

Office of the Mayor
City Administrative Centre
PO Box 42, Nowra 2541
Office Phone: (02) 4429 3250
Office Fax: (02) 4423 2704
Mobile: (0412) 210 979
Phone AH: (02) 4447 8484
Fax: (02) 4447 8131

7th June, 2005

Mr. G. R. S. Kyngdon,
Assistant to the Bishop,
Anglican Church Diocese of Sydney - Wollongong Region
Anglican Church Centre
74 Church St
WOLLONGONG NSW 2500

Dear Mr. Kyngdon

Anglican Church Buildings, Huskisson

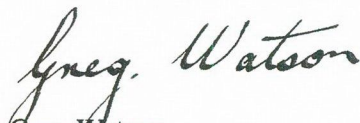
Thank you very much for your letter dated 2nd June, 2005 in which you express concern regarding any proposal to heritage list the Anglican Church Buildings in Huskisson.

I have taken steps to have this building removed from the Draft LEP and I would strongly suggest that you make representations to the Minister Assisting the Minister for Infrastructure & Planning, The Hon. Diane Beamer, M.P. as she has the Heritage LEP on her desk.

You can be assured of my utmost support for the removal of the Anglican Church Building from the heritage list and I will keep you up-to-date on progress.

Please do not hesitate to contact me if I can assist you further.

Kind regards


Greg Watson
Mayor

1106-05



MAYORAL

55655

Anglican Church Diocese of Sydney

WOLLONGONG REGION

ANGLICAN CHURCH CENTRE, 74 CHURCH ST. WOLLONGONG, N.S.W. 2500, AUSTRALIA
Phone: (02) 4225 2800 Fax: (02) 4228 4296 e-mail: office@wollongong.anglican.asn.au

RECEIVED IN

07 JUN 2005

PLANNING SERVICES

2 June 2005

Councillor Greg Watson
Mayor City of Shoalhaven
PO Box 42
NOWRA 2541

Shoalhaven City Council

Received

- 6 JUN 2005

File No. 1106 - 05

Referred to: 1) J. Fuller

2) M(CS)

3. All Clvs

Dear Councillor Watson

Suggested Heritage Listing of the Anglican Church Buildings in Huskisson

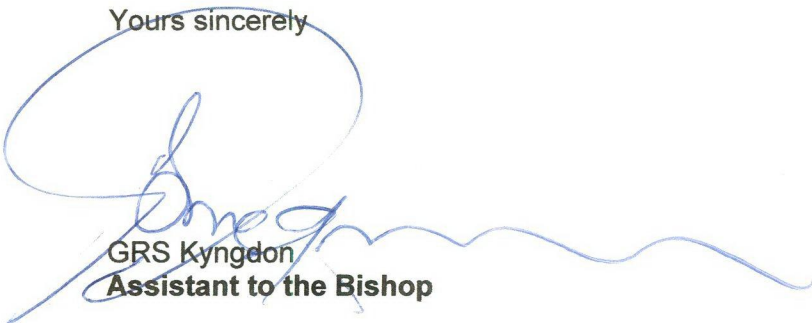
I recently became aware of possible moves by an unnamed party to have the buildings formally listed on the State Heritage Register. I write to say that the Church would not support such a move and sees little merit in taking the action given the nature of the older wooden buildings on the site.

I am in no way seeking to lessen the importance of the buildings to the village but rather seeking to see them placed in proper perspective.

Councillor Watson this may all be a storm in a teacup as I cannot guarantee the accuracy of the information passed onto me. Nevertheless I felt it best that you know the Church's views just in case Council is involved in the process.

I trust I have not caused you any difficulty in writing and please telephone as needs be.

Yours sincerely


GRS Kyngdon
Assistant to the Bishop

Roman 8/26/05

musculobes

group - 1877

Clayton

W. S. M. B.

d. 1877

copy faxed 3.30 pm.

COUNCIL REFERENCE: 1106-06
CONTACT PERSON: Gordon Clark
YOUR REF:

19 February 2007

Anglican Church Diocese
PO Box Q190
QVB POST OFFICE NSW 1230

Attention: Evelyn Beaver – Client Manager, Property Team

Facsimile: 9265 1634

Dear Sir / Madam

**Holy Trinity Anglican Church, Hawke Street, Huskisson
Proposed Heritage Listing
Draft Shoalhaven Heritage LEP**

Thank you for your letter in this regard dated 16th February 2007.

I can advise that the draft Heritage LEP that was submitted to the Department of Planning for gazettal in 2004 included the following as a proposed “heritage item”:

- *Huskisson - Holy Trinity Anglican Church Group, including Church Hall and Burial Site - 17 Hawke Street, Lots 7 and 9 DP 758530 Sec 3*

The attached diagram is an extract from the draft LEP Maps that were provided to the Department of Planning with the 2004 gazettal request and identifies the proposed “heritage item”.

Following representations received from your Wollongong Region Office in mid 2005 Council commenced steps to have the item removed from the Draft LEP. Council subsequently resolved on 23rd August 2005 to amend the draft LEP to remove various proposed heritage items from the plan and subsequently advised the Department of Planning of its decision and request in this regard.

Council resolved to delete various proposed heritage items, including your church in Huskisson, on the basis that it now believes that these items are adequately represented throughout the locality and the City, or the imposition of heritage restrictions could hinder works which are essential for viability, efficiency or safety.

Given that the draft LEP is now with the Department of Planning, Council has been negotiating with the Department since late 2005 with the hope of having various nominated items, including the church, removed from the plan that is eventually gazetted.

Thus as this matter is now largely in the hands of the Department of Planning and will not be returned to Council prior to gazettal I have taken the liberty of forwarding a copy of your letter to the Department of Planning and requested it be taken into account as part of their deliberations on whether or not to amend the plan prior to gazettal. You may also wish to make representations direct to the Department of Planning.

We will endeavour to keep you advised of any progress or outcomes in this regard.

In the meantime, should require any clarification please do not hesitate to contact me on 4429 3355.

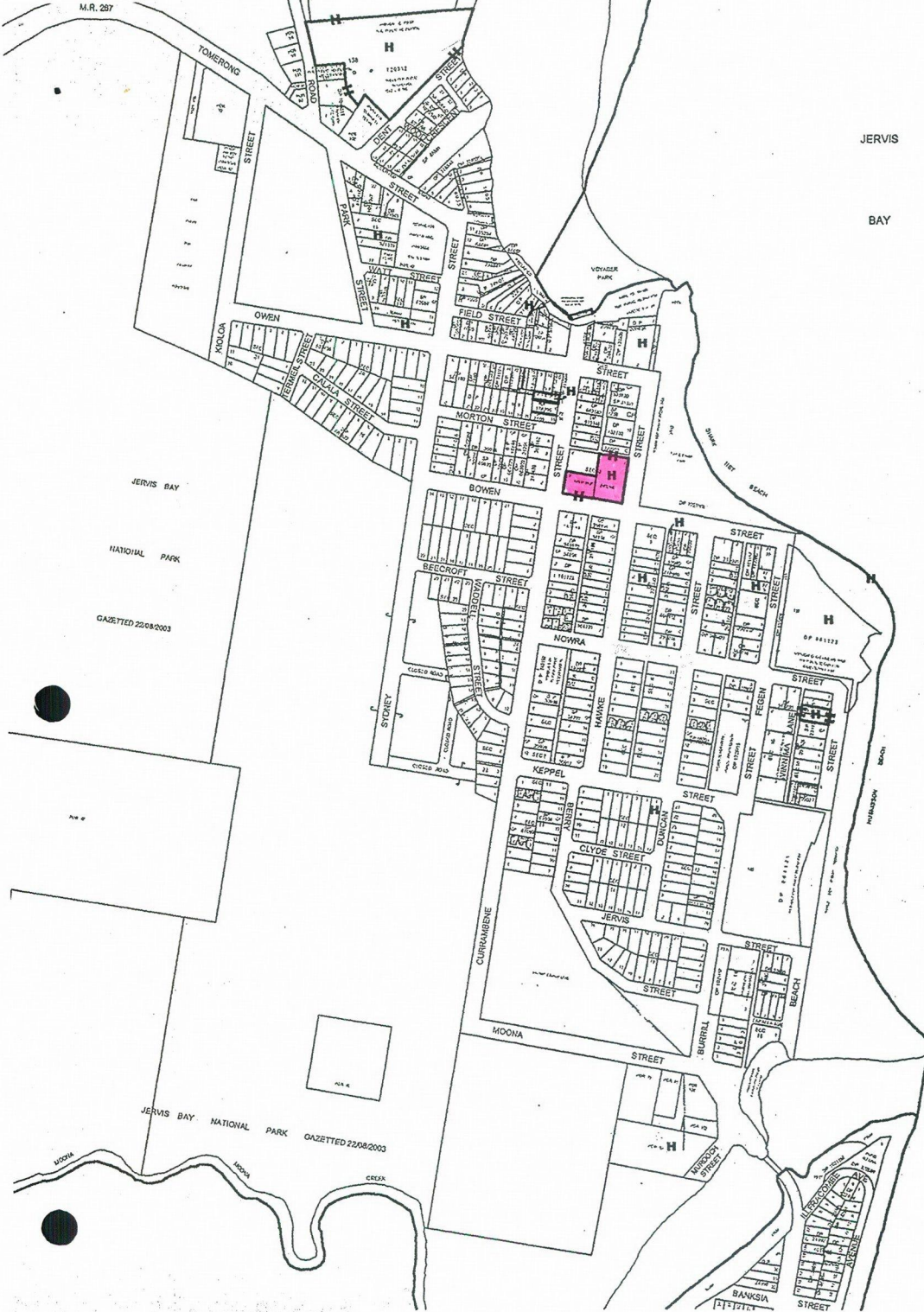
Yours faithfully



Gordon Clark
Strategy Planning Manager

Encl. Draft LEP Maps

CC: Anglican Parish of Huskisson
Attention: Jeff Park
17 Hawke Street
Huskisson NSW 2540



INSET 18
 HUSKISSON
 SCALE 1:8000



SUBJECT LAND

STATEMENT OF RELATIONSHIPS WITH OTHER PLANS

THIS PLAN AMENDS
 LOCAL ENVIRONMENTAL PLAN 1985

CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL
 PLANNING & ASSESSMENT ACT 1979, & REGULATIONS.

DRAFT

[Signature]
 GENERAL MANAGER

13.7.04
 DATE



Anglican Church Diocese of Sydney

ST. ANDREW'S HOUSE SYDNEY SQUARE NSW 2000
ALL CORRESPONDENCE TO:
PO BOX Q190 QVB POST OFFICE NSW 1230

TELEPHONE: (02) 9265 1555
FACSIMILE: (02) 9261 4485
AUS DOC NO: DX 878

16 February 2007

The General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

URGENT

Also by Facsimile: 4422 1816 / 4423, 2704

Dear Sir/Madam

**Anglican Church Property Trust Diocese of Sydney (Parish of Huskisson)
Holy Trinity Anglican Church Huskisson, Hawke Street, Huskisson
Proposal to List Holy Trinity Anglican Church, Huskisson on Shoalhaven Council's Draft
LEP**

I refer to the above matter. I am writing on behalf of the Property Trust who is the legal owner of the above property and holds same as Corporate Trustee for the Anglican Parish of Huskisson. Part of my role is the management of heritage properties for the Anglican Diocese of Sydney.

The Property Trust has received advice from the NSW State Heritage Office that the Council proposes to list the above property as a heritage item to Shoalhaven Council's Draft LEP. Since receiving that advice the parish has confirmed its objection to the listing.

I enclose a copy of the Shoalhaven Heritage Inventory (5 pages) by way of return and request a further review of the listing by Council. I believe that the proposed listing is inaccurate and requires further clarification. In relation to the listing I request that you provide further clarity about the listing in general but in particular, regarding the following matters:-

1. Exactly what buildings on the Church site are proposed to be listed?
2. What is the proposed heritage curtilage for this listing?

I confirm as follows:-

1. The Property Trust as the legal owner of the property has not received written notification from the Council regarding the proposal to list;
2. The Property Trust was advised regarding the proposal to list by the NSW State Heritage Office;
3. The parish has instructed that it has previously objected to the listing; and
4. The Property Trust requests Council to hold all further action on this matter.

Given the circumstances of this matter, the Property Trust as the legal owner will need to consult with the parish and an independent and suitably qualified heritage architect regarding the proposed heritage listing and the impacts of such listing.

Until such time as this matter is satisfactorily resolved, the Property Trust supports the parish in relation to its objection to the listing.

I believe that a revised proposed listing will need to be prepared by Council and then reviewed by the Property Trust in consultation with the parish. The Property Trust will also need a reasonable timeframe to review the listing with the parish. A reasonable timeframe will also be required to seek the advice of an independent heritage architect.

In the meantime, I request a site meeting of the parties involved to review this matter. The meeting should include representatives of the Property Trust with the parish, the parish's heritage architect and the Local Council.

I look forward to receiving your early response and may be contacted on 9265 1578 to arrange a meeting time. Please note that your response should be addressed to the Property Trust. If faxing please send to **fax no. 9265 1634**. A copy should also be addressed to the parish at 17 Hawke Street, Huskisson, Attention: Jeff Park.

I await your urgent response.

Yours sincerely



EVELYN BEAVER
Client Manager, Property Team

Encl

- cc Clr Greg Watson,
Mayor, Shoalhaven City Council
- cc The Minister and Churchwardens
Anglican Parish of Huskisson
- cc Geoff Kyngdon, Assistant to the Bishop of Wollongong
- cc Cameron White, Listings Manager
NSW State Heritage Office



NSW
Heritage Office

3 Marist Place
Paramatta NSW 2150
Locked Bag 5020
Paramatta NSW 2124
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599
heritageoffice@heritage.nsw.gov.au
www.heritage.nsw.gov.au

Contact: Alice Brandjes
Telephone: 02 9873 8560
brandja@heritage.nsw.gov.au
File: H99/00491 Part 5
Our Ref: HRL 36789
Your Ref:

Mr Mark Parker
South Coast Region
Department of Planning
PO Box 867
Wollongong NSW 2520

Attention : Matt Andrews Environmental Planner

Dear Mr Parker,

Draft Shoalhaven Local Environmental Plan 1985 - Amendment No 212 - Heritage

Thank you for your letter of 30 September 2005 advising of proposed changes to Draft Shoalhaven Local Environmental Plan 1985 Amendment No 212 Heritage.

The Heritage Office understands that Shoalhaven City Council resolved to prepare Draft Shoalhaven Local Environmental Plan 1985 (Amendment No 212) Heritage following completion of the Shoalhaven Heritage Study. The draft plan supported the Shoalhaven Heritage Study and identified items of State and regional heritage significance as well as those identified in the Illawarra and Jervis Bay Regional Environmental Plans.

The intent of the draft plan was to amend the existing planning instrument in accordance with Heritage Office Model Heritage Provisions, expand an existing conservation incentives clause and list seven hundred and eighty five additional heritage items and twelve conservation areas in a new heritage schedule.

Following exhibition of the draft plan and consultation with affected land owners, Shoalhaven City Council subsequently resolved to delete two hundred and two heritage items and ten conservation areas from listing in the heritage schedule of the draft plan.

Shoalhaven City Council referred the draft plan to the Heritage Office for comment at section 66 and 68 stages of the local environmental plan making process.

Although the Heritage Office was concerned at the reduction in the number of heritage items and conservation areas proposed for listing in the heritage schedule of the draft plan, it advised Council and the Department of Planning that it supported the draft plan on the basis that it would facilitate the conservation and protection of the remaining five hundred and eighty three heritage items and two conservation areas in the local government area. Copies of the Heritage Office correspondence to the Department of Planning and Shoalhaven City Council issued in June and September 2004 are attached for information.

RECEIVED IN

11 NOV 2005

PLANNING SERVICES

On 23 August 2005 Shoalhaven City Council resolved to :

1/ amend a number of clauses of the draft plan to provide clearer intent and interpretation

2/ delete the following items from the draft local environmental plan schedule

- Huskisson
 - Ayres Holiday Cottage (Former)
 - Weatherboard Workers Cottage (Bowen Street)
 - Federation Weatherboard Residence and Bakery (Currambene Street)
 - Inter War Holiday Cottages and Trees (Fegan Street)
 - Weatherboard and Fibro Boat Builders Cottage (Field Street)
 - Holy Trinity Anglican Church Group including Church Hall and Burial Site (Hawke Street)
 - Victorian Georgian Weatherboard Cottage (Hawke Street)
 - Post War Holiday Fibro Flats (Keppel Street)
 - Burnside Presbyterian Holiday House (Former) (Murdoch Street)
 - Victorian Weatherboard Residence (Park Street)

- Nowra
 - Gas Works

- Ulladulla
 - Harbour Breakwalls

- Yatte Yallah
 - Convict Cutting Princes Hwy

- Bomaderry
 - Bomaderry Creek Gorge

- Broughton
 - "Sedgeforth" Farmhouse and Trees

- Swanhaven
 - "The Springs" Cottages

as Council considers that there is sufficient and adequate representation of similar items retained in the draft plan.

3/ limit the area of listed rural properties including dwellings and complexes to the property boundary or a maximum of 4000m² whichever is the lesser to provide a practical definition of "area".

In regard to part 1/ of Shoalhaven City Council's resolution, the Heritage Office has no objection to the proposed amendment of clauses as set out in Attachment "B" of the Department of Planning letter and notes that Shoalhaven City Council considers that the changes made provide for clearer interpretation of the draft plan.

In regard to 2/ of Shoalhaven City Council's resolution, the Heritage Office strongly objects to the proposed deletion of a further sixteen items from the schedule of the draft plan that have previously been assessed as being of heritage significance in the Shoalhaven Heritage Study on the basis of the following.

Ten of the sixteen items proposed for deletion from the schedule of the draft plan are located in the one village that is Huskisson. Deletion of these items from the heritage schedule of the draft plan will mean that they do not have the benefit of the model heritage provisions and are not therefore protected from demolition in a statutory context. The deletion of the items may result in the erosion of individual streetscapes in the village as well as its overall character and significance.

The remaining six items proposed for deletion from the heritage schedule of the draft plan include the Nowra Gas Works, Harbour Breakwalls, Convict Cutting, Bomaderry Creek Gorge, "Sedgeforth" Farmhouse and Trees and "The Springs" Cottages. The absence of these items from the schedule may mean that the schedule of the draft plan does not properly reflect the diversity and richness of the heritage of the Shoalhaven local government area.

Objection received from a property owner to the inclusion of a heritage item in the heritage schedule of the draft plan alone does not constitute sufficient justification for a local council's decision to delete an item from the schedule. Rather this decision should be primarily made on the basis of the assessed heritage significance of the item.


In regard to part 3/ of Shoalhaven City Council's resolution, the Heritage Office requests that an explanation be provided for the alternative 4,000m² area threshold being proposed by Shoalhaven City Council for listed rural properties or complexes. Such a numerical standard is not relative to what may be an adequate curtilage or the significance of the site as a whole.

Listing of a rural property does impact on its viability as a farm and agricultural activities do not require council consent unless associated with major new buildings or works.

The Heritage Office further requests that Shoalhaven City Council reconsider the two hundred and two heritage items and ten conservation areas deleted from the heritage schedule of the draft plan with a view to inclusion in the heritage schedule of any future amendment of Shoalhaven Local Environmental Plan 1985 or new Standard Local Environmental Plan.

Please contact Alice Brandjes on 9873 8560 if you have any further enquires on this matter.

Yours sincerely,


Reece McDougall
Director *3/1/10*

CC Mr Russell Pigg
General Manager
Shoalhaven City Council
PO Box 42
Nowra NSW 2541