of the protected land as an area of scenic significance beyond the region or of regional riverine scenic significance, and

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- (c) to ensure that the design and siting of development is consistent with the landscape character as described in the *Scenic Quality Study*, and
  - (d) to encourage the restoration and maintenance of areas of disturbed native vegetation.
- (3) Development, including the clearing of native vegetation, on any land within a Protected Area—Riverine Scenic Quality Corridor is to:
  - (a) retain and maintain all existing native vegetation outside the area immediately required for the development, and
  - (b) incorporate measures to regenerate native vegetation within those areas which are already cleared and do not form part of the site of any existing development or the proposed development, and
  - (c) have appropriate siting, building form, orientation and scale that does not compromise the visual integrity of the escarpment to the west of the Nepean River, in terms of its regional prominence and the undisturbed nature of its appearance by:
    - (i) protruding above the existing vegetation canopy of the immediate locality or the height of adjacent buildings, or
    - (ii) visually disrupting the skyline by protruding above the ridgeline within or behind the site or above adjacent buildings, and
  - (d) incorporate unobtrusive and non-reflective materials and exterior surfaces with colours that help blend structures into the natural environment, and
  - (e) incorporate measures to minimise reflection of sunlight from glazed surfaces.
- (4) Development within a Protected Area—Riverine Scenic Quality Corridor which is shown on Map Panel B as having “Significance Beyond the Region” is to ensure that the landscape character of the development is consistent with “Landscape Unit No 2.1.2 Fairlight Gorge-Norton’s Basin to Mt Portal” of the *Scenic Quality Study*.
- (5) Development within a Protected Area—Riverine Scenic Quality Corridor which is shown on Map Panel B as having “Regional Significance” is to ensure that the landscape character of the development is consistent with “Landscape Unit No 3.2.3 Penrith Weir to Yarramundi Weir” of the *Scenic Quality Study*.

### 51 Watercourses

- (1) Land that is within a watercourse corridor, as defined by this plan, is taken to be within a Protected Area—Ecological Buffer Area.

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- (2) Consent shall not be granted to development of land that is within a watercourse corridor unless the consent authority is satisfied, by means of a detailed environmental assessment, that the development complies with the Protected Area—Ecological Buffer Area objectives and the other provisions within clause 47.
  - (3) Where land is within a watercourse corridor and is not shown as within a Protected Area—Ecological Buffer Area on Map Panel B, a detailed environmental assessment prepared in accordance with subclause (2) is to recommend a buffer width, including details of:
    - (a) the basis for the buffer width and the influence of the slope of land on the width of the buffer, and
    - (b) the ability of the buffer to adequately protect the watercourse, and
    - (c) the qualifications and experience of the person who recommended the buffer width.

## **52 Significant vegetation communities and rare species of flora**

- (1) Where development may have an impact on a significant vegetation community or rare species of flora, either by the alteration of growth conditions or removal of that vegetation, consent shall not be granted to the development unless the consent authority is satisfied, by means of a detailed environmental assessment, that the development complies with relevant requirements of clause 44 (Environmental impact).
- (2) The detailed environmental assessment shall include a full description of the proposed development, including the nature, extent, location, timing and layout and, to the fullest extent reasonably practicable, the following information:
  - (a) a full assessment of the likely effect of the development on the condition, extent and long term viability of the significant vegetation community or rare species of flora, and
  - (b) an assessment showing the impact of the development on any habitat or wildlife corridor, and
  - (c) a description of the way the development will respond to the significant vegetation community or rare species of flora, and
  - (d) a description of any feasible alternatives to the development that are likely to be of lesser effect and the reasons justifying the carrying out of the development in the manner proposed, having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development, and
  - (e) a full description and justification of the measures proposed to mitigate any adverse effect of the development on the species and populations or ecological communities, including a compilation (in a single section of the statement) of those measures.

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### 53    Retention and management of vegetation

- (1) Before granting consent to development that would involve the removal of vegetation, the consent authority must have regard to the following priorities:
  - (a) retaining vegetation, in relation to location, species type or physical characteristics, that does not pose a threat to life or property in the event of bush fire,
  - (b) limiting impacts on threatened, endangered, vulnerable or a locally significant plant species,
  - (c) retaining vegetation within watercourses,
  - (d) retaining vegetation that stabilises soils or that absorbs run-off from accumulation points on site,
  - (e) retaining vegetation that contributes to wildlife corridors or is habitat for native fauna,
  - (f) retaining vegetation that contributes to the streetscape character of the locality.
- (2) Consent shall not be granted to development of any land unless the consent authority has considered the need to re-vegetate disturbed areas on the land.
- (3) Before granting consent to development, the consent authority must take into account that vegetation retained on the site of development is to be protected from activities that may reduce the safe useful life expectancy (SULE) of that vegetation, including:
  - (a) severing of the critical root zone or the woody/structural root system, as may be caused by construction of a retaining wall, laying of foundations or similar, and
  - (b) provision of hard or impervious surfaces, including driveways, that limit areas of infiltration, and
  - (c) compaction of soil over critical root zones by construction or use of heavy machinery, and
  - (d) an increase in water logging arising from stormwater management or other alteration to the existing drainage regime, and
  - (e) nutrient overloading arising from disturbance to the drainage regime, and
  - (f) changes to the natural soil level.
- (4) When granting consent to development, the consent authority is to ensure that all vegetation to be retained on the site will be protected during the construction process by provision of temporary fencing or

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other barriers that are located to prevent direct or indirect damage to the vegetation including:

- (a) damage to the tree trunks, or
- (b) destruction of understorey vegetation by machinery, or
- (c) compaction of soil over critical root zones for vegetation, or
- (d) alterations to the amount or quality of water directed onto the vegetation, or
- (e) stockpiling of materials over critical root zones.

#### **54 Preservation of trees**

- (1) Notwithstanding clause 32 (Land use matrix), development consent is not required if a person cuts down, tops, lops, prunes, removes, injures or wilfully destroys any tree in accordance with:
  - (a) a written permission (*permit*) granted by Council, which may be given subject to such conditions as the Council considers necessary, or
  - (b) an exception specified in subclause (2), or
  - (c) the requirements for pruning in subclauses (4) and (5), or
  - (d) the requirements for transplanting in subclause (6).

- (2) **Exceptions**

Subject to subclause (3), development consent or a permit referred to in subclause (1) (a) is not required in relation to:

- (a) any tree, if documented evidence can be produced that is satisfactory to the Council to prove that:
  - (i) the tree was dead and was not a *likely habitat tree* specified in an order made under subclause (7), or
  - (ii) the tree posed an imminent danger to property or life, or
  - (iii) taking the action concerned with respect to the tree was reasonably necessary to protect human life, buildings or other property from imminent danger from a bush fire burning in the vicinity of the land on which the tree was situated, or
- (b) the removal of a tree where that removal is essential for emergency access or emergency works authorised by the Council, the State Emergency Service or any public authority, or
- (c) the removal of trees in association with the construction or use of a building or work for which development consent has been granted, including the ongoing maintenance of fuel load limits

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- within identified and approved asset protection zones, but only in accordance with the terms and conditions of that consent, or
- (d) any tree with a height less than 4 metres and with a foliage crown spread of less than 4 metres, but only if the tree is not native vegetation within bushland, or
  - (e) trees of any of the following species, but only if documented evidence can be produced that is satisfactory to the Council to prove that the individual specimens concerned are less than 10.0 metres in height:
    - (i) *Salix spp.* (all Willow species), or
    - (ii) *Populus spp.* (all Poplar species), or
  - (f) a *Pinus Radiata*, but only if the tree is less than 10.0 metres in height and is not located on land:
    - (i) within the Living—Conservation zone, or
    - (ii) to which Part 1 (Mount Victoria), Part 6 (Wentworth Falls), Part 7 (Lawson), Part 8 (Hazelbrook) or Part 9 (Springwood) of Schedule 1 (Locality management within the Villages) applies, or
  - (g) a plant referred to in clause 55 (Weed management), except for a plant that is a known sterile cultivated variety of these plants or a plant referred to in paragraph (e) or (f), or
  - (h) the removal or trimming of any trees in accordance with Part 2 of the *Electricity Supply (General) Regulation 2001*, or
  - (i) the removal or trimming of any trees in accordance with sections 88, 107, 138 and 139 of the *Roads Act 1993*, or
  - (j) the removal or clearing of any trees in conjunction with works approved under Part 5 of the Act, or
  - (k) the removal of trees in accordance with an order issued by the Council under the provisions of the Act or the *Local Government Act 1993*.
- (3) **Heritage items, heritage conservation areas, significant trees and approved landscaping**
- Nothing in subclause (2) (d)–(k) removes the requirement for development consent or written permission to cut down, top, lop, prune, remove, injure or wilfully destroy any tree that is:
- (a) a heritage item or part of a heritage item, or
  - (b) within a heritage conservation area, or
  - (c) listed on Council’s Significant Tree Register (which is available for inspection at the office of the Council), or
  - (d) part of landscape planting required by a development consent.

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**(4) Pruning**

Nothing in this clause requires development consent or permission of the Council for the following:

- (a) pruning of a hedge by no more than 20 per cent of its height or width in any one year, so that the overall height is not reduced below 1.5 metres,
  - (b) the seasonal pruning of fruit trees for the purpose of maintaining fruit production, but this exemption does not apply to *Acmena spp.* or *Syzygium spp.* (Lilly pilly), *Elaeocarpus spp.* (Blueberry Ash), *Ficus coronata* (Sandpaper Fig) or *F. rubiginosa* (Rusty or Port Jackson Fig),
  - (c) “deadwooding”, being the removal of dead wood from a tree, if the branches removed are not branches with hollows on a **likely habitat tree** specified in an order made under subclause (7),
  - (d) selective pruning, being only pruning to remove branches back to the nearest branch collar or junction to clear a roof, where trees directly overhang the roof of a dwelling, garage or commercial building, and only if the owner of the land where the centre of the tree originated or where the majority of the trunk of the tree is growing, is in agreement,
  - (e) to remove any species of parasitic mistletoe or parasitic plant from any part of a tree to ameliorate the effects on the tree from such a parasite.
- (5) This clause does not allow pruning of a tree unless it is carried out in accordance with Australian Standard AS 4373—1996, *Pruning of amenity trees*.

**(6) Transplanting**

The following may be transplanted without development consent or the permission of the Council:

- (a) specimens that have originated in and have grown continuously in a container which is not permanently fixed to a structure,
- (b) a tree that has remained continuously confined within a container, but not a tree in a planter box where the box is part of a building,
- (c) a field-grown tree propagated as part of a commercial horticultural or agricultural enterprise for the purposes of harvesting and selling it as an advanced specimen for relocation and re-establishment.

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- (7) The Council may, by its order, specify particular trees, or trees of a species or other class, to be *likely habitat trees* for the purposes of this clause.

### 54A Bushland protection

- (1) Notwithstanding clause 32 (Land use matrix), development consent is not required for vegetation clearing if a person clears, cuts down, tops, lops, prunes, removes, injures or wilfully destroys any vegetation (not trees) in accordance with:
- (a) a written permit issued by the Council, which may be given subject to such conditions as the Council considers necessary, or
  - (b) an exception specified in subclause (4).

(2) **Application for permits**

An application for a permit referred to in subclause (1) (a) shall be accompanied by:

- (a) the written consent of the owner of the land, and
- (b) the information specified in clause 43 (Contents of site analysis plan) or elsewhere in this Part that is relevant, in the opinion of Council, to consider the environmental impact of the proposed vegetation clearing, and
- (c) a method statement detailing the intended approach to undertaking the proposed clearing work, and
- (d) details of any proposed new plantings (species, mature heights and spread), together with establishment and maintenance details of those new plantings, with the level of detail being sufficient to allow the Council to assess the adequacy of vegetation retention and future landscape proposals.

(3) **Considerations before issuing a permit**

Before issuing a permit referred to in subclause (1) (a), the Council shall consider the following matters:

- (a) the zone objectives within Part 2, Division 2 (Zone objectives) that apply to the land,
- (b) the assessment requirements and provisions within this Part that are relevant to the proposed vegetation clearing, including the need to control runoff and erosion during and after clearing,
- (c) whether a vegetation management plan, prepared by a suitably qualified person and detailing procedures and specifications necessary to address any issues of concern, should be submitted for approval prior to commencement of clearing work,



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- (d) the effect of any vegetation clearing on the viability and quality of the bushland and, in particular, the likelihood of the spread of weeds or of undesirable and exotic species in the bushland.

(4) **Exceptions**

Development consent or a written permission is not required in relation to:

- (a) the removal or clearing of any vegetation where that removal or clearing is essential for emergency access or emergency works authorised by the Council, the State Emergency Service or any public authority (but only where the amount of vegetation removed is minimised as far as is practicable), or
- (b) the removal or clearing of vegetation in association with the construction or use of a building or work for which development consent has been granted, including the removal of vegetation and ongoing maintenance of fuel load limits within identified and approved asset protection zones, but only in accordance with the terms and conditions of that consent, or
- (c) a plant referred to in clause 55 (Weed management), except for a plant that is a known sterile cultivated variety of these plants or a plant referred to in clause 54 (2) (e) or (f), or
- (d) the removal or trimming of any vegetation in accordance with Part 2 of the *Electricity Supply (General) Regulation 2001*, or
- (e) the removal or trimming of any vegetation in accordance with sections 88, 107, 138 and 139 of the *Roads Act 1993*, or
- (f) the removal or clearing of any vegetation in conjunction with works approved under Part 5 of the Act, or
- (g) the removal or clearing of any vegetation, but not trees, in any zone to which clause 14 (Locality management within the villages) applies or within the Living—General zone or Living Conservation zone, or
- (h) the removal or clearing of any vegetation, but not trees, for maintenance of a garden, within its existing boundaries, or
- (i) the removal or clearing of any vegetation, but not trees, for maintenance of existing cleared areas or areas for which consent or a permit has been granted authorising clearing, or
- (j) the removal or clearing of native vegetation in bushland for the purposes of creating gardens where:
  - (i) the work does not involve the removal, injury or destruction of trees, and

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- (ii) the area to be cleared is within 35 metres of a dwelling for which consent or a building approval has been granted on the same allotment as the proposed clearing, and
- (iii) the area to be cleared is not greater than 500m<sup>2</sup>, and
- (iv) the area to be cleared is not development excluded land, and
- (v) the area to be cleared is not within the Protected Area—Escarpment Area or Protected Area—Riverine Scenic Quality Corridor, and
- (vi) the removal of native vegetation is not contrary to any condition of any consent or any plan approved by the Council, or
- (k) the removal or clearing of vegetation in accordance with an order issued by the Council under the provisions of the Act or the *Local Government Act 1993*, or
- (l) the removal or clearing of any vegetation, in accordance with the *Surveying Act 2000* or any regulation made under that Act, between properties for the purpose of enabling a survey to be carried out along that boundary by a registered surveyor where no alternative survey method is feasible, or
- (m) the removal or clearing of vegetation where that removal is consistent with a management plan approved by the Council for landscaping or gardening works.

### 55 Weed management

- (1) Where a plant that is declared under the *Noxious Weeds Act 1993* to be a noxious weed for the City is identified on a proposed development site, when granting consent for development of the site, the consent authority may require:
  - (a) the removal of the noxious weed present in a manner satisfactory to the consent authority, or
  - (b) management of the weed in accordance with a weed management plan, that includes measures satisfactory to the consent authority to control the noxious weeds within the boundaries of that site as prescribed by the *Noxious Weeds Act 1993*.
- (2) The consent authority may decline to grant consent to development that proposes the use for landscape works in the Living—Bushland Conservation zone of any species included in the schedule entitled “Weeds of the Blue Mountains” within the *Better Living DCP*.
- (3) Consent shall not be granted to development that proposes the use for landscape works undertaken by or on behalf of the Council of any

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species included in the schedule entitled “Weeds of the Blue Mountains” within the *Better Living DCP*.

- (4) Should any noxious or environmental weeds listed in the schedule entitled “Weeds of the Blue Mountains” within the *Better Living DCP* be located in an asset protection zone that the consent authority requires to be established, these weeds shall be removed and disposed of so as to ensure that regeneration of such weeds does not occur.
- (5) Consent shall not be granted to development that proposes the use of any noxious weeds, as prescribed by the *Noxious Weeds Act 1993*.

#### **56 Site disturbance and erosion control**

- (1) Consent shall not be granted to development unless the consent authority is satisfied that the development is designed and sited to:
  - (a) reflect the capability of the site, taking into consideration the natural characteristics of the land, and
  - (b) minimise the extent and time of site disturbance, and
  - (c) prevent sediment, building materials, waste or other pollutants from leaving the site and entering adjoining land, street gutters, drains or watercourses.
- (2) As far as is practicable and in response to site characteristics, the consent authority is to ensure that new development is to be located in areas which have been previously cleared.
- (3) Consent shall not be granted to development, excluding:
  - (a) minor additions, and
  - (b) development that disturbs less than 50 square metres of the site, unless the consent authority is satisfied that the development will be carried out in accordance with an erosion and sediment control plan.
- (4) An erosion and sediment control plan prepared to comply with subclause (3) shall provide details of how the development addresses all aspects of site disturbance, erosion and sediment control and site rehabilitation, including:
  - (a) the location and extent of all existing and proposed areas where the natural ground cover is or will be disturbed, and
  - (b) the location of natural areas requiring specific planning or management responses, including watercourses, seasonally wet areas, areas prone to ponding or waterlogging and unstable slopes, and
  - (c) the nature and extent of all earthworks, including the location, extent and depth of any proposed cut or fill, and

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- (d) the location of all potential sources of sediment on the site, including (where known) any stock piles of soil or building materials or waste, and
  - (e) the location and nature of any proposed stormwater or erosion and sediment control measures, and
  - (f) site rehabilitation proposals, including final contours.
- (5) Where, in the opinion of the consent authority, the nature, scale or location of proposed development warrants a greater level of detail to facilitate the full consideration of the proposed development, an erosion and sediment control plan shall include, in addition to the matters referred to in subclause (4):
  - (a) a maintenance strategy for erosion and sedimentation control works including the nomination of responsibility for the follow-up maintenance required on any permanent measures, and
  - (b) a chart outlining the construction sequence over the duration of the works including measures for erosion and sediment control and their maintenance, and
  - (c) a description of the effect of any permanent site controls on the sub-catchments or catchments.
- (6) Where development proposes to incorporate temporary stormwater and sediment control basins to manage stormwater run-off, the consent authority shall require that the design and management of the basins:
  - (a) minimise the potential for establishment of native fauna populations in the basin, and
  - (b) have no significant impact on a watercourse or vegetation community, and
  - (c) either:
    - (i) include procedures to investigate the existence of native fauna within the basin and to relocate native fauna to a suitable habitat prior to removal or drainage of the basin, or
    - (ii) incorporate the basin as a permanent feature of the completed development where fauna are unable to be relocated.

### 57 Stormwater management

- (1) Consent shall not be granted to development that will alter the flow of surface or ground water, unless the consent authority is satisfied that the development incorporates effective measures to manage stormwater run-off for the life of the development and to ensure:

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- (a) surface water run-off will be diverted away from all disturbed areas on the site, and
  - (b) the quality of surface or ground-water leaving the site will not be reduced in the short or long term, and
  - (c) the development will minimise or eliminate point source and diffuse source pollution by the use of best management practices, and
  - (d) the development will not adversely alter the quantity and flow characteristics of stormwater leaving the site, and
  - (e) the development is designed and sited to minimise stormwater run-off from impervious surfaces leaving the site, and
  - (f) the development optimises on-site retention and re-use of stormwater run-off, through measures such as dual plumbing and infiltration devices.
- (2) Consent shall not be granted to development (excluding minor additions) in the Living—Bushland Conservation zone or a Protected Area—Water Supply Catchment that increases the existing area of impervious or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres unless the consent authority is satisfied that the development incorporates:
- (a) effective measures for on-site retention of water with a collection capacity of not less than 4,000 litres per 100 square metres of hard or impervious surface (including paving) and for the re-use of water drained from those surfaces, or
  - (b) other measures for the retention of stormwater run-off and its appropriate re-use that have been designed by a suitably qualified person.
- (3) Consent shall not be granted for development:
- (a) involving the construction of three or more dwellings on any allotment, or
  - (b) for commercial or industrial purposes, with potential for discharge of pollutants such as fuels, heavy metals, oils, solvents and the like, or
  - (c) on an allotment having impervious surfaces in excess of 40 per cent of the allotment area,

unless the consent authority is satisfied that the development will be carried out in accordance with a stormwater management plan which identifies the measures that are to be incorporated to mitigate impacts of stormwater run-off, to maximise the use of water permeable surfaces and to promote infiltration of water on-site.

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- (4) The stormwater management plan is to maximise the use of water permeable surfaces on the site and be designed to promote infiltration of run-off water on-site.

### 58 Modification of land form

- (1) Development is to minimise “cut” and “fill” as far as practicable and is to contain “cut” and “fill” within the development footprint where conditions allow.
- (2) Consent shall not be granted to development in the Living—Bushland Conservation zone:
  - (a) that requires the alteration of the natural ground level by greater than 1 metre cut or 1 metre depth of fill, except where wholly contained within or retained by the walls of a building, or
  - (b) where the natural ground level of the area of proposed development has contiguous areas of slope greater than 10 per cent, that uses slab on ground, other than site responsive split-level slab, construction methods.

### 59 Bush rock removal

- (1) Consent shall not be granted to development requiring the removal of bush rock unless the consent authority is satisfied that:
  - (a) the removal of bush rock is a necessary part of carrying out the development on a site, and
  - (b) there is no viable option available, after consideration of the suitability and type of proposed development and the physical characteristics of the site and adjoining land, to retain the bush rock on the site.
- (2) When considering the retention of bush rock on a site, the consent authority shall consider the priority for retention to be as follows:
  - (a) bush rock that is known or likely to be habitat for any species, population or ecological community listed under the *Threatened Species Conservation Act 1995*,
  - (b) bush rock that is within a wildlife corridor or is habitat for any native fauna,
  - (c) bush rock salvaged from excavation works carried out as part of a development for which consent has been granted for landscape works,
  - (d) bush rock that will contribute to the streetscape character of the locality.

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## **Division 3      Character and landscape assessment**

### **60      Consideration of character and landscape**

- (1) Consent shall not be granted to development involving a building unless the consent authority has considered the extent to which the development is consistent with, or enhances, the established character and streetscape of the surrounding area with regard to:
  - (a) the scale and massing of any proposed building, and
  - (b) the use of building materials, including colours and finishes, and
  - (c) the building form, including roof pitch and proportions of windows, and
  - (d) the location of buildings on an allotment and the relationship of the building to the public street.
- (2) For the purpose of providing for an open streetscape appearance for residential development, the following restrictions on solid fences and walls apply:
  - (a) a fence or wall located along any street frontage of a lot and any part of a side fence or wall that is located within the front building setback shall not exceed a height of 1 metre, except where a higher fence or wall is required, in the opinion of the consent authority:
    - (i) as a noise attenuation measure and other measures are not available, or
    - (ii) along one street frontage, in the case only of a lot with a frontage to more than one street, to adequately screen private open space,
  - (b) noise attenuation fences or walls are to be designed to minimise any adverse impact on the character and streetscape of the surrounding area as viewed from a road or the Regional Transport Corridor.
- (3) Consent shall not be granted to development for the purpose of accessible housing, a boarding house, a dual occupancy, multi-dwelling housing or tourist accommodation unless the development is designed to:
  - (a) minimise the visible bulk of any development and to integrate the development with the existing character of the street, and
  - (b) incorporate measures to minimise any potential impacts on the amenity of adjoining residents, and
  - (c) ensure that the building form and design are articulated and varied, to provide a fine-grained residential built form and an individual dwelling identity and street address, and

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- (d) provide active street frontages and direct views from living areas, where possible, to the public street, and
  - (e) promote a landscape setting for residential development by establishing vegetation as an integral part of the development, and
  - (f) encourage pedestrian and vehicular permeability and, where possible, to provide for linkages with the existing street systems, and
  - (g) develop new streets and access lanes to reflect the local street layout of the surrounding area, if applicable (eg grid street layout).
- (4) Consent shall not be granted to development within view of a public place, including a road, railway, or open space, unless the consent authority has considered the probable aesthetic appearance of the proposed development or use of the proposed development when viewed from that public place.

### **61 Protected Area—Period Housing Area**

- (1) Consent shall not be granted for development within a Protected Area—Period Housing Area unless the consent authority is satisfied, by means of a detailed assessment of character, that the development complies with the Protected Area objectives within this clause.
- (2) Where Division 4 of Part 3 (Heritage conservation) applies to the land, the provisions of that Division prevail over the provisions of this Division to the extent of any inconsistency.
- (3) The Protected Area objectives for a Protected Area—Period Housing Area are:
  - (a) to retain and enhance the traditional streetscape and character of older residential areas incorporating Victorian, Edwardian, Federation, Inter-War or Art Deco building styles that are an important contributor to the town character of the Blue Mountains, and
  - (b) to preserve housing stock that pre-dates 1946 from demolition where these buildings are an important contributor to the traditional streetscape character, and
  - (c) to ensure that new development complements the traditional streetscape character of the surrounding Period Housing Area and, in particular:
    - (i) building appearance and the use of materials and colours shall incorporate common architectural elements of a building style in the surrounding Period Housing Area, and



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- (ii) building scale is to be consistent with the predominant scale of buildings in the surrounding Period Housing Area in regard to height and massing of buildings, and
  - (iii) location of a building on the allotment and the relationship of a building to the public street shall complement the traditional building pattern in the Period Housing Area, and
  - (iv) roof form and pitch shall reflect housing styles that pre-date 1946 in the surrounding Period Housing Area and contribute to the overall retention of the traditional streetscape, and
  - (v) front fencing is to be comparable in construction, height and materials to existing fencing in the Period Housing Area or styles of fencing from the relevant architectural period, and
- (d) to ensure that the impacts of development on the character of the surrounding area, as determined by a detailed assessment, is a primary consideration.

## **62 Character assessment for the Period Housing Area**

Before granting consent for development within a Protected Area—Period Housing Area, the consent authority shall consider a detailed assessment of character complying with clause 61 (Protected Area—Period Housing Area), which includes the following information as part of the site analysis plan and supporting information:

- (a) a photo assessment (or illustrations, models or the like) of any existing buildings, natural features and vegetation on the site,
- (b) a photo assessment (or illustrations, models or the like) of the context of the site, including buildings and vegetation on adjoining and adjacent sites that contribute to the character of the locality,
- (c) an explanation of how the proposed development is consistent with and enhances the established character of the surrounding residential area in regard to:
  - (i) scale and massing of proposed buildings, and
  - (ii) external finishes of proposed buildings, and
  - (iii) landscaping and retention of vegetation, and
  - (iv) building form, including roof pitch and size and location of windows, and
  - (v) location of any buildings on the subject and adjoining allotments.

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### **63    Demolition control within the Period Housing Area**

- (1) The consent authority shall not consent to demolition of a building within a Protected Area—Period Housing Area unless it is satisfied that:
  - (a) the building is not representative of the traditional older building fabric of the area generally, where the building appears to have been built post 1946, or
  - (b) the demolition is of part of an existing building and the substantive appearance of the existing building, when viewed from a public street, will be retained, or
  - (c) documentary evidence demonstrates that the existing building, or the part of the building proposed for demolition, is structurally unsound and not economically repairable, or
  - (d) the building is minor or ancillary to the main building on the site (for example, because it is a carport or garden shed) and its demolition will not adversely affect the character of the main building or its setting when viewed from a public street.
- (2) For the purpose of determining whether a building is not economically repairable, the consent authority must consider documentary evidence prepared by a suitably qualified person, demonstrating that the cost of repair would exceed the value of the repaired building.

### **64    Control of infill development within the Period Housing Area**

- (1) The consent authority shall not consent to development, including the erection of a building or major alterations or additions to a building, in a Protected Area—Period Housing Area, unless:
  - (a) any existing building representative of the traditional older building fabric of the Period Housing Area, located on the land to be developed, is retained as the most prominent structure on the land when the land is viewed from the street, and
  - (b) the existing traditional streetscape is substantially retained or enhanced.
- (2) New buildings or alterations to an existing building that affect the appearance of the building when viewed from a public street in a Protected Area—Period Housing Area shall incorporate the following, where applicable:
  - (a) the front wall of any building is to be aligned parallel to the front boundary of the allotment and the location of front doors and entry areas is to address the public street. Where existing facades on adjoining buildings create a relatively continuous line this pattern should be repeated,

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- (b) architectural elements such as roof gables and pitch, bay windows, verandah roof form and verandah posts/railings, eaves and gutters are to be consistent with a traditional architectural style represented in the surrounding Protected Area—Period Housing Area,
  - (c) building materials are to reflect the traditional building materials used in the surrounding Protected Area—Period Housing Area or are to be materials with a similar appearance to traditional building materials. This may involve the use of a single building material (such as weatherboard) or a combination of two building materials (such as stucco and brick) where these are predominantly used in the surrounding area,
  - (d) major extensions to existing older buildings that are visually prominent from a public street shall use building design elements complementary to the main building,
  - (e) designs for new buildings shall reflect elements from a single traditional architectural period,
  - (f) colour schemes of surrounding traditional housing with the same architectural style as the development and which is located within the Protected Area—Period Housing Area should be identified as part of an application and are to form the basis of the colour scheme used for the proposed development. In general, walls and roofs should be richer shades of muted colours. Corner sites may utilise stronger colours to reinforce prominent landmark buildings,
  - (g) garages and carports are to be located, where possible, behind the rear building line and if located along the street frontage are to be a minor visual element. The design of garages and carports should repeat the themes (ie roof pitch, form) and materials from the main building on the site,
  - (h) materials for roofs are to be either corrugated iron (or material of similar appearance) or may be roofing tiles where these are consistent with the roofing materials predominantly used in the surrounding Protected Area—Period Housing Area.

## **65 Landscaping for residential development**

- (1) Consent shall not be granted for residential development unless the consent authority has considered a concept landscape plan that demonstrates to the satisfaction of the consent authority that:
  - (a) the design of buildings complements the physical characteristics of the site and minimises the removal of mature vegetation and site disturbance, and

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- (b) the location of buildings maximises the retention of mature vegetation and maintains significant mature landscape features that contribute to the streetscape, and
  - (c) mature vegetation that shall be removed for the proposed development will be replaced with appropriate vegetation to provide screening from adjoining buildings and to maintain the contribution to the streetscape of the vegetation on the site, and
  - (d) the development incorporates proposed planting that, upon maturity, will provide screening of the development from public streets and adjoining dwellings, and
  - (e) the scale and massing of buildings ensure that built forms are secondary to the landscape setting in residential areas where these settings are the dominant character element in the surrounding area.
- (2) A concept landscape plan prepared to comply with subclause (1) shall include the following information:
  - (a) the location and extent of existing vegetation to be retained including trees, hedges, large shrubs, shrub beds and any areas of natural vegetation,
  - (b) an indicative planting plan showing the location and size of each tree and large shrub to be planted and the areas to be planted with low shrubs and ground covers,
  - (c) the proposed extent and type (native or exotic) of planting that is to be provided to replace any vegetation that is proposed to be removed.

### **66 Detailed landscape plan for certain residential development**

- (1) Consent shall not be granted for development for the purpose of accessible housing, a boarding house, a dual occupancy, multi-dwelling housing or tourist accommodation unless the consent authority has considered a detailed landscape plan.
- (2) A detailed landscape plan prepared to comply with subclause (1) shall include on that plan at least the following information:
  - (a) the location, size and species of existing vegetation to be affected by the development, including trees, hedges, large shrubs, shrub beds and any areas of natural vegetation,
  - (b) replacement planting for any vegetation which is proposed to be removed,
  - (c) a planting plan showing the location and size within 10 years of each tree and large shrub,

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- (d) a table indicating common name, botanic name, ultimate height and width and planting size (pot size and height) of each tree and large shrub proposed if relying on planting of trees or large shrubs for privacy,
    - (e) a planting plan showing the location and indicative planting for mid-low shrubs and ground covers.
  - (3) A detailed landscape plan prepared to comply with subclause (1) shall demonstrate to the satisfaction of the consent authority that the development incorporates planting that will promote a garden setting and enhance the streetscape of the surrounding area.

**67 Private open space and gardens for certain residential development**

- (1) Consent shall not be granted to development for the purpose of accessible housing or multi-dwelling housing unless the development complies with this clause.

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- (2) For each single storey dwelling or dwelling located, wholly or in part, on the ground floor of a multi-storey building, provision is to be made for a minimum area of private open space, based on the number of bedrooms in the dwelling, as specified in the following Table:

Number of bedrooms in housing or dwelling	Minimum area of private open space
One (including bedsits)	25m <sup>2</sup>
Two	40m <sup>2</sup>
Three or more	50m <sup>2</sup>

- (3) Private open space provided to comply with subclause (2) is to include at least one area that:
- (a) has reasonable access to a living area of the dwelling, and
  - (b) is on a compatible level with a living area of the dwelling, and
  - (c) has a slope of less than 10 per cent, and
  - (d) is designed and located to allow appropriate access to sunlight and minimise overshadowing from adjoining buildings, and
  - (e) has acoustic treatments, where necessary and practicable, to minimise disturbance to residents of adjoining dwellings, and
  - (f) complies with the minimum area and minimum width, based on the number of bedrooms in the dwelling, as specified in the following Table:

Number of bedrooms	Minimum area	Minimum width
One (including bedsits)	15m <sup>2</sup>	3m
Two	20m <sup>2</sup>	3.5m
Three or more	25m <sup>2</sup>	4m

- (4) In the case of a dwelling not subject to subclause (2), provision is to be made for a usable private balcony or deck attached to the dwelling that:
- (a) has a minimum area of 6 square metres, and
  - (b) has a minimum length of 1.8 metres, and
  - (c) is accessible from a living area of the dwelling.
- (5) Common landscaped areas are to have a garden structure and standard of presentation at least comparable with adjacent private gardens or public parks.

## **Division 4      Heritage conservation**

### **68      Consideration of heritage conservation**

Consent shall not be granted to development:

- (a) of a heritage item, or
  - (b) within a heritage conservation area, or
  - (c) of an archaeological site, or
  - (d) that is likely to have an impact on an Aboriginal object or Aboriginal place, or
  - (e) within the curtilage of a heritage item or an archaeological site,
- unless the consent authority is satisfied that the development complies with the relevant heritage conservation objectives and the relevant provisions within this Division.

### **69      Heritage conservation objectives**

The heritage conservation objectives are as follows:

- (a) To conserve the environmental heritage of the Blue Mountains.
- (b) To conserve the heritage significance of existing significant fabric, relics, archaeological sites, settings and views associated with heritage items and heritage conservation areas.
- (c) To ensure that Aboriginal objects and Aboriginal places are conserved, whether or not those sites are identified by an environmental planning instrument.
- (d) To ensure that the heritage conservation areas throughout the City retain their heritage significance.
- (e) To encourage public involvement in the conservation of environmental heritage.

### **70      Protection of heritage items and heritage conservation areas**

- (1) Notwithstanding clause 32 (Land use matrix), the following development may be carried out only with consent:
  - (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,
  - (b) moving the whole or part of a heritage item,
  - (c) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area by making structural or non-structural changes to its exterior, including to its detail, fabric, finish or appearance,

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- (d) altering a heritage item by making structural changes to its interior,
  - (e) disturbing or excavating an Aboriginal place while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in an Aboriginal object being discovered, exposed, moved, damaged or destroyed,
  - (f) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
  - (g) erecting a building on, or subdividing, land upon which a heritage item is located or which is within a heritage conservation area.
- (2) Development consent is not required under this clause if, in the opinion of the consent authority:
  - (a) the proposed development:
    - (i) is of a minor nature or consists of maintenance of the item or of a building, work, archaeological site, tree or place within a heritage conservation area, and
    - (ii) would not adversely affect the heritage significance of the heritage item or heritage conservation area, and
  - (b) the proponent has notified the consent authority in writing of the proposed work and the consent authority advises the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this clause and that development consent is not required by this Division.
- (3) Development consent is not required by this clause for:
  - (a) the creation of a new grave or monument, or
  - (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers,in a cemetery or burial ground where there will be no disturbance to human remains, relics in the form of grave goods or to an Aboriginal place.

### 71 Determination of development applications for heritage

- (1) When determining a development application required by clause 70 (Protection of heritage items and heritage conservation areas), the consent authority shall assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (2) An assessment carried out to comply with subclause (1) is to include (but is not limited to) an assessment of the following:



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- (a) the heritage significance of the item as part of the environmental heritage of the City of Blue Mountains,
  - (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features,
  - (c) the measures proposed to conserve the heritage significance of the item and its setting,
  - (d) whether any archaeological site or potential archaeological site would be adversely affected by the proposed development,
  - (e) the extent, if any, to which the carrying out of the proposed development would affect the form of an historic subdivision pattern,
  - (f) any submission received in relation to the proposed development in response to the notification or advertising of the application within the period set by the notice or advertisement.
- (3) In relation to a heritage conservation area, an assessment carried out in accordance with subclause (1) is to include (but is not limited to) an assessment of the following:
- (a) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance,
  - (b) the impact that the proposed development would have on the heritage significance of the heritage conservation area,
  - (c) the compatibility of the proposed development with any nearby original building and the character of the heritage conservation area, including consideration (where relevant) of:
    - (i) the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and
    - (ii) the pitch and form of the roof, and
    - (iii) the style, size, proportion and positions of the openings for windows or doors, and
    - (iv) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building,
  - (d) the measures proposed to conserve the significance of the heritage conservation area and its setting,
  - (e) whether any identified landscape or horticultural features would be affected by the proposed development,
  - (f) whether any archaeological site or potential archaeological site would be affected by the proposed development,
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- (g) the extent, if any, to which the carrying out of the development in accordance with the consent would affect an historic subdivision pattern,
  - (h) any submission received in relation to the proposed development in response to the notification or advertising of the application within the period set by the notice or advertisement.
- (4) When determining whether or not to grant a development consent in accordance with subclause (1):
  - (a) consent shall not be granted until the consent authority has considered a heritage impact statement which includes an assessment of the matters raised in subclause (2), in the case of proposed development that would affect a heritage item, and
  - (b) consent shall not be granted until the consent authority has considered a heritage impact statement which includes an assessment of the matters raised in subclause (3), in the case of proposed development that would affect a heritage conservation area, and
  - (c) where the consent authority requires that a conservation management plan should also be prepared in respect of a heritage item, the consent authority may refuse to grant consent unless a conservation management plan has been submitted and considered.

### **72 Notice of certain development applications**

The following development is identified as advertised development:

- (a) the demolition of a heritage item or of a building, work, tree or place in a heritage conservation area,
- (b) the carrying out of any development allowed to be carried out only because of clause 77 (Conservation incentives).

### **73 Notification of demolition to the Heritage Council**

Before granting consent for the demolition of a heritage item identified by this plan as being of State significance, the consent authority shall notify the Heritage Council of its intention to do so and take into consideration any comments received from the Heritage Council within 28 days after the notice is sent.

### **74 Development affecting places or sites of known or potential Aboriginal heritage significance**

Consent shall not be granted to development that is likely to have an impact on an Aboriginal place, or a potential Aboriginal place, or that

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will be carried out on an Aboriginal object, unless the consent authority has:

- (a) considered a heritage impact statement explaining how the proposed development would affect the conservation of any Aboriginal object known or reasonably likely to be located at a site, or any Aboriginal place, which has been prepared in accordance with any guidelines for the time being notified to it by the Director-General of the Department of Environment and Conservation, and
- (b) except where the proposed development is integrated development, notified the local Aboriginal communities and the Director-General of the Department of Environment and Conservation of its intention to do so and taken into consideration any comments received in response within 28 days after the relevant notice is sent.

**75 Development affecting known or potential archaeological sites or relics of non-Aboriginal heritage significance**

- (1) Consent may be granted to the carrying out of development on an archaeological site or potential archaeological site or site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also an Aboriginal place or Aboriginal object) only if the consent authority has:
  - (a) considered a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
  - (b) notified the Heritage Council of its intention to do so and taken into consideration any comments received from the Heritage Council within 28 days after the notice was sent.
- (2) This clause does not apply if the proposed development:
  - (a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or
  - (b) is integrated development.

**76 Development in the curtilage of a heritage item or in a heritage conservation area**

- (1) Before granting consent to development in the curtilage of a heritage item or in a heritage conservation area that includes a heritage item, including a work which:

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- (a) may affect the setting of the heritage item, including by obscuring a significant view to or from the item or by overshadowing, or
  - (b) may undermine or otherwise cause physical damage to the heritage item, or
  - (c) will otherwise have an adverse impact on the heritage significance of the heritage item,
- the consent authority shall assess the impact of the proposed development on the heritage significance of the heritage item and on the heritage conservation area, if it is within such an area.
- (2) Consent shall not be granted to development in the curtilage of a heritage item or in the vicinity of a heritage conservation area unless the consent authority has considered a heritage impact statement, where, in the opinion of the consent authority, that development could adversely impact on the heritage significance or visual setting of that item or area.
- (3) The heritage impact statement, where required, shall include details of the size, shape and scale of, the setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the significance of the heritage item.

### 77 Conservation incentives

- (1) Notwithstanding clause 32 (Land use matrix), the consent authority may as a heritage conservation incentive grant consent to the use for any purpose of a building that is a heritage item, or of the land on which any such item is erected, if:
  - (a) it is satisfied that the retention of the heritage item depends on the granting of consent, and
  - (b) the proposed use is in accordance with a conservation management plan which has been endorsed by the Council, and
  - (c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
  - (d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and
  - (e) the proposed use would not unreasonably affect the amenity of the surrounding area.
- (2) The consent authority may consent to development that affects a building that is a heritage item, or land on which any such item is erected, even though it contravenes a development standard set by this plan relating to building height, site coverage or development density, where the consent authority is satisfied that:

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- (a) the retention of the heritage item depends on the contravention of the development standard, and
  - (b) the proposed contravention is in accordance with a conservation management plan which has been endorsed by the Council, and
  - (c) the proposed contravention would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
  - (d) the proposed contravention of the development standard would not unreasonably affect the heritage significance of the heritage item or its setting, and
  - (e) the proposed contravention of the development standard would not unreasonably affect the amenity of the surrounding area.
- (3) This clause does not allow consent to be granted for a subdivision.

## **Division 5      Bush fire protection**

### **78      Consideration of bush fire protection**

- (1) Consent shall not be granted to development on bush fire prone land unless:
  - (a) the consent authority has had regard to an assessment of the information relating to bush fires required by item (6) of the Table to clause 43 and is satisfied that the development is designed and located in accordance with the bush fire assessment, and
  - (b) the consent authority is satisfied that the proposed development complies with the relevant bush fire protection objectives and the other provisions within this Division.
- (2) In considering the matters referred to in subclause (1), the consent authority must have regard to the specifications and requirements of *Planning for Bushfire Protection*.
- (3) Except for development subject to clause 81 (Bush fire protection for residential subdivision and development) and clause 82 (Special fire protection purposes), where the development does not conform to the specifications and requirements of *Planning for Bushfire Protection*, the consent authority may grant consent to development on bush fire prone land, subject to subclause (1).
- (4) Development that is not located on bush fire prone land:
  - (a) is to adopt measures to achieve a basic level of protection against ember attack and radiant heat in the manner outlined in the relevant parts of the Council's *Better Living DCP*, and

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- (b) shall not be required to provide an asset protection zone where the consent authority is satisfied that a structure, work or open space located between the site and the source of any bush fire hazard provides sufficient separation.

**Note.** The consent authority must also have regard to the relevant provisions of the *Rural Fires Act 1997* and the *Environmental Planning and Assessment Act 1979*.

### 79 Bush fire protection objectives

The bush fire protection objectives are as follows:

- (a) To balance conservation of the natural environment with the protection of life and property from bush fire.
- (b) To reduce potential bush fire attack by managing vegetation in the vicinity of habitable buildings through the provision of appropriate asset protection zones.
- (c) To contain asset protection zones and other bush fire protection measures within the boundaries of the site of the development that they are designed to protect, wherever possible.
- (d) To enable the maintenance of bush fire protection measures and ongoing vegetation management for the life of the development by the owner or occupier.
- (e) To place restrictions on the erection of buildings requiring special fire protection measures, including buildings whose occupants could be highly vulnerable to bush fires, buildings in which people work or assemble and buildings situated on sites where the proposed intensity of land use provides an unacceptable level of bush fire risk.
- (f) To enable infill development that provides effective asset protection and that responds to the pattern of development within existing urban areas that are bush fire prone.
- (g) To enable the defence of habitable buildings against bush fire attack by providing adequate water supplies, on-site access and safe access networks for fire fighting purposes.
- (h) To protect habitable buildings during the passage of any fire front by appropriate siting, design, choice of materials and construction.

### 80 Asset protection zones

- (1) Consent must not be granted for any development of bush fire prone land involving the construction of a building (except a class 10 building) or residential subdivision unless the consent authority is satisfied that an asset protection zone that complies with the objectives

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of asset protection zones and other provisions of this clause will be established and maintained.

- (2) The objectives of asset protection zones are:
- (a) to protect buildings, their occupants and fire fighters by isolating the building from direct flame attack and reducing the level of radiant heat impacting upon the building, and
  - (b) to minimise the impact of asset protection zones so that they do not unduly compromise the retention of a natural bushland environment, and
  - (c) to separate buildings from the source of a bush fire hazard, and
  - (d) to minimise the combustible material available to burn in a bush fire, and
  - (e) to enable access to all exterior parts of a dwelling after the passage of a fire front to identify and extinguish any spot fires which may have ignited.
- (3) An asset protection zone must be designed and maintained so that:
- (a) there is minimal fuel that could be set alight by a bush fire, and
  - (b) any vegetation located within the asset protection zone does not provide a path for the transfer of fire to buildings.
- (4) Except as provided otherwise by clause 81 (6) or clause 83 (Bush fire protection for infill development), any asset protection zone established to protect development against bush fire is to be located within the boundaries of the site on which the development is to be carried out.
- (5) Where an existing asset protection zone immediately adjoins the development site, and the consent authority is satisfied that it will continue to be maintained for this purpose, the existing asset protection zone may be included as part of the asset protection zone for the new development.
- (6) Conditions of development consent may require restrictions or positive covenants to be placed on titles of affected land to maintain the effectiveness of an asset protection zone or to protect vegetation within or adjoining an asset protection zone, which may relate to:
- (a) the nature and level of vegetation maintenance required,
  - (b) the extent and method of vegetation clearing,
  - (c) responsibility for maintenance.

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### 81 Bush fire protection for residential subdivision and development

- (1) An asset protection zone required for a residential subdivision of bush fire prone land (including for any subsequent development of habitable buildings) is to comply with the minimum separation distances specified in the following Table:

Slope from proposed building line to source of bush fire hazard	Vegetation Group 1	Vegetation Group 2	Vegetation Group 3
APZ = IPA + OPA (metres)			
>10% upslope	20 = 20 + 0	20 = 20 + 0	20 = 20 + 0
10–0% upslope	30 = 20 + 10	30 = 20 + 10	20 = 20 + 0
0–10% downslope	40 = 30 + 10	35 = 25 + 10	20 = 20 + 0
>10–20% downslope	50 = 40 + 10	40 = 30 + 10	20 = 20 + 0
>20–27% downslope	60 = 50 + 10	50 = 40 + 10	20 = 20 + 0
>27–33% downslope	70 = 60 + 10	60 = 50 + 10	20 = 20 + 0

- (2) For the purposes of the Table to subclause (1), the minimum separation distances are expressed as inner protection areas and outer protection areas as prescribed within *Planning for Bushfire Protection* for a fire burning within a bushland area classified as vegetation group 1, vegetation group 2 or vegetation group 3 in that publication.
- (3) Despite subclause (1) consent may be granted for development where an asset protection zone is established that does not comply with the minimum separation distances specified in subclause (1) if the consent authority is satisfied that the size, shape, isolation, vegetation type or unique physical characteristics of the locality are such that a fire of the intensity predicted in *Planning for Bushfire Protection* will not occur.
- (4) Such a consent may be granted only if the consent authority is so satisfied in terms of the vegetation group identified on or adjoining the site and bush fire behaviour expected under a Fire Danger Index of 80, as described in *Planning for Bushfire Protection*.



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- (5) An asset protection zone provided in accordance with this clause shall incorporate a perimeter road or trail that circumscribes the hazard side of the land intended for development, in accordance with the relevant provisions in clause 84 (Access to bush fire prone land).
  - (6) Land that is not within the development site may be included in an asset protection zone for the site only if a permanent proprietary right is established that allows ongoing maintenance of that land, except to the extent (if any) that the land is a perimeter road or perimeter trail held by the Council in fee simple.
  - (7) To enable the maintenance of an asset protection zone, the slope between the perimeter fire road or trail and the rear of any dwelling shall not exceed 20 per cent.
  - (8) An asset protection zone provided in accordance with this clause shall minimise the perimeter of land that has an interface with the source of a bush fire hazard.

## 82 Special fire protection purposes

- (1) An asset protection zone established for special fire protection purposes on bush fire prone land is to comply with the minimum separation distances specified in the following Table:

Slope from building to source of bush fire hazard	Vegetation Group 1	Vegetation Group 2	Vegetation Group 3
APZ = IPA + OPA (metres)			
>10% upslope	60 = 50 + 10	30 = 20 + 10	20 = 20 + 0
10–0% upslope	75 = 60 + 15	40 = 25 + 15	20 = 20 + 0
0–10% downslope	80 = 65 + 15	50 = 35 + 15	20 = 20 + 0
>10–20% downslope	90 = 75 + 15	60 = 45 + 15	20 = 20 + 0
>20–27% downslope	100 = 85 + 15	80 = 65 + 15	20 = 20 + 0
>27–33% downslope	100 = 85 + 15	100 = 85 + 15	20 = 20 + 0

- (2) For the purposes of the Table to subclause (1), the minimum separation distances are expressed as inner protection areas and outer protection areas as prescribed within *Planning for Bushfire Protection* for a fire burning within a bushland area classified as vegetation group 1, vegetation group 2 or vegetation group 3.

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- (3) Despite subclause (1) consent may be granted for development where an asset protection zone is established that does not comply with the minimum separation distances specified in subclause (1) if the consent authority is satisfied that the size, shape, isolation, vegetation type or unique physical characteristics of the locality are such that a fire of the intensity predicted in *Planning for Bushfire Protection* will not occur.
- (4) Such a consent may be granted only if the consent authority is so satisfied in terms of the vegetation group identified on or adjoining the site and bush fire behaviour expected under a Fire Danger Index of 80, as described in *Planning for Bushfire Protection*.
- (5) However, the minimum separation distances specified in subclause (1) must be complied with, unless the consent authority is satisfied that:
  - (a) the property is able to provide a sufficient level of protection against the effects of bush fire attack, including smoke inhalation, on highly vulnerable occupants and those unable to defend a property during a bush fire, and
  - (b) sufficient evacuation procedures are in place, taking into account the needs of likely occupants.
- (6) Subject to subclause (7), development for a special fire protection purpose is to incorporate a perimeter road or perimeter fire trail that complies with the relevant provisions of clause 84 (Access to bush fire prone land).
- (7) However, consent may be granted to development for a special fire protection purpose that cannot provide a perimeter road or perimeter fire trail that conforms with clause 84 (Access to bush fire prone land) where:
  - (a) the development does not involve subdivision of land to create additional lots, and
  - (b) asset protection zones comply with the minimum separation distances set by this clause, and
  - (c) all practicable construction measures will be incorporated into the proposed development to reduce the vulnerability of buildings to bush fire attack, and
  - (d) adequate measures are in place to enable evacuation of the site and any buildings on the site in case of bush fire attack.

**83 Bush fire protection for infill development**

- (1) Except for development subject to clause 81 (Bush fire protection for residential subdivision and development) or clause 82 (Special fire protection purposes), an asset protection zone for development of habitable buildings on existing allotments on bush fire prone land is to comply with the minimum separation distances specified in the following table:

Slope from building to source of bush fire hazard	Vegetation Group 1 or 2	Vegetation Group 3
	APZ = IPA (metres)	
>10% upslope	20	20
10–0% upslope	20	20
0–10% downslope	25	20
>10–20% downslope	30	20
>20–27% downslope	40	20
>27–33% downslope	50	20

- (2) The minimum separation distances in the Table to subclause (1) are for an asset protection zone comprising an inner protection area only.
- (3) Despite subclause (1), consent may be granted for development where an asset protection zone is established that does not comply with the minimum separation distances specified in subclause (1) if the consent authority is satisfied that:
- the size, shape, isolation, vegetation group or unique physical characteristics of the locality are such that a fire of the intensity predicted in *Planning for Bushfire Protection* will not occur, or
  - the size and configuration of the allotment concerned mean compliance with minimum separation distances is not feasible, or
  - non-compliance is necessary to preserve environmental attributes of the land to comply with clause 44 (Environmental impact), or
  - an asset protection zone is, or has been required to be, established and maintained on an adjoining property that would limit the bush fire hazard on the site of the development, or
  - as part of future development, the consent authority is satisfied that an asset protection zone is reasonably likely to be established on an adjoining property that would limit the bush fire hazard on the site of the development, after giving consideration to:
    - zone objectives applying to the adjoining property, and

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- (ii) the range of land uses permissible on the adjoining property that would require an asset protection zone or would provide adequate separation distances, and
  - (iii) provision of vehicular access, services and infrastructure that would facilitate development of the adjoining property, and
  - (iv) the rate of development undertaken in the immediate locality.
- (4) Consent shall not be granted to development pursuant to subclause (3), unless the consent authority is satisfied that:
  - (a) the proposed development would not pose an unacceptable risk to human life and property, and
  - (b) no viable alternative is available, and
  - (c) notwithstanding compliance with clause 86 (Bush fire construction standards), the development incorporates a level of construction and any other reasonable measures to minimise the risk arising from a variation in separation distance in accordance with the Council's *Better Living DCP*, and
  - (d) the proposed development:
    - (i) complies with the specifications for "Infill Development in Bush fire Prone Areas", where these specifications have been prepared by the Council and approved by the Commissioner of the NSW Rural Fire Service, or
    - (ii) has been notified to the Commissioner of the NSW Rural Fire Service, and the Commissioner's concurrence to the development, subject to any conditions that may be imposed, has been obtained.
- (5) In deciding to grant concurrence required by subclause (4) (d) (ii), the Commissioner of the NSW Rural Fire Service shall take into consideration the matters specified in subclauses (3) and (4) and any other matters that are necessary, in the opinion of the Commissioner, to protect persons, property or the environment from the danger that may arise from a bush fire.

### 84 Access to bush fire prone land

- (1) The consent authority shall not consent to development on bush fire prone land involving the construction of new roads or development for a special fire protection purpose, unless it is satisfied that adequate provision is made for public and private road access in accordance with this clause.

(2) **Roads, generally**

New public roads and property access roads constructed in conjunction with the subdivision of bush fire prone land, including bridges, perimeter roads and perimeter fire trails, are to:

- (a) be capable of carrying fully loaded fire fighting vehicles, and
- (b) have a gradient of less than 20 per cent, where possible, and that does not exceed 27 per cent, and
- (c) be located so as not to traverse a wetland or other land potentially subject to periodic inundation, and
- (d) be designed, constructed and maintained in accordance with the relevant criteria in the Council's *Better Living DCP*.

(3) New public roads constructed in conjunction with the subdivision of bush fire prone land, not including perimeter roads or perimeter fire trails, are to be:

- (a) at least 8 metres wide with shoulders on each side, so as to allow traffic to pass in opposite directions, and
- (b) through roads wherever practicable, providing at least two access points to a main road from land that has been subdivided into lots intended for use for residential, commercial or industrial purposes, and
- (c) cul-de-sacs only where the construction of through roads is impracticable given the physical constraints of the land.

(4) **Perimeter roads**

The following requirements apply to perimeter roads:

- (a) A perimeter road is to be established within the limits of land being subdivided for residential purposes, between bushland and the residential lots, and shall form part of the asset protection zone, with the outer protection area located on the bushland side.
- (b) The dimensions of the perimeter road are to allow for a width of at least 20 metres for the road reserve and at least 9 metres for the carriageway.
- (c) The perimeter road is to be a through road that is to link to a public road network at intervals of no more than 500 metres.

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### (5) **Perimeter fire trails**

The following requirements apply to perimeter fire trails:

- (a) A perimeter fire trail may take the place of a perimeter road where the perimeter fire trail is located on an east facing slope, or where the subdivision does not involve the creation of more than three lots within an existing urban area and the pattern of development does not allow for a perimeter road.
- (b) The perimeter fire trail is to comprise a reserve at least 6 metres wide, with a trail at least 4 metres wide and an additional 1 metre wide strip on each side of the trail that is kept clear of bushes and long grass.
- (c) The central 4 metres of the perimeter fire trail is to be cleared, formed, graded and suitably drained.
- (d) Consent must not be granted for a habitable building served by a right of carriageway or access handle on lots that adjoin a perimeter fire trail.
- (e) The perimeter fire trail must link up at both ends with the public road network, and should link into any street network at 300 metre intervals via an access track designed in accordance with the relevant parts of the Council's *Better Living DCP*.
- (f) The consent authority may, as a condition of consent, require the owner of the land to maintain the perimeter fire trail in a serviceable and accessible condition.
- (g) Passing bays are to be provided at intervals not exceeding 200 metres to the dimensions outlined in the Council's *Better Living DCP*.

### (6) **Property access**

The following requirements apply to property access:

- (a) Development on bush fire prone land is to ensure that emergency vehicles may gain access to the interface with the bush fire hazard.
- (b) Any right of carriageway or access handle which serves more than one internal allotment or is greater than 50 metres in length is to be at least 6 metres wide, with a trail at least 4 metres wide and an additional 1 metre wide strip on each side of the trail that is kept clear of bushes and long grass.
- (c) The central 4 metres of the right of carriageway or access handle, including any bridges, is to be cleared, formed, graded and suitably drained.

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- (d) The right of carriageway or access handle is to have a longitudinal gradient not exceeding 20 per cent.
  - (e) Passing bays are to be provided at least every 200 metres for a right of carriageway or access handle, to the dimensions outlined in the Council's *Better Living DCP*.
  - (f) Dwellings sited further than 200 metres from the road network should have an alternative access road providing emergency egress to the through road network.
  - (g) Fire fighting vehicles must be able to enter and leave the right of carriageway in a forward direction.

#### **85 Service supplies**

##### **(1) Gas and electricity**

Gas and electricity services to development on bush fire prone land are to be provided in accordance with the relevant criteria in the Council's *Better Living DCP*.

##### **(2) Water supplies**

When granting consent to any development on bush fire prone land, the consent authority is to be satisfied that adequate water would be available to land holders and fire fighting authorities to enable the effective defence of habitable buildings in the event of a bush fire attack, in accordance with this clause.

##### **(3) Water supplies to new subdivisions are required to be provided in such a way that:**

- (a) water mains are of adequate size to provide water supply for peak bush fire fighting demand, and 'dead-end' mains are avoided, and
- (b) fire hydrants are available in strategic and accessible locations, in accordance with the relevant criteria in the Council's *Better Living DCP*.

##### **(4) Water supplies to individual properties are to be provided in such a way that:**

- (a) fire hydrants are available in strategic locations so as to be accessed by fire fighting vehicles and enable hoses to reach the most distant part of any building, in accordance with the relevant criteria in the Council's *Better Living DCP*, or
- (b) if the building is located such that paragraph (a) cannot be satisfied, alternative water supply options are available in accordance with the relevant criteria in the Council's *Better*

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*Living DCP*, including a static water supply available for fire fighting purposes at all times with a capacity of at least 10,000 litres.

### 86 Bush fire construction standards

- (1) The category of bush fire attack applying to a habitable building on bush fire prone land is to be determined on the basis of the distance and slope of land between the building line and the vegetation group or relevant vegetation class in accordance with *Planning for Bushfire Protection*.
- (2) Consent shall not be granted to development involving the construction of a habitable building on bush fire prone land unless that building meets the standards for building in bush fire prone areas specified within *Planning for Bushfire Protection* for the relevant category of bush fire attack.

## Division 6 Hazard and risk assessment

### 87 Crime minimisation assessment

- (1) When determining a development application, the consent authority shall have regard to the following principles of crime prevention:
  - (a) **surveillance**—enabling maximum natural surveillance of buildings, streets, car parking facilities and open spaces,
  - (b) **access control**—providing a clear indication of areas where people are and are not permitted to go, and incorporating security measures to restrict access to private or high risk areas,
  - (c) **territorial reinforcement**—encouraging the ownership of public space, clearly delineating between public and private spaces to reflect the intended use,
  - (d) **space management**—ensuring that spaces are well maintained and used as they were intended,with reference to the relevant provisions of the Council's *Better Living DCP*.
- (2) The consent authority may decline consent for development unless it has considered a crime minimisation assessment addressing the principles identified in subclause (1).

### 88 Land subject to inundation

- (1) Consent shall not be granted to development on land that in the opinion of the consent authority is subject to inundation unless the consent authority is satisfied that the proposed development would not:



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- (a) adversely impede the flow of flood waters on that land or on land in its immediate vicinity, or
  - (b) imperil the safety of persons on that land or on land in its immediate vicinity, or
  - (c) aggravate or be likely to result in erosion, siltation or the destruction of vegetation, or
  - (d) cause any adverse effect on the water table of the land or of the land in its immediate vicinity.
- (2) Nothing in this clause prevents the consent authority granting consent for the carrying out of reasonable repairs to, renovation of, alterations to, extensions to, additions to or to a different use of, an existing building, if there will be no resulting increase in flood risk on the land concerned or on other land in its immediate vicinity.
  - (3) The consent authority may, as a condition of consent, require:
    - (a) the floor level of a building to be at a height sufficient, in its opinion, to prevent the flooding or to reduce the incidence of flooding of that building or of adjoining land in its immediate vicinity, and
    - (b) any portion of a building or structure below the height set in accordance with paragraph (a) to be built from flood compatible materials.

#### **89 Remediation of contaminated land**

- (1) This clause applies to any development on contaminated land.
- (2) Consent shall not be granted to any development to which this clause applies unless the consent authority has considered whether the land is contaminated, and:
  - (a) if the land is contaminated, the consent authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
  - (b) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, the consent authority is satisfied that the land will be remediated before the land is used for that purpose.
- (3) Nothing in this clause affects the application of *State Environmental Planning Policy No 55—Remediation of Land* to land to which this plan applies.

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Part 4 Considerations for development

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## Part 4 Considerations for development

### Division 1 Subdivision

#### 90 Lot layout

- (1) A lot created in a subdivision of land within a zone described in the following Table is to have a minimum area and a minimum width as specified for that zone in the following Table:

Zone	Minimum area, except hatchet shaped lot	Minimum area of a hatchet shaped lot	Minimum width
Village—Tourist	720m <sup>2</sup>	1,100m <sup>2</sup>	18.5m
Village—Housing	720m <sup>2</sup>	1,100m <sup>2</sup>	18.5m
Living—General	720m <sup>2</sup>	1,100m <sup>2</sup>	18.5m
Living—Conservation	1,200m <sup>2</sup>	1,200m <sup>2</sup>	22m
Living—Bushland Conservation	1,200m <sup>2</sup>	1,200m <sup>2</sup>	22m
Employment— Enterprise	900m <sup>2</sup>	1,100m <sup>2</sup>	18.5m

- (2) In calculating the area of a lot for the purposes of this clause, the area of any part of that lot that is within the Environmental Protection—Private zone is to be excluded.
- (3) Where a lot created is within more than one of the zones specified in subclause (1), the lot is to have a minimum area and a minimum width specified for that zone which comprises the largest proportion of that lot.
- (4) The width of the lot is to be measured at the minimum front building setback, as specified in the “building setback” provision applying to that land in Schedule 1, 2 or 3.
- (5) The consent authority shall not permit the creation of more than 3 lots served by a single driveway, access strip or handle connected to a public road.
- (6) The minimum width for an access strip or handle is 4.5 metres.
- (7) In calculating the minimum area of a hatchet shaped lot the area of the access strip or handle is to be excluded.

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- (8) Subdivision is to result in the retention, where possible, of existing vegetation and the layout and design of the new lots, including access ways, are to be consistent with the character of the locality.
  - (9) A lot created within the Living—Bushland Conservation zone intended as a site for a dwelling house is to include a development space that:
    - (a) has an area of land not less than 750 square metres, and
    - (b) is configured so as to be capable of accommodating development for the purpose of a dwelling house, and
    - (c) incorporates that part of any asset protection zone required to be established or maintained on that lot, and
    - (d) is capable of being accessed by a driveway that is connected to a public road, and
    - (e) is not development excluded land.
  - (10) The subdivision of land within the Living—Conservation zone is to:
    - (a) retain an appropriate setting and visual context for existing buildings that allows for any existing formal garden settings that are integral to the character of the building to be retained within the lot on which the building is located, and
    - (b) identify building envelopes for each lot that will maximise the retention of existing formal gardens and existing mature vegetation on the site.

#### **91 Provision of services for subdivision**

Consent shall not be granted to the subdivision of land to create additional lots unless:

- (a) each of the lots to be created that will require the disposal of wastewater is to be serviced by reticulated sewerage and potable water systems, and
- (b) the Sydney Water Corporation has previously provided certification to the Council that the sewage treatment plant and the sewerage and potable water reticulation systems serving the locality concerned have the capacity to accommodate the additional development or can be upgraded to accommodate the additional capacity as part of the development.

#### **92 Subdivision related to specific land uses**

- (1) The consent authority may consent to the subdivision of land to create lots that do not comply with clause 90 if the subdivision:
    - (a) is for cluster housing, or
    - (b) is for integrated housing within the Village—Housing zone, or
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- (c) relates to detached dual occupancy development for which consent has been granted and provides for each dwelling to be on a separate lot, where the lot size prior to subdivision is not less than 1,100 square metres, excluding any part of that lot that is within the Environmental Protection—Private zone and the area of any access handle for a hatchet shaped lot, or
  - (d) relates to attached dual occupancy development for which consent has been granted and provides for each dwelling to be on a separate lot, where the lot size prior to subdivision is not less than 900 square metres, excluding any part of that lot that is within the Environmental Protection—Private zone and the area of any access handle for a hatchet shaped lot, or
  - (e) relates to dual occupancy or multi-dwelling housing development in the Village—Housing or Village—Tourist zone for which consent has been granted and provides for each dwelling to be on a separate lot, or
  - (f) relates to accessible housing for which consent has been granted and provides for each dwelling to be on a separate lot, or
  - (g) is a neighbourhood or strata subdivision involving existing lawful buildings or buildings for which consent has been granted, but only where each lot, other than neighbourhood property, common property or development lots, includes a building or part of a building capable of separate occupation.
- (2) Consent may be granted to subdivision for the purpose of cluster housing only where the consent authority is satisfied that:
- (a) the number of proposed lots is not greater than 8 lots per hectare of that part of the total site area that is zoned Living—Bushland Conservation, and
  - (b) the cluster housing, including access and any buildings ancillary to a dwelling house, will not be located on any development excluded land, and
  - (c) dwellings are designed and located so as to minimise threat to life and property from bush fire, and
  - (d) measures are to be put in place to ensure that any land that is common open space, as part of the cluster housing, is to be managed to ensure that the environmental qualities of the land are maintained, and
  - (e) the development will incorporate areas of bushland and native vegetation, and
  - (f) dwellings will be located to utilise materials and to be of a form and scale that reinforces the landscape character of the locality in which the development will be situated.

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- (3) Where land or any part of land is subject to development for the purpose of cluster housing to a density of 8 lots per hectare in accordance with subclause (2), consent must not be granted for the further subdivision of that land, other than for the purpose of:
    - (a) a boundary adjustment where no additional lots are created, or
    - (b) providing land for public purposes.
  - (4) Consent may be granted to development for the purpose of cluster housing in accordance with subclause (2) even though it contravenes a building setback in Division 1 of Part 3 of Schedule 2 where the consent authority is satisfied that the contravention of the building setback contributes to complying with subclause (2) (d)–(f).

### **93 Subdivision in the recreation zones and environmental protection zones**

- (1) Consent shall not be granted to the subdivision of land within the Recreation—Private, Recreation—Open Space or Environmental Protection—Open Space zones unless the consent authority is satisfied that the purpose of the subdivision is:
  - (a) to provide land for public purposes, or
  - (b) to provide public access to land, or
  - (c) to differentiate between separate land uses, activities or management areas for which consent has been granted, or
  - (d) to facilitate consolidation of existing allotments, or
  - (e) to allow a boundary re-alignment where no new allotments are created.
- (2) Consent shall not be granted to subdivision where any lot created consists entirely of land within the Environmental Protection—Private zone unless that lot is to be provided for a public purpose.

## **Division 2 Services and infrastructure**

### **94 General provision of services**

- (1) The consent authority shall not consent to development requiring:
  - (a) drainage, or
  - (b) the provision of an electricity power supply, or
  - (c) water supply or water storage, or
  - (d) disposal of wastewater,
 unless it is satisfied that adequate arrangements can be made for that service or services to be reasonably provided without unacceptable impact on the environment or the community.

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- (2) Before granting consent to the carrying out of development, the consent authority shall take into account the requirements of the Sydney Water Corporation, where the land to which that development relates is serviced by that Corporation.
- (3) Consent shall not be granted to development of a kind which the Council has been required by an environmental planning instrument to refer to the Sydney Catchment Authority unless:
  - (a) where on-site disposal of wastewater is proposed, the applicant has furnished the consent authority with a study that complies with clause 96 (Water cycle management study) to establish that the land is capable of sustaining such a means of disposal, or
  - (b) satisfactory arrangements can be made with Sydney Water Corporation for the provision of water and sewerage facilities.
- (4) Subject to clause 48 (Protected Area—Water Supply Catchment) and clause 95 (Provision of services for specific land uses), the consent authority shall not consent to development that requires the disposal of wastewater, unless:
  - (a) the development is to be connected to a reticulated sewerage system, or
  - (b) where connection to a reticulated sewerage system is not available, the consent authority is satisfied by means of a report that complies with clause 97 (Geotechnical and water balance report) that the wastewater may be effectively disposed of on that part of the site on which the development is permissible.
- (5) Should development be subject to subclauses (3) (a) and (4) (b) a combined study may be prepared and submitted to the consent authority that complies with clause 96 (Water cycle management study) and clause 97 (Geotechnical and water balance report).

### **95 Provision of services for specific land uses**

- (1) Consent may be granted to development for the purpose of a dwelling house, where the dwelling house is to be serviced by a wastewater pump out system, only if:
  - (a) the dwelling house will be erected on a lot existing on the appointed day, and
  - (b) a connection to a reticulated sewerage system is not available.

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- (2) Consent shall not be granted to development for the purpose of accessible housing, a bed and breakfast establishment, a boarding house, a dual occupancy, multi-dwelling housing or tourist accommodation unless a reticulated sewerage system is in place that has the existing capacity to service the development or can be upgraded to accommodate the additional capacity as part of the development.

**96 Water cycle management study**

A water cycle management study prepared for the purposes of clause 94

(3) shall include an assessment of the following matters:

- (a) pre-development and post-development run-off volumes and pollutant loads from the site of the proposed development,
- (b) whether the development will have a neutral or beneficial effect on the water quality of rivers, streams or groundwater in the hydrological catchment, including during periods of wet weather,
- (c) whether the water quality management practices proposed to be carried out as part of the development are sustainable over the long term,
- (d) whether the development is compatible with relevant environmental objectives and water quality standards for the hydrological catchment, where these objectives and standards are established by the Government,
- (e) the impacts of the development on receiving waters,
- (f) the water cycle management strategies and best practices proposed to be employed to address those impacts, and
- (g) the arrangements to be made for the ongoing maintenance and monitoring of the water cycle management system.

**97 Geotechnical and water balance report**

A geotechnical and water balance report prepared for the purposes of clause 94 (4):

- (a) is to include sufficient technical data to meet the requirements specified in any relevant development control plan that provides guidelines for the on-site disposal of wastewater, and
- (b) must consider and assess:
  - (i) the wastewater treatment system, and
  - (ii) site selection criteria, and
  - (iii) the capability of the development site to provide for the disposal of wastewater in accordance with clause 44 (Environmental impact).

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### Division 3            Vehicular access, parking and roads

#### 98    Access to land from a public road

- (1) Consent shall not be granted to the carrying out of development (other than development that, in the opinion of the consent authority, will be of a temporary nature) that requires vehicular access unless provision has been made for legally constituted access onto the land from a public road.
- (2) Development that requires vehicular access to a site shall ensure that:
  - (a) access is available from a stable, all weather vehicular access road to a standard satisfactory to the consent authority, and
  - (b) the access road is designed to minimise grades and to suit contours, thereby minimising erosion, and
  - (c) the access road is not located on slopes in excess of 33 per cent, unless no other alternative is available, and
  - (d) the access road is adequate and appropriate to cater for the proposed development taking into account:
    - (i) the volume of traffic to be generated by the proposed development, and
    - (ii) the use and enjoyment of that access road by adjoining properties where that access road, whether existing or proposed, is shared with those adjoining properties.

#### 99    Car parking provision

- (1) Off-street car parking is to be provided in accordance with the relevant part of the Council's *Better Living DCP*.
- (2) Notwithstanding subclause (1), the consent authority may permit development for the purpose of multi-dwelling housing with a lesser number of car parking spaces where it is demonstrated to the satisfaction of the consent authority that:
  - (a) future residents are likely to have a low level of car ownership, and
  - (b) the site is located within the Accessible Housing Area, as shown on Map Panel A, and
  - (c) the car parking spaces will be allocated so as to be available to all dwellings on a shared basis.
- (3) The consent authority shall, in respect of an application for consent to development for the purpose of accessible housing, bulk stores, bulky goods showrooms, car repair stations, caravan parks, commercial premises, clubs, district supermarkets, drive-in take-away food outlets,



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hotels, industries, light industries, motor showrooms, multi-dwelling housing, places of assembly, places of worship, service stations, shops or tourist accommodation or to the carrying out of any other development that, in the opinion of the consent authority, is likely to cause increased vehicular traffic on any road in the vicinity of that development, take into consideration:

- (a) whether adequate vehicular exits from and entrances to the site or sites have been provided so that vehicles using those exits and entrances will not endanger people and vehicles using those roads, and
- (b) whether the provision of space on the site or on land adjoining the site, other than a public road, for the parking or standing of such number of vehicles is as specified by the relevant part of the Council's *Better Living DCP*, and
- (c) whether any representations made by the Roads and Traffic Authority have been met, and
- (d) whether adequate space has been provided within the site of the proposed development for the loading, unloading and fuelling of vehicles and for the picking up and setting down of passengers.

#### **100 Design for car parking**

- (1) The amount of the street frontage (including the front elevation) of a dwelling house that may be taken up by openings for garages or carports is limited to:
  - (a) a maximum of 4 metres where the width of the allotment is less than 15 metres, or
  - (b) a maximum of 6 metres where the width of the allotment is equal to or greater than 15 metres.
- (2) Garages and car parking areas should preferably be located behind the rear alignment of the building and are not to form a visually prominent element of the streetscape.
- (3) For car parking spaces that are used in association with development that is required to be accessible to people with a disability, in accordance with the relevant part of the Council's *Better Living DCP*, the car parking spaces are to be linked by a continuous accessible path of travel, constructed of a non-slip surface, to the building entrance.

#### **101 Loading and unloading facilities**

- (1) Subject to this clause, the consent authority shall not consent to the erection or use of any building on land zoned for commercial or industrial purposes unless provision is made within the site area for loading and unloading facilities satisfactory to the consent authority.

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- (2) If a building referred to in subclause (1) has access to a rear lane, the loading and unloading facilities shall be provided from that lane unless the consent authority is satisfied that the lane is inadequate for the purpose.
- (3) This clause does not apply to development being minor alterations to an existing building if, in the opinion of the consent authority, the size and shape of the land having regard to existing buildings render the provision of facilities in accordance with this clause impracticable.
- (4) Where, in the opinion of the consent authority, provision cannot be made as required by subclause (1) for loading and unloading, the consent authority may consent to the erection or use of a building subject to such other conditions relating to loading and unloading as it considers appropriate.

### 102    Uncoloured roads

- (1) Development is allowed only with consent on a public road shown uncoloured on Map Panel A or on part of such a road that has been lawfully closed.
- (2) Such a consent may be granted only for development that is allowed (either with or without consent) on land adjoining the road.
- (3) Subject to subclause (4), development consent is not required for works carried out by the Council or any public utility undertaking on roads shown uncoloured on Map Panel A.
- (4) New roads may be constructed and road widening in excess of 1 metre (other than for maintenance of existing roads) may be carried out on land adjoining or within the:
  - (a) Environmental Protection—Private zone, or
  - (b) Environmental Protection—Open Space zone, or
  - (c) Living—Conservation zone,only with development consent.
- (5) Consent shall not be granted to development on roads adjoining or within a zone described in subclause (4) unless the consent authority has considered the following:
  - (a) the impact of the proposed road works on land within the adjoining Environmental Protection—Private zone or Environmental Protection—Open Space zone and measures that have been incorporated to minimise this impact,
  - (b) the design, style and nature of the road works in regard to the maintenance and enhancement of bushland character,
  - (c) the regeneration and planting of disturbed areas and road verges,

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- (d) the retention, where possible, of natural features, including trees and rock outcrops.
  - (6) Development of roads shown uncoloured on Map Panel A, on land adjoining the Living Conservation zone, shall be of a form and design, and in such a location, as to enhance the landscape setting of the streetscape.

## **Division 4 Privacy**

### **103 Privacy for dwelling houses and granny flats**

Consent shall not be granted to development for the purpose of a dwelling house or granny flat unless the consent authority is satisfied that:

- (a) the location, scale and design of new buildings will ensure that the visual privacy of residents of buildings on adjoining allotments is not significantly impacted upon, and
- (b) direct views from the development into the principal private open spaces or habitable rooms of dwellings on adjoining allotments are minimised or effectively screened.

### **104 Privacy for other residential development**

- (1) Consent shall not be granted to development for the purpose of accessible housing, a dual occupancy or multi-dwelling housing unless the development is designed to maximise visual privacy in accordance with this clause.
- (2) Proposed habitable room windows with a direct outlook to habitable room windows or private open space of an adjacent dwelling will be permitted only where these have a separation of no less than 6 metres.
- (3) Where proposed habitable room windows will have a direct outlook to habitable room windows or private open space of an adjacent dwelling and are separated by less than 9 metres, the proposed window will:
  - (a) be offset a minimum of 1 metre from the edge of the proposed window to the edge of the existing window, or
  - (b) have sill heights of at least 1.6 metres above floor level, or
  - (c) have fixed obscure glazing applied to any part of the window below 1.6 metres above floor level.
- (4) Overlooking from or to private open space areas is to be reduced by ensuring that any upper level balconies are designed and screened to minimise the potential for overlooking of the private open space of any lower level of adjoining dwellings.

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- (5) Where potential overlooking cannot be avoided, views of private open space areas may be obscured in the following ways:
  - (a) by retention or planting of dense mature vegetation,
  - (b) by solid translucent screens or perforated panels or trellises, which have a maximum of 25 per cent openings and that are designed to blend in with the proposed redevelopment, and are to be permanent components of the structure and difficult to alter.

### Division 5      Energy efficiency

#### 105    Energy efficiency

- (1) Consent shall not be granted to development for the purpose of accessible housing, a dwelling house, a dual occupancy, a granny flat or multi-dwelling housing, or to development that increases the existing floor space of a dwelling house by more than 50 per cent, unless the buildings can achieve a 4 star NatHERS rating or alternative provisions for energy efficiency in accordance with the relevant part of the Council's *Better Living DCP*.
- (2) The design and location of development subject to subclause (1) should maximise energy efficiency and sunlight access for any adjoining residential buildings by ensuring that the development proposed to be carried out does not unreasonably obscure sunlight to habitable rooms or private open space of those adjoining residential buildings during winter months.
- (3) The consent authority may require the preparation of shadow diagrams by a suitably qualified person to demonstrate whether adjoining dwellings and areas will be affected by the proposed development as required in subclause (2).

#### 106    Sustainable resource management

Before granting consent for development, the consent authority shall consider how it can encourage development that is designed to follow ecologically sustainable development practices, including any such practices described in development control plans approved by the Council, to achieve:

- (a) conservation of natural resources (renewable and non-renewable), and
- (b) energy conservation and efficiency, and
- (c) reduction in greenhouse gas emissions, and
- (d) total water cycle management, and
- (e) a reduction in the use of reticulated potable water, and

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- (f) air, water and soil quality protection, enhancement and rehabilitation, and
  - (g) waste avoidance and minimisation.

## **Division 6      Equity of access and housing choice**

### **107    Access to public buildings and public land**

Consent shall not be granted to the development of:

- (a) a building or that part of a building intended for use by the general public, or
- (b) a facility or building on public land or a Crown reserve under the *Crown Lands Act 1989* for which the Council has care, control and management,

unless that building, part of a building or facility is accessible to people with a disability in accordance with the relevant part of the Council's *Better Living DCP* and Australian Standard AS 1428.1–2001, *Design for access and mobility—General requirements for access—New building work* in the manner prescribed within that development control plan.

### **108    Accessibility of dwellings**

- (1) Consent shall not be granted to development that is required by this clause to be accessible to people with a disability unless the development is designed to comply with the relevant part of the Council's *Better Living DCP* and Australian Standard AS 1428.1–2001, *Design for access and mobility—General requirements for access—New building work* in the manner prescribed within that development control plan.
- (2) In the case of development comprising 5 or more dwellings or accommodation suites, at least 20 per cent of all dwellings or accommodation suites (to the nearest whole number) shall be accessible to people with a disability.
- (3) Notwithstanding subclause (2), development for the purpose of accessible housing which comprises less than 5 dwellings shall include a minimum of 1 dwelling that is accessible to people with a disability.
- (4) In the case of development for the purpose of accessible housing comprising a hostel or residential care facility, the essential areas and facilities which are associated with at least 20 per cent of all hostel or residential care facility beds, including a toilet, bathroom, bedroom and a living area, shall be accessible to people with a disability.

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- (5) Development for the purpose of a bed and breakfast establishment shall include a minimum of 1 guest room that is accessible to people with a disability.
- (6) Tourist accommodation, bed and breakfast establishments and boarding houses shall be designed so that all common amenities (toilet, laundry facilities, games room etc) shall be accessible to people with a disability.

### 109    Adaptability of dwellings

- (1) Consent shall not be granted to development that is required by this clause to be adaptable unless the development is designed in accordance with Australian Standard AS 4299–1995, *Adaptable housing* in the manner prescribed in the relevant part of the Council's *Better Living DCP*.
- (2) All dwellings or accommodation suites within development for the purpose of accessible housing, boarding houses, multi-dwelling housing or tourist accommodation are to be adaptable.
- (3) Each dwelling within a dual occupancy that is located within the Accessible Housing Area as shown on Map Panel A is to be adaptable, unless an existing dwelling house is converted to a dual occupancy in which case at least one of the dwellings is to be adaptable.

### 110    Housing choice

Consent shall not be granted to accessible housing or multi-dwelling housing unless the consent authority is satisfied that the housing will contribute to the provision of housing choice within the locality and:

- (a) the housing incorporates a range of dwelling sizes, particularly contributing to the increased provision of single and two bedroom dwelling stock, and
- (b) the housing shall include a minimum of 33 per cent (to the nearest whole number) of the proposed dwellings with a gross floor area not greater than 100 square metres.

## Division 7      Accessible housing

### 111    Accessible housing considerations

- (1) The consent authority shall not grant consent to development for the purpose of accessible housing unless the development proposed to be carried out complies with the provisions within this Division that are relevant to the development.

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- (2) In addition to the provisions of this Division, development for the purpose of accessible housing is subject to any other provision within this plan that is relevant to the development or the land to which the development relates.

#### **112 Who can live in accessible housing?**

- (1) Development for the purpose of accessible housing shall be carried out only for the accommodation of:
- (a) older people and people with a disability, or
  - (b) people who live with older people or people with a disability, or
  - (c) staff employed to assist in the administration of and provision of services to housing provided under this clause.
- (2) The consent authority shall not grant consent for accessible housing unless it is satisfied that a restriction as to user will be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the *Conveyancing Act 1919*, limiting the use of the development, including any dwelling within that development, to the people specified in subclause (1).

#### **113 Location and access to services**

- (1) Except as otherwise specified in clause 114 (“Self-sustained” development outside the accessible housing area), development for the purpose of accessible housing is to be located within the accessible housing area as shown on Map Panel A.
- (2) Reasonable pedestrian access via a footpath or other similar and safe means is to be available from the primary pedestrian entrance of the development to:
- (a) land zoned Village—Town Centre within:
    - (i) Blackheath, or
    - (ii) Katoomba, or
    - (iii) Leura, or
    - (iv) Wentworth Falls, or
    - (v) Lawson, or
    - (vi) Springwood, or
    - (vii) Hazelbrook, or
    - (viii) Blaxland, or
  - (b) land zoned Village—Neighbourhood Centre within:
    - (i) Winmalee, or
    - (ii) Glenbrook.

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- (3) In determining whether “reasonable pedestrian access” is provided between the development and the village centre in accordance with subclause (2), the consent authority is to consider whether:
  - (a) there is a path of travel via a sealed footpath or other similar and safe means (that is suitable for access by means of an electric wheelchair, motorised cart or the like) from the development to the village centre, and
  - (b) the gradient of access paths does not exceed an overall average of 1:14 over the shortest path of travel from the development to the village centre, provided that:
    - (i) slopes up to 1:12 do not exceed 15 metres at a time, and
    - (ii) slopes up to 1:10 do not exceed 5 metres at a time, and
    - (iii) slopes up to 1:8 do not exceed 1.5 metres at a time, and
  - (c) there are sufficient rest stops along the route, which should include seats or level landings.
- (4) The pedestrian access shall not involve the crossing of local roads unless safe crossing conditions are provided with reference to sight distances, level crossings, pedestrian refuges and the like.
- (5) Pedestrian access shall not involve the crossing of the Regional Transport Corridor unless there is:
  - (a) a bridge or subway providing pedestrian access, or
  - (b) a signalised crossing with auditory devices provided.
- (6) Should a development not provide reasonable pedestrian access in accordance with subclause (3), residents are to have reasonable access to:
  - (a) transport that, in the opinion of the consent authority, is reasonably affordable private transport, which provides regular access from the site of the development to at least one of the village centres listed in subclause (2), and that is readily accessible to people with a disability or impaired mobility, or
  - (b) regular public transport that operates at least 5 days per week averaging at least a two-hourly service between the hours of 9am and 5pm for those days and that provides access to at least one of the villages listed in subclause (2), access to which is within 400 metres of the proposed development.

### 114 “Self-sustained” development outside the accessible housing area

- (1) Development for the purpose of accessible housing may be located outside the accessible housing area as specified in clause 113 (Location and access to services) provided that:



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- (a) the development has no less than 50 dwellings, or
  - (b) the development has no less than 50 beds in a residential care facility, or
  - (c) where the development includes both dwellings and beds in a residential care facility, the number of dwellings added to the number of beds in a residential care facility is equal to or exceeds 50, or
  - (d) the development is located within a precinct within the Recreation—Private zone.
- (2) Consent shall be granted to development that complies with subclause (1), only where the consent authority is satisfied, by means of written evidence, that residents of the proposed development will have reasonable access to:
- (a) transport that, in the opinion of the consent authority, is reasonably affordable private transport, which provides regular access from the site of the development to at least one of the village centres listed in clause 113 (2), and that is readily accessible to people with a disability or impaired mobility, and
  - (b) community services and recreation facilities, and
  - (c) on-site communal areas (internal or external), and
  - (d) where appropriate for the proposed inhabitants, on-site medical consulting rooms, for use by visiting medical practitioners.

#### **115 Support services and facilities**

- (1) Each development for the purpose of accessible housing is to provide emergency response alarms located in all dwelling units.
- (2) The consent authority is to be satisfied that residents will have reasonable access to support services including, but not limited to:
  - (a) home delivered meals, and
  - (b) personal care, and
  - (c) home nursing, and
  - (d) assistance with housework, and
  - (e) gardening maintenance, and
  - (f) medical assistance, and
  - (g) respite care, and
  - (h) rehabilitation services.

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- (3) If 15 or more residential units are proposed on the land subject to the development application, the consent authority is to be satisfied before granting consent that adequate provision is made for:
  - (a) an administrative building or room located in a prominent location, that is designed to provide a focal point for visitors and a sense of security for residents, and
  - (b) a setting down and picking up area that is close to the site entry with a covered seating area visible from the administrative building or room or at least some of the dwellings, and
  - (c) speed restriction signs placed in a prominent location at the entry to the development.

### 116 Safe and convenient access for accessible housing

Consent shall not be granted to development for the purpose of accessible housing on a site unless there is provision of a continuous accessible path of travel from the entrances of all proposed dwellings to:

- (a) the principal pedestrian entrance to the development, and
- (b) vehicle setting down areas, and
- (c) parking areas, and
- (d) communal on-site facilities, and
- (e) private open space, and
- (f) other areas of the development to which residents could reasonably require access.

### 117 Bush fire protection and evacuation of Accessible Housing

- (1) Consent shall not be granted to development for the purpose of accessible housing on bush fire prone land unless the consent authority is satisfied that the development complies with the requirements of *Planning for Bushfire Protection*.
- (2) The consent authority, in determining whether a development application is required to be referred by subclause (1), must take into consideration the general location of the proposed development, the means of access to and egress from the general location and other relevant matters, including the following:
  - (a) the size of the existing population within the locality,
  - (b) age groups within that population and the number of persons within those age groups,
  - (c) the number of hospitals and other facilities providing care to the residents of the facilities within the locality, and the number of beds within those hospitals and facilities,

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- (d) the number of schools within the locality and the number of students at those schools,
  - (e) existing development within the locality that has been carried out for the purpose of accessible housing, retirement villages and the like,
  - (f) the road network within the locality and the capacity of the road network to cater for traffic to and from existing development if there were a need to evacuate persons from the locality in the event of a bush fire,
  - (g) the adequacy of access to and from the site of the proposed development for emergency response vehicles,
  - (h) the nature, extent and adequacy of bush fire emergency procedures that are able to be applied to the proposed development and its site,
  - (i) any relevant requirements of NSW Fire Brigades notified to the Council and any response made to the consent authority by the NSW Rural Fire Service within 28 days of a copy of the development proposal being forwarded to that Service by the consent authority.

## **Division 8 Provisions for specific land uses**

### **118 Bed and breakfast establishments**

Consent shall not be granted for the erection of a new dwelling house or the adaptation or alteration of a dwelling house for the purpose of a bed and breakfast establishment unless:

- (a) the development will operate from the dwelling house, and
- (b) the development is proposed on a site that has a total area of 1,200 square metres or greater, and
- (c) any works to allow use of the dwelling house as a bed and breakfast establishment are consistent with the predominant character of the street and adjoining development, and
- (d) on-site parking is provided and is screened and any impacts on adjoining properties, relating to the parking and movement of motor vehicles, are minimised, and
- (e) the visual and acoustic privacy of adjoining residents is maintained.

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### **119    Dual occupancy**

- (1) Consent shall not be granted to development for the purpose of a dual occupancy on a lot unless the development has the following characteristics:
  - (a) if it is a proposed attached dual occupancy, it is located on a lot with an area of not less than 900 square metres (excluding the area of the access handle for a hatchet shaped lot),
  - (b) if it is a proposed detached dual occupancy, it is located on a lot with an area of not less than 1,100 square metres (excluding the area of the access handle for a hatchet shaped lot).
- (2) However, the consent authority may consent to an attached dual occupancy on a lot with an area of not less than 720 square metres, where it is satisfied that:
  - (a) the dual occupancy will include one dwelling that has a gross floor area not greater than 80 square metres, or
  - (b) the development involves older public housing stock owned by the Department of Housing and the lot size is justified.
- (3) Consent shall not be granted to development for the purpose of a dual occupancy in the Living—General zone unless:
  - (a) the form, design and appearance of the building (after any proposed alterations and additions have been carried out), including the roof pitch, colours and materials, are complementary to the adjoining and adjacent buildings and any existing dwelling house on the land, and
  - (b) private open space, with an area of not less than 50 square metres and a width of not less than 4 metres, is provided for each dwelling.
- (4) The appearance and location from the primary street frontage of a dual occupancy in the Living—General zone should retain or enhance the existing character and appearance of a low-density residential area and shall avoid, in all but exceptional circumstances, a mirror-reversed design.
- (5) Dual occupancies located on a corner allotment shall be designed to separately address the primary and secondary street frontages, where practicable.

### **120    Granny flats**

- (1) Consent shall not be granted to development for the purpose of a granny flat unless:

- 
- (a) the consent authority is satisfied that the design and location of the granny flat complements the style, scale and appearance of the primary dwelling on the allotment, and
  - (b) there is compliance with any “site coverage” and “development density” provisions of this plan that apply to the land, except where the development does not result in an increase in the gross floor area of a building for which consent was granted, and
  - (c) no more than one granny flat is erected on the allotment concerned, and
  - (d) any alterations or additions to a building for the purpose of the granny flat are designed to be adaptable in accordance with Australian Standard AS 4299–1995, *Adaptable housing* in the manner prescribed in the Council’s *Better Living DCP*.
- (2) Consent shall not be granted to a subdivision for the purpose of making a granny flat for which consent has been granted and the primary dwelling concerned available for separate disposition or sale.

#### 121 Home employment

Consent shall not be granted to the use for home employment of a dwelling or building on an allotment unless the consent authority is satisfied that:

- (a) the total site coverage does not exceed that specified for the land in this plan, and
- (b) external lighting associated with the home employment is to be located and directed to minimise impact on adjoining residential properties, and
- (c) a separate or defined access is provided from the street to the home employment area, and
- (d) a clearly identifiable separate area for the conduct of the home employment is provided that can be separated from the balance of the dwellings for privacy and security, and
- (e) it is not reasonably practicable for the home employment area to be converted to become part of the residence or a separate granny flat or a self-contained unit, and
- (f) there is acoustic insulation between the home employment area and the adjoining dwelling, and
- (g) the character of the proposed home employment use is consistent with the scale and massing of the surrounding area, where it is located in an existing residential setting.

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### 122    Liquid fuel depot

- (1) A person shall not establish, enlarge or use a liquid fuel depot having an above ground storage capacity of 500 kilolitres or more of inflammable liquid without development consent granted with the concurrence of the Head of the Department for the time being engaged in the administration of the *Dangerous Goods Act 1975*.
- (2) The Department Head referred to in subclause (1) shall take into consideration in deciding whether concurrence should be granted the provisions of the Act referred to in subclause (1) and any other matters relating to safety.

### 123    Road transport terminal

- (1) The consent authority shall, before granting consent to development for the purpose of a transport terminal, send notice to the Roads and Traffic Authority of the proposed development and shall take into consideration any representations in response made within 28 days.
- (2) Before granting consent to development subject to subclause (1), the consent authority shall take into consideration:
  - (a) the standard of the roads in the locality in relation to the size and the weight of the vehicles likely to use the transport terminal, and
  - (b) traffic conditions and facilities generally in the vicinity of the approaches to the transport terminal, and
  - (c) the means of ingress and egress, and
  - (d) the provision on land (other than a public road) of space for the parking or standing of vehicles, and
  - (e) the layout of buildings on the site in relation to:
    - (i) the provision of space for the parking and standing of vehicles,
    - (ii) the provision of space for the loading, unloading or fuelling of vehicles, and
    - (iii) the traffic facilities within the site.

### 124    Service stations

Consent shall not be granted for the erection of a building or the carrying out of a work, or for the use of land, for the purpose of a service station unless:

- (a) the site is more than 90 metres from the junction or intersection of a classified road, with another main or arterial road, and
- (b) the frontage to the road is not less than 50 metres, and

- 
- (c) where the site has frontage to a classified road, the consent authority has sent notice to the Roads and Traffic Authority of the proposed development and has taken into consideration any representations in response made within 28 days, and
  - (d) separate entrances to and exits from the site are provided and those entrances and exits are separated by physical barriers constructed on the road alignment and so identified by suitable signs readily visible to persons using the adjoining road or entering, and
  - (e) where the site is a corner lot and the consent authority so requires, separate entrances and exits are provided to and from each of the adjoining roads and a physical barrier is erected so that a vehicle entering the site will, when leaving it, use an exit leading only to the road from which entrance was gained, and
  - (f) inlets to bulk fuel storage tanks are so situated on the site as to ensure that tankers, while discharging fuel into such tanks, shall stand wholly within the site, and
  - (g) the layout of the site is such as to facilitate the movement of vehicles entering into or leaving the site with the flow of traffic on the adjoining road, and
  - (h) the site is suitably landscaped to the satisfaction of the consent authority.

#### **125 Sex establishment**

- (1) Consent shall not be granted to development for the purpose of a sex establishment unless the consent authority is satisfied with respect to its location that:
  - (a) the development will not be adjacent to, adjoin or be within 100 metres of:
    - (i) an educational establishment, or
    - (ii) a childcare centre, or
    - (iii) a recreational area, or
    - (iv) a place of worship, or
    - (v) a hospital, or
    - (vi) any other place regularly frequented by children for recreational or cultural activities, and
  - (b) the development is not within 50 metres of the boundary of any zone in which a dwelling house is a permissible land use, and
  - (c) the development does not have a frontage to, or direct vehicular access from, the Regional Transport Corridor.

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- (2) Consent shall not be granted to development for the purpose of a sex establishment unless the consent authority is satisfied, with respect to the operation, amenity, design and form of the development that:
  - (a) the development would not have an adverse impact on the amenity of the area by reason of excessive noise, inappropriate operating hours, indiscreet signage or otherwise, and
  - (b) operating hours are compatible with adjoining land uses, and
  - (c) any advertising is to be for identification purposes only and is to be attached to or painted onto the subject premises and is to have an area of not more than 0.5m<sup>2</sup>, and
  - (d) any advertising is to be discreet in nature and is not to display words or images that in the opinion of the consent authority are sexually explicit, lewd or otherwise offensive, and
  - (e) adequate waiting rooms will be provided within the premises to discourage loitering outside the premises by clients, and
  - (f) no sex establishment shop fronts or likewise would be created, and
  - (g) an alarm, intercom or similar safety and security device is installed in each room that is used for sexual activity and is connected to a central base or reception area that is monitored at all times, and
  - (h) adequate lighting of entrances and exits is to be provided at all times during which the premises are occupied by any staff or sex workers outside daylight hours, and
  - (i) entrances are located so as to be visible from a public place, and
  - (j) the design of the premises provides for passive surveillance of any adjoining street or other public place, from within the building, in the interest of staff, sex worker and client safety.
- (3) Before granting consent to development for the purpose of a sex establishment, the consent authority shall consider a plan of operation that provides details of operation including, but not limited to, details concerning each of the matters referred to in subclause (2).
- (4) The use for soliciting or a similar activity by sex workers or other staff of any land outside or in the vicinity of any premises that are subject to a consent allowing their use for the purpose of a sex establishment is prohibited.

### 126 Special use

- (1) Consent shall not be granted to development for the purpose of a special use, being the special use designated for that land on Map Panel C, or to



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development ancillary or incidental to that special use, unless the proposed development:

- (a) is to be carried out by a public authority, institution, organisation or the Council, and
  - (b) complies with the objectives for a special use within subclause (2).
- (2) The objectives for development for the purposes of a special use are:
- (a) to provide a community service, public facility or infrastructure, and
  - (b) to ensure development incorporates measures to mitigate any adverse impact on the environment, and
  - (c) to ensure development does not have an unreasonably adverse effect on residential amenity by way of scale, height, noise, light, dust or traffic generation.
- (3) The consent authority may consent to development subject to this clause even if it contravenes a development standard set by this plan, where the consent authority is satisfied that the development is subject to Part 5A of the Act (Development by the Crown).
- (4) The consent authority may consent to development subject to this clause even if it contravenes a development standard set by Division 1 of Part 2 (Locality management), where the consent authority is satisfied that the development:
- (a) complies with the zone objectives within Division 2 of Part 2 (Locality management) that apply to the land, and
  - (b) complies with the objectives for a special use within subclause (2).
- (5) Consent shall not be required for development carried out by or on behalf of the Commonwealth Department of Defence for the purpose of defence or for a purpose ancillary or incidental to defence on that land shown on Map Panel C by distinctive colouring as being subject to a Special Use—Defence.

#### **127 Telecommunications facilities**

- (1) The objectives for development for the purpose of telecommunications facilities are:
- (a) to require telecommunications facilities to be provided in a manner that meets community expectations for modern telecommunications infrastructure, and
  - (b) to require telecommunications facilities to comply with standards on exposure levels for electromagnetic energy (*EME*) and, in

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- certain circumstances, to encourage facilities to be provided in ways that reduce exposure to EME, and
- (c) to require telecommunications facilities to be provided in a manner that makes efficient use of existing infrastructure and services, and
  - (d) to require telecommunications facilities to be designed and located in such a way as to avoid and minimise impacts on the environment and amenity of the area in which the facilities are located, including the site of those facilities.
- (2) Telecommunications facilities must be designed, installed and operated to comply with standards relating to human exposure to EME appearing in any applicable code or standard made under the applicable law of the Commonwealth.
- (3) Telecommunications facilities are to be designed to minimise public exposure to EME through the principle of prudent avoidance, whereby low or no cost measures are employed to avoid or reduce exposures in accordance with the relevant provisions of the Council's *Better Living DCP*.
- (4) Consent shall not be granted to development for the purpose of telecommunications facilities unless the consent authority is satisfied that the development:
- (a) contributes toward meeting the current and future servicing needs of the locality for telecommunications (including future servicing needs of newly developing areas), and
  - (b) complements or enhances the character and streetscape of the surrounding area, and
  - (c) is visually integrated with the character and streetscape of the surrounding area, where proposed within a village precinct, and
  - (d) incorporates effective measures to avoid or mitigate damage to vegetation, threatened species and critical habitats, and
  - (e) cannot satisfactorily be located on an existing telecommunications tower, and
  - (f) incorporates effective measures to avoid or mitigate soil erosion, with reference to the relevant provisions of the Council's *Better Living DCP*.
- (5) Telecommunications facilities in a road reserve must:
- (a) be consistent with the Austroads publication *Telecommunications in Road Reserves—Operational Guidelines for Installations*, as amended from time to time, and
  - (b) comply with the standards of the appropriate roads authority.

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## **Division 9      Management of public land and public infrastructure**

### **128    Development of community land**

Consent shall not be granted to development on community land within the meaning of the *Local Government Act 1993* unless the development is consistent with the adopted plan of management applying to that land.

### **129    Classification and reclassification of public land as operational land**

- (1) The public land described in Schedule 7 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) Land described in Part 1 of Schedule 7:
  - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
  - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.
- (3) Land described in Columns 1 and 2 of Part 2 of Schedule 7, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except those (if any) specified for the land in Column 3 of Part 2 of Schedule 7.
- (4) In this clause, ***the relevant amending plan***, in relation to land described in Part 2 of Schedule 7, means the local environmental plan that inserted the description of the land into that Part.
- (5) Before the relevant amending plan inserted the description of land into Part 2 of Schedule 7, the Governor approved of subclause (4) applying to the land.

### **130    Acquisition for open space purposes**

- (1) The owner of land within the Recreation—Open Space zone or Environmental Protection—Open Space zone that is designated for acquisition by a distinctive border on Map Panel A, may request the Council to acquire that land by way of a written notice.
- (2) On receipt of a notice in accordance with subclause (1), the Council shall acquire the land to which the notice relates.

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### **131 Acquisition of land in the Regional Transport Corridor (Road)**

- (1) The owner of any vacant land within the Regional Transport Corridor (Road) may, by notice in writing, require the RTA to acquire the land.
- (2) The owner of any land within the Regional Transport Corridor (Road) that is not vacant, may, by notice in writing, require the RTA to acquire the land if:
  - (a) the land is included in the 5 year works programme of the RTA current at the time of the receipt of notice, or
  - (b) the RTA has decided not to give concurrence required by clause 132 to an application for consent to the carrying out of development on the land, or
  - (c) the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.
- (3) On receipt of a notice under this clause, the RTA shall acquire the land unless the land might reasonably be required to be dedicated for public roads.

### **132 Development in the Regional Transport Corridor (Road)**

- (1) A person may, with consent of the consent authority and the concurrence of the RTA, carry out any development on land within the Regional Transport Corridor (Road) that is allowed with or without consent on land adjoining the Regional Transport Corridor (Road) zone.
- (2) Consent shall not be granted to development referred to in subclause (1) unless the consent authority is satisfied that the development is consistent with the objectives and other relevant provisions of this plan.
- (3) In deciding whether to grant concurrence required by subclause (1), the RTA must take into consideration:
  - (a) the effects of the proposed development on future acquisition of the land by the RTA, and
  - (b) the imminence of the acquisition and existing acquisition intentions of the RTA.

### **133 Development adjoining the Regional Transport Corridor**

- (1) Consent shall not be granted to development adjoining the Regional Transport Corridor unless the consent authority is satisfied that any habitable buildings are designed to incorporate appropriate noise attenuation measures to avoid impacts from any classified road or the railway.

- 
- (2) Consent shall not be granted to development on land requiring direct access to a road within the Regional Transport Corridor (Road) without the concurrence of the RTA.
  - (3) In particular, consent for development that would result in an increase in the number of access points to a road within the Regional Transport Corridor (Road) may be carried out only with the concurrence of the RTA.
  - (4) Consent shall not be granted to development on land adjoining a road within the Regional Transport Corridor (Road) unless:
    - (a) the setback of any buildings from the alignment or proposed alignment of the road within the Regional Transport Corridor (Road) is a minimum of 18 metres, or
    - (b) the consent authority is satisfied that the existing development on the land or the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard.
  - (5) In deciding whether to grant concurrence required by this clause to proposed development, the RTA shall take the following matters into consideration:
    - (a) the need to carry out development on the land for the purpose of classified roads or proposed classified roads, within the meaning of the *Roads Act 1993*,
    - (b) the imminence of acquisition,
    - (c) the likely additional cost to the RTA resulting from the carrying out of the proposed development.

#### **134 Crown development and public utilities**

- (1) Nothing in this plan shall be construed as restricting or prohibiting or enabling the Council to restrict or prohibit:
  - (a) the carrying out of development of any description specified in this clause, or
  - (b) the use of existing buildings of the Crown by the Crown.
- (2) The carrying out by persons carrying on railway undertakings on land comprised in their undertakings of:
  - (a) any development required in connection with the movement of traffic by rail, including the construction, reconstruction, alteration, maintenance and repair of ways, works and plant, and
  - (b) the erection within the limits of a railway station of buildings for any purpose,
 but excluding:

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- (c) the construction of new railways, railway stations and bridges over roads, and
  - (d) the erection, reconstruction and alteration of buildings for purposes other than railway undertaking purposes outside the limits of a railway station and the reconstruction or alteration, so as materially to affect their design, of railway stations or bridges, and
  - (e) the formation or alteration of any means of access to a road, and
  - (f) the erection, reconstruction and alteration of buildings for purposes other than railway purposes where such buildings have direct access to a public place.
- (3) The carrying out by persons carrying on public utility undertakings, being water, sewerage, drainage, electricity or gas undertakings, of any of the following development, being development required for the purpose of their undertakings:
  - (a) development of any description at or below the surface of the ground,
  - (b) the installation of any plant inside a building or the installation or erection within the premises of a generating station or substation established before the appointed day of any plant or other structures or erections required in connection with the station or substation,
  - (c) the installation or erection of any plant or other structures or erections by way of addition to or replacement or extension of plant or structures or erections already installed or erected, including the installation in an electrical transmission line of substations, feeder-pillars or transformer housing, but not including the erection of overhead lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder-pillars or transformer housings of stone, concrete or brickworks,
  - (d) the provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity,
  - (e) the erection of service reservoirs on land acquired or in process of being acquired for the purpose before the appointed day, provided reasonable notice of the proposed erection is given to the Council,
  - (f) any other development, except:
    - (i) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration, so as materially to affect their design or external appearance, of buildings, or

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- (ii) the formation or alteration of any means of access to a road.
- (4) The carrying out by persons carrying on public utility undertakings, being water transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by water, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
  - (b) the formation or alteration of any means of access to road.
- (5) The carrying out by persons carrying on public utility undertakings, being wharf or river undertakings, on land comprised in their undertakings, of any development required for the purposes of shipping or in connection with the embarking, loading, discharging or transport of passengers, livestock or goods at a wharf or the movement of traffic by a railway forming part of the undertaking, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, works and plant for those purposes, except:
- (a) the construction of bridges, the erection of any other buildings, and the reconstruction or alteration of bridges or of buildings so as materially to affect their design or external appearance, or
  - (b) the formation or alteration of any means of access to a road.
- (6) The carrying out by persons carrying on public utility undertakings, being air transport undertakings, on land comprised in their undertakings within the boundaries of any aerodrome, of any development required in connection with the movement of traffic by air, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except:
- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
  - (b) the formation or alteration of any means of access to a road.
- (7) The carrying out by persons carrying on public utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by road, including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except:
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- (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
  - (b) the formation or alteration of any means of access to a road.
- (8) The carrying out of any development required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of such road.
- (9) The carrying out of any forestry work by the Forestry Commission, School Forest Trust or Community Forest Authorities empowered under relevant Acts to undertake afforestation, roading, protection, cutting and marketing of timber, and other forestry purposes under such Acts or upon any Crown land temporarily reserved from sale as a timber reserve under the *Forestry Act 1916*.
- (10) The carrying out by a rural lands protection board of any development required for the improvement and maintenance of travelling stock and water reserves, except:
  - (a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or purposes, and
  - (b) any development designed to change the use or purpose of any such reserve.
- (11) The carrying out or causing to be carried out by the Council, where engaged in flood mitigation works, or by the Department of Infrastructure, Planning and Natural Resources, of any work for the purposes of soil conservation, irrigation, afforestation, reafforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Act 1912*, the *Water Management Act 2000*, the *Farm Water Supplies Act 1946*, or the *Rivers and Foreshores Improvement Act 1948*, except:
  - (a) the erection of buildings, and installation or erection of plant or other structures or erections and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof, and
  - (b) the formation or alteration of any means of access to a road.



## Schedule 1 Locality management within the Villages

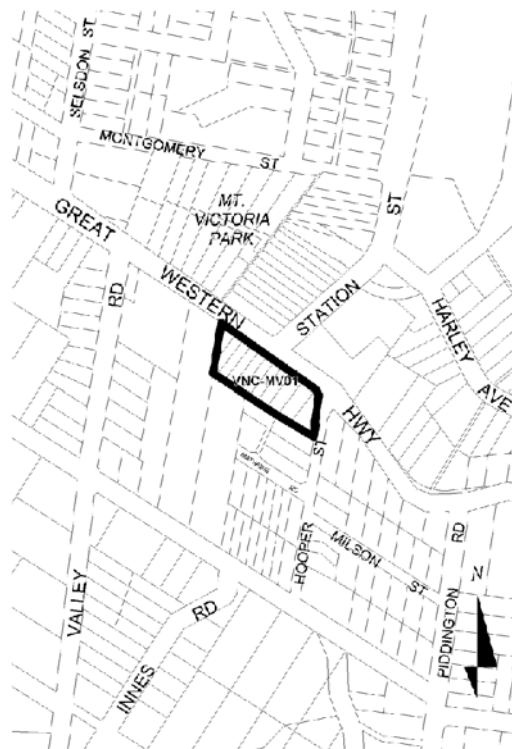
(Clauses 14 and 82 (3))

### Part 1 Mount Victoria Village

#### Division 1 Mount Victoria Precinct VNC-MV01—Village Neighbourhood Centre Precinct

##### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Mount Victoria Precinct VNC-MV01—Village Neighbourhood Centre Precinct” and shown by distinctive edging and annotated “VNC-MV01” on Map Panel A.



**Mount Victoria Precinct VNC-MV01—Village Neighbourhood Centre Precinct**

- (2) Consent shall not be granted to development within the Mount Victoria Precinct VNC-MV01 unless the development proposed to be carried out:

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#### Schedule 1      Locality management within the Villages

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- (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
- (b) complies with the building envelope within this Division, and
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## 2    Desired future character

### (1)    Precinct vision statement

This is a compact village centre, accommodating a diverse range of small-scale retail and other businesses that serve the resident community as well as visitors, plus a scattering of existing residences.

A variety of modestly-scaled cottages, shops and former civic buildings are arranged in a traditional country town pattern that comprises a continuous row of single storey buildings with shop-fronts and garden forecourts. This pattern of buildings provides a scenically-distinctive Highway backdrop, and structures range from the middle-Victorian era through the Edwardian-era to the Inter-War period.

Buildings provide visible indoor activity along the Highway frontage, encouraging pedestrian movement along a safe footpath that is protected from through traffic.

### (2)    Precinct objectives

- (a) To maintain and enhance the locally-distinctive pattern of traditional cottages and shop fronts plus heritage-listed landmark buildings.
- (b) To maximise the diversity of retail and other business-related services provided to the local community and visitors.
- (c) To encourage modest increases in floorspace consistent with the heritage values of existing buildings and the heritage character of the surrounding precinct.
- (d) To encourage future building forms and designs that are consistent or compatible with the scale and architectural character of existing buildings constructed between the mid-nineteenth and early-twentieth centuries.
- (e) To promote pedestrian activity along the Highway frontage along shop fronts, verandahs or front garden courtyards.

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### 3 Building envelope

#### (1) Building height

- (a) Buildings shall not exceed a maximum building height of 6 metres or a maximum height at eaves of 4.5 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 30 degrees from a height of 4.5 metres above any boundary or boundaries to that public place.

#### (2) Building setback

Development shall provide front and side setbacks consistent with that of adjacent buildings in the precinct.

#### (3) Site coverage

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

### 4 Design considerations

#### (1) Landscaping, built form and finishes

- (a) On properties that are not sites of heritage items, building work should generally be carried out so as to incorporate the structure or reproduce the form of any existing building on the site.
- (b) Additional floorspace should be:
  - (i) accommodated in wings added to an existing building, or
  - (ii) accommodated in a separate pavilion located to the rear of an existing building and surrounded by landscaped open space.
- (c) Gardens should provide a backdrop of canopy trees along rear boundaries, plus scattered trees and shrubs along any front or side setbacks.
- (d) Driveways, parking areas and garages:
  - (i) should be visible from the Highway but should not dominate the street frontage, and
  - (ii) should provide safe access to and from the Highway, and
  - (iii) should be integrated with the design of surrounding landscaped areas.

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Blue Mountains Local Environmental Plan 2005

Schedule 1      Locality management within the Villages

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(2)    **Amenity and safety**

Passive surveillance is to be promoted throughout public places by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.

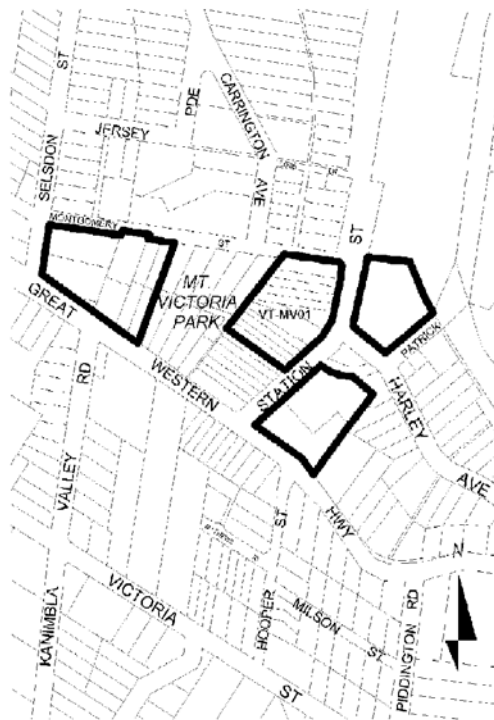
(3)    **Car parking requirements**

Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

## Division 2      **Mount Victoria Precinct VT-MV01—Station Street Precinct**

### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Mount Victoria Precinct VT-MV01—Station Street Precinct” and shown by distinctive edging and annotated “VT-MV01” on Map Panel A.



### **Mount Victoria Precinct VT-MV01—Station Street Precinct**

- (2) Consent shall not be granted to development within the Mount Victoria Precinct VT-MV01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2    Desired future character**

**(1)    Precinct vision statement**

This precinct accommodates a diverse range of small-scale retail and other businesses serving the local community, plus some permanent residents.

The variety of buildings and garden settings remain historically and scenically distinctive, and includes landmark guesthouses and hotels, modest shop-terraces and cottages, plus visually prominent backdrops of canopy trees located in back yards or the neighbouring park.

Future buildings conserve and enhance local architectural heritage that includes a range of styles from the middle-Victorian era to the Edwardian era, and maintains the established overall diversity of architectural form and design.

Visible indoor activity is maintained along the street frontage, encouraging pedestrian movement along footpaths that are protected from the undesirable impacts of through traffic.

**(2)    Precinct objectives**

- (a) To maintain and enhance the distinctive pattern of buildings in garden settings, particularly heritage-listed cottages, shop front terraces and landmark guesthouses.
- (b) To maximise the diversity of retail services and accommodation available for visitors and the local community.
- (c) To encourage modest increases in floorspace consistent with the heritage values of existing buildings and the heritage character of the surrounding precinct.
- (d) To encourage future building forms and designs that are consistent or compatible with the scale and architectural character of existing buildings constructed between the mid-nineteenth and early twentieth centuries.
- (e) To conserve the established pattern of trees and shrubs that contribute to the heritage value of individual buildings or to this precinct's unique character.

**3    Building envelope**

**(1)    Building height**

- (a) Buildings shall not exceed a maximum building height of 6 metres or a maximum height at eaves of 4.5 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 30 degrees from a height of 4.5 metres above any boundary or boundaries to that public place.

- 
- (c) The height above ground for the lowest habitable floor level shall not exceed 1 metre.
  - (d) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.
  - (2) **Building setback**
    - (a) Development shall provide front and side setbacks consistent with that of adjacent buildings in the precinct.
    - (b) For allotments on the eastern side of Station Street, development shall provide minimum rear boundary setbacks of 10 metres.
  - (3) **Site coverage**
    - (a) The maximum site cover for buildings is 40 per cent of the total allotment area.
    - (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 50 per cent of the total allotment area.

#### 4 Design considerations

- (1) **Landscaping, built form and finishes**
  - (a) Building design must have regard to the heritage significance of existing buildings and gardens.
  - (b) On properties that are not sites of heritage items, building work should generally be carried out so as to incorporate the structure or reproduce the form of any existing building on the site.
  - (c) Additional floorspace should be:
    - (i) accommodated in wings added to an existing building, or
    - (ii) accommodated in a separate pavilion located to the rear of an existing building and surrounded by landscaped open space.
  - (d) Gardens should provide a backdrop of canopy trees compatible with species established in Mount Victoria Park, plus scattered trees and shrubs where front or side setbacks are provided.
  - (e) Driveways, parking areas and garages:
    - (i) should not dominate any street frontage, and
    - (ii) should be located to the rear of buildings and accessed from secondary streets or rights of way, and
    - (iii) should be integrated with the design of surrounding landscaped areas.

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(2) **Amenity and safety**

- (a) Passive surveillance is to be promoted along streets and throughout public places by appropriate orientation of verandahs, balconies, entrance doors and windows to offices, shops and living rooms.
- (b) Reasonable solar access must be provided to all living rooms and private open spaces.

(3) **Car parking requirements**

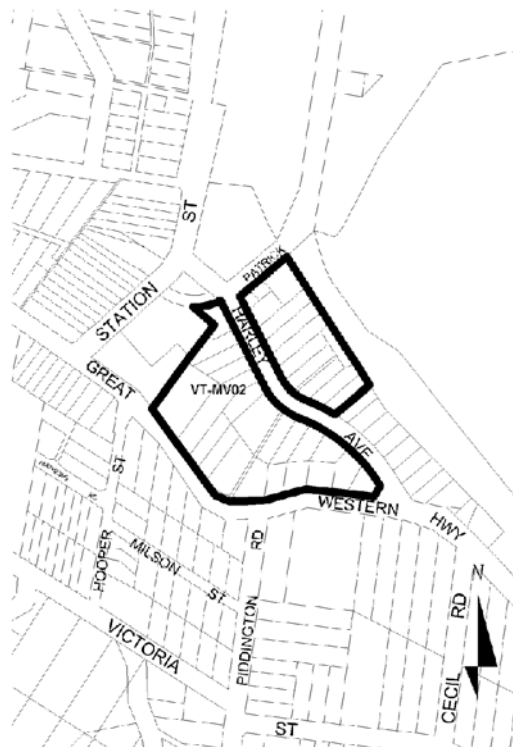
Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.



### Division 3      **Mount Victoria Precinct VT-MV02—Harley Avenue Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Mount Victoria Precinct VT-MV02—Harley Avenue Precinct” and shown by distinctive edging and annotated “VT-MV02” on Map Panel A.



#### **Mount Victoria Precinct VT-MV02—Harley Avenue Precinct**

- (2) Consent shall not be granted to development within the Mount Victoria Precinct VT-MV02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2    Desired future character**

**(1)    Precinct vision statement**

This precinct provides a variety of accommodation for tourists and permanent residents.

New residential-style buildings in garden settings minimise disturbance to existing hillside topography and maintain the continuity of existing canopy trees that are visually significant features along the Highway.

Buildings reflect features of the traditional Mountains-style guest-houses, and are compatible with the distinctive architectural heritage of this village that includes a range of styles from the middle-Victorian era to the Edwardian era.

Visible indoor activity is maintained along the frontage to Harley Avenue, encouraging pedestrian movement along footpaths that are protected from the undesirable impacts of through traffic.

**(2)    Precinct objectives**

- (a) To reflect the distinctive pattern of buildings in garden settings in the neighbouring Station Street precinct, particularly heritage-listed cottages, shop front terraces and landmark guest-houses.
- (b) To maximise the diversity of accommodation available for visitors and permanent residents in the Mount Victoria village.
- (c) To promote future development of residential-style buildings in garden settings that retain the existing pattern of tall canopy trees as a scenically distinctive backdrop to the Highway.
- (d) To provide high levels of residential amenity for both future residents and existing neighbouring properties.
- (e) To encourage future building forms and designs that are consistent or compatible with the scale and architectural character of existing landmark guesthouses constructed between the late nineteenth and early twentieth centuries.

**3    Building envelope**

**(1)    Building height**

- (a) Buildings shall not exceed a maximum building height of 9 metres or a maximum height at eaves of 7.5 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 30 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.
- (c) The height above ground for the lowest habitable floor level shall not exceed 1.5 metres.

- 
- (d) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

(2) **Building setback**

- (a) The minimum setback to Harley Avenue is 10 metres.
- (b) On corner allotments, the setback to the secondary frontage shall be a minimum of 6 metres.
- (c) Side boundary setbacks shall be a minimum of 3 metres.
- (d) Rear boundary setbacks shall be a minimum of 10 metres.

(3) **Site coverage**

- (a) The maximum site cover for buildings is 40 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 50 per cent of the total allotment area.

**4 Design considerations**

(1) **Landscaping, built form and finishes**

- (a) Buildings should reflect the following features that are typical of traditional Mountains guesthouses:
  - (i) buildings of two to three storeys,
  - (ii) buildings surrounded by landscaped areas that conserve existing visually prominent trees,
  - (iii) articulated floorplans,
  - (iv) gently pitched roofs with shady eaves and verandahs,
  - (v) external walls that include a proportion of painted finishes.
- (b) Development should reflect the scenic quality of the natural landscape setting. In particular:
  - (i) buildings are to be sited and constructed to conserve existing trees that are visually significant, and
  - (ii) building forms are to be stepped to follow the sloping hillside.

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- (c) Garden areas should maintain the existing backdrop of canopy trees along the Highway boundary, as well as provide space for new trees and shrubs in front and side yards to frame buildings, driveways and parking areas.
  - (d) Driveways, parking areas and garages:
    - (i) should not dominate any street frontage, and
    - (ii) should be integrated with the design of surrounding landscaped areas.
  - (e) All landscaped areas shall be appropriately landscaped.
- (2) **Amenity and safety**
- (a) Verandahs, balconies, entrance doors, and the windows to living rooms should be oriented to promote passive surveillance of public places.
  - (b) Reasonable solar access must be provided to all living rooms and private open spaces.
- (3) **Car parking requirements**
- Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

## Part 2 Blackheath Village

### Division 1 Blackheath Precinct VTC-BH01—Village Town Centre Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blackheath Precinct VTC-BH01—Village Town Centre Precinct” and shown by distinctive edging and annotated “VTC-BH01” on Map Panel A.



#### Blackheath Precinct VTC-BH01—Village Town Centre Precinct

- (2) Consent shall not be granted to development within the Blackheath Precinct VTC-BH01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

This precinct remains a compact town centre, accommodating a diverse range of small retailers, local businesses, tourist-related activities and permanent residents.

Modestly-scaled buildings are arranged in a traditional main street pattern, with continuous rows of one and two-storey buildings that reflect local architectural traditions, yet display some variety of form and design. The form and architectural detail of landmark corner buildings, hotels and former picture theatres are preserved. Future development emphasises the distinctive character of these landmarks, and promotes new retail frontages facing existing carpark and laneways.

Buildings provide visible indoor activity along all public frontages, and pedestrian activity is concentrated along the streets, laneways and around the carpark, encouraging informal community gatherings in areas that are protected from undesirable impacts of through traffic.

### **(2) Precinct objectives**

- (a) To maintain and enhance the distinctive pattern of continuous retail terraces and shop-houses that are interspersed by landmark buildings.
- (b) To maximise the diversity of retail and other business-related services provided to both the local community and visitors.
- (c) To accommodate permanent residents in “shop-top” dwellings that:
  - (i) promote housing choice, and
  - (ii) incorporate high levels of residential amenity, and
  - (iii) encourage passive surveillance of streets and other public places.
- (d) To encourage increases in floorspace:
  - (i) consistent with the appearance and functions desired for this town centre, and
  - (ii) with public access provided only via streets, laneways or carpark frontages rather than indoor arcades.

- 
- (e) To encourage future building forms and designs that are consistent or compatible with the scale and architectural character of existing buildings constructed during the early-twentieth century.
  - (f) To maintain the established village character and modest scale of existing development.
  - (g) To control building heights:
    - (i) to protect the character of existing heritage-listed buildings, and
    - (ii) to follow the line of hillside topography.

### **3 Building envelope**

#### **(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 12 metres or a maximum height at eaves of 9 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 30 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.

#### **(2) Building setback**

- (a) **Primary street frontage:**

Development shall have a setback of 0 metre.
- (b) **Side boundary setbacks:**
  - (i) Development shall have a setback of 0 metre, and
  - (ii) Notwithstanding subparagraph (i), where the side boundary adjoins a public place, setbacks greater than 0 metre may be considered, but only when it can be demonstrated that an active frontage will be provided.

#### **(3) Site coverage**

Development may provide a maximum site cover of 80 per cent of the total allotment area.

### **4 Design considerations**

#### **(1) Active street frontages**

- (a) The existing continuity of retail and other businesses facing the Highway, Govetts Leap Road and Wentworth Street should be retained.
- (b) On properties with secondary frontages to any public place:

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- (i) new retail or other businesses should be provided along at least 50 per cent of ground level frontages to public carparks, side streets and laneways, and
    - (ii) for all storeys above ground, balconies or extensive windows, or both, facing those public places should be provided.
  - (c) On properties facing Hydora Lane, extensive balconies or windows, or both, should be provided in all facades facing that lane.
- (2) **Built form and finishes**
- (a) The appearance of traditional mainstreet shop-terraces facing all principal street frontages should be protected by:
    - (i) accommodating a diverse range of narrow shop fronts, and
    - (ii) providing continuous awnings or balconies, or both, and
    - (iii) designing external walls as a composition of masonry “piers” with contrasting panels of either or both windows and painted wall finishes.
  - (b) All visible facades should display a form and finishes that are consistent with or complementary to the architectural character of existing mainstreet shop-terraces dating from the Edwardian-era or the Inter-War period.
  - (c) On properties that currently support two-storey traditional shop-terraces, future development should retain and renovate the principal shop front structure plus the adjoining rooms.
  - (d) Development on large allotments:
    - (i) should distribute floorspace into well-articulated structures that are composed of separate wings or interconnected buildings, and
    - (ii) each building or wing should be capped by a gently-pitched roof, and
    - (iii) each building should be surrounded by garden courtyards that provide space for canopy trees planted to frame individual buildings.
  - (e) On-site parking areas:
    - (i) shall be accessed only from the rear or side of buildings via existing public carparks, laneways or secondary streets, and
    - (ii) should be partially concealed behind retail or business floorspace.



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(3) **Pedestrian amenity and safety**

- (a) The existing pedestrian network should be expanded by promoting new retail frontages surrounding public places or facing side streets and laneways.
- (b) Existing levels of sunlight available throughout public places and community gathering spots, during midwinter between 10am and 2pm, should be protected.
- (c) Continuous weather protection along all public frontages in the form of awnings or overhanging balconies should be provided.
- (d) Passive surveillance of all public places is to be promoted by:
  - (i) ensuring appropriate orientation of shops, offices or dwellings, and
  - (ii) incorporating appropriate design of ground floor walls and structures to provide unobstructed sight lines through public places.

(4) **Parking and vehicle access**

Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

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### Division 2      **Blackheath Precinct VTC-BH02—Business Cottages Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blackheath Precinct VTC-BH02—Business Cottages Precinct” and shown by distinctive edging and annotated “VTC-BH02” on Map Panel A.



#### **Blackheath Precinct VTC-BH02—Business Cottages Precinct**

- (2) Consent shall not be granted to development within the Blackheath Precinct VTC-BH02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

A variety of businesses, retailers, tourist-related activities and dwellings are accommodated in traditional Mountains-style cottages surrounded by garden settings.

Existing cottages are restored to maintain the historical value of this prominent location and to provide a visually distinctive backdrop to the neighbouring main street.

**(2) Precinct objectives**

- (a) To maintain and enhance the historically-distinctive pattern of detached cottages that are surrounded by gardens and free-standing garages.
- (b) To accommodate a diverse mix of dwellings, plus retail and other business-related services that service the local community as well as visitors.
- (c) To encourage modest increases in floorspace that are consistent or compatible with the general scale, bulk and architectural character of existing single storey timber-framed cottages.
- (d) To encourage restoration of traditional architectural forms and details for existing early-twentieth century cottages.
- (e) To encourage garden designs that are compatible with the established mix of deciduous and evergreen shrubs and trees throughout the surrounding area.
- (f) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

**3 Building envelope****(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 30 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.
- (c) The height above ground for the lowest habitable floor level shall not exceed 1 metre.
- (d) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

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(2) **Building setback**

- (a) Development shall provide front setbacks consistent with that of adjacent buildings.
- (b) Development shall provide a minimum side boundary setback of 2 metres.
- (c) Development shall provide a minimum rear boundary setback of 6 metres.
- (d) All setback areas shall be landscaped.

(3) **Site coverage**

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

#### 4 Design considerations

(1) **Landscaping, built form and finishes**

- (a) Buildings are to either incorporate the structure or be in the form of existing traditional Mountains cottages. In particular:
  - (i) buildings should be surrounded by landscaped areas, and
  - (ii) buildings should not exceed 18 metres in any dimension, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently-pitched with shady eaves and verandahs, and
  - (v) external walls should include a proportion of painted finishes.
- (b) Any non-residential activities should be accommodated in buildings with a residential scale and character.
- (c) Gardens should provide a backdrop of canopy trees along rear boundaries, plus trees and shrubs scattered through front and side yards.
- (d) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and
  - (ii) should be integrated with the design of surrounding landscaped areas.

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(2) **Amenity and safety**

- (a) Passive surveillance is to be promoted throughout public areas by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.
- (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

(3) **Car parking requirements**

Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

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### Division 3 **Blackheath Precinct VTC-BH03—Highway Business Precinct**

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blackheath Precinct VTC-BH03—Highway Business Precinct” and shown by distinctive edging and annotated “VTC-BH03” on Map Panel A.



#### **Blackheath Precinct VTC-BH03—Highway Business Precinct**

- (2) Consent shall not be granted to development within the Blackheath Precinct VTC-BH03 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

A variety of medium-scale retail and other businesses and tourist-related activities are accommodated in a location that is both visually prominent and highly accessible, serving both the resident community and visitors.

New development promotes a scenically-distinctive highway frontage to the Blackheath village, with landscaped settings that incorporate backdrops of tall canopy trees and distinctively-landscaped front gardens, plus building forms that reflect features of traditional main street shops or landmark guest-houses.

**(2) Precinct objectives**

- (a) To maximise the diversity of retail and other business-related services provided to both the local community and visitors.
- (b) To encourage new development:
  - (i) that benefits from the high-exposure and accessibility of this precinct, and
  - (ii) that is consistent or compatible with the scale and architectural character of existing buildings in neighbouring precincts, and
  - (iii) that protects the amenity of neighbouring residential properties.
- (c) To encourage restoration of traditional architectural forms and details for any existing early-twentieth century buildings.
- (d) To encourage garden designs that complement and extend the established pattern of tall canopy trees located along side and rear boundaries of all properties.
- (e) To provide on-site parking:
  - (i) that is visible from the Highway, and
  - (ii) that provides safe access to and from the Highway, and
  - (iii) that does not visually dominate any property's frontage to the Highway, and
  - (iv) that is integrated with the design of surrounding garden areas.

**3 Building envelope****(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

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- (b) External walls fronting a public place shall be contained within a building envelope projected at 30 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.
- (c) The height above ground for the lowest habitable floor level shall not exceed 1 metre.
- (d) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

#### (2) **Building setback**

- (a) Development shall provide a minimum setback to the Great Western Highway of 6 metres.
- (b) Development shall provide a minimum side boundary setback of 2 metres.
- (c) For development that shares a rear boundary with existing residential development, the development shall provide a minimum rear boundary setback of 6 metres.
- (d) All setback areas shall be landscaped.

#### (3) **Site coverage**

- (a) The maximum site cover for buildings is 55 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 35 per cent of the total allotment area.

## 4 **Design considerations**

### (1) **Active street frontages**

Development facing the Highway is to:

- (a) promote new retail or other business premises along at least 50 per cent of ground level frontages, and
- (b) for all storeys above ground, incorporate balconies or extensive windows, or both.

### (2) **Built form, finishes and landscaping**

- (a) Development is to promote the appearance of traditional mainstreet shop-terraces or traditional Mountains-style guest-houses facing the Highway. In particular:
  - (i) buildings are to provide either traditional shop fronts with overhead awnings or balconies or to display a residential character, with articulated floorplans capped by gently pitched roofs with shady eaves and extensive verandahs, and



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- (ii) all visible facades should display a form and finishes that are consistent with or complementary to the architectural character of traditional buildings dating from the Edwardian-era or the Inter-War period.
  - (b) Gardens should provide a backdrop of canopy trees along rear boundaries, plus scattered trees and shrubs through front and side yards to frame buildings, driveways and parking areas.
  - (c) On-site parking areas:
    - (i) should be located behind buildings and partially concealed from the Highway, and
    - (ii) should be integrated with landscape design of garden areas.
  - (3) **Pedestrian amenity and safety**
    - (a) New retail frontages are to be provided along the Highway to expand the existing town centre pedestrian network.
    - (b) Passive surveillance is to be promoted throughout public areas by appropriate orientation of verandahs, balconies, entrance doors and windows to living rooms or business premises.
  - (4) **Car parking requirements**

Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

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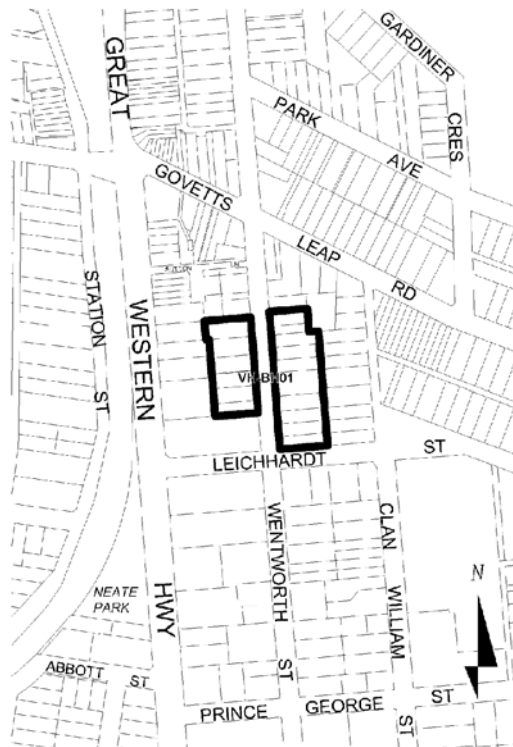
Schedule 1 Locality management within the Villages

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### Division 4 Blackheath Precinct VH-BH01—Wentworth Street Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blackheath Precinct VH-BH01—Wentworth Street Precinct” and shown by distinctive edging and annotated “VH-BH01” on Map Panel A.



#### Blackheath Precinct VH-BH01—Wentworth Street Precinct

- (2) Consent shall not be granted to development within the Blackheath Precinct VH-BH01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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## **2 Desired future character**

### **(1) Precinct vision statement**

A mix of single and multiple-unit dwellings are located close to the town centre, expanding the range of residential accommodation that is available in the Blackheath village.

In order to provide a visually distinctive backdrop to the neighbouring town centre, redevelopments are encouraged to restore existing cottages and retain visually significant elements of established garden settings. New buildings reflect the pattern, scale and architectural style of the traditional Mountains-style cottages.

### **(2) Precinct objectives**

- (a) To maximise the diversity of residential accommodation available in the Blackheath village.
- (b) To promote high levels of residential amenity for both future residents and existing neighbouring properties.
- (c) To maintain and enhance the distinctive existing pattern of detached cottages surrounded by gardens and free-standing garages that:
  - (i) conserve existing trees providing visually significant streetscape features, and
  - (ii) ensure that landscaping complements and extends the established pattern of tall canopy trees that are located primarily along side and rear property boundaries.
- (d) To promote new residential buildings that are consistent or compatible with the scale, bulk and architectural character of existing single-storey houses and cottages.
- (e) To encourage restoration of traditional architectural forms and details for existing early-twentieth century cottages or houses.
- (f) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

## **3 Building envelope**

### **(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) The height above ground for the lowest habitable floor level shall not exceed 1 metre.

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- (c) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

#### (2) **Building setback**

- (a) The setback to Wentworth Street shall be a minimum of 8 metres.
- (b) On corner allotments, the setback to the secondary frontage shall be a minimum of 4 metres.
- (c) Side boundary setbacks shall be a minimum of 2 metres.
- (d) Development located on the western side of Wentworth Street shall provide a minimum rear setback of 2 metres.
- (e) Development located on the eastern side of Wentworth Street shall provide a minimum rear setback of 6 metres.
- (f) All setback areas shall be landscaped.

#### (3) **Site coverage**

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

## 4 **Design considerations**

### (1) **Landscaping, built form and finishes**

- (a) Buildings should incorporate either the structure or be in the traditional form of existing Mountains cottages. In particular:
  - (i) buildings should be surrounded by landscaped areas, and
  - (ii) buildings should not exceed 15 metres in any direction, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently-pitched with shady eaves and verandahs, and
  - (v) external walls should include a proportion of painted finishes.
- (b) Any non-residential activities should be accommodated in buildings with a residential scale and character.
- (c) Gardens should incorporate a backdrop of canopy trees along rear boundaries plus trees and shrubs scattered through front and side yards.
- (d) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and

- 
- (ii) should be integrated with the design of surrounding landscaped areas.

(2) **Amenity and safety**

- (a) Passive surveillance is to be promoted throughout public places by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.
- (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

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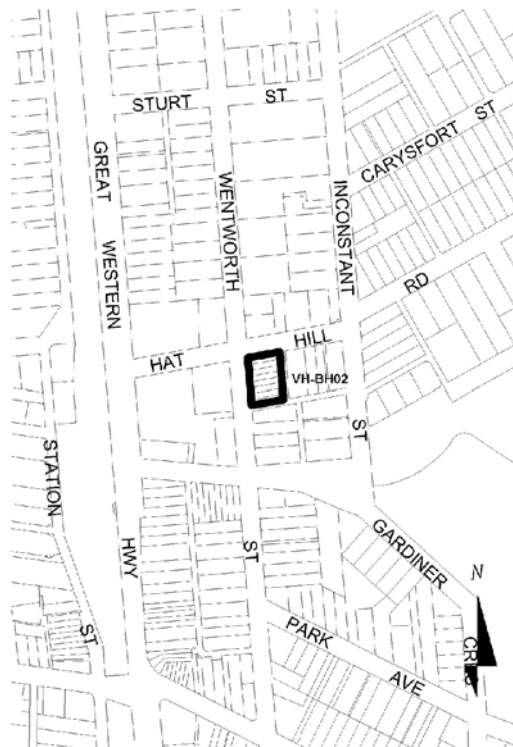
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### Division 5      **Blackheath Precinct VH-BH02—Cnr Hat Hill Road and Wentworth Street Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blackheath Precinct VH-BH02—Cnr Hat Hill Road and Wentworth Street Precinct” and shown by distinctive edging and annotated “VH-BH02” on Map Panel A.



#### **Blackheath Precinct VH-BH02—Cnr Hat Hill Road and Wentworth Street Precinct**

- (2) Consent shall not be granted to development within the Blackheath Precinct VH-BH02—Cnr Hat Hill Road and Wentworth Street unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

- 
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

Alternative forms of housing are provided within a landscaped setting that is in sympathy with the park opposite. The housing contributes to meeting housing demand in accordance with changing demographics within the Blue Mountains.

### **(2) Precinct objectives**

- (a) To provide alternative housing forms in convenient locations.
- (b) To present urban forms that incorporate appropriate energy efficiency measures.
- (c) To promote urban design that is reflective and sympathetic to traditional built forms characteristic of residential development within the locality.
- (d) To provide active street frontages to primary streets.
- (e) To contribute to a range of housing options and a variety of dwelling sizes.
- (f) To ensure landscaping is incorporated within the design of development, reflecting the garden character of the locality.
- (g) To ensure on-site car parking does not dominate the design or layout of buildings.

## **3 Building envelope**

### **(1) Building height**

Buildings shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

### **(2) Building setback**

The minimum setback from the street frontage is 4.5 metres.

### **(3) Site coverage**

- (a) The maximum site coverage for each allotment is 50 per cent.
- (b) The minimum pervious area required for each allotment is 40 per cent.

### **(4) Development density**

The maximum floor space ratio for development is 1:1.

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### **4 Design considerations**

- (1) Development shall provide articulation and building modulation in order to minimise the bulk of buildings.
- (2) Development is to provide active street frontage to the primary street.
- (3) Development is to provide landscaping along the street frontages that is reflective of plantings along Wentworth Street.
- (4) Garages and car parking are to be screened from public streets and located internally so as not to dominate the streetscape and layout of design.



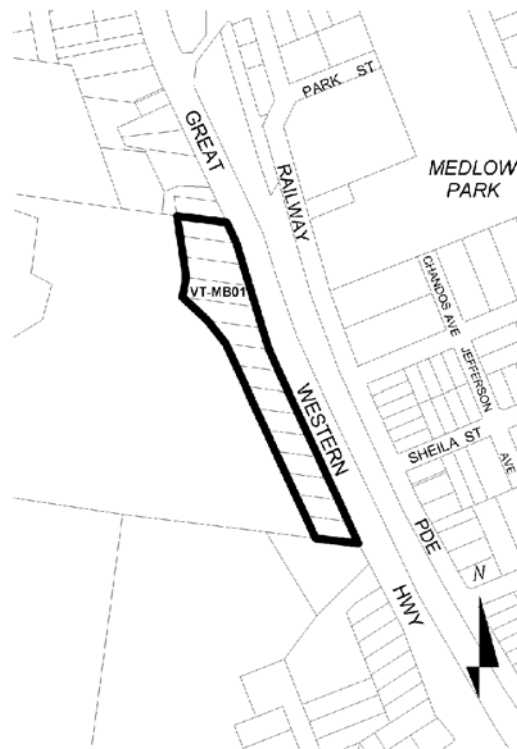
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## Part 3 Medlow Bath Village

### Division 1 Medlow Bath Precinct VT-MB01—Great Western Highway, Medlow Bath Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Medlow Bath Precinct VT-MB01—Great Western Highway, Medlow Bath Precinct” and shown by distinctive edging and annotated “VT-MB01” on Map Panel A.



**Medlow Bath Precinct VT-MB01—Great Western Highway, Medlow Bath Precinct**

- (2) Consent shall not be granted to development within the Medlow Bath Precinct VT-MB01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and

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- (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.
- (3) Consent must not be granted unless the consent authority has considered a heritage impact assessment and conservation management plan that proposes measures to minimise the impact of development on the Hydro Majestic and its grounds.

#### **2 Desired future character**

##### **(1) Precinct vision statement**

The area is characterised by the historical association of the site with the Hydro Majestic and the development of associated tourist and highway uses. The area has views over Megalong Valley and is constrained by the presence of the escarpment on the south-western boundary.

Future development responds to the environmental constraints imposed by the precinct's location and maintains the dominance of the Hydro Majestic. Tourist uses are consolidated and the area is promoted as a predominant tourist attraction within the Blue Mountains.

##### **(2) Precinct objectives**

- (a) To encourage development that complements and is sympathetic to the heritage significance of the Hydro Majestic.
- (b) To encourage development that maintains the Hydro Majestic as the predominant feature in this precinct.
- (c) To minimise the impact of development on escarpment areas.

#### **3 Building envelope**

##### **(1) Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

##### **(2) Building setback**

The minimum front setback is 10 metres.

##### **(3) Site coverage**

The maximum site coverage for any development is not to exceed 35 per cent.

##### **(4) Development density**

The maximum floor space ratio for development is 0.4:1.

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**4 Design considerations**

- (1) Appropriate landscaping shall be provided within the front setback.
- (2) The existing mature vegetation on site (*Pinus radiata*) is to be retained.
- (3) Front facades shall address the street and be well articulated through the provision of doors, windows, verandahs, etc.
- (4) Building height and roof pitch are to be varied in order to minimise the bulk of buildings.
- (5) Tree planting should be consistent with existing vegetation within the area, ie exotic landscaped gardens.
- (6) The development shall be constructed of non-reflective, muted colours that do not undermine the visual dominance of the Hydro Majestic Hotel when viewed from Megalong Valley.

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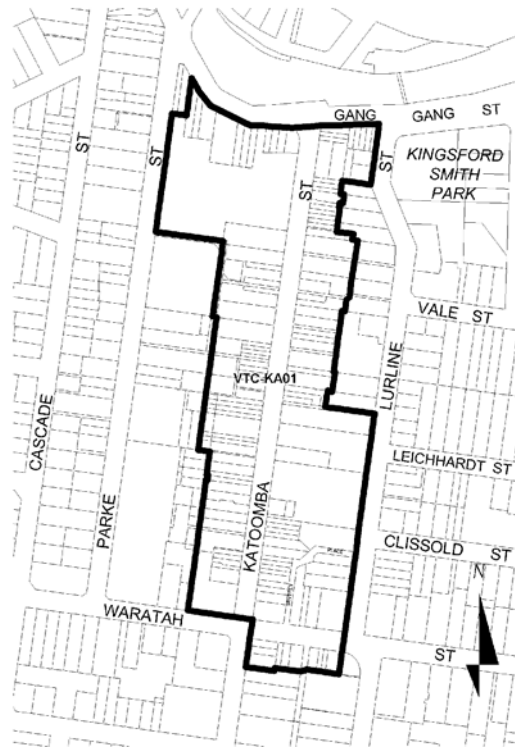
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### Part 4 Katoomba Village

#### Division 1 Katoomba Precinct VTC-KA01—Katoomba Street and Bathurst Road Shopping Strip Precinct

##### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VTC-KA01—Katoomba Street and Bathurst Road Shopping Strip Precinct” and shown by distinctive edging and annotated “VTC-KA01” on Map Panel A.



**Katoomba Precinct VTC-KA01—Katoomba Street and Bathurst Road Shopping Strip Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VTC-KA01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and

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- (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

A traditional shopping strip in a distinct environmental setting, the precinct will accommodate a diverse mix of traditional “Town Centre” uses, including residential uses, serving both the local community and tourists alike.

Exhibiting high levels of pedestrian amenity, convenience and safety, the precinct will function as the most active and vibrant part of the Katoomba Village, with shops and other premises trading for extended hours, over evenings and on weekends.

Future development will maintain a streetscape that is generally two and three storeys in scale, conserves and celebrates built heritage and period items and is represented by a near continuous row of separate and narrow shop-fronts. New development will also generate active street frontages to all public areas including both Pioneer and Pryor Places.

### **(2) Precinct objectives**

- (a) To promote a diversity of retailing, commercial, community, cultural and residential uses that serve the community, business and tourists.
- (b) To promote a built form and scale that is consistent with that of the existing and adjacent streetscape.
- (c) To conserve buildings with heritage significance and protect the identified heritage value and character of other buildings in the precinct.
- (d) To promote active street frontages to all roads, lanes, footpaths and public areas.
- (e) To enhance pedestrian linkages within the Katoomba Village.

## **3 Building envelope**

### **(1) Building height**

- (a) Buildings are not to exceed a maximum building height of 11 metres.
- (b) Notwithstanding paragraph (a), where adjacent buildings have a building height greater than 11 metres, the consent authority may grant consent to development resulting in a building height that does not exceed 13 metres.

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- (c) When considering development in accordance with paragraph (b), the consent authority shall take into account the height of the adjacent buildings and the effect of any height variation on the amenity of the streetscape.

#### (2) **Building setback**

##### (a) **Primary street frontage setback:**

- (i) Buildings are to have a setback of 0 metre.
- (ii) Notwithstanding subparagraph (i), when there is a front building line established by adjacent buildings, new development may provide a setback consistent with that adjacent setback.

##### (b) **Side boundary setbacks:**

- (i) Buildings are to have a setback of 0 metre.
- (ii) Notwithstanding subparagraph (i), where the side boundary adjoins a public road, laneway or public place, setbacks greater than 0 metre may be considered, but only where it can be demonstrated that an active frontage will be provided.

#### (3) **Development density**

- (a) The maximum floor space ratio for development is 1.5:1.
- (b) Notwithstanding paragraph (a), additional floor space allowances, until a combined maximum floor space ratio of 2:1 is achieved, will be considered for development that provides any one or more of the following to the satisfaction of the consent authority:
  - (i) significantly enhanced public domain,
  - (ii) significantly enhanced pedestrian amenity,
  - (iii) public places and plazas,
  - (iv) residential uses, where the residential component provides a minimum of 65 per cent of the additional floor space allowance.

## 4 **Design considerations**

### (1) **Active street frontages**

- (a) Visible retail or commercial activity along the entire length of primary street frontages to Katoomba Street, Bathurst Road and Waratah Street.
- (b) Secondary frontages to a public road, laneway or public place shall provide a visible and active street frontage distributed along a minimum of 65 per cent of that frontage.

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(2) **Built form and finishes**

- (a) Development fronting Katoomba Street, Waratah Street and Bathurst Road shall have regard to the following design elements:
- (i) narrow terraced building forms,
  - (ii) symmetrically proportioned principal facades,
  - (iii) pitched roof lines,
  - (iv) stepping parapets,
  - (v) predominantly masonry walls with piers or panels of contrasting materials or finishes,
  - (vi) windows and window frames that are consistent with period buildings,
  - (vii) cantilevered metal awnings with flush front fascias,
  - (viii) all visible walls shall be articulated with appropriate design elements.
- (b) Signage shall be coordinated with shop front design.
- (c) Buildings fronting Lurline Street shall present a frontage compatible with the existing residential streetscape.

(3) **Pedestrian amenity and safety**

- (a) Provide continuous overhead awnings, where achievable, along the length of a frontage to a street, laneway or public place.
- (b) Incorporate appropriate levels of lighting to all on-site pedestrian areas. All light fittings will have a form and character consistent with that of the building.
- (c) On-site car parking shall not be accessed from Katoomba Street or Waratah Street.

(4) **Car parking requirements**

- (a) Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.
- (b) Notwithstanding paragraph (a), the consent authority shall not require strict compliance with that part of the Council's *Better Living DCP* referred to in paragraph (a) where it can be demonstrated, to the satisfaction of the consent authority, that:
- (i) the development seeks the reuse of existing abandoned floor space, or
  - (ii) the development provides additional gross floor areas of less than 150 square metres.

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### Division 2      **Katoomba Precinct VTC-KA02—District Retail Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VTC-KA02—District Retail Precinct” and shown by distinctive edging and annotated “VTC-KA02” on Map Panel A.



#### **Katoomba Precinct VTC-KA02—District Retail Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VTC-KA02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.



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**2 Desired future character****(1) Precinct vision statement**

Serving as the core area for district-scale retailing facilities, this precinct will see increases in commercial floor space in response to increasing retailing demands for upper mountains residents.

Future development is represented in well designed, multi-level buildings of a more contemporary form. Building designs will incorporate stronger interfaces with Parke and Waratah Streets, represented by active street frontages and prominent building entries.

The precinct provides an enhanced public domain that offers high levels of accessibility to both pedestrians and vehicles, but minimises conflicts between the two. The precinct will be well served by vehicle parking and heavy vehicle access, however neither will be visually prominent elements.

**(2) Precinct objectives**

- (a) To promote the location of district-scale shopping facilities and services within this precinct.
- (b) To encourage a built form that exhibits a high quality urban design.
- (c) To enhance pedestrian linkages with adjacent precincts.
- (d) To provide for efficient management of vehicular access, parking and loading.
- (e) To minimise conflicts between pedestrians and vehicles.
- (f) To minimise vehicle access points from Parke and Waratah Streets.
- (g) To provide strong interfaces with Parke and Waratah Streets.

**3 Building envelope****(1) Building height**

Buildings shall not exceed a maximum building height of 15 metres.

**(2) Building setback**

- (a) Buildings with a frontage to Parke and Waratah Streets are to have a setback of 0 metre to that frontage.
- (b) Notwithstanding paragraph (a), setbacks greater than 0 metre may be considered, but only where it can be demonstrated that:
  - (i) the increased setback forms part of a building entry, and
  - (ii) the setback incorporates an active street frontage.

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(3) **Development density**

- (a) The maximum floor space ratio for development is 2:1.
- (b) Notwithstanding paragraph (a), additional floor space allowances, until a combined maximum floor space ratio of 3:1 is achieved, will be considered for development that provides any one or more of the following to the satisfaction of the consent authority:
  - (i) significantly enhanced public domain,
  - (ii) significantly enhanced pedestrian amenity,
  - (iii) public places and plazas,
  - (iv) residential uses where the residential component provides a minimum of 65 per cent of the additional floor space.

#### 4 Design considerations

(1) **Active street frontages**

- (a) Visible retail or other commercial activity along a minimum of 50 per cent of a frontage to a public road (except Pioneer Place) or pathway.
- (b) Visible retail or other commercial activity along a minimum of 65 per cent of a frontage to Pioneer Place.

(2) **Built form and finishes**

- (a) Long elevations shall present varied heights and forms.
- (b) Visible walls shall not be left blank, unadorned or unarticulated.
- (c) Roof forms should conceal mechanical plant and equipment and will present well when viewed from adjacent buildings, private open space and public areas.
- (d) The design of parking and heavy vehicle loading and manoeuvring areas shall minimise visual impact when viewed from public streets and places.

(3) **Pedestrian amenity and safety**

- (a) Awnings or colonnades over the entire length of public footpaths and pedestrian areas.
- (b) Paths and plaza areas that minimise conflicts between vehicles and pedestrians.
- (c) Clear sight lines along the entire length of a pedestrian area.
- (d) Incorporate appropriate levels of lighting to all pedestrian areas. All light fittings will have a form and character that is consistent with that of the building.

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**(4) Parking and vehicular access**

- (a) The provision of parking spaces in accordance with the relevant part of the Council's *Better Living DCP*.
- (b) No additional vehicular access points shall be permitted off Parke or Waratah Streets.
- (c) Primary access to parking shall be off Parke Street.
- (d) The demonstration of safe and efficient heavy vehicle loading and manoeuvring areas.

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### Division 3      **Katoomba Precinct VTC-KA03—Waratah Commercial Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VTC-KA03—Waratah Commercial Precinct” and shown by distinctive edging and annotated “VTC-KA03” on Map Panel A.



#### **Katoomba Precinct VTC-KA03—Waratah Commercial Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VTC-KA03 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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## **2 Desired future character**

### **(1) Precinct vision statement**

Defining the southern edge of the town centre, this precinct serves as a transition between the retail core and adjacent residential areas. It accommodates a mix of land uses including lower order retail activities, but is characterised by a predominance of commercial and community activities.

The form and scale of new development will respond to the topography of the site, will reflect the mix of residential and commercial uses and will generally be characterised by one and two-storey scale buildings.

Traffic is managed efficiently and minimises conflicts with vehicles utilising the precinct to the north.

### **(2) Precinct objectives**

- (a) To promote and maintain a mix of commercial, retail, residential and community uses that reinforce and support the role of the Katoomba village.
- (b) To encourage infill development that is consistent with the existing traditional streetscape character of Katoomba Street.
- (c) To encourage development that reinforces the existing site topography.
- (d) To protect the amenity of adjacent residential areas.
- (e) To provide for the efficient management of vehicular access, parking and loading.
- (f) To provide active street frontages to all public streets and pedestrian areas.

## **3 Building envelope**

### **(1) Building height**

Buildings are not to exceed a maximum building height of 8 metres.

### **(2) Building setback**

Buildings with a frontage to Waratah or Katoomba Street are to have a setback of 0 metre.

### **(3) Development density**

- (a) The maximum floor space ratio for development is 1:1.

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- (b) Notwithstanding paragraph (a), additional floor space allowances, until a combined maximum floor space ratio of 1.5:1 is achieved, will be considered for development that incorporates residential uses, where the residential component provides a minimum of 65 per cent of the additional floor space allowance.

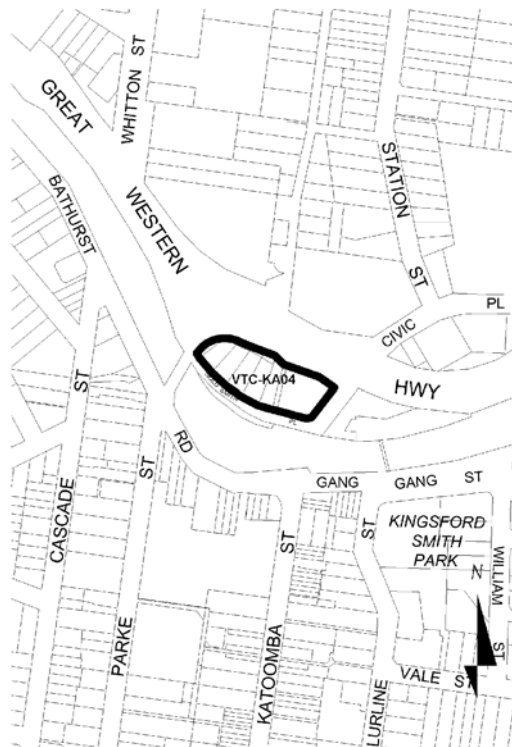
#### **4 Design considerations**

- (1) Development shall respond to the topography of the site and step down the slope.
- (2) Visible walls shall not be left blank, unadorned or unarticulated.
- (3) Development shall present visible retail or other commercial activity along a minimum of 65 per cent of a frontage to Waratah and Katoomba Streets.
- (4) Development fronting streets, laneways or public places shall provide continuous overhead awnings along the length of that frontage.
- (5) The design of parking and heavy vehicle loading and manoeuvring areas shall minimise visual impact when viewed from public streets and places.

## Division 4      **Katoomba Precinct VTC-KA04—Katoomba Town Approach Precinct**

### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VTC-KA04—Katoomba Town Approach Precinct” and shown by distinctive edging and annotated “VTC-KA04” on Map Panel A.



**Katoomba Precinct VTC-KA04—Katoomba Town Approach Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VTC-KA04 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

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- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## 2 Desired future character

### (1) Precinct vision statement

Located adjacent to the primary road and rail corridors, this precinct will experience substantial redevelopment of sites and will operate as both a “gateway” and transport interchange for the Katoomba Village. New development will support this gateway role by presenting urban design of the highest quality that contributes to a positive first experience of Katoomba. This, together with a mix of land uses that support the role of the town centre, will entice passing traffic to enter the town.

Trading over extended hours, development will provide passive surveillance and improved public safety and amenity.

The precinct’s interchange role will be supported by ample provision of commuter car parking, coach parking and convenient pedestrian access to the town centre. Whilst offering high levels of accessibility to both pedestrian and vehicles, potential conflicts between the two will be minimised.

### (2) Precinct objectives

- (a) To promote urban forms of the highest design quality and incorporate strong “gateway” and “town entry” urban design elements.
- (b) To encourage a mix of land uses that support and contribute to the role of the Katoomba village.
- (c) To promote the economic viability of the Katoomba village.
- (d) To promote the efficient operation of the precinct as a transport interchange.
- (e) To minimise conflicts between pedestrians and vehicles.
- (f) To promote pedestrian linkages to Yeaman’s Bridge and through the railway underpass.
- (g) To maintain important views to the town centre of Katoomba.

## 3 Building envelope

### (1) Building height

- (a) Buildings shall not exceed a maximum building height of 10 metres, except as provided in paragraph (b).



- (b) Notwithstanding paragraph (a), the consent authority may permit a maximum building height of 20 metres for a part of a building that presents a frontage directly to the Great Western Highway, if the area of the part of the building that exceeds 10 metres is not more than 40 per cent of the total site coverage.

(2) **Building setback**

- (a) Buildings fronting Goldsmith Place are to have a setback of 0 metre to that frontage.
- (b) Notwithstanding paragraph (a), setbacks greater than 0 metre may be considered, but only where it can be demonstrated that the setback incorporates active street frontages.

(3) **Development density**

- (a) The maximum floor space ratio for development is 1.5:1.
- (b) Notwithstanding paragraph (a), additional floor space allowances, until a combined maximum floor space ratio of 2.1 is achieved, will be considered for development that provides any one or more of the following to the satisfaction of the consent authority:
  - (i) significantly enhanced public domain,
  - (ii) significantly enhanced pedestrian amenity,
  - (iii) public places and plazas.

**4 Design considerations**

(1) **Active street frontages**

Visible and interactive uses distributed regularly along 65 per cent of its frontage to Goldsmith Place.

(2) **Built form and finishes**

- (a) Long elevations shall present varied heights and forms.
- (b) Visible walls shall not be left blank, unadorned or unarticulated.
- (c) Roof forms shall conceal mechanical plant and equipment and will present well when viewed from adjacent development.
- (d) Gateway or entry statements at the corner and frontage of the Great Western Highway and Yeaman's Bridge.
- (e) All parking areas and delivery docks shall be concealed from public view.

(3) **Pedestrian amenity and safety**

- (a) Awnings or colonnades over the entire length of public footpaths and pedestrian areas.

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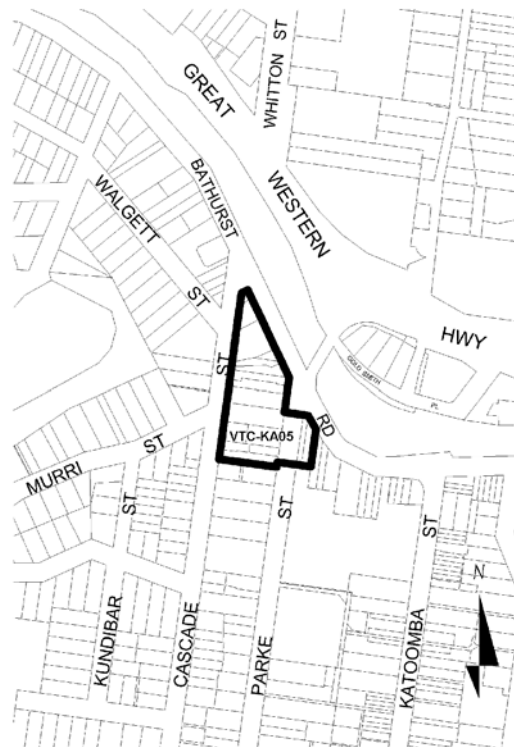
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- (b) Pathways that minimise conflicts between vehicles and pedestrians.
  - (c) Clear sight lines along pedestrian areas.
  - (d) Appropriate levels of lighting to all pedestrian areas. All light fittings will have a form and character that is consistent with that of the building.
  - (e) Public pedestrian access between Yeaman's Bridge and Goldsmith's Place, where development provides a frontage to both places.
- (4) **Car parking requirements**
- (a) Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.
  - (b) Notwithstanding paragraph (a), the consent authority shall not require strict compliance with that part of the Council's *Better Living DCP* referred to in paragraph (a) where it can be demonstrated, to the satisfaction of the consent authority, that:
    - (i) the development seeks the reuse of existing abandoned floor space, or
    - (ii) the development provides additional gross floor area of less than 150 square metres.

## Division 5      **Katoomba Precinct VTC-KA05—Katoomba Town Entry Precinct**

### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VTC-KA05—Katoomba Town Entry Precinct” and shown by distinctive edging and annotated “VTC-KA05” on Map Panel A.



### **Katoomba Precinct VTC-KA05—Katoomba Town Entry Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VTC-KA05 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2    Desired future character**

**(1)    Precinct vision statement**

This precinct derives its prominence from its town entry position and associated visibility from Yeaman's Bridge, Bathurst Road and Parke Street. New development provides high quality entry statements and contributes to the definition of Katoomba as a town with a unique character defined by its historic built form and environmental setting.

This precinct will support the viability of the town's core retail areas by providing a mix of land uses including commercial, residential and retailing opportunities.

Future development will provide a streetscape that is generally two storeys in scale, conserves and celebrates built heritage and period items, and is represented by a near continuous row of separate shop-buildings on narrow-fronted allotments. Traffic management measures are provided to facilitate ready vehicle access to the town centre.

**(2)    Precinct objectives**

- (a) To enhance the entry to Katoomba and reflect the unique characteristics of the town centre.
- (b) To promote urban forms that are appropriate to the prominence of the location and that demonstrate urban design outcomes of the highest quality.
- (c) To conserve buildings with historic value and ensure infill development complements the character of the existing historic buildings.
- (d) To encourage a mix of land uses that reinforce and support the activities of the town centre.
- (e) To promote efficient vehicle movement to and from Yeaman's Bridge.
- (f) To enhance pedestrian linkages with other precincts in the Katoomba village.

**3    Building envelope**

**(1)    Building height**

- (a) Buildings are not to exceed a maximum building height of 11 metres.
- (b) Notwithstanding paragraph (a), where adjacent buildings have a building height greater than 11 metres, then a maximum building height of 13 metres may be considered.

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(2) **Building setback**

- (a) Buildings are to have a setback of 0 metre to the primary street frontage.
- (b) Buildings shall extend across the full width of the primary street frontage.

(3) **Development density**

- (a) The maximum floor space ratio for development is 1.5:1.
- (b) Notwithstanding paragraph (a), additional floor space allowances, until a combined maximum floor space ratio of 2:1 is achieved, will be considered for development that provides any one or more of the following to the satisfaction of the consent authority:
  - (i) significantly enhanced public domain,
  - (ii) significantly enhanced pedestrian amenity,
  - (iii) public places and plazas,
  - (iv) residential uses where the residential component provides a minimum of 65 per cent of the additional floor space allowance.

**4 Design considerations**

(1) **Active street frontages**

- (a) Visible retail or other commercial activity along the entire length of primary street frontages.
- (b) Secondary frontages to a public road, laneway or public place shall provide a visible and active street frontage distributed along a minimum of 65 per cent of that frontage.

(2) **Built form and finishes**

- (a) Development fronting Parke Street and Bathurst Road shall have regard to the following design elements:
  - (i) narrow terraced building forms,
  - (ii) symmetrically proportioned principal facades,
  - (iii) pitched roof lines,
  - (iv) stepping parapets,
  - (v) predominantly masonry walls with piers or panels of contrasting materials or finishes,
  - (vi) windows and window frames that are consistent with period buildings,
  - (vii) cantilevered metal awnings with flush front fascias,

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- (viii) all visible walls articulated with appropriate design elements.
    - (b) Signage shall be coordinated with shop-front design.
  - (3) **Pedestrian amenity and safety**
    - (a) Provides continuous overhead awnings along the length of a frontage to a street, laneway or public place.
    - (b) Incorporates appropriate levels of lighting to all pedestrian areas. All light fittings will have a form and character consistent with that of the building.
    - (c) On-site car parking shall not be accessed directly from Bathurst Road.
  - (4) **Car parking requirements**
    - (a) Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.
    - (b) Notwithstanding paragraph (a), the consent authority shall not require strict compliance with that development control plan where it can be demonstrated, to the satisfaction of the consent authority, that:
      - (i) the development seeks the reuse of existing abandoned floor space, and
      - (ii) the development provides additional gross floor areas of less than 150 square metres.

## Division 6      Katoomba Precinct VT-KA01—Lurline Street South Precinct

### 1      Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VT-KA01—Lurline Street South Precinct” and shown by distinctive edging and annotated “VT-KA01” on Map Panel A.



### Katoomba Precinct VT-KA01—Lurline Street South Precinct

- (2) Consent shall not be granted to development within the Katoomba Precinct VT-KA01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2 Desired future character**

**(1) Precinct vision statement**

This location presents a range of tourist related uses that contribute to the visitor experience by providing an interesting and interactive streetscape. Development retains a generally single storey scale and reflects traditional architectural features of the historic built form within this precinct.

**(2) Precinct objectives**

- (a) To encourage a range of land uses that reinforce this location's historical association with tourist related activities.
- (b) To maintain the existing scale of built form that is predominant in this location.
- (c) To promote development that is sympathetic to the historical buildings within this precinct.
- (d) To promote pedestrian related uses on street frontages that reinforce the tourist walk linkage between Katoomba Town Centre and Echo Point.

**3 Building envelope**

**(1) Building height**

- (a) Buildings are to have a maximum building height of 6.5 metres and a maximum height at eaves of 4.5 metres.
- (b) Notwithstanding paragraph (a), the consent authority may allow an increase in building height, but only where it is satisfied that the building:
  - (i) is located within an area that has a 2 storey residential character, and
  - (ii) incorporates a design that minimises its apparent bulk when viewed from the street, and
  - (iii) provides for a roof form and pitch that is consistent with the predominant form of traditional housing stock within the surrounding area, and
  - (iv) does not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

**(2) Building setback**

The minimum setback for a front wall of a building or carport, for a non-residential land use, is 3 metres.

**(3) Development density**

The maximum floor space ratio for development is 0.4:1.



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**4 Design considerations**

- (1) Development shall provide active street frontages.
- (2) Buildings shall incorporate a form and finish that are consistent with, or complementary to, the periods and architectural character of adjoining buildings.
- (3) Visible walls shall not be left blank, unadorned or unarticulated.
- (4) Commercial signage shall be co-ordinated to reflect a village character, with local design themes predominating over corporate signage.
- (5) Parking shall be concealed or be located behind “active” or “inhabited” building frontages.

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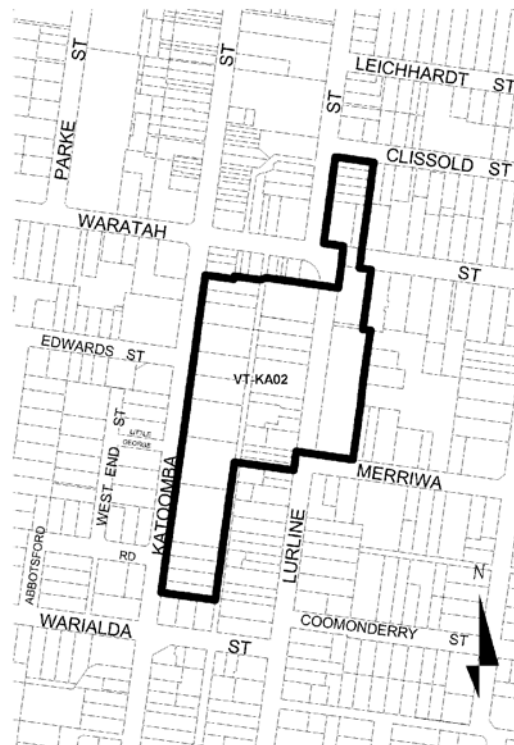
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### Division 7      **Katoomba Precinct VT-KA02—Lurline Street North Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VT-KA02—Lurline Street North Precinct” and shown by distinctive edging and annotated “VT-KA02” on Map Panel A.



#### **Katoomba Precinct VT-KA02—Lurline Street North Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VT-KA02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

Development consolidates the higher density built form and tourist land uses within this area. The consolidation of land uses assists in providing a connection between the Katoomba town centre and Echo Point. Built form is of a comparatively denser scale and takes advantage of the unique views available to the east over the Jamison Valley. Architectural detailing reflects forms and finishes present in the historic guesthouses and flat buildings typical in and around Lurline Street.

**(2) Precinct objectives**

- (a) To encourage development that complements the existing built form and that responds to the topography of the location.
- (b) To encourage active street frontages that enhance pedestrian amenity.
- (c) To promote pedestrian linkages to the town centre.

**3 Building envelope****(1) Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

**(2) Building setback**

Front setbacks shall be consistent with setbacks of adjoining properties.

**(3) Site coverage**

The maximum site coverage of any building shall not exceed 50 per cent of the total site area.

**(4) Development density**

The maximum floor space ratio for development is 0.8:1.

**4 Design considerations**

- (1) View sharing principles between the proposed development and existing surrounding development are to be adhered to.
- (2) The ability to provide for basement car parking.
- (3) The potential for through-site pedestrian links to improve permeability of the area.
- (4) Development shall provide active street frontages.

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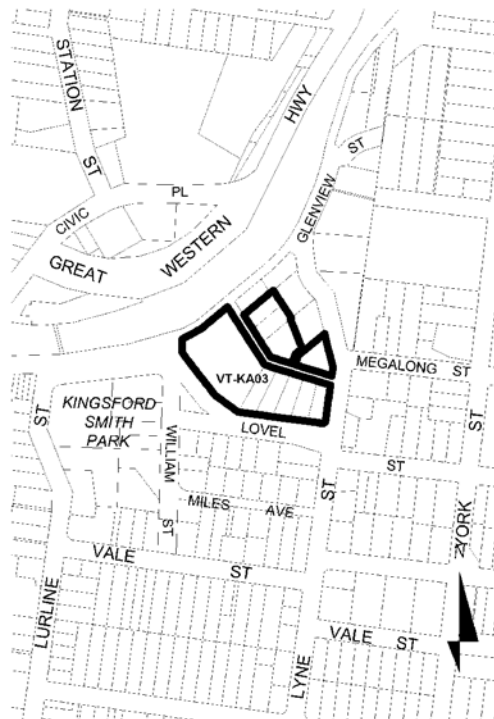
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- (5) Buildings shall incorporate a form and finish that are consistent with, or complementary to the periods and architectural character of adjoining buildings.
  - (6) Visible walls shall not be left blank, unadorned or unarticulated.
  - (7) Commercial signage shall be co-ordinated to reflect a village character.
  - (8) Local design themes are to predominate over corporate signage.
  - (9) Parking shall be concealed or be located behind “active” or “inhabited” building frontages.

## Division 8      **Katoomba Precinct VT-KA03—Gang Gang Street East Precinct**

### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VT-KA03—Gang Gang Street East Precinct” and shown by distinctive edging and annotated “VT-KA03” on Map Panel A.



### **Katoomba Precinct VT-KA03—Gang Gang Street East Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VT-KA03 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2 Desired future character****(1) Precinct vision statement**

Situated on one of the highest points in Katoomba and with expansive views to the Jamison Valley, development on this site reinforces the historically significant tradition of guesthouse accommodation within the precinct. Development is responsive to the historic significance of buildings within the precinct and provides for a transition of building scale, with reduced scale toward the land in the Living—Bushland Conservation zone to the north. The commanding presence of the built form within a landscape setting is maintained and there are strong pedestrian linkages between the precinct and the town centre. Period features are retained. Any additions to the existing buildings are consistent with the historic architectural themes.

**(2) Precinct objectives**

- (a) To encourage development that complements the existing diverse built form and retains the landscaped setting.
- (b) To ensure that development maintains and complements the heritage-significant site.
- (c) To encourage active street frontages that enhance pedestrian amenity.
- (d) To promote pedestrian linkages to the town centre.

**3 Building envelope****(1) Building height**

- (a) Buildings to the south of Penault Avenue shall not exceed a maximum building height of 13.5 metres or a maximum height at eaves of 12 metres.
- (b) Buildings to the north of Penault Avenue shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

**(2) Building setback**

- (a) The minimum setback from the Gang Gang Street boundary of the precinct shall be consistent with that established by existing development.
- (b) The minimum setback from the southern frontage of Penault Avenue is 2 metres.
- (c) The minimum setback from the northern frontage of Penault Avenue is 8 metres.
- (d) The minimum setback from the precinct boundary adjoining Glenview Street is 3 metres.

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(3) **Site coverage**

The maximum site coverage for buildings shall not exceed 50 per cent of the total site area.

(4) **Development density**

The maximum floor space ratio for development south of Penault Avenue is 0.7:1.

**4 Design considerations**

- (1) Consent is not to be granted for development of land south of Penault Avenue unless the consent authority has considered a detailed heritage impact assessment and conservation management plan for that land.
- (2) Consent is not to be granted for development of land north of Penault Avenue unless the consent authority has considered a heritage assessment prepared for the purpose of ensuring that future development complements the significant heritage items to the south of Penault Avenue.
- (3) Development shall retain and enhance the landscape setting of buildings fronting Gang Gang Street, with terraced gardens and paths extending down to street level.
- (4) Buildings shall incorporate a form and finish that are consistent with, or complement the periods and architectural character of adjoining buildings.
- (5) Walls that are visible from any public road or the transport corridor shall not be left blank, unadorned or unarticulated.
- (6) Commercial signage shall be non-obtrusive and complement the historical character of the precinct.
- (7) Parking shall be located off Penault Avenue.
- (8) Existing landscaping within the building setback to the north of Penault Avenue will be retained or enhanced as part of any development proposal.

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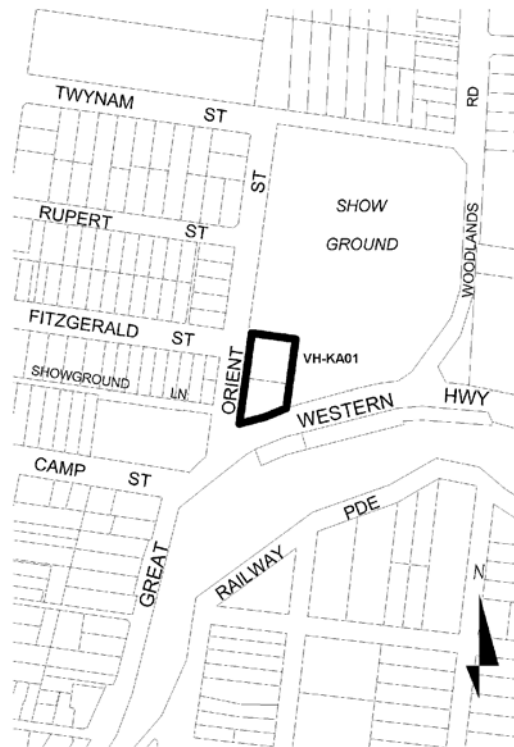
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### Division 9      **Katoomba Precinct VH-KA01—Cnr Orient Street and Great Western Highway Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VH-KA01—Cnr Orient Street and Great Western Highway Precinct” and shown by distinctive edging and annotated “VH-KA01” on Map Panel A.



#### **Katoomba Precinct VH-KA01—Cnr Orient Street and Great Western Highway Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VH-KA01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and



- 
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2 Desired future character**

**(1) Precinct vision statement**

Development presents a high quality urban design responsive to both the topography of the site and the site's location as part of the eastern approach to Katoomba. The site contributes to the improvement of the amenity and presentation of the eastern approach to Katoomba.

**(2) Precinct objectives**

- (a) To promote well designed development that addresses the Great Western Highway.
- (b) To consolidate the urban form by encouraging development that contributes to the improvement of the presentation of the eastern entry to Katoomba.
- (c) To contribute to the creation of alternative housing forms in close proximity to services and transport.
- (d) To ensure pedestrian amenity and access to and within the site is incorporated within the design of proposed development.
- (e) To ensure proposed development incorporates landscape elements that respond to the prominent location of the site.
- (f) To ensure that on-site car parking does not dominate the design or the layout of buildings.

**3 Building envelope**

**(1) Building height**

- (a) Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) Notwithstanding paragraph (a), buildings immediately fronting the Great Western Highway are not to exceed a maximum building height of 6.5 metres or a maximum height at eaves of 4.5 metres.

**(2) Building setback**

The minimum setback from the Great Western Highway is 8 metres.

**(3) Development density**

The maximum floor space ratio for development is 0.6:1.

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### 4 Design considerations

- (1) Development is to address the Great Western Highway and Orient Street through the provision of windows, doors, gables, awnings and the like along these frontages.
- (2) Tree plantings, such as Golden Ash (*Fraxinus aurea*), or alternative deciduous species approved by the consent authority, are to be provided within the front building setback of allotments that front the Great Western Highway to enhance the eastern entry to Katoomba.
- (3) Filtered views are to be provided from the living areas of dwellings over Katoomba Showground where possible.
- (4) Garages and car parking are to be screened from public streets and located internally so as not to dominate the design or layout of development.

## Division 10      **Katoomba Precinct VH-KA02—Great Western Highway Precinct**

### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VH-KA02—Great Western Highway Precinct” and shown by distinctive edging and annotated “VH-KA02” on Map Panel A.



### **Katoomba Precinct VH-KA02—Great Western Highway Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VH-KA02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2 Desired future character**

**(1) Precinct vision statement**

This location provides opportunities for the provision of urban housing in a form that positively contributes to the eastern approach to Katoomba and incorporates distinctive tree planting.

**(2) Precinct objectives**

- (a) To promote well designed development that addresses the Great Western Highway through articulation of front facades.
- (b) To consolidate the urban form by encouraging development that reflects and is sympathetic to the examples of distinctive mountain cottages that are characteristic of this area.
- (c) To contribute to the creation of alternative housing forms in close proximity to services and transport.
- (d) To ensure that pedestrian amenity and access to and within the site is incorporated within the design of proposed development.
- (e) To ensure that proposed development incorporates landscape elements that respond to the prominent location of the site.
- (f) To ensure that on-site car parking does not dominate the design or the layout of buildings.

**3 Building envelope**

**(1) Building height**

- (a) Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) Notwithstanding paragraph (a), buildings immediately fronting the Great Western Highway are not to exceed a maximum building height of 6.5 metres or a maximum height at eaves of 4.5 metres.

**(2) Building setback**

The minimum setback from the Great Western Highway is 10 metres.

**(3) Development density**

The maximum floor space ratio for development is 0.6:1.

**4 Design considerations**

- (1) The existing dwelling houses (excluding sheds and buildings ancillary to the dwelling house) shall be retained and restored as part of the redevelopment of the site.

- 
- (2) Tree plantings such as Golden Ash (*Fraxinus aurea*), or alternative species approved by the consent authority, are to be provided within the front building setback of allotments that front the Great Western Highway to enhance the eastern entry to Katoomba.
  - (3) Development is to provide an active street frontage to Edwin and Bowling Green Avenues.

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### Division 11      **Katoomba Precinct VH-KA03—Dora Street Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VH-KA03—Dora Street Precinct” and shown by distinctive edging and annotated “VH-KA03” on Map Panel A.



#### **Katoomba Precinct VH-KA03—Dora Street Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VH-KA03 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

Alternative forms of housing are provided in close proximity to community uses and Katoomba town centre whilst retaining the older (pre-1946) houses within the Protected Area—Period Housing Area.

**(2) Precinct objectives**

- (a) To encourage a range of housing types that are sympathetic in design and form to the surrounding historical cottages, as identified by the Protected Area—Period Housing Area.
- (b) To enhance pedestrian linkages to Station Street.

**3 Building envelope****(1) Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

**(2) Building setback**

The minimum setback from the boundary to Dora Street and Edwin Avenue is 4 metres.

**(3) Development density**

The maximum floor space ratio for development is 0.6:1.

**4 Design considerations**

- (1) The existing dwelling houses (excluding sheds and buildings ancillary to the dwelling houses) shall be retained and restored as part of the redevelopment of the site.
- (2) Development is to provide an active street frontage to Edwin Avenue and Dora Street. The active street frontage may be achieved through incorporation of the existing dwellings as part of the development.

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### Division 12      **Katoomba Precinct VH-KA04—GWH Between Bowling Green Avenue and Station Street Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VH-KA04—GWH Between Bowling Green Avenue and Station Street Precinct” and shown by distinctive edging and annotated “VH-KA04” on Map Panel A.



#### **Katoomba Precinct VH-KA04—GWH Between Bowling Green Avenue and Station Street Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VH-KA04 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and



- 
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

The site contains the Renaissance Centre, a heritage item which forms a visually significant landmark at the eastern entrance to Katoomba. Development is responsive to the visual dominance of the Renaissance Centre whilst allowing for opportunities for the concentration of alternate residential development in close proximity to Katoomba town centre.

### **(2) Precinct objectives**

- (a) To maintain and promote the Renaissance Centre as a visually significant landmark.
- (b) To allow opportunities for infill development at the rear of the site that is sympathetic to the heritage significance of the Renaissance Centre.
- (c) To encourage the incorporation of pedestrian access through the site from Bowling Green Avenue to Station Street.
- (d) To encourage development that is sympathetic with the predominance of pre-1946 mountains cottages adjoining the site.
- (e) To retain existing mature vegetation and provide for the incorporation of landscape elements into the design of development.

## **3 Building envelope**

### **(1) Building height**

- (a) Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) Notwithstanding paragraph (a), the maximum building height may be exceeded where the consent authority is satisfied that the building height is consistent with recommendations in the heritage impact assessment and conservation management plan required by clause 4 (1).

### **(2) Building setback**

Buildings shall have a setback consistent with the curtilage for the Renaissance Centre that is established, to the satisfaction of the consent authority, by the heritage impact assessment and conservation management plan for this site.

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(3)    **Development density**

The maximum floor space ratio for development is 0.8:1.

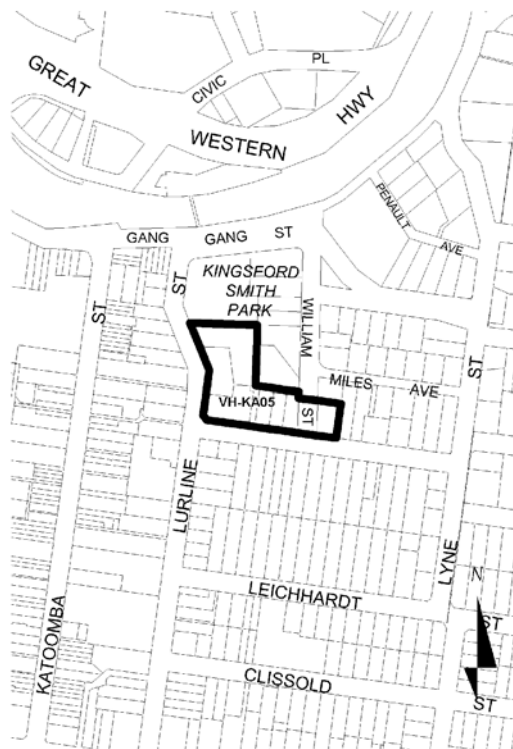
**4    Design considerations**

- (1)    The development must have regard to the recommendations of a detailed heritage impact assessment and conservation management plan aimed at minimising the impact of development on the site.
- (2)    The existing buildings on site are to be retained.
- (3)    Access to the site is to be provided via Station Street.
- (4)    The existing mature eucalypts are to be retained where possible and substantial plantings will be undertaken in order to screen hard surfaces and car parking areas from the Great Western Highway.

## Division 13      **Katoomba Precinct VH-KA05—Lurline and Vale Streets Precinct**

### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VH-KA05—Lurline and Vale Streets Precinct” and shown by distinctive edging and annotated “VH-KA05” on Map Panel A.



### **Katoomba Precinct VH-KA05—Lurline and Vale Streets Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VH-KA05 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2 Desired future character****(1) Precinct vision statement**

Alternative forms of housing incorporate views to the south east and provide passive surveillance of Kingsford Smith Park. The topography of the site promotes development that steps down the slope, thus permitting the retention of views to the south-east from Lurline Street. Design of buildings is to be responsive to the heritage significance of Kingsford Smith Park and the character of the historic buildings within the vicinity and also respond to the prominence of the location and the topography of the site.

**(2) Precinct objectives**

- (a) To promote development that complements and is sympathetic to the heritage value of buildings and public areas adjacent to and within the site.
- (b) To allow for the development of alternative housing forms that respond to the topography of the site in an environmentally sensitive manner.
- (c) To encourage design of living spaces within residential development that allows for passive surveillance over Kingsford Smith Park.
- (d) To promote pedestrian linkages from the development to Kingsford Smith Park and adjoining streets.

**3 Building envelope****(1) Building height**

- (a) Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) Buildings shall step down the slope.
- (c) Notwithstanding paragraph (a), the building height of buildings immediately fronting Vale Street may exceed the maximum set by that paragraph to maintain a consistency with the height and scale of existing development in the surrounding Protected Area—Period Housing Area.

**(2) Building setback**

- (a) The minimum setback from Lurline Street is 8 metres.
- (b) The minimum setback from Vale Street is to be within 20 per cent of the average setback of dwellings on adjoining allotments.

**(3) Development density**

- (a) The maximum floor space ratio for development is 0.6:1.

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- (b) Land zoned Environmental Protection is not to be taken into consideration when calculating the floor space ratio.

**4 Design considerations**

- (1) Development shall take into consideration the retention of existing views from buildings on Lurline Street and should retain view corridors from Lurline Street to the south east to the satisfaction of the consent authority.
- (2) Filtered views are to be provided from the living areas of dwellings into Kingsford Smith Park where possible.
- (3) Development adjacent to Vale Street shall address the street and provide an active frontage such as windows, doors and verandahs.
- (4) Landscaping is not to significantly obstruct views from buildings into Kingsford Smith Park.

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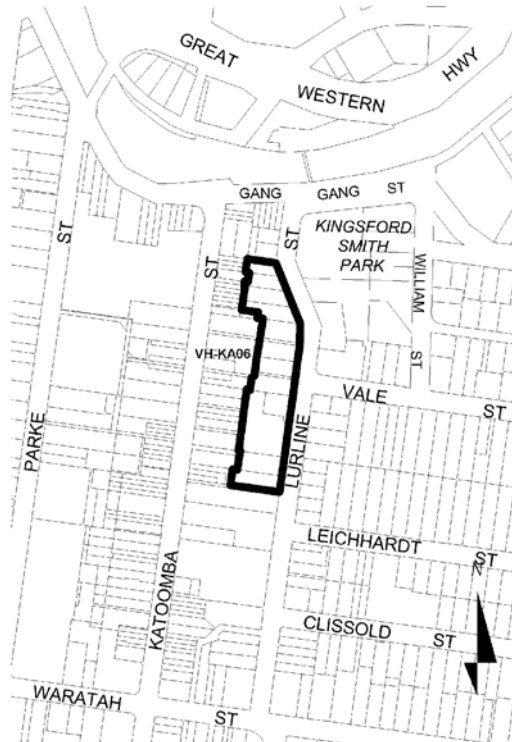
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### Division 14      **Katoomba Precinct VH-KA06—Lurline Street Housing Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VH-KA06—Lurline Street Housing Precinct” and shown by distinctive edging and annotated “VH-KA06” on Map Panel A.



#### **Katoomba Precinct VH-KA06—Lurline Street Housing Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VH-KA06 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

Representing the eastern edge of the town centre, this precinct provides multi-dwelling accommodation for both tourists and residents in a setting that is representative of older style mountain apartment houses and guesthouses.

New development shall contribute to the availability of diverse housing opportunities, however, traditional housing forms and their gardens will be conserved and new development shall be of a built form consistent with that traditional housing.

The precinct will maintain strong connections to Katoomba Street through safe and convenient stairways and laneways.

**(2) Precinct objectives**

- (a) To encourage a variety of residential building forms that contribute to increasing housing choice within Katoomba.
- (b) To promote development that is of a high quality and that complements and is consistent with the existing heritage values and streetscape character of the precinct.
- (c) To promote and maintain existing public laneways and pedestrian links to Katoomba Street.
- (d) To retain existing older (pre-1946) housing forms.
- (e) To allow for home employment based opportunities.

**3 Building envelope****(1) Building height**

Buildings are not to exceed a maximum building height of 12 metres.

**(2) Building setback**

Development shall provide a front building line consistent with that established by existing and adjacent development.

**(3) Development density**

The maximum floor space ratio for development is 1:1.

**4 Design considerations**

- (1) Buildings are to conform to established building height patterns and be set behind landscaped front gardens.
- (2) Building design shall have regard to forms such as:

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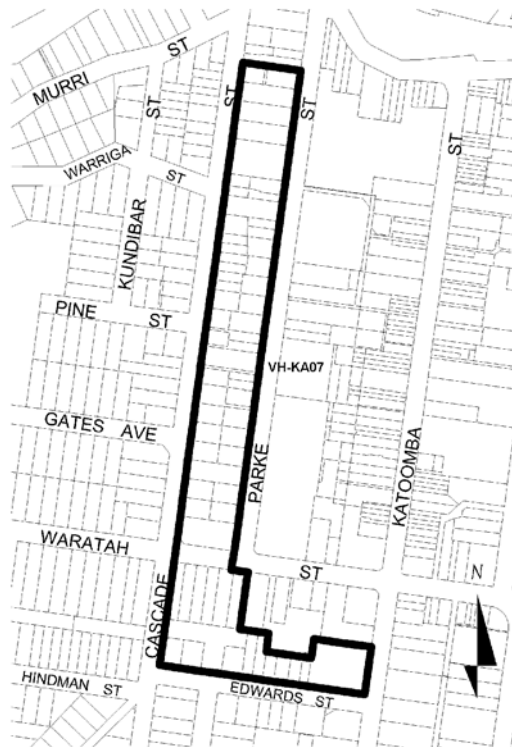
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- (a) designs reflective of, or sympathetic to, the Edwardian era and Inter-War period apartments and guesthouses, and
  - (b) verandahs that are glazed or open, and
  - (c) articulated pitched roofs with overhanging eaves, and
  - (d) brick construction articulated by multiple tall windows or light-weight structures such as framed balconies or projecting bay windows.
- (3) Garages may front Lurline Street where the site grade and traffic safety permits.



## Division 15      **Katoomba Precinct VH-KA07—Cascade and Parke Street Edge Precinct**

### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VH-KA07—Cascade and Parke Street Edge Precinct” and shown by distinctive edging and annotated “VH-KA07” on Map Panel A.



### **Katoomba Precinct VH-KA07—Cascade and Parke Street Edge Precinct**

- (2) Consent shall not be granted to development within the Katoomba Precinct VH-KA07 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

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- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## 2 Desired future character

### (1) Precinct vision statement

Defining the western and southern edges of the town centre, this precinct serves as a transition between the retail core and adjacent residential areas. It accommodates a mix of land uses including lower order commercial and smaller home based employment activities.

New development reflects the mix of residential and commercial uses, however new development will be consistent with a predominantly residential streetscape, which is characterised by one and two-storey scale development with curtilages made up of gardens and landscaping.

### (2) Precinct objectives

- (a) To encourage a variety of residential development forms that contribute to increasing housing choice within Katoomba.
- (b) To promote small business and home based employment opportunities.
- (c) To protect residential amenity of the precinct.
- (d) To conserve existing and significant stands of remnant vegetation.
- (e) To encourage infill development consistent and compatible with existing built form.
- (f) To enhance pedestrian links within Katoomba Village.

## 3 Building envelope

### (1) Building height

Buildings are not to exceed a maximum building height of 8 metres or a maximum building height at eaves of 6.5 metres.

### (2) Building setback

- (a) Buildings fronting Parke Street are to have a minimum setback of 3 metres.
- (b) Buildings fronting Cascade Street are to have a minimum setback of 5 metres.

### (3) Development density

The maximum floor space ratio for development is 0.5:1.

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**4 Design considerations**

- (1) Buildings on Cascade Street should reflect established building height patterns.
- (2) Development on Cascade Street shall incorporate landscaped front gardens.
- (3) Buildings shall have regard to the following design elements:
  - (a) double-fronted buildings with verandahs that are glazed or open,
  - (b) individual buildings shall step down the hillside,
  - (c) articulated pitched roofs with overhanging eaves,
  - (d) mixed construction of brickwork offset by lightweight structures that includes framed balconies and projecting bay windows.
- (4) Parking areas that are designed in a manner that minimises their visual impact when viewed from public streets and places.
- (5) Pedestrian access provided to any existing and adjoining public walkway.
- (6) Separate entrances for residential and commercial uses.

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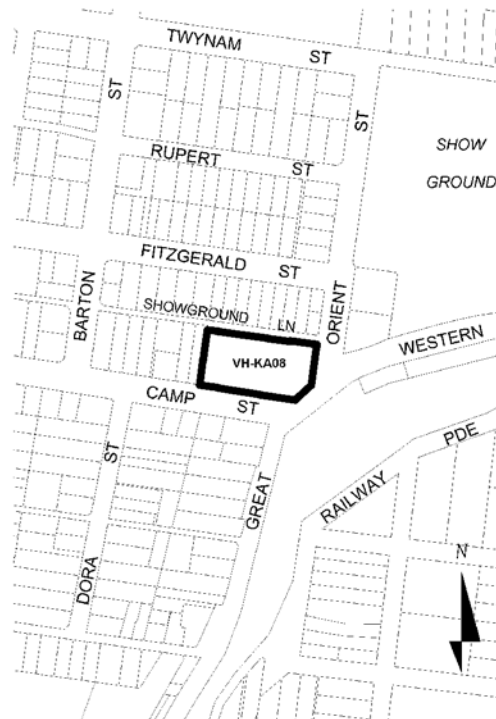
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### Division 16 Katoomba Precinct VH-KA08—Cnr Great Western Highway and Camp Street Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Katoomba Precinct VHKA08—Cnr Great Western Highway and Camp Street Precinct” and shown by distinctive edging and annotated “VH-KA08” on Map Panel A.



#### Katoomba Precinct VH-KA08—Cnr Great Western Highway and Camp Street Precinct

- (2) Consent shall not be granted to development within the Katoomba Precinct VH-KA08 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

- 
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

Development recognises and retains the important role and prominence of the site as part of the eastern approach to Katoomba. Infill development on the site presents a high quality urban design that complements the low density scale of development on the adjoining lands within the Living–Conservation zone and retains existing period buildings within the precinct. Existing mature plantings are retained and further planting incorporated into the future development of the site.

### **(2) Precinct objectives**

- (a) To retain and promote well designed buildings that address the Great Western Highway, Camp Street and Orient Street, which are complemented by vegetative screening.
- (b) To ensure a development design that produces a transition in height and density of buildings through the site from the existing building to the low density residential development to the immediate west.
- (c) To contribute to the creation of alternative housing forms in close proximity to services and transport.
- (d) To ensure pedestrian amenity and access to and within the site is incorporated within the design of proposed development.
- (e) To retain and enhance the existing amenity of the adjoining residential area by providing screen planting around the perimeter of the precinct.
- (f) To ensure that on-site car parking does not dominate the design or the layout of buildings.

## **3 Building envelope**

### **(1) Building height**

- (a) For buildings fronting the Great Western Highway and Orient Street and for a distance of 60 metres from these frontages, the maximum building height is 9.5 metres and the maximum height at eaves is 8 metres.
- (b) For that part of the site not subject to paragraph (a), building heights shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

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(2) **Building setback**

- (a) The setback from the Great Western Highway, Orient Street and Showground Lane boundaries of the precinct shall be consistent with that established by existing development.
- (b) The setback from the Camp Street frontage will allow for established vegetation gardens to be retained and is within 20 per cent of the average setback of adjacent dwellings along Camp Street.

(3) **Site coverage**

The maximum site coverage for buildings is 50 per cent of the total site area.

#### 4 **Design considerations**

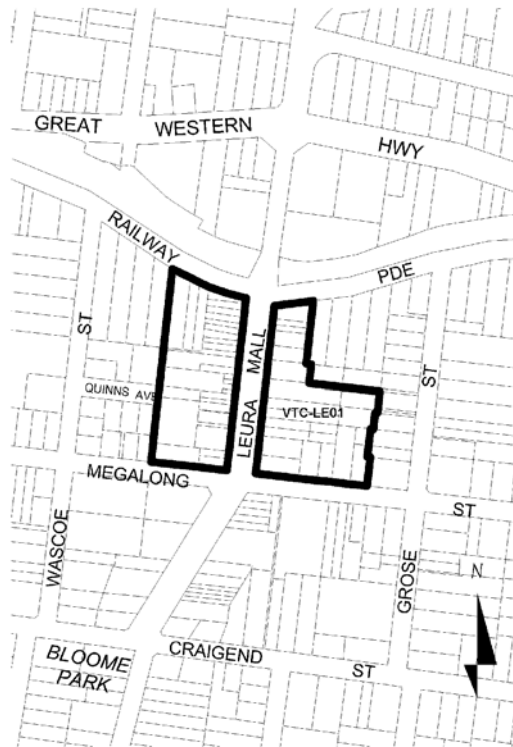
- (1) Buildings facing Camp Street and Orient Street are to incorporate windows, doors, gables, awnings and the like along these frontages.
- (2) Tree plantings, such as Golden Ash (*Fraxinus aurea*), or alternative deciduous species approved by the consent authority, are to be provided within the front building setback to Camp Street.
- (3) Development is to retain and utilise the existing motel building and Federation-style cottage fronting Orient Street.
- (4) Garages and car parking are to be screened from public streets and located internally so as not to dominate the design or layout of development.

## Part 5 Leura Village

### Division 1 Leura Precinct VTC-LE01—Leura Mall Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Leura Precinct VTC-LE01—Leura Mall Precinct” and shown by distinctive edging and annotated “VTC-LE01” on Map Panel A.



**Leura Precinct VTC-LE01—Leura Mall Precinct**

- (2) Consent shall not be granted to development within the Leura Precinct VTC-LE01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

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- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## 2 Desired future character

### (1) Precinct vision statement

This precinct continues to operate as a traditional shopping strip for Leura residents as well as being the central focus for tourists to Leura. The mall will increasingly become a community focus area and gathering place.

Presenting a village scale and character, the streetscape is dominated by the near continuous row of one and two-storey shop fronts of early twentieth century “Edwardian” style buildings. New development is of the highest design quality and respects the existing character.

The precinct experiences a gradual increase in the range of local services and facilities and the reuse and development of upper floor areas for commercial and residential uses.

The precinct remains a pedestrian-friendly environment with the large central median island representing a safe haven for pedestrians and the adjacent footpaths providing important areas of character and interest.

### (2) Precinct objectives

- (a) To promote a diversity of retailing, other commercial, community, cultural and residential uses that serve the community, business and tourists.
- (b) To promote a built form and scale that is consistent with that of the existing and adjacent streetscape.
- (c) To conserve buildings with heritage significance and protect the identified heritage value and character of other buildings in the precinct.
- (d) To promote active street frontages to all roads, lanes, footpaths and public areas.
- (e) To promote Leura’s role as a tourist destination.
- (f) To enhance pedestrian linkages within Leura Village.

## 3 Building envelope

### (1) Building height

- (a) Buildings shall not exceed a maximum building height of 12 metres.



- 
- (b) External walls fronting a public place shall be contained within a building envelope projected at 30 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.
  - (2) **Building setback**
    - (a) **Primary street frontage:**

Development shall have a setback of 0 metre.
    - (b) **Side boundary setbacks:**
      - (i) Development shall have a setback of 0 metre.
      - (ii) Notwithstanding subparagraph (i), where the side boundary adjoins a public place, setbacks greater than 0 metre may be allowed, but only when it can be demonstrated that an active frontage will be provided.
  - (3) **Site coverage**
    - (a) Development may provide a maximum site cover of 100 per cent of the total allotment area.
    - (b) Notwithstanding paragraph (a), the maximum site cover of any building on any allotment adjoining land within the Living—Bushland Conservation zone and Living—Conservation zone is 70 per cent of the total allotment area.

#### 4 Design considerations

- (1) **Active street frontages**
  - (a) The existing continuity of retail and other businesses facing Leura Mall, Megalong Street or Railway Parade is to be maintained.
  - (b) On properties with secondary frontages to a public place:
    - (i) new retail or other businesses are to be promoted along at least 50 per cent of ground level frontages to public carparks, side streets and laneways, and
    - (ii) balconies or extensive windows, or both, facing the public place are to be incorporated in all storeys above the ground storey.
- (2) **Built form and finishes**
  - (a) The appearance of traditional mainstreet shop terraces facing all principal street frontages is to be promoted. In particular:
    - (i) a diverse range of narrow shop fronts is to be encouraged, and
    - (ii) continuous awnings or balconies, or both, are to be provided, and

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- (iii) external walls are to be designed as a composition of masonry “piers” with contrasting panels of windows or painted wall finishes, or both.
- (b) All visible facades should be in a form and display finishes that are consistent with or complementary to the architectural character of existing mainstreet shop-terraces dating from the Edwardian-era or the Inter-War period.
- (c) On properties that currently support two-storey traditional shop terraces, future development should retain and renovate the principal shop front structure plus the adjoining rooms.
- (d) In the case of development on large allotments:
  - (i) floorspace should be distributed into well-articulated structures that are composed of separate wings or interconnected buildings, and
  - (ii) each building or wing should be capped by a gently-pitched roof, and
  - (iii) each building should be surrounded by garden courtyards that provide space for canopy trees planted to frame individual buildings.
- (e) On-site parking areas:
  - (i) shall be accessed only from the rear or side of buildings via existing public car parks, laneways or secondary streets, and
  - (ii) should be partially concealed behind retail or other business floorspace.
- (3) **Pedestrian amenity and safety**
  - (a) The existing pedestrian network should be expanded by promoting new retail frontages surrounding the public car parks or facing side streets and laneways.
  - (b) Existing levels of sunlight available throughout public places and community gathering spots during midwinter between 10am and 2pm are to be retained.
  - (c) Continuous weather protection is to be provided along all public frontages in the form of awnings or overhanging balconies.
  - (d) Passive surveillance of all public places is to be promoted by:
    - (i) ensuring appropriate orientation of shops, offices and dwellings, and
    - (ii) incorporating appropriate design of ground floor walls and structures to provide unobstructed sight lines through public places.

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**(4) Parking and vehicle access**

Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

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### Division 2 Leura Precinct VT-LE01—Leura Gateway Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Leura Precinct VT-LE01—Leura Gateway Precinct” and shown by distinctive edging and annotated “VT-LE01” on Map Panel A.



#### Leura Precinct VT-LE01—Leura Gateway Precinct

- (2) Consent shall not be granted to development within the Leura Precinct VT-LE01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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## **2 Desired future character**

### **(1) Precinct vision statement**

Located adjacent to the primary road and rail corridors, this precinct experiences substantial redevelopment of sites and operates as the “gateway” to the Leura Village. New development supports this gateway role by presenting urban design of the highest quality that contributes to a positive first experience of the Leura Village. This, together with a mix of land uses that support the tourist role of the village serves an enticement to passing traffic.

Development of this precinct, including the changes to the Highway interchange, assist in enhancing both pedestrian and vehicle access to the Village and enhance connectivity between north and south Leura. Whilst offering high levels of accessibility to both pedestrians and vehicles, potential conflicts between the two are minimised.

The form and scale of new development responds to that of existing buildings in the village and new buildings shall address both the highway and the Leura Mall. Signage associated with development is provided at a modest scale and does not seek to be legible from the distant approaches.

New buildings on the old Chateau Napier site respect the heritage of the previous use, but recapture the landmark status of that site.

### **(2) Precinct objectives**

- (a) To promote built forms of the highest design quality and incorporate strong “gateway” and “town entry” urban design elements.
- (b) To encourage a mix of land uses that support and contribute to the tourist role of the Leura Village.
- (c) To enhance pedestrian linkages within the precinct.
- (d) To promote the conservation of important items of cultural heritage.
- (e) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

## **3 Building envelope**

### **(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 12 metres.

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- (b) External walls fronting a public place shall be contained within a building envelope projected at 45 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.
- (c) The height above ground for the lowest habitable floor level shall not exceed 1.5 metres.
- (d) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

#### (2) **Building setback**

Development shall provide setbacks to the Great Western Highway and Leura Mall consistent with that of existing and adjacent buildings in the precinct.

#### (3) **Site coverage**

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

## 4 **Design considerations**

### (1) **Landscaping, built form and finishes**

- (a) Development should include or be consistent with the following building design elements:
  - (i) buildings that are surrounded by landscaped areas,
  - (ii) buildings that do not exceed 18 metres in width or depth,
  - (iii) incorporation of prominent landmark features at the corner of Leura Mall and The Great Western Highway,
  - (iv) gently-pitched roofs with shady eaves and verandahs,
  - (v) external walls that include a proportion of painted finishes,
  - (vi) buildings that address the street.
- (b) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and
  - (ii) should be integrated with the design of surrounding landscaped areas.
- (c) Gardens and landscaped areas shall protect and enhance exotic and indigenous canopy trees, which provide a visual backdrop that contributes to the character of the precinct.

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(2) **Amenity and safety**

Passive surveillance is to be promoted throughout public places by appropriate orientation of verandahs, balconies, entrance doors and windows to living rooms or business premises.

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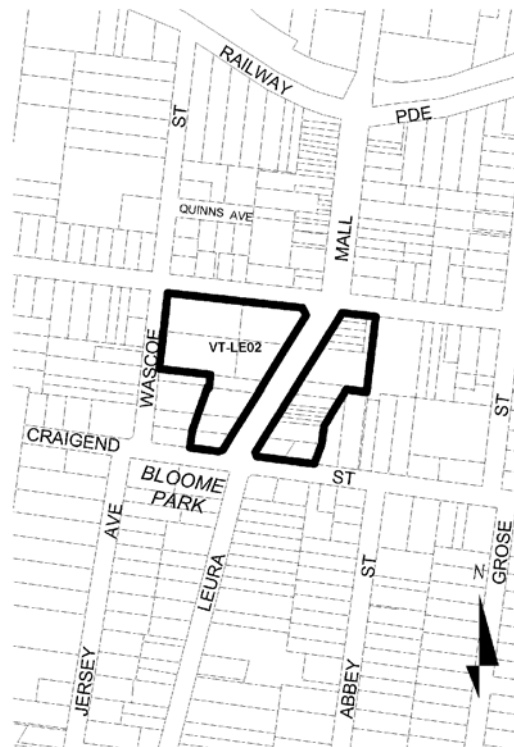
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### Division 3      **Leura Precinct VT-LE02—Southern Tourist Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Leura Precinct VT-LE02—Southern Tourist Precinct” and shown by distinctive edging and annotated “VT-LE02” on Map Panel A.



#### **Leura Precinct VT-LE02—Southern Tourist Precinct**

- (2) Consent shall not be granted to development within the Leura Precinct VT-LE02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.



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**2 Desired future character****(1) Precinct vision statement**

Located to the south of the core village area, this precinct serves as a transition between the retail core and adjacent residential areas.

Accommodating the continued growth in tourism activity in Leura, the precinct provides a mix of new land uses including arts and craft galleries, refreshment rooms and tourist accommodation.

Existing buildings are generally used to accommodate these new land uses. Where new development is provided, it maintains the residential scale and character of the precinct, including the established gardens and mature vegetation that make a significant contribution to the character of the precinct.

**(2) Precinct objectives**

- (a) To promote the tourism role of the Leura Village.
- (b) To accommodate a diverse mix of dwellings, plus retailing and other business-related services that service the local community as well as visitors.
- (c) To maintain and enhance the historically distinctive pattern of detached cottages that are surrounded by gardens and free-standing garages by:
  - (i) conserving existing trees that provide visually significant streetscape features, and
  - (ii) ensuring that landscaping complements and extends the established pattern of tall canopy trees that are located primarily along side and rear property boundaries.
- (d) To promote high levels of residential amenity for both future residents and existing neighbouring properties.
- (e) To promote new buildings that are consistent or compatible with the scale, bulk and architectural character of existing houses and cottages.
- (f) To encourage restoration of traditional architectural forms and details for existing early-twentieth century cottages or houses.
- (g) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

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### 3 Building envelope

#### (1) Building height

- (a) Buildings shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) The height above ground for the lowest habitable floor level shall not exceed 1 metre.
- (c) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

#### (2) Building setback

- (a) Development shall provide front setbacks consistent with that of adjacent buildings.
- (b) Development shall provide a minimum side boundary setback of 2 metres.
- (c) Development shall provide a minimum rear boundary setback of 4 metres.
- (d) All setback areas shall be landscaped.

#### (3) Site coverage

- (a) The maximum site cover for buildings is 40 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 50 per cent of the total allotment area.

### 4 Design considerations

#### (1) Landscaping, built form and finishes

- (a) Buildings should incorporate either the structure or the traditional form of existing Mountains cottages. In particular:
  - (i) buildings should be surrounded by landscaped areas, and
  - (ii) buildings should not exceed 18 metres in width or depth, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently pitched with shady eaves and verandahs, and
  - (v) external walls should include a proportion of painted finishes.
- (b) Any non-residential activities should be accommodated in buildings with a residential scale and character.

- 
- (c) Gardens should incorporate a backdrop of canopy trees along rear boundaries plus trees and shrubs scattered through front and side yards.
  - (d) Driveways, parking areas and garages:
    - (i) should not dominate any street frontage, and
    - (ii) should be integrated with the design of surrounding landscaped areas.
  - (2) **Amenity and safety**
    - (a) Passive surveillance is to be promoted throughout public areas by appropriate orientation of verandahs, balconies and entrance doors and the windows to living rooms or business premises.
    - (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

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### Division 4      **Leura Precinct VH-LE01—Grose Street North Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Leura Precinct VH-LE01—Grose Street North Precinct” and shown by distinctive edging and annotated “VH-LE01” on Map Panel A.



#### **Leura Precinct VH-LE01—Grose Street North Precinct**

- (2) Consent shall not be granted to development within the Leura Precinct VH-LE01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

An area that has a significant streetscape character. Older cottages are retained whilst sensitively designed residential infill development is located at the rear of lots. Development on vacant lots shall maintain the existing residential character through the presentation of single storey dwellings with landscaped front setbacks.

**(2) Precinct objectives**

- (a) To maintain and integrate existing older housing stock (pre-1946) with any proposed development.
- (b) To promote infill development that provides a range of housing types and sizes.
- (c) To promote development that is of a high quality and that complements and is consistent with the existing streetscape character of the precinct.
- (d) To ensure that appropriate landscaping elements are incorporated into any proposed development in order to screen and minimise the bulk of development.

**3 Building envelope****(1) Building height**

- (a) Buildings fronting Grose Street are not to exceed a maximum building height of 6.5 metres or a maximum height at eaves of 4.5 metres.
- (b) Buildings located to the east of allotments are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

**(2) Building setback**

The minimum setback from Grose Street is 12 metres.

**(3) Development density**

The maximum floor space ratio for development is 0.6:1.

**4 Design considerations**

- (1) Existing older dwellings (pre-1946) are to be retained and incorporated as part of the redevelopment of the site.
- (2) Design of buildings shall allow for direct views from the living areas of dwellings into the adjoining parkland.

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- (3) Landscaping shall be in character with adjoining gardens and shall be provided within the front setback.

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## **Division 5      Laura Precinct VH-LE02—Wascoe Street Precinct**

### **1    Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Laura Precinct VH-LE02—Wascoe Street Precinct” and shown by distinctive edging and annotated “VH-LE02” on Map Panel A.



### **Laura Precinct VH-LE02—Wascoe Street Precinct**

- (2) Consent shall not be granted to development within the Laura Precinct VH-LE02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2    Desired future character**

**(1)    Precinct vision statement**

Alternative forms of housing are consolidated in close proximity to Leura village. Mitigation measures are undertaken that minimise the impact of development and contribute to the regeneration of the adjacent watercourse buffer areas.

**(2)    Precinct objectives**

- (a)    To minimise the impact of development on watercourse buffers within the locality.
- (b)    To encourage the location of a range of housing types.
- (c)    To promote the design of development that is in sympathy with traditional mountain cottages within the locality.
- (d)    To minimise the impact of development as viewed from Megalong Street.

**3    Building envelope**

**(1)    Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

**(2)    Building setback**

The minimum setback from Wascoe Street is 8 metres.

**(3)    Development density**

The maximum floor space ratio for development is 0.6:1.

**4    Design considerations**

- (1)    Existing older dwellings (pre-1946) are to be retained and incorporated as part of the redevelopment of the site.
- (2)    Development is to promote a landscape setting and provide screening of future development through planting of appropriate trees and shrubs that minimise the visibility of development from Megalong Street.
- (3)    Development shall provide active street frontages to Wascoe Street and Quinns Avenue.



## Division 6      Laura Precinct VH-LE03—Eastern Edge Precinct

### 1      Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Laura Precinct VH-LE03—Eastern Edge Precinct” and shown by distinctive edging and annotated “VH-LE03” on Map Panel A



### Laura Precinct VH-LE03—Eastern Edge Precinct

- (2) Consent shall not be granted to development within the Laura Precinct VH-LE03 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2    Desired future character**

**(1)    Precinct vision statement**

Defining the eastern edge of the Leura Village centre, this precinct serves as a transition between the retail core and adjacent residential areas. It accommodates a mix of land uses including lower order commercial and smaller home-based employment activities.

New development reflects the mix of residential and commercial uses, however new development is consistent with a predominantly residential streetscape, which is characterised by one and two-storey scale development with curtilages made up of gardens and landscaping.

**(2)    Precinct objectives**

- (a) To accommodate a diverse mix of dwellings, plus some retailing and other business-related services that service the local community as well as visitors.
- (b) To maintain and enhance the historically-distinctive pattern of detached cottages that are surrounded by gardens and free-standing garages by:
  - (i) conserving existing trees that provide visually significant streetscape features, and
  - (ii) ensuring that landscaping complements and extends the established pattern of tall canopy trees that are located primarily along side and rear property boundaries.
- (c) To promote high levels of residential amenity for both future residents and existing neighbouring properties.
- (d) To promote new residential development that is consistent or compatible with the scale, bulk and architectural character of existing houses and cottages.
- (e) To encourage restoration of traditional architectural forms and details for existing early-twentieth century cottages or houses.
- (f) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

**3    Building envelope**

**(1)    Building height**

Buildings shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

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(2) **Building setback**

- (a) Development shall provide front setbacks consistent with that of adjacent buildings.
- (b) Development shall provide a minimum side boundary setback of 2 metres.
- (c) Development shall provide a minimum rear boundary setback of 4 metres.
- (d) All setback areas shall be landscaped.

(3) **Site coverage**

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

**4 Design considerations**

(1) **Landscaping, built form and finishes**

- (a) Buildings should incorporate either the structure or the traditional form of existing Mountains cottages. In particular:
  - (i) buildings should be surrounded by landscaped areas, and
  - (ii) buildings should not exceed 18 metres in width or depth, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently-pitched with shady eaves and verandahs, and
  - (v) external walls should include a proportion of painted finishes.
- (b) Gardens should incorporate a backdrop of canopy trees along rear boundaries plus trees and shrubs scattered through front and side yards.
- (c) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and
  - (ii) should be integrated with the design of surrounding landscaped areas.

(2) **Amenity and safety**

- (a) Passive surveillance is to be promoted throughout public areas by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.

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- 
- (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

## Part 6 Wentworth Falls Village

### Division 1 Wentworth Falls Precinct VTC-WF01—Village Town Centre Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Wentworth Falls Precinct VTC-WF01—Village Town Centre Precinct” and shown by distinctive edging and annotated “VTC-WF01” on Map Panel A.



**Wentworth Falls Precinct VTC-WF01—Village Town Centre Precinct**

- (2) Consent shall not be granted to development within the Wentworth Falls Precinct VTC-WF01 unless the development proposed to be carried out:

- (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
- (b) complies with the building envelope within this Division, and
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2 Desired future character**

**(1) Precinct vision statement**

This remains a compact town centre, accommodating a diverse range of small retail and other local businesses, tourist-related activities and permanent residents.

Modestly-scaled buildings are arranged in a traditional main street pattern, with a continuous row of one and two-storey buildings that reflect local architectural traditions yet display some variety of form and design. The form and architectural detail of landmark retail terrace buildings are preserved. Future development emphasises the distinctive character of these landmarks, and promotes new retail frontages along Plantation Street, as well as existing laneways and the Highway.

Buildings provide visible indoor activity along all public frontages, and pedestrian activity is concentrated along the streets and laneways, encouraging informal community gatherings in areas that are protected from undesirable impacts of through traffic.

**(2) Precinct objectives**

- (a) To maintain and enhance the distinctive pattern of continuous retail terraces.
- (b) To maximise the diversity of retail and other business-related services provided to both the local community and visitors.
- (c) To accommodate permanent residents in “shop-top” dwellings that:
  - (i) promote housing choice, and
  - (ii) incorporate high levels of residential amenity, and
  - (iii) encourage passive surveillance of streets and other public places.
- (d) To encourage modest increases in floorspace:
  - (i) consistent with the appearance and functions desired for this town centre, and
  - (ii) incorporating new retail frontages along Plantation Street as well as existing laneways, and

- 
- (iii) with public access provided only via streets, laneways or carpark frontages rather than indoor arcades or parking courtyards.
  - (e) To encourage future building forms and designs that are consistent or compatible with the scale and architectural character of existing buildings constructed during the early-twentieth century.
  - (f) To maintain the established village character and modest scale of existing development.
  - (g) To control building heights:
    - (i) to protect the character of existing heritage-listed buildings, and
    - (ii) to provide a scenically-appropriate backdrop to the neighbouring watercourse and swamp communities, and
    - (iii) to follow the line of hillside topography.

### 3 Building envelope

#### (1) Building height

- (a) Buildings shall not exceed a maximum building height of 9 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 30 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.

#### (2) Building setback

- (a) **Primary street frontage:**
  - (i) Development shall have a setback of 0 metre.
  - (ii) Notwithstanding subparagraph (i), setbacks to Plantation Street shall be a minimum of 2.5 metres.
- (b) **Side boundary setbacks:**
  - (i) Development shall have a setback of 0 metre.
  - (ii) Notwithstanding subparagraph (i), where the side boundary adjoins a public place, setbacks greater than 0 metre may be allowed, but only when it can be demonstrated that an active frontage will be provided.

#### (3) Site coverage

Development may provide a maximum site cover of 100 per cent of the total allotment area.

**4 Design considerations**

**(1) Active street frontages**

- (a) The existing continuity of retail and other business premises and shop fronts facing Station Street and the Highway is to be maintained.
- (b) On properties that face Plantation Street or a public laneway:
  - (i) New retail or other businesses with shop fronts or accessible courtyards are to be promoted along at least 50 per cent of ground level frontages to any public street or laneway, and
  - (ii) for all storeys above ground, balconies and extensive windows overlooking the street are to be provided.

**(2) Built form and finishes**

- (a) Along all principal street frontages, the appearance of traditional mainstreet shop-terraces is to be promoted. In particular:
  - (i) a diverse range of narrow shop fronts is to be accommodated, and
  - (ii) continuous awnings or balconies, or both, are to be provided, and
  - (iii) external walls are to be designed as a composition of masonry “piers” with contrasting panels of windows or painted wall finishes, or both.
- (b) All visible facades should display a form and finishes that are consistent with or complementary to the architectural character of existing mainstreet shop-terraces dating from the Edwardian-era or the Inter-War period.
- (c) On properties that currently support two-storey traditional shop terraces, future development should retain and renovate the principal shop front structure plus the adjoining rooms.
- (d) Development on large allotments:
  - (i) should distribute floorspace into well-articulated structures that are composed of separate wings or interconnected buildings, and
  - (ii) each building or wing should be capped by a gently-pitched roof, and
  - (iii) each building should be surrounded by garden courtyards that either conserve existing canopy trees or provide space for new eucalypts that are planted to frame individual buildings.
- (e) On-site parking areas:



- 
- (i) shall be accessed only from the rear or side of buildings via existing public carparks, laneways or secondary streets, and
    - (ii) should be concealed from Station and Plantation Streets behind retail or other business premises.
  - (f) Buildings fronting Plantation Street with a setback of 0 metre may be allowed as part of a development scheme that provides for variable setbacks and articulated building frontages to enhance building presentation and facilitate associated activities such as outdoor dining.
- (3) **Pedestrian amenity and safety**
- (a) The existing pedestrian network is to be expanded by promoting new retail frontages facing Plantation Street and other public places.
  - (b) Existing levels of sunlight available throughout public places and community gathering spots, during midwinter between 10am and 2pm, are to be protected.
  - (c) Continuous weather protection is to be provided above shop fronts in the form of awnings or overhanging balconies.
  - (d) Passive surveillance of all public places is to be promoted by:
    - (i) ensuring appropriate orientation of shops, offices and dwellings, and
    - (ii) incorporating appropriate design of ground floor walls and structures to provide unobstructed sight lines through public places.
- (4) **Parking and vehicle access**
- Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

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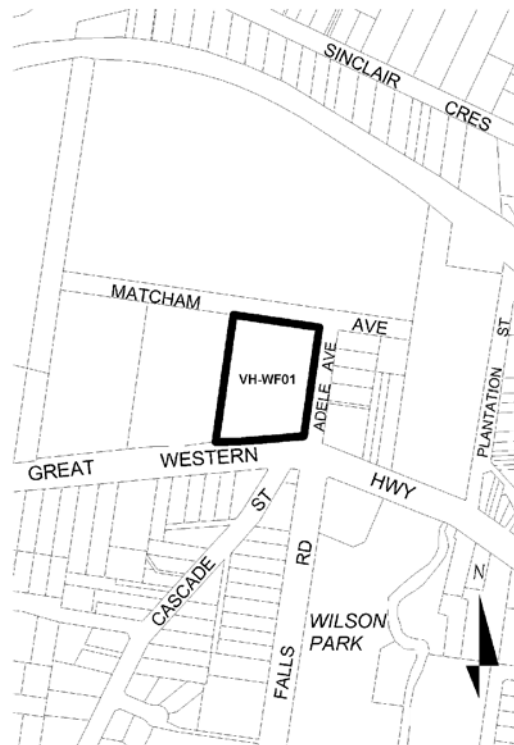
Schedule 1      Locality management within the Villages

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### Division 2      **Wentworth Falls Precinct VH-WF01—Adele Street Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Wentworth Falls Precinct VH-WF01—Adele Street Precinct” and shown by distinctive edging and annotated “VH-WF01” on Map Panel A.



#### **Wentworth Falls Precinct VH-WF01—Adele Street Precinct**

- (2) Consent shall not be granted to development within the Wentworth Falls Precinct VH-WF01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

- 
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

Containing a screen of dense vegetation, this site provides alternative housing forms in close proximity to Wentworth Falls shops. The design of buildings is sympathetic to the heritage items located adjacent to the precinct and shall include forms and finishes that minimise the visual impact of buildings from the Great Western Highway.

### **(2) Precinct objectives**

- (a) To provide alternative housing forms in close proximity to Wentworth Falls shops.
- (b) To retain a substantial buffer of vegetation adjoining the Great Western Highway.
- (c) To encourage development that is sympathetic to and complements the adjoining heritage items.

## **3 Building envelope**

### **(1) Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

### **(2) Building setback**

The minimum setback from the Great Western Highway is 25 metres.

### **(3) Development density**

The maximum floor space ratio for development is 0.5:1.

## **4 Design considerations**

- (1) No direct vehicular access is to be provided from the Great Western Highway. Vehicular access to development on the site is to be provided via Adele Street or Matcham Street and is to demonstrate appropriate sight distances for driveways.
- (2) Building form and location is to provide for active frontages of dwellings to Adele and Matcham Streets.
- (3) Planting of screening vegetation is to be provided between any building and the boundary with Blue Mountains Grammar School. This screen planting should incorporate a fence that restricts access between the building and the school.

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- (4) The existing bushland within the Great Western Highway setback is to be retained and, where required by the consent authority, this setback is to be revegetated to screen buildings from the Great Western Highway.
  - (5) Development for the purpose of multi-dwelling housing in this Precinct will respect and complement the existing historical and heritage values of adjoining sites.

### Division 3      **Wentworth Falls Precinct VH-WF02—Great Western Highway Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Wentworth Falls Precinct VH-WF02—Great Western Highway Precinct” and shown by distinctive edging and annotated “VH-WF02” on Map Panel A.



#### **Wentworth Falls Precinct VH-WF02—Great Western Highway Precinct**

- (2) Consent shall not be granted to development within the Wentworth Falls Precinct VH-WF02 unless the development proposed to be carried out:
- (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

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- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

This site consolidates a range of housing alternatives and a mix of uses in close proximity to Wentworth Falls shops. Pedestrian accessibility is maximised and the design of buildings is sympathetic to the heritage items within and adjacent to the precinct. Existing buildings of heritage significance with frontage to the Great Western Highway are maintained, and provided with appropriate curtilages. The bulk of development is screened from the Great Western Highway and is accessed via Page Avenue.

### **(2) Precinct objectives**

- (a) To provide alternative housing forms in close proximity to Wentworth Falls shops.
- (b) To encourage development that is sympathetic to and complements the adjoining heritage items.
- (c) To provide pedestrian access to the Great Western Highway.

## **3 Building envelope**

### **(1) Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

### **(2) Building setback**

The minimum setback from Page Avenue is 4 metres.

### **(3) Development density**

The maximum floor space ratio for development is 0.5:1.

## **4 Design considerations**

- (1) No direct vehicular access is to be provided from the Great Western Highway. Vehicular access to development on the site is to be provided via Page Avenue and is to demonstrate appropriate sight distances for driveways.
- (2) Building form and location is to provide active frontages of dwellings to Page Avenue.
- (3) Development will respect and complement the existing historical and heritage values of adjoining sites.

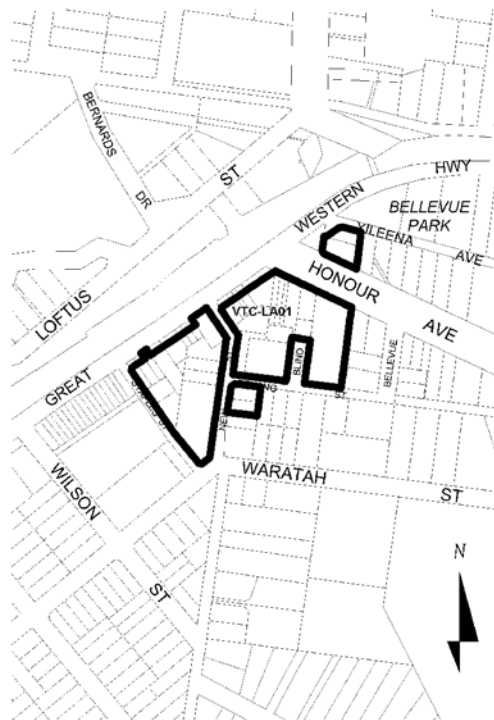
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## Part 7 Lawson Village

### Division 1 Lawson Precinct VTC-LA01—Village Town Centre Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Lawson Precinct VTC-LA01—Village Town Centre Precinct” and shown by distinctive edging and annotated “VTC-LA01” on Map Panel A.



#### Lawson Precinct VTC-LA01—Village Town Centre Precinct

- (2) Consent shall not be granted to development within the Lawson Precinct VTC-LA01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

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- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## 2    **Desired future character**

### (1)    **Precinct vision statement**

The precinct experiences significant change associated with the widening of the Great Western Highway. New development occurs in a manner consistent with the RTA's "Preferred Option" for the Lawson Town Centre.

### (2)    **Precinct objectives**

- (a) To maximise the diversity of retail and other business-related services provided primarily to local communities.
- (b) To accommodate permanent residents in "shop-top" dwellings that:
  - (i) promote housing choice, and
  - (ii) incorporate high levels of residential amenity, and
  - (iii) encourage passive surveillance of streets and other public places.
- (c) To encourage increases in floorspace:
  - (i) consistent with the desired appearance and functions of this town centre, and
  - (ii) with public access to interiors provided only via streets, outdoor laneways or carpark frontages rather than indoor arcades.
- (d) To provide places that serve as a focus of community and civic gatherings.

## 3    **Building envelope**

### (1)    **Building height**

- (a) Buildings shall not exceed a maximum building height of 12 metres or a maximum height at eaves of 9 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 45 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.

### (2)    **Building setback**

- (a) **Primary street frontage:**  
Development shall have a setback of 0 metre.
- (b) **Side boundary setbacks:**
  - (i) Development shall have a setback of 0 metre.



- 
- (ii) Notwithstanding subparagraph (i), where the side boundary adjoins a public place, setbacks greater than 0 metre may be considered, but only when it can be demonstrated that an active frontage is provided.

(3) **Site coverage**

Development may provide a maximum site cover of 100 per cent of the total allotment area.

**4 Design considerations**

(1) **Active street frontages**

- (a) Visible retail or other commercial activity is to be promoted along the entire length of primary street frontages.
- (b) Each secondary frontage to a public road, lane way or public place shall provide a visible and active street frontage distributed along a minimum of 65 per cent of that frontage.

(2) **Pedestrian amenity and safety**

Continuous weather protection is to be provided along all public frontages in the form of awnings or overhanging balconies.

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### Division 2 **Lawson Precinct VH-LA01—San Jose Avenue Precinct**

#### 1 **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Lawson Precinct VH-LA01—San Jose Avenue Precinct” and shown by distinctive edging and annotated “VH-LA01” on Map Panel A.



#### **Lawson Precinct VH-LA01—San Jose Avenue Precinct**

- (2) Consent shall not be granted to development within the Lawson Precinct VH-LA01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

Development of alternative housing forms provides innovative designs that incorporate elements reflective and sympathetic to the Stratford Girls School tower. The tower continues to be a significant visual and cultural element within Lawson and as such, any development protects and responds to the heritage significance of the site.

**(2) Precinct objectives**

- (a) To ensure that future development retains the dominance of the Stratford Girls School tower.
- (b) To ensure that development is appropriate to the heritage significance of the site and the surrounding heritage conservation area.
- (c) To minimise the impact of development on land zoned Environmental Protection—Private.

**3 Building envelope****(1) Building height**

- (a) Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) The scale of development shall not exceed the scale of the previous sanatorium and Stratford Girls School building (ie 2 storey brick structure with hipped iron roofs and a maximum height of 8 metres).

**(2) Building setback**

- (a) The minimum setback from the San Jose Avenue boundary of the site is 12 metres.
- (b) The minimum setback from the side boundary adjoining Avon House (10 San Jose Avenue) is 8 metres.

**(3) Development density**

- (a) The maximum floor space ratio for development is 0.6:1.
- (b) Land zoned Environmental Protection—Private is not to be taken into consideration when calculating the floor space ratio.

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### 4 Design considerations

- (1) The three-storey tower located in the south-east corner of the site, and its immediate curtilage, are to be retained. The height, massing and location of any development is to ensure that the tower is maintained as the visually dominant feature of the site, particularly when viewed from the surrounding public roads.
- (2) Development will have regard to the recommendations in a detailed heritage impact assessment and conservation management plan.
- (3) The two course, rock-faced masonry wall along the boundary of the site to San Jose Avenue is to be retained as a feature of the site.
- (4) The mature boundary trees, including pines and cypresses, located along the San Jose Avenue boundary of the site are to be retained as part of any redevelopment.
- (5) Land zoned Environmental Protection—Private is to be revegetated with indigenous native plants to the satisfaction of the consent authority.
- (6) Design elements of the sanatorium and Stratford Girls School building are to be incorporated in any building design. Examples of design include brick structures with hipped iron roofing, arched windows and verandahs.

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**Division 3      Lawson Precinct VH-LA02—Loftus Street Precinct****1      Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Lawson Precinct VH-LA02—Loftus Street Precinct” and shown by distinctive edging and annotated “VH-LA02” on Map Panel A.

**Lawson Precinct VH-LA02—Loftus Street Precinct**

- (2) Consent shall not be granted to development within the Lawson Precinct VH-LA02 unless the development proposed to be carried out:
- (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2    Desired future character**

**(1)    Precinct vision statement**

The two heritage items within the precinct are maintained and conserved. The relationship between the two buildings is retained and these buildings remain in use for public purposes.

Landscaping elements are introduced within the Loftus Street setback reflective of the garden character typical of the locality. Residential development is provided to the rear of the site in a manner that responds to the topography of the site.

**(2)    Precinct objectives**

- (a) To maintain the buildings that are heritage items and appropriate curtilage around the buildings of heritage significance on the site.
- (b) To promote residential infill development that complements and is sympathetic to the historic character of the surrounding area.
- (c) To maintain views to the public buildings of heritage significance.
- (d) To continue public usage of Council offices.
- (e) To minimise the impact of development on land zoned Environmental Protection—Private.

**3    Building envelope**

**(1)    Building height**

- (a) Buildings are not to exceed a maximum building height of 6.5 metres or a maximum height at eaves of 4.5 metres, except as provided by paragraph (b).
- (b) Buildings at the rear of the site are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres, but only if adequate screening through the provision of landscaping is provided for the development when viewed from Loftus Street.

**(2)    Building setback**

The following minimum curtilage around the heritage items is to be provided:

- (a) 15 metres to the west of the former Shire offices,
- (b) 6 metres to the north-west of the Shire offices and the former Electricity Substation,
- (c) 4 metres to the south-west of the former Electricity Substation.

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(3) **Development density**

- (a) The maximum floor space ratio for development is 0.5:1.
- (b) Land zoned Environmental Protection—Private is not to be taken into consideration when calculating the floor space ratio.

**4 Design considerations**

- (1) Development will have regard to the recommendations in a detailed heritage impact assessment and conservation management plan, to minimise the impact of development on the site.
- (2) The heritage items on the site are to be retained and incorporated into the design of the development.
- (3) Public access to the heritage items is to be maintained.
- (4) Land between the two heritage items is to be maintained and landscaped in accordance with the requirements of the consent authority.
- (5) Notwithstanding subclause (4), the land between the heritage buildings may be used for the purpose of driveways used to access future village housing development on the site if, to the satisfaction of the consent authority, the treatment of the entry and driveways, including landscaping, complements the heritage buildings.
- (6) Land zoned Environmental Protection—Private is to be revegetated with indigenous native vegetation, to the satisfaction of the consent authority.

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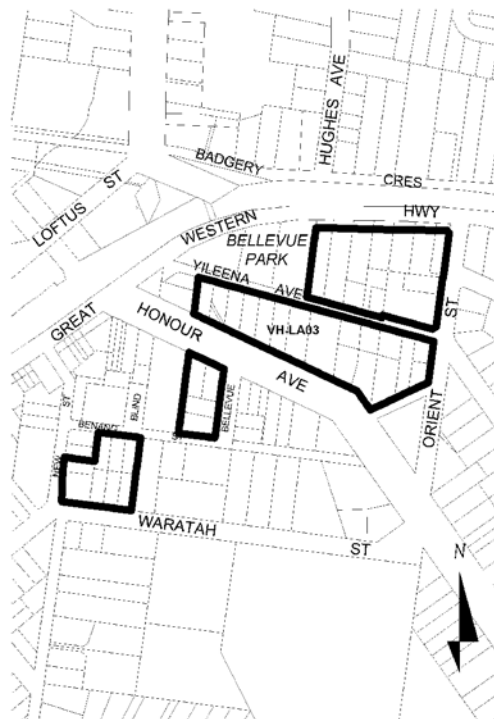
Schedule 1 Locality management within the Villages

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### Division 4 **Lawson Precinct VH-LA03—Village Housing Precinct**

#### 1 **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Lawson Precinct VH-LA03—Village Housing Precinct” and shown by distinctive edging and annotated “VH-LA03” on Map Panel A.



#### **Lawson Precinct VH-LA03—Village Housing Precinct**

- (2) Consent shall not be granted to development within the Lawson Precinct VH-LA03 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.



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## 2 Desired future character

### (1) Precinct vision statement

A mix of single and multiple-unit dwellings are located close to the town centre and expand the range of residential accommodation available in the Lawson Village.

All heritage items in the precinct are conserved. Redevelopment is encouraged to restore existing traditional cottages, and retain visually significant elements of established garden settings.

New buildings reflect the pattern, scale and architectural style of traditional Mountains-style cottages surrounded by gardens.

### (2) Precinct objectives

- (a) To maximise the diversity of residential accommodation available in the Lawson village.
- (b) To promote high levels of residential amenity for both future residents and existing neighbouring properties.
- (c) To conserve significant bushland and garden character.
- (d) To promote new residential buildings that, when viewed from the street, will have a form that is consistent or compatible with the general scale, bulk and architectural character of traditional single storey weatherboard cottages.
- (e) To encourage restoration of traditional architectural forms and details for existing early-twentieth century cottages.
- (f) To control building heights to follow the line of sloping topography on hillside sites.
- (g) To provide on-site parking that does not dominate the street frontage.

## 3 Building envelope

### (1) Building height

- (a) Buildings shall not exceed a maximum building height of 9 metres or a maximum height at eaves of 7.5 metres.
- (b) The height above ground for the lowest habitable floor level shall not exceed 1.5 metres.
- (c) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

### (2) Building setback

- (a) Development shall provide setbacks to the primary street frontage consistent with that of adjacent buildings.

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- (b) Side boundary setbacks shall be a minimum of 2 metres.
- (c) All setback areas shall be landscaped.

(3) **Site coverage**

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

#### 4 Design considerations

(1) **Landscaping, built form and finishes**

- (a) Development shall be sited, designed and constructed to minimise impacts upon surrounding bushland.
- (b) Landscaping shall be compatible with the ecology of bushland plant communities on any neighbouring property as well as minimise bush fire hazard.
- (c) Buildings should reflect architectural features that are typical of traditional Mountains-style cottages. In particular:
  - (i) buildings that are surrounded by landscaped areas, and
  - (ii) buildings that do not exceed 15 metres in width or depth, and
  - (iii) articulated floorplans, and
  - (iv) roof designs that incorporate shady eaves and verandahs, and
  - (v) external walls that include a proportion of painted finishes.
- (d) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and
  - (ii) should be integrated with the design of surrounding landscaped areas.

(2) **Amenity and safety**

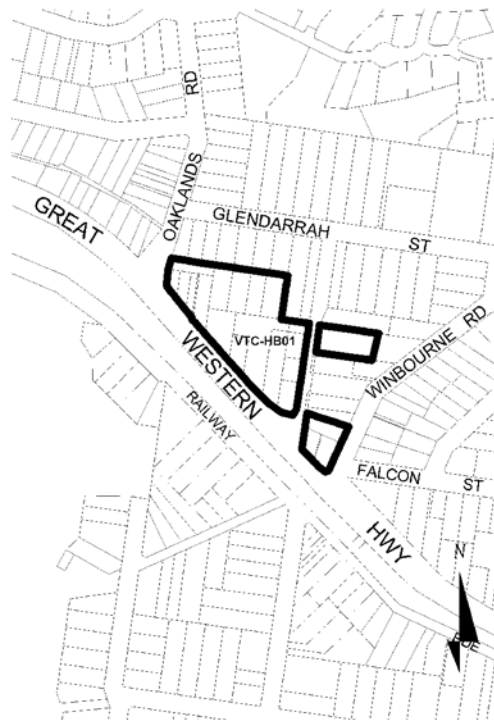
- (a) Passive surveillance is to be promoted throughout publicly-accessible areas by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.
- (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

## Part 8 Hazelbrook Village

### Division 1 Hazelbrook Precinct VTC-HB01—Village Town Centre Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Hazelbrook Precinct VTC-HB01—Village Town Centre Precinct” and shown by distinctive edging and annotated “VTC-HB01” on Map Panel A.



#### Hazelbrook Precinct VTC-HB01—Village Town Centre Precinct

- (2) Consent shall not be granted to development within the Hazelbrook Precinct VTC-HB01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

This precinct remains a compact town centre, accommodating a diverse range of small-to-medium scale retailers, other local businesses and permanent residents, surrounding a central carpark landscaped with tall eucalypts that provide scenic backdrops to the centre as well as buffers to surrounding residential streets.

Modern buildings display a co-ordinated design theme that reflects the traditional main street pattern of continuous one and two-storey shop front buildings. Development promotes improved standards of scenic presentation for this town centre, with buildings maintaining vistas towards the existing tree canopy and maintaining landscaped setbacks to neighbouring residential properties and residential streets.

Indoor activities are visible along all public frontages, with pedestrian movement concentrated outdoors and promoting focal points for informal community gatherings that are protected from undesirable impacts of through traffic.

### **(2) Precinct objectives**

- (a) To maximise the diversity of retail and other business-related services provided primarily to local communities.
- (b) To accommodate permanent residents in “shop-top” dwellings that:
  - (i) promote housing choice, and
  - (ii) incorporate high levels of residential amenity, and
  - (iii) encourage passive surveillance of streets and other public places.
- (c) To encourage increases in floorspace that:
  - (i) benefits from this centre’s prominent visibility and accessibility, and
  - (ii) incorporates building designs that are consistent or compatible with the scale and architectural character of modern buildings in the centre, and
  - (iii) protects the visual amenity and privacy of neighbouring residential properties.
- (d) To incorporate public carparking areas that are safe and attractively landscaped.

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**3 Building envelope****(1) Building height**

Buildings shall not exceed a maximum building height of 9 metres or a maximum height at eaves of 7.5 metres.

**(2) Building setback**

- (a) Development adjoining a public place shall provide a setback of 0 metre to that public place.
- (b) Notwithstanding paragraph (a), where a development site adjoins a public place, setbacks may be greater than 0 metre, but only when it can be demonstrated that an active frontage is provided.
- (c) Notwithstanding paragraphs (a) and (b), development shall provide a minimum setback of 6 metres to the Great Western Highway and properties that adjoin Glendarrah Street.
- (d) All setback areas shall be landscaped.

**(3) Site coverage**

- (a) The maximum site cover for buildings is 100 per cent of the total allotment area.
- (b) Notwithstanding paragraph (a), the maximum site cover for buildings on land adjoining an existing residential allotment is 70 per cent of the total allotment area.

**4 Design considerations****(1) Active street frontages**

- (a) Maintain the existing continuity of retail and other business premises on properties that face the carpark.
- (b) For allotments adjoining the public carpark and facing the Highway, new buildings should result in:
  - (i) new retail or other business premises with shop fronts along at least 50 per cent of ground level frontages, and
  - (ii) balconies or extensive windows, or both, for above-ground storeys.
- (c) On any allotment adjoining an existing residential property, visible facades should contain balconies or windows, or both, that are designed to protect residential amenity.

**(2) Built form, finishes and landscaping**

- (a) The appearance of traditional mainstreet shop-terraces facing all principal street frontages is to be promoted. In particular:
  - (i) a diverse range of narrow shop fronts is to be accommodated, and

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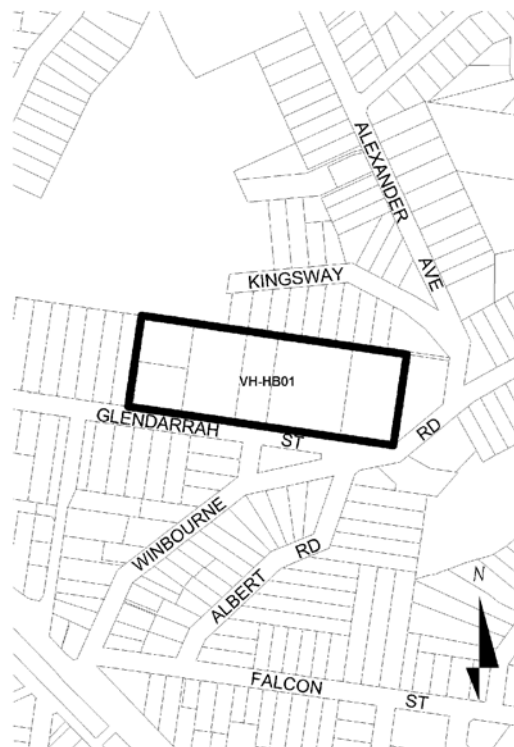
- (ii) continuous awnings or balconies, or both, are to be provided, and
    - (iii) external walls are to be designed as a composition of masonry “piers” with contrasting panels of windows or painted wall finishes, or both.
  - (b) New buildings and facades should adopt a consistent design theme. In particular:
    - (i) building forms should be simple and modern, incorporating steel-posted verandahs and roofs with shady eaves, and
    - (ii) walls should have painted finishes.
  - (c) Landscaped setbacks adjacent to residential properties or facing residential streets should incorporate eucalypt species that are consistent with the established canopy.
  - (d) On-site parking areas:
    - (i) shall be accessed only from the rear or side of buildings via existing public car parks, laneways or secondary streets, and
    - (ii) should be concealed from principal frontages behind retail or other business premises.
- (3) **Pedestrian amenity and safety**
  - (a) The existing pedestrian network is to be expanded by promoting new retail frontages surrounding public places and fronting the Highway.
  - (b) Existing levels of sunlight available throughout public places during midwinter between 10am and 2pm are to be protected.
  - (c) Continuous weather protection is to be provided along all public frontages in the form of awnings or overhanging balconies.
  - (d) Passive surveillance of all public places is to be provided by:
    - (i) ensuring appropriate orientation of shops, offices and dwellings, and
    - (ii) incorporating appropriate design of ground floor walls and structures to provide unobstructed sight lines through public places.
- (4) **Car parking requirements**

Parking shall be provided in accordance with the relevant part of the Council’s *Better Living DCP*.

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**Division 2      Hazelbrook Precinct VH-HB01—Glendarrah Street Precinct****1    Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Hazelbrook Precinct VH-HB01—Glendarrah Street Precinct” and shown by distinctive edging and annotated “VH-HB01” on Map Panel A.

**Hazelbrook Precinct VH-HB01—Glendarrah Street Precinct**

- (2) Consent shall not be granted to development within the Hazelbrook Precinct VH-HB01 unless the development proposed to be carried out:
- (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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### 2    **Desired future character**

#### (1)    **Precinct vision statement**

This precinct provides alternative housing types within a landscape setting through the retention of the existing radiata pines.

#### (2)    **Precinct objectives**

- (a)    To retain a strip of the mature radiata pines within the front setback of the precinct.
- (b)    To promote redevelopment of the site for alternative residential forms that contribute to increasing housing choice in Hazelbrook.

### 3    **Building envelope**

#### (1)    **Building height**

- (a)    Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b)    Building height and roof pitch are to be varied in order to minimise the bulk of buildings.

#### (2)    **Building setback**

The minimum setback of buildings from Glendarrah Street is 15 metres.

#### (3)    **Development density**

The maximum floor space ratio for development is 0.6:1.

### 4    **Design considerations**

- (1)    Building form is to provide an active street frontage through the provision of windows, verandahs and doorways to Glendarrah Street.
- (2)    Car parking areas and hard surfaces are to be screened through the provision of dense planting.
- (3)    The existing mature pine trees are to be retained and enhanced with further planting in the building setback in order to substantially screen any development from Glendarrah Street.



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**Division 3      Hazelbrook Precinct VH-HB02—Addington Road Precinct****1      Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Hazelbrook Precinct VH-HB02—Addington Road Precinct” and shown by distinctive edging and annotated “VH-HB02” on Map Panel A.

**Hazelbrook Precinct VH-HB02—Addington Road Precinct**

- (2) Consent shall not be granted to development within the Hazelbrook Precinct VH-HB02 unless the development proposed to be carried out:
- (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2    Desired future character**

**(1)    Precinct vision statement**

This precinct provides a mix of single and multiple-unit dwellings located close to the town centre and expanding the range of residential accommodation available in the Hazelbrook village.

Redevelopment is encouraged to restore existing traditional cottages, and retain visually significant elements of established garden settings. New buildings reflect the pattern, scale and architectural style of traditional Mountains-style cottages surrounded by gardens.

**(2)    Precinct objectives**

- (a) To maximise the diversity of residential accommodation available in the Hazelbrook village.
- (b) To promote high levels of residential amenity for both future residents and occupants of existing neighbouring properties.
- (c) To maintain and enhance the distinctive existing pattern of detached cottages surrounded by gardens and free-standing garages by:
  - (i) conserving existing trees that provide visually significant streetscape features, and
  - (ii) complementing and extending the established pattern of tall canopy trees that are located primarily along side and rear property boundaries.
- (d) To promote new residential development that is consistent or compatible with the general scale, bulk and architectural character of existing single storey timber-framed cottages.
- (e) To encourage restoration of traditional architectural forms and details for existing early-twentieth century cottages.
- (f) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

**3    Building envelope**

**(1)    Building height**

- (a) Buildings shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) The height above ground for the lowest habitable floor level shall not exceed 1 metre.

- 
- (c) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

(2) **Building setback**

- (a) The minimum setback from the primary street frontage is 8 metres.
- (b) On corner allotments, the setback from the secondary frontage shall be a minimum of 4 metres.
- (c) Side boundary setbacks shall be a minimum of 2 metres.
- (d) All setback areas shall be landscaped.

(3) **Site coverage**

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

**4 Design considerations**

(1) **Landscaping, built form and finishes**

- (a) Buildings should reflect features that are typical of traditional Mountains-style cottages. In particular:
  - (i) buildings should be surrounded by landscaped areas, and
  - (ii) buildings should not exceed 18 metres in any width or length, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently-pitched with shady eaves and verandahs, and
  - (v) external walls should include a proportion of painted finishes.
- (b) Gardens are to incorporate:
  - (i) a backdrop of indigenous canopy trees along rear boundaries, and
  - (ii) a mix of native and exotic trees and shrubs through front and side yards.
- (c) Any non-residential activities should be accommodated in buildings with a residential scale and character.
- (d) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and

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- (ii) should be integrated with the design of surrounding landscaped areas.

(2) **Amenity and safety**

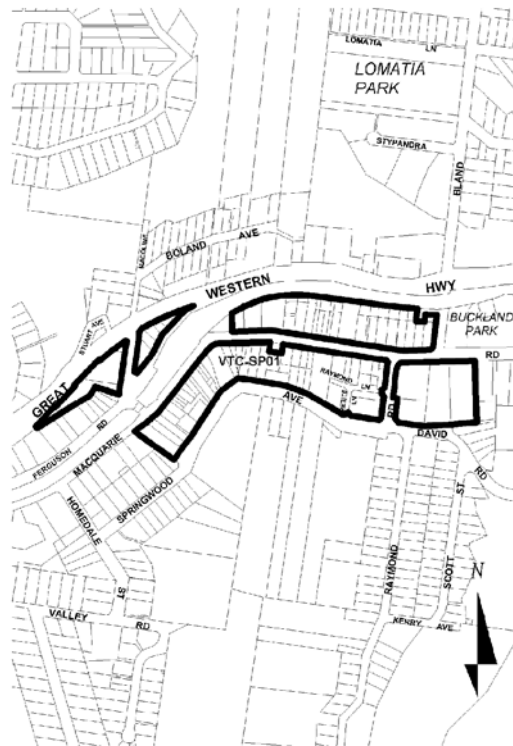
- (a) Passive surveillance is to be promoted along streets and throughout public places by appropriate orientation of verandahs, balconies, entrance doors and the windows of living rooms.
- (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

## Part 9 Springwood Village

### Division 1 Springwood Precinct VTC-SP01—Village Town Centre Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Springwood Precinct VTC-SP01—Village Town Centre Precinct” and shown by distinctive edging and annotated “VTC-SP01” on Map Panel A.



**Springwood Precinct VTC-SP01—Village Town Centre Precinct**

- (2) Consent shall not be granted to development within the Springwood Precinct VTC-SP01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and

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- (b) complies with the building envelope within this Division, and
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## 2 Desired future character

### (1) Precinct vision statement

This precinct remains a compact town centre, accommodating a diverse range of small-to-medium scale retailers, other businesses and permanent residents.

Buildings are arranged in a traditional main street pattern with continuous rows of one and two-storey shop fronts interspersed by landmark hotels, with a scattering of visually prominent canopy trees on hillsides facing Springwood Avenue and the railway.

Development provides visible indoor activity facing all public places, including streets, laneways and car parks, in order to concentrate pedestrian movement outdoors and to encourage informal community meeting places.

Buildings are designed to reflect the local architectural tradition of Edwardian-era retail terraces, displaying some overall diversity of form and design, and maintaining National Park vistas that are available from public places.

### (2) Precinct objectives

- (a) To maintain and enhance the distinctive traditional pattern of continuous retail terraces interspersed by landmark buildings.
- (b) To maximise the diversity of retail and other business-related services provided primarily to local communities.
- (c) To accommodate permanent residents in “shop-top” dwellings that:
  - (i) promote housing choice, and
  - (ii) incorporate high levels of residential amenity, and
  - (iii) encourage passive surveillance of streets and other public places.
- (d) To encourage increases in floorspace:
  - (i) consistent with the appearance and functions desired for this town centre, and
  - (ii) to which public access is provided only via streets, laneways or carpark frontages rather than indoor arcades.

- 
- (e) To encourage future building forms and designs that are consistent or compatible with the scale and architectural character of existing buildings constructed during the early-twentieth century.
  - (f) To maintain the established village character and modest scale of existing development.
  - (g) To control building heights so as:
    - (i) to maintain existing National Park vistas from public places, and
    - (ii) to follow the line of sloping topography on hillside sites.
  - (h) To provide landscaped frontages along Springwood Avenue.

### **3 Building envelope**

#### **(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 12 metres or a maximum height at eaves of 9 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 45 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.

#### **(2) Building setback**

- (a) **Primary street frontage:**
  - (i) Development shall have a setback of 0 metre.
  - (ii) Notwithstanding subparagraph (i), setbacks to Springwood Avenue shall be a minimum of 6 metres and shall be landscaped.
- (b) **Side boundary setbacks:**
  - (i) Development shall have a setback of 0 metre.
  - (ii) Notwithstanding subparagraph (i), where the side boundary adjoins a public place, setbacks greater than 0 metre may be considered, but only when it can be demonstrated that an active frontage is provided.

#### **(3) Site coverage**

- (a) The maximum site cover for buildings is 100 per cent of the total allotment area.
- (b) Notwithstanding paragraph (a), the maximum site cover for buildings on an allotment with a frontage to Springwood Avenue is 70 per cent of the total allotment area.

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**4 Design considerations**

**(1) Active street frontages**

- (a) The existing continuity of retail and other business premises on properties that face Macquarie or Raymond Road is to be retained.
- (b) On properties with secondary frontages to any public place:
  - (i) new retail or other business premises are to be promoted along at least 50 per cent of ground level frontages to public car parks, side streets and laneways, and
  - (ii) for all storeys above ground, balconies or extensive windows facing those public places, or both, are to be provided.
- (c) On properties facing Springwood Avenue, extensive balconies or windows, or both, are to be provided in all facades facing that street.

**(2) Built form and finishes**

- (a) The appearance of traditional mainstreet shop-terraces facing all principal street frontages is to be promoted. In particular:
  - (i) a diverse range of narrow shop fronts is to be accommodated, and
  - (ii) continuous awnings or balconies, or both, are to be provided, and
  - (iii) external walls are to be designed as a composition of masonry “piers” with contrasting panels of windows or painted wall finishes, or both.
- (b) All visible facades should display a form and finishes that are consistent with or complementary to the architectural character of existing mainstreet shop-terraces dating from the Edwardian-era or the Inter-War period.
- (c) On properties that currently support two-storey traditional shop terraces, future development should retain and renovate the principal shop front structure plus the adjoining rooms.
- (d) In development on large allotments:
  - (i) floorspace should be distributed into well-articulated structures that are composed of separate wings or interconnected buildings, and
  - (ii) each building or wing should be capped by a gently-pitched roof, and



- 
- (iii) each building should be surrounded by garden courtyards that either conserve existing canopy trees or provide space for new eucalypts that are planted to frame individual buildings.
  - (e) On-site parking areas:
    - (i) shall be accessed only from the rear or side of buildings via existing public carparks, laneways or secondary streets, and
    - (ii) should be partially concealed behind retail or other business floorspace.
  - (3) **Pedestrian amenity and safety**
    - (a) The existing pedestrian network is to be expanded by promoting new retail frontages surrounding the public places.
    - (b) Existing levels of sunlight available throughout public places during midwinter between 10am and 2pm are to be protected.
    - (c) Continuous weather protection is to be provided along all public frontages in the form of awnings or overhanging balconies.
    - (d) Passive surveillance of all public places is to be promoted through appropriate:
      - (i) orientation of shops, offices and dwellings, and
      - (ii) design of ground floor walls and structures to provide unobstructed sight lines through public places.
  - (4) **Parking and vehicle access**

Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

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### Division 2      **Springwood Precinct VH-SP01—Ferguson Road Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Springwood Precinct VH-SP01—Ferguson Road Precinct” and shown by distinctive edging and annotated “VH-SP01” on Map Panel A.



#### **Springwood Precinct VH-SP01—Ferguson Road Precinct**

- (2) Consent shall not be granted to development within the Springwood Precinct VH-SP01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

This precinct provides a mix of single and multiple-unit dwellings located close to the town centre and expanding the range of residential accommodation that is available in the Springwood village.

New buildings reflect the pattern, scale and architectural style of existing traditional Mountains-style cottages.

In order to provide a distinctive backdrop to both the town centre and the highway, redevelopment is to retain visually significant elements of established garden settings, such as canopy trees in front and rear yards, and restoration of existing cottages is encouraged.

**(2) Precinct objectives**

- (a) To maximise the diversity of residential accommodation available in the Springwood village.
- (b) To promote high levels of residential amenity for both future residents and occupants of existing neighbouring properties.
- (c) To maintain and enhance the distinctive existing pattern of detached cottages surrounded by gardens and free-standing garages through:
  - (i) the conservation of existing trees that provide visually significant streetscape features, and
  - (ii) complementing and extending the established pattern of tall canopy trees that are located primarily along side and rear property boundaries.
- (d) To promote new residential development that is consistent or compatible with the general scale, bulk and architectural character of existing single storey timber-framed cottages.
- (e) To encourage restoration of traditional architectural forms and details for existing early-twentieth century cottages.
- (f) To control building heights:
  - (i) appropriate to a town centre gateway facing Ferguson Road and the Highway, and
  - (ii) to follow the line of hillside topography.
- (g) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

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### **3 Building envelope**

#### **(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 9 metres or a maximum height at eaves of 7.5 metres.
- (b) The height above ground for the lowest habitable floor level shall not exceed 1.5 metres.
- (c) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

#### **(2) Building setback**

- (a) The minimum setback from the street frontage is 8 metres.
- (b) Side boundary setbacks, including any secondary frontage to Yerrawar Place, shall be a minimum of 2 metres.
- (c) All setback areas shall be landscaped.

#### **(3) Site coverage**

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

### **4 Design considerations**

#### **(1) Landscaping, built form and finishes**

- (a) Buildings should reflect features that are typical of traditional Mountains-style cottages. In particular:
  - (i) buildings should be surrounded by landscaped areas, and
  - (ii) buildings should not exceed 18 metres in width or length, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently-pitched with shady eaves and verandahs, and
  - (v) external walls should include a proportion of painted finishes.
- (b) Any non-residential activities should be accommodated in buildings with a residential scale and character.
- (c) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and
  - (ii) should be integrated with the design of surrounding landscaped areas.

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(2) **Amenity and safety**

- (a) Passive surveillance is to be promoted throughout public places by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.
- (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

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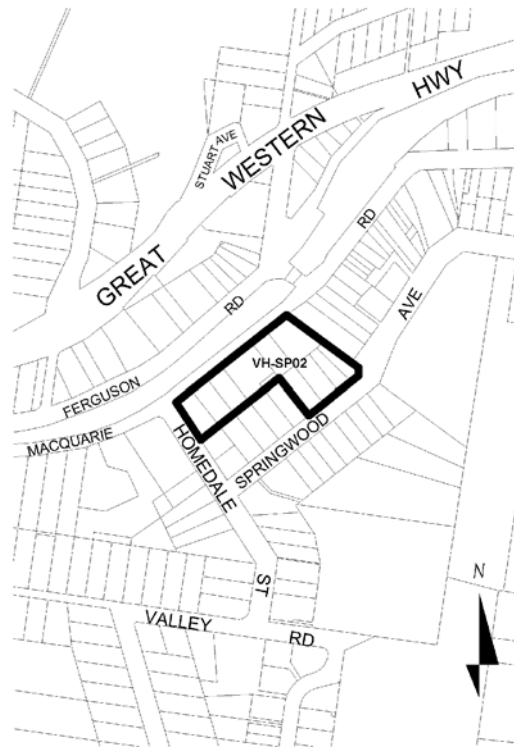
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### Division 3      Springwood Precinct VH-SP02—Western Precinct

#### 1      Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Springwood Precinct VH-SP02—Western Precinct” and shown by distinctive edging and annotated “VH-SP02” on Map Panel A.



#### Springwood Precinct VH-SP02—Western Precinct

- (2) Consent shall not be granted to development within the Springwood Precinct VH-SP02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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## **2 Desired future character**

### **(1) Precinct vision statement**

This precinct provides a mix of single and multiple-unit dwellings, located close to the town centre and expanding the range of residential accommodation that is available in the Springwood village.

New building works reflect the pattern, scale and architectural style of the traditional Mountains-style cottages, together with surrounding gardens.

In order to provide a visually distinctive backdrop to the town centre, redevelopment is to retain visually significant elements of established garden settings, particularly tall eucalypts and other canopy trees on hillside sites.

### **(2) Precinct objectives**

- (a) To maximise the diversity of residential accommodation available in the Springwood village.
- (b) To promote high levels of residential amenity for both future residents and existing neighbouring properties.
- (c) To maintain and enhance the distinctive existing pattern of detached cottages surrounded by gardens with tall canopy trees that provide visually significant streetscape features.
- (d) To promote new residential development that is consistent or compatible with the general scale, bulk and architectural character of existing single storey weatherboard cottages.
- (e) To encourage restoration of traditional architectural forms and details for existing early twentieth century cottages.
- (f) To control building heights to follow the line of hillside topography.
- (g) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

## **3 Building envelope**

### **(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) The height above ground for the lowest habitable floor level shall not exceed 1.5 metres.

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- (c) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

#### (2) **Building setback**

- (a) The minimum setback from the primary street frontage is 8 metres.
- (b) On corner allotments, the setback to the secondary frontage shall be a minimum of 4 metres.
- (c) Side boundary setbacks shall be a minimum of 2 metres.
- (d) All setback areas shall be landscaped.

#### (3) **Site coverage**

- (a) The maximum site cover for buildings is 50 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 40 per cent of the total allotment area.

## 4 **Design considerations**

### (1) **Landscaping, built form and finishes**

- (a) Buildings should reflect features that are typical of traditional Mountains-style cottages. In particular:
  - (i) buildings should be surrounded by landscaped areas that conserve existing visually prominent trees, and
  - (ii) buildings should not exceed 15 metres in any width or depth, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently-pitched roofs with shady eaves and verandahs, and
  - (v) external walls should include a proportion of painted finishes.
- (b) Any non-residential activities should be accommodated in buildings with a residential scale and character.
- (c) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and
  - (ii) should be integrated with the design of surrounding landscaped areas.

### (2) **Amenity and safety**

- (a) Passive surveillance is to be promoted throughout public places by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.



- 
- (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

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### Division 4      **Springwood Precinct VH-SP03—Southern Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Springwood Precinct VH-SP03—Southern Precinct” and shown by distinctive edging and annotated “VH-SP03” on Map Panel A.



#### **Springwood Precinct VH-SP03—Southern Precinct**

- (2) Consent shall not be granted to development within the Springwood Precinct VH-SP03 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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## 2 Desired future character

### (1) Precinct vision statement

Multiple-unit dwellings in this precinct are planned and constructed to protect the neighbouring bushland reserve of Fairy Dell from adverse visual or environmental impacts, as well as to provide an attractive backdrop to the Springwood Village centre and to expand the range of residential accommodation that is available in the Springwood Village.

Buildings and site works are confined to street frontages along Springwood Avenue, avoiding disturbance to steeper wooded slopes surrounding Fairy Dell. Substantial landscape buffers of canopy trees and understorey are maintained along all street and park boundaries, screening buildings and maintaining a quiet bushland atmosphere in the neighbouring reserve.

### (2) Precinct objectives

- (a) To maximise the diversity of residential accommodation available in the Springwood Village.
- (b) To promote high levels of residential amenity for both future residents and occupants of existing neighbouring properties.
- (c) To ensure that site coverage by buildings and site works minimises disturbance:
  - (i) to hillside topography, and
  - (ii) to the associated pattern of tall eucalypts located along side and rear boundaries.
- (d) To maintain effective landscape buffers facing Fairy Dell and Springwood Avenue so as:
  - (i) to protect the natural amenity of that reserve, and
  - (ii) to provide a green backdrop to the neighbouring town centre.
- (e) To promote new apartments that are designed to blend with the bushland setting.
- (f) To control building heights:
  - (i) to minimise visual impacts on the neighbouring bushland reserve, and
  - (ii) to follow the line of hillside topography.
- (g) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

**3 Building envelope**

**(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 9.5 metres or a maximum height at eaves of 7.5 metres.
- (b) Notwithstanding paragraph (a), if concealed by sloping topography or existing vegetation that is to be conserved on site, the maximum height at eaves is 9.5 metres, but only if no scenic view from any public place is blocked and that no neighbouring residential property is unreasonably affected by overshadowing or overlooking.
- (c) The height above ground for the lowest habitable floor level shall not exceed 1.5 metres.
- (d) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

**(2) Building setback**

- (a) The minimum setback from Springwood Avenue is 10 metres.
- (b) Side boundary setbacks shall be a minimum of 4 metres.
- (c) All setback areas shall be landscaped.

**(3) Site coverage**

- (a) The maximum site cover for buildings is 30 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 60 per cent of the total allotment area.

**4 Design considerations**

**(1) Landscaping, built form and finishes**

- (a) Gardens and buildings minimise impacts on the surrounding bushland and provide for additional plantings that are compatible with the ecology of adjoining bushland plant communities as well as minimise bush fire hazard.
- (b) Buildings incorporate design features that promote effective integration with the bushland setting. In particular:
  - (i) buildings should be surrounded by landscaped areas, and
  - (ii) buildings should not exceed 25 metres in width or depth, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently-pitched with shady eaves and verandahs, and

- 
- (v) external walls are to display earthy tones.
  - (c) Any non-residential activities should be accommodated in buildings with a residential character.
  - (d) Driveways, parking areas and garages:
    - (i) should not dominate any street frontage, and
    - (ii) should be integrated with the design of surrounding landscaped areas.
  - (2) **Amenity and safety**
    - (a) Passive surveillance is to be promoted throughout public places by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.
    - (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

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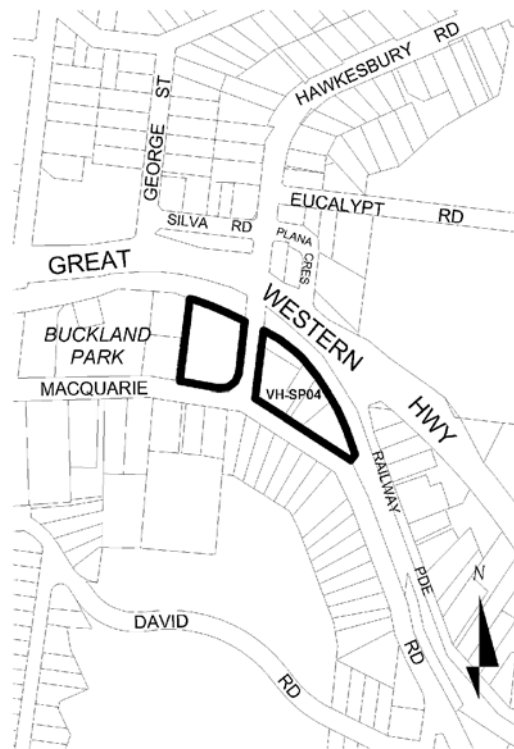
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### Division 5      Springwood Precinct VH-SP04—Eastern Precinct

#### 1      Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Springwood Precinct VH-SP04—Eastern Precinct” and shown by distinctive edging and annotated “VH-SP04” on Map Panel A.



#### Springwood Precinct VH-SP04—Eastern Precinct

- (2) Consent shall not be granted to development within the Springwood Precinct VH-SP04 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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## **2 Desired future character**

### **(1) Precinct vision statement**

Multiple-unit dwellings in this precinct are designed to establish an attractive and distinctive eastern gateway to the neighbouring town centre, as well as expanding the range of residential accommodation that is available in the Springwood Village.

In order to provide a visually distinctive backdrop to the neighbouring town centre, buildings are surrounded by landscaped settings that include copses of tall eucalypts. Building forms are well-articulated as well as incorporating elements of the architectural style of traditional Mountains-style cottages, such as gently pitched roofs with shady eaves and framed balconies.

### **(2) Precinct objectives**

- (a) To maximise the diversity of residential accommodation available in the Springwood village.
- (b) To promote high levels of residential amenity for both future residents and existing neighbouring properties.
- (c) To establish apartment buildings in landscaped settings that both complement and extend the established pattern of tall eucalypts along the southern side of Macquarie Street.
- (d) To promote new residential buildings with well-articulated forms and rooflines, incorporating traditional design elements of existing cottages along Macquarie Street.
- (e) To encourage restoration of traditional architectural forms and details for existing early-twentieth century cottages.
- (f) To control building heights by requiring them:
  - (i) to be appropriate to a town centre gateway facing Ferguson Road and the Highway, and
  - (ii) to follow the line of hillside topography.
- (g) To provide on-site parking:
  - (i) that does not dominate the street frontage, and
  - (ii) that is integrated with the design of surrounding garden areas.

## **3 Building envelope**

### **(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 9 metres or a maximum height at eaves of 7.5 metres.

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- (b) The height above ground for the lowest habitable floor level shall not exceed 1 metre.
- (c) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

#### (2) **Building setback**

- (a) The minimum setback to the Macquarie Road or Hawkesbury Road frontage is 6 metres.
- (b) On corner allotments, the setback to the secondary frontage shall be a minimum of 4 metres.
- (c) Side boundary setbacks shall be a minimum of 2 metres.
- (d) Notwithstanding any of the above, setbacks to any boundary adjoining the railway shall be a minimum of 8 metres.

#### (3) **Site coverage**

- (a) The maximum site cover for buildings is 55 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 35 per cent of the total allotment area.

## 4 **Design considerations**

### (1) **Landscaping, built form and finishes**

- (a) All facades that are visible from a public place shall display consistent standards of design quality.
- (b) Buildings should reflect features that are typical of traditional Mountains-style cottages. In particular:
  - (i) buildings should be surrounded by landscaped areas that conserve existing visually prominent trees, and
  - (ii) buildings should not exceed 15 metres in width or depth, and
  - (iii) floorplans should be articulated, and
  - (iv) roofs should be gently-pitched roofs with shady eaves and verandahs, and
  - (v) external walls should include a proportion of painted finishes.
- (c) Any non-residential activities should be accommodated in buildings with a residential scale and character.
- (d) Driveways, parking areas and garages:
  - (i) should not dominate any street frontage, and



- 
- (ii) should be integrated with the design of surrounding landscaped areas.

(2) **Amenity and safety**

- (a) Passive surveillance is to be promoted throughout public places by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.
- (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

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### **Division 6      Other land zoned Village—Housing within Springwood Village**

#### **1      Consideration of land**

- (1) This Division applies to land zoned Village—Housing within Springwood that is not designated as being within a specific Village—Housing precinct on Map Panel A.
- (2) Consent shall not be granted to development to which this Division applies unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the locality objectives in achieving the locality vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

#### **2      Desired future character**

##### **(1)      Locality vision statement**

Development includes high quality urban design features in response to the constraints imposed and the opportunities provided by its locality. These localities provide alternative forms of housing that contribute to meeting housing demand in accordance with changing demographics within the Blue Mountains.

##### **(2)      Locality objectives**

- (a) To provide opportunities for alternative housing forms in convenient locations.
- (b) To present urban forms that incorporate appropriate energy-efficient measures.
- (c) To promote urban design that reflects and is sympathetic to traditional built forms characteristic of residential development within the Blue Mountains.
- (d) To provide active street frontages to primary streets.
- (e) To contribute to a range of housing options and a variety of dwelling sizes.
- (f) To ensure on-site car parking does not dominate the design or layout of buildings.

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**3 Building envelope**

(1) **Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

(2) **Building setback**

The minimum setback from the street frontage is 8 metres.

(3) **Site coverage**

- (a) The maximum site coverage for the allotment is 40 per cent.
- (b) The minimum soft, pervious or landscaped area required for the allotment is 40 per cent.

(4) **Development density**

The maximum floor space ratio for development is 0.5:1.

**4 Design considerations**

- (1) Development shall provide articulation and building modulation in order to minimise buildings with a bulky appearance.
- (2) Development is to provide active street frontage to the primary street.
- (3) Garages and car parking are to be screened from public streets and located internally so as not to dominate the design and layout of development.

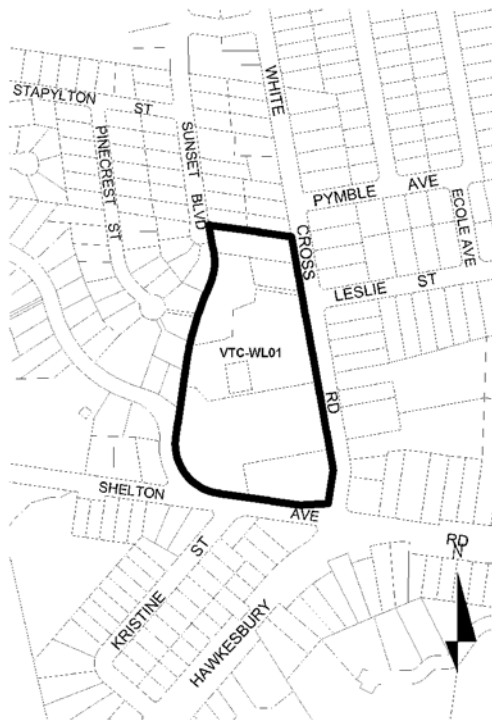
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## Part 10 Winmalee Village

### Division 1 Winmalee Precinct VTC-WL01—Village Town Centre Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Winmalee Precinct VTC-WL01—Village Town Centre Precinct” and shown by distinctive edging and annotated “VTC-WL01” on Map Panel A.



#### Winmalee Precinct VTC-WL01—Village Town Centre Precinct

- (2) Consent shall not be granted to development of land to which this Division applies unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and

- 
- (b) complies, to the satisfaction of the consent authority, with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

The precinct remains a compact town centre, accommodating a diverse range of retail and other businesses that complement the district level retail facilities that form the main focus of commercial activity for the precinct.

Development in the northern section of the precinct is in keeping with the residential scale form and character of the surrounding residential areas. Heritage items are preserved and form a significant visual element to be taken into account in the design of new development.

The development of the precinct is to incorporate the low densities and bushland character elements that have characterised the traditional development of Winmalee village. The visual impact of built components is minimised through design elements and native vegetation screening from surrounding roadways. Significant trees, including the heritage listed Bunya Pines, are retained and enhanced with new plantings, particularly within and surrounding car parking areas.

### **(2) Precinct objectives**

- (a) To maximise the diversity of retail and other business-related services provided primarily to local communities.
- (b) To accommodate permanent residents in “shop-top” dwellings that:
  - (i) promote housing choice, and
  - (ii) incorporate high levels of residential amenity, and
  - (iii) encourage passive surveillance of streets and other public places.
- (c) To encourage modest increases in floorspace that:
  - (i) incorporate building designs that are consistent or compatible with the scale and architectural character of modern buildings in the centre, and
  - (ii) protect the visual amenity and privacy of neighbouring residential properties.
- (d) To incorporate public carparking areas that are safe and attractively landscaped.

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- (e) To ensure that the scale and character of future buildings is compatible with the adjoining residential neighbourhood.
- (f) To ensure that further development of the site facilitates the preservation of the heritage listed Bunya Pines, particularly in relation to siting and associated activities that may be incompatible with the maintenance of these trees.

### 3 Building envelope

#### (1) Building height

- (a) Buildings are not to exceed a maximum building height of 10 metres.
- (b) Notwithstanding paragraph (a), the maximum building height for a building on land fronting Stayplton Street is 14 metres if the consent authority is satisfied that the building:
  - (i) is set back no less than 10 metres from this property boundary, and
  - (ii) does not exceed this height any further than 16 metres from the building setback, and
  - (iii) is visually articulated and screened by native vegetation.

#### (2) Building setback

The minimum setback is to be within 20 per cent of the average setback of adjoining allotments.

#### (3) Site coverage

The maximum site cover for buildings is 40 per cent of the total allotment area.

### 4 Design considerations

Development shall demonstrate consistency with the following:

- (a) all visible walls shall be articulated with appropriate design elements and heavily screened with appropriate native vegetation plantings,
- (b) vehicle and pedestrian access shall be managed in a manner that minimises conflict between the two,
- (c) commercial signage and shop front designs shall be co-ordinated to reflect a village character,
- (d) commercial signage and building designs must be co-ordinated,
- (e) heritage components of the precinct are retained and incorporated into any future development proposals.

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## Part 11 Blaxland Village

### Division 1 Blaxland Precinct VTC-BX01—Village Town Centre Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blaxland Precinct VTC-BX01—Village Town Centre Precinct” and shown by distinctive edging and annotated “VTC-BX01” on Map Panel A.



#### Blaxland Precinct VTC-BX01—Village Town Centre Precinct

- (2) Consent shall not be granted to development within the Blaxland Precinct VTC-BX01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and

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- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## 2    **Desired future character**

### (1)    **Precinct vision statement**

This precinct remains a compact town centre, accommodating a diverse range of small-to-medium scale retail and other businesses and permanent residents.

Modern buildings are arranged in a traditional main street pattern, with a continuous row of one and two-storey shop-fronts surrounding a substantial open carpark to the rear. Pedestrian movement is concentrated outdoors, encouraging informal community meeting places.

The central carpark is surrounded by eucalypts, including a distinctive large copse at the corner of View and Hope Streets, providing both a green backdrop to the town centre and a barrier to surrounding residential areas.

Future development promotes an improved scenic presentation for this town centre, with buildings displaying some diversity of form and design, and maintaining glimpses of the National Park from the highway pedestrian bridge. The design of buildings and signage is co-ordinated, and there is visible indoor activity facing all public places including streets, laneways and carparks.

### (2)    **Precinct objectives**

- (a) To maximise the diversity of retail and other business-related services provided primarily to local communities.
- (b) To accommodate permanent residents in “shop-top” dwellings that:
  - (i) promote housing choice, and
  - (ii) incorporate high levels of residential amenity, and
  - (iii) encourage passive surveillance of streets and other public places.
- (c) To encourage increases in floorspace:
  - (i) consistent with the desired appearance and functions of this town centre, and
  - (ii) with public access to interiors provided only via streets, outdoor laneways or carpark frontages rather than indoor arcades.
- (d) To encourage future building forms and designs that are consistent or compatible with the scale and architectural



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character of existing buildings constructed during the late twentieth century.

- (e) To maintain the established village character and modest scale of existing development.
- (f) To control building heights so as:
  - (i) to maintain existing National Park vistas from public places, and
  - (ii) to follow the line of sloping topography on hillside sites.
- (g) To provide landscaped frontages along Hope Street.

### **3 Building envelope**

#### **(1) Building height**

- (a) Buildings shall not exceed a maximum building height of 12 metres or a maximum height at eaves of 9 metres.
- (b) External walls fronting a public place shall be contained within a building envelope projected at 45 degrees from a height of 7.5 metres above any boundary or boundaries to that public place.

#### **(2) Building setback**

##### **(a) Primary street frontage:**

- (i) Development shall have a setback of 0 metre.
- (ii) Notwithstanding subparagraph (i), setbacks to Hope Street shall be a minimum of 6 metres and shall be landscaped.
- (iii) Notwithstanding subparagraphs (i) and (ii), on the property located at the intersection of Hope and View Streets, setbacks shall be increased to protect the visually significant eucalypt canopy.

##### **(b) Side boundary setbacks:**

- (i) Development shall have a setback of 0 metre.
- (ii) Notwithstanding subparagraph (i), where the side boundary adjoins a public place, setbacks greater than 0 metre may be allowed, but only when it can be demonstrated that an active frontage will be provided.
- (iii) Notwithstanding subparagraphs (i) and (ii), on the property located at the intersection of Hope and View Streets setbacks shall be increased to protect the visually significant eucalypt canopy.

#### **(3) Site coverage**

- (a) The maximum site cover for buildings is 100 per cent of the total allotment area.
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- (b) Notwithstanding paragraph (a), the maximum site cover for buildings on an allotment with a frontage to Hope Street is 80 per cent of the total allotment area.
- (c) Notwithstanding paragraphs (a) and (b), for the property located at the corner of Hope and View Streets, the footprint shall be reduced as necessary to conserve the visually significant eucalypt canopy.

#### 4 Design considerations

##### (1) Active street frontages

- (a) The existing continuity of retail and other business premises on properties that face the Highway is to be maintained.
- (b) On properties with a secondary frontage to a public place:
  - (i) new retail or other business premises are to be promoted along at least 50 per cent of ground level frontages to public car parks, side streets and laneways, and
  - (ii) for all storeys above ground, balconies or extensive windows, or both, facing those public places are to be included.
- (c) On properties fronting Hope Street, extensive balconies or windows, or both, are to be promoted in all facades facing that street.

##### (2) Built form and finishes

- (a) The appearance of traditional mainstreet shop-terraces facing all principal street frontages is to be promoted. In particular:
  - (i) a diverse range of narrow shop fronts is to be accommodated, and
  - (ii) continuous awnings or balconies, or both, are to be provided, and
  - (iii) external walls are to be designed as a composition of masonry and “piers” with contrasting panels of windows or painted wall finishes, or both.
- (b) All visible facades should display a form and finishes that are consistent with or complementary to the architectural character of the principal building frontage.
- (c) Development on large allotments should result in the following:
  - (i) floorspace distributed into well-articulated structures that are composed of separate wings or interconnected buildings, and
  - (ii) each building or wing capped by a gently-pitched roof, and

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- (iii) each building surrounded by garden courtyards that either conserve existing canopy trees or provide space for new eucalypts that are planted to frame individual buildings.
  - (d) On-site parking areas:
    - (i) shall be accessed only from the rear or side of buildings via existing public carparks, laneways or secondary streets, and
    - (ii) should be partially concealed behind retail or other business premises.
  - (3) **Pedestrian amenity and safety**
    - (a) The existing pedestrian network is to be expanded by promoting new retail frontages surrounding the public places.
    - (b) Existing levels of sunlight available throughout public places during midwinter between 10am and 2pm are to be protected.
    - (c) Continuous weather protection is to be provided along frontages to public places in the form of awnings or overhanging balconies.
    - (d) Passive surveillance of all public places is to be promoted through appropriate:
      - (i) orientation of shops, offices and dwellings, and
      - (ii) design of ground floor walls and structures to provide unobstructed sight lines through public places.
  - (4) **Car parking requirements**

Parking shall be provided in accordance with the relevant part of the Council's *Better Living DCP*.

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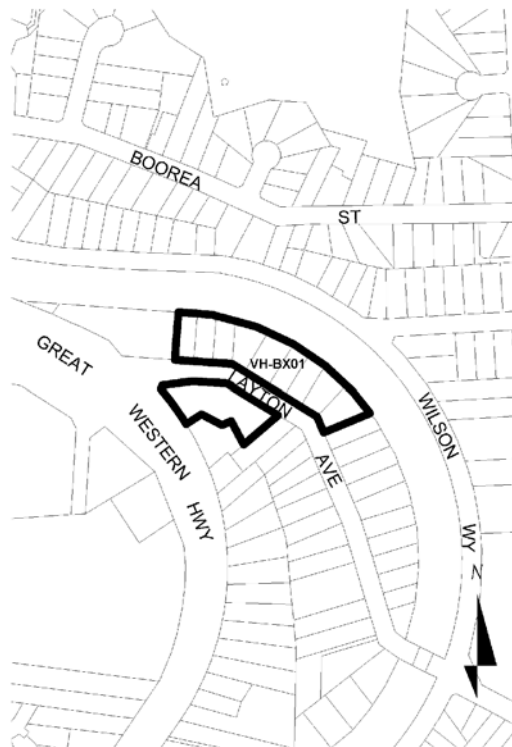
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### Division 2      **Blaxland Precinct VH-BX01—Layton Avenue Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blaxland Precinct VH-BX01—Layton Avenue Precinct” and shown by distinctive edging and annotated “VH-BX01” on Map Panel A.



#### **Blaxland Precinct VH-BX01—Layton Avenue Precinct**

- (2) Consent shall not be granted to development within the Blaxland Precinct VH-BX01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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**2 Desired future character****(1) Precinct vision statement**

This precinct provides sensitive redevelopment for the purpose of alternate housing forms, designed so as to present a positive residential amenity in close proximity to services and public transport. Redevelopment contributes to the streetscape by providing active street frontages to Layton Avenue.

**(2) Precinct objectives**

- (a) To promote an integrated redevelopment of the precinct that promotes visual and acoustic privacy.
- (b) To promote development that provides active street frontages to Layton Avenue.

**3 Building envelope****(1) Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

**(2) Building setback**

The minimum setback from Layton Avenue is 5 metres.

**(3) Development density**

The maximum floor space ratio for development is 0.5:1.

**4 Design considerations**

- (1) Building form is to provide an active street frontage to Layton Avenue and facades fronting Layton Avenue shall be articulated through, for example, the provision of verandahs, windows and front doors.
- (2) Development shall provide private open space in the form of landscaping with screening at the rear of the site.

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### Division 3      **Blaxland Precinct VH-BX02—Wilson Way Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blaxland Precinct VH-BX02—Wilson Way Precinct” and shown by distinctive edging and annotated “VH-BX02” on Map Panel A.



#### **Blaxland Precinct VH-BX02—Wilson Way Precinct**

- (2) Consent shall not be granted to development within the Blaxland Precinct VH-BX02 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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- (3) Consent shall not be granted to development within this precinct unless the consent authority has considered a management plan that incorporates, to the satisfaction of the consent authority, measures for the ongoing maintenance of any communal open space provided to comply with clause 4 (2).

## **2 Desired future character**

### **(1) Precinct vision statement**

Alternative housing forms are provided with convenient access to services and transport. The site is visually prominent from Mitchell's Pass and Wilson Way. Development of the site incorporates landscaping and revegetation elements that minimise the overall bulk of development and promote a bushland setting.

### **(2) Precinct objectives**

- (a) To incorporate significant landscaping elements as part of any redevelopment of the site, including revegetation of the southern boundary of the site.
- (b) To promote opportunities for the development of a variety of housing forms that complement the existing character of adjoining residential development.

## **3 Building envelope**

### **(1) Building height**

- (a) Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) Notwithstanding paragraph (a), buildings immediately fronting the southern boundary of the Village—Housing zone are not to exceed a maximum building height of 6.5 metres or a maximum height at eaves of 4.5 metres.
- (c) Development is to be staggered to reduce overall building bulk.

### **(2) Building setback**

- (a) The minimum setback from the southern boundary of the Village—Housing zone is 25 metres.
- (b) The minimum setback from the eastern boundary is 10 metres.

### **(3) Development density**

The maximum floor space ratio for development is 0.6:1.

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### 4 Design considerations

- (1) Any development is to provide landscaping, including dense vegetation of the strip of land within a 25 metre setback along the length of the southern boundary of the precinct.
- (2) Communal open space should be provided so as to:
  - (a) provide recreational opportunities for the residents of the development, and
  - (b) allow for stormwater management on site, and
  - (c) screen the development from Wilson Way and Mitchell's Pass.
- (3) Vehicular access to the precinct shall be provided via Allen Street.
- (4) A pedestrian link should be incorporated within the site linking Allen Street to the corner of Mitchell's Pass and Wilson Way.



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**Division 4      Blaxland Precinct VH-BX03—Hope Street Precinct  
(106 Great Western Highway, Blaxland)****1      Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blaxland Precinct VH-BX03—Hope Street Precinct” and shown by distinctive edging and annotated “VH-BX03” on Map Panel A.

**Blaxland Precinct VH-BX03—Hope Street Precinct**

- (2) Consent shall not be granted to development within the Blaxland Precinct VH-BX03 unless the development proposed to be carried out:
- (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division, and

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- (d) if it involves integrated housing, is consistent with a subdivision of the land under the *Community Land Development Act 1989* into 5 or more lots with each neighbourhood lot on which a dwelling house and courtyard will be erected having an area of not less than 260 square metres.
- (3) Consent must not be granted to development within the precinct unless the consent authority has had regard to a management plan that incorporates, to the satisfaction of the consent authority, measures for the ongoing maintenance of the communal open space and protection of habitat.

### 2 Desired future character

#### (1) Precinct vision statement

This precinct promotes sensitive development for the purpose of promoting alternate housing forms, designed so as to present a positive residential amenity in close proximity to services and public transport. Development of this site maintains the bushland character of the locality and limits access onto the Great Western Highway.

#### (2) Precinct objectives

- (a) To promote integrated development that retains a bushland character.
- (b) To ensure that development promotes visual and acoustic privacy.
- (c) To promote development that prohibits direct vehicular access to the Great Western Highway.

### 3 Building envelope

#### (1) Building height

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

#### (2) Building setback

The minimum setback from the Great Western Highway is 14 metres.

#### (3) Development density

The maximum floor space ratio for development is 0.15:1, while the maximum number of integrated dwellings permitted is 43.

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**4 Design considerations**

- (1) Building form is to provide for active street frontages to the internal streets in the development and facades fronting these streets shall be articulated through, for example, the provision of verandahs, windows or front doors.
- (2) The development shall provide screening in the form of landscaping along the Great Western Highway frontage of the site in order to provide private open space and provide visual and acoustic amenity for residents.
- (3) The development shall incorporate appropriate mitigation measures such as stormwater treatment and bushland regeneration to ensure the protection of habitat for threatened species such as the Red-crowned Toadlet.
- (4) Communal open space should be provided so as to:
  - (a) provide recreational opportunities for the residents of the development, and
  - (b) allow for stormwater management on site, and
  - (c) promote bushland regeneration to ensure the protection of habitat for threatened species, such as the Red-crowned Toadlet.
- (5) Vehicular access to land within the precinct shall be provided from the public road linking the northern boundary of the precinct to the Great Western Highway, as shown on Map Panel A.

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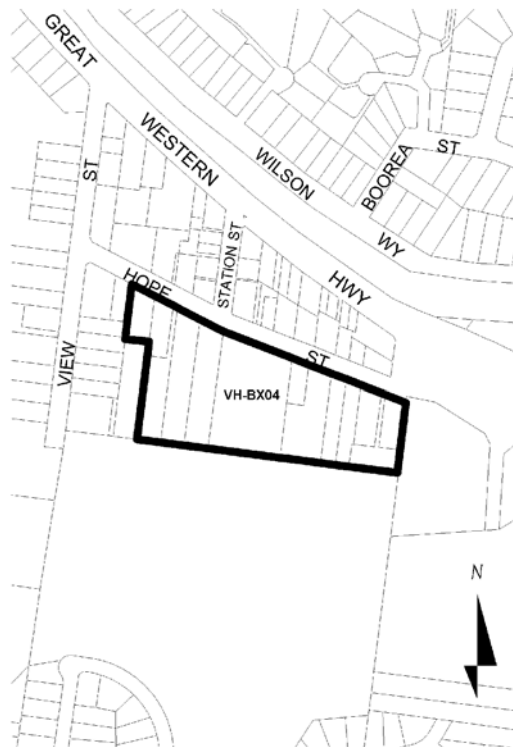
Schedule 1      Locality management within the Villages

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### Division 5      **Blaxland Precinct VH-BX04—Village Housing Precinct**

#### 1      **Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Blaxland Precinct VH-BX04—Village Housing Precinct” and shown by distinctive edging and annotated “VH-BX04” on Map Panel A.



#### **Blaxland Precinct VH-BX04—Village Housing Precinct**

- (2) Consent shall not be granted to development within the Blaxland Precinct VH-BX04 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

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## 2 Desired future character

### (1) Precinct vision statement

This precinct provides a mix of single and multiple-unit dwellings, plus a variety of low-key businesses facing Hope Street.

Future development is planned and constructed to protect neighbouring bushland from adverse visual or environmental impacts, as well as to provide an attractive backdrop to the town centre, and to expand the range of residential accommodation and community services available in the Blaxland Village.

New building works reflect the general pattern, scale and architectural style of traditional Mountains-style cottages, surrounded by gardens that support a dense bushland backdrop.

Buildings and site works are set close to Hope Street, protecting steeper wooded slopes from disturbance and maintaining substantial landscape buffers of canopy trees and understorey along the rear boundary. Street frontages are landscaped to provide a visually distinctive backdrop to the town centre.

### (2) Precinct objectives

- (a) To maximise the diversity of residential accommodation available in the Blaxland village.
- (b) To promote high levels of residential amenity for both future residents and existing neighbouring properties.
- (c) To maintain and enhance the distinctive existing pattern of tall eucalypts that form a continuous canopy along back boundaries and provide visually significant streetscape features.
- (d) To promote new residential development with street frontages that are consistent or compatible with the general scale, bulk and architectural character of traditional single-storey weatherboard cottages.
- (e) To encourage restoration of traditional architectural forms and details for existing early twentieth century cottages.
- (f) To control building heights:
  - (i) to maintain existing National Park vistas from public places, and
  - (ii) to follow the line of sloping topography on hillside sites.
- (g) To provide landscaped frontages along Hope Street.
- (h) To provide on-site parking:
  - (i) that does not dominate the street frontage, and

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#### Schedule 1 Locality management within the Villages

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- (ii) that is integrated with the design of surrounding garden areas.

### 3 Building envelope

#### (1) Building height

- (a) Buildings shall not exceed a maximum building height of 9 metres or a maximum height at eaves of 7.5 metres.
- (b) Notwithstanding paragraph (a), if concealed by sloping topography or existing vegetation that is to be conserved on site, the height at eaves may be up to 9 metres, provided that no scenic view from any public place is blocked and that no neighbouring residential property is unreasonably affected by overshadowing or overlooking.
- (c) The height above ground for the lowest habitable floor level shall not exceed 1.5 metres.
- (d) Cut or fill within 5 metres of any property boundary shall not exceed 0.5 metre.

#### (2) Building setback

- (a) The minimum setback from the street frontage is 8 metres.
- (b) Side boundary setbacks shall be a minimum of 2 metres.
- (c) All setback areas shall be landscaped.

#### (3) Site coverage

- (a) The maximum site cover for buildings is 40 per cent of the total allotment area.
- (b) The minimum area to be retained as soft, pervious or landscaped area (excluding hard surfaces) is 50 per cent of the total allotment area.

### 4 Design considerations

#### (1) Landscaping, built form and finishes

- (a) Development shall be sited, designed and constructed to minimise impacts upon surrounding bushland.
- (b) Landscaping shall be compatible with the ecology of bushland plant communities on any neighbouring property as well as minimise bush fire hazard.
- (c) Buildings should reflect architectural features that are typical of traditional Mountains-style cottages. In particular:
  - (i) buildings that are surrounded by landscaped areas, and

- 
- (ii) buildings that do not exceed 15 metres in width or depth, and
    - (iii) articulated floorplans, and
    - (iv) gently-pitched roofs with shady eaves and verandahs, and
    - (v) external walls that include a proportion of painted finishes.
  - (d) Any non-residential activities along Hope Street should be accommodated in buildings with a domestic scale and character.
  - (e) Driveways, parking areas and garages:
    - (i) should not dominate any street frontage, and
    - (ii) should be integrated with the design of surrounding landscaped areas.
- (2) **Amenity and safety**
- (a) Passive surveillance is to be promoted throughout public places by appropriate orientation of verandahs, balconies, entrance doors and the windows to living rooms or business premises.
  - (b) Reasonable solar access is to be provided to all living rooms and private open spaces.

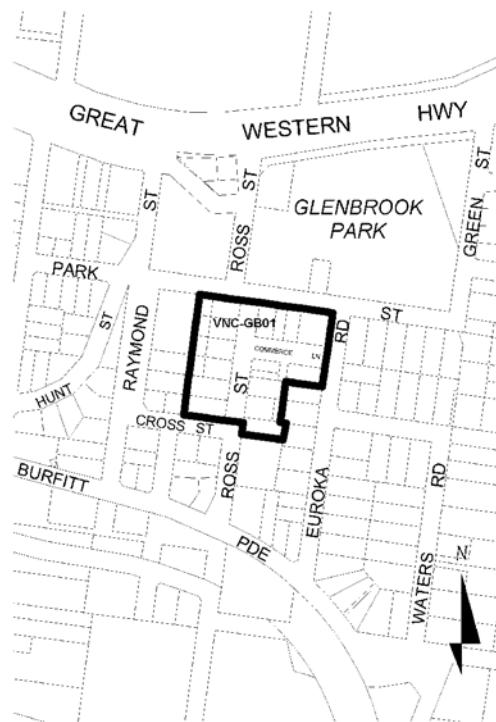
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## Part 12 Glenbrook Village

### Division 1 Glenbrook Precinct VNC-GB01—Glenbrook Shops Precinct

#### 1 Consideration of precinct

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Glenbrook Precinct VNC-GB01—Glenbrook Shops Precinct” and shown by distinctive bordering and designated VNC-GB01 on Map Panel A.



#### Glenbrook Precinct VNC-GB01—Glenbrook Shops Precinct

- (2) Consent shall not be granted to development within the Glenbrook Precinct GB01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and



- 
- (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

## **2 Desired future character**

### **(1) Precinct vision statement**

Situated beside Glenbrook Park and surrounded by residential neighbourhoods, the Village—Neighbourhood Centre supports a variety of small retail and other commercial businesses that serve the local community as well as visitors, within a pedestrian-friendly setting where principal streets are lined by single-storey shop front buildings and converted cottages, and public car parking is concentrated along secondary streets behind the business premises.

### **(2) Precinct objectives**

- (a) To maintain a diverse range of smaller-scale business activities that service the local community and Blue Mountains visitors.
- (b) To maintain the modest scale and single storey appearance along Park and Ross Streets, in particular the varied pattern of individual shop fronts and converted cottages with garden courtyards.
- (c) To ensure that the height of future development preserves existing public vistas from Glenbrook Park and Park Street towards scenic National Park landscapes.
- (d) To encourage modest increases in business floor space, consistent with the desired appearance of the business village, the capacity of the surrounding road network and available centre parking.
- (e) To employ simple architectural forms and details that are either consistent or compatible with early twentieth century weatherboard cottages or post-Second World War strip shopping developments.
- (f) To provide for co-ordinated design of business signage and shop-fronts according to a village theme.
- (g) To ensure that on-site car parking does not dominate streetscapes or restrict the potential to provide additional shop frontages.

## **3 Building envelope**

### **(1) Building height**

- (a) On properties that have an existing cottage, new buildings are not to exceed a building height of 6.5 metres or a maximum height at eaves of 4.5 metres.

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- (b) However, for properties that have an existing shop front building, the maximum overall height is not to exceed either the top of the existing awning or the parapet facing Park Street, Ross Street or Euroka Road, whichever is the higher.
  - (c) For properties facing a lane, the maximum height of external enclosing walls is to fit within an envelope projected at 30 degrees from a height of 4.5 metres above the lane boundary, measured from ground level.
- (2) **Building setback**
  - (a) The minimum front and side setbacks for development on properties with existing shop front buildings facing Park Street, Ross Street and Euroka Road is 0 metre.
  - (b) Development on properties that contain existing cottages:
    - (i) is to maintain the existing front setback, and
    - (ii) is to provide side setbacks of a minimum of 1 metre, and
    - (iii) is subject to a maximum built frontage that does not exceed 75 per cent of the lot width.
  - (c) Rear boundary setbacks adjoining a residential neighbourhood are to be a minimum of 6 metres and to retain any existing vegetation that forms a visually significant streetscape element.
- (3) **Site coverage**
  - (a) For properties adjoining a residential neighbourhood, the maximum floor space ratio for development is 0.6:1.
  - (b) For buildings with lanes or streets to their rear, the maximum floor space ratio is 1:1.
  - (c) All existing vegetation forming visually significant streetscape elements is to be retained.

#### 4 Design considerations

- (1) **Active street frontages**
  - (a) Development fronting Park Street, Ross Street and Euroka Road shall incorporate the following design elements:
    - (i) visible retail or commercial activity along the entire length of that street frontage,
    - (ii) continuous overhead awnings over the entire length of that frontage.
  - (b) Development with a frontage to a lane should incorporate the following design elements:
    - (i) visible retail or commercial activity along a minimum of 50 per cent of any allotment frontage,

- (ii) continuous overhead awnings over the entire length of that frontage.

(2) **Built form and finishes**

- (a) Form and finishes that are consistent with, or complementary to, the periods and architectural character of existing buildings.
- (b) Walls shall be architecturally embellished, and not left blank, unadorned or unarticulated.
- (c) For allotments with shop front buildings, development shall:
  - (i) result in buildings with flat roofs concealed behind parapets, and
  - (ii) retain simple forms that reflect and enhance existing built character, and
  - (iii) provide masonry walls.
- (d) For allotments with existing cottages, development shall:
  - (i) maintain traditional domestic forms that reflect the existing cottage, and
  - (ii) result in light-weight cladding, and
  - (iii) provide architectural details for all facades that are visible from a street.

(3) **Signage**

- (a) Local design themes shall predominate over corporate signage reflecting the village character.
- (b) Signage shall be coordinated with shop front design.
- (c) Signage shall be restricted to the following:
  - (i) 1 awning fascia sign,
  - (ii) 1 under-awning sign per 6 metres of street frontage, with a maximum of two under awning signs per street frontage, and
  - (iii) 1 sign applied to the glazed shop front.

(4) **Car parking**

On-site car parking shall be:

- (a) where practicable, accessed from a lane and not via Park, Euroka or Ross Street for a property with frontage to these streets, and
- (b) concealed behind commercial premises, or screened by landscaping or an architectural treatment that is consistent with the building adjoining the point of access.

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## **Part 13 Other Blue Mountains Villages**

### **Division 1 Other land zoned Village—Neighbourhood Centre**

#### **1 Consideration of locality**

- (1) This Division applies to all land within the Village—Neighbourhood Centre zone that is not designated as being within a specific Village—Neighbourhood Centre precinct on Map Panel A.
- (2) Consent shall not be granted to development of land to which this Division applies unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the building envelope within this Division, and
  - (b) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

#### **2 Building envelope**

- (1) **Building height**

Buildings are not to exceed a maximum building height of 8 metres.
- (2) **Building setback**

The minimum setback is to be within 20 per cent of the average setback of adjoining allotments
- (3) **Development density**

The maximum floor space ratio for development is 0.5:1.

#### **3 Design considerations**

- (1) Development shall demonstrate consistency with the following:
  - (a) all visible walls shall be articulated with appropriate design elements,
  - (b) visible retail or commercial activity along a minimum of 50 per cent of a frontage to a public road or pathway,
  - (c) vehicle and pedestrian access shall be managed in a manner that minimises conflict between the two,
  - (d) on-site car parking shall be concealed behind commercial premises, or screened by landscaping or an architectural treatment that is consistent with the building adjoining the point of access,
  - (e) commercial signage and shop front designs shall be co-ordinated to reflect a village character,

- 
- (f) local design themes should predominate over corporate signage reflecting the village character,
  - (g) commercial signage and building designs must be co-ordinated.

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## Schedule 2 Locality management within Living Zones

(Clauses 15 and 92 (4))

### Part 1 Living—General Zone

#### 1 Building height

- (1) The maximum building height and the maximum height at eaves for buildings in the Living—General zone are specified in the following Table:

Zone and protected area	Maximum building height	Maximum height at eaves
Living—General (not within Protected Area—Period Housing Area)	8m	6.5m
Living—General (within Protected Area—Period Housing Area)	6.5m	4.5m

- (2) Notwithstanding subclause (1), consent may be granted for a building that does not comply with subclause (1) within a Protected Area—Period Housing Area, but only where it is satisfied that the building:
- (a) is located within a Protected Area—Period Housing Area that has a 2 storey residential character, and
  - (b) incorporates a design that minimises its apparent bulk when viewed from a public road, and
  - (c) provides for a roof form and pitch that is consistent with the predominant form of traditional housing stock within the surrounding area, and
  - (d) does not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

#### 2 Building setback

##### (1) Front building setback

The front wall of a new building or carport is to be set back from the primary front boundary a distance that is:

- (a) within 20 per cent of the average setback of dwellings on adjoining allotments in established areas or, where there is no established pattern of residential setbacks, a minimum of 8 metres from the primary road frontage, and
- (b) a minimum of 4 metres from the secondary road frontage, in the case of corner residential allotments, and

- (c) a minimum of 9 metres from the rear boundary of the lot in front, in the case of hatchet shaped lots.

(2) **Setback from other boundaries**

- (a) The maximum width across an allotment of any building that has a street frontage is not to be greater than 80 per cent of the greatest width of the allotment at any one point.
- (b) The minimum setback of a dwelling from the side or rear boundary of the allotment is 1 metre.
- (c) Notwithstanding paragraph (b), the minimum setback from the side boundary does not apply to minor additions and alterations to a building where this:
  - (i) incorporates an extension of an existing external wall along the line projected by that wall, and
  - (ii) does not decrease the closest distance of the building to the side boundary.
- (d) Notwithstanding paragraphs (b) and (c), the location of buildings on an allotment is to ensure that:
  - (i) the bulk and scale of development is consistent with the existing streetscape of the surrounding area and promotes a prominent landscape setting for dwellings, and
  - (ii) overshadowing of adjoining buildings and impact on solar access to the living areas and private open space of those buildings is minimised, and
  - (iii) the design and location of the buildings respond effectively to individual site constraints and minimise site disturbance and clearing of vegetation.

**3 Site coverage**

- (1) The maximum site cover for buildings and buildings ancillary to the main building (excluding water tanks) is 40 per cent of the total allotment area or 160 square metres, whichever is the greater.
- (2) The minimum area to be retained as soft, pervious or landscaped areas (excluding hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools) is 40 per cent of the total allotment area.

**4 Development density**

- (1) Subject to subclause (2), the maximum floor space ratio for development in the Living—General zone is 0.35:1.
- (2) The maximum floor space ratio for development for the purpose of accessible housing in the Living—General zone is 0.4:1.

## Part 2    Living—Conservation Zone

### Division 1      Building envelope

#### 1    Building height

- (1) Except as otherwise provided by this clause, the maximum building height and the maximum height at eaves for buildings in the Living—Conservation zone are specified in the following Table:

Zone and protected area	Maximum building height	Maximum height at eaves
Living—Conservation (not within Protected Area—Escarpment Area)	6.5m	4.5m
Living—Conservation (within Protected Area—Escarpment Area)	5.5m	4m

- (2) Consent may be granted for a building that does not comply with subclause (1) and that is not within a Protected Area—Escarpment Area, but only where the consent authority is satisfied that:
- (a) the building will retain the prominence of the landscape setting and will not protrude above the existing tree canopy of vegetation adjacent to the building or above adjacent buildings, and
  - (b) the building incorporates a design that minimises its apparent bulk when viewed from a public road, and
  - (c) for a building within a Protected Area—Period Housing Area, the roof form and pitch are consistent with the predominant form of traditional housing stock within the surrounding area, and
  - (d) buildings in the immediate vicinity in the Living—Conservation zone have a 2 storey residential character, and
  - (e) the building does not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (3) Consent may be granted for a building within the Protected Area—Escarpment Area zone, with a building height of not more than 8 metres and a height at eaves of not more than 6.5 metres, if the consent authority is satisfied that the building:
- (a) will not protrude above the existing tree canopy of vegetation adjacent to the building, and
  - (b) will not protrude above adjacent buildings, and
  - (c) will not result in a visually prominent built form, and



- 
- (d) incorporates a design that responds to the topography of the site and minimises visual bulk, and
  - (e) does not visually break the level of the skyline, by protruding above the ridgeline within or behind the site, and
  - (f) incorporates external surfaces that are finished in a non-reflective, coloured material to help blend structures into the natural environment, and
  - (g) incorporates measures to minimise reflection of sunlight from glazed surfaces.

## **2 Building setback**

### **(1) Front building setback**

The front wall of a new building or carport is to be set back from the primary front boundary a distance that:

- (a) allows for any established front gardens to be retained, and
- (b) is within 20 per cent of the average setback of dwellings on adjoining allotments in established areas or, where there is no established pattern of residential setbacks, a minimum of 10 metres from the primary road frontage, and
- (c) is a minimum of 4 metres from the secondary road frontage, in the case of corner residential allotments, and
- (d) is a minimum of 9 metres from the rear boundary of the lot in front, in the case of hatchet shaped lots.

### **(2) Setback from other boundaries**

- (a) For any building that has a street frontage on an allotment with a width of less than 20 metres, the width of any building across the allotment may be up to 75 per cent of the greatest width of the allotment at any one point.
- (b) For any building that has a street frontage on an allotment with a width of 20 metres or more, but less than 25 metres, the width of any building across the allotment may be up to 15 metres.
- (c) For any building that has a street frontage on an allotment with a width of 25 metres or more, the width of any building across the allotment may be up to 60 per cent of the greatest width of the allotment at any one point.
- (d) The minimum setback of a building or carport from the side or rear boundary of the allotment is 1 metre.
- (e) Notwithstanding paragraph (d), the minimum setback from the side boundary does not apply to minor additions and alterations to a building where this:

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#### Schedule 2      Locality management within Living Zones

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- (i) incorporates an extension of an existing external wall along the line projected by that wall, and
  - (ii) does not decrease the closest distance of the building to the side boundary.
- (f) Notwithstanding any other provisions of this clause, the location of buildings on an allotment is to ensure that:
  - (i) the bulk and scale of development is consistent with the existing streetscape of the surrounding area and promotes a prominent landscape setting for dwellings, and
  - (ii) overshadowing of adjoining buildings and impact on solar access to the living areas and private open space of those buildings is minimised, and
  - (iii) the design and location of the buildings respond effectively to individual site constraints and minimise site disturbance and clearing of vegetation.

### 3 Site coverage

- (1) For any allotment having an area of less than 1,000 square metres, the maximum site cover for buildings, including buildings ancillary to the main building (but excluding water tanks, unenclosed areas of spaced decking and swimming pools), is 30 per cent or 160 square metres, whichever is the greater.
- (2) For any allotment having an area of 1,000 square metres or greater, the maximum site cover for buildings, including buildings ancillary to the main building (but excluding water tanks, unenclosed areas of spaced decking and swimming pools), is:
  - (a) 300 square metres, and
  - (b) an additional amount equivalent to 10 per cent of the amount by which the site area exceeds 1,000 square metres, but not exceeding 100 square metres.
- (3) Consent may be granted for development that does not comply with the maximum site cover in subclauses (1) and (2), but only where the development includes measures designed by a suitably qualified person to improve stormwater management, such as infiltration measures and detention systems, that demonstrate that the development has a beneficial effect on stormwater quality, quantity and flow characteristics.
- (4) The minimum area to be retained as soft, pervious or landscaped areas (excluding hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools) is 60 per cent of the total allotment area.

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**Division 2 Character and landscape considerations****1 Retaining character within the Living—Conservation Zone**

- (1) Consent shall not be granted to development within the Living—Conservation zone unless the consent authority has considered a detailed assessment of character.
- (2) A detailed assessment of character prepared to comply with subclause (1) shall include the following:
  - (a) an assessment of photographs (or illustrations, models or the like) of any existing buildings, natural features and vegetation on the site,
  - (b) an assessment of photographs (or illustrations, models or the like) of the context of the site, including buildings and vegetation on adjoining and adjacent sites that contribute to the character of the locality,
  - (c) a demonstration of how the proposed development is consistent with and enhances the established character of the surrounding residential area in regard to:
    - (i) scale and massing of proposed buildings, and
    - (ii) external finishes of proposed buildings, and
    - (iii) landscaping and retention of vegetation, and
    - (iv) building form, including roof pitch and size and location of windows, and
    - (v) location of any buildings on the subject and adjoining allotments.

**2 Landscape character within the Living—Conservation Zone**

- (1) Consent shall not be granted to development (excluding demolition or subdivision) of land within the Living—Conservation zone unless the consent authority has considered a detailed landscape plan, except in the case of development that, in the opinion of the consent authority:
  - (a) consists of minor additions, or
  - (b) will not involve the removal of vegetation that contributes to an established and visually significant landscape setting.
- (2) The detailed landscape plan prepared to comply with subclause (1) shall demonstrate how the development incorporates:
  - (a) landscape elements that achieve the objectives of the Living—Conservation zone, and
  - (b) plantings that will establish a landscape setting and streetscape for new residential development, and

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- (c) a building form and location that retains, where possible, existing significant vegetation and garden settings, including native and exotic species, that are visually significant when viewed from a public street, and
  - (d) measures to re-establish a prominent landscape setting for development, in those instances where the removal of visually significant vegetation has been essential to enable construction.
- (3) A detailed landscape plan prepared to comply with subclause (1) shall include on that plan at least the following information:
  - (a) the location, size and species of existing vegetation to be affected by the development, including trees, hedges, large shrubs, shrub beds and any areas of natural vegetation,
  - (b) replacement planting for any vegetation which is proposed to be removed,
  - (c) a planting plan showing the location and expected size within 10 years of each tree and large shrub,
  - (d) a schedule (table) indicating the common name, botanic name, ultimate height and width and planting size (pot size and height), if relying on planting of trees or large shrubs for privacy,
  - (e) a planting plan showing location and indicative planting for mid-low shrubs and ground covers.

### **3 Development in road reserves adjoining the Living—Conservation zone**

Development within roads shown uncoloured on the Map and adjoining the Living—Conservation zone shall:

- (a) retain and strengthen the landscape setting along these roads, and
- (b) retain where possible the existing significant landscape elements within the road reserve and the building setback from the road, particularly vegetation that frames views to visually prominent buildings on adjoining land.

## Part 3 Living—Bushland Conservation Zone

### Division 1 Building envelope

#### 1 Building height

- (1) Except as otherwise provided by this clause, the maximum building height and the maximum height at eaves for buildings in the Living—Bushland Conservation zone are specified in the following Table:

Zone and protected area	Maximum building height	Maximum height at eaves
Living—Bushland Conservation (not within Protected Area—Period Housing Area or Protected Area—Escarpment Area)	8m	6.5m
Living—Bushland Conservation (within Protected Area—Period Housing Area)	6.5m	4.5m
Living—Bushland Conservation (within Protected Area—Escarpment Area)	5.5m	4m

- (2) Consent may be granted for a building that does not comply with subclause (1) to a minor extent and that is not within a Protected Area—Period Housing Area or a Protected Area—Escarpment Area where the consent authority is satisfied that:
- (a) the failure to comply enables the development to better achieve the objectives and other provisions of any Protected Areas applicable to the land, and
  - (b) an increase in height will improve the protection of environmentally sensitive land by enabling the proposed development to reduce its building footprint, and
  - (c) the proposed development incorporates a design that minimises its apparent bulk when viewed from a public road.
- (3) Within the Living—Bushland Conservation zone, but only in a Protected Area—Escarpment Area, the maximum building height is 8 metres and the maximum height at eaves is 6.5 metres, if the consent authority is satisfied that the building:
- (a) does not protrude above the existing tree canopy of vegetation adjacent to the building or above adjacent buildings, and does not result in a visually prominent built form, and

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- (b) incorporates a design that responds to the topography of the site and minimises visual bulk, and
  - (c) does not visually break the level of the skyline, by protruding above the ridgeline within or behind the site, and
  - (d) incorporates external surfaces that are finished in a non-reflective, coloured material to help blend structures into the natural environment, and
  - (e) incorporates measures to minimise reflection of sunlight from glazed surfaces.
- (4) The consent authority may consent to development that will increase the height of a building within a Protected Area—Period Housing Area only where it is satisfied that the building:
  - (a) is located within a Protected Area—Period Housing Area that has a 2 storey residential character, and
  - (b) incorporates a design that minimises its apparent bulk when viewed from a public road, and
  - (c) provides for a roof form and pitch that is consistent with the predominant form of traditional housing stock within the surrounding area, and
  - (d) does not exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

## 2 Building setback

### (1) Front building setback

The front wall of a new building or carport is to be set back from the primary front boundary a distance that is:

- (a) within 20 per cent of the average setback of dwellings on adjoining allotments in established areas or, where there is no established pattern of residential setbacks, a minimum of 8 metres from the primary road frontage, and
  - (b) a minimum of 4 metres from the secondary road frontage in the case of corner residential allotments, and
  - (c) a minimum of 9 metres from the rear boundary of the lot in front in the case of battle-axe lots.
- (2) Consent may be granted for a building that does not comply with the front wall setback requirements in subclause (1) to a minor extent where the consent authority is satisfied that:
  - (a) the failure to comply enables the development to better achieve the zone objectives and other provisions applicable to the land, and

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- (b) any decrease in setback will improve the protection of environmentally sensitive land by the relocation of buildings within the site, and
  - (c) the proposed development incorporates a design that minimises its apparent bulk when viewed from a public road.
- (3) **Setback from other boundaries**
- (a) The maximum width across an allotment of any building that has a street frontage is not to be greater than 80 per cent of the greatest width of the allotment at any one point.
  - (b) The minimum setback of a dwelling from the side or rear boundary of the allotment is 1 metre.
  - (c) Notwithstanding paragraph (b), consent may be granted that will result in a failure to comply with the minimum setback from the side boundary to allow minor additions and alterations to a building where this:
    - (i) incorporates an extension of an existing external wall along the line projected by that wall, and
    - (ii) does not decrease the closest distance of the building to the side boundary.
  - (d) Notwithstanding paragraph (b) or (c), the location of buildings on an allotment is to ensure that:
    - (i) the bulk and scale of development is consistent with the existing streetscape of the surrounding area and promotes a prominent landscape setting for dwellings, and
    - (ii) overshadowing of adjoining buildings and impact on solar access to the living areas and private open space of those buildings is minimised, and
    - (iii) the design and location of the buildings respond effectively to individual site constraints and minimise site disturbance and clearing of vegetation.

### 3 Site coverage

- (1) For any allotment having an area of less than 1,000 square metres the maximum site cover for buildings and buildings ancillary to the main building (excluding water tanks, unenclosed areas of spaced decking and swimming pools) is 30 per cent or 160 square metres, whichever is the greater.
- (2) For any allotment having an area of 1,000 square metres or greater, the maximum site cover for buildings and buildings ancillary to the main building (excluding water tanks, unenclosed areas of spaced decking and swimming pools) is:

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#### Schedule 2      Locality management within Living Zones

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- (a) 300 square metres, and
  - (b) an additional amount equivalent to 10 per cent of the amount by which the site area exceeds 1,000 square metres, but not exceeding 100 square metres.
- (3) Consent may be granted for development that does not comply with the maximum site cover in subclauses (1) and (2), but only where the development includes measures designed by a suitably qualified person to improve stormwater management, such as infiltration measures and detention systems, that demonstrate that the development has a beneficial effect on stormwater quality, quantity and flow characteristics.
- (4) The minimum area to be retained as soft, pervious or landscaped areas (excluding hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools) is 60 per cent of the total allotment area.

## Division 2      Environmental considerations

### 1      Conserving habitat

- (1) Locally indigenous vegetation is to be planted to compensate for the removal of any native vegetation, as part of any development for which consent is granted, with consideration given to:
  - (a) the part of the site available to accommodate that planting, and
  - (b) the extent of existing native vegetation coverage retained on the site, and
  - (c) proximity to any part of the site that is within a Protected Area—Slope Constraint Area, and
  - (d) proximity to any part of the site that is within a Protected Area—Ecological Buffer Area, and
  - (e) proximity to any significant vegetation community.
- (2) The consent authority is to ensure that development for which consent is granted will incorporate measures to revegetate disturbed areas with locally indigenous vegetation on land that is considered by the consent authority to be visually significant as it is adjacent to the Regional Transport Corridor.



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## **Schedule 3      Locality management within Employment Zones**

(Clause 16)

### **Part 1      Employment—General Zone**

#### **Division 1      Building envelope**

##### **1      Building height**

The maximum building height is 10 metres.

##### **2      Building setback**

The minimum setback from a road reserve is 8 metres.

##### **3      Site coverage**

A minimum area of 20 per cent of the total allotment is to be retained as soft, pervious or landscaped areas (excluding hard surfaces).

##### **4      Development density**

The maximum floor space ratio for development is 0.5:1.

#### **Division 2      Design and operational considerations**

##### **1      Development near a residential zone**

- (1) Consent must not be granted for development in the Employment—General zone, on land that adjoins or is adjacent to land within a residential zone, unless the consent authority is satisfied that the proposed development is compatible with the amenity of existing and likely future residential use within the residential zone, having regard to:
  - (a) the relative building scale, bulk, design and height and the siting of the proposed development, and
  - (b) the retention of acoustic and visual privacy of residents of properties in the residential zone, and
  - (c) the hours of operation of the proposed development, and
  - (d) levels of traffic generation of the proposed development, and
  - (e) any noise, light, dust and odour nuisance likely to be generated by the proposed development, and
  - (f) over-shadowing of, and retention of solar access by, properties in the residential zone.

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#### Schedule 3      Locality management within Employment Zones

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- (2) The siting and design of buildings within the proposed development shall allow for reasonable solar access to adjoining buildings, streets and places.
- (3) The consent authority may decline to grant consent unless it has considered shadow diagrams prepared by a suitably qualified person to demonstrate that adjoining buildings and areas will not be adversely affected by the proposed development.

#### **2 Landscaping requirements**

- (1) Development in the Employment—General zone is to incorporate the following:
  - (a) the planting of vegetation,
  - (b) screening of the bulk of the buildings when viewed from the adjoining public street and from adjoining land uses, where relevant,
  - (c) measures to manage stormwater.
- (2) Consent shall not be granted for non-residential development in the Employment—General zone, excluding development that, in the opinion of the consent authority, consists of minor additions and alterations to an existing building, unless the consent authority has considered a detailed landscape plan.
- (3) A detailed landscape plan prepared to comply with subclause (2) shall include on that plan at least the following information:
  - (a) the location, size and species of existing vegetation to be affected by the development, including trees, hedges, large shrubs, shrub beds and any areas of natural vegetation,
  - (b) replacement planting for any vegetation which is proposed to be removed,
  - (c) a planting plan showing the location and expected size within 10 years of each tree and large shrub,
  - (d) a schedule (table) indicating the common name, botanic name, expected ultimate height and width and planting size (pot size and height), if relying on planting of trees or large shrubs for privacy,
  - (e) a planting plan showing location and indicative planting for mid-low shrubs and ground covers.

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## **Part 2    Employment—Enterprise Zone**

### **Division 1        Building envelope**

#### **1    Building height**

The maximum building height is 8 metres and the maximum height at eaves is 6.5 metres.

#### **2    Building setback**

The minimum setback from a road reserve is 8 metres.

#### **3    Site coverage**

- (1) The maximum site coverage for buildings is 50 per cent of the total allotment.
- (2) A minimum area of 30 per cent of the total allotment is to be retained as soft, pervious or landscaped areas (excluding hard surfaces).

#### **4    Development density**

The maximum floor space ratio for development is 0.5:1.

### **Division 2        Design and operational considerations**

#### **1    Development near a residential zone**

- (1) Consent must not be granted for development in the Employment—Enterprise zone, on land that adjoins or is adjacent to land within a residential zone, unless the consent authority is satisfied that the proposed development is compatible with the amenity of existing and likely future residential use within the residential zone, having regard to:
  - (a) the relative building scale, bulk, design and height and the siting of the proposed development, and
  - (b) the retention of acoustic and visual privacy of residents of properties in the residential zone, and
  - (c) the hours of operation of the proposed development, and
  - (d) levels of traffic generation of the proposed development, and
  - (e) any noise, light, dust and odour nuisance likely to be generated by the proposed development, and
  - (f) over-shadowing of, and retention of solar access by, properties in the residential zone.

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#### Schedule 3      Locality management within Employment Zones

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- (2) The siting and design of buildings within the proposed development shall allow for reasonable solar access to adjoining buildings, streets and places.
- (3) The consent authority may decline to grant consent unless it has considered shadow diagrams prepared by a suitably qualified person to demonstrate that adjoining buildings and areas will not be adversely affected by the proposed development.

#### **2 Landscaping requirements**

- (1) Development in the Employment—Enterprise zone is to incorporate the following:
  - (a) the planting of vegetation,
  - (b) screening of the bulk of the buildings when viewed from the adjoining public street and from adjoining land uses, where relevant,
  - (c) measures to manage stormwater.
- (2) Consent shall not be granted for non-residential development in the Employment—Enterprise zone, excluding development that, in the opinion of the consent authority, consists of minor additions and alterations to an existing building, unless the consent authority has considered a detailed landscape plan.
- (3) A detailed landscape plan prepared to comply with subclause (2) shall include on that plan at least the following information:
  - (a) the location, size and species of existing vegetation to be affected by the development, including trees, hedges, large shrubs, shrub beds and any areas of natural vegetation,
  - (b) replacement planting for any vegetation which is proposed to be removed,
  - (c) a planting plan showing the location and expected size within 10 years of each tree and large shrub,
  - (d) a schedule (table) indicating the common name, botanic name, expected ultimate height and width and planting size (pot size and height), if relying on planting of trees or large shrubs for privacy,
  - (e) a planting plan showing location and indicative planting for mid-low shrubs and ground covers.

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## **Schedule 4      Locality management within Recreation Zones**

(Clause 17)

### **Part 1      Recreation—Private Zone**

#### **Division 1      Springwood Precinct RP-SP01—St Columba's Elmhurst Precinct**

##### **1      Consideration of precinct**

- (1) This Division applies to land shown edged heavy black on the locality plan below named “Springwood Precinct RP-SP01—St Columba's Elmhurst Precinct” and shown by distinctive bordering and designated RP-SP01 on Map Panel A.



**Springwood Precinct RP-SP01—St Columba's Elmhurst Precinct**

- (2) Consent must not be granted to development within the Springwood Precinct RP-SP01 unless the development proposed to be carried out:
  - (a) complies, to the satisfaction of the consent authority, with the precinct objectives in achieving the precinct vision statement within this Division, and
  - (b) complies with the building envelope within this Division, and
  - (c) is consistent, to the satisfaction of the consent authority, with the design considerations within this Division.

**2 Desired future character**

**(1) Precinct vision statement**

Located on the periphery of the urban areas of Springwood and Winmalee, this site is significant for its natural and cultural values. The precinct forms part of a site comprised of land with high environmental value, including escarpment areas, areas of steep slope, riparian corridors and significant vegetation. In addition, the site contains valuable evidence of pre-1890 Aboriginal habitation. These areas are protected through a conservation management plan. Watercourses on the site feed into the Hawkesbury-Nepean catchments. All of these factors impact on development within the precinct. The precinct contains important heritage items that relate to European settlement at the turn of the 20th Century. Development within the precinct retains a predominantly rural setting around the “Elmhurst” building and is of a scale and form that is complementary to the historic form of “Elmhurst”. The environmental values of the site are protected through appropriate development and design and mitigate the impact on adjoining land zoned Environmental Protection and sub-catchments of the Hawkesbury-Nepean River. Development incorporates appropriate siting and design that addresses the level of bush fire threat.

**(2) Precinct objectives**

- (a) To ensure the impact of development on the environment is minimised through appropriate design and management.
- (b) To ensure development incorporates appropriate siting and design that address the level of bush fire threat.
- (c) To provide for the conservation and management of significant heritage features.
- (d) To provide a range of uses that are compatible with community access.

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### 3 Building envelope

#### (1) Building height

- (a) Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.
- (b) Notwithstanding paragraph (a), the consent authority, in assessing building heights, is to have regard to the recommendations of a conservation management plan.

#### (2) Building setback

- (a) The minimum setback from the primary access road, as existing on the appointed day, to the west of the precinct is 40 metres.
- (b) The consent authority, in assessing setbacks from heritage buildings, is to have regard to the recommendations of a conservation management plan.

#### (3) Site coverage

- (a) The maximum site cover for buildings (including any buildings ancillary to the main building, swimming pools or tennis courts) is 30 per cent of the total area of the precinct.
- (b) The minimum area to be retained as soft, pervious or landscaped areas (excluding hard surfaces) is 40 per cent of the total area of the precinct.

#### (4) Development density

- (a) The maximum floor space ratio for development is 0.35:1.
- (b) For the purpose only of this subclause, *floor space ratio* means the ratio of the total gross floor area of all existing and proposed buildings within the precinct to the area of the precinct.
- (c) Notwithstanding paragraph (a), the maximum floor space ratio is permissible only where the consent authority is satisfied, after considering the conservation management plan, that the integrity of the heritage items on the site will be maintained.
- (d) Notwithstanding paragraph (a), the maximum floor space ratio is permissible only where the consent authority is satisfied that appropriate bush fire management measures are in place in accordance with this plan.

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**4 Design considerations**

- (1) Consent must not be granted unless the consent authority has considered the following:
  - (a) a bush fire threat analysis that, to the satisfaction of the consent authority, assesses the threat of bush fire and incorporates appropriate recommendations for the design of the proposed development siting and addresses the level of bush fire threat,
  - (b) an archaeological survey undertaken to determine the location and significance of any archaeological sites and any Aboriginal places on the land, and a report on how development should be managed with regard to the result of the survey,
  - (c) a detailed heritage impact assessment and conservation management plan,
  - (d) how development in this precinct will have regard to and complement the existing historical and heritage values of the site,
  - (e) a traffic statement, prepared by a suitably qualified traffic engineer, which addresses but is not necessarily limited to an assessment of increases in traffic volumes, the impact of proposed development on Hawkesbury Road, and the number and location of car parking spaces,
  - (f) how significant street trees along the primary access road are to be retained and appropriate measures for their protection,
  - (g) a statement of community benefit, indicating recommendations for the provision of and access to public facilities on site.
- (2) A minimum of 2 separate vehicular access routes shall be provided from the precinct to Hawkesbury Road.
- (3) New buildings shall be separate and independent from the primary school grouping.
- (4) Development adjacent to “Elmhurst” shall provide frontages in a westerly direction.
- (5) A variety of heights and forms shall be incorporated in the design of development in order to minimise the bulk and scale of development and shall be of a form that is complementary to the historic building within the precinct.



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**Division 2      Other land zoned Recreation—Private****1    Building envelope****(1)    Building height**

Buildings are not to exceed a maximum building height of 8 metres or a maximum height at eaves of 6.5 metres.

**(2)    Setback**

The minimum setback from a road reserve is 8 metres.

**(3)    Site coverage**

- (a) For any allotment having an area of less than 1,000 square metres the maximum site cover for buildings and buildings ancillary to the main building (excluding water tanks) is 30 per cent or 160 square metres, whichever is the greater.
- (b) For any allotment having an area of 1,000 square metres or greater, the maximum site cover for buildings and buildings ancillary to the main building (excluding water tanks) is:
  - (i) 300 square metres, and
  - (ii) an additional amount equivalent to 10 per cent of the amount by which the site area exceeds 1,000 square metres, but not exceeding 100 square metres.
- (c) Consent may be granted for development that does not comply with the maximum site cover in subclause (1) or (2), but only where the development includes measures designed by a suitably qualified person to improve stormwater management, such as infiltration measures and detention systems, that demonstrate that the development has a beneficial effect on stormwater quality, quantity and flow characteristics.
- (d) The minimum area to be retained as soft, pervious or landscaped areas (excluding hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools) is 60 per cent of the total allotment area.

**(4)    Development density**

The maximum floor space ratio for development is 0.4:1.

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Schedule 4      Locality management within Recreation Zones

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## **Part 2    Recreation—Open Space Zone**

### **Division 1      Building envelope**

#### **1    Building height**

The maximum building height is 8 metres and the maximum height at eaves is 6.5 metres.

#### **2    Building setback**

The front wall of a building shall be set back from the road reserve a distance of not less than 8 metres.

## Schedule 5 Significant vegetation communities

(Dictionary)

**Note.** In this Schedule some scientific names appear in either italics or bold and italics. Bold italics are used to denote rare, endangered or dominant species.

Significant vegetation communities, for the purposes of this plan, consist of the following naturally occurring plant communities in the City's area. These communities are based on the plant species composition, which is influenced by the specific topographic and edaphic (soil) characteristics present in the areas in which they grow. The structural formation of the plant communities follows the classification of Specht et al. (1974), cited in item 8 (References) of this Schedule. Descriptions of the vegetation communities in this Schedule have, in part, been adapted from Keith and Benson (1988), Smith and Smith (1998) and Douglas (2001) also cited in item 8.

### 1 Tall closed forest/closed forest/low closed forest (rainforest)

#### (1A) *Ceratopetalum apetalum*-*Doryphora sassafras* Rainforest

*Ceratopetalum apetalum*-*Doryphora sassafras* (Coachwood-Sassafras) rainforest is found on sedimentary geology at upper and middle altitudes in the Blue Mountains. A variant, the "Montane Rainforest" also occurs on more fertile soils on the slopes of the basalt-capped mountains in the far north of the City. The rainforest on basalt can be very similar both structurally and floristically to rainforest on sedimentary rock where there is significant influence from alluvium derived from the basalt up-slope. As the basalt influence decreases and the sedimentary rock becomes more prominent due to erosion, the structure and floristics blend into typical Sydney Sandstone Gallery Rainforest, which tends to be less diverse than rainforest on basalt, particularly in the understorey.

These rainforest communities are replaced at lower altitudes by *Backhousia myrtifolia*-*Ceratopetalum apetalum* rainforest (described below). The upper and lower altitude communities intergrade in the Springwood area. *Ceratopetalum apetalum*-*Doryphora sassafras* rainforest occurs in sheltered, moist sites that are rarely, if ever, burnt.

The dominant tree species are usually *Ceratopetalum apetalum* (Coachwood) and/or *Doryphora sassafras* (Sassafras). Other trees that are common in some stands are *Acacia elata* (Mountain Cedar Wattle), *Acmena smithii* (Lilly Pilly), *Callicoma serratifolia* (Black Wattle), *Hedycarya angustifolia* (Native Mulberry) and *Quintinia sieberi* (Possumwood). *Backhousia myrtifolia* (Grey Myrtle) is usually absent, although sometimes a minor component of the community. The vegetation structure is usually a closed-forest or low closed-forest. There may be a layer of emergent eucalypts above the rainforest canopy in these communities. Ferns, vines and epiphytes are usually prominent features of the community.

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#### Schedule 5 Significant vegetation communities

This community is generally characterised by the occurrence of *Ceratopetalum apetalum* and *Doryphora sassafras* with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia elata</i>	<i>Acmena smithii</i>	<i>Asplenium australasicum</i>
<i>Asplenium flabellifolium</i>	<i>Blechnum ambiguum</i>	<i>Blechnum cartilagineum</i>
<i>Blechnum gregsonii</i>	<i>Blechnum nudum</i>	<i>Blechnum patersonii</i>
<i>Blechnum wattsii</i>	<i>Bursaria spinosa</i>	<i>Callicoma serratifolia</i>
<i>Calochlaena dubia</i>	<i>Carex appressa</i>	<i>Cassytha pubescens</i>
<i>Centella asiatica</i>	<i>Cephalalaria cephalobotrys</i>	<i>Ceratopetalum apetalum</i>
<i>Cissus antarctica</i>	<i>Cissus hypoglauca</i>	<i>Clematis aristata</i>
<i>Coprosma quadrifida</i>	<i>Cyathea australis</i>	<i>Cyathea leichhardtiana</i>
<i>Cynoglossum latifolium</i>	<i>Dendrobium teretifolium</i>	<i>Dicksonia antarctica</i>
<i>Doodia aspera</i>	<i>Doryphora sassafras</i>	<i>Dracophyllum secundum</i>
<i>Elaeocarpus holopetalus</i>	<i>Elaeocarpus reticulatus</i>	<i>Eucalyptus oreades</i>
<i>Eucalyptus piperita</i>	<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	<i>Fieldia australis</i>
<i>Geitonoplesium cymosum</i>	<i>Geranium homeanum</i>	<i>Gleichenia microphylla</i>
<i>Grammitis billardieri</i>	<i>Hakea salicifolia</i>	<i>Hedycarya angustifolia</i>
<i>Hydrocotyle peduncularis</i>	<i>Hymenanthera dentata</i>	<i>Hymenophyllum cupressiforme</i>
<i>Juncus planifolius</i>	<i>Lastreopsis acuminata</i>	<i>Leptopteris fraseri</i>
<i>Leptospermum polygalifolium</i>	<i>Libertia pulchella</i>	<i>Lomandra montana</i>
<i>Lomatia myricoides</i>	<i>Microsorium diversifolium</i>	<i>Microsorium scandens</i>
<i>Morinda jasminoides</i>	<i>Notelaea longifolia</i>	<i>Notelaea venosa</i>
<i>Pandorea pandorana</i>	<i>Parsonsia brownii</i>	<i>Parsonsia leichhardtii</i>
<i>Parsonsia straminea</i>	<i>Passiflora cinnabarina</i>	<i>Pellaea falcata</i>
<i>Pittosporum revolutum</i>	<i>Pittosporum undulatum</i>	<i>Polystichum proliferum</i>
<i>Pyrrosia rupestris</i>	<i>Quintinia sieberi</i>	<i>Rubus hillii</i>
<i>Rubus rosifolius</i>	<i>Smilax australis</i>	<i>Smilax glycyphylla</i>
<i>Stellaria flacida</i>	<i>Stenocarpus salignus</i>	<i>Sticherus flabellatus</i>

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<i>Sticherus lobatus</i>	<i>Syncarpia glomulifera</i>	<i>Tasmannia insipida</i>
<i>Todea barbara</i>	<i>Tristania neriifolia</i>	<i>Tristaniopsis collina</i>
<i>Tristaniopsis laurina</i>	<i>Tylophora barbata</i>	<i>Urtica incisa</i>
<i>Viola hederacea</i>		

**(1B) Backhousia myrtifolia-Ceratopetalum apetalum Rainforest**

*Backhousia myrtifolia*-*Ceratopetalum apetalum* (Myrtle-Coachwood) rainforest refers to the community found on sedimentary geology at lower altitudes in the Blue Mountains. It is replaced at middle and upper altitudes by *Ceratopetalum apetalum*-*Doryphora sassafras* rainforest. The two communities intergrade in the Springwood area. *Backhousia myrtifolia*-*Ceratopetalum apetalum* rainforest occurs on relatively fertile soils in sheltered, moist sites that are rarely, if ever, burnt.

*Backhousia myrtifolia* (Grey Myrtle) is the dominant or co-dominant tree with *Ceratopetalum apetalum* (Coachwood) and/or *Acmena smithii* (Lilly Pilly). Other trees that may be common are *Acacia elata* (Mountain Cedar Wattle), *Callicoma serratifolia* (Black Wattle) and *Syncarpia glomulifera* (Turpentine). *Doryphora sassafras* (Sassafras) is often present, but not as a dominant. The vegetation structure is usually a closed-forest or low closed-forest. There may be a layer of emergent eucalypts above the dense rainforest canopy in this community. Ferns, vines and epiphytes are usually prominent features of the community.

This community is generally characterised by the occurrence of *Backhousia myrtifolia* and *Ceratopetalum apetalum* along with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia elata</i>	<i>Acmena smithii</i>	<i>Acrotriche divaricata</i>
<i>Adiantum aethiopicum</i>	<i>Adiantum hispidulum</i>	<i>Allocasuarina littoralis</i>
<i>Allocasuarina torulosa</i>	<i>Asplenium flabellifolium</i>	<i>Astrotricha latifolia</i>
<i>Backhousia myrtifolia</i>	<i>Blechnum cartilagineum</i>	<i>Boronia fraseri</i>
<i>Callicoma serratifolia</i>	<i>Calochlaena dubia</i>	<i>Ceratopetalum apetalum</i>
<i>Cissus hypoglauca</i>	<i>Cyathea australis</i>	<i>Dianella caerulea</i>
<i>Doodia aspera</i>	<i>Doryphora sassafras</i>	<i>Elaeocarpus reticulatus</i>
<i>Entolasia stricta</i>	<i>Eucalyptus piperita</i>	<i>Lepidosperma gunnii</i>
<i>Lepidosperma laterale</i>	<i>Lomandra longifolia</i>	<i>Lomandra montana</i>
<i>Morinda jasminoides</i>	<i>Notelaea longifolia</i>	<i>Ozothamnus diosmifolius</i>

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#### Schedule 5 Significant vegetation communities

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<i>Pandorea pandorana</i>	<i>Parsonsia straminea</i>	<i>Persoonia mollis</i>
<i>Pittosporum revolutum</i>	<i>Pittosporum undulatum</i>	<i>Prostanthera violacea</i>
<i>Pultenaea flexilis</i>	<i>Pyrrosia rupestris</i>	<i>Rapanea variabilis</i>
<i>Schoenus melanostachys</i>	<i>Smilax australis</i>	<i>Smilax glyciphylla</i>
<i>Sticherus flabellatus</i>	<i>Syncarpia glomulifera</i>	<i>Tasmannia insipida</i>
<i>Todea barbara</i>	<i>Tylophora barbata</i>	<i>Zieria smithii</i>

## 2 Tall open-forest/open-forest

### (2A) Moist Basalt Cap Forest (*Eucalyptus viminalis*-*E. blaxlandii*-*E. radiata*)

The basalt caps of Mt. Wilson, Mt. Tomah, Mt. Bell, Mt. Banks, Mt. Caley and Mt. Hay have weathered to a fertile clay-loam soil. At high altitudes (800–1,000 metres), the summits and slopes of these areas support a tall open forest variously dominated by *Eucalyptus viminalis* (Ribbon Gum), *E. blaxlandii* (Brown Stringybark) and *E. radiata* subsp. *radiata* (Narrow-leaved Peppermint). Other canopy species that may be encountered include *E. cypellocarpa* (Monkey Gum), *E. oreades* (Blue Mountain Ash) and *E. fastigata* (Brown Barrel).

The understorey of Moist Basalt Cap Forest generally has scattered shrubs including *Acacia melanoxylon*, *A. penninervis*, *Polyscias sambucifolia*, *Astrotricha floccosa*, *Davesia ulicifolia* and *Leucopogon lanceolatus* with occasional tree ferns, *Cyathea australis*. The ground cover includes numerous herbs and ferns.

The Moist Basalt Cap Forest community is generally characterised by the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia elata</i>	<i>Acacia falciformis</i>	<i>Acacia melanoxylon</i>
<i>Acacia obtusifolia</i>	<i>Acacia penninervis</i>	<i>Acaena novae-zelandiae</i>
<i>Ajuga australis</i>	<i>Angophora costata</i>	<i>Angophora floribunda</i>
<i>Astrotricha floccosa</i>	<i>Astrotricha latifolia</i>	<i>Blechnum cartilagineum</i>
<i>Blechnum nudum</i>	<i>Bursaria longisepala</i>	<i>Centella asiatica</i>
<i>Clematis aristata</i>	<i>Cyathea australis</i>	<i>Davesia ulicifolia</i>
<i>Dianella caerulea</i>	<i>Dianella longifolia</i>	<i>Doodia aspera</i>
<i>Echinopogon ovatus</i>	<i>Entolasia stricta</i>	<i>Eucalyptus blaxlandii</i>
<i>Eucalyptus cypellocarpa</i>	<i>Eucalyptus fastigata</i>	<i>Eucalyptus oreades</i>

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<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	<i>Eucalyptus viminalis</i>	<i>Eustrephus latifolius</i>
<i>Geitonoplesium cymosum</i>	<i>Geranium homeanum</i>	<i>Geranium potentilloides</i>
<i>Glycine tabacina</i>	<i>Gonocarpus teucroides</i>	<i>Hymenanthera dentata</i>
<i>Indigofera australis</i>	<i>Leucopogon lanceolatus</i>	<i>Lomandra longifolia</i>
<i>Microlaena stipoides</i>	<i>Polyscias sambucifolia</i>	<i>Pteridium esculentum</i>
<i>Pultenaea flexilis</i>	<i>Rapanea howittiana</i>	<i>Smilax australis</i>
<i>Stellaria flaccida</i>	<i>Stellaria pungens</i>	<i>Tylophora barbata</i>
<i>Veronica plebeia</i>	<i>Viola betonicifolia</i>	<i>Viola hederacea</i>

**(2B) Blue Mountains Shale Cap Forest (*Eucalyptus deanei*-*E. punctata*-*Syncarpia glomulifera*)**

This community includes the Blue Mountains Shale Cap Forest (BMSCF) that is listed as an endangered ecological community in Part 3 of Schedule 1 to the *Threatened Species Conservation Act 1995*.

*Eucalyptus deanei*-*E. punctata*-*Syncarpia glomulifera* open to tall open-forest incorporates the vegetation communities found on deep, shale-rich soils on ridges and upper slopes. Within the City, such vegetation occurs only in the lower altitudes whereas it extends to the higher altitudes in the adjoining Hawkesbury City.

Within the City, this community is characterised by *Eucalyptus deanei* (Mountain Blue Gum), which is dominant or co-dominant with *E. punctata* (Grey Gum) and *Syncarpia glomulifera* (Turpentine). The form of Blue Mountains Shale Cap Forest that occurs within the City is distinguished from the closely related Sydney Turpentine Ironbark Forest (STIF) by the presence of *Eucalyptus notabilis* (Mountain Mahogany). Other tree species that may be present include *Angophora costata* (Sydney Red Gum), *A. floribunda* (Rough-barked Apple), *E. piperita* (Sydney Peppermint) and *E. punctata* (Grey Gum). *E. piperita* is associated with the edge of this community and a relatively low influence from the shale. The typical vegetation structure is tall open-forest, although this may vary depending on site conditions and history. It is generally a wet sclerophyll forest, with soft-leaved plants prominent in the understorey.

This community is generally characterised in the Blue Mountains by the occurrence of *Eucalyptus deanei*, *E. punctata* and *Syncarpia glomulifera* along with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

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<i>Acacia elata</i>	<i>Acacia longifolia</i>	<i>Acacia parramattensis</i>
<i>Acianthus exsertus</i>	<i>Adiantum aethiopicum</i>	<i>Allocasuarina littoralis</i>
<i>Allocasuarina torulosa</i>	<i>Angophora costata</i>	<i>Angophora floribunda</i>
<i>Astrotricha latifolia</i>	<i>Backhousia myrtifolia</i>	<i>Blechnum cartilagineum</i>
<i>Blechnum nudum</i>	<i>Bracteantha bracteata</i>	<i>Breynia oblongifolia</i>
<i>Callicoma serratifolia</i>	<i>Calochlaena dubia</i>	<i>Cassytha pubescens</i>
<i>Ceratopetalum gummiferum</i>	<i>Cissus antarctica</i>	<i>Clematis aristata</i>
<i>Dianella caerulea</i>	<i>Dichelachne rara</i>	<i>Dichondra repens</i>
<i>Dodonaea triquetra</i>	<i>Doodia aspera</i>	<i>Echinopogon ovatus</i>
<i>Entolasia marginata</i>	<i>Entolasia stricta</i>	<i>Eucalyptus cypellocarpa</i>
<i>Eucalyptus deanei</i>	<i>Eucalyptus globoidea</i>	<i>Eucalyptus notabilis</i>
<i>Eucalyptus paniculata</i>	<i>Eucalyptus piperita</i>	<i>Eucalyptus punctata</i>
<i>Eustrephus latifolius</i>	<i>Geitonoplesium cymosum</i>	<i>Geranium solanderi</i>
<i>Glycine clandestina</i>	<i>Hakea dactyloides</i>	<i>Hardenbergia violacea</i>
<i>Hibbertia diffusa</i>	<i>Imperata cylindrica</i>	<i>Indigofera australis</i>
<i>Kennedia rubicunda</i>	<i>Lepidosperma laterale</i>	<i>Leucopogon lanceolatus</i>
<i>Lomandra longifolia</i>	<i>Lomatia silaifolia</i>	<i>Microlaena stipoides</i>
<i>Oplismenus aemulus</i>	<i>Oplismenus imbecillis</i>	<i>Ozothamnus diosmifolius</i>
<i>Pandorea pandorana</i>	<i>Persoonia linearis</i>	<i>Phyllanthus hirtellus</i>
<i>Pittosporum revolutum</i>	<i>Pittosporum undulatum</i>	<i>Platysace lanceolata</i>
<i>Polyscias sambucifolia</i>	<i>Pratia purpurascens</i>	<i>Pseuderanthemum variabile</i>
<i>Pteridium esculentum</i>	<i>Pultenaea flexilis</i>	<i>Rubus parvifolius</i>
<i>Schoenus melanostachys</i>	<i>Smilax australis</i>	<i>Smilax glyciphylla</i>
<i>Stypanandra glauca</i>	<i>Syncarpia glomulifera</i>	<i>Telopea speciosissima</i>
<i>Themeda australis</i>	<i>Tristaniopsis collina</i>	<i>Tylophora barbata</i>

#### (2C) Sydney Turpentine-Ironbark Forest (*Syncarpia glomulifera*-*Eucalyptus fibrosa*-*Eucalyptus crebra*)

Sydney Turpentine-Ironbark Forest is listed as an endangered ecological community in Part 3 of Schedule 1 to the *Threatened Species Conservation Act 1995*.



Within the Blue Mountains, this community represents a drier and generally lower altitude variant of Blue Mountains Shale Cap Forest. The primary difference is the general absence of *Eucalyptus deanei* and *E. notabilis*, and the usual dominance of *Syncarpia glomulifera* (Turpentine), sometimes along with ironbark species such as *E. resinifera* (Red Mahogany), *E. fibrosa* (Broad-leaved Ironbark), *E. crebra* (Narrow-leaved Ironbark), and *E. beyeriana* (Beyer's Ironbark). These ironbarks can be absent or rare due to their extensive logging for fencing purposes. *E. punctata* (Grey Gum), *E. notabilis* (Mountain Mahogany), *E. paniculata* (Grey Ironbark), *E. globoidea* (White Stringybark), and *E. eugenioides* (Thin-leaved Stringybark) may also be present.

The original distribution of this community and the boundary between it and Blue Mountains Shale Cap Forest is unclear due to extensive clearing and/or modification of these vegetation types. The two communities are closely related and may intergrade extensively. In addition, this community intergrades with Shale/Sandstone Transition Forest (described below).

Sydney Turpentine-Ironbark Forest occurs on ridgetop caps of Wianamatta Shale. It may extend onto deeper areas of Hawkesbury Shale within the so-called Mittagong Formation.

Sydney Turpentine-Ironbark Forest is characterised in the Blue Mountains by the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia decurrens</i>	<i>Acacia falcata</i>	<i>Acacia implexa</i>
<i>Acacia longifolia</i>	<i>Acacia parramattensis</i>	<i>Allocasuarina torulosa</i>
<i>Angophora costata</i>	<i>Angophora floribunda</i>	<i>Billardiera scandens</i>
<i>Bursaria spinosa</i>	<i>Caesia parvifolius</i>	<i>Cheilanthes sieberi</i>
<i>Corymbia gummifera</i>	<i>Daviesia squarrosa</i>	<i>Dianella caerulea</i>
<i>Dichelachne rara</i>	<i>Dichondra repens</i>	<i>Echinopogon caespitosus</i>
<i>Entolasia marginata</i>	<i>Entolasia stricta</i>	<i>Eucalyptus beyeriana</i>
<i>Eucalyptus crebra</i>	<i>Eucalyptus eugenioides</i>	<i>Eucalyptus fibrosa</i>
<i>Eucalyptus globoidea</i>	<i>Eucalyptus notabilis</i>	<i>Eucalyptus paniculata</i>
<i>Eucalyptus punctata</i>	<i>Glycine clandestina</i>	<i>Goodenia hederacea</i>
<i>Hardenbergia violacea</i>	<i>Lepidosperma laterale</i>	<i>Leucopogon juniperinus</i>
<i>Lomandra longifolia</i>	<i>Lomandra multiflora</i>	<i>Microlaena stipoides</i>
<i>Oplismenus aemulus</i>	<i>Ozothamnus diosmifolius</i>	<i>Panicum simile</i>
<i>Pittosporum undulatum</i>	<i>Pomax umbellata</i>	<i>Poranthera microphylla</i>

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<i>Pratia purpurascens</i>	<i>Pultenaea elliptica</i>	<i>Smilax glyciphylla</i>
<i>Stipa pubescens</i>	<i>Syncarpia glomulifera</i>	<i>Themeda australis</i>
<i>Tricoryne simplex</i>	<i>Veronica plebeia</i>	<i>Xanthorrhoea media</i>

#### (2D) Shale Sandstone Transition Forest (*Syncarpia glomulifera*-*Eucalyptus punctata*)

Shale Sandstone Transition Forest is listed as an endangered ecological community in Part 3 of Schedule 1 to the *Threatened Species Conservation Act 1995*. Within the City, Shale Sandstone Transition Forest is within the scope of, but not limited by, the definition of Shale Sandstone Transition Forest in the Final Determination of the Scientific Committee to list the ecological community in Schedule 1 to the *Threatened Species Conservation Act 1995*.

This community is present primarily on ridgetops but may occur elsewhere on unmapped remnant shale caps or lenses or immediately downslope of shale caps where the soils have been enriched by colluvium. Within the City, it is restricted to the lower altitudes and transitions between or within the Wianamatta and Hawkesbury Group of sediments.

Because it represents a transition from shale-based vegetation to that associated with sandstone environments, this community is inherently highly variable and difficult to define. Variations occur depending on the relative influence of the different geologies as well as due to differences in shelter and rainfall. Any vegetation that is associated with a transition from shale to sandstone is considered to be within the scope of this community, irrespective of the structure or floristics unless it can be shown to be part of another vegetation type described in this Schedule.

The Shale Sandstone Transition can have considerable affinities to Sydney Turpentine-Ironbark Forest but generally has a greater influence from sandstone-oriented species and less influence from those more affiliated with shale soils. Tree species that can occur in this community within the Blue Mountains include *Syncarpia glomulifera* (Turpentine), *Eucalyptus punctata* (Grey Gum), *E. resinifera* (Red Mahogany), *E. notabilis* (Mountain Mahogany), *E. crebra* (Narrow-leaved Ironbark), *E. fibrosa* (Broad-leaved Ironbark), *E. paniculata* (Grey Ironbark), *E. beyeriana* (Beyer's Ironbark), *E. globoidea* (White Stringybark), *E. sparsifolia* (Narrow-leaved Stringybark), *E. eugenioides* (Thin-leaved Stringybark) and *Angophora costata* (Sydney Red Gum). The stringybarks, *E. eugenioides* and *E. sparsifolia* are generally diagnostic of the more sandstone-influenced form of this community.

The understorey can be highly variable depending on the extent of shale influence and proximity to the Cumberland Plain. Fire history and the effects of other forms of disturbance can also significantly affect both the structure and floristics of the understorey. It can range from grassy and herbaceous to densely scrubby. In areas close to the Cumberland Plain, the understorey may include species more typical of that environment such as *Melaleuca nodosa*, *M. erubescens* and *M. thymifolia*, especially in areas with slightly impeded drainage.

Shale Sandstone Transition Forest is characterised by the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia brownii</i>	<i>Acacia decurrens</i>	<i>Acacia falcata</i>
<i>Acacia hispidula</i>	<i>Acacia implexa</i>	<i>Acacia linifolia</i>
<i>Acacia myrtifolia</i>	<i>Acacia parramattensis</i>	<i>Acacia parvipinnula</i>
<i>Acacia suaveolens</i>	<i>Acacia terminalis</i>	<i>Acacia trinervata</i>
<i>Acianthus exsertus</i>	<i>Adiantum aethiopicum</i>	<i>Allocasuarina littoralis</i>
<i>Allocasuarina torulosa</i>	<i>Alphitonia excelsa</i>	<i>Angophora bakeri</i>
<i>Angophora costata</i>	<i>Angophora floribunda</i>	<i>Aristida vagans</i>
<i>Arthropodium milleflorum</i>	<i>Arthropodium minus</i>	<i>Astrotricha latifolia</i>
<i>Baeckia ramosissima</i>	<i>Banksia serrata</i>	<i>Banksia spinulosa</i>
<i>Billardiera scandens</i>	<i>Bossiaea obcordata</i>	<i>Bossiaea prostrata</i>
<i>Bracteata bracteantha</i>	<i>Breynia oblongifolia</i>	<i>Bursaria spinosa</i>
<i>Calotis cuneifolia</i>	<i>Carex inversa</i>	<i>Cassytha glabella</i>
<i>Cassytha pubescens</i>	<i>Cheilanthes sieberi</i>	<i>Chenopodium carinatum</i>
<i>Corymbia eximia</i>	<i>Corymbia gummifera</i>	<i>Cryptandra amara</i>
<i>Cyathochaeta diandra</i>	<i>Cymbopogon refractus</i>	<i>Danthonia tenuior</i>
<i>Daviesia mimisoides</i>	<i>Daviesia squarrosa</i>	<i>Daviesia ulicifolia</i>
<i>Desmodium varians</i>	<i>Dianella caerulea</i>	<i>Dianella prunina</i>
<i>Dianella revolute</i>	<i>Dichondra repens</i>	<i>Dillwynia retorta</i>
<i>Dodonaea triquetra</i>	<i>Doodia aspera</i>	<i>Echinopogon caespitosus</i>
<i>Echinopogon ovatus</i>	<i>Einadia hastata</i>	<i>Entolasia marginata</i>
<i>Entolasia stricta</i>	<i>Eragrostis brownii</i>	<i>Eremophila debilis</i>
<i>Eucalyptus agglomerata</i>	<i>Eucalyptus beyeriana</i>	<i>Eucalyptus crebra</i>

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<i>Eucalyptus deanei</i>	<i>Eucalyptus eugenioides</i>	<i>Eucalyptus fibrosa</i>
<i>Eucalyptus globoidea</i>	<i>Eucalyptus notabilis</i>	<i>Eucalyptus oblonga</i>
<i>Eucalyptus paniculata</i>	<i>Eucalyptus punctata</i>	<i>Eucalyptus resinifera</i>
<i>Eucalyptus sclerophylla</i>	<i>Eucalyptus sparsifolia</i>	<i>Eucalyptus squamosa</i>
<i>Euchiton sphaericus</i>	<i>Eustrephus latifolius</i>	<i>Exocarpos cupressiformis</i>
<i>Exocarpos strictus</i>	<i>Gahnia clarkei</i>	<i>Gahnia radula</i>
<i>Gallium binifolium</i>	<i>Gallium propinquum</i>	<i>Gastrodia sesamoides</i>
<i>Geranium homeanum</i>	<i>Glochidion ferdinandi</i>	<i>Glycine clandestina</i>
<i>Glycine tabacina</i>	<i>Gompholobium grandiflorum</i>	<i>Gompholobium huegelii</i>
<i>Gonocarpus humilis</i>	<i>Gonocarpus tetragynus</i>	<i>Gonocarpus teucrioides</i>
<i>Goodenia bellidifolia</i>	<i>Goodenia hederacea</i>	<i>Goodenia heterophylla</i>
<i>Grevillea longifolia</i>	<i>Grevillea mucronulata</i>	<i>Grevillea sericea</i>
<i>Hakea dactyloides</i>	<i>Hakea salicifolia</i>	<i>Hakea sericea</i>
<i>Hardenbergia violacea</i>	<i>Hibbertia aspera</i>	<i>Hibbertia diffusa</i>
<i>Hydrocotyle peduncularis</i>	<i>Hypericum gramineum</i>	<i>Hypolepis muelleri</i>
<i>Imperata cylindrica</i>	<i>Indigofera australis</i>	<i>Kennedia rubicunda</i>
<i>Kunzea ambigua</i>	<i>Lambertia formosa</i>	<i>Lasiopetalum parviflorum</i>
<i>Laxmannia gracilis</i>	<i>Lepidosperma laterale</i>	<i>Leptospermum polygalifolium</i>
<i>Leptospermum trinervium</i>	<i>Leucopogon juniperinus</i>	<i>Leucopogon lanceolatus</i>
<i>Leucopogon microphyllus</i>	<i>Leucopogon muticus</i>	<i>Lindsaea microphylla</i>
<i>Logania pusilla</i>	<i>Lomandra cylindrica</i>	<i>Lomandra filiformis</i>
<i>Lomandra longifolia</i>	<i>Lomandra multiflora</i>	<i>Lomatia ilicifolia</i>
<i>Lomatia silaifolia</i>	<i>Melaleuca thymifolia</i>	<i>Mentha satpureioides</i>
<i>Microlaena stipoides</i>	<i>Mirbelia rubiifolia</i>	<i>Mitrasacme polymorpha</i>
<i>Morinda jasminoides</i>	<i>Notelaea longifolia</i>	<i>Olex stricta</i>
<i>Olearia microphylla</i>	<i>Opercularia varia</i>	<i>Oplismenus aemulus</i>
<i>Oplismenus imbecillis</i>	<i>Oxylobium ilicifolium</i>	<i>Oxylobium scandens</i>
<i>Ozothamnus diosmifolius</i>	<i>Pandorea pandorana</i>	<i>Panicum simile</i>
<i>Patersonia glabrata</i>	<i>Patersonia longifolia</i>	<i>Patersonia sericea</i>
<i>Persoonia lanceolata</i>	<i>Persoonia laurina</i>	<i>Persoonia levis</i>

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<i>Persoonia linearis</i>	<i>Persoonia mollis</i>	<i>Persoonia myrtilloides</i>
<i>Persoonia pinifolia</i>	<i>Petersonia fragilis</i>	<i>Petrophile pedunculata</i>
<i>Petrophile pulchella</i>	<i>Phyllanthus gasstroemii</i>	<i>Phyllanthus hirtellus</i>
<i>Phyllota phyllicoides</i>	<i>Pimelea linifolia</i>	<i>Pittosporum revolutum</i>
<i>Plantago varia</i>	<i>Platylobium formosum</i>	<i>Poa cheelii</i>
<i>Poa labillardieri</i>	<i>Poa sieberiana</i>	<i>Polyscias sambucifolia</i>
<i>Pomaderris ferrugieia</i>	<i>Pomaderris intermedia</i>	<i>Pomax umbellata</i>
<i>Poranthera ericifolia</i>	<i>Poranthera microphylla</i>	<i>Pratia purpurascens</i>
<i>Prostanthera linearis</i>	<i>Pseuderanthemum variabile</i>	<i>Pteridium esculentum</i>
<i>Ptilothrix deusta</i>	<i>Pultenaea ferruginea</i>	<i>Pultenaea flexilis</i>
<i>Pultenaea retusa</i>	<i>Pultenaea scabra</i>	<i>Pultenaea villosa</i>
<i>Rubus parvifolius</i>	<i>Siegesbeckia orientalis</i>	<i>Solanum prinophyllum</i>
<i>Sporobolus creber</i>	<i>Stackhousia monogyna</i>	<i>Stackhousia muricata</i>
<i>Stackhousia viminea</i>	<i>Stellaria flaccida</i>	<i>Stipa pubescens</i>
<i>Stipa rudis</i>	<i>Styphelia laeta</i>	<i>Syncarpia glomulifera</i>
<i>Tephrosia brachyodon</i>	<i>Themeda australis</i>	<i>Thelymitra pauciflora</i>
<i>Thysanotib tuberosus</i>	<i>Tylophora barbata</i>	<i>Vernonia cinerea</i>
<i>Veronica plebeia</i>	<i>Wahlenbergia gracilis</i>	<i>Xylomelum pyriforme</i>

**(2E) Eucalyptus deanei-E. piperita Tall Open-forest**

*Eucalyptus deanei*-*E. piperita* tall open-forest refers to a vegetation community of mixed tree species composition, including ***Eucalyptus piperita*** (Sydney Peppermint), ***E. deanei*** (Mountain Blue Gum), ***Syncarpia glomulifera*** (Turpentine), ***Angophora costata*** (Sydney Red Gum), ***A. floribunda*** (Rough-barked Apple), ***Eucalyptus punctata*** (Grey Gum) and ***E. crebra*** (Narrow-leaved Ironbark). Not all of these species occur in every stand, except for *E. deanei*, whose presence is characteristic of the community.

The community is found in moist, sheltered sites on the talus slopes below the sandstone escarpments of the Jamison, Kedumba and Grose Valleys. It is replaced further west in the Megalong and Kanimbla Valleys by *Eucalyptus cypellocarpa*-*E. piperita* tall open-forest. The community also occurs in some moist, sheltered sites away from the escarpments. The typical vegetation structure is tall open-forest, although this may vary depending on site conditions and history. It is a wet sclerophyll forest, with soft-leaved plants prominent in the understorey.

*Eucalyptus deanei*-*E. piperita* tall open-forest differs from *Eucalyptus deanei*-*Syncarpia glomulifera* tall open-forest in that it occurs on different geology (Illawarra Coal Measures, Shoalhaven Group and Narrabeen Group) and *E. deanei* is less prominent.

This community is generally characterised by the occurrence of *Eucalyptus piperita* and *E. deanei* along with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia elata</i>	<i>Acacia falciformis</i>	<i>Acacia longifolia</i>
<i>Adiantum aethiopicum</i>	<i>Allocasuarina torulosa</i>	<i>Angophora costata</i>
<i>Angophora floribunda</i>	<i>Arthropodium minus</i>	<i>Astrotricha latifolia</i>
<i>Banksia spinulosa</i>	<i>Blechnum cartilagineum</i>	<i>Callicoma serratifolia</i>
<i>Calochlaena dubia</i>	<i>Carex longebrachiata</i>	<i>Cassytha pubescens</i>
<i>Ceratopetalum apetalum</i>	<i>Clematis aristata</i>	<i>Cyathea australis</i>
<i>Desmodium varians</i>	<i>Dianella caerulea</i>	<i>Dichelachne rara</i>
<i>Dichondra repens</i>	<i>Doodia aspera</i>	<i>Elaeocarpus reticulatus</i>
<i>Entolasia stricta</i>	<i>Eucalyptus crebra</i>	<i>Eucalyptus deanei</i>
<i>Eucalyptus piperita</i>	<i>Eucalyptus punctata</i>	<i>Eustrephus latifolius</i>
<i>Exocarpos cupressiformis</i>	<i>Gahnia sieberiana</i>	<i>Galium propinquum</i>
<i>Geitonoplesium cymosum</i>	<i>Gleichenia microphylla</i>	<i>Glycine clandestina</i>
<i>Hakea dactyloides</i>	<i>Hakea salicifolia</i>	<i>Hibbertia scandens</i>
<i>Hydrocotyle peduncularis</i>	<i>Indigofera australis</i>	<i>Leptospermum polygalifolium</i>
<i>Leucopogon lanceolatus</i>	<i>Lomandra longifolia</i>	<i>Lomandra montana</i>
<i>Melaleuca styphelioides</i>	<i>Oplismenus aemulus</i>	<i>Pandorea pandorana</i>
<i>Platylobium formosum</i>	<i>Platysace lanceolata</i>	<i>Plectranthus parviflorus</i>
<i>Pratia purpurascens</i>	<i>Pteridium esculentum</i>	<i>Rubus parvifolius</i>

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<i>Smilax australis</i>	<i>Sticherus lobatus</i>	<i>Syncarpia glomulifera</i>
<i>Todea barbara</i>	<i>Tristaniopsis collina</i>	<i>Tylophora barbata</i>

**(2F) Eucalyptus cypellocarpa-E. piperita Tall Open-forest**

*Eucalyptus cypellocarpa*-*E. piperita* tall open-forest is characterised by the presence of ***Eucalyptus cypellocarpa*** (Monkey Gum), occurring in association with one or more of ***E. piperita*** (Sydney Peppermint), ***E. oreades*** (Blue Mountain Ash) and ***E. radiata* subsp. *radiata*** (Narrow-leaved Peppermint).

The community is found in moist, sheltered sites on the talus slopes below the sandstone escarpments of the western Blue Mountains (Megalong and Kanimbla Valleys). The community also occurs in some moist, sheltered sites away from the escarpments, and may occur as far east as Woodford. The typical vegetation structure is tall open-forest, although this may vary depending on site conditions and history. It is a wet sclerophyll forest, with soft-leaved plants prominent in the understorey.

This community is generally characterised by the occurrence of *Eucalyptus cypellocarpa* and *E. piperita* along with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia elata</i>	<i>Acacia longifolia</i>	<i>Banksia cunninghamii</i>
<i>Banksia spinulosa</i>	<i>Blechnum cartilagineum</i>	<i>Callicoma serratifolia</i>
<i>Callistemon citrinus</i>	<i>Calochlaena dubia</i>	<i>Cassytha pubescens</i>
<i>Chionochloa pallida</i>	<i>Comesperma ericinum</i>	<i>Cyathea australis</i>
<i>Dianella caerulea</i>	<i>Empodisma minus</i>	<i>Entolasia marginata</i>
<i>Entolasia stricta</i>	<i>Epacris pulchella</i>	<i>Eucalyptus cypellocarpa</i>
<i>Eucalyptus mannifera</i> subsp. <i>gullickii</i>	<i>Eucalyptus oreades</i>	<i>Eucalyptus piperita</i>
<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	<i>Gahnia sieberiana</i>	<i>Gleichenia microphylla</i>
<i>Gonocarpus teucroides</i>	<i>Hakea dactyloides</i>	<i>Hydrocotyle peduncularis</i>
<i>Leptospermum grandifolium</i>	<i>Leptospermum polygalifolium</i>	<i>Leucopogon lanceolatus</i>
<i>Lomandra longifolia</i>	<i>Lomatia silaifolia</i>	<i>Microlaena stipoides</i>
<i>Monotoca scoparia</i>	<i>Persoonia mollis</i>	<i>Persoonia myrtilloides</i>
<i>Petrophile pulchella</i>	<i>Platysace lanceolata</i>	<i>Polyscias sambucifolia</i>

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<i>Pteridium esculentum</i>	<i>Pultenaea flexilis</i>	<i>Pultenaea scabra</i>
<i>Todea barbara</i>	<i>Tristaniopsis collina</i>	

#### (2G) **Eucalyptus oreades Open-forest/Tall Open-forest**

*Eucalyptus oreades* open forest/tall open-forest refers to those vegetation communities dominated by *E. oreades* (Blue Mountain Ash). A range of other Eucalypts may also occur, most commonly, *E. piperita* (Sydney Peppermint), *E. cypellocarpa* (Monkey Gum) and *E. radiata* subsp. *radiata* (Narrow-leaved Peppermint).

The characteristic vegetation structure is tall open-forest, however this can vary depending on site conditions and history. In some places the understorey is shrubby, while in moister sites a ferny understorey can be present. Although typically found in gullies or on sheltered slopes in the upper mountains (Bell to Wentworth Falls), this community also occurs in relatively exposed sites eg ridgetops, where suitable depth of shale provides more fertile conditions and better soil moisture.

*E. oreades* is extremely fire-sensitive, with individual trees readily killed in a major bush fire. Although the capacity of *E. oreades* to regenerate from seed after fire is indicated by even-aged stands of trees often found in this community, the species will be adversely affected or eliminated entirely by an inappropriate fire regime of frequent burning.

This community is relatively rare outside of the National Park estate and has apparently suffered significant loss to urbanisation and associated infrastructure, as well as being degraded by weed invasion, changed fire regimes, and stormwater run-off.

*Eucalyptus oreades* open-forest/tall open-forest is characterised by the following assemblage of native plant species. Other species also occur, but the list is indicative of the species composition of the vegetation.

<i>Acacia brownii</i>	<i>Acacia obtusifolia</i>	<i>Acacia terminalis</i>
<i>Amperea xiphoclada</i>	<i>Arrhenechthites mixta</i>	<i>Austroanthonia longifolia</i>
<i>Banksia spinulosa</i>	<i>Billardiera scandens</i>	<i>Bossiaea heterophylla</i>
<i>Cassytha glabella</i>	<i>Conospermum tenuifolium</i>	<i>Dampiera stricta</i>
<i>Daviesia ulicifolia</i>	<i>Dianella caerulea</i>	<i>Dianella longifolia</i>
<i>Dianella prunina</i>	<i>Eucalyptus oreades</i>	<i>Eucalyptus piperita</i>
<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	<i>Eucalyptus sieberi</i>	<i>Goodenia bellidifolia</i>
<i>Hakea laevipes</i>	<i>Hibbertia aspera</i>	<i>Hibbertia rufa</i>



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<i>Hovea linearis</i>	<i>Leptomeria acida</i>	<i>Leptospermum polygalifolium</i>
<i>Lindsaea microphylla</i>	<i>Lomandra gracilis</i>	<i>Lomandra longifolia</i>
<i>Lomandra obliqua</i>	<i>Lomatia silaifolia</i>	<i>Mitrasacme polymorpha</i>
<i>Monotoca scoparia</i>	<i>Olearia erubescens</i>	<i>Patersonia sericea</i>
<i>Persoonia chamaepitys</i>	<i>Persoonia laurina</i>	<i>Persoonia levis</i>
<i>Persoonia myrtilloides</i>	<i>Phyllota squarrosa</i>	<i>Platylobium formosum</i>
<i>Platysace linifolia</i>	<i>Poa sieberiana</i>	<i>Poranthera corymbosa</i>
<i>Pteridium esculentum</i>	<i>Stackhousia viminea</i>	<i>Symphionema montanum</i>
<i>Telopea speciosissima</i>	<i>Xanthorrhoea media</i>	

**(2H) Eucalyptus dalrympleana-E. piperita Tall Open-forest**

*Eucalyptus dalrympleana*-*E. piperita* tall open-forest is characterised by the presence of *Eucalyptus dalrympleana* (Mountain Gum), occurring in association with *E. piperita* (Sydney Peppermint) and *E. radiata* subsp. *radiata* (Narrow-leaved Peppermint). In the City, this community appears to be restricted to one small stand at the upper end of Popes Glen Creek, Blackheath, where it occurs on a sheltered, south-facing slope of Narrabeen Group geology. The vegetation structure is variable within this disturbed stand, from tall open-forest to open-forest and woodland. It is a wet sclerophyll forest, with soft-leaved plants prominent in the understorey.

*Eucalyptus dalrympleana*-*E. piperita* tall open-forest is characterised by the following assemblage of native plant species. Other species also occur, but the list is indicative of the species composition of the community at Blackheath.

<i>Acacia longifolia</i>	<i>Acacia melanoxylon</i>	<i>Arrhenechthites mixta</i>
<i>Baumea rubiginosa</i>	<i>Billardiera scandens</i>	<i>Blechnum nudum</i>
<i>Chionochloa pallida</i>	<i>Cyathea australis</i>	<i>Daviesia ulicifolia</i>
<i>Deyeuxia parviseta</i>	<i>Dianella prunina</i>	<i>Dianella tasmanica</i>
<i>Empodisma minus</i>	<i>Epacris pulchella</i>	<i>Eucalyptus dalrympleana</i>
<i>Eucalyptus piperita</i>	<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	<i>Gahnia sieberiana</i>
<i>Gleichenia dicarpa</i>	<i>Gonocarpus teucroides</i>	<i>Hakea dactyloides</i>
<i>Helichrysum scorpioides</i>	<i>Leptospermum polygalifolium</i>	<i>Lepyrodia scariosa</i>
<i>Leucopogon lanceolatus</i>	<i>Lomandra longifolia</i>	<i>Lomatia silaifolia</i>

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<i>Lycopodium deuterodensum</i>	<i>Microlaena stipoides</i>	<i>Olearia erubescens</i>
<i>Persoonia myrtilloides</i>	<i>Poa sieberiana</i>	<i>Polyscias sambucifolia</i>
<i>Pteridium esculentum</i>	<i>Pultenaea scabra</i>	

#### (21) Sun Valley Cabbage Gum Forest (*Eucalyptus amplifolia*)

The Sun Valley Cabbage Gum Forest is listed as an endangered ecological community in Part 3 of Schedule 1 to the *Threatened Species Conservation Act 1995*.

This community is dominated by *Eucalyptus amplifolia* (Cabbage Gum) that occurs on the diatrema at Sun Valley. An associated tree species is *E. eugenioides* (Thin-leaved Stringybark). Although there is still good tree cover in the area (remnant trees and regeneration), the understorey of this community has been grossly altered through clearing and grazing. Remaining native understorey species include *Acacia parramattensis*, *Imperata cylindrica*, *Lomandra longifolia* and *Pteridium esculentum*, but the original composition of the understorey is difficult to assess. Attempts to restore this community at Sun Valley are certainly warranted.

Sun Valley Cabbage Gum Forest is characterised by the following assemblage of native plant species. Other species also occur, but the list is indicative of the species composition of the community at Sun Valley.

<i>Acacia parramattensis</i>	<i>Adiantum aethiopicum</i>	<i>Agrostis</i> sp.
<i>Aristida</i> sp.	<i>Arthropodium</i> sp.	<i>Blechnum nudum</i>
<i>Bursaria spinosa</i>	<i>Centella asiatica</i>	<i>Cheilanthes sieberi</i>
<i>Daucus glauchidiatus</i>	<i>Daviesia ulicifolia</i>	<i>Dianella</i> aff. <i>caerulea</i>
<i>Dianella caerulea</i>	<i>Dichondra repens</i>	<i>Dillwynia</i> sp.
<i>Doodia aspera</i>	<i>Echinopogon caespitosus</i>	<i>Entolasia marginata</i>
<i>Entolasia stricta</i>	<i>Eucalyptus amplifolia</i>	<i>Eucalyptus eugenioides</i>
<i>Gallium gaudichaudi</i>	<i>Geranium homeanum</i>	<i>Geranium solanderi</i>
<i>Glycine tabacina</i>	<i>Hakea salicifolia</i>	<i>Hardenbergia violacea</i>
<i>Hematharia uncinata</i>	<i>Hibbertia diffusa</i>	<i>Hibbertia fasciculata</i>
<i>Hibbertia linearis</i>	<i>Hypericum gramineum</i>	<i>Indigofera australis</i>
<i>Juncus usitatus</i>	<i>Kunzia ambigua</i>	<i>Lindsaea linearis</i>
<i>Lomandra longifolia</i>	<i>Microlaena stipoides</i>	<i>Persoonia linearis</i>
<i>Persoonia oblongata</i>	<i>Pittosporum undulatum</i>	<i>Poa</i> sp.

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<i>Poranthera microphylla</i>	<i>Pratia purpurascens</i>	<i>Pteridium esculentum</i>
<i>Ranunculus lappacea</i>	<i>Themeda australis</i>	<i>Veronica plebeia</i>

**(2J) Montane Gully Forest (*Eucalyptus fastigata*-*E. cypellocarpa*-*E. dalrympleana*)**

This community is associated with moderate to steep slopes and narrow gorges on the Narrabeen Group and Illawarra Coal Measures below the escarpments around Mount York and north to Bell. There is substantial intergradation with vegetation typical of the sandstone plateau close to the escarpments and with the *Eucalyptus cypellocarpa*/*E. piperita* tall open-forest communities between Blackheath and Mount Victoria. The boundary of this community approximates the lower distribution of *E. fastigata*, *E. dalrympleana* and *E. blaxlandii*, and the upper distributional limits of *Angophora costata* and *Syncarpia glomulifera*.

Tree species include *Eucalyptus fastigata* (Brown Barrel), *E. cypellocarpa* (Monkey Gum), *E. dalrympleana* (Mountain Gum) with *E. oreades* (Blue Mountain Ash), *E. blaxlandii* (Blaxland's Stringybark), *E. radiata* ssp. *radiata* (Narrow-leaved Peppermint) and *E. sieberi* (Silvertop Ash). The understorey is moderately shrubby with *Acacia falciformis*, *A. terminalis*, *A. buxifolia*, *Oxylobium ilicifolium* and *Leptospermum flavescent* occurring, together with grasses and ferns such as *Culcita dubia*. *Acacia dealbata* was more common here than in any other parts of the study area. It appears that *E. fastigata* occurs primarily in the more sheltered sites with *E. dalrympleana* relatively common on the lower slopes where this unit blends into remnants of the vegetation found on the edge of the agricultural land around Little Hartley.

Montane Gully Forest is characterised by the following assemblage of native plant species. Other species also occur, but the list is indicative of the species most characteristic of this composition.

<i>Acacia buxifolia</i>	<i>Acacia dealbata</i>	<i>Acacia falciformis</i>
<i>Acacia melanoxylon</i>	<i>Acacia terminalis</i>	<i>Acaena novae-zelandiae</i>
<i>Adiantum aethiopicum</i>	<i>Anisopogon avenaceus</i>	<i>Arhrenechthites mixta</i>
<i>Asperula conferta</i>	<i>Blechnum cartilagineum</i>	<i>Centella asiatica</i>
<i>Clematis aristata</i>	<i>Culcita dubia</i>	<i>Cymbonotus lawsonianus</i>
<i>Dianella caerulea</i>	<i>Echinopogon ovatus</i>	<i>Eucalyptus blaxlandii</i>
<i>Eucalyptus cypellocarpa</i>	<i>Eucalyptus dalrympleana</i>	<i>Eucalyptus fastigata</i>
<i>Eucalyptus oreades</i>	<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	<i>Eucalyptus sieberi</i>
<i>Geranium</i> sp.	<i>Glycine clandestina</i>	<i>Gonocarpus tetragynus</i>

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<i>Gonocarpus teucroides</i>	<i>Helichrysum rutidolepis</i>	<i>Leptospermum flavescens</i>
<i>Leucopogon lanceolatus</i>	<i>Lomandra longifolia</i>	<i>Persoonia linearis</i>
<i>Polyscias sambucifolia</i>	<i>Pratia purpurascens</i>	<i>Pteridium esculentum</i>
<i>Pyrrosia rupestris</i>	<i>Rubus parvifolius</i>	<i>Syncarpia glomulifera</i>
<i>Veronica calycina</i>	<i>Viola betonicifolia</i>	

#### (2K) Blue Gum Riverflat Forest (*Eucalyptus deanei*)

The Blue Gum Riverflat Forest in the Blue Mountains is included within the Sydney Coastal Riverflat Forest listed as an endangered ecological community in Part 3 of Schedule 1 to the *Threatened Species Conservation Act 1995*.

This community is restricted to terraces of deep alluvium along larger watercourses of the lower Blue Mountains. *Eucalyptus deanei* (Mountain Blue Gum) is dominant and maybe almost monospecific, with occasional *Angophora floribunda* (Rough-barked Apple) and a small tree layer which may contain large bipinnate wattles and infrequent *Allocasuarina torulosa* (She-oak). The understorey is open and often dominated by grasses and/or ferns with scattered mesic shrubs becoming denser in the immediate vicinity of the watercourse.

This community superficially resembles Blue Mountains Shale Cap Forest but the two occur in different positions in the landscape.

This community is generally characterised by the almost monospecific occurrence of *E. deanei* along with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia implexa</i>	<i>Acacia parramattensis</i>	<i>Adiantum aethiopicum</i>
<i>Allocasuarina torulosa</i>	<i>Angophora floribunda</i>	<i>Backhousia myrtifolia</i>
<i>Blechnum nudum</i>	<i>Breynia oblongifolia</i>	<i>Callicoma serratifolia</i>
<i>Calochlaena dubia</i>	<i>Centella asiatica</i>	<i>Cynodon dactylon</i>
<i>Dichondra repens</i>	<i>Entolasia stricta</i>	<i>Eucalyptus deanei</i>
<i>Geitonoplesium cymosum</i>	<i>Glycine tabacine</i>	<i>Imperata cylindrica</i>
<i>Kunzea ambigua</i>	<i>Lomandra longifolia</i>	<i>Melaleuca linariifolia</i>
<i>Melia azedarach</i>	<i>Oplismenus</i> sp.	<i>Plectranthus parvifolius</i>
<i>Pratia purpurascens</i>	<i>Pseuderanthemum variabile</i>	<i>Pteridium esculentum</i>
<i>Rubus parvifolius</i>	<i>Sigesbeckia orientalis</i>	<i>Stellaria flaccida</i>

*Sticherus flabellatus**Trema aspera**Tylophora barbata**Veronica plebeia***(2L) *Casuarina cunninghamiana* 'River Oak Forest'**

The *Casuarina cunninghamiana* River Oak Forest in the Blue Mountains is included within the Sydney Coastal Riverflat Forest listed as an endangered ecological community in Part 3 of Schedule 1 to the *Threatened Species Conservation Act 1995*.

Narrow bands of River Oak Forest occur on the alluvial banks of the Coxs River. This community also occurs in small, unmapped occurrences along the Hawkesbury-Nepean River. The dominant canopy species is *Casuarina cunninghamiana* subsp. *cunninghamiana* (River Oak) with occasional subdominants being *Angophora floribunda* (Rough-barked Apple), *Eucalyptus viminalis* (Ribbon Gum) and *E. tereticornis* (Forest Red Gum), and rarely *Angophora subvelutina* (Broad-leaved Apple). *Backhousia myrtifolia* (Myrtle) can also occur on the sheltered fringes of this community. Along the larger tributaries to the east of the Coxs River, the understorey is often dominated by *Leptospermum* species. In these situations, *Lomandra longifolia* and several sedges can dominate the ground layer.

The understorey is generally sparse because of the mobile nature of the substrate (mobile gravels, sands and large areas of bare granite). The surrounding lands have often been cleared for agriculture and these communities are often highly prone to willow and other weed infestation.

*Casuarina cunninghamiana* River Oak Forest is characterised by the following assemblage of native plant species. Other species may also occur, but the list is indicative of the species most characteristic of this composition.

*Acacia floribunda**Acacia parvipinnula**Agrostis avenaceus**Alisma plantago-aquatica**Angophora floribunda**Angophora subvelutina**Backhousia myrtifolia**Blechnum nudum**Breynia oblongifolia**Bursaria spinosa**Callistemon citrinus**Callistemon paludosus**Casuarina  
cunninghamiana* subsp.  
*cunninghamiana**Cheilanthes distans**Clematis aristata**Commelina cyanea**Crassula sieberiana**Cynodon dactylon**Cyperus sphaeroideus**Eleocharis sphacelata**Entolasia stricta**Eucalyptus tereticornis**Eucalyptus viminalis**Geranium homeanum**Gnaphalium involucrellum**Hemarthria uncinata**Isolepis inundata*

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<i>Isolepis prolifera</i>	<i>Juncus acuminatus</i>	<i>Juncus caespitosus</i>
<i>Juncus usitatus</i>	<i>Leptospermum juniperinum</i>	<i>Leptospermum morrisonii</i>
<i>Leptospermum polygalifolium</i>	<i>Lomandra longifolia</i>	<i>Microlaena stipoides</i>
<i>Persicaria hydropiper</i>	<i>Persicaria praetermissa</i>	<i>Ranunculus inundatus</i>
<i>Rumex</i> sp.	<i>Tristaniopsis laurina</i>	<i>Wahlenbergia gracilis</i>

#### (2M) **Eucalyptus radiata subsp. radiata-E. piperita Open Forest**

This community is only known from a small number of easterly-facing slopes in Katoomba and Leura but may occur elsewhere in the higher Blue Mountains. The dominant canopy trees are ***Eucalyptus radiata subsp. radiata*** (Narrow-leaved Peppermint) and ***E. piperita*** (Sydney Peppermint). ***E. sieberi*** is also present, particularly where this community grades into the common ***E. sieberi/E. piperita*** community which tends to occur upslope. ***E. mannifera subsp. gullickii*** can occur infrequently, particularly downslope towards adjoining swamp or riparian vegetation.

The understorey is a mix of dry and wet sclerophyll species and may contain species associated with Blue Mountains Swamps where these communities adjoin. The following list is indicative of some of the species characteristic of this community.

<i>Acacia terminalis</i>	<i>Banksia cunninghamii</i>	<i>Banksia spinulosa</i>
<i>Boronia microphylla</i>	<i>Callicoma serratifolia</i>	<i>Chionochloa pallida</i>
<i>Dianella tasmanica</i>	<i>Entolasia marginata</i>	<i>Eucalyptus mannifera subsp. gullickii</i>
<i>Eucalyptus oblonga</i>	<i>Eucalyptus piperita</i>	<i>Eucalyptus radiata subsp. radiata</i>
<i>Eucalyptus sclerophylla</i>	<i>Eucalyptus sieberi</i>	<i>Eucalyptus sparsifolia</i>
<i>Lepidosperma laterale</i>	<i>Leptospermum trinervium</i>	<i>Persoonia acerosa</i>
<i>Persoonia chamaepitys</i>	<i>Persoonia myrtilloides</i>	<i>Platylobium formosum</i>
<i>Polyscias sambucifolia</i>	<i>Pteridium esculentum</i>	<i>Pultenaea glabra</i>
<i>Stellaria pungens</i>		

### 3 Low Open-forest

#### **Melaleuca linariifolia Low Open-forest**

*Melaleuca linariifolia* low open-forest is found on sandy alluvial soils along certain creeks in the lower Blue Mountains, in which the low paperbark tree, *Melaleuca linariifolia* (Snow-in-summer), dominates the vegetation. This creekline vegetation is associated with creeks on deep alluvial sand deposits, rather than the sandstone substrates more typical of Blue Mountains creeks. The typical vegetation structure is a narrow band of low open-forest or low closed-forest along the creek. Occasional emergent *Eucalyptus* or *Angophora* trees may be present above the *Melaleuca* canopy.

This community is generally characterised by the occurrence of *Melaleuca linariifolia* along with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia longifolia</i>	<i>Acacia rubida</i>	<i>Adiantum aethiopicum</i>
<i>Blechnum nudum</i>	<i>Blechnum wattsii</i>	<i>Callicoma serratifolia</i>
<i>Callistemon citrinus</i>	<i>Calochlaena dubia</i>	<i>Cyathea australis</i>
<i>Cyperus polystachyos</i>	<i>Eleocharis sphacelata</i>	<i>Entolasia marginata</i>
<i>Entolasia stricta</i>	<i>Gahnia clarkei</i>	<i>Gleichenia dicarpa</i>
<i>Hydrocotyle peduncularis</i>	<i>Hypolepis muelleri</i>	<i>Imperata cylindrica</i>
<i>Isolepis inundata</i>	<i>Juncus continuus</i>	<i>Juncus planifolius</i>
<i>Juncus usitatus</i>	<i>Kennedia rubicunda</i>	<i>Leptospermum polygalifolium</i>
<i>Melaleuca linariifolia</i>	<i>Microlaena stipoides</i>	<i>Pittosporum undulatum</i>
<i>Pteridium esculentum</i>	<i>Schoenus melanostachys</i>	<i>Typha orientalis</i>

### 4 Woodlands

#### **(4A) Eucalyptus mannifera subsp. gullickii Alluvial Woodlands**

These woodlands are found on alluvial soils along certain creeks in the upper Blue Mountains, in which *Eucalyptus mannifera* subsp. *gullickii* (Brittle Gum) is the dominant tree species or co-dominant with *E. radiata* subsp. *radiata* (Narrow-leaved Peppermint). The association of the community with creekside alluvium is a critical feature in its definition, since *E. mannifera* subsp. *gullickii* and *E. radiata* subsp. *radiata* may also be common species in other communities in the upper Blue Mountains. The vegetation structure is

woodland or open-forest. *E. mannifera* subsp. *gullickii* occurs in some sites as a sparse tree layer (an open-woodland) over swamp vegetation, but such stands are better classified within the Blue Mountains swamp communities rather than as *E. mannifera* alluvial woodland.

Two forms of *Eucalyptus mannifera* subsp. *gullickii* alluvial woodland may be distinguished. At higher altitudes (Mount Victoria-Blackheath), *E. mannifera* subsp. *gullickii* is the main tree species and the community is termed *E. mannifera* woodland. At slightly lower altitudes (Katoomba-Leura), *E. mannifera* and *E. radiata* subsp. *radiata* are co-dominant and the community is termed *E. mannifera-E. radiata* woodland.

This community is generally characterised by the occurrence of *Eucalyptus mannifera* subsp. *gullickii* along with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia dealbata</i>	<i>Acacia melanoxylon</i>	<i>Acacia terminalis</i>
<i>Baeckea linifolia</i>	<i>Banksia cunninghamii</i>	<i>Banksia spinulosa</i>
<i>Blechnum nudum</i>	<i>Boronia microphylla</i>	<i>Caustis flexuosa</i>
<i>Chionochloa pallida</i>	<i>Dampiera stricta</i>	<i>Deyeuxia parviseta</i>
<i>Dillwynia retorta</i>	<i>Empodisma minus</i>	<i>Entolasia stricta</i>
<i>Epacris</i> spp.	<i>Eucalyptus blaxlandii</i>	<i>Eucalyptus mannifera</i> subsp. <i>gullickii</i>
<i>Eucalyptus radiata</i>	<i>Gahnia sieberiana</i>	<i>Gleichenia dicarpa</i>
<i>Gonocarpus teucrioides</i>	<i>Grevillea acanthifolia</i>	<i>Hakea dactyloides</i>
<i>Helichrysum scorpioides</i>	<i>Hibbertia serpyllifolia</i>	<i>Lepidosperma laterale</i>
<i>Leptospermum continentale</i>	<i>Leptospermum grandifolium</i>	<i>Leptospermum juniperinum</i>
<i>Leptospermum polygalifolium</i>	<i>Leptospermum trinervium</i>	<i>Lepyrodia scariosa</i>
<i>Leucopogon lanceolatus</i>	<i>Lomandra filiformis</i>	<i>Lomandra longifolia</i>
<i>Microlaena stipoides</i>	<i>Mirbelia platylobioides</i>	<i>Olearia erubescens</i>
<i>Persoonia myrtilloides</i>	<i>Pimelea linifolia</i>	<i>Poa sieberiana</i>
<i>Polyscias sambucifolia</i>	<i>Pteridium esculentum</i>	<i>Stipa pubescens</i>
<i>Stipa rudis</i>	<i>Styphelia tubiflora</i>	<i>Tetrarrhena turfosa</i>



**(4B) Eucalyptus sclerophylla Bench Woodland**

*Eucalyptus sclerophylla* Bench Woodlands occur on dry sandy alluvial benches along certain creek systems in the lower Blue Mountains. This community may also occur on higher benches on a mix of alluvial and colluvial soils. *Eucalyptus sclerophylla* (Hard-leaved Scribbly Gum) is the dominant tree species sometimes co-dominant with *Angophora bakeri* (Narrow-leaved Apple). The typical vegetation structure is woodland, although this may vary depending on site conditions and history. The association between this community and alluvial or colluvial soils is a critical feature in its definition, since *E. sclerophylla* is also the dominant tree species in another, more common vegetation community, with a different understorey, that occurs on northern and western aspects on sandstone geology in the middle and upper Blue Mountains. The *E. sclerophylla* trees in the latter community tend to be smaller than those in the *E. sclerophylla* Bench Woodland.

This community is generally characterised by the occurrence of *Eucalyptus sclerophylla* along with the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acacia brownii</i>	<i>Acacia rubida</i>	<i>Acacia ulicifolia</i>
<i>Angophora bakeri</i>	<i>Aristida benthami</i>	<i>Aristida vagans</i>
<i>Baeckea virgata</i>	<i>Banksia oblongifolia</i>	<i>Banksia serrata</i>
<i>Banksia spinulosa</i>	<i>Bossiaea heterophylla</i>	<i>Bossiaea obcordata</i>
<i>Bossiaea rhombifolia</i>	<i>Cassytha glabella</i>	<i>Cassytha pubescens</i>
<i>Caustis flexuosa</i>	<i>Conospermum longifolium</i>	<i>Corymbia exima</i>
<i>Corymbia gummifera</i>	<i>Cyathochaeta diandra</i>	<i>Dampiera stricta</i>
<i>Daviesia corymbosa</i>	<i>Dillwynia floribunda</i>	<i>Entolasia stricta</i>
<i>Epacris pulchella</i>	<i>Eriostemon hispidulus</i>	<i>Eucalyptus notabilis</i>
<i>Eucalyptus piperita</i>	<i>Eucalyptus sclerophylla</i>	<i>Eucalyptus sparsifolia</i>
<i>Grevillea buxifolia</i>	<i>Grevillea mucronulata</i>	<i>Hakea dactyloides</i>
<i>Hakea sericea</i>	<i>Hovea linearis</i>	<i>Imperata cylindrica</i>
<i>Isopogon anemonifolius</i>	<i>Lambertia formosa</i>	<i>Lepidosperma laterale</i>
<i>Leptospermum arachnoides</i>	<i>Leptospermum parvifolium</i>	<i>Leptospermum polygalifolium</i>
<i>Leptospermum trinervium</i>	<i>Lepyrodia scariosa</i>	<i>Lomandra brevis</i>
<i>Lomandra filiformis</i>	<i>Lomandra glauca</i>	<i>Lomandra longifolia</i>

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<i>Lomandra obliqua</i>	<i>Melaleuca linariifolia</i>	<i>Melaleuca thymifolia</i>
<i>Mirbelia rubiifolia</i>	<i>Monotoca scoparia</i>	<i>Panicum simile</i>
<i>Persoonia hirsuta</i>	<i>Persoonia laurina</i>	<i>Persoonia oblongata</i>
<i>Petrophile pulchella</i>	<i>Phyllota phyllicoides</i>	<i>Pimelea linifolia</i>
<i>Platysace linearifolia</i>	<i>Pteridium esculentum</i>	<i>Ptilothrix deusta</i>
<i>Schoenus villosus</i>	<i>Stipa pubescens</i>	<i>Stylidium graminifolium</i>
<i>Themeda australis</i>	<i>Xanthorrhoea media</i>	

## 5 Heath/scrub/sedgeland/fernland

### (5A) Blue Mountains Heath and Scrub

Blue Mountains Heath and Scrub consists of a well-developed shrub layer, with no tree layer or only a sparse layer of scattered low trees, sometimes with a mallee habit (low, multi-stemmed shrub eucalypts). It occurs primarily in exposed sites with very shallow soils on Narrabeen Group and Hawkesbury Sandstone geology. Typical situations are cliff tops and high, rocky ridges, especially on the westerly aspect and with skeletal soils. The vegetation structure is typically an open-heath, less often a closed-heath, and may be interspersed with patches of open-scrub or closed-scrub formed by stands of mallees or *Leptospermum* species. It is also typically interspersed with areas of bare rock. It can occur on the fringes of or within so-called hanging swamps and in such situations it can also intergrade with vegetation of the Riparian Complex. There is also considerable intergradation between forms of woodland to open woodland with an *Eucalyptus sclerophylla* canopy with Blue Mountains Heath and Scrub forming the understorey in such communities.

Blue Mountains Heath and Scrub has a mixed and variable species composition. Common shrub species include *Allocasuarina distyla*, *A. nana*, *Banksia ericifolia*, *Epacris microphylla*, *Eucalyptus stricta*, *Hakea laevipes*, *Hakea teretifolia*, *Kunzea capitata*, *Leptospermum trinervium* and *Petrophile pulchella*. Common herb and sedge species include *Actinotus minor*, *Platysace linifolia*, *Lepidosperma filiforme*, *L. viscidum*, *Lepyrodia scariosa*, *Ptilothrix deusta* and *Schoenus villosus*.

Two forms of Blue Mountains heath have been distinguished (Keith and Benson 1988, Smith and Smith 1995a–e): montane heath above about 850–900 metres elevation and lower Blue Mountains heath below this level. The two forms intergrade between Wentworth Falls and Katoomba. Montane heath is characterised by the presence of high altitude species such as *Allocasuarina nana*, *Darwinia taxifolia* and *Phyllota squarrosa*, while lower Blue Mountains heath is characterised by the presence of low altitude species such as *Allocasuarina distyla*, *Darwinia fascicularis* and *Phyllota*

*phylicoides*. However, most of the more common heath plants occur across the full altitudinal range.

It is also possible to distinguish two forms of lower Blue Mountains heath: a Hawkesbury Sandstone form at lower altitudes (chiefly in the Faulconbridge to Woodford area), and a Narrabeen Sandstone form at intermediate altitudes (Hazelbrook to Wentworth Falls). The Hawkesbury Sandstone form is characterised by species such as *Acacia oxycedrus*, *Baeckea brevifolia* and *Eucalyptus burgessiana* that are absent from heath on Narrabeen Sandstone.

In the prolonged absence of fires, the heath shrubs grow taller and thicker, transforming the vegetation from an open-heath to a closed-scrub, especially in relatively moist and sheltered sites. These communities may be floristically similar to the closed heaths described above but are structurally unique. Shrubs including *Banksia ericifolia*, *B. serrata*, *B. spinulosa*, *Hakea laevipes*, *H. teretifolia* and a range of *Leptospermum* species may all attain heights of up to 8 metres over a generally grassy, herbaceous understorey. In locally moist areas, the fern *Gleichenia dicarpa* may become common in the ground stratum.

In the Megalong Valley, forms of heath occur which are floristically and geologically distinct from those others within the scope of the Blue Mountains Heath description. The majority of Megalong Valley Heath is associated with the Shoalhaven Group of sediments with a rare exception associated with the Carboniferous Granite. Dominant species of the heath include *Leptospermum trinervium*, *L. polygalifolium*, *L. juniperinum*, *Isopogon anemonifolius*, *Hakea salicifolia*, *H. sericea* and *Banksia spinulosa* while the locally uncommon shrub, *Mirbelia pungens* may also be present.

Only one example is known of heath occurring on granite within the Megalong Valley, however other examples are likely to occur outside the City, west of the Cocks River. This example is dominated by a relatively low-growing shrubby *Acacia* which was not able to be identified but is apparently related to *Acacia floribunda*.

Considered as a whole, Blue Mountains Heath and Scrub is characterised by the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of heath, but the list is indicative of the species composition of the vegetation.

<i>Acacia baueri</i>	<i>Acacia floribunda</i>	<i>Acacia oxycedrus</i>
<i>Acacia suaveolens</i>	<i>Actinotus helianthi</i>	<i>Actinotus minor</i>
<i>Allocasuarina distyla</i>	<i>Allocasuarina nana</i>	<i>Angophora floribunda</i>
<i>Anisopogon avenaceus</i>	<i>Austrostipa pubescens</i>	<i>Baeckea brevifolia</i>
<i>Baeckea densifolia</i>	<i>Baeckea ramosissima</i>	<i>Banksia ericifolia</i>

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<i>Banksia serrata</i>	<i>Banksia spinulosa</i>	<i>Bossiaea heterophylla</i>
<i>Bulbine semibarbata</i>	<i>Bursaria spinosa</i>	<i>Callistemon citrinus</i>
<i>Calytrix tetragona</i>	<i>Cassytha glabella</i>	<i>Caustis flexuosa</i>
<i>Cheilanthes sieberi</i>	<i>Chionochloa pallida</i>	<i>Correa reflexa</i>
<i>Corymbia gummifera</i>	<i>Cyathochaeta diandra</i>	<i>Dampiera purpurea</i>
<i>Dampiera stricta</i>	<i>Danthonia tenuior</i>	<i>Darwinia fascicularis</i>
<i>Daviesia corymbosa</i>	<i>Dianella caerulea</i>	<i>Dichelachne rara</i>
<i>Dillwynia floribunda</i>	<i>Dillwynia retorta</i>	<i>Diuris sulphurea</i>
<i>Dodonaea boroniifolia</i>	<i>Entolasia stricta</i>	<i>Epacris microphylla</i>
<i>Epacris obtusifolia</i>	<i>Epacris pulchella</i>	<i>Eriostemon obovalis</i>
<i>Eucalyptus apiculata</i>	<i>Eucalyptus burgessiana</i>	<i>Eucalyptus dalrympleana</i>
<i>Eucalyptus gregsoniana</i>	<i>Eucalyptus ligustrina</i>	<i>Eucalyptus mannifera</i> subsp. <i>gullickii</i>
<i>Eucalyptus moorei</i>	<i>Eucalyptus multicaulis</i>	<i>Eucalyptus sparsifolia</i>
<i>Eucalyptus rubida</i>	<i>Eucalyptus stricta</i>	<i>Gahnia aspera</i>
<i>Galium propinquum</i>	<i>Gleichenia dicarpa</i>	<i>Gonocarpus teucroides</i>
<i>Goodenia bellidifolia</i>	<i>Goodenia hederacea</i>	<i>Grevillea arenaria</i>
<i>Hakea dactyloides</i>	<i>Hakea laevipes</i>	<i>Hakea propinqua</i>
<i>Hakea salicifolia</i>	<i>Hakea sericea</i>	<i>Hakea teretifolia</i>
<i>Helichrysum scorpioides</i>	<i>Hemigenia purpurea</i>	<i>Hypericum gramineum</i>
<i>Isopogon anemonifolius</i>	<i>Kunzea capitata</i>	<i>Lambertia formosa</i>
<i>Leonema lachnaeoides</i>	<i>Lepidosperma filiforme</i>	<i>Lepidosperma urophorum</i>
<i>Lepidosperma viscidum</i>	<i>Leptocarpus tenax</i>	<i>Leptospermum</i> <i>arachnoides</i>
<i>Leptospermum</i> <i>continentale</i>	<i>Leptospermum</i> <i>juniperinum</i>	<i>Leptospermum parvifolium</i>
<i>Leptospermum petraeum</i>	<i>Leptospermum</i> <i>polygalifolium</i>	<i>Leptospermum trinervium</i>
<i>Lepyrodia scariosa</i>	<i>Leucopogon esquamatus</i>	<i>Leucopogon microphyllus</i>
<i>Lindsaea linearis</i>	<i>Lomandra glauca</i>	<i>Lomandra longifolia</i>
<i>Lomandra multiflora</i>	<i>Micromyrtus ciliata</i>	<i>Mirbelia baueri</i>
<i>Mirbelia pungens</i>	<i>Mirbelia rubiifolia</i>	<i>Mitrasacme polymorpha</i>
<i>Monotoca ledifolia</i>	<i>Monotoca scoparia</i>	<i>Patersonia sericea</i>

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<i>Petrophile pulchella</i>	<i>Phyllota phyllicoides</i>	<i>Phyllota squarrosa</i>
<i>Platysace lanceolata</i>	<i>Platysace linearifolia</i>	<i>Pseudanthus divaricatissimus</i>
<i>Ptilothrix deusta</i>	<i>Pultenaea elliptica</i>	<i>Restio fastigiatus</i>
<i>Schoenus apogon</i>	<i>Schoenus ericetorum</i>	<i>Schoenus imberbis</i>
<i>Schoenus villosus</i>	<i>Stipa pubescens</i>	<i>Stylidium lineare</i>
<i>Thelionema caespitosum</i>	<i>Themeda australis</i>	<i>Tricoryne elatior</i>
<i>Velleia perfoliata</i>	<i>Woollisia pungens</i>	

**(5B) Blue Mountains Swamps**

A range of swamps occurs within the Blue Mountains. Swamp vegetation develops on poorly drained sites where the soil is waterlogged for prolonged periods. Several variants are recognised and are described below.

In the Blue Mountains, swamps occur, not only in low-lying sites on valley floors (*valley swamps*), but also in the headwaters of creeks and on steep hillsides (*hanging swamps*). Some swamps represent a combination of valley swamp and hanging swamp. The upper boundary of the swamp is often clearly defined by the outcropping of a layer of claystone. Groundwater seeps along the top of the impermeable claystone layer, reaching the surface where the claystone protrudes, thus forming a swamp on the hillside below. Other swamps receive their water supply from feeder streams rather than groundwater, or from a combination of the two.

Blue Mountains Swamps vary greatly in their structure and plant species composition, ranging from closed-sedgeland or closed-fernland to open-heath or closed-heath, sometimes open-scrub or closed-scrub. The shrub-dominated swamps are similar in vegetation structure to some of the forms of Blue Mountains Heath/Scrub, but they differ in species composition and ecological function, and are more appropriately classified with the sedge and fern-dominated swamps. However, in many instances the botanical boundary between Blue Mountains Swamp and Blue Mountains Heath/Scrub communities is unclear or can only be defined at a small scale as the two vegetation types can intergrade extensively.

Common shrubs in the Blue Mountains Swamps that occur on the sandstone plateaux include *Acacia ptychoclada*, *Baeckea linifolia*, *Banksia ericifolia*, *Callistemon citrinus*, *Epacris obtusifolia*, *Grevillea acanthifolia*, *Hakea teretifolia*, *Leptospermum grandifolium*, *L. juniperinum* and *L. polygalifolium*. Common sedges include *Empodisma minus*, *Gymnoschoenus sphaerocephalus*, *Lepidosperma limicola* and *Xyris ustulata*. The main fern species is *Gleichenia dicarpa*. The swamps of the plateaux include communities described by Keith and Benson (1988) and Benson and Keith (1990) as Blue Mountains Sedge Swamps and Newnes Plateau Shrub Swamps.

The Kurrajong Fault Swamps are valley swamps that occur in the lower Blue Mountains on sandy alluvial deposits associated with the Kurrajong Fault. Common shrubs are *Acacia rubida*, *Callicoma serratifolia*, *Callistemon citrinus*, *Leptospermum juniperinum* and *Melaleuca linariifolia*. Common species in the understorey are *Baumea rubiginosa*, *Gahnia clarkei*, *Gleichenia dicarpa* and *Schoenus melanostachys*.

The Coxs River Swamps are another variant encompassed by this community. These swamps occur on the clayey organic sediments derived from the Illawarra Coal Measures where creeks drain at the base of the escarpment. They support a simple flora dominated by *Leptospermum obovatum*, *L. juniperinum* and *Grevillea acanthifolia* with a dense ground cover of *Carex* and *Juncus* spp.

The Megalong Valley Swamps occur under much the same circumstances as the Coxs River Swamps but differ considerably in both structure and floristics. The Coxs River Swamps tend to occur as scrub, open scrub and low open scrub to wet heath with a prominent sedge layer, whilst the Megalong Swamps are closed to tall closed scrub dominated by *Leptospermum juniperinum* and *L. polygalifolium* with an undescribed shrub *Melaleuca* sp. Megalong Valley, *C. citrinus* and infrequent emergents of *Eucalyptus camphora* and *Melaleuca linariifolia*.

Blue Mountains Swamps are characterised by the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every swamp, but the list is indicative of the species composition of the vegetation.

<i>Acacia ptychoclada</i>	<i>Acacia rubida</i>	<i>Actinotus minor</i>
<i>Almaleea incurvata</i>	<i>Baeckea linifolia</i>	<i>Banksia ericifolia</i>
<i>Banksia oblongifolia</i>	<i>Bauera rubioides</i>	<i>Baumea rubiginosa</i>
<i>Blandfordia cunninghamii</i>	<i>Blechnum cartilagineum</i>	<i>Blechnum nudum</i>
<i>Burnettia cuneata</i>	<i>Callicoma serratifolia</i>	<i>Callistemon citrinus</i>
<i>Carex</i> spp.	<i>Celmisia longifolia</i>	<i>Dampiera stricta</i>

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<i>Dillwynia floribunda</i>	<i>Drosera binata</i>	<i>Drosera spatulata</i>
<i>Empodisma minus</i>	<i>Epacris microphylla</i>	<i>Epacris obtusifolia</i>
<i>Epacris paludosa</i>	<i>Eucalyptus camphora</i>	<i>Eucalyptus copulans</i>
<i>Eucalyptus mannifera</i> subsp. <i>gullickii</i>	<i>Eucalyptus moorei</i>	<i>Gahnia clarkei</i>
<i>Gahnia sieberiana</i>	<i>Gleichenia dicarpa</i>	<i>Gleichenia microphylla</i>
<i>Gonocarpus micranthus</i>	<i>Goodenia bellidifolia</i>	<i>Grevillea acanthifolia</i>
<i>Gymnoschoenus</i> <i>sphaerocephalus</i>	<i>Hakea dactyloides</i>	<i>Hakea teretifolia</i>
<i>Hibbertia cistiflora</i>	<i>Isopogon anemonifolius</i>	<i>Juncus</i> spp.
<i>Kunzea capitata</i>	<i>Lepidosperma filiforme</i>	<i>Lepidosperma forsythii</i>
<i>Lepidosperma limicola</i>	<i>Leptocarpus tenax</i>	<i>Leptospermum</i> <i>continentale</i>
<i>Leptospermum</i> <i>grandifolium</i>	<i>Leptospermum</i> <i>juniperinum</i>	<i>Leptospermum obovatum</i>
<i>Leptospermum</i> <i>polygalifolium</i>	<i>Leptospermum</i> <i>squarrosum</i>	<i>Lepyrodia scariosa</i>
<i>Leucopogon esquamatus</i>	<i>Lindsaea linearis</i>	<i>Melaleuca linariifolia</i>
<i>Melaleuca</i> sp. <i>Megalong</i> <i>Valley</i>	<i>Mirbelia rubiifolia</i>	<i>Notochloe microdon</i>
<i>Olearia quercifolia</i>	<i>Patersonia sericea</i>	<i>Petrophile pulchella</i>
<i>Pimelea linifolia</i>	<i>Ptilothrix deusta</i>	<i>Pultenaea divaricata</i>
<i>Schoenus brevifolius</i>	<i>Schoenus melanostachys</i>	<i>Schoenus villosus</i>
<i>Selaginella uliginosa</i>	<i>Sprengelia incarnata</i>	<i>Symphionema montanum</i>
<i>Tetrarrhena juncea</i>	<i>Tetrarrhena turfosa</i>	<i>Xanthosia dissecta</i>
<i>Xyris juncea</i>	<i>Xyris ustulata</i>	

**(5C) Pagoda Rock Complex**

Within the City, this community occurs only in the far northwest near Bell. It occurs primarily outside the City on the Newnes Plateau where it is exemplified in Gardens of Stone National Park.

Benson and Keith (1990) list three structural divisions within this Complex: open heath of *Allocasuarina nana*, *Leptospermum arachnoides*, *Lepidosperma viscidum*, *Platysace lanceolata* and *Banksia ericifolia*; open mallee scrub of *Eucalyptus laophila*; and woodland of *E. sieberi* (Silver-top Ash), *E. piperita* (Sydney Peppermint) and *E. oblonga* (Sandstone

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#### Schedule 5 Significant vegetation communities

Stringybark). This mosaic of communities intergrades with the higher altitude variant of Blue Mountains Heath.

The following species typically occur within this complex. Other species may also occur, and not all of the following species are present in every stand of the community.

<i>Acacia dorothea</i>	<i>Acacia terminalis</i>	<i>Allocasuarina distyla</i>
<i>Allocasuarina nana</i>	<i>Banksia ericifolia</i>	<i>Boronia microphylla</i>
<i>Daviesia latifolia</i>	<i>Dillwynia retorta</i>	<i>Eucalyptus piperita</i>
<i>Eucalyptus sclerophylla</i>	<i>Eucalyptus sieberi</i>	<i>Eucalyptus sparsifolia</i>
<i>Hakea dactyloides</i>	<i>Lepidosperma viscidium</i>	<i>Leptospermum arachnoides</i>
<i>Platysace lanceolata</i>		

#### (5D) Lagoon Vegetation (Glenbrook Lagoon)

Lagoon Vegetation (Glenbrook Lagoon) is the wetland vegetation associated with Glenbrook Lagoon. This waterbody is the only naturally occurring upland lagoon in the City, although wetland vegetation has also developed around artificially created water bodies such as Wentworth Falls Lake and Woodford Lake. Glenbrook Lagoon consists of an area of open water with submerged aquatic vegetation, surrounded by extensive reedbeds dominated by the large sedges *Lepironia articulata* and *Eleocharis sphacelata*. Fringing the reedbeds is a narrow band of low paperbark trees *Melaleuca linariifolia*.

Native wetland plants recorded at Glenbrook Lagoon include the following species. Other species are also likely to be present.

<i>Acacia rubida</i>	<i>Agrostis avenacea</i>	<i>Baumea articulata</i>
<i>Callistemon citrinus</i>	<i>Callistemon linearis</i>	<i>Centella asiatica</i>
<i>Cynodon dactylon</i>	<i>Eleocharis sphacelata</i>	<i>Epilobium billardierianum</i>
<i>Gratiola pedunculata</i>	<i>Gratiola peruviana</i>	<i>Hydrocotyle peduncularis</i>
<i>Isachne globosa</i>	<i>Juncus holoschoenus</i>	<i>Juncus usitatus</i>
<i>Lepidosperma longitudinale</i>	<i>Lepironia articulata</i>	<i>Leptospermum polygalifolium</i>
<i>Ludwigia peploides</i>	<i>Melaleuca linariifolia</i>	<i>Melaleuca thymifolia</i>
<i>Myriophyllum variifolium</i>	<i>Nymphoides geminata</i>	<i>Paspalum distichum</i>
<i>Persicaria decipiens</i>	<i>Persicaria strigosa</i>	<i>Philydrum lanuginosum</i>
<i>Phragmites australis</i>	<i>Rumex brownii</i>	<i>Schoenoplectus validus</i>



*Typha domingensis**Typha orientalis**Vallisneria gigantea**Viminaria juncea*

## 6 Blue Mountains Riparian Complex

Blue Mountains Riparian Complex refers to the narrow bands of vegetation found along perennial and non-perennial watercourses in the Blue Mountains. It applies to those sections of the creek where there are distinct differences between the creekside vegetation and the adjacent vegetation further from the creek. Riparian (creekside) vegetation can be diverse and variable in structure and composition. It typically consists of species that are restricted to the immediate creekside environment plus other species from the adjacent vegetation communities. Common shrubs and low trees characteristic of riparian vegetation in the Blue Mountains include *Acacia rubida*, *Baeckea linifolia*, *Bauera rubioides*, *Callicoma serratifolia*, *Callistemon citrinus*, *Leptospermum polygalifolium*, *Lomatia myricoides*, *Tristania neriifolia* and *Tristaniopsis laurina*. Ferns tend to be a major component of the riparian vegetation, and include *Blechnum nudum*, *Calochlaena dubia*, *Gleichenia microphylla*, *Sticherus flabellatus* and *Todea barbara*. Common sedges and rushes include *Gahnia sieberiana*, *Juncus planifolius* and *Schoenus melanostachys*. Pockets of rainforest, swamp and moist cliffline (waterfall) vegetation are often present along the creeks and add to the floristic diversity of the riparian vegetation.

Blue Mountains Riparian Complex is characterised by the following assemblage of native plant species. Other species also occur, and not all of the following species are present along every creek, but the list is indicative of the species composition of the vegetation. The list does not include *Eucalyptus* species. Although a variety of eucalypts may occur along the creeks, they generally reflect the composition of the adjacent vegetation community rather than the riparian vegetation itself.

*Acacia elata**Acacia linifolia**Acacia longifolia**Acacia obtusifolia**Adiantum aethiopicum**Austromyrtus tenuifolia**Backhousia myrtifolia**Baeckea linifolia**Bauera rubioides**Blechnum ambiguum**Blechnum cartilagineum**Blechnum nudum**Blechnum patersonii**Blechnum wattsii**Boronia fraseri**Bossiaea lenticularis**Callicoma serratifolia**Callistemon citrinus**Calochlaena dubia**Centella asiatica**Ceratopetalum apetalum**Cissus hypoglauca**Dodonaea multijuga**Drosera spathulata**Entolasia marginata**Entolasia stricta**Eriostemon myoporoides*

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#### Schedule 5 Significant vegetation communities

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<i>Gahnia clarkei</i>	<i>Gahnia sieberiana</i>	<i>Gleichenia dicarpa</i>
<i>Gleichenia microphylla</i>	<i>Gonocarpus teucroides</i>	<i>Grevillea longifolia</i>
<i>Grevillea sericea</i>	<i>Hibbertia saligna</i>	<i>Imperata cylindrica</i>
<i>Juncus planifolius</i>	<i>Leptospermum marginatum</i>	<i>Leptospermum polygalifolium</i>
<i>Lepyrodia scariosa</i>	<i>Lomandra fluvialis</i>	<i>Morinda jasminoides</i>
<i>Notelaea longifolia</i>	<i>Persoonia mollis</i>	<i>Phebalium squamulosum</i>
<i>Pteridium esculentum</i>	<i>Schoenus melanostachys</i>	<i>Smilax glyciphylla</i>
<i>Sticherus flabellatus</i>	<i>Sticherus lobatus</i>	<i>Syncarpia glomulifera</i>
<i>Todea barbara</i>	<i>Triglochin procera</i>	<i>Tristania neriifolia</i>
<i>Tristaniopsis laurina</i>		

## 7 Blue Mountains Escarpment Complex

Blue Mountains Escarpment Complex refers to the distinctive vegetation communities associated with moist, sheltered rock faces, the escarpments and other extensive outcroppings of sandstones in the Blue Mountains. The habitat of this vegetation varies from rock crevices, ledges, caves and the talus at cliff bases through to isolated rock outcrops. The vegetation consists of a diverse mixture of moist cliffline vegetation, heath, swamp, rainforest, mallee and forest communities that can vary on a very small scale.

Species found in the moist sites include *Alania endlicheri*, *Baeckea linifolia*, *Blechnum ambiguum*, *B. wattsi*, *Callicoma serratifolia*, *Dracophyllum secundum*, *Drosera binata*, *Epacris reclinata*, *Gleichenia microphylla*, *G. rupestris*, *Leptospermum rupicola*, *Sprengelia monticola* and *Todea barbara*. Where a tree canopy is present, it can contain elements of various communities but *Eucalyptus oreades* (Blue Mountain Ash) is by far the most common. *E. piperita* (Sydney Peppermint), *E. sieberi* (Silver-top Ash) and a range of mallees, particularly the common *E. stricta* (Mallee Ash), can also be locally prevalent.

Blue Mountains Escarpment Complex is characterised by the following assemblage of native plant species. Other species also occur, and not all of the following species are present in every stand of the community, but the list is indicative of the species composition of the vegetation.

<i>Acrophyllum australe</i>	<i>Adenochilus nortonii</i>	<i>Alania endlicheri</i>
<i>Baeckea linifolia</i>	<i>Bauera rubioides</i>	<i>Blechnum ambiguum</i>
<i>Blechnum gregsonii</i>	<i>Blechnum wattsi</i>	<i>Bossiaea lenticularis</i>

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<i>Callicoma serratifolia</i>	<i>Dracophyllum secundum</i>	<i>Drosera binata</i>
<i>Empodisma minus</i>	<i>Entolasia marginata</i>	<i>Epacris coriacea</i>
<i>Epacris crassifolia</i>	<i>Epacris hamiltonii</i>	<i>Epacris muelleri</i>
<i>Epacris reclinata</i>	<i>Eucalyptus oreades</i>	<i>Eucalyptus piperita</i>
<i>Eucalyptus stricta</i>	<i>Euphrasia bowdeniae</i>	<i>Gahnia sieberiana</i>
<i>Gleichenia dicarpa</i>	<i>Gleichenia microphylla</i>	<i>Gleichenia rupestris</i>
<i>Goodenia decurrens</i>	<i>Goodenia rostrivalvis</i>	<i>Grammitis billardieri</i>
<i>Isopogon fletcheri</i>	<i>Lepidosperma evansianum</i>	<i>Leptopteris fraseri</i>
<i>Leptospermum polygalifolium</i>	<i>Leptospermum rupicola</i>	<i>Lepyrodia scariosa</i>
<i>Lindsaea microphylla</i>	<i>Lomandra montana</i>	<i>Lycopodium laterale</i>
<i>Melaleuca squamea</i>	<i>Microstrobos fitzgeraldii</i>	<i>Pterostylis pulchella</i>
<i>Rimacola elliptica</i>	<i>Rupicola apiculata</i>	<i>Rupicola sprengelioides</i>
<i>Scaevola hookeri</i>	<i>Schoenus melanostachys</i>	<i>Smilax glyciphylla</i>
<i>Sprengelia monticola</i>	<i>Sticherus flabellatus</i>	<i>Sticherus lobatus</i>
<i>Sticherus tener</i>	<i>Stylidium productum</i>	<i>Todea barbara</i>

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## Schedule 6 Heritage

(Dictionary)

### Part 1 Heritage items

**Note.** The annotation of "State\*" indicates the heritage item is identified as being of State significance.

Address	Name	Number
<b>Mount Victoria</b>		
5–9 Apex Avenue	Trig Station	MV001
1 Carrington Avenue	"Pump Cottage"	MV054
2–12 Carrington Street and 15–21 Jersey Parade	"The Manor House"	MV018
5 Carrington Avenue	Weatherboard cottage	MV046
7–9 Carrington Avenue	Weatherboard house and garden	MV055
11–15 Carrington Avenue	Pressed metal cottage	MV056
Darling Causeway	Station Master's cottage site	MV034
45–47 Great Western Highway	High Lodge	MV042
57 Great Western Highway	House	MV053
79 Great Western Highway	St Peter's Anglican Church	MV007
82 Great Western Highway	"Selsdon"	MV041
86 Great Western Highway	Post War brick shop building	MV057
90 Great Western Highway	"Cherished Belongings" Arts and Crafts Gallery	MV058
92 Great Western Highway	Wilson Memorial Gates to Memorial Park	MV059
92 Great Western Highway	Memorial Park structures, including War Memorial and open fronted timber Pavillion	MV060
94–98 Great Western Highway	Victorian cottage	MV047
99–103 Great Western Highway	Brick house	MV061
105–107 Great Western Highway	Mount Victoria Public School	MV014

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Address	Name	Number	
111 Great Western Highway	“Old Vic Post Office” Gallery	MV010	
113 Great Western Highway	Mount Victoria Gallery	MV062	
113 Great Western Highway	Concrete steps—outside at corner of Hooper Street	MV066	
115 Great Western Highway	Cafe and weatherboard cottage	MV063	
117 Great Western Highway	Weatherboard cottage	MV064	
119 Great Western Highway	Weatherboard shop	MV065	
120 Great Western Highway	Weatherboard cottage	MV067	
127 Great Western Highway	“Marthaville”	MV048	
135–139 Great Western Highway	Weatherboard cottage	MV068	
167 Great Western Highway	Toll house	MV008	State*
169–181 Great Western Highway	Gatekeeper’s cottage	MV013	
2A Harley Avenue	“Mount Vic Flicks” Cinema	MV049	
12 Harley Avenue	“Acorn”	MV070	
14–16 Harley Avenue	“Sunnih”	MV071	
6–10 Hooper Street	Federation cottage group	MV075	
6 Hooper Street	“Stratford”	MV072	
8 Hooper Street	Federation weatherboard cottage	MV073	
10 Hooper Street	Federation weatherboard cottage	MV074	
19 Kanimbla Valley Road	Post war fibro duplex	MV076	
4 Mathews Road	“Brighthelm”	MV077	
6 Mathews Road	Post war fibro cottage	MV078	
7 Mathews Road	Late Federation weatherboard cottage	MV079	
28–30 Montgomery Street	Semi-detached cottages	MV019	
39 Montgomery Street	House	MV038	
41–47 Montgomery Street	“The Maples”	MV039	
30–60 Patrick Street	Mount Victoria Railway Rest House	MV035	

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Address	Name	Number	
2 Selsdon Street	“Marie P”	MV022	
26–28 Selsdon Street	“Rossmoyne” (“Sunny View”)	MV040	
Station Street	Mount Victoria Railway Station	MV027	State*
1–15 Station Street	Hotel Imperial	MV006	
2–14 Station Street	Mount Victoria Memorial Park	MV044	
16 Station Street	Blackheath Antiques and Books	MV080	
17a Station Street	The Village Green and park shelter	MV069	
18–22 Station Street	“The Foyle”, “Lough Swilly”, “Bank House”	MV025	
19–29 Station Street	Victoria and Albert Guesthouse	MV016	
24 Station Street	Weatherboard cottage	MV081	
26 Station Street	Trains, Planes and Automobiles Gallery, Bay Tree Tea Shop	MV026	
28 Station Street	“The Gallery”	MV082	
30 Station Street	Shops	MV083	
32 Station Street	Police Station and Lock-up	MV084	
38 Station Street	Weatherboard cottage	MV045	
39–43 Victoria Street	“Fermoy”	MV050	
<b>Blackheath</b>			
11 Ada Street	“Currong”	BH066	
18–20 Ada Street	“Magellan”	BH068	
22–24 Ada Street	“Majorca”	BH069	
37 Ada Street	“Montana”	BH071	
2–12 Barratt Street	“High Pines” and garden	BH085	
18 Barratt Street	“Girrawheen” and garden	BH084	
1–3 Bradley Avenue	California bungalow	BH146	
9 Brentwood Avenue	“Kubba-Roonga”	BH048	
66 Clanwilliam Street	“Corner Cottage”	BH147	

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Address	Name	Number
46 Cleopatra Street	“Navara” and garden	BH091
118–124 Cleopatra Street	“Cleopatra”	BH022
16 Clyde Avenue	“Tree Tops” and garden	BH065
36–50 Gardiner Street	Brick bungalow	BH148
2–16 Govetts Leap Road	Neate’s Building	BH149
18–20 Govetts Leap Road	Ashcroft’s/Irene’s Deli on Govett	BH150
19–25 Govetts Leap Road	Victory Theatre Antiques	BH094
22 Govetts Leap Road	Shop fronts	BH151
27–29 Govetts Leap Road	Kenmare Buildings	BH152
31 Govetts Leap Road	Commonwealth Bank	BH154
36 Govetts Leap Road	Post Office	BH024
40–42 Govetts Leap Road	Cascade Antiques	BH153
40–68 Govetts Leap Road	Former residences (group listing)	BH157
43–45 Govetts Leap Road	Uniting Church	BH051
52 Govetts Leap Road	“Oakdene”	BH155
56–60 Govetts Leap Road	“Glenella”	BH095
64 Govetts Leap Road	“Ribbons and Rainbows”	BH156
90 Govetts Leap Road	Fibro cottage	BH158
102–104 Govetts Leap Road	Former shop	BH159
106 Govetts Leap Road	Weatherboard cottage	BH160
118 Govetts Leap Road	“Boscobel”	BH126
123 Govetts Leap Road	“The Laurels” and garden	BH062
161–169 Govetts Leap Road	“Balquhain” and garden	BH057
Great Western Highway	Blackheath Railway Station	BH029
Great Western Highway	The Gardens War Memorial	BH123
Great Western Highway—outside The Gardens	Macquarie Monument	BH030



Address	Name	Number	
Great Western Highway/Railway Reserve	Shelter	BH172	
Great Western Highway/Railway Reserve	Rotary Directory	BH174	
174 Great Western Highway	The Manse	BH129	
194 Great Western Highway	St Mounts	BH052	
207 Great Western Highway	Former teacher's residence	BH161	
209 Great Western Highway	"Norwood"	BH056	
211 Great Western Highway	IGA (Kerry's Service Station)	BH162	
Opposite 211 Great Western Highway	Horse trough	BH134	
Opposite 211 Great Western Highway	Horse trough	BH134	
213 Great Western Highway	"Kia Ora"	BH163	
215 Great Western Highway	Blackheath Automotive	BH164	
217–221 Great Western Highway	The Annex Antiques	BH165	
223–225 Great Western Highway	Fire Station	BH166	
229–236 Great Western Highway	New Ivanhoe Hotel	BH026	
233–237 Great Western Highway	Yarralumla Flats	BH167	
238–239 Great Western Highway	Dash's Pharmacy	BH168	
240–242 Great Western Highway	Wattle Cafe/Blackheath Florist	BH099	
245 Great Western Highway	Former butcher's shop	BH169	
246–249 Great Western Highway	Cafe Banksia/De Losa's/Piedmont Inn/Blackheath Charcoal Chicken	BH170	
255 Great Western Highway	Gardiner's Inn	BH027	State*
265 Great Western Highway—Blackheath Gardens	Community Centre	BH171	
266 Great Western Highway	Shops adjacent to the station	BH173	
282–285 Great Western Highway	"Rowan Brae"	BH130	
289–290 Great Western Highway	"Nalawa" and garden	BH133	State*
322–331 Great Western Highway	Blackheath General Cemetery	BH120	

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Address	Name	Number	
2–8 Hat Hill Road	St Aidan’s Anglican Church	BH031	State*
214 Hat Hill Road	“St Elmo” and garden	BH136	
1–7 Haviland Street	Haviland Street group	BH177	
1 Haviland Street	Cottage	BH175	
3 Haviland Street	Weatherboard semi-detached cottage	BH074	
5–7 Haviland Street	Semi-detached cottage	BH176	
Leichhardt Street	Blackheath Stockade (site only)	BH034	
1 Leichhardt Street	Federation cottage	BH178	
1A Leichhardt Street	Blackheath Public School	BH033	
5 Leichhardt Street	Timber bungalow	BH179	
7 Leichhardt Street	“Killarney”	BH180	
47 Leichhardt Street	“Heatherton”	BH088	
63 Leichhardt Street	“Carcoola”	BH089	
64 and 66 Leichhardt Street	“Dulwich” and dairy shed	BH143	
24 Lookout Road	“Gwandoban”	BH096	
6 Murri Street	Bungalow	BH181	
26–50 Park Avenue	Memorial Park	BH023	
26–50 Park Avenue	Gallipoli Steps, Blackheath Memorial Park	BH184	
26–50 Park Avenue	Gates, Blackheath Memorial Park	BH185	
26–50 Park Avenue	Pool Pavilion, Blackheath Memorial Park	BH186	
29–31 Park Avenue	“Colonia”	BH182	
35 Park Avenue	Weatherboard California bungalow	BH183	
8–14 Railway Avenue	Group	BH191	
8 Railway Avenue	“Faversham”	BH187	
10 Railway Avenue	Weatherboard cottage	BH188	
12 Railway Avenue	“Como”	BH189	

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Address	Name	Number
14 Railway Avenue	Weatherboard cottage	BH190
16 Station Street	Station Master's house	BH067
124 Station Street	"Dover Hall"	BH192
132–133 Station Street	"Braemar"	BH075
8–12 Staveley Parade	"Thorington" and garden	BH083
15–15a Staveley Parade	"Gowan-Brae" and garden	BH082
11–21 Thirroul Avenue	Group listing: 11: "Lindham" 15: "Kazula" 17: "Inston" 9: "Calrossie" 21: "Mon Repos"	BH073
1–5 Waragil Street	"Guinnes Lodge"/ "Evanville"	BH059
18 Waragil Street	Brick cottage	BH193
26 Waragil Street	"Ban Tigh", brewery site and garden	BH060
70 Wentworth Street	House and garden	BH195
91 Wentworth Street	Former Church of Christ	BH049
95 Wentworth Street	Masonic Temple	BH050
97 Wentworth Street	Fibro house	BH196
101 Wentworth Street	California bungalow	BH197
105 Wentworth Street	Former IOOF Hall	BH198
123–125 Wentworth Street	Leslie Memorial Presbyterian Church	BH064
124 Wentworth Street	Normandie Restaurant	BH199
128 Wentworth Street	California bungalow	BH200
129 Wentworth Street	"Goohli"	BH201
130–134 Wentworth Street	Group of buildings	BH205
130 Wentworth Street	Brick house	BH202
132 Wentworth Street	Brick house	BH203

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Address	Name	Number	
134 Wentworth Street	Brick duplex	BH204	
157 Wentworth Street	“Duddington”	BH036	
159 Wentworth Street	Cottage	BH145	
165–171 Wentworth Street	Sacred Heart Roman Catholic Church	BH041	
179 Wentworth Street	“Yabba Yabba” and garden	BH045	
<b>Medlow Bath</b>			
Great Western Highway	Medlow Bath Railway Station	MB003	
16 Great Western Highway	“The Pines”	MB016	
52 Great Western Highway to 33 Station Street	Avenue of Radiata Pines	MB015	State*
52–88 Great Western Highway	“Hydro Majestic”	MB002	State*
1 Park Street	“Urunga”	MB017	
6–8 Park Street	House	MB018	
45–49 Portland Road	Log cabin and garden	MB012	
46–50 Portland Avenue	“The Chalet”	MB004	
1 Railway Parade	Former Post and Telegraph Store	MB008	
40a Railway Parade	St Luke’s Anglican Church	MB010	
Cnr Somerset Street and Railway Parade	Horse trough	MB013	
4 Somerset Street	“Medlow House”	MB011	
2, 4 and 6 Station Street	“Melbourne House”, “Cosy Cot”, “Sheleagh Cottage”	MB019	
33 Station Street	Gatekeeper’s cottage	MB006	State*
<b>Katoomba</b>			
Bathurst Road/Great Western Highway	Katoomba transport corridor	K065	
Bathurst Road/Parke Street/Cascade Street	Stone kerbing	K116	
Bathurst Street	Katoomba Railway Station	K044	State*
92 Bathurst Road	Niagara Cafe	K106	State*

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Address	Name	Number	
194–196 Bathurst Road	“Balmoral House”	K023	
202 Bathurst Road	Davie’s Stables behind flats	K107	
210 Bathurst Road	“Tilcott”	K108	
1 Cascade Street	Wood Coffill Funeral Parlour	K109	
2 Cascade Street	Former ice factory	K111	
139–141 Cascade Street	“Varuna House” studio and garden	K083	State*
5–11 Civic Place	Court House	K025	State*
8 Civic Place	Masonic Temple	K030	
10–14 Civic Place	Renaissance Centre	K022	
Cliff Drive	Katoomba Falls Kiosk	K059	State*
12 Cliff Drive	Olympus	K068	
102 Cliff Drive	Scenic Railway and environs	K003	State*
1 Darley Street	“Kiah”	K152	
3 Darley Street	“Green Gables”	K153	
5 Darley Street	House	K154	
33, 35, 37 and 39 Darley Street	Group of soldiers’ homes	K151	
23–31 Echo Point Road	Lilianfels Park	K018	
44–46 Echo Point Road	Echo Point Park	K002	
20–22 Forster Road	House in flats	K124	
6 Froma Lane	“Froma Court”	K112	
2–10 Gang Gang Street	Anita Villa Nursing Home	K052	
11–15 Gang Gang Street	“Metropole”	K110	
17 Gang Gang Street	Kingsford Smith Memorial Park	K054	
1–1a Goldsmith Place	Hotel Gearin	K027	
173–181 Great Western Highway	Blue Mountains District Anzac Memorial Hospital	K049	
183–187 Great Western Highway	Showground and stand	K047	
304 Great Western Highway	“Hillcrest” and garden	K063	

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Address	Name	Number	
4 Hope Street	Ozanan Cottage	K066	
1–13 Katoomba Street	James' Buildings	K089	
8–32 Katoomba Street	Savoy	K090	
15–47 Katoomba Street	Carrington Hotel	K032	State*
34–38, 40–42 Katoomba Street	Group of Two Commercial Buildings	K091	
49–57 Katoomba Street	Shops	K070	
59–61 Katoomba Street	Former Katoomba Post Office	K035	State*
66 Katoomba Street	Former Bank	K071	
66a Katoomba Street	St Hilda's Anglican Church	K036	
63–69 Katoomba Street	Paragon Cafe group	K034	State*
73–75 Katoomba Street	Former Embassy Theatre	K072	
86 Katoomba Street	Westpac Bank	K092	
89–91 Katoomba Street	Crazy Prices	K093	
108 Katoomba Street/25 Lurline Street	The Cecil Guest House	K094	
110–112 Katoomba Street	Shops	K073	
118–120 Katoomba Street	Soper Chambers	K095	
130–134 Katoomba Street	Gloucester Flats	K096	
142 Katoomba Street	Uniting Church group	K067	
143–147 Katoomba Street	"Raeburn"	K097	
156 Katoomba Street	St Canice's Catholic Church group	K069	
173–175 Katoomba Street	"Fruitissimo" (Beszant's Building)	K099	
181–185 Katoomba Street	Logie House	K100	
187 Katoomba Street	Kent House	K101	
207 Katoomba Street	"Homesdale"	K118	
228 Katoomba Street	"Palais Royale"	K058	State*
234 Katoomba Street	"Clivedon"	K098	
252 Katoomba Street	"Westella" garden	K158	

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Address	Name	Number
286 Katoomba Street	Blue Colony Guest House	K122
288 Katoomba Street	House	K121
312 Katoomba Street	House	K119
314 Katoomba Street	“Talbingo”	K120
1 Kurrawan Street	“Arakoon”	K150
Lovel Street	Retaining wall	K084
2 Lurline Street	“Wadi Shaifa”	K102
9 Lurline Street	“Eldon”	K103
9 and 25 Lurline Street, 142 Katoomba Street	Stone retaining walls	K105
31 Lurline Street	Katoomba Mountain Lodge	K104
42 Lurline Street	Exclusive Brethren Church	K115
67 Lurline Street	Astor House	K156
69, 71 and 73 Lurline Street	Housing group	K123
73a Lurline Street	Former garage	K125
89 Lurline Street	“Elsinor”	K126
95, 97, 99, 101, 103, 105 and 107 Lurline Street	Group of houses	K127
98 Lurline Street	“Wairoa”	K128
102, 104 and 106 Lurline Street	Group of houses	K129
122 Lurline Street	“Mary Villa”	K131
124 Lurline Street	“Lorrac”	K130
125 Lurline Street	“Steyning”	K133
128 Lurline Street	“Heatherbrae”	K135
131 Lurline Street	“Coleraine”, “Ritla”	K132
132 Lurline Street	“Swiss Cottage”	K139
137 Lurline Street	“Nyord”	K134
140 Lurline Street	“Bandamora”	K141

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### Blue Mountains Local Environmental Plan 2005

#### Schedule 6 Heritage

Address	Name	Number	
141 Lurline Street	“Dorellan”	K136	
142 Lurline Street	“Westroyole”	K142	
143 Lurline Street	“Chilcote”	K137	
145 Lurline Street	“Morundah”	K138	
148 Lurline Street	“Cathkin Braes”	K143	State*
150–152 Lurline Street	Federation bungalow	K144	
153 Lurline Street	Former Megalong Hotel	K155	
154 Lurline Street	“Moorna”	K145	
156 Lurline Street	“Belvoir”	K146	
157 Lurline Street	“Kapsalie”	K140	
158 Lurline Street	“Ameralia”	K147	
174 Lurline Street	“Avonleigh”	K148	
195 Lurline Street	“Wandene”	K149	
108–120 Narrow Neck Road	“Gracehill Lodge” and garden	K061	
14 Panorama Drive	“Lilianfels” and grounds	K038	
23–25 Parke Street	“Archipelago”	K041	
12–26 Powerhouse Lane	Former Electric Power House	K064	
25 Waratah Street	Bethany Gospel Hall	K113	
41 Waratah Street	Baptist Church	K114	
56–64 Waratah Street	Presbyterian Church	K081	
91–93 Waratah Street	Waratah Street Health Centre	K043	
32–42 Warialda Street	Hinkler Park	K157	
<b>Leura</b>			
43–49 Balmoral Road	“Leuralla”, garage, outbuilding, amphitheatre and gardens	LA015	
7 Britain Street	“Leura House”	LA004	
2 Chambers Road	“Darjeeling” and garden	LA061	
2 Churchill Street	“Sunray” and garden	LA042	State*



Address	Name	Number
Craigend Street, corner Leura Mall	Bloome Park	LA056
10 Craigend Street	“Darval” and former Anglican Rectory	LA095
14 Craigend Street	“Blandford”	LA094
6 East View Avenue	“The Nunnery” and garden	LA043
19–21 Fitzroy Street	Former Leura Golf Club House	LA032
1–5 Gordon Road	“Holmwood” and garden	LA021
Great Western Highway	Stone retaining wall between Queens Road and Kings Road	LA058
14 Great Western Highway	“Hazeldene”	LA093
31 Great Western Highway	“Chateau Napier” site only	LA026
62 Great Western Highway	Alexandra Hotel	LA088
89 Great Western Highway	Shop and house—archaeological site	LA028
1, 3, 5, 7 Grose Street	Grose Street cottage group	LA035
13 Grose Street	“Lauralea”	LA090
19 Grose Street	House	LA091
21 and 23 Grose Street	“Ballygowan” and “Acorn Cottage”	LA092
23a Grose Street	Leura Uniting Church	LA034
33 Grose Street	“Dalkeith”	LA083
Leura Mall	Redmond Memorial	LA072
117–121 Leura Mall	Hillcrest Coachman	LA080
126–128 Leura Mall	Single storey commercial building	LA069
130 Leura Mall	Commercial building	LA070
131 Leura Mall	“Le Gobelet”	LA010
148 Leura Mall	Leura Post Office	LA071
151–153 Leura Mall	Leeder’s drapery	LA074
157–159 Leura Mall	Single-storey commercial building	LA075
165–171 Leura Mall	Two-storey commercial building	LA076

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### Blue Mountains Local Environmental Plan 2005

#### Schedule 6 Heritage

Address	Name	Number	
173 Leura Mall	James' Butchery	LA077	
177–179 Leura Mall	Two-storey commercial building	LA078	
187–197 Leura Mall	St David's Presbyterian Church	LA079	
192–194 Leura Mall	Cafe Bon Ton	LA013	
198–204 Leura Mall	"Culgoa"	LA008	
203–223 Leura Mall	"The Ritz"	LA012	State*
Lone Pine Avenue	Lone Pine Avenue and Park	LA060	
122, 124 and 126 Megalong Street	Megalong Street cottage group	LA096	
133 Megalong Street	Country Women's Association Hall	LA081	
137a Megalong Street	St Alban's Anglican Church	LA082	
137a Megalong Street	Font, St Alban's Anglican Church	LA073	State*
143 Megalong Street	"Warradoon"	LA087	
151 Megalong Street	"Megalong Manor"	LA014	
9 Olympian Parade	"Benison" and garden	LA022	
Railway Corridor	Western Railway Line	LA030	
Railway Parade	Leura Railway Station	LA016	
87 Railway Parade	House	LA084	
88 Railway Parade	"Waitangi"	LA009	
89 Railway Parade	"Ilion"	LA085	
90 Railway Parade	"Rakia"	LA086	
97 Railway Parade	"Varenna"	LA062	
99 Railway Parade	"Deloraine"	LA064	
103 Railway Parade	St Bonaventure's Catholic Church	LA065	
104–105 Railway Parade	"Mondeval"	LA066	
106 Railway Parade	"Strathhayze"	LA067	
107 Railway Parade	"Edelweiss"	LA068	
Wascoe Street	Wascoe Street retaining wall	LA020	

Address	Name	Number
24–26 Wascoe Street	“Kanowna” group	LA024
30 Wascoe Street	“Kemarle”	LA089
Western Railway Line	Railway corridor	LA030
<b>Wentworth Falls</b>		
Adele Avenue	Darwins Oak	WF042
1–5 Allen Crescent	“Halcyon”	WF049
19, 21, 23 and 25 Armstrong Street	Charles Medcalf Cottages	WF081
22 Armstrong Street	“Northbrook”	WF075
48 Armstrong Street	“Edenderra” and garden	WF077
Blaxland Road	Blaxland Road nature strips and their landscaping	WF035
38 Blaxland Road	“Silvermere” and garden	WF034 State*
65 Blaxland Road	“La Vista” and garden	WF074 State*
99–101 Blaxland Road	“Tarella”	WF004
178 Blaxland Road	House and garden	WF052
9 Bourne Street	Coppers	WF055
3–5 Day Street	St Francis Xavier’s Roman Catholic Church	WF002
Falls Road	Horse trough	WF014
Falls Road	Wentworth Falls Public School	WF108
1 Falls Road	Falls Timber and Hardware Store	WF078
8–30 Falls Road	Wilson Park	WF070
60–62 Falls Road	St Andrew’s Presbyterian Church	WF011
63–67 Falls Road	“Davisville”	WF041
69 Falls Road	Holy Trinity Anglican Church	WF003
74 Falls Road	“Strathmore”	WF012
75–79 Falls Road, Wentworth Falls and 10A Armstrong Street	“Etheldale”/“Lyndale”	WF100

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### Blue Mountains Local Environmental Plan 2005

#### Schedule 6 Heritage

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Address	Name	Number
98 Falls Road	House	WF101
102 Falls Road	“Mercedes” and garden	WF102
126 and 128 Falls Road and 42–44 Mulheran Avenue	Cottage group	WF088
140 Falls Road	“Trevarthen”	WF058
142 Falls Road	St Cyrus	WF013
80–82 Fletcher Street	“Carramar”	WF015
174 Great Western Highway	Grand View Hotel and garages	WF018
188 Great Western Highway	House	WF098
204 Great Western Highway	Saville Motors	WF099
217–219 Great Western Highway	Wentworth Falls School of Arts	WF001
221–271 Great Western Highway	Blue Mountains Grammar School	WF029
230–232 Great Western Highway	“Verna”	WF082
278–312 Great Western Highway	Wentworth Falls General Cemetery	WF107
10–12 Langford Street	“Mount Allen”	WF084
27 Langford Street	“Brucedale”	WF069
1–15 Matcham Avenue	Weatherboard inn archaeological site	WF019
1a Pritchard Street	“Kubba Kundi”	WF037
47 Pritchard Street	“Inglewood”	WF071
201–219 Railway Parade	Railway Water Reservoir	WF050
95–97 Sinclair Crescent	“Camberwell”	WF062
Station Street	Wentworth Falls Railway Station	WF022
Station Street and Blaxland Road—near junction of	Arched stone culvert	WF036
1–9 Station Street	Anderson Buildings	WF110
10–11 Station Street	Federation shops and residences	WF111
13a Station Street	War Memorial, Coronation Park	WF097
13 Station Street	“Il Postino”	WF112

Address	Name	Number
22 Station Street	Federation shops and residences	WF113
6–8 The Avenue	“Glen Isla”	WF059
15–19 Wentworth Street	“Myoori” and garden	WF060
54–56 Wentworth Street and 1 Somerville Street	House	WF068
59 Wentworth Street	“Mulwaree”	WF026 State*
29 Westbourne Street	“Pini Dell”	WF051
2–6 Wood Street	“Roselidden”	WF057
34a Wilson Street	“Myoori Park”	WF105
<b>Bullaburra</b>		
Great Western Highway	Bullaburra Railway Station	BL002
5–9 Kalinda Road	Former George Haining Coach House and “Glencairn”	BL004
<b>Lawson</b>		
1–2 Badgerys Crescent	“Lyttleton” shop and residence	LN001
1–2 Badgerys Crescent	“Lyttleton”, residence	LN002
3 Badgerys Crescent	Badgery’s Cafe and Gallery	LN029
8 Badgerys Crescent	“Dorinda”	LN028
4–10 Frederica Street	“Myee” gatekeepers cottage	LN007
Great Western Highway	Sydney Rock	LN009
Great Western Highway	Lawson Railway Station	LN010
252–256 Great Western Highway	Santa Maria Convent and Durham Lodge	LN011
21 Gregg Street	Rock Cut Pit	LN034
Honour Avenue	Memorial Gardens, sandstone wall and Memorial Arch	LN014
Honour Avenue	Horse trough	LN016
9 Honour Avenue	Cottage	LN012
13 Honour Avenue	Emmanuel Church of England Hall	LN013

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### Blue Mountains Local Environmental Plan 2005

#### Schedule 6 Heritage

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Address	Name	Number	
16–18 Honour Avenue	Masonic Lodge	LN015	
25 Honour Avenue	“Wallawa”	LN023	
29–41 Honour Avenue	House	LN022	
Loftus Street	Former Shire Electricity Sub Station	LN031	
1–7 Loftus Street	Former Blue Mountains Shire Office	LN027	
4–8 San Jose Avenue	Stratford Girls’ School	LN018	
33 San Jose Avenue	North Lawson Park	LN032	
2 Waratah Street	House	LN021	
2–12 Wilson Street	Blue Mountains Inn—archaeological site	LN008	
<b>Hazelbrook</b>			
Gloria Park	War Memorial	H005	
54 Hall Parade	“Oaklands”, pumphouse and dam	H002	State*
85–167 Oaklands Road	“Horseshoe Falls”	H013	
Railway Parade	Railway Station	H007	
41 Railway Parade	“Selwood House” and grounds	H009	
<b>Woodford</b>			
Great Western Highway	Twenty Mile Hollow lock-up site	WD004	
42 and 42b Great Western Highway	Abandoned railway cuttings	WD012	
68a–68b Great Western Highway	Woodford Uniting Church	WD006	
69 Great Western Highway	“Woodford House”	WD011	
75a Great Western Highway	Memorial Park	WD010	
78a Great Western Highway	Former St Paul’s Anglican Church	WD005	
90–92 Great Western Highway	Woodford Academy and grounds	WD001	State*
Railway Parade	Railway Station	WD002	
Railway Parade	Cox’s Road	WD009	State*
11 The Appian Way	“Birralelee” and garden	WD013	

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Address	Name	Number	
<b>Faulconbridge</b>			
Great Western Highway	Railway Station	FB005	
Great Western Highway	Water Lily Pond	FB006	
492 Great Western Highway	“Danville”	FB004	
496 Great Western Highway	Formerly “Hillmorton”	FB018	
507 Great Western Highway	“Everton” and garden	FB007	
19 Grose Road	“Coomassie”	FB003	
32 Grose Road	“Phoenix Lodge”	FB008	
6 Railway Avenue	“The Pines”	FB015	
1 Sir Henrys Parade	“Stonehurst”	FB013	
8A–9 Sir Henrys Parade	Corridor of Oaks—Jackson Park	FB009	State*
12 Sir Henrys Parade	Quarry	FB020	
25 Sir Henrys Parade	Former “Rossleigh”	FB016	
25a Sir Henrys Parade	Faulconbridge Cemetery—Sir Henry Parkes’ Grave	FB012	State*
1 Wigram Road	“Clarinda Cottage”	FB019	
<b>Winmalee</b>			
168 Hawkesbury Road	St Columba’s College, gates and “Elmhurst”	WL001	State*
56 White Cross Road	Mountains Fiesta Restaurant	WL005	
56–62 White Cross Road	Group of Bunya Pines	WL003	
<b>Springwood</b>			
32–44 Bland Road	Lomatia Park	SP046	
40 Davesta Road	Springwood General Cemetery	SP035	
8–9 Ferguson Road	Bolands Inn (site only)	SP007	
239 Great Western Highway	“Waratah”	SP041	
253 Great Western Highway	“Wancalee”	SP040	
345–347 Great Western Highway	Christ Church Anglican Church	SP008	State*

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#### Schedule 6 Heritage

Address	Name	Number	
353 Great Western Highway	“Southall” (“Karkoola”)	SP012	
371 Great Western Highway	“The Rectory”	SP043	
389–407 Great Western Highway	Buttenshaw Park and sandstone gate posts	SP009	
14–18 Holmedale Street	Cottage group	SP050	
Macquarie Road	Springwood Railway Station	SP011	State*
7 Macquarie Road	Springwood gatekeeper’s cottage	SP018	
73–77 Macquarie Road	St Thomas Catholic Church	SP013	
100 Macquarie Road	“Danebury” and grounds	SP023	
101–105 Macquarie Road	Buckland Park and drive, Baxter Memorial Gates	SP031	
102–104 Macquarie Road	“Braemar”	SP022	
105x Macquarie Road	Railway water reservoir	SP037	
110–112 Macquarie Road	Oriental Hotel	SP029	
158 Macquarie Road	Presbyterian Church	SP019	
179 Macquarie Road	Post Office	SP027	
181–183 Macquarie Road	Former Police Lock-up and Manners Park	SP026	
220 Macquarie Road	Royal Hotel	SP045	
331a Macquarie Road	Historical marker	SP020	
352 Macquarie Road	“Stanway”, “Vueuna” and gardens	SP028	
1–10 Railway Parade	Bunda Antiques Gallery “Eringath”	SP030	
14 Railway Avenue	Stone cottage	SP042	
16 Railway Parade	House	SP048	
14 and 16 Railway Parade	Pair of houses	SP047	
<b>Valley Heights</b>			
Great Western Highway	Valley Heights Railway Station	VH001	
4 Green Parade	House	VH005	
16–17 Green Parade	“White Lodge” and “Coolhi”	VH006	



Address	Name	Number
110–112 Green Parade	Gatekeeper's cottage	VH003
21 Peninsula Road	"Clarence"	VH013
11 The Valley Road	House	VH011
Tusculum Road	Railway roundhouse	VH004 State*
<b>Warrimoo</b>		
Vicinity of Bushfire Services Station, Great Western Highway	Warrimoo horse trough	WM002
Great Western Highway	Quarry	WM003
<b>Blaxland</b>		
Great Western Highway	Blaxland Railway Station	BX002
167 Great Western Highway	Fibro house	BX009
1–11 Layton Avenue	"Pilgrim's Inn" (site only)	BX001
Mitchells Pass	Mile Post indicator	BX004 State*
34 Wilson Way	"Exeter"	BX010
<b>Glenbrook</b>		
	Glenbrook (Lapstone Hill) Tunnel	G014
Burfitt Parade	Glenbrook Railway Station	G011
2 Cross Street	House	G057
15 Euroka Road	"Thurso"	G052
26 Explorers Road	House	G036
Great Western Highway	Knapsack Gully Viaduct, 1865	G023 State*
Great Western Highway	Knapsack Gully Viaduct, 1912	G025
2 Great Western Highway, Emu Plains	GateKeeper's Cottage No 1	G013
2 Great Western Highway, Emu Plains	Whitton Memorial	G026
29 Great Western Highway	"Briarcliffe"	G016
29 Great Western Highway	RAAF Base, Officer's Mess	G030 State*
41 Great Western Highway	Blaxland, Wentworth and Lawson Memorial	G007

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#### Schedule 6 Heritage

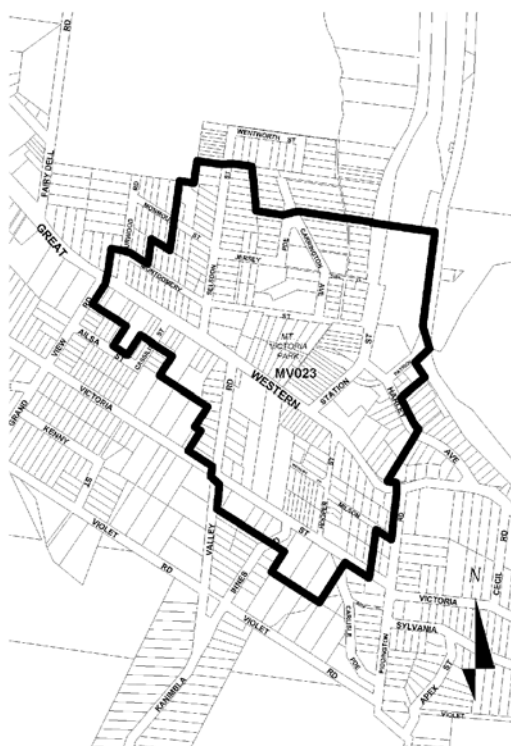
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Address	Name	Number	
41 Great Western Highway	Original Glenbrook Railway Sign and Monument	G020	
41 Great Western Highway	Glenbrook Native Plant Reserve	G019	
78 Great Western Highway	Former Station-master's house	G010	State*
12 Hare Street	Glenbrook School of Music	G021	
Knapsack Gully Viaduct (1912) to Glenbrook Railway Station	Glenbrook railway deviation	G017	
33 Lucasville Street	Phoenix Palm group	G042	
37 Lucasville Street	"Kalamunda"	G041	
2 Mann Street	Former "Glenora"	G039	
9 Mann Street	Former "Gallipoli"	G056	
33 Moore Street	"Bonnie Doone"	G022	
6 Nepean Gardens Place	"Ulinbawn"	G032	
4 Park Street	"Serendip"	G048	
6 Park Street	Glenbrook Cottage	G037	
10 Park Street	Glenbrook Public School Infants' Department	G015	
23-29 Park Street	Green Real Estate	G053	
20-30 Park Street	Glenbrook Park	G047	
41 Park Street	Briar Hill	G033	
6 Raymond Street	Former "Werona"	G051	
8 Raymond Street	House	G050	
2 Ross Street	Horse trough	G049	
20 Ross Street	Glenbrook Garden Centre (former St Peter's Anglican Church)	G012	
6 Wascoe Street	Former Howlett's Store	G046	
8 Wascoe Street	"Ilford House" and garden	G040	
9 Waters Road	"Arcadia"	G055	

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## Part 2 Heritage conservation areas

Address	Name	Number
<b>Mount Victoria</b>		
	Central Mount Victoria Urban Conservation Area	MV023



## 2005 No 633

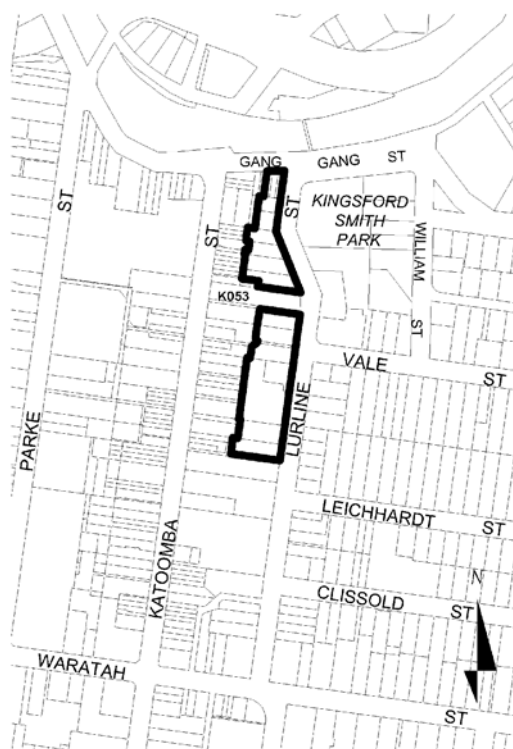
Blue Mountains Local Environmental Plan 2005

Schedule 6      Heritage

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Address	Name	Number
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Katoomba	Lurline Street Guest House Group Conservation Area	K053

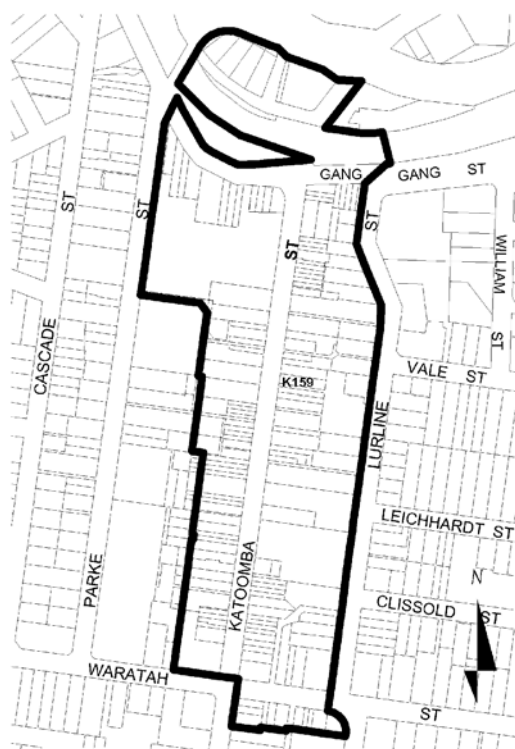
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Address	Name	Number
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Katoomba	Central Katoomba Urban Conservation Area	K159

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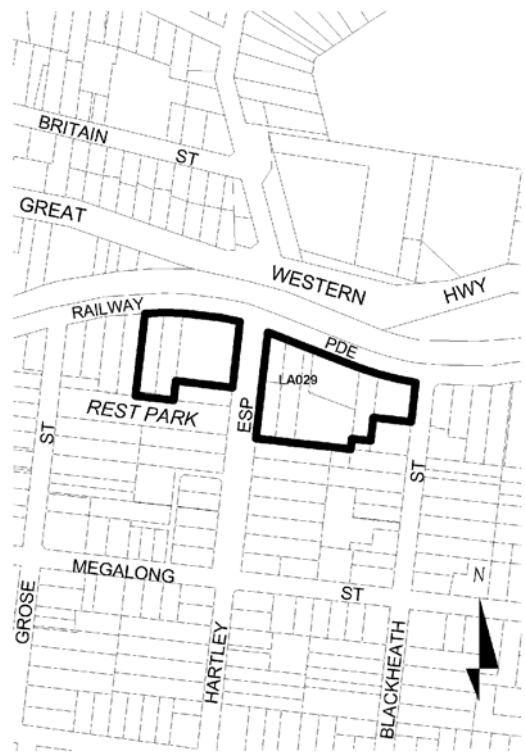
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Schedule 6      Heritage

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Address	Name	Number
<b>Leura</b>		
97-107 Railway Parade	Leura Railway Parade Precinct Conservation Area	LA029

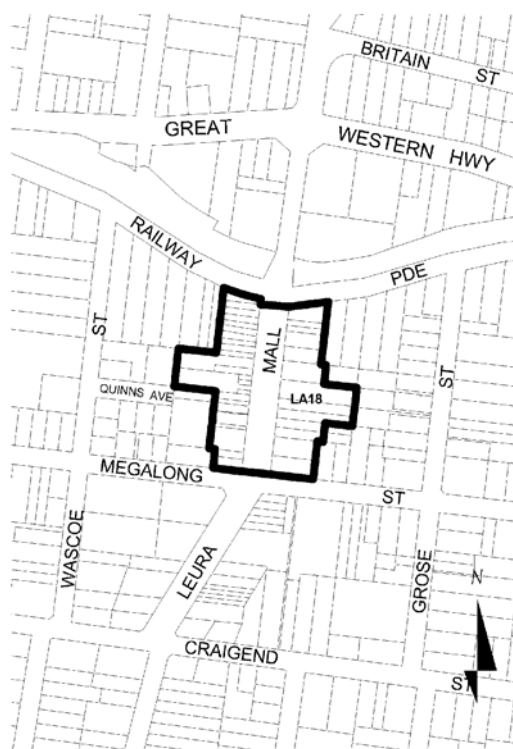
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Address	Name	Number
Leura	Central Leura Urban Conservation Area	LA018

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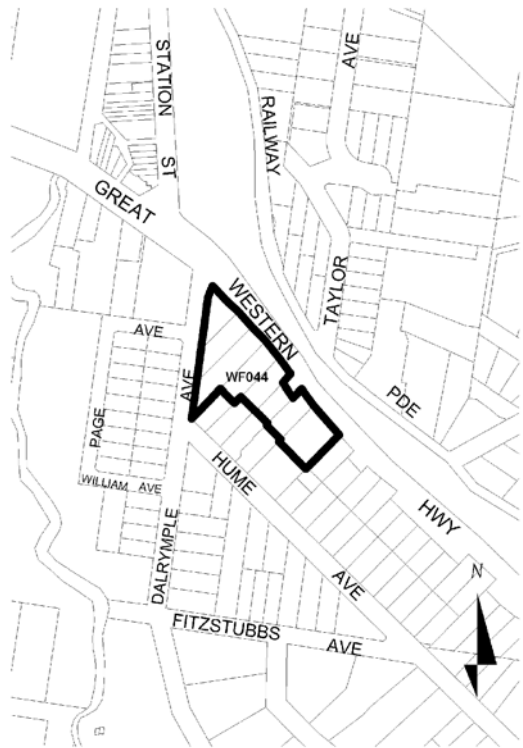
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Schedule 6      Heritage

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Address	Name	Number
<b>Wentworth Falls</b>		
156, 160, 162, 164, 166, 168 and 170 Great Western Highway	Great Western Highway Residential Precinct Conservation Area	WF044

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Address	Name	Number
<b>Wentworth Falls</b>		
Station Street	Station Street Precinct Conservation Area	WF032

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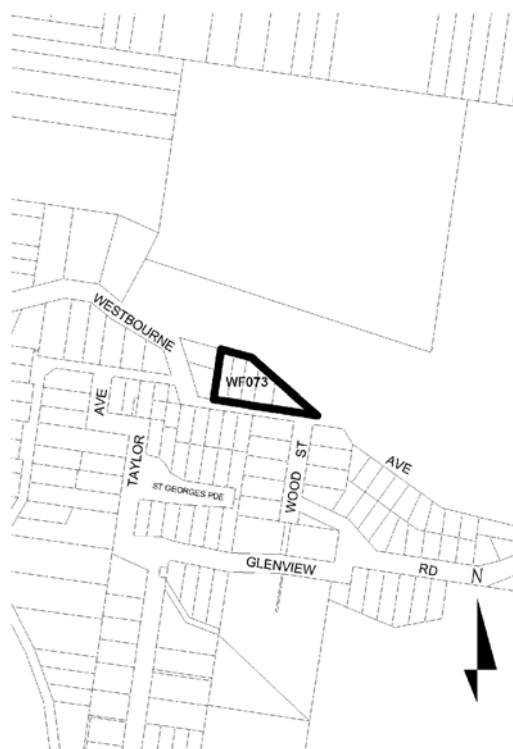
Blue Mountains Local Environmental Plan 2005

Schedule 6      Heritage

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Address	Name	Number
<b>Wentworth Falls</b>		
20, 22, 24, 26 and 28 Westbourne Avenue	Wentworth Falls Cottages Conservation Area	WF073

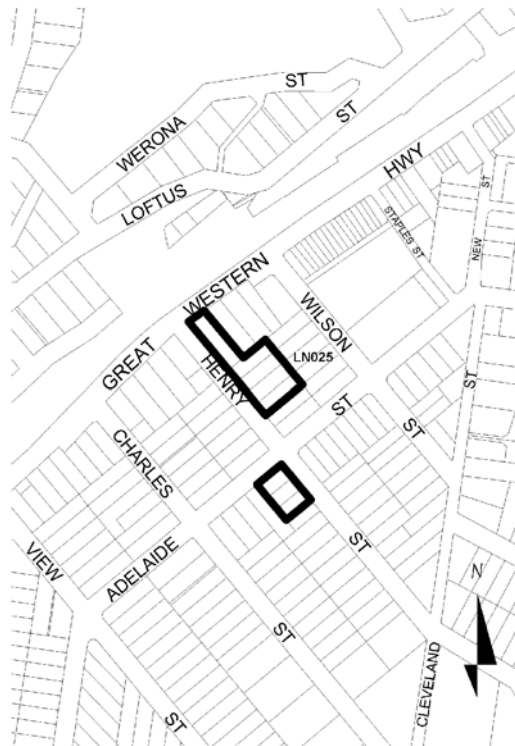
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Address	Name	Number
<b>Lawson</b>		
309 Great Western Highway 10, 12, 15, 17 and 19 Henry Street	Henry Street Cottages Conservation Area	LN025

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## 2005 No 633

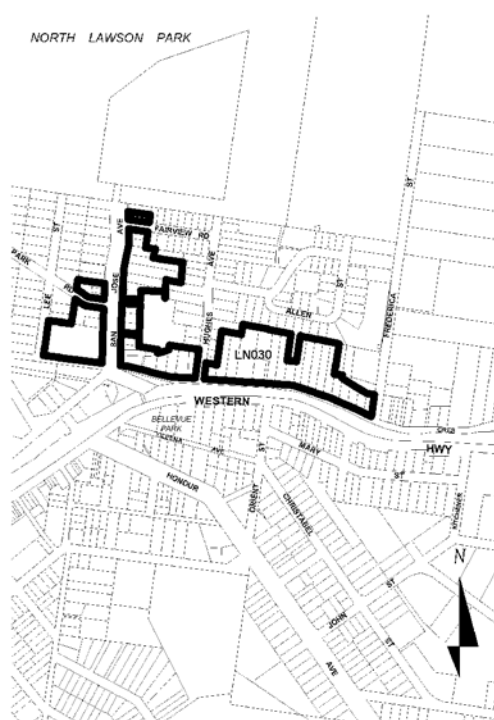
Blue Mountains Local Environmental Plan 2005

Schedule 6      Heritage

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Address	Name	Number
<b>Lawson</b>		
San Jose Avenue and Badgerys Crescent	San Jose Avenue and Badgerys Crescent Cottages Conservation Area	LN030 State*

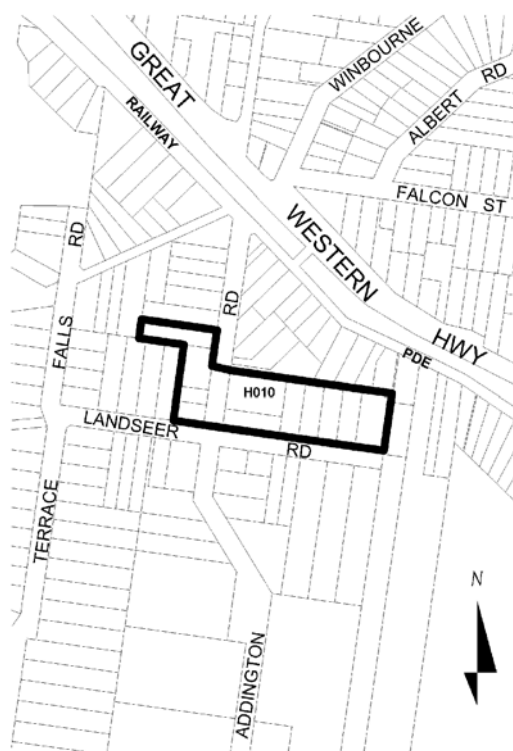
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Address	Name	Number
<b>Hazelbrook</b>		
Addington Road	Hazelbrook Addington Road Conservation Area	H010

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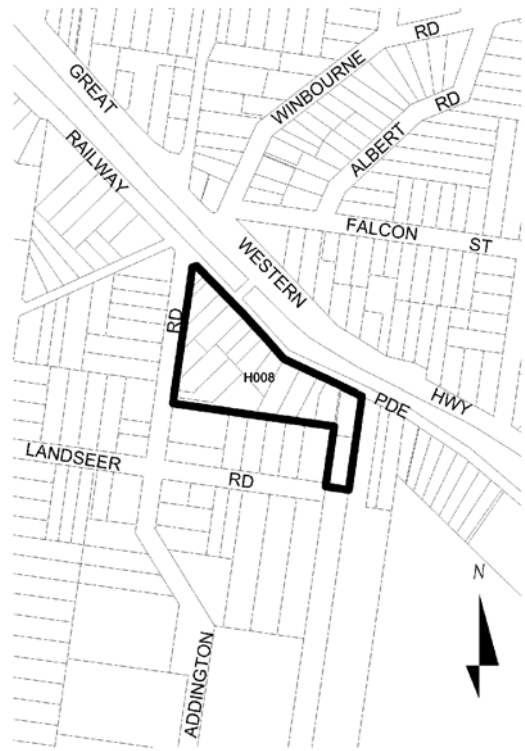
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Schedule 6      Heritage

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Address	Name	Number
<b>Hazelbrook</b>		
Railway Parade	Railway Parade Conservation Area	H008

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**Schedule 7      Classification and reclassification of  
public land as operational land**

(Clause 129)

**Part 1      Land classified, or reclassified, under amended  
section 30 of Local Government Act 1993—no  
interests changed**

**Part 2      Land classified, or reclassified, under amended  
section 30 of Local Government Act 1993—  
interests changed**

Locality	Description	Any trusts etc not discharged
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**Note.** At the commencement of this plan, no land was included in this Schedule.

## 2005 No 633

Blue Mountains Local Environmental Plan 2005

Schedule 8 Additional land uses

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### Schedule 8 Additional land uses

(Clause 38)

#### Development for certain additional purposes

##### **ALU01 1–51 Acacia Street, Katoomba**

Land at 1–51 Acacia Street, Katoomba zoned as Recreation—Private and also currently known as Katoomba Golf Course: development for the purpose of tourist accommodation and multi-dwelling housing, subject to the following conditions:

- (a) the development shall be carried out within an area of no more than 42,750 square metres within the land zoned Recreation—Private, and
- (b) the Council shall be satisfied that the topography of the land to which this item applies is such that no other of that land is suitable for that development.

##### **ALU02 10 Mt York Road, 34 Great Western Highway, 36A–36B Great Western Highway and 36 Great Western Highway, Mount Victoria**

Lots A and B DP 373366 and Lot 10 DP 6645, corner of Great Western Highway and Mt York Road, Lots 8 and 9 DP 6645, Mt York Road, Lot 7 DP 6645, corner of Mt York Road and Matlock Street, Lot 6 DP 6645, Matlock Street and Lots 11 and 12 DP 6645, Great Western Highway, Mount Victoria: development for the purpose of an integrated service station, refreshment room and convenience store.

##### **ALU03 71–77 Wilson Street, Wentworth Falls**

Lots 7, 8 and 9 DP 759075, Nos 71–77 Wilson Street, Wentworth Falls: development for the purpose of a tourist facility comprising self-contained units managed within a neighbourhood scheme under the *Community Land Management Act 1989* on the condition that the final building has not more than equivalent floor space to the existing building on the site.



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## Dictionary

(Clause 6 (1))

**Aboriginal object** means any deposit, object or material evidence (not being a handicraft made for sale) relating to Aboriginal habitation of the City, being habitation before or concurrent with the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains (within the meaning of the *National Parks and Wildlife Act 1974*).

**Aboriginal place** means a place which has been declared so by the Minister administering the *National Parks and Wildlife Act 1974* because he or she believes that the place is or was of special significance to Aboriginal culture. It may or may not contain Aboriginal objects.

**accessible housing** means residential accommodation which is or is intended to be used permanently as housing for the accommodation of older people or people with a disability and which may consist of a residential care facility, a hostel or a grouping of 2 or more self-contained units, or a combination of these, whether attached to another dwelling or not, and may include associated facilities, but does not include a hospital.

**accessible housing area** means an area of a nominated township, shown on Map Panel A of the Map as an accessible housing area by means of distinctive hatching.

**accommodation suite** means a room or a number of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as short-term accommodation for a visitor to tourist accommodation or as the lodgings of a resident at a boarding house.

**active street frontage** means a street frontage with interactive spaces between the building frontage and adjacent footpaths, road reserves or other public spaces that:

- (a) provide interesting stimuli and activity for pedestrians to observe, thereby enhancing their experience of the village or town centre, or
- (b) enhance pedestrian safety and amenity through the provision of casual surveillance afforded by occupants.

**adjoining zone** means a zone that shares a length of a cadastral boundary with the lot subject to a development application or shares a zone boundary with the zone within which development is proposed to be undertaken.

**advertising structure** means the display of symbols, messages or other devices for promotional purposes or conveying information, instructions, directions or the like (whether or not the display includes the erection of a structure or the carrying out of a work) that is ancillary or otherwise related to a lawful use of the land on which the structure is located, but does not include signs erected by the Council or a public authority for the purposes of road safety, providing locality names or giving locality directions.

**alter**, in relation to:

- (a) a heritage item, means to:

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- (i) make structural changes to the inside or outside of the heritage item, or
  - (ii) make non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, including changes resulting from painting previously unpainted surfaces, but not including painting of previously painted surfaces unless a different colour scheme or paint type is used, or
- (b) a building or work within a heritage conservation area, means to:
  - (i) make structural changes to the outside of the building or work, or
  - (ii) make non-structural changes to the detail, fabric, finish or appearance of the outside of the building or work, including changes resulting from painting previously unpainted surfaces,

but not including changes resulting from painting previously painted surfaces unless a different colour scheme or paint type is used.

**amusement centre** means premises containing more than 3 amusement machines and open to the public for the operation or viewing of those machines.

**amusement machine** means a machine devised as a game, whether coin operated or not, and includes a snooker table or pool table.

**animal establishment** means a building or place used for the breeding, boarding, training, keeping or care (excluding veterinary care) of animals (excluding rural livestock) for commercial purposes, but does not include the use of land and buildings associated with a dwelling house for the breeding, boarding, training, keeping or care of domestic animals owned by the residents of the dwelling house.

**appointed day** means the day on which this plan took effect.

**archaeological site** means the site of one or more relics.

**arts and crafts gallery** means a building used for the production, display and sale of arts and crafts that does not:

- (a) interfere with the amenity of the locality by reason of increased traffic, the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil, or the like, or
- (b) involve the exposure to view from any public place of any unsightly matter.

**asset protection zone (APZ)** means the area forming a fire break between a bush fire hazard area and a building or other asset, in which area the amount of fuel available to burn in a bush fire is minimised to protect human life, property and the environment.

**attached**, in relation to a dual occupancy, means the sharing of a length of common wall by two dwellings, which generally provides for a contiguous roof design, except in the case of a heritage item where an alternative form of attachment may occur that:

- (a) is appropriate to the heritage significance of the item, and
- (b) contributes to the preservation of the original fabric of the item, and
- (c) achieves the impression of an integrated structure.

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***bed and breakfast establishment*** means a dwelling house that:

- (a) has been constructed, adapted or altered to provide short-term paid accommodation for no more than 6 visitors at any one time, and
- (b) provides that accommodation within no more than 3 bedrooms, and
- (c) is designed to enable the use of other rooms within the dwelling house for activities associated with the accommodation, and
- (d) is connected to a reticulated sewerage system, and
- (e) is operated solely by the permanent residents (who may include the owner) of the dwelling house, and
- (f) is so operated as to provide for the consumption of food on the premises only by permanent residents and guests of the bed and breakfast establishment,

but does not include a dwelling house subject to refreshment room use.

***boarding house*** means a building or place wholly or partly let in lodgings which provides lodgers with a principal place of residence that is not:

- (a) self contained, or
- (b) licensed under the *Liquor Act 1982*, or
- (c) tourist accommodation, or
- (d) any other kind of building or place specifically defined in this Dictionary.

***building*** has the same meaning as in section 4 of the Act.

***Building Code of Australia*** has the same meaning as in section 4 of the Act.

***building height*** means the distance measured in metres vertically from the highest point of the roof to the finished ground level immediately below that point.

***bulky goods showroom*** means a building or place used for the sale by retail or auction, or for the hire or display, of items (whether goods or materials), which are of such a size, shape or weight as to require:

- (a) a large area for handling, storage or display, or
- (b) direct vehicular access to the site of the building or place by members of the public, for the purpose of loading items into their vehicles after purchase or hire.

***bush fire code*** means a bush fire environmental assessment code in force under Division 8 (Development of bush fire prone land and for bush fire hazard reduction) in Part 4 of the *Rural Fires Act 1997*.

***bush fire hazard*** is the potential severity of a bush fire, influenced by climate and weather patterns, vegetation (fuel quantity, distribution, moisture) and slope.

***bush fire hazard reduction work*** means:

- (a) the establishment or maintenance of fire breaks on land, and

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- (b) the controlled application of appropriate fire regimes or other means for the reduction or modification of available fuels within a predetermined area to mitigate against the spread of a bush fire,

but does not include construction of a track, trail or road.

**bush fire prone land** means land within the City recorded for the time being as bush fire prone land on the bush fire prone land map held in the offices of the Council, as certified by the Commissioner of the NSW Rural Fire Service under section 146 of the Act.

**bush fire risk** means the chance of a bush fire igniting, spreading and causing damage to assets of value to the community.

**bush regeneration** means work carried out on land by or on behalf of the owner of that land in order to revegetate that land with locally indigenous species, and includes the removal of species listed in the schedule entitled “Weeds of the Blue Mountains” within the Council’s *Better Living DCP*, but does not include the clearing or removal of any vegetation or tree in accordance with clause 54 (Preservation of trees) or clause 54A (Bushland protection).

**bushland** means land on which there is vegetation that is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

**bushrock** means any natural deposit of rock. It includes loose rocks on rock surfaces or on the soil surface or that may have been removed from rock outcrops by excavation or blasting.

**camping site** means a place designated for use for the temporary placement of tents or camper trailers or the like, but not for caravans or other moveable dwellings.

**car repair station** means a building or place used for the purpose of carrying out repairs to motor vehicles, including the fitting, repair or replacement of tyres to motor vehicles, but not involving:

- (a) body building, or
- (b) panel beating which involves dismantling, or
- (c) spray painting other than of a touching-up character.

**caravan park** means a site used for the purpose of placing moveable dwellings (as defined by the *Local Government Act 1993*) for permanent accommodation or for temporary accommodation by tourists.

**caretaker’s dwelling** means a dwelling used in conjunction with or associated with a use for which consent has been granted.

**child care centre** means any place where a child care service, such as a service of the kind provided at a long day care centre, a pre-school centre, an occasional care centre, a children’s neighbourhood centre or a multi-purpose child care centre or the like, is provided for the purpose of educating, minding or caring for 6 or more children (not including any children who are related to the person providing the service), but does not include a place providing overnight accommodation for those children.

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**class 10 building** means a building classified as a class 10 building within the *Building Code of Australia*.

**classified road** has the same meaning as in the *Roads Act 1993* and includes the Great Western Highway, Hawkesbury Road, Darling Causeway and Bells Line of Road.

**clearing** means:

- (a) cutting down, felling, thinning, logging, removing or transplanting vegetation, or
- (b) killing, destroying, poisoning, ringbarking, uprooting or burning vegetation, or
- (c) severing, topping, lopping or pruning branches, limbs, stems or trunks of vegetation, or
- (d) substantially damaging or injuring vegetation in any other way.

**club** means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes whether of the same or a different kind and whether or not the whole or part of such building is the premises of a club registered under the *Registered Clubs Act 1976*.

**cluster housing** means the development of land, containing an area of development excluded land, designed as an integrated whole and involving:

- (a) the concentration of the development on the land within the development site that is most suited to development, and
- (b) the subdivision of the land into five lots or more, and
- (c) the erection of a dwelling house on each lot (other than on any neighbourhood or common property lot or lots), and
- (d) at a minimum, the consolidation of the major part of the development excluded land within a neighbourhood or a common property lot, and
- (e) the implementation of management measures approved by the Council, to create and maintain fire protection zones, and to protect and enhance the environmental values of the development excluded land referred to in paragraph (d) and any other natural areas within the development site, and
- (f) a scheme for joint ownership of the neighbourhood or common property lot by the owners of all other lots in a neighbourhood or strata scheme.

**commercial premises** means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere defined in this Dictionary.

**community building** means a building or place owned by the Council or under the Council's care, control and management and used to provide facilities comprising or relating to any one or more of the following:

- (a) a public library,
- (b) public health and welfare services,
- (c) rest rooms,

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- (d) meeting rooms,
- (e) indoor recreation,
- (f) child minding,
- (g) baby health centres,
- (h) public halls,
- (i) exhibition spaces,
- (j) club rooms,
- (k) bush fire brigade buildings,
- (l) refreshment rooms.

**community centre** means a building or place used for the physical, social, cultural or intellectual development or welfare of the local community.

**community land** means land classified as community land in accordance with the *Local Government Act 1993*.

**complying development** is identified in clause 33.

**conservation management plan** means a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and that identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

**contaminated land** means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

**curtilage** means the geographical area and visual setting that provides the physical context for a heritage item, a heritage conservation area or a building, relic, place, tree or work within a heritage conservation area, which is relevant in the interpretation of its heritage significance. Land title boundaries and heritage curtilages do not necessarily coincide.

**dam** means a body of water, the flow of which is held back by a wall of earth, stone or otherwise.

**demolish** a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, tree or place.

**demolition**, in relation to a building or work that is neither a heritage item nor within a heritage conservation area, means the damaging, defacing, destruction, pulling down or removal of that building or work, in whole or in part.

**development** has the same meaning as in the Act.

**development ancillary to a dwelling house** means a building, work or use that is ordinarily incidental or ancillary to the building, work or use and includes:

- (a) clearing of native vegetation, and

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- (b) the provision of car parking and hard-stand areas, and
  - (c) such measures as are required to meet the requirements of this plan, including the provision or use of stormwater control devices or sewage disposal areas,
- but does not include a building, work or use for the purpose of providing public utility services or that is elsewhere defined in this Dictionary.

**development control plan (DCP)** has the same meaning as in the Act.

**development excluded land** means any land:

- (a) zoned Environmental Protection—Private, or
- (b) that is designated on Map Panel B as a Protected Area—Slope Constraint Area, or
- (c) that is designated on Map Panel B as a Protected Area—Ecological Buffer Area or that comprises a watercourse corridor, together with any buffers required to protect the watercourse corridor, or
- (d) on which any significant vegetation community is located, together with any buffers required to protect that community, or
- (e) that is the habitat of any threatened species, population or ecological community, the development of which would have a significant effect on the threatened species, population or ecological community as determined in accordance with section 5A of the Act, or
- (f) on which any rare species of flora is located, together with any buffers required by the Council to protect that flora, or
- (g) on which there is located any significant landscape or special feature which in the opinion of Council is worthy of preservation.

**display garden** means a private garden that is open to the public from time to time during any period longer than a total of four weeks in any twelve-month period.

**district supermarket** means a building or place used for the purpose of selling, exposing or offering for sale by retail or hire, goods, merchandise or material, with a gross floor area in excess of 1,500 square metres.

**domestic swimming pool** means any excavation, structure or vessel that can be filled with water to a depth of 300 millimetres or more and is used for swimming, wading or paddling or any other water recreational activity. It includes spa pools and wading pools, but does not include spa baths, other bathroom fixtures or another work elsewhere defined in this Dictionary.

**drive-in take-away food outlet** means use of premises for the purpose of selling fast food to the public only for consumption off the premises, being premises at which service is provided to customers while they remain in a motor vehicle.

**dual occupancy** means two dwellings on one allotment, being:

- (a) an existing dwelling that has been added to, creating two dwellings on one allotment, or
- (b) an existing dwelling converted into two dwellings, or

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- (c) a new building containing two dwellings, or
- (d) two new detached dwellings on one allotment, or
- (e) two detached dwellings on one allotment after being erected at different times, or
- (f) if in existence at the appointed day, a building containing two dwellings, but only if consent was granted for the building,

but does not include a building on one allotment containing a dwelling house and a granny flat for which consent has been granted.

***dwelling*** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

***dwelling house*** means:

- (a) a building containing one but not more than one dwelling, or
- (b) that part of a building containing a larger primary dwelling, where that building also contains a granny flat for which consent has been granted.

***ecologically sustainable development*** means development that improves the quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

***educational establishment*** means a building or place used for a primary or secondary school, a museum, gallery, or a tertiary education institution (being a university, a TAFE establishment or other specialist college providing formal education beyond secondary education and which is constituted by or under an Act) and includes the community use or development for community use of the facilities or site of the establishment, whether for gain or not, but does not include a use elsewhere defined in this Dictionary.

***emergency bush fire hazard reduction work*** means bush fire hazard reduction work carried out to protect persons, property or the environment from an existing or imminent danger arising out of a fire.

***environmental heritage*** means a landscape, place, building, structure, relic, object or other work of heritage significance.

***escarpment system*** means:

- (a) land that is characterised by a feature such as a cliff or steep rock face, a long cliff-like ridge, a very steep slope, an unusual geological formation, a rock outcrop or moist cliff-line vegetation, and that may or may not have high visual significance or scenic prominence, or
- (b) land that adjoins land described in paragraph (a).

***exempt development*** is identified in clause 33.

***exhibition home*** means a dwelling house constructed for display purposes to demonstrate aspects of housing form, design, construction, materials and the like and which may or may not be used for an ancillary purpose, such as a site office used for purposes related to house sales.



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**fast food** means food sold for immediate consumption (such as chicken, chips, hamburgers and similar foods) and which can be provided without delay.

**floor** means that space within a building that is situated between one floor level and the floor level next above or, if there is no floor above, the ceiling or roof above.

**floor space ratio (FSR)** means the ratio of the total gross floor area of any building or proposed building to the total allotment area (excluding any part of the land zoned Environmental Protection—Private) on which the building is or is proposed to be situated.

**Note.** See also the definition of **gross floor area**.

**general store** means a shop that sells foodstuffs, personal care products, household cleaning products and small items of hardware (whether or not other goods are also sold there and whether or not the facilities of a post office are also included) and which has a gross retail floor space not exceeding 100 square metres.

**get-up** means, in relation to a product sold from premises referred to in this plan, the dress in which the product is presented for sale, including the shape, size and colouring of the container or packaging within which the product is sold and the design of any label appearing on that container or packaging.

**granny flat** means a dwelling:

- (a) that has a gross floor area that does not exceed 60m<sup>2</sup>, and
- (b) that is self-contained to the extent of having separate kitchen and bathroom facilities, and
- (c) that is part of a single building which has the appearance of, and contains, a larger primary dwelling, and
- (d) that does not have a land title separate from that of the rest of the building.

**greenhouse gases** means the following gases: carbon dioxide, chlorofluorocarbons, methane, nitrous oxide, tropospheric ozone and any other compounds or component the breakdown of which could form any of those gases and lead to ozone depletion.

**gross floor area (GFA)** means the sum of the areas of each floor of a building, where the area of the floor is taken to be the area within the outer face of the external enclosing walls (as measured from a height of 1,400 millimetres above each floor), excluding:

- (a) any columns or projections outside the general line of the outer face of the external walls, and
- (b) lift towers, machinery rooms, plant rooms, ancillary storage space, vertical air conditioning ducts, and
- (c) car parking (including garages or carports) needed to meet the requirements of the Council and internal access to that car parking, and
- (d) space for loading and unloading of goods.

**habitable buildings** means buildings where people live or dwell, being buildings classified as class 1, 2 or 3 buildings within the *Building Code of Australia*.

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**habitat** means an area or areas occupied, or periodically or occasionally occupied, by a species, population or ecological community and includes any biotic or abiotic component.

**hazardous industry or hazardous storage establishment** means a development for the purposes of an industry or any establishment where goods, materials or products are stored which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

**health care practice** means a room or a number of rooms forming part of, attached to, or within the curtilage of a dwelling house and used by not more than one health care professional at any one time for rendering professional treatments or health care services to members of the public, together with administrative support. For the purposes of this definition a **health care professional** includes:

- (a) a doctor, and
- (b) a dentist, and
- (c) a podiatrist registered under the *Podiatrists Act 1989* or the *Podiatrists Act 2003*, and
- (d) a chiropractor or osteopath or chiropractor and osteopath registered under the *Chiropractors Act 2001* or the *Osteopaths Act 2001*, and
- (e) a physiotherapist registered under the *Physiotherapists Act 2001*, and
- (f) an optometrist registered under the *Optometrists Act 2002*, and
- (g) a complementary medicine practitioner who is a member of a professional association listed in Schedule 1 to the *Therapeutic Goods Regulations 1990* of the Commonwealth.

**height at eaves** means the distance in metres measured vertically from any point on the eaves, gutter line or equivalent building element to the finished ground level immediately below that point.

**heritage conservation area** means an area of land that is identified in Part 2 of Schedule 6 and is shown distinctively on Map Panel C and includes buildings, works, archaeological sites, trees and places situated on or within that land.

**heritage impact statement** means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that the proposed development will have on that significance and proposals for measures to minimise that impact.

***heritage item*** means:

- (a) a building, work, archaeological site or place specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Part 1 of Schedule 6 and shown on Map Panel C, or
- (b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as an Aboriginal place or object.

***heritage significance*** means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

***holiday let*** means the use of a dwelling house for short-term paid accommodation where visitors or tourists stay for a period less than 3 months and have a principal place of residence elsewhere, but does not include a use elsewhere defined in this Dictionary.

***home business*** means the use of a dwelling, or of a building erected on the same allotment as a dwelling, as commercial premises in association with a primarily residential land use where the business:

- (a) is conducted by the permanent residents of the dwelling, and
- (b) has no more than 2 non-residents working within the dwelling or building at any one time, and
- (c) occupies or is conducted from a space that does not exceed 50 square metres, and
- (d) does not involve the parking of more than 1 business-related motor vehicle on or in the street fronting the site, excluding the owners' or employees' personal motor vehicles, and
- (e) either does not involve the provision of on-site parking for business-related motor vehicles or involves the provision of parking located to the rear of the dwelling or screened from view from the public street, and
- (f) does not involve the display or retailing of goods from the site, and
- (g) is within the capacity of existing service mains to cater for the proposed use, and
- (h) generates vehicular trips that are not greater than 30 trips on average in a 24 hour period (15 return journeys) and does not involve more than 1 visit per day from a delivery vehicle weighing more than 2.5 tonnes, and
- (i) will not generate traffic on a street that does not have available carrying capacity for the traffic, and
- (j) does not emit odours, fumes or other airborne emissions that can be detected beyond the property boundary and that may cause nuisance to surrounding residents who have reasonable expectations about their environment, and
- (k) does not adversely affect the amenity of the locality by way of noise that is greater than 5 dB(A) over the ambient noise level at the property boundary, and

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- (l) does not interfere with the amenity of the locality by means of vibrations, smoke, vapour, steam, soot, ash, dust, waste products, grit or oil, or otherwise, and

- (m) does not involve the use of premises for prostitution.

**home employment** means the use of a dwelling or a building erected on an allotment for commercial premises, where the use:

- (a) is associated with a residential land use, and
- (b) occupies or is conducted from no more than 50 per cent of the gross floor area of the dwelling, and
- (c) involves no more than 5 non-residents working within the building at any one time, and
- (d) does not cause the emission of odours, fumes or other airborne emissions that can be detected beyond the property boundary that cause nuisance to surrounding residents who have reasonable expectations about their environment, and
- (e) does not adversely affect the amenity of the locality by way of noise emissions that are greater than 5 dB(A) over the ambient noise level at the property boundary, and
- (f) does not interfere with the amenity of the locality by means of vibrations, smoke, vapour, steam, soot, ash, dust, waste products, grit or oil, or otherwise, and
- (g) does not involve the use of the premises for prostitution.

**home occupation** means an occupation carried on in a dwelling house or in a dwelling by the permanent residents of the dwelling house or dwelling, which does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of traffic, the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil, or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling house or dwelling to indicate the name and occupation of the resident), or
- (e) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

**hospital** means a building or place (other than an institution) used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care of people with developmental disabilities, psychiatric care or counselling and services provided by health care

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professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or refreshment rooms and ancillary accommodation for persons receiving health care or for their visitors, and
- (b) facilities situated in the building or at the place and used for related or ancillary educational or research purposes, whether or not they are used only by hospital staff or health care workers, and whether or not any such use is a commercial use.

**hotel** means premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

**industry** means an activity involving manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting any goods or articles for commercial purposes and does not include an offensive industry or hazardous industry.

**inert waste processing facility** means a facility that treats, processes or recovers inert waste as defined for the purpose of Schedule 1 to the *Protection of the Environment Operations Act 1997*.

**inner protection area (IPA) for a building** means the inner component of an asset protection zone that is maintained to minimal fuel loads so that a fire path is not created between the hazard and the building, and may comprise a combination of perimeter road, fire trail, rear yard or reserve.

**institution** means a penal or reformatory establishment.

**integrated development** has the same meaning as in the Act.

**integrated housing** means the erection of housing and the carrying out of related development that are the product of an integrated design approach and comprises:

- (a) a subdivision of land into two or more lots, and
- (b) the erection of a detached dwelling house on each lot (other than on any neighbourhood or common property lot), and
- (c) the creation of lots consisting of private open space, or neighbourhood or common property,

with all elements of the development, that require consent, being consented to simultaneously.

**land management works** means works carried out by or on behalf of the Council, the Crown or another statutory authority and includes erosion control, drainage, revegetation, sediment control and the like, but does not include bush fire hazard reduction works.

**light industry** means an industry, not being an offensive industry or a hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood

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by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil, or otherwise.

**likely habitat tree** means any tree naturally occurring (being native vegetation or remnant native vegetation) which has developed hollows in the trunk or limbs, and which is suitable for nesting birds, arboreal marsupials (such as possums) or native placental mammals (such as bats) or which is supporting the growth of locally indigenous or endemic epiphytic plants (such as orchids).

**liquid fuel depot** means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other flammable liquids.

**locally indigenous vegetation** means plant species that belong to the naturally occurring vegetation community or communities that are either present on a site or which are known to the Council to have been present on a site.

**main road** has the same meaning as in the *Roads Act 1993*.

**maintenance** means the ongoing protective care of a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

**managed bush fire hazard reduction work** means bush fire hazard reduction work that is carried out in accordance with a bush fire risk management plan.

**map** means a map held in the office of the Council.

**Note.** See also **the Map**.

**medical centre** means a building or place used for the purpose of providing professional health services (including preventative care, diagnosis, medical or surgical treatment or counselling) to out-patients only.

**minor additions** means extensions to an existing building that increase the gross floor area by no more than 50 square metres.

**motor showroom** means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed in or at the building or place.

**multi-dwelling housing** means three or more dwellings in a group, whether attached or detached, and includes villas, townhouses, apartments, terrace buildings and the like.

**native vegetation** means any of the following types of vegetation:

- (a) indigenous trees,
- (b) indigenous understorey plants,
- (c) groundcover with indigenous species within an area of land,
- (d) indigenous plants occurring in a wetland.

For the purposes of this definition, **groundcover with indigenous species within an area of land** means any type of dead or living herbaceous vegetation that covers not less than 10 per cent of the area of land and not less than 50 per cent of which is comprised of indigenous species.

***natural ground level*** means the existing ground level before the commencement of any works.

***nature-based recreation*** means a recreational activity and the carrying out and use of associated works that facilitate access to and use of the land based on the natural setting and environmental values of the land, whether on a commercial basis or otherwise, and may include an educative element, but does not include activities ordinarily associated with a recreation area or a recreation facility. For the purposes of this definition, ***associated works*** include walking tracks, access for people with a disability, interpretative signage, lookouts, safety barriers, and the like.

***offensive industry or offensive storage establishment*** means a development for the purposes of an industry or any establishment where goods, materials or products are stored which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

***older people*** means people aged 55 years or over.

***operational land*** means land classified as operational land in accordance with the *Local Government Act 1993*.

***outer protection area (OPA)*** means the outer component of an asset protection zone where fuel loads are maintained so as to significantly reduce the intensity of an approaching bush fire.

***panel beating workshop*** means a building or place used for the purpose of carrying out repairs to motor vehicles or agricultural machinery, where the work involved includes one or more of the following:

- (a) body building,
- (b) panel beating which may or may not involve dismantling,
- (c) spray painting.

***parking*** includes a paved or other area designed, marked or signposted for use for the parking of motor vehicles where that use is ancillary to another lawful use.

***parking facility*** includes a paved or other area designed, marked or signposted for use for the parking of motor vehicles.

***path of travel*** means a continuous pathway that can be used by, and is accessible to, a person in a wheelchair, but does not include a step or any other impediment that would prevent the use of the pathway by a person in a wheelchair.

***people with a disability*** means people of any age who, as a result of having an intellectual, physical, psychiatric or sensory impairment, either permanently or for an extended period, have substantially limited opportunities to enjoy a full and active life.

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**permaculture** means the use of residential or recreational land to grow fruit, vegetables and herbs using closed systems which are designed to replicate the diversity, stability and resilience of natural ecosystems, for non-commercial purposes, but does not include the planting or propagation of any plant listed within the schedule entitled “Weeds of the Blue Mountains” in the Council’s *Better Living DCP*.

**Note.** See also **retail plant nursery**.

**place** means a site, area or group of works, together with any associated structures and their fixtures.

**place of assembly** means a public hall, theatre, cinema, music hall, concert hall, dance hall or open-air theatre, whether used for the purpose of gain or not, but does not include a drive-in theatre or another building or place elsewhere defined in this Dictionary.

**place of worship** means a church (whether used for worship in the Christian tradition or otherwise), chapel or other building or place used for the purpose of religious worship by a congregation or religious group, whether or not the premises are used for religious instruction, counselling or religious training.

**plan of management** means a plan of management prepared and adopted in accordance with the *Local Government Act 1993* or the *Crown Lands Act 1989*.

**Planning for Bushfire Protection** means the document entitled *Planning for Bushfire Protection* ISBN 0 9585987 8 9, published by Planning & Environment Services, NSW Rural Fire Service in co-operation with the former Department of Planning, in December 2001 or any document authorised by the NSW Rural Fire Service to supersede *Planning for Bushfire Protection*.

**potential Aboriginal place** means a place:

- (a) that is specified in an inventory of heritage items available at the office of the Council and described in the inventory as a potential Aboriginal place, or
- (b) that, in the opinion of the consent authority, has the potential to be an Aboriginal place, even if it is not so specified.

**potential archaeological site** means a site:

- (a) that is specified in Part 1 of Schedule 6, described in that Schedule as a potential archaeological site and shown on Map Panel C, or
- (b) that, in the opinion of the consent authority, has the potential to be an archaeological site, even if it is not so specified.

**private open space** means those areas of outdoor space clearly identified as belonging to a particular dwelling that are used for private outdoor activity, drying areas and pedestrian circulation, and may include constructed open spaces such as balconies or decks.

**public building** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, the Council or an organisation established for public purposes.



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**public land** means any land (including a public reserve) vested in or under the control of the Council, but does not include:

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (e) a regional park under the *National Parks and Wildlife Act 1974*.

**public place** means an area used as a public pathway or for other public activities, whether of a formal or casual nature, and includes a public footpath, road, laneway, park or car park.

**public transport terminal** means a building used for the assembly and dispersal of passengers travelling by any form of public transport, and may include another building that is ancillary or incidental to such a building such as a shop, where the other building is used in conjunction with the primary function of the building.

**public utility undertaking** means any of the following undertakings carried on or permitted or suffered to be carried on by, or by authority of, any Government department or under the authority of, or in pursuance of, any Commonwealth or State Act:

- (a) railway, road transport, water transport, air transport, wharf or river undertakings,
- (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services, and a reference to a person carrying on a public utility undertaking is taken to include a reference to the Council or to a county council, Government department, corporation, firm or authority carrying on the undertaking.

**rare species of flora** means any flora species listed in the publication entitled *Rare or Threatened Australian Plants*, Briggs and Leigh, 1995 Revised Edition or any subsequent edition.

**recreation area** means:

- (a) a children's playground, or
- (b) an area used for sporting activities or sporting facilities, or
- (c) an area used by the Council to provide for the physical, cultural or intellectual welfare of the community, or
- (d) an area used by a body of persons associated together for the purposes of the physical, cultural or intellectual welfare of the community to provide recreation facilities for those purposes,

but does not include a showground, racecourse or other place elsewhere defined in this Dictionary.

**recreation facility** means a building or place used for indoor recreation, including a billiard saloon, table tennis centre, swimming pool, gymnasium, health studio,

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bowling alley, fun parlour or any other building or place of a like character, whether used for the purpose of gain or not, but does not include a place of assembly.

**refreshment room** means use of a building or place, such as a restaurant, cafe, tea room, eating house or the like, for the purpose of providing food for consumption on the premises, but does not include a land use elsewhere defined in this Dictionary.

**Regional Transport Corridor** means land within the Regional Transport Corridor Zone.

**relic** means any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the City of the Blue Mountains and that is a fixture or is wholly or partly within the ground.

**remediation of contaminated land** means:

- (a) removing, dispersing, destroying, reducing, mitigating or containing the contamination of any land, or
- (b) eliminating or reducing any hazard arising from contaminated land (including by preventing the entry of persons or animals onto the land).

**renovation**, in relation to a building or work, means:

- (a) the making of any structural changes to the outside of the building or work, or
- (b) the making of non-structural changes to the fabric or to the appearance of the outside of the building or work, including changes that involve the repair, plastering, or other decoration of the outside of the building or work.

**residential care facility** means accommodation for older people that includes the provision of:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

not being a dwelling, hospital or psychiatric facility.

**retail plant nursery** means a building or place primarily used for the selling, or exposing or offering for sale by retail, of growing plants, landscape supplies, landscape products or horticultural products. It may also have an ancillary use consisting of selling or offering for sale by retail items associated with outdoor gardening and food for consumption on the premises only.

**riparian vegetation** means any vegetation occurring on or adjacent to a watercourse.

**road** means a private road or accessway, right-of-carriageway, or a public road principally (though not solely) used as a carriageway for the passage of vehicles.

**road transport terminal** means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles.

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**RTA** means the Roads and Traffic Authority.

**safe useful life expectancy (SULE) of a tree** means the length of time an individual tree can be retained with an acceptable level of risk based on the tree's health, vigour, structure and growth conditions.

**Scenic Quality Study** means the document entitled *Hawkesbury-Nepean River Scenic Quality Study* published by the then Department of Urban Affairs and Planning in 1996.

**school**, in relation to a special fire protection purpose, means an educational establishment for students up to and including secondary school level, including Sunday schools and the like.

**self-contained unit** means a unit or part of a building where private facilities for cooking, sleeping and washing are contained in the unit or part of the building, but where clothes washing facilities or other facilities for use in connection with the unit or part may be provided on a shared basis.

**self-storage unit** means a building, part of a building or place used for the storage of goods where the goods stored or to be stored are not used in a shop or commercial premises on the same parcel of land or on adjoining land in the same ownership.

**service station** means a building or place used for the fuelling of motor vehicles or the sale by retail of petrol, oil, liquid petroleum gas or other petroleum products and which also is used for any one or more of the following:

- (a) the sale by retail and the installation of spare parts and accessories for motor vehicles,
- (b) washing and greasing of motor vehicles,
- (c) the hiring of trailers,
- (d) repairing and servicing of motor vehicles (other than body building, panel beating or spray painting),
- (e) the retail selling or hiring of small consumer goods.

**sex establishment** means premises habitually used by one or more sex workers for the purpose of prostitution or that are designed for that purpose.

**shop** means a building or place used for the purpose of selling, exposing or offering for sale by retail or hire, goods, merchandise or material, but does not include a building or place elsewhere defined in this Dictionary.

**shop-top housing** means a dwelling or dwellings located above or otherwise attached to shops or commercial premises.

**significant fauna** means any endangered or vulnerable species of fauna, within the meaning of the *Threatened Species Conservation Act 1995*, or any locally rare or endemic species of fauna.

**significant habitat** means the habitat of any endangered species or vulnerable species of flora or fauna, within the meaning of the *Threatened Species Conservation Act 1995*, or the habitat of any significant fauna.

**significant vegetation communities** is defined in Schedule 5.

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**site coverage** means the total area of the footprint of any building or proposed building, and includes the footprint of any building ancillary to the main building, and the area of any swimming pool or tennis court, expressed as a percentage of the total allotment area.

**site disturbance** means the modification of landform, removal of natural ground cover or removal of soil from a site.

**slab on ground** means a concrete floor supported on the ground and incorporating integral edge beams.

**slope** means the gradient of the natural ground level, being the vertical height divided by the horizontal distance expressed as a percentage. The slope of the land is to be established by measuring the distance between 1 metre contour intervals as shown on a detailed contour survey plan of the land concerned that plots any rock outcrops on the land as well as other features.

**special fire protection purpose** has the same meaning as in section 100B of the *Rural Fires Act 1997*, and for the purpose of this plan includes the following:

- (a) accessible housing,
- (b) bed and breakfast establishments,
- (c) child care centres,
- (d) group homes within the meaning of *State Environmental Planning Policy No 9—Group Homes*,
- (e) hospitals,
- (f) hotels,
- (g) schools,
- (h) tourist accommodation.

**special use** means a land use that provides a community service, public facility or infrastructure carried out by the Council or another public authority, institution, organisation, that is shown on Map Panel C for the land concerned and that is distinctively identified on Map Panel C as being for the purpose of one of the following:

- (a) cemetery,
- (b) defence,
- (c) depot,
- (d) educational establishment,
- (e) emergency services,
- (f) hospital or health centre,
- (g) parking facility,
- (h) public building or facility,
- (i) waste management facility.

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**species** means an animal or plant and includes any defined sub-species and taxon below a sub-species and any recognisable variant of a sub-species or taxon.

**subdivision of land** has the same meaning as in the Act.

**take-away food outlet** means use of premises for the purpose of selling fast food to the public, predominantly for consumption off the premises, but does not include a land use elsewhere defined in this Dictionary.

**telecommunications facility** means any part of the infrastructure of a telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use in or in connection with a telecommunications network.

**telecommunications network** means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy.

**the Act** means the *Environmental Planning and Assessment Act 1979*.

**the City** means the City of Blue Mountains local government area.

**the corporation** has the same meaning as in the Act.

**the Council** means the Blue Mountains City Council.

**the Map** means the map marked “Blue Mountains Local Environmental Plan 2005”, as amended by the maps (or sheets of maps) marked as follows:

**threatened species, populations or ecological communities** means species, populations or ecological communities specified in Schedule 1 or 2 to the *Threatened Species Conservation Act 1995*.

**tourist accommodation** means a building or buildings providing for short term visitor accommodation and recreation which use, adapt or complement the existing building or buildings and which may include a refreshment room and space capable of being used for functions such as receptions, conventions, or the like.

**transport depot** means a building or place used for the parking, storage or servicing of vehicles used in connection with any transport operation.

**utility installation** means a building or work used by a public utility undertaking or the Council, and may include an aircraft surveillance radar, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

**vegetation clearing** means clearing or damaging by any means native vegetation or plants that are not native to New South Wales that, in the opinion of the consent authority, contribute positively to the scenic quality or water quality of the locality.

**vegetation group 1** means a vegetation community that has been classified in accordance with *Planning for Bushfire Protection* as Vegetation Group 1 (forest).

**vegetation group 2** means a vegetation community that has been classified in accordance with *Planning for Bushfire Protection* as Vegetation Group 2 (woodlands, heaths and open shrub).

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**vegetation group 3** means a vegetation community that has been classified in accordance with *Planning for Bushfire Protection* as Vegetation Group 3 (rainforests and grassland).

**veterinary establishment** means a building or place used for the diagnosis and surgical or medical treatment of animals, whether or not animals are kept on the premises for the purpose of treatment.

**visible wall** means an external wall visible from a public place or anywhere outside the property on which it is situated.

**visitor facilities** means interpretive signs, lookouts, picnic facilities, toilet facilities or access for people with a disability, and the like.

**warehouse** means a building or place, not being an offensive storage establishment or a hazardous storage establishment, used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.

**wastewater** means the used water arising from activities in dwellings, institutions or commercial facilities consisting of all-waste, greywater or blackwater.

**watercourse** means a body of water or a channel, being part of the natural ecological condition of a catchment, and which comprises a creek, stream or wetland with:

- (a) a defined bed or banks, or
- (b) endemic riparian vegetation within or adjacent to the watercourse edge or banks which may provide habitat for aquatic or terrestrial animals, or
- (c) evidence of natural stream processes such as siltation, erosion, gullyng, pool or riffle zones,

and which conveys continuous or intermittent water flows, but does not include piped drainage lines.

**watercourse corridor** means the area occupied by a perennial or intermittent watercourse, and any associated riparian creek line vegetation (belonging to a significant vegetation community) within or adjacent to the edge of the stream which may provide habitat for aquatic or terrestrial animals.

**width**, in relation to a lot, means the width of the allotment measured at the minimum front setback, as specified for the zone applying to that land.

BY AUTHORITY