

<b>DATE OF DETERMINATION</b>	23 May 2025
<b>DATE OF PANEL DECISION</b>	22 May 2025
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Judy Clark, Jeff Organ
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 14 May 2025.

#### **MATTER DETERMINED**

PPSSWC-490 - Hawkesbury - DA0409/24 - 361 Spinks Road, Glossodia - Subdivision - Staged subdivision to create 256 Torrens title residential lots and civil works associated with the creation of the lots and delivery of supporting infrastructure, including the upgrade of the adjoining Spinks Road intersection.

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters listed at item 8 in Schedule 1.

#### **Sewer and recycled water infrastructure**

The Panel noted that under the approved concept plan, all wastewater from the Jacaranda Estate will be treated at the Local Water Centre that will be built next to the estate by the Altogether Group and operated under the *Water Industry Competition Act 2006*.

In its assessment report, Council flagged that wastewater from the development may need to be pumped out and treated at another facility for a short period if the delivery of the Local Water Centre is delayed.

By its revised assessment report dated 21 May 2025 Council has advised the Panel that this potential arrangement is not a reason for refusing the DA because:

- The Altogether Group will be responsible for providing all on-lot wastewater infrastructure and associated network reticulation infrastructure for the development
- If the delivery of the Local Water Centre is delayed then all wastewater from the development will be pumped out from a centralised collection point within the network reticulation system, and not from individual residential lots.

While this arrangement might have been a concern, the Panel is comforted by condition 109 and the accompanying note read:

#### **109 Altogether Group Wastewater & Recycled Water Compliance Certificate**

An Altogether Group Compliance Certificate under the requirements of the Water Industry Competition Act 2006, confirming satisfactory arrangements have been made for the provision of wastewater, is to be provided prior to the issue of the Subdivision Certificate. The certificate must refer to this development consent and all of the lots created.

**Note:** The certificate must clearly state that sewerage services are connected.

The Panel is satisfied that with that condition, and in the context of Council's advice, sufficient arrangements have been entered into to manage the issue of sewerage reply.

The Council assessment report at page 2 advises that the conditions have been supplied to the Applicant for comment and no issue is reported to have been raised.

The Department is reported to agree with Council.

### **Development application**

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

### **REASONS FOR THE DECISION**

The Panel determined to approve the application for the reasons outlined in Council's revised assessment report, dated 21 May 2025.

In particular, the Panel concluded that:

- The development is consistent with the approved concept plan for the Jacaranda Estate
- The development is consistent with the provisions of the relevant environmental planning instruments, including the *Hawkesbury Local Environmental Plan 2012* and associated *Hawkesbury Development Control Plan 2002*
- Suitable arrangements are in place for the provision of essential infrastructure to the development, including wastewater infrastructure with a requirement for a compliance certificate issued for the waste water arrangements prior to the issue of a subdivision certificate.
- The impacts of the development are acceptable and can be controlled by the recommended conditions
- These conditions require the relevant remediation works in the approved concept plan for the Jacaranda Estate to be carried out prior to the issue of any subdivision certificates for the development
- The development will facilitate the delivery of essential housing in north-western Sydney, consistent with the strategic planning objectives for the area
- The development is in the public interest.

### **CONDITIONS**

The development application was approved subject to the recommended conditions, dated 21 May 2025.



### **CONSIDERATION OF COMMUNITY VIEWS**




Council exhibited the development application from 28 October to 25 November 2025 and received 3 submissions.

The submissions raised concerns about:

- Dam dewatering
- The provision of bus stops
- Stormwater management
- Traffic.

The Panel is satisfied that these issues have been adequately addressed in the Council's revised assessment report and recommended conditions.

PANEL MEMBERS	
Justin Doyle (Chair) 	Louise Camenzuli 

<p>David Kitto</p> 	<p>Judy Clark</p> 
<p>Jeff Organ</p> 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-490 - Hawkesbury - DA0409/24 - 361 Spinks Road, Glossodia
2	PROPOSED DEVELOPMENT	Subdivision - Staged subdivision to create 256 Torrens Title Residential Lots and Civil works associated with the creation of the lots and delivery of supporting infrastructure. The application includes the provision of urban infrastructure to the proposed lots and new internal roads with intersection treatment to Spinks Road.
3	STREET ADDRESS	No.361 Spinks Road GLOSSODIA (Lot 206 DP 1268299, Lot 205 DP 1268299, Lot 210 DP 1268299),
4	APPLICANT/OWNER	<p>Applicant: Mr M Johnson</p> <p>Owners:</p> <ul style="list-style-type: none"> <li>• Pace Land Holdings Pty Limited</li> <li>• Printsilk Pty Limited</li> <li>• Himbla</li> <li>• Rashka Pty Limited</li> <li>• Feecha Pty Limited</li> </ul>
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act 1979</li> <li>• Environmental Planning and Assessment Regulations 2021</li> <li>• Biodiversity Conservation Act 2016</li> <li>• Environmental Protection and Biodiversity Conservation Act 1999</li> <li>• National Parks and Wildlife Act 1974</li> <li>• State Environmental Planning Policy – (Biodiversity &amp; Conservation) 2021</li> <li>• State Environmental Planning Policy (Resilience &amp; Hazards) 2021</li> <li>• State Environmental Planning Policy (Transport &amp; Infrastructure) 2021</li> <li>• Hawkesbury Local Environmental Plan 2012 (LEP 2012)</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>• Hawkesbury Development Control Plan 2002 (HDCP 2002)</li> <li>• Hawkesbury Council Flood Policy 2020</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council Assessment Report: 9 May 2025</li> <li>• Total number of unique submissions received by way of objection: 3</li> </ul>

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"><li>Briefing: 25 November 2024<ul style="list-style-type: none"><li><u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto, Judy Clark, Jeff Organ</li><li><u>Council assessment staff</u>: Matthieu Santoso, Steven Chong</li><li><u>Applicant</u>: Michael Johnson</li></ul></li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report