

**BUSHFIRE PROTECTION ASSESSMENT
FOR THE PROPOSED
SUBDIVISION WORKS & SUBDIVISION
OF PART LOT 15 in DP 253503 &
LOT 16 & LOT 17 in DP 253503
No. 270 ALDINGTON ROAD
KEMPS CREEK**

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Bushfire Mitigation Consultants

BUSHFIRE PROTECTION ASSESSMENT

FOR THE PROPOSED

SUBDIVISION WORKS & SUBDIVISION

OF

PART LOT 15 in DP 253503

&

LOT 16 & LOT 17 in DP 253503

KNOWN AS 270 ALDINGTON ROAD

KEMPS CREEK

Assessment Number	Document	Preparation Date	Issue Date	Directors Approval
B244268 - 2	Final	11.02.2025	13.02.2025	<i>G.L. Swain</i>

EXECUTIVE SUMMARY

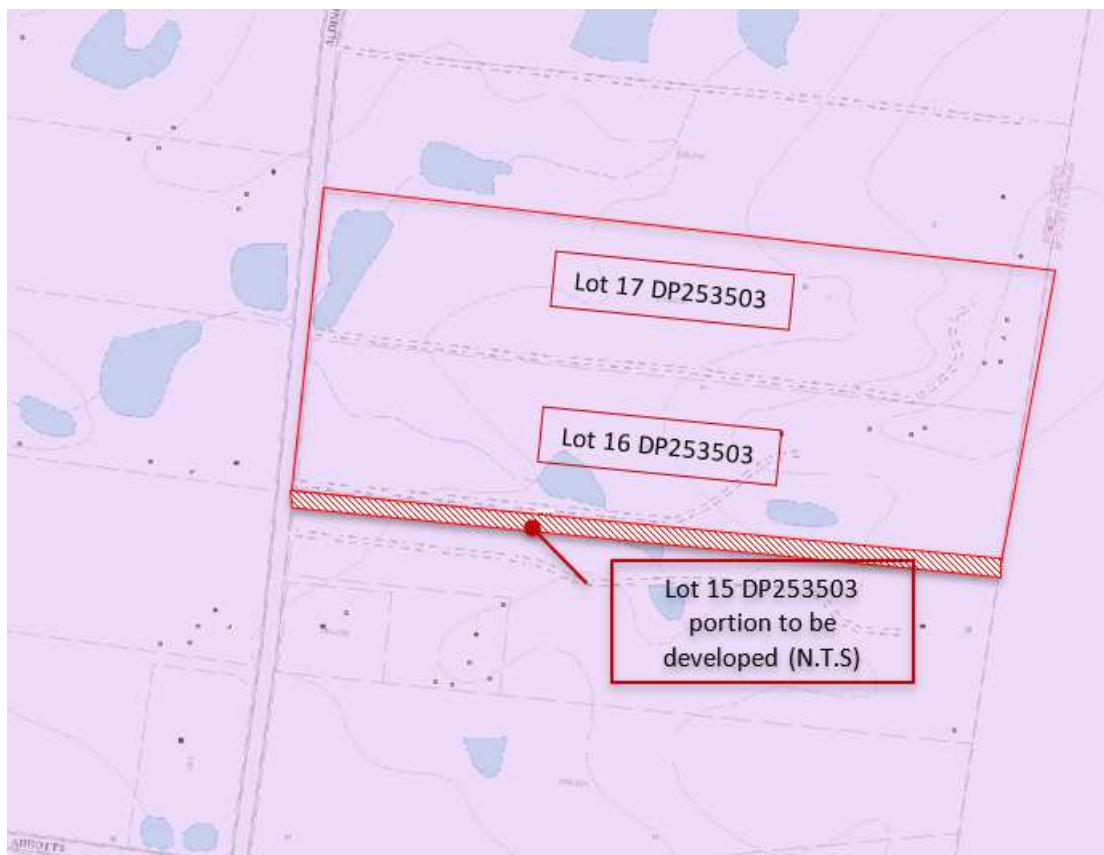
Australian Bushfire Protection Planners Pty Limited has been commissioned to undertake the bushfire consultancy for the proposed subdivision works and four lot paper subdivision on No. 270 Aldington Road, Kemps Creek.

The development includes 2 lots, Lot 16 & Lot 17 DP253503 with an area of approximately 20 hectares (ha), and part of Lot 15 DP253503, giving a total area of 23ha.

Part of Lot 15 DP253503 is included to enable the construction of the Collector Road which is to be located across the boundary of Lot 15 and Lot 16 in DP 253503.

The site, highlighted red in Figure 1, falls within the extent of the *State Environmental Planning Policy (Industry and Employment) 2021* ("SEPP I&E") within the Mamre Road Precinct.

Figure 1 – Location of the land subject to the four-lot paper subdivision.



The site is located east of Aldington Road, Kemps Creek within the Penrith City Council Local Government Area (LGA) and is zoned for IN1 – General Industrial uses.

The Penrith Council Bushfire Prone Land Map indicates that the eastern portion of the site contains Category 3 Bushfire Prone Vegetation.

The land to the north is zoned IN1 General Industrial and is currently being developed as a Temple. The land to the south is zoned IN1 General Industrial and contains an existing rural residential development.

The land to the east is zoned IN1 General Industrial and contains undeveloped grazing land.

Figure 2 – Land Use Zoning Map.

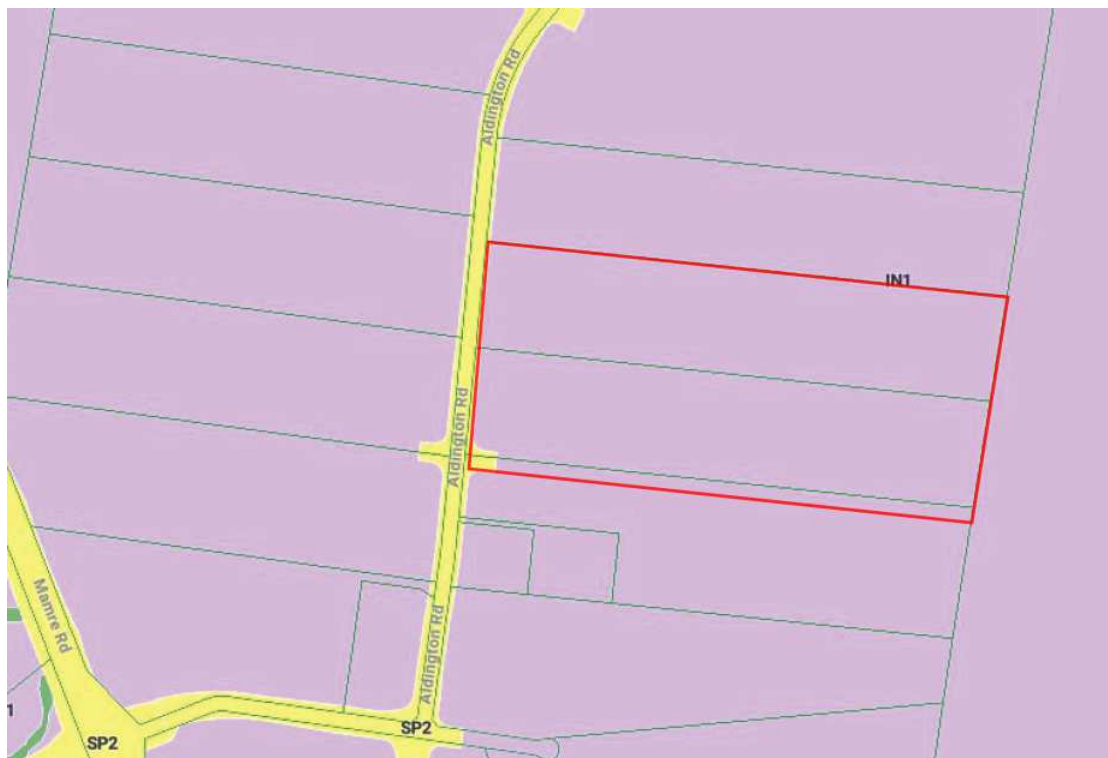


Figure 4 – Aerial Photograph of the land subject to the four-lot paper subdivision and subdivision works.

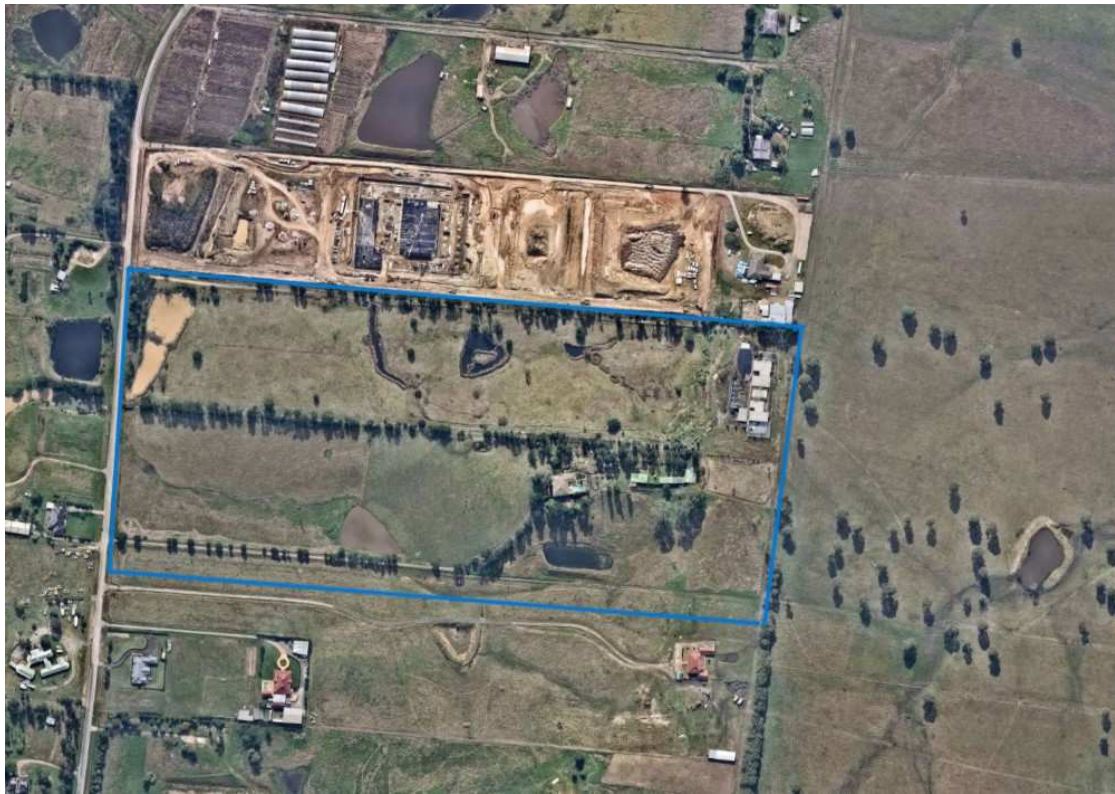


Figure 5 – Extract from the Penrith Bushfire Prone Land Map.



Figure 6 – General Arrangement Plan.



The subdivision of land for industrial purposes is not required to be referred to the NSW Rural Fire Service under Section 4.14 of the EP&A Act or require the issue of a Bushfire Safety Authority under Sections 4.46 & 4.47 of the EP&A Act.

Section 4.14 of the EP&A Act states:

4.14 Consultation and development consent--certain bush fire prone land

(1) Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2))

Section 4.46 of the EP&A Act states:

Rural Fires Act 1997	s 100B	authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes
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Section 100B of the Rural Fires Act also states:

RURAL FIRES ACT 1997 - SECT 100B

Bush fire safety authorities 100B Bush fire safety authorities

(1)The Commissioner may issue a bush fire safety authority for—

- (a) a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or
- (b) development of bush fire prone land for a special fire protection purpose.

A Bushfire Safety Authority is **ONLY** required if the subdivision of bushfire prone land is to be used for residential or rural residential purposes or a special fire protection purpose.

The subdivision of Bushfire Prone Land for the purpose of industrial development is **NOT** required to satisfy Section 100B of the Rural Fires Act and does not require referral to the NSW RFS.

Whilst the Bushfire Prone Land Map identifies that the eastern portion of the site and the adjoining property to the south and east contain Category 3 Bushfire Prone Vegetation, the vegetation is in fact grassland which is periodically managed by slashing/grazing.

The management of this vegetation presents a low level of risk to the site and the future construction of industrial buildings on the new lots, created in the subdivision of the land.

The construction of the future industrial buildings will require the preparation of a Bushfire Report that addresses Section 8.3.1 & Section 8.3.10 of *Planning for Bushfire Protection 2019*.

The report will examine setbacks to boundaries which are likely to be impacted by bushfire/grass fires, access and bushfire construction standards to the buildings.

Note:

The subdivision proposal includes landscape planting along the proposed road off Aldington Road. Refer to Figure 7.

This planting includes a singles row of along each side of Road No. 1 and the Cul-de-sac (Road No. 2). The proposal includes an 8.0 metre spacing between each tree and turf to the road verges.

This planting does not introduce a fire hazard to the existing buildings on Lot 15 in DP 253503, to the south of the proposed site.



Graham Swain,
Managing Director,
Fire Protection Association Member No 487

Figure 7 – Landscape Plan.



