

In the case of Site 4 the planning proposal responds to the recommendations put forward in the Katoomba Charrette Report and Town Centre Strategy which include implementing development of the site at both the Katoomba and Lurline Street frontages.

B. Is the planning proposal consistent with the local council's community plan, or other local strategic plan?

The proposal to reclassify each of the 3 sites is consistent with Blue Mountains City Council's Community Plan – *Sustainable Blue Mountains 2025*. The planning proposal works towards achieving a number of objectives contained in this Plan including strengthening the liveability and vibrancy of towns and villages and providing integrated, accessible and sustainable choices for moving around. These objectives align with the 2010 NSW State Plan.

C. If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished.

The following table identifies interests in the land that are proposed to be discharged through the reclassification process. The table also provides a reason for the extinguishing the identified interest.

Table 1: Interests to be extinguished

Site	Parcel Description	Interest to be extinguished	Reason for extinguishment
Site 2	Lot C in DP 388574	A18527 – This parcel is affected by a right of way, 1.22 wide along the parcel's southern boundary.	This lot and the land benefited by the right of way is now owned by Council and operates as a public parking facility, effectively rendering the right of way obsolete.
	Lot B in DP 388574	A69294 – This parcel benefits from a right of way, 1.22 & 2.44. This right of way is located on Lot 1 & 2 in DP 1110584.	This lot and the land affected by the right of way is now owned by Council and operates as a public parking facility, effectively rendering the right of way obsolete.
	Lot A in DP 388574	A69294 – This parcel benefits from a right of way, 1.22 & 2.44. This right of way is located on Lot 1 & 2 in DP 1110584.	This lot and the land affected by the right of way is now owned by Council and operates as a public parking facility, effectively rendering the right of way obsolete.
	Lots 1 & 2 in DP 1110749	652852 – This parcel benefits from a right of way, 1.22 & 2.44. This right of way is located on Lot 1 & 2 in DP 1110584.	These lots and the land affected by the right of way is now owned by Council and operates as a public parking facility, effectively rendering the right of way obsolete.
	Lots 1, 2 DP 1110584	652852 – These parcels are affected by a right of way, 1.22 & 2.44.	These lots and the land benefitted by the right of way are now owned by Council and operate as a public parking facility, effectively rendering the right of way obsolete.
		A18527 – These parcels	These lots and the land benefitted by the

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		are affected by a right of way, 1.22 & 2.44.	right of way are now owned by Council and operate as a public parking facility, effectively rendering the right of way obsolete.
		A69294 – These parcels are affected by a right of way, 1.22 & 2.44.	These lots and the land benefitted by the right of way are now owned by Council and operate as a public parking facility, effectively rendering the right of way obsolete.
	Lot 1 in DP 940365	A18527 – This parcel benefits from a right of way, 1.22 wide along the southern boundary of Lot C in DP 388574 and a right of way, 1.22 & 2.44 wide within Lots 1 & 2 in DP 1110584.	This lot and the land affected by the right of way is now owned by Council and operates as a public parking facility, effectively rendering the right of way obsolete.
Site 4	Lot 102 DP 1152617	N208777 – This parcel is affected by a lease to BMCC	The land affected by the lease to Council is now owned by Council and as such it is redundant.

The following table identifies interests in that land that are proposed to be retained despite the reclassification of the land.

Table 2: Interests to remain

Site	Parcel Description	Interest to remain
Site 1	Lot 1 DP 506174	V289860 – Lease to New World Properties Pty Ltd (lease transferred to Gembond Pty Ltd vide dealing 7256346) for basement car park.
		DP787996 – Parcel is affected by an easement for support, variable width.
		DP787996 – Parcel is affected by an easement for overhanging roof 0.5 metres wide, 2.6 metres wide and 0.47 metres wide.
Site 2	Lot 2 DP 580297	H453560 – Parcel is affected by a right of footway, 1.83 metres wide benefitting Lot 18 in DP 239909 being 143 Katoomba Street.
	Lot 2 in DP 585560	H325317 – Parcel is affected by an easement for electricity purposes, 3.05 metres wide shown in DP 585560.
	Lot 55 in DP 239909	H824597 – Parcel is affected by an easement for electricity purposes, 6.096 metres wide.
	Lot 4 in DP 598367	R323949 – Covenant. Point 2 in the covenant implies that the land is not to be used otherwise than for a public car park.
	Lot 26 of Section 2 in DP 692	H787976 – Easement for electricity purposes
	Lots 1, 2 DP 1110584	634862 – Parcel is affected by a right of way, 1.22 & 2.44 metres wide benefitting Lot 1 in DP 938643. 657443 – Parcel is affected by a right of way,

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		1.22 & 2.44 metres wide benefitting Lot 1 in DP 114361.
		657444 – Parcel is affected by a right of way, 1.22 & 2.44 metres wide benefitting Lot 1 in DP 900878.
		A63275 – Parcel is affected by a right of way, 1.22 & 2.44 metres wide benefitting Lot 1 in DP 943710.
		A69295 – Parcel is affected by a right of way, 1.22 & 2.44 metres wide benefitting Lot 1 in DP 525651.
Site 4	Lot 102 DP 1152617	J18549 – Parcel affected by an easement for drainage 2.44 metres wide.
		DP1152617 – Parcel affected by an easement for electricity purposes 2 metres wide.
		DP1152617 – Parcel affected by an easement to drain water 2.5 metres wide.

D. The concurrence of the landowner, where the land is not owned by the relevant planning authority.

Blue Mountains City Council is the owner of all the subject parcels of land.

PART 4 – COMMUNITY CONSULTATION

The Council will undertake exhibition of the planning proposal in accordance with the Gateway Determination.