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Nature Conservation Saves for Tomorrow

29 April 2026

The Hon. Paul Scully
Department of Planning, Housing and Infrastructure
GPO Box 5341
SYDNEY NSW 2001

Via online form

Dear Minister Scully,

RE: OBJECTION TO APPLICATION SSD-86456706 142-150 NARROW NECK RD KATOOMBA

The Blue Mountains Conservation Society (the Society) is a community-based volunteer organization with over 900 members. Its mission is to help protect, conserve, and advocate for, the natural environment of the Greater Blue Mountains. The Society would like to make a submission in relation to the development application SSD-86456706 142-150 Narrow Neck Rd Katoomba (the proposal) currently on Public Exhibition.

It is important to note that the Blue Mountains is exceeding its new housing target, as set by the NSW Government, in terms of new residential development approvals. The Society believes the Blue Mountains Local Environmental Plan 2015 (LEP) provides for the sufficient expansion of new housing, including medium density housing, while also protecting the internationally recognised environmental values of the Blue Mountains. The Society therefore supports new housing developments which are environmentally sustainable and are consistent with the current zoning and environmental protection provisions of the LEP.

The Society strongly objects to the proposal for the following reasons:-

1. Significant non-compliance with Blue Mountains City Council LEP 2015 development standards requiring inappropriate concurrent rezoning.
2. Significant likely adverse impacts on biodiversity values and ecological values of the adjoining property and World Heritage Area.
The proposed development requires removal of habitat for threatened species. Impacts have not been assessed on nearby Matters of National Environmental Significance, such as threatened Blue Mountains Swamps and the Critically Endangered Dwarf Mountain Pine (*Pherosphaera fitzgeraldii*).
3. Significant likely adverse impacts on hydrology including groundwater and stormwater controls. Preliminary Geotechnical investigations are inadequate for the scale of the proposed development and have glossed over serious concerns about geology, soil and slope constraints of the site. Stormwater and groundwater are unlikely to be managed in accordance with Water Sensitive Urban Design (WSUD) and Neutral or Beneficial Effects on Water Quality (NorBE).

4. Bushfire risk and evacuation during a bushfire emergency. Issues exist over the classification of the site and the necessary reporting.
5. Ecologically Sustainable Development. The proposal lacks commitment to ecologically sustainable development principles.
6. Unacceptable visual impacts on the scenic values of the World Heritage Area and local character. The EIS has failed to consider impacts of the proposed development on the cultural, aesthetic and scenic values of the southern escarpment and Blue Mountains World Heritage Area.
7. Unacceptable lack of community engagement with local residents and the wider community.
8. Significant traffic difficulties including condition of local roads, overflow parking and emergency evacuation.
9. Social impacts such as local character, disturbance to residents, community disempowerment, sense of place.
10. HDA pathway anomalies. Issues exist over the declaration of a mixed-use project and the non-adherence of the HDA criteria.
11. The Sydney Plan and Rural and Conservation Land classification of the Blue Mountains is ignored.

RECOMMENDATIONS:

1. That the development application for 142-150 Narrow Neck Rd Katoomba be refused for the above reasons.
2. That the Blue Mountains Local Government Area be excluded from the Housing Delivery Authority (HDA) pathway.

DETAIL OF OBJECTIONS

1. SIGNIFICANT NON-COMPLIANCE WITH BLUE MOUNTAINS CITY COUNCIL LEP 2015 DEVELOPMENT STANDARDS REQUIRING INAPPROPRIATE CONCURRENT REZONING

The Blue Mountains Sustainability Model, established more than 20 years ago, underpins Blue Mountains City Council's strategic planning and accords with Council's more recent Planetary Health Initiative. Given the Blue Mountains' unique setting in a World Heritage Area, Council is currently working to position the city as a globally recognised hub of innovation and excellence in sustainability and planetary health. Development of Blue Mountains LEPs over that time has similarly been informed by the city's World Heritage setting and the Council's stewardship responsibility. The Blue Mountains' strategic direction and planning framework is about to be undone by the state government's apparent determination to turn the city into a suburb of Sydney.

The Society and the Blue Mountains community have been extensively involved in developing and supporting Council's strategic direction over the last 20+ years. In introducing the proposal on the HDA SSD pathway, with a limited public exhibition period, the government is extinguishing the community's longstanding involvement in 'having a say' in what gets built where and the future direction of the Blue Mountains.

The proposal is incompatible with current Environment Planning Instruments (EPIs) relevant to the site including:

- Blue Mountains Local Environment Plan 2015 (LEP),
- Blue Mountains Development Control Plan 2015 (DCP),
- Local Strategic Planning Statement 2020 (Blue Mountains 2040. *Living Sustainably*),
- Rural Conservation Lands classification of the Sydney Plan.
- specific provisions for this site in the LEP and DCP.

All these EPIs are designed to allow for a diversity of appropriate housing that meets local community needs for housing with sensitivity to the surrounding World Heritage Area.

Local Environmental Plan

The proposal does not comply with the following provisions of Blue Mountains LEP 2015:

Cl. 7.6.(17) of the LEP objectives for development on land identified as "Katoomba Precinct R3-KA17", within which the development is located, include:-

- c) to create a residential character in the precinct that is consistent or compatible with the general scale, bulk and architectural character of existing residential development in the area,
- d) to control building heights, setbacks and forms to minimise the visual impact of development when viewed from a public place and to maximise residential amenity and take advantage of scenic views,
- e) to retain bushland frontages to the street and to provide landscaping that filters views of the buildings from the golf course and from distant viewpoints,
- f) to promote future development of residential buildings within garden settings that retain the existing pattern of tall canopy trees as a scenically distinctive backdrop along the ridgeline of Narrow Neck Road to create a buffer to Glencoe Road,

Cl. 4.3 (1) of the LEP states the objectives for height of buildings include:

- (a) to ensure that the bulk of development is not excessive and relates well to the local context,
- (b) to protect privacy and the use of private open space in new development or on adjoining land,
- (c) to nominate heights that will provide a transition in built form and land use intensity,

and

- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the *Height of Buildings Map* ie 8m.

As the above objectives have been breached and the maximum building height for structures in this proposal is 15.6m the proponent has requested a concurrent rezoning.

Cl 4.4 (1) of the LEP states the objectives for floor space ratio include:-

- (a) to ensure that development is compatible with the bulk, scale and character of existing and future surrounding development,

(b) to provide for a built form that is compatible with the role of the town and major centres.

and

- 2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the *Floor Space Ratio Map* ie 0.6:1.

As the above objectives have been breached and the Floor Space Ratio for this proposal is 1.17:1 the proponent has requested a concurrent rezoning.

The Society believes that a concurrent rezoning to allow these gross breaches of LEP 2015 development standards will undermine the planning system in the Blue Mountains and set a precedent for similar inappropriate developments to be approved.

2. SIGNIFICANT LIKELY ADVERSE IMPACTS ON BIODIVERSITY VALUES AND ECOLOGICAL VALUES OF THE ADJOINING PROPERTY AND WORLD HERITAGE AREA

The Society believes that the proposed development will likely have a significant impact on the biodiversity values on both the development site and adjoining area. The impacts of the proposed development on the adjoining area have not been considered. Nor have the impacts on the ecological values of the World Heritage listed Blue Mountains National Park been assessed. These concerns are discussed in detail below, and refer to sections 16 and 14 of the SEARs issued to the proponent.

Biodiversity Assessment Method (BAM)

In providing a streamline Biodiversity Development Assessment Report (BDAR), we believe the EIS fails to consider the proximity of the proposed development to the Blue Mountains World Heritage Area and other Matters of National Environmental Significance.

The Society believes **the proposed development will highly likely significantly impact biodiversity on and near the site.**

According to the SEARs issued, the Biodiversity Assessment Method (BAM) requires that the proponent assess:

- (i) direct and indirect impacts on threatened species and habitat for threatened species on the proposed development site (subject site),
- (ii) direct and indirect impacts of the proposed development on biodiversity values and threatened species in the surrounding area (assessment area). This area is calculated on the basis of a distance of 1, 500 metres from the boundary of the development site (NSW Government Office of Environment and Heritage, 2026).

These areas are shown in Figure 2.1 below. Components marked on the map are discussed further in the following sections.

shortcomings in the provision of a streamline BDAR. A full BDAR should be provided before the EIS is further considered.

Biodiversity on site: on the subject land for the purposes of the BAM

It must be noted that the proponent has extensively cleared the site prior to submitting an EOI to the HDA. Nevertheless, **there is important bushland remaining predominantly in the north-western part of the site along the boundary with Narrow Neck Road, and the Society believes that this bushland should be protected.**

Type of native vegetation

According to the Blue Mountains LEP 2015, the vegetation community remaining on the site, specifically on the top of the plateau along Narrow Neck Road and Glencoe Road, is 11A *Eucalyptus sieberi*, *E piperita* Open Forest. We concur with the streamline BDAR that the two plant community types (PCTs) present on the site are:

- 3694 Upper Blue Mountains Ridgetop Woodland, and
- 3693 Upper Blue Mountains Peppermint Dry Forest (NSW Government Office of Environment and Heritage, 2026).

These PCTs are part of the Vegetation Class Sydney Montane Dry Sclerophyll Forests and the Vegetation Formation/ NSW (Mitchell) Landscape Dry Sclerophyll Forests (shrubby sub-formation). As observed from Narrow Neck Road, the site contains mature canopy of *Eucalyptus sieberi*, *E piperita* and *E oreades* at 20 to 25 metres tall, as shown in Figure 2.2.

The understorey is dominated by sclerophyll shrubs, including many locally endemic species such as *Acacia terminalis*, *Acacia longifolia*, *Banksia spinulosa*, *B cunninghamii*, *Banksia serrata*, *Boronia microphylla*, *Hakea dactyloides*, *Isopogon* spp., *Lambertia formosa*, *Leptospermum trinervium*, *Lomatia silaifolia*, *Persoonia levis*, *Petrophile* sp, *Platysace linearifolia*, and *Polyscias sambucifolia*. The ground layer is sparse as is typical for these PCTs and is dominated by *Lomandra* species, such as *Lomandra longifolia* and *Lomandra obliqua*. Other groundcover species present include *Amperea xiphoclada*, *Dianella revoluta*, *Gahnia* sp., *Patersonia glabrata*, *Xanthorrhoea* sp, and native grasses (NSW Government Office of Environment and Heritage, 2024). The structure of this forest can be seen in Figure 2.2 and the diversity of typical species suggests that it is in good condition.



Figure 2.2: Presence on the development site, as seen from Narrow Neck Road, of tall canopy trees (left) and structure (right) typical of Sydney Montane Dry Sclerophyll Forests. Source: T De Bortoli

Potential habitat for threatened species

While this vegetation community is non-scheduled, it is of local significance.

The Upper Blue Mountains Peppermint Dry Forest and the Upper Blue Mountains Ridgetop Woodland are not listed as threatened, **but are associated with 118 threatened species**. The vegetation community: “provides ‘islands’ of good habitat for a diverse range of fauna” including the threatened species, Blue Mountains Water Skink (*Eulamprus leuraensis*), Giant Burrowing Frog (*Heleioporus australiacus*), Giant Dragonfly (*Petalura gigantea*) and Powerful Owl (*Ninox strenua*), which are known to occur in the area (Australian Government Department of Climate Change, Energy, the Environment, Water, 2024; NSW Government Office of Environment and Heritage, 2024). Threatened species known to occur in the area that may use the remaining forest on the development are listed in Tables 2.1 and 2.3.

In the streamline BDAR, this forest is described on page 26 as being in moderate condition, with high vegetation cover, complex structure, including large hollow-bearing trees and of a sufficient size to provide connectivity with the surrounding landscape. It is further described as having habitat suitable “to support populations of most threatened plant species that are known to occur in the locality” (p28). The mature Eucalypts are suitable nesting and roosting sites and a source of nectar and pollen for birds, arboreal mammals and microbats and other fauna. **The streamline BDAR documents 3 threatened species predicted and/or assumed to be present on the development site.** These are: Brush-tailed rock wallaby, Large-eared Pied-bat and *Acacia meiantha*.

We would argue that there is potential for more threatened species to be present on the site. Limited information was given in the streamline BDAR about results of assessment of the potential for the presence of other threatened species known to occur in the area, as listed in Tables 2.1 and 2.3. In the assessment of habitat constraints for threatened fauna species, some of the justifications given in the streamline BDAR can be questioned, for example the site is 1km or less from rocky escarpments, steep slopes and cliff lines. Most of the habitat constraints listed in the justification in Table 6 occur within the assessment area of a full BDAR for this subject site.

Threatened animals	NSW	C'WLTH	Habitat
Gang Gang Cockatoo (<i>Callocephalon fimbriatum</i>)	E	E	Nests in Eucalypts in small hollows 3m above ground.
Glossy Black Cockatoo (<i>Calyptorhynchus lathami</i>)	V	V	Feeds on Casuarina and Allocasuarina trees. Nests in hollows of Eucalypts.
Spotted-tailed Quoll (<i>Dasyurus maculatus</i>)	V	E	Uses hollow-bearing trees and fallen logs as den sites.
Grey-headed Flying-fox (<i>Pteropus poliocephalus</i>)	V	V	Can travel 20km from camps to feed on nectar and pollen of native trees close to water.
Threatened plants			
Needle Geebung (<i>Persoonia acerosa</i>)	E	E	Dry forest and scrubby woodland on sandy soil.

Table 2.1: Threatened species associated with the native trees and bushland on the development site. Source: NSW Office of Environment and Heritage (2026).

Key: V-Vulnerable, E-Endangered,

Apart from sightings formally uploaded to Bionet, local residents talk about the forest being regularly used by many species of birds ranging in size from wrens, robins and parrots to the Vulnerable listed Glossy Black Cockatoos and raptors. Migratory birds such as Honeyeaters are also observed, along with wallabies, snakes, lizards and echidnas.

Uniqueness of the forest

Sydney Montane Dry Sclerophyll Forests are a unique ecological community, with much of their distribution being protected within the Greater Blue Mountains World Heritage Area (GBMWhA). There are also small areas in towns along the Great Western Highway, including the current site. The ecological community is specific to the elevated areas of the quartz-rich sandstone plateau of the Blue Mountains, at 700m to 1,200m above sea level, that receive average annual rainfalls of more than 1,000mm (NSW Government Office of Environment and Heritage, 2024).

As stated in the streamline BDAR, the forest on the site provides connectivity for native animals, functioning as a stepping stone between the urban landscape and the World Heritage listed Blue Mountains National Park.

There are contradictions in the streamline BDAR between the assessment findings and interpretation of impacts. Despite the observations of favourable habitat conditions and presence of 3 threatened species (p26), the forest is described in the same report as being in poor condition and lacking connectivity. It is unbelievable that the proposed development is described in section 6, page 34 as having no impact to habitat for threatened fauna species when 2 have been assessed to be present. We call into serious question the use of 'maximisation of vegetation retention' as a measure for minimising these impacts. This is discussed further below.

Extent of native vegetation remaining

Land clearing along the Great Western Highway between Wentworth Falls and Mount Victoria for urban development is seen as a threat to the PCTs present on the development site. A condition assessment reported by NSW Government Office of Environment and Heritage (2024) stated that 45.6% of the extant vegetation community is considered to have high disturbance.

For this proposed development, it is intended that 134 trees be removed. It is disappointing that Figure 7, page 38 of the streamline BDAR shows **all of the Sydney Montane Dry Sclerophyll Forest along Narrow Neck Road to be removed**, despite the assessed presence of 3 threatened species. As a result, the loss of the protective buffer native vegetation will **likely significantly adversely impact the swamps (Threatened Endangered Community) below and within the assessment area.**

Concerns about the EIS Aboriginal Impact Assessment (AIA) and Landscape Plan

The AIA recommends the removal of 134 trees from the development site, however the Society has a number of concerns about this report. These are:

- the tree survey was conducted in 2023 and we have observed that there has been clearing on the site since that time. It could be argued that these points render the assessment out of date
- the desktop review did not include plant community types
- observations are inconsistent with the streamline BDAR, for example it states that there are no hollow-bearing trees and low fauna habitat, tree condition is generally poor and species composition low
- there are internal inconsistencies in the report, for example it bases the recommendation for removal of 134 trees on poor health and structural issues while categorising them as mature endemic canopy species that have 'medium' tree significance, 'medium to long' useful life expectancy and 'medium to high' priority for retention.

In addition, neither the AIA or Landscape Plan show where the trees are located, particularly the mature endemic canopy species recommended for removal.

Further, the Landscape Plan refers to the indigenous vegetation community as *Grey Myrtle Dry Rainforest*. This is not a local vegetation community. It is mostly located in coastal areas and eastern foothills of the ranges. We are also unsure what is being referred to by use of the term *Blue Mountains Shoalhaven Hanging Swamps*. Is the author referring to the Blue Mountains Swamps adjacent to the site, described in detail below? We believe that these errors call in to question the credibility of the Landscape Plan.

Local protections for the remaining forest

It is of utmost relevance that existing forest on the development site along Narrow Neck Road and Glencoe Road be preserved. This development proposal is highly likely to have a significant adverse impact on this native vegetation community. The comments below pertain to section 14 of the SEARs issued to the proponent. There are local provisions pertaining to the protection of the remaining forest on the site. These include:

1. Preservation of native trees and vegetation on street frontage.

Preservation of trees or vegetation is a standard provision across NSW. An objective of the Blue Mountains LEP 2015 is “to preserve the amenity of an area, including biodiversity values, through the preservation of trees and other vegetation” (as stated on p184 of Blue Mountains DCP 2015). Under the Blue Mountains DCP 2015 C3, the Landscape Plan should retain existing endemic trees and bushland and incorporate these into the landscape design. **In particular, the Landscape Plan must conserve street front remnant vegetation.**

The specific objectives for development on this site (Katoomba Precinct R3-KA17) outlined in the Blue Mountains LEP 2015, Clause 7.6(17), include:

- “to retain bushland frontages to the street and to provide landscaping that filters views of the buildings from the golf course and from distant views” and
- “to promote future development of residential buildings within garden settings that retain the existing pattern of tall canopy trees as a scenically distinctive backdrop along the ridgeline of Narrow Neck Road to create a buffer to Glencoe Road”.

In addition, the Blue Mountains DCP 2015 Part G6.17 outlines specific development controls for this site (Katoomba Precinct R3-KA17). C10 states that: **“existing vegetation within 12m of the boundaries of the reserves of Narrow Neck Road or Glencoe Road is not to be disturbed”** (p683). **According to this provision, the remaining forest on the site is to be protected because it is situated on the street frontage along the boundary with Narrow Neck Road and Glencoe Road.**

Despite the EIS stating the requirement to retain 12 metres of native vegetation on the street frontage will largely be met, the Landscape Plan, Urban Design Report and Architectural drawings show very little native vegetation along the site boundary with Narrow Neck Road and Glencoe Road. Drawings presented in the EIS show a restaurant building, Building A, Building B, Building C, building G and a pathway taking up the 12 metre space along the boundary with Narrow Neck Road and Glencoe Road. **The proposed development does not meet these site specific objectives.**

2. Retaining or restoring native vegetation in protected areas.

The development site contains 2 protected areas: (i) an Escarpment Protection Area, and (ii) Protected Areas – Slope Constraint. Specifically:

- (i) Protected Area – Escarpment. The development site sits wholly within an Escarpment Protection Area. According to clause 6.12 of the Blue Mountains LEP 2015, the objectives for this site include to:
 - preserve and enhance the ecological values of the escarpment, and
 - restrict development, including vegetation clearing, so as to minimise any adverse impact on the perception of the escarpment as a significant natural feature. The escarpment of which this development is part adjoins the World Heritage Area.

Conserving indigenous canopy trees is a control under C1.7 of the Blue Mountains DCP 2015 pertaining to escarpment protected areas.

- (ii) Protected Area – Slope Constraint. The development site is also subject to protected areas for slope constraint. Under C2.1 of the Blue Mountains DCP 2015, native vegetation must be retained, restored and managed to minimise impacts of the development on the slope constraint areas. Landscaping must not have an adverse impact on the protected slope constraint areas. The Landscape Plan must demonstrate how the development will comply with these controls.

The development site also contains **Environmentally Sensitive Land**. The protected areas on the proposed development site constitute environmentally sensitive land, and because the site is also adjacent to swamps which are TECs, the development is obliged to limit the impact of key threatening processes, such as clearing native vegetation, removing dead wood and trees and invasion of weeds. The EIS is required to recognise and consider environmental protection works to conserve, maintain or restore the ecological, cultural and aesthetic values of native vegetation, habitat areas and natural features. Controls under C2.1 of the Blue Mountains DCP 2015 require that a *Vegetation Management Plan* be provided that describes environmental protection works to conserve or restore natural features, such as native vegetation on the slope constraint areas of the proposed development site. The EIS does not include a Vegetation Management Plan. The biodiversity of the forest on the site must be maintained and enhanced, as according to controls under C2.1.1 of the Blue Mountains DCP 2015. The BDAR lists a number of weed species present particularly along the edges of the forest and recommends that these be managed to prevent further spread. The report also states that the proposed development is likely to introduce new weed propagules and soil borne pathogens.

The plan involves removal of remaining native vegetation and does not include restoration of slope constraint areas. The development proposal, therefore, does not meet these local controls.

3. *Landscaping with locally indigenous plant species.*

Plantings on this site must be restricted to locally indigenous vegetation, because the development site is located in and adjoining environmentally sensitive areas. The landscaping must be consistent with the distinct character of Katoomba, as well as the streetscape character and heritage values of the escarpment. Landscaping must also transition to the adjoining land use, particularly of the Planetary Health Precinct, where the Blue Mountains Swamps are located. As previously mentioned, members of the local community are protecting and restoring the swamps through Bushcare activities. Landscaping needs to be consistent with these environmental values and community activities.

The list of exotic species for planting around buildings provided in the Landscape Plan include many species that are not appropriate for the location and are plants known to be garden escapees into surrounding bushland. These include non-locally indigenous and potentially invasive species such as *Acer palmatum*, *Ginkgo biloba*, *Prunus* spp. and *Jasminum* spp. We question the retention of pine trees as a feature/landmark in the centre of the development.

Significance for downslope swamps

The unique combination of open forest on the elevated, quartz-rich sandstone ridgeline and steep side slopes present on the development site is **critical to the survival of the swamps, a Threatened Ecological Community** near to and downslope from the subject land and **within the assessment area for the BAM.**

The open forest on the site supports the condition of the swamps downslope. It has evolved to serve an important function in regulating the hydrology/water cycle and groundwater upon which the nearby swamps are dependent. The open forest on the site increases water infiltration and regulates the water table that recharges the swamps. It also reduces and slows down surface water, thereby preventing

erosion and sedimentation (Australian Government Department of Climate Change, Energy, the Environment and Water, 2024; NSW Office of Environment and Heritage, 2024). So, the existing native vegetation on the site acts as a buffer that both supports recharge and prevents degradation of the swamps nearby, downslope and within the assessment area (for the purposes of the BAM).

Proposed clearing of remaining forest on the development site being adjacent to and upstream of swamps would have a significant impact on the hydrology, soils and living ecosystem of the swamps (NSW Environmental Trust, 2010).

The Society, therefore, disagrees with statements made on page 85 of the EIS that there will be no impact to habitat for threatened fauna species, and that vegetation retention has been maximised. We also disagree with the statement that indirect impacts to adjoining native vegetation and mapped riparian or wetland habitats are unlikely given the absence of nearby waterways or drainage features because this statement is incorrect, as we discuss further below. The Society believes that approval should not be given for the forest on the site to be cleared because of its habitat values for threatened species and its protective and regulatory function for the nearby, downslope swamps. These swamps are discussed further below.

Biodiversity near the site: within the assessment area for the purposes of the BAM

As stated above, **the site of the proposed development is upslope from a series of swamps located within the BAM assessment area**, as shown in Figure 2.1 on page 5. In fact, these are shown in the Streamline BDAR. Figure 3 on page 17 of the Streamline Biodiversity Development Assessment Report (BDAR) shows both biodiverse riparian land and threatened species and/or threatened ecological communities with potential for Serious and Irreversible Impacts. Figure 8 on page 39 of the Streamline BDAR shows, and the swamps as Biodiversity Values – Threatened Ecological Communities with potential for Serious and Irreversible Impacts. The EPBC Act Protected Matters Report attached to the Streamline BDAR also highlights the development site's proximity to the World Heritage Area and lists the Threatened Ecological Community *Temperate Highland Peat Swamps on Sandstone* as 'known to occur within the area; in the feature area'. This section elaborates on the significance of these findings.

According to the Blue Mountains LEP 2015, there are two scheduled vegetation communities: 5B Blue Mountains Swamps, and 2G *Eucalyptus oreades* tall open forest.

On the State Vegetation Type Map, there are two plant community types (PCTs) associated with the Blue Mountains Swamps. These are 3929 Blue Mountains Swamp Heath and 3925 Sydney Sandstone Button Grass Sedgeland (NSW Government Office of Environment and Heritage, 2026).

Blue Mountains Swamps support a unique plant community of sedges, shrubs, herbs and ferns. The swamps downslope from the development site support *Gymnoschoenus sphaerocephalus* (Button Grass) and *Gleichenia dicarpa* (Coral Fern), as shown in Figure 2.3. There is also *Grevillea acanthifolia* (Swamp Grevillea), *Leptospermum polygalifolium*, *Banksia spinulosa*, *Dampiera stricta*, and *Hakea dactyloides*, as is typical of the Plant Community Types (NSW Government Office of Environment and Heritage, 2024).



Figure 2.3: Plant community present in the swamps downslope from the development site.

Biodiversity values

These Blue Mountains Swamps also have documented **biodiversity values**. Blue Mountains Swamp Heath and Sydney Sandstone Button Grass Sedgeland are both associated with **Blue Mountains Swamps in the Sydney Basin Bioregion**, which is listed in NSW as a **Vulnerable Ecological Community** under the **Biodiversity Conservation Act 2016**. Further, these communities form a component of the ecological community **Temperate Highland Peat Swamps on Sandstone**, which is listed as **Endangered** under the **Federal EPBC Act 1999**. It can be seen in the Biodiversity Values Map in Figure 2.4 below that this vegetation community sits within the assessment area for this development proposal.

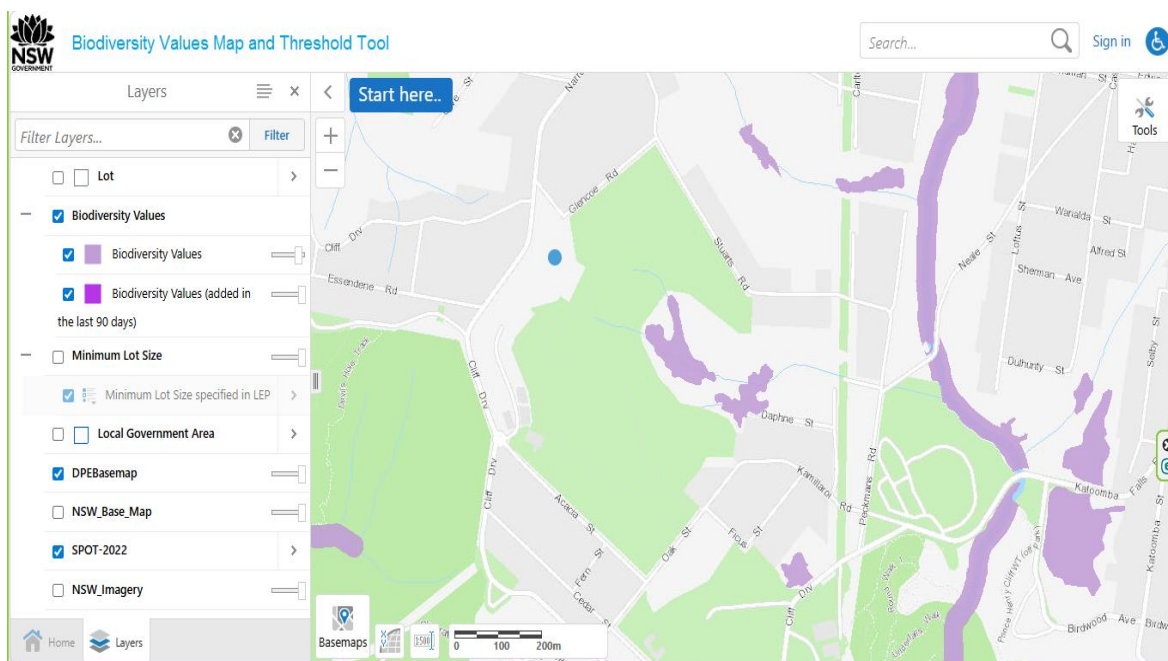


Figure 2.4: The Biodiversity Values Map shows the Blue Mountains Swamps downslope from the proposed development site. Source: NSW Government Office of Environment and Heritage (2026).

Habitat for threatened species

Twenty threatened species are known to inhabit the **Blue Mountains Swamps**, including *Eulamprus leuraensis* (Blue Mountains Water Skink), *Petalura gigantea* (Giant Dragonfly), and *Heleioporus australiacus* (Giant Burrowing Frog). The swamps feed the Katoomba Falls area which is known habitat for the **critically**

endangered Dwarf Mountain Pine (*Pherosphaera fitzgeraldii*) (Department of Climate Change, Energy, the Environment and Water, 2025). The habitat of this tiny pine is restricted to a few waterfalls along the southern escarpment of the upper Blue Mountains.

Threatened species known to occur in the area that depend on the swamps and tributaries of the Kedumba River are listed in Tables 2.2 and 2.3.

Threatened animals	NSW	C'WLTH	Habitat
Blue Mountains Water Skink (<i>Eulamprus leuraensis</i>)	E	E	Restricted to sedge and shrub swamps with boggy soils that are permanently wet, in the upper Blue Mountains.
Threatened plants			
Dwarf Mountain Pine (<i>Pherosphaera fitzgeraldii</i>)	E	CE	Spray zones, drip lines and seepage areas of waterfalls in the upper Blue Mountains, eg Katoomba Falls.
Blue Mountains Cliff Eyebright (<i>Euphrasia bowdeniae</i>)	V	V	Wet sandstone rock faces on major cliffs facing south. In sandy soil on ledges that receive seepage moisture.

Table 2.2: Threatened species associated with waterways and swamps downslope from the development site. Source: NSW Office of Environment and Heritage (2026).

Key: V-Vulnerable, E-Endangered, CE-Critically Endangered

Uniqueness of Blue Mountains Swamps

These swamps are found in very few places. Peat swamps on sandstone at altitude are rare. Their formation has been enabled by the very slow erosion rate of the sandstone plateau of the Blue Mountains over millions of years (Australian Government Department of Climate Change, Energy, the Environment and Water, 2021). They have a naturally small and fragmented geographical distribution, restricted to particular localised conditions created by a unique combination of topographic, geological, hydrological and groundwater factors (NSW Environmental Trust, 2010).

Blue Mountains Swamps occur in the upper/western Blue Mountains at elevations of 800m to 950m above sea level (Australian Government Department of Climate Change, Energy, the Environment and Water, 2021). Their position in the landscape is at the headwaters of streams at lower elevations than surrounding slopes and the ridgeline or crests. This area also receives high rainfall, averaging more than 1, 000mm per year (NSW Government Office of Environment and Heritage, 2024).

Water quality in the World Heritage Area and Sydney Drinking Water Catchment

These swamps are at the headwaters of the Katoomba Falls/Kedumba River; a wild river that flows through the Greater Blue Mountains World Heritage Area (GBMWA) and into the Special Area of the Sydney Drinking Water Catchment.

These swamps play an important role in regulating water flow and water quality. They absorb and hold large volumes of water from the surrounding upslope landscape which they release gradually. By doing so, they maintain a constant flow over time to Katoomba Creek and the Kedumba River, even in dry periods. Water is filtered as it moves through the swamps. Sedges, reeds and ferns remove sediments and

pollutants from the water. This improves the quality of the water released downstream into Katoomba Falls and ultimately Warragamba Dam (Sydney’s drinking water supply).

The Society believes that the impact of the proposed development on the threatened swamps has not been properly considered.

Threatened fauna	NSW	C’WLTH
White-throated Needletail (<i>Hirundapus caudacutus</i>)	V	V
Swift Parrot (<i>Lathamus discolor</i>)	E	CE
Pilotbird (<i>Pycnoptilus floccosus</i>)	V	V
Powerful Owl (<i>Ninox strenua</i>)	V	
Sooty Owl (<i>Tyto tenebricosa</i>)	V	
Little Lorikeet (<i>Parvipsitta pusilla</i>)	V	
Brown Treecreeper (<i>Climacteris picumnus victoriae</i>)	V	
Varied sitella (<i>Daphoenositta chrysoptera</i>)	V	
Scarlet Robin (<i>Petroica boodang</i>)	V	
Giant Burrowing Frog (<i>Heleioporus australacus</i>)		E
Red-crowned Toadlet (<i>Pseudophryne australis</i>)	V	
Large-eared Pied Bat (<i>Chalinolobus dwyeri</i>)	E	E
Eastern Coastal Free-tailed Bat (<i>Micronomus norfolkensis</i>)	V	
Eastern False Pipistrelle (<i>Falsistrellus tasmaniensis</i>)	V	
Southern Myotis (<i>Myotis macropus</i>)	V	
Greater Broad-nosed Bat (<i>Scoteanax ruepelli</i>)	V	
Eastern Cave Bat (<i>Vespadelus troughtoni</i>)	V	
Little Bent-winged Bat (<i>Miniopterus australis</i>)	V	
Large Bent-winged Bat (<i>Miniopterus orianae oceanensis</i>)	V	
Greater Glider (<i>Petauroides volans</i>)	E	E
Yellow-bellied Glider (<i>Petaurus australis</i>)	V	V
Koala (<i>Phascolarctos cinereus</i>)	E	E
Eastern Pygmy-Possum (<i>Cercartetus nanus</i>)	V	
Giant Dragonfly (<i>Petalura gigantea</i>)	E	
Threatened flora		
<i>Leionema lachnaeoides</i>	E	E
Swamp Bush-pea (<i>Pultanaea glabra</i>)	V	V
Blue Mountains Speedwell (<i>Veronica lithophila</i>)	E	E

Table 2.3: Other threatened species known to occur in the BAM assessment area for the proposed development.

Source: NSW Office of Environment and Heritage (2026).

Key: V-Vulnerable, E-Endangered, CE-Critically Endangered

Impacts of the proposed development on biodiversity

The Society believes that the proposed development will likely have significant adverse impacts on the threatened Blue Mountains Swamps, and threatened species that rely on the swamps and the remaining forest on the site. These impacts are described below.

Impacts on Blue Mountains Swamps from changed hydrology

The swamps are high groundwater dependent ecosystems. This means that they are reliant on being recharged by groundwater seepage. This happens when rainfall on the ridgetop upslope from the swamp seeps vertically through the sandstone until it reaches horizontal layers of claystone, ironstone and shale. These rock layers are impermeable, and force the water to the surface downslope. Here it seeps out slowly at springs or seepage lines and recharges the swamp below (Blue Mountains City Council et al., 2010). Blue Mountains Swamps are therefore particularly susceptible to changes in hydrology, such as changes in the flow of water and the water table level. They are also susceptible to erosion.

The size of the proposed development will require a significant additional area of hard, impervious surfaces, such as roofs, walls, car parks and concrete driveways. The development site is also on a steep slope. The sheer amount of hard surfaces on a steep slope risks changing the water flows to the swamps in two main ways.

1. Erosion, sedimentation, nutrient enrichment and weed invasion.

Concentrated stormwater flows will increase the volume and speed of surface water run-off. This will likely cause erosion of the swamps, including the creation of channels or tunnels through the swamp. This channelisation, as shown in Figure 2.5 below, could contribute to draining the swamps, putting them at risk of dehydration. Erosion can also take the form of swamp bank slumping or collapse. This happened at Bullaburra following the widening of the Great Western Highway. Stormwater directed south of the highway caused the swamp to collapse, exposing underlying peat. This results in loss of a soil substrate that has taken thousands of years to form and cannot be easily replaced.

Increased stormwater and surface water run-off could also contribute to more sediment being deposited in the swamps, smothering the vegetation, interfering with water flows and degrading habitat. Increased stormwater flows could also introduce nutrients that facilitate weed invasion and further degrade the swamps (Australian Government Department of Climate Change, Energy, the Environment and Water, 2024; Blue Mountains City Council et al., 2010).

2. Reducing groundwater recharge.

Blocking the infiltration of water into the ground will likely reduce the flows of groundwater to the groundwater seepage lines and springs that recharge these groundwater dependent swamps. This reduction in supply of groundwater will put the swamps at risk of dehydration. Dehydration of the swamps would result in loss of the sedges, reeds, ferns and other plants that inhabit them. It would also make the swamps even more prone to erosion and at increased risk of burning during bushfire (Australian Government Department of Climate Change, Energy, the Environment and Water, 2024; NSW Government Office of Environment and Heritage, 2024).

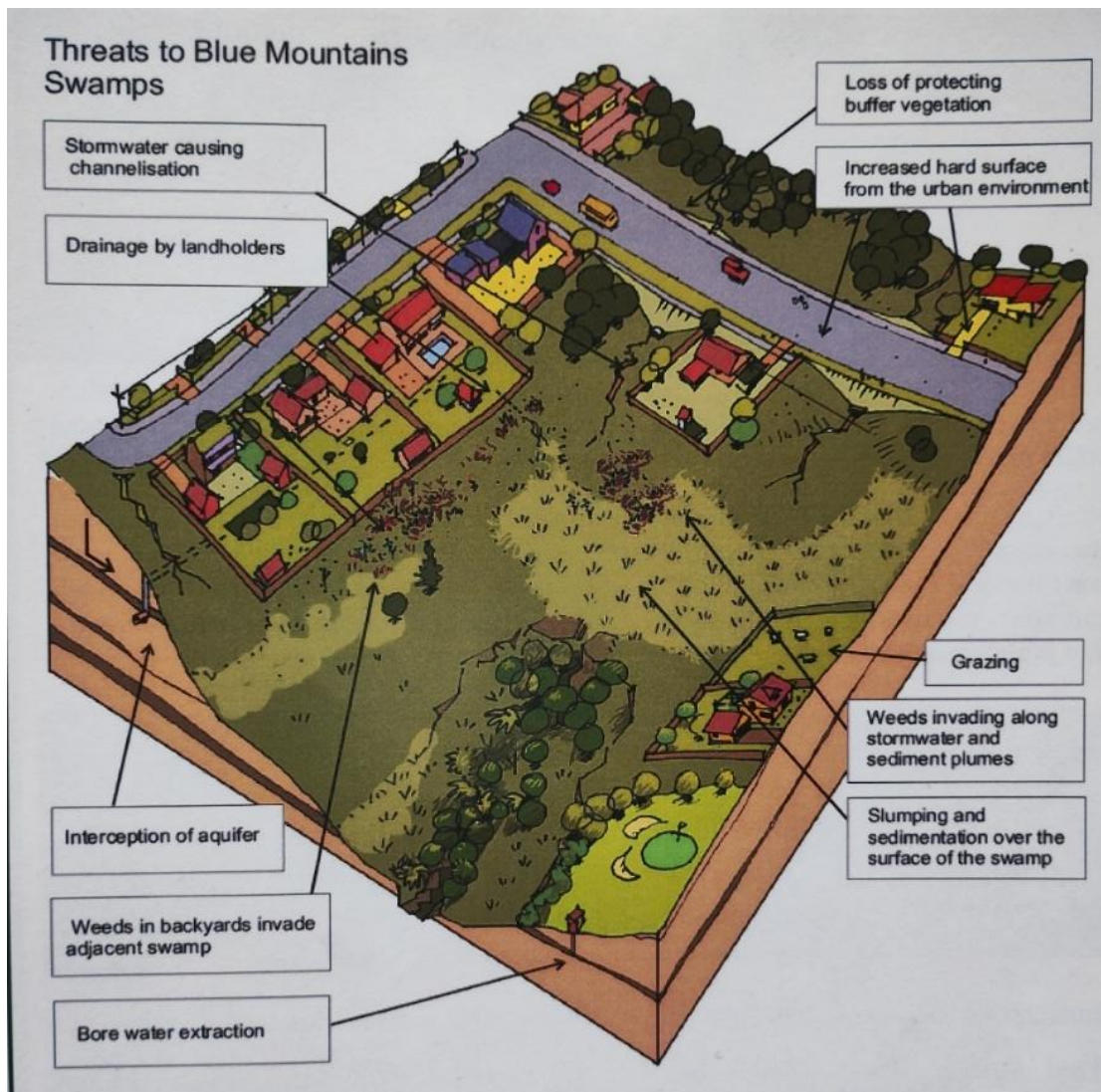


Figure 2.5: Diagram illustrating threats to Blue Mountains Swamps. Taken from Blue Mountains City Council et al. (2010). *Soft-engineering solutions for swamp remediation - a 'how-to' guide*.

Erosion, sedimentation, nutrient enrichment and weed invasion all damage the ability of the swamps to perform their functions of: holding water and regulating water flows down Katoomba Falls/Kedumba River; filtering and improving water quality, and; providing habitat, including for endangered species. Severe degradation of the swamps could also mean poor quality water, carrying pollutants and weed propagules flowing into the Blue Mountains World Heritage Area, diminishing its values and contaminating Sydney's drinking water.

The proposed development does not meet the objectives of clause 6.1 of the Blue Mountains LEP 2015 about protecting the nearby Blue Mountains Swamps and tributaries of the Kedumba River to maintain and enhance their hydrological functions. Nor does it comply with the objectives of clause 6.8. to protect and maintain water quality and ecological processes within watercourses and riparian areas. Under this clause, the EIS should demonstrate that the development would maintain the necessary health of nearby watercourses and riparian land, including by providing a vegetated buffer area between hard surfaces and riparian zones. The buffer area that would be required on the development site, extending 60m from the identified watercourse, is shown in Figure 2.6.. This vegetation buffer aligns with, but is slightly larger than the requirement for this specific site to have at least a 5 metre vegetated area adjoining the former golf course – now the Planetary Health Precinct, as discussed under point 5. This development proposal will likely have a significant adverse impact on water quality and flows within the adjacent watercourse, swamps and their habitats, the World Heritage Area and the Sydney Drinking Water Catchment.

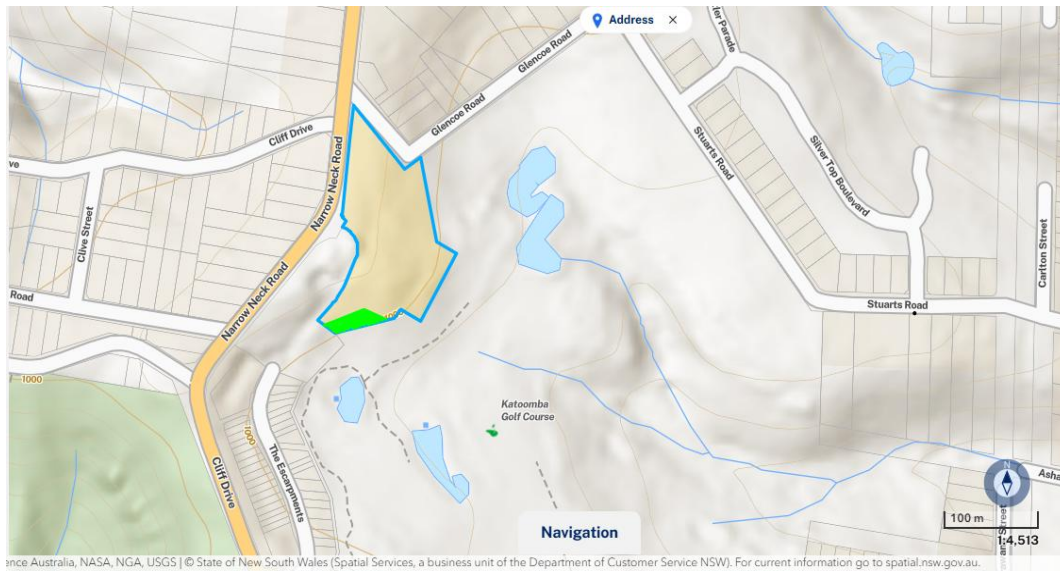


Figure 2.6: Vegetated buffer area required on the development site in accordance with clause 6.8 of the Blue Mountains LEP 2015. Source of map: NSW Government Spatial Services (2026).



Figure 2.7: Blue Mountains Swamp downslope from the development site. Piles are weeds which have been removed by the Bushcare group.

The Society is deeply concerned that the proposed development would seriously exacerbate previous degradation of the swamps, which the local community is working hard to remediate. The adjoining property was formerly cleared for a golf course but is now the Planetary Health Precinct and the local community is engaged in various regenerative activities on the property, for example there is a Bushcare group working to mitigate historic threats and restore the swamps (see Figure 2.7). **The Society believes that the proposed development should not be allowed to undermine the constructive, hard work of the local community to protect and restore the swamps and surrounding bushland.**

No assessment appears to have been made of the impact on the swamps, from changes to groundwater resulting from excavations for footings and in particular for the basement carpark (ref later discussion of Preliminary Geotechnical Assessment Report in Section 3. **SIGNIFICANT LIKELY ADVERSE IMPACTS ON HYDROLOGY, INCLUDING GROUNDWATER AND STORMWATER**)

Impacts on Threatened Species

1. *Species dependent on the swamps.*

Severe degradation of these swamps, which could result from the proposed development, will diminish the habitat of already threatened species dependent on the swamps for their survival, as summarised in Tables 2.1 and 2.3. This includes the Dwarf Mountain Pine, which is faced with extinction. There are less than 800 individual plants in the wild, with a significant population at Katoomba Falls. The main threats for the Dwarf Mountain Pine as well as the Blue Mountains Water Skink and Blue Mountains Cliff Eyebright are vegetation clearing and urban development which cause degradation and loss of habitat by:

- changing surface water flows; such as changes in stormwater and increased runoff;
- reducing water quality for example through pollution of waterways;
- erosion, sedimentation and run off from concrete surfaces which increases alkalinity of and nutrients in the soil;
- weed spread, and
- changing groundwater levels, such as loss of groundwater recharge from perched swamp aquifers (Office of Environment and Heritage, 2026).

As previously shown, the proposed development lies within the catchment area of the population of Dwarf Mountain Pine at Katoomba Falls. This development poses a major threat to this population.

2. *Species that use the remaining forest on the site.*

The main threats for threatened species associated with the native vegetation on the proposed development site, such as the Gang Gang and Glossy Black Cockatoos, the Spotted-tailed Quoll, and Grey-headed Flying-fox, listed in Tables 2 and 3, are degradation and loss of habitat and food (Office of Environment and Heritage, 2026). Clearing of the remaining forest on the development site poses a threat to these species. The proposed development is inconsistent with Blue Mountains DCP 2015, C1.1, which states that existing native vegetation must not be cleared .

3. *Local controls for threatened species.*

Under C1.2 and C1.3 of the Blue Mountains DCP 2015 there are controls governing listed threatened species and ecological communities relevant to this site. These include: Dwarf Mountain Pine, Giant Dragonfly, Blue Mountains Water Skink, Glossy Black Cockatoo, Eastern Pygmy-Possum, Spotted-tailed Quoll and Blue Mountains Swamps. These controls are that:

- there must be no significant impact on any threatened species, TECs or habitat;
- development must be consistent with conservation advice, management actions and measures in Recovery Plans;
- hydrological conditions are maintained for the swamps, and;
- attributes of the vegetation communities within which threatened species exist are protected.

According to C1.1 of the Blue Mountains DCP 2015, development must maintain native flora, fauna, habitat, vegetation communities and ecological processes and services provided by ecosystems on and adjoining the site. This control necessitates identification of all likely environmental impacts that may result from the proposed development.

4. *Managing the key threatening process of invasive species.*

As weeds pose a major threat, environmental protection works should be undertaken to protect locally significant vegetation in escarpment areas, the potential habitat of threatened species and threatened ecological communities. Edge effects with Narrow Neck Road are evident with the presence of some priority weeds. Management of these weeds should be included as part of environmental protection works for the site.

Priority weeds, such as Blackberry, Japanese Honeysuckle, Sticky Nightshade, Scotch Broom and Cotoneaster must be removed from the site. The EIS should be accompanied by a *Vegetation Management Plan* (Blue Mountains DCP 2015, C7). However, this has not been provided, and there is no reference to weed management in the EIS. **The EIS for the proposed development fails to adequately demonstrate compliance with these controls, therefore the development poses a threat to threatened species and their habitat in the area.**

5. *Referral to the Commonwealth Government.*

The Society disagrees with the statement made in section 7.13 that no EPBC listed species or ecological communities are likely to be impacted by the proposed development. Given that the Blue Mountains Swamps and several threatened species known to occur in the area, including the Critically Endangered Dwarf Mountain Pine, are listed under the Environment Protection and Biodiversity Conservation (EPBC) Act 1999, **this development is likely to have a significant impact on Matters of National and Environmental Significance.** This development proposal should therefore be referred to the Commonwealth Government for assessment. The proponent should be required to do this before a decision is made by the NSW Minister for Planning. Please note that if the proponent does not refer the development to the Commonwealth, the Society as a third party can do so under the EPBC Act.

6. *Concluding comments.*

It is of utmost **relevance** that the **impacts of the proposed development on the biodiversity values within the assessment area be properly assessed.** The EIS fails to demonstrate that the development **will avoid any adverse environmental impact** on: significant vegetation communities/ wetlands or the hydrological aspect of the locality, including groundwater (as required by the **Blue Mountains LEP 2015 clause 6.1**).

We argue that the Blue Mountains Swamps are a Serious and Irreversible Impact Entity under Prescribed Biodiversity Impacts. The Streamline Biodiversity Development Assessment Report has not considered the impacts of the development on water quality, water bodies and hydrological processes that sustain threatened species of ecological communities, despite the nearby swamps being shown in Figure 8 of the report. Further, listed as an impact in Table 10 on page 43 is: "Impacts to surface and groundwater quality and quantity due to sediment run-off and/or contaminant run-off into adjacent watercourses".

Further, impacts of this development are unlikely to be minimised, and proposed measures are unlikely to be effective. The EIS does not satisfactorily demonstrate that the development will be managed in the long term to avoid, minimise or mitigate any **significant adverse environmental impact**, as required by **clause 6.8(4) of the Blue Mountains LEP 2015.**

On the basis of this analysis, it is **highly likely that the scale of the proposed development, with forest clearing and changes to hydrology, will have a significant adverse impact on the Blue Mountains Swamps, threatened species and other native fauna and flora that utilise the swamps and forest. Therefore, it should not be granted development consent.**

3. SIGNIFICANT LIKELY ADVERSE IMPACTS ON HYDROLOGY, INCLUDING GROUNDWATER AND STORMWATER

The Society believes that the geology, soil, slope and groundwater characteristics and constraints of this site make it unsuitable for the scale of the proposed development. The preliminary geotechnical report does not demonstrate that the soil characteristics and structural elements of the land are suitable for the proposed development. The proposed development presents unacceptable risks of soil erosion, increased stormwater run-off, reduced water quality and depletion of groundwater. It will highly likely have significant adverse impacts on the nearby downslope Blue Mountains Swamps (TEC), as well as the quality of water flowing into the World Heritage Area and Sydney's drinking water supply.

These concerns are discussed in detail below, and refer to sections 11 and 12 of the SEARs issued to the proponent.

Soil, slope and groundwater characteristics and constraints of the site

The Society believes that the geology, soil, topography and groundwater conditions of this site make it unsuitable for the scale of the proposed development.

According to clause 6.4(3)(d) of the Blue Mountains LEP, the proponent must demonstrate that the soil characteristics and structural elements of the land are suitable for the proposed development. Under the SEARS, the proponent is required to provide a Geotechnical Assessment, which addresses soil characteristics of the site, groundwater levels and drainage capacity, soil erosion hazards and constraints, such as slope constraint areas, to ensure that the proposed development is suitable for the site.

Desktop research indicates that the proposed development site has severe land and soil capability limitations for urban development and earthworks. These limitations are summarised below.

Geology and soil characteristics

The geology of the site is Narrabeen Group sandstone. The Australian Soil Classification is Kandosols, and the soil landscape is Medlow Bath (8930mb). The characteristics of this soil include:

- no structure
- single-grained to massive, loose and incoherent fragments of sandstone
- sand to loamy sand texture, and
- acidic, ranging in pH from 4.5 to 6.0.

The limitations of this soil include:

- highly permeable
- shallow soils
- highly susceptible to erosion and degradation particularly under conditions of concentrated water flows and when ground cover is disturbed, and
- stony with rock outcrops.

The characteristics and limitations of the soil indicate that the proposed development presents a high erosion hazard. This will likely have a significant impact on downslope adjoining properties (NSW Government Department of Planning, Industry and Environment, 2026; Rockd, 2026).

The EIS provides a preliminary geotechnical assessment. The Society argues that given the scale of the proposed development for which the proponent is seeking concurrent rezoning and planning to excavate more than 9 metres on environmentally sensitive land, preliminary investigations are woefully inadequate.

Concerns regarding the Preliminary Geotechnical Assessment

The preliminary investigation report describes taking rock and soil samples from the site, but provides very little information about analyses. **The report describes the bedrock on the site as ‘extremely weathered with very low strength’.** The report does not discuss potential impacts of these findings. It is conspicuous in its:

- lack of detail about analysis of the rock and soil on the site given samples were taken and
- discussion of implications for the suitability for the proposed development.

The report proceeds immediately to suggested strategies for dealing with the conditions that are not discussed in the report. These suggestions are, however, peppered with references to ‘lateral movements’, ‘soil movement’, ‘collapse of loose/soft fill, natural soils and weathered bedrock’ (p9). This deeply concerning comment is on page 8:

“Based on the ground conditions within the site, the total depth of excavation and the extent of excavation walls close to the site boundaries and adjoining infrastructures, it is critical from a geotechnical perspective to maintain stability of the adjacent structures and infrastructures ...”.

This is referring to neighbouring houses and public roads. It appears that potentially serious geology, soil and site constraints, such as rock instability, are being glossed over.

There is a statement in the report that the project would need to be regularly put on hold by supervision, monitoring and inspections of excavation and footings. Other problematic factors suggested in the report are:

- load pressure on the site bedrock from adjacent properties and roads
- groundwater flows across the site
- need to divert surface run-off away from building areas.

The report describes very significant excavations and structures embedded into underlying rock, including protruding into adjacent properties. The Society believes that the use of ‘very heavy equipment’ into sandstone with very low strength on the escarpment overlooking the World Heritage Area is totally unacceptable. Despite the stability issues, the report asserts that “we expect the proposed development can be undertaken without disturbance to the adjoining properties” (p12), whilst admitting that “particular care” will be required to not cause damage (p13).

There has been no assessment of groundwater levels and flows, however it is suggested that pumping out of groundwater might be needed. It will also be necessary to import soil onto the site. Both of these suggestions are unacceptable to the Society because of the impacts on biodiversity values. The report recommends further geotechnical investigations. **Given the concerns described here, these investigations should be completed in full before the project is given any further consideration.**

Slope constraints

As discussed previously, the site also contains Protected Areas - Slope Constraint, where the land constitutes a slope class of 20-33% (Blue Mountains LEP 2015), as shown in Figure 3.1 below. Development on these areas of the site is meant to be restricted, to minimise soil disturbance, and vegetation clearing (6.4(1)(a),(b)). Disturbed native vegetation on these areas of the site should be restored (6.4(1)(c)). It should be noted that the proponent has cleared native vegetation on slope constraint areas of the site prior to submitting an EOI to the HDA.

There appears to be inconsistency in the way slope gradients are reported in the EIS and associated appendices. The EIS uses percentages, such as 12% whereas in other documents the slope gradient is reported in degrees, such as 12 degrees in the Preliminary Geotechnical Assessment report. This should be clarified because these slope values are not interchangeable, and slope classes are described in the Blue Mountains LEP 2015 as percentages. Slope gradients of 12 to 15 degrees would equate with the 20% to 33% slope class of this site (National Committee on Soil and Terrain, 2009). **The Society is concerned that the EIS is using gradient figures that may be incorrect to undermine the significance of the slope constraint areas and their protections. It should be noted that the restaurant, parts of Buildings A, C, D and E, and all of Buildings G, F and H appear to be on slope constraint areas. The EIS should be required to identify slope constraint areas on site plans and redesign the location of buildings on the site.**

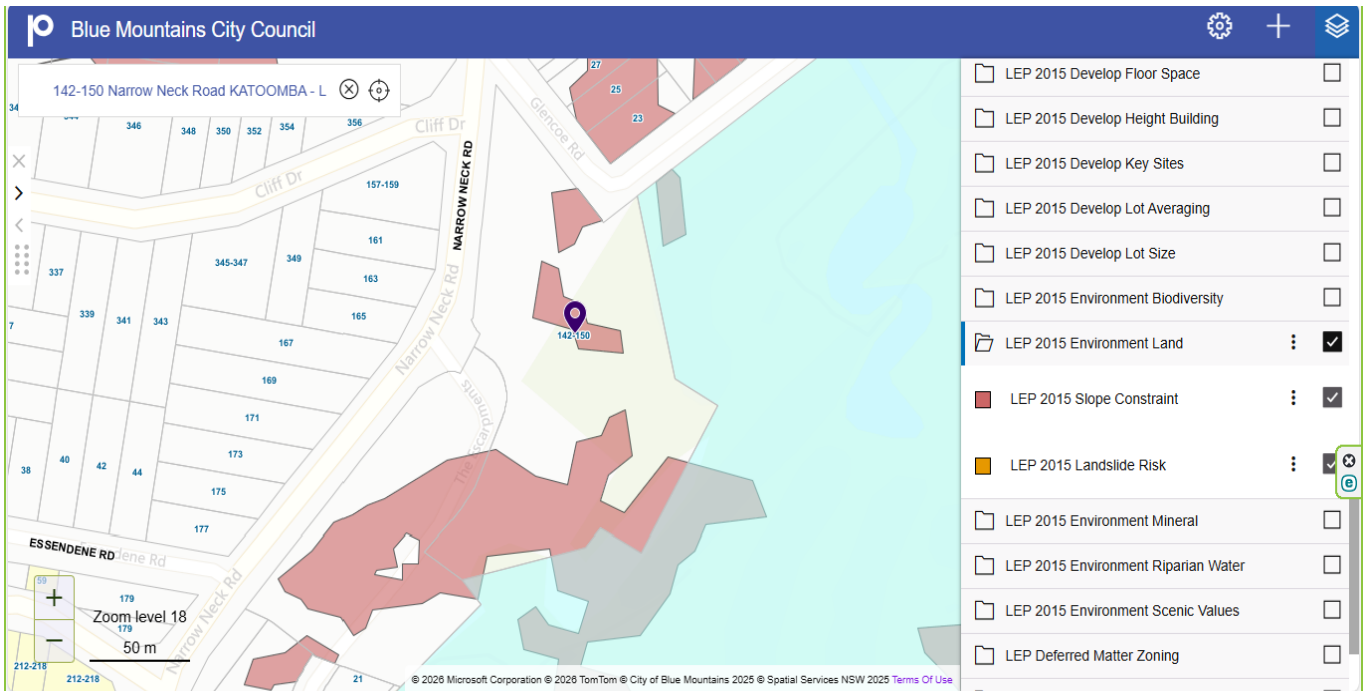


Figure 3.1: Protected areas – Slope Constraint cover the southern part of the site and are also located in the centre of the northern part.
Source: Blue Mountains City Council (2026).

Groundwater and nearby riparian lands

As also previously stated, near and downslope from the site, there are riparian lands and watercourses as identified in the Blue Mountains LEP 2015. These include the threatened Blue Mountains Swamps.

According to C6.3 of the Blue Mountains DCP 2015, the development site is likely on groundwater that is a perched aquifer, which supports the Blue Mountains Swamps downslope. These swamps are high groundwater dependent ecosystems. Perched aquifers “can be depleted rapidly in the absence of continuing recharge” (Blue Mountains DCP 2015, p223). Under the SEARs, the proponent is required to provide a *Groundwater Impact Assessment* which should establish whether development may have an impact on ground water. **No Groundwater Impact Statement has been provided.** The purpose of a Groundwater Impact Assessment is to evaluate potential impacts of the proposed development on the quantity and quality of groundwater, and include measures to avoid, minimise or mitigate adverse impacts. The EIS does not identify or analyse impacts. Nor does it consider cumulative impacts or describe in detail measures to avoid, minimise or mitigate adverse impacts on groundwater resources.

The Society is deeply concerned about the impacts that a development of this scale; on unstable, shallow, highly erodible soils, on steep slopes, and over groundwater that is a perched aquifer, will have on adjoining properties. These impacts are discussed below.

Impacts of the proposed development on the soil and groundwater

In combination with the slope constraints, soil characteristics and limitations, and erosion hazard, the proposed development is highly likely to have a significant adverse impact on the soil, groundwater and nearby riparian land and waterways. The geotechnical report does not demonstrate that the soil characteristics and structural elements of the land are suitable for the proposed development (Blue Mountains LEP 2015, 6.4(3)(d)).

Impacts on soil

The proposed development will cover almost all of the 1.6ha site, including slope constraint areas. It is proposed to have a gross floor area of 19, 621m², a FSR of 1.17.1 and an impervious surface area of

around 72%. There will be inadequate pervious space around and between structures, and buildings will be an unprecedented height for the landscape (over 15 metres). The enormous size of this proposed development will introduce a significant additional area of hard, impervious surfaces, including roofs, walls, car parks and concrete driveways.

This enormous coverage of hard, impervious surfaces on a steep slope, risks changing water flows in two major ways that will impact the soil and groundwater on the site:

1. collecting an increased volume of stormwater and intensively concentrating its flow, including speed of flow, as surface water run-off is highly likely to cause significant soil erosion both on and adjacent to the site, and
2. interfering with the high permeability of the soil through blocking the infiltration of water into the sandstone, will lower the water table and reduce the flows of groundwater to the groundwater dependent ecosystems near the site.

The enormous coverage of concrete will also change the pH of the soil and water that runs off it. Water runoff from the natural sandstone area on which this site is located has a pH of between 4.5 and 6.5 with very low levels of dissolved chemicals (eg. metals, carbonates) and very low salinity. Water runoff from concrete infrastructure causes an increase in pH (more alkaline), and dramatically increases the levels of dissolved chemicals. The impacts of these changes create an environment that is hostile to native vegetation adapted to the native sandstone. This would therefore threaten existing native vegetation on the site, native vegetation downslope from the site, and any replanting required as part of the landscape plan. The impacts of these changes would also allow invasive weeds to grow due to an increase in nutrients and their bioavailability resulting from the higher pH. These weeds would otherwise have been unable to tolerate the acidity and low nutrient levels of the sandy soils. Other introduced soils and aggregates derived from stones, such as blue metal or granite, contain higher levels of nutrients than the native sandstone. When combined with the pH alteration of cement, these can have a compound impact. This would be likely to have a significant adverse impact on adjoining riparian land and watercourses and native bushland, as well as favouring invasion by weeds (NSW Environment Trust, 2010; NSW Government Department of Planning, Industry and Environment, 2026).

Impacts on groundwater and swamps

The proposed development on slope constraint areas will have a significant adverse impact on the rate, volume and quality of water running off the site (Blue Mountains LEP 2015, 6.4(3)(c)). The concentration of increased volume and speed of stormwater and surface water run-off will cause erosion and channelisation of the nearby downslope swamps. This channelisation would rapidly drain water out of the swamps and put them at risk of desiccation.

Increased stormwater and surface water run-off could also cause sedimentation of the swamps, smothering the vegetation, interfering with water flows and degrading habitat. Increased stormwater flows could also cause nutrient enrichment that facilitates weed invasion and further degrades the swamps (NSW Environment Trust, 2010).

In addition, blockage of water infiltration into the sandstone reduces the flows of groundwater to the groundwater seepage lines and springs that recharge these groundwater dependent swamps. This reduction in supply of groundwater also puts the swamps at risk of desiccation. Dehydration of the swamps would result in loss of the sedges, reeds, ferns and other plants that inhabit them. It would also make the swamps even more prone to erosion and at increased risk of burning during bushfire (NSW Government Office of Environment and Heritage, 2024).

In summary, the likely significant impacts of this development proposal will be desiccation, erosion channelisation, nutrient enrichment and weed invasion of the nearby, downslope Blue Mountains Swamps, which are TECs. Therefore, the proposed development does not comply with the Blue

Mountains DCP 2015 C6.3, C4 (p224), which requires that there be no adverse impact on ground water dependent ecosystems as a result of changes to groundwater on site caused by the design and method of construction, the GMS, and the cumulative impact the development may have on groundwater.

Requirements for managing water on site

It is of **critical relevance** that stormwater and greywater is treated appropriately due to the location of the development site within the catchment of the World Heritage listed Blue Mountains National Park and Sydney's drinking water. The scale of this development is likely to create **very significant stormwater impacts**.

The proposed development must meet the requirements of both Water Sensitive Urban Design (WSUD) and Neutral or Beneficial Effect on Water Quality (NorBE). These are discussed below

Water Sensitive Urban Design (WSUD)

The key principles of WSUD are listed in Clause 6.9 of the Blue Mountains LEP 2015. Design principles and control measures are outlined in Clause 6 of the Blue Mountains DCP 2015. According to C6.1.2. C6 of the Blue Mountains DCP, "large scale developments are to provide appropriate stormwater quality treatment and quantity control devices to provide water conservation and re-use, detention, retention, filtering, infiltration and disposal in accordance with the large scale development provisions at Part C6.1.4" of the DCP. Part C6.1.4 pertains to WSUD for large scale developments with a total impervious area of the proposed development being equal to or greater than 2, 500m². The proposed development would be substantially larger, and therefore these controls are the absolute minimum and need to be exceeded. The EIS must include a geotechnical investigation to inform the strategy and design of the WSUD system. **The Preliminary Geotechnical Assessment provided does not meet these requirements.**

To comply with these requirements, the EIS must clearly demonstrate that the proposed development:

1. *Uses integrated water management*
 - integrates the management of all parts of the urban water cycle (rainwater, groundwater, potable water, stormwater, wastewater, grey water) in a sustainable way.
 - The EIS must include an Integrated Water Management Plan demonstrating that the proposed development will achieve WSUD objectives (Blue Mountains DCP 2015, C6.1.4, C1).
2. *Confines water management within the boundary of the development site*
 - locates all stormwater management within the site boundaries and avoids any adverse impacts caused by stormwater runoff on adjoining properties, native bushland and downslope swamps.
3. *Is appropriately designed and sized for the conditions and constraints of the site and the scale of the proposed development*
 - Implements stormwater management devices, including outlets that are appropriate for the site and environmental conditions, in suitable locations and with adequate measures to protect the natural environment. This includes:
 - being appropriate for the soil permeability, groundwater seepage and recharge areas, nearby watercourse and swamps, steep slopes and soil erosion hazard (C10, p214; see Table 1 p215), and
 - being designed to cater for high flows in this high rainfall area and for all storms up to and including 100 year events.
4. *Maximises pervious surface area*
 - maximises the use of water permeable surfaces on the land for water absorption and infiltration to reduce runoff and promote groundwater recharge. This is meant to protect existing hydrological and ecological processes of nearby swamps.

- the EIS must include a calculation of the proposed impervious area on the site.
- the Landscape Plan must show that the proposed development allows sufficient space for permeable surfaces. This area should be no less than 40% of the total property.
- at least 15% of the development site must contain deep soil zones, which are areas of natural ground, at a minimum size of 9m².
- topsoil must be conserved in situ and protected from loss.

5. *Integrates water management into the landscape*

- integrates stormwater management measures into the landscape, using local indigenous plant species and retaining and restoring vegetated areas and trees, for example rain gardens, bio-retention basins, vegetated slopes. This is meant to maintain water table conditions, stabilise soil, decrease run-off volume and speed, capture sediment, filter nutrients.
- Includes stabilisation of steep areas to prevent erosion, for example through dense ground covers.
- includes vegetated buffer areas to protect the downslope watercourse swamps.

6. *Captures and retains water for reuse and controlled disposal*

- includes on-site rainwater and stormwater harvesting, retention and for reuse as an alternative supply to mains water or groundwater to meet the demand for water, for example water tanks. Water tanks need to be of a capacity of at least 1000L per 100m² of proposed impervious area, with overflows to be drained to a rain garden, bio-retention basin,
- uses stormwater outlets that provide scour protection and dissipation methods to dispose on site,
- incorporates level spreading of overflows to stable vegetated areas on site,
- ensures that the volume and flow of water leaving the site post development is the same as pre development discharge rates.

7. *Treats stormwater for water quality protection*

- ensures the quality of surface water and groundwater is maintained,
- minimises wastewater impacts to the natural environment,
- treats and effectively removes the range of expected nutrients and pollutants for the proposed development, such as sediment, gross pollutants, phosphate, nitrogen, suspended solids, heavy metals, oils and greases and hydrocarbons,
- includes pre and post development water quality analysis,
- demonstrates achievement of stormwater treatment performance targets for water quality, water quantity related to NorBE, as discussed further below.

8. *Disposes of stormwater in a sustainable manner*

- retains natural flows and discharge points and directs them to the natural catchment,
- ensures that no impervious areas are piped or drained to downslope watercourses, swamps,
- minimises overflows that will go to a stormwater drainage system
- ensures that if the development requires new connections to the Council's drainage system, any stormwater discharge from the development site into public infrastructure is acceptable
- ensures that stormwater is gravity drained to the Council's system or the natural watercourse. The Blue Mountains DCP 2015 C6 (p232) states that if a drain easement is required to facilitate a development, the applicant has to negotiate creation of an easement over downstream properties for drainage purposes prior to the lodgement of the development application. A letter of consent from owners of affected downstream properties has to be submitted with the DA.

Concerns about the EIS

The proposed development does not demonstrate the principles of Water Sensitive Urban Design as set out in clause 6.9 of the Blue Mountains LEP 2015 and C6 of the Blue Mountains DCP 2015.

The EIS does not include an Integrated Water Management Plan or a Water Sensitive Urban Design Strategy.

Harvesting of rainwater is inadequate. The development will require huge quantities of imported potable water to come from water mains. The purported 9 x 10, 000L water tanks are inadequate for the scale of the development. At an FSR of 1.17.1, the development would require 20 such water tanks.

The EIS does not confine water management within the boundary of the development site nor dispose of stormwater in a sustainable manner. Stormwater will be piped off-site into water bodies on the adjoining property. We have serious concerns about the statements that the calculated 72% impervious surface area of the proposed development site would be accommodated by these basins. We also have serious concerns about the reliance of the proposed development on these off-site basins for managing any potential stormwater quantity and quality effects from the development on the adjoining riparian lands. On page 75 of the EIS, it acknowledges that “due to the site’s elevated position and steep natural topography, stormwater run-off drains rapidly away from the site toward lower surrounding areas”. The southern escarpment is the highest rainfall area in the region, averaging over 1,000mm per year. Cumulative impacts on these water bodies must be considered, as shown in Figure 3.2 below.

The EIS does not maximise pervious surface area. The EIS contains different figures for the permeable surface area, but it appears to be between 20% to 30%. This does not comply with the 40% required for this site. It is not clear on EIS plans where the deep soil zones are to be located. Measures are not appropriate for the scale of the development. While some mitigation measures are shown on the Landscape Plan, such as swales draining into rain gardens, these appear very small in relation to the size of the proposed development.

Treatment of stormwater for water quality protection may also be limited because there is only 1 bioretention basin and two sedimentation basins. That may not be feasible because they are on slope constraint areas. The erosion and sedimentation control plan consists of a silt fence along the downslope boundary. This is likely to become rapidly ineffective, for example the image in the top middle of Figure 3.2 below shows a succession of silt fences on the downslope boundary of the neighbouring Escarpment development being breached during a rainfall event.

Water management is not sufficiently integrated into the landscape, due largely to the limited vegetation in the slope constraint areas. There is insufficient vegetation buffer along the southern and south eastern boundary of the site for the nearby watercourse.

There is also no wastewater management on site. Sewerage will drain to a single connection at a purported sewer main on the south east corner of the site.

Impacts of not implementing WSUD

Figure 3.2 below shows the impacts of stormwater from the adjoining Escarpments/Yarrabee development during and after construction, where stormwater regularly breaches sediment fencing and runs off the site to cause sedimentation and pollution of the watercourse on the adjoining property. The proposed development is significantly larger in scale to the Escarpments/Yarrabee project and so the impacts would also be significantly more adverse on adjoining properties including the nearby swamps.



Figure 3.2: From left to right; the adjoining Escarpments development, stormwater breaching sediment fencing; resulting sedimentation and pollution of the adjoining watercourse. Source: Jennifer Buick.

Given the large amount of impervious surface area, high average annual rainfall, inadequate capacity of measures, and limited feasibility due to slope, we believe the proposed development does not adequately demonstrate WSUD. Essentially, the bulk of stormwater will be piped into nearby riparian lands, which is unacceptable. The EIS raises serious concerns about the capacity of existing infrastructure to cope with demands from such a large development. We are also deeply concerned about the lack of coordination with the adjoining property owner about stormwater discharge or Sydney Water about water mains and sewer connections. Further, the EIS makes no mention that the site is situated within the Sydney Drinking Water Catchment, and the proposed development does not comply with WaterNSW guidelines. This is described below.

Neutral or Beneficial Effect on Water Quality

The proposed development is situated within the Sydney Drinking Water Catchment, and is therefore also subject to the NorBE guidelines, as set out in WaterNSW’s “Developments in the Sydney Drinking Water Catchment – Water Quality Information Requirements. A WaterNSW Current Recommended Practice” (February, 2023). The information requirements of the guidelines must be included with the EIS.

This means that the proposed development must have a neutral or beneficial effect on the quality of water that leaves the site. This is also an objective in the Blue Mountains DCP 2015 pertaining to development in the Sydney Drinking Water Catchment.

The development cannot be approved unless it is consistent with the NorBE Quality Assessment Guideline (WaterNSW, 2022). The information that must be included with the EIS includes:

1. *A Water Cycle Management Study (WCMS)*. The scale of this development proposal means that there is a high risk for water quality, as indicated by Modules 4-5 (WaterNSW, Table 1, p4). Therefore, the study must include in-depth studies about:
 - (i) stormwater management,

- (ii) erosion and sediment control, and
- (iii) wastewater management.

The WCMS must also include: “a statement and details about the existing reticulated sewerage system including sewer mains, pumping stations, and sewerage treatment systems having adequate capacity to accommodate the increased wastewater flows from urban sub-divisions and multi-housing development – as confirmed by Council” (p5).

2. *Certification*. This is a signed statement by a suitably qualified consultant confirming:

- (i) “that the WQMS addresses the scale and nature of ALL potential water quality impacts from the proposed development and suitable measures are proposed to address such impacts whether related to stormwater, wastewater, soil disturbance, flooding and/or contamination”;
- (ii) “the adequacy of the capacity of the existing sewerage system”;
- (iii) “that the study addresses and includes where appropriate WaterNSW endorsed current recommended practices”;
- (iv) “that the study has a statement based on the information included, about whether the development will have a neutral or beneficial effect on water quality, consistent with the NorBE guideline”.

3. A *Soil and Water Management Plan (SWMP)* that describes what will be done at the development site to control soil erosion, sedimentation and pollutant movement to downslope land, watercourses and swamps during and after development (p6). This is also required under E4.3, C4 of the Blue Mountains DCP 2015, the objective being to prevent sediment, building materials, waste and other pollutants from leaving the site and entering adjoining land, drains or watercourses (p377).

4. *The Model for Urban Stormwater Improvement Conceptualisation (MUSIC)* must be used to demonstrate requirements for managing stormwater (p7).

- (i) Information about the proposed impervious area, retention of native vegetation and rainfall data must be clearly stated.
- (ii) Use of the tool must realistically represent the site, including slope constraints and pollutant concentrations.
- (iii) Site details must include information about surrounding land uses, for example the biodiversity values of the swamps, and “any potential future water quality or quantity issues including impacts on watercourses and riparian zones” (p8).
- (v) Proposed stormwater management must be defined in a *Stormwater Drainage Plan* that clearly shows measures are appropriate for the site, soil and scale of the development. This includes:
 - that run-off from the site can be treated before discharge;
 - that devices can actually be implemented on the site, for example that there is enough space and an appropriate level location so that detention will work, and
 - responsibility for long-term maintenance.

Modelling must compare annual pollutant loads before and after development and aim for improvement of 10% to ensure the NorBE requirements can be met.

5. *Onsite Wastewater Management Plan* outlining details of proposed wastewater treatment, including the effluent management system and site of the Effluent Management Area (EMA). This must be appropriate for the frequency of use, availability of power, slopes, soils and other site constraints. This plan must:

- (i) show frequency of use (wastewater loading) using NorBE guidelines based on the number of potential bedrooms and the nature of the water supply. Wastewater loads greater than 10

Equivalent Persons (EP), as will be the case for this proposed development, requires advice to be sought from WaterNSW.

- (ii) Include a *Site Constraints Map* that identifies all surface constraints, including slope, proposed buildings, buffer distances, exposed soil/erosion hazard. Soil information must be provided derived from a soil profile of at least one metre taken on the development site. This information needs to include: texture, structure, dispersibility, infiltration, EC/salinity, and sodicity.
- (iii) Include monthly rainfall data. Values are given on p 15 that would counter indicate effluent management.
- (iv) A site plan for the location of the treatment system and EMA.

Please note that there is a maximum allowable size for EMAs beyond which they will fail. There are also other site constraints which limit the capacity for wastewater management on this development site. Measures that will not be allowed include:

- Evapotranspiration Absorption (ETA) beds on sandy soils, which are characteristic of this site,
- pump out systems,
- reed bed systems and soil mounds on slopes greater than 7%, where slope constraint areas are 20%-33% on this site,
- absorption systems on shallow soils, also characteristic of this site.

Subsurface irrigation will be required because the average annual rainfall may reach 1200mm and the EMA slope is greater than 7% (slope constraint areas are 20%-33%).

Therefore, there are limited if any measures that can be implemented on this site in terms of effluent management because of the slope, shallow soils and average annual rainfall. The proponent intends to rely on the existing public infrastructure which does not have the capacity for the demands that would be created by a development of this scale.

The EIS provides little of the information requirements to demonstrate that it will have a neutral or beneficial effect on water quality. The proposed development poses a high risk for reduced water quality of Sydney's drinking water supply. It does not appear that the proponent has sought advice from WaterNSW. The proponent should undertake a Neutral or Beneficial Effect on Water Quality Assessment, and this proposal should be referred to WaterNSW for assessment.

In conclusion, the proposed development cannot be approved in its current form because it does not incorporate adequate measures to prevent adverse impacts of soil erosion, increased stormwater runoff, reduced water quality and groundwater depletion on adjoining properties, the threatened Blue Mountains Swamps and threatened species such as the Dwarf Mountain Pine, the World Heritage Area and Sydney's drinking water supply.

4. BUSH FIRE RISK

The proposed development could not be located on a worse site for bushfire risk. The Blue Mountains is one of the most bushfire-prone landscapes in Australia. Our eucalypt forests, steep valleys and dry ridgelines mean that fire is a natural part of the environment - but with climate change driving hotter, more extreme conditions the risks are increasing.

Classification of the site

We acknowledge the site is not currently classified bushfire prone land. The Memo from Bushfire Hazard Solutions (Appendix R of the EIS documents) dated 11 December 2025 briefly outlines the process of updating the Bushfire Prone Lands Map and states "Through this recent map update process the subject site was actively declassified by Council and the NSW RFS as being "bushfire prone land", removing a key planning trigger to consider potential bushfire impact." However in their correspondence to GSA Planning

after a meeting of 21 January 2026, Council states “... the assertion in the *Bushfire Hazard Solutions memo that the site was actively declassified by Council as bushfire prone land is incorrect.*” How then did the site become declassified?

Had the site been classified as bushfire prone land “Objective 3 – Well located” of the HDA SSD criteria would not have been met and the Expression of Interest for the proposal would not have been considered and the project declared on the HDA SSD pathway. It is also of interest that the new Bush fire Prone Lands Map is dated 14 May 2025, after the proposal was declared on 13 May 2025.

It is irresponsible for the state government to encourage a rapid population increase in the Blue Mountains and put more people in harm’s way in an attempt to solve Sydney’s housing crisis.

Other than the bush on the Narrow Neck Rd section of the site, the closest bush is less than 200m away to the north west and about 300m to the south west and much of the surrounding land is bushfire prone. This potentially puts hundreds of people in harm’s way and makes evacuation more difficult for all local residents and adds extra strain on emergency rescue services.

Lack of reporting

The Guidance for Concurrent Rezoning Report issued with the SEARs lists Bushfire under Item 4 so bushfire needs to be addressed as part of this proposal. Whilst the site is no longer classified as bushfire prone there is still an obligation under Local Planning Direction 4.3 and Planning for Bush Fire Protection 2019 section 4.4 to consider “*planning proposals that affect, or are in close proximity to, land mapped as BFPL.*” It is a requirement that consultation with NSW RFS is undertaken and if the proposal is of a strategic nature a Strategic Bush Fire Study should be carried out. As the rezoning requested in this proposal is significant and the site of the proposal is in a bush fire prone area it is expected that a Strategic Bush Fire Study would be provided. This report, the requirements of which are outlined in Planning for Bushfire Protection 2019 Section 4.2, would be more comprehensive than that provided by Bushfire Hazards Solutions.

General context

The risks associated with already living in a highly bushfire prone area are only going to increase with climate change. According to recent research conducted by Finity Consulting, the Blue Mountains also faces a dramatic increase in the number of homes exposed to high bushfire risk due to climate change. Today it is 26 per cent; by 2090 it will be 90 per cent.

One of the starkest changes nationally is in the Blue Mountains, which changes from 26 per cent of houses being high-risk today, to nearly 90 per cent in 2090.

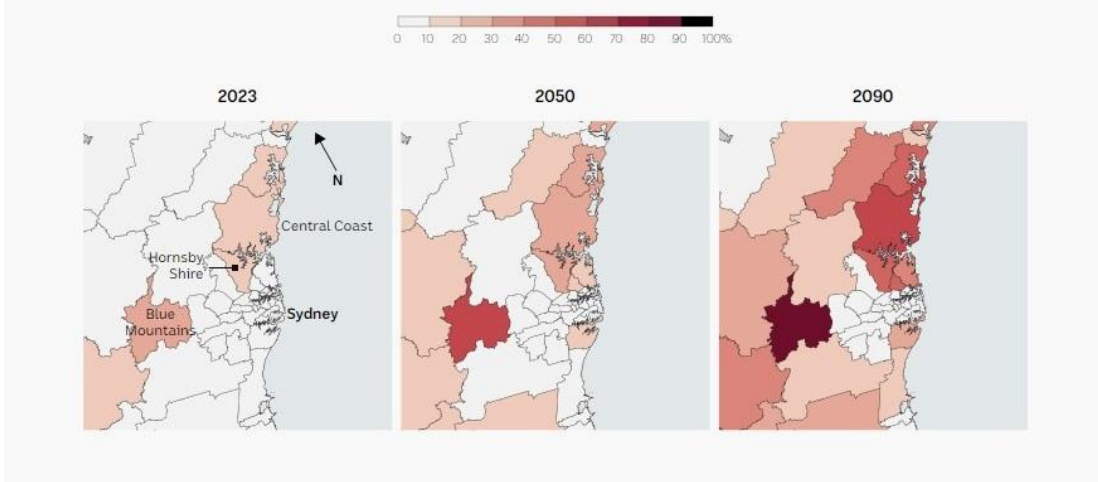


Figure 4.1 Percentage of homes exposed

Source: <https://www.abc.net.au/news/2023-10-23/house-bushfire-resilience-star-rating-applauded-prepare/102914534>

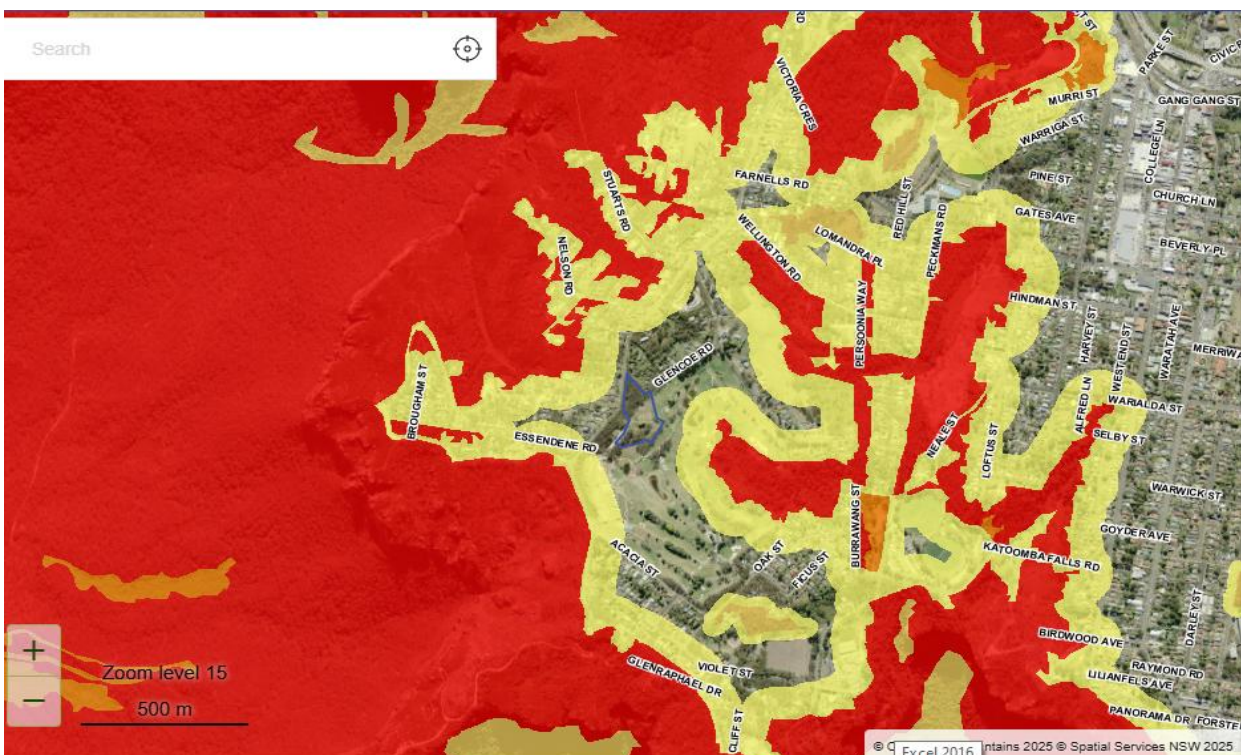


Figure 4.2 Key: Development site outlined in blue on aerial photograph showing bushfire prone land shaded yellow and red. Source: City of Blue Mountains (2025).

The dynamics of bush fires are well known and it is common knowledge that many fires spread significantly by embers travelling great distances in front of the fire. The fact that the proposal site is not labelled bush fire prone land and is a few hundred metres from areas of natural bush, in no way protects the site from fire attack.

A high-density, multi-storey housing development in this setting is dangerous for both the environment and the community. Concentrating people and buildings in fire-prone areas puts heavy pressure on the

land. Clearing bushland and replacing it with buildings and hard surfaces fragments habitat, reduces biodiversity and strips away natural functions that help landscapes recover after fire. Healthy ecosystems store water, stabilise soils and provide critical refuge for wildlife. When these functions are lost, the land is left more exposed to fire damage and is slower to regenerate once fire has passed.

The “Katoomba Stage 2 Precinct Plan Strategic Bushfire Study”, was a study undertaken by BMCC in 2023 for the previous Katoomba Golf Course site, to which the proposal adjoins In 3.2 Bushfire Risk Considerations Table 5 : Bushfire Risk Considerations, “Directional Fire Intensity” indicates that for higher fire intensities *“These conditions are most likely to be experienced under westerly influenced winds, and in steeper forested areas, exposed to uphill fire runs under SW-N winds. In these conditions fire transfer in an easterly direction is very likely.”*

The report continues to state in Table 5 “Fire Catchment and Pathways” *“The site has small setbacks from bushfire hazard to the north and west and a larger setback from hazard to the south east. These setbacks may lessen the likelihood of direct fire transfer from the landscape fire catchment to the site in moderate conditions, however during extreme or catastrophic conditions, direct fire transfer is possible.”*

The fire at Cahills Lookout on 1/11/2014 is a perfect example of what can happen quickly and very near this site. On that day a fire threatened houses along Cliff Drive, and indeed one was lost, and there was a concern the fire could have continued through the Cliff Drive area to the Glencoe Rd/Stuarts Rd area. Embers fell on the Katoomba Golf Course land but did not ignite. For a threatening fire of this nature it is not unusual for over 100 vehicles to attend, being made up of RFS from some of the 28 Blue Mountains Brigades and if required adjoining Brigades from Cumberland and Lithgow areas, NSW Fire and Rescue, plus some city Brigades. There may also be Ambulances and SES services on standby.



Figure 4.3 Cahill's Lookout fire 1/11/2014 (C Brown)



Figure 4.4 Cahill's Lookout Katoomba 1/11/2014 (C Brown)

Evacuation constraints and emergency risks

Regardless of the site being classified as not bushfire prone, there is still a serious bushfire risk associated with the site.

In the event of a major bushfire emergency where evacuation is recommended or essential, exiting the area to the GWH would be difficult and dangerous. All routes from the proposed development to the Great Western Highway pass through bushfire-prone areas - whether via Narrow Neck Road, Kamillaroi Road, Neale Street or Cliff Drive near the Scenic Railway. These routes are already known choke points, further complicated by tourist traffic around lookouts and attractions.

It should also be noted that whilst many local residents have not experienced a fire emergency first hand they are aware of the risk and may have a plan for a fire emergency. Tourists though would mostly be unaware of risks and may panic in an emergency, clogging roads and causing greater mayhem in their efforts to escape.

The Memo from Bushfire Hazards Solutions notes that the NSW Department of Planning, Housing and Infrastructure (NSW DPHI) required the proponent to consider *“the implications of adjoining bushfire prone land on the development and any impacts on evacuation routes”*. However due to the declassification of the site in terms of bushfire risk amended their requirement to *“only an assessment to and from the subject site is requested.”*

The Memo from Bushfire Hazards Solutions does not acknowledge the increased volume of local traffic during a bushfire emergency, nor do they acknowledge the distance of the site from a Neighbourhood Safer Place (NSP), travel to which is through bushfire prone land. As there are no footpaths in the general area and narrow winding roads it could be impossible to escape a catastrophic bushfire event on foot. The shortest distance to the nearest NSP is 2km. The Memo also neglects to state that two of the three NSP's are located on the northern side of the Great Western Highway, a great distance from the site (3km and 2.5km by foot) and more than likely impossible to reach by car in an emergency.

The Memo also suggests that as the site is not classified bush fire prone then a “Shelter in Place” strategy could be appropriate. This suggestion ignores the possibility of ember attack from the surrounding bushfire prone land and possible subsequent ignition.

The Great Western Highway is the only evacuation route east and west off the Mountains, and a single accident can block it in both directions. During the 2013 Springwood–Winmalee bushfires, the highway became paralysed, trapping residents and emergency services alike. With more cars and people in the area, that risk would multiply. Also of note is the decrease in or lack of, visibility on the roads in a fire emergency, making them impassable.

In an emergency, fire trucks and ambulances would struggle to move through narrow, congested local roads, putting lives at risk. These risks are cumulative and cannot be assessed in isolation at the development stage of a proposal. They must be recognised at the strategic planning level before approvals are granted for large-scale development in high-risk, low-capacity areas like the Blue Mountains.

The proposal for high-density housing at Narrow Neck ignores the realities of this landscape. Our transport and evacuation infrastructure is already stretched. Adding more vehicles, more people and more pressure will not only worsen daily congestion - it could prove catastrophic in an emergency.

The “Katoomba Stage 2 Precinct Plan Strategic Bushfire Study”, a study undertaken by BMCC in 2023 for the previous Katoomba Golf Course site, to which the proposal adjoins, in 5.2 Evacuation states *“The capacity of the precinct should be consistent with the capacity of the road network to enable safe evacuation for visitors and nearby residents.”* Whilst the proposed development is not within the precinct, it is immediately next door and would be using the same road network.

The RFS Planning for Bushfire Protection 2019 4.1 Strategic Principles identifies *“inappropriate development”* as *“...likely to be difficult to evacuate during a bush fire due to access limitations ...”*

In an emergency situation the traffic would be gridlocked and people would have nowhere to go ie it could be that evacuation is impossible. As it would be very possible for a bushfire in a catastrophic event to enter the residential sections of Katoomba, the repercussions of gridlocked roads are unthinkable. Adding more people to this situation would be unwise and foolhardy.

Therefore, we oppose this proposed development because it will introduce hundreds more cars to one site, with insufficient parking and unacceptable pressure on small, local roads. The proposal is not well located, particularly for the scale of the development.

No suitable bush fire assessment has been provided. This is unacceptable considering the location of the site, being surrounded by bush fire prone land. Protecting the Blue Mountains means recognising its limits. Housing must be planned in ways that respect this unique environment and keep both ecosystems and communities safe from escalating bushfire risks. It would therefore be irresponsible to approve this development.

5 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

A development of such scale, size, and density in an environmentally sensitive area requires the incorporation of significant ESD features in its construction and operation. The development fails to adequately do so.

Assessment of the ESD Principle in the design and operation of the development

Clause 15 of the Planning Secretary's Environmental Assessment Requirements (SEARS) requires the assessment of how ESD principles (as defined in section 193 of the Environment Planning and Assessment Regulation) are incorporated in the design and ongoing operation of the development.

Section 193 of the Regulation outlines that the principles of ecologically sustainable development include the following—

- (a) the precautionary principle
- (b) inter-generational equity
- (c) conservation of biological diversity and ecological integrity

The Regulation then further outlines that:

- The precautionary principle is that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- The principle of inter-generational equity is that the present generation should ensure the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.
- The principle of the conservation of biological diversity and ecological integrity is that the conservation of biological diversity and ecological integrity should be a fundamental consideration.

The proponent in the assessment documents produced in response to the SEARS has lodged an *Ecologically Sustainable Design Assessment*. The Society argues that the development in terms of its design and ongoing operations fails to adequately incorporate ESD principles especially given the unique and significant environmental context in which the development occurs.

Site context

This proposal is by far the biggest residential and mixed use development, in terms of size, scale, and density, that has been proposed for the Blue Mountains in the last 30 years. Previous high rise residential developments in the Blue Mountains, either approved or built in the last five years have consisted of single

apartment buildings of 4-5 storeys located very close to or adjacent to trains stations or town centres in locations such as Leura or Katoomba. The nearest equivalents of this proposal, in terms of scale, size and density developed in the Blue Mountains in the last 30 years would be the residential development incorporating retail shops (the Spires at Leura) which consists of two buildings of 2-3 storeys and is largely used for short term and holiday rentals, and the Fairmont Resort at Leura. The Narrow Neck Road development therefore represents a first of its kind development for the Blue Mountains, of a scale, size and intensity never seen before in the Blue Mountains.

As outlined elsewhere in this submission, the development is also sited in an extremely environmentally sensitive area, with the high potential for significant impacts on the environment including on water quality and flows in adjacent water courses, and resulting impacts on threatened plants and the communities. In addition as the development is along a ridgeline, environmental impacts such as scenic values are also likely. In the broader site context the development is located in a “City within a World Heritage Area” and adjacent to a significant local environmental initiative - the Planetary Health Centre.

Green Building design and Green Star rating

Given the scale, size and intensity of the development and the environmental site sensitivities, as well as its having been deemed “State Significant”, the Society argues that these are compelling reasons that the development should incorporate a very high level of “green building” design, in terms of construction and operations. It should pay more than lip service or a minimal approach in incorporating ESD principles in its design and operations. It is disappointing then to see such a landmark and significant development proposal taking a minimal and nominal approach in terms of green building design. For instance, the proposal’s design and operations have not been assessed or benchmarked against Green Building Council of Australia Green Star rating system, which is an internationally recognised standard for healthy, resilient, environmentally positive developments. Green Star certifies developments as environmentally sustainable, including construction and ongoing operations, in terms of reducing the impact of climate change, ensuring healthy and resilient buildings, and reducing the impacts of buildings on biodiversity and ecosystems. It appears that the developer has not pursued Green Star certification or incorporated Green Star minimal requirements. Based on the ESD Assessment, which contains minimal information on building design and ongoing management, the proposal would not even meet the Green Star 4 star Best Practice certification and certainly would not meet the 5 Star Australian Excellence rating or 6 Star World Leadership.

Proposed vs recommended ecologically sustainable design features

The Ecologically Sustainable Design Assessment (ESDA) includes **proposed** ecological sustainable design features, which the consultants recommend *should* be incorporated into the development. However, there is no guarantee that any of the *recommended* sustainable design features will ultimately be incorporated into the development and it is therefore assumed that in fact only the proposed ecological sustainable design features are guaranteed to be incorporated.

Solar access

For the Blue Mountains, the Apartment Design Guidelines (ADG) requires that living rooms and private open spaces of at least 70% of the apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter. The ESDA indicates that only 62.4% (136 out of 218) of apartments will achieve 3 hours solar access across the assessment window, while 3% (7 out of 218) of apartments will receive no solar access across the assessment window. This is not a “slight” departure, as described on p70 of the Environmental Impact Statement, from the ADG in relation to solar access. The reality is a significant number of apartments (82) will not have sufficient solar access and 7 apartments will receive NO solar access to living spaces.

These 89 (37.6%) residential apartments will require additional heating and will increase the energy load of the development.

No assessment has been made of the solar access to the following:

- 52 serviced apartments
- mixed use building containing a restaurant, art gallery and information and education facility
- Communal open space

It can therefore be deduced that inadequate solar access for these buildings will add further to the energy load of the development.

Installation of gas appliances

The ESDA outlines the development will utilise gas hot water appliances and gas cooktops. This has not been justified as a “sustainable” feature and also directly contravenes the Blue Mountains Development Control Plan 2015 B5.1.1 which requires new developments to avoid the installation of gas appliances as a way to reduce emissions.

Water supply

For a development of this scale and bulk there is a huge benefit in the installation of alternative on-site water supply, to reduce the demand for potable water from the Sydney Water mains. The ESDA highlights that new residential developments can reduce potable water demand through the provision of on-site alternative water supply including reticulation of reclaimed water; rainwater or stormwater storage and reuse and grey water storage and reuse. The Services and Infrastructure Report Section 5.3 page 11 advises a 10,000L rainwater tank will be provided for each of the nine buildings. The society considers that for buildings of this size and roof area that would be inadequate.

Bike storage and electric car and bike charging

Bike storage facilities are only *recommended* to be included in the proposed development. There is again a significant oversight as safe and secure bike storage on site would minimise the use of cars for transport and therefore a key climate change mitigation strategy. There is no mention in the ESDA report that the car spaces in the development will be fitted with high rate e-charging stations. Encouraging residents to purchase electronic vehicles by having adequate e-charging facilities for both bikes and cars is another climate change mitigation strategy.

Renewable energy options

The installation of renewable energy sources on site have not been explored. This would enable the development to become energy self-sufficient. The ESDA *recommends* the installation of a relative small solar system – given the large size of the development and extensive roof top space available - to minimise greenhouse gas emission. Again this is a recommended addition - again the lack of renewable energy sources on-site, even the minimal installation of solar panels, is a serious omission.

Other ESD considerations which have not been met include:

- inclusion of washing lines – to reduce reliance on clothes driers and hence power consumption
- inclusion of shared laundry facilities – to reduce the number of washing machines and driers
- double glazing of all windows
- low levels of volatile organic compounds (VOC) paints and floor coverings and low formaldehyde wood products - these products will only be used “where possible”

- high R rated insulation and included in all ceilings, floors external and internal walls
- natural fibre floor covering, in particular carpets
- indigenous plant species (plants will “predominantly” be indigenous)

The proposal lacks commitment to ecologically sustainable development principles principally in relation to solar access, stormwater treatment and energy efficiency and so should not be approved.

6. UNACCEPTABLE VISUAL IMPACTS ON THE SCENIC VALUES OF THE WORLD HERITAGE AREA AND LOCAL CHARACTER

The proposed development sits within an Escarpment Protection Area, and will stand out from key points of high resident and visitor activity in the town of Katoomba. It will also stand out from places of high visitation within the Blue Mountains National Park. This proposed development will highly likely have a significant adverse impact on the scenic values of the Greater Blue Mountains World Heritage Area. It will ruin the aesthetic and amenity experiences of both its local residents and the millions of domestic and international visitors who are awe inspired and replenished by the views and natural features of the southern escarpment of the Blue Mountains. The Society’s position is detailed below.

The Society does not agree with the EIS that the proposed development will have “no unreasonable visual intrusion to neighbouring development” and we question what is meant by “unreasonable” in this conclusion. We also have questions about the photomontages presented in the Visual Impact Assessment (VIA). The photomontages of viewpoints 2 and 3, for example, do not seem proportionate. They appear to:

- underestimate the proposed height of buildings in relation to trees,
- underestimate the extent of proposed encroachment of buildings into the street frontage, and
- fail to take into consideration tree removal in the street frontage as part of the proposed development.

We would argue that with these factors taken into consideration, the development would be more highly visible from these viewpoints in the neighbourhood. Further, the VIA fails to consider the visual impact of the proposed development more broadly on the southern escarpment and on the National Park.

Blue Mountains cultural heritage, character and amenity

The Society believes that the proposed development is not consistent with the cultural and aesthetic values of the area. It requires concurrent rezoning to allow for an excessive height of buildings (over 15 metres) and Floor Space Ratio, which are not permitted under the LEP and do not exist on the escarpment. The proposed development is at a high point on the ridgeline and the 9 buildings would be 2 to 4 times taller than surrounding landscape and houses.

This proposed development does not meet objective 2 of the Blue Mountains DCP 2015 C1.7 to protect Blue Mountains cultural heritage and its distinctive character and amenity. The proposed development will not conserve canopy and will have an unacceptable impact from points where the site is visible. The proposed development will disrupt existing views enjoyed by surrounding properties and from public open spaces, particularly on the adjoining Planetary Health Precinct (see Figure 5.1). Therefore, it will not comply with F1.2.8 of the Blue Mountains DCP 2015.



Figure 5.1: Proposed development site outlined in red, showing potential impact on views from the adjoining Planetary Health Precinct (old golf course) and adjoining properties.

Lack of native vegetation screening buildings

The proposed development requires the removal of existing native vegetation and does not include sufficient planting to provide screening of the excessive scale of intended buildings.

The Society believes that the Landscape Plan does not show sufficient retention of canopy trees and additional plantings to minimise the visual impact of the development from public areas and adjoining properties (Blue Mountains DCP E4.4). The proposed development does not include a landscaped area at least 5m wide along all eastern and southern site boundaries, particularly between buildings and the adjoining Planetary Health Precinct. It also does not incorporate sufficient planting of trees around and between all the buildings on the site. The planting species list contains very few plants that will grow sufficiently large to screen the buildings from the Planetary Health Precinct and more distant viewpoints, and they will take many decades to reach maturity.

This development proposal, therefore, does not meet objectives 1 to 3 of the Blue Mountains DCP 2015 C5, about fostering the visual, cultural and landscape amenity of the Blue Mountains through the protection and enhancement of trees and other vegetation. Nor does it meet the local controls, for example clause F1.2.4 of the Blue Mountains DCP 2015, requiring an appropriate number of retained canopy trees and plantings of a sufficient number and complexity and an appropriate scale, to contribute to the distinctive character and amenity of the locality.

The Society believes that the proposed development does not “respond sympathetically to the character of the surrounding area and neighbouring properties” (EIS, p29), but is completely inappropriate for the character of the area and will look sorely out of place.

Visibility from visitor destinations

This development would highly likely have a significant adverse impact on the views enjoyed by both residents and the large numbers of visitors to the locality. It will be highly visible, for example, from the Katoomba Town Centre, and The Gully Aboriginal Place, as shown in Figures 5.2 and 5.3 below.

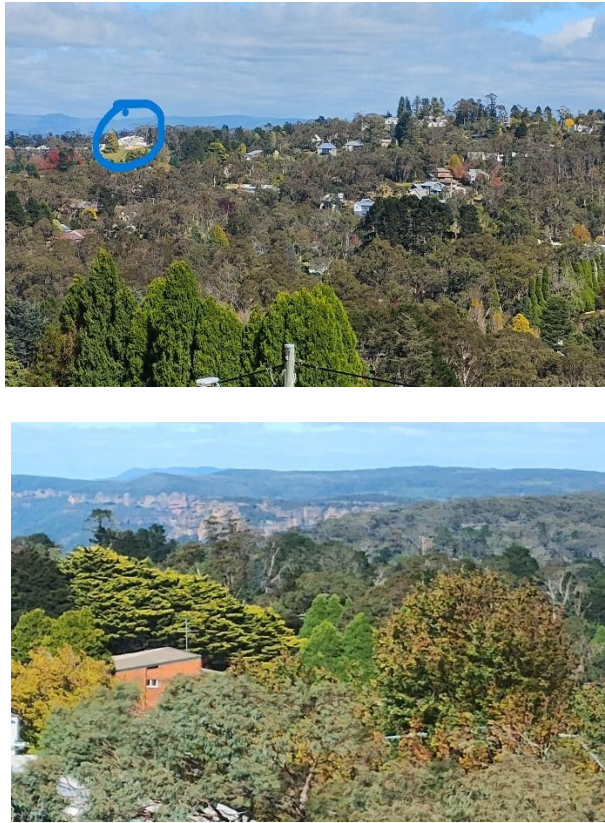


Figure 5.2: The site of the proposed development indicated by the blue line (top above) and the view of the escarpment and National Park (above). Both viewed from the Blue Mountains Cultural Centre in Katoomba.



Figure 5.3: The site of the proposed development indicated by the red line, from various viewpoints on Katoomba main street and town centre.

The inconsistency of the proposed development with local character is a crucial issue because this site is located within major tourist routes of the southern escarpment of the Blue Mountains. Up to 4 million people visit the area every year, with 1 million visiting Katoomba Falls alone (Blue Mountains City Council, 2021). Popular visitor destinations dot the southern escarpment, as shown in Figure 5.4 below.

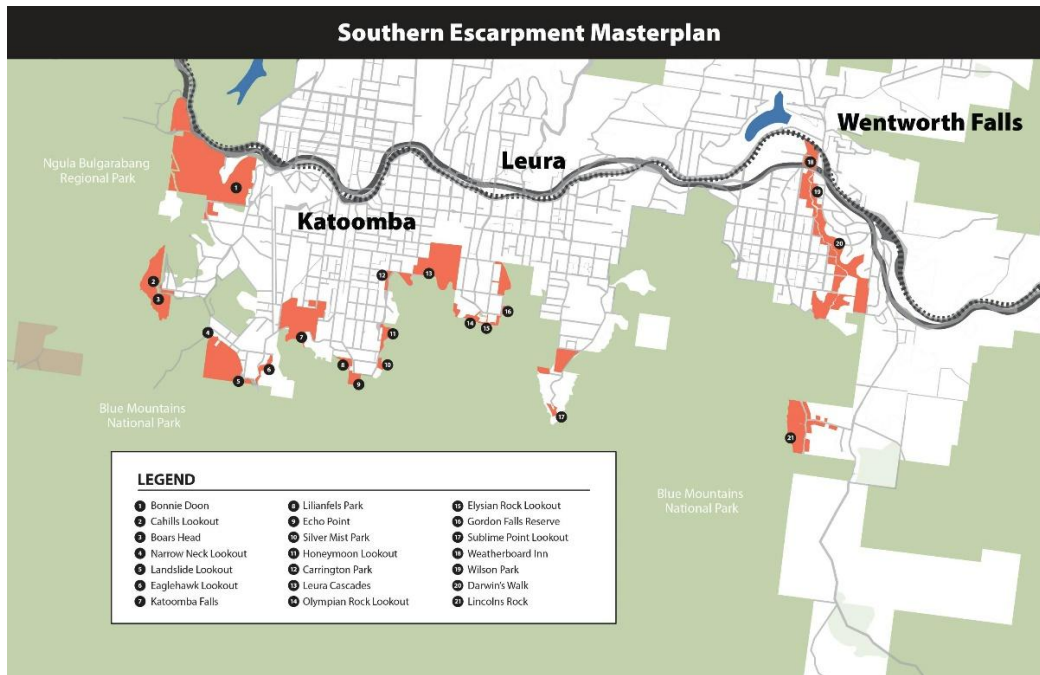


Figure 5.4: Visitor destinations and popular viewpoints along the southern escarpment. Source: Blue Mountains City Council

In addition to Katoomba Falls, there is Echo Point (see Figures 5.5 and 5.6), Eaglehawk Lookout, Narrow Neck Lookout, Boars Head, Cahill's Lookout (see Figure 5.7) and Bonnie Doon Reserve. These are globally recognised tourist destinations, attracting visitors because of their World Heritage listed scenic values.



Figure 5.5: The site of the proposed development outlined in blue as viewed from Echo Point top (above) and the view of the Narrow Neck plateau also from Echo Point (above).



Figure 5.6: The development site is marked by the red line. Viewed from Echo Point area.



Figure 5.7: The proposed development site is marked by the red line. View from above Cahill's Lookout.

Given the location of the development site on the southern escarpment, the VIA has failed to consider its visual impact on places of high visitation along the southern escarpment, such as Echo point, shown in Figure 5.4 or Katoomba town centre. The proposed development is not consistent with the objective to maintain the scenic, aesthetic and cultural values of the “City within a World Heritage National Park” and therefore does not comply with 6.1(2)(a) of the Blue Mountains LEP 2015 or C1.8 of the Blue Mountains DCP 2015. The Society believes that this development proposal should not be given consent.

Protected escarpment area

The proposed development site sits wholly within the Protected Area – Escarpment under the Blue Mountains LEP 2015, as shown in Figure 5.8 below. These areas are to be protected in accordance with clause 6.1 about impact of development on environmentally sensitive land (Blue Mountains DCP 2015 C1.7).

The Society believes that the EIS has failed to consider the scenic and other values of the escarpment protection area. The EIS does not contain a Site Analysis Plan that recognises that the whole site is a Protected Area – Escarpment, as required by the Blue Mountains DCP 2015. We believe that the development does not comply with objectives and controls for the escarpment protection area. This development would be an ‘eye sore’ and stand out from far distances, interfering with the perception of the escarpment as a significant natural feature. This point is discussed further below.

According to clause 6.12 of the LEP, consent should not be given to this development because:

- it will have a significant adverse impact on the scenic values of the escarpment system,
- it is not designed and sited to “respond sympathetically to the land form of which it will form a part” (6.12(2)(d)),
- it will protrude significantly above any adjacent building and the existing vegetation canopy surrounding the area, and
- it will “visually disrupt the skyline by protruding [significantly] above the ridgeline...” (6.12(2)(f)).

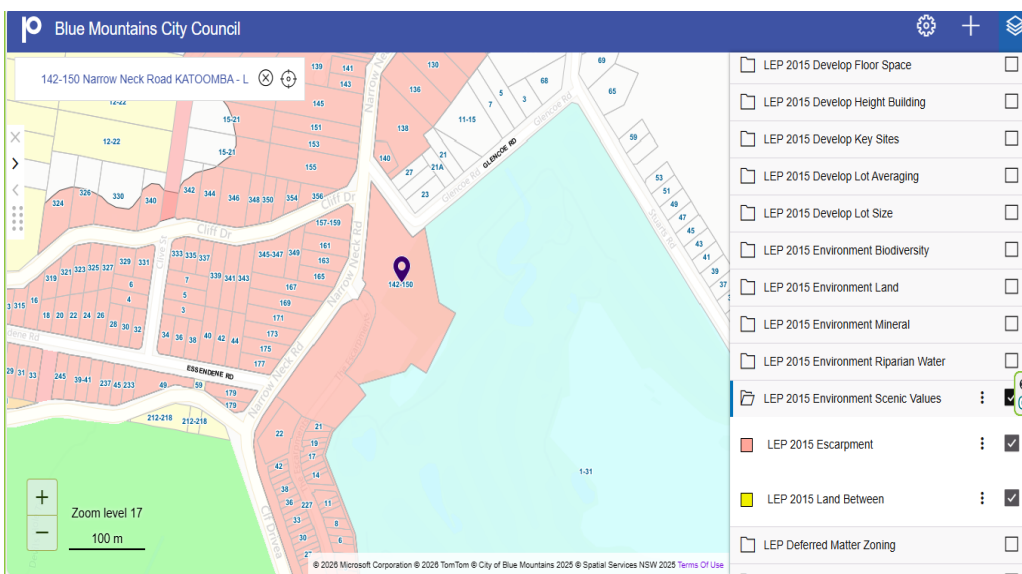


Figure 5.8: The site is covered by a Protected Area – Escarpment, shaded pink. Source: Blue Mountains City Council (2026).

The proposed development is not consistent with the objectives of clause 6.12 of the LEP about preserving the visual and cultural values of the escarpment. This clause states that development must be restricted in escarpment protection areas to minimise adverse impacts on the natural beauty of the escarpment.

Scenic values of the World Heritage listed Blue Mountains National Park

The Society believes that the VIA has also failed to consider the impact of the proposed development on the scenic and aesthetic values of the Blue Mountains World Heritage Area. The Blue Mountains National Park Plan of Management recognises the outstanding scenic values of the area, including the southern escarpment in which this development site is located. A specific objective of this Plan of Management is the protection of views from within and from outside the park (p10). The proposed development is not consistent with this objective, as it will significantly adversely impact these views.

There are popular visitor destinations within the Blue Mountains National Park below the southern escarpment. These include: the Six Foot Track and other Megalong Valley visitor destinations, Narrow Neck plateau, Ruined Castle and Mount Solitary, Kedumba campground, and Tablelands Road in Wentworth Falls, as shown in Figure 5.9. The proposed development will stand out starkly and jarringly when visitors within the World Heritage listed Blue Mountains National Park look at the spectacular cliff line of the southern escarpment, and it will interfere with the natural beauty of the area.

The GBMWhA includes some of the most dramatic scenery in Australia, with its best known landscapes dominated by striking vertical cliffs and waterfalls. With many vantage points on ridges and escarpments, the GBMWhA offers outstanding vistas, from uninterrupted views of forested wilderness covered by natural vegetation to the contrasts of steep forested slopes surrounding cleared valleys. The area's scenic and aesthetic values are demonstrated by ...the significant levels of visitation to scenic vantage points (Greater Blue Mountains World Heritage Area Strategic Plan, 2009, p17).

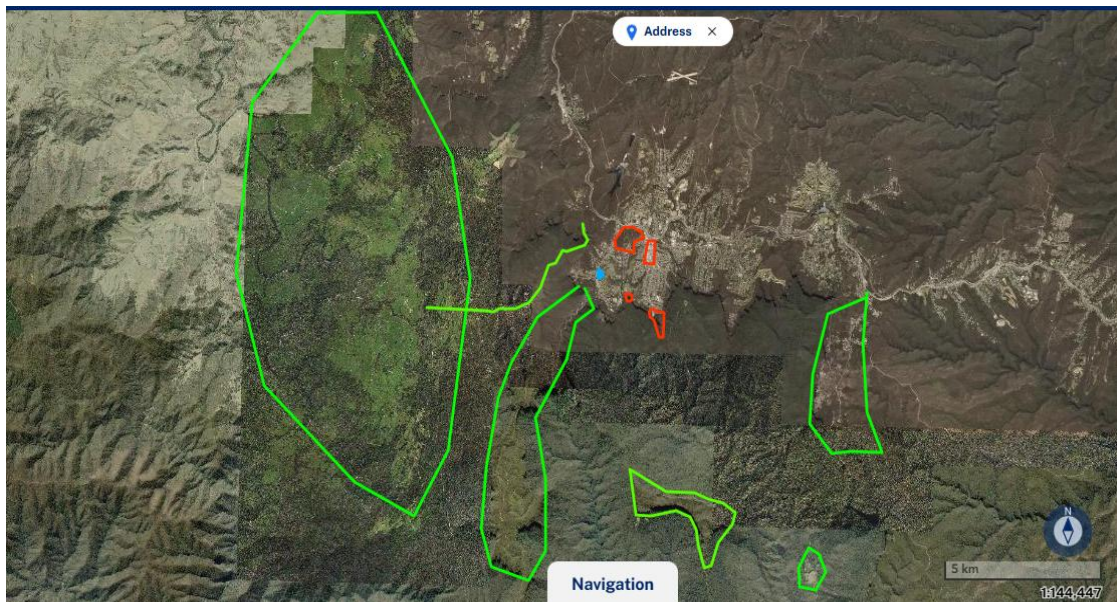


Figure 5.9: Some key points on the escarpment from which the development will be visible, including Katoomba Town Centre and Echo Point (marked in red); visitor destinations in Megalong Valley and the National Park from which the development will be visible, including the Six Foot Track, Narrow Neck Plateau, Mount Solitary, Kedumba campground and Tablelands Road in Wentworth Fall (marked in green). The proposed development is marked in blue. Source of map: NSW Government Spatial Services (2026).

According to the Greater Blue Mountains World Heritage Area Strategic Plan (2009), world heritage values include scenic and aesthetic values. The management of adjacent urban development needs to be consistent with protection of these scenic and aesthetic values (p17).

Pressure for urban residential and tourist development, particularly incompatible development adjoining the Greater Blue Mountains World Heritage Area (GBMWhA), is listed as a threat to these scenic values.

According to the Strategic Plan, It is of critical relevance that any adverse impacts of this proposed development on the scenic and aesthetic values of the World Heritage Area must be prevented, eliminated or at least minimised. To this effect, the Blue Mountains LEP 2015 and the DCP 2015 have appropriate development controls for lands adjoining and within scenery catchments of the GBMWhA. This is captured by the Protected Area – Escarpment described above. According to the Assessment Table in Figure 6, page 12 of the VIA, the visual impact of the proposed development would be high, using the example: 'loss of iconic view impact on significant number of receivers' and visual quality: 'predominantly natural features, significant views of distinct natural formation, eg cliffs, mountains'.

Therefore, as outlined in the above discussion, the Society believes that this development proposal does not comply with local controls, it will interfere with views of the Blue Mountains National Park, and that it will have a significant impact on the scenic values of the World Heritage Area.

The Society believes that the proposed development will have an adverse impact on the visual and cultural values and natural beauty of the escarpment. The excessive height and site coverage of proposed buildings along with removal of remaining native vegetation and negligible planting means that the development will be highly visible from considerable distances. The proposed development is within the scenery catchment of the Greater Blue Mountains World Heritage Area. The Society believes

that it will have a significant adverse impact on the scenic and aesthetic values of the World Heritage Area and therefore should not be given consent.

7. ENGAGEMENT

The proponent has not conducted the required engagement with the local community so would be unaware of the significant objection to this proposed development.

The DPHI document “Undertaking Engagement Guidelines for State Significant Projects” Appendix A Requirements for Engagement Table 1 outlines the requirements for each stage of the development process. We limit our discussion to engagement related to the local community. Under “Preparing the EIS” the requirements include but are not limited to:-

- *“Inform the community about the opportunities to engage*
- *Explain how community feedback will be considered and documented*
- *Provide relevant information in plain English so that potential impacts and implications can be readily understood*
- *Give the community the opportunity to voice their concerns or share local knowledge so that this information can be considered early on in the planning, design and assessment”*

The community is able to:

- *Seek clarification about the project and its impacts*
- *Provide timely feedback to the proponent about aspects of the project which they support, do not support or wish to be adjusted*

The Community and Stakeholder Engagement Report provided by Meliora Projects includes a table “Community and Stakeholder Engagement Register and Timeline” (The Table). The Table states efforts were made to consult with “General Public”, “anyone interested in the project”, “immediate neighbours”, “Blue Mountains Community”, “wider community” and “immediate locality” between October 2025 to November 2025 and ongoing.

We note:-

- The Society has been campaigning against this proposal since mid 2025 and has provided information to our members and the community in the form of Facebook posts, a dedicated web page, an electronic enews, articles/ads in our regular newsletter, public meetings, posters in shops, media releases to the Blue Mountains Gazette, ads in the Gazette, local radio, flyers to a large area of Katoomba and extra flyers to a smaller area closer to the proposed development. Information has also been provided by others, including Facebook groups and articles reported in the Blue Mountains Gazette.
- The Society has a membership of over 900 and also now has a database of over 300 others specifically concerned about this project, all of whom have been regularly kept up to date on the proposal.
- Through those connections we are in communication with several people who live in the immediate area of the development or within the 1km flyer delivery area and have only found one resident who received the first flyer which the Table states was circulated to 50 “immediate neighbours”. The Table also states “A limited response has been received at the time of reporting.”

We assume the time of reporting was February 2026 although there is no date on the report listed as Appendix AG.

- Supposedly a dedicated webpage providing information about the project and an invitation to engage was made available on 17 October 2025 and the Table notes *“No responses received at time of reporting.”*
- How was the website publicised? We suspect no responses were received because nobody knew the website existed.
- The Table notes a Facebook page *“Blue Mountains Alpine Retreat and Residences”* was organised on 25 October 2025, managed by the proponent. This Facebook page has no posts and only 2 friends, one of whom is associated with the proponent and the other a local known to us who must have stumbled across the page. So the reality is nobody has known about this Facebook page. The page is difficult to find without a link provided and does not come up on a Google search. The page is not referenced on the website <https://mountainsblue.com.au/>. The Table *“Engagement Outcome Data Analysis”* (The Second Table) on page 20 of the report provided by Meliora Projects notes *“No particular feedback was received via this platform to date.”* It is not referenced in the second letter distributed on 30 October 2025. How was this Facebook page publicised? We can only assume it was not publicised at all.
- The Table notes 1600 second flyers were distributed to a 1-2km radius area on 30 October 2025. Appendix 3 shows the distribution area for the second flyer. To date we do not know of any resident who received this flyer. As a result we suspect this flyer was not distributed.
- The second letter distributed 30 October 2025 invites the community to partake of interviews facilitated by the Meliora Projects team. The Table notes *“Response pending at time of reporting”*. The Second Table notes *“However, at the time of preparing this final report, the interviews have not yet been conducted and are therefore not reflected in the current revision.”* We can only assume that as the second letter does not appear to have been circulated, the community were not aware of the interview sessions.
- The Second Table notes that the survey feedback *“has been taken into consideration ..”*
- The Second Table also notes the website and Facebook page serve *“as a central, transparent communications platform”*. We suggest there was no communication as the community was not aware of either facility.

Whilst it is clear that the only engagement attempted with the community was one letterbox drop to 50 residences, from that action 6 responses were received. To note:-

- On p 21 of the Meliora Projects report it is noted that 6 responses were received from the survey promoted in the first letter distributed in September 2025 and that *“All six responses were received from residents living in the immediate area surrounding the project site. The general sentiment across responses was strongly negative, reflecting significant concern about the scale, environmental sensitivity, and character compatibility of the proposed development. While several participants recognised potential benefits such as improved amenity and access, these were outweighed by concerns regarding traffic, bushfire risk, construction disruption, and perceived incompatibility with Katoomba’s character and environmental values.”*
- On p 22 of the Meliora Projects report it is noted that *“Community feedback indicates strong concern regarding scale, amenity, traffic, and environmental compatibility, alongside high expectations for transparency and mitigation.”*

The proponent’s limited effort to engage with the community suggests that public feedback was not treated as a genuine priority, and that the consultation undertaken was largely procedural. Had the actions

outlined in the table been meaningfully implemented, it is likely that Meliora Projects would have received a substantial volume of responses, revealing the full extent of community opposition to the proposal.

The Meliora Projects report concludes that feedback reflects *“strong local knowledge and a deep attachment to the character and environmental values of Katoomba”* and *“there remains strong concern about ensuring that any development aligns with the Blue Mountains unique character and environmental identity”*. Indeed, these comments from only 6 respondents reflect the Society’s understanding of community sentiment.

We also note that no documents with details of the proposal have been available to the general public until the EIS was released on 17 April 2026. The only information provided has been a few basic lines describing the project on the NSW Planning website and additional information relating to the “resort” aspect of the proposal on the mountainsblue.org.au website for those who knew the website existed. This is totally unacceptable.

To illustrate the interest of the community in this project we offer the following stats from our engagement with the community.

Facebook posts

Date	Title	Views	% non-followers	Clicks to website
29/9/25	Here’s what’s proposed at Narrow Neck Rd	44,000	85	549
3/10/25	The Greater Blue Mountains Area is World Heritage-listed	11,500	94	17
13/10/25	The Blue Mountains charm comes from ...	29,000	95	190
19/12/25	The NSW Govt’s new Housing Delivery Authority ...	14,720	89	116
30/12/25	The Blue Mountains is one of the highest bushfire-risk ...	11,700	87	50
3/1/26	Tourism thrives here because of what we don’t have	16,300	90	38
10/1/26	This campaign is about more than one development ...	13,950	87	133

Table 7.1 Facebook posts from 1 July 2025 to 21 April 2026 with over 10,000 views.

Website hits to “Not another suburb of Sydney” web page and sub pages

Month	Hits
September 2025	1,005
October 2025	2,272
November 2025	199
December 2025	631
January 2026	539
February 2026	1,061
March 2026	594
1April – 24 April 2026	1,225

Table 7.2 Website hits to bluemountains.org.au September 2025 to 24 April 2026

If the proponent had done adequate research on the expected reaction of the Blue Mountains community to this proposal they would have realised that gaining the confidence of the local community would be

paramount to the success or otherwise of this project. A public meeting with all parties present is a critical decision point in planning and should have been carried out for this proposal.

The Guidance for Concurrent Rezoning Report: SSD housing includes Consultation as a matter to be considered. As previously noted we consider community consultation to date is inadequate for making decisions on such a large project. The Recurrent Rezoning report submitted by Meliora Projects notes *“Community engagement will be undertaken as part of the public exhibition process”*. No consultation has been evident in that process.

The proponent has not conducted engagement with the local community as required by “Undertaking Engagement Guidelines for State Significant Projects”. The community has not been adequately consulted or provided with adequate documentation and has not been given the opportunity to provide input into the process. Due to the known extensive opposition to this proposal and the lack of opportunity for the community to object at an early stage, the proposal should be rejected.

8. TRAFFIC

The development site poses significant traffic related issues including the surrounding narrow roads, access to town centre, overflow parking round the site and emergency evacuation.

Overflow parking

Parking has been provided for residents of the complex however only 18 spaces have been allowed for visitors to the Restaurant building where the LEP/DCP requirements are 33. Page 15 of the report makes some incorrect assumptions which would affect the number of parking spaces that should be provided for this building. It assumes that patrons from the nearby residential area would walk to the restaurant. Whilst some may, there are no footpaths on adjacent streets and the road edges and verges are uneven. Walking at night would be hazardous.

Page 16 continues with *“it is unlikely that the restaurant would attract a large number of customers from distant locations”* and *“it is expected that the majority of patrons would not travel by car”*. This restaurant/gallery/information centre is 2km from the town centre and even further to a large part of Katoomba residential areas. As has already been stated, footpaths are absent and there are none on any of the streets closer to the site than the Katoomba St and Lurline St areas. Also, as Katoomba is a larger business and tourist area than many of the other Mountain villages with the applicable amenities, people on the Mountains are used to travelling great distances to a favourite eating venue. Tourists will not know their way around and would more than likely not be prepared to venture out without the GPS ie car. As such it can be assumed that the vast majority of customers at the restaurant, gallery and information centre will arrive by car.

DCP 2015 E2.2.1 C2. states *“Where all parking generated by the development cannot be accommodated onsite, justification as to how parking demand can be managed without adverse impacts on the locality is to be provided.”* The Traffic and Parking Impacts Report from TEF Consulting on page 4 states that Narrow Neck Rd and Cliff Drive each have two travel lanes and *“parking opportunities on both sides of the street”*. It also states that Glencoe Rd has only one travel lane but with a wider section in one area and that *“shoulder parking opportunities exist on the southern side of the street”*.

The assumption that the surrounding roads ie Cliff Drive, Narrow Neck Rd and Glencoe Rd are suitable for overflow parking is laughable. Page 16 of the report states *“these spaces are proposed to accommodate overflow parking for the restaurant”*. That is not an acceptable plan. With the exception of the section 171-177 Narrow Neck Rd which has curb and guttering, the edges of the bitumen on Cliff Drive, Glencoe Rd along the former Golf course land and the remainder of Narrow Neck Rd are often rough and damaged

with pot holes. See Figure 6.1 for a view of the current state of Glencoe Rd bordering the former golf course. Parking on those streets would cause significant issues with destruction of verge areas, which residents would then need to repair, and possibly damage to vehicles. Deterioration of these areas would contribute to erosion of soil into adjoining bushland. Realistically parking cannot be considered in these streets without suitable road works, including kerb and guttering. The Society is of the understanding that the cost of any roadworks would be borne by Council. Why should Council be burdened with this cost for an entirely inappropriately located development?

In the section of Narrow Neck Rd between Glencoe Rd and Acacia St there is no shoulder, or parking lane, on which to park. Many of the trees immediately beside the road along part of this section are old and may be hollow bearing providing homes for native animals so must not be damaged by an over demand for parking. The assumption that a parking lane exists on the eastern side of this section of Narrow Neck Rd is incorrect.



Figure 6.1 Glencoe Rd looking north (E Howard)



Figure 6.2 Neale St looking north from Loftus St (E Howard)

Local roads

The location of the site, being over 2km from the town centre and railway station, means that visitors to the resort will inevitably come by car, as outlined above. Permanent residents are also likely to be car dependent. This is not aligned with the NSW government view to limit car travel and encourage people to use public transport or other means of getting around eg cycling and walking. The resort and permanent accommodation are not close enough to the town centre and amenities to fulfil this policy.

Katoomba is not serviced by a frequent train service and whilst there is a regular bus route servicing the site, the nearest current bus stop is about 100m down Narrow Neck Rd. With the absence of footpaths, arrival at the resort by bus would be difficult and dangerous. If visitors are expected to arrive by tourist bus, there will be nowhere for the buses to park. The issue of tourist bus parking is already a problem in the upper Mountains.

The road network around Narrow Neck is already under pressure and it was never designed to handle a large influx of new residents or vehicles. Anyone who lives or drives in Katoomba knows that congestion is now a daily reality, and that many local streets are narrow, winding and unsafe for pedestrians.

Narrow Neck Road for the majority of its length is a two lane, winding route often shrouded in fog - a frequent hazard near the escarpment. During peak hours traffic is constant, and there are no footpaths connecting the area to the shops or station. Pedestrians must walk on the road or on uneven ground, creating a real safety risk.

There are a few routes to the Katoomba township from the site. One route commonly used is via Neale Street. This becomes a single lane when cars are parked on one side - and completely impassable when parked on both. See Figure 6.2. With only two highway entrances eastbound (Parke and Bathurst Streets) and two westbound (Parke and Kulgoa Streets), the local network has very limited capacity. Parke Street, the main access point, is congested most of the time, with queues often stretching down to Waratah Street.

Most residents rely on cars for shopping, work, school and personal business. Adding hundreds of extra residents would mean hundreds more vehicles on roads that are already at their limits. Increased noise, pollution and headlight glare will also impact surrounding homes, particularly along Narrow Neck Road.

Disturbance to local residents

Existing residents are concerned about the entry/exit points to the complex from Glencoe Rd and The Escarpments. All exiting vehicles will need to turn into Narrow Neck Rd from Glencoe Rd or the Escarpments. The turn right up the hill from Glencoe Rd is generally hazardous as the road bends and has limited visibility. It is also worse at night or in fog, a regular occurrence so near the escarpment. The residents directly across from these exit points will suffer glare from headlights on a regular basis and engine noise from turning vehicles.

Evacuation constraints and emergency risks

Traffic issues relating to bush fire emergencies have been outlined in Section 4 **BUSHFIRE RISK** of this submission. Adding hundreds more people and vehicles would create dangerous bottlenecks, making it difficult for emergency services to respond and harder for people to escape safely.

The proposed development is only accessible through narrow and/or winding roads, many of which have soft precipitous edges and no footpaths, causing safety issues for both people and vehicles. Roads would quickly become impassable in an emergency. Disturbance to local residents would be significant due to on street overflow parking and noise and light from vehicles exiting the site. For these reasons the proposed development should be refused.

9. SOCIAL IMPACT

The proposed development is not in keeping with the general area, will not provide significant additional affordable housing, and if approved would set a precedent for further development of this kind.

The website created by the consultant for engagement Meliora Projects states *“The proposal represents a new chapter for the area, blending contemporary architecture, vibrant community spaces, and carefully considered design that complements Katoomba’s unique character and natural beauty”*.

It is not clear what is meant by a *“new chapter”*. Is there a suggestion of changing Katoomba’s unique character? How does the addition of nine four storey buildings in whatever architecture, crammed in together on an unsuitable block of land, complement the existing unique character of the area, considering that *“unique character”* is generally considered to consist of older weatherboard cottages and other historic buildings? Limiting building heights and floor space ratios is one way the LEP is designed to protect this character.

The existing proposal presents a huge complex inappropriately placed in the landscape and disguising this by diverting the reader to consider “*carefully considered design*”, either in its built form or leafy pathways, is insulting to the local community. Its bulk, height and lack of interaction with the surrounding National Park and World Heritage Area definitely does not complement “*Katoomba’s natural beauty*”.

As noted at Section 7 Engagement it is clear that feedback from the community is not important to the proponent. It should be noted that the social impacts of this development proposal extend far beyond residents living in the streets surrounding the site but across the whole of the Blue Mountains.

Expected significant social impacts of the development proposal are many.

Cultural and aesthetic effects

As outlined above, the proposal neither aligns with nor offers any tangible benefit to the local area or the Blue Mountains more broadly. This is highly concerning for residents who value the area’s peaceful surroundings, as well as for tourists who visit to escape the congestion and overdevelopment of Sydney. Such changes risk undermining the local economy, which depends heavily on the region’s natural environment and village character. Once these are diminished, so too is the foundation that supports tourism.

The additional traffic and parking issues as outlined in 6. Traffic will cause residents in the area surrounding the development to experience challenges, particularly with overflow parking.

How humans relate to place and their place identity, is known to be a factor in wellbeing. A development of this size with the ramifications that come from the development will change the nature of the locality permanently. People who have chosen to live in the area may be detrimentally affected by the significant changes the development produces on the area and lose their sense of place.

With the addition of such a significantly different development in scale, visual impact, noise, traffic and car lined streets, to the existing local area, the character of the local area will change dramatically and this change will not be reversible.

Initially through the construction stage and then when operating, the development will cause significant disturbance to residents in the local area. This will be in the form of noise, light, traffic movements and congestion, and parking. We note the construction period is expected to be 36 months ie 3 years.

Page 73 of the Social Impact Assessment report, under “*Neighbourhood character and Visual Amenity*” states “*the development will contribute to a gradual evolution of the local character from low-density residential to a more mixed-use, environmentally integrated precinct*”. If Meliora Projects had done the required consulting with the community they would have found out that the community does not want to evolve to a mixed-use precinct, and that the project is certainly not environmentally integrated.

Visual impact

Further to impacts noted in Section **6 VISUAL IMPACT** of this submission, the visual impact of four or more storey buildings to local residents would be enormous, particularly to those residents in Narrow Neck Rd, Glencoe Rd and The Escarpments, all opposite the complex. Many residents moved to this area to be surrounded by green space and trees, not to look directly at multiple large buildings. This could also cause anxiety over the possibility of a drop in real estate value. Despite the photo montages provided in Appendix AL Visual Impact Report which do not include views from significant and commonly visited locations, the development will appear as a blot on the landscape from many locations in the Katoomba area.

The visual impact of the proposal has been severely understated in Appendix AI Visual Impact Assessment. The montages have not been taken from relevant locations and the assumption that the overall impact is *“acceptable within the local character and escarpment setting”* is laughable. The proposal does not achieve *“visual integration”* and does not *“maintain the visual character, scenic quality, and community identity of the Blue Mountains”* as stated on page 56 of the Appendix AH Social Impact Assessment. It certainly does not enhance *“community satisfaction”*. *“Minimising visual bulk” will not “mitigate potential opposition based on perceived overdevelopment”*.

Community disempowerment

Many people are shocked by the increasing means by which government forces change on its citizens and reduces their ability to participate in the decision making process. In recent times this has taken the form of reducing the ability of the community to comment on government proposals for example the reduction of the exhibition period for HDA SSD housing projects from 28 days to 14 days. Legislation has been watered down by quietly removing essential checks and reporting or changing language to reduce the necessity for carrying out checks and reports like only requiring reporting on *“significantly likely”* impacts rather than *“likely”* eg the Environmental Protection and Assessment Act.

Across Sydney, entire suburbs are being transformed by extensive tree removal, loss of heritage, and worsening traffic, often with little opportunity for communities to influence or prevent these changes. Many residents experience a profound sense of loss as their neighbourhoods are altered beyond recognition. While some relocate, sometimes to places like the Blue Mountains, others are unable to leave and must remain in environments that feel unfamiliar, a situation that can lead to significant emotional and psychological distress.

For residents of the Blue Mountains who live within a World Heritage Area, and are surrounded by green space and heritage villages, the (unsuccessful) attempt to introduce the low to mid rise housing reforms in 2024 had the potential to transform the Blue Mountains into another suburb of Sydney. The establishment of the HDA to fast-track State Significant Development (SSD) residential projects is deeply concerning, particularly as it bypasses local council oversight and enables developments to proceed with minimal local input or constraint. The Blue Mountains should be seen as and conserved as a green oasis surrounding Sydney, not as another suburb of Sydney taking up the excess population Sydney cannot find space for.

Not about housing

Feedback from the community tells us that locals recognise that this proposal is not about providing housing. Only 15% is affordable housing is only guaranteed for 15 years and is unlikely to be affordable for Blue Mountains locals, especially older and younger people. Remaining residents will no doubt come from somewhere else but there will be limited employment opportunities in the local area and inadequate services eg most local GPs are not taking new patients. If apartments are bought for holiday use, it can weaken social cohesion, due to the intermittent influx of short-term occupants.

Whilst the documents provided in the EIS give no indication of the price point for the 218 residential units, the website describes the homes using the terms *“comfort”* and *“high-quality living”*, terms usually reserved for high priced real estate. As such the additional accommodation provided by this proposal may not service the needs of existing residents, instead appealing to a demographic looking for scenic weekend retreats.

If the proposal is intended to provide housing supply and housing affordability, then the inclusion of serviced apartments and commercial facilities does not address this. The site is not well located or sensitive to the surrounding unique natural environment and cannot support the density of housing proposed.

Setting a precedent

Finally, if this development is approved that will set a precedent for what government thinks is an acceptable development for the Blue Mountains. As a result, our population will be greatly increased causing the natural environment to be further threatened, traffic will escalate, the character villages will be lost, the tourist economy will be threatened without providing much needed housing for Mountains residents which is the main goal of the Housing Delivery Authority. The cumulative effects of changes that would occur if this development is approved have not been considered or given any importance.

The proposed development is not in keeping with the general area, has the potential to cause significant distress to some members of the community, will not provide significant additional affordable housing, and if approved would set a precedent for further development of this kind across the Blue Mountains and so should be refused.

10. HOUSING DELIVERY AUTHORITY PATHWAY AND PROCESS ISSUES

The Society is concerned that the declaration of the proposed development on the HDA SSD pathway is inappropriate for this proposal and site.

Housing vs commercial use

Unlike non-Housing Delivery Authority (HDA) State Significant Developments (SSD), the listing of this SSD development on the NSW Planning website prior to exhibition provided no documents for public viewing e.g. a Scoping Report as part of an application for SEARs. The only information available to the public was a two sentence description of the project *“8 x 4-storey residential flat buildings, including 15% affordable apartments, and additional serviced apartments. Plus an additional 4-storey building for a restaurant use, communal space and other ancillary works.”* We note the listing attached to the Minister’s declaration does not mention *“Plus an additional 4-storey building for a restaurant use, communal space and other ancillary works.”*

The Society is also concerned that what is ostensibly a fast-track approval pathway for housing can apparently also be used to fast track non-housing commercial developments. The public was led to believe that HDA fast-tracked SSD projects would more quickly deliver much needed housing. However, in this instance the housing component has been coupled with serviced apartments which will likely be used for non-housing-related tourist lettings and ‘retreat’ purposes, as promoted by the Engagement consultant’s website (mountainsblue.org.au). Nearly one quarter of the apartments — 52 of the proposed total 270 — will be serviced apartments with adjunct amenities such as restaurants, an internet café, a Wellness and Arts Hub with associated facilities. Indeed, the EIS clearly states the proposal is for a *“mixed use development”*. Yet Section 8 of the Housing Delivery Authority Procedures states *“The HDA will consider expressions of interest for housing developments (not tourist developments) to be called in by the Minister to be carried out as SSD, including any State led rezoning to enable this process”* (emphasis added).

The lack of pre-exhibition information about HDA SSD housing projects, lack of transparency about the HDA’s process of determining SSD projects and the apparent flexibility in the definition of what kinds of developments qualify for HDA SSD status raises community concerns about the integrity of the HDA SSD approval pathway. This can only further undermine the community’s trust in the planning system.

Lack of information and HDA process

As no documents were made available to the public for this proposal, the only information available to the public for this proposal prior to the proposal being placed on public exhibition was a few lines describing the proposal on the NSW Planning website, and the listing when the proposal was declared on 13/5/25.

Together with the reduced exhibition period of 14 days it has been extremely difficult to study the details of the proposal in the EIS and write a submission within the exhibition period. This can only be seen as a way of limiting public involvement in the decision making process. For such a significant proposal this is not acceptable. Surely an extra 14 days, bringing the exhibition period to 28 days, as was previously legislated for SSD residential projects, would make little or no difference in the “fast tracking” of these developments.

It seems too that the HDA pathway process is lacking in scrutiny. Whilst the site is not a bushfire prone block, much of the surrounding land is and there are areas of bushland within 200 m. It seems illogical then that a major development would be proposed which would bring hundreds of people into harm’s way. Closer scrutiny at the EOI stage of the process would have revealed this anomaly.

Anomalies of HDA declaration

Objective 2 of the Housing Delivery Authority SSD criteria states “Identify projects that can be assessed quickly”. Surely a development of such scale and proposed for an environmentally sensitive area, in a highly bushfire prone location, in the middle of a World Heritage area, together with the myriad of other issues outlined in previous points, warrants intense scrutiny and cannot be the subject of quick assessment but requires serious consideration! Again, how did this proposal get recommended for the SSD pathway?

According to Objective 2, for a proposal to be declared on the HDA pathway it needs to be “*Largely consistent with development standards*” as it “*Does not exceed applicable development standards by more than 20%.*” The proposed development exceeds the applicable standards by much more than 20% for height and FSR. How then did the application get past this part of the process?

Further, the HDA SSD criteria state in Objective 3 that the proposal is “*well-located*” if it is within the Six Cities Region, or Greater Sydney in the revised criteria, “*in an accessible area*”. We note there is a bus service which passes the definition for “accessible area” in Schedule 10 of the Housing SEPP. However assuming “*well located*” means “*Proposal site has good access to transport and services*”, that is certainly not the case in the Blue Mountains and even more so at this site. The site is more than 2km from the railway station and shopping centre, the walking route is both dangerous due to the lack of footpaths in the majority of streets, and difficult due to the hilly terrain. Again, closer scrutiny at the EOI stage of the process would have revealed these anomalies.

Also, under “*Well located*” in Objective 3 the criteria states “*Proposal is free of specific environmental hazards and constraints, by not being located: on bush fire prone land*”. Indeed the bushfire map dated 14/5/25, the day after the proposal was declared SSD, does show the site as not being bush fire prone land. However when the proposal was recommended for the HDA SSD pathway, it is understood the land was considered bush fire prone land. How then did the HDA allow this proposal to be recommended for the HDA SSD development pathway? And how did the land suddenly have its bush fire prone category amended? This is further discussed in **4 BUSHFIRE RISK** of this submission.

Regardless of the labelling of the site in regard to bushfire risk, as outlined in **4. Bushfire Risk** above, the site is surrounded by bush fire prone land and very near the National Park, places ripe for combustion in the right combination of circumstances. That is, hardly a “*well located*” spot for the placement of hundreds of additional people.

Objective 3 also states “*Proposal will contribute to the supply of affordable housing (as defined in s1.4(1) of the EP&A Act).*” The addition of 15% affordable housing in this proposal will not contribute to affordable housing supply to any significant degree, especially when it will only be available for 15 years. *Long term* affordable housing is needed in Katoomba, not a temporary fix.

Local controls

The HDA pathway seems to take little account of the particular circumstances of the Blue Mountains. We again have to remind NSW Planning that the Blue Mountains can't be regarded as part of the undifferentiated Greater Sydney conurbation, most of which is designated as Urban Footprint land (these were previously classified as 'Metropolitan Urban Area') in the new Sydney Plan's maps. The HDA process does not consider the Blue Mountains' unique status as a city in a World Heritage Area and consequently the international obligation to protect its scenic and biodiversity values. Further, parts of the Blue Mountains LGA are located in the catchment that supplies Sydney's drinking water. Protection of water catchments is not compatible with urban intensification. Protecting these assets and significant natural areas, alongside providing protection against the extreme natural hazards characteristic of the Blue Mountains LGA (i.e. bushfire), requires but also necessarily imposes, limits on urban growth and intensification. The recognition of these limits to growth underpins the Blue Mountains' local planning controls.

The Blue Mountains City Council (BMCC) is already meeting its state housing targets through appropriate development that complies with the LEP. There is no justification for allowing the HDA to override local planning protections.

To create a development pathway that effectively bypasses the checks and balances of local councils seems problematic. Local Councils know their people, their geography and their development limitations so should carry great prominence in the planning process. BMCC has developed an effective Local Environment Plan in consultation with community members over many decades that sets the framework for conservation of natural areas and heritage values of our villages. To deny BMCC the opportunity at the start of the development process to comment on a particular project of such extent and ramifications, and seriously consider their view, is disrespectful in the least.

Recent planning changes

It seems NSW Planning has a fixation on a "one size fits all" attitude towards planning matters. This demonstrates a lack of understanding of the characteristics, needs and preferences of individual communities and geographical areas. If this attitude is pursued it can only result in environmental and social degradation across the State of NSW.

The revised Environmental Planning and Assessment Act no longer requires major developments like SSDs to be forwarded to relevant government departments and authorities for assessment for example the Department of Environment, Transport for NSW, RFS etc. Now the assessment is done within the Planning Secretary's office by a small panel called the Development Coordination Authority (DCA). The authority does not necessarily have the relevant expertise and will only have 28 days to complete the assessment on large developments.

The DCA is not the consent authority. The Planning Minister or their delegate (which could be the Planning Secretary) is the consent authority for HDA projects rather than the independent Planning Commission, whose processes are more transparent and include public hearings. The Planning Secretary serves as the assessment authority for HDA developments, meaning that the project can entirely be fully approved within the Planning Secretary's office.

The Society has no confidence in the integrity of the HDA SSD development pathway and its decision regarding this proposed development. There are questions over the true intention of the development, bushfire issues, rezoning parameters, and the understanding of "well located". The development should therefore be refused.

11. SYDNEY PLAN AND RURAL CONSERVATION LANDS

The Society notes there is major conflict between the Draft Sydney Plan and the Narrow Neck Rd HDA SSD proposal.

Response 11 of the Sydney Plan (the Plan) addresses the management of land beyond the Urban Footprint (UF); that is, the Rural and Conservation Lands (RCL). Confirming the purpose of the RCL, page 64 of the Plan states *“These lands are not waiting for urban development”* and *“Urban development outside of the urban footprint is generally not supported”*. Looking at the boundaries of the UF on the detailed Katoomba map accompanying the Plan, the proposal on Narrow Neck Road lies outside the UF boundary in the RCL on the escarpment bordering the World Heritage Area. The development qualifies as a *‘proponent-led proposal to rezone land beyond the urban footprint’* by virtue of its gross contravention of ‘protected area’ provisions and development standards in the Blue Mountains LEP 2015, requiring a concurrent rezoning.

The development also contravenes Response 11 of the Plan and the *‘Urban footprint policy guidance’* document (Appendix J) which provides criteria for assessing the rezoning proposal. The relevant Objectives and Principles of the *‘guidance’* that this development contravenes are:

Objectives of the *‘guidance’*:

- *“Maintain and enhance the distinctive character of the rural towns and villages*
- *Preserve scenic landscapes and areas of heritage, cultural and recreational value*
- *Protect and enhance natural assets including biodiversity and habitat, waterways or drinking water catchments*
- *Minimise climate and natural hazard risk to human life and property”*

Principles of the *‘guidance’* relating to:

- *“Infrastructure provision*
- *Strategic alignment and location*
- *Land use conflict*
- *Natural hazards, particularly ‘5a. Confirm the proposed development is not subject to hazard from bushfire’ and ‘6. Confirm the development will not increase the impact of existing or future natural hazards or risk to human life, health and property noting that risks may change with future environmental conditions and natural hazard exposure.”*
- *Environment and biodiversity”*

We also note that 218 apartments would deliver over one-third of the Blue Mountains 5-year housing target of 600 over 2024-2029 at once, rather than in conjunction with supporting infrastructure development. Along with its 52 serviced apartments, this massive development would put a major strain on current infrastructure capacity.

Apart from the proposed development’s contravention of the draft Plan’s objectives and principles for proposals beyond the Urban Footprint, which as part of a draft Plan, the consent authority must consider along with LEP-related and other matters - we wish to register our concern that Authorities and Departments within the NSW government seem not to be aligned. The HDA recommended this development for SSD status through a highly questionable process and apparently without reference to the draft Sydney Plan. The Plan would have been at an advanced stage of development at the time the SSD declaration was made and SEARs issued (mid 2025).

If this development is approved by the Department of Planning it will show that the Rural Conservation Land designation does not provide protection against the incursion of inappropriate, large-scale urban development into those areas. It will have the dubious distinction of being the first manifest failure of the Sydney Plan's policy direction to focus growth within the UF to protect key environmental areas, manage land uses on the fringe and promote sustainable growth in the right locations.

CONCLUSION

It has become apparent after reading the EIS documents that the proponent shows blatant disregard for local Environmental Planning Instruments while claiming that the proposal will bring better housing outcomes and other benefits for the local community.

The proposal does not comply with Section 4.15 of the Environmental Planning and Assessment Act 1979 No 203.

The Society disagrees with the claims made under "*Project Justification*" on page 3 of the EIS. The proposal:-

- does not meet the requirements of the LEP 2015,
- is not consistent with the Greater Sydney Plan 2018 or the new Sydney Plan,
- is extremely dominant within the setting of the locality, the stepped building form making it appear even more so,
- will not provide any significant new housing for permanent residents
- is not in a well-located area being a considerable distance to public transport (trains), services, and community facilities,
- does not provide suitable solar access and there are no view sharing outcomes for neighbouring properties,
- will not facilitate public domain improvements for future residents and the public,
- is not suitable for the site and is not in the public interest.

After studying the extensive material supplied by the proponent the Society wonders how a conclusion that the proposal will not give rise to unacceptable environmental impacts, is supportable from a planning perspective, is suitable for the site, and is in the public interest, can be reached.

OUR REQUEST

We respectfully call on you Minister Scully to refuse the development at 142-150 Narrow Neck Rd Katoomba, and intervene to ensure that the Blue Mountains Local Government Area is exempt from the Housing Delivery Authority pathway.


All in all, the Society believes this is yet another very ill-considered 'one size fits all' proposal to address Sydney's housing crisis and we are at a loss to understand how the HDA could have made its decision in relation to this proposal.

As discussed above, the EIS fails in many ways to address the SEARs items in any satisfactory manner, presenting many questions over the accuracy and intention of the report contents.

Housing supply is important. However, the Blue Mountains Local Government Area is already meeting its state residential housing targets through development that complies with the Blue Mountains Local Environmental Plan. Because we are in a World Heritage Area, housing in the Blue Mountains must be environmentally responsible and aligned with long-established planning principles embedded in our Local Environmental Plan.

The NSW Government recognised environmental and bushfire constraints when it exempted the Blue Mountains Local Government Area from its Low-and Mid-rise Housing Policy in June 2024. For the same reasons, the Blue Mountains should be exempt from the Housing Delivery Authority pathway, and the development at 142-150 Narrow Neck Rd Katoomba be refused.

Yours sincerely

A handwritten signature in black ink that reads "Annette Sartor". The signature is written in a cursive, flowing style.

Annette Sartor
President
Blue Mountains Conservation Society Inc

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