

DATE OF DETERMINATION	10 December 2025
DATE OF PANEL DECISION	10 December 2025
DATE OF PANEL BRIEFING	10 December 2025
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas
APOLOGIES	None
DECLARATIONS OF INTEREST	Council interest modification application

Papers circulated electronically on 3 December 2025.

MATTER DETERMINED

PPSSTH-485 - SHOALHAVEN - MA2025/1063 at Taurus Street BADAGARANG (Lot 1271 DP 1264383; Lot 1 & 3 DP 1281802; Lot 1, 2 & 3 DP 1289976; Lot 126 DP 1283303; Part Lot 240 DP 1295656; Lot 417 & 418 DP 1307813) – S4.55(2) to RA21/1003 - Amendments to the approved drainage strategy, including a new drainage pipe will be installed from the north-eastern corner to the outlet of Wetland A, adjacent to the western boundary of lots 550-555. The swale on the north will be updated to improve functionality. The upper wetland will be lowered by half a meter, with the outlet also adjusted accordingly. Changes will be made to the south-western swale to facilitate better flood management. And the removal of the 3-tiered sandstone wall. (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

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

Application for modification of consent

The Panel determined to approve the modification application pursuant to section 4.55(2) 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 the Council Assessment Report.

The Panel clarified that the reference to an additional 6 lots in the DCP compliance table was an error and noted that the proposal does not alter the approved lot yield.




CONDITIONS

The Modification Application was approved subject to the conditions in the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during public exhibition. The Panel notes that issue of concern related to the landscaping maintenance along Main Road.

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Juliet Grant
 Grant Christmas	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-485 - SHOALHAVEN - MA2025/1063
2	PROPOSED DEVELOPMENT	<p>Modification (s4.55(2)) to Approved Development</p> <p>S4.55(2) to RA21/1003 - Amendments to the approved drainage strategy, including a new drainage pipe will be installed from the north-eastern corner to the outlet of Wetland A, adjacent to the western boundary of lots 550-555. The swale on the north will be updated to improve functionality. The upper wetland will be lowered by half a meter, with the outlet also adjusted accordingly. Changes will be made to the south-western swale to facilitate better flood management. And the removal of the 3-tiered sandstone wall</p>
3	STREET ADDRESS	<p>Lot 418 & 417 DP 1307813 Taurus Street BADAGARANG</p> <p>Lot 240 DP 1295656 Taylors Lane Badagarang</p> <p>Lot 1271 DP 1264383 Main Rd Badagarang</p> <p>Lot 1, 2 & 3 DP 1289976 Main Rd Badagarang</p> <p>Lot 1 DP 1281802 Taylors Lane Badagarang</p> <p>Lot 126 DP 1283303 Alpha Rd Badagarang</p> <p>Lot 3 DP 1281802 Taylors Ln Badagarang</p> <p>formerly:</p> <p>Taylors Lane CAMBEWARRA – Lot 2 DP 1256748</p> <p>Taylors Lane CAMBEWARRA – Lot 1191 DP 1256749</p> <p>15A Main Road CAMBEWARRA – Lot 1271 DP 1264383</p> <p>126 Taylors Lane CAMBEWARRA – Lot 61 DP 1281131</p> <p>49 Hockeys Lane CAMBEWARRA – Lot 1 DP 1281802</p> <p>Taylors Lane CAMBEWARRA – Lots 2 & 3 DP 1281802</p> <p>41A Main Road CAMBEWARRA – Lot 1 DP 1289976</p> <p>Main Road CAMBEWARRA – Lot 2 DP 1289976</p> <p>15 Main Road CAMBEWARRA – Lot 3 DP 1289976</p> <p>41 Main Road CAMBEWARRA – Lot 4 DP 1289976</p>
4	APPLICANT/OWNER	<p>Applicant: The Trustee for NewPro 23 Unit Trust</p> <p>Owners: Shoalhaven City Council, NewPro 23 Pty Ltd, S A Hay, E J Reid, EW Mobbs</p>
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Shoalhaven Local Environmental Plan 2014 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Transport & Infrastructure) 2021

		<ul style="list-style-type: none"> • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Shoalhaven Development Control Plan 2014 • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council Assessment Report: 2 December 2025 • Written submissions during public exhibition: 1 • Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation: 10 December 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas ○ <u>Council assessment staff</u>: Elizabeth Downing, Justin Lamerton ○ <u>DPHI</u>: Amanda Moylan
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report