



Building Code & Bushfire Hazard Solutions

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Opal Healthcare
C/- Bloompark Consulting Pty Ltd,
Level 3, 165 Walker Street,
North Sydney NSW 2060

22 October 2025
Our Ref. 250809

Attn: Harry Bate

**Re: Proposed 180 Bed Residential Aged Care Facility
Lot 121 DP 789400 / 36 Cabbage Tree Road, Bayview NSW
Bushfire Prone Land Comment**

Dear Harry,

Building Code and Bushfire Hazard Solution P/L has been commissioned by to prepare a bushfire statement for the proposed 180 Bed Residential Aged Care Facility at 36 Cabbage Tree Road, Bayview.

This application is being assessed as a State Significant Development (Application No. SSD_31576972).

The Minister for Planning, or their delegate, is the consent authority for the SSDA and this application has been lodged with the NSW Department of Planning, Housing and Infrastructure for assessment.

Item 20 of the Planning Secretary's Environmental Assessment Requirements states:

20. Bush Fire Risk

- *If the development is on mapped bush fire prone land, or a bush/grass fire threat is identified on or adjoining the site, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection.*

Section 10.3 of *Environmental Planning & Assessment Act 1979* requires councils, where a Bush Fire Risk Management Plan applies, to record a bush fire prone land map after consulting with the Commissioner of the NSW Rural Fire Service (NSW RFS). The Commissioner will designate lands to be bush fire prone within an area and, when satisfied that the lands have been recorded on a map, certify the map as the Bush Fire Prone Land map.

Northern Beaches Council's Bushfire Prone Land Map does identify the broader Aveo Bayview Gardens Retirement Living (BGRL) property as marginally containing the Vegetation Buffer (approximately 5m²).

The location of the proposed location of the proposed Opal site and the proposed development is not captured as containing Category 1, 2 or 3 Vegetation or the Vegetation Buffer.

The NSW Government ePlanning portal, which also listed relevant planning constraints, does not identify the site as Bushfire Prone in its search results.

Recently NSW Rural Fire Service provided a Guidance Document *Application of section 100B of the Rural Fires Act 1997 (Bush Fire Safety Authority)* on 23 July 2025 which states the following for land that is partly mapped:

The proposed development is a development of bush fire prone land where it involves doing any of the acts, matters or things specified in section 1.5(1) of the EP&A Act, on the bush fire prone land portion of the land. It is only where any of those acts, matters or things are proposed to be done on the bush fire prone land portion of the land for a SFPP listed in section 100B(6) of the RF Act, that a BFSA will be required.

Cadastral (lot) boundaries are not relevant to the assessment of whether a development is on bush fire prone land.

It is understood that the subject property will be subdivided as part of the SSD and once the subdivision is complete the allotment which contains the proposed development will no longer be captured by the Bushfire Prone Land Map.

Should you have any enquiries regarding this project please contact me at our office.

Prepared by
Building Code & Bushfire Hazard Solutions P/L



Andrew Muirhead

Bushfire Consultant
Graduate Certificate in Bushfire Protection
Diploma of Engineering
FPA Australia BPAD Level 3 Accredited Practitioner
BPAD Accreditation No. BPAD46966



Your Property



Your search result

You have conducted a search of the online bush fire prone land tool for the land in the map above. This search result is valid for the date the search was conducted. If you have any questions about the Bush Fire Prone Land Tool please contact bushfireprone.mapping@rfs.nsw.gov.au



The parcel of land you have selected is within a designated bush fire prone area.

Figure 01: Extract from NSW Rural Fire Service *Check if you're in bush fire prone land* tool

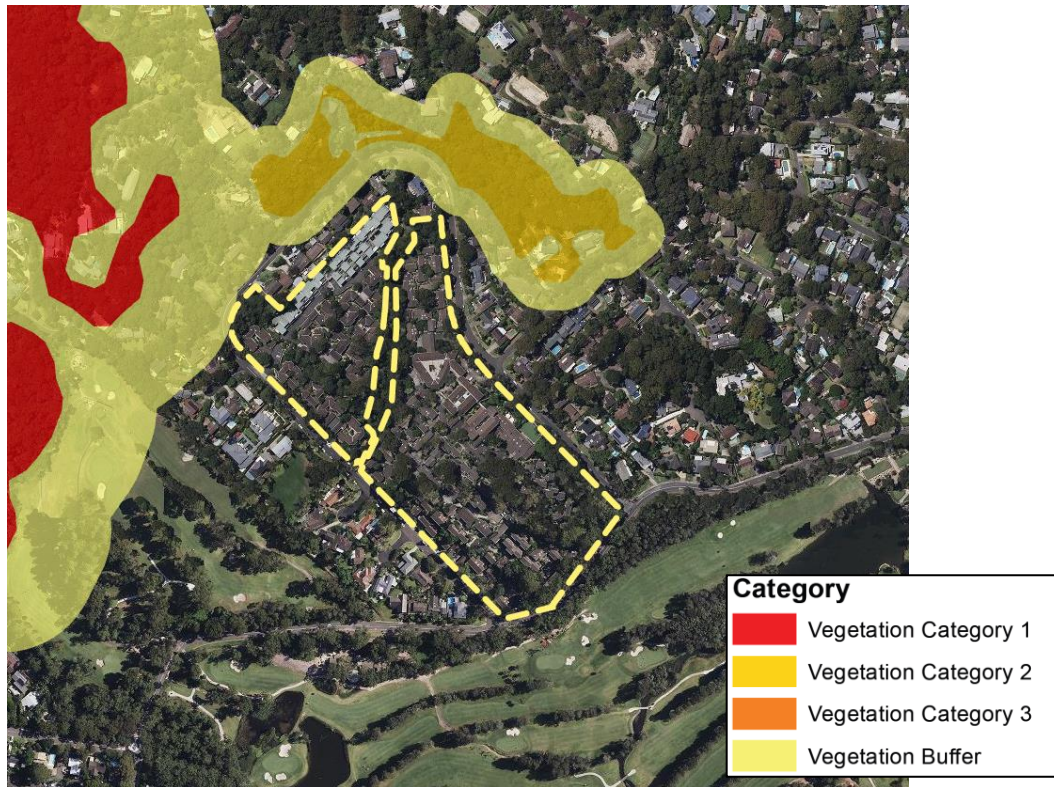


Figure 02: Extract from ePlanning spatial viewer Bushfire Prone Land Map

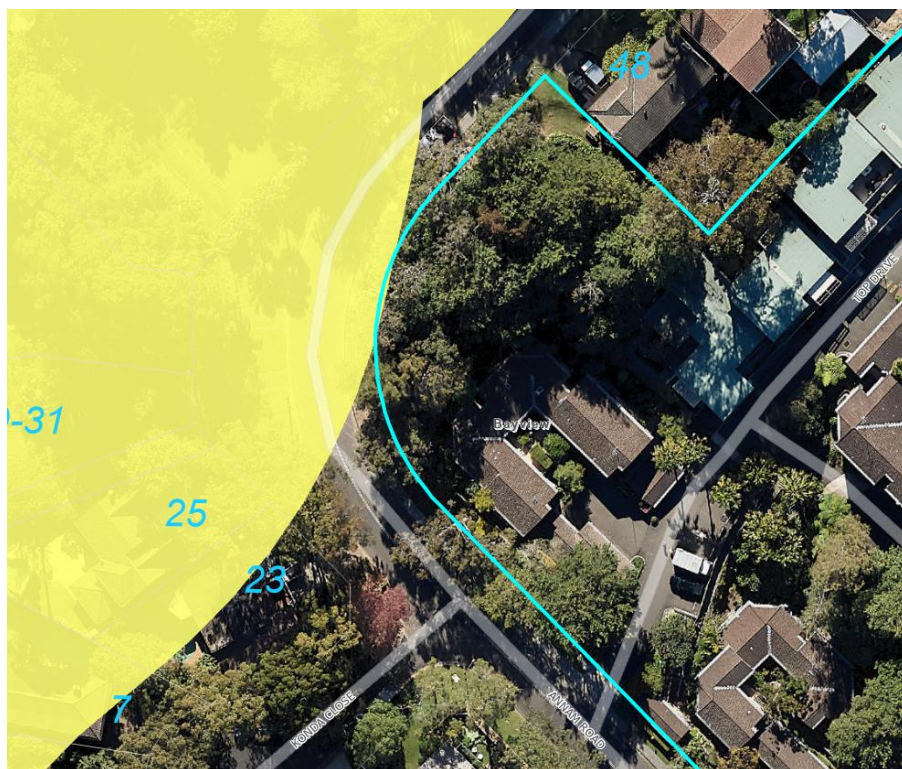


Figure 03: Extract showing the minor Bushfire Prone Land Map on the broader AVEO Bayview Gardens Retirement Living site (Northern Beaches Interactive Mapping)

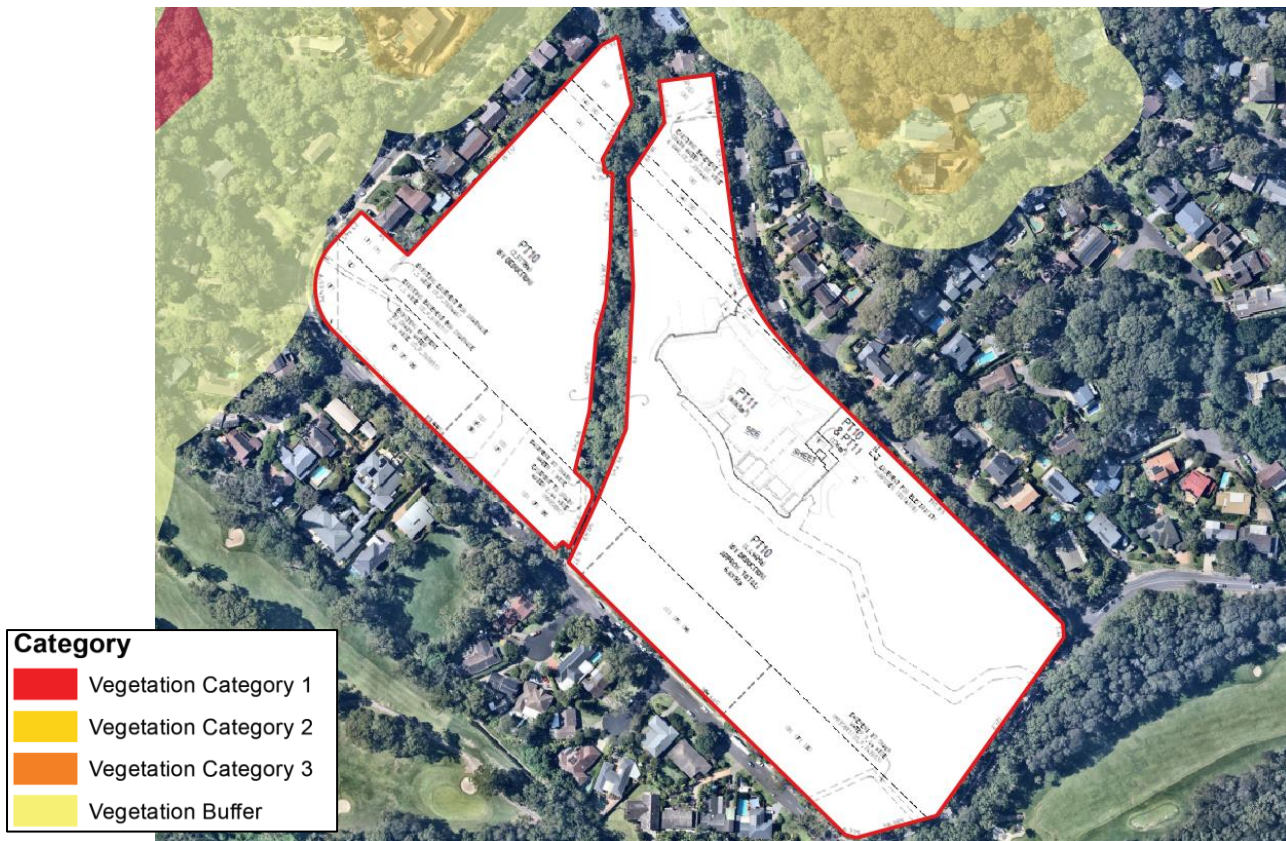


Figure 04: Extract from Deposited Plan showing the property boundary lines post subdivision overlaid with Bushfire Prone Land Map

Quote from Planning for Bush Fire Protection 2019, 'While the material within this publication is current at the time of writing changes in circumstances after the time of publication may impact on the accuracy of the material. Individuals are responsible for ensuring they have the most current version of this publication.'

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Similarly the interpretations and opinions provided by Building Code and Bushfire Hazard Solutions in regard to bushfire design, protection and mitigation are also given in the same good faith.