



New South Wales

Blue Mountains Local Environmental Plan 2005 (Amendment 2—Katoomba Cultural Precinct)

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*. (SRW0000016/PC)

JOHN HATZISTERGOS, M.L.C.,
Acting Minister for Planning

Blue Mountains Local Environmental Plan 2005 (Amendment 2—Katoomba Cultural Precinct)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Blue Mountains Local Environmental Plan 2005 (Amendment 2—Katoomba Cultural Precinct)*.

2 Aims of plan

The aims of this plan are:

- (a) to apply *Blue Mountains Local Environmental Plan 2005* to the land to which this plan applies (being part of the land to which *Blue Mountains Local Environmental Plan No 4* currently applies), and
- (b) to classify part of that land as operational land, and
- (c) to promote the objectives for Katoomba’s Village—Town Centre by providing for a civic and commercial focus that responds to the local character of Katoomba and fosters its revitalisation, and
- (d) to establish a Cultural Precinct that allows the development of a cultural facility and major retail outlet in accordance with specific design requirements to ensure that objective (c) is achieved.

3 Land to which plan applies

- (1) This plan applies to the land shown by distinctive colouring, edging and annotation on Sheet 1 of the map marked “Blue Mountains Local Environmental Plan 2005 (Amendment 2—Katoomba Cultural Precinct)”, being Lot 1 DP 123748, Lot 1 DP 566097 and Lot 2 DP 547229.
- (2) In so far as it achieves the aim specified in clause 2 (b), this plan applies only to Lot 2 DP 547229 as shown edged on Sheet 2 of the map marked “Blue Mountains Local Environmental Plan 2005 (Amendment 2—Katoomba Cultural Precinct)”.

4 Amendment of Blue Mountains Local Environmental Plan 2005

Blue Mountains Local Environmental Plan 2005 is amended as set out
in Schedule 1.

2006 No 241

Blue Mountains Local Environmental Plan 2005 (Amendment 2—Katoomba Cultural Precinct)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] **Clause 129 Classification and reclassification of public land as operational land**

Omit “subclause (4)” from clause 129 (5). Insert instead “subclause (3)”.

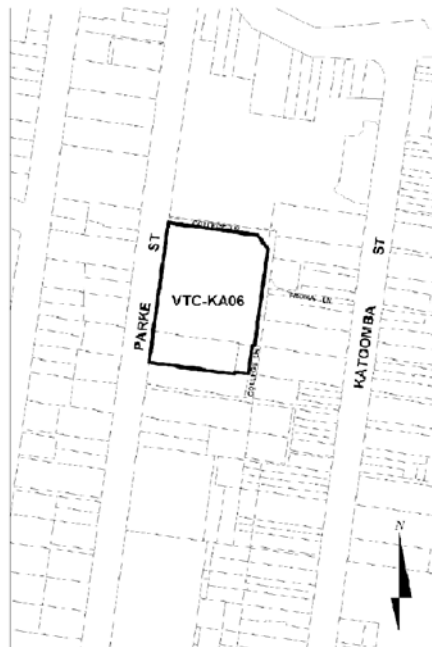
[2] **Schedule 1 Locality management within the Villages**

Insert after Division 16 in Part 4 (Katoomba Village):

Division 17 Katoomba Precinct VTC-KA06—Cultural Precinct

1 Consideration of Precinct

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



Katoomba Precinct VTC-KA06—Cultural Precinct

-
- (2) Consent shall not be granted to development within the Katoomba Precinct VTC-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.

2 Desired future character

(1) Precinct Vision Statement

The renewal of the site will create a place that provides a focus of cultural, social learning and shopping experiences and underpins Katoomba's revitalisation.

The development enhances urban design in this part of Katoomba and will define the western edge of the town centre. Through a variety of built forms, the development will enhance a principal vehicular entry into the town, which is also a tourist gateway to Echo Point.

Future development will acknowledge Katoomba's townscape qualities and the site's context, and will include access to views of the town's magnificent natural setting. The development will be immediately recognisable to visitors of Katoomba as an identifiable cultural and tourism destination.

The community and visitors will value this place as it celebrates the unique character of Katoomba, while telling its own ongoing story.

(2) Precinct objectives

- (a) To create a viable, integrated civic and commercial development that will provide both a cultural facility and a major retail outlet with a sufficient range of activities to ensure a lively public realm.
- (b) To contribute to the creation of a cohesive town centre through the provision of accessible links through and to the site from the main streets.
- (c) To ensure the design will make a positive contribution to the Katoomba streetscape, particularly in relation to design quality, compatible scale of building elements and presentation to public places.

- (d) To provide inviting, readily accessible and safe public spaces through provision of public art and displays, active street frontages and passive surveillance.
- (e) To ensure that the precinct is easily recognisable as a major public cultural facility.
- (f) To protect and conserve the heritage significance of the cultural landscape, including heritage items and the adjacent urban conservation area, particularly the Carrington Hotel.
- (g) To recognise the cultural and historical significance of the site's association with the first private house in Katoomba and public schooling.
- (h) To acknowledge the visual prominence of the site, and promote public access to views of the Jamison Valley and Frank Walford Park.
- (i) To provide a major underground car parking facility.

3 Building envelope

(1) Building height

- (a) For the purpose of this clause, building heights are determined in relation to a podium level that shall be:
 - (i) at or below an Australian Height Datum of 1024.5 metres, and
 - (ii) at or below the finished level of College Lane at the northern boundary of the Precinct, and
 - (iii) at or below 12 metres above the finished level of College Lane at the south eastern boundary of the Precinct.
- (b) Buildings are not to exceed a maximum building height above the podium level of 8.5 metres.
- (c) A building that does not comply with paragraph (b) may be permitted, but only where the consent authority is satisfied that the building:
 - (i) contributes to a sense of enclosure of adjoining laneways and provides for a variety of building forms, and
 - (ii) incorporates a design that minimises visual bulk, and
 - (iii) is no less than 50 metres from Parke Street, and
 - (iv) does not exceed a maximum building height of 10 metres above the podium level.

-
- (d) For the purpose of this clause, building heights do not apply to:
- (i) cultural art works that provide a marker to the site, or
 - (ii) architectural embellishments that add significant architectural merit and do not exceed the prescribed maximum building height by more than 1 metre.

(2) **Setbacks**

There are no prescribed setbacks.

(3) **Site coverage**

The maximum site cover for buildings with enclosed walls that are to be erected on the podium level shall not exceed 75 per cent of the total podium area.

(4) **Development density**

The maximum floor space ratio for development is 2:1.

4 Design considerations

(1) **Integrated elements**

- (a) Development of the cultural centre shall be the product of an integrated design approach.
- (b) Development shall create significant, interlinked public spaces that can be used independently or in conjunction with the cultural centre.
- (c) Retail development shall include a district supermarket or a major store and may include associated specialty outlets.
- (d) A direct, dedicated and vertically integrated pedestrian route will link all levels of the cultural facility, retail area and car park.

(2) **Townscape**

- (a) Facades should generally be highly articulated and differentiated to incorporate appropriate rhythm, with proportions and depth in the facade to reduce bulk and mass.
- (b) Long, continuous elevations shall be avoided, with principal facades broken into discrete bays or modules; verticality is encouraged.
- (c) Windows, openings and cultural displays shall be a predominant element on the eastern facade to College Lane.

- (d) Windows shall be provided in the southern facade of the library building.
 - (e) The design of parking and heavy vehicle loading and manoeuvring areas on the Parke Street facade shall minimise visual impact when viewed from public streets and places.
 - (f) Parke Street elevations shall provide a variety of architectural and urban design elements such as landscaping, viewing places, and windows or openings, with art works or display cases provided along the windowless facades.
 - (g) The north-western entry of the site shall achieve a sense of visual connectivity between Parke Street and the public court by measures such as the provision of an open visual entry statement and vistas of the public court for passing vehicles and pedestrians.
 - (h) Doors, which are to be provided to any loading bay, are to be fully integrated with architectural elements of the street facade.
 - (i) Building design elements such as the use of finishes, materials and colours shall be sympathetic to the historic town centre and adjacent heritage items and avoid large expanses of reflective materials.
 - (j) The building design shall indicate locations for public art and commercial signs which will be presented in a manner that does not compromise the building's contribution to the streetscape.
 - (k) The development and adjacent public places shall adopt an integrated approach to urban design, landscaping, the display of public art and built form, which serves to identify, and act as a visual attractor for, the cultural facility.
- (3) **Energy conservation**
- (a) The design and siting of buildings should maximise energy conservation techniques in construction, and shall use materials with low embodied energy.
 - (b) Water conservation and management systems are to be implemented.
- (4) **Public spaces**
- (a) A major court will be provided in the northern part of the Precinct at the podium level, providing:

-
- (i) a link to the Carrington Hotel to the north, and
 - (ii) access between College Lane and Parke Street, which is suitable for use by all members of the community including those with limited mobility.
 - (b) The court will include some shelter and soft landscaping elements to assist with the creation of a pleasant liveable space.
 - (c) Development shall provide public spaces that are integrated by a suite of directional signage, street furniture and light fittings, which complement and reinforce links to prominent adjoining public places.
 - (d) A development application shall show how the crime minimisation objective is to be achieved, particularly for public spaces that could lead to anti-social behaviour.
 - (e) The public spaces shall be capable of housing public art initiatives and other events.
 - (f) Development shall include public spaces and buildings which provide places from which to view the town and the Jamison Valley and Frank Walford Park.
- (5) **Traffic management**
- (a) A Traffic Impact Assessment shall be prepared which identifies the traffic impacts of proposed development and provides mitigation measures, if required, for the local road network.
 - (b) College Lane shall be designed for shared pedestrian and vehicular access.
- (6) **Heritage**
- (a) Architectural design of any building must respect the heritage significance of the site and its heritage setting.
 - (b) Roof forms shall be designed to be viewed from above, with mechanical plant and equipment being concealed or treated to minimise any visual impact.
 - (c) The heritage impact statement shall demonstrate that the proposed development does not significantly impede views from the upper terrace level of the Carrington Hotel to the Jamison Valley.
 - (d) The heritage significance of the Precinct as the location of the first permanent private residence in Katoomba (Froma House, c1867) and as a school site since 1912 shall be interpreted as part of any development proposed for the site.
-

(7) Advertising signage

- (a) The consent authority must be satisfied that the design and size of advertising signage shall:
 - (i) be compatible with the cultural facility and respect the cultural significance of the building, and
 - (ii) reduce visual clutter by rationalising and simplifying signage, and
 - (iii) be the product of an integrated signage package for the entire building or the precinct as a whole.
- (b) Advertising signage shall be fully integrated with the architectural elements of that part of the building on which it is located.
- (c) Advertising signage that identifies, or relates to the use of, the entire building or the precinct as a whole shall:
 - (i) be designed to complement the display of any public art work on the building on which it is located, and
 - (ii) be located below the podium level set by clause 3 (1) (a).
- (d) Advertising signage related exclusively to development for the purpose of the district supermarket or other commercial premises located below the podium level set by clause 3 (1) (a), and any associated facilities, shall:
 - (i) be compatible with the scale and proportion of the building on which the signage is to be located, and
 - (ii) be limited to business identification purposes for the major tenant for any signage within the precinct visible from Parke Street, and shall be contained within an envelope or envelopes with a total maximum area of 15m², and
 - (iii) be limited to business identification purposes for the major tenant and associated retail tenants for any signage within the precinct that is visible from College Lane, and shall be contained within an envelope or envelopes with a total maximum area of 20m², and
 - (iv) be located below the podium level set by clause 3 (1) (a), and
 - (v) not be used for product promotion or other temporary advertising purposes.
- (e) Subject to paragraph (f), advertising signage must be attached to a building and shall:

- (i) be flush to the wall and not protrude beyond 300mm from the wall to which the structure is attached, or
- (ii) be suspended under an awning, entrance or the like, but only where a clearance of 2500mm is provided between the structure and the floor or road pavement below.
- (f) Advertising signage may be considered that does not comply with paragraph (e) only if:
 - (i) it is demonstrated that the signage assists in reducing the area of advertising signage and is of a high design quality and finish, or
 - (ii) the signage relates to development for the purpose of a cultural facility.
- (g) Any illumination of advertising signage must not:
 - (i) result in unacceptable glare, or
 - (ii) affect the safety of pedestrians or vehicles, or
 - (iii) detract from the amenity of any residence within the locality.
- (h) To ensure that advertising signage does not compromise safety, signage shall be designed so that:
 - (i) users of the public road are not hindered or distracted by signage, and
 - (ii) the sightlines for pedestrians and/or cyclists from public places are not obstructed.

[3] Schedule 6 Heritage

Insert in Part 1 after the matter relating to 23–25 Parke Street under the heading “**Katoomba**”:

30–32 Parke Street Site of “Froma”	K117
------------------------------------	------

[4] Schedule 7 Classification and reclassification of public land as operational land

Insert in Part 2:

Katoomba	Lot 2 DP 547229 33–35 College Lane	Nil
----------	---------------------------------------	-----

2006 No 241

Blue Mountains Local Environmental Plan 2005 (Amendment 2—Katoomba Cultural Precinct)

Schedule 1 Amendments

[5] Schedule 8 Additional land uses

Insert in appropriate order:

ALU04 Parke Street and College Lane, Katoomba

Lot 1 DP 123748, Lot 1 DP 566097 and Lot 2 DP 547229: development for the purpose of either:

- (a) a cultural facility, or
- (b) a cultural facility integrated with a district supermarket, subject to the condition that all elements of the development that require consent are consented to simultaneously.

[6] Dictionary

Insert in alphabetical order:

cultural facility means a building or place that provides cultural, learning and function facilities for visitors and residents.

[7] Dictionary, definition of “the Map”

Insert at the end of the definition:

Blue Mountains Local Environmental Plan 2005 (Amendment 2—Katoomba Cultural Precinct)—Sheet 1.

BY AUTHORITY
