

Our ref: HMS 8157

Your ref: PP075

Kate Lynch  
Strategic Planner  
Shoalhaven City Council  
[kate.lynch@shoalhaven.nsw.gov.au](mailto:kate.lynch@shoalhaven.nsw.gov.au)

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## Planning Proposal - Berry Heritage Review

Dear Kate

Thank you for the opportunity to provide advice on the planning proposal to make heritage amendments to Shoalhaven Local Environmental Plan 2014 (LEP).

We note that the planning proposal includes several amendments intended to increase heritage protection, including listing 18 new heritage items and one Heritage Conservation Area (HCA) under **Council's LEP**, as follows:

- 15 dwellings, one public reserve, one tree, and one item of infrastructure as local heritage items **under Council's LEP**
- creation of the Princess Street HCA.

The following comments have been formulated after consideration of the planning proposal and supporting documentation.

Local heritage considerations under the Environmental Planning and Assessment Act 1979

### **The planning proposal identifies 15 dwellings to be listed under Council's LEP:**

- Lot 13 Sec 8 DP 8058, 44 Princess Street
- Lot B DP 390864, 17 Albany Street
- Lot 2 DP 210451, 73 Victoria Street
- Lot 4 DP 667521, 97 Victoria Street
- Lot 1 DP 307805, 29 Prince Alfred Street
- Lot 1 DP 950717, 40 Prince Alfred Street
- Lot 17 Sec 3 DP 8058, 19 Prince Alfred Street
- Lot 1 DP 952372, 30 Prince Alfred Street
- Lot A DP 332021, 53 Queen Street
- Lot B DP 411284, 59 Queen Street
- Lot 2 DP 286357, 68 Queen Street
- Lot 1 DP 100024, 70 Queen Street
- Lot 2 DP 17926, 30 Alexandra Street
- Lot 28 Sec 5 DP 8058, 40 Alexandra Street
- Lot 18 Sec 5 DP 8058, 45 Prince Alfred Street

The proposal also identifies the following for listing as local heritage items:

- the public reserve Alexandra Park at Lot A DP 411591, 62 Princess Street and Lot 2 DP 617648, 85 Victoria Street
- the tree at Lot 1 DP 605825, part of 66 Princess Street and adjacent road reserve
- the Prince Alfred Street road reserve from Queen Street to Victoria Street.

Additionally, the proposal identifies a new HCA, the Princess Street HCA, centred on Princess Street and encompassing land from Albany Street through to lands to the east of Prince Alfred Street which provide a physical link with Broughton Mill Creek and Pullman Street.

We note that the heritage assessment undertaken to inform this planning proposal identified that the new local heritage items and HCA met the criteria for listing at a local level.

Heritage NSW encourages the identification and listing of the new local heritage items and HCA, and considers that the above proposed heritage amendments will have a positive heritage impact.

While we encourage these above heritage amendments, we note that the Heritage Council of NSW, and Heritage NSW as its Delegate, does not have a role in the approval of Local heritage items or HCAs to Council LEPs.

As local heritage is protected under the Environmental Planning and Assessment Act 1979 and under Council LEPs, Council is the consent authority, and as such the decision on whether to list these heritage items and HCA rests with Council.

State heritage considerations under the Heritage Act 1977

Based on the information provided, we have reviewed the planning proposal against our records and note that the proposed local heritage item at 17 Albany Street is located directly to the south of the State Heritage Register (SHR) listed Berry Courthouse (SHR 01736).

We consider that the listing of this local item will have a positive heritage impact, as it has potential to increase heritage protection adjacent to this SHR item and protect its historic setting.

If you have any questions about the above, please contact James Sellwood, Senior Planning Officer by email at [james.rm.sellwood@environment.nsw.gov.au](mailto:james.rm.sellwood@environment.nsw.gov.au) or by phone on 02 9274 6354.

Yours sincerely



**Rose O'Sullivan**  
Practice Lead, Planning Referrals and Advice  
Heritage NSW  
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