

The Blue Mountains has long been regarded as a special place - from the time of being an Aboriginal meeting ground through to a contemporary tourist destination. The prime attraction has always been the quality and grandeur of the natural landscape. Further outstanding qualities have formed the distinctive character and cultural landscape of our community. Characteristics of our earliest beginnings can still be seen today.

A1. A Blue Mountains timeline

Aboriginal occupation from up to 22,000 years ago is evident in art, occupation and tool making sites, and in legends passed down through generations; such as the chase of Gurrangatch and Mirragan to create part of the upper Blue Mountain terrain. Places such as Katoomba, Kedumba, Burragarang also owe their names to indigenous people.

Early European exploration has left little physically except for the stone cairn known as Caley's Repulse at Linden and the "Marked Tree" at Katoomba. The principal surviving impact of this period was its discovery of a practical route west to inland New South Wales.

Towns and villages have developed in hollows or plateaux to be found after steep sections of the road – the original resting ground for convicts or stock. There are remnants of early stone bridges; gatekeeper's cottages and the Woodford Academy (c1840) which is the only substantial inn remaining between Emu Plains to the east and Hartley to the west.

The Western Road remains a vital determinant. The present highway still largely follows the original route built by William Cox with convict labour– but it is now intertwined with the railway.

The Railway came in 1867 and made the Mountains accessible to Sydneysiders. The scenery and cooler healthier climate became a major attraction. Country houses and fashionable hotels began to appear, joining the worker's cottages clustered near the railway stations. When the major stations were built, Mountain towns soon followed. There are many primary items of cultural

heritage associated with the railways still remaining – stations, abandoned cuttings and water supplies such as Wentworth Falls Lake.

Mining development was significant in establishing Katoomba from the 1870's as the major settlement. Whole valleys were filled with modest miner's cottages – pushing settlement along the flatter ridge tops towards Blackheath and Wentworth Falls.

Recreation, health and tourism were the major influence from the late 1880's spawning houses, hotels and guest houses as well as walking tracks, shelters and kiosks. The natural attractions of each town were promoted, followed in later decades by the attraction of moving pictures and tourist coaches. The influence of the wealthy elite living in fine country houses waned as the middle-class holiday-makers and honeymooners of the 1920's and 1930's took over.



Much of the present character of the Blue Mountains derives from the architecture, parks and gardens of the late nineteenth / early twentieth century.

The Great Depression saw the popularity of walking in the Mountains revived and visitors began again to explore the bush on foot. The early 1930s also saw the emergence of the modern conservation movement. A campaign to set aside the Blue Gum Forest for public recreation was successfully waged by a coalition of bushwalkers and conservationists and a plan for a Blue Mountains National Park was put forward. The latter was finally achieved in 1959.

Introduction

Rural industry has not been a significant factor in the history of settlement in the Blue Mountains. With its rugged landscape, its limited areas of flat land and its rocky and generally unproductive soil, the region has proved unsuitable for most agricultural pursuits. Exploitation of the natural timbers for railway sleepers, building and firewood has occurred and small dairy, vegetable and poultry farms occupied an important place in the local market in the early years. None of these activities however, constituted large scale primary industry. In the Megalong and Kanimbla Valleys, on the other hand, the available land area allowed quite extensive mixed farming and grazing of sheep and cattle. The Shipley Plateau became a centre for orchards, poultry and some cattle whilst the rich volcanic soil of Mount Wilson and Mount Irvine supported extensive horticulture.

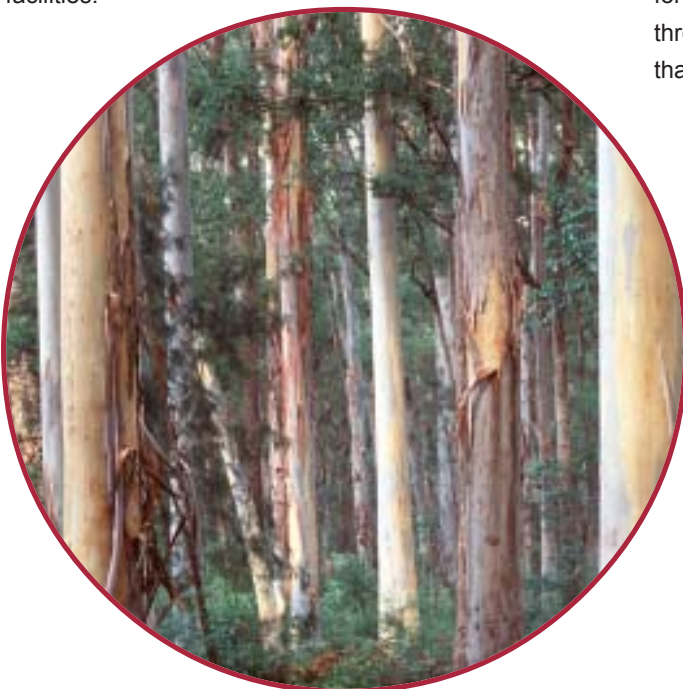
Residential development dramatically expanded in the years since WWII, spurred by cheap land and rapid improvements in rail and road transport. In the early years this was evident particularly in the Lower Mountains but has gradually spread giving the area as a whole a consistently high population growth rate. This growth has transformed previously small towns, with settlement dispersing along ridges away from the main transport and commercial corridor, impacting on services and community facilities.

Development has also impacted on the local character and the natural environment, not always for the better. How these issues are managed will form important themes in the region's development over the next few decades.

The Greater Blue Mountains Area was listed in 2000 as a World Heritage area because of its globally outstanding biodiversity and vegetation, dominated by Australia's unique eucalypts. With World Heritage listing, management of the Blue Mountains environment is now of international significance. Recognition and subsequent protection of our unique natural environment contributes immeasurably to the cultural setting and economy of the Blue Mountains.

We have a responsibility to the international community to ensure that the Greater Blue Mountains World Heritage Area is managed in such a way as to retain its unique environmental qualities. A unique environment requires a unique set of management practices, ultimately aimed at protecting the integrity of the natural systems for which the area is globally recognised.

Conservation listing at the international level is not enough to protect the natural environment. There is a clear need for local controls to protect existing natural areas throughout the local government area because of the fact that we are the only city within a National Park in the world.



In 2000, the Greater Blue Mountains was declared a region of World Heritage significance, its natural antiquity, diversity and beauty deemed worthy of the highest conservation listing.

A2. Where this plan applies

The Better Living Development Control Plan (DCP) applies to all land zoned under Blue Mountains Local Environmental Plans (LEPs) 1991 and 2005.

The DCP seeks to achieve development that is consistent with the natural and cultural heritage values of the Blue Mountains. The plan encourages site responsive design and innovation that respects, enhances and contributes to the character of the City. The DCP also seeks to promote *ecologically sustainable development*, provide equity of access to all members of the community and promote safer living and working environments.

A3. How this plan works

The DCP takes a layered approach to providing guidance and controls for development. The structure is as follows:

PART A – INTRODUCTION

Details where the DCP applies, its context and aims.

PART B – SITE PLANNING

This section examines issues associated with site analysis and design. Part B applies to LEP 1991 and LEP 2005 areas.

PART C – GENERAL PRINCIPLES

The principles and performance criteria for site responsive design is embodied in Part C of this DCP. Part C applies to LEP 1991 and LEP 2005 areas. It establishes the performance criteria, context and design solutions for development. Part C also includes details of when documentation is required to support an application.

PART D – STANDARDS FOR DEVELOPMENT LEP 2005

Specifies the standards relating to the types of development on land zoned under the LEP 2005.

PART E – STANDARDS FOR DEVELOPMENT LEP 1991

Specifies the standards relating to the types of development on land zoned under LEP 1991.

The development standards in Parts D and E of the Better Living DCP cannot be read in isolation.

Reference is required to the relevant clauses of the LEP and to the general principles outlined in Parts B and C of this DCP.

PART F – APPENDICES

Provides a glossary of terms and a list of noxious and environmental weeds of the Blue Mountains.

Words referenced in *italics* are defined in the glossary.

A4. Retrofit

The DCP relates to new construction work. However, depending on the nature of the development and its use and / or location, existing buildings or developments may also require upgrading or modification. The level that may be necessary will be assessed on the merits of the individual proposal and can include upgrade of fire safety measures, wastewater systems, energy efficiency, adaptability or accessibility provisions.

In general, Council may require the building or part to be brought into total or partial conformity with the provisions of this DCP, where the proposed building work, together with any other building work completed or authorised within the previous 3 years, represents more than half the total volume of the building (as it was before any such work was commenced, measured over its roof and external walls).

Applicants are encouraged to assess and address the requirements of this DCP and initiate an upgrade for any proposed works.

A5. Contributions & bonds

COMMUNITY CONTRIBUTIONS

Section 94 of the *Environmental Planning & Assessment Act* (1979), allows Council to levy contributions from developers for the provision of public amenities and services required as a consequence of the development. Further information on the application and calculation of contributions is contained in the Council document Development Contributions Plan.

BONDS

Bonds are required where construction works may affect public areas such as pathways and roads or where, as a result of construction, the work will become a Council asset. Environmental bonds may also be required where there is a significant risk of damage to the environment.

Bonds can be used to rectify any works which are not adequately carried out or deteriorate during a set period (usually a 6 month period) after completion of the development. Bonds are returned upon application if works are deemed satisfactory.

Bonds can be in the form of bank guarantees or cash. It will be a condition on the development consent that the bond be paid prior to the issue of the construction certificate.

Bonds for relocating a building are subject to a 6 month timetable whereby key components must be completed within a nominated time frame.

The plans and documents required to support a development proposal are listed in Parts D and E of this DCP. The list also cross references to the relevant section of Part C to assist you to determine when a particular plan or document may be required.

A6. Varying a standard

DCP STANDARD

If a designer finds it necessary to vary a DCP standard the onus will be on the designer to submit details to ensure that the proposal addresses the performance criteria outlined in Part C and provides an equal or higher standard to that indicated by this DCP. The proposal must include the submission of a detailed statement justifying the variation of the standard.

LEP STANDARD

A LEP standard can only be varied under the provisions of State Environmental Planning Policy No. 1 (SEPP 1). Whilst variations are not encouraged, they can be used to ensure improved performance-based solutions for particular sites. Variations can only be supported if it is demonstrated that the standard is unnecessary and unreasonable in the circumstances of the case and that the objectives of the standard, the zone and the broader city wide plan have been achieved. SEPP 1 cannot be used to carry out development in zones where that type of development is prohibited.

When varying a LEP standard reference should be made to the appropriate LEP as some clauses are exempt from the provisions of SEPP 1.

