



**Our Ref:** 9336-04 PCC Knoll Sub Div Cert 111114

BT;jl

20 March 2015

Penrith City Council  
PO Box 60  
Penrith NSW 2751

**Attn:** Aimee Lee

**Subject:** Caddens Knoll  
DA14/0186 Subdivision Certificate Application

Dear Aimee,

I refer to Council's Notice of Determination of DA 14/0186 and the conditions of consent attached to the approval. We wish to formally apply for Subdivision Certificate for Caddens Knoll and have provided a summary below of all consent conditions we believe we have satisfied.

Please find attached the following documentation to support this application:

- Subdivision Certificate Application Form
- Cheque for Subdivision Certificate Application Fee for the amount of \$3516.00 as per email dated 9 December 2014
- Letter of Authority
- Two copies of 88B Instrument
- Ten copies of Deposited Plan and Administration Sheets

Our checklist and responses to Consent conditions follow:

Condition	Description	Status
<b>GENERAL MATTERS</b>		
1.	The development must be implemented substantially in accordance with the Approved DA Plans.	Noted
2.	The development shall not be used or occupied until an Occupation Certificate has been issued.	Noted
3.	Prior to the commencement of works, a dilapidation report of all the properties that share a common boundary with Proposed Lots 1, 15 to 17 and Proposed Lots 36 to 45 is to be submitted to Penrith City Council. The report is to include but not limited to the structures on the affected properties, road pavement, kerb and gutter, footpath, services and trees.	Submitted by JK Williams

4.	Prior to the issue of a Subdivision Certificate, a dilapidation report of all the properties that share a common boundary with Proposed Lots 1, 15 to 17 and Proposed Lots 36 to 45 is to be submitted to Penrith City Council. The report is to include but not limited to the structures on the affected properties, road pavement, kerb and gutter, footpath, services and trees. Written notification to affected property owners is to be provided 10 days prior to gaining access for compilation of the dilapidation report.	
5.	Prior to the issue of a Construction Certificate a Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to Penrith City Council for approval.	Submitted prior to the release of CC
6.	The applicant shall maintain the Hilltop Park for a minimum of twelve (12) months from the date of the satisfactory final inspection by Penrith City Council.	Noted
7.	To enhance accessibility of the Hill Top Park, the following shall be provided:- a. An accessible path with a gradient of 1 in 14 shall be provided throughout the park. b. Resting places with bench seating shall be provided at 20-metre intervals along the accessible path. c. Accessible drop off point(s) with appropriate linkage to the accessible path of the Park.	Complied
8.	Dust suppression techniques are to be employed during construction.	Noted
9.	Mud and soil from vehicular movements to and from the site must not be deposited on the road.	Noted
<b>ENVIRONMENTAL MATTERS</b>		
10.	Erosion and sediment control measures shall be installed prior to the commencement of works on site including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s).	Complied
11.	All land that has been disturbed by earthworks is to be spray grassed or similarly treated to establish a grass cover.	Noted
12.	No fill material is to be imported to the site without the prior approval of Penrith City Council. No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.	Noted
13.	All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.	Noted

14.	<p>All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.</p> <p>Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.</p> <p>All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.</p>	Noted
15.	<p>The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises.</p>	Noted
16.	<p>Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.</p>	Noted
17.	<p>No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council.</p> <p>An appropriately qualified person/s (as defined in the Penrith City Council Contaminated Land Development Control Plan) shall:</p> <ul style="list-style-type: none"> <li>• Supervise the filling works,</li> <li>• (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,</li> <li>• Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment.</li> </ul> <p>A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.</p>	No fill has been imported
18.	<p>No native trees or other vegetation (including shrubs and other understory vegetation) are to be removed, ring barked, cut, topped, lopped, slashed or wilfully destroyed (other than those on the approved Landscape Plan) without the prior consent of Penrith City Council.</p>	Noted
19.	<p>No fill, machinery, or materials are to be placed or stored within the drip line of any tree that is to be retained. Tree protection measures are to be implemented as outlined in the Aboricultural Impact Assessment.</p>	Noted

20.	<p>The following species from the Landscape Plan are to be removed:</p> <ul style="list-style-type: none"> <li>• Eucalyptus microcorys</li> <li>• Eucalyptus sideroxylon</li> <li>• Callistemon 'Little John'</li> <li>• Poa poiformis</li> </ul> <p>The following species native to the Cumberland Plain are to be included in their place:</p> <ul style="list-style-type: none"> <li>• Eucalyptus eugenioides</li> <li>• Eucalypts crebra</li> <li>• Pultenaea microphylla</li> <li>• Themeda australis</li> </ul>	Noted
21.	<p>All individuals of Eucalyptus moluccana, E. teriticornis, E. crebra, E. longifolia and Corymbia maculata that are scheduled for removal are to be felled and stockpiled in the following manner:</p> <ul style="list-style-type: none"> <li>• All logs greater than 20cm in diameter are to be sawn into 1 m-3m lengths. Some foliage material may be attached to the logs and branches.</li> <li>• These are to be transported at the applicants cost, to Peppermint Reserve, Kingswood for use in fauna habitat restoration.</li> <li>• All tree material smaller than this diameter is to be disposed of along with other trees that are being removed.</li> </ul>	Noted
<b>UTILITY SERVICES</b>		
22.	<p>All services (water, sewer, electricity, telephone and gas), including the provision of service conduits and stub mains, are to be installed within the proposed public roads before final inspection of the engineering works.</p> <p>Prior to the release of the linen plan, the following service authority clearances shall be obtained:</p>	
	<ul style="list-style-type: none"> <li>• Section 73 Compliance Certificate</li> </ul>	Attached
	<ul style="list-style-type: none"> <li>• NoA</li> </ul>	To be submitted
	<ul style="list-style-type: none"> <li>• Telecom compliance</li> </ul> <p>Pre-provisioning Certificate and Certificate of Compliance</p>	Attached
<b>CONSTRUCTION</b>		
23.	<p>A completed waste management plan shall be submitted to Penrith City Council for consideration and approval. Council must approve the plan before a Construction Certificate can be issued for the approved development.</p>	Submitted prior to the release of CC
24.	<p>Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines.</p>	Noted
25.	<p>Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines.</p>	Noted

<b>ENGINEERING</b>		
26.	All roadworks, stormwater works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.	Noted
27.	<p>Prior to the issue of a Construction Certificate, a S138 Roads Act application/s, including payment of fees shall be lodged with Penrith City Council, as the Roads Authority for any works required in a public road.</p> <p>All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Penrith City Council's specifications.</p> <p>1. Approvals may also be required from the Roads and Maritime Service for classified roads.</p>	<p>Complied</p> <p>No classified roads</p>
28.	Prior to the issue of a Construction Certificate for subdivision works the Certifying Authority shall ensure that engineering plans are consistent with the stamped approved concept plans and that all subdivision works have been designed in accordance with conditions of this consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.	Complied
29.	Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works and the specified criteria in the Consent.	Complied
30.	A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant.	Submitted prior to the release of CC
31.	Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the stormwater management system is provided generally in accordance with the concept plans lodged for development approval.	Complied
32.	Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.	Complied
33.	<p>Prior to commencement of works, sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.</p> <p>The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.</p>	Complied

34.	<p>Prior to commencement of works, a Traffic Control Plan including details for pedestrian management shall be prepared in accordance with AS 1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.</p> <p>Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.</p>	Submitted by JK Williams
35.	<p>Prior to the Commencement of Works, a dilapidation report of all infrastructures fronting the development in Angophora Avenue and Casuarina Circuit is to be submitted to Penrith City Council.</p>	Submitted by JK Williams
36.	<p>Work on the subdivision shall not commence until:</p> <ul style="list-style-type: none"> <li>• a Construction Certificate has been issued,</li> <li>• a Principal Certifying Authority has been appointed for the project, and</li> <li>• any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.</li> </ul> <p>A Notice of Commencement is to be submitted to Penrith City Council two (2) days prior to commencement of engineering works or clearing associated with the subdivision.</p>	Noted
37.	<p>Street lighting is to be provided for all new and existing streets within the proposed subdivision to Penrith City Council's standards.</p>	Complied
38.	<p>All earthworks shall be undertaken in accordance with AS 3798 and Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works.</p> <p>The level of testing shall be determined by the Geotechnical Testing Authority/Superintendent in consultation with the Principal Certifying Authority.</p>	Noted
39.	<p>Soil Testing is to be carried out to enable each lot to be classified according to AS2870 "Residential Slabs and Footings".</p>	Attached
40.	<p>Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Penrith City Council for any outstanding works.</p>	Inspection to be arranged by JK Williams
41.	<p>Prior to the issue of a Subdivision Certificate, and installation of regulatory/advisory linemarking and signage, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee.</p>	Complied
42.	<p>Prior to the issue of a Subdivision Certificate, an application for proposed street names must be lodged with and approved by Penrith City Council and the signs erected on-site.</p> <p>The proposed names must be in accordance with Council's Street Naming Policy.</p>	Approved, see attached.

43.	<p>Prior to the issue of the Subdivision Certificate, a bond for the final layer of outstanding asphalt works (AC Bond) is to be lodged with Penrith City Council.</p> <p>The final layer of asphalt on all roads shall not to be placed without the written consent of Council (Consent will generally be provided when 80% of the housing within the subdivision has been completed).</p>	Attached
44.	<p>Prior to the issue of the Subdivision Certificate, an Outstanding Works Bond for the construction, landscaping and implementation of the water quality detention basin is to be lodged with Penrith City Council.</p> <p>The Outstanding Works bond will be refunded once the stormwater management system works have been completed to Council's satisfaction and a separate Maintenance Bond has been lodged with Penrith City Council.</p>	Not Applicable
45.	<p>Prior to the issue of a Subdivision Certificate, a maintenance bond is to be lodged with Penrith City Council for the subdivision works..</p>	Attached
46.	<p>Prior to the issue of a Subdivision Certificate, the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority:</p>	
	a) Work as Executed (WAE).	Attached
	b) The WAE drawings shall clearly indicate the 1% Annual Excedence Probability flood lines (local and mainstream flooding).	Not applicable
	c) Plans indicating the depth of fill.	Attached
	d) CCTV footage.	Submitted by JKW
	e) A copy of all documentation, reports and manuals required by Section 2.6 of Penrith City Council's WSUD Technical Guidelines.	Not applicable
	f) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.	Attached
	g) Documentation for all road pavement materials.	Attached
	h) Geotechnical Reports: <ul style="list-style-type: none"> <li>I. Compaction reports for road pavement construction</li> <li>II. Compaction reports for bulk earthworks and lot regrading</li> <li>III. Soil classification for all residential lots</li> <li>IV. Statement of Compliance</li> </ul>	Attached
	i) Structural Engineer's construction certification of all structures.	Attached  Stormwater pits are precast products
	j) A slope junction plan for interallotment drainage lines indicating distances to boundaries and depths.	Complied
47.	<p>The stormwater management systems shall continue to be operated and maintained for the life of the development in accordance with the final operation and maintenance management plan.</p>	Noted

48.	All verge areas are to be turfed for the full width from back of kerb to property boundary at the completion of the works.	Noted
<b>LANDSCAPING</b>		
49.	All landscape works are to be constructed in accordance with the stamped approved landscape plan. Landscaping shall be maintained: <ul style="list-style-type: none"> <li>• in accordance with the approved plan, and</li> <li>• in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.</li> </ul> If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or was removed.	Noted
50.	All plant material associated with the construction of approved landscaping is to be planted in accordance with Section 2.9 Landscape Technical Specifications.	Noted
51.	No trees are to be removed from within the subdivision without the prior consent of Penrith City Council. Any trees to be removed as part of the engineering work are to be shown on engineering plans submitted for Council's consideration and subsequent approval.	Noted
52.	All trees approved by Council for removal shall be removed in a manner so as to prevent damage to those trees that are to be retained.	Noted
53.	The trees must be retained and protected in accordance with Australian Standards, Protection of trees on development sites, AS 4970 -2009.	Noted
54.	The Trees must be retained and protected in accordance with the arborists report recommendations. Note. 6.4 Schedule of works and responsibilities of arborist report must be implemented. This includes hold points.	Noted
<b>SUBDIVISION</b>		
55.	Work on the subdivision is not to commence until: <ul style="list-style-type: none"> <li>• a Construction Certificate has been issued,</li> <li>• a Principal Certifying Authority has been appointed for the project, and</li> <li>• any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.</li> </ul> Penrith City Council is to be notified 48 hours prior to commencement of engineering works or clearing associated with the subdivision.	Noted



<p>56.</p>	<p>Submission of the original Linen Plan and five (5) copies. The Linen Plan must indicate that:</p> <p>a) "It is intended to dedicate all new roads to the public as road"</p> <p>b) "It is intended to create Lot 46 as a public reserve".</p> <p>All drainage easements, rights of way, restrictions and covenants are to be included on the linen plan.</p> <p>All dedications of roads/drainage are to be undertaken at no cost to Penrith City Council.</p> <p>The following information is to be shown on one (1) copy of the plan.</p> <ul style="list-style-type: none"> <li>• The location of all buildings and/or other permanent improvements shall comply with any statutory boundary clearances or setbacks as defined by the Building Code of Australia and Council's resolutions.</li> <li>• All existing services are wholly contained within the lot served and/or covered by an appropriate easement.</li> </ul>	<p>Attached</p>
<p>57.</p>	<p>The linen plan of subdivision is to be supported by an 88B instrument creating a Restriction as to User or easement regarding the following:</p> <p>a) Easement for support-the provision of an easement of support to cover all embankments that extend into the lots if the batters are steeper than 5: 1.</p> <p>b) Residue Allotment - no development or building shall be allowed or be permitted to remain on the named lot unless satisfactory arrangements have been made with Penrith City Council for services (water, sewer, electricity and telephone), any outstanding contributions or consolidation with adjoining lots</p> <p>c) Future dwellings on Lots 21 to 24 inclusive shall be orientated to face the proposed Hill Top Park.</p> <p>d) Any fencing along Caddens Road shall be of 1.8 metre high lapped and capped timber fence.</p> <p>e) The fencing for Lots No. 21, 22, 23 and 24 fronting the proposed Hill Top Park shall be a maximum of 1.2m high. Any solid up-stand section should be limited to 600mm in height. The top half of the fence should be of an open design with a minimum open area of 50%, for visibility to and from these properties.</p> <p>Council shall be nominated as the only authority permitted to modify, vary or rescind such restriction as to user.</p>	<p>a) Not applicable b) to e) Included in Draft 88B</p>
<p>58.</p>	<p>Prior to the issue of a Subdivision Certificate street trees are to be planted in accordance with the stamped approved Landscape Plan.</p> <p>Before the street trees are planted, approval of the plant species and location of the street trees are to be approved by Penrith City Council.</p>	<p>Noted</p>
<p><b>SECTION 94</b></p>		
<p>59.</p>	<p>Prior to the issue of a Subdivision Certificate, a matrix table shall be submitted to and endorsed by Penrith City Council detailing any infrastructure works, development contributions and/or land dedications required as a result of this development consent pursuant to the Caddens Knoll Planning Agreement. All applicable infrastructure works, development contributions and/or land dedications shall be completed prior to (or concurrently with, in the case of land dedications) the issue of a Subdivision Certificate or as detailed in the endorsed matrix table.</p>	<p>Payment made on 09/12/2014.</p> <p>Table submitted on the same day.</p>

<b>PAYMENT OF FEES</b>		
60.	All roadworks, dedications and drainage works are to be carried out at the applicant's cost.	Noted
61.	Prior to the commencement of any works on site, all fees associated with Penrith City Council-owned land and infrastructure shall be paid to Council. These fees include Road Opening fees and Infrastructure Restoration fees.	Noted
<b>CERTIFICATION</b>		
62.	Prior to the commencement of any earthworks, construction or demolition works on site, the proponent is to: a) employ a Principal Certifying Authority b) submit a Notice of Commencement to Penrith City Council	Complied
63.	A Subdivision Certificate is to be obtained prior to the release of the linen plan of subdivision. The Subdivision Certificate will not be issued if any of the conditions in this consent are outstanding.	Noted
<b>ADVISORY CONDITION</b>		
64.	The site is subject to the provisions of the Caddens Knoll Planning Agreement executed on 21 February 2014. The applicant is reminded of their obligations under the Planning Agreement with regard to the delivery of the embellishment of Hilltop Park and upgrading of Caddens Road (West) and monetary contributions as part of the development. All works shall be carried out in accordance with the requirements of the Caddens Knoll Planning Agreement	Hilltop Park to be completed in April 2015. Caddens Road upgrade commenced in January 2015.

This application package is complete and we kindly ask that Council begins assessment of this package at your earliest convenience.

Should you have any queries regarding this matter please do not hesitate to contact me.

Yours faithfully

**J. WYNDHAM PRINCE**

**BRANA TOMIC**

Project Manager