Nature Conservation Council
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16 March 2026

Submission on the Climate Change and Natural Hazards SEPP

The Nature Conservation Council of NSW (NCC) is the state's leading environment organisation. We represent over 200 environment groups across NSW. Together we are dedicated to protecting and conserving the wildlife, landscapes and natural resources of NSW. We are pleased to provide feedback on the proposed Climate Change and Natural Hazards State Environmental Planning Policy (the SEPP).

We appreciate the NSW Government developing the SEPP and the efforts to address the significant and increasing risk that climate change poses to our communities, environment, landscapes and nature. However, the Explanation of Intended Effect (EIE) and other exhibited documents do not provide sufficient detail to conclusively determine if the SEPP will address these risks. Many of the changes proposed within this EIE are vague and too high-level to allow for meaningful community and expert input. Until the full policy details are released, their impact and efficacy are difficult to comment on, and in some cases, it remains unclear what overall direction proposed reforms are intending to take.

NCC recommends that the NSW Government must exhibit the full draft text of the SEPP once ready, to ensure genuine public and expert consultation can respond to specific details being proposed. The Climate Change Scenario Guidelines must also be a mandatory schedule or appendix to the SEPP to ensure they cannot be weakened without public scrutiny.

The following feedback is based on the prompts included in the EIE, with additional feedback also included.

Climate Change

Do you support the proposal to introduce an overarching climate risk clause in the SEPP?

NCC supports the introduction of clauses that address climate risk in the SEPP. While an overarching clause addressing climate risk would be welcome, there must also be sufficient detail throughout the SEPP to ensure consideration of climate risk is prescribed and thorough.

The SEPP must also include clauses that account for when assessments shows that climate risks have been identified. There must be requirements for developments with a high level of climate risk that cannot be adequately addressed to be rejected.

What additional guidance or supporting materials would be needed to implement the CC&NH SEPP?

NCC submits that additional guidance and materials required to ensure the SEPP fulfills its purpose of protecting communities and the environment from climate change and natural hazards include:

- Clear requirements for high-risk proposals to be refused;
- Stronger mandatory climate testing for major developments; and

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- Updated hazard mapping.

Should projects under Division 5.1 (Part 5) also consider climate risk and how should the proposed Climate Change Scenario Guidelines be used in the preparation of a Review of Environmental Factors (REF)?

Yes, projects classified under Division 5.1 should also consider climate risk. Even developments that are essential and designed to be streamlined can impact surrounding infrastructure if designed in a way that does not address climate change and natural hazard risk.

However, the EIE and the associated draft Climate Change Scenario Guidelines propose a tiered approach to climate risk assessment. NCC strongly opposes this tiered approach, and recommends that **all development, regardless of scale or category, be assessed against the highest emissions scenario, SSP5-8.5.**

Planning decisions for long-lived assets — houses, commercial buildings, roads, industrial facilities — lock in exposure to climate risk for decades or even centuries. A house built today in a coastal floodplain may still be standing in 2100. If it is assessed against SSP2-4.5, but the actual trajectory of emissions follows SSP5-8.5, the occupants of that house will face a level of risk that was entirely foreseeable and entirely preventable.

The consequences of underestimating sea-level rise are irreversible. If a development is approved based on SSP2-4.5 and sea levels track closer to SSP5-8.5, the resulting damage to coastal wetlands, property, and communities cannot be undone. The asymmetry of consequences where underestimating is catastrophic, and overestimating is merely conservative, justifies using the highest plausible scenario.
Rezoning, strategic plans, critical infrastructure and coastal land should all also require stronger climate testing than simply suggesting consent authorities may consider these impacts.

Division 5.1 projects should consider the Climate Change Scenario Guidelines at the very minimum, however the SSP5-8.5 should be standard practice. These Guidelines should be interpreted in line with the precautionary principle and require a project to be modified or rejected if a significant risk is identified.

Urban Heat

Do you support the proposal to introduce the Urban Heat Policy to encourage greater consideration of urban heat in land use planning decisions?

NCC supports introducing an Urban Heat Policy to address the serious issue of urban heat in land use planning decisions.

NCC believes that in addition to the key planning principles to build resilience to urban heat listed in the draft Urban Heart Policy, the impact of urban heat on nature, in particular wildlife found in urban areas, should be a principle consideration.

What guidance or supporting materials will be needed to ensure urban heat considerations are appropriate for different contexts and climate zones?

NCC submits that urban heat needs to be addressed in a way that recognises the unique circumstances across the bioregions of NSW, and in a way that recognises low socioeconomic areas often suffer the most as a result of urban heat. Culturally appropriate guidance on heat safety should be developed and distributed through local community organisations suited to guiding their communities through heat waves.

Do you support the proposal to develop urban heat provisions in the SEPP?

NCC supports the proposal to include urban heat provisions in the SEPP. However, it is difficult to make an evaluation of whether the provisions would be sufficient to address the serious potential issues posed by urban hear. NCC submits that the draft urban heat provisions should be published for feedback when developed.

Are there any other opportunities to build resilience to urban heat in the planning system?

NCC submits that alongside building resilience to urban heat, preventative measures must be prioritised to reduce the effects of urban heat. Additional opportunities we view as crucial include:

- Introducing minimum energy efficiency standards for homes in NSW, in particular rental homes.
- Increasing climate resilience of public transport infrastructure, including bus stops with shade, shelter and seating. Mapping of bus stops in Sydney by Sweltering Cities shows that only 30% of stops in Penrith have shade and shelter.
- Maximising mature tree, bushland and canopy cover, in particular drought tolerant plants and wildlife corridors. Removing mature trees and plants increases the effects of urban heat and negatively impacts human health, urban water quality and biodiversity.
- Mandating access to green space, and ensuring access is equitable across cities.
- Mandating climate efficient design, such as light-coloured roofs and double-glazing on western and northern facing windows.
- Incorporating climate change projections into planning and building codes.
- Including considerations of allowing households to electrify and get off gas in planning policies and instruments. The gas network is in decline and households could face high costs to get off gas in the future. Households should not be locked into gas networks, and multi-unit gas connections are costly and complex to unwind and restrict options for households.

Bush Fire

What matters will need to be included in the new clause regarding bush fire risk assessment?

All planning for new development must integrate environmental considerations and incorporate bushfire protection measures without impact to surrounding ecological values. To this end, NCC supports requirements to improve building and construction standards to reduce the need to clear native vegetation for bushfire protection measures such as asset protection zones (APZs).

APZs for new developments should never be located on adjoining land. Any area that has Threatened Ecological Communities, threatened species habitat, wetlands or other environmentally sensitive areas should not be used to provide an APZ.

NCC supports inclusion of requirements to:

- avoid inappropriate developments in high-risk bush fire locations or circumstances where the level of bush fire risk is not considered appropriate
- ensure areas identified for population growth and development are planned and designed to improve resilience and minimise the risk of bush fires to life and property **without impact to surrounding environmental values**
- plan for the impact of changing climate conditions on bush fire behaviour in areas identified for population growth and development **provided that adequate measures are contained only within the area to be developed**
- ensure development includes adequate evacuation capacity and capability for existing and future communities in the event of a bush fire **provided that adequate measures are contained only within the area to be developed**
- consider bush fire risk in a landscape context and identify and consider the cumulative impacts of bush fire risk for existing and future communities
- consider whether development in high-risk bush fire locations or circumstances avoids or mitigates bush fire impacts on property and environment.

NCC does not support the inclusion in the SEPP of any provisions for vegetation clearing work as covered by the *Rural Fires Act 1997* Part 4 Division 8 and Division 9.

Suggested provisions are included below.

AA Objectives of this Part/Division

The objectives of this (Division/Part) are as follows—

(a) to minimise bush fire risk to life, property and the environment associated with the use of land,

(b) to ensure adequate bush fire protection measures and long-term maintenance of development can be implemented,

(c) to ensure the provision of adequate infrastructure for the local community and emergency services during a major bush fire event,

(d) to enable the safe occupation, shelter and efficient evacuation of people in the event of major bush fire.

AB Bushfire protection measures

A consent authority must not grant consent to development on bush fire prone land or land within the vicinity of bush fire prone land to which this clause applies unless the consent authority is satisfied that the development—

(a) will not have an adverse impact on the implementation of one of the following strategies—

(i) a strategy related to bush fire hazard reduction or risk management adopted by a Local Bush Fire Management Committee,

(ii) a strategy related to the conservation of nature or cultural heritage on public or private land which may be subject to the threat of bush fire.

(b) will not result in a significant threat to the lives of residents, visitors or emergency services personnel during a bush fire,

(c) will not result in an increased demand for emergency services during bush fire events that will result in a significant decrease in the ability of emergency services to effectively control major bush fires,

(d) will include adequate measures to avoid or mitigate the threat from bush fire, having regard to the following—

(i) the location of the development (including asset protection zones), and

(ii) the design of the development and the materials used in the development,

(iii) the clearing of native vegetation,

(iv) landscaping that will form part of the development,

(v) the water supply available to the land on which the development will be carried out,

(vi) the proximity of or a need for the formation of a rural fire brigade under section 15 of the Rural Fires Act 1997.

(e) will have adequate asset protection zones that do not impact adjoining land.

AC Development on bush fire prone land.

(1) Development consent must not be granted to development on bush fire prone land, unless the consent authority –

(a) has receive a bush fire assessment report in relation to the land from a qualified bush fire assessment consultant that addresses each of the matters referred to in clause AB, and

(b) is satisfied that the development can comply with the specifications in Planning for Bush Fire Protection or demonstrate a suitable performance solution, and

(c) is satisfied that the provisions and maintenance of asset protection zones can be contained within the site area without imposing any burden upon adjoining land.

(2) Development consent must not be granted to development for the purposes of residential accommodation or a special fire protection purpose which includes a performance-based site assessment on bush fire prone land unless the consent authority –

(a) obtains a bush fire assessment report that includes a performance design brief and a design bush fire site assessment, and

(b) the design bush fire site assessment determines the relevant annual exceedance probability for the design bush fire and bush fire attack level for the proposed class of building within the meaning of the Building Code of Australia, and

(c) the annual exceedance probability is consistent with the bush fire performance requirement for the proposed class of building within the meaning of the Building Code of Australia, and

(d) consider the impact of climate change and landscape fire events upon that development, and

(e) the Commissioner of the NSW Rural Fire Service certifies that the performance solution for the site assessment also meets the relevant performance criteria of Planning for Bush Fire Protection.

(3) Sub-clause 2 also applies to the subdivision of bush fire prone land for a residential or rural residential purpose.

AD Definitions.

In this (Division/Part):

annual exceedance probability has the same meaning as in the Building Code of Australia.

bushfire attack level has the same meaning as in the Australian Standard AS 3959:2018, Construction of buildings in bushfire-prone areas.

Qualified bush fire consultant means a person who holds formal qualifications from an accredited university post-graduate course in bush fire protection or bush fire design.

Local Bush Fire Management Committee is a committee established under section 50 of the Rural Fires Act, 1997 for the whole or part of the area of a local authority/authorities.

Performance Requirement – has the same meaning as in the Building Code of Australia.

Planning for Bush Fire Protection – see section 271 of the EP&A Regulations.

Special fire protection purpose has the same meaning as it has in section 100B of the Rural Fires Act 1997.

specifications are the development standards or other relevant guidance materials within Planning for Bush Fire Protection but does not include the performance criteria.

Vicinity is a distance of up to 350m.

Do you support the proposed application of streamlined bush fire risk assessments for urban release areas? What mechanisms would you recommend to ensure that adequate bush fire evacuation and mitigation infrastructure is delivered in these areas?

If moving these provisions from the *Environmental Planning and Assessment Regulation 2021* to the SEPP, they should apply to all sub-divisions not just urban release areas.

Any provisions for adequate bush fire evacuation and mitigation infrastructure must ensure that these are provided for entirely within the urban release / subdivision area, with no burden placed upon adjacent land.

The provision of bushfire mitigation measures should not encroach on Threatened Ecological Communities, threatened species habitat, wetlands or other environmentally sensitive areas.

Cultural Burning inclusion in SEPP

NCC considers it is important that First Nations people with responsibility for Country are involved in leading, planning and applying fire based on their cultural knowledge and connections to the land.

NCC supports cultural burning where it is has been identified as appropriate in Healthy Country Plans, seasonal calendars and other planning processes accepted by Aboriginal Custodians and which maintains or improves ecological values or progresses other management goals such as weed or vertebrate pest control.

NCC supports the establishment of an approval pathway for cultural burning provided that it includes the requirement for appropriate environmental assessment.

The definition of cultural burning in the SEPP needs to be clear that this is a cultural practice of First Nations people to avoid the potential misuse of these provisions by others to avoid appropriate approvals for other forms of burning.

NCC supports identifying cultural burning as “a cultural practice of land management” and suggests further wording to make this clearer. For example, NSW Crown Lands use the definition “Started, planned, and led by Traditional Owners, this practice involves cultural objectives and allows the community to care for and connect to Country”.

NCC does not support identifying cultural burning as "hazard reduction burning informed by advice from Aboriginal community knowledge-holders". Hazard reduction burning has an established streamlined approval process available under the *Rural Fires Act 1997* which includes adequate environmental assessment for such activities.

Coastal Hazards

Which existing coastal hazard-related LEP clause provisions should be included in an updated CVA clause and why?

The transfer of existing coastal hazard-related LEP provisions into an updated CVA clause would not alone deliver the substantial reforms required for this mechanism to adequately respond to projected coastal climate impacts. **Several existing provisions could be transferred to strengthen the updated CVA if appropriately revised.** The following standard provisions were identified under '*7.4 Coastal Risk planning'* within multiple LEPs, including for Shoalhaven City Council (2014) and Great Lakes (2014)*:*

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—

> *(a) will avoid, minimise or mitigate exposure to coastal processes, and*
>
> *(b) is not likely to cause detrimental increases in coastal risks to other development or properties, and*
>
> *(c) is not likely to alter coastal processes and the impacts of coastal hazards to the detriment of the environment, and*
>
> *(d) incorporates appropriate measures to manage risk to life from coastal risks, and*
>
> *(e) is likely to avoid or minimise adverse effects from the impact of coastal processes and the exposure to coastal hazards, and*
>
> *(f) provides for the relocation, modification or removal of the development to adapt to the impact of coastal processes and coastal hazards, and*
>
> *(g) has regard to the impacts of sea level rise.*

If improved, these provisions could add substantial efficacy to an updated CVA clause, where not overlapping with existing SEPP provisions.

However, they must be strengthened if they are to fully realise the CVA management objectives, including:

3(a): Replace "avoid, minimise or mitigate" with "avoid, or minimise and fully mitigate", to disallow any net loss in hazard exposure.

3(b), 3(c): Replace "is not likely to" with "must not" to avoid subjectivity.

3(e): Replace "is likely to" with "will" and replace "minimise" with "minimise and fully mitigate", to disallow partial minimisation and thus a net increase in adverse effects.

3(g): Expand beyond sea level rise to consider additional climate impacts such as coastal erosion, coastal overwash, and estuarine inundation projections. Strengthen so that all appropriate CVA clause provisions apply in the context of future projections (under the highest plausible emissions scenario, according to a 100-year modelling timeframe), rather than applying them to current conditions and merely giving 'regard' to projected conditions.

While not comprehensive, if improved, these clauses could improve the effectiveness of the CVA mechanism in addressing both current and projected coastal hazards.

The CVA can apply to all seven coastal hazards, what specific matters should be addressed in an updated clause?

The updated CVA clause must address the full spectrum of risk across all seven coastal hazards to ensure the updated mechanism is effective in addressing projected hazards under climate change.

NCC recommends the following matters be included:

- All hazards must be addressed within the context of future projected conditions including sea level rise and the frequency and severity of extreme weather events. Further, planning controls should be applied in accordance with the highest plausible emissions scenario. This will account for compounding factors and ensure community resilience under a broader subset of possible climate futures.
- The 100-year modelling timeframe should not be limited to rezoning, strategic planning, and major development. It should also apply to all new, non-temporary developments including single residential, reflecting realistic timeframes of expected occupation and preventing incremental increases in coastal hazard exposure.
- Increased hazard vulnerability caused by the destruction or degradation of natural infrastructure (such as wetlands, dunes, and other coastal vegetation) must be explicitly accounted for within the updated clause. Actions that produce a net negative effect on the hazard mitigation values provided by this natural infrastructure should be strictly prohibited.
- Provisions addressing buffer zones (migration pathways for wetlands, dunes, and other coastal vegetation to retreat inland with sea level rise) must be included in the updated clause. This reflects the hazard reduction values migrated coastal vegetation will provide under future conditions – if these buffer zones are not protected from development, existing natural infrastructure will be lost to coastal squeeze, further decreasing local hazard resilience. NCC considers this inclusion to be crucial for the long-term efficacy of the updated CVA mechanism.

- The updated clause should consider the cumulative impacts of existing development, reflecting that coastal risk accumulates incrementally through multiple developments, and cannot be adequately managed if each proposal is assessed in isolation.

These matters must be addressed to evolve the CVA mechanism into a fit-for-purpose solution for addressing long-term coastal hazards, in the context of accelerating climate impacts and sea level rise.

The CUA clause is identified for inclusion in the CC&NH SEPP, if this clause was also updated, what matters would need to be included?

The CUA clause under the currently active SEPP does not fully implement the management objectives defined under the *Coastal Management Act 2016*, because the mitigation hierarchy allows development to proceed even where the intent of the clause is not achieved.

Two key elements are weakly represented within the existing clause:

- Provision *2(iii): "urban design, including water sensitive urban design, is supported and incorporated into development activities..."* remains under-implemented. Notably, Water Sensitive Urban Design (WSUD) is not considered anywhere in the SEPP clause, despite this specific reference within the CMA. WSUD measures such as stormwater filtration, infiltration systems, constructed wetlands and permeable surfaces can positively contribute to a wide range of priority urban water management issues, including improving water quality, mitigating flooding, and strengthening urban resilience to climactic variability. The updated clause must therefore consider WSUD explicitly, including mandating or incentivising its implementation across a range of development contexts.
- The current CUA clause fails to fully recognise the role of coastal ecosystems in supporting the 'scenic, social, and cultural values' and 'natural scenic qualities' it intended to protect. In many cases, foreshore and coastal ecosystems directly embody these values, from the cultural importance of individual plant species to the scenic qualities provided by healthy coastal wetlands. Coastal ecosystems indirectly support these outcomes through provided ecosystem services, including shoreline stabilisation, water filtration, and nursery habitat provision for important recreational fishing species. The updated clause should not only explicitly identify natural systems as themselves embodying these values it must also require consent authorities to consider the impacts of development on these values where ecosystem services are diminished through the removal or degradation of coastal habitats.

The current clause relies heavily on discretionary language that vastly weakens its effectiveness in practice. If impacts cannot be avoided – and this must be objectively proven to be true – then they must be minimised *and* fully mitigated, ensuring no net loss of the identified coastal values at a minimum.

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What matters should be included in updated coastal protection work provisions to address both the risk of coastal hazards and potential impacts of a proposed structure?

Updated provisions must be fundamentally reoriented to prioritise nature-based solutions and strictly limit the use of hard engineering structures to circumstances where no feasible alternative exists. This review presents an opportunity to align NSW with global best practice in nature-based and hybrid coastal hazard management and climate adaptation.

Fixed structures such as sea walls often alter coastal processes, transferring erosion risks to neighbouring land, and can ultimately result in the long-term loss of beaches through passive erosion and sediment starvation.

The following matters should be included in the updated coastal protection works provisions:

- The provisions must require the mandatory consideration and prioritisation of nature-based or hybrid solutions (e.g., wetland restoration, vegetation buffers, oyster reef restoration, living shorelines) as the default means of managing coastal risk. Where these approaches can achieve the necessary reduction in risk while also providing ecosystem services and avoiding environmental harm, it should be required that they be implemented in preference to hard engineering solutions.
- The updated provisions must establish a robust burden of proof requiring project proponents to demonstrate that coastal protection works are necessary, and that risks cannot reasonably be addressed through avoidance, relocation, or managed retreat. It should also be demonstrated, through rigorous and independent assessment, that no nature-based or hybrid solution would feasibly address these risks in the long term. Hard coastal protection structures must not be considered until these alternatives have been comprehensively assessed and demonstrated to be infeasible.
- Proposed coastal protection works must demonstrate that they will not increase coastal hazards elsewhere, including through changes in sediment transport, wave energy distribution or erosion patterns. Assessment processes should consider the cumulative impacts of shoreline hardening, recognising that incremental construction of coastal protection structures can progressively degrade coastal environments, reduce beach width, and diminish public coastal amenity.
- The updated provisions must explicitly recognise the hazard mitigation value of coastal ecosystems, including wetlands, dunes, mangroves, and other coastal vegetation. Approval processes must account for any increased hazard exposure for surrounding land and communities resulting from the destruction or degradation of these systems, including from indirect impacts such as increased erosion within adjacent wetlands.
- Where a hard engineering structure is deemed necessary, design approaches that reduce impacts on environmental and other priority values should be required as a condition of approval. This may include such as habitat-enhancing infrastructure such as Living Seawalls modules or other measures that partially restore ecological function.

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- The updated provisions should include mechanisms to protect migration pathways for coastal ecosystems, including wetlands, dunes, and coastal vegetation, allowing them to retreat inland as sea levels rise. This reflects the hazard reduction values migrated coastal vegetation will provide under future conditions – if these buffer zones are not protected from development, existing natural infrastructure will be lost to coastal squeeze, further decreasing local hazard resilience.
- The provisions must clarify that public funds will not be used for the construction or maintenance of coastal protection works that primarily benefit private property, particularly where those works are required because of historical development decisions that failed to account for foreseeable risks.

Updating the coastal protection works provisions in this way will help ensure that NSW's coastal management actions prioritise long-term resilience, coastal ecosystem protection, and avoids burdening communities with costly and environmentally damaging infrastructure solutions.

Coastal Vulnerability Area Mapping

Do you support transition of existing coastal risk planning mapping in LEPs to be CVA mapping?

NCC does not support a blanket transfer of existing coastal risk mapping from LEPs into existing or new CVA mapping.

A simple transition would fail to establish the consistent, high-resolution, and scientifically robust baseline that is essential for managing coastal hazards effectively and equitably across the state.

These maps vary significantly in their age, quality, scope, and methodology, with different modelling approaches, hazard definitions and climate projections applied across different local contexts. In some cases, the maps are now considered obsolete or outdated, and it is suggested that some maps may reflect local political constraints in their results.

However, many LEP hazard maps do capture locally identified risks and should not be entirely discarded during the development of the updated CVA mapping framework. Where existing LEP mapping identifies hazards that are not currently reflected in broader datasets, NCC recommends that the NSW Government works with relevant councils to review this information determine whether these mapped hazards remain accurate and warrant inclusion in the updated CVA mapping.

This approach would ensure that accurate, locally derived hazard information is not disregarded, while avoiding the automatic incorporation of outdated or inconsistent mapping into the new statewide framework.

Would you support transition of existing coastal hazard mapping in Development Control Plans to be CVA mapping?

NCC is opposed to the transitioning of coastal hazard mapping contained within Development Control Plans (DCP) into CVA mapping.

Unlike LEPs, DCPs hold no statutory weight, and their mapping provisions are often indicative in nature, developed primarily as simplified communications tools for development guidance purposes. As a result, there is limited consistency or assurance regarding their methodologies, inputs, and scope. The variability in DCP hazard mapping across councils is therefore significantly greater than is found in LEP coastal risk planning mapping, and they lack the baseline assurances granted by maps produced as part of an LEP.

In many cases, DCP maps present defined hazard boundaries that may imply that land outside mapped areas is not exposed to coastal hazards. Where such mapping contains inaccuracies or obsolete information, this could create significant planning risks if incorporated into CVA mapping This includes the potential for development to be approved in locations that are in truth, vulnerable to local-scale coastal hazards.

Introducing DCP coastal hazard mapping into CVA mapping datasets could therefore reduce the reliability and consistency of the statewide framework, while also creating confusion about the status and authority of different hazard mapping sources. However, NCC acknowledges that some DCP hazard maps may be informed by underlying coastal studies or locally derived datasets. Where this is the case, these underlying studies could still be reviewed and considered when developing updated CVA mapping, without directly incorporating the simplified mapping contained within DCPs.

Would you support transition of coastal hazard mapping from a certified coastal management program, or a council adopted coastal hazard study to be CVA mapping?

NCC supports the use of existing coastal hazard mapping derived from certified CMPs as well as adopted coastal hazard studies to supplement new and existing CVA mapping. The NSW Government to assume primary responsibility for the creation, standardisation and ongoing maintenance of CVA mapping across the state.

These maps generally represent the most comprehensive and scientifically robust hazard assessments available at the local scale, making them valuable evidence for informing the updated CVA mapping framework.

However, variation still exists in the age, methodologies and inputs used across these studies. Any transition of CMP or coastal hazard study mapping into CVA mapping should therefore involve a review process to ensure the information remains consistent with the best available science and contemporary climate projections.

Where incorporated, these datasets should be integrated using a precautionary approach to ensure coastal hazards are not underestimated. If reviewed and applied carefully, they can contribute valuable locally derived information to the statewide CVA framework.

Are there opportunities to fast-track CVA identification and mapping?

Yes. **NCC recommends the NSW Government assumes primary, mandatory responsibility for the creation and maintenance of Coastal Vulnerability Area maps**, including ensuring the provision of required funding, resources, and oversight, whilst keeping councils closely involved throughout this process to ensure local knowledges are not superseded by desktop generalisations.

The single most significant opportunity to fast-track CVA mapping is for the NSW Government to assume primary responsibility for the creation, standardisation and ongoing maintenance of CVA mapping across the state.

The current approach, where the creation of CVA mapping is deemed a voluntary undertaking for local governments, has proven itself wholly inadequate. NCC has heard from multiple councils and coastal policy experts, who have noted:

- Councils often lack the resources to produce CVA mapping, and thus they are deprioritised as a non-mandatory undertaking.
- The interactions between often politically contentious mapping and local political processes can disincentivise their production.
- State oversight to ensure standardisation, consistency and efficacy of CVA mapping is lacking.

Do you support using the NSW coastal erosion and inundation hazards and exposure assessment (DCCEEW, 2025) as the basis for CVA mapping across the state?

The long-term, durable solution to the lack of CVA mapping in NSW is not to rely on the current piecemeal and failing process, but for the state to centrally fund, manage, and deliver a comprehensive CVA mapping program for the entire coast.

Although the modelling behind the assessment would be insufficient as a direct substitute for complete CVA mapping, it could serve a purpose as an initial contributor to CVA map datasets. It would be appropriate for use as a starting point for this work but given its insufficient resolution and only partial assessment of all relevant hazards, would not act as a silver bullet for the quick completion of CVA mapping across the state.

NCC supports the use of this modelling as a contributor to broader CVA mapping datasets, but notes this would only yield partial progress in the completion of accurate, high-resolution and comprehensive hazard maps.

Additional Points

Coastal Wetlands and Littoral Rainforest Areas

NCC recommends proximity areas be expanded to protect possible migration pathways for coastal wetlands and littoral rainforest, according to the best available science, so they can retreat with sea level rise and not lost to 'coastal squeeze'.

While NCC holds a neutral position on the relocation of coastal wetlands and littoral rainforest areas clauses to the *Biodiversity Conservation SEPP 2021*, these reforms provide a timely opportunity to strengthen the associated provisions.

Buffer zone (proximity areas for coastal wetlands and littoral rainforest) protections must be improved, including strengthened language ("significantly impact") and improvements to the mapping provisions for these areas. Proximity areas should not solely reflect a pre-determined radius surrounding mapped coastal wetlands and littoral rainforest areas, which are detached from surrounding topographic or hydrological contexts. Rather, these should serve as a baseline protection. This is of paramount importance if these ecosystems are to continue protecting communities from coastal hazards under future conditions.

Planning Barriers to Wetland Restoration

To reduce unnecessary legal barriers to the undertaking of these works, **NCC recommends that a provision should be included in the SEPP indicating that blue carbon tidal restoration works, shellfish reef restoration works, and Living Shoreline habitat enhancement works should be made permissible without consent on any land.**

Although regulatory barriers hindering private environmental restoration projects exist across multiple facets of NSW's planning system, the updated SEPP does present an opportunity to increase clarity and accessibility for projects proponents. This matter falls within scope given the relationship many such projects have with mitigating coastal hazards, and in some cases may be directly proposed as nature-based solutions for coastal protection and resilience.

These projects include, but are not limited to:

- *Blue carbon tidal restoration works,* meaning works to rehabilitate tidally dependent coastal wetlands and may include the removal or modification of one or more tidal restriction mechanisms, the modification of one or more drainage channels, or the modification or removal of drainage infrastructure.
    - *Tidal restriction mechanism* means an object, device or structure on any land that impedes, reduces, restricts or prevents inundation of other land by tidal flows.
    - *Drainage channels* mean brackish or freshwater drains or ditches created for the drainage of land for agricultural purposes, such as growing sugarcane.
    - *Drainage infrastructure* means a drain, channel or ditch on any land that serves as a passageway for water moving from one area of land to another area of land.

- *Shellfish reef restoration works* meaning the installation in the intertidal or sub-tidal zone of suitable material that will support enhanced recruitment and increased survival of local shellfish populations.
- *Living Shoreline habitat enhancement works* meaning the installation in the sub-tidal or intertidal zone of prefabricated, three-dimensional structures designed to mimic natural features such as rockpools and crevices for the purposes of providing habitat for marine organisms.

Thank you for the opportunity to make a submission. Your contact person at Nature Conservation Council of NSW is Government Relations Manager, Kashmir Miller kmiller@nature.org.au.

Sincerely,

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Nature Conservation Council of NSW