



SYDNEY CENTRAL CITY PLANNING PANEL

ADDENDUM TO COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-288
DA Number	DA/873/2021
LGA	City of Parramatta Council
Proposed Development	Demolition, tree removal and construction of a 160 bed Residential Care Facility pursuant to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. The proposal is Integrated Development pursuant to the Roads Act 1993. The application will be determined by the Sydney Central City Planning Panel.
Street Address	235-237 Marsden Road, Carlingford
Applicant/Owner	Principal Healthcare Pty Limited
Date of DA lodgement	20 September 2021
Number of Submissions	Five unique submissions
Recommendation	Deferred commencement approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	General Development Over \$30 Million Cost of Construction proposed = \$45,243,219.00
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act and Regulations• Roads Act 1993.• State Environmental Planning Policy (Resilience and Hazards) 2021.• State Environmental Planning Policy (Biodiversity and Conservation) 2021.• State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.• State Environmental Planning Policy (Transport and Infrastructure).• State Environmental Planning Policy (Planning Systems) 2021.• Parramatta Local Environmental Plan 2011.
Report prepared by	Sohini Sen, Senior Development Assessment Officer
Addendum Report date	25 August 2022

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been

Yes

listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Clause 4.6 Exceptions to development standards	Yes
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	
Special Infrastructure Contributions	Not Applicable
Does the DA require Special Infrastructure Contributions conditions (S94EF)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	
Conditions	Not applicable
Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	

1. Executive Summary

This report is supplementary to Council's assessment report which considers a proposal for demolition, tree removal and construction of a 160 bed Residential Care Facility with ancillary landscape works.

Draft conditions of consent were issued to the applicant for review and endorsement. The applicant has requested several changes to the recommended conditions of consent including deletion of the deferred commencement conditions of consent. The applicant has submitted a response from their engineer regarding some of the conditions recommended by Council's Development Engineer. The applicant has also sought legal advice regarding the lawfulness of the proposed Conditions Nos. 1-3. This documentation is attached with this report.

Council has conducted a review of the proposed amendments and while some of the proposed changes are supported, Council does not agree to the deletion of the deferred commencement conditions of consent.

The attached full set of draft conditions submitted to the panel includes the amendments to the conditions that Council is supportive of.

A summary of the conditions to be changed, the applicant's requested amendments and Council's comments are provided below.

2. Amendments Requested to Draft Conditions of Consent

Condition	Applicant's requested changes	Applicant response to condition
Schedule 1: Deferred Commencement Conditions		
Condition No. 1	This condition is requested to be deleted.	<p>As provided in the accompanying Legal Advice, it is not considered reasonable for the feasibility of the drainage solution to be assessed again prior to an operational consent being granted given the condition in entirety has been satisfied throughout assessment.</p> <p>It is requested that this condition be removed or amended to remove subclause 1(a) and (e) as this has been demonstrated throughout the assessment. Refer to Legal Advice letter attached.</p>
<i>Council Comment: Council has reached out to TfNSW to seek further comments to the requested deletion of this condition. No response has been received from TfNSW. Council requests that this condition be retained as concurrence from TfNSW is provisional on this condition.</i>		
Condition No. 2	This condition is requested to be deleted.	<p>The stormwater arrangement in its existing state already connects into the adjoining system.</p> <p>Through the proposed OSD tank, the proposed development ensures that post-developed flows do not exceed pre-developed values, which in turn mean that the capacity of the downstream stormwater system is in no way hindered by the proposed development. The requirement to upsize any stormwater pipes within downstream properties that has no hydraulic impact on the functionality of the proposed stormwater system within the subject Site is considered unreasonable. Refer to legal advice at Appendix 2 of this advice which notes Council cannot lawfully require Opal to carry out improvement works on the pipeline where there is no indication that Opal HealthCare development would create a need for any upgrade or improvement.</p> <p>This condition if imposed should only require the stormwater easement within the subject site to have the capacity to convey the 100yr flows from the OSD tank – which the design currently complies with. As above, the requirement to investigate the condition of stormwater pipes within adjacent properties and repair any defects is not considered reasonable. Repairs to existing stormwater pipes should be undertaken by the owner of said asset, not by any developer that benefits from said asset as it is demonstrated that flows have been minimised.</p> <p>It is reiterated that the Site is unique in that an existing easement traverses through the property, which in its existing state, connects to the downstream pipeline. As identified</p>

		<p>within the accompanying Legal Advice Letter, <i>David v. Hornsby Shire Council</i> [2017] NSWLEC 1025, recognises that a downstream easement was not required to establish an acceptable point of discharge.</p> <p>Refer to detailed discussion within the accompanying letter which discusses demonstrates the unreasonableness of Council's request.</p>
<p><i>Council Comment: Council's Development Engineer has reviewed the applicant's request and attached legal advice. The subject site is not a beneficiary of the easement, and the easement does not belong to Council. The 3m width specified is per Council's guidelines and is due to the size of the pipe. It is Council's view that the applicant has not demonstrated that they have the right to drain over the downstream properties. Council requests that this condition be retained.</i></p>		
Condition No. 3	This condition is requested to be deleted.	<p>For reasons outlined above and within accompanying Legal Advice Letter, it is not considered necessary for the establishment of an easement on downstream properties to establish an acceptable point of discharge given the existing Site conditions and existing easement through the Site.</p> <p>Additionally, it is noted that the proposed stormwater system within the subject site has been modelled and sized appropriately, thus it can be demonstrated that stormwater runoff has been controlled and minimised and the disturbance and impacts of stormwater runoff on adjoining properties consistent with Clause 36 of the the <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i> is satisfied.</p>
<p><i>Council Comment: Council's Development Engineer has reviewed the applicant's request and attached legal advice. Council does not agree with the applicant's reasoning and the information requested within this condition is required to be submitted. Council requests that this condition be retained.</i></p>		
Condition No. 4	This condition is requested to be deleted.	<p>It is requested that this condition is removed.</p> <p>Previous responses from Henry and Hymas as attached clarify this issue and identifies reasoning for why, in this instance, it is best practice for a small section of the site in the south-east corner to bypass the piped stormwater system within the Site. It should be noted that this small area will discharge across the eastern boundary and into the grated drain within the adjacent property as per the current arrangement. Additionally, it is noted that there is no downstream flood level as the site is not affected by mainstream flooding. It is unclear where this level of 110.4 been established. The DRAINS model previously submitted to Council showcases that the OSD tank functions as per the intended design (to reduce post-developed flows to pre-developed values). Accordingly, it is considered that the OSD storage provided is sufficient.</p>

		As detailed above and within accompanying legal advice, it is considered that the existing Site conditions are unique in that the Site is currently burdened by an existing Transport for NSW (TfNSW) stormwater easement as an acceptable point of discharge for the development.
<i>Council Comment: Council's Development Engineer has reviewed the applicant's request and attached legal and stormwater advice. Council does not agree with the applicant's reasoning and the information requested within this condition is required to be submitted as it was not submitted during the course of assessment. Council requests that this condition be retained.</i>		
Schedule 2: General Conditions		
Condition No. 5	It is requested that the condition be updated to include Stormwater revisions as contemplated by Condition 54 and Condition 59 of this consent.	It is requested that the Condition be updated to include Stormwater revisions as contemplated by Condition 54 and Condition 59 of this consent and throughout assessment.
<i>Council Comment: As Council does not consider that sufficient stormwater information has been submitted to date and has requested that further information be provided by way of the recommended conditions of consent, the stormwater plans are not included as stamped plans within this condition. The condition should be retained as is.</i>		
Condition No. 6	<p>Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately within 5 days of encountering.</p> <p>Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.</p>	It is requested that this condition be updated to state notification should occur within 5 days of encountering any contamination evidence which is more feasible than immediately from the PCA's perspective.
<i>Council Comment: Agreed and amended within draft conditions of consent.</i>		
Condition No. 11	<p>Trees equal to or greater than five (5) metres in height, which are protected under City of Parramatta Council Development Control Plan 2011 (Part 5.4 Preservation of Trees or Vegetation), must not be removed or damaged without Council consent, unless otherwise specified by Condition 92 of this determination.</p> <p>Reason: To preserve existing landscape features.</p>	This is requested to be removed or reworded to ensure the viability of Condition 92.
<i>Council Comment: No change is required to this condition as Condition No. 92 is a condition of consent that already specifies the trees approved for removal. To be retained.</i>		

Condition No. 16	<p>Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.</p> <p>Note: All references to a 'construction certificate' within this consent includes any 'relevant construction certificate' and it is acknowledged that the person having the benefit of the development consent may obtain multiple construction certificates.</p> <p>Reason: To ensure compliance with legislative requirements.</p>	<p>It is requested that this condition be updated to include prior to the issue of the 'relevant' construction certificate as multiple construction certificates are anticipated and a note to allow multiple construction certificates to be issued.</p> <p>On balance, and in the interest of both Council and the proponent this is within acceptable limits and has been administered as such on many Opal HealthCare developments across the country.</p>
Council Comment: Agreed and amended in draft conditions of consent.		
Condition No. 18	Deletion of subclause (j).	Remove subclause (j) for demolition to be completed within five (5) days as demolition is anticipated to be approximately 60 days.
Council Comment: Subclause (j) amended to reference 60 days instead of 5 days within draft conditions of consent.		
Condition No. 19	Deletion of long service levy amount.	It is requested that the referenced Long Service Levy amount is removed from this consent as it may fluctuate at a time construction is anticipated.
Council Comment: Agreed and amended in draft conditions of consent.		
Condition No. 21	<p>Delete the following sentence:</p> <p>Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken.</p>	It is requested that the Condition is amended to ensure reference to any uplift of the bank guarantee is removed.
Council Comment: Council does not agree with the applicant and the condition should be retained as is.		
Condition No. 24	<p>The condition is proposed to be amended as follows:</p> <p>The proposed easement relocation works shall be designed to meet TfNSW requirements and drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The proposed easement relocation works are to generally be in accordance with Henry & Hymas drawing</p>	<p>It is requested that Condition 24 be updated to include reference to Henry and Hymas drawing 19F64_DA_C101 Revision 11 and TfNSW standards to ensure scope. Accordingly, it is also requested that Condition 2 be updated to reflect Stormwater Drawings.</p>

	19F64_DA_C101 Revision 11 and TfNSW standards.	
Council Comment: Council has reached out to TfNSW to seek further comments to the requested amendment of this condition. No response has been received from TfNSW. Council requests that this condition be retained as concurrence from TfNSW is provisional on this condition.		
Condition No. 27	<p>The condition is proposed to be amended as follows:</p> <p>A Construction Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to TfNSW for approval prior to the issue of the relevant Construction Certificate.</p>	It is requested that this condition be updated to ensure it is to the satisfaction of TfNSW and not Council, given the characterisation as a classified road.
Council Comment: This condition was recommended by TfNSW and is not a Council condition. Council has reached out to TfNSW to seek further comments to the requested amendment of this condition. No response has been received from TfNSW. Council requests that this condition be amended to include reference to the relevant Construction Certificate but that the CTMP should be submitted to Council as stated in the condition. This condition has been amended to refer to the relevant CC.		
Condition No. 28	Reference to Old Northern Road to be deleted and replaced with Marsden Road	To be updated to reflect Marsden Road.
Council Comment: While this condition was recommended by TfNSW and is not a Council condition, there is clearly an error and Old Northern Road should be replaced by Marsden Road. Council has reached out to TfNSW to seek further comments to the requested amendment of this condition. No response has been received from TfNSW. Council requests that this condition be amended as requested and has amended the condition within the draft conditions of consent.		
Part B – Before the issue of a Construction Certificate	<p>Amendment to read as follows:</p> <p>Part B – Before the issue of the relevant Construction Certificate</p>	This is requested to be updated prior to the issue of the 'relevant' CC, as multiple CC's are anticipated for the development.
Council Comment: Agreed and amended within the draft conditions of consent.		
Condition No. 35	To be moved to Part F – Use of the Site	This is requested to be moved to later within the development consent.
Council Comment: Agreed and amended within the draft conditions of consent.		
Condition No. 36	<p>Amendment to read as follows:</p> <p>Plans and documents submitted must include the following with an application for the relevant Construction Certificate:</p> <p>(a) Construction details are to be provided by a suitably qualified structural engineer showing substrate depth, drainage, waterproofing for all</p>	<p>Reference to Apartment Design Guide is requested to be removed and replaced with must meet be consistent with the approved landscape plans per Condition 1 of Schedule 2.</p> <p>Subclause (c) is requested to be removed, the intent is unclear, and it is an onerous condition.</p>

	<p>planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens. All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.</p> <p>(b) Soil volume, soil depth and soil area must consistent with the approved landscape plans per Condition 1 Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect/.</p> <p>Reason: To ensure the creation of functional gardens.</p>	
Council Comment: Agreed and amended within the draft conditions of consent.		
Condition No. 37	<p>Amendment to read as follows:</p> <p>The final Landscape Plan must be consistent with plan numbered Revision B, dated 8 December 2021, prepared by Taylor Brammer together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:</p> <p>(a) Retention of trees numbered.</p> <p>(b) Screening between properties and along rear boundaries to provide privacy and amenity is required to be provided in a minimum 200mm containers. Tree replenishment to both front and rear landscape areas is required. Trees are to be provided in a minimum 45 litre container, must be able to reach a minimum mature height of five (5) metres, and planted with a minimum setback of 3.5m to the outside enclosing wall or edge of a legally constructed building, structure or the proposed development. It is recommended that the location of proposed canopy trees also takes into consideration</p>	The wording will ensure the retention and longevity of existing trees onsite.

	<p>appropriate distances from boundaries and proposed stormwater infrastructure.</p> <p>(c) A proposed plant schedule indicating planting locations, species type (botanic/ common name) mature dimensions, plant numbers and the size of the containers at planting.</p> <p>(d) The location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees.</p> <p>(e) Permeable paving and or structures under existing trees are to be coordinated with the project arborist to ensure retention and longevity of existing trees onsite.</p> <p>(f) All landscape plans are to be prepared by a professionally qualified Landscape Architect or Landscape Designer.</p> <p>Reason: To ensure restoration of environmental amenity.</p>	
<i>Council Comment: Agreed and amended within the draft conditions of consent.</i>		
Condition No. 39	Requested to be deleted.	<p>It is requested that this condition be removed in entirety as it is not consistent with the approved design for the following reasons:</p> <ul style="list-style-type: none"> • The plant room will be housed on the roof within screens • Service ducts will be within the building • Plumbing installations will be within the building other than down pipes and gutters • Fire sprinklers will be exposed within the carpark • Exhaust ducting from the fire pump room will be visible externally in car park. • Wall mounted condensers in car park for kitchen cool room and freezer <p>Accordingly, Condition 39 will not be able to be satisfied and is commensurate to multi dwelling, rather than RCF.</p>
<i>Council Comment: Agreed and amended within the draft conditions of consent.</i>		
Condition No. 44	<p>Deletion of the following wording:</p> <p>If a substation is required of the energy provider, it must be located internally within a building/s.</p>	<p>This condition is requested to be updated to provide assurance that the location of the substation as provided on the accompanying Architectural Plans and noted in</p>

		Condition 5 of this Consent has been approved. It is noted Endeavour Energy has provided support for the proposed location of the substation.
<i>Council Comment: The location of the proposed substation is supported by Endeavour Energy and landscaping is proposed to soften the visual impact of the substation along Marsden Road. The requested amendment is supported and has been amended within the draft conditions of consent.</i>		
Condition No. 46	To be amended to reflect 46 car parking spaces as shown on the architectural plans.	46 carparking spaces are proposed in accordance with the approved plans. It is requested that this condition be updated to reflect the proposed design.
<i>Council Comment: Agreed and amended within the draft conditions of consent.</i>		
Condition No. 57	Requested to be deleted.	There is no basement carpark, nor is there any stormwater pump out system. It is requested that condition be removed in entirety.
<i>Council Comment: Agreed and amended within draft conditions of consent.</i>		
Condition No. 58	Requested to be deleted.	It is requested that this condition be removed and has been addressed as discussed in Condition 3 above.
<i>Council Comment: Given that Council does not agree with the applicant's reasoning for changes to condition No. 3, Council does not agree with the requested deletion of this condition. It is requested that this condition be retained as is.</i>		
Condition No. 59	<p>Amendments requested as follows:</p> <p>Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the PCA prior to release of the relevant Construction Certificate for any work on the site.</p> <p>(a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code. (ii) "Stormwater Management Plan", Drawing No (19F64_DA_C101[11], 19F64_DA_C200[04], 19F64_DA_C201[06], 19F64_DA_C210[03], 19F64_DA_C250[03]). prepared by Henry & Hymas.</p>	It is requested that this Condition be updated to reflect endorsed revisions of the civil and stormwater plans. Accordingly, it is requested that correct revisions be applied in Condition 5 of this consent.

	Issue number and date of the plans to be confirmed at the completion of deferred commencement conditions.	
Council Comment: Given that Council does not agree with the applicant's reasoning for changes to condition No. 5, Council does not agree with the requested amendment of this condition with the exception of amending the condition to refer to the relevant Construction Certificate. It is requested that this condition be retained as shown within the draft conditions of consent.		
Condition No. 60	Amendments requested as follows: PSORB or approved equivalent water quality treatment devices must be installed to manage surface runoff water to Mulyan Avenue the sites legal point of discharge to satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority. Reason: To ensure appropriate water quality treatment measures are in place.	It is requested that Condition be amended to reference the Sites legal point of discharge. It is noted condition should refer to providing water quality treatment to manage the stormwater from the subject site. Treatment is not required to be provided for runoff from other properties. It is requested that the condition be updated to reference PSORB 'or approved equivalent'.
Council Comment: Council does not agree with the deletion of this condition and it is recommended that this condition be retained as is.		
Condition No. 61	Request for deletion.	This condition is requested to be removed. The current Level 3 ASP design as approved by Endeavour Energy, proposes all underground cabling. Any future development electrical provisions for future developments around the area will need to be reviewed and will be governed by Endeavour Energy, and not by the project.
Council Comment: Council does not agree with the deletion of this condition and it is recommended that this condition be retained as is.		
Condition No. 64	Request for deletion.	It is requested that this condition is removed. No carpark exhaust ventilation systems are proposed and the space is naturally ventilated. All other mechanical systems and discharges will be in full compliance with AS 1668.1 and AS 1668.2.
Council Comment: Agreed and amended within draft conditions of consent.		
Condition No. 68	Amended to add the wording "where required" and "the relevant" Construction Certificate.	It is requested that this condition is updated to include wording 'where required', to ensure this is only relevant to required adjoining Council land.
Council Comment: Council agrees to amend the wording to refer to the relevant Construction Certificate and this is amended within the draft conditions of consent. Council does not agree that the wording "where required" is necessary.		
Condition No. 71	Amendments requested as follows: Non-standard conditions – Prior the issue of a Construction Cert.	It is requested that this condition be updated to include the following wording: <i>Adequate provision should be made to ensure emergency overflows can drain towards the legal point of discharge.</i> It is noted that a building impedes on the ability to grade the car park towards the OSD Tank at 1%.

	<p>Prior to the issue of the relevant Construction Certificate the Certifying Authority shall ensure:</p> <ul style="list-style-type: none"> • Carpark has minimum 1% grade towards the OSD system to allow emergency overflows to drain to the legal discharge point. • Adequate provision should be made to ensure emergency overflows can drain towards the legal point of discharge. • Rainwater tanks must not collect water from a source other than roofs on a building or a water supply service pipe and must comply with Council's Development Engineering Guidelines and BASIX requirements. • OSD storage configuration has been revised so that: <ul style="list-style-type: none"> o The High Early Discharge (HED) chamber is to be located downstream of the Stormwater Filter (SF) weir. o Overflow from the SF chamber is discharged to the HED chamber where the HED orifice is located. o The outflow (bottom outlet) from the SF chamber shall be directed into the overflow pit past the OSD system. <p>Reason: To ensure satisfactory stormwater disposal.</p>	
Council Comment: Council does not agree and recommends the condition be retained as is.		
Condition No. 78	Amended to include the word "reasonably".	It is requested that this condition be updated to include 'reasonably' required to ensure an appropriate amount of insurance is provided.
Council Comment: Council does not agree and recommends the condition be retained as is.		
Condition No. 80 and 81	It is requested that this condition is combined with 81, to ensure the preparation of one Construction Pedestrian Traffic Management Plan and avoid any confusion with the PCA.	It is requested that this condition is combined with 81, to ensure the preparation of one Construction Pedestrian Traffic Management Plan and avoid any confusion with the PCA.
Council Comment: Agreed and amended within draft conditions of consent.		
Condition No. 88	Amended to add the wording "if required".	It is requested that the condition be reworded to indicate subclause (a) if required by the development.

<i>Council Comment: Council does not agree and recommends the condition be retained as is.</i>		
Condition No. 92	To be amended to include the following trees as shown on the plans: 9, 10, 11, 13, 18, 20, 22, 25, 27, 39, 42, 45, 50, 52, 55, 71, 80, 86, 87, 88, 98, 99 and 103.	As per the recommendations of the arborist report.
<i>Council Comment: The condition has been reviewed by Council's Tree and Landscape Officer and the proposed amendments are agreed with the exception of Tree 11 as this was proposed to be retained within the arborist report. The condition has been amended within the draft conditions of consent.</i>		
Condition No. 112	<p>Amendments requested as follows:</p> <p>Works-As-Executed stormwater plans are to address the following:</p> <p>(a) A WAE survey shall be conducted and plans prepared showing the 'as built' of the complete on-site detention system including (but not limited to) discharge point into Council system, the legal point of discharge storage tank (including all critical elements), all pipes and pits connected to the OSD system, overland flow swale and surface levels that control surface flows to the OSD system and by design bypassing the OSD system.</p> <p>(b) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.</p> <p>(c) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.</p> <p>(d) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table</p> <p>(e) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).</p> <p>(f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to</p>	It is requested that the condition be updated to refer to the legal point of discharge rather than Council System consistent with discussion in Condition 3.

	<p>UPRCT Handbook). The certificate must only be provided after conducting a satisfactory final inspection. The final inspection shall include the application of all the ancillary components of the system including but not limited to: step-irons, orifice plate, trash screen with appropriate wall attachment, hinged lockable grates, confined space sign, functioning return lap valve and relief drains within DCP sump etc.</p> <p>(g) Certificate of Structural compliance of the OSD tank shall reference the structural elements including floor slab/foundations, walls and cover slab from a qualified structural engineer</p> <p>The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate and a copy is to accompany the Occupation Certificate when lodged with Council.</p> <p>Reason: To ensure works comply with approved plans and adequate information is available for Council to update the Upper Parramatta River Catchment Trust.</p>	
<p><i>Council Comment: Given that Council does not agree with the applicant's reasoning for changes to condition No. 3, Council does not agree with the requested deletion of this condition. It is requested that this condition be retained as is.</i></p>		