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Nature Conservation Saves for Tomorrow

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NSW Department of Planning, Housing and Infrastructure

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SUBMISSION ON DRAFT SYDNEY PLAN

The Blue Mountains Conservation Society (the Society) is a community-based volunteer organisation with over 900 members. Our mission is to help protect, conserve and advocate for the natural environment of the Greater Blue Mountains.

The Society was intensively engaged in the development of the previous *Greater Sydney Regional Plan - A Metropolis of Three Cities (2018)* and *Western City District Plan (2018)*, meeting with the district commissioners and lodging detailed submissions. We therefore have an interest in the next iteration of the plan for Greater Sydney, the draft *Sydney Plan* (the Plan), and its implications for the Blue Mountains.

The Society confines its comments on the Plan to the Rural and Conservation Lands (RCL) and draft Urban Footprint (UF) designations. We also note the discrepancy between the Plan — specifically, the UF designation and ‘Guidance’ for development on land beyond the urban footprint (Appendix J) — and the current proposed Housing Delivery Authority State Significant Development project at Narrow Neck Road, Katoomba.

RECOMMENDATIONS:

- **That the Blue Mountains LGA be excluded from the application of the Urban Footprint designation for the same reasons it was excluded from the Low and Mid-rise Housing Policy in 2024, most critically the increasing bushfire threat due to climate change.**
- **That the Blue Mountains LGA be excluded from the Housing Delivery Authority pathway and permanently taken off the table as a potential urban/population growth area.**

Rural and Conservation Lands

The Society is pleased that the Metropolitan Rural Area (MRA) designation in the previous *Greater Sydney Regional Plan* and *Western City District Plan* has been retained in the draft *Sydney Plan* as Rural and Conservation Lands (RCL).

The MRA/RCL designation recognises the need to protect productive rural and agricultural lands on Sydney's outer fringes from urban sprawl. In the case of the Blue Mountains, the previous MRA designation recognised the LGA's unique status as a city in a World Heritage Area — only one of two in the world — and the need to preserve its high biodiversity, environmental and scenic values. For these reasons, the *whole* of the Blue Mountains LGA was designated as a Metropolitan Rural Area in the previous Greater Sydney and District plans.

Because of the Blue Mountains' MRA designation, along with its environmental sensitivity and extreme natural hazard (bushfire) risk, it was always accepted that development in the LGA (and other MRAs for different reasons) was limited to accommodating and supporting only **local growth** rather than large-scale metropolitan expansion. These limits to growth are reflected in the Blue Mountains City Council's Local Strategic Planning Statement and current 5-year housing target (600 over 2024-2029). We are therefore concerned by the statement on p.44 of the Plan that accelerating delivery above the current 5-year 'pipeline of supply' (i.e. housing targets) will be required.

In this context, the Society was alarmed to find in the maps included in the Plan little pockets designated 'draft urban footprint' (UF) within the MRA/RCL, targeting the towns of Blaxland, Springwood, Katoomba and Blackheath. UFs identify locations that will provide housing and employment growth in the future, though how this is to be achieved isn't specified other than the suggestion above that higher mandatory housing targets may be imposed. This is totally inappropriate in the Blue Mountains.

This 'carve out' of land from the MRA/RCL is a new feature in the draft *Sydney Plan* that wasn't present in the previous Regional and District plans. Based on the limited information available, the removal of the MRA/RCL designation from parts of those townships that are proposed to become UF areas instead can be interpreted as a downgrading of protection against urban intensification in the Blue Mountains, contrary to current policy settings.

The Blue Mountains is not another suburb of Sydney

The Plan is another city-centric scheme which again seems to take little account of the particular circumstances of the Blue Mountains. We again have to remind the DPHI 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 (the previous 'Metropolitan Urban Area') in the Plan's maps. The Blue Mountains' unique status as a city in a World Heritage Area is not acknowledged in the Plan; nor is there even any mention of the World Heritage Area and the international obligation to protect its scenic and biodiversity values. Further, unlike the Cumberland Plain 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 hazard characteristic of the Blue Mountains

LGA (i.e. bushfire), requires but also necessarily imposes limits on urban growth/intensification. The recognition of these limits to growth underpins the Blue Mountains' local planning controls.

Applying the Urban Footprint designation in a high-risk location is dangerous and contrary to the Plan's Response 9: Minimise the impact of natural hazards to communities

The UF designation is meant to confine growth and development to particular parts of the nominated towns, the boundaries of which are identified in detailed mapping accompanying the Plan. It seems, from the maps of the UF areas in the 4 towns identified in the Blue Mountains — Blaxland, Springwood, Katoomba and Blackheath — that the UF area is roughly equivalent to the 'R' residential zones surrounding the town centres. If the purpose of the UF designation is to restrict urban expansion in high-risk locations by confining it to these specific areas, surely the Blue Mountains LEP 2015 already achieves this through land zoning and other planning controls.

Page 36 of the Plan states that "Locating new development within the urban footprint will reduce communities' exposure to bushfire risk, which is higher on Sydney's urban fringe in national parks, Crown land, public reserves and rural properties." This does not make sense in the Blue Mountains context — the proposed UF areas are *surrounded* by Bushfire Prone Land and a national park. The application of the UF designation in the Blue Mountains reveals a lack of consideration of the difference between a UF *surrounded* by a national park and the UF on the largely urbanised Cumberland Plain. It also fails to recognise that, if the purpose of the UFs in the Blue Mountains is to *increase* growth and development in those areas rather than just accommodate local growth, the accompanying increase in population would only *increase* those communities' exposure to bushfire risk.

Parts of Blue Mountains towns and *all* the land surrounding them are classified as Bushfire Prone Land. We can't comprehend that, in the face of increasing bushfire risk in the Blue Mountains due to climate change, the state government apparently wishes to put *more* people in harm's way. This is contrary to the stated intention in the Plan to apply a risk-based framework to planning decisions and reduce the community's exposure to natural hazards (Response 9: Minimise the impact of natural hazards to communities). Increased population will only put more pressure on key evacuation routes, a situation which Response 9 specifically wishes to avoid. In the case of a major bushfire event in the Blue Mountains, the *only* escape route is the Great Western Highway which always becomes blocked even to emergency services vehicles.

The Society recommends that the Blue Mountains LGA be excluded from the application of the Urban Footprint designation for the same reasons it was excluded from the Low and Mid-rise Housing Policy in 2024, most critically the increasing bushfire threat due to climate change.

The Urban Footprint designation conflicts with the Blue Mountains exclusion from the Low and Mid-rise Housing Policy

In our submission on the Low and Mid-rise Housing Policy in 2024, the Society objected to ‘one size fits all’ planning policies that are not fit for the Blue Mountains LGA. We pointed out that limits on infrastructure capacity and lack of public transport could not support the population increase that the policy would enable. Worse, that because the Blue Mountains is one of the most bushfire prone areas in Australia, if not increasingly *the* most bushfire prone due to climate change, it was irresponsible for the state government to promote urban intensification in the LGA.

It seems the Society is again having to ‘re-litigate’ the case put by us and the Blue Mountains City Council during the Low and Mid-rise Housing Policy consultation; namely, that given the severe and increasing constraints on development in the Blue Mountains, the LGA cannot continue to be regarded as another suburb of Sydney with potential to house its growing population. In a letter to the Minister for Planning, Paul Scully, in September 2025, the Society recommended that the Blue Mountains LGA also be excluded from the Housing Delivery Authority pathway for the same reasons.

Given the Blue Mountains LGA’s exclusion from the Low and Mid-rise Housing Policy, the Society was disturbed to find that the Blue Mountains LGA is not identified as excluded from that policy on the map on p.20 of the Plan. The relevant hatching is missing. We hope this is an error (to be corrected in the adopted Plan) and not a portend of a future planned expansion of this policy into the Blue Mountains.

The UF designation can be interpreted as just another mechanism to increase urban intensification in the Blue Mountains where the Low and Mid-rise Housing Policy failed. This is not fanciful. If UFs in the 4 Blue Mountains townships are adopted, future growth will be squeezed into a smaller area (the area demarcated by the UF boundaries). This can only mean more intensified development within those UF areas of the kind we were previously spared from by being excluded from the Low and Mid-rise Housing Policy (e.g. higher buildings, higher FSR).

The Society recommends that the Blue Mountains LGA be excluded from the Housing Delivery Authority pathway and permanently taken off the table as a potential urban/population growth area.

Uncertainty about the statutory/regulatory status of UF areas

Related to the previous point, it is unclear what the status an ‘urban footprint’ area is and how it will operate. Will it function as a planning ‘overlay’ or something similar that will have regulatory force? Will it operate like the Standard Instrument in that when it is changed so too are all LEPs across the state simultaneously? If so, we are concerned that the UF designation exposes those parts of the identified Blue Mountains villages to the application of mandatory ‘one size fits all’ development standards (e.g. building height, FSR) or rezonings enabling development intensification. These standards, rezonings or whatever are likely to be inappropriate in the Blue Mountains and will over-ride provisions in the Blue Mountains LEP 2015, such as we saw with the Low and Mid-rise Housing Policy.

We are also concerned that new ‘urban footprint’ precincts in the Blue Mountains could just be declared by government fiat without consultation with the Blue Mountains City Council.

Without clear information about the statutory/regulatory status of the UF designation, which has the potential to over-ride local planning controls, we can only regard the Urban Footprint designation as a threat to our World Heritage and MRA/RCL values, our natural environment and town character.

Conflict between the draft *Sydney Plan* and the Housing Delivery Authority State Significant Development project at Narrow Neck Road, Katoomba.

Response 11 of the Plan addresses the management of land beyond the urban footprint; that is, the Metropolitan Rural Area/Rural and Conservation Lands. Confirming the purpose of the MRA/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, a current Housing Delivery Authority State Significant Development proposal on Narrow Neck Road is located in the existing MRA, and in the RCL outside the proposed UF boundary, on the escarpment bordering the World Heritage Area. The development also lies within the Sydney drinking water catchment and is surrounded by Bushfire Prone Land, cutting off escape in a bushfire event. This proposed housing and resort development comprises 9 four-storey buildings housing 214 apartments, 52 serviced apartments, restaurants, cafes and conference facilities. 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). Without going into the details, 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 214 apartments would deliver over one-third of the Blue Mountains 5-year housing target of 600 over 2024-2029 at the same time on one small site. 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 Housing Delivery Authority recommended this development for State Significant Development status through a highly questionable process (see Blue Mountains City Council letter to the Department Secretary, December 3rd 2025) 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 Minister for Planning or his delegate it will show that the MRA/RCL 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 urban footprint to protect key environmental areas, manage land uses on the fringe and promote sustainable growth in the right locations.

Thank you for the opportunity to comment on the draft Sydney Plan.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'A. Cam', written in a cursive style.

Mrs Annette Cam
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