



Blue Mountains Local Environmental Plan No 144

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*. (P01/00422/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2004 No 52

Clause 1 Blue Mountains Local Environmental Plan No 144

Blue Mountains Local Environmental Plan No 144

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Blue Mountains Local Environmental Plan No 144*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from Industrial General 4 (a) to Business General 3 (a) to permit appropriate land use opportunities, and
- (b) to promote urban forms of the highest design quality and incorporate strong “gateway” and “town entry” urban design elements, and
- (c) to encourage a mix of land uses that support and contribute to the role of the Katoomba town centre, and
- (d) to promote the efficient operation of the Katoomba town centre as a transport interchange, and
- (e) to minimise conflicts between pedestrians and vehicles, and
- (f) to promote pedestrian linkages to the Yeaman Bridge and through the railway underpass, and
- (g) to maintain important views to the Katoomba town centre.

3 Land to which plan applies

This plan applies to Lot 3, DP 705910, Lots 12 and 13, DP 236340, Lot 4, DP 656607 and Lots 51 and 52, DP 827236 having frontage to Goldsmith Place, Myra Place and the Great Western Highway, Katoomba, as shown edged heavy black on the map marked “Blue Mountains Local Environmental Plan No 144” deposited in the office of the Council of the City of Blue Mountains.

4 Amendment of Blue Mountains Local Environmental Plan No 4

Blue Mountains Local Environmental Plan No 4 is amended as set out in Schedule 1.

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Schedule 1 Amendments

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(Clause 4)

[1] Clause 6 Interpretation

Insert in appropriate order in the definition of *the map* in clause 6 (1):

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[2] Clause 69A

Insert after clause 69:

69A Development on Katoomba Town Approach Precinct

- (1) This clause applies to land comprising Lot 3, DP 705910, Lots 12 and 13, DP 236340, Lot 4, DP 656607 and Lots 51 and 52, DP 827236 having frontage to Goldsmith Place, Myra Place and the Great Western Highway, Katoomba, as shown edged heavy black on the map marked “Blue Mountains Local Environmental Plan No 144” and referred to in this clause as the *Katoomba Town Approach Precinct*.
- (2) Notwithstanding any other provision of this plan, development for the purpose of the following is prohibited on the Katoomba Town Approach Precinct:

bulk stores; district supermarkets; drive-in take-away food shops; fast food outlets; motor showrooms; service stations; warehouses.
- (3) Consent must not be granted to development on the Katoomba Town Approach Precinct 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 as identified in subclause (4), and
 - (b) complies with the building envelope requirements as identified in subclause (5), and
 - (c) is consistent, to the satisfaction of the consent authority, with the design considerations as identified in subclause (6).

(4) Desired future character statement:

(a) Precinct vision statement.

Located adjacent to the primary road and rail corridors, this precinct experiences substantial redevelopment of sites and operates as both a “gateway” and transport interchange for the Katoomba town centre. New development supports 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, entices passing traffic to enter the town.

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

The precinct’s interchange role is supported by providing additional car parking opportunities, coach parking and convenient pedestrian access to the town centre. While offering high levels of accessibility to both pedestrian and vehicles, potential conflicts between the two are minimised.

(b) Precinct objectives.

- (i) To promote urban forms of the highest design quality and incorporate strong “gateway” and “town entry” urban design elements.
- (ii) To encourage a mix of land uses that support and contribute to the role of the Katoomba town centre.
- (iii) To promote the economic viability of the Katoomba town centre.
- (iv) To minimise conflicts between pedestrians and vehicles.
- (v) To promote pedestrian linkages to the Yeaman Bridge and through the railway underpass.
- (vi) To maintain important views to the town centre of Katoomba.

- (5) Building envelope:
- (a) Building height.
 - (i) No point of any building is to exceed a height of 12 metres above natural ground level other than a building within 15 metres of the Great Western Highway boundary which may have a height of not more than 12 metres above natural ground level or 8 metres above the level of the adjacent Great Western Highway footpath, whichever is the greater.
 - (ii) Notwithstanding subparagraph (i), a building may have a height of not more than 10 metres above footpath level at the corner of the Great Western Highway and the Yeaman Bridge intersection if the building element, which may include floor space, is designed to form a “gateway/entry” to the Katoomba town centre.
 - (iii) The height restrictions referred to in subparagraphs (i) and (ii) do not apply to architectural features incorporated into the building design.
 - (b) Development density.
 - (i) The maximum floor space ratio for development is 1.5:1.
 - (ii) Notwithstanding subparagraph (i), the maximum floor space ratio for development is 2:1 if the development provides, where the site adjoins the Yeaman Bridge, a public pedestrian access between Goldsmith Place and the Bridge, and incorporates any one or more of the following to the satisfaction of the consent authority:
 - (A) significantly enhanced public domain,
 - (B) significantly enhanced pedestrian amenity,
 - (C) public places and plazas.
- (6) Design considerations:
- (a) Active street frontages.
 - (i) Active street frontages are to be provided along Goldsmith Place and the eastern boundary of the precinct.

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- (ii) Visible and interactive uses are to be provided and distributed regularly along a minimum of 65 per cent of the frontage of the land to Goldsmith Place.
 - (iii) Development adjoining the eastern boundary is to enable casual surveillance of Myra Place.
 - (b) Built form and finishes.
 - (i) Long elevations of any building are to present varied heights and forms.
 - (ii) Exterior surfaces of walls visible from public places are not to be left blank, unadorned or unarticulated.
 - (iii) Roof forms are to conceal mechanical plant and equipment and present well when viewed from adjacent sites.
 - (iv) Gateway or entry statements are to be provided at the corner and frontage of the Great Western Highway and the Yeaman Bridge.
 - (v) All parking areas and delivery docks are to be concealed from public view.
 - (c) Pedestrian amenity and safety.
 - (i) Where a development site fronts or adjoins both the Yeaman Bridge and Goldsmith Place, public pedestrian access is to be provided between the two areas.
 - (ii) Awnings or colonnades are to be provided to the entire length of public footpaths and pedestrian areas along the Goldsmith Place frontage.
 - (iii) Pathways are to minimise conflicts between vehicles and pedestrians.
 - (iv) Clear sight lines are to be provided along pedestrian areas.
 - (v) Appropriate levels of lighting are to be provided to all pedestrian areas. All lightfittings are to have a form and character that is consistent with that of any building in the precinct that is adjacent to those areas.

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Schedule 1 Amendments

(d) Vehicular access.

Vehicular access to or egress from the development is not to be provided directly to or from the Great Western Highway or the Yeaman Bridge.

(7) In this clause:

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.

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 1500 square metres.

drive-in take-away food shop means a building or place used for the purpose of selling prepared food to the public for consumption off the premises and that provides a service to customers while they remain within a motor vehicle, but does not include a building or place elsewhere defined in this clause.

fast food outlet means a building or place used for the purpose of selling prepared food in a form for immediate consumption where:

- (a) payment for the food is required before the food is consumed, and
- (b) the food is prepared and sold from a standard menu and in specialised packaging,

whether or not facilities are provided for the food to be consumed on the premises or taken away.

BY AUTHORITY
