



File Ref. No: BFS16/1987 (11543)
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Contact: Station Officer C. Wheatley

The Department of Planning & Environment
C/- Ms Bianca Thornton
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SYDNEY NSW 2001

Email: bianca.thornton@planning.nsw.gov.au

14 September 2016

Dear Ms Thornton

**Development Application Modification Application
Botany Industrial Park Subdivision (DA 30/98 MOD 3)
16-20 Beauchamp Road Matraville**

I refer to the above development application to modify the proposed subdivision at the Botany Industrial Park (BIP). Fire and Rescue NSW (FRNSW) has been granted an opportunity to provide comments/recommendations to the Department of Planning and Environment (the Department) regarding the above submission.

The proposed modification involves the further subdivision of land within the BIP and is identified by DA 30/98 MOD 3.

Documentation which was made available on the Department's website included the following:

- A letter to the Department authored by Mr Stephen Cornish of Orica Australia Limited dated 4 August 2016;
- Table 1 – Summary of Proposed Changes – BIP – Subdivision;
- Current Lot Configuration; and
- Proposed Lot Configuration.

Based on our review, the following comments and recommendations are submitted to the Department for consideration:



Comments/Recommendations

1. FRNSW has concerns that the proposed subdivision of existing **Lot 1110** – into Lots 1110, 1115, 1116, 1117 and 1118; **Lot 1104** – into Lots 1104 and 1112; **Lot 1105** – into Lots 1105 and 1114; and **Lot 11 (DP 1039919)** – into Lots 1113 and 1119, may present operational difficulties as a result of problematic emergency access to the new Lots.

Due to the BIP being a large site containing hazards associated with the type of products located within the site, FRNSW would require specific emergency access details for the proposed subdivisions (and throughout the BIP as a whole) in order to provide detailed FRNSW comments on the proposed subdivision.

2. The proposed subdivision of Lot 1110 identifies Lot 1115 to be dedicated to segregating the firewater tank that services the entire BIP from Orica's other assets. FRNSW is concerned that the installed firewater tank, and possibly other fire safety measures affected by any proposed subdivision of Lots and/or ownership, has the potential to create non-compliances with applicable codes and standards (e.g. Clause 4.1.1 of Australian Standard (AS) 218.1-1999). In addition, the sub-division has potential to be problematic with regard to ensuring on-going and satisfactory maintenance of existing (and future) fire safety measures within the BIP. FRNSW is concerned that as a result of the proposed changes in ownership of Lots and/or infrastructure involving Orica, IXOM and BIP (or any other current or future Lot owners), future issues associated with ownership and the ongoing costs of maintaining the site-wide fire safety measures located across the BIP's near 74 hectares of land may arise. Such an outcome would may have a deleterious impact upon the integrity and reliability of critical site fire systems.

Poor fire system maintenance and/or inadequate fire safety measures located within the site has the potential for catastrophic consequences not only within the BIP but also to its surrounding environs.

FRNSW recommend that a binding covenant be created prior to development consent to ensure all fire safety measures located within any part of the BIP, either existing or future as a result of the proposed subdivision, are maintained as per the intent of Clause 182 of the Environmental Planning and Assessment Regulation 2000. As the above Clause relates to fire safety measures in buildings or the built environment, the creation of a covenant, which is specific to the proposal, is recommended to also encompass the non-built environment and/or any Lot which is incorporated within the BIP. This recommendation aims to ensure that all fire safety measures are regularly tested and maintained throughout the BIP to ensure its reliability, regardless of ownership.

Additional to this, the responsible entity for all fire safety measures located within the BIP are recommended to be identified to ensure that ownership for any fire safety measure is clearly defined.

3. In the event of development consent being granted, FRNSW recommends that the 'Site Wide' Fire Safety Study (FSS) be updated to accurately capture any alteration to the BIP because of the proposed subdivision. The FSS should also identify whether existing fire safety measures and containment provisions are appropriate for the specific fire and/or hazardous materials emergencies following the proposed subdivision. The revised FSS should be prepared in accordance with the recommendations detailed in Hazardous Industry Planning Advisory Paper No.2. It is also recommended that the 'Site Wide' FSS be approved by FRNSW prior to the subdivision of any existing lot within the BIP. To ensure our operational requirements are met consultation with FRNSW prior to the revision of the FSS is recommended to also be imposed as a condition of consent.

FRNSW would expect only one FSS to cover the entire BIP. However, should any 'stand-alone' FSS's also exist which are specifically related to any individual Lot or Lots within the BIP, (i.e. additional to the BIP 'Site Wide' FSS), then those FSS's are recommended to be revised to reflect any changes to the respective Lots as a result of the proposed subdivision. As detailed above, any such FSS should be approved by FRNSW prior to the subdivision of any existing lot within the BIP.

For further information please contact Cameron Wheatley of the Fire Safety Assessment Unit, referencing FRNSW file number BFS16/1987 (11543). Please ensure that all correspondence in relation to this matter is submitted electronically to bfs@fire.nsw.gov.au.

Yours sincerely



Station Officer Mark Castelli
Team leader
Fire Safety Assessment Unit

Copy to: Ms Joanna Bakopanos (DPE)

CC: joanna.bakopanos@planning.nsw.gov.au