

**BUSHFIRE PROTECTION ASSESSMENT
FOR THE PROPOSED
ASPECT INDUSTRIAL ESTATE (AIE)
ON LOTS 54 - 58 in DP 259135
MAMRE ROAD, KEMPS CREEK
FOR
MIRVAC**

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Assessment Number	Document	Preparation Date	Issue Date	Directors Approval
B193401 - 6	Final	17.10.2019	06.10.2020	<i>G.L.Swain</i>

EXECUTIVE SUMMARY

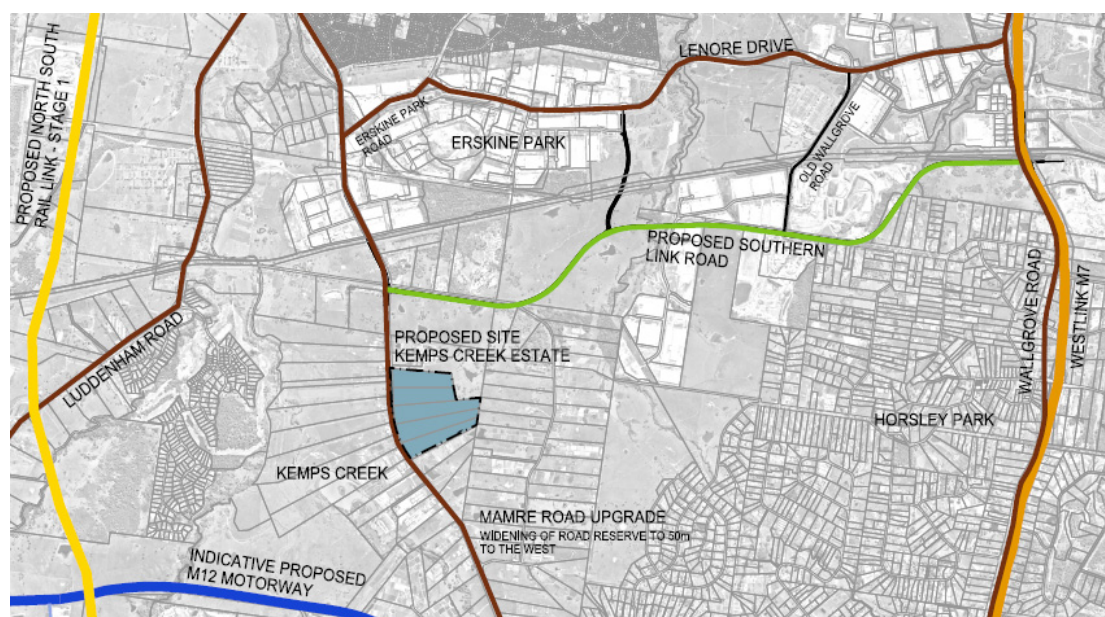
Australian Bushfire Protection Planners Pty Limited, at the request of *Mirvac*, has undertaken the bushfire consultancy to inform the State Significant Development Application [SSDA] on the bushfire protection measures required for the development of the proposed Aspect Industrial Estate (AIE), Mamre Road Kemps Creek, here-in known as the 'development site'.

Legally described as Lots 54 - 58 of DP259135, with an area of approximately 56.3ha, the Site is located east of Mamre Road, Kemps Creek within the Penrith City Council Local Government Area (LGA).

The Site has approximately 950m of direct frontage to Mamre Road with a proposed signalised intersection providing vehicular access via Mamre Road to the M4 Motorway and the Great Western Highway to the north and Elizabeth Drive to the south.

The Site is located approximately 4km north-west from the future Western Sydney Nancy-Bird Walton Airport, 13km south-east of the Penrith CBD and 40km west of the Sydney CBD.

Figure 1 – Location of Aspect Industrial Estate



The Department of Planning, Industry and Environment (DPIE) rezoned the Mamre Road Precinct, including the site, in June 2020 under the State Environmental Planning Policy (Western Sydney Employment Area) 2018 (SEPP WSEA). The site is primarily zoned IN1 – General Industrial with a sliver of land zoned E2 – Environmental Conservation.

Consistent with the above, this report has been prepared to support a Development Application under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the purpose of:

- ❖ A Concept Masterplan for the site comprising 11 industrial buildings, internal road network layout, building locations, gross floor area (GFA), car parking, concept landscaping, building heights, setbacks and built form parameters;
- ❖ Stage 1 development of the site including:
 - The demolition, removal of existing rural structures and remediation works;
 - Heritage salvage works (if applicable);
 - Clearing of existing vegetation and associated dam dewatering and decommissioning;
 - Realignment of existing creek and E2 Environmental Conservation Zone;
 - Onsite bulk earthworks including any required ground dewatering;
 - The importation, placement and compaction of spoil material;
 - Boundary retaining walls;
 - Catchment level stormwater infrastructure, trunk services connections, utility infrastructure, roads and access infrastructure (signalised intersection with Mamre Road) associated with Stage 1;
 - Construction, fit out and 24 hours a day/7 days per week use of warehouse and distribution centre within Stage 1;
 - Detailed on lot earthworks, stormwater, services and utility infrastructure associated with the construction of warehouse and distribution centre within Stage 1;
 - Boundary stormwater management, fencing and landscaping; and
 - Staged subdivision of Stage 1.

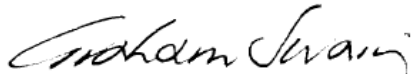
The SEARS [Secretary's Environmental Assessments Requirements] for the AIE were issued on the 30.04.2020 under SSD-10448 and contain a requirement that the EIS for the Master Plan and Stage 1 works must include an assessment against the requirements of *Planning for Bushfire Protection 2019*.

The Penrith Council Bushfire Prone Land Map indicates that the site and adjacent lands contains Category 2 Bushfire Prone Vegetation.

Therefore, this report undertakes an assessment to examine the measures required to minimise bushfire risk on the proposed development and determines the deemed-to-satisfy bushfire protection requirements in accordance with the provisions of *Planning for Bushfire Protection 2019* and provides recommendations on the provision of Asset Protection Zones [Defendable Spaces] to the future buildings in the Aspect Industrial Estate.

This report also assesses the adequacy of fire-fighting access and water supplies; construction standards of the buildings, the management of the Asset Protection Zones [Defendable Spaces] and evacuation protocols necessary to address the bushfire risk to the proposed development and to address the aim and objectives of *Planning for Bushfire Protection 2019*.

The report has found that the requirements of *Planning for Bushfire Protection 2019* have been met and the Key Issue – Bushfire of the SEARs has been satisfactorily addressed.



Graham Swain,
Managing Director,
Australian Bushfire Protection Planners Pty Limited

Fire Protection Association Member No: 48781

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SECTION 1

INTRODUCTION

1.1 Aim of this Report.

The aim of this Bushfire Protection Assessment is to address the requirements of the Secretary's Environment Assessment Requirements [SEARS], Application Number SSD-10448 issued on the 30/04/2020, which require an assessment to be undertaken against the requirements of *Planning for Bushfire Protection 2019*.

To achieve the specific bushfire requirement of the SEARS the following will be examined:

- Determine the classification of the vegetation on and surrounding the site in accordance with the vegetation classification system contained in *Planning for Bushfire Protection 2019*;
- Undertake an assessment to determine the slope of the land on and surrounding the development site;
- Undertake a Bushfire Protection Assessment to determine bushfire protection strategies for the proposed development that address the following matters:
 - (i) The provision of building setbacks (Defendable Space) from vegetated areas and the siting of buildings to minimize the impact of radiant heat and direct flame contact;
 - (ii) Fire fighting water supplies;
 - (iii) Access requirements for emergency service vehicles;
 - (iv) Construction standards to be used for the future buildings within the proposed development to minimize the vulnerability of buildings to ignition from radiation and ember attack;
 - (v) Land management responsibilities; and
 - (vi) Evacuation management.

1.2 Statutory Requirements.

This assessment has been prepared having regard to the following legislative and planning requirements:

1.2.1 Legislation.

Environmental Planning and Assessment Act - 1979 (EPA Act)

Planning and development within NSW is regulated by the *Environmental Planning & Assessment Act, 1997* (EPA Act).

In relation to bushfire planning for new developments (including Industrial Development) in bushfire prone areas in NSW, Section 4.14 of the Act requires a consent authority to determine if a proposed development that is located within a designated Bushfire Prone Area or the buffer zone to the Bushfire Prone Land complies with *Planning for Bushfire Protection 2019*;

1.2.2 Planning Policies.

Planning for Bushfire Protection – 2019. [Rural Fire Service]

This document provides guidance on the planning and development control processes in relation to bushfire protection measures for rural residential and residential subdivision, “*Special Fire Protection*” and Class 5 – 8 and 10 buildings in bushfire prone areas [Industrial buildings are Class 7 as defined by the Building Code of Australia].

These measures include the provision of defendable space requirements and access/water supply provisions to Class 5 – 8 & 10 developments in bushfire prone areas.

Provision for the assessment of construction standards to buildings and management / maintenance of the Asset Protection Zones/defendable space to buildings is also provided.

1.3 Development Proposal.

This report has been prepared to support a State Significant Development Application (SSDA) under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) for the construction and operations of two (2) industrial warehouses and associated infrastructure.

SSD 10448 also provides for a SSDA Estate Masterplan including eleven (11) proposed warehouses. For a detailed description of the proposal, refer to the Environmental Impact Assessment supporting this DA.

Refer to Figure 2 – Aspect Industrial Estate SSDA Estate Master Plan on Page 9.

Refer to Figure 3 – Aspect Industrial Estate Stage 1 SSDA Plan on Page 10.

Figure 2 – Aspect Industrial Estate SSDA Estate Masterplan



Figure 3 – Aspect Industrial Estate Staging Plan



1.4 Documentation reviewed in this Assessment.

To achieve the aim of this report, a review of information relevant to the property and proposed development was undertaken. Information sources reviewed included the following documents:

- Secretary's Environmental Assessment Requirements (SEARs) – SDD-10448 – dated 30.04.2020;
- SSDA Estate Master Plan prepared by SBA Architects – 22.09.2020;
- Estate Works Staging Plan prepared by SBA Architects – 22.09.2020;
- The Biodiversity and Riparian Constraints Report undertaken by Ecological Australia (Ref. 11929 dated 15th May 2020);
- *Planning for Bushfire Protection 2019* prepared by the NSW Rural Fire Service/Planning N.S.W;
- Australian Standard AS3959 - 2018 *Construction of Buildings in Bushfire Prone Areas*;
- *Rural Fires Regulation 2013*;
- Penrith City Council *Certified Bushfire Prone Land Map*.

1.5 Site Inspection.

Graham Swain of ***Australian Bushfire Protection Planners Pty Limited*** inspected the development site on the 15th of June 2019 to assess the topography, gradients of the land within and external to the site and vegetation classification within and adjoining the development property, existing bushfire mitigation measures and a visual assessment of bushfire threat.

The land adjoining the development site was also inspected to determine the surrounding land use / land management practices and extent of bushfire prone vegetation.

SECTION 2

PROPERTY DESCRIPTION

2.1 Location.

The estate occupies Lots 54 - 58 in DP 259135, Mamre Road Kemps Creek and is located in the Local Government Area [LGA] of Penrith City Council.

The site is outlined in red on Figure 4 and forms part of the wider proposed SEPP WSEA amendment to include the entire green area on Figure 4, within the WSEA as IN1 – General Industrial development.

Figure 4 – Location of Development Site within the proposed SEPP WSEA Amendment.

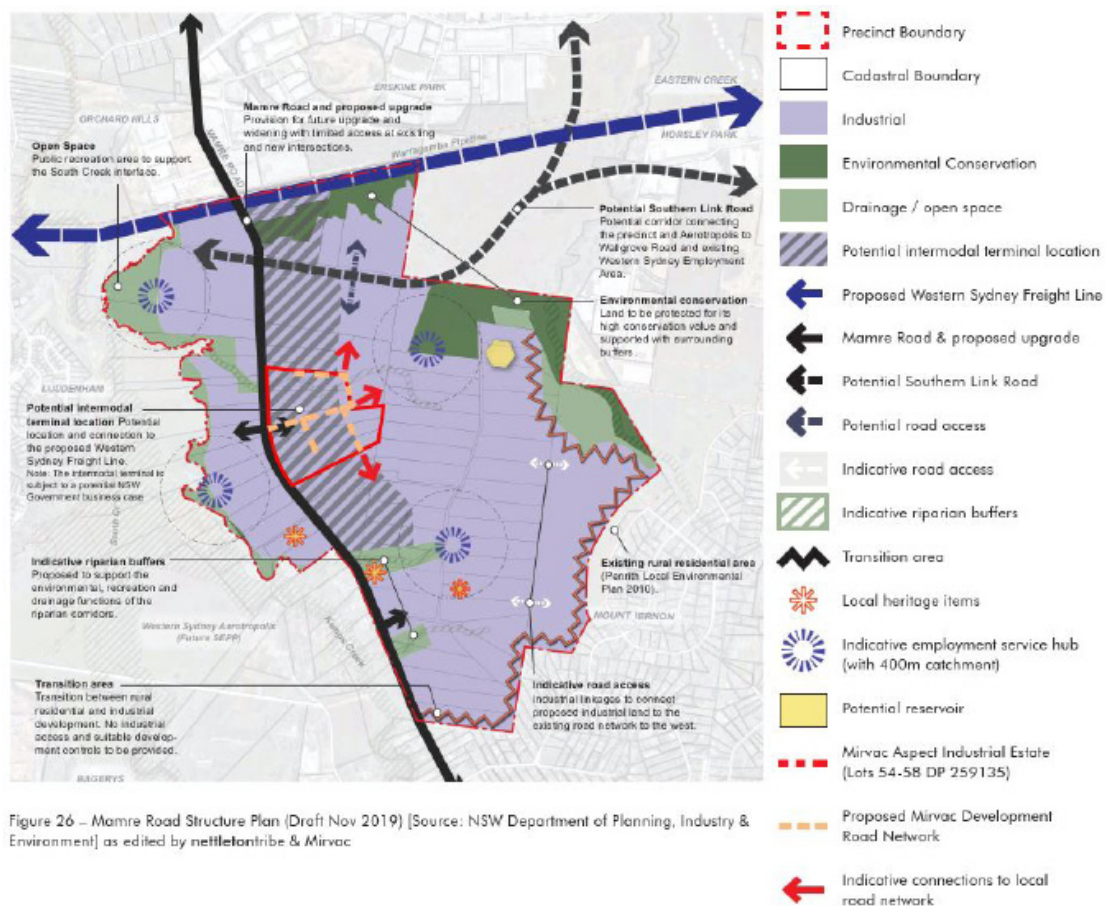


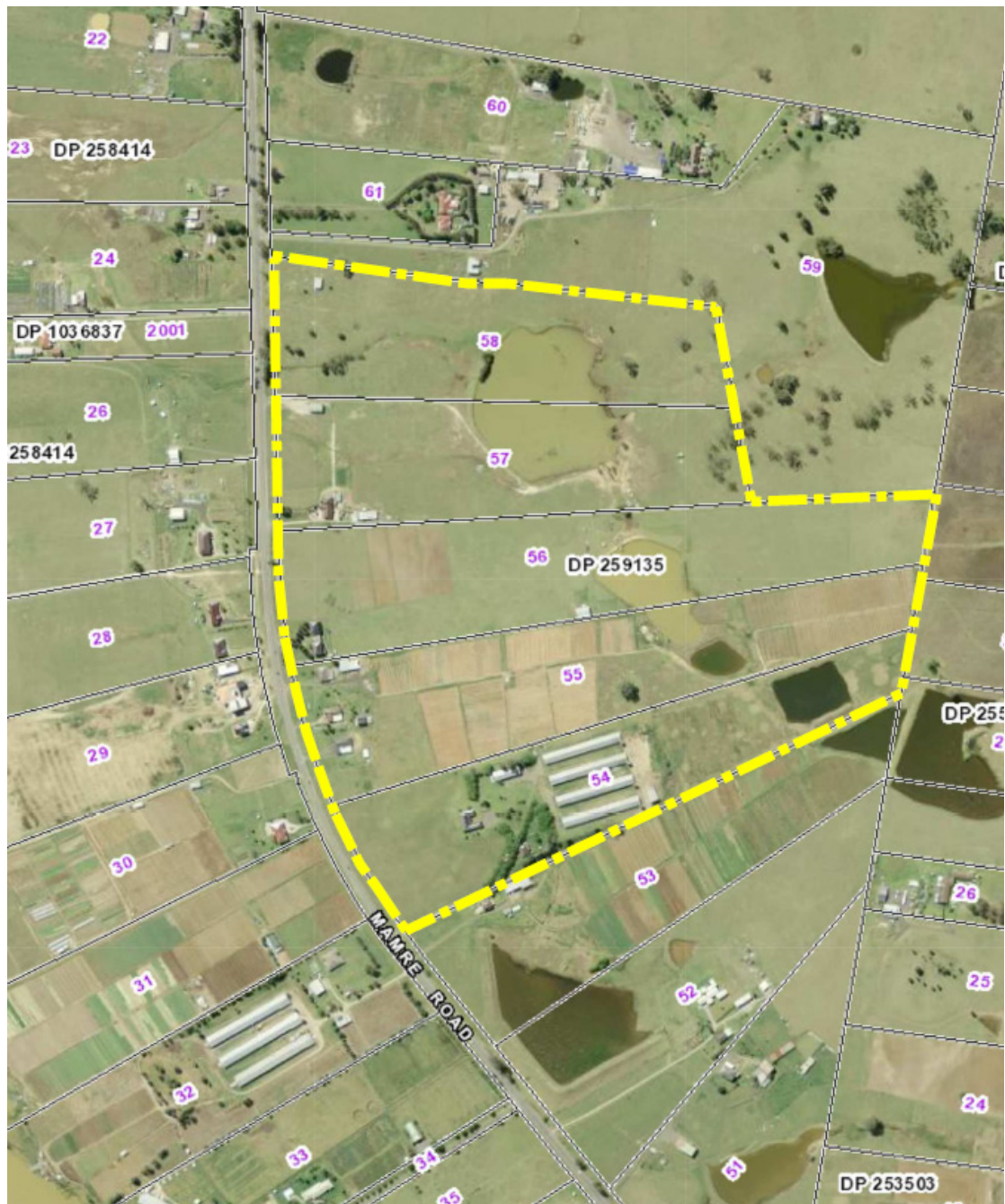
Figure 26 – Mamre Road Structure Plan (Draft Nov 2019) [Source: NSW Department of Planning, Industry & Environment] as edited by Nettleton Tribe & Mirvac

Source: NSW Department of Planning, Industry & Environment as edited by Nettleton Tribe & Mirvac

2.2 Existing Land Use.

The site has a frontage to Mamre Road of 960 metres and contains existing rural residential land properties with existing landuse consisting of grazing, market gardens and poultry sheds. The adjoining properties contain similar landuses - refer to Figure 5 – Aerial Photograph on Page 13.

Figure 5 – Aerial Photograph of the Aspect Industrial Estate Site showing adjoining landuse

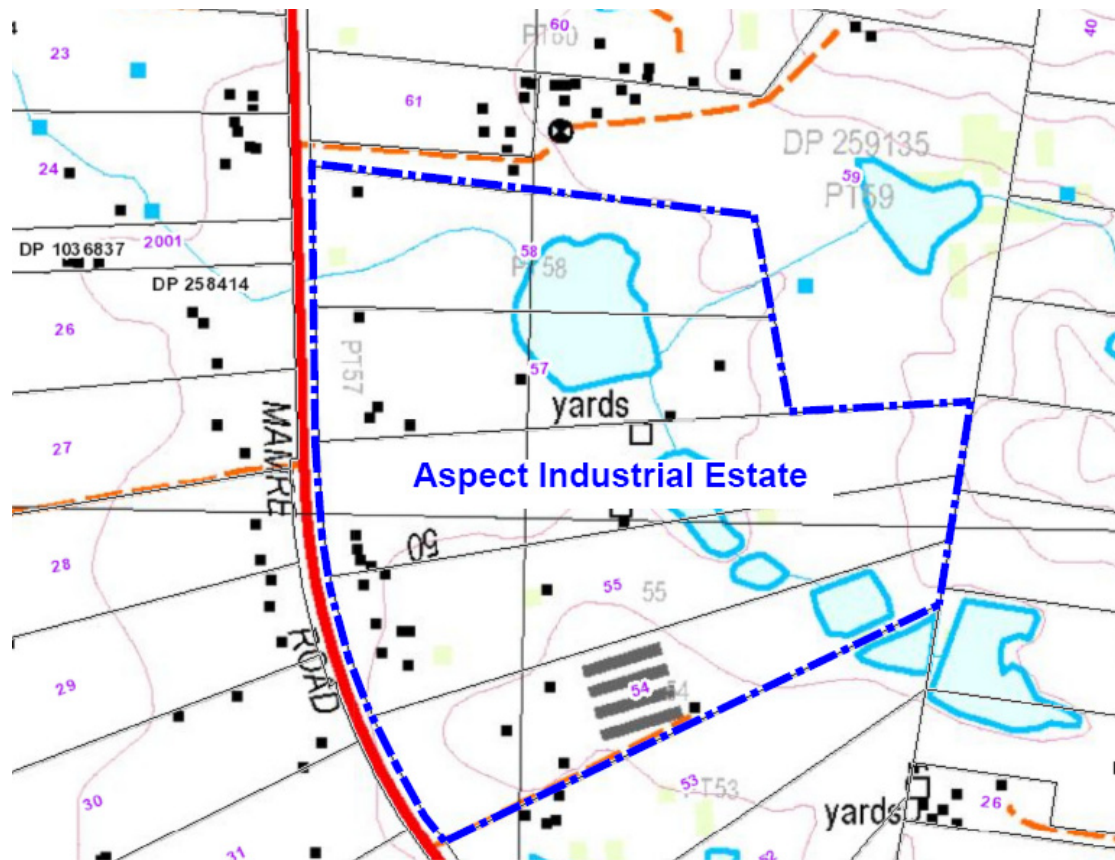


2.4 Topography.

The landform within the site is undulating, generally sloping to the northwest in the eastern portion, following a tributary to Kemps Creek then falling to the west towards Mamre Road and contains a number of large water storage dams.

The south-western corner of the study area contains a low, wide ridgeline that falls to the northeast into the tributary and west towards Mamre Road.

Figure 6 – Topographic Map showing the location of the Aspect Industrial Estate outlined in Blue.



2.5 Vegetation within the Development Site.

The Biodiversity Constraints Report has been prepared by Ecological Australia and identified that the vegetation within the site contains cleared land with pockets of Cumberland Plain Woodland (CPW), planted native and exotic species and a small area of River Flat Eucalypt Forest (RFEF).

The properties surrounding the site contain grassland, shade trees and managed landscaped gardens within the curtilage to the existing buildings.

Refer to Figure 7 – Vegetation Communities Map – Ecological Australia on Page 15.

Figure 7 – Plant Community Types Map – Ecological Australia



2.7 Significant Environmental Features within the Site.

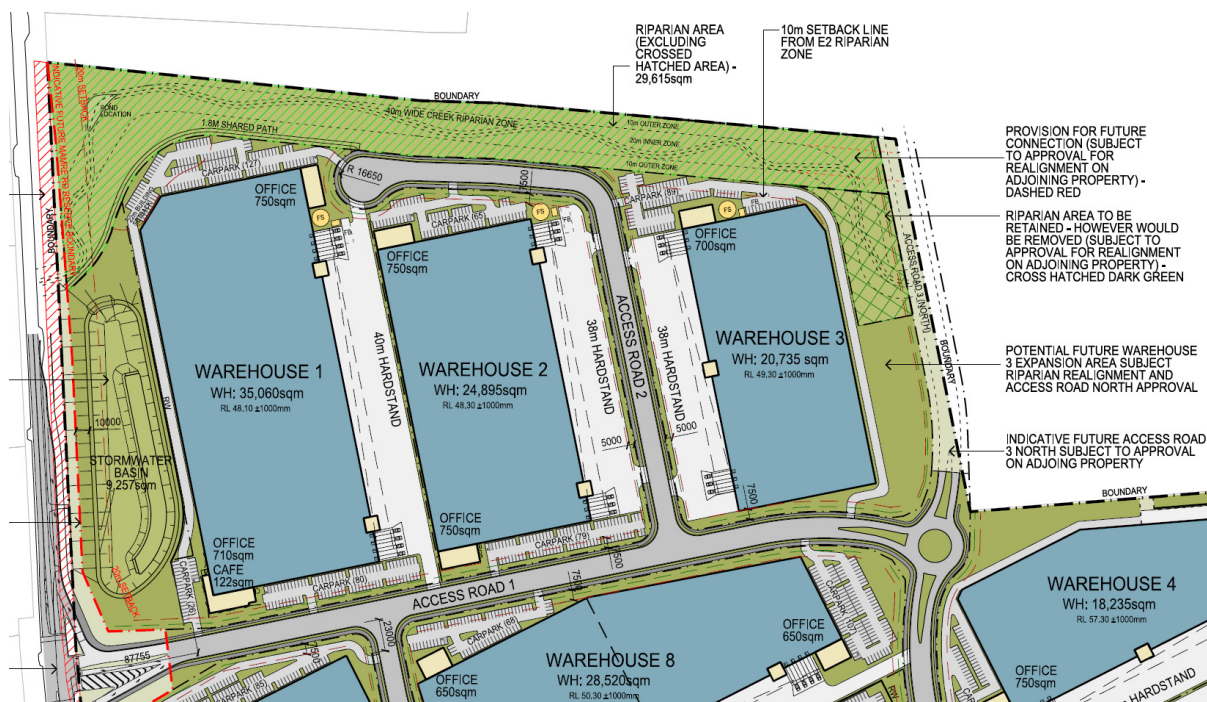
The site does not contain significant environmental features such as SEPP 44 Koala Habitat; SEPP 14 Wetlands; SEPP 26 Littoral Rainforests; land slip areas or National Parks Estate or areas of geological interest.

A Riparian Constraints Assessment was undertaken by Ecological Australia and identified the site to contain a 1st and 2nd Order Stream.

The NSW Natural Resource Access Regular has confirmed that there is no waterfront land within the site with the exception of a small section of second order stream located at the north-western corner of the site (i.e. the mapped watercourses do not meet the definition of a river under the WM Act and therefore removal of dams will not require a Controlled Activity under the Water Management Act and watercourse restoration and riparian setbacks will not be required following removal of the dams.

The Second Order Stream located in the north-western corner of the site area is proposed to be realigned (and appropriately vegetated) to the northern and western boundary – refer to Figure 8 below.

Figure 8 – Plan of proposed stream realignment.



2.8 Known Threatened Species, Population or Ecological Community on the Site.

The Biodiversity Constraints Report prepared by Ecological Australia identified that the site contains pockets of Cumberland Plain Woodland (CPW) and a small area of River Flat Eucalypt Forest (RFEF) – refer to Figure 7.

2.9 Details and location of Aboriginal Relics or Aboriginal Place.

There are no known Aboriginal relics or Aboriginal places on the site.

SECTION 3

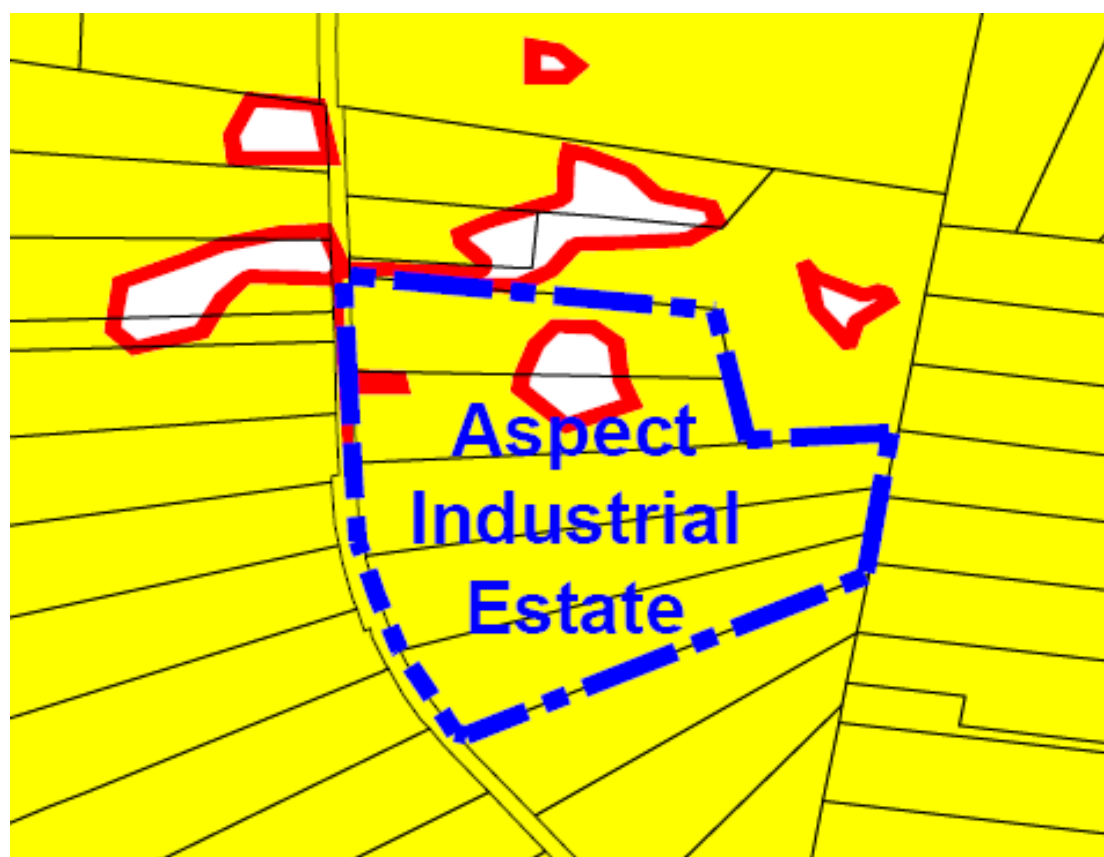
PRECINCT LEVEL ASSESSMENT

3.1 Certified Bushfire Prone Land Map.

Section 10.3 of the *Environmental Planning & Assessment Act 1979* requires councils, where a Bushfire Risk Management Plan applies, to prepare a Bushfire Prone Land Map in consultation with the Commissioner of the NSW Rural Fire Service.

The Commissioner will designate lands to be Bushfire Prone within an area and, when satisfied that the lands have been recorded on a map, will certify the map as a Bushfire Prone Land Map for the purposes of this or any other Act. Figure 9 below provides an extract from the Penrith Bushfire Prone Land Map.

Figure 9 – Extract from the Penrith Bushfire Prone Land Map.



Bushfire Prone Land

- BFPL Vegetation Category 1
- BFPL Vegetation Category 2
- BFPL Vegetation Buffer -100m & 30M

The Penrith Bushfire Prone Land Map shows that the site and adjoining land contains Category 2 Bushfire Prone Vegetation.

SECTION 4

BUSHFIRE PROTECTION ASSESSMENT

4.1 Introduction.

The Penrith Council Bushfire Prone Land Map indicates that the site and adjacent lands contains Category 2 Bushfire Prone Vegetation.

Therefore, the construction of the proposed Warehouse buildings is required to comply with the provisions of Section 4.14 of the *Environmental Planning & Assessment Act 1979*.

Section 4.14 of the *Environmental Planning and Assessment Act* requires that the proposed development comply with the requirements of *Planning for Bushfire Protection 2019* with respect to the protection of persons, property and the environment from the danger that may arise from a bushfire.

The aim of *Planning for Bushfire Protection 2019* is to 'provide for the protection of human life and minimise impacts on property from the threat of bushfire while having due regard to development potential and protection of the environment'.

Bushfire protection can be achieved through a combination of strategies which are based on the following principles:

- (i) Control the types of development permissible in bushfire prone areas;
- (ii) Minimise the impact of radiant heat and direct flame contact by separating development from bushfire hazards;
- (iii) Minimise the vulnerability of buildings to ignition and fire spread from flames, radiant heat and embers;
- (iv) Enable appropriate access and egress for the public and fire-fighters;
- (v) Provide adequate water supplies for bushfire suppression and operations;
- (vi) Focus on property preparation, including emergency planning and property maintenance requirements; and
- (vii) Facilitate the maintenance of Asset Protection Zones (APZs), fire trails, access for fire-fighting and on site equipment for fire suppression.

The document provides the following objectives for Class 5 to 8 buildings:

- (i) *Provide safe access to/from the public road system for fire-fighters providing property protection during bushfire and for occupant egress for evacuation;*
- (ii) *Provide suitable emergency and evacuation (and relocation) arrangements for occupants of the development;*
- (iii) *Provide adequate services of water for protection of buildings during and after the passage of bushfire and to locate gas and electricity so as not to contribute to the risk of a fire to a building; and*
- (iv) *Provide for the storage of hazardous materials away from the hazard.*

The general fire safety construction provisions of the NCC are taken as acceptable solutions, however construction requirements for bushfire protection will need to be considered on a case by case basis.

Planning for Bushfire Protection 2019 does not specify specific deemed-to-satisfy protection measures for Class 5 to 8 buildings as defined by the Building Code of Australia. However, compliance with A.S.3959 - 2018 must be considered when meeting the aims and objectives of *Planning for Bushfire Protection 2019*.

Section 4.2 of this report examines the Aspect Industrial Estate layout in relation to the provision of a suitable “defendable space” between the bushfire hazard and the industrial buildings.

The bushfire construction standards to the buildings is examined in Section 4.3 and the provision of access and water supplies for fire-fighting operations’ management of the defendable space [Asset Protection Zone] and evacuation planning are examined in Sections 4.4 – 4.9 of this report.

4.2 The provision of Defendable Space/s [Asset Protection Zones].

Defendable Spaces/Asset Protection Zones [APZs] have been assessed for the future industrial development in accordance with *Planning for Bushfire Protection 2019* and Australian Standard A.S. 3959 – 2018 (using effective slope and predominant vegetation communities).

The assessment is based on the predominant vegetation on the adjoining land being grassland and the vegetation within the realigned creek corridor consisting of River Flat Eucalypt Forest is reclassified as low hazard ‘rainforest’.

The NSW Rural Fire Service’s requirement for industrial buildings is to provide a setback from the bushfire prone vegetation which will minimise flame contact on a building.

4.3 Construction Measures to Buildings.

Table 1 examines the bushfire construction standards required to be implemented to comply with A.S. 3959 – 2018 – ‘*Construction of Buildings in Bushfire Prone Areas*’.

Table 1. Determination of Bushfire Construction Standards to the building erected on Lots 1 – 7 and Lot 11.

Aspect	Vegetation within 140m of development	Predominant Vegetation Formation Class 2010 <i>Addendum Planning for Bushfire Protection 2019</i>	Effective Slope of Land	Width of Defendable Space provided to fixed assets	Bushfire Construction Standard – A.S. 3959 – 2018
<i>North west of Lot 1</i>	River Flat Eucalypt Forest	Forest	Level	22 metres	BAL 40 to exposed elevation
<i>North of Lots 2 & 3</i>	River Flat Eucalypt Forest	Narrow band of forest reclassified as ‘rainforest’	Level	10m to the north of Lot 3; 40m to Lot 2	BAL 40 to exposed elevations Lot 3; BAL 12.5 exposed elevations Lot 2
<i>North of Lot 4</i>	Grassland	Grassland	0 – 5 degrees downslope	20m to the north of Lot 4	BAL 12.5 to exposed elevations
<i>East of Lot 3</i>	Grassland	Narrow band of forest reclassified as ‘rainforest’ & Grassland	0 – 5 degrees downslope	10m to the east of Lot 3	BAL 40 to exposed elevations adjacent to riparian corridor
<i>East of Lots 4 & 5</i>	Grassland	Grassland	0 – 5 degrees upslope	20m to the east of Lots 4 & 5	BAL 12.5 to exposed elevations
<i>South of Lots 5, 6, 7 & Lot 11</i>	Grassland	Grassland	< 5 degrees downslope	15m to the south of Lots 5, 6, 7 & 11	BAL 29 to exposed elevations

The bushfire construction standards shall apply to the buildings exposed to the bushfire hazard to the level as specified in Table 1 with the following additional measures implemented:

- The downpipe/stormwater system to the internal box gutters shall be sized to provide a self flushing of combustible materials from the roof/gutter. This shall include increased fall in the box gutter/s to the sumps;

- Access doors [PA and Vehicle] to the buildings shall be fitted with seals that seal the bottom, stiles and head of the door against the opening/frame to prevent the entry of embers into the building.

Particular attention shall be given to the gap at the head of the curtain of the roller doors, where mohair type seals can be used;

- External timber doors shall be fitted with a stainless steel/Colorbond kick plate of 400mm high on the outside of the door;
- External glazed doors and windows shall comply with the requirements for glazing less than 400mm above finished ground level; paths / pavement and elevated roofs;
- Any external vents, grilles and ventilation louvres shall have stainless steel mesh with a maximum aperture of 2mm square fitted to prevent the entry of embers into the building or be fitted with a louvre system which can be closed in order to maintain a maximum aperture or gap of no more than 2mm.
- Roof ventilators shall be fitted with stainless steel flymesh [2mm aperture] to prevent the entry of embers into the building or be fitted with a louvre system which can be closed in order to maintain a maximum aperture or gap of no more than 2mm.

Should the available Defendable Space widths increase from the widths listed in Table 1, reassessment of the construction standards shall be undertaken.

4.4 Access Standards for Firefighting Operations.

Appendix 3 “Access” of *Planning for Bushfire Protection 2019* provides specifications on the access provisions for fire-fighting operations within developments which are subject to bushfire attack.

Vehicular access to the proposed Aspect Industrial Estate will be provided from Mamre Road.

The proposed internal access roads will be constructed to provide heavy rigid and articulated vehicle access to each of the proposed buildings. This internal road network provides suitable access for fire-fighting appliances similar to NSW Rural Fire Service Category 1 Tankers and Fire & Rescue NSW Composite and Aerial Appliances.

Fire Appliance access shall be provided to the perimeter of each lot, either by a perimeter road or by vehicular access to the future buildings or parking areas incorporated into the defendable space setback.

4.5 Water Supplies for Firefighting Operations.

A reticulated water supply for potable water supply and fire hydrants is to be extended into the site.

The fire-fighting water supply to the new buildings shall comply with the Building Code of Australia [BCA] and A.S. 2419.1 – 2005.

4.6 Emergency Management for Fire Protection / Evacuation.

The new buildings located adjacent to the bushfire hazard are unlikely to be subject to a fire event that may necessitate evacuation of the buildings.

Due to the low bushfire risk there is no requirement for the preparation of a specific Bushfire Evacuation Plan or a Bushfire Management Plan for the estate.

4.7 Bushfire Hazard Management.

The intention of bushfire hazard management is to prevent flame contact with a structure, reduce radiant heat to below the ignition thresholds for various elements of a building, to minimize the potential for wind driven embers to cause ignition and to reduce the effects of smoke on occupants and fire-fighters.

The management of the Defendable Spaces and the sites generally shall comply with the recommendations of Appendix 4 of *Planning for Bushfire Protection 2019* and the NSW Rural Fire Service's '*Standards for Asset Protection Zones*'.

Management of the Defendable Spaces within the development shall comply with the following:

- Maintain a clear area of low cut lawn or pavement adjacent to the buildings; Utilise non-flammable materials such as Scoria, pebbles and recycled crushed bricks as ground cover to landscaped gardens in close proximity to building;
- Keep areas under shrubs and trees raked and clear of combustible fuels;
- Trees and shrubs should be maintained in such a manner that tree canopies are separated by 2 metres and understorey vegetation is not continuous [retained as clumps].

SECTION 5

BUSHFIRE MANAGEMENT STRATEGIES

Bushfire management strategies for the estate are as follows:

5.1 Strategy 1 – Defendable Space management Requirements:

Management of the defendable spaces/landscaped areas within the development site shall comply with the following:

- Maintain a clear area of low cut lawn or pavement adjacent to the building;
- Keep areas under shrubs and trees raked and clear of combustible fuels;
- Utilise non-flammable materials such as Scoria, pebbles and recycled crushed bricks as ground cover to landscaped gardens in close proximity to building;
- Trees and shrubs should be maintained in such a manner that tree canopies are separated by 2 metres and understorey vegetation is not continuous [retained as clumps].

5.2 Strategy 2 – Water Supplies/Utilities for Firefighting Operations:

The fire-fighting water supply to the proposed buildings shall comply with the Building Code of Australia [BCA] and Australian Standard A.S. 2419.1 – 2005.

Electricity and gas supplies will be laid underground and therefore address the performance standard of Chapter 8.3.1 of *Planning for Bushfire Protection 2019*.

5.3 Strategy 3 – Construction Standards to the buildings located adjacent to the bushfire hazard:

Table 2 identifies the bushfire construction standards required to be implemented to comply with A.S. 3959 – 2018 – '*Construction of Buildings in Bushfire Prone Areas*'.

Table 2. Determination of Bushfire Construction Standards to the building erected on Lots 1 – 7 and Lot 11.

Aspect	Width of Defendable Space provided to fixed assets	Bushfire Construction Standard – A.S. 3959 - 2018
<i>North west of Lot 1</i>	22 metres	BAL 40 to exposed elevation
<i>North of Lots 2 & 3</i>	10m to the north of Lot 3; 40m to Lot 2	BAL 40 to exposed elevations Lot 3; BAL 12.5 exposed elevations Lot 2
<i>North of Lot 4</i>	20m to the north of Lot 4	BAL 12.5 to exposed elevations
<i>East of Lot 3</i>	10m to the east of Lot 3	BAL 40 to exposed elevations adjacent to riparian corridor
<i>East of Lots 4 & 5</i>	20m to the east of Lots 4 & 5	BAL 12.5 to exposed elevations
<i>South of Lots 5, 6, 7 & Lot 11</i>	15m to the south of Lots 5, 6, 7 & 11	BAL 29 to exposed elevations

The bushfire construction standards shall apply to the buildings exposed to the bushfire hazard to the level as specified in Table 2 with the following additional measures implemented:

- The downpipe/stormwater system to the internal box gutters shall be sized to provide a self flushing of combustible materials from the roof/gutter. This shall include increased fall in the box gutters to the sumps;
- Access doors [PA and Vehicle] to the buildings shall be fitted with seals that seal the bottom, stiles and head of the door against the opening/frame to prevent the entry of embers into the building. Particular attention shall be given to the gap at the head of the curtain of the roller doors, where mohair type seals can be used;
- External timber doors shall be fitted with a stainless steel/Colorbond kick plate of 400mm high on the outside of the door;
- External glazed doors and windows shall comply with the requirements for glazing less than 400mm above finished ground level; paths / pavement and elevated roofs;

- Any external vents, grilles and ventilation louvres shall have stainless steel mesh with a maximum aperture of 2mm square fitted to prevent the entry of embers into the building or be fitted with a louvre system which can be closed in order to maintain a maximum aperture or gap of no more than 2mm;
- Roof ventilators shall be fitted with stainless steel flymesh [2mm aperture] to prevent the entry of embers into the building or be fitted with a louvre system which can be closed in order to maintain a maximum aperture or gap of no more than 2mm.

Should the available Defendable Space widths increase from the widths listed in Table 2, reassessment of the construction standards shall be undertaken.

5.4 Strategy 4 – Access Standards for Firefighting Operations.

Access to the bushfire prone vegetation shall be provided either by a perimeter road or by vehicular access to the future buildings or parking areas that are incorporated into the defendable space setbacks.

The access provisions shall satisfy the NSW Rural Fire Service and Fire & Rescue NSW appliance requirements.

SECTION 6

CONCLUSION

A State Significant Development Application [SSDA] is being lodged by Mirvac for the development of the proposed Aspect Industrial Estate (AIE) on Lots 54 - 58 in DP 259135, Mamre Road, Kemps Creek.

The SEARS [Secretary's Environmental Assessments Requirements] for Oakdale South were issued on the 30.04.2020 under SSD-10448 and contain a requirement that the EIS for the Master Plan and Stage 1 works must include an assessment against the requirements of *Planning for Bushfire Protection 2019*.

The Penrith Bushfire Prone Land Map records the development site and adjacent land as containing Category 2 bushfire prone vegetation.

The proposed development, not being the subdivision of bushfire prone land for the purpose of rural residential or residential development or for the construction of a 'Special Fire Protection Purpose Development' is not integrated development as defined by Section 4.46 of the *Environmental Planning & Assessment Act 1979*.

The subdivision of bushfire prone land for industrial purposes is assessed under the provisions of Section 4.14 of the *Environmental Planning & Assessment Act 1979* and requires compliance with the aim and objectives of *Planning for Bushfire Protection 2019*.

This report has examined the objectives of *Planning for Bushfire Protection 2019*, in relation to the provision of bushfire protection measures to the future construction of industrial buildings on the lots created in the subdivision, and has provided recommendations on:

- The provision of a combination of defensible space [separation of the buildings from the bushfire hazard] and the construction standards to the buildings;
- Access and water supply provisions for fire-fighting operations;
- Management of the fire protection measures, including the defensible spaces; and
- Emergency management [evacuation] planning.

Table 3 summarises the extent to which the development conforms to the aim and objectives of *Planning for Bushfire Protection 2019* in order to address the SEARS.

Table 3. Compliance with the aim and objectives of *Planning for Bushfire Protection 2019*.

Bushfire Protection Measure	Compliance with the aim and objectives of <i>Planning for Bushfire Protection 2019</i>.
Defendable Space setbacks/construction standards to future industrial buildings	The combination of a Defendable Space and construction standards to the future industrial buildings located adjacent to the bushfire hazard addresses the requirement that the occupants are afforded adequate protection from exposure to a bushfire and that the buildings will not be exposed to material ignition.
Access for fire-fighting operations	The proposed public access roads comply with the specifications of Appendix 3 of <i>Planning for Bushfire Protection 2019</i> and provide satisfactory emergency access for fire-fighting appliances. Access for fire-fighting operations to be provided to the perimeter lots adjoining the bushfire hazard [located within the Defendable Space setback]. Positive Covenant to be recorded on title of each lot located adjacent to the bushfire hazard for access for fire-fighting operations.
Water supplies for fire fighting	Hydrant supply to be installed in accordance with AS 2419.1 – 2005.
Management of the fire protection measures, including the defendable spaces	Each lot owner responsible for the maintenance of the recommended fire protection measures and provision of the perimeter fire access road. Positive Covenant to be recorded on title of each lot.
Emergency Management	Owners of buildings shall address protocols for the management of staff and site facilities during bushfire occurrences

I confirm that the proposed development complies with the aim and objectives of *Planning for Bushfire Protection 2019* and the deemed to satisfy requirements of Section 8.3.10 of *Planning for Bushfire Protection 2019* – Buildings of Class 5 to 8 and Class 10 of the Building Code of Australia in respect to the provision of asset protection zones [defendable spaces], access and water/utilities as required by the SEARS.



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REFERENCES:

- N.S.W Rural Fire Service – *Planning for Bushfire Protection 2019*;
- *Environmental Planning & Assessment Act – 1979*;
- *Rural Fires Act – 1997*;
- *Rural Fires Regulation 2013*;
- NSW Rural Fire Service – *Guideline for Bushfire Prone Land Mapping 2015*;
- *Bushfire Environmental Assessment Code 2006*;
- Building Code of Australia;
- Australian Standard A.S 3959-2018 “*Construction of Buildings in Bushfire Prone Areas*”;
- *Penrith City Council Bushfire Prone Land Map*.