

Explanatory Document

2024 Berry Heritage Review Planning Proposal (PP075) to amend Shoalhaven Local Environmental Plan (LEP) 2014

Subject Land

The subject land includes eighteen (18) proposed heritage listings and one (1) proposed Heritage Conservation Area (HCA) within the town of Berry as identified in Figure 1.

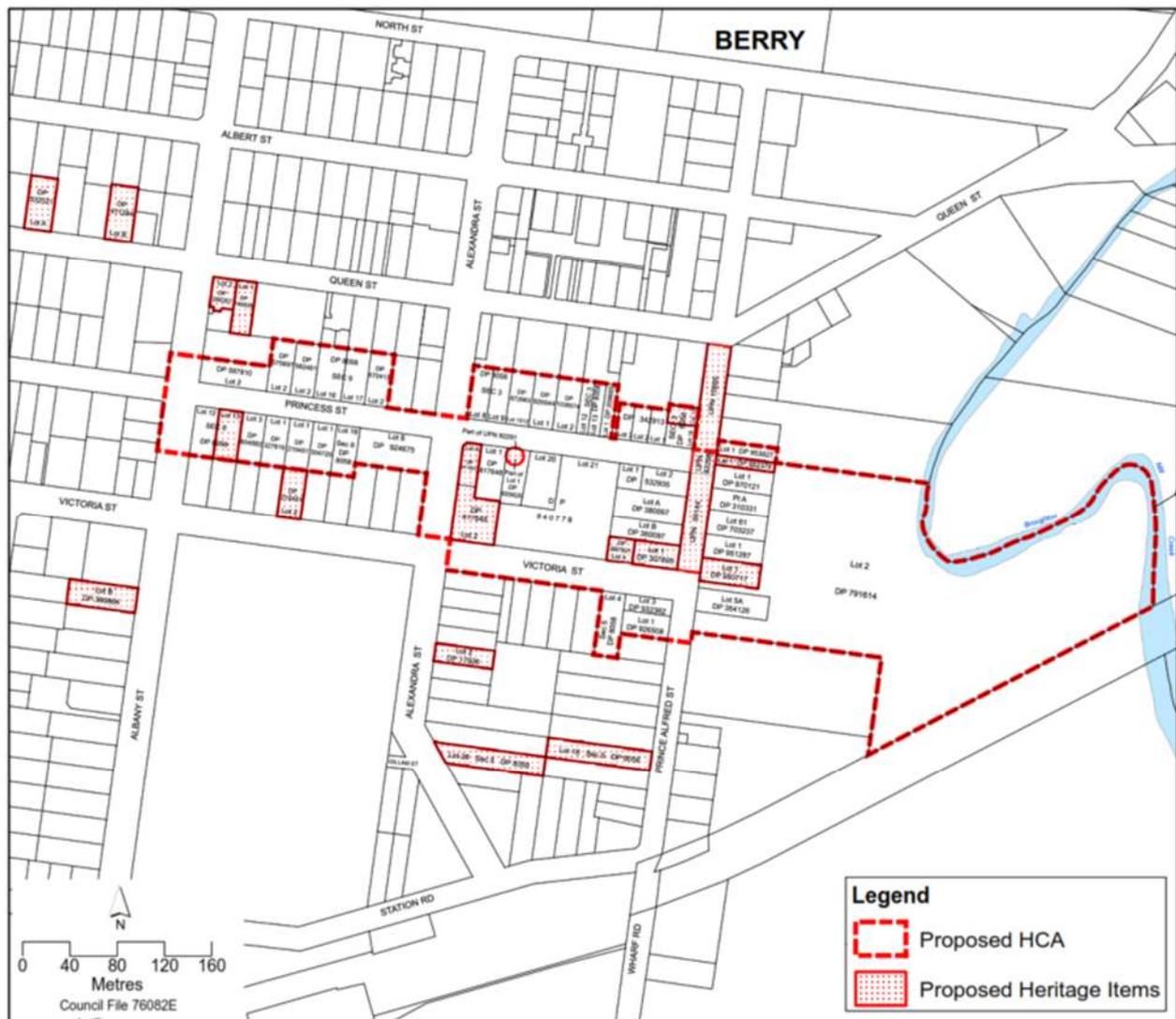


Figure 1: PP075 Subject Land

Overview

In response to ongoing community feedback about unsympathetic development impacting on the unique heritage character of Berry, Council originally commenced the process to introduce an additional Heritage Conservation Area (HCA) and new heritage listings in Berry (east of the Princes Highway) in 2023. The subsequent heritage investigation identified nine sites / properties that are considered worthy of inclusion in Schedule 5 of Shoalhaven LEP 2014.

Additionally, nine sites / properties identified but not ultimately listed in the 2021 Berry Heritage Review are considered to still be worthy of inclusion in Schedule 5 of Shoalhaven LEP 2014.

In total, the current Planning Proposal (PP075) proposes to add fifteen dwellings, one public reserve, one tree and one item of infrastructure (sandstone kerb) as heritage listings and one new Heritage Conservation Area (HCA) at Princess Street.

Note: The Planning Proposal is being exhibited alongside a draft new Development Control Plan (DCP) Chapter for Berry which aims to strengthen local character and heritage considerations/protections. The Draft DCP Chapter can be viewed on the Exhibition webpage: <https://www.shoalhaven.nsw.gov.au/Council/Access-to-Information/Documents-on-Exhibition>

Background

Relevant history of the Planning Proposal:

February 2022	The Berry and District Historical Society (BDHS) submitted a Heritage Assessment Report to Council recommending the introduction of a new Heritage Conservation Area at Princess Street (between the existing Queen Street and Berry Showground HCAs).
April 2022	The Berry Forum (Community Consultative Body) requested Council's support to introduce the proposed new Princess Street HCA and a new Development Control Plan (DCP) Chapter for Berry to strengthen local character and heritage considerations/protections. The Berry Forum submitted a potential DCP chapter to Council in support of the request.
September 2023	Council resolved (MIN23.496) to give priority to the introduction of the proposed Princess Street HCA and new draft DCP Chapter for Berry (east of the Princes Highway).
November 2023	Council engaged Louise Thom Heritage Consultant to perform an independent review of the proposed Princess Street HCA boundary. The resulting report recommended that Council: <ul style="list-style-type: none">• Support the introduction of the proposed Princess Street HCA with a slightly modified boundary.

	<ul style="list-style-type: none"> Support the listing of nine new heritage items within the proposed Princess Street HCA (<i>note: four of these items were included in the BDHS assessment</i>).
July 2024	<p>Council considered the Louise Thom report and resolved (MIN24.396) to prepare a Planning Proposal to amend Schedule 5 of Shoalhaven LEP 2014 to introduce:</p> <ul style="list-style-type: none"> A new Heritage Conservation Area (HCA) at Princess Street, modified as recommended by Louise Thom. Nine new heritage items within the proposed Princess Street HCA. Nine other sites/properties previously identified (but not listed) in the 2021 Berry heritage review that are still considered to be worthy of heritage listing.
December 2024	<p>Council submitted the Planning Proposal to the Department of Planning Housing & Infrastructure (DPHI) for a Gateway Determination (required approval to proceed).</p> <p>Heritage NSW submitted comments supporting the Planning Proposal.</p>
June 2025	<p>DPHI issued a Gateway Determination authorising the Planning Proposal to proceed. Note: Council was not delegated authority to finalise the amendment to Shoalhaven LEP 2014. The determination also required early engagement with NSW Rural Fire Service (RFS)</p>
July 2025	<p>Comments received from the NSW Rural Fire Service which raised no objections to the Planning Proposal.</p>
August 2025	<p>Formal public exhibition of the Planning Proposal commences.</p>

Proposed Changes overview

The following amendments are proposed to Schedule 5 of Shoalhaven LEP 2014:

- List the following sixteen (18) sites / properties in Berry as items of local heritage significance:
 - 97 Victoria Street – Inter-War Cottage
 - 19 Prince Alfred Street - Victorian Cottage
 - 29 Prince Alfred Street - Inter-War Bungalow
 - 30 Prince Alfred Street – Late Victorian Cottage
 - 40 Prince Alfred Street – Federation Weatherboard Cottage – Former Moore’s Bootmakers shop
 - 45 Prince Alfred Street – Inter-war Weatherboard Bungalow
 - 44 Princess Street –Weatherboard & Fibro Bungalow.

- 66 Princess Street (and adjacent road reserve) – Norfolk Island Pine
 - 73 Victoria Street – Federation Weatherboard Cottage
 - 17 Albany Street – Victorian Brick Residence
 - 30 Alexandra Street – Inter-War House
 - 40 Alexandra Street – Federation Bungalow
 - 53 Queen Street - Inter-War Weatherboard Cottage
 - 59 Queen Street - Federation Weatherboard Cottage
 - 68 Queen Street - Federation Weatherboard Cottage
 - 70 Queen Street - Inter-War Weatherboard Cottage
 - 62 Princess Street and 85 Victoria Street – Public Reserve
 - Prince Alfred Street (road reserve from Queen Street to Victoria Street) – sandstone kerb
- List the Princess Street Heritage Conservation Area (HCA) as an HCA of local heritage significance.

INTENT: To protect items and streetscapes that possess local heritage significance and assist in managing the character impacts on Berry by ensuring future development is sympathetic and recognises the heritage character of the area.

The Planning Proposal document and accompanying Explanatory Statement explains the proposed changes in further detail. You are encouraged to review the exhibition material and have your say on the proposed changes.

Exhibition Documents

The 2024 Berry Heritage Review Planning Proposal is on public exhibition from **Wednesday 6 August to Friday 19 September 2025** (inclusive) and available for viewing online at <https://www.shoalhaven.nsw.gov.au/Council/Access-to-Information/Documents-on-Exhibition>.

Electronic copies of the exhibited package will be available at Council's City Administration Centre (Bridge Road, Nowra) and at the Ulladulla Administration Building (Deering Street, Ulladulla) during business hours (Nowra: 9am-4pm, Ulladulla: 10am-2pm) for the duration of the exhibition period.

The exhibition package includes:

1. Public Notice
2. This Explanatory Document
3. Planning Proposal – 2024 Berry Heritage Review (PP075)
4. Heritage NSW submission
5. NSW Rural Fire Service submission
6. Gateway Determination

The following materials are not part of the exhibition package but provide relevant background information:

1. Frequently Asked Questions

Community ‘Drop-in’ Information sessions

Council will hold two community ‘drop-in’ information sessions on **Tuesday 19 August 2025**:

- **Session 1:** Broughton Court (pop up stall near Milkwood Bakery) from 12pm to 2pm (weather dependent).
- **Session 2:** Berry School of Arts, (19 Alexandra Street, Berry) from 4pm to 6pm.

Interested community members are invited to attend the sessions, ask questions and discuss the Planning Proposal with Council staff.

Note: the ‘drop-in’ sessions are not formal meetings, elected Councillors may not be present and there will be no presentation.

Request For Comment

Submissions relating to the Berry Heritage Planning Proposal are invited during the exhibition period and should be made in writing, and addressed to:

Post: The Chief Executive Officer, Shoalhaven City Council, PO Box 42, Nowra NSW 2541

E-mail: council@shoalhaven.nsw.gov.au

Website: via the form on the Exhibition page at:

<https://www.shoalhaven.nsw.gov.au/Council/Access-to-Information/Documents-on-Exhibition>

All submissions must be received in writing by **5pm Friday 19 September 2025**, quoting Council’s reference **76082E**.

Please note that correspondence submitted to Council on this matter may be open to public inspection without notifying the correspondents. Pre-printed form letters, which have been individually signed will be considered but not formally acknowledged. All persons who lodge a submission are required to declare any relevant political donations and/or gifts in accordance with Section 10.4(5) of the Environmental Planning and Assessment Act 1979.

Enquiries should be directed to Berry Planning & Heritage Project Team on 1300 293 111, quoting Council’s reference **76082E**.