

Environmental Health Referral Response - unsewered land

Application Number:	DA2024/1362
Proposed Development:	Demolition works and construction of mixed use hospitality venue with supporting car parking, servicing and landscaping works
Date:	14/04/2025
Responsible Officer	Claire Ryan
Land to be developed (Address):	Lot 180 DP 752017 , 40 Myoora Road TERREY HILLS NSW 2084

Reasons for referral

This application seeks consent for development upon unsewered land.

And as such, Council's Environmental Health and Protection officers are required to consider the likely impacts.

Officer comments

General Comments

In relation to the proposal as it relates to unsewered lands, the proposal documentation includes a letter from a licensed Water Servicing Coordinator which states *"Although Sydney Water's records indicate that there is no approval to connect, it is our opinion that this sewer is available for connection and has the capacity to service the proposed development."*

In regards to the proposal, there is no capacity within the site to install a private waste water system to service the development. Without a strict guarantee such as a Section 73 Compliance Certificate that the development is able to connect to the Sydney Water infrastructure, the proposal is not supported.

Updated comments - 14/04/2025

In reference to the previous referral response recommending refusal, the applicant has provided the following response:

"The Sydney Water Feasibility letter at Appendix J confirms:

- *The proposed development lies in the Terrey Hills Minor Service Extension (MSE).*
- *The MSE pressure system has sufficient capacity to service this proposed development.*

It is noted this will be reassessed during the S73 application, however demonstrates at this time sufficient capacity is available."

Environmental Health supports the proposal and recommends a deferred commencement condition requiring further approval to connect to the Sydney Water sewer network prior to development consent being permitted to operate.

Recommendation

APPROVAL - Subject to conditions

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Environmental Health and Protection Conditions:

DEFERRED COMMENCEMENT CONDITIONS

Sewer Infrastructure Connection

Prior to the operating of the consent, a Section 73 Approval under the Sydney Water Act 1994 must be obtained from Sydney Water .

Application must be made through an Authorised Water Servicing Coordinator with the Section 73 Approval certificate being forwarded to Council.

Reason: To ensure essential infrastructure is provided to service the site and minimise risks to the natural environment from effluent disposal.