

BRIEFING DETAILS

BRIEFING DATE / TIME	Monday, 6 September 2021, 12.00pm – 1.00pm
LOCATION	MS Teams videoconference

BRIEFING MATTER

PPS-2014NTH020 – Richmond Valley – DA 2015.096 - 240 Iron Gates Rd Evans Head - Subdivision of land to create 186 lots being: 178 residential lots, 3 public reserves, 2 fire trail lots and 3 residual parcels, associated works, infrastructure and the demolition of existing buildings

PANEL MEMBERS

IN ATTENDANCE	Paul Mitchell (Chair), Penny Holloway, Stephen Gow and Robert Hayes
APOLOGIES	None
DECLARATIONS OF INTEREST	None

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Tony McAteer, Angela Jones and Andy Edwards
DEPARTMENT STAFF	Kim Johnston, Amanda Moylan, Sung Pak, Lisa Foley and Jane Gibbs
APPLICANT	Aaron Gadiel, Graeme Inglis, Darryl Anderson

KEY ISSUES DISCUSSED

- Aaron Gadiel, the applicant’s legal representative, addressed the Panel on behalf of the applicant with regard to the request to amend the concept DA under clause 55 of the *Environmental Planning and Assessment Regulations 2000*.
- Clause 55 decision-making framework and use of discretionary powers to accept amended DA
- Distinction between clause 55 considerations and merit assessment relevant to DA determination
- Mr Gadiel advised that the request is not a merit assessment and it is within the scope of the Panel to accept the DA amendment.
- Merits of the development application are not legally relevant at this stage.
- Impact of widening of Iron Gates Drive on SEPP 14 wetland - Mr Gadiel confirmed that the application before the Panel doesn’t involve any works within the mapped SEPP 14 wetland, however this was irrelevant because it’s a merit issue to consider when determining the development application.
- Masterplan no longer required
- SEPP 71 considerations relevant at DA assessment stage
- Council has limited resources to assess new material