



Chapter **N**?: **Berry** - East of the Princes Highway

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Based on Chapter N3: Berry West of the Princes Highway, and **Chapter S6: Town of Milton**

In good faith.

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1 Purpose

The purpose of this Chapter is to assist applicants and to identify matters to be assessed by Council when considering development applications for Berry and surrounds.

The town centre contains significant heritage buildings and places, and combined with a well-defined commercial and retail centre, Berry is a service centre for many surrounding rural and coastal communities.

2 Application

This chapter applies to the area known as the Berry Urban Area and immediate rural surrounds, as shown in Figure 1 below. This follows the Buffer Zone as designated in the National Trust Berry Township Urban Conservation Area.



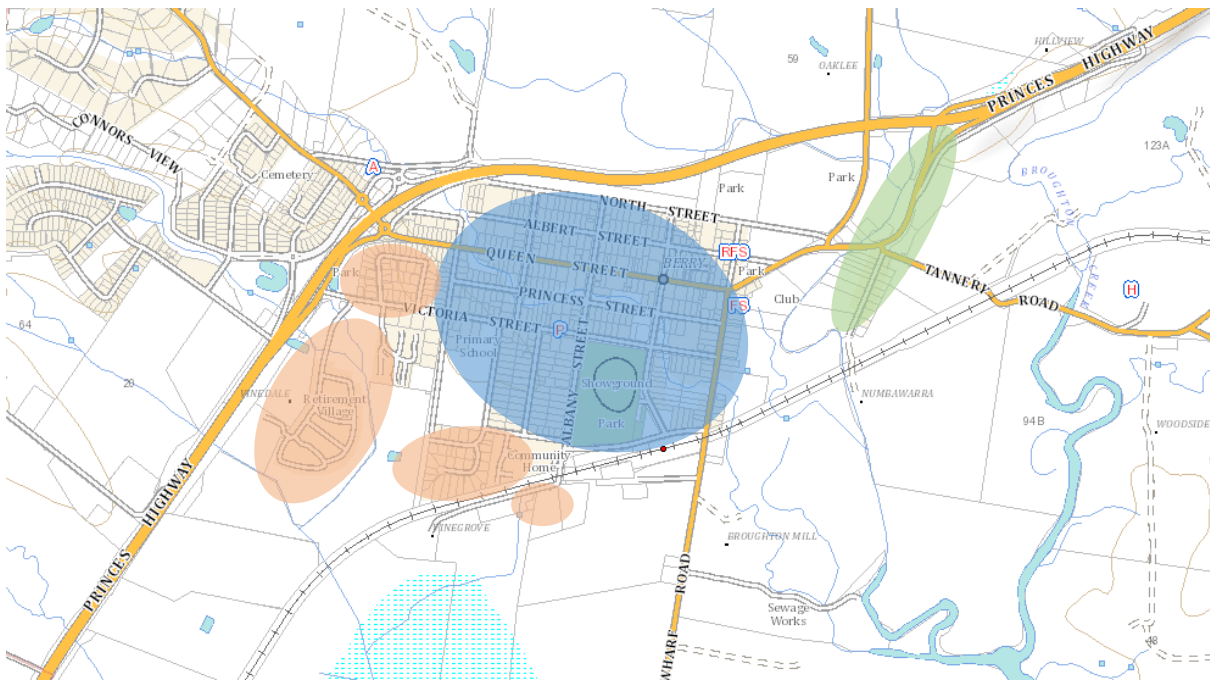
Figure 1: Area covered by this Chapter

Source: Princes Highway upgrade - Berry to Bomaderry, Roads and Maritime Services, Technical paper: Non-Aboriginal (historic) heritage p79.

3 Context

The area covered by this chapter is the town of Berry, east of the Princes Highway. It includes:

- the area of the first phase of the town's settlement, from the 1820s to the 1880s – the Pulman Street Heritage Conservation Area
- land that formed the second phase of the settlement of Berry, covering a rectangular grid four blocks by four blocks, oriented east-west with the main street running through the centre of the grid. In the 1890s the grid was extended further to the south towards the recently completed railway station. This area was the private town of Berry that was auctioned in 1912
- areas developed post 1950, to the south and west of the town grid
- a rural buffer zone.



*Figure 2: Indicative development periods:
Green – the original settlement (Pulman Street HCA)
Blue – the Historic Residential Precinct
Pink – post 1950s development.*

Berry forms the northern gateway to the Shoalhaven. It is a very popular place to live and visit given its historic, village, and community character and rural views. Berry also benefits from good connectivity to Nowra, Shellharbour and Wollongong.

The future of Berry will see appropriate growth that retains this character, complements its history and heritage, and brings opportunities for all ages and for future generations to experience and utilise - from local retail, health and aged care services to the retention of the agricultural lands that define the town's perimeters.

This area is separated from newer residential development by the Princes Highway (Berry Bypass). New development on the western side of the Highway presents opportunities to provide different forms of housing to that of historic Berry.

The planning objectives and controls within this Chapter build upon the themes and strategic priorities described within the community-led Roberts Day *Shoalhaven Character Assessment Report*.

4 Overall Objectives

The objectives are to:

- i. Enable Berry to grow and develop in a controlled and appropriate way
- ii. Ensure that future town centre development maintains economic viability, whilst contributing to maintaining the small, rural and unique character valued by existing residents and visitors
- iii. Ensure that new development respects the heritage character of the town, seeking to complement and not compete with the identified character of the Heritage Conservation Area, and the identified and potential heritage items
- iv. Enable established residential areas to retain their existing character values through new development, having complementary design elements
- v. Ensure that new residential development is sympathetic to the character of the existing town,
- vi. Protect the landscape setting of rural lands
- vii. Protect views and ensure that they form an important consideration for development, including views to, from and past the subject property, and incorporating the principles of view sharing (reasonable sharing of views)
- viii. Encourage built form and landscaping that provides a transition to the surrounding rural landscape; and
- ix. Ensure that Berry is well connected through foot and cycle pathways, as well as through pedestrian access thoroughfares and lanes within the town centre.

4.1 Existing character

The existing character of Berry has been defined in the *Shoalhaven Character Assessments Part 3: Character Statements*:

Leafy and surrounded by rolling countryside, Berry is a charming historic town, set within a rural landscape and undulating terrain that oozes sophistication. It is predominantly residential town with an established retail and commercial core, centred around a vibrant and busy main street. Newer development is located on the settlement edges, to the south and west.

Formal and traditional buildings and high-quality landscaping contribute to the rural village character of this town. Berry is the gateway to Shoalhaven and delights and welcomes with its unique and local offer of boutique shops, heritage hotels, cafes, galleries, and restaurants.

The character of the residential area east of the Princes Highway can be defined in more detail through five key precincts summarised below:

A. Town Centre Precinct/Queen Street Heritage Conservation Area.

This area is centred on Queen Street and contains many significant heritage buildings. One or two storeys predominate with views to the mountains from the main street. High traffic levels from day-trippers and associated parking are common. Small, retail shops are prominent in the town centre retail setting, with pedestrian thoroughfares providing for “hidden” opportunities.

Note: Around 60% of this area is covered by the Queen Street Heritage Conservation Area.

See Figure 3 below.

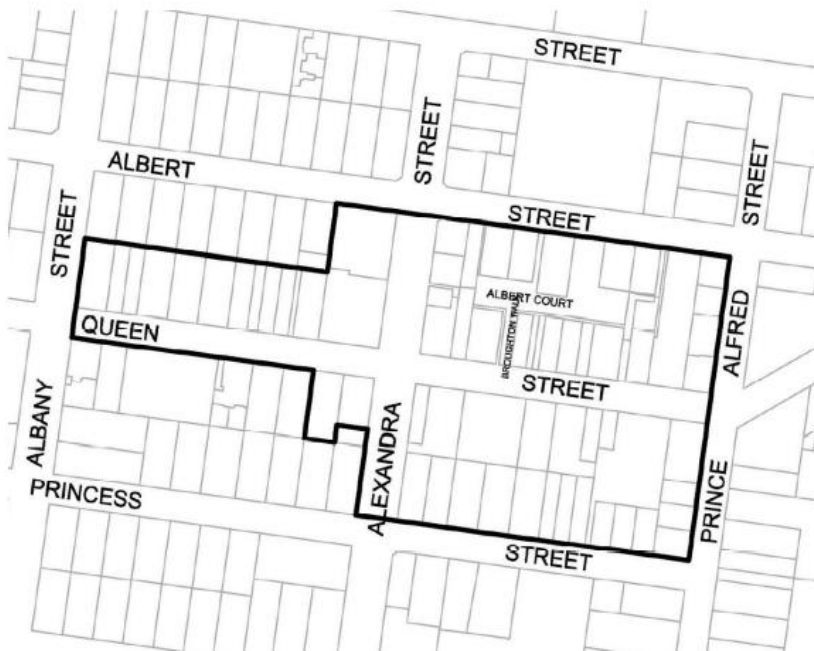


Figure 3: Berry Town Centre

B. Historic Residential Precinct:

The old residential area of Berry extends north and south from the main street – Queen Street. It has a well-established and recognised character primarily resulting from the rectangular grid of wide tree-lined streets, the high number of heritage buildings developed from around 1860, the significant views to the escarpment, and distinct well-defined edge which contrasts with the rural surrounds.

Berry demonstrates the historical progression from a private village, initiated and supported by the Berry Estate, to a public town governed by a local government authority. Many of the town's public areas were planned, including the Showground, the Post Office (at the Queen Street corner opposite Prince Alfred Street), the Courthouse, and two acres each for four churches located at each corner of the town. These key elements in a compact footprint remain, and are clearly identifiable, while the context of the town remains pastoral, with the well-defined boundary with the adjacent rural lands.

Berry's history is reflected in its buildings, many of which are heritage listed, including examples of the Victorian, Federation and Inter-war periods.

Houses, located on wide tree-lined streets with wide verges, are unpretentious low-rise, low-density homes, generally with pitched roofs of corrugated iron and detached garages that promote a rural feeling, and allow views to the surrounding rural countryside and escarpment.

Buildings are predominately weatherboard and brick, and include wood, metal, and traditional detailing. The grid pattern structure of the heritage core, consistency of the built form, moderate setbacks, colours and materials all contribute to the streets' spatial rhythm and formal and traditional character.

Streets have an open feel, with dwellings addressing the street with carports and garages typically to the rear of allotments. The Precinct also contains some newer villa developments, the railway station, and on its southern and western edges, a number of seniors living and aged care facilities.

Common design elements in the Precinct's built form are:

- Typically single storey dwellings
- Pitched roofs constructed of corrugated iron or tile
- Landscaped front setbacks of around 5-7m
- Mixed side setbacks, although most buildings are detached
- Detached garages
- Predominantly light-coloured timber weatherboard with occasional use of brick
- Either:
 - Generally asymmetrical plan form with projecting front room and porch, or
 - Traditional symmetrical single fronted dwellings with verandahs.

Some diversity of use exists through home businesses and tourist accommodation.

C. 1950s Residential Precincts:

To the south and west of the 1912 Berry town grid, are newer, post 1950s, more contemporary homes, often brick and tile. These developments tend to be on higher ground, avoiding low land subject to flooding, and have no spatial or visual separation from the town grid. While adding variety to the built form appearance, they are not all in keeping with Berry's heritage character. There are also newer areas of retirement living, and an aged care facility, to the southwest.

D. Pulman Street Heritage Conservation Area (HCA)

The first phase of the town's settlement, from 1820s to 1880s, is concentrated around a single intersection at Pulman Street and Tannery Road. Most of the buildings were located along Pulman Street, on the ridge between the two creeks. This original area of settlement was created as the Pulman Street Heritage Conservation Area on the Shoalhaven Local Environment Plan (LEP) in 2007.

E. Rural Surrounds Precinct

These four precincts are surrounded by areas that are highly visible from the town and which provide a notable characteristic of Berry and its rural history.

There is a clear boundary between the urban area and the pastoral landscape along both the north and southern sides of the town grid. This is partly because land is flood-prone and also because the Berry Bypass has been 'on the books' since 1966. The road bypass now forms a western and northern edge, and to the east are the two creeks and the Pulman Street HCA which conserves the original settlement on the ridge between the creeks.

Farms are predominantly associated with the dairy industry, some being heritage listed. The farms are characterised by rolling green hills, iconic silos, basic farm buildings utilising timber and corrugated iron as key materials, and by landscape features including landscape plantings for wind breaks and along roads.

The precinct also includes a range of non-agricultural uses, such as the David Berry Hospital, Berry Sport & Recreation Centre, Berry Recycling and Waste Depot, and the Berry Riding Club. These have varying character traits but fall outside the defined residential boundaries of the town and are often contiguous to the rural surrounds.

Other areas of Berry

To the north-west of the Historic Residential Precinct, west and north of the Princes Highway (Berry Bypass) is housing dating from 1950s-70s urban development, outside of, or inconsistent with, the Berry town grid, as well as larger lot developments along Kangaroo Valley Road.

There are also areas to the west of the Princes Highway, which might be termed an Emerging Residential Precinct – planning controls for these areas are covered by *Chapter N3: Berry West of the Princes Highway*:

- The residential sub-division of Huntingdale, in which development is governed by covenants. The area contains more recent high quality residential development with a fairly consistent architectural style. It provides for a different mix of lot sizes and has a character that is clearly differentiated from the old historic residential area of Berry east of the Berry Bypass.
- A newer sub-division development approved south of Hitchcocks Lane.

4.2 Desired future character

Consistent with the Roberts Day *Shoalhaven Character Assessment Report*, this Chapter promotes development that maintains heritage character, building materials, colour palette and detailing, as well as formal and well-kept landscaping and maintenance.

New development shall be sympathetic to the heritage and rural character of Berry, ensuring consistency with the heritage core's built form.

Berry, the 'Town of Trees', will continue to be an iconic heritage town that people love to live in and visit. The town values, respects and relies on its unique physical characteristics and rural, boutique character to attract visitors, which underpins its identity and economy.

Its historic and leafy setting, showcased through a consistent built form and material palette, will be maintained and reflected in future development, including higher densities. Formal and well-maintained trees and landscaping will continue to adorn the streets, and Queen Street will provide a curated, trendy and highly local offer. Berry will invite people to visit, play and stay, but not to the detriment of locals that use the centre every day.

(Source: *Shoalhaven Character Assessments Part 3: Character Statements*)

In the space of only two blocks, Berry's urban character transforms from an established Victorian main street, with high quality commercial and civic buildings forming a continuous street edge. In another three blocks, it transforms from an established 19th and 20th century residential area into a tranquil pastoral landscape.

The desired future character and objectives for each Precinct are summarised as follows:

4.2.1 Town Centre Precinct

The retail character will continue to create a unique shopping experience through small, independent and high-quality outlets. Larger internalised "shopping centre" type development, or retail chains, are discouraged.

Desired Future Character Statement:

Berry, the 'Town of Trees', will continue to be an iconic heritage town that people love to live in and visit. The town values, respects and relies on its unique physical characteristics and rural, boutique character to attract visitors, which underpins its identity and economy....

4.2.1.1 Desired future character

The desired future character of the town centre will include:

- Pitched roof and building form to match or be similar to adjoining and adjacent buildings
- Verandah elements
- Varied facades and articulation
- Built of a mix of lightweight materials, timber weatherboards and masonry with corrugated metal roofs
- Service area walls and similar site features designed to complement the architecture of the main buildings.

4.2.1.2 Town Centre Precinct Objectives

- Reinforce the role of Berry as a service centre
- Maintain the economic viability of the town
- Promote development that provides a unique shopping experience through small, independent and high-quality outlets
- Retain the built form and character traits of the established historic Berry Town Centre Heritage Conservation Area (HCA) in any new buildings or modification of existing
- Ensure that new development respects the heritage character of the town, seeking to complement and not compete with identified and potential heritage items
- Identify safe, accessible and efficient paths for pedestrians
- Provide for a new carpark in the vicinity of Berry Hotel with access off Princes Street, that forms a U-shaped vehicle circulation from the existing car park, and that may also be used at times as a public plaza for local events
- Develop a Public Domain Plan to guide the design of public spaces, street furniture and the like, that is compatible with the HCA
- Provide for commercial uses with active shopfronts on the properties facing Queen Street and residential uses on properties facing Princess Street.
- Encourage residential development in commercial areas through the construction of new mixed-use commercial/residential developments (shop-top housing)
- To provide building owners with sufficient guidance to carry out appropriate restoration and painting, with the ultimate objective of enhancing the heritage significance of the town.

4.2.2 Historic Residential Precinct

The second phase of settlement, after the 1880s, is structured around a rectangular grid, four blocks by four blocks, oriented east-west with the main street running through the centre of the grid. In the 1890s the grid was extended further to the south towards the recently completed railway station.

Desired Future Character Statement:

....Its historic and leafy setting, showcased through a consistent built form and material palette, will be maintained and reflected in future development, including higher densities...

(Source: *Shoalhaven Character Assessments Part 3: Character Statements*)

4.2.2.1 Desired future character

The desired future character of Berry will retain the key elements of the overall village feel predominately associated with maintaining existing character through careful consideration and interpretation of the key built form elements of the area including:

- Typically, single storey building scale
- Retaining heritage and other contributory buildings
- Low height and visually permeable fencing or hedges
- Maintaining key landscape features and views to rural surrounds
- Utilising setbacks that are consistent with the established setbacks in the immediate locality
- Utilising materials and colours that are consistent with the area
- Wherever possible, carports and garages are located to the side or rear of properties
- Maintaining separation from other urban areas to the west and north-west.

4.2.2.2 Historic Residential Precinct Objectives

- Retain the built form and character of the established historic Berry grid in any new dwellings or modification of existing dwellings
- Ensure that new development respects the heritage character of the town, seeking to complement and not compete with identified and potential heritage items
- Encourage home occupations and other permissible non-residential uses that promote the cottage industry feel of the area and which creates small scale employment opportunities.

4.2.3 1950s Residential Precincts

4.2.3.1 Desired Future Character:

Complement the historic character of Berry and highlight its natural attributes through high quality development. However, these residential areas should not be forced to mimic established areas, but to establish their own contemporary character based on area-wide DCP controls to ensure their overall scale does not detract from the views and character of the historic areas.

Controls will guide this character to ensure some continuity with the town.

4.2.3.2 1950s Residential Precinct Objectives:

- Provide residential development that reflects the build form scale of the broader Berry area but does not mimic the established residential areas
- Retain Berry's rural landscape and escarpment views, and avoid any new residential development becoming prominent either from the Princes Highway, or in existing views from the town
- Provide for a walkable neighbourhood, with attractive and functional open spaces, convenient and enhanced walking and cycling links to basic consumer retail necessities, and a safe and efficient traffic network
- Development that encourages social interactions and fosters community connections.

4.2.4 Rural Surrounds Precinct

The significance of the relationship between the heritage quality of Berry and the surrounding landscape lies in the contrast between the flood prone alluvial flats with the foothills of the escarpment beyond.

The productive pastoral landscape dating from first European settlement is represented by early vernacular buildings, dairy sheds, concrete silos, nineteenth and twentieth century plantings along fence lines, and drainage schemes which demonstrate the settlement and land use patterns and the history of the pastoral industry in the area.

These are integral to the historic and social significance of Berry.

4.2.4.1 Desired Future Character:

On areas zoned for rural purposes, continue to maintain the core elements of the existing character, being open, productive and well-defined built form and landscape treatments.

Use of existing prominent materials of rural development would continue, while productive agricultural land would be retained in the long-term for food production.

On land zoned for other purposes, such as the small industrial area in Old Creamery Lane, and for development with substantial built form such as schools or aged care, proposals will be low and open in scale, utilising materials and styles that are consistent with the rural context and incorporating landscape features that softens views to the site.

4.2.4.2 Rural Surrounds Precinct Objectives:

- i. To maintain the open rural views from existing urban areas
- ii. To emphasise the existing built form and character for new development
- iii. To allow for other forms of permissible development that provides sympathetic response to the rural setting and softens the visual impact through retaining a small scale and incorporating appropriate landscape design.

5 Response to Climate Change

In Australia, the average life of a brick home is 88 years, and a timber home is 58 years. Many homes in Berry are built from durable timbers and can last much longer. Research suggests that we will experience more days of extreme heat in summer and there will be longer periods of drought over southern Australia.

Housing design needs to respond to potential impacts from a changing climate:

- Ensuring enough space for extra rain or stormwater storage
- Additional roof insulation
- Building more substantial footings under a deck so it can easily take the weight of a roof if more shade is needed around the house
- Creating a cool outdoor retreat in your home, ideally located on the cooler, southern side or in the central part of your home, with additional shading and insulation
- Deciduous trees on the north and west sides of the house, or pergolas with vines
- Roof space ventilation
- Awning over windows
- Light coloured wall and roof colours
- Lawn instead of concrete.

(Source: yourhome.gov.au Australia's independent guide to creating sustainable homes for the future.)

5.1 Landscaping

Shrubs, plants and trees contribute to cooling the air by providing shade to buildings and reducing the impact of solar radiation. Trees also help cool the planet by absorbing carbon dioxide as part of their photosynthesis process and by evaporating water into the air.

5.1.1 Landscaping objectives

The objectives are to:

- i. Respond to climate change by providing sufficient space for soft landscaping (green space around buildings).
- ii. Maximise opportunities for landscaping on private property to soften the appearance of the built form and provide streetscapes that are sensitive to the character of Berry.

- iii. Enhance the landscape qualities of the area and reinforce the character of Berry as “the Town of Trees”.
- iv. Where development is adjacent to the Berry gateways, provide new landscaping with an emphasis on maximising soft landscaping features (green space around buildings) and enhancing the natural environment sympathetic with existing character.
- v. Create attractive streetscapes that reflect a sense of place and maximise landscaping opportunities.
- vi. Protect important landscape views by complementing landscaping and tree planting in the public domain.

5.1.2 Performance Criteria and Acceptable Solutions

Performance Criteria	Acceptable Solutions
<p>Limit building footprints and ensure a balance between built and landscaped elements to reduce the ‘heat island’ effect, and</p> <ul style="list-style-type: none"> a. provide outdoor space for residents and green space around buildings and: b. reflect the well-landscaped character of Berry, and c. add interest and appeal to the neighbourhood, and d. assist in managing stormwater and microclimate impacts, and e. support biodiversity. 	<p>At least 35% of the lot must be landscaped area.</p> <p>Each landscaped area shall have a minimum dimension of 1.5m in any direction.</p> <p>Landscaping is not to consist of monoculture planting.</p> <p>A minimum of one (1) tree must be planted in the front or rear yard of each housing lot. The location of the tree to be planted is to be shown on the site plan. Alternatively, retaining an existing, healthy tree on the subject lot will fulfil this requirement.</p> <p>Consideration should be given to planting deciduous trees to allow for access to winter sunlight to living areas and private open space areas.</p> <p>Site Analysis Plans / Site Plans submitted with the development application must show the extent of landscaped area and nominate the location of any trees to be retained or planted.</p> <p>Planting to reflect a sense of place and be compatible with the character of Berry:</p> <ol style="list-style-type: none"> 1. Maximise soft landscaping opportunities on street verges and in front yards 2. Minimise the visual dominance of hardstand areas and ensure vehicle access does not interfere with landscaping opportunities. <p>A Landscape Plan shall be submitted with any DA.</p>

The Landscape Plan is to be prepared by a suitably qualified person and comply with the requirements of this Chapter and Chapter G3: Landscaping Design Guidelines of this Development Control Plan.

Landscaping minimises site disturbance.

Existing mature trees on site are retained wherever possible.

If trees are removed, they must be replaced with advanced suitable specimens at a rate of 1:4.

Monoculture planting is not supported.

The Landscape Plan considers bushfire risk.

Note: Landscaped areas must be pervious (capable of water infiltrating through and capable of growing plants or grass) in accordance with the landscaped area definition in Shoalhaven Local Environmental Plan 2014.

A landscaping species list for Berry contains a list of trees and plants chosen to suit the local climate and compliment the culture and aesthetics of the town. Other tree species will also be considered.

5.2 Amenity and Sustainability

Sustainable house design provides comfortable, healthy and efficient homes that save residents' energy, water and money (by reducing ongoing running costs).

5.2.1 Amenity and sustainability objectives

The objectives are to:

- i. Respond to climate change by mechanisms including energy-efficient building design, and suitable building materials to mitigate the 'heat-sink' effect.
- ii. Ensure high quality dwelling design to provide amenity to residents and neighbours.
- iii. Provide useable outdoor areas, to provide residents with a range of health and lifestyle benefits.
- iv. Encourage water and energy efficient dwellings.

Note: Sustainable house design is recognised as a priority in the community-led Berry Strategic Plan. Good resources to assist with energy efficient, cost-effective sustainable house design include:

- yourhome.gov.au, and
- builtbetter.org Designing efficient dwellings includes considering size to meet household needs. Smaller

homes can cost less to build and reduce waste, enhance energy efficiency, reduce bulk and character impacts and increase diversity, contributing to greater affordability and housing choices for a range of households.

5.2.2 Performance Criteria and Acceptable Solutions

Performance Criteria	Acceptable Solutions								
<p>New development promotes energy and water efficiency through its design, construction and use</p>	<p>Development should allow for natural rather than mechanical ventilation and incorporate the principles of passive solar design.</p> <p>Development should allow solar access to public spaces between the hours of 10am and 3pm on any day.</p> <p>If the roof and/or paved areas proposed as part of your development exceed 30m², detailed drainage plans and an onsite detention system for stormwater is to be provided.</p>								
<p>Ensure any subdivided lot can accommodate an efficient and comfortable dwelling that is consistent with the desired character of the area.</p>	<p>The minimum width of lots complies with Table 1.</p> <p>Table 1: Minimum lot widths*</p> <table border="1" data-bbox="810 1099 1345 1435"> <thead> <tr> <th data-bbox="810 1099 1150 1200">Lot type</th> <th data-bbox="1150 1099 1345 1200">Minimum lot width*</th> </tr> </thead> <tbody> <tr> <td data-bbox="810 1200 1150 1267">Lot $\geq 400\text{m}^2 \leq 500\text{m}^2$</td> <td data-bbox="1150 1200 1345 1267">12m</td> </tr> <tr> <td data-bbox="810 1267 1150 1335">Lot $\geq 500\text{m}^2$</td> <td data-bbox="1150 1267 1345 1335">16m</td> </tr> <tr> <td data-bbox="810 1335 1150 1435">Corner lots (primary street frontage)</td> <td data-bbox="1150 1335 1345 1435">20m</td> </tr> </tbody> </table> <p>* Measured at the front building line</p> <p>Note: The desired character of the area, including building lines/setbacks is described in Section x of this Chapter.</p>	Lot type	Minimum lot width*	Lot $\geq 400\text{m}^2 \leq 500\text{m}^2$	12m	Lot $\geq 500\text{m}^2$	16m	Corner lots (primary street frontage)	20m
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Lot $\geq 500\text{m}^2$	16m								
Corner lots (primary street frontage)	20m								
<p>Ensure homes are designed to be energy-saving.</p>	<p>The orientation of dwellings, location of living areas and the positioning, size and shading of windows and other openings should take advantage of free sunlight and air movement (breezes) to passively (naturally) heat and cool rooms.</p> <p>Roof colour choice is to minimise solar heat gain.</p> <p>See Roof Colour Guide attached.</p> <p>Note: As a general rule, design living spaces to take advantage of northern sun in winter (and exclude summer sun</p>								

through eave design, pergolas, trees etc.) and place bedrooms on the southern side for cooling comfort.

Minimise or shade west-facing windows to living areas which receive hot afternoon summer sun, or locate utility rooms (garages, storage, laundries etc) on the western side of homes.

Considering site specific opportunities such as views and access to breezes is another important factor in passive design. Passive design also focuses on increasing natural ventilation opportunities, contributing to healthy indoor air.

Additional information on passive design for homes (maintaining comfortable indoor temperatures naturally) can be found at:

www.yourhome.gov.au/passivedesign

For new dwellings, the installation of a rainwater tank, a minimum of 6000 L in size, is required for stormwater detention with 100% of the roof area of the dwelling draining to the tank.

Note: Larger rainwater tanks may be required to satisfy BASIX (Building Sustainability Index) requirements and stormwater detention functions. Council allows up to 50% of the BASIX rainwater tank volume to be included in the Onsite Stormwater Detention volume storage. Additional rainwater tank guidance can be found in Chapter G2: Sustainable Stormwater Management and Erosion/Sediment Control of this Development Control Plan. Reuse of stormwater generated by development is encouraged, and rainwater can be used to minimise potable water usage for outdoor use, and toilets and laundry.

Ensure dwelling design minimises noise impacts from the Princes Highway and protects residential amenity.

Dwellings should be designed and constructed to minimise noise in living and sleeping areas and private open space areas.

6 Overall Controls

6.1 Aboriginal cultural heritage

Berry was originally known as Broughton Creek (the creek being navigable up to the town) then in 1890, it was re-named Berry in honour of David Berry. The creek, and thus the original settlement appears to have been named after Broughton, an Aboriginal man who assisted Berry in his South Coast ventures. It is documented that Broughton said that he was born in the area between Broughton Creek and Broughton Mill creek, and it appears that Aboriginals camped along all local creeks and waterways.

6.1.1 Aboriginal cultural objectives

The objective is to:

- i. Where relevant, ensure consultation with Aboriginal people and organisations is carried out in relation to development that may affect Aboriginal cultural and Depending on the scale of a proposed development, and location, commission a study to locate any areas that may contain artefacts indicative of Aboriginal settlement.
- ii. Ensure that Aboriginal cultural heritage is celebrated where appropriate.

6.1.2 Performance criteria and acceptable solutions

Performance Criteria		Acceptable Solutions	
P1	Impacts to culturally significant places and/or objects are avoided. Where culturally appropriate, Aboriginal cultural heritage and knowledge is incorporated into project design or interpretation.	A1.1	An Aboriginal Heritage Information Management System (AHIMS) search is undertaken prior to any major excavation works.
		A1.2	Acceptable solutions will vary as each situation requires an individual approach. The Proponent may be required to consult with stakeholders and gather culturally appropriate responses.

6.2 Public domain

Public domain areas will form a consistent component of each development to ensure consistency and connection between the built form and public space. Within the town centre and on key access routes, the public domain would link to other publicly accessible areas, even through private land where such linkages are available (or otherwise enabling for future allowance for such linkages where not available).

Improved pedestrian circulation around the town centre and adjoining precincts is important to the commercial success of the village centre and in allowing visitors and locals to explore the area in relative comfort.

Access to and from on-street car parking and Boongaree Nature Play Park and the town centre will be improved through public domain works. The **Public Domain Plan** identifies the extent of proposed public domain works in the town centre area.



Figure 4: Public Domain Plan [to be replaced]

These works are dependent on Council funding or private development. It is noted that some areas of private land are included in these plans as being conceptual locations for public domain improvements corresponding with the **Town Centre Master Plan**. Development of these areas shall be subject to agreement with the relevant owners and Council.

6.2.1 Public domain objectives

- i. Clearly define and enhance town entrances. Entrance roundabouts on Queen Street to form a focal point in terms of landscaping. Street plantings of large trees of consistent species from the entrance roundabouts to the town centre to reinforce Berry as the “Town of Trees”. Trees selected should be similar to the types planted at the turn of the 20th century.
- ii. Link on-street parking areas along North Street to the town centre
- iii. Reinforce building heights with a maximum height of two-storeys along the Queen Street frontage and stepping down to lower levels for new buildings further from the main street
- iv. Improve pedestrian accessibility and comfort as key future directions. Streetscape improvements with provision of space for planting of trees similar to those planted at the turn of the 20th century to reinforce Berry as the “Town of Trees”.
- v. Install a sympathetic range of street furniture (seats, tree guards, light standards, garbage bins, signs etc.) selected to complement each other and the town’s character.
- vi. Allow for expansion of the town centre through infill development, ensuring that views through the town to the Illawarra Escarpment are not compromised
- vii. Retain the existing architectural style and patterns of use that have resulted in the mix of small retail outlets/shops
- viii. Provide improved connectivity to existing infrastructure such as local parks, the Showground and the swimming pool through clearer pedestrian connections
- ix. Investigate closing off the southern end of Prince Alfred Street to physically link Apex Park to the Queen Street Precinct, to provide enhanced pedestrian access and to display the key historic buildings on the corner to greater advantage

6.2.2 Performance criteria and acceptable solutions

Performance Criteria	Acceptable Solutions
<p>Development in the Berry Town Centre minimises conflict between residential and commercial activities.</p>	<p>Properties which face onto Princess Street should be used for housing and should complement the residential streetscape.</p> <p>Properties which face onto Albert Street should be used for development that is compatible with the adjacent residential zoned area. This could be for housing, professional services, or service type retailing.</p>
<p>Development in the Berry Town Centre promotes active frontages to pedestrian areas including car parks.</p>	<p>Frontages to the internalised pedestrian mall (Broughton Mall) are to be used for commercial or retail purposes and incorporate active shopfronts.</p> <p>Uses of the public car park support the retail core and encourage outdoor dining and display activities.</p> <p>Accessible paths of travel across and through the car parks are clearly marked and signed.</p> <p>Blank walls and other uninviting spaces at street level to be avoided.</p> <p>Seating, lighting, special paving, planting and artworks may be provided in plazas, malls and courtyards.</p> <p>Outdoor seating and dining areas face on to the pedestrian mall but do not impact accessible paths of travel.</p>
<p>Deliver an overall public domain plan in the Town Centre Precinct to other areas.</p>	<p>Develop a Master Plan for Berry that respects its historic character.</p> <p>Public Domain Plan to be produced, to include:</p> <ol style="list-style-type: none"> a. Consistent footpath paving design b. Historical planting scheme c. a sympathetic range of street furniture (seats, tree guards, light standards, garbage bin, signs etc.) selected to complement each other and the town's character.
<p>Implement the Public Domain Plan</p>	<p>Allocate appropriate funding to implement the Master Plan over a 5 year period.</p>

6.3 Views

The underlying topography of Berry provides for an opportunity to facilitate views to the Illawarra Escarpment to the north and west. This will maintain the town's rural character and historic role as a rural service centre. At many intersections, the street grid frames views to the north and west in the middle distance and the horizon. Key views exist through existing road reserves, between existing buildings and from the rear of commercial properties with frontages to Queen Street and Alfred Street.



Figure 5: Key views with heritage and aesthetic values, relating to the escarpment and the pastoral landscapes

6.3.1 Views objectives

The objectives are to:

- i. Protect important views of natural and pastoral landscapes and minimise visual impacts from development.
- i. To provide generous building setbacks to corners and along streets where views can be maintained or enhanced along existing road reserves
- ii. Encourage any new development to utilise existing or potential views through private land
- iii. Avoid the blocking of views from existing development, and embrace the principles of view sharing (reasonable sharing of views)
- iv. Give consideration to the impact of streetscape elements such as street trees and furniture on existing views.

6.3.2 Performance Criteria and Acceptable Solutions

Performance Criteria	Acceptable Solutions
Retain significant short and longer distance views from the town grid to surrounding areas	Potential views identified in Views plan at Figure 5 are promoted through greater building setbacks and careful site

	<p>planning and building design to enable new view opportunities to be created and reinforced.</p> <p>For development with the potential to impact important views, photo montages or artist impressions are to be provided at DA lodgement.</p>
Respect views from existing development in the design and implementation of new development	New development makes reasonable allowance of view sharing through application of the NSW Land and Environment Court's Planning Principles relating to view sharing (lec.nsw.gov.au).
Ensure development is not visually intrusive when viewed from approaches to the town	Development proposals demonstrate consistency with prevailing building heights.

6.4 Contributory streetscapes and buildings

Outside the Heritage Conservation Areas (HCAs):

- a) the streetscapes, and
- b) isolated listed heritage items and
- c) unlisted historic buildings which contribute to the character of Berry,

remain vulnerable to unsympathetic development.

The *Shoalhaven Heritage Study* (Freeman 2003) noted that:

- The scale, character and continuity of the streetscapes
- The integrity and significance of contributory elements
- The patterns of land use, and
- The ability of a precinct to demonstrate the architectural, landscape or planning principles underlying the statement of significance must be retained.

Many buildings within the historic residential precinct of Berry contribute to the character and amenity of the town that is highly valued by residents and visitors. Buildings that contribute to the character of the area, including heritage and non-heritage listed buildings, should be retained where possible, adaptively re-used or integrated into future development should their current use cease to function. Council may offer incentives to reach agreed objectives e.g. increase in Floor Space Ratios (FSR).

The underlying principle is that loss of, or unsympathetic alteration to the surviving traditional elements of, contributory buildings and/or the construction of new unsympathetic building fabric, would erode the heritage significance and character of the area as a whole.



Figure 6: Heritage and high contribution buildings [to be replaced]

6.4.1 Contributory streetscapes and buildings objectives

The objectives are to:

- i. Retain the existing character of Berry by retaining heritage and other contributory buildings.
- ii. Protect and respect any adjacent heritage listed items.

6.4.2 Performance Criteria and Acceptable Solutions

Performance Criteria	Acceptable Solutions
Wherever possible, contributory buildings are retained, adaptively re-used or form part of new development	Contributory buildings, as identified in the Contributory Buildings Plan at Figure 6, are integrated into future development in a way that maintains the key character elements of the existing building/s, and contribution to the streetscape is maintained. The contribution of non-contributory buildings in the area or streetscape is maintained.
Low visual contribution buildings are encouraged to be redeveloped to provide a more appropriate streetscape and design response to the locality	The detrimental impacts of non-contributory buildings in the area or streetscape are reduced or removed. Redevelopment of sites containing low visual contribution buildings, as identified in the Contributory Buildings Plan at Figure 5, will involve the complete or partial demolition of the existing building and redevelopment to the relevant built form standards of this DCP.

6.5 Parking, access and circulation

Parking for vehicles is recognised as a major issue in the town centre, with existing on-street parking areas regularly at capacity. Future development in and around the town centre should contribute to the consolidation of car parking areas into a number of key locations that minimise visual intrusion to local residents. Sufficient short-term parking needs to be available for local residents and for passing trade.

Direct pedestrian access needs to be provided to the town centre from longer term parking. Parking for bicycles or electric scooters should be located in dedicated areas, and in conjunction with a consistent selection of street furniture.

Access to and around the town centre should be facilitated by well-signed, clear, consistent and safe thoroughfares and pathways, providing separation from traffic and servicing areas where possible. Circulation routes around the town centre should be provided at ground level through publicly accessible verandahs and walkways.

Outside the town centre, development associated with a demand for car parking should provide an appropriate level of parking on-site or under an acceptable arrangement to Council and in accordance Council policy.

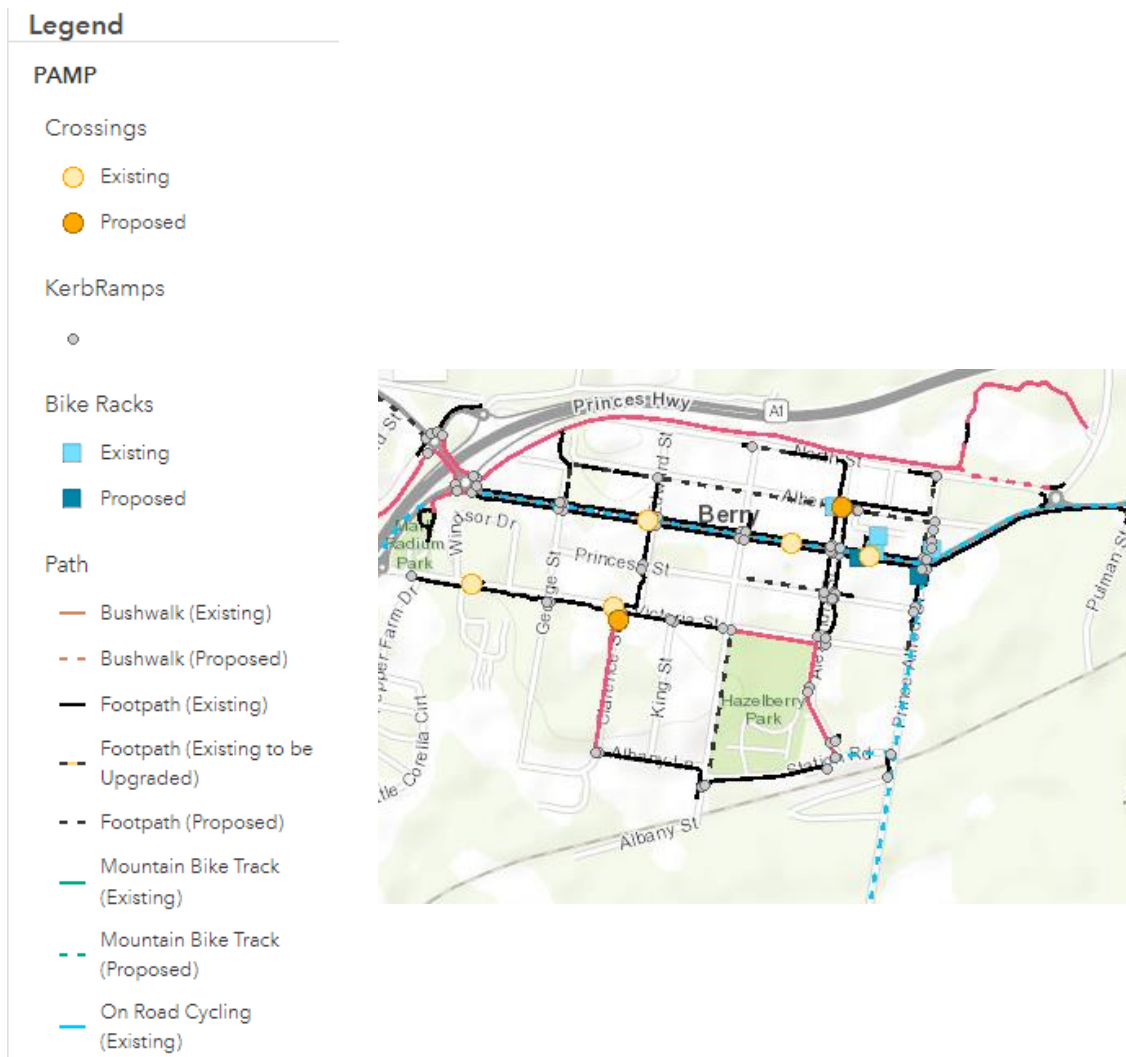


Figure 7: Pedestrian Access and Mobility Plan (PAMP) [to be replaced given implications from the introduction of HCAs, and Boongaree Nature Play Park]

6.5.1 Parking, access and circulation objectives

The objectives are to:

- i. Create a compact, accessible and connected town centre where vehicle parking is not visually dominant
- ii. Locate and provide for consolidated vehicle parking areas that are easily accessible to the town centre via convenient pedestrian thoroughfares
- iii. Continue to provide for parallel on-street parking that is accessible and safe, with time limitations at certain times, in the town centre and in other localities where required
- iv. Develop policies for parking and footpaths that recognise the unique circumstances in the HCAs e.g. kerb and guttering, and footpaths do not impact trees
- v. Ensure development that is outside the town centre provides adequate parking within the development site
- vi. Encourage the use of bicycles or electric scooters through the provision of conveniently located cycle parking areas in key locations.

6.5.2 Performance Criteria and Acceptable Solutions

Performance Criteria	Acceptable Solutions
Pedestrian access between Queen Street and parking areas is provided to facilitate convenient and comfortable pedestrian movement.	<p>Pedestrian thoroughfares are provided in accordance with locations identified in the Access and Circulation plan at Figure 7, and in accordance with other requirements of this DCP; and</p> <p>Pedestrian thoroughfares are designed to meet accessibility standards – AS for Access and Mobility (NCC).</p> <p>Activation of the space to ensure safe, direct and efficient access including direct line of sight and minimum width of 3.0m between the proposed building and site boundary where a shared thoroughfare is proposed, or a total width of 5.0m where the thoroughfare is provided entirely within a site</p>
Widen footpath areas in Queen Street where possible when additional alternative parking has been supplied	The footpath kerb to be extended into the road pavement area to provide additional public pedestrian areas, and to provide space for landscaping with large historic exotic trees
Safe pedestrian linkages to public car parks and other commercial properties area provided.	Pedestrian routes are direct and minimise potential conflicts with vehicles.
Design and location of site and waste facilities minimises their impact on the public domain and complements the village character.	<p>Sufficient space must be provided for retail refuse storage away from pedestrian through routes.</p> <p>Refuse storage must be screened from view wherever reasonable and feasible.</p>

<p>Pedestrian access and parking is not to be impeded by refuse storage and collection.</p>	<p>Refuse collection is not to impact parking.</p> <p>In the Queen Street HCA, the area used for servicing is restricted to the area that would normally be used to access a domestic garage.</p>
<p>Pedestrian access through private land is provided to facilitate movement along desire lines that are not associated with streets.</p>	<p>Pedestrian access is provided in accordance with pedestrian circulation lines as outlined in the Access and Circulation plan at Figure 7 whether at ground (or upper levels) where possible; or</p> <p>Alternative pedestrian access arrangements are identified, including potential for future connections, to facilitate movement through private sites in the Town Centre Precinct.</p>
<p>Car parking for future development outside the HCAs shall be private car parking.</p>	<p>Future private car parking design must consider provision of connections between each property.</p> <p>Future private car parking design considers the provision of a single driveway access from Queen Street to minimise pedestrian/traffic conflict.</p>
<p>Satisfactory servicing is provided for development.</p>	<p>Disabled parking is provided to Australian Standards.</p> <p>Adequate loading and unloading facilities are provided.</p> <p>Dimensions for service vehicle access and service bays must comply with the Australian Standard.</p> <p>Provision to be made for underground electricity and telephone services with any extension of supply being at developer's expense.</p>
<p>Café seating/footpath eating is safe and does not impact on accessible paths of travel.</p>	<p>For café seating adjacent to vehicle flow, a physical barrier must be installed between the seating and the vehicle flow.</p>
<p>Sufficient car parking is provided for café seating/footpath eating.</p>	<p>Outside of the HCAs, additional off street car parking for café seating/footpath eating must be provided as follows:</p> <ol style="list-style-type: none"> a. Where the café seating/footpath eating does not exceed 30% of the approved indoor eating area no addition car parking required. b. Where the café seating/footpath eating does not exceed 100% of the approved indoor seating area no

	<p>additional car parking required for the first 30% and then half the car parking requirement for the remaining area.</p> <p>c. Where the café seating/footpath eating exceeds 100% of the approved indoor eating area no additional car parking required for the first 30% and then half the car parking requirement for the remaining area plus the full rate over 100% of the approved indoor eating area.</p>
<p>In the town centre, lighting that is adequate, low maintenance, and in character with the HCA is to be provided.</p>	<p>Development should provide adequate lighting for public spaces.</p> <p>Exterior light should be architecturally integrated with heritage building style, material and colours.</p> <p>Exterior lighting should be vandal resistant.</p> <p>Exterior lighting should be an energy-efficient design where possible.</p>

6.6 Verandahs and awnings

Photographs dating from the turn of the century clearly show verandahs facing the Queen Street frontage, both on commercial and residential buildings. On commercial buildings, the verandah was located over the footpath and of one or to storey construction. Corrugated iron was used for roofing.

Verandahs and awnings help to define active street frontages and improve the pedestrian amenity through protection during wet weather or through provision of shade in summer.

6.6.1 Verandahs and awnings objectives

The objectives are to:

- i. Provide awnings to street frontages in the town centre with consideration of heritage, views and design consistency

6.6.2 Performance criteria and acceptable solutions

Performance Criteria	Acceptable Solutions
<p>New buildings, or additions to existing buildings, provide for pedestrian comfort, interest and safety.</p>	<p>Awnings provide continuous overhead weather protection along the pedestrian mall and retail shop corridors</p> <p>Awnings are to be provided to active uses to the street, pedestrian thoroughfares and public spaces in the Town Centre Precinct with design to consider impacts on heritage, visual intrusion on key views or view loss</p>

Awning are cantilevered from buildings or provided with posts to the street frontage to best match surrounding awnings where applicable; and

Location of any posts associated with awnings are to consider proposed or future use of the footway and allowances made for reasonable pedestrian accessibility (generally being a minimum clearance of 2.4m); and

Awnings shall be setback a minimum of 0.5m from the street edge to avoid conflict with vehicles utilising the adjoining roadway.

6.7 Active frontages

In the town centre, an active street frontage is a business or retail use that opens directly to the footpath.

The location and use of entrances to buildings and individual shops also provides an important component of activating streets and providing legible spaces for customers.

Within heritage buildings, entrances should be located in the original main entrance location, activating the street as far as possible. Where dual entrances to shops are proposed, any street access should remain in permanent use and be designed as the primary access point rather than internalising entrances away from public spaces.

Active frontages to streets and other public areas such as car parks and thoroughfares, are an important component, providing activity, and ensuring interest, safety and amenity for pedestrians.

Similar principles apply for residential dwellings. Generally ensuring that dwellings address the street and are not dominated by parking and garages is important to ensure passive surveillance and a sense of community.

6.7.1 Active frontages objectives

The objectives are to:

- i. Maximise activation of streets, public spaces and car parking areas in retail and commercial areas;
- ii. Encourage residential development in commercial areas through the construction of new mixed use commercial/residential developments.
- iii. Ensure building entrances are primarily focused to the street;
- iv. Ensure building entrances meet the accessibility standards - AS Access and Mobility (NCC)
- v. In situations where multiple frontages are proposed, from streets and thoroughfares for example, to ensure that additional non-street entrances are utilised as a secondary access points or alternatively activated through glazed walls; and
- vi. Ensure residential dwellings address the street in terms of windows/doors, pedestrian access and visual connection at street level.

6.7.2 Performance criteria and acceptable solutions

Performance Criteria	Acceptable Solutions
<p>Primary access to retail or other uses at the street level is located on the street frontage</p>	<p>Primary access to individual retail or similar spaces is to be located on the street frontage wherever possible; and</p> <p>Where applicable, secondary access is to be provided to other publicly accessible spaces such as thoroughfares; or</p> <p>Where secondary access is not practical, walls to public spaces should maximise glazing to provide visual connection between internal and external areas, subject to maintaining the heritage character of the building/contribution to the heritage streetscape.</p>
<p>Residential dwellings are designed to provide reasonable street activation</p>	<p>Some living spaces, internal or external, are provided to the street frontage, with clear indication of pedestrian entry location and front door; and</p> <p>Garages do not dominate the streetscape, being located to the side or rear of properties in the Established Historic Residential Precinct and in accordance with Chapter G12 - Dwelling Houses, Additions and Ancillary Structures in other areas.</p>
<p>To encourage new mixed-use commercial/ residential development to contribute to enlivening public spaces and improving safety and security</p>	<p>The ground floor of the development contains active retail/commercial uses facing pedestrian areas.</p> <p>Separate entrances are provided for each use.</p> <p>The length and amount of blank walls that can be seen from the street is minimised</p> <p>Rear and side facades that are visible from public areas or neighbouring properties should be designed with similar detailing to be consistent with the principle facades of the building.</p> <p>Car parking areas are available to residents.</p> <p>Access to natural light and ventilation for each habitable room must be provided, in accordance with NCC requirements.</p> <p>Noise insulation is to be used with particular focus on shared ceiling/floor and walls, in accordance with NCC requirements.</p>

The design of the development should encourage casual surveillance of any service lanes as well as public spaces.

	<p>Dwellings look over and address street frontages to:</p> <ul style="list-style-type: none"> a. Encourage social interactions. b. Make the interface between public and private areas safe and attractive. c. Allow more space for a landscaped front yard. d. Improve street presentation 	<p>Dwellings are sited to face the street with visible front entries and with a habitable room/s fronting the street.</p> <p>Dwelling design features that encourage people to use their front yard spaces are promoted.</p> <p>Note: Features such as porches, verandas, decks, balconies, pergolas, and front gardens encourage people to use their front yard spaces and encourage neighbourhood interactions, making for friendly, safe and attractive streetscapes.</p> <p>On corner lots, dwellings must address both the primary and secondary road frontage.</p>
	<p>Boundary fencing is of a high quality, promotes safety and surveillance and does not detract from the streetscape or public domain.</p>	<p>All fences adjoining the public domain (public spaces such as streets and the drainage reserve) must contain open elements that make them at least 50% transparent.</p> <p>Picket or woven wire fencing is preferred, with a maximum height of 1.2m.</p> <p>Hedge to have a maximum height of 1.2m, and species chosen must be non-invasive and of the type planted in the early 20th century.</p> <p>Colorbond™ or solid timber paling or lapped / capped fencing can only be used internally between dwellings.</p> <p>Note: Refer to: Chapter G12: Dwelling Houses and Other Low Density Residential Development and Chapter G13: Medium Density and Other Residential Development of this Development Control Plan for more fencing provisions.</p>
	<p>Unless villa development, dwellings are to face towards streets to provide casual observation over public spaces, improving safety and amenity.</p>	<p>Dwelling layout enables dwellings to face and look over streets.</p>

6.8 Materials

Berry's Town Centre Precinct commercial and civic buildings have a strong and relatively consistent character through the following use of materials and finishes:

- painted brickwork, or rendered and painted brickwork with string courses are the most common wall material
- horizontal weatherboards
- 6" square ceramic tiles
- double-storey buildings usually had French doors to provide access onto the upper verandah
- pediments and quoins picked out in different colours
- corrugated iron roofing; and
- timber framed windows and doors, often with multiple panes.

These materials present as robust and strong building elements which should be complemented in new development.

In residential areas, the relatively consistent character is supported by use of the following materials and finishes:

- horizontal weatherboards
- corrugated iron roofing with steep pitches; and
- timber framed windows and doors, often with multiple panes
- single storey dwellings with verandahs
- muted colours.

6.8.1 Materials objectives

The objectives are to:

- i. Restore the historic style and form of materials and finishes wherever possible
- ii. Utilise a limited range of materials and colours on any individual building
- iii. Avoid the extensive use of any single material or blank walls through appropriate use of windows/doors, variety of materials and articulation
- iv. Utilise high quality and durable materials and finishes; and
- v. Avoid use of primary and incompatible colours.

6.8.2 Performance criteria and acceptable solutions

Performance Criteria	Acceptable Solutions
The historic style and form of materials in the HCAs is encouraged	Wherever possible, the shiny appearance of unfinished aluminium frames is discouraged, and Large areas of windows and doors are discouraged.
In the town centre area, use materials and styles that are consistent with existing heritage commercial development	For commercial and retail development, use a range of materials that are consistent with, or have a design intent that reflects the traditional use of materials in the area, paying particular

	<p>attention to the immediate surrounding buildings; and</p> <p>Utilise colours that are consistent with the heritage values of the area; and</p> <p>Ensure blank facades are avoided, or where necessary and consistent with longer-term development, provide short term solutions such as the use of public art or murals to reduce the building mass</p>
In residential areas, use materials and styles that are consistent with existing residential development	<p>Use wall cladding materials, such as timber, fibre cement sheeting or similar, and avoid the use of extensive face brick in the Historical Residential Precinct and</p> <p>Utilise pitched roof designs with corrugated roof sheeting; and</p> <p>Avoid use of strong colours, and use colour sets consistent with surrounding properties or other historical colour schemes used in the Berry area.</p>
Materials used in development within the Rural Surrounds Precinct responds to the visual impact of the development and reflects local rural and heritage design traits of the area	<p>Agricultural buildings and dwellings should be designed to typically include pitched roofs consistent with the immediate surrounds, include overhangs and have corrugated roof sheeting; and</p> <p>New agricultural sheds and ancillary buildings are to avoid prefabricated “Colorbond™” type construction unless the building would not be visible from the town and approaches/or complies with these guidelines.</p>

7 Character

Preserving the existing character is an important consideration for new housing development in Berry.

Heritage-sensitive design can interpret or reference certain character features from period homes and traditional streetscapes but does not need to exactly replicate heritage facades and make new buildings appear as if they were old (ICOMOS Burra Charter 2004).

The following controls do not provide rigid requirements to reproduce historical architecture in a modern setting, but offer flexibility to accommodate a range of dwelling designs compatible with the local character of Berry.

Good design adds to local character by respecting and enhancing features that make a place special.

Key recommendations from the Roberts Day *Shoalhaven Character Assessments* for Berry are to maintain existing character, rated as *Highly sensitive to change*.

7.1 Desired future character

The desired character for Berry is to provide well designed buildings that are cohesive with traditional streetscapes, and which have generous landscaped areas, consistent with Berry as the “Town of Trees” and with requirements for Climate Change. (See Section 5.)

In Heritage Conservation Areas, advertising, fences, colours etc. should be used wherever possible to maintain the heritage character, and scale and form of new development should not dominate the streetscape. (See guide on suitable colour schemes.)

Planning controls in this Section focus on setting guidelines for bulk, height and scale of development, and optimising provision of soft landscaped areas (green space around buildings). Plentiful areas of soft landscaping (including trees, shrubs, gardens and lawns) are a defining feature of Berry.

Original fences should be retained or reinstated. The traditional fence found in the Town Centre was an open picket fence, usually painted white.

7.1.1 Character objectives

The objectives are to:

- i. Ensure new development is to be sympathetic to the existing heritage, rural and fine grain character of Berry, ensuring cohesiveness to heritage-built form attributes
- ii. Consistent heritage style buildings, materials, colour palette and detailing
- iii. Formal and well-kept landscaping and maintenance
- iv. Preservation of views
- v. Sensitive material and colour choice
- vi. Provision of generous landscaping
- vii. Designing homes to have a similar or lesser bulk and scale to existing houses.

7.1.2 Performance Criteria and Acceptable Solutions

Performance Criteria	Acceptable Solutions
Development in Heritage Conservation Areas	<p>For development relating to an item of heritage significance (as identified in Schedule 5 of the Shoalhaven LEP (SLEP) 2014), or which is in the vicinity of items of heritage significance, a Statement of Heritage Impact (SoHI) is to be prepared by a person with the necessary skills and experience to prepare assessments for councils. These include Heritage Officers, Heritage Advisors and suitably qualified consultants.</p> <p>The detail provided in the Statement of Heritage Impact (SoHI) is related to the scale of the development proposed.</p> <p>Development conforms to best practice heritage management, and Heritage Office guidelines, to produce good design and liveable streetscapes.</p> <p>Development has a positive effect on the character of the Heritage Conservation Area.</p>

	<p>Development on sites containing non-contributory buildings, or unsympathetic existing buildings, is an opportunity to improve the contextual design and visual impact of the site to reinforce the character of the Heritage Conservation Area.</p> <p>Adaptive re-use is encouraged, where it is suitable and does not unreasonably diminish the heritage value of the item or adjacent items.</p>
<p>With alterations or additions, wherever possible in the Heritage Conservation Areas, heritage character should be restored.</p>	<p>The dominant design elements of identified heritage items should be reflected in new development.</p> <p>Elements including awnings, tiling, window style and materials should be restored wherever possible.</p>
<p>New buildings, or additions to existing buildings, are complementary in form to the heritage characteristics of adjacent development.</p>	<p>For development relating to an item of heritage significance as identified in Schedule 5 of the Shoalhaven LEP (SLEP) 2014, or which is in the vicinity of items of heritage significance, a Statement of Heritage Impact is to be prepared.</p> <p>The SoHI is to be prepared by a person with the necessary skills and experience to prepare assessments for councils. These include Heritage Officers, Heritage Advisors and suitably qualified consultants.</p> <p>New developments adjacent to items of heritage significance are designed in a way that respects the stated significance of the item and does not diminish its significance.</p> <p>Height, bulk and scale of new development is complementary to adjacent items and does not overwhelm the heritage item.</p> <p>Where an item of heritage significance is to be adapted for reuse, modifications to allow for disabled access are to maintain stated significance.</p>
<p>New development complements existing heritage structures in a modern context.</p>	<p>Development should make efficient use of sites and apply the principles of environmentally sustainable design without compromising the heritage significance of heritage items or historic streetscape.</p> <p>Ground floor levels along the pedestrian mall and retail shop corridors in the town centre provide windows, entrances, architectural details and ornamentation.</p> <p>Buildings maintain the visual importance and setting of heritage items through</p>

	<p>minimising overshadowing and privacy, landscape and visual impacts.</p>
<p>Fences should be retained or reinstated</p>	<p>New development should use picket fences to infill the side setback between buildings or to surround planting beds.</p>
<p>Advertising signs can be visually destructive to the streetscape and are discouraged</p>	<p>Private business and advertising signs should be restrained, in keeping with the scale and character of the building they are attached to and not detract from the streetscape.</p> <p>Advertising signs in HCAs, or immediately adjacent to HCAs, require a DA on the attached form and in accordance with attached guidelines.</p> <p>In HCAs, suitable materials include painted wood, and painted flat metal sheets. Period letter styles should be used as a guide. Signs should be spot lit rather than self-illuminating.</p> <p>Advertising signs should not conflict with the shape of the building or conceal important details.</p> <p>Developments display fewer, more effective signs to reduce visual complexity.</p> <p>Signs do not unduly obstruct pedestrian movement on footpath areas.</p>
<p>New residential development to have complementary design elements sympathetic to the character of the existing town through being of an appropriate scale and style</p>	<p>Small typical single storey building scale</p> <p>Utilises setbacks that are consistent with the predominant setbacks in the immediate locality</p> <p>Utilises materials and colours that are consistent with the area</p> <p>Locates carports and garages to the side or rear of properties, wherever possible</p>
<p>New housing supply is to highlight Berry's natural attributes.</p>	<p>Protects views and ensure that they form an important consideration for development, including views to, from and past the subject property, and incorporating the principles of view sharing</p> <p>Built form and landscaping that provides a transition to the surrounding rural landscape.</p> <p>Protects important escarpment views and rural vistas.</p>
<p>New development is to mimic the original grid street pattern.</p>	<p>Maintains the original grid street footprint and separation from other urban areas to the west.</p>

7.2 Building Form – Bulk, Height and Scale

The height of a building, combined with other attributes such as roof pitches, setbacks and scale, has a direct bearing on how the building is perceived from public spaces such as roads and parks.

Within the town centre, the height of buildings plays an important role in enhancing view corridors along Queen Street and outward to pastoral and mountain views, as well as emphasising the character of the area.

Coordinating building height and scale can also give definition to the street character and provide a sense of enclosure that is desirable in town centres. For the Berry town centre area, this is best served by a relatively uniform building height and scale that relates well to other building and provides appropriate definition to the street.

Outside Berry's commercial spine, residential structures in the established historic area tend to be modest and low-key in style, generally one storey, utilising pitched roofs and having extensive garden areas at the front and/or rear.

Building height should be of relatively low, reflect the prevailing character of the area, with single storey dwellings being predominant, some with smaller areas of a secondary storey typically set back from the street.

7.2.1 Building form objectives

The objectives are to:

- i. To maintain the distinction between residential and commercial buildings, providing particular delineation between the town centre commercial core along Queen Street and surrounding residential areas.
- ii. To maintain consistency in the built form of commercial buildings in the Town Centre Precinct, the use of sympathetic built form, and details including parapets, awnings and windows/doors is encouraged.
- iii. To provide a graduation of height and scale of commercial buildings in the Town Centre Precinct, with larger buildings along Queen Street and reducing gradually as they move away main street to protect views and integrate with residential scale beyond.
- iv. Provide dwellings similar in bulk and scale to existing development in Berry.
- v. To adopt lower building forms in keeping with the historical low-key residential development of the locality, utilising the key attributes of existing development, including roof pitch, fencing and scale in residential areas.
- vi. To provide consistency to residential front and side setbacks. Provide sufficient space around dwellings for landscaping, front and rear yards and to soften the visual impacts of buildings and hard surfaces.
- vii. Promote attractive and varied streetscapes that reflect a sense of place.
- viii. Provide a range of housing types and sizes to suit a wide range of households and encourage smaller-sized dwellings on small lots to improve housing choice and mitigate any potential impacts on the streetscape.

7.2.2 Performance Criteria and Acceptable Solutions

Performance Criteria	Acceptable Solutions
New buildings, or additions to existing buildings, are complementary in form to the heritage characteristics of the town centre.	Have verandah elements such as awnings to active shopfront areas. Have facades that are varied and articulated to provide visual interest.

	<p>Are built of a mix of lightweight materials, timber weatherboards and masonry and have corrugated metal roofs.</p> <p>Have service area walls and similar site features that are designed to compatible with the architecture of the main building(s)</p>
<p>Height of buildings and roofing is consistent with adjoining buildings or desired future character</p>	<p>Commercial and retail building heights will generally be limited to one or two storeys.</p> <p>Buildings generally have a pitched rooves and the form, pitch and parapet height of new buildings/additions should match or be similar to adjoining and adjacent buildings (generally between 32 and 45 degrees);</p>
<p>Town Centre Precinct commercial development shall maintain the consistency of built form along Queen Street, reducing in scale as it moves away from this central spine to reflect the surrounding residential scale.</p>	<p>In the town centre, new buildings should be consistent with adjoining development (or the likely future development where this can be demonstrated), matching where practical to the parapet, awning and similar built form features and details.</p>
<p>Housing is comparable in bulk and scale to existing development, to maintain amenity for residents and neighbours and protect the village character of the area.</p> <p>The bulk and scale of a dwelling is proportionate to lot size.</p>	<p>The maximum gross floor area of all buildings on a lot must not exceed 50% of the lot area.</p> <p>Note: For guidance on calculating gross floor area (including exclusions) see the definition in Shoalhaven LEP 2014.</p>
<p>Design of residential dwellings in the Historic Residential Precinct shall be generally consistent with prevailing built forms. A combination of hipped and gabled roofs is often found on buildings in the Historic Residential Precinct.</p>	<p>Dwellings shall be predominantly single storey. Use of dormer windows and any smaller scale second storey of buildings are to be set back from the dwelling frontage.</p> <p>Height of residential development shall otherwise be consistent with the provisions of Chapter G12 - Dwelling Houses, Additions and Ancillary Structures or equivalent Council policy and relevant Local Environmental Plan provisions.</p> <p>Dwelling mass shall be broken down into smaller elements, avoiding long and large areas of continuous walls (10m or more), and using built form elements such as verandahs with individual roof elements.</p>
<p>Adequate separation is provided between buildings to provide for natural light, solar access, ventilation, landscaping, views and</p>	<p>Side setbacks are progressively increased in accordance with Table 7 and Figure 17 to reduce bulk and overshadowing impacts while maintaining adequate sunlight and</p>

privacy and to reduce the potential visual impacts of development.

ventilation to adjoining dwellings and private open spaces.

Table 1: Side setbacks for dwelling houses

Lot width	Minimum side setback
9m or less	900mm on each side
Greater than 9m	One minimum side setback equivalent to 10% of the width of the allotment, up to a maximum of 2.5m. 900mm on the remaining side.

Where a single storey garage is detached, side setback may be 900mm.

For dual occupancy or semi-detached dwellings, side setbacks to the boundaries of neighbouring lots are to be 10% of the width of the allotment, up to a maximum of 2.5m.

Provide adequate on-site car parking for dwellings whilst minimising the visual dominance of garages, car parking spaces and hardstand driveways on the streetscape.

As much as possible, limit the amount of hardstand area used for driveways, parking and vehicle circulation.

Maximum area for driveways is 50m²

Double driveway entrances are not permitted.

Older style strip driveways with soft landscaping in between the tracks is encouraged.

Permeable paving for driveways and parking spaces can be considered to support stormwater infiltration with the choice of product to be approved by Council's Engineering Section. Areas of permeable paving will not be counted as landscaped area.

A garage door opening is a maximum of 6.0m.

Note: The character of Berry is reflective of its history and many of the historic dwellings were built before households had cars. Modern dwellings with multiple car parking spaces need to provide parking structures and driveways to provide complementary streetscapes, with parking recessed on the side or at the rear of the property.

	<p>On-site car parking and vehicle access is to be provided in accordance with the Generic Chapters (in particular Chapter G21: Car Parking and Traffic) in this Development Control Plan.</p> <p>Before constructing a driveway, you need to obtain a Section 138 approval permit to undertake construction.</p>
<p>Encourage new development that provides visual interest to the streetscape and is sympathetic to the surrounding landscape.</p>	<p>Building design shall use features and details of building elements to add visual interest and a balanced appearance to facades.</p> <p>The length of unbroken walls and / or continuous glazing (windows) is to be minimised, and is to be a maximum of 10m.</p> <p>Building articulation with lightweight materials is encouraged to minimise the appearance of the built form and reduce unnecessary building bulk.</p>

7.3 Architectural character and roof design

Whilst the size and scale of a building plays a major role in establishing spaces and relationships, with adjacent buildings, individual architectural character plays an important role in creating a memorable and enjoyable experience.

In Berry, there is a strong architectural character relating to the periods of growth in the town including:

- a) Early growth period, around 1880 - 1900, particularly around the intersection of Queen Street and Prince Alfred Street.
- b) 1900 – 1950s, Federation and California bungalows.
- c) Post-World War II period, when further residential growth occurred throughout the town.
- d) Modern growth, around 1970.

Windows and door openings tend to be spaced well apart and have vertical proportions of 2:1. Use of windows tends to be simple and regularly spaced without undue complexity. Consistency of architectural character within various precincts should be sought through materiality, colour and style.

7.3.1 Architectural character objectives

The objectives are to:

- i. New development is to respond sympathetically to the character of the surrounding area with respect to architectural detailing, identifying the key elements and ensuring complementary design.

7.3.2 Performance Criteria and Acceptable Solutions

Performance Criteria	Acceptable Solutions
<p>Roof treatments are integrated into the building design, making a positive contribution to the streetscape and minimising urban heat island effects.</p>	<p>Hipped and gabled roofs shall be used, generally matching surrounding properties, typically between 32 and 45 degrees; and</p> <p>Minimum roof pitch is to be 30 degrees for hips and gables.</p> <p>Roof materials and colours that minimise the retention of heat from the sun are encouraged. Roof colours and materials must be chosen to minimise glare to neighbours and stark, highly reflective white and bright colours are not appropriate due to the visually sensitivity of the area.</p> <p>Solar panels should be placed so that they are not visible from the street.</p> <p>Note: Roof design is a key external house feature and needs to balance many factors to optimise building performance and add to streetscape character.</p> <p>Important considerations when designing a roof include appearance, bulk, climate (wind, drainage), eave design, internal space (ceiling heights and servicing space), insulation, maintenance, budget and solar collector efficiency.</p>

8 Advisory Information

8.1 Other legislation or policies you may need to check

Note: This Section is not exclusive, and you may be required to consider other legislation, policies and other documents with your application.

Council Policies & Guidelines	<ul style="list-style-type: none">• Shoalhaven Contributions Plan 2019
External Policies & Guidelines	<ul style="list-style-type: none">• Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013 (Burra Charter)• Berry Community Strategic Plan 2016, The Berry Forum and partners• Built Better: the low carbon living knowledge hub for a better built environment, Swinburne University of Technology, CRC for Low Carbon Living & Global Buildings Performance Network: builtbetter.org/• Development Near Rail Corridors and Busy Roads – Interim Guidelines 2008, NSW Department of Planning• EPA Road Noise Policy 2011, Department of Environment, Climate Change and Water NSW • Planning for Bushfire Protection, NSW RFS• Your home: Australia’s guide to environmentally sustainable homes, Australian Government: yourhome.gov.au
Legislation	<ul style="list-style-type: none">• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004• State Environmental Planning Policy Exempt and Complying Development Codes• State Environmental Planning Policy (Infrastructure) 2007 (cl.102 Impact of road noise or vibration on non-road development).
Guides	Local Government Heritage Guidelines NSW Heritage Office www.environment.nsw.gov.au