

<b>ITEM 11.2</b>	<b>EXHIBITION OF THE DRAFT NORTHERN BEACHES BUSH FIRE PRONE LAND MAP</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2018/594773</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Draft Northern Beaches Bush Fire Prone Land Map</b> <b>2 <a href="#">↓</a> Comparison of Draft Bush Fire Prone Land Map with Bush Fire Prone Land Maps of Former Council Areas</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To amalgamate the three former Council's Bush Fire Prone Land Maps (BFPLMs) into one Northern Beaches BFPLM and undertake a five (5) year review in accordance with Section 10.3 of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

#### SUMMARY

Bush Fire Prone Land Maps (BFPLMs) identify land that is at risk from bush fire attack, triggering specific requirements for development on affected land.

Due to Council amalgamation and a legislative requirement to review BFPLMs every five years, Northern Beaches Council in partnership with the NSW Rural Fire Service (RFS) has prepared a Draft Northern Beaches BFPLM 2018 (Draft Map) to replace the current Warringah BFPLM 2016, Pittwater BFPLM 2013 and Manly BFPLM 2010.

The Draft Northern Beaches Bushfire Prone Land Map (Attachment 1) has been prepared according to the specifications of the RFS "Guide for Bush Fire Prone Land Mapping". The Draft Northern Beaches Bushfire Prone Land Map (Draft Map) includes 77 additional properties as bush fire prone land and removes 690 properties from that categorisation.

The Draft Map will be placed on public exhibition for a minimum period of 28 days and submissions will be considered in consultation with the RFS. The final Draft Map will be reported back to Council, including any modifications recommended by RFS, and requesting approval for its submission to the Commissioner of the NSW Rural Fire Service for Certification.

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#### RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council place the Draft Northern Beaches Bushfire Prone Land Map on public exhibition for a minimum period of 28 days.
  - B. Following public exhibition and a consideration of submissions in consultation with the NSW Rural Fire Service, the final Draft Northern Beaches Bush Fire Prone Land Map including any modifications is reported back to Council for approval for its submission to the Commissioner of the NSW Rural Fire Service for Certification.
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## REPORT

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### BACKGROUND

In August 2002, the Rural Fires and Environmental Assessment Legislation Amendment Act 2002 (Amendment Act) came into effect. The Amendment Act amended both the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Rural Fires Act 1997. The purpose was to ensure the protection of people, property and the environment against bush fires.

The Amendment Act requires councils to submit a Bush Fire Prone Land Map (BFPLM) for certification by the Commissioner of the NSW Rural Fire Service (RFS). The Amendment Act also requires a review of the map every 5 years.

Northern Beaches Council currently operates under three BFPLMs (Warringah BFPLM 2016, Pittwater BFPLM 2013 and Manly BFPLM 2010). There is a need to create one Northern Beaches BFPLM due to the amalgamation into one Northern Beaches Council and because the Manly BFPLM 2010 and Pittwater BFPLM 2013 are due for review.

The purpose of a BFPLM is to identify land that is at risk from bush fire attack (Bush Fire Prone Area). It also acts as a legislative trigger for additional planning and development controls on Bush Fire Prone Land. Development on this land must comply with the requirements of RFS's Planning for Bushfire Protection (2006). This document outlines the required bush fire protection measures for development in a Bush Fire Prone Area, such as Asset Protection Zones and emergency access. A BFPLM is also used to give effect to the Building Code of Australia's Australian Standard AS 3959-2009 'Construction of Buildings in Bush Fire Prone Areas'.

The EP&A Act, Section 10.3 requires that the information contained in a BFPLM to be made available for public inspection during normal office hours. Section 10.7 of the EP&A Act also requires Council to identify if a parcel of land is located in a Bush Fire Prone Area via a Section 10.7 Certificate (previously known as Section 149 certificates). Public access to BFPLMs allows owners, potential owners and other interested parties to be aware of the level of bush fire risk associated with a property.

### Methodology

The Draft Map (Attachment 1) has been prepared according to the specifications of the RFS "Guide for Bush Fire Prone Land Mapping" V5b, November 2015 (Guide). The Guide defines the type and quality of vegetation that is included on BFPLMs and the methodology for preparation. The review has comprised of an analysis of satellite photography, site visits and historical research, following the Guide's updated methodology.

### Proposed Changes

A comparison of Draft BFPLM with BFPLMs of former Council Areas (comparison map) (Attachment 2) is provided. The comparison map shows what land has been added or removed as part of the review process. It is noted that if any portion of a property is included as a Bush Fire Prone Area, the entire property is classified as bush fire prone. Changes have been summarised in the following two tables.

**Table 1:** Summary of Differences between the Current BFPLMs and the Draft Map:

	<b>Bush Fire Prone Land (ha)</b>	<b>Number of Bush Fire Prone Properties</b>
<b>Current BFPLMs</b>	18757	20039
<b>Draft Map</b>	18183	19304

**Table 2:** Summary of Proposed Changes to the Current BFPLMs:

	<b>Bush Fire Prone Land (ha)</b>	<b>Bush Fire Prone Properties</b>
<b>Additions to Map</b>	24	77
<b>Removal from Map</b>	90	690

The main reason for the removal of land identified as Bush Fire Prone Land (BFPL) on the Draft Map is that Vegetation Categories in the Guide have changed slightly, resulting in some land being re-categorised from Vegetation Category 1 (which requires a 100m BFPL buffer) down to Vegetation Category 2 (which requires a 30m BFPL buffer).

A number of inaccuracies in the former Manly BFPLM were also identified, resulting in an additional 77 properties being identified as BFPL on the Draft Map. The inaccuracies are summarised as follows:

- Some areas of Category 2 vegetation have been reclassified as Category 1 vegetation (noting that often the vegetation is continuous with the adjoining Category 1 vegetation). This has resulted in an extension to the buffer area from 30m to 100m.
- Some additions to Category 1 vegetation areas that were not previously mapped.
- A GIS buffer error for Category 1 vegetation where the buffer varied between 50-60m but should have been 100m (southern side of Wakehurst Golf Club).

Consideration was also given to the recent introduction of a new Category 3 under the RFS Guide. Council's Bushfire & Biodiversity Coordinator confirmed that Northern Beaches Council has mapped vegetation communities representative of the new Category 3. This was completed in consultation with the RFS.

### **Development Controls**

As noted above, development on properties that are located in a Bush Fire Prone Area are subject to additional development and planning controls. This includes compliance with Planning for Bushfire Protection (2006), Building Code of Australia as well as documentation on Section 10.7 Certificates.

In addition to these controls, the RFS's 10/50 Vegetation Clearing Entitlement Area is triggered by inclusion in a Bush Fire Prone Area. The Entitlement Area is governed by the RFS and allows clearing of vegetation in specific circumstances. Currently, the Entitlement Area is generally aligned to land designated as a Bush Fire Prone Area, with exceptions as outlined in Section 7.2 of the 10/50 Code of Practice.

### **CONSULTATION**

The Draft Map will be placed on public exhibition for a minimum period of 28 days. An advertisement will be placed in the *Manly Daily* and all affected landowners will be notified by letter of the proposals for change.

An interactive Draft Northern Beaches BFPLM property search tool will be provided on Council's website during the public exhibition period to help stakeholders review how the Draft Map affects their properties.

### **FINANCIAL CONSIDERATIONS**

The proposed exhibition and amendment process can be undertaken within Council's current operational budget.

## **SOCIAL CONSIDERATIONS**

The Northern Beaches BFPLM will provide important guidance to the community regarding requirements for bushfire protection when undertaking development in affected areas.

## **ENVIRONMENTAL CONSIDERATIONS**

The updated BFPLM will provide greater certainty for the community resulting in more consistent and better environmental outcomes.

## **GOVERNANCE AND RISK CONSIDERATIONS**

The preparation of an updated BFPLM is a legislative requirement and provides an up-to-date analysis of bushfire risk in the Council area. Proceeding to review and re-make the BFPLM is important for the future safety of the Northern Beaches community.



