

16 August 2016

Tara Cameron
Senior Vice President
Blue Mountains Conservation Society
PO Box 29 Wentworth Falls NSW 2782

Dear Ms Cameron,

Subject: Fairmont Resort, Leura

Thank you for your letters of 24 July 2016 and 11 August 2016 concerning works located at the South-West corner of the Fairmont property. Council also shares the concerns raised in your letters.

With respect to your letter of 11 August 2016, I can advise that a survey report has been submitted as part of the development application documentation. That survey shows the access road partly over the boundary. The impacts and legality of access road and the impacts on the existing walking track will be assessed as part of the development application assessment process.

In relation to your requests of 24 July 2016 (in bold and italics), I can advise:

Request

Council confirm that the Fairmont have not received development approval for the work, that the development is not 'exempt development' and that development approval is required;

Response

Confirmed.

Request

Council confirm that a stop work order has been issued and that Council will ensure no further construction works will occur until the Fairmont is granted development approval;

Response

Council has directed that work stop and Council will pursue any unauthorised work of which it is aware.

Request

Council advise the Society when the public exhibition commences once Fairmont lodge its development application for the current construction works;

Response

The development application X790/2016 is being notified for comment commencing 17 August 2016.

Request

Council confirm that the development application will be considered at a full Council meeting;

Response

There are a number of factors that are considered when deciding whether a matter should be reported to the Council for determination. The circumstances attaching to this application will be reviewed as part of the assessment before confirming that the matter will be reported to the Council for determination.

Request

Council formally advise the Society as to whether they are considering taking regulatory action against the Fairmont.

Response

Council has issued an order to demolish the walkway and timber framed building and a significant fine has been issued with respect to the offence of development without consent.

Should you require any further assistance or clarification, I can be contacted on (02) 4780 5000.

A handwritten signature in blue ink, appearing to be 'Brian Crane', consisting of a large loop at the top and a vertical stroke extending downwards.

Brian Crane
Acting Manager, Building & Compliance Services