

THE HILLS SHIRE COUNCIL

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ABN No. 25 034 494 656

24 November 2017

Director, Legislative Updates
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Email: Regulation.Review@planning.nsw.gov.au

Our Ref: FP85

Dear Director

Review of the Environmental Planning & Assessment Regulation 2000

Thank you for the opportunity to provide feedback on the Review of the Environmental Planning and Assessment Regulation 2000 currently on public exhibition until 24 November 2017. Council has considered a report on the Issues Paper and resolved to make the following comments as its submission:

(a) Standard Format for DCPs and Exhibition Requirements

- i. A standardised DCP format is supported in principle; however the content of DCP provisions should remain a matter for individual Councils given there is significant variation in the types of local issues which individual Councils seek to address through DCPs. Council representatives should have the opportunity to be involved in workshops to develop model provisions and ensure they are suitable for each local area.
- ii. The proposed amendment to re-exhibition requirements will increase administrative burdens on planning authorities by requiring multiple exhibition periods for individual projects. Amendments to DCPs are already discussed in post-exhibition reports which are considered and endorsed by Council. This ensures transparency and that Council retains responsibility for setting the intent of their plans, without unnecessary duplication of public exhibition processes.
- iii. Shorter exhibition periods (14 days) should be considered for amendments which are minor in nature as well as the opportunity for Council to make certain administrative/housekeeping amendments without the need for public exhibition. Furthermore, the requirement to exhibit in local newspapers should be reviewed, given notification of exhibitions can be more efficiently achieved in other digital forms.

(b) Development Assessment and Consent Provisions

- i. Concern is raised that the process for a Statement of Reasons for Decisions will quickly resort to "standardised" responses that increase administrative burden for determining authorities whilst adding minimal value to the process. Council's current procedures require that all concerns raised in formal submissions are

addressed in detail within a delegated authority report or a Council report and that letters are sent to each objector notifying how their concerns have been addressed in the assessment of a development application. This process already ensures that reasons for decisions as well as responses to community view are made public. The proposed requirement is not necessary given the adequacy of the existing approach. The new process will not materially improve the existing processes, but will add cost, time and further administrative burden for determining authorities (including Independent Hearing and Assessment Panels following their mandatory introduction in March 2018).

- ii. The following amendments proposed within the Issues Paper are supported by Council:
 - Introduction of provisions that set out requirements for the rejection and withdrawal of modification applications;
 - Introduction of a provision which allows for the surrender of development consents or Part 3A approvals where one or more land owners do not consent;
 - Updates to the Regulations to align it with recent changes to community participation requirements under the Act;
 - Amendments which allow for notices of determination to occur via email and for the relevant documents to be uploaded to the Planning Portal;
 - Amendments that require Councils to notify all submission authors of the outcome of 82A determinations;
 - Retention of existing classes of designated development and ability for an LEP to also declare certain types of development to be designated, allowing flexibility in local conditions at Council's discretion; and
 - Retention of the current definition for Environmentally Sensitive Area, which effectively includes all relevant areas that may require additional environmental protection through the planning system.

(c) Fees and Charges

- i. Fees for S149 planning certificates should be increased to reflect their status as the mandatory certificate to be provided at the point of sale of a property.
- ii. Determining DA fees based on the type of development does not reflect the level of assessment required for an individual application. Currently, DA fees are insufficient to cover the full costs associated with the assessment of development application. The introduction of thresholds that correlate with the complexity of assessment and level of internal referrals may aid in accurately capturing fees for more complex DAs.
- iii. The Regulations currently specify the maximum percentage of the Section 94A levy that can be imposed on development. The current Regulation accurately captures all types of development and results in a reasonable Section 94A levy. No change is recommended to the existing provisions.

(d) Voluntary Planning Agreements and Development Contributions

- i. The Regulation should specify the purpose and regulatory weight of any practice notes to be used in Council's assessment of VPAs. Draft practice notes were exhibited in late-2016 however they have not been finalised and since this time, there has been no further update to Councils with respect to the progress of these amendments. Any amendment to the Regulations to clarify the function and weight of practice notes should be accompanied by finalisation of updated practice notes which better reflect the way in which VPAs are utilised within the planning system.

- ii. It is unclear at which point in the process draft VPAs must be made public. In many instances, preliminary drafts VPAs (or draft offers) submitted by developers are unsuitable in terms of form, quality, adequacy and/or consistency with practice notes and directions. Uploading all draft VPA offers to the Portal would only serve to confuse the public and erode confidence in the system. Until such time as Council has had an opportunity to discuss an offer with the developer and refine the draft agreement to an adequate point (including consideration of the draft offer by elected Councillors), it is unsuitable to upload an agreement to the Portal.
- iii. Requirements for planning authorities to publish policies and procedures that guide and explain the use of VPAs are supported in principle. However, the Regulation (or practice notes given weight under the Regulation) should clearly specify the content and matters to be addressed within a policy. In drafting these requirements, consideration should be given to the large variation in the use, application and purpose of VPAs across NSW.

(e) Planning Certificates

- i. The type of information included on certificates and the way it is expressed can produce an overly complex result that lacks consistency. To achieve consistency in the content and form of certificates, legal advice should be provided and available to Council's from a central source, and the Regulation should prescribe both the language and format to be used. Guidelines should be highly prescriptive so that they cannot be open to interpretation and circulars should be provided prior to commencement of legislative updates to certificates (this has not occurred in the past). Council's suggested content for S149(2) and S149(5) certificates are provided in the Council Report (Attachment 1).
- ii. Planning certificates should be issued by the relevant local authority as they have the local knowledge and experience to issue a certificate for their LGA in an accurate manner. An online system poses significant problems with updating data, accuracy and the timeliness of new subdivisions, proposals and notified proposals.
- iii. Council is legally liable for the accuracy of information contained within planning certificates and this liability should shift to State government should a central system be pursued. Councils would still require a copy of any planning certificate that is generated so that the content can be accurately assessed. If a central system is introduced, it should follow a process similar to the Electronic Housing Code where data is continually provided overnight.
- iv. Consideration should be given to how information would be transferred to a new system and who customers should contact if they have any issues or enquiries regarding their certificate. This would be difficult to coordinate if Council possesses the local knowledge to answer enquiries but does not have legal authority to issue certificates.
- v. Many Councils would require assistance with updating their data to be consistent with other LGAs in order to allow for state-wide consistency and automation of planning certificates.

(f) Planning Portal and Digital Solutions

- i. While digital solutions including the Portal are supported in principle for notification, exhibition and correspondence, Council has frequently experienced issues with the function and performance of the Portal. The Planning Portal will need to be reviewed and updated if it is to be more widely used to support an increasing number of functions.

- ii. Increased reliance on digital solutions to reduce administrative burdens should be reflected through amendments which specify that processes such as public exhibition, notification and notices of determination can occur through digital mechanisms. Where the wording does not explicitly identify digital options, it is currently open to interpretation which defaults to hard copy practices. The Regulation should be clear that digital processes are permitted and encouraged as a key method of reducing administrative costs and burdens.

(g) Contradictory Objectives of Review

- i. In principle, Council supports the overall review of the Regulation and the need to simplify legislation to allow for more efficient processes within the NSW planning system. However, a number of the solutions suggested in the Issues Paper that aim to increase transparency are contrary to the objective of reducing administrative burden and improving procedural efficiency. The Department should carefully consider the administrative costs and burden to planning authorities associated with any solutions or amendments proposed.

Please find attached a copy of Council's report and minute (14 November 2017) on this matter which forms part of the submission on the Review of the Environmental Planning and Assessment Regulation 2000. Should you have any enquiries in relation to Council's submission please contact Kayla Atkins, Town Planner on 9843 0404.

Yours Faithfully



Stewart Seale
MANAGER FORWARD PLANNING

Attachment

Review of EP&A Regulation 2000 Report to Council Meeting – 14 November 2017

EXECUTIVE SUMMARY

The review follows proposed changes to the Environmental Planning and Assessment Act 1979 (the Act). While the Act establishes the overarching framework and principles for the NSW planning system, the Regulation specifies detailed procedural requirements of the processes within this system. The current review seeks feedback from stakeholders on any known issues with the current Regulation, along with suggestions to improve the function of operational provisions. The Issues Paper is on exhibition until 24 November 2017.

The submission as recommended outlines key concerns with the Department's proposed changes relating to standardised DCP formats and DCP exhibition requirements, the format, content and consistency of planning certificates, the increased role of the Planning Portal and related digital solutions, the process for voluntary planning agreements and the potentially contradictory objectives of the review (that is, the tension between increasing transparency through increased administrative requirements for planning authorities whilst also attempting to reduce red tape and administrative burdens).

The purpose of this report is to respond to the Department's Issues Paper and outline key issues with the current Environmental Planning and Assessment Regulation 2000.

The Issues Paper is the first stage of reviewing the Regulations and Council would be further consulted in the future as the Department's investigations continue and culminate into draft amendments to the existing Regulation.

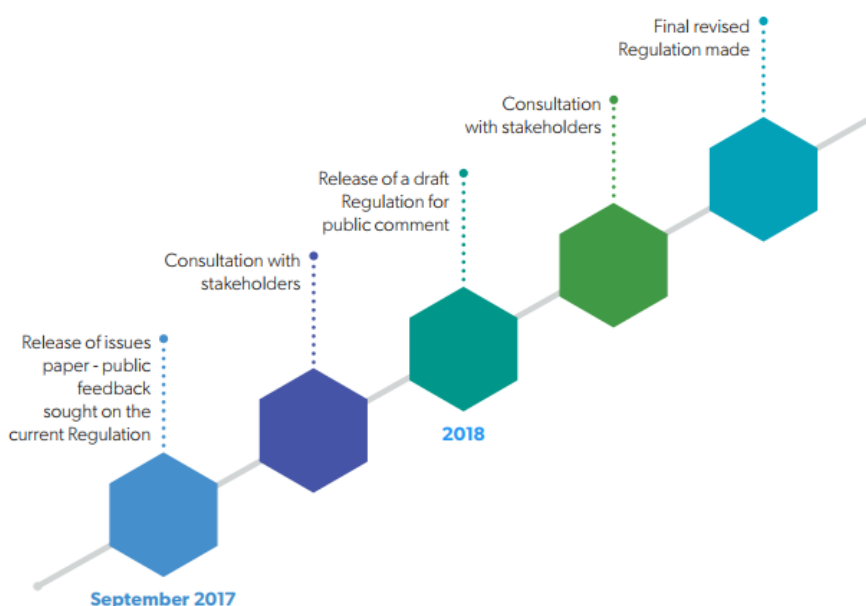


Figure 1
Process of consultation throughout Regulation review

ISSUES

An overview of the key issues identified within the Issues Paper as well as planning comments in response to each is provided below.

a) Development Control Plans ("DCPs")

Standard DCP Format

The Issues Paper proposes amendments to the Regulation requiring Councils to produce a standardised model of DCP provisions to enable State-wide consistency and reduce complexity for all local government areas within NSW. This could reduce costs and time for planning system users by improving user navigation.

Comment:

A standardised DCP format is supported in principle, however the content of DCP provisions should remain a matter for individual Councils given there is significant variation in the types of local issues which individual Councils seek to address through DCPs. Council representatives should have the opportunity to be involved in workshops to develop model provisions and ensure they are suitable for each local area.

Exhibition of DCPs

The Issues Paper proposes that re-exhibition of a DCP should be required where amendments substantially alter the form or objectives of the draft DCP, to improve transparency. This varies from the current framework which allows a DCP to be approved following public exhibition with any 'such alterations as the Council thinks fit'.

Comment:

The proposed amendment will increase administrative burdens on planning authorities by requiring multiple exhibition periods for individual projects. Amendments to DCPs are already discussed in post-exhibition reports which are considered and endorsed by

Council. This ensures transparency and that Council retains responsibility for setting the intent of their plans, without unnecessary duplication of public exhibition processes.

In addition to the matters raised in the Issues Paper, the Department should consider enabling shorter exhibition periods (14 days) for amendments which are minor in nature as well as the opportunity for Council to make certain administrative/housekeeping amendments without the need for public exhibition. Furthermore, the requirement to exhibit in local newspapers should be reviewed, given notification of exhibitions can be more efficiently achieved in other digital forms. These changes would support the objectives of this review by significantly reducing the administrative burden associated with making minor amendments to DCPs and allowing for digital solutions to be utilised.

b) Development Assessment and Consent Provisions

Statement of Reasons for Decisions

The Issues Paper proposes amendments that require planning authorities to prepare and make public a statement of reasons for decisions and how community views have been addressed. This would apply to development applications and modification applications.

Comment:

Concern is raised that this process will quickly resort to “standardised” responses that increase administrative burden for determining authorities whilst adding minimal value to the process. Council’s current procedures require that all concerns raised in formal submissions are addressed in detail within a delegated authority report or a Council report and that letters are sent to each objector notifying how their concerns have been addressed in the assessment of a development application. This process already ensures that reasons for decisions as well as responses to community view are made public.

The proposed requirement is not necessary given the adequacy of the existing approach. The new process will not materially improve the existing processes, but will add cost, time and further administrative burden for determining authorities (including Independent Hearing and Assessment Panels following their mandatory introduction in March 2018).

Other Amendments Relating to Development Assessment and Consents

It is recommended that Council provide support for the following amendments discussed within the Issues Paper:

- Introduction of provisions that set out requirements for the rejection and withdrawal of modification applications. This already occurs in practice however the Regulation does not contain specifications for the process;
- Introduction of a provision which allows for the surrender of development consents or Part 3A approvals where one or more land owners do not consent;
- Updates to the Regulations to align it with recent changes to community participation requirements under the Act (stricter minimum exhibition requirements for particular developments and streamlining and consolidating exhibition requirements to provide greater clarity and ease of access for the community);
- Amendments which allow for notices of determination to occur via email and for the relevant documents to be uploaded to the Planning Portal (although the Portal would require upgrading to ensure it is capable of accommodating all proposed functions and address current performance and functionality issues);
- Amendments that require Councils to notify all submission authors of the outcome of 82A determinations in order to improve transparency;
- Retention of existing classes of designated development and ability for an LEP to also declare certain types of development to be designated, allowing flexibility in local conditions at Council’s discretion; and

- Retention of the current definition for Environmentally Sensitive Area, which effectively includes all relevant areas that may require additional environmental protection through the planning system.

c) Fees and Charges

The Issues Paper recommends that all fees and charges under the Regulations be reviewed to determine whether they remain appropriate. This includes fees for DAs assessed by Council, fees for DAs assessed by planning panels or the Department and fees for reviews of determination or reviews of decisions to reject applications and Section 94A development contribution fees. The Issues Paper seeks feedback from stakeholders on whether there may be more appropriate methods of determining fees and/or more appropriate categories for different types of fees.

Comment:

It is recommended that the following feedback be provided to the Department to assist in their review of fees:

- *Planning Certificate Fees:* Fees for Section 149 Planning Certificate certificates should be increased to reflect their status as the mandatory certificate to be provided at the point of sale of a property;
- *DA Fees:* Determining DA fees based on the type of development does not reflect the level of assessment required for an individual application. Currently, DA fees are insufficient to cover the full costs associated with the assessment of development application. The introduction of thresholds that correlate with the complexity of assessment and level of internal referrals may aid in accurately capturing fees for more complex DAs; and
- *Development Contributions Fees:* The Regulations currently specify the maximum percentage of the Section 94A levy that can be imposed on development (0.5% of the cost of works where it is between \$100,000 and \$200,000 and 1% of the cost of works where it is greater than \$200,000). The current Regulation accurately captures all types of development and results in a reasonable Section 94A levy. Calculation of levies based on the cost of works ensures that levies increase over time in line with CPI (as increases in CPI are already reflected in rising costs of development). No change is recommended to the existing provisions.

d) Voluntary Planning Agreements and Development Contributions

Voluntary Planning Agreement (VPA) Practice Notes

The Issues Paper identifies that the current Regulation allows for the Secretary to issue practice notes for VPAs, but that there is no requirement for consideration of these practice notes.

Comment:

The Regulation should specify the purpose and regulatory weight of any practice notes to be used in Council's assessment of VPAs. Draft practice notes were exhibited in late-2016 however they have not been finalised and since this time, there has been no further update to Councils with respect to the progress of these amendments. Any amendment to the Regulations to clarify the function and weight of practice notes should be accompanied by finalisation of updated practice notes which better reflect the way in which VPAs are utilised within the planning system.

Publicly Available Draft Voluntary Planning Agreements

The Issues Paper proposes an amendment to the Regulation that would require all draft VPAs to be exhibited on the NSW Planning Portal to improve transparency.

Comment:

It is unclear at which point in the process draft VPAs must be made public. In many instances, preliminary drafts VPAs (or draft offers) submitted by developers are unsuitable in terms of form, quality, adequacy and/or consistency with practice notes and directions. Uploading all draft VPA offers to the Portal would only serve to confuse the public and erode confidence in the system. Until such time as Council has had an opportunity to discuss an offer with the developer and refine the draft agreement to an adequate point (including consideration of the draft offer by elected Councillors), it is unsuitable to upload an agreement to the Portal.

Voluntary Planning Agreement Policies

The Issues Paper suggests that the Regulations include a requirement for planning authorities to publish policies and procedures that guide and explain their use of VPAs.

Comment:

While this proposal is supported in principle, the Regulation (or practice notes given weight under the Regulation) should clearly specify the content and matters to be addressed within a policy. In drafting these requirements, the Department should consider the large variation in the use, application and purpose of VPAs across NSW.

e) Planning Certificates

The Issues Paper acknowledges that planning certificates are not consistent across LGAs and that the content, form and role of the certificates remains disputed and unclear across the State. The Department has suggested that a potential solution may be to replace hard copy certificates with an online system through the NSW Planning Portal.

Comment:

The type of information included on certificates and the way it is expressed can produce an overly complex result that lacks consistency. To achieve consistency in the content and form of certificates, legal advice should be provided and available to Council's from a central source, and the Regulation should prescribe both the language and format to be used. Guidelines should be highly prescriptive so that they cannot be open to interpretation and circulars should be provided prior to commencement of legislative updates to certificates (this has not occurred in the past). Council's key issues and suggested content for S149(2) and S149(5) certificates are provided below.

S149(2) Certificates

- References to policies should be removed from the S149(2) certificate as they do not provide any information relating specifically to the site and can often lead to confusion. Matters of this nature could be included within one question, such as combining relevant contribution plans, VPAs and special infrastructure contribution schemes under the heading of 'Infrastructure Planning' to simplify the output;
- The question regarding road widening does not currently allow for identification of widening that is planned under a Growth Centres SEPP DCP as this is not a result of a resolution of Council. Amendments should enable relevant DCP provisions to be included on certificates where necessary;
- Links to external sources should be included where necessary, such as links to the Department of Planning and Environment, RMS, EPA and Council's own web page for written instruments and mapping;
- Only information that is relevant across all LGAs should be included on the S149(2) certificate, with all additional information moved to the S149(5). Additionally, when legislative updates occur, new sections should be added to the certificate as a numbered question rather than notes to ensure a consistent format throughout the certificate;

- As a minimum, the following content should be included on a S149(2) certificate:
 - Names of relevant planning instruments and DCPs (including planning proposals);
 - Zoning and land use under an Environmental Planning Instruments (EPI);
 - Complying development;
 - Road widening and road realignment under an EPI;
 - Infrastructure planning (contributions plans, VPAs and special infrastructure contributions);
 - Biodiversity conservation and Bush fire prone land;
 - Site compatibility certificates for seniors housing, infrastructure and education, and affordable rental housing;
 - Conditions of consent for seniors housing or affordable rental housing;
 - Loose-filled asbestos insulation and Contaminated land; and
 - Items under Protection of the Environment Operations Act 1997.

S149(5) Certificates

- S149(5) certificates should be partly regulated but discretion given to Council's to add any additional information that may be relevant. Content that should be included on the S149(5) certificate is as follows:
 - Orders under trees;
 - Paper subdivision;
 - Site verification certificates;
 - Foreshore area under an EPI;
 - Restricted Development Areas under a DCP;
 - Vicinity of a heritage item;
 - Within or adjacent to a rail corridor;
 - Management of trees and bushland;
 - Plan of acquisition registered by Land and Property Information NSW; and
 - Land that fronts a classified road.

Obtaining Planning Certificates through an Online Portal

Planning certificates should be issued by the relevant local authority as they have the local knowledge and experience to issue a certificate for their LGA in an accurate manner. An online system poses significant problems with updating data, accuracy and the timeliness of new subdivisions, proposals and notified proposals.

Data can become complicated in LGAs where multiple EPIs are applicable or where amendments to applicable EPIs are underway. An online system will need the ability to 'block' the issue of certificates for certain sites, such as multi-parcelled properties, or properties where there are multiple planning proposals on the site as well as sites affected by exhibition periods for proposed EPIs. This can be difficult to achieve with an external body, particularly where there are late corrections or amendments.

Council is legally liable for the accuracy of information contained within planning certificates and this liability should shift to State government should a central system be pursued. Councils would still require a copy of any planning certificate that is generated so that the content can be accurately assessed. If a central system is introduced, it should follow a process similar to the Electronic Housing Code where data is continually provided overnight. The Department should also consider how information would be transferred to a new system, and who customers should contact if they have any issues or enquiries regarding their certificate. This would be difficult to coordinate if Council possesses the local knowledge to answer enquiries but does not have legal authority to issue certificates.

The Hills Shire Council currently has an automated system for generating S149 certificates which has worked effectively in allowing for fast and efficient processing of customer requests without removing Council's local knowledge and ability to quickly update data as development occurs. Many Councils would require assistance with updating their data to be consistent with other LGAs in order to allow for state-wide consistency and automation of planning certificates.

f) Planning Portal and Digital Solutions

The NSW Planning Portal has been increasingly suggested throughout the Issues Paper as a digital solution to current requirements of the Regulation and may aid in improving efficiency and removing administrative burden on planning authorities.

Comment:

While digital solutions including the Portal are supported in principle for notification, exhibition and correspondence, Council has frequently experienced issues with the function and performance of the Portal. The Planning Portal will need to be reviewed and updated if it is to be more widely used to support an increasing number of functions.

Increased reliance on digital solutions to reduce administrative burdens should be reflected through amendments which specify that processes such as public exhibition, notification and notices of determination can occur through digital mechanisms. Where the wording does not explicitly identify digital options, it is currently open to interpretation which defaults to hard copy practices. The Regulation should be clear that digital processes are permitted and encouraged as a key method of reducing administrative costs and burdens.

g) Contradictory Objectives of Review

The objectives of the review of the Regulation, as stated in the Issues Paper, are to reduce administrative burden and increase procedural efficiency, reduce complexity and establish a simpler, more modern and transparent planning system.

Comment:

In principle, Council supports the overall review of the Regulation and the need to simplify legislation to allow for more efficient processes within the NSW planning system. However, a number of the solutions suggested in the Issues Paper that aim to increase transparency are contrary to the objective of reducing administrative burden and improving procedural efficiency. The Department should carefully consider the administrative costs and burden to planning authorities associated with any solutions or amendments proposed.

IMPACTS

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

The Hills Future – Community Strategic Plan

Community Strategic Direction 7.2 requires Council to manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations. This submission will ensure that Council's views are represented through input into legislation that affects local issues.

RECOMMENDATION

This report be received and form the basis of The Hills Shire Council's submission to the Department of Planning and Environment on the *Review of the Environmental Planning and Assessment Regulation 2000 Issues Paper*.

ATTACHMENTS

Nil.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 14 November

VOTING FOR THE MOTION

Mayor Dr M R Byrne
Clr R A Preston
Clr B L Collins OAM
Clr R Jethi
Clr M G Thomas
Clr R K Harty OAM
Clr F P De Masi
Clr A J Hay OAM
Clr R M Tracey
Clr A N Haselden

VOTING AGAINST THE MOTION

None

ABSENT FROM THE ROOM

Clr E M Russo

ABSENT

Clr Dr P J Gangemi
Clr S P Uno

ITEM-6

REVIEW OF ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000 (FP85)

A MOTION WAS MOVED BY COUNCILLOR HASELDEN AND SECONDED BY COUNCILLOR PRESTON THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

587 RESOLUTION

This report be received and form the basis of The Hills Shire Council's submission to the Department of Planning and Environment on the *Review of the Environmental Planning and Assessment Regulation 2000 Issues Paper*.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Mayor Dr M R Byrne
Clr R A Preston
Clr B L Collins OAM
Clr R Jethi
Clr M G Thomas
Clr R K Harty OAM
Clr E M Russo
Clr F P De Masi
Clr A J Hay OAM
Clr R M Tracey
Clr A N Haselden

VOTING AGAINST THE MOTION

None

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 14 November

ABSENT

Clr Dr P J Gangemi
Clr S P Uno

CALL OF THE AGENDA

A MOTION WAS MOVED BY COUNCILLOR HARTY OAM AND SECONDED BY COUNCILLOR PRESTON THAT Items 8, 9, 10, 11, 12, 14 and 15 be moved by exception and the recommendations contained in the reports be adopted.

THE MOTION WAS PUT AND CARRIED.

588 RESOLUTION

Items 8, 9, 10, 11, 12, 14 and 15 be moved by exception and the recommendations contained in the reports be adopted.

ITEM-8

LOCAL TRAFFIC COMMITTEE RECOMMENDATIONS - OCTOBER 2017

589 RESOLUTION

Council adopt the recommendations of the Local Traffic Committee for October 2017 as detailed in the report.

ITEM-9

PROPERTY DEALINGS RELATING TO DEVELOPMENT MATTERS

590 RESOLUTION

1. Council consent to the cancellation of an easement to drain water 3.05 metres wide from the title of Lots 201 and 202 DP 1215125 (4 to 16 Stringer Road, Kellyville), and the associated request documents/ dealings be authorised for execution under Council seal.
2. Council consent to the release of a right of access 10 metres wide and variable width and an easement for drainage of water 7 metres wide from the title of Lot 4 DP 1213307 (George Street, Box Hill), and the associated 88B instrument be authorised for execution under Council seal.
3. Council consent to the release of a right of access variable width, a right of carriageway 6 metres wide and an easement for services 6 metres wide from the title of Lot 3 DP 1198070 and Lot 1 DP 1155389 (17 Serpentine Avenue and 62Z Barry Road, Kellyville), and the associated 88B instrument be authorised for execution under Council seal.
4. Council consent to the release of the easement to drain water 5 metres wide and an easement to drain water 10 metres wide from the title of Lot 17 DP 1198944 (Fairway Drive, Kellyville), and the associated 88B instrument be authorised for execution under Council seal.