

11 April 2022

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By email: [Grace.Macdonald@esr.com](mailto:Grace.Macdonald@esr.com)

Dear Ms Macdonald,

**Re: Response to Submission NSW RFS – Westlink Logistics Park.**

I refer to the recent NSW Rural Fire Service (NSW RFS) advice regarding the above State Significant Development at Aldington & Abbots Road, Kemps Creek (Lot 11, 12 & 13 DP253503).

The State Significant Development application is for industrial development and located on Bush Fire Prone Land. Blackash has reviewed the advice from the NSW RFS and their suggested condition:

*'The warehouses on proposed lots 1-7 must be constructed using non-combustible materials, and provide ember protection. This must be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any subfloor areas, openable windows, vents, weepholes and eaves. External doors are to be lifted with draft excluders.'*

The condition proposed by the NSW RFS is inconsistent with their own stated policy position and that of the National Construction Code (NCC) and *Planning for Bushfire Protection 2019*. To create more appropriate conditioning, several key elements need to be addressed.

Application of AS3959

The broad application of BAL across entire elevations of the building is not always warranted. Based on specific mapping, a more accurate BAL can be determined across the buildings and provide for a more appropriate outcome. Based on the BAL mapping/determination, the construction should ultimately comply with corresponding sections of the Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate, and Section 7.5 of *Planning for Bush Fire Protection 2019*.

The construction of buildings (including parts of buildings) located greater than 100 metres from a bushfire hazard have no bushfire construction requirements. Consistent with AS3959 and PBP 2019, construction greater than 100 metres from a bushfire hazard is classified as BAL-Low. BAL-Low is described as:

*'There is insufficient risk to warrant specific construction requirements'.*

Therefore, all construction greater than 100 metres from a bushfire hazard is appropriately BAL-Low. The construction of the buildings in this manner complies with *Planning for Bush Fire Protection 2019* and the *National Construction Code (NCC)*.

### Non-combustible Construction

While in AS3959 specific elements may be required to be constructed entirely of non-combustible materials, PBP 2019 does not have any requirements for buildings to be constructed entirely with non-combustible materials, nor does AS3959 and/or the NASH Standard. In this regard, additional construction requirements, beyond AS3959 are unnecessary.

Based on this, the suggested wording for the bushfire construction is as follows:

*New construction must comply with the appropriate Bushfire Attack Level (BAL) and corresponding sections of the Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate, and Section 7.5 of Planning for Bush Fire Protection 2019.*

This proposed wording is consistent with PBP 2019, the NCC and the recent NSW RFS policy advice regarding this issue.

If there are any questions or concerns, please don't hesitate to give me a call on 0418 412 118.

Yours sincerely,



Corey Shackleton

### **Principal Bushfire & Resilience**

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