

# Blue Mountains Conservation Society Inc



## Blue Mountains Local Environment Plan 2013

### Q&A

9<sup>th</sup> September 2015

### ABOUT THE BLUE MOUNTAINS LOCAL ENVIRONMENT PLAN

#### **What is the Blue Mountains Local Environment Plan (LEP)?**

The Blue Mountains LEP provides the rules that determine what and where development is permitted in the Blue Mountains area. This is done by the use of zones which are shown on a set of maps. It also stipulates the key environmental standards that are to be adhered to protect the natural environment within the urban area and also the World Heritage-listed National Parks downstream.

#### **Which region does this cover?**

The area impacted includes the whole of the Blue Mountains City Council region, with its twenty-seven towns and villages and World Heritage National Parks.

#### **What is the NSW Government proposing for the Blue Mountains?**

The NSW Government is threatening to force a 'one-size-fits-all' LEP onto the Blue Mountains without many of the critical special local provisions we have in our current LEPs (LEPs 1991 and 2005). If this goes ahead, key environmental and built character protections will be lost or downgraded. The NSW government had previously supported these additional standards.

#### **How will this impact the Blue Mountains region?**

The Blue Mountains is surrounded by national parks which are internationally recognised as the Greater Blue Mountains Blue Mountains World Heritage Area (GBMWH). Nearly all the residential areas and towns in the Blue Mountains directly border onto the GBMWH.

If the generic 'one-size-fits-all' development plan is forced on the Blue Mountains by the NSW Government, the future of the GBMWH will be jeopardised. The character towns and villages, with their quiet tree-lined streets, will also be subject to increasingly dense and high-rise development. The area cannot retain its character and conserve its World Heritage National Parks if it is developed as if it were a Sydney suburb.

If the current provisions are not retained the environmental values of the GBMWhA will be at risk. This includes increased sediment and weeds entering the GBMWhA; increased risk of stormwater leaving urban areas and polluting pristine creeks and rivers such as the Grose River; and the risk of development impinging on the threatened Blue Mountains swamps. The degradation of the swamps will put certain threatened animal species at further risk, such as the Blue Mountains Water Skink and Giant Dragonfly.

### **What provisions are currently in place to protect the World Heritage Status of the Blue Mountains National Parks and character of the villages?**

The current LEPs includes specific environmental provisions that have successfully regulated the impact of urban development on the fragile eco systems of the National Parks. The current LEPs also have specific provisions to protect local heritage and preserve the built character of the Blue Mountains villages.

### **What has been the process in developing an appropriate new Blue Mountains LEP?**

The Blue Mountains community and Council have worked hard over the past 20 years to develop a Local Environmental Plan that will protect the stunning natural environment and GBMWhA, and the village character of the townships.

The current Blue Mountains draft LEP 2013 is based on the key elements of LEP 2005 – for which community contribution began in 1994, was completed in 2002 and gazetted in 2005. Significant steps in the process included a draft LEP in 1997, a Commission of Inquiry in 1998 and the exhibition of a new draft LEP in 2002, which became LEP 2005. At each stage there was widespread community participation, with over 1400 submissions during the final exhibition stage for LEP 2002. If the NSW Government rejects the Blue Mountains DLEP 2013, which is based on 20 years of widespread community participation, democracy is being compromised.

In 2013, the Blue Mountains City Council, in conjunction with the community, prepared the Draft Blue Mountains LEP 2013 (DLEP) to comply with the one size fits all Standard LEP template, now mandatory across NSW. In developing the new plan, two of the key objectives were to conserve the World Heritage Area and character towns and villages.

The Blue Mountains City Council attempted to achieve the same environmental protection and built character outcomes in DLEP 2013 as in previous LEPs (1991 and 2005). This was largely achieved through the addition of several key existing provisions into the new LEP.

The inclusion of these existing provisions in the new LEP was initially accepted by then Planning Minister, Brad Hazzard, and the NSW Department of Planning and were included in the draft exhibited Plan. They include:

- a Schedule of Significant Vegetation Communities found outside of the National Park, and specific provisions aimed at protecting these communities;
- a higher standard for proposed developments to 'comply with' zone objectives and the aims of the draft LEP;
- the effective management of stormwater runoff (amount and quality) to ensure it has no adverse impact on the GBMWhA; and
- built character provisions including a proposed Residential Character Conservation zone (R6) to replace the existing Living-Conservation zone, and designated Period Housing Areas.

The draft Plan was widely endorsed by the community during the public exhibition process, with some two-thirds of submissions in support.

Six months after the draft plan was submitted to the Department of Planning in November 2014, the Council and community learnt that *“it appears that the Department are no longer advocating for the inclusion of most, if not all, of these key provisions”* (Mayoral Minute to Council meeting of 19<sup>th</sup> May 2015). The community feels that the Department of Planning has not kept faith with it, approving the exhibition of a draft plan key elements of which it apparently now no longer supports.

## **THE GREATER BLUE MOUNTAINS WORLD HERITAGE AREA**

The Greater Blue Mountains World Heritage Area (GBMWA) is noted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) for its evolutionary adaptation and diversification. World Heritage status is bestowed on sites of special cultural or physical significance of which there are less than 200 listed globally for natural significance. The Blue Mountains is one and received its listing in 2000.

Noteworthy for its biodiversity, it is home to significant numbers of rare or threatened species, including endemic and evolutionary relict species, such as the Wollemi pine, which have persisted in highly restricted microsites.

If the environmental measures that are currently in place to protect the environment are removed the future of the World Heritage listing will be compromised.

## **ABOUT THE BLUE MOUNTAINS**

The City of the Blue Mountains local government area comprises 27-character filled towns and villages spread along 100km of mountainous terrain. With a population of approximately 78,000, the area covers 1,431 sq km with 70% of it comprising World Heritage National Park and only 11% available for settlement. Due to the historic and current “ribbon” development along the ridges, nearly all the residential areas and towns within the Blue Mountains directly back onto bushland or national park.

Areas outside the national park also contain significant areas of bushland, which have value in their own right, including an estimated 13,000 ha of publicly and privately owned bushland. Careful management of these bushland areas is vital as much of these natural areas border the World Heritage-listed national park.

### **Local industry**

As an area of great natural beauty and rich cultural resources the Blue Mountains attracts millions of international and domestic tourists every year. If the UNESCO-listing of the National parks was lost the industry and associated local businesses would be significantly impacted.