



Council's Reference: DA2015/0096  
Northern Planning Panel Case No: PPS-2014NTH020

24 August 2021

Mr Paul Mitchell (Chairman)  
**Northern Regional Planning Panel**

[enquiry@planningpanels.nsw.gov.au](mailto:enquiry@planningpanels.nsw.gov.au)

Dear Paul

**DA2015/0096 Iron Gates Subdivision – re proposed Clause 55 Amendment to Concept DA**

I refer to the Northern Regional Planning Panel's (the Panel) briefing session of 18 August 2021 discussion of a proposed amendment/variation request, pursuant to clause 55 of the EP&A Regulation, for Development Application DA2015/0096 to be made a Concept Development Application.

The Panel is understood to be the consent authority for this Regionally Significant Development and therefore responsible for whether the amendment/variation will be accepted.

To assist the Panel, Council contends that:

1. it is reluctant to assume the Ministerial responsibilities for assessment of the SEPP71 master plan heads of consideration which come with this amended/varied development application.
2. acceptance of the amendment/variation will increase required resourcing by Council, and the Integrated Development approval bodies, as the application will require re-notification and re-assessment of another amendment/variation, to an already complex application, with the added responsibility to assume the Department's former role assessing the SEPP71 master plan heads of consideration. All this extra work does not attract additional application fees.
3. the master plan application was withdrawn by the applicant on 19 July 2021, an action taken by the applicant without prior consultation with Council.
4. the master plan application was lodged with the Department on 25 October 2014 and, despite ongoing negotiations with the applicant and various agencies, was undetermined due to several outstanding issues. The prospects of Council continuing these negotiations to achieving a different outcome are unlikely and will exhaust further resources.
5. the clause 55 amended/varied Concept Development Application has not been supported by sufficient information to satisfactorily address all the SEPP71 heads of consideration. Council's expectation is that the entire suite of documentation from the 6.5-year master plan process would be submitted. Yet the Concept DA Report accompanying the amendment/variation request only contains summarised content from the master plan application and is not supported by additional information to address outstanding issues.

Yours sincerely,

Angela Jones  
**Director Community Service Delivery**