



# Draft Bush Fire Prone Land Mapping Policy

## Policy Approval and Distribution

<b>Approved by</b>	Council resolution
<b>Responsible Officer</b>	Manager Sustainable Development
<b>Council Service Unit</b>	Sustainable Development
<b>Next Review Date</b>	dd-MMM-yyyy
<b>RELEVANCE TO COMMUNITY STRATEGIC PLAN</b>	<b>3. Sustainable natural and built environments: we connect with the places and spaces around us</b>  3.2 Our built environments support and enhance liveability

## Version Control

Ref	Date	Description	Resolution Number
V1	28/01/2025	Presented to Council to facilitate public exhibition process	

## Purpose

The purpose of this policy is to:

- Meet Council's obligations under Section 10.3 Bush fire prone land of the Environmental Planning and Assessment Act 1979 (as amended), by establishing an on-going process for the review of Council's bush fire prone land map; and
- Minimise risks to life and property associated with bush fire hazards.

## Scope

This policy applies to all land within the Cootamundra-Gundagai Local Government Area and outlines Council's roles and responsibilities in the ongoing review and identification of bush fire prone land.

## Definitions

### CGRC

Cootamundra Gundagai Regional Council

### Bush Fire Prone Land Map

A map prepared in accordance with NSW RFS requirements and certified by the Commissioner of the NSW RFS under Environmental Planning & Assessment Act 1979 Section 10.3(2).

As defined by Planning for Bushfire Protection.

### **Draft Bush Fire Prone Land Map**

A map endorsed by Council and the relevant NSW RFS District Office awaiting endorsement from Commissioner of the NSW RFS.

### **Development**

As defined by Section 1.5 of the Environmental Planning and Assessment Act 1979

### **Development Application**

As defined by Section 1.4 of the Environmental Planning and Assessment Act 1979

### **RFS**

NSW Rural Fire Service

## **Legislative Framework**

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Rural Fires Act 1997
- Rural Fires Regulations 2022
- Guide for Bush fire Prone Land Mapping Version 5b, published by NSW RFS

## **Related CGRC Documents**

Nil

## **Review Period**

This document is to be reviewed every 5 years, or as legislative requirements are updated to ensure that it remains relevant and meets legislative requirements.

## **Policy Statement**

### Introduction

The Cootamundra-Gundagai Regional Council area includes extensive bush fire prone land, such as National Parks, State forests, bushland reserves, and farmlands.

Development on bush fire prone land must incorporate measures that protect human life, property, and valuable environmental assets from bush fire threats, while avoiding unacceptable environmental impacts. The application of these requirements is largely determined by whether a development site is identified as being at risk on the Bush Fire Prone Land Map.

As the local government authority, Council is legally obligated to establish, regularly review, and update the Bush Fire Prone Land Map.

### Legislative requirements for mapping of bush fire prone land

#### **Section 10.3 of the Environmental Planning and Assessment Act 1979 (EP&A Act)**

Section 10.3 of the EP&A Act requires that Council must review the adopted Bush Fire Prone Land Map for the area and send the map to the Commissioner of the NSW Rural Fire Service for designation and certification of the map every 5 years.

The identification and categorization of bush fire prone land are carried out in accordance with the guidelines set by the Rural Fires Act 1997, as published by the NSW RFS.

Before submitting the reviewed map for endorsement by the NSW Fire Commissioner, Council must consult with the local NSW RFS District (South West Slopes) and obtain a letter from the District Manager confirming their agreement with the proposed amendments.

#### Exhibition and Community Consultation of draft mapping

Public exhibition of the Bush Fire Prone Land Map prior to Council endorsement is not required under the Rural Fires Act 1997 or the Environmental Planning and Assessment Act 1979. However, as part of this policy, Council will conduct a public exhibition of the draft map for a minimum of 28 days and will consider any submissions received before final endorsement and submission to the Commissioner of the NSW Rural Fire Service (RFS).

#### Adoption of Draft Bushfire Prone Land Map

Following the endorsement of the Bush Fire Prone Land Map by Council, the local NSW Rural Fire Service (RFS) District, and its submission to the Commissioner of the NSW RFS for designation, the map will be adopted by Council as a Draft Bush Fire Prone Land Map until the designation process is completed.

The Draft Bush Fire Prone Land Map will be used by Council staff to identify developments that must comply with the specifications and requirements of Planning for Bushfire Protection under Section 4.15 of the EP&A Act.

The Draft Bush Fire Prone Land Map will be made publicly available on Council's website. Additionally, Section 10.7 Planning Certificates issued by Council will identify:

- a) Whether the lot or part of the lot is designated as bush fire prone land on the current Designated Bush Fire Land Map; and
- b) Whether the lot or part of the lot is identified as bush fire prone land on Council's adopted Draft Bush Fire Land Map.

Council acknowledges that the designation process by the Commissioner of the NSW RFS may take time. In the interim, adopting and making the Draft Bush Fire Prone Land Map available for the purposes of Section 10.3 of the EP&A Act ensures greater transparency and provides valuable information to the public and applicants while awaiting the final designation of the map.