



New South Wales

Blue Mountains Local Environmental Plan 1991 (Amendment No 30)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(P99/00355/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

Blue Mountains Local Environmental Plan 1991 (Amendment No 30)

1 Name of plan

This plan is *Blue Mountains Local Environmental Plan 1991 (Amendment No 30)*.

2 Aims of plan

The aims of this plan are:

- (a) to make additional provision relating to the number of holiday cabins and other forms of accommodation permissible in the Rural Conservation and Bushland Conservation zones within *Blue Mountains Local Environmental Plan 1991*, and
- (b) to amend descriptions of environmentally sensitive vegetation units in Schedule 3 to that Plan, and
- (c) to provide a definition of *Environmental education facility* for that Plan.

3 Land to which plan applies

This plan applies to all land in the City of Blue Mountains to which *Blue Mountains Local Environmental Plan 1991* applies.

4 Amendment of Blue Mountains Local Environmental Plan 1991

The *Blue Mountains Local Environmental Plan 1991* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 9 General control of development

Insert after clause 9.4 (h):

- (i) Where the maximum permissible number of holiday cabins, calculated in accordance with clause 26.1 (in the case of land within the Rural Conservation zone in Megalong Valley) or clause 26.2 (in the case of other land), have been erected on a holding (in the case of the land in Megalong Valley) or a lot (on other land), any development for the purpose of a bed and breakfast establishment, guest house or education establishment (if the latter includes accommodation), excluding a dwelling house, is prohibited.
- (j) Where any development for the purpose of a bed and breakfast establishment, holiday cabin, guest house or education establishment is carried out on a holding (in the case of land within the Rural Conservation zone in Megalong Valley) or a lot (in the case of other land), and where that development includes or provides accommodation of, or equivalent to, 60 single beds or more, then development for the purpose of any additional accommodation including holiday cabins, but excluding a dwelling house, is prohibited on the holding concerned (in the case of the land in Megalong Valley) or the lot concerned (in the case of other land).
- (k) Where any development for the purpose of a bed and breakfast establishment, holiday cabin, guest house or education establishment is carried out on a holding (in the case of land within the Rural Conservation zone in Megalong Valley) or lot (in the case of other land), and where that development includes or provides accommodation of, or equivalent to, 60 single beds or less, then any development for the purpose of a bed and breakfast establishment, holiday cabin, guest house or an education establishment (if the latter includes accommodation), but excluding a dwelling house, is

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Schedule 1

Amendments

restricted so that the total accommodation provided on the holding (in the case of the land in Megalong Valley) or the lot (in the case of other land) must not exceed 60 single beds or equivalent.

[2] Clause 9.5

Insert after clause 9.4:

- 9.5 In clause 9.4 (i)–(k), **holding** has the same meaning as in clause 26, and those paragraphs, in so far as they apply to development for the purpose of holiday cabins, apply subject to that clause.

[3] Schedule 3 Environmentally sensitive vegetation units

Omit clause 1 (e), (f) and (g). Insert instead:

- (e) Open Forest, Tall Open Forest (Alluvial Forests)

These vegetation units occur along certain streams and on deep, fertile soils in moist, sheltered sites at lower and middle altitudes in the Blue Mountains where the plant community is dominated, in terms of overall biomass and height, by *Eucalyptus Deanei* (Mountain Blue Gum).

- (f) Low Open-forest, Closed Scrub, Open Scrub (Alluvial Swamps)

Melaleuca linariifolia

Melaleuca linariifolia low open-forest is the name applied to a vegetation community found on sandy alluvial soils along certain creeks in the lower Blue Mountains, in which the vegetation is dominated by the low paperbark tree, *Melaleuca linariifolia* (Snow-in-summer). It is a type of creekline vegetation that 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.

Melaleuca linariifolia low open-forest is significant because of its rarity in the Blue Mountains and because, as creekline vegetation, it plays an important role in preventing erosion of the stream banks and protecting water quality.

Melaleuca linariifolia low open-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 longifolia</i>	<i>Hydrocotyle peduncularis</i>
<i>Acacia rubida</i>	<i>Hypolepis muelleri</i>
<i>Adiantum aethiopicum</i>	<i>Imperata cylindrica</i>
<i>Blechnum nudum</i>	<i>Isolepis inundata</i>
<i>Blechnum wattsii</i>	<i>Juncus continuus</i>
<i>Callicoma serratifolia</i>	<i>Juncus planifolius</i>
<i>Callistemon citrinus</i>	<i>Juncus usitatus</i>
<i>Calochlaena dubia</i>	<i>Kennedia rubicunda</i>
<i>Cyathea australis</i>	<i>Leptospermum polygalifolium</i>
<i>Cyperus polystachyos</i>	<i>Melaleuca linariifolia</i>
<i>Eleocharis sphacelata</i>	<i>Microlaena stipoides</i>
<i>Entolasia marginata</i>	<i>Pittosporum undulatum</i>
<i>Entolasia stricta</i>	<i>Pteridium esculentum</i>
<i>Gahnia clarkei</i>	<i>Schoenus melanostachys</i>
<i>Gleichenia dicarpa</i>	<i>Typha orientalis</i>

(g) Bench Woodland

Eucalyptus sclerophylla

Eucalyptus sclerophylla bench woodland is the name applied to a vegetation community that occurs on sandy alluvial benches along certain creek systems in the lower Blue Mountains. These communities 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 or co-dominant with *Angophora bakeri* (Narrow-leaved Apple). The typical vegetation structure is woodland, although this may vary depending on the 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 north-or west-facing slopes 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.

Eucalyptus sclerophylla bench woodland 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>Cyathochaeta diandra</i>
<i>Acacia rubida</i>	<i>Dampiera stricta</i>
<i>Acacia ulicifolia</i>	<i>Daviesia corymbosa</i>
<i>Angophora bakeri</i>	<i>Dillwynia floribunda</i>
<i>Aristida benthami</i>	<i>Entolasia stricta</i>
<i>Aristida vagans</i>	<i>Epacris pulchella</i>
<i>Baeckea virgata</i>	<i>Eriostemon hispidulus</i>
<i>Banksia oblongifolia</i>	<i>Eucalyptus gummifera</i>
<i>Banksia serrata</i>	<i>Eucalyptus notabilis</i>
<i>Banksia spinulosa</i>	<i>Eucalyptus piperita</i>
<i>Bossiaea heterophylla</i>	<i>Eucalyptus sclerophylla</i>
<i>Bossiaea obcordata</i>	<i>Eucalyptus sparsifolia</i>
<i>Bossiaea rhombifolia</i>	<i>Grevillea buxifolia</i>
<i>Cassytha glabella</i>	<i>Grevillea mucronulata</i>
<i>Cassytha pubescens</i>	<i>Hakea dactyloides</i>
<i>Caustis flexuosa</i>	<i>Hakea sericea</i>
<i>Conospermum longifolium</i>	<i>Hovea linearis</i>

<i>Imperata cylindrica</i>	<i>Monotoca scoparia</i>
<i>Isopogon anemonifolius</i>	<i>Panicum simile</i>
<i>Lambertia formosa</i>	<i>Persoonia hirsuta</i>
<i>Lepidosperma laterale</i>	<i>Persoonia laurina</i>
<i>Leptospermum arachnoides</i>	<i>Persoonia oblongata</i>
<i>Leptospermum parvifolium</i>	<i>Petrophile pulchella</i>
<i>Leptospermum polygalifolium</i>	<i>Phyllota phylloides</i>
<i>Leptospermum trinervium</i>	<i>Pimelea linifolia</i>
<i>Lepyrodia scariosa</i>	<i>Platysace linearifolia</i>
<i>Lomandra brevis</i>	<i>Pteridium esculentum</i>
<i>Lomandra filiformis</i>	<i>Ptilothrix deusta</i>
<i>Lomandra glauca</i>	<i>Schoenus villosus</i>
<i>Lomandra longifolia</i>	<i>Stipa pubescens</i>
<i>Lomandra obliqua</i>	<i>Stylidium graminifolium</i>
<i>Melaleuca linariifolia</i>	<i>Themeda australis</i>
<i>Melaleuca thymifolia</i>	<i>Xanthorrhoea media</i>
<i>Mirbelia rubiifolia</i>	

[4] Schedule 4 Definitions, references and headings

Insert in clause 1 in alphabetical order:

Environmental education facility means a building or place used for giving tuition in relation to the environment, by persons with recognised qualifications in environmental education, and in accordance with a documented environmental education curriculum (which may relate to the natural area in which the facility is located), and the receiving of such tuition by all who attend the facility.