

James Ruprai  
A/Chief Executive Officer  
Shoalhaven City Council  
PO Box 42  
NOWRA NSW 2541

IRF24/2970

Attention: Eric Hollinger

Dear Mr Ruprai

**Planning proposal (PP-2024-1869) to amend Shoalhaven Local Environmental Plan 2014**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone the site at 17 Prince Alfred Street, Berry from R2 Low Density Residential to E1 Local Centre; remove the existing 500m<sup>2</sup> minimum lot size; and amend local heritage listing 88 to accurately depict the heritage values on site in the Shoalhaven Local Environmental Plan 2014.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 4.5 Acid Sulfate Soils and 3.1 Residential Zones are justified in accordance with the terms of the Directions.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 12 September 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

Should you have any enquiries about this matter, I have arranged for Ms Kimberley Beencke to assist you. Ms Beencke can be contacted on (02) 9274 6053.

Yours sincerely



9/1/25

**Graham Towers**  
**Manager, Southern, Western and Macarthur Region**  
**Local Planning and Council Support**

Encl: Gateway determination