



# Berrima Gaol

## *Response to Submissions*

June 2026

Prepared for: Bluesox Group





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Urbis is committed to incorporating our respect for First Nations cultures, peoples and storytelling in our work across the Country. We are proud to have partnered with Darug Nation artist, **Hayley Pigram**, and to profile her artwork – **Sacred River Dreaming**.



*The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.*

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# Executive Summary

Urbis has been engaged by Bluesox Group to prepare the following Response to Submissions (RTS) as part of our role as Heritage Consultant on the State Significant Development (SSD) Application SSD-66876472 for the Berrima Hotel.

It responds to the general issues raised in both the Response to Submissions Request prepared by the Department of Planning Housing and Infrastructure (DPHI), and the specific issues raised in key agency submissions (Heritage NSW and the Wingecarribee Shire Council).

Key heritage responses are summarised as follows:

- The proposal has been developed through extensive consultation with heritage specialists, the State Design Review Panel and the NSW Government Architect, and is consistent with the Conservation Management Plan and established adaptive reuse principles.
- The creation of a new opening in the eastern (Argyle Street) gaol wall is acknowledged as an exceptional intervention within a principal State-significant façade.
- The proposal seeks to strike an appropriate balance between conservation, activation and the long-term viability of the precinct with the ultimate goal of ensuring the ongoing use and appreciation by the public of one of New South Wales' most significant heritage assets.
- The eastern opening is essential to achieve:
  - NCC-compliant emergency egress;
  - Meaningful activation of the Argyle Street frontage;
  - Clear, inclusive public access to food and beverage uses;
  - Strong visual and physical connection with Berrima's main street;
  - Long-term commercial viability and successful adaptive reuse of the gaol.
- The opening is simple in expression, reversible, and carefully detailed, ensuring the Argyle Street façade remains visually intact and the wall continues to read as a strong, dominant and landmark feature. All stonework associated with the opening will be salvaged, catalogued and reused within the opening, consistent with best heritage practice.
- A revised Visual Impact Assessment has assessed additional viewpoints along the Wingecarribee River and from nearby State Heritage Register items. Where public access exists, views are heavily filtered or unavailable, and the proposal results in low or no heritage impact from river-based viewpoints.
- New built form, including the Porte Cochere, arbors, glasshouse and rear hotel suites, are lightweight, visually recessive and subservient to the dominant sandstone gaol wall, ensuring the wall remains the primary and defining heritage element in all significant views.
- The scale and massing of new buildings are equal to or lower than the gaol wall, physically separated from heritage fabric, and articulated to retain visibility and legibility of the wall, particularly from Argyle Street and Wingecarribee Street.
- Contemporary materials (glass, metal and lightweight cladding) are deliberately contrasting yet complementary, providing a clear distinction between historic and new fabric without competing with the sandstone construction or Berrima's broader heritage character.
- Courtyard roof enclosures are self-supporting, reversible and transparent, maintaining the legibility of the courtyards as open spaces and complying with NSW Heritage Office Adaptive Reuse Guidelines.
- Access to the upper levels of the Guard Tower is not proposed due to non-compliant stairs, inability to provide equitable access, and the extent of internal alteration required. The internal structure will be

maintained, however guest and public access will not be permitted, with the limited heritage impact from loss of access mitigated through interpretation of the tower's original surveillance function as part of the site-wide heritage interpretation strategy.

- A detailed construction methodology and heritage protection strategy has been prepared and reviewed by Urbis. Robust measures are in place to protect the walls during excavation and building works, including specialist heritage, structural and acoustic oversight, vibration and movement monitoring, controlled excavation techniques, temporary protection systems, and full reinstatement of any temporary works, ensuring the gaol walls are safeguarded throughout construction and no additional permanent openings are required.

The proposal results in minor and manageable heritage impacts that are outweighed by clear public benefit, improved activation, and long-term conservation outcomes for the former Berrima Gaol.

# 1 Introduction

## 1.1 Background

Urbis has been engaged by Bluesox Group to prepare the following Response to Submissions (RTS) as part of our role as Heritage Consultant on the State Significant Development (SSD) Application SSD-66876472 for the Berrima Hotel.

Following the exhibition of the development application, and the receipt of public and agency submissions on the SSD Application, a Response to Submissions was sought by the Department of Planning Housing and Infrastructure (DPHI) to address the issues raised in submissions and agency advice. Additional information was also sought by DPHI, and the full request is located in Appendix A.

## 1.2 Response Structure

This Response to Submissions has been prepared to address the general issues raised in both the RTS letter (Appendix A), and the specific issues raised in key agency submissions (Heritage NSW and the Wingecarribee Shire Council) which generally accord with the common themes of the public submissions. It has been structured as follows:

### Chapter 2 – Heritage Council of NSW Response

Specific response to built heritage items raised in the HNSW Response. The full agency submission is located in Appendix B.

### Chapter 3 – Wingecarribee Shire Council Response

Specific response to built heritage items raised in the Wingecarribee Shire Council Response, not addressed in the HNSW Response. The full agency submission is located in Appendix C.

## 1.3 Reference Documents

This RTS has referred to the following documents:

- *Conservation Management Plan, Urbis 2024*
- *The Berrima Quarter: Place Experience Analysis, Right Angle, May 2026*
- *Building Code Compliance Advice, Credwell, May 2026*
- *Berrima Quarter Key Precinct Factors of Success, Macroplan, June 2026*
- *Gaol Wall Intervention for Adaptive Reuse – Alternative Wall Intervention Scenario Studies, Turner, May 2026*
- *Addendum Visual Impact Assessment for a Proposed Adaptive Reuse of the former Berrima Gaol, Colliers, 13 May 2026*
- *Landscape Architecture Report Addendum prepared by JMD Design (Revision C).*
- *Berrima Quarter Adaptive Reuse: Construction Methods for the Protection of Heritage Structures, Bluesox, June 2026.*
- *Heritage Interpretation Strategy, Urbis, May 2026*

## 1.4 Authorship

This Response to Submissions has been prepared by Renee Riley (Associate Director, Heritage) and Kate Paterson (Partner, Heritage).

## 2 Heritage Council of NSW

The Heritage Council of NSW provided a response that included the Heritage Council Approvals Committee Resolution 2057-37 and a Request for Additional Information.

### 2.1 Approvals Committee Issues

#### Submission

1. *Request further justification for the need for a new opening in the eastern (front) gaol wall, including:*
  - *A need for activation*
  - *The proximity of the existing front door*
  - *Functional requirement for an additional exit*

#### Response

The need for the opening has been assessed in terms of activation, proximity to the existing entrance, functional and regulatory requirements, and the broader public and community benefit of the project. Collectively, these considerations demonstrate that the opening is critical to the success of the adaptive reuse of the gaol.

To inform this assessment, Blue Sox commissioned a number of additional assessments (as referenced in Section 1.3) for Urbis' review and consideration in our further assessment of the proposed opening and its location. This included testing alternative locations, particularly along the southern elevation, consideration of building code compliance requirements, and evaluation of visitor and guest experience outcomes. This work confirmed that the eastern wall provides the most appropriate and least impactful location for the required intervention.

#### Need for activation

The need for activation has been comprehensively addressed in *The Berrima Quarter: Place Experience Analysis* and *The Berrima Quarter Key Precinct Factors of Success*. As identified in these documents, the long-term conservation of the gaol is dependent on a viable adaptive reuse outcome, noting that

***“successful conservation of this historical site can only be achieved through the adaptive reuse pathway if the proposed uses are commercially successful.”***

Activation of the Argyle Street frontage is central to achieving this outcome. From a physical and economic perspective, this elevation offers the most favourable solar access and wind conditions to support hospitality uses, which are not achievable along the southern side of the gaol. From a placemaking perspective, the eastern frontage enables visual and physical connection between the gaol and the Berrima town centre, clearly signalling that the site is open and publicly accessible. This connection is fundamental to creating an active, legible and welcoming place rather than a closed institutional site.

#### Proximity of the existing front door

The proximity of the existing 1866 Entrance Gate has been carefully considered. The proposed opening does not diminish the primacy or significance of this entrance. Rather, it provides a complementary access point that allows direct engagement with the food and beverage offering without requiring entry through the formal gate. This distinction is important in clearly communicating that the gaol is accessible to the wider community and not limited to hotel accommodation guests.

The location of the opening has also been determined by operational requirements. It must support efficient servicing, safe movement and functional layout for the hospitality use. Alternative locations, including the southern elevation, would introduce significant level changes, require ramps, and potentially necessitate the removal of holding cells, resulting in poorer heritage, operational, economic and social outcomes.

### Functional and regulatory requirement

From a functional and regulatory perspective, the opening is also required to achieve compliance with the NCC. Based on the maximum permissible occupant load within the gaol, a total clear exit width of 7.0 metres is required through the perimeter walls. The existing 1866 Entrance Gate and the western rear opening (the former “secret door”) provide a combined width of approximately 4.0 metres. An additional opening within the perimeter walls is therefore required to achieve compliant emergency egress.

While this additional opening could technically be located on the southern side of the gaol, testing has demonstrated that this would be sub-optimal in terms of people movement, operational efficiency and integration with the proposed uses within the gaol.

### Alternative Design Options

Turner has investigated alternative locations for a new opening within the gaol walls, including options on the southern elevation as an alternative to the currently proposed opening on the eastern elevation. In total, four design approaches were explored. While each option varies in configuration, they ultimately resolve to two scenarios: the creation of an opening in the eastern wall (as currently proposed) or an opening in the southern wall.

In addition to environmental and placemaking considerations associated with the southern side of the gaol, as outlined in *The Berrima Quarter: Place Experience Analysis*, the following heritage considerations were identified through the options analysis.

| Option                      | Detail                                                                                         | Review Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Intervention to East</b> | Currently proposed option comprising an approximately 6m wide opening in the eastern gaol wall | <p>As outlined in the original HIS, the proposed intervention involves the careful removal and reuse of existing sandstone in a new, offset and pivoted configuration. This approach retains the original fabric, allows the intervention to be clearly interpretable, and ensures a high degree of reversibility.</p> <p>The opening will have a limited impact on the perception of the wall as a solid and imposing element, with substantial areas of intact stonework retained above and to either side, allowing the wall to continue to read as a dominant and defining feature of the site.</p> <p>From a heritage outcomes perspective, this option is preferred as it achieves the required NCC-compliant egress, activates the primary frontage, and supports a practical and accessible outdoor dining area without requiring the removal of other contributory elements. As identified in <i>The Berrima Quarter: Place Experience Analysis</i>, this option:</p> <ul style="list-style-type: none"><li>▪ Improves sightlines and physical connectivity with Berrima’s main street, increasing dwell time, cross-shopping and local economic benefit;</li><li>▪ Provides the strongest visibility for the key public offer, including the café, courtyard and East Vacluse Courtyard;</li><li>▪ Establishes an intuitive and inclusive entry point that clearly signals the gaol is open to the broader community;</li><li>▪ Allows for a legible separation between everyday visitors and accommodation guests;</li></ul> |



- Creates a vibrant south-east corner in conjunction with the Governor's Residence and outdoor seating, supporting activation of surrounding businesses.

|                                  |                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Intervention to the south</b> | Relocate proposed opening to southern wall, including demolition of the cell blocks and construction of new outdoor dining area | <p>From a heritage perspective, this option would result in a greater physical impact overall and substantially greater intervention.</p> <p>Given the level change across the southern frontage, the works would likely require intervention into the wall foundation, and would necessitate the removal of the holding cells, which contribute to the interpretation of the gaol's former function.</p> <p>While relocating the opening away from the primary façade may offer a minor visual benefit in isolation, this would be outweighed by the adverse visual and physical impacts associated with extensive ramps, retaining structures and landscape modification required to achieve accessible entry. These interventions would erode the clarity and legibility of this part of the site.</p> <p>This option also presents a higher risk to the structural integrity of the gaol wall due to the extent of excavation and modification required. On balance, the marginal visual benefit does not justify the increased heritage impact, including loss of fabric, interpretive value and increased landscape intervention.</p> <p>Finally, the southern elevation has poor environmental amenity, with limited solar access and high wind exposure, resulting in a less viable and less activated outcome. This option would weaken the relationship with the Governor's Residence, reduce visibility of the key public offer, and create a secondary and less legible entry for non-hotel visitors. While this option could technically achieve NCC compliance by providing an additional exit, it is not preferred due to its greater heritage, functional and placemaking impacts.</p> |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Submission

### 2. Request further information on the proposed use of Governor's and Deputy Governor's residences

## Response

The proposed use of the Deputy Governor's Residence is intended to be for administrative functions associated with the operation of the site. Any works or change of use to this building would be subject to a future application and are not included within the scope of the current proposal.

The adaptive reuse of the Governor's Residence does not form part of the current project scope. Bluesox has advised that the future use of this building, and the Deputy Governor's Residence more broadly, will be considered in consultation with potential future operators within the precinct. This process will include engagement with the detailed design consultant team (to be appointed following SSD approval), as well as market, tourism and placemaking specialists.

This approach will ensure that any future use of the residences is compatible with the approved uses within the gaol, supports the long-term commercial and operational success of the precinct, and delivers benefit to the local community and visitors. As these investigations have not yet been undertaken, a definitive proposal for the future use of the residences cannot be confirmed at this stage and would be the subject of a separate approval process.

## Submission

### 3. Consider a less dominant form for the Porte Cochere

## Response

The Porte Cochere has been designed as a lightweight, contemporary structure with a flat roof. The form has been reviewed by the Design Team, including Urbis and has been retained, as it is considered an appropriate and non-dominant element within the context of the site.

The structure comprises a sandstone base with a metal deck roof supported on slim metal columns. The flat roof sits below the height of the gaol wall and all surrounding structures, ensuring it remains visually recessive. The form is deliberately simple and minimal and will not adversely affect adjacent heritage structures. It has been sensitively located and will not be read as a dominant element in any significant views, nor will it impede identified views to significant heritage fabric.

The Porte Cochere is located within an area graded as *Neutral* in the CMP, adjacent to a structure of *Moderate* Significance (the former cells), and within a zone identified as suitable for new one- to two-storey support structures in accordance with Policies 49 and 52. As such, the proposal will not result in a heritage impact on the gaol as a whole. The restrained architectural language ensures the Porte Cochere remains subservient (Policy 48), does not detract from the dominant and imposing gaol wall, and is sympathetic to the wider gaol complex (Policy 49).



Figure 1 – Detail view of the proposed low scale, minimal porte cochere. No significant views will be interrupted and the structure reads as a secondary element to the surrounding significant structures (Wall, Governor's Residence).

Source: Turner

## 2.2 Archaeology Items

### Submission

Items 1 – 5 are archaeology RFI's not covered by this response.

Please refer to the additional assessments, and Response to Submission responses prepared by Austral Archaeology.

## 2.3 Visual Impact Assessment

### Submission

6. The Visual Impact Assessment does not assess visual impacts from viewpoints along the Wingecarribee River. We recommend visual impact assessments be undertaken from key viewpoints along the river, including viewpoints from any State heritage items within the view catchment of the SSD.

## Response

An additional Visual Impact Assessment was prepared in response to the RFI issued by DPHI (Addendum Visual Impact Assessment, Colliers, dated 13 May 2026; hereafter referred to as the VIA).

The VIA includes additional viewpoints along the Wingecarribee River corridor and from State Heritage Register (SHR) items within the potential view catchment of the site. This involved identifying publicly accessible locations along the river and assessing whether visual connections to the gaol were available, as well as reviewing SHR-listed items in the vicinity that may have potential views towards the site.

Additional river-based viewpoints assessed include locations along the Wingecarribee River corridor and areas with potential for river views (VIA Viewpoints 3, 4 and 5, shown as No.1 in Figure 2). The following SHR-listed items were also considered (VIA Viewpoints 6 and 7, shown as Nos. 2 and 3 in Figure 2):

- Berrima Internment Group, SHR 01848
- Former First Bank, 12 Jellore Street, SHR 00105
- Berrima Inn, Jellore Street, SHR 00103
- Victoria Inn, Jellore Street, SHR 00094
- Coach and Horses Inn, 24 Jellore Street, SHR 00102
- House, 16 Jellore Street, SHR 00101

Views were assessed where they were located on public land and could be reasonably and safely accessed. As documented in the VIA, the majority of the additional views were discounted on the basis that they are either not publicly accessible or are so heavily screened by vegetation and landform that no visual connection with the gaol is available.

Specifically, views from within the Berrima Internment Group SHR listing were assessed from the public walking track looking east; however, dense vegetation, the sandstone escarpment and track alignment prevent any visibility of the gaol. Views from SHR-listed properties along Jellore Street were also dismissed, as these are private allotments with no public access to the rear of the properties or to the river corridor.

On this basis, the only viable river-based viewpoint for detailed assessment was from Wingecarribee Street, where public access is available. The VIA concludes that from the Wingecarribee River corridor looking east, views towards the site are largely obscured by vegetation and landform, with only intermittent and filtered glimpses available in isolated locations (refer Viewpoint 4). In several locations, including near Lambie's Well, no visual connection to the site is available. Where visibility does occur, the proposal is perceived as recessive and secondary to the dominant landscape setting, resulting in a low level of visual impact.

In relation to nearby heritage items, the VIA concludes that the proposal has limited potential to affect views from SHR-listed sites, as visual connections to the gaol are generally unavailable. Similarly, no visual connections are available from areas south of the former German Internment Camp site, and access to the river corridor from the rear of heritage allotments along Jellore Street is not provided.

Overall, the VIA demonstrates that public accessibility along the Wingecarribee River corridor is limited and that, where access is available, dense vegetation and the sandstone escarpment effectively restrict views towards the site. As a result, the proposal will not result in a significant visual or heritage impact when viewed from publicly accessible viewpoints along the river corridor.





Figure 2 – Additional Views from the VIA

Source: Addendum Visual Impact Assessment, Colliers

Table 1 – Heritage Assessment of Additional Views

| # | View Name + Description                                                                                                                    | Heritage Impact Assessment                                                                                                                                                                                                                                                                                                                                  | Photomontage |
|---|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 1 | <p>Wilshire Street (west)</p> <p><i>View from western end of Wilshire Street looking south onto the proposed western hotel suites.</i></p> | <p>No additional heritage impact, minor improvement in visibility to the gaol wall.</p> <p>The existing Industries Building currently impedes views to the gaol wall. This condition will remain largely unchanged; however, the increased separation and lower scale of the proposal will result in a minor improvement in the visibility of the wall.</p> |              |



| # | View Name + Description                                                                                                                                                                                           | Heritage Impact Assessment                                                                                                                                                                                                                                                                                                                                                                                                  | Photomontage                                                                         |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 2 | <p>Police Sargent's Residence</p> <p><i>View from in front of Police Sergeant's Residence looking southwest onto western end of proposed hotel suites and escarpment.</i></p>                                     | <p>No additional heritage impact.</p> <p>The view is dominated by the existing Industries Building, with no visibility to the river or beyond. This condition will remain largely unchanged under the proposal.</p>                                                                                                                                                                                                         |    |
| 3 | <p>Wingecarribee Street (river corridor)</p> <p><i>View from Wingecarribee Street looking north onto the proposed western hotel suites and east along Wingecarribee Street from vegetated river corridor.</i></p> | <p>Minor heritage impact.</p> <p>The existing view includes the gaol wall and the rear of the Governor's Residence (roof only). The proposed view will include the western hotel suites and part of the car park area. While this represents a change, it is considered a minor visual impact, as this is not a primary or significant view of the gaol, and extensive alternative views are available around the site.</p> |    |
| 4 | <p>Wingecarribee River (eastern bank)</p> <p><i>View from river walking track looking northeast towards the proposed western hotel suites.</i></p>                                                                | <p>No additional heritage impact.</p> <p>The current view comprises dense vegetation, the Industries Building and sheds. The introduction of contemporary built form in this view will not affect the heritage significance of the gaol.</p>                                                                                                                                                                                |  |
| 5 | <p>Wingecarribee Street (west)</p> <p><i>View from the western end of Wingecarribee Street looking east toward the existing gaol wall.</i></p>                                                                    | <p>Minor heritage impact.</p> <p>Public access to this viewpoint is limited and heavily vegetated. The proposal will obscure the limited existing views of the gaol wall in this location. While this results in a visual change, the impact is minor and does</p>                                                                                                                                                          |  |

| #        | View Name + Description                       | Heritage Impact Assessment                                                                                                                                                                                                 | Photomontage                                                                                                                                                                                                                                                |
|----------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                               | not affect a significant or primary view of the gaol.                                                                                                                                                                      |                                                                                                                                                                                                                                                             |
| 6 +<br>7 | View from Internment Camp                     | No view available, no heritage impact.<br><br>Dense vegetation, landform and track alignment prevent any visual connection to the gaol from within this area.                                                              |                                                                                                                                                                           |
| 8 +<br>9 | View from SHR Properties + western river bank | No view available, no heritage impact.<br><br>These locations are on private land with no public access to the rear of properties or the river corridor, and no publicly accessible views towards the site are available.. |    |

## 2.4 Proposed Arbor

### Submission

7. The landscape drawings show an arbor is proposed to be erected within the gaol's front garden close to the proposed new opening in the gaol wall. Please provide additional details of the arbor to illustrate its design and its visual permeability, noting that the new opening in the gaol wall is intended to increase permeability into the site. Please assess the heritage impacts of the proposed arbor.

### Response



Further details of the proposed arbor are provided in the *Landscape Architecture Report Addendum* prepared by JMD Design (Revision C).

The proposed arbors are simple white steel portal structures located across the southern half of the Argyle Street frontage. Each portal frame is approximately 2.5–3 metres in height, with a 2.5-metre span, and frames are spaced at approximately 3–3.5-metre intervals (a total of 20 frames along the frontage).

The arbors are designed as lightweight, visually permeable elements that provide clear wayfinding for visitors approaching the site from the car park, guiding movement along the frontage towards the main entrance gate. Their open form and generous spacing allow views through to the gaol wall and ensure the structures do not dominate or detract from the wall's strong, solid presence. The selected height responds to the rusticated quoins of the 1866 Entrance Gate, establishing a datum that is informed by the historic fabric without replicating it.

The arbors are physically separated from all heritage fabric and will not result in any physical impact to the gaol wall or associated structures. Visually, their lightweight construction and spacing maintain permeability and views, resulting in a minor visual impact limited to views of the gaol wall. The proposed works are subservient to the wall and are consistent with Policy 48 of the Conservation Management Plan. They also comply with Policy 52 by maintaining appropriate setbacks, retaining key views, and preserving the legibility of the gaol wall.

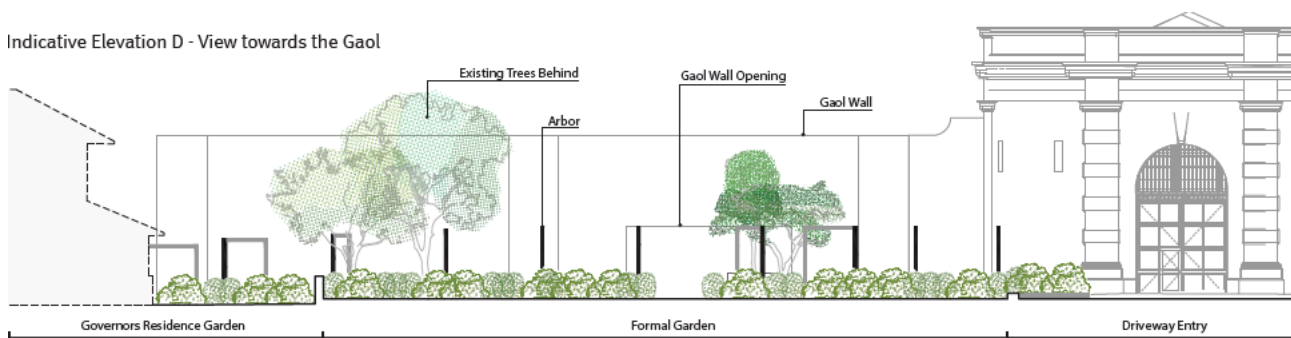


Figure 3 – Elevation of Arbor

Source: JMD Design

## 2.5 Proposed Glasshouse

### Submission

8. The glass house will be a new structure outside of the gaol walls. Please provide additional details of the proposed glasshouse and its scale in relation to existing adjacent structures. Please assess the heritage impact of the glasshouse.

### Response

The proposed glasshouse is a low-scale, typical garden structure located to the south of the Governor's Residence, outside the gaol walls. It is set on a low sandstone base, using either salvaged stone in accordance with Policy 51 of the CMP or new stone, with a lightweight steel and glass structure above. The glasshouse has an overall height of approximately 4 metres, aligning broadly with the height of the verandah of the Governor's Residence and remaining clearly subordinate to surrounding built form.

Due to its modest scale, lightweight construction and reversible nature, the glasshouse will result in only a minor visual impact on the heritage significance of the former Berrima Gaol. Views to the gaol wall will be retained as a result of the transparent materiality of the structure. Views to the Governor's Residence will not be adversely affected, as the glasshouse is located to the rear of the dwelling, behind the verandah, and at a lower ground level. While it will partially screen the low-scale rear portion of the residence, it will be read as a secondary element when viewed from Argyle Street, a view identified in the CMP as being of High Significance.



The glasshouse is located within an area graded as Neutral in the CMP and within a zone identified as suitable for lightweight and removable additions in accordance with Policies 49 and 52. The proposal is therefore appropriately located, remains subservient to the heritage fabric (Policy 48), and is sympathetic to the wider gaol complex (Policy 49). Overall, the proposed glasshouse will not result in an adverse heritage impact on the gaol as a whole.



Figure 4 – Elevation of Glasshouse

Source: Turner

## 2.6 The Guard's Tower

### Submission

9. It is noted that the upper floors and access stairs are to be demolished from within the guard's tower. As views from the top floor of the tower were key to its purpose at the gaol please justify the removal of access to the uppermost floor and the views from its windows, and assess the associated heritage impacts.

### Response

The project team has investigated the feasibility of retaining access to the upper levels of the Guard Tower and acknowledges the original purpose of the structure, including the importance of views from the upper floor as part of the gaol's surveillance and control function.

A detailed assessment by the project BCA consultant has confirmed that the existing stairs and internal circulation within the Guard Tower are non-compliant with contemporary building code requirements. In their current form, it is unlikely that an occupation certificate could be issued, and therefore, public or guest access to the upper levels of the tower would not be permissible.

While replacement of the existing stairs with a compliant stair may be technically achievable, doing so would require substantial alteration or complete replacement of the internal structure of the tower. Even if compliance were achieved, equitable access in accordance with the Premises Standards could not be provided within the existing footprint. As a result, access to the uppermost level would remain restricted, and the original viewing function could not be reinstated in a meaningful or inclusive way.

In response, the proposal seeks to retain the internal fabric of the Guard Tower and remove public access to the upper levels, and this is reflected in the updated architectural design.

This approach avoids extensive internal reconstruction and minimises physical intervention to the structure. The external form, scale and prominence of the Guard Tower will be retained, ensuring it continues to read as a key symbolic element of the gaol complex.

There will be a limited heritage impact associated with the loss of access to the upper level and its original viewing function. However, this impact is mitigated by retaining the tower's external form and prominence, and through interpretation of the tower's original surveillance role and views as part of the site-wide heritage interpretation strategy.

## 2.7 Construction Issues

### Submission

10. Please provide information on the methodology proposed for construction within the gaol walls and whether additional openings in the walls would be required for vehicular access and/or to facilitate construction.

11. Please provide information on how it is proposed that the gaol walls would be protected from damage during construction including the excavation of the lift shaft and tunnel to the carpark.

### Response

A detailed construction methodology has been prepared in response to this submission: *Berrima Quarter Adaptive Reuse: Construction Methods for the Protection of Heritage Structures* (Bluesox, June 2026). Urbis has reviewed this report and confirms that it establishes appropriate and robust measures to protect the gaol walls and associated heritage fabric throughout construction, with regular opportunities for review and refinement.

We confirm no additional openings are proposed within the gaol walls to facilitate construction or vehicular access. Construction access will occur via existing openings. One temporary opening is proposed within the southern cell block, located in the position of a former opening, to facilitate construction of the lift shaft. This opening will be fully reinstated on completion of the works.



Figure 5 – Location of proposed opening for construction of lift shaft indicated in blue.

Source: Bluesox

Protection of the gaol walls during construction, including excavation of the lift shaft and tunnel connection to the car park, will be achieved through a layered and precautionary approach, summarised as follows:

- Heritage protection measures including hoardings, temporary fencing, protective coverings and clear signage to prevent accidental impact or over-height access near heritage fabric.

- Ongoing involvement of a Heritage Consultant, engaged throughout all construction stages to advise on protection measures, review methodologies and monitor compliance.
- Preparation and regular updating of detailed Construction Methodologies and Heritage Protection Plans by the builder, reviewed by the Heritage Consultant, Structural Engineer and Acoustic Consultant.
- Structural engineering oversight to ensure excavation, shoring and foundation design protects the integrity of the gaol walls, supported by regular inspections.
- Vibration management overseen by an Acoustic Consultant, including the establishment of vibration limits, preparation of a Vibration Management Plan, monitoring during high-risk activities, and restrictions on construction techniques and equipment near heritage fabric.
- Regular inspections and monitoring, including vibration monitoring and movement surveys of the western and southern gaol walls during excavation and other high-risk works.
- Crane-based delivery of materials, where required, from outside the gaol walls, with strict clearance controls to avoid contact with the wall and significant fabric.
- Detailed geotechnical investigations, particularly to the southern and western areas, to inform excavation, shoring, groundwater management and tunnel construction methodologies.
- Controlled excavation techniques for basement works, tunnels and the lift shaft, including potential temporary underpinning where required, all subject to review by the project team and heritage specialists.
- Physical protection of wall surfaces, including setback fencing with shade cloth along both internal and external faces of the walls during excavation and demolition works.
- Equipment limitations and exclusion zones, including restrictions on heavy machinery and vibration-intensive equipment near the walls.
- Foundation design controls for new buildings to minimise ground disturbance and avoid deep piling, subject to geotechnical outcomes.

For full details of construction staging, protection measures and monitoring protocols, reference should be made to the Bluesox construction methodology report. With these measures in place, the proposal will not require additional wall openings and will ensure the gaol walls are appropriately protected throughout construction.

## 2.8 Interpretation Plan

### Submission

*12. Prepare an interpretation plan. It is noted that interpretation has been integrated into parts of the design but no interpretation plan has been submitted with the EIS. Noting that CMP Policy 150 states that 'A Heritage Interpretation Strategy and /or Plan should be prepared for Berrima Gaol in tandem with any major changes to the site including adaptive reuse', we consider that an interpretation plan should be prepared for the SSD.*

### Response

A high-level interpretation plan has been prepared by Urbis and submitted with this response.



# 3 Wingecarribee Shire Council

## 3.1 Design Integration and New Works

### Submission

*While the architectural treatments proposed appear contemporary and visually recessive, Council recommends further design refinement to ensure:*

- *The scale and massing of new buildings do not visually compete with the dominant sandstone form, particularly Street and Wingecarribee Street.*
- *The materials palette (primarily glass, metal, and lightweight cladding) is carefully controlled to remain complementary to the site's sandstone construction and Berrima's broader heritage character.*
- *The roof forms of the proposed courtyard enclosures maintain visual subordination to the original building envelope, ensuring transparency and reversibility consistent with the NSW Heritage Office Adaptive Reuse Guidelines.*

### Response

The scale, massing and architectural treatment of the proposal have been developed in consultation with Urbis as heritage consultants and informed through extensive engagement with the Design Review Panel and the NSW Government Architect.

### Scale and massing

The scale and massing of the proposed buildings are appropriate and consistent with the Conservation Management Plan (CMP). The new works are located to the rear of, and physically separated from, the gaol wall, and are supportable under Policies 48, 49 and 50. In height terms, the proposed buildings are equal to or lower than the gaol wall, and the separation between old and new allows the proposal to read as an independent and recessive element. As outlined in Section 2.3, views to the rear wall are limited, and the proposal does not detract from the wall's massing or visual dominance. Deliberate breaks in the built form have been incorporated to improve visibility of the rear wall and ensure it remains the dominant element in all views. This is particularly evident from Wingecarribee Street, where the articulated massing allows the sandstone wall and corner to remain visually prominent.

### Materials palette

The materials palette is intentionally contemporary and has been designed to contrast subtly with the sandstone walls rather than replicate them. The use of glass, metal and lightweight cladding provides a clear point of distinction between historic and new fabric, while remaining complementary to the gaol's materiality and the surrounding bushland setting. This approach reinforces the significance of the sandstone construction and does not compete with the dominant heritage fabric or Berrima's broader heritage character.

### Courtyard roof forms

The courtyard enclosures are located within the gaol walls, noting that the majority of internal courtyard fabric (with the exception of the 1839 and 1866 Entrance Gates) is later fabric of Neutral Significance rather than the original building envelope. The roof forms have been designed to complement the existing roof geometry, retain the legibility of the courtyards as open spaces, and maintain transparency and visual permeability. The structures are self-supporting and physically separated from the retained heritage fabric, allowing for reversibility and compliance with the NSW Heritage Office Adaptive Reuse Guidelines. This ensures the courtyard roofs remain visually subordinate to the original built form and do not diminish the significance of the gaol.



Figure 6 – View of Western Hotel Suites from Wingecarribee Road

Source: Visual Impact Assessment



Figure 7 – View of Western Hotel Suites from Wingecarribee Road

Source: Visual Impact Assessment



## 3.2 Opening and Wall Alterations

### Submission

*The proposal includes the creation of a new opening in the eastern gaol wall to improve access between the forecourt and internal precinct. The HIS assesses this as a minor intervention with negligible impact on overall significance, provided that stonework salvage, interpretive detailing, and documentation are undertaken before removal.*

*While this rationale is accepted, Council does not support the creation of any new openings within the principal façade of the Gaol fronting Argyle Street. This elevation is fundamental to the site's historic and visual integrity and contributes strongly to the landmark character of Berrima village. This façade represents a defining element to the site's State heritage significance and should remain visually intact and uninterrupted.*

*Council also recommends that any new openings or penetrations in original walls be the minimum necessary, with all stone elements salvaged, catalogued, and reused where feasible to retain physical and interpretive integrity.*

### Response

Refer to Section 2.1 above for a detailed discussion of the necessity of the proposed opening and the consideration of alternative options. On balance, the proposed opening in the eastern gaol wall represents the most appropriate outcome for the project, having regard to heritage impacts, regulatory compliance, user experience, and the long-term viability of the adaptive reuse of the site.

It is acknowledged that the Argyle Street elevation is fundamental to the gaol's historic and visual integrity and makes a strong contribution to the landmark character of Berrima village. The proposed opening has therefore been approached as an exceptional and carefully controlled intervention. Its size has been determined strictly by functional and regulatory requirements and in direct response to the scale and proportion of the wall. The intervention does not fragment or visually diminish the overall legibility of the Argyle Street façade, which will remain substantially intact and uninterrupted. The opening is as minimal as practicable, simple in expression, and designed to be reversible, ensuring the wall continues to read as a strong, dominant and defining element of the site and a key contributor to its State heritage significance.

The discreet opening enables the gaol to clearly signal its transition from a closed institutional place to a publicly accessible destination, improving physical and visual connectivity between the forecourt and the internal precinct and reinforcing legibility of public access. This approach aligns with established adaptive reuse principles. Supporting documentation prepared by Right Angle and Macroplan identifies comparable adaptive reuse projects in regional NSW where limited and well-considered interventions to principal façades have been necessary to support viable ongoing use, particularly for food and beverage functions. These examples demonstrate that carefully managed access points are often critical to the long-term activation and conservation of significant heritage places.

Consistent with Council's recommendation, all stonework associated with the opening will be carefully salvaged, catalogued and reused in the opening design, in accordance with best-practice heritage methodology. The construction methodology allows for the opening to be closed in the future should conservation priorities change. The size of the opening has been minimised to the extent possible while still achieving operational functionality and compliance with emergency egress requirements under the NCC.

On this basis, the opening is considered justified and acceptable, and strikes an appropriate balance between conservation, activation and the long-term viability of the precinct. The resultant manageable heritage impact is outweighed by the public benefit and the long-term conservation outcomes arising from the adaptive reuse of the gaol.



# Disclaimer

This report is dated 15 June 2026 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Bluesox Group (**Instructing Party**) for the purpose of response to submissions (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

## Appendix A– Request for Further Information, Department of Planning Housing and Infrastructure (DPHI)

Our ref: Berrima Hotel (SSD-66876472)

Mr Jonathan Thompson  
Blue Sox Investments Pty Ltd  
PO Box 495  
Parramatta NSW 2050

16 December 2025

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**Subject: Response to Submissions**

Dear Mr Thompson

The exhibition of the development application and environmental impact statement (EIS) for the Berrima Hotel (SSD-66876472) ended on 26 Nov 2025. During the exhibition period, the Department received 284 public submissions, six agency responses and one submission from Wingecarribee Shire Council.

All submissions have now been placed on the NSW Planning Portal at [www.planningportal.nsw.gov.au/major-projects/projects/berrima-hotel](http://www.planningportal.nsw.gov.au/major-projects/projects/berrima-hotel)

The Department requests that you provide a submissions report, that addresses the matters raised in submissions and agency advice, as required under section 59(2) of the *Environmental Planning and Assessment Regulation 2021*.

The written response must be in the form of a submissions report that has been prepared having regard to the *State Significant Development Guidelines including Appendix C - Preparing a Submissions Report*. We also require a response to the issues raised by agencies in their advice. The response should be incorporated into the submissions report.

The department also received feedback from the community (outside of the exhibition process) that expressed support for the proposal. Please also provide a response to the matters raised in the submissions report.

Having carefully reviewed the proposal and the issues raised, the Department also requires further information to address the issues raised in **Attachment A**.

The Department requests that you provide a consolidated response to all submissions and the issues raised by Friday 20 February, 2026 via the NSW Planning Portal

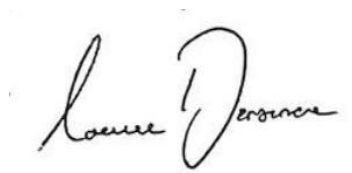
<https://majorprojects.planningportal.nsw.gov.au/>.



Note that the time between the date of this letter and the date the Planning Secretary receives your response is not included in the 'assessment period' under section 94(1) of the Environmental Planning and Assessment Regulation 2021.

If you have any questions, please contact Fadi Shakir, on 02 9274 6277 or via email at [fadi.shakir@planning.nsw.gov.au](mailto:fadi.shakir@planning.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read "Louise Densmore".

Louise Densmore

Director

Regional Assessments

as delegate for the Planning Secretary

## ATTACHMENT A – RESPONSE TO SUBMISSIONS AND REQUEST FOR INFORMATION

### 1. Eastern wall opening

- The Department notes the concerns raised in advice and submissions regarding the proposed opening along the eastern gaol wall. The Department requests a detailed options review of the need/location of the wall opening proposal. The need for a wall opening and its proposed location requires further consideration, consultation (including with former inmates), assessment and justification.

### 2. Visual impact assessment

- The Department requires an updated visual impact assessment (VIA) to include analysis of views from Wingecarribee River looking east, western end of Wilshire Street looking south onto western hotel rooms and west onto the escarpment and along Wingecarribee Street looking north onto the western hotel suites. The updated VIA must consider how the proposed western hotel suites address potential impacts on the amenity of the surrounding area.

### 3. Western Hotel Rooms

- The Department requires further justification for the design rationale behind the northern bar's 'kinked' massing form. It is noted the proposed hotel's massing form was not presented to and reviewed at, SDRP session 2. The Department requests the further design rationale, supported by additional visual impact assessment, be presented to the SDRP for review and endorsement. The scale of the southern end of the bar form (4 stories) looks to be of greater visual impact than what was presented at SDRP. The design may benefit from further breakdown of the massing to this end of the 'bar', and it should be included in the VIA so that the scale impacts are better understood. This should include options that favour views/curtilage to the river and retain the suites within the 'bar' form.

### 4. Country approach

- The Department requests that reference to 'reconciliation' be further clarified to demonstrate how it has informed the proposal's design and has been supported by current engagement with the local Aboriginal Community. Engagement with the local Aboriginal Community should include, but not be limited to, consultation with the local knowledge holders, former inmates and their families/friends to tell their stories and inform design options, such as any proposed wall openings and the refined 'bar' form of the western hotel rooms.

### 5. Fire Egress Compliance

- The Department requires a detailed evidence-based fire egress justification for the proposal demonstrating fire egress performance can be achieved. If the Gaol's fire egress performance is not achievable, explore opportunities to provide an additional emergency egress point in the southern prison wall, with a connecting pathway through the building to provide direct emergency egress from the conference room to the carpark.
- The BCA report and proposed fire safety schedule reference automatic fire suppression systems (sprinklers) across the development but do not distinguish between the new hotel building and the existing gaol. Clarification is required regarding the extent of sprinkler installation within the gaol building. Installation of a new sprinkler system may have heritage implications.
- The staircase within the governor's residence is in a state of disrepair. The applicant should amend the submitted BCA report to detail the scope of remedial works proposed, including whether any enclosure beneath the stair requires treatment and whether balustrades and handrails will be upgraded.

### 6. Flood Impact Risk Assessment

- The Department has concerns in relation to the basement carpark design and requires additional assessment in relation to best practice basement flood-mitigation measures. Address comments/recommendations in advice from Council, DCCEEW CPHR and SES regarding flood emergency evacuation response and basement carpark design.

## Appendix B – Heritage NSW Agency Submission



Our ref: HMS ID 12088

Fadi Shakir  
Senior Planning Officer  
Department of Planning, Housing and Infrastructure  
fadi.shakir@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

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## Advice on Environmental Impact Statement – State Significant Development

**Proposal:** Berrima Hotel/Berrima Correctional Centre

**Major Project reference:** SSD-66876472

**Received:** 13 October 2025

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Dear Mr Shakir,

Thank you for your referral dated 13 October 2025 inviting the Heritage Council of NSW to provide advice on the Environmental Impact Statement (EIS) for the above State Significant Development (SSD) proposal.

The proposed SSD affects the State Heritage Register (SHR) item Berrima Correctional Centre (SHR no. 00807).

In preparing this advice Heritage NSW has reviewed the following documents:

- Relevant parts of *Environmental Impact Statement (SSD 66876472)*, Sutherland & Associates Planning, September 2025, including the following appendices:
- Appendix 5: Architectural drawings titled 'Adaptive Reuse of the former Berrima Gaol', Turner, 8/09/2025;
- Appendix 6: *Architectural Design Report*, Turner, September 2025;
- Appendix 7: Landscape plans, JMD Design, September 2025;
- Appendix 8: *Landscape Architecture Report*, JMD Design, September 2025;
- Appendix 14: *Visual Impact Assessment for a Proposed Adaptive Reuse of the former Berrima Gaol*, Ethos Urban, 22 August 2025;

- Appendix 22: *Acoustic Report for a Proposed Adaptive Reuse of the former Berrima Gaol*, Renzo Tonin & Associates, 15/08/2025;
- Appendix 32: *Heritage Impact Statement*, Urbis, 25/08/2025;
- Appendix 33: *Conservation Management Plan*, Urbis, 15/05/2024;
- Appendix 34: *Baseline Historical Archaeological Assessment*, Austral Archaeology, 14/08/2025.

As delegate of the Heritage Council of NSW, we provide the following comments:

1. On 2 September 2025 the applicant presented the SSD proposal to the Heritage Council of NSW Approvals Committee. The Approvals Committee passed Resolution 2025-37 in regard to the SSD proposal – please refer to Attachment A.
2. We recommend that the applicant be required to address the comments included in the Approvals Council's resolutions.
3. We assess that additional information is required to meet the Secretary's Environmental Assessment Requirements (SEARs) and to allow us to complete our assessment. We recommend that the applicant be required to provide the additional information and address issues as outlined in Attachment B.

**As the site contains a local heritage item, and other local items are in the vicinity, advice should be sought from the relevant local council.**

If you have any questions about this correspondence, please contact Anna Simanowsky, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

Yours sincerely,

*Alison Lamond*

Alison Lamond  
 Manager  
 Major Projects  
 Heritage NSW  
 Department of Climate Change, Energy, the Environment and Water  
**As Delegate of the Heritage Council of NSW**  
 4 November 2025

**Heritage Council Approvals Committee resolution 2057-37**

*The Approvals Committee resolves to:*

- 1. Support in principle the adaptive reuse of the former Berima Gaol as a hotel.*
- 2. Support the incorporation of Connecting with Country principles in developing the proposal.*
- 3. Request further justification for the need for a new opening in the eastern (front) gaol wall, including:*
  - A need for activation*
  - The proximity of the existing front door*
  - Functional requirement for an additional exit*
- 4. Request further information on the proposed use of Governor's and Deputy Governor's residences*
- 5. Support the use of native and exotic planting in enhancing the character of the landscape and caution against the use of over-rustic stonework detailing within close proximity of historic walls.*
- 6. Consider a less dominant form for the porte cochere.*
- 7. Ensure that archaeological conservation and interpretation opportunities are maximised.*
- 8. Support in principle the form and layout of the proposed new buildings containing hotel units at the rear of the former gaol near the Wingecarribee River escarpment, noting the State Design Review Panel's comments on further design resolution.*
- 9. Support the proposed integration of new design elements within the gaol walls, including new glazed roofing elements.*

**Additional information requested and issues to be addressed**

**Archaeology**

The *Baseline Historical Archaeological Assessment* does not fully address SEARs item 20 as it does not “... consider the impacts from the proposal on the potential archaeological resource”. The report presents an overview of archaeological potential only and does not outline the proposed redevelopment, nor consider the potential impact of the works. In addition, no assessment of maritime archaeology has been undertaken.

We recommend that the following be undertaken.

1. Update the *Baseline Historical Archaeological Assessment* (BHAA)

The BHAA should be updated to:

- a) reflect the proposed planning pathway of the project as a State Significant Development (SSD), with consideration of the relevant legislative requirements of this pathway.
- b) include a detailed impact assessment in consideration of the identified archaeological potential and all proposed works. The impact assessment should also consider indirect impacts including vibration and compaction.

The impact assessment should be informed by:

- i. A Ground Penetrating Radar (GPR) survey, as recommended in the BHAA.
  - ii. Results of test excavation (see item 2).
- c) Following update of the assessment in consideration of project impacts, clear and detailed mitigation measures should be developed relevant to the distinct areas of archaeological sensitivity. Specific mitigation measures for known or suspected burials should also be developed.

2. Undertake test excavations

Test excavation should be undertaken prior to project approval to inform the EIS. The results of the test excavations should be used to inform decision-making and identify appropriate conservation outcomes and mitigation measures commensurate with the assessed significance of the identified archaeological resource. Heritage NSW advises that the current approach for the management of any identified State significant archaeology and/or burials is preservation and conservation in situ as a preferred heritage outcome.

3. Prepare an Archaeological Research Design and Excavation Methodology (ARDEM)

An ARDEM should be prepared in accordance with the guideline *Archaeological Assessments* (Heritage Office and DUAP 1996) to inform and guide archaeological excavations, which includes test excavations. The ARDEM should:

- a) Identify research questions to guide the archaeological program
- b) Propose a methodology for archaeological investigations on site, including a sampling strategy for the test excavations as appropriate.



- c) Propose a methodology for excavation and management of known or suspected burials, in accordance with the requirements of the *Coroners Act 2009*.
- d) Consider the inclusion of an artefact discard policy and procedure.
- e) Include clear triggers and hold points for the identification of substantially intact (and, if present, State significant) archaeological deposits/relics and/or burials. The hold points should require, and allow for, consideration of redesign to avoid impacts. Heritage NSW would appreciate an opportunity to comment on the proposed management approach decided upon by the proponent.
- f) Provide a methodology for post-excavation analysis and reporting.
- g) Include provision for an addendum to the ARDEM if open-area salvage excavation is recommended as mitigation based on the results of the testing. The Addendum should detail the proposed salvage excavations and methodology and should be developed in consultation with Heritage NSW.

The ARDEM should be prepared following updates to the BHAA.

#### 4. Nominate an Excavation Director

A suitably qualified and experienced Excavation Director should be nominated for test excavations. The nominated Excavation Director is to meet the requirements of *Criteria for Assessing Excavation Directors* (Heritage Council of NSW 2019).

The ARDEM and nominated Excavation Director should be submitted to Heritage NSW for approval prior to the commencement of test excavations.

#### 5. Undertake and assessment of the potential impacts on maritime archaeology

An assessment of maritime archaeology and the potential impacts of the proposed works on such resource should be prepared by a qualified maritime archaeologist.

Should impacts to maritime archaeology be identified, appropriate mitigation measures should be developed.

### Visual Impact Assessment

- 6. The *Visual Impact Assessment* does not assess visual impacts from viewpoints along the Wingecarribee River. We recommend visual impact assessments be undertaken from key viewpoints along the river, including viewpoints from any State heritage items within the view catchment of the SSD.

### Proposed arbor

- 7. The landscape drawings show an arbor is proposed to be erected within the gaol's front garden close to the proposed new opening in the gaol wall. Please provide additional details of the arbor to illustrate its design and its visual permeability, noting that the new opening in the gaol wall is intended to increase permeability into the site. Please assess the heritage impacts of the proposed arbor.

### Proposed glasshouse

8. The glass house will be a new structure outside of the gaol walls. Please provide additional details of the proposed glasshouse and its scale in relation to existing adjacent structures. Please assess the heritage impact of the glasshouse.

#### **Guard's tower internal changes**

9. It is noted that the upper floors and access stairs are to be demolished from within the guard's tower. As views from the top floor of the tower were key to its purpose at the gaol please justify the removal of access to the uppermost floor and the views from its windows, and assess the associated heritage impacts.

#### **Construction within the gaol walls**

10. Please provide information on the methodology proposed for construction within the gaol walls and whether additional openings in the walls would be required for vehicular access and/or to facilitate construction.
11. Please provide information on how it is proposed that the gaol walls would be protected from damage during construction including the excavation of the lift shaft and tunnel to the carpark.

#### **Interpretation Plan**

12. Prepare an interpretation plan. It is noted that interpretation has been integrated into parts of the design but no interpretation plan has been submitted with the EIS. Noting that CMP Policy 150 states that '*A Heritage Interpretation Strategy and /or Plan should be prepared for Berrima Gaol in tandem with any major changes to the site including adaptive reuse*', we consider that an interpretation plan should be prepared for the SSD.

## Appendix C – Wingecarribee Shire Council Agency Submission

26 November 2025

The Planning Secretary  
Department of Planning, Housing and Infrastructure  
Locked Bag 5022  
Parramatta NSW 2124

Att: Fadi Shakir

Dear Planning Secretary

**Submission on the Environmental Impact Statement for the Berrima Hotel  
(SSD-66876472)**

Wingecarribee Shire Council welcomes the opportunity to provide a submission during the public exhibition period for the Berrima Hotel proposed adaptive re-use of the former Berrima Gaol at 2-4 Argyle Street, Berrima.

The former Berrima Gaol is a place of exceptional historical and cultural significance, both to the Berrima community and to the wider State. Its adaptive reuse presents a unique opportunity to conserve and celebrate this important State Heritage Item, while contributing to the Southern Highlands visitor economy and local employment opportunities.

Council recognises the positive potential of this SSD application, noting the opportunity to revitalise the site through heritage-sensitive reuse that delivers public access and regional economic benefit. If well executed, the project could provide a benchmark for design excellence and adaptive reuse outcomes in heritage settings.

While Council acknowledges the project's potential benefits, it has identified several key issues in its detailed submission that warrant further refinement prior to determination, including:

- Ensuring all works to heritage fabric are minimal, reversible, and consistent with the Conservation Management Plan.
- Reducing visual bulk and height of new buildings and maintaining the landmark integrity of the Argyle Street façade.
- Minimising visual, traffic, and amenity impacts on Berrima Village and surrounding environment.
- Applying best-practice stormwater and water-sensitive urban design (WSUD) principles to protect the Wingecarribee River corridor.
- Embedding a genuine community benefit framework through local employment, access and interpretation initiatives.
- Maintaining ongoing collaboration with community and Aboriginal stakeholders.

*We're with you*



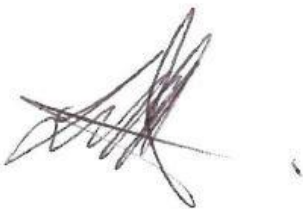
Council's detailed submission provides further analysis and recommendations to guide refinement of the proposal to ensure that the site's cultural, environmental and community values are safeguarded. This submission was endorsed by Council at its meeting held on 19 November 2025.

Council's overall position remains one of in-principle support for the adaptive reuse of the Berrima Gaol, subject to the Department's satisfaction that the matters raised in this submission have been appropriately addressed or conditioned. Council is committed to continuing to work collaboratively with the Department, the proponent and the community to ensure that the redevelopment achieves the highest standards of heritage conservation, design, quality and public benefit.

Council also wishes to note the difficulty in comprehensively reviewing the Environmental Impact Statement (EIS) and accompanying documents within the exhibition timeframes. Given Council meetings and reporting cycles, the short exhibition period limits the ability to provide detailed feedback warranted by a project of this scale and complexity. We acknowledge that an extension was granted due to incomplete documentation, however this does not equate to additional time for review to complete an endorsed submission. Extending timeframes for comment on significant State projects should be considered as a matter of policy by the State Government to allow for more thorough local review and better overall outcomes.

Should you require any additional information please contact Jessica Lintern, Manager Strategic Outcomes on (02) 4868 0888 during business hours (8.30am – 4.30pm) Monday to Friday.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'Lisa Miscamble', with a small comma at the end.

Lisa Miscamble  
**General Manager**



# Wingecarribee Shire Council Submission

Berrima Hotel State Significant Development Application (SSD-66876472)

## Executive Summary

Wingecarribee Shire Council welcomes the opportunity to provide this submission to the public exhibition phase for the Berrima Hotel State Significant Development (SSD) application (SSD-66876472) for the proposed adaptive re-use of the former Berrima Gaol as a tourist facility comprising a boutique hotel, function centre, restaurants, bar and wellness facilities.

Council acknowledges the potential social, cultural, and economic benefits of the adaptive reuse of this landmark site. If sensitively designed and managed, the redevelopment offers an opportunity to celebrate Berrima's unique heritage, support tourism, and contribute to regional employment.

However, Council also recognises its responsibility to ensure that any redevelopment maintains the integrity of this State heritage item, protects the amenity and character of Berrima Village, and safeguards environmental and infrastructure outcomes.

This submission outlines Council's assessment of key issues, identifies areas requiring refinement, and provides recommendations to ensure the proposal delivers positive outcomes for both the community and the heritage significance of the site.

Council offers in-principle support for the proposal, on the basis that:

- The development respects and retains the heritage significance of the Berrima Gaol and the broader Berrima Heritage Conservation Area.
- New built form is appropriately scaled, visually recessive, and responsive to the village character.
- Environmental and sustainability outcomes are clearly measurable and embedded through detailed design.
- Community access and benefit are prioritised alongside commercial activation.

The key conditions for Council's support of the proposal are:

- Heritage: No new openings in the Argyle Street façade; ongoing compliance with the Conservation Management Plan; and implementation of a Heritage Interpretation Plan.
- Urban Design: Reduce the visual bulk of the River Suites; enhance landscape screening; prepare Lighting Management Plan to manage night-time character.
- Environment and Sustainability: Stormwater and Water Sensitive Urban Design (WSUD) Implementation Plan; Green Star or equivalent sustainability benchmark; measurable carbon-reduction and tree canopy targets.
- Traffic and Access: Preparation of a Comprehensive Traffic and Parking Management Plan; provision of a right-turn treatment at Old Hume Highway; improved pedestrian connections.
- Infrastructure and Servicing: Confirm servicing capacity and upgrades; provision of water, sewer and drainage to Council standards, undertake road dilapidation and upgrade works completed prior to construction.
- Community Benefit: Preparation of a Local Employment and Procurement Strategy; meaningful ongoing community and Aboriginal stakeholder engagement, with feedback loops and responses; provision of benefits above and beyond Council's development contributions plans.

## 1. Introduction and Context

The proposal seeks consent for the adaptive reuse of the former Berrima Gaol at 2-4 Argyle Street, Berrima into a boutique hotel and tourism precinct, known as the Berrima Hotel.

Prepared by Sutherland & Associates Planning on behalf of Blue Sox Group, the Environmental Impact Statement (EIS) and supporting documentation has been submitted to the Department of Planning, Housing and Infrastructure (DPHI) as an SSD application.

While DPHI is the assessing body, Wingecarribee Shire Council's role is to provide technical and community-based feedback to ensure that development outcomes are consistent with local strategic objectives and the expectations of the Berrima community.

Council's assessment has been guided by the Wingecarribee 2035: Community Strategic Plan, the Wingecarribee Local Strategic Planning Statement (LSPS – Wingecarribee 2040), the Wingecarribee Local Environmental Plan (WLEP 2010), and the Berrima Development Control Plan (DCP), which remain highly relevant despite the project's SSD status.

## 2. Key assessment issues and Council commentary

### 2.1. Heritage and Built Form

The Berrima Gaol is one of the most significant colonial penal sites in NSW, listed on the State Heritage Register (SHR No. 00807) and within the Berrima Heritage Conservation Area under the WLEP. The site contributes substantially to the historic and aesthetic character of Berrima village and is central to its tourism identity.

#### Adaptive Reuse Approach

The proposed works aim to retain and adapt the key heritage buildings and site elements, including the perimeter sandstone walls, 1866 and 1839 gatehouses, Governor's Residence, Deputy Governor's Residence, and associated courtyards, for new uses that enable greater public access and appreciation.

Council supports this adaptive reuse strategy in principle. It represents a positive step toward ensuring the site's long-term conservation and activation while allowing the public to engage with an important chapter of Berrima's and the State's penal history.

#### Design Integration and New Works

The proposed new works, as illustrated in Turner Studio's design drawings (DA-110-008 to DA-220-601), include new hotel accommodation building ("River Suites") located to the west of the main gaol complex, glazed infill roofs to one of the existing courtyards, and limited alterations to the eastern wall to improve permeability and accessibility.

While the architectural treatments proposed appear contemporary and visually recessive, Council recommends further design refinement to ensure:

- The scale and massing of new buildings do not visually compete with the dominant sandstone gaol form, particularly when viewed from Argyle Street and Wingecarribee Street.
- The materials palette (primarily glass, metal, and lightweight cladding) is carefully controlled to remain complementary to the site's sandstone construction and Berrima's broader heritage character.

- The roof forms of the proposed courtyard enclosures maintain visual subordination to the original building envelope, ensuring transparency and reversibility consistent with the NSW Heritage Office Adaptive Reuse Guidelines.

Council notes the Heritage Impact Statement (HIS) finding that “new additions are located and designed to be clearly distinguishable from the historic fabric, while remaining sympathetic in scale, materiality, and form.” Council supports this principle but recommends DPHI impose conditions requiring a Heritage Design Review Panel or similar process during detailed design to ensure these conservation principles are upheld through delivery.

#### Openings and Wall Alterations

The proposal includes the creation of a new opening in the eastern gaol wall to improve access between the forecourt and internal precinct. The HIS assesses this as a minor intervention with negligible impact on overall significance, provided that stonework salvage, interpretive detailing, and documentation are undertaken before removal.

While this rationale is accepted, Council does not support the creation of any new openings within the principal façade of the Gaol fronting Argyle Street. This elevation is fundamental to the site’s historic and visual integrity and contributes strongly to the landmark character of Berrima village. This façade represents a defining element to the site’s State heritage significance and should remain visually intact and uninterrupted.

Council also recommends that any new openings or penetrations in original walls be the minimum necessary, with all stone elements salvaged, catalogued, and reused where feasible to retain physical and interpretive integrity.

#### Conservation and Management Framework

The proposal aligns with the 2024 Conservation Management Plan (CMP), which provides conservation policies for the Gaol’s long-term care. Council strongly supports conditioning the SSD consent to require:

- Ongoing adherence to the CMP.
- Preparation of a Detailed Conservation Works Schedule and Archaeological Research Design prior to any site works.
- Development of a Heritage Interpretation Strategy to communicate the site’s penal history and its social and cultural layers.

Council also recommends inclusion of a Heritage Maintenance Plan to guide long-term stewardship, consistent with the recommendations of the CMP and HIS.

#### Design Excellence and Visual Setting

The adaptive reuse of a State Heritage-listed site of this prominence demands an exemplary standard of design and integration. Council reiterates its earlier SEARs submission recommendation that the project be subject to an architectural design excellence process. It is noted that the proposal has been reviewed by the State Design Review Panel (SDRP). Further consultation with the SDRP should be undertaken with future iterations of the proposal and as further refinements are made.

This would ensure that future detailed design phases, particularly for the new hotel buildings, courtyard structures, and landscaping, maintain architectural integrity, respond appropriately to the village’s heritage setting, and deliver a cohesive and high-quality public realm outcome.

### Cultural Connection and Landscape integration

References to Aboriginal engagement and bush tucker planting are supported but require further definition. Council recommends a Cultural Heritage Management Plan co-designed with Traditional Custodians to ensure authenticity and ongoing involvement.

### Summary:

Council recognises the sensitive and well-researched approach adopted in the HIS and architectural documentation

Council supports adaptive reuse as a mechanism for heritage conservation but emphasises that interventions into the fabric of this State Heritage-listed site must be carefully justified, minimal and reversible wherever possible.

Council recommends:

- Adherence to the site's Conservation Management Plan (CMP) as the primary reference for all works.
- Limiting structural penetrations or openings into the gaol walls and ensuring consistency with the site's "Fortress" character.
- Ensuring that any new buildings or extensions remain visually subservient to the existing heritage structures.

## **2.2. Urban Design and Visual impact**

Council acknowledges that the Visual Impact Assessment (VIA) (Virtual Ideas, 2025 Appendix 14) concludes that the proposal's most visually sensitive interfaces, being Argyle Street, Wilshire Street and Wingecaribee Street, ranges from low to high significance depending on viewing angle and distance.

While the assessment identifies that the Argyle Street frontage will largely retain its established visual character and heritage prominence, it also finds high significance visual change from viewpoints along Wilshire and Wingecaribee Streets. These locations represent key approach views to the Berrima Village and are integral to its heritage setting.

### Scale, Siting and Built Form

The proposed three-storey hotel building (River Suites) represents a substantial visual intervention on the western side of the site. Although the assessment asserts that its location within a topographic low and use of muted materials will mitigate visibility, Council considers the outcome highly dependent on assumptions about vegetation growth, material selection, and roof reflectivity.

Council is concerned that the building's height, massing, and visibility from the Wingecaribee River corridor will undermine the visual dominance of the original gaol walls and alter the low-rise, vegetated character that defines the Berrima Heritage Conservation Area. The building's bulk remains at odds with the fine-grain, human-scaled form of the surrounding village.

As noted in the VIA, the views of the western gaol walls are obstructed by the Industries Buildings, particularly from Wilshire Street, however the massing and visual dominance of this building is significantly less than what is proposed. The consideration of this building and how it is viewed from both Wilshire and Wingecaribee Streets, should be considered in more detail with a reduction in the overall massing and scale.



### Public Domain and Streetscape Character

The proposal introduces a formalised carpark (“the Paddock”) on the southern boundary adjacent to Wingecarribee Street, which the VIA identifies as generating a considerable magnitude of visual change. Council notes that this intervention risks urbanising a traditionally informally landscape edge, creating a discordant relationship with the rural lane character of the street.

Council recommends that the Department impose conditions requiring the design of Wingecarribee Street frontages to:

- Maintain the streetscape character of Berrima village and ensure minimal hardstanding.
- Incorporate dense landscaping and canopy planting to soften the carpark interface.
- Use locally characteristic materials (sandstone edging, timber fencing) to integrate new elements visually with the surrounding village fabric.

### View Corridors and Visual Integration

While the VIA identifies the Argyle Street facade as being subject to low visual impact, Council emphasises that this frontage is the site’s most defining and recognisable feature within the heritage streetscape. Any new openings or interventions in this elevation would irreversibly diminish its landmark value and must be prohibited.

The assessment’s reliance on vegetation screening as a long-term mitigation measure is also problematic, as plant establishment and seasonal variation can significantly affect the effectiveness of visual buffering. Council recommends that a Visual Impact Verification Report be prepared to confirm the actual degree of visibility of new structures, supported by realistic landscape maturity modelling and independent peer review.

### Lighting and Night-time Character

Council notes that the EIS and VIA provide limited assessment of night-time lighting impacts. Given the site’s elevated position, proposed operating hours, and proximity to residential properties, the introduction of landscape and architectural lighting could substantially alter the night-time ambience of Berrima.

Artificial lighting also has the potential to disrupt local biodiversity, particularly nocturnal fauna that rely on natural darkness for foraging and movement. Light spill into surrounding vegetated areas and along the Wingecarribee River should be minimised to protect habitat connectivity and ecological function.

Council recommends a Lighting Management Plan be prepared to ensure all external illumination is low-level, shielded, and consistent with the heritage village context, and to verify that lighting design avoids impacts on both residential amenity and local wildlife.

### Summary

While Council supports the principle of sensitively designed adaptive reuse, the VIA demonstrates that the proposal will generate moderate to high visual impacts from key approach views and introduce built form elements inconsistent with Berrima’s traditional village scale.

Council recommends the Department require:

- Reduction in the height and visual prominence of the River Suites building.
- Enhanced landscape screening and integration along Wingecarribee and Wilshire Street frontages.
- Preparation of a Visual Impact Verification Report at detailed design stage.
- Submission of a Lighting Management Plan prior to construction.

Subject to these refinements, Council considers that the visual and urban design outcomes could achieve a more sympathetic and contextually appropriate integration of new and heritage elements within the Berrima village setting.

### **2.3. Traffic, Parking and Access**

Council has reviewed the Traffic Impact Assessment (Arup, 2025) and associated plans. The adaptive reuse of the Berrima Gaol will introduce new visitor and staff movements, event traffic, and increased pedestrian activity within and around the Berrima village centre.

Council recognises that while the local road network has some reserve capacity, the village's historic layout and narrow carriageways require careful management to protect safety, amenity, and accessibility. This will be increasingly important given the proposed use and increased activity that will be generated through the adaptive reuse of the site.

#### Pedestrian access

Greater consideration should be given to the improvement of pedestrian access to promote greater connectivity and accessibility both to the site and to Berrima village. Council requests that the plans and documentation are updated to include:

- Pedestrian footpaths along Wingecarribee Street and Wilshire Street.
- A footpath on the southern side of Wilshire Street, extending from Argyle Street to the furthest pedestrian access point of the development site.
- Pedestrian connectivity between the Berrima Gaol site and the adjoining Surveyor General Inn should be clearly addressed to ensure safe and coordinated movement between these two activity nodes, minimising potential conflict between pedestrians and vehicles.

As this proposal will significantly increase pedestrian activity within Berrima Village, a pedestrian crossing facility on the Old Hume Highway should also be provided by the proponent as part of this development.

These works will ensure safe pedestrian movement and support integration between the Gaol precinct and existing retail, dining, and visitor destinations within Berrima.

#### Parking

The proposal includes both basement and at-grade parking, providing 195 spaces across three levels. Council requests that further detailed assessment be undertaken to ensure that all parking generated by the proposal, including events, staff, and visitor peaks, can be accommodated within the site. This should be confirmed based on the proposal of the at-grade car parking being multifunctional space and having the ability to be used for events and gatherings as needed. These uses are considered to increase the demand for parking.

Council also notes references to buffer planting to screen the car park from Argyle Street. From review of the architectural plans, it appears that existing sheds fronting the car park are to be removed. Without these, effective screening will rely heavily on landscape treatments.

The Landscape Plans and Design Report (Appendices 7 and 8) identify planting species and an indicative layout; however, the extent and maturity of the proposed vegetation may be insufficient to minimise visual impact and provide adequate shade.

Council requests that paid parking be prohibited on site. This is to ensure visitors and patrons utilise the dedicated parking facilities provided within the development rather than

seeking free parking within the Berrima village, which would otherwise place pressure on limited public parking resources.

Council requests that:

- Amended plans be provided showing detailed planting arrangements, with the quantity and species, and visualisations.
- Soil depth and species selection to be confirmed to support long-term canopy growth.
- Additional trees and screening vegetation be incorporated to better conceal the carpark and soften the development's visual impact from Argyle Street and Wilshire Street.

#### Traffic

Council requests that the proponent deliver a Basic Right Turn (BAR) treatment for vehicles turning into Wingecarribee Street from the Old Hume Highway. Without this improvement, traffic congestion and safety risks are likely to occur on the highway due to queuing and delayed movements.

Further evidence is also required to demonstrate that the local road network can safely accommodate peak visitor volumes, particularly during events, and that pedestrian safety will be maintained.

A Comprehensive Parking and Access Management Plan should be prepared, including:

- Event-day and peak-season traffic management and strategies.
- Wayfinding and directional signage for visitors.
- Pedestrian safety improvements at key intersections.

Council also encourages investigation of shuttle or park-and-ride services during major events to reduce localised congestion and parking pressure within the village.

#### Summary

Council acknowledges that the transport studies support the viability of the proposal but considers that additional detail and commitments are required to ensure the development integrates safely with the existing road network and preserves Berrima's village character.

A coordinated approach to vehicle access, parking and pedestrian movement, supported by updated plans, verified traffic modelling, and landscape screening, will be essential to achieving a balanced outcome that supports both local amenity and visitor experience. Addressing the matters raised in this part of the submission will improve traffic, parking, and connectivity while minimising visual impacts and respecting the heritage values of the site and Berrima village.

## **2.4. Environmental and Flooding Impacts**

Council acknowledges the comprehensive environmental assessments submitted as part of the EIS, including reports on sustainability, arboriculture, and flooding. The documentation demonstrates a genuine intent to deliver a development that supports environmental performance, sustainability, and long-term resilience.

While Council supports the general direction of the proposal, several matters require further clarification and quantification to ensure positive outcomes are being achieved.

### Sustainability and Design Integration

The Architectural Design Report (Appendix 6) identifies that the project will achieve a net increase in tree canopy cover compared with existing site conditions. Council welcomes this commitment but requests that the extent of tree canopy increase be quantified.

The same report recommends using local materials in construction to maximise circular economy principles and reduce embodied carbon. Council strongly supports this initiative and recommends that the use of locally sourced and recycled materials be formalised as a condition of consent if approval is granted.

The inclusion of rooftop solar photovoltaic (PV) infrastructure is also supported. However, Council seeks confirmation that this system is incorporated into the final design and the visual impacts, particularly from elevated viewpoints along Argyle Street and Wilshire Street are appropriately mitigated through colour treatment and screening. It is unclear if the VIA (Appendix 14) has considered the PV system on the roof of the internal structures, and no views from elevated positions have been provided for assessment. This should be addressed prior to granting of any approval.

### Bushfire Assessment

Council supports the findings of the Bushfire Assessment, noting that all construction must meet relevant Bushfire Attack Level (BAL) ratings and provide adequate asset protection zones and emergency access. Consultation with the NSW Rural Fire Service should continue through detailed design.

### Trees Retention and Canopy Management

The Arboricultural Impact Assessment (AIA) prepared (Appendix 16) identifies that approximately 119 trees will be retained on site, with approximately 30 trees removed to facilitate the redevelopment. The AIA has determined that the trees for removal are low retention value.

To maintain the village's landscape character and offset the removal of trees, Council requests that:

- Replacement planting achieves at least a 2:1 ratio using local endemic species.
- Detailed planting plans demonstrate soil depth and root-zone protection sufficient for mature canopy establishment.
- Independent arborist supervision occurs during construction to ensure compliance with AS4970-2009 (Protection of Trees on Development Sites).

These measures will ensure continuity of canopy cover and biodiversity while contributing to Berrima's green village setting.

### Sustainability Framework and ESD Commitments

Council commends the inclusion of an ESD framework that emphasises low-emission design, circular economy principles, and connection with Country. However, the Sustainability Assessment (Appendix 19) remains largely conceptual, with few measurable performance indicators.

To ensure robust outcomes, Council recommends conditioning:

- Achievement of a minimum 5-Star Green Star – Design & As Built (v1.3) certification or equivalent.
- All-electric operation, with confirmation that no gas infrastructure will be installed and renewable supply will be available from commencement.
- Inclusion of battery energy storage be undertaken as part of the Stage 1 works.
- Submission of a WSUD Implementation Report prior to construction, verifying the hydraulic performance of rainwater reuse, raingardens and permeable paving.

- Reparation of a Lifecycle Carbon Assessment demonstrating at least 10-20% reduction in embodied carbon compared with standard benchmarks.

Council supports the commitments to 80% construction waste diversion and heritage material reuse and recommends a Circular Economy and Waste Implementation Plan specifying on-site reuse, recycling, and organics management processes. This should still retain consistency with relevant heritage conservation standards.

#### Flooding

The site and proposed works are essentially unaffected by flooding up to the 0.2% AEP flood event in the Wingecarribee River, and the flood impacts are considered to be acceptable.

In flood events larger than the 0.2% AEP, large amounts of water will flow down the basement car park entry ramp and produce high hazard flooding within the basement. While the proposal technically meets the requirements of the Berrima DCP, the residual risk for flooding of the basement in extreme events is a concern and should preferably be mitigated.

Council requests that the proponent provide further mitigation measures to manage the risk of flooding to the basement car parks.

#### Summary

Overall, the environmental and sustainability components of the proposal demonstrate positive intent and alignment with strategic goals for adaptive reuse, energy efficiency, and resource conservation. However, quantifiable performance targets and formal commitments to local materials and canopy expansion are required to ensure best practice outcomes and long-term resilience.

Council requests that:

- Condition measurable ESD performance standards, including Green Star certification and all-electric operation.
- Quantification of canopy cover increase and replacement planting at a 2:1 ratio using local species.
- Conditioning of local and recycled material use to support circular economy outcomes.
- Further flood mitigation measures to address basement risk in extreme flood vents.
- Submission of a WSUD Implementation Report prior to construction to confirm technical compliance.

## **2.5. Environmental Management Measures and Biodiversity**

Council notes that while a Biodiversity Development Assessment Report (BDAR) Waiver has been issued for the site (Appendix 21), the environmental assessments do not comprehensively address potential indirect biodiversity and habitat impacts that may arise during construction and operation.

The BDAR Waiver determination was granted on the basis that the development footprint is largely within a previously disturbed and built-up area, with minimal vegetation removal required as confirmed by the Arboricultural Impact Assessment (Appendix 16). However, the waiver does not consider potential secondary impacts from lighting, noise, stormwater discharge, or increased visitation that could affect fauna movement and habitat values along the Wingecarribee River corridor.

Given the site's proximity to this sensitive riparian environment, and the presence of mature vegetation that provides foraging or roosting habitat, Council recommends that



further assessment be undertaken to confirm that the development and its associated infrastructure will not adversely affect local biodiversity or downstream ecosystems.

In addition, while the EIS includes a range of environmental management and mitigation measures, these are dispersed across multiple appendices. A consolidated Construction Environmental Management Plan (CEMP) should be prepared prior to construction to integrate these measures, clearly identify environmental responsibilities, and provide monitoring, reporting and correction action processes.

The CEMP should specifically address:

- Vegetation protection and exclusion zones during construction.
- Erosion and sediment controls measures consistent with the Blue Book guidelines.
- Pollution prevention and water-quality safeguards for the Wingecarribee River.
- Habitat-sensitive lighting design to minimise wildlife disturbance.
- Post construction revegetation using local endemic species to enhance ecological connectivity.

### Summary

Council requests that:

- Preparation of a targeted ecological assessment to verify potential indirect impacts on fauna habitat and confirm mitigation measures.
- Preparation of a consolidated CEMP integrating all environmental safeguards and monitoring requirements.
- Incorporation of biodiversity protection and habitat-sensitive design measures within the WSUD and landscape frameworks.
- Ongoing consultation with the Department of Climate Change, Energy, the Environment and Water (DCCEEW) to ensure alignment with the Biodiversity Conservation Act 2016 and SEPP (Resilience and Hazards) 2021.

## **2.6. Noise, Amenity and Lighting**

The proposed uses include event spaces and outdoor functions, which may generate operational noise and light spill, particularly during evening events. The Acoustic Assessment (Renzo Tonin & Associates, August 2025) identifies that while noise levels are generally compliant with relevant criteria, some exceedances may occur at nearby residential receivers during events or construction without appropriate mitigation measures.

Council supports the proposed acoustic design measures, including noise barriers, use of acoustic glazing, and management of amplified sound. However, the Environmental Impact Statement does not provide a detailed Noise and Event Management Plan, nor does it address long-term compliance monitoring or community notification protocols.

Similarly, the Visual Impact Assessment and EIS provide limited analysis of lighting impacts. Given the site's elevated position and proximity to residential areas, night-time illumination has the potential to alter the village's ambient character.

Council recommends:

- Preparation and implementation of a Noise and Event Management Plan detailing hours of operation, amplified music curfews, and compliance monitoring.
- Preparation of a Lighting Management Plan ensuring compliance with AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting, with all lighting shielded and low-level to protect Berrima's heritage character.
- Incorporation of landscape and built form screening to buffer adjoining residential areas and reduce both noise and light spill impacts.

## 2.7. Social and Economic Impacts

Council recognises that the proposed redevelopment of the Berrima Gaol could generate substantial local employment, training, and tourism benefits. These outcomes are positive but must be accompanied by clear, enforceable mechanisms to ensure that social and economic benefits are realised equitably and that impacts on Berrima's community and character are appropriately managed.

The Social and Economic Impact Assessment (Appendix 35, prepared by HillPDA) identifies a range of economic benefits, including employment generation, tourism activation and heritage revitalisation. However, Council considers that the EIS overstates community benefits and understates social and amenity risks associated with the project's scale and intensity of use.

### Social considerations

The proposed level visitation, events and accommodation represent a material shift from Berrima's small-scale, heritage focused character. Careful design, operation, and ongoing management will be critical to maintaining the village's identity and protecting local amenity.

The majority of the site, including the hotel, restaurant and spa facilities, will operate on a private or guest-only basis. While there will be improved physical access to parts of the Gaol, public entry will be limited. Council therefore recommends a preparation of a Community Access and Interpretation Plan that provides:

- Free, ongoing public access to key heritage spaces.
- Integration with the Berrima Heritage Trail to support education, interpretation, and storytelling about the site's history and cultural significance.

Event use and extended operational hours may result in increased noise, traffic and light spill. Council reiterates the importance of a Noise and Event Management Plan and recommends clear conditions of consent, should approval be granted, limiting operating hours and amplified sound.

### Local Employment and procurement

The HillPDA report estimates up to 414 total (99 direct and 316 indirect) construction and 123 total (63 direct and 60 indirect) operational jobs but provides no details that these roles will benefit local workers or businesses. Council recommends the preparation of a Local Employment and Procurement Strategy to ensure residents and local suppliers share in the project's economic benefits.

This strategy should include measurable targets for:

- Local workforce participation.
- Procurement from Southern Highlands-based suppliers.
- Reporting on economic outcomes following commencement of operations.

The HillPDA assessment assumes net economic growth but does not analyse potential displacement from existing small accommodation and hospitality providers. Council recommends DPHI require independent verification that the project provides net regional benefit rather than market redistribution.

Economic gains from large-scale events must be balanced against Berrima's infrastructure constraints, including narrow roads, limited parking and heritage infrastructure. Council further notes the risk of over-commercialisation or future conversion to non-tourism uses if the operation underperforms. Conditions of consent should therefore restrict future land use changes that are inconsistent with heritage tourism objectives.

The EIS indicates that the on-site restaurant will show case local produce. Council strongly supports this commitment and recommends it be formalised through a Local Supplier Agreement or similar mechanism to ensure tangible economic benefits to local producers.

#### Infrastructure Contributions and Community Benefit

While the development is State Significant and not subject to Council's development contributions framework, the scale and intensity of the redevelopment will increase demand on local infrastructure, services and public spaces.

Council requests that the proponent be required to work with Council and the Department to go beyond statutory contributions and deliver tangible community benefits consistent with the projects profile. This may include public domain and pedestrian improvements, heritage interpretation initiatives, and local amenity or infrastructure upgrades that strengthen connections with Berrima Village and provide lasting community value.

#### Cumulative Impacts

The Social and Economic Impact Assessment considers cumulative impacts (Section 4.3, Appendix 35) only within 1.5 kilometres of the site. This scope is too limited and does not capture the broader regional context including other major developments that may draw down upon the same accommodation supply, workforce, and community services across the Southern Highlands.

Given the scale of construction activity occurring across the region, cumulative demand on temporary accommodation, local services, transport networks, and community facilities should be more comprehensively assessed. Council recommends expanding the cumulative impact analysis to consider concurrent regional projects that may contribute to combined social and economic pressures during both construction and operation.

#### Summary

Council supports adaptive reuse of the Berrima Gaol as a means of conserving and activating a key heritage asset. However, to ensure that the project delivers authentic community and economic benefit, outcomes must be transparent, measurable, and locally focused.

Council recommends:

- Preparation of a Community Benefit and Access Plan addressing local employment targets, procurement from local suppliers, and community access to the site for educational or cultural purposes.
- Inclusion of interpretation and storytelling elements to reconnect residents and visitors with the history of Berrima Gaol and its broader social context.
- Preparation of a Local Employment and Procurement Strategy with measurable local job and supplier targets.
- Conditioning of event limits and operational controls to protect residential amenity and village character.
- The Department explore a Planning Agreement or a similar mechanism to secure additional community benefit outcomes consistent with the scale and public significance of the development.

## **2.8. Infrastructure and Servicing**

Council has reviewed the civil and servicing documentation accompanying the EIS and acknowledges that the proposed works aim to integrate with existing village infrastructure while supporting the adaptive reuse of the Berrima Gaol.

However, further detail is required to confirm that the proposed servicing strategy, including water, sewer, stormwater, waste, and road infrastructure, can adequately accommodate the development without adversely affecting existing systems or local amenity.

#### Works to Wingecarribee Street

Council requests that the design for Wingecarribee Street include:

- Provision of kerb and guttering with a piped stormwater drainage system to service the development.
- Sufficient space allocation for a footpath along the upgraded section, consistent with the Pedestrian Movement and Circulation Plan, connecting to the Berrima River Walk.
- An appropriate vehicle turning facility near the existing tennis court where the road reserve widens, to accommodate service and emergency vehicles safely.

#### Site servicing

It is unclear how waste from the development will be collected. A vertical clearance of 4.5 metres is insufficient for front-lift waste collection vehicles to carry out on-site collection. Detailed information about the waste collection process must be provided prior to determination.

Council's policy requires one water connection and meter per property. The design should consider one connection point off the largest connecting main (for fire flow) with appropriate fire and domestic metering/services. All internal services are to run off this single source.

The design must comply with Council's minimum standards of:

- DN180 water main diameter for commercial development.
- DN225 sewer main diameter, noting that while the downstream system may be smaller, new or renewed mains must meet these standards.

#### Water

The Water and Sewer Modelling Report identifies a total demand of 94 Equivalent Tenements (ETs) but does not provide the calculation methodology. Council requests that this be supplied to confirm assumptions and system capacity.

The water main relocation can be extended to form a ring main by connecting the dead end of Wingecarribee Street to Willshire Street via the rear of the property, within an appropriate easement in favour of Council. This ring main will prevent dirty water accumulation in the dead-end main and will potentially increase the water flow rate within the system.

The WS Model Report has not followed Council's template and is missing several key sections, which are listed below. Council requests the report is updated and provided to Council for review prior to determination. The WS Model Report needs to be updated with:

- Emergency storage analysis for SPS-BE1 has not been included, and therefore, potential impacts cannot be assessed. T
- Overflow details before and after development have not been provided, preventing assessment of any impact in system performance.
- The Hydraulic Grade Line (HGL) plot for the post-development scenario has not been included so it is unclear whether any surcharge occurs in the system from the connection point(s) to SPS-BE1. The HGL is required to be provided in the report

The water model version provided for the analysis had an error in the operation philosophy for Reservoir RES-ME1. In the version provided the fill rate is restricted to the point that the reservoir does not refill on subsequent maximum day demand (MDD) days. This has been reviewed and fixed in Council's latest model version in alignment with SCADA and observed operation. The modelling report needs to be updated to reflect this, and the latest version can be provided to the consultant with this update included. The WS Model report needs to be updated with regards to the reservoir comments.

#### Sewer

The proposed sewer (Sewer Diversion Design – Annexure F) appears to be shallow (120mm at Chainage 58.30). It is located within the batter and flood zone. The manhole at Chainage 37.8 will have a depth of approximately 330mm, making it difficult to construct. Additionally, Council requires a 3-metre-wide easement over the sewer main through the site for maintenance.

Council has concerns regarding the proposed location of the sewer main, as it is adjacent to the Wingecarribee River. In the event of a sewer manhole surcharge, raw sewage could contaminate the Wingecarribee River.

An easement, minimum of 3 metres wide, will be required over the sewer main running through the site for access and maintenance.

Council prefers the entire length of the sewer main (Wilshire Street to Wingecarribee Street) within the development site to be upsized and renewed. There is less impact to renew the main as part of the works, rather than potentially having to do it later. As a minimum, the upstream sewer needs to be CCTV inspected before and after development works to ensure development works do not impact the sewer main. This should be included as a condition of consent if the proposal is to be approved.

#### Stormwater

Council recommends that the use of Vortex style Gross Pollutant Trap (GPT) in preference to filter cartridges to maximise treatment efficiency and reduce maintenance costs.

The final stormwater design should also confirm:

- System capacity under peak rainfall events.
- Integration with Council's stormwater network standards and the WSUD Implementation Plan.

#### Construction Impacts

The proposal involves the removal of approximately 23,270 cubic metres of excess fill, equating to roughly 4,900 truck movements during the earthworks phase. Council requires detailed modelling of the cumulative transport impacts from these movements, in conjunction with other construction traffic, and requests the identification of any required road upgrades prior to the commencement of the works.

Council requests that further detail be provided about the potential construction impacts arising from these works and details of any upgrades required prior to approval.

A Dilapidation report should be prepared for adjoining roads, including the Old Hume Highway, to document existing conditions and safeguard Council's civil infrastructure assets. This report should be required as a condition of consent, if approval is to be granted.



### Summary

Overall, while the proposed servicing strategy demonstrates a workable approach to water, sewer, stormwater, and transport infrastructure, several elements require clarification or upgrading to meet Council's engineering and environmental standards.

Early coordination between the proponent and Council will be essential to achieving compliant, efficient, and resilient servicing outcomes.

Council recommends:

- Provision of kerb, gutter, piped drainage, and footpath along Wingecarribee Street.
- Revision of the Water and Sewer Modelling report to address missing analyses and use the updated model version.
- Upsizing and renewal of the on-site sewer main, with a minimum three metre easement and CCTV inspection pre- and post-development.
- Confirmation of waste collection arrangements and construction traffic management prior to approval.
- Conditioning of a Dilapidation Report for adjoining roads, with any required upgrades to occur before construction commences.

### **3. Conclusion**

Wingecarribee Shire Council appreciates the opportunity to comment on the Berrima Hotel SSD. The proposal presents a significant opportunity to conserve a State-listed heritage item, strengthen Berrima's visitor economy, and deliver community benefit. Council offers in-principle support, subject to further refinements that ensure the redevelopment protects the site's heritage values, integrates sensitively with the village character, and achieves credible environmental and servicing outcomes.

In Council's view, consent should secure:

- Heritage-led design that keeps the Argyle Street frontage visually intact and ensures new works remain clearly subordinate.
- Urban design and amenity measures that manage visual, lighting and noise effects.
- Verified sustainability and water-sensitive urban design performance.
- Safe and accessible traffic, parking and pedestrian connections.
- Transparent social and economic commitments that deliver public access and local benefit.

These expectations can be resolved through targeted design refinement and enforceable conditions as detailed design and pre-construction stages.

Council remains committed to working collaboratively with DPHI, the State Design Review Panel, the NSW Heritage Council, and the proponent to achieve an exemplary adaptive re-use outcome that celebrates Berrima's heritage, enhances local amenity, and provides lasting regional benefit.



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