
Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025

Amendments made by Legislative Assembly on 16 October 2025.

No. 1 **Objects of Act**

Page 3, Schedule 1[1], proposed section 1.3(a), lines 5 and 6. Omit all words on the lines. Insert instead—

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,

No. 2 **Objects of Act**

Page 3, Schedule 1[1], proposed section 1.3(d), line 11. Omit “to provide for”. Insert instead “to protect the environment, including”.

No. 3 **Objects of Act**

Page 3, Schedule 1[1], proposed section 1.3(g), line 18. Insert “including the protection of the health and safety of the occupants of buildings,” after “built environments,”.

No. 4 **Minister not accepting recommendation from Housing Delivery Authority**

Page 6, Schedule 1[16], proposed section 2.11C. Insert after line 14—

- (2) If the Minister decides not to accept a recommendation of the Housing Delivery Authority made under subsection (1)(b)(ii), (iii) or (iv), the Minister must publish notice of the decision, and the reasons for the decision, on the NSW planning portal.

No. 5 **Development Coordination Authority—annual report**

Page 7, Schedule 1[16], proposed section 2.11G. Insert after line 25—

- (5) The Planning Secretary must, in the annual report of the Department of Planning, Housing and Infrastructure, report on the operations of the Development Coordination Authority.

No. 6 **Community participation plans**

Page 11, Schedule 1[29]. Insert after line 39—

- (1A) The Planning Secretary must arrange for the community participation plan to be published on the NSW legislation website.
- (1B) The *Interpretation Act 1987*, sections 40 and 41 apply to a community participation plan in the same way as the sections apply to a statutory rule.

No. 7 **Expedited amendments of environmental planning instruments**

Page 13, Schedule 1[42], proposed section 3.22(1)(d), lines 21 and 22. Omit “necessary or convenient”. Insert instead “reasonably necessary”.

No. 8 **Consultation and development consent—certain bush fire prone land**

Page 15, Schedule 1[61], lines 32 and 33. Omit all words on the lines. Insert instead—

[61] Section 4.14 Consultation and development consent—certain bush fire prone land

Omit section 4.14(1) and (1A). Insert instead—

- (1) The consent authority, before granting development consent for the carrying out of development on bush fire prone land, being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2), must consider the relevant Bush Fire Protection Planning guide.
- (1A) Subsection (1) does not apply to an application for consent to carry out the following development—
 - (a) development for a subdivision of land that could lawfully be used for residential or rural residential purposes,
 - (b) development for a special fire protection purpose.

[61A] Section 4.14(2)

Insert in alphabetical order—

relevant Bush Fire Protection Planning guide means—

- (a) the version, as prescribed by the regulations, of the document entitled *Planning for Bush Fire Protection* prepared by the NSW Rural Fire Service in cooperation with the Department, or
- (b) if another document is prescribed by the regulations for this definition—the prescribed document.

No. 9 Declaration of targeted assessment development—submission period

Page 18, Schedule 1[68], proposed section 4.20A(3)(b), line 17. Omit all words on the line. Insert instead—

- (b) to invite the public to make written submissions to the Minister on the proposed policy within a specified period after the date on which the explanation was published, being a period of not less than 28 days, and
- (c) to consider the written submissions received by the Minister within the specified period.

No. 10 Targeted assessment development

Page 18, Schedule 1[68], proposed section 4.20A. Insert after line 19—

- (5) Despite subsection (1), a State environmental planning policy must not declare the following development to be targeted assessment development—
 - (a) development that is designated development,
 - (b) development that would be designated development if section 4.10(2) did not apply.

No. 11 Revocation or modification of development consent

Page 26, Schedule 1[107], proposed section 4.57(1)(a), lines 5 and 6. Omit all words on the lines. Insert instead—

- (a) the Planning Secretary, having regard to—
 - (i) the provisions of a proposed environmental planning instrument, or
 - (ii) the provisions of an existing environmental planning instrument, but only in relation to a development consent granted at least the prescribed period before the Planning Secretary proposes to exercise a function under this section, or

No. 12 Revocation or modification of development consent

Page 26, Schedule 1[107], proposed section 4.57(1)(b), line 9. Omit “an existing or”. Insert instead “a”.

No. 13 **Bush fire prone land**

Page 30, Schedule 1[152], lines 32 and 33. Omit all words on the lines.

No. 14 **Revocation or modification of development consent**

Page 37, Schedule 2. Insert after line 3—

[11A] Section 116A

Insert after section 116—

116A Revocation or modification of development consent

For the Act, section 4.57(1)(a)(ii), the period of 25 years is prescribed.

No. 15 **Regular reviews of amendments about Housing Delivery Authority**

Page 41, Schedule 2[39]. Insert after line 39—

Regular reviews of amendments about Housing Delivery Authority

- (1) A Joint Select Committee of the Parliament must be established in relation to this Act.
- (2) The Joint Select Committee must undertake reviews of the amendments made to the Act by the *Environmental Planning and Assessment Amendment (Planning System Reforms) Act 2025* relating to the Housing Delivery Authority to determine whether—
 - (a) the policy objectives of the amendments remain valid, and
 - (b) the terms of the Act, as amended, remain appropriate for securing the objectives, and
 - (c) the Housing Delivery Authority has increased housing supply and the timely delivery of housing and improved housing affordability.
- (3) A review must be undertaken as soon as practicable after each period of 3 years from the commencement of the amendments.
- (4) A report on the outcome of a review must be tabled in each House of Parliament within 12 months after the end of each period of 3 years.
- (5) The Joint Select Committee must consist of the following members—
 - (a) a chairperson who must be a member of, and appointed by, the Legislative Assembly,
 - (b) 5 other members who are members of, and appointed by, the Legislative Assembly,
 - (c) 4 members who are members of, and appointed by, the Legislative Council.