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Department of Planning, Housing and Infrastructure (DPHI)

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16 March 2026

**Re: Submission on Climate Change and Natural Hazards State Environmental Planning Policy (SEPP) Explanation of Intended Effect**

The ten Member Councils of the Hunter Joint Organisation (JO) welcome the opportunity provided by the NSW Government to provide feedback on the Climate Change and Natural Hazards State Environmental Planning Policy (SEPP), including the Explanation of Intended Effect, Draft Climate Change Scenario Guidelines and Draft Urban Heat Policy Statement.

The Hunter Joint Organisation is the statutory local government entity established by the NSW Government, through the *NSW Local Government Act 1993*, to support the ten member Councils of the Hunter Region to work together for better rural and regional outcomes, and to enhance the way local and state governments work together to plan and deliver important regional infrastructure and investment.

Member Councils of the Hunter JO include:

- Cessnock City Council
- Dungog Shire Council
- Lake Macquarie City Council
- Maitland City Council
- MidCoast Council
- Muswellbrook Shire Council
- City of Newcastle
- Port Stephens Council
- Singleton Council
- Upper Hunter Shire Council

Central Coast Council, a key regional partner in environmental initiatives, has also contributed to this submission.

The core statutory functions established by the NSW Government for the Hunter JO include:

1. Strategic planning and priority setting
2. Intergovernmental collaboration
3. Shared leadership and advocacy



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The Hunter Region is experiencing both robust population growth and increasing exposure to climate change and natural hazards. Population projections indicate the region, not including Central Coast, will grow toward one million people by 2041, requiring more than 100,000 additional homes to accommodate this growth (Hunter Regional Plan 2041). This presents a significant challenge to planners, councils and communities to deliver housing that is both affordable and population-ready while safeguarding people, property and infrastructure from escalating climate-related risks.

At the same time, the region is already feeling the impacts of a changing climate from severe bushfires and coastal erosion to more frequent flooding and heat extremes, with projected increases in these hazards over coming decades. These hazards pose real, measurable risks to people, the built environment and vital regional assets.

The NSW Government's draft Climate Change and Natural Hazards SEPP presents a critical opportunity to align statutory planning frameworks with the realities of climate change and hazard exposure. By embedding climate and hazard considerations into the planning system in a clear and consistent way, the proposed policy must assist consent authorities to make risk-informed decisions that reduce long-term costs, protect communities and prioritise development in locations that are safe and resilient.

Through the [Hunter JO Strategic Plan 2035](#), our councils have identified '*1.4 Development planning to minimise environmental impacts and natural hazard risks*' and '*4.1 Climate change mitigation, adaptation and disaster resilience*' as key priorities for the Hunter Region. The ten Mayors of the region are strongly aligned in advocating for sustainable and strategic place-based planning to support development and improve disaster adaptation across the region.

The Hunter JO has prepared this submission as a high-level regional overview, informed by feedback from member councils. It is intended to summarise the key themes and common priority issues across the region. It is understood that several councils will also provide detailed individual submissions. We recommend that the Department consider those council submissions for more comprehensive technical analysis, local context and site-specific matters relevant to the draft SEPP.

In line with the key themes and shared priorities raised by Hunter councils, this submission will discuss the following:



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- That the SEPP should set minimum standards only and must not override or weaken local planning controls. Local controls are often more detailed, have community backing, and reflect more rigorous hazard studies.
- The existing Coastal Management Act framework is widely regarded as functional and integrated. Splitting components between SEPPs risks fragmenting and undermining coastal planning.
- Need for clarity and practical guidance. The EIE and draft SEPP materials contain contradictions, gaps, and unclear implementation mechanisms. Additionally, the timeframe provided for feedback is considered limited given the scope and complexity of the draft SEPP.
- The SEPP must protect flexibility for councils. Hazards vary significantly across NSW, and Councils need flexibility to apply risk-based, context-specific, community-supported measures.
- Significant concern about the exclusion of single dwellings from climate scenario requirements.

Should you have any further queries please don't hesitate to contact Anna Flack, Senior Project Coordinator, Hunter JO at [annaf@hunterjo.nsw.gov.au](mailto:annaf@hunterjo.nsw.gov.au) or on 0460 038 199.

Yours Sincerely

Sue Moore  
Mayor Singleton Council  
Chair Hunter Joint Organisation



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## **Hunter JO Regional Submission on Climate Change and Natural Hazards State Environmental Planning Policy (SEPP) Explanation of Intended Effect (EIE)**

Hunter Region Councils broadly support the intent of establishing statewide consistency for climate change and natural hazard planning. However, there are concerns about the structure, practicality and consequences of the proposed SEPP, particularly around integration with existing local planning frameworks, hazard mapping, and statutory clauses.

Please note that this regional overview is intended to summarise the key themes and priority issues across the Hunter region and is focused on the areas where councils are in agreement. We recommend that the Department consider individual council submissions for more comprehensive technical analysis, local context and site-specific matters relevant to the draft SEPP.

Below is a summary of the key points, aligned with sections of the Explanation of Intended Effect (EIE).

### Overall Position on the Proposed SEPP

There is general support for a strong, consistent statewide approach to climate risk in land-use planning. However, councils have voiced concerns that the proposed SEPP undermines the existing hierarchy of SEPP → LEP → DCP and risks reducing the effectiveness of local controls, which are often more detailed, tailored and evidence-based. The flexibility to apply local variation is essential, as risk profiles and community needs differ greatly across NSW.

### Climate Change Scenario Guidelines

It is essential that the guidelines do not override or weaken local flood, coastal or climate hazard frameworks. Councils expressed issues with:

- Complexity of applying multiple shared socioeconomic pathways (SSP) scenarios across development categories.
- Exclusion of single dwelling houses, despite being the majority of vulnerable development.
- Inconsistencies between the EIE, SEPP clauses and the Guidelines.
- Risk of development applicants challenging locally preferred climate modelling where state minimums differ.



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There was also a recommendation that the SEPP should establish mandatory, statewide sea level rise benchmarks to support the policy's stated goal of providing a "clear, consistent framework" for managing climate and natural hazard risks. Clear benchmarks will ensure uniformity across NSW, prevent inconsistent local interpretations, and give developers certainty. This aligns with the EIE's intent to "make planning controls easier to access, understand and apply" by consolidating risk frameworks into a single instrument.

### Urban Heat

Councils are supportive in principle of addressing urban heat through the planning process and have highlighted the tension between urban heat mitigation and housing density targets. However, there is a concern that high-level principles in the draft Urban Heat Policy lack detail and implementation pathways, and could be better implemented through LEPs/DCPs rather than a centralised SEPP in recognition that urban heat responses must be place-based, not one-size-fits-all.

It is also suggested that model DCP provisions could be developed for street trees and canopy, subdivision design and orientation, and water-sensitive urban design.

### Bushfire

It is recognised that bushfire assessment processes are already mature and embedded in the EP&A Act. Councils have expressed that moving bushfire provisions to the SEPP offers no additional benefit and could cause confusion. There is support for streamlined assessments as long as they are consistent with RFS's Planning for Bush Fire Protection (PBP) updates.

### Coastal Management, Coastal Vulnerability Area (CVA) Mapping and Coastal Protection Works

Councils have raised significant concerns that the proposed SEPP fractures the integrated coastal planning framework set out in the Coastal Management Act, and that mapping CVA areas without detailed clause wording is considered premature and risky.

There is also a concern that the DCCEEW 2025 statewide coastal erosion and inundation hazards and exposure assessment is too low resolution and inaccurate for local use, and risks undermining high-quality local hazard studies.

Councils strongly oppose:



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- Separating coastal management areas across multiple SEPPs.
- A one-size-fits-all CVA clause that lacks nuance regarding scale, context and asset lifecycle.
- Implied preference for engineering-based protection over strategic adaptation/retreat.

#### Flooding (Clauses 5.21 and 5.22)

Consensus amongst councils is that flood frameworks are already well-established and functional. The proposed SEPP provides an opportunity to apply clearer wording and consistent terminology (e.g. flood control lots), a mechanism to identify evacuation risk (e.g. via 10.7 certificates or Flood Emergency Response Classification of Communities (FERCC) mapping), and updated, detailed guidance for applying 'safe occupation and efficient evacuation' tests.

However, there are differing perspectives on moving Clauses 5.21 and 5.22 which councils will outline in more detail as part of their individual submissions.

There is also concern that exempt and complying pathways (Codes SEPP, Housing SEPP) could undermine the intent of the hazard SEPP unless tightly integrated.

#### Rebuilding After Natural Disasters

Councils have expressed support for "build back better" except where areas are identified for managed retreat / relocation and where rebuilding would be unsafe (extreme flood hazard, coastal erosion, etc).

There is a need for clear thresholds where rebuilding should not occur, aligned with hazard risk, local context, and established frameworks. Natural hazard controls must also be integrated with asset management frameworks.

#### **Conclusion**

This regional overview brings together the key themes and shared priorities raised by Hunter councils highlighting strong common ground across the region. It reflects a collective commitment to improving climate resilience and ensuring the new SEPP works well for our communities.



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Councils' full submissions will include important technical detail, local context and site-specific insight that will be essential as the Department refines the draft SEPP. We encourage the Department to consider those individual submissions alongside this overview to ensure the final policy is both effective and locally responsive.