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Nature Conservation Saves for Tomorrow

21 January 2026

Ms Trish Doyle MP
Suite 6, 5 Raymond Rd
SPRINGWOOD NSW 2777
Email : bluemountains@parliament.nsw.gov.au

Dear Trish,

Clarification and rectification of Environmental Impact Statement (EIS) lodgement period for Housing Delivery Authority (HDA) State Significant Development (SSD) projects

We wish to draw your attention to a new concern the Society has identified regarding the Housing Delivery Authority's streamlined SSD pathway in light of recent communications with the NSW Department of Planning, Housing and Infrastructure (the Department). Our concern relates to clarification of the required EIS lodgement period for HDA SSD projects as 2 years rather than the 9 months stated in the government's and HDA's public communications. We request that you take this issue up with Minister Scully on our behalf.

As you know, the Society is very concerned about the proposed large housing and accommodation development in Narrow Neck Rd Katoomba that was declared an SSD in May 2025. Standard non-project specific housing industry Secretary's Environmental Assessment Requirements (SEARs) were issued in June 2025.

The Society and the Blue Mountains City Council have publicly and in letters to the Minister of Planning objected to the proposed development on the following grounds:

- inappropriate size and density (nine 4-storey buildings housing 214 apartments plus 52 serviced apartments)
- visual impact due to its position close to the escarpment near the boundary of the Greater Blue Mountains World Heritage Area
- anticipated adverse environmental impacts, particularly on the nearby swamp and watercourse flowing into the Blue Mountains National Park
- bushfire risk
- non-compliance with the Blue Mountains Local Environmental Plan.

The Council and the Society also objected to the process for, unlike standard SSDs, the Council had no advisory input into the SEARs, nor were they even informed of the proposal before SEARs were issued.

In July 2025, the Society submitted an objection to the proposed reduction of the exhibition period for SSDs from 28 days to 14 days in the case of HDA housing projects. We argued it was unfair to the affected community, some members of which work full-time or for other reasons have limited

opportunities to engage with the often-extensive documentation, identify issues and formulate a fully informed response. At least standard SSDs have a 28-day consultation period. Disappointingly, the 14-day HDA SSD exhibition period is now in force through the NSW Community Participation Plan.

It seems to us that existing measures and the newly-introduced planning reforms are designed to ensure fast-track delivery of housing through:

- bypassing any upfront meaningful scrutiny of the proposed project in order for it to be quickly declared an SSD project by a small HDA committee, thereby taking it out of the local council's hands. On the other hand, applications for standard SSDs at least have to include a Scoping Report that is reviewed by government agencies including the local council, who then advise on the project-specific SEARs to be issued
- reducing the EIS requirements through issuing a standard (non-project specific) housing industry SEARs without any reference to site-specific issues
- (supposedly) stipulating a 9-month EIS lodgement period following the issuing of the SEARs (though it was always clear that preparing an EIS for such large projects with little or no 'front end loading' i.e. a Scoping Report would be pushing it)
- limiting community consultation to a 14-day exhibition period
- constraining the environmental assessment process (e.g. recent 'raising the bar' planning reform changes to Section 4.15 considerations, non-referral to specialist staff in relevant government departments)
- expediting the approval process including granting a concurrent 'spot rezoning' or amendments to planning instruments if the proposed development is non-compliant.

We believe this process, as it is developing over time, increasingly benefits developers to the detriment of the community in which these developments will be built.

Adding to the disadvantage to the community in the HDA SSD process, and which is the new concern that prompts this letter, is the matter of the supposed 9-month EIS lodgement period after SEARs have been issued. Reviewing the documentation for the proposed Katoomba housing development, we noticed a discrepancy between the information on the HDA website and the information sent by the Department to the proponent in the covering letter to the SEARs (see attached). The HDA website and other government material clearly states the project proponent has 9 months to lodge an EIS following the issuing of the SEARs; the Department's covering letter states that the proponent has 2 years to lodge the EIS.

On enquiring about this discrepancy with the Department, the advice was that the window for lodgement of the EIS is not (or not necessarily) 9 months from the issuing of the SEARs but is in fact the standard 2 years as it is for other SSDs. Apparently, 9 months is an aspiration not a statutory requirement, and it seems there is no provision in place to enforce the 9-month 'deadline'. This is not what the government's publicity material and the HDA's website says. It misleads the public and gives the false impression of 'fast-tracking' through this stage of the process.

Coupled with the 14-day exhibition period, the 'flexible' 9-month EIS lodgement period further disadvantages the community's capacity to respond adequately to large, complex developments with significant likely impacts in highly environmentally sensitive areas like the Blue Mountains. Going by the available information on the HDA website, people are understandably expecting that the EIS for the Katoomba housing development will be submitted in March 2026 and that there will be a public exhibition soon after. Now we learn that the EIS exhibition could drop onto the community without prior notification at any time until sometime around June 2027. This doesn't allow people (let alone the council) to prepare for an attenuated 14-day exhibition. It is unfair and inequitable and further undermines the community's trust and confidence in the process.

There must be certainty around the lodgement period for HDA EISs, as there is for standard SSDs. And there must be fairness to the community where there is only a 14-day exhibition period. We therefore request that the minister:

- **either** publicly clarify that the 9-month lodgement rule is an aspiration and not a ‘rule’ and that the statutory lodgement period is actually 2 years, and correct the misinformation in government publicity material and on the HDA website
- **or** make the 9-month lodgement period a statutory requirement
- **and**, in all fairness in either case, introduce a notification system to alert the community in advance to the impending exhibition of HDA SSDs (perhaps through the ‘notify me’ subscriber facility on the project webpage).

We would appreciate you taking up these matters and requests with Minister Scully on our behalf in the interests of the Blue Mountains community. And, further, reiterate our request (in a previous letter to the minister) that the Blue Mountains LGA be excluded from the HDA pathway for the same reasons as it was excluded from the low and mid-rise housing reforms in 2024.

Please contact me if you have any queries regarding this letter at president@bluemountains.org.au or on 0450 215 125.

Yours sincerely,



Annette Cam
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cc Mr Mark Greenhill Mayor Blue Mountains City Council
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