



New South Wales

Blue Mountains Local Environmental Plan 2005 (Amendment No 16)

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*. (10/12791)

TOM GELLIBRAND
As delegate for the Minister for Planning

2010 No 624

Clause 1 Blue Mountains Local Environmental Plan 2005 (Amendment No 16)

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1 Name of Plan

This Plan is *Blue Mountains Local Environmental Plan 2005 (Amendment No 16)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to certain land at Winmalee, known as 1 and part of 1A White Cross Road (Lot 3, DP 632789 and part of Lot 3, DP 570463, respectively) and 412–414 Hawkesbury Road (Lot 4, DP 632789), as shown distinctively coloured, edged heavy black and identified as “VH-WL01” on Panel A of the map marked “Blue Mountains Local Environmental Plan 2005 (Amendment No 16)” deposited in the office of Blue Mountains City Council.

**Schedule 1 Amendment of Blue Mountains Local
Environmental Plan 2005**

[1] Schedule 1 Locality management within the Villages

Insert after Division 1 of Part 10 in the Schedule:

**Division 2 Winmalee Precinct VH-WL01—Village
Housing Precinct**

1 Consideration of precinct

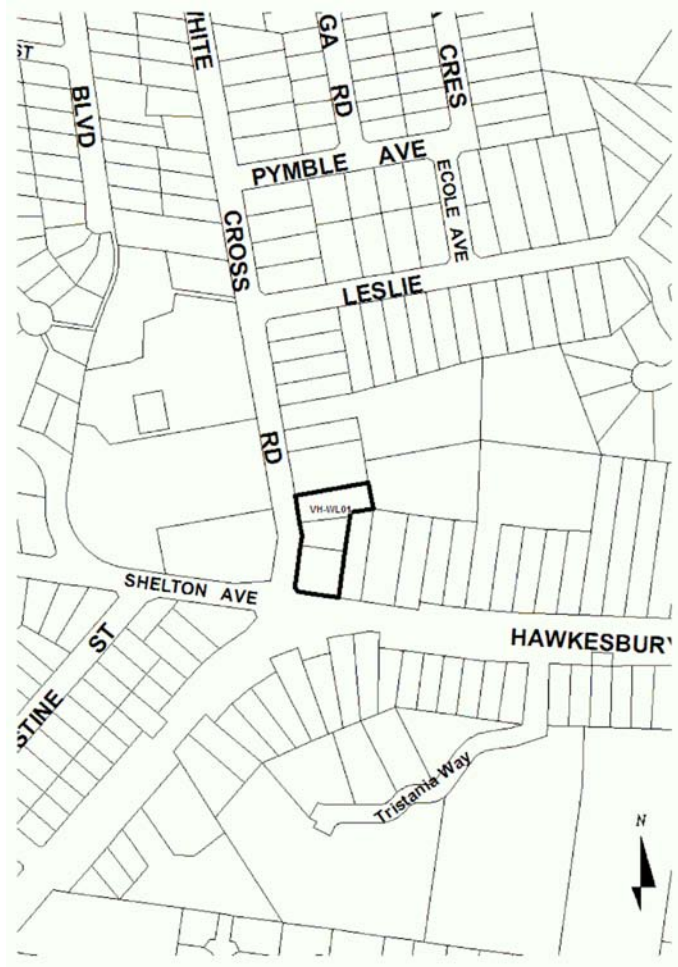
- (1) This Division applies to land shown edged heavy black on the locality plan below named “Winmalee Precinct VH-WL01—Village Housing Precinct” and shown by distinctive edging and annotated “VH-WL01” on Map Panel A.

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Winmalee Precinct VH-WL01—Village Housing Precinct

- (2) Consent is not to 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 reinforces a compact town centre, accommodating a diverse range of residential, medical and other professional services that complement the adjacent district level retail and community facilities.

Buildings in the precinct are designed to establish an attractive and distinctive gateway to the neighbouring town centre, as well as expanding the range of residential, medical and other professional services that are available in the Winmalee village.

New building works are well-articulated and reflect the pattern and scale of the surrounding residential areas, together with surrounding gardens. In order to provide a visually distinctive backdrop to the neighbouring town centre, redevelopment is to incorporate visually significant elements of established garden settings, particularly tall eucalypts and other canopy trees.

Buildings and associated infrastructure in the precinct are planned and constructed to protect neighbouring land zoned Environmental Protection—Private from environmental effects.

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 are retained and enhanced with new plantings, particularly within and surrounding car parking areas.

(2) Precinct objectives

- (a) To maximise the diversity of residential, medical and other professional services provided primarily to local communities.

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- (b) To accommodate permanent residents in 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 neighbouring town centre, and
 - (ii) protect the visual amenity and privacy of neighbouring residential properties.
- (d) To incorporate car parking areas that are safe and attractively landscaped.
- (e) To ensure that the scale and character of future buildings is compatible with the adjoining residential neighbourhood.

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 height above ground level for the lowest habitable floor level is not to exceed 1.5 metres.
- (c) Cut or fill within 5 metres of any property boundary is not to exceed 0.5 metre.

(2) Building setback

- (a) The minimum setback to Hawkesbury Road is to be 8 metres.
- (b) The minimum setback to White Cross Road is to be 6 metres.
- (c) All setback areas are to be landscaped.

(3) Site coverage

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

4 Design considerations

(1) Landscaping, built form and finishes

- (a) Gardens and buildings are to minimise impacts on the surrounding bushland, to provide for additional plantings that are compatible with the ecology of adjoining bushland plant communities and to minimise bush fire hazard.
- (b) Buildings are to incorporate design features that promote effective integration with the bushland setting. In particular:
 - (i) buildings are to be surrounded by landscaped areas, and
 - (ii) residential buildings are not to exceed 15 metres in width or depth, and
 - (iii) floorplans are to be articulated, and
 - (iv) roofs are to be gently-pitched with shady eaves or verandahs, and
 - (v) external walls are to display earthy tones.
- (c) Any non-residential activities are to be accommodated in buildings with a residential character.
- (d) Driveways, car parking areas and garages:
 - (i) are not to dominate any street frontage, and
 - (ii) are to 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.

(3) Vehicular access

All vehicular access and egress to the site is to be via White Cross Road and located in a position that does not unreasonably interfere with the flow of vehicular and pedestrian movements:

- (a) on White Cross Road, and
- (b) into and out of the Winmalee Shopping Centre, adjoining properties and the Winmalee Public School.

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[2] Dictionary

Insert in appropriate order in the definition of *the Map*:

Blue Mountains Local Environmental Plan 2005 (Amendment
No 16)