



## **Berry and District Historical Society**

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General Manager  
Shoalhaven City Council  
PO Box 42  
Nowra NSW 2541

26 October 2023

Dear Sir,

### **Re: RA23/1002 – Berry Hotel development**

The Berry Hotel is located in the most historically sensitive part of the town. The Berry and District Historical Society (BDHS) is concerned that the scale, bulk and form of the proposed development of Berry Hotel (RA23/1002) is not sympathetic to Berry's historic streetscape and will visually dominate the important heritage buildings which stand at the entry to the Berry Town Centre Heritage Conservation Area.

In particular, the Berry Museum, a State Heritage listed building, is directly opposite the Hotel and will be negatively impacted by the proposal. Also impacted will be the former CBC Bank at 122 Queen Street and the old Post Office building at 137 Queen Street. All four buildings are listed in Schedule 5 of the *Shoalhaven Local Environmental Plan 2014* (SLEP 2014).

BDHS would welcome sensitive renovation of the Hotel to enhance this much loved facility and make it a more usable public meeting place for residents and visitors, but renovations need to respect the cultural value of all four significant buildings and be of an appropriate scale and form. A sensitive update would have the potential to enhance the Hotel's heritage features and to acknowledge its important role in the establishment of the Berry township.

Under s 5.10(4) of SLEP 2014, Council is required, *“before granting consent in respect of a heritage item or heritage conservation area, [to] consider the effect of the proposed development on the heritage significance of the item or area concerned”*.

The BDHS believes that the current plans will have a detrimental effect on the heritage significance of each of the items mentioned above, as well as on the Queen Street Heritage Conservation Area (HCA) as a whole.

We are also concerned that the plans will have an impact on the heritage significance of the Hotel itself, which is also listed in sch 5 of SLEP 2014.

We note that the Heritage Council of NSW, as established under the *Heritage Act 1977*, has endorsed the Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance, 2013) as underpinning their decisions regarding any changes to State Heritage Register listed items (source: NSW Government, Heritage Council of NSW, web pages accessed 5 October 2023.)

Of particular relevance in the Burra Charter is Article 8. Setting

*"Conservation requires the retention of an appropriate setting. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the cultural significance of the place.*

*New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate."*

These plans adversely affect the setting and are therefore inappropriate.

## **Particular concerns**

Our concerns with regard to particular features of the current plan are as follows:

1. **Impact on the former CBC Bank building** - The planned new construction between the Hotel and the former CBC Bank impacts on the aesthetic design of the Bank and destroys its streetscape character. It is described by the Applicant as *a low-scale contemporary pavilion style building*. It would require removal of part of the western section of the *"iron fencing rails between Classical columns on pillars"* and trees which form part of the listing, and it will abut the existing building with a separation of 1.1m. The Bank is a key building at the northern entry into the town and plays a significant role in providing a 19<sup>th</sup> century streetscape. At the very least, the plan for the new construction should be altered so that, rather than encroaching to 1.1metres from the bank building, it should only reach the bank building's boundary, and not impact on the Bank curtilage.

We note that the Berry Streetscape Study of 1988 ([displaydoc.aspx \(nsw.gov.au\)](#) ) states that *"Early photographs of Queen Street reveal that substantial spaces existed between each building and a three dimensional view of each building was usually possible.....the Museum, Post Office and CBC Bank are fine examples of the original building spaces and are a significant feature of the streetscape"*.

We also believe that no changes should be made to the fence and garden of the former CBC Bank without a separate DA.

2. **The State Heritage Museum's viewshed to the hotel** - The planned construction between the Hotel and the CBC Bank will impact the viewshed of the Museum in that it will no longer overlook buildings with a boutique rural character but, rather, *a low-scale contemporary pavilion style building*. The Heritage Impact Statement does not mention that the Berry Museum is a State Heritage listed building (see p 35). A Statement of Heritage Impact should be provided in regard to the impacts the development will have on the Museum.

- 3 **Impact on the Berry Hotel, including the Kangaroo Inn - the old kitchen** - The plans do not indicate what “renovations” are planned for the old Kitchen at the back of the Hotel, dating from 1866. It is referred to on the plans as a “private dining room”. The BDHS is very concerned that this building be retained in its entirety, having been preserved intact in its original form for over a century by previous owners of the Hotel.

In addition, significant demolition of internal and external parts of the Hotel are proposed. *“The Hotel is to be extended to the east in a series of gabled roof additions to provide for a bistro, kitchens, back of house and service rooms, a dining pavilion and enclosed play area.”* The cellular layout of rooms to the ground and first floor, are now proposed to be removed.

- 4 **Lilli pilli trees (Acmena smithii)** – these trees behind the hotel are listed as heritage items in sch 5 but are referred to by the Applicant in its Heritage Impact Statement as “stumps”. This is very concerning to the BDHS in that it appears that their heritage listing has not been respected.
- 5 **Three garages at the back of the Hotel**– these appear to be former stables. There is no indication in the plans as to what is proposed for them.
- 6 **The accommodation building in Princess Street** - We note that DCP N2(49) for the Berry Town Centre states that: *“If your development fronts onto Princess Street, it should be used for residential and be designed to complement the residential streetscape”* (5.9.1).

Our other concerns regarding this proposed structure in Princess Street are as follows:

- a. The height of the building at three storeys and 9.3m exceeds the LEP maximum height of 8.5m by 10%. Three storeys are not compatible with the single storey Victorian cottages of Princess Street. In particular, the plans for accommodation will also visually dominate St Lukes Anglican Church, the former Anglican Rectory and a weatherboard house at 71 Princess Street, all of which have heritage listing in sch 5 of the Shoalhaven LEP.
- b. The mansard roof on the building does not align with the character of the Victorian and federation residences in the grid which predominantly have pitched roofs.
- c. At three storeys and 9.3 metres, the building will dwarf the former CBC Bank building and detract from its heritage significance.
- d. Construction of the underground parking station has the potential to damage heritage buildings in the vicinity.

- 7 **Character** – One of the Objectives of the Development Control Plan for the Berry Town Centre (DCP N2) is to *“Ensure that new development is complementary to, and respects, the heritage characteristics of the town”*.

On 28 August 2023 Shoalhaven Council adopted the *Shoalhaven Character Assessment Report* contained within the New Shoalhaven Land Use Planning Scheme and based on the Roberts Day document. As the plans for the Hotel are not complementary to or

respectful of the heritage characteristics of the town, we hope that Council recognises their inappropriateness.

- 8 **Parking** - the plans fail to meet Council's requirements by an estimated deficit of around 70 car spaces. This shortfall will impact on the character of the town and the amenity of its streets, in that overflow cars will be forced to park in neighbouring streets. This is particularly problematic in Prince Alfred Street where the increased traffic will create safety as well as parking problems for patients, many of them elderly, at the medical centre and also for the Hungry Monkey café.

With regard to the Berry Hotel, DCP N2 states that "*Adequate car parking and service access are to be provided on site without compromising street character, landscape or pedestrian amenity and safety and are sufficient for the tourist/commercial component of the development on this site (5.10.1).*"

We do not believe that the plans satisfy s 5.10.1 of DCP N2.

Yours sincerely,

Margaret Cullity

President

The Berry & District Historical Society Inc