



New South Wales

# **Blue Mountains Local Environmental Plan 2005 (Amendment No 9— Katoomba Civic Centre and Pioneer Place)**

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*. (SRW0000716)

KRISTINA KENEALLY, M.P.,  
Minister for Planning

## **Blue Mountains Local Environmental Plan 2005 (Amendment No 9—Katoomba Civic Centre and Pioneer Place)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Blue Mountains Local Environmental Plan 2005 (Amendment No 9—Katoomba Civic Centre and Pioneer Place)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to apply the *Blue Mountains Local Environmental Plan 2005* to certain 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 provide opportunities for links between Katoomba Precinct VTC-KA06 and existing retail and civic facilities, and
- (c) to ensure that any future development on certain land to which this plan applies is undertaken in a manner that complements facilities and amenities provided in Katoomba Precinct VTC-KA06, and
- (d) to ensure that the bulk and scale of any future development on certain land to which this plan applies is appropriate and contributes to the revitalisation of the Katoomba Town Centre, and
- (e) to reclassify certain land to which this plan applies from public land to operational land.

### **3 Land to which plan applies**

- (1) In respect of the aims set out in clause 2 (a)–(d), 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 No 9—Katoomba Civic Centre and Pioneer Place)”, being:
  - (a) Lot 2, DP 566097 and known as 36 Parke Street, and
  - (b) Part Lots 24 and 26, Sec 2, DP 692, and Lots A, B and C, DP 388574—land in the vicinity of Pioneer Place, and

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- (c) Part Lots 18, 20 and 23, Sec 2, DP 692—land within College Lane and Froma Lane.
- (2) In respect of the aim set out in clause 2 (e), this plan applies to Part Lot 1, DP 921490, Part Lot 3, DP 547229, Part Lot 18, Sec 2, DP 692 and Part Lot 20, Sec 2, DP 692, as shown by distinctive edging on Sheet 2 of the map marked “Blue Mountains Local Environmental Plan 2005 (Amendment No 9—Katoomba Civic Centre and Pioneer Place)”.

**4 Amendment of Blue Mountains Local Environmental Plan 2005**

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

**2008 No 442**

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Schedule 1 Amendments

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**Schedule 1 Amendments**

(Clause 4)

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

Omit Division 2 of Part 4 of the Schedule. Insert instead:

**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 must 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.

## **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. The precinct will also provide clear and tangible links between existing retailing on Katoomba Street, and Katoomba Precinct VTC-KA06 to the north.

### **(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 and Katoomba Precinct VTC-KA06.

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

- (a) Buildings are not to exceed a maximum height of 15 metres.
- (b) Notwithstanding paragraph (a), if any building or part of a building is located within a distance of 50 metres to the northern boundary of this precinct (adjoining the precinct designated VTC-KA06) the building is not to exceed a maximum height of 12 metres.
- (c) Consent to a development application for the construction of a building within this precinct must not be granted unless the consent authority is satisfied, after considering a detailed view analysis, that all viewing opportunities from the podium level of the Blue Mountains Cultural Centre to the town, Jamison Valley and Frank Walford Park will be maintained.
- (d) For the purposes of paragraph (c), podium level is:
  - (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.

**(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.

**(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 are to present varied heights and forms.
- (b) Visible walls are not to 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.
- (e) The height and form of buildings, particularly those adjacent to Katoomba Precinct VTC-KA06, will not obscure views from the public areas on the podium level (as referred to in clause 3) of the Cultural Precinct.

##### **(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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Schedule 1 Amendments

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- (e) The design and provision of any pedestrian accessways to Waratah Street, Parke Street, or adjoining precincts shall enable easy access for all pedestrians, including those with limited mobility and encumbrances such as strollers and the like.

(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.

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

Insert in alphabetical street name order under the locality "Katoomba" in the table to Part 2 under the headings "**Description**" and "**Any trusts etc not discharged**":

Part Lot 18, Sec 2, DP 692, Part Lot 20, Sec 2, DP 692 College Lane	Nil
Part Lot 1, DP 921490, Part Lot 3, DP 547229 81–83 Katoomba Street	Nil

[3] **Dictionary**

Insert at the end of the definition of *the Map*:

Blue Mountains Local Environmental Plan 2005 (Amendment  
No 9—Katoomba Civic Centre and Pioneer Place)

BY AUTHORITY

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