



DATE OF DETERMINATION	21 April 2026
DATE OF PANEL DECISION	21 April 2026
DATE OF PANEL BRIEFING	14 April 2026
PANEL MEMBERS	Chris Wilson (Chair), Grant Christmas, Juliet Grant, Amber Schutz, Mick Johnson
APOLOGIES	Vivian Straw
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 8 April 2026.

MATTER DETERMINED

PPSSTH-564 - EUROBODALLA - MDA0072/26 at 20 Heradale Parade, Batemans Bay (Lot 1 DP 1135117) – S4.55(2) to Modification to DA0593/23 – modification to increase basement, car parking, amend unit configuration and sewer/stormwater design (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 briefings 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 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 decision followed confirmation from the Council that the Applicant had provided an updated Design Verification Statement with the modification application. It was also noted that the Panel had previously inspected the site as part of its determination of the original development application in early 2025.

CONDITIONS



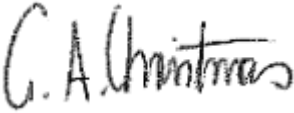

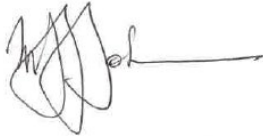
The modification application was approved subject to the amended conditions in the Council Assessment Report. The Panel did not require any changes to the recommended conditions of consent.

CONSIDERATION OF COMMUNITY VIEWS

In reaching its decision, the Panel considered written submissions made during the public exhibition. The Panel notes that issues of concern included:

- Bulk and scale
- Parking impacts

The Panel considers that concerns raised by the community have been adequately addressed through design outcomes or, where relevant, appropriate conditions of consent.

PANEL MEMBERS	
 Chris Wilson (Chair)	 Juliet Grant
 Grant Christmas	 Amber Schutz
 Mick Johnson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-564 - EUROBODALLA - MDA0072/26
2	PROPOSED DEVELOPMENT	<p>S4.55(2) to Modification to DA0593/23 – modification to increase basement, car parking, amend unit configuration and sewer/stormwater design to create:</p> <p>Demolition and construction of a Residential Flat Building (60) units (13 x 2 bed; 42 x 3 bed and 5 x 4 bed) including basement car parking for 107 vehicles (plus 3 car wash bays)</p> <p>To approved development: Demolition and construction of a Residential Flat Building (60) units (2 x 1 bed; 12 x 2 bed; 42 x 3 bed and 4 x 4 bed) including basement car parking for 88 vehicles (plus 3 car wash bays)</p>
3	STREET ADDRESS	20 Heradale Parade Batemans Bay (Lot 1 DP 1135117)
4	APPLICANT OWNER	M Alexander-Hatziplis Edam Properties Pty Ltd
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"> ○ State Environmental Planning Policy (Housing) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State Environmental Planning Policy (Sustainable Buildings) 2022 ○ Eurobodalla Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Batemans Bay Regional Centre Development Control Plan • 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: 8 April 2026 • Written submissions during public exhibition: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation: 14 April 2026 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Grant Christmas, Juliet Grant, Amber Schutz, Mick Johnson ○ <u>Council assessment staff</u>: Jordan Davies, Gary Bruce ○ <u>Applicant representatives</u>: Nicholas Grimes (Architect, Place Studio) ○ <u>DPHI</u>: Tracey Gillett

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report