

c2025-229G
GRNS--The Greens

LEGISLATIVE COUNCIL

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

Second print

Proposed amendments

No. 1 **Bush fire prone land**

Page 16, Schedule 1[61], line 13. Omit "10.3(2)". Insert instead "10.3(1)(c)".

No. 2 **Factors of relevance and not of relevance**

Page 16, Schedule 1[64], proposed section 4.15(1A) and (1B), lines 31–39. Omit all words on the lines. Insert instead—

- (1A) The regulations may, for the purpose of the consideration of a matter referred to in subsection (1)(b), (c) or (e), declare factors that are of relevance to development the subject of the development application.

No. 3 **Causes and effects of climate change are factors of relevance**

Page 16, Schedule 1[64]. Insert after line 39—

- (1BA) For subsection (1A)(b), matters relating to causes and effects of climate change must not be declared to be a factor that is not of relevance to development the subject of a development application.

No. 4 **Factors of relevance and not of relevance**

Page 36, Schedule 2[3], lines 10–21. Omit all words on the lines.

No. 5 **Bush fire prone land**

Page 31, Schedule 1. Insert after line 31—

[152A] Section 10.3 Bush fire prone land

Omit section 10.3(1). Insert instead—

- (1) If a bush fire risk management plan applies to land within the area of a council, the Commissioner of the NSW Rural Fire Service must, within 12 months after the commencement of this section—
- (a) designate land within the area that the Commissioner considers, having regard to the bush fire risk management plan, to be bush fire prone land, and
 - (b) record any land so designated on a map, and
 - (c) certify the map as a bush fire prone land map for the area of the council, and

-
- (d) give the certified map to the council.

[152B] Section 10.3(2)–(2B)

Omit section 10.3(2) and (2A). Insert instead—

- (2) The Commissioner of the NSW Rural Fire Service—
- (a) must review the designation of land on a bush fire prone land map before the end of the period of every 5 years after the map was last certified and revise the map accordingly, and
 - (b) may review the designation of land on a bush fire prone land map for an area at any time after the map is certified and revise the map accordingly.
- (2A) If the Commissioner of the NSW Rural Fire Service revises a certified map under subsection (2), the revised map—
- (a) becomes the bush fire prone land map for the area on being certified by the Commissioner, and
 - (b) must be given to the council by the Commissioner.
- (2B) The Commissioner of the NSW Rural Fire Service must consult with the council for land that the Commissioner considers to be bush fire prone land before designating the land as bush fire prone land under subsection (1) or (2).

[152C] Section 10.3(4)

Insert “and must be given to any person if requested at no cost” after “council”.

No. 6 Bush fire prone land

Page 38, Schedule 2. Insert after line 25—

[26A] Section 274 Bush fire prone land map—the Act, s 10.3(2A)

Omit the section.

No. 7 Factors of relevance and not of relevance

Page 41, Schedule 2[40], line 8. Omit “Schedules 1[63] and [64] and 2[3]”. Insert instead “Schedule 1[63] and [64]”.

No. 8 Factors of relevance and not of relevance

Page 41, Schedule 2[40], line 11. Omit “Schedules 1[63] and [64] and 2[3]”. Insert instead “Schedule 1[63] and [64]”.