

Our reference: SSD9138102
Contact: Hamish Dodson
Telephone: 4732 7550

21 March 2025

ESR Developments Pty Ltd
39 Martin Place
SYDNEY NSW 2000

Attention: Alasdair Cameron

Dear **Mr Cameron**

EA24/0058 Section 138 Roads Act Approval for Works at 59-62 Abbots Road, Kemps Creek.

Under Section 138 of the Roads Act 1993, approval is granted for works in the road reserve of Abbots and Aldington Roads, Kemps Creek as detailed by Condition No. B4 of SSD9138102 and in accordance with the stamped approved plans by AT&L listed in the adjoining Subdivision Works Certificate..

Approval is subject to the following conditions:

1. All works shall be undertaken in accordance with the approved plans, Penrith City Council's Engineering Construction Specification for Civil Works and at the direction of Penrith City Council.
2. Prior to commencement of works under this Engineering Approval, the following is required to be submitted to Council:
 - a) Structural design and certification plans for all structural drainage pits. The certification shall specify compliance with the relevant Australian Standards and Councils Stormwater Drainage Policy and be prepared by a suitably qualified engineer.
 - b) Evidence of LSL receipts for all instalments as per previous submitted instalments plan.
 - c) Construction Traffic Management Plan (CTMP) for the stage 2 upgrade works.
3. The applicant is to provide Penrith City Council with written notice of intention to commence works a minimum of two days before any construction activity on site.
4. The notice of commencement shall be accompanied by the following documentation:
 - a) Traffic control plan certified by a Transport for NSW accredited Traffic Controller.

Penrith City Council
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penrith.city

- b) Sediment & Erosion Control Plan.
 - c) Contractor's license and details of public liability insurance with a limit of not less than \$20,000,000.00 (twenty million dollars) indemnifying Penrith City Council from all claims arising from the execution of works.
5. Prior to the commencement of works, a dilapidation report shall be undertaken over the full extent of works including road pavement, kerb and gutter, footpaths, street trees and private vehicular crossings. Any damage shall be rectified at the applicant's cost prior to the issue of Council's final signoff of the works.
 6. The contractor is to notify all affected residents in writing two (2) days prior to the commencement of construction. Vehicular access to all properties is to be maintained throughout the construction. The contractor's contact details are to be included in the letter.
 7. Inspections are to be undertaken in accordance with the requirements of Penrith City Council's Engineering Construction Specification for Civil Works and at the direction of Penrith City Council Officers.
 8. A final inspection will not be undertaken until full Works-As-Executed plans and compliance documentation have been submitted to Penrith City Council for review.
 9. A letter of completion for works under this approval will not be issued by Penrith City Council until all defects identified in the final inspection have been completed and a Maintenance Bond has been lodged with Penrith City Council.
 10. The Principal Certifier shall not issue an Occupation Certificate for the building works until a Compliance Certificate for works under this approval has been issued by Penrith City Council.
 11. The lighting of any road works or pedestrian facility must be in accordance with AS1742 and AS1158.

For further information in respect of this approval, please contact Hamish Dodson, Acting Senior Engineer – Major Developments on 4732 7550.

Yours sincerely



Hamish Dodson

**Acting Senior Engineer – Major Developments
Penrith City Council**