



IRF25/204

Gateway determination report – PP-2025-189

The Clarendon, 68 Lurline Street, Katoomba and
Heritage Housekeeping Amendments

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
A. Planning Proposal with Attachments December 2024
B. Report to Council 28 January 2025

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Blue Mountains
PPA	Blue Mountains City Council
NAME	The Clarendon and Heritage housekeeping
NUMBER	PP-2025-189
LEP TO BE AMENDED	Blue Mountains Local Environmental Plan 2015
ADDRESS	New heritage item for 68 Lurline Street, Katoomba; Heritage housekeeping amendments for various sites (13 sites in total)
DESCRIPTION	Lot 1 DP 900750
RECEIVED	31/01/2025
FILE NO.	IRF25/204
POLITICAL DONATIONS	There are no donations or gifts to disclose, and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The Clarendon is not currently included as a local heritage item under the Blue Mountains LEP 2015 or listed within any Heritage Conservation Area. However, it has been identified that the Clarendon is of local heritage significance as a guesthouse and entertainment venue operating continuously since 1923. It holds historical, associational, aesthetic, rarity, representative, and strong social values that are important to Katoomba and the Blue Mountains.

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- include 'The Clarendon and interiors' at 68 Lurline Street, Katoomba as a local heritage item within Schedule 5 Environmental Heritage of Blue Mountains LEP 2015
- make minor changes to a number of existing heritage items for the purposes of housekeeping amendments. Limited to minor corrections associated with listings descriptions, addresses, mapping extents, lot and DP descriptions.

1.3 Explanation of provisions

The planning proposal seeks to amend the Blue Mountains LEP 2015 per the changes below:

Table 3 Current and proposed controls

Item ID/Type	Item Name	Current address and property description *	Proposed change and justification
Local	The Clarendon and Interiors	68 Lurline Street (Katoomba) (Lot 1 DP 900750)	<ul style="list-style-type: none"> This item is recommended as a new item in Schedule 5 Part 1 of Blue Mountains LEP 2015 and inclusion on the heritage map
BELL007	Bell Railway Station and interiors	79P Chifley Road (Bell) PTT.MS 448.3090	<ul style="list-style-type: none"> Update address to 80 Chifley Road Update property description to Lot 1011 DP 1202977
BH173	Shop buildings adjacent to the station and interiors	266 Western Highway, Lot 1 DP 776285 (Blackheath)	<ul style="list-style-type: none"> Update address to 255P Great Western Highway Update address (property description) to Lot 103 DP 1167899
BH082	Gowan-Brae and garden	24 Shipley Road and 15-15A Staveley Parade, Lot 1 DP 954706; Lot 9 and 10, Section 6 DP 1941 (Blackheath)	<ul style="list-style-type: none"> Update address to 15-15A Staveley Parade and 24 Shipley Road (amend to clarify the main property address being off Staveley Parade)
BH208	Greaves Creek Dam	4 Walls Cave Road (Part of Lots 1-4 DP 109609) (Blackheath)	<ul style="list-style-type: none"> Update property description to Lots 1-3 and Part of Lot 4 DP 109609 Update to mapping of the item from a dot to indicate entire Lot/DP
K049	Blue Mountains District Anzac Memorial Hospital	173-179 and 181 Great Western Highway and 1A and 1W Woodlands Road (Lots A and B DP 317552; Lots 1 and 2 DP 131070; Lots 3 and 7 DP 1066824; Lot A DP 397571) (Katoomba)	<ul style="list-style-type: none"> Update address to 173-181 Great Western Highway <p>Error has been identified. Minor address update to match current property details</p>
K144	Federation Bungalow	150-152 Lurline Street, Lot 101 DP 606828 (Katoomba)	<ul style="list-style-type: none"> Update address to 150 Lurline Street <p>Error has been identified.</p>

Item ID/Type	Item Name	Current address and property description *	Proposed change and justification
K119	House	312 Katoomba Street, Lot A DP 346541 (Katoomba)	<ul style="list-style-type: none"> Update address to 312A Katoomba Street Update property description to Lot B DP 346541 <p>Mapping and addressing errors found – referring to neighbourhood property</p>
K162	Cascade Creek Dams	100-130 Mort Street (Part Lot 1 DP 10413 and all of the piece or parcel of land in the local government area of Blue Mountains, Parish of Blackheath, County of Cook being all the land up to the full supply level of Upper Cascade Dam as defined by a contour RL 975..88 metres above Australian Height Datum within the Katoomba Special Area, which is an area of approximately 21.5 hectares owned by the crown). (Katoomba)	<ul style="list-style-type: none"> Update address to '100-130 Mort Street and part of 15 North Street' Update property description to 'Part Lot 1 DP 1041345; Lot 15 DP 1220708' <p>The Department's comment</p> <p>Council clarified that an error was identified after lodging the Planning Proposal. The address should instead read 'Part of 100-130 Mort Street and 115 North Street'.</p> <p>Water NSW did not support the proposed changes to the property address and description as noted in their letter to Council on 6 January 2025.</p> <p>Refer to further discussions in <i>Section 5.2 Agency</i> of this report.</p>
LA103	Early timber shop building and interiors and former residence and interiors	170-174 Leura Mall (Lot A DP 306845) (Leura)	<ul style="list-style-type: none"> Update address to '170 Leura Mall' Update property description to 'Lot 1 DP 1303602' <p>(Update of property address and description due to a subdivision. No. 170-174 Leura Mall was approved for a one into two lot subdivision in 2024)</p>
WL001	St Columba's College (buildings and interiors, grounds, gates and remains of Elmhurst)	168 Hawkesbury Road (Lot 2 and 3 DP 133438) (Springwood)	<ul style="list-style-type: none"> Update property description to 'Lot 7 DP 1227293' <p>(Update to property description due to subdivision. No.168 Hawkesbury Road was approved for a 2 into 37 lot subdivision in 2015. This was a staged approved with stages 1 & 2 completed.</p>
K133	Steyning	116 Lurline Street (Lot 2, Section 1, DP 2410) Katoomba)	<ul style="list-style-type: none"> The map still identifies the address as 135 Lurline Street. The address and property description were updated in Schedule 5 in a previous amendment; however, the map was not changed. Mapping to be updated

Item ID/Type	Item Name	Current address and property description *	Proposed change and justification
WF110	Anderson Buildings and Interiors	1-8 Station Street (Lots 1 and 2, DP 1017741: Lots A and B DP 413449) (Wentworth Falls)	<ul style="list-style-type: none"> Update address to '1-3, 4-6, 7,8 Station Street'. Amend to clarify the understanding as multiple properties within the Anderson Building and Interiors listing. Mapping to be updated (note that the mapping for item WF11 will also be updated).
WL005	Former Newgrove Farm and interiors	14-28 White Cross Road (Lot 201 DP 1115166) (Winmalee)	<ul style="list-style-type: none"> Update address to '2-28 White Cross Road'. Update property description to 'Lot 100 DP 1268526' Mapping to be updated (Update to reduce the curtilage around the heritage item to remove the larger site curtilage which has been significantly altered and understanding of the former farm area largely lost. This amendment will also reduce confusion, in regard to the larger shopping complex located on the subject site). <p>The Department's comment</p> <p>In response to the Department's request for information, Council clarified on 17 March 2025 that the planning proposal (page 12) contains a typographical error and that the proposed property description should read '<u>Part of Lot 100, DP 1268526</u>' instead of '<u>Lot 100, DP 1268525</u>'. Accordingly, a Gateway condition is recommended to require correction of the proposed property description.</p> <p>Regarding the property address, Council has confirmed that the proposed '2-28 White Cross Road, Winmalee' reflects the address shown in the plan of consolidation registered on 19 March 2021 for DP 1268526.</p>

* Note: Suburb is a separate column in Schedule 5 – Suburb (in brackets) is shown in this table for information

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The Clarendon is located at 68 Lurline Street, Katoomba. The subject site is a significant building on the edge of the Katoomba town centre. The Clarendon is representative of the 1920s heyday of guesthouse and tourism growth in the Blue Mountains. Its social value and rarity are linked to the continuous entertainment provided to guests and locals. It is noted that the site is located within the vicinity of other listed heritage items and within proximity of the two adjacent heritage conservation areas.



Figure 1. Subject site, 68 Lurline Street, Katoomba (aerial photo)



Figure 2. Site context (other listed heritage items)

1.5 Mapping

The Planning Proposal seeks to amend the Blue Mountains LEP 2015 Heritage Mapping. The mapping includes one (1) proposed new item and modifying the mapping of eight (8) existing items.



Figure 1. Current (left) and proposed (right) heritage maps: The Clarendon and Interiors, 68 Lurline Street, Katoomba (K172)



Figure 2. Current (left) and proposed (right) maps: Early timber shop building and interiors and former residence and interiors, 170 Leura Mall (LA103)



Figure 3. Current (left) and proposed (right) maps: St Columba's College (buildings and interiors, grounds, gates and remains of Elmhurst), 168 Hawkesbury Road, (WL001)



Figure 4. Current (left) and proposed (right) maps: Steying, 116 Lurline Street, (K133)



Figure 5. Current (left) and proposed (right) maps: Anderson Buildings and Interiors, 4-6, 7 and 8 Station Street, (WF110)

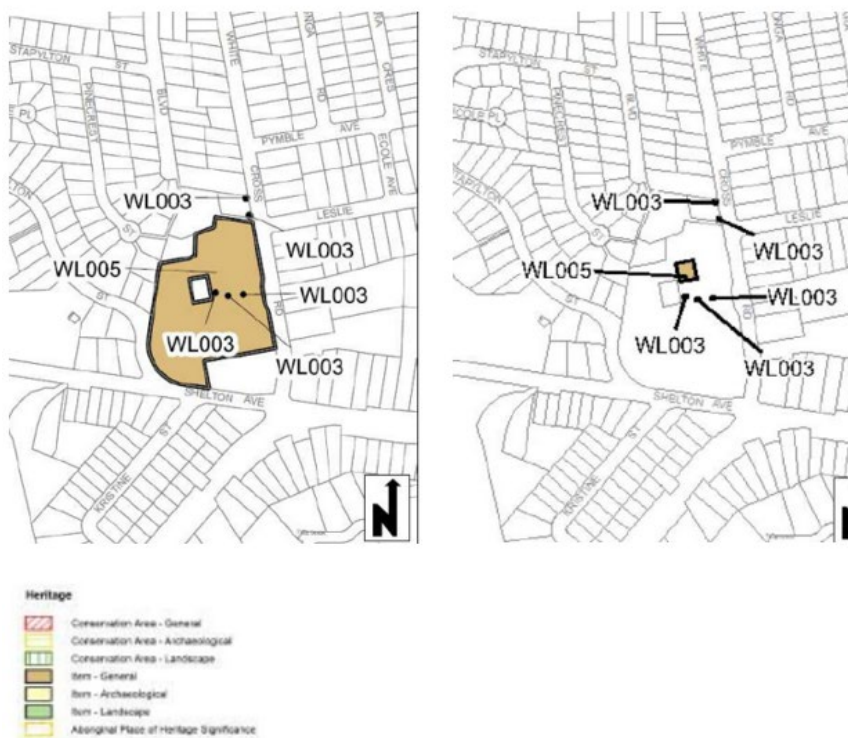


Figure 6. Current (left) and proposed (right) maps: Former Newgrove Farm and interiors, 2-28 White Cross Road, (WL005)

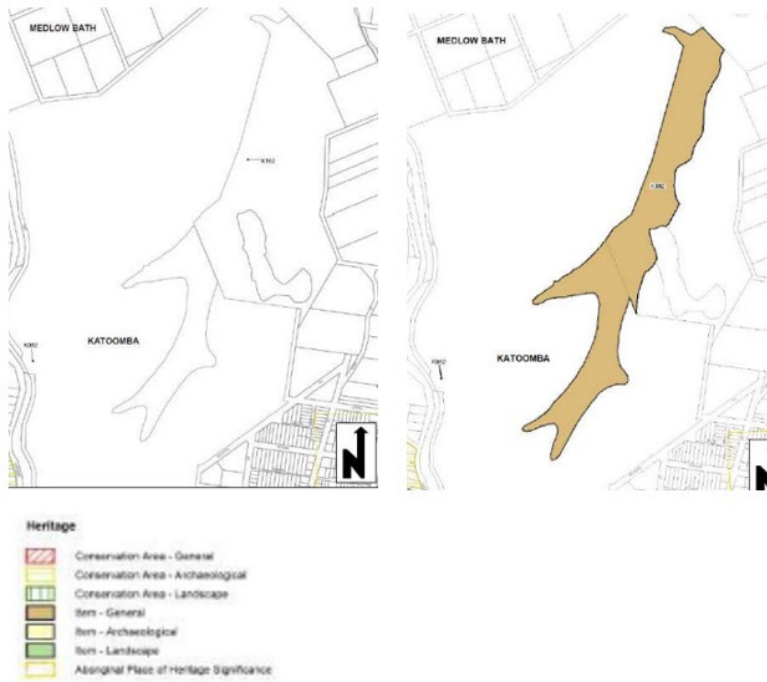


Figure 7. Current (left) and proposed (right) maps: Cascade Creek Dams, 100-130 Mort Street and part of 15 North Street, (K162)



Figure 8. Current (left) and proposed (right) maps: Greaves Creek Dam, 4 Walls Cave Road, (BH208)

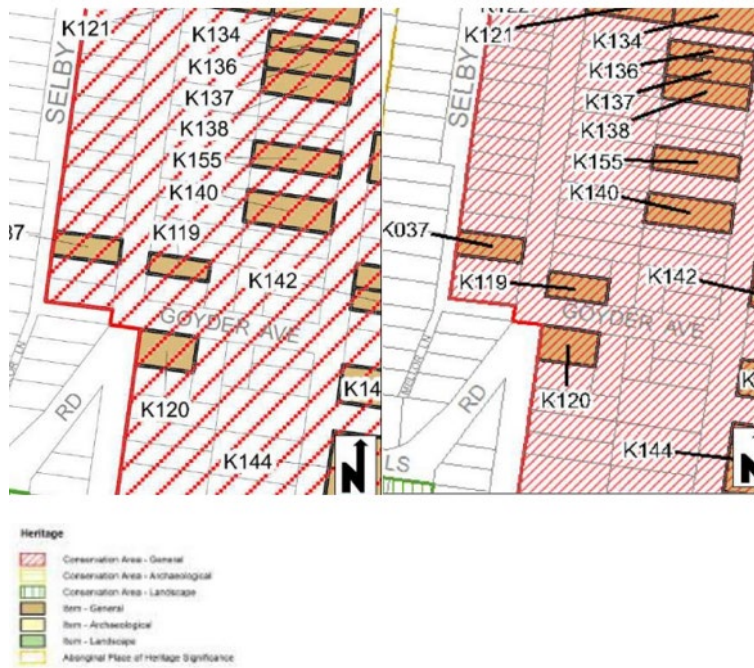


Figure 9. Current (left) and proposed (right) maps: House, 312A Katoomba Street, (K119)

1.6 Background

The Clarendon is a significant building on the edge of the Katoomba town centre. The site's heritage significance can be attributed to the Clarendon's representative 1920s heyday of guesthouse and tourism growth in the Blue Mountains. Its social value and rarity are linked to the continuous entertainment provided to guests and locals alike. The guesthouse is a landmark within the streetscape and for its distinctive combination of Interwar aesthetic styles and typologies. However, the Clarendon is not currently included as a local heritage item under the Blue Mountains LEP 2015 or listed within any Heritage Conservation Area. It is noted that the site is located within the vicinity of other listed heritage items within close proximity of the two adjacent heritage conservation areas, K159 Central Katoomba Urban Conservation Area, and K168 Katoomba South Heritage Conservation Area.

On 24 May 2024, it was identified that the site had been subject to significant unauthorised works, of which the Council had been notified and had been reported in local media.

The Interim Heritage Order provisions of the Heritage Act 1977 allow for interim protections to be put in place where a site is considered at risk of harm and is considered by the Council to have local heritage significance. Both circumstances are true for 'The Clarendon' at 68 Lurline Street, Katoomba.

Minor heritage housekeeping amendments

Council maintains a live list of heritage properties and sites of heritage interest, with the intention of undertaking cyclical reviews and updates of the heritage inventory.

Consistent with previous heritage amendments, proposed changes to Schedule 5 of LEP 2015 are identified through three categories - new items, deleted items and modified items. This practice is continued with the current proposed amendments. There are thirteen housekeeping amendments which cover a range of minor discrepancies, clarifications and amendments regarding existing items. These housekeeping amendments make corrections to the names, addresses, property descriptions of the Heritage Maps of existing heritage items. The housekeeping amendments will not have a material impact. The housekeeping amendments are intended to improve accuracy and

interpretation of the listings, which will help facilitate the appropriate application of heritage provisions in the future.

2 Need for the planning proposal

- The Planning Proposal has been initiated by Council and supports a number of actions in the LSPS (endorsed in 2020). In particular, 'Planning Priority 5 – Conserving and enhancing heritage, character and liveability'.
- The Planning Proposal is the only means of listing a new heritage item and updating existing heritage items.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Greater Sydney Region Plan.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
The Greater Sydney Region Plan – Liveability Objective 13 – Environmental heritage is identified, conserved and enhanced	The Planning Proposal strengthens protection of environmental heritage by reviewing Schedule 5 heritage items and ensuring the descriptions, addresses and mapping are current and accurate and by adding a new item, giving it legal protection.

3.2 District Plan

The site is within the Western City District Plan which stems from the Greater Sydney Region Plan. The plan contains planning priorities and actions to guide the growth of Western Parkland City while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied the planning proposal gives to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 5 District Plan assessment

District Plan Priorities	Justification
Western City District Plan – Liveability Planning priority W6 – Creating and renewing great places and local centres and respecting the district heritage.	<p>The Planning Proposal is consistent with Action No.21 of the District Plan to Identify, conserve and enhance environmental heritage by 'engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place'.</p> <p>The Planning Proposal intends to review the current Schedule 5 heritage items and mapping and add a new item, giving it legal protection.</p>

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Blue Mountains Local Strategic Planning Statement	The Planning Proposal ensures accurate documentation and recording of heritage items, which is fundamental to protecting these valued assets, as stated in Priority 5 of the LSPS: <i>'Conserving and enhancing heritage, character and liveability'</i> .
Blue Mountains Community Strategic Plan	The proposed Planning Proposal would serve to improve the administration and interpretation of heritage items in the Blue Mountains, as stated in the CSP strategy 4.1b: <i>'Preserve, maintain and enhance the City's unique character, local history and its built, natural and cultural heritage'</i> .
Blue Mountains Heritage Strategy	Action 3.2 of the strategy states: <i>'Council will continue to protect heritage item and areas of heritage significance by listing those items and areas on the LEP and will commence a new heritage review of local heritage listings to update the Blue Mountains LEP'</i> . The Planning Proposal is consistent with the Blue Mountains Heritage Strategy.

3.4 Local planning panel (LPP) recommendation

The draft planning proposal was considered by the Blue Mountains Local Planning Panel at its meeting held on 18 December 2024. The Panel supported the proposed heritage listing of 'The Clarendon and interiors' and the heritage housekeeping amendments which also form part of the draft Planning Proposal for Amendment 23 to LEP 2015 and recommended that Council proceed with the Planning Proposal.

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Yes	Consistent with the Greater Sydney Regional Plan Liveability objectives. The Proposal seeks to improve the overall operation, accuracy, and interpretation of the Blue Mountains LEP 2015 by ensuring that environmental heritage is properly identified, conserved and enhanced.
3.2 Heritage Conversation	Yes	The Planning Proposal intends to meet the objectives of the direction by adding a new item to Schedule 5 and correcting current inaccuracies in thirteen heritage listings and making changes to the LEP heritage mapping. The new listing will provide statutory protection to the site.

3.3 Sydney Drinking Water Catchments	Yes	The subject site and revised heritage items in this Planning Proposal are within the Sydney Water Catchment. The Planning Proposal does not seek to change the zoning or permissible land uses on the site subject to this amendment. The proposed amendment does not impact on the ability of future development applications to achieve neutral or beneficial effect on water quality.
4.3 Planning for Bushfire Protection	Yes	Many of the items to be revised in this Planning Proposal are located on Bush fire Prone Land. The Planning Proposal does not increase or enable development on bushfire prone land and will not change any other provision applicable to that land.

3.6 State environmental planning policies (SEPPs)

The planning proposal states it is consistent with the following SEPPs:

- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing) 2021

The Department has reviewed the assessment of SEPPs above and agrees that the proposal is consistent with these SEPPs.

4 Site-specific assessment

4.1 Environmental

The Planning Proposal will not impact any critical habitat, threatened species, populations or ecological communities, or their habitats as a result of the inclusion or/and amendment of the identified heritage items in Schedule 5 in LEP 2015. The site is not flooding affected land.

4.2 Social and economic

The Planning Proposal will result in positive social effects in accurately recognising and protecting the local cultural heritage significance of the heritage items for the benefit of the broader community. The Planning Proposal is not expected to result in adverse economic effects. The built heritage of the LGA within the numerous historic towns and villages is identified as a key driver for

tourism to the Blue Mountains. The subject site is a significant positive contributor to the local economy.

4.3 Infrastructure

The proposed amendments sought in this Planning Proposal will not require the provision of additional public infrastructure.

5 Consultation

5.1 Community

The planning proposal is categorised as standard under the LEP Making Guidelines (August 2023). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

As part of the preparation of the draft Planning Proposal, Council has consulted with Water NSW regarding the proposed changes to two existing local heritage items Greaves Creek Dam (Item BH208) in Blackheath, and Cascade Creek Dams (K162) in Katoomba, both owned and managed by Water NSW. The planning proposal involves minor amendments to the mapping and property addresses and descriptions.

Water NSW has considered the proposed changes and confirmed in its letter dated 6 January 2025 that the proposed mapping for both items align with the information provided to Council.

Water NSW also suggested a slight refinement to the property description of Item BH208 to clarify that the listing concerns all Lots 1-3 and Part of Lot 4 DP 109609 rather than only addressing 'Part of Lots 1-4' as described in the draft proposal. This suggestion has been incorporated into the planning proposal submitted by Council.

Regarding Item K162, the property description in the Planning Proposal makes reference to Lot 15 DP 1220708. However, Water NSW notes that they cannot locate Lot 15 DP 1220708 on the cadastre and believes that Lot 15 does not exist and that the southern portion of the mapped area actually covers a multitude of lots. Water NSW do not support the proposed change in the property description and the corresponding change in address for the Cascades Creeks Dams listing and request that the current property and address description to remain as currently stated in the LEP.

In response to the Department's request for clarification on this matter, Council confirmed on 17 March 2025 that they will not proceed with the proposed changes to the property description, but still intend to amend the property address and had sought agreement with Water NSW. Council further clarified that an error had been identified in the proposed address, which should read 'Part of 100-130 Mort Street and 115 North Street', instead of '100-130 Mort Street and part of 15 North Street' as currently described in the planning proposal.

At the time of writing this report, further advice from Water NSW has not been received. Accordingly, a **Gateway condition** is included to require removal of the proposed property description change and confirmation of the property address in consultation with Water NSW.

Water NSW agrees that the Proposal is consistent with s9.1 Direction 3.3. Water NSW have no substantive issues with the remainder of the Planning Proposal.

The **Gateway determination** requires consultation with Water NSW and Heritage NSW.

6 Timeframe

Council proposes a 5 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard.

The Department recommends an LEP completion date of 30 September 2025 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

It is noted Council may endeavour to finalise the LEP by 2 August 2025 as this coincides with the expiry of the Interim Heritage Order for the Clarendon.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the site/planning proposal is low risk and will not have any environmental impacts as it involves minor housekeeping amendments and the inclusion of one proposed new heritage item, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposal has strategic and site-specific merit, being consistent with Key State and Local Strategies.
- The outcome of the proposal will result in positive social effects in accurately recognising and protecting the local cultural heritage significance of the heritage items for the benefit of the broader community. Due to the nature of this planning proposal, there are not adverse infrastructure or environmental impacts.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Consultation is required with the following public authorities:
 - Heritage NSW
 - Water NSW
2. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 30 September 2025 be included on the Gateway.

The timeframe for the LEP to be completed is on or before 30 September 2025



3 March 2025

(Signature)

(Date)

Ian Bignell

Manager, Local Planning and Council Support



(Signature)

21 March 2025 (Date)

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