

2 May 2025

**HEIR ASQUITH PTY LTD V SHOALHAVEN CITY COUNCIL**  
**Land and Environment Court Appeal - Case Number 2023/00263435**

**Development Application SF10921**  
**Inyadda Drive, Manyana – Lot 2 DP1161638; Lot 2 DP1121854; Lot 106 DP755923**

We refer to the appeal to the Land and Environment Court (“the Court”) brought by Heir Asquith Pty Ltd (“the Applicant”) against Council’s refusal of development application **SF10921** (“the DA”) for the subdivision of Lot 2 DP1161638, Lot 2 DP1121854 and Lot 106 DP755923.

On 30 April 2025 the Applicant was granted the leave of the Court to amend the plans submitted with the DA. Council now notifies the amended plans for 28 days from 2 May 2025.

**Revised Proposal:**

In broad terms the amendments include:

- Inclusion of a written clause 4.6 request to vary clause 4.1E of the *Shoalhaven Local Environmental Plan 2014* for minimum lot size.
- Inclusion of an updated Arboricultural Impact Assessment Report and Tree Protection Plan to clarify trees capable of retention and those required for removal.
- Updated Building Envelope Plans in accordance with updated Arboricultural assessment advice.
- Updated Biodiversity Development Assessment Report, including:
  - Details of updated survey.
  - Update to Plant Community Type classification in response to NSW policy updates to transitions arrangements for legacy PCT use.

The plans and associated documents can be accessed on Council's website [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au) by following the **Development Application Tracking link** (Track a DA) from Friday 2 May 2025 to Friday 30 May 2025.

Any person during the above exhibition period may make a written submission in relation to the development application detailing reasons for objection or support (making reference to SF10921). Submissions will be accepted on or before 30 May 2025 or may be made by email to [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au). Please put the application number **SF10921** in the title.

For information on the display of submissions, obligations to declare reportable political donations, submitting pre-printed form letters and petitions refer to Council's '*Community Consultation Policy for Development Applications*' which is available on Council's website under 'Policies'.

Further enquiries on this matter should be directed to Council's City Development Directorate on 1300 293 111.

**City Development  
Shoalhaven City Council**