



Adaptive Reuse of the former Berrima Gaol

Environmental Impact Statement (SSD 66876472)

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ADAPTIVE REUSE OF THE FORMER BERRIMA GAOL

2-4 Argyle Street, Berrima

September 2025

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GLOSSARY AND ABBREVIATIONS	10
CERTIFICATION & DECLARATION	12
SUMMARY	14
1.0 INTRODUCTION	16
1.1 Applicant Details	16
1.2 Site Location	16
1.3 Project Description	16
1.4 Objectives of the development	17
1.5 History and Background	17
1.6 Key strategies adopted to avoid, minimise or offset the impacts of the project	18
1.7 Restriction or covenants that apply to the site	18
2.0 STRATEGIC CONTEXT	19
2.1 NSW Visitor Economy Strategy 2035	19
2.2 NSW Government Statewide Destination Management Plan 2019	19
2.3 Southern Highlands Destination Strategy 2020-2030	20
2.4 Draft South East and Tablelands Regional Plan 2041 (DPE, 2021)	20
2.5 Wingecarribee 2040 – Local Strategic Planning Statement (WLSPPS)	21
2.6 Better Placed	21
2.7 Key Features of Site and Surrounds	22
2.7.1 Site Description	22
2.7.2 Surrounding Development	32
2.7.3 Berrima Village	32
2.8 Cumulative Impacts with Future Projects	34
2.9 Feasible Alternatives	35
3.0 PROJECT DESCRIPTION	37
3.1 Project Summary	37
3.2 Project area	40
3.3 Physical Layout and Design	40
3.3.1 Adaptive Reuse	40
3.3.2 Connecting with Country	42
3.3.3 Materials and Finishes	43
3.3.4 Landscaping and Tree Removal	44

3.3.5	Sustainability	44
3.3.6	Signage	45
3.3.7	Parking and Access	45
3.3.1	Services and drainage	46
3.3.2	Earthworks and Civil Works	46
3.4	Uses and activities	46
3.4.1	Uses	46
3.4.2	Hours of Operation	46
3.4.3	Construction Management	46
3.5	Stages and Timing	46
4.0	STATUTORY CONTEXT	47
4.1.1	Relevant Statutory Requirements	47
4.1.2	Pre conditions	51
4.1.3	Mandatory Considerations table	58
5.0	ENGAGEMENT	61
5.1	Community Engagement	61
5.1.1	Key stakeholders	61
5.1.2	Actions Taken	62
5.1.3	Summary of Key Issues	62
6.0	ASSESSMENT OF IMPACTS	63
6.1	Statutory and Strategic Context	63
6.2	Capital Investment Value and Employment	64
6.3	Design Quality	64
6.4	Built Form and Urban Design	64
6.4.1	Built Form	64
6.4.2	Accessibility	65
6.4.3	Connecting with Country	66
6.5	Environmental Amenity	68
6.5.1	Internal and External Amenity	68
6.5.2	Amenity Impacts	69
6.6	Visual Impact	70
6.7	Public Space	72
6.8	Trees and Landscaping	73
6.8.1	Impacts on existing trees	73
6.8.2	Proposed landscaping	73

6.9	Ecologically Sustainable Development	74
6.9.1	Sustainability Framework	74
6.9.2	ESD Principles	75
6.10	Traffic, Transport and Accessibility	76
6.10.1	Traffic	76
6.10.2	Car Parking	76
6.11	Biodiversity	77
6.12	Noise and Vibration	77
6.13	Ground and Water Conditions	77
6.14	Water Management	78
6.15	Flooding Risk	78
6.16	Hazards and Risks	80
6.17	Contamination and Remediation	80
6.18	Waste Management	81
6.18.1	Construction Waste	81
6.18.2	Operational Waste	81
6.19	Aboriginal Cultural Heritage	81
6.20	Environmental Heritage and Archaeology	82
6.21	Social Impact	83
6.22	Infrastructure Requirements and Utilities	84
6.23	Bush Fire Risk	84
6.24	Aviation	85
6.25	Construction, Operation and Staging	86
6.26	Contributions and Public Benefit	86
6.27	Engagement	86
7.0	JUSTIFICATION OF THE PROJECT	87
7.1.1	Evaluation	87
7.1.2	Social and Economic Benefits	87
7.1.3	Quality Development	87
7.1.4	Strategic Alignment	88
7.1.5	Statutory Alignment	88
7.1.6	Impact Assessment	88
8.0	CONCLUSION	89

APPENDIX LIST

Appendix	Title	Author
1	SEARs Table	Sutherland & Associates Planning
2	Statutory Compliance Table	Sutherland & Associates Planning
3	Mitigation Measures Table	Sutherland & Associates Planning
4	Survey	SDG Pty Ltd
5	Architectural Package	Turner
6	Architectural Design Report	Turner
7	Landscape Plans	James Mather Design Pty Ltd (JMD Design)
8	Landscape Architecture Report	James Mather Design Pty Ltd (JMD Design)
9	Concept Civil Works Plans	Martens & Associates
10	Connecting with Country	Heritage Now
11	Quantity Surveyor Report	QPC&C
12	BCA and Access Report	Credwell
13	Wind Impact Assessment	Vipac
14	Visual Impact Analysis	Ethos Urban
15	CPTED REPORT	Harris Crime Prevention Services
16	Arboricultural Impact Assessment	Arboriculture Consultancy Australia
17	Aquatic Ecology Assessment	Eco Logical Australia
18	Geomorphological Assessment	Martens
19	Sustainability Report	ADP
20	Transport Impact Assessment, Preliminary Green Travel Plan & Preliminary Construction Management Plan	JMT Consulting
21	BDAR Waiver	DPHI
22	Acoustic Assessment	Renzo Tonin and Associates
23	Groundwater and Surface Water Impact Assessment	Reditus
24	Stormwater Water Management Plan	Martens
25	Flood Impact and Risk Assessment	Martens
26	State Environmental Planning Policy (Resilience and Hazards) 2021 Assessment	Riskcon Engineering
27	Remedial Action Plan	Reditus

Appendix	Title	Author
28	Construction and Demolition Waste Management Plan	Elephants Foot Consulting
29	Operational Waste Management Plan	Elephants Foot Consulting
30	Hazardous Materials Risk Assessment	Greencap
31	Aboriginal Cultural Heritage Assessment Report	Austral Archaeology
32	Heritage Impact Statement	Urbis
33	Conservation Management Plan	Urbis
34	Baseline Historical Archaeological Assessment	Austral Archaeology
35	Social Impact Assessment and Economic Impact Assessment	Hill PDA
36	Stakeholder and Community Engagement Report	Primary Engage
37	Bushfire Protection Assessment Report	EcoLogical
38	Infrastructure Delivery, Management and Staging Plan	Neuron
39	Sewer Main Diversion	Acor Consultants

Figures

Figure	Description	Page
Figure 1	Site Location	22
Figure 2	The Berrima Village DCP Boundary	33
Figure 3	Extract from the WLEP Heritage Map	34
Figure 4	Photomontage of the entry to the Berrima Quarter Development	38
Figure 5	Internal Courtyard View	38
Figure 6	View of the open car park on the southern side of the Gaol from Wingecarribee Street	39
Figure 7	Photomontage showing the development from Wilshire Street	39
Figure 8	Photomontage of the hotel building as viewed from the River	40
Figure 9	Elements of the building to be retains, adapted, re-use and down-cycled	41
Figure 10	Integration of Connecting with Country initiatives within the development	43
Figure 11	Extract from the Land Zoning Map	50

Figure	Description	Page
Figure 12	Accessibility Diagram	64
Figure 13	Key public viewpoints	71
Figure 14	Extract from the WLEP Flood Planning Map	79
Figure 15	Extract from the Bush Fire Prone Land Map	85

Tables

Table	Description	Page
Table 1	Applicant Details	16
Table 2	Statements of Significance	27
Table 3	Cumulative Impacts	34
Table 4	Analysis of feasible alternatives	35
Table 5	Summary of Key Elements of the Development	37
Table 6	Statutory Requirements	47
Table 7	Preconditions table	52
Table 8	Mandatory Considerations	58
Table 9	Employment (FTE)	63
Table 10	Connecting with Country Themes and Responses	67
Table 11	Amenity Impact Considerations	69

Photographs

Photograph	Description	Page
Photograph 1	View of existing the Deputy Governor's residence at the north-eastern corner of the site	23
Photograph 2	View of the main gatehouse and entrance into the gaol	23
Photograph 3	View of existing the Governor's residence at the south-eastern corner of the site	24
Photograph 4	View of the open carpark area on the southern side of the Governor's residence	24
Photograph 5	View of the southern wall of the gaol and the open space formally used as a vegetable garden	24
Photograph 6	South-western corner of the site	25
Photograph 7	View of north-western edge of the site and the annexe to the rear of the gaol	25
Photograph 8	Western end of the gaol between the perimeter wall and internal structures	25

Photograph	Description	Page
Photograph 9	Guardhouse	26
Photograph 10	Internal courtyard with surrounding prisoner cells	26

GLOSSARY AND ABBREVIATIONS

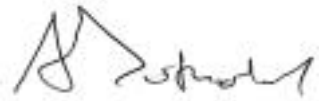
Abbreviation	Term
ACHA	Aboriginal Cultural Heritage Assessment
ACA	Access Design Assessment
AEP	Annual Exceedance Probability
AIA	Arboricultural Impact Assessment
BAR	Bushfire Assessment Report
BCA	Building Code of Australia
BC Act	Biodiversity Conservation Act 2016
BC Regulation	Biodiversity Conservation Regulation 2017
CIV	Capital Investment Value
CPTED	Crime Prevention Through Environmental Design
DA	Development Application
DCP	Development Control Plan
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
ESD	Ecologically Sustainable Development
FIRA	Flood Impact and Risk Assessment
GANSW	Government Architect New South Wales
GSP	Gross State Product
GTP	Green Travel Plan
LEP	Local Environmental Plan
NIA	Noise Impact Assessment
OMP	Operational Management Plan
PDSI	Preliminary and Detailed Site Investigation
PMF	Probable Maximum Flood
QS	Quantity Surveyor
RAP	Remedial Action Plan
RFS	Rural Fire Service
SDRP	State Design Review Panel
SEARs	Secretary's Environmental Assessment Requirements
SIA	Social Impact Assessment

Abbreviation	Term
SOHI	Statement of Heritage Impact
SEPP	State Environmental Planning Policy
SSD	State Significant Development
TIA	Traffic Impact Assessment
TMP	Tree Management Plan
USR	Utilities Servicing Report
WSUD	Water Sensitive Urban Design

CERTIFICATION & DECLARATION

Certification of Environmental Impact Statement

Project details	
Project name:	The Berrima Quarter
Application number:	SSD-66876472
Address of the land in respect of which the development application is made:	2-4 Argyle Street, Berrima (Lot 102 DP 1283819)
Project description:	Adaptive Reuse of the former Berrima Gaol
Applicant details	
Applicant name:	Blue Sox Group
Applicant address:	PO Box 495 Parramatta NSW 2124
Details of person by whom this EIS was prepared	
Name:	Aaron Sutherland, Director
Address:	Sutherland & Associates Planning Pty Ltd PO Box 814 Bowral NSW 2576
Professional qualifications:	Bachelor of Town Planning (UNSW)
Declaration by Registered Environmental Assessment Practitioner	
Name:	Aaron Sutherland
Registration Number:	145648
Organisation Registered With:	Planning Institute of Australia
Declaration:	The undersigned declares that this EIS: • has been prepared in accordance with Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021; • contains all available information that is relevant to the environmental assessment of the proposed development, activity and infrastructure to which the EIS relates; • does not contain information that is false or misleading; • addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project; • identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;

Project details	
	• has been prepared having regard to the Departments State Significant Development Guidelines – Preparing an Environmental Impact Statement; • contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development; • contains a consolidated description of the project in a single chapter of the EIS; • contains an accurate summary of the findings of any community engagement; and • contains an accurate summary of the detailed technical assessment of the impact of the project as a whole.
Signature:	
Date:	16 September 2025

SUMMARY

This Environmental Impact Statement (EIS) has been prepared under section 4.12(8) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on behalf of Blue Sox Group, in support of a State Significant Development (SSD) application SSD-66876472 for the adaptive reuse of the former Berrima Gaol at 2-4 Argyle Street, Berrima. The proposed development is known as the Berrima Quarter and represents the next phase of the evolution of the Berrima Gaol.

Berrima Gaol was constructed in 1839. At that time the gaol consisted of three wings comprising forty-two cells surrounding a central building. Berrima Gaol was abruptly closed in 1847 and was left largely empty for over a decade before being reopened. Over time, the facility has been regularly and significantly altered and extended so that the gaol would remain fit for purpose. After the gaol was closed for a second time in 1909 the site was used for other purposes including rabbit processing works in 1913 and an internment camp for German prisoners from 1915 to 1919. The gaol was a major tourist attraction during the 1920s and 1930s. A fire in 1942 damaged internal buildings beyond repair which led to the rebuilding of the gaol using the original sandstone, but not to the same design. The prison was reopened in 1949 as the 'Berrima Training Centre' and the history of the site as a gaol continued to evolve. In 2020 the Berrima Gaol was permanently closed and divested by the NSW State Government. These many layers of modification and use are evident in the built form and have contributed to the site's rich heritage value and story of evolution.

The significance of the buildings on the site is recognised through the heritage listing of the buildings. The Berrima Correctional Centre is listed as an item of State significance on the NSW State Heritage Register (SHR) under the *Heritage Act 1977*. It is also listed as an item of Local significance on Schedule 5 of the Wingecarribee Local Environmental Plan 2010 as "Berrima Correctional Centre (formerly Gaol)". The site is located within the Berrima Heritage Conservation Area.

The Berrima Quarter development represents the next phase of the evolution of the Berrima Gaol. The development will retain and adapt the heritage listed buildings on the site to allow for the historical significance of the building to be both protected and appreciated. The development will facilitate the continued use of the site by introducing a range of complementary uses that welcome visitors to the site in a deliberate and welcome contrast to the closed and defensive nature of the site's past uses. The development will be a unique tourist destination and a premium hospitality venue for local residents and visitors to the region.

The architectural and landscape design facilitates an understanding of the past and strengthens connections between the built environment and the surrounding natural environment.

A thorough review and understanding of the heritage significance of the building has been undertaken to inform the type of interventions proposed to the original fabric of the buildings on the site. The design seeks to limit intervention to the critical elements of the existing built form, achieve conservation of the built form, and provide new elements that are seamlessly integrated with the original fabric of the building.

A 'Connecting with Country' Strategy has been developed in conjunction with members of the Gundungurra community through a series of ongoing consultations coordinated through Heritage Now. The design has incorporated the themes of Connections to the Wingecarribee River, Caring for Country, and Reflection in Reconciliation into the architecture of the building and landscape design.

The design has also been strongly guided by the principles of ecologically sustainable development. A tailored sustainability framework has been developed which includes the provision of a rooftop solar PV system that will power up to 46% of the site's energy needs, rainwater capture and integration of Water Sensitive Urban Design strategies, demand driven ventilation and conditioning, use of low embodied carbon materials, onsite material reuse, recycling, caring for the Wingecarribee River and the recognition of the site's Aboriginal heritage.

Extensive community and stakeholder engagement has been undertaken which has informed and guided the development of the design. Key issues raised included; the positioning of the hotel suites outside the gaol walls and the height of the building(s); environmental issues, including the impact of the development on the river and riparian zone and flood impacts on the development; impact of the development on the heritage items; the size, scale and visual impact of the car park, the traffic impact of the proposed development, the accessibility of the development to the general community.

As the proposal is for the purpose of tourist related purposes in an environmentally sensitive area of State significance, the development is a State Significant Development (SSD) pursuant to clause 13(2) of Schedule 1 of State Environmental Planning Policy (Planning Systems) 2021.

The EIS has been prepared in response to the Planning Secretary's Environmental Assessment Requirements that were issued on 1 March 2024 and the relevant requirements in the EP&A Regulation. The EIS has been prepared in accordance with the *State Significant Development Guidelines November 2021*. The EIS details the proposal's consistency and compliance with the relevant statutory requirements including:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Wingecarribee Local Environmental Plan 2010
- Berrima Village Development Control Plan

The EIS provides a detailed assessment of the potential impacts of the project. The EIS and the accompanying technical reports confirm that the proposed development will not result in any unreasonable impacts on the surrounding environment, having regard to the specific design measures incorporated into the development, the implementation of construction and operational management measures and the implementation of the mitigation measures recommended in each report and summarised in this EIS. The required mitigation measures are clearly outlined in Section 6 and Appendix 3.

The EIS identifies the key issues raised during the engagement process in Section 5 and Appendix 3 and summarises how the design has been influenced by, and amended in response to, issues raised. The technical reports that accompany the application also address key issues raised.

The EIS demonstrates the development is consistent with the relevant strategic context, including the NSW Visitor Economy Strategy 2035, the NSW Government Statewide Destination Management Plan 2019, the Southern Highlands Destination Strategy 2020-2030, the Draft South East and Tablelands Regional Plan 2041 and the Wingecarribee 2040 Local Strategy Planning Statement.

The development will provide social benefits to the community, including facilitating access to the historical buildings for visitors and direct and indirect generation of jobs and revenue. The development will also strengthen connections with local culture and contribute to the vibrancy of the Berrima Village.

This EIS demonstrates that the application satisfies all relevant planning considerations including all relevant strategic plans and policies and statutory provisions. The EIS demonstrates the environmental impacts of the development have been appropriately assessed and adequate mitigation measures will be put in place. As such, the proposed Adaptive reuse of the Berrima Gaol at 2-4 Argyle Street, Berrima can be approved, subject to appropriate conditions of consent.

1.0 INTRODUCTION

This section of the EIS identifies the applicant for the project, provides a simple description of the site project and sets out the background to the project.

1.1 Applicant Details

The applicant details are summarised in the following table.

Table 1: Applicant Details

Applicant Details	
Applicant:	Blue Sox Group
Applicant Contact:	Johnathan Thompson
Applicant Address:	PO Box 495 Parramatta NSW 2124
Applicant ABN:	13 142 861 149

1.2 Site Location

The site is legally described as Lot 102 in DP1283819 and is known as 2-4 Argyle Street, Berrima. The location of the site is identified in Figure 1.

1.3 Project Description

The proposal is for the adaptive re-use of the former Berrima Gaol for a hotel facility and comprising the following key components:

- Accommodation comprising 55 hotel rooms
- Signature restaurant
- Bar and Lounge area
- Wellness centre
- Function space and meeting rooms
- Hotel administration within the Deputy Governor's Residence
- Commercial and retail spaces within the Governor's Residence
- Guest services, including a spa and wellness centre and gym
- Landscaped outdoor areas and working gardens
- 195 car parking spaces for guests and staff to the south of the Gaol walls. The car park also provides a potential space for pop up community events

The development will provide for an immersive experience within a unique setting both in terms of the Gaol walls which dominate the site, but also the natural landscape around the walls which creates a contextual juxtaposition and organic setting adjacent to the Wingecarribee River.

The hotel will provide a premium hospitality offering including a signature restaurant to showcase local produce, and high-end bars. Guest services for day visitors and overnight visitors will also be provided, including a wellness centre.

A function space is located centrally within the hotel and will provide a flexible space ideal for hosting events and gatherings, from parties, meetings and supper clubs to drinks receptions, private screenings, art displays and weddings.

The proposed development aims to create a unique destination for local people and visitors where they can enjoy a luxurious retreat within a historic backdrop. The proposed development aims to enhance and re-invigorate the site and will act as an enabler to attract visitation and the associated investment to the region and Australia.

1.4 Objectives of the development

The proposed redevelopment of the site to accommodate a hotel and tourist facility is intended to achieve the following objectives:

- celebrate the heritage significance of the former Berrima Gaol with a sensitively designed adaptive re-use of the site for the purpose of a hotel facility;
- deliver a facility which provides for a shared experience for all visitors within the Berrima Gaol walls with the internal facilities including function space, bar, restaurant, and wellness centre;
- deliver a hotel facility which will provide high quality accommodation, food and beverage, and function facilities to achieve a synergy with the reputation of Berrima as tourist destination;
- achieve a high level of compatibility with the existing character of the locality whilst minimising any potential impacts on the amenity of the adjoining properties;
- enhance an appreciation of the environmental and cultural values of the site;
- promote positive environmental outcomes by ensuring that any impact on and native flora and fauna will be minimal;
- utilise passive heating and cooling, renewable energy sources and water efficient design; and
- deliver economic benefits and employment generation for the region.

1.5 History and Background

The site is known as the former Berrima Gaol which was initially constructed from 1834 to 1839. Over the years, various additions and alterations were made to the gaol including the erection of the Governor and Deputy Governor residences. The site was used for a prison for various periods of time since 1839, however, was closed as a prison and used for other purposes such as a rabbit processing works from 1913-1914, an internment camp for German prisoners from 1915 until 1919, and as a major tourist attraction during the 1920s and 1930s.

During the late 1940s, the majority of internal structures inside the perimeter gaol walls were demolished and the gaol was completely remodelled with the internal arrangement rebuilt in largely the form that is present today. The gaol was officially re-opened on 19 November 1949 as the 'Berrima Training Centre'.

In April 1999, the former Berrima Gaol (known then as the 'Berrima Correctional Centre') was placed on the NSW State Heritage Register.

In 2001, the site was reclassified as a medium security women's prison and it remained in this use until the site's closure in 2011 and transfer to the State Property Authority. Nonetheless, in August 2016 the Berrima Correctional Centre was once again put into service as a minimum-security correctional facility, before finally closing permanently in April 2020.

In 2022, the NSW State Government announced the former Berrima Correctional Centre for sale via an expressions of interest (EOI) campaign. Blue Sox Group were selected as the successful bidder due to their vision for the site to be turned into a “unique hotel and entertainment precinct” as announced by the then Minister for Planning and Minister for Homes, Anthony Roberts.

1.6 Key strategies adopted to avoid, minimise or offset the impacts of the project

The following key strategies have been adopted to avoid, minimise offset the impacts of the development:

- The design of the development has been guided by the relevant strategic plans and policies and statutory provisions.
- The design has been guided by the Conservation Management Plan prepared by Urbis for the Berrima Gaol. The proposed design has also undergone a rigorous review with the National Trust, the State Design Review Panel (SDRP), Wingecarribee Shire Council, Heritage NSW and has responded to community, consultant and agency feedback provided to adopt a range of design strategies to sensitively integrate new work into its heritage context.
- The design of the development has been guided by the SDRP. The design has been refined in response to the commentary and recommendations of the SRDP regarding a range of matters including Connecting with Country, site strategy and landscape, architecture and heritage, sustainability and climate change.
- Issues raised through pre-lodgement engagement processes and extensive stakeholder consultation have influenced and guided the final design of the development and informed the mitigation measures recommended in the technical reports that accompany the application.
- The application is supported by a range of technical reports that cover consider the potential impacts of the proposed development. The mitigation measures recommended in the technical reports that accompany the application will be implemented.

1.7 Restriction or covenants that apply to the site

There are no restrictions or covenants that apply to the site.

2.0 STRATEGIC CONTEXT

2.1 NSW Visitor Economy Strategy 2035

The NSW Visitor Economy Strategy 2035 seeks to inspire the world through destinations, experience and events

The strategy sets a bold vision for NSW for \$91 billion in annual visitor expenditure by 2035. Key goals of the plan include adding 40,400 new accommodation rooms statewide and supporting 150,000 new jobs across the visitor economy.

The Strategy notes that regional destinations play a critical role in the visitor economy, sustaining jobs and driving economic growth. The Strategy indicates that by 2035, 48% of the \$91 billion visitor expenditure stretch goal will be in regional NSW.

Relevant to the proposed development the Strategy seeks to encourage experience-driven travel in regional NSW that offer visitor experiences that deepen connections and nature, culture and local communities. The proposal offers a unique experience for visitors that will attract visitors to regional NSW. The development has been specifically designed to respect the cultural and historical value of the site by revealing and showcasing the heritage of the site and embedding cultural narratives into the architecture and landscape design.

To deliver an additional 40,400 rooms by 2035, the Strategy indicates Regional NSW needs to enhance its accommodation offering to support visitor economy growth. The Strategy states:

Regional NSW, with its significant untapped potential, requires upgraded, diverse accommodation to attract more visitors. Investments in eco-resorts, wellness lodges and premium retreats will promote regional dispersal, stimulate local economies and spread the benefits of the visitor economy across the state. (page 20)

The proposal contributes to the diversity of accommodation options in Regional NSW by providing a high-end accommodation offering.

Action 12 of the Strategy indicates the NSW Government is committed to delivering the required accommodation through streamlining planning and approvals.

The proposed development is consistent with the Strategy's aim of working towards the state's net zero target as detailed in the Sustainability Strategy prepared by ADP (Appendix 19).

2.2 NSW Government Statewide Destination Management Plan 2019

The Statewide DMP identifies that the NSW visitor economy is a central strength and pillar of the NSW economy, with tourism's GSP contribution to the NSW economy reaching \$34.2 billion in 2016-2017 and overnight visitor expenditure in NSW increasing 10.9% in 2017 to reach \$29.1 billion.

The Statewide DMP explains that the NSW Government is committed to growing the visitor economy, and has put in place a robust framework to deliver growth, including the establishment in 2011 of Destination NSW as the lead Government agency for the NSW tourism and major events sector, and more recently in 2016, a regional tourism reform that included the creation of six Destination Networks to facilitate visitor economy growth at a local level. In August 2018, the Government launched the Visitor Economy Industry Action Plan (VEIAP 2030).

The Statewide DMP is designed to provide a high-level framework to achieve alignment across NSW and assist coordinated delivery of the vision and goals for the NSW visitor economy.

It identifies local and state strengths and unique points of difference, as well as areas of commonality across the regions. The Statewide DMP functions as a living document, to be used as a reference tool to further develop the NSW visitor economy and respond to market changes.

The Statewide DMP specifically identifies the Southern Highlands, including Berrima, as a next potential future 'hero' destination.

2.3 Southern Highlands Destination Strategy 2020-2030

The Southern Highlands Destination Strategy is a strategic document that prioritises key focus areas and actions.

The Southern Highlands region is a special destination and known for its cool climate and distinct seasons, a beautiful natural landscape, its distinct towns and villages, and its hospitality offering. The region has numerous competitive advantages due to its strategic location only 1.5 hours from Sydney and 2 hours from Canberra, its pristine natural environment, local lifestyle and amenity.

The tourist overview for the Southern Highlands is as follows:

The Southern Highlands attracted almost 2.1 million visitors in the year ending December 2019, which is similar to the number of visitors to Byron Bay. Most tourists are day-trippers (70% of total visitation in 2019), predominantly from Sydney and other parts of New South Wales.

Most people visit our region for holiday and leisure purposes or to visit friends and relatives. While all visitor types have grown strongly since 2014, holiday and business visitors to the region have more than doubled over the past five years. Estimated total visitor expenditure in the Southern Highlands region was \$362 million in the year ending December 2019, making an important contribution to the local visitor economy.

The Southern Highlands region is well placed to continue to experience strong tourism growth, noting that it currently contributes 8% to gross regional product and 10% to local employment. However, some of the identified challenges are low level of international visitors and a lack of visitor activities and experiences and the existing offering is identified as not being very sophisticated.

Tourism is considered one of the key growth industries and opportunities in the Southern Highlands economy and a continued commitment to the strategic focus areas will be critical to ensure sustainable visitation growth continues in the coming years. In particular, events, wellness and luxury are identified as opportunities.

2.4 Draft South East and Tablelands Regional Plan 2041 (DPE, 2021)

The Draft South East and Tablelands Regional Plan was placed on public exhibition from 8 August 2022 to 23 September 2022 and sets the strategic framework for the region, aiming to protect and enhance the region's assets and plan for a sustainable future. It is a 20-year land use plan prepared in accordance with section 3.3 of the Environmental Planning and Assessment Act 1979 and applies to the 9 local government areas (LGAs) of Bega Valley, Eurobodalla, Goulburn–Mulwaree, Hilltops, Queanbeyan–Palarang, Snowy Monaro, Upper Lachlan, Wingecarribee and Yass Valley.

The South East and Tablelands Regional Plan sets the strategic planning framework to meet the future needs for housing, jobs, infrastructure and a healthy environment.

The Plan is intended to inform councils' land use planning, inform the work of infrastructure agencies to plan for growth and change, and inform the private sector and the wider community of the NSW Government's approach to creating a connected, sustainable, innovative and vibrant South East and Tablelands region.

Objective 4 relates to the preservation of the heritage and character of the region's town and villages.

Objective 14 relates to promoting a year-round visitor and the Wingecarribee Local Government Area is identifying as having a very high contribution towards agritourism. A key strategy of the Plan for promoting year round visitation is to promote cluster and place-based tourism projects that improve local and regional connectivity and user experience at key tourist destinations.

The proposed hotel facility is directly aligned with these strategic objectives.

2.5 Wingecarribee 2040 – Local Strategic Planning Statement (WLSPS)

The Wingecarribee Local Strategic Planning Statement sets out Council's envisaged program of land- use planning that will continue to be adjusted and evolve to help realise the community's vision for the next 20 years. The Statement provides a vision for Wingecarribee and identifies Planning Priorities to help deliver on this vision.

The proposal is consistent with the following Planning Priorities:

- Planning Priority 1.5: Conserve and protect waterways, wetlands and groundwater
- Planning Priority 3.1: Our Shire supports businesses and attracts people to work, living and visit
- Planning priority 6.1: Maintain the unique character of our towns and villages, separated by rich natural areas and rural landscapes
- Planning priority 6.2: Identify, protect and promote our cultural and built heritage
- Planning Priority 6.3: Enhance the liveability of our towns and villages, with facilities and services to support a healthy, culturally rich and socially connected Wingecarribee community.

2.6 Better Placed

Better Placed is an integrated design policy for the built environment, prepared by the Government Architect of NSW, to create a transparent approach to ensure good design outcomes are achieved to deliver desired architecture, public places and environments throughout NSW (September 2017). The policy includes seven applicable objectives:

- Objective 1 - Better fit – Contextual, local and of its place
- Objective 2 - Better performance - Sustainable, adaptable and durable
- Objective 3 - Better for the community - Inclusive, connected and diverse
- Objective 4 - Better for people – Safe comfortable and liveable
- Objective 5 - Better working - Functional, efficient and fit for purpose
- Objective 6 - Better value - Creating and adding value
- Objective 7 - Better performance - Engaging, inviting and attractive

A detailed explanation of the proposal's consistency with the objectives of Better Placed has been prepared by Turner and is included in the section 3 of the Architectural Design Report (**Appendix 6**).

2.7 Key Features of Site and Surrounds

2.7.1 Site Description

The site is approximately 130km south-west of Sydney and located within the southern highlands in the centre of the Berrima village. The site is legally described as Lot 102 in DP 1283819 and known as 2-4 Argyle Street, Berrima. The site is commonly referred to as the former Berrima Gaol.

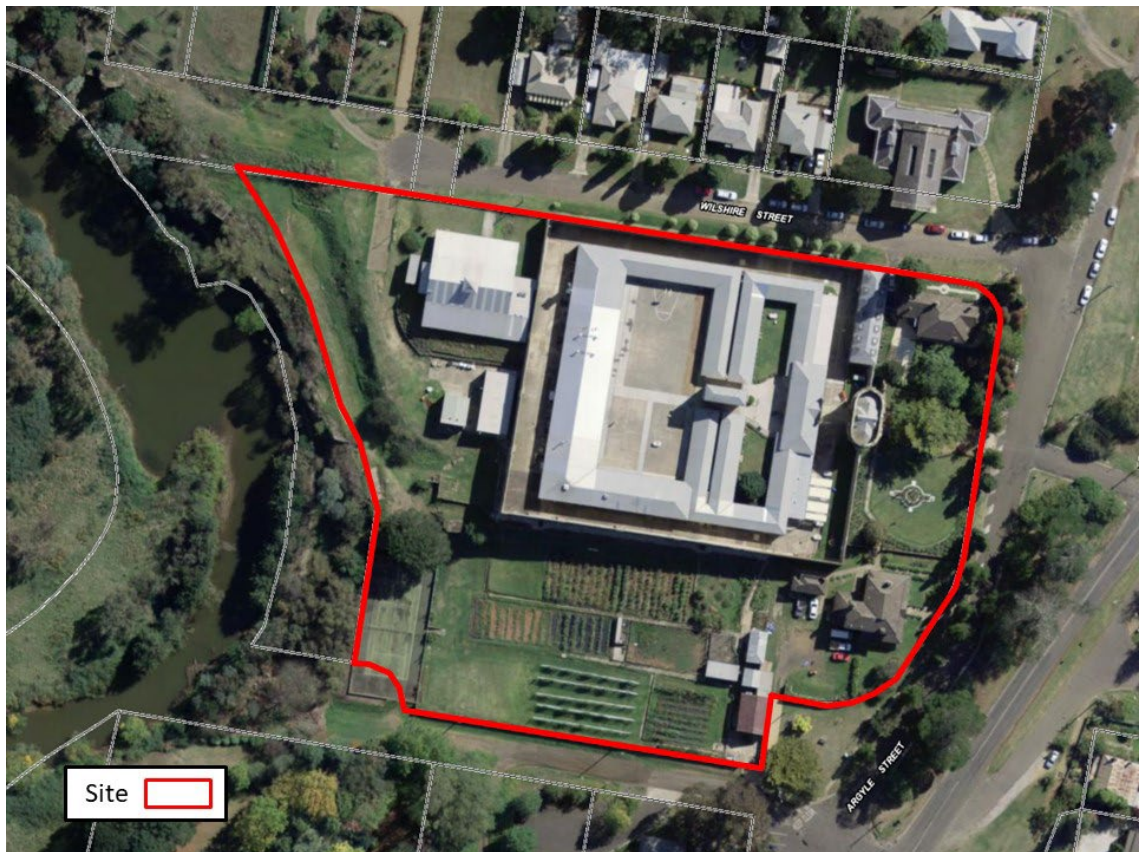


Figure 1:

Subject site (Source: SDT Explorer 2025)

The subject site is approximately 2.155ha in area and has mix of topographies and levels with the area containing the former gaol facility being level, gentle falls to the south and west adjacent to the perimeter walls of the gaol, and also a steep hillside at the western end of the site, which affords views over the adjacent Wingecarribee River.

The site is bound to the north by Wilshire Street, to the east by Argyle Street, to the south by Wingecarribee Street, whilst the western boundary of the site adjoins the Wingecarribee River.

The dominant built form on the site is the sandstone gaol wall which forms a large rectangle on the north-eastern part of the site. Most of the wall is original to the 1839 phase of construction, however it was extended in height by approximately 1.5m in the 1860s and also extended to the east at that time. The entrance gate which is centrally located along the eastern wall facing Argyle Street dates from 1866. Inside the gaol walls are a variety of structures arranged in a courtyard arrangement which contain a

variety of prisoner cells, administration and other amenity uses, as well as a centrally located guard tower. A large hall building is annexed to the rear or western gaol wall and is accessed by a door opening in the perimeter wall.

To the east of the gaol facing Argyle Street are two dwellings which were the Governor's Residence (southern dwelling) and Deputy Governor's Residence (northern dwelling).

The southern half of the site is open space and formally a vegetable garden established by inmates in the 1890s. The western part of the site is also open space with a relatively level grassed area, before becoming steeper and occupied by vegetation on the far western embankment.

Photograph 1:

View of existing the Deputy Governor's residence at the north-eastern corner of the site



Photograph 2:

View of the main gatehouse and entrance into the gaol

Photograph 3:

View of existing the Governor's residence at the south-eastern corner of the site



Photograph 4:

View of the open carpark area on the southern side of the Governor's residence



Photograph 5:

View of the southern wall of the gaol and the open space formally used as a vegetable garden





Photograph 6:

South-western corner
of the site

Photograph 7:

View of north-western
edge of the site and the
annexe to the rear of the
gaol



Photograph 8:

Western end of the
gaol between the
perimeter wall and
internal structures

Photograph 9:

Guardhouse



Photograph
10:

Internal courtyard with
surrounding prisoner
cells

History and Background

The site is known as the former Berrima Gaol which was initially constructed from 1834 to 1839. Over the years, various additions and alterations were made to the Gaol including the erection of the Governor and Deputy Governor residences. The site was used for a prison for various periods of time since 1839, however, was closed as a prison and used for other purposes such as a rabbit processing works from 1913-1914, an internment camp for German prisoners from 1915 until 1919, and as a major tourist attraction during the 1920s and 1930s.

During the late 1940s, the majority of internal structures inside the perimeter gaol walls were demolished and the gaol was completely remodelled with the internal arrangement rebuilt in largely the form that is present today. The gaol was officially re-opened on 19 November 1949 as the 'Berrima Training Centre'.

In April 1999, the former Berrima Gaol (known then as the 'Berrima Correctional Centre') was placed on the NSW State Heritage Register.

In 2001, the site was reclassified as a medium security women's prison and it remained in this use until the site's closure in 2011 and transfer to the State Property Authority. Nonetheless, in August 2016 the Berrima Correctional Centre was once again put into service as a minimum-security correctional facility, before finally closing permanently in April 2020.

In 2022, the NSW State Government announced the former Berrima Correctional Centre for sale via an expressions of interest (EOI) campaign. Blue Sox Group were selected as the successful bidder due to their vision for the site to be turned into a “unique hotel and entertainment precinct” as announced by the then Minister for Planning and Minister for Homes, Anthony Roberts.

Heritage Listing and Statements of Significance

The Berrima Correctional Centre is listed as an item of State significance on the NSW State Heritage Register (SHR) under the *Heritage Act 1977*, SHR No.: 00807. It is also listed as an item of Local significance on Schedule 5 of the Wingecarribee Local Environmental Plan (LEP) 2010 as “Berrima Correctional Centre (formerly Berrima Gaol)”, corner Argyle and Wilshire Streets, item nos. I109, I110, I484. The site is located within the Berrima Conservation Area, identified as C148.

The following listings on Schedule 5 of the WLEP apply to the site:

- I109, I110, I484 Berrima Correctional Centre (formerly Gaol), Corner Argyle and Wilshire Streets, Lot 7304, DP 1146099;
- I111, Bull’s Head Drinking Fountain, Wilshire Street, on outside wall of Gaol, Lot 7304, DP 1146099; and
- I236, Stone Cottage, Corner Argyle and Wilshire Streets, Lot 7304, DP 1146099

The NSW State Heritage Inventory contains the following Statement of Significances for the site:

Table 2: Statements of Significance

Item	Statement of Significance
The Berrima Correctional Centre Database no. 3360094	Berrima Correctional Centre is historically significant as it contains elements of the original Berrima Gaol, dating from the 1830s. Its original configuration was distinctive, employing a partial panopticon layout. Subsequent changes and uses reflect the changing philosophies, expectations and requirements for the incarceration of criminals in NSW, and penal architecture generally from the 1830s until the present day. This complex and adjoining courthouse reflect the importance of Berrima as a regional centre in the early 19th century, and are directly linked to its subsequent development. Berrima Correctional Centre is aesthetically significant for its form and character; while the complex has a form and fabric from a range of periods, it retains a distinctive character through the consistent use of sandstone, dominant fence, gatehouse, adjoining stone & brick residences and landscaped setting. At a local level, the Berrima Correctional Centre is socially significant for its role in law and order in the local area, as well as being an important local employer since the early 19th century. Berrima Correctional Centre has technical / research significance and is rare at a national level as it contains elements of the original Berrima Gaol, dating from the 1830s. Furthermore, its original configuration was distinctive, employing a partial panopticon layout, and records and fabric relating to this earlier configuration are rare.

Item	Statement of Significance
The Berrima Correctional Centre – Gatehouse Database no. 3360095	The Gatehouse of Berrima Correctional Centre is historically significant as it relates to the first major redevelopment of the prison in the 1860s and was designed by the Colonial Architect, James Barnet - it is one of the first of several neo-classical prison gatehouses he designed from the 1860s-1890s. Subsequent changes and uses of the complex reflect the changing philosophies, expectations and requirements for the incarceration of criminals in NSW, and penal architecture generally from the 1830s until the present day. The gatehouse is also important as is associated with the reception of prisoners and visitors and the daily management of the gaol. The Gatehouse of Berrima Correctional Centre has aesthetically significance at a state level as an impressive structure, elliptical in plan, constructed of finely worked sandstone, with a central arch and keystone in the form of a console bracket. The Gatehouse is a distinctive local landmark and is perhaps the most defining component of the complex. At a local level, the Gatehouse at Berrima Correctional Centre is socially significant as part of the Correctional Centre, noted for its role in law and order in the local area, as well as being an important local employer since the early 19th century.
The Berrima Correctional Centre – Outer Wall Database no. 3360096	The Outer Wall of Berrima Correctional Centre is historically significant at a state level as it is an integral extant element of the original Berrima Gaol, dating from the 1830s. It is one of the few surviving examples of a gaol compound dating from pre 1840 and was constructed using convict work gangs. This element has been continually in use since it was constructed. The Outer Wall of Berrima Correctional Centre is aesthetically significant for its form and character, as an integral and extant element of the original Berrima Gaol, dating from the 1830s. The Outer Wall is also important as a distinctive landmark. At a local level, the Outer Wall of Berrima Correctional Centre is socially significant as part of the Correctional Centre, noted for its role in law and order in the local area, as well as being an important local employer since the early 19th century. The Outer Wall of Berrima Correctional Centre has technical / research significance as it is an important and extant element of the original Berrima Gaol, dating from the 1830s. It is rare as a convict-built structure. The original configuration of the Gaol was distinctive, employing a partial panopticon layout, and records and fabric relating to this earlier configuration are rare. The Outer Wall of Berrima Correctional Centre is representative of a gaol compound wall, generally high masonry walls with limited openings, typically used in prison development to restrict access into and out of the complex.

Item	Statement of Significance
The Bull's Head Drinking Fountain, database no. 2680111	The fountain is considered to be an excellent example of craft work of the Victorian period and is valued by the local community because it is an object of interest associated with the Berrima Training Centre Group from the period when it was enlarged as a 'model' prison.
The Berrima Correctional Centre – Arts & Crafts Shop (formerly the Governor's residence), database no. 3360098	The Arts and Crafts Shop at Berrima Correctional Centre is historically significant as it was constructed during the late 19th Century for use as the Governor's Residence. It's development and subsequent uses including as police station and arts and crafts shop reflects the changing philosophies, expectations and requirements for the incarceration of criminals in NSW, and penal architecture generally. The building is also indicative of the development of Berrima generally. The Arts & Crafts Shop at Berrima Correctional Centre is aesthetically significant for its strong form, character, materials and details. It is a distinctive building, prominently located on the north-eastern corner of the gaol site, and retains an attractive landscaped setting. At a local level, the Arts & Crafts Shop at Berrima Correctional Centre is socially significant as part of the Correctional Centre, noted for its role in law and order in the local area, as well as being an important local employer since the early 19th century.
The Berrima Correctional Centre – Dangerous Goods Store (formerly the police cells associated with the former Governor's residence's later use as a police station), database no. 3360099	The Dangerous Goods Store at the Berrima Correctional Centre is historically significant as the former isolation cells ³⁰⁶ , an important part of the Correctional Centre as it shows the changing philosophies, expectations and requirements for the incarceration of criminals in NSW. The Dangerous Goods Store at Berrima Correctional Centre is socially significant as part of the Correctional Centre, noted for its role in law and order in the local area, as well as being an important local employer since the early 19th century. Originally constructed as isolation cells, the Dangerous Goods Store at Berrima Correctional Centre has technical/research significance as part of the interesting complex of the former Berrima Gaol, dating from the 1830s. This building can provide further information on the changing management and use of the site from the early 20th century.
The Berrima Correctional Centre – Officer Amenities (formerly the Deputy Governor's residence) database no. 3360097	The Officers Amenities Building at Berrima Correctional Centre has historic significance as it was built for use as the Deputy Governors Residence in 1900. It also has historic significance as part of the Berrima Correctional Centre, an important prison complex dating from the 1830s. The Officers Amenities Building at Berrima Correctional Centre is aesthetically significant for its form and character, materials, detailing and setting, typical of the work of Walter Liberty Vernon, Government Architect during the Federation period. The Officers Amenities is a significant element within the State heritage curtilage of the gaol complex, informing the early layout of the site and for its role in law and order in the local area, as well as being an important local employer since the early 19th century.

Item	Statement of Significance
The Berrima Correctional Centre – Farm Buildings 307, database no. 3360100	The Farm Buildings at Berrima Correctional Centre are historically significant as part of the Berrima Correctional centre, an important gaol dating from the 1830s. They provide evidence of how the prison was managed since the mid-late 19th century. At a local level, the Farm Buildings at Berrima Correctional Centre are socially significant as part of the Correctional Centre, noted for its role in law and order in the local area, as well as being an important local employer since the early 19th century. The Farm Buildings at Berrima Correctional Centre are rare as evidence of early rural industries associated with the correctional centre. The Farm Buildings at Berrima Correctional Centre are representative of mid-late 19th century rural vernacular buildings of the southern highlands.

Flooding

The site is located within the Wingecarribee River catchment. The Wingecarribee River flows towards the suburb of Berrima from the east, before turning south and flowing around the Berrima town shop. The river flows south to north adjacent to the site, the continues flowing to the north-west.

The Flood Impact and Risk Assessment prepared by Martens (**Appendix 25**), notes that flooding at the site is due to a combination of overbank flows from Wingecarribee River and overland flows from the upstream catchment northeast of the site.

The FIRA notes that although Wingecarribee River and Wingecarribee Street are flood affected, the site is flood free in all flood events up to the 1% AEP flood event. Flooding from the 0.2% AEP event results in a small portion of the southwest corner of the site being inundated by shallow low hazard flood waters. Wingecarribee Street is only affected by shallow (< 100 mm) low hazard floodwaters in both the 1% AEP and 0.2% AEP events. In the PMF the southwest corner of the site is inundated due to water backing up in the Wingecarribee River and overland flows through Wingecarribee Street.

Bushfire

The site is not identified as bushfire prone land on the Wingecarribee Bushfire Prone Land Map.

Topography

The highest point of the site is along the site frontage to Argyle Street and along Wilshire Street. The site falls away to Wingecarribee Street, and there is a much steeper fall to the rear or western end of site, culminating in an escarpment edge and up to 10 metre drop down to the Wingecarribee River.

Flora and Fauna

A Biodiversity Development Assessment Waiver request was prepared by Ecological which identified that the site only contains exotic vegetation and there is no native vegetation communities affected by the proposal. The Secretary of the Department of Planning, Housing and Infrastructure has determined that the proposed development is not likely to have any significant impact on biodiversity values and that a BDAR is therefore not required to accompany this application for development consent or infrastructure approval for the proposed development. The BDAR waiver accompanies this application at **Appendix 21**.

Trees

An Arboricultural Impact Assessment (AIA) prepared by Arboriculture Consultancy Australia supports this application at **Appendix 16**. The assessment considers the impact of the proposal and identifies that the proposal ensures the retention of approximately 119 trees, and results in the removal of approximately 30 trees to support the reasonable redevelopment of the site. However, of the trees to be removed, zero are high retention value trees, and the majority have low to very low retention value. Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the steep fall of the land and required excavation.

Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment report (ACHA) prepared by Austral Archaeology accompanies this application at **Appendix 31**. The ACHA has been prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (Department of Environment Climate Change and Water NSW 2010), the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (Office of Environment and Heritage 2011) and the Aboriginal Cultural Heritage Consultation Requirements for Proponents (Department of Environment Climate Change and Water NSW 2010).

The ACHA identifies the following:

The results from the AHIMS search of the study area identified 57 previously recorded sites within a 5- kilometre radius of the study area. The search indicates that artefacts are the predominant site type with over 73.68% of known sites belonging to this category. A visual inspection of the study area was conducted by Austral staff on 11 July 2024 with assistance from Duncan Falk (Duncan Falk Consultancy). The archaeological survey observed that the study area was disturbed by the previous construction of the Berrima Gaol, indicating significant disturbances to both the surface and subsurface contexts within the study area.

No surface Aboriginal cultural material was identified during the survey. The entirety of the study area is considered low potential, and no further archaeological works are required.

On the basis of the above, the ACHA makes the following recommendations:

1. No further assessment or works are required to be undertaken for the study area. If unexpected finds or human remains are identified during works, please follow Recommendation 1 (a), 1 (b) and 2.

a) In the event that unexpected finds occur during any activity within the study area, all works in the vicinity must cease immediately. The find must be left in place and protected from any further harm. Depending on the nature of the find, the following processes must be followed:

b) If, while undertaking the activity, an Aboriginal object is identified, it is a legal requirement under Section 89A of the

NPW Act to notify Heritage NSW, as soon as possible. Further investigations and an AHIP may be required prior to certain activities recommencing.

2. If human skeletal remains are encountered, all work must cease immediately and NSW Police must be contacted, they will then notify the Coroner's Office. Following this, if the remains are believed to be of Aboriginal origin, then the Aboriginal stakeholders and Heritage NSW must be notified.

3. It is recommended that Blue Sox Investments continues to inform the Aboriginal stakeholders about the management of Aboriginal cultural heritage within the study area throughout the completion of the project. The consultation outlined as part of this ACHA is valid for six months and must be maintained by the proponent for it to remain continuous. If a gap of more than six months occurs, then the consultation will not be suitable to support an AHIP for the project.

4. A copy of this report should be forwarded to all Aboriginal stakeholder groups who have registered an interest in the project.

2.7.2 Surrounding Development

Wilshire Street adjoins the northern boundary of the site. Wilshire Street is a no through road that only extends as far to the west as the western entry to the site from Wilshire Street.

The Berrima Courthouse is located to the north of the site, on the corner of Argyle Street and Wilshire Street. To the west of the Courthouse are five dwellings which have frontage to Wilshire Street. The remainder of the street consists of the rear of properties with frontage to Oxley Street.

To the east of the site is an irregular shaped parcel of open space that is bounded by Argyle Street, Wingecarribee Street and the Old Hume Highway. Further east development consists of low scale, period buildings that are used for a range of retail stores, restaurants and cafes.

Wingecarribee Street is a no through Road that adjoins the southern boundary of the site. The Surveyor General Inn is located on the south-west corner of the intersection of Wingecarribee Street and Argyle Street/Old Hume Highway. The Surveyor General Inn is a two-storey building that was constructed in 1834.

To the west of the site is the Wingecarribee River. The Berrima River Walk follows the eastern side of the river, below the site.

2.7.3 Berrima Village

The site is located within the area Berrima Village as identified in Figure 1 of the Berrima Village DCP (refer to Figure 2 below). Berrima dates from 1930 when the site for the town was selected by Surveyor-General Major Thomas Mitchell. As noted in the Berrima Village DCP, the nineteenth century character of the town still exists and is rare example of a largely intact nineteenth century Georgian village, which is reflected in the large number of heritage listed buildings in the town as shown in Figure 3.

Berrima contains two Heritage Conservation Areas: a General Conservation Area that encompasses the Village itself and a Landscape Conservation Area that captures the Village's wider rural surroundings.

Wingecarribee Shire's heritage inventory contains the following statement of significance for Berrima Village.

Berrima is significant as one of the few intact villages in the State which demonstrate the characteristics of nineteenth century town development from the period of convict settlement to the end of the Victorian era. Its original layout and town limits are largely intact and the surviving stock of residential, commercial and administrative buildings along with churches and major buildings associated with the Gaol, provide evidence of the role of Berrima as an early administrative centre and a town which served generations of travellers on the South Road. The town is also significant as a collection of largely intact early buildings which are predominantly Georgian in style, the value of which is reinforced by the high quality of the surrounding natural environment and plantings within the town. The heritage attributes of Berrima are recognised by visitors from all parts of Australia who enjoy the character and history of the town which has become a cultural tourism attraction.

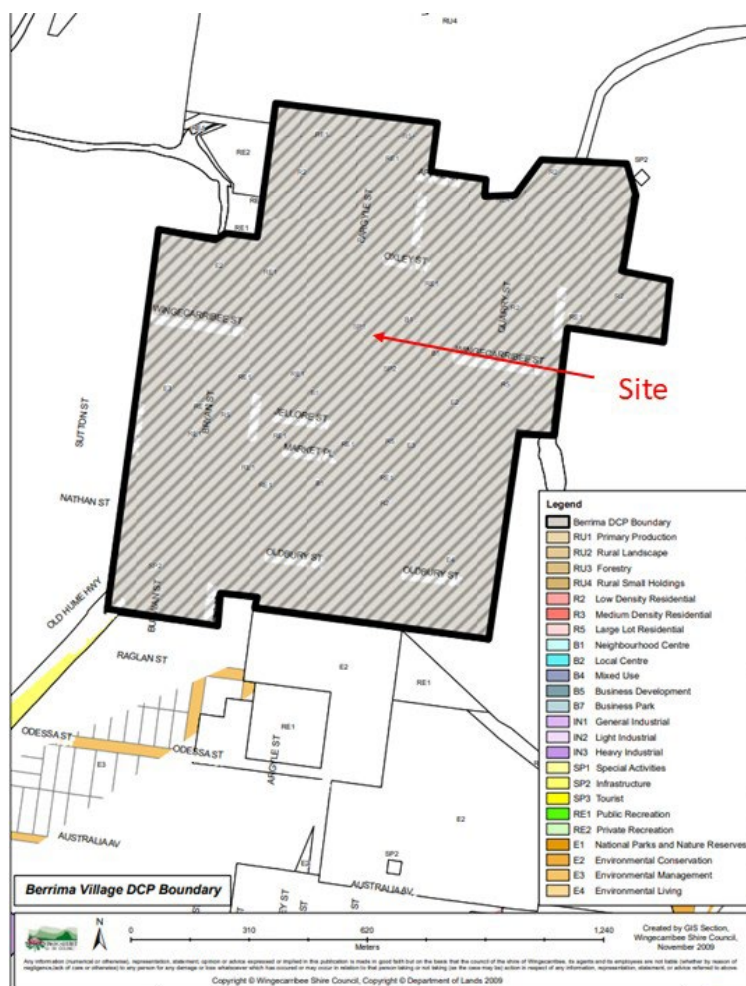


Figure 1 — Village boundary of Berrima

Figure 2:

The Berrima Village DCP
Boundary

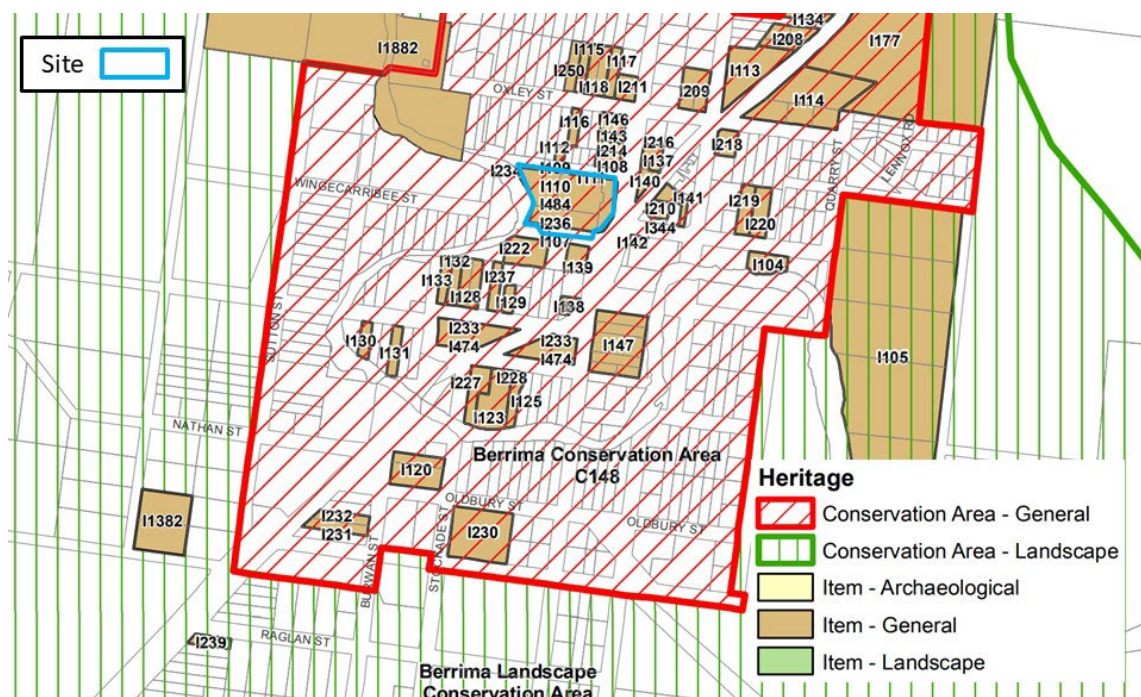


Figure 3:

Extract from the WLEP Heritage Map

2.8 Cumulative Impacts with Future Projects

In accordance with the Cumulative Impact Assessment Guidelines for State Significance Projects dated November 2021 the cumulative impacts of the development have been considered in the EIS and in the various accompanying technical reports.

Table 3: Cumulative Impacts

Impact	
Social Impacts	The cumulative social impacts of the proposal are addressed in section 4.3 of the Social Impact Assessment and Economic Impact Assessment prepared by Hill PDA (Appendix 35). The SIA notes the following: <i>'... there is a low degree of development surrounding the site, with no SSDAs within 1.5 kilometres of the site, and surrounding local development applications for residential dwellings, alterations and additions only. As such, it is unlikely that any of the proposal's impacts would accumulate alongside those of other current or recent projects. It is also relatively unlikely that Berrima will see significant development in the future, due to Berrima's current scale and heritage being prioritised and protected under the Wingecarribee Local Strategic Planning Statement. The proposal's impacts are therefore considered to mainly concern the proposal itself, though it is noted that project timings are still uncertain.'</i>

Impact	
Traffic	The cumulative construction impacts are addressed in section 4.9 of the TIA (Appendix 20). Section 4.11 sets out mitigation measures that will be adopted during construction to ensure traffic movements have minimal impact on surrounding land uses and the community in general.
Archaeological Resources	The principles of ESD and the cumulative impacts of the development on the cultural resources of the region are considered in section 10.2 of the ACHA (Appendix 31).
Groundwater	The cumulative impacts of the proposed development on groundwater have been considered in section 8 of the Groundwater and Surface Water Impact Assessment (Appendix 23). The report notes that under the current land zoning, it is considered highly unlikely that large developments have the potential to have a cumulative environmental impact on the local groundwater and surface water. Furthermore, for future developments that would have the potential to create a cumulative impact on groundwater and surface water, impact assessments would be required to outline the potential impacts of the development. The future management and mitigation strategies would be expected to minimise those impacts.
Stormwater	In accordance with section 6.6 of SEPP (Biodiversity and Conservation) 2021 in deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the cumulative environmental impact of development on the regulated catchment (the Sydney Drinking Water Catchment). By demonstrating the development will result in a neutral or beneficial impact on water quality, and that post development flows do not exceed pre development flows, the Stormwater Management Plan (Appendix 24) demonstrates the development will not contribute to any adverse cumulative impacts on stormwater runoff.
Flooding	The FIRA (Appendix 25) concludes that the development has negligible offsite impacts on the floodplain environment and there will be no adverse impacts on neighbouring lots or the floodplain environment up to and including the PMF event. As such, the development will not contribute to a cumulative change to the flood characteristics in this area.

2.9 Feasible Alternatives

Table 4 provides an analysis of alternatives that have been considered.

Table 4: Analysis of Alternatives

Alternative	Analysis
Consequences of not carrying out the Development	If the development is not undertaken the Berrima Gaol site would remain vacant. The heritage significance of the buildings would not be able to be

Alternative	Analysis
	fully appreciated by the community or visitors to Berrima, particularly given the defensive nature of the external walls of the facility. The maintenance and repair of the buildings on the site would not be viable if the site cannot be used for any purpose.
Alternative Locations	The development has been conceived as a site-specific response to adaptively reuse the Berrima Gaol facility. The concept for the facility relies on the unique characteristics and history of the buildings on the site. There are therefore no alternatives to the design.
Alternative Designs	The design has evolved following stakeholder consultation and feedback from technical experts. The Architectural Design Report summarises the design evolution of the proposal, particularly those changes made in response to the feedback from the SDRP. The design alternatives for the new roof additions within the walls of the gaol are present in Section 2 of the Report. The massing alternatives of the hotel suites that are located outside the goal walls are detailed in Appendix 5 of the Architectural Design Report. A consideration of the alternative designs has also been addressed in section 6.2.1 of the HIS.

3.0 PROJECT DESCRIPTION

3.1 Project Summary

The proposal is for the adaptive re-use of the former Berrima Gaol for multi-venue hospitality, wellness, events and accommodation precinct. The precinct includes the following components:

- Accommodation comprising 55 hotel rooms
- Hotel gymnasium and sauna
- Wellness centre (including 5 treatment rooms)
- Signature restaurant and bar and lounge area
- Function space and meeting rooms
- Hotel administration within the Deputy Governor's Residence
- Commercial and retail spaces within the Governor's Residence
- Landscaped outdoor areas and working gardens
- 195 car parking spaces for guests and staff to the south of the Gaol walls. The car park also provides a potential space for pop up community events

The development will provide for an immersive experience within a unique setting both in terms of the Gaol walls which dominate the site, but also the natural landscape around the walls which creates a contextual juxtaposition and organic setting adjacent to the Wingecarribee River.

The hotel will provide a premium hospitality offering including a signature restaurant to showcase local produce, and high-end bars. Guest services for day visitors and overnight visitors will also be provided, including a wellness centre.

A function space is located centrally within the hotel and will provide a flexible space ideal for hosting events and gatherings, from parties, meetings and supper clubs to drinks receptions, private screenings, art displays and weddings.

The proposed development aims to create a unique destination for local people and visitors where they can enjoy a luxurious retreat within a historic backdrop. The proposed development aims to enhance and re-invigorate the site and will act as an enabler to attract visitation and the associated investment to the region and Australia.

Table 5: Summary of Key Elements of the Development

Project Element	
Site Area	1.904 hectares
Bar	20-person capacity
Restaurant	355 square metres /120-person capacity
Hotel rooms	55 suites (including 3 accessible suites)
Function Centre	316 square metres
Total Car parking spaces	195 (including 10 accessible car spaces)
Capital Investment	\$52,693,729.00
Construction Workforce	414 FTE (99 direct, 316 indirect)
Operational Workforce	123 FTE (63 direct, 60 indirect)



Figure 4:

Photomontage of the entry to the Berrima Quarter Development



Figure 5:

Internal Courtyard View



Figure 6:

View of the open car park on the southern side of the Gaol from Wingecarribee Street



Figure 7:

Photomontage showing the development from Wilshire Street

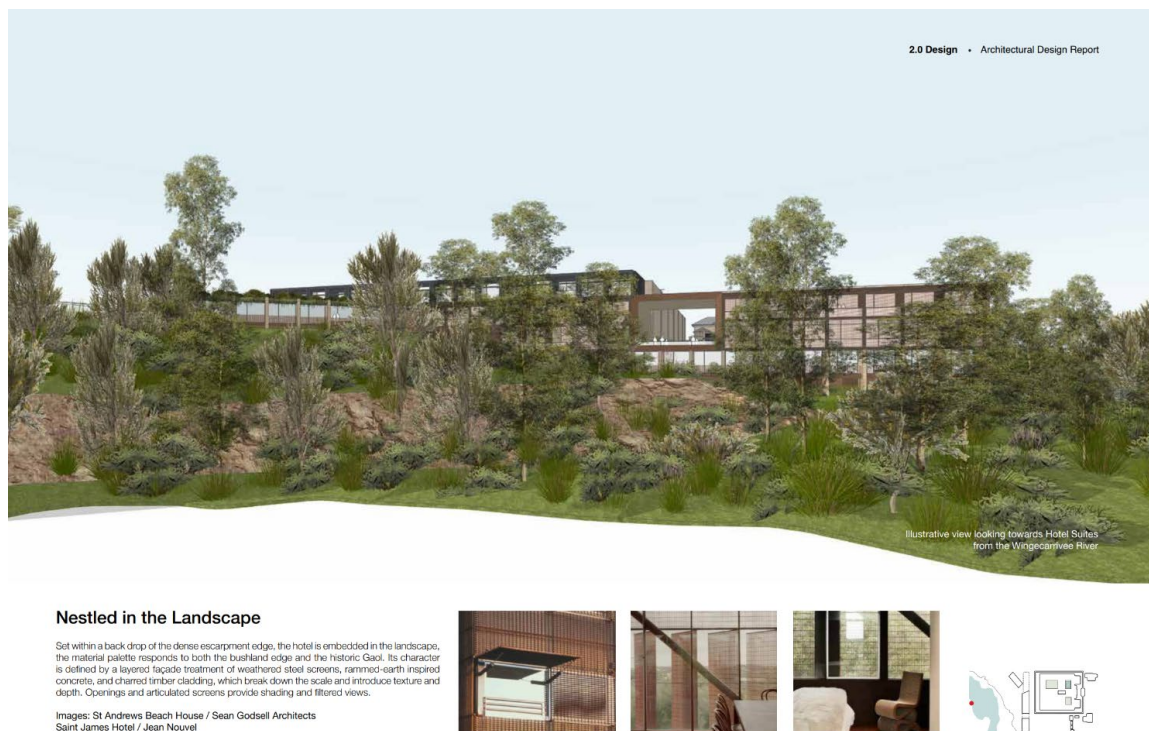


Figure 8:

Photomontage of the hotel building as viewed from the River (Source: Architectural Design Report prepared by Turner (page 155))

3.2 Project area

The development will be located on the land at 2-4 Argyle Street, Berrima.

The works proposed within Wingecarribee Street require approval under the Roads Act 1993.

3.3 Physical Layout and Design

3.3.1 Adaptive Reuse

A site-specific Conservation Management Plan (CMP) has been prepared by Urbis at **Appendix 33** to protect the significant fabric of the former Berrima Gaol and guide the restoration and modification of the building to facilitate the adaptive reuse of the former Berrima Gaol.

The building design has been guided by the CMP. The proposed works to the Berrima Gaol to facilitate the reuse of the site for the proposed development, include:

- Demolition of a range of elements that are assessed to be of neutral, little or intrusive heritage significance (within and outside the Gaol wall). The architectural plans prepared by Turner (**Appendix 5**) clearly identify the elements of the building that are to be retained, adapted, re-used or down-cycled.
- Selective removal of stonework from the former cell blocks to facilitate adaptive reuse of the existing structures (within the Gaol wall).

- Adaptive reuse of Gaol structures for hotel amenities and support facilities (function centre, restaurant and other food and beverage, and wellness facilities), and limited hotel rooms (within the Gaol wall).
- New goods lift within the confines of the space of an existing cell, extending the basement area to provide for servicing (within the Gaol wall).
- New lightweight, fit out and development to support adaptive reuse for function rooms, retail and restaurants, including new roof over the southern side of the east and west courtyards (within the Gaol wall).
- Construction of a building that will accommodate 49 new hotel rooms, outside the gaol, on the western side of the site. The Parapet of the hotel matches the height of the gaol wall. A 'secret door' opening will be provided within the western wall of the Gaol to provide access from the Gaol to the hotel suites.
- A multi-level car park is proposed that will accommodate up to 195 vehicles and a loading area. The top level of the carpark appears as at-grade, open car park. The car park is on the southern side of the gaol. The open car park also provides a multifunctional public space for markets or civic activities.
- New porte-cochere arrival point, with adjacent lift from the basement car park (outside the Gaol wall).
- New opening in eastern Gaol wall for public access and widening of existing opening on the west wall for compliant access to new hotel accommodation.
- New landscaping works (within and outside the Gaol wall).

Heritage Retention Strategy Restore, Remove, Reuse

The Restore, Remove, Reuse heritage retention strategy illustrated in the axonometric aligns with the policies set out in the Conservation Management Plan (CMP). It aims to restore or remove building elements of moderate or neutral significance, and reuse materials and components to support sustainable outcomes and heritage interpretation. This strategy is applied comprehensively across the site, with the exception of a proposed intervention to the eastern gaol wall to enhance site permeability and support adaptive reuse. This is an approach consistent with Section 8.4.1 of the CMP relating to fabric and future uses.

- Site Boundary**
- Top of Escarpment
 - Contaminated Soil Zone
- Graddings of Intervention**
- Retain**
Unaffected elements
 - Adapt**
Restored elements retained on site
 - Re-Use**
Removed elements to be re-used on site
 - Down-Cycle**
Off site recycling only

Notes:
Refer to Full Gaol Survey and Level Survey Drawings prepared by SDC Surveys dated 03 February 2023 for further information. Demolition works and associated excavation works to structural engineers, geotechnical engineer and contamination consultants requirements. Existing services and infrastructure to be removed and/or decommissioned to service consultants requirements.

- Existing**
- 1 Gaol Wall
 - 2 1858 Former Entrance Gate
 - 3 1858 Entrance Gate
 - 4 Governor's Residence
 - 5 Deputy Governor's Residence
 - 6 The Secret Door
 - 7 Cell Blocks
 - 8 Guard Tower
 - 9 Science Block
 - 10 Sheds
 - 11 Police Cells
 - 12 Central Access Path to Front Gate
 - 13 Rose Garden & Follies
 - 14 Industries Building
 - 15 Tennis Court
 - 16 Vegetable Gardens
 - 17 Bull's Head Fountain
 - 18 East Double Bay Courtyard
 - 19 East 'Viceroy' Courtyard
 - 20 West Courtyard

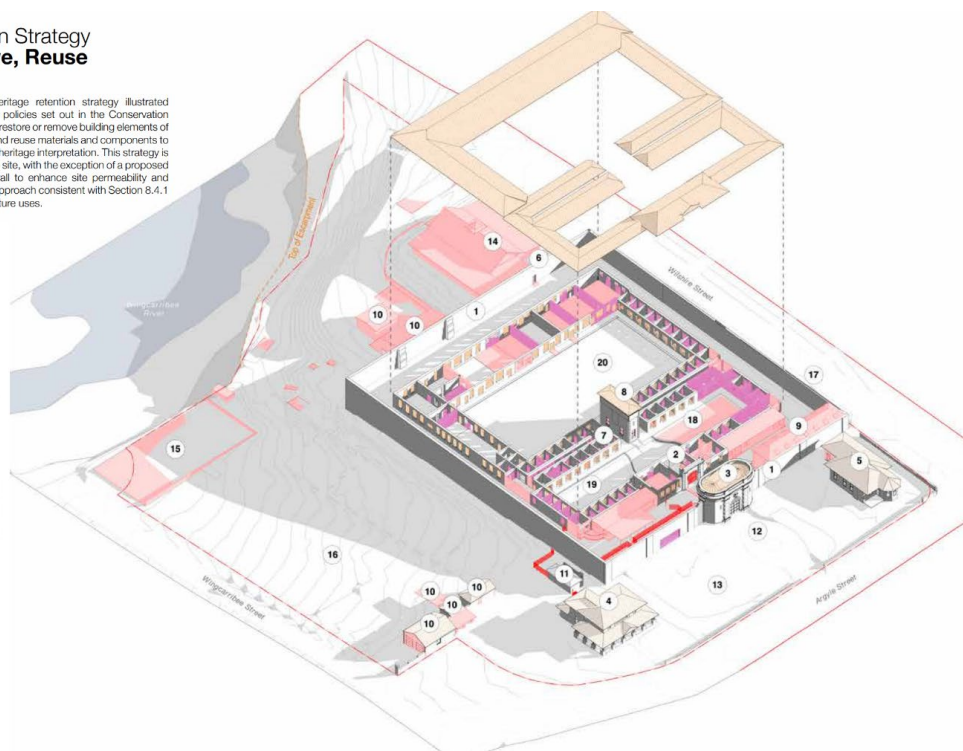


Figure 9:

Elements of the building to be retains, adapted, re-use and down-cycled (Source: Architectural Design Report prepared by Turner page 64)

3.3.2 Connecting with Country

A Connecting with Country process has been followed to identify opportunities of Indigenous input into the overall design. The process was managed by Heritage Now and is detailed in the Connecting with Country report. The Connecting with Country reports outlines the design features that will be implemented (**Appendix 10**). The Architectural Design Report also provides details of these design features (**Appendix 6**).

As noted in the Architectural Design Report, the following features have been integrated into the design:

- The project includes various opportunity spaces inside the gaol to tell records of Aboriginal incarceration and outside the gaol to express cultural motifs of resilience and reconciliation, the intervention of the gaol wall is seen as a physical and metaphorical transition from a history from concealment to openness and reconciliation.
- A public art strategy (Section 6 of Connecting with Country Report) guides how artworks reflecting Gundungurra culture (including and not limited to eels, platypus, canoes, scarred trees) can be incorporated outside the gaol.
- Interpretation panels and cultural motifs will be developed post-approval in consultation with Aboriginal stakeholders
- Pre-colonial land use influencing design: Insights into Gundungurra use of the Wingecarribee River and local ecology guided the landscape design, including endemic planting and storytelling linked to traditional flora and fauna (e.g., dingo, waratah, bush tucker)
- The project integrates Gundungurra 'Caring for Country' principles through the use of endemic species, seasonal native planting, and restoration of ecological balance. The at-grade car park and gardens have been designed to include opportunity areas for bush tucker, native flora, and fauna motifs. The landscape treatment in front of the hotel suites to the Western Riverine seeks to heal the degraded riverine edge post remediation.

Design Response and Integration Opportunities Across the Site

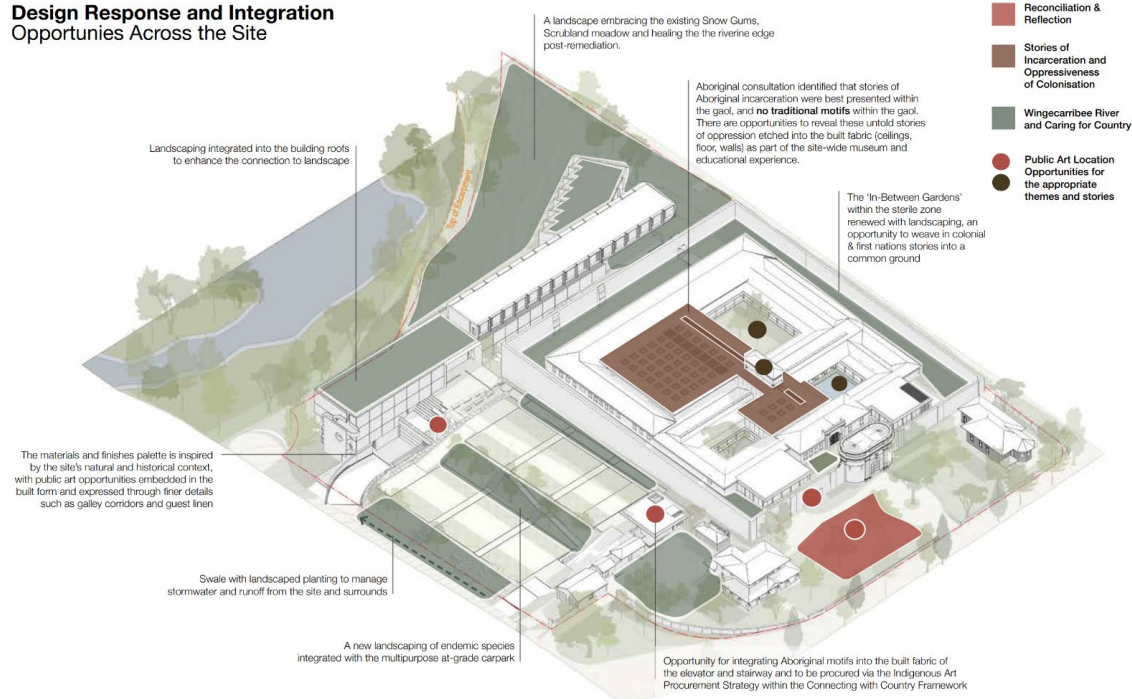


Figure 10:

Integration of Connecting with Country initiatives within the development (Source: Architectural Design Report prepared by Turner page 53)

3.3.3 Materials and Finishes

The materials incorporated into the design for the building have been selected based on the environmental performance and sustainability requirements for the materials and the building, the relevance of the materials to the conceptual design and the connecting with country strategy and the durability of the materials and ability to withstand the conditions.

Details of the external colours and finishes are proposed are provided on the Architectural Plans prepared by Turner (**Appendix 5**) and in the Architecture and Urban Design Report (**Appendix 6**) prepared by Turner.

The Architectural Design Report describes the materials as follows:

The hotel building's materials and finishes have been deliberately chosen to be complementary to place, heritage context, sustainability goals, and bushfire resilience requirements. Warm-toned metal cladding and earthy finishes anchor the building into the escarpment setting, while referencing the robust sandstone walls of the Gaol. The use of Shou Sugi Ban burnt (BAL29-rated) cladding, tongueand-groove timber, and weathering steel expresses permanence and resilience, allowing the building to weather naturally and further integrate into its landscape over time.

3.3.4 Landscaping and Tree Removal

A landscape design for the site and indicative planting palette has been prepared by JMD Design (**Appendices 7 and 8**). The Landscape Architecture Report describes the design intent for the landscape design as follows:

The historic language at the front of the Gaol is representative of the site's layered past and can be strengthened with make-good works, conserving the heritage fabric with local planting initiatives.

Inside the Gaol, there is an opportunity for adaptive reuse by site-salvaged materials, showcasing the original ecology, acknowledging the history of the former workers and inmates and beginning the healing within.

South of the precinct, this area will function as an active zone, with car parking, terraced gardens, a working garden adjacent to the Governor's building and WSUD (Water Sensitive Urban Design) infrastructure along Wingecarribee Street.

The language of the western landscape can be informed by its proximity and connection to the river. Integrating the existing endemic ecology, while healing the current landscape, providing a journey for visitors as they explore this area of the precinct.

An Arboricultural Impact Assessment (AIA) prepared by Arboriculture Consultancy Australia supports this application at **Appendix 16**. The assessment considers the impact of the proposal and identifies that the proposal ensures the retention of approximately 119 trees, and results in the removal of approximately 30 trees to support the reasonable redevelopment of the site. The protection measures for the trees to be retained are detailed in Appendix 4 of the AIA.

Of the trees to be removed, zero are high retention value trees, and the majority have low to very low retention value. Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the steep fall of the land and required excavation.

3.3.5 Sustainability

The Sustainability Report and Sustainability Strategy prepared by ADP (**Appendix 19**) details the sustainability framework that will be implemented in the development. The key sustainability measures identified in the report relate to three main themes: Low Emissions Design, Circular Economy and Healthy and Connected with Country. The proposed measures that relate to these themes are summarised below.

1. Low Emissions Design

- Maximise rooftop solar energy - A rooftop solar PV system will power up to 46% of the site's energy needs, marking a significant step towards energy independence.
- Rooftop rainwater capture
- Upgrade existing building envelope

- Demand-driven ventilation & conditioning - Smart, demand-driven HVAC systems—subtly integrated within the heritage fabric—will elevate energy performance without compromising the integrity of the historic site.
- Energy Resilience - A dedicated space for a future Battery Energy Storage System (BESS) will enable the capture of excess solar energy, strengthening the site's resilience and ensuring reliable, clean power even during peak demand or outages. In additional EV charging infrastructure will future-proof the precinct for the transition to cleaner, low-emissions transport.

2. Circular Economy

- Low -embodied carbon materials and adaptive reuse of existing building
- Onsite material reuse & repurposing / recycling and waste separation
- Veggie garden to supply restaurant / working with organic waste
- Riverside Suites: Design Response to Country and Water

3. Healthy & Connected with Country

- Caring for the Wingecarribee River
- Building Operates with the seasons and connection to the outdoors
- The carpark design will embed Country-centered sustainability principles - Key WSUD strategies include:
 - Permeable pavements which allow water to soak through the pavement and filtered by underlying layers.
 - Inclusion of vegetated swales lined with local grasses and native plants which will help slow down runoff, allowing sedimentation and filtrations.
 - Raingardens that collect and treat runoff.
 - Other elements that could be integrated in subsequent stages and aligned with civil works includes Gross Pollutant Traps (Mechanical filtration systems installed underground in drainage lines.)
- Heritage Interpretation

3.3.6 Signage

The Opportunities for Wayfinding and Signage are addressed in section 2.10 of the Architectural and Urban Design Report (**Appendix 6**). The report notes that wayfinding is spatially encoded through landscape and architecture – using path orientation, thresholds, lighting and material changes to lead users intuitively. The absence of heavy signage allows the historical and cultural elements to remain undistracted and immersion. A detailed signage strategy will be submitted for approval prior to the issue of the Construction Certificate.

3.3.7 Parking and Access

Vehicular access to the site is proposed via two driveways on Wingecarribee Street. The driveway on the western side of the site's frontage to Wingecarribee Street provides access to the loading dock and lower ground and basement levels.

A driveway on the eastern side of the site's frontage to Wingecarribee Street provides access to a ground level car park. A vehicular drop off / pick up point is also provided at the surface level parking area for the benefit of hotel guests.

195 car parking spaces are proposed over three levels. The ground level car parking spaces are designed for short term parking associated with the restaurant, bar and wellness uses. Medium term parking is provided in the upper basement level for staff and patrons or the function and events centre and staff. The lower basement level provides long term parking for hotel guests and staff.

3.3.1 Services and drainage

All required services will be provided to the site in accordance with the recommendations of the Infrastructure Delivery, Management and Staging Plan prepared by Neuron (**Appendix 38**). The development will require the existing sewer main running through the site to be diverted. A diversion strategy has been proposed by the project services engineer, Acor Consultants (**Appendix 39**).

Stormwater will be managed in accordance with the drainage plans (which include OSD details) (**Appendix 9**) and the Stormwater Management Plan prepared by Martens (**Appendix 24**). The drainage plan includes:

- Altering the existing roadside swale to the north of Wingecaribee street to 2.5 m wide.
- Adding a 375 mm culvert under the basement ramp to maintain flow through the roadside swale through to the Wingecaribee river.

3.3.2 Earthworks and Civil Works

The application includes excavation for the basement car park and hotel area and grading to create an open carpark. The application also includes the extension and minor regrading of Wingecaribee Street as shown on the Roadworks Plan (Layout 1) prepared by Martens (**Appendix 9**). The extent of cut and fill is shown on the Grading Cut-Fill Plan (Drawing PS01-C500 prepared by Martens & Associates).

3.4 Uses and activities

3.4.1 Uses

The development includes a range of uses including a hotel with an ancillary wellness centre; restaurant and bar (food and drink premises); a function centre and commercial/retail space.

3.4.2 Hours of Operation

The Berrima Quarter hotel will operate 24 hours a day, Monday to Sunday. The uses within the hotel such as the restaurants and bars will operate between 7am to midnight from Monday to Sunday.

3.4.3 Construction Management

A Preliminary Construction Traffic Management Plan accompanies the application and is included as section 4 in the TIA prepared by JMT Consulting (**Appendix 20**).

3.5 Stages and Timing

The project is not to be staged.

4.0 STATUTORY CONTEXT

This section of the EIS identifies addresses the statutory requirements that are relevant to the justification and evaluation of the project.

The relevant statutory context includes the following Acts, Regulations, environmental planning instruments and draft environmental planning instruments:

- Environmental Planning and Assessment Act 1979
- Roads Act 1993
- Rural Fires Act 1997
- Water Management Act 2000
- Biodiversity Conservation Act 2016
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Regulation 2017
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- Wingecarribee Local Environmental Plan 2010

In accordance with the *State significant development guidelines – preparing an environmental impact assessment* this section includes the following:

- Table of relevant statutory requirements.
- Preconditions table
- Mandatory considerations table

A Statutory compliance table is included as Appendix 2 of this report which identifies where the relevant statutory requirements have been addressed.

The detailed assessment of the issues covered by the relevant statutory provision is provided in Section 6 of the EIS.

4.1.1 Relevant Statutory Requirements

The following table identifies the statutory requirements that are relevant to the justification and evaluation of the project.

Table 6: Statutory Requirements

Category	Action Required
Power to grant approval	Environmental Planning and Assessment Act 1979 (EP&A Act) Section 4.36(1) of the EP&A Act identifies State Significant Development as being development 'declared' under that section to be State significant development. Subsection (2) of the same section provides that a State environmental planning policy may declare any development "or any class or description of development" to be State significant development.

Category	Action Required
	State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) Part 2.2 of Ch 2 of State Environmental Planning Policy (Planning Systems) 2021 (the SEPP) contains provisions directed to State significant development. Clause 2.6, within Pt 2.2, relevantly provides: <i>"2.6 Declaration of State significant development: section 4.36</i> <i>(1) Development is declared to be State significant development for the purposes of the Act if -</i> <i>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without consent under Part 4 of the Act, and</i> <i>(b) the development is specified in Schedule 1 or 2.</i> <i>(2) If a single proposed development the subject of one development application comprises development that is only partly State significant development declared under subsection (1), the remainder of the development is also declared to be State significant development, except for -</i> <i>(a) so much of the remainder of the development as the Director General... "</i> Part 13 of Schedule 1 of the SEPP provides that the following is State Significant Development (SSD): <i>13 Cultural, recreation and tourist facilities</i> <i>(1) Development that has a capital investment value of more than \$30 million for any of the following purposes:</i> <i>(a) film production, the television industry or digital or recorded media,</i> <i>(b) convention centres and exhibition centres,</i> <i>(c) entertainment facilities,</i> <i>(d) information and education facilities, including museums and art galleries,</i> <i>(e) recreation facilities (major),</i> <i>(f) zoos, including animal enclosures, administration and maintenance buildings, and associated facilities.</i> <i>(2) Development for other tourist related purposes (but not including any commercial premises, residential accommodation and serviced apartments whether separate or ancillary to the tourist related component) that:</i> <i>(a) has a capital investment value of more than \$100 million, or</i> <i>(b) has a capital investment value of more than \$10 million and is located in an environmentally sensitive area of State significance or a sensitive coastal location</i> The definition of an environmentally sensitive area of State significance is (emphasis added): <i>environmentally sensitive area of State significance means —</i> <i>(a) coastal waters of the State, or</i>

Category	Action Required
	(b) land identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map (within the meaning of State Environmental Planning Policy (Coastal Management) 2018), or (c) land reserved as an aquatic reserve under the Fisheries Management Act 1994 or as a marine park under the Marine Parks Act 1997, or (d) a declared Ramsar wetland within the meaning of the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth, or (e) a declared World Heritage property within the meaning of the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth, or (f) land identified in an environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance, or (g) land reserved as a state conservation area under the National Parks and Wildlife Act 1974, or <u>(h) land, places, buildings or structures listed on the State Heritage Register under the Heritage Act 1977, or</u> (i) land reserved or dedicated under the Crown Land Management Act 2016 for the preservation of flora, fauna, geological formations or for other environmental protection purposes, or (j) land identified as being critical habitat under the Threatened Species Conservation Act 1995 or Part 7A of the Fisheries Management Act 1994. The proposal satisfies the requirements of Part 13(2(b)) of Schedule 1 of the SEPP in that: • The site is identified as an item of State heritage significance on the State Heritage Register under the Heritage Act 1977 (SHR No. 0000807) and therefore is an environmentally sensitive area of State significance. • The subject proposal is for a tourist related purpose • The project has a value in excess of \$10 million.
Permissibility	Wingecarribee LEP 2010 The site is zoned SP1 Correctional Centre pursuant to the Wingecarribee LEP 2010. Development ordinarily permitted with consent includes aquaculture and the purpose shown on the zoning map, including any development that is ordinarily incidental or ancillary to development for that purpose.

Category	Action Required
	Figure 11: Extract from the Land Zoning Map The proposal includes the following uses: • Visitor and tourist accommodation • Food and drink premises • Function centre Whilst these uses are ordinarily prohibited in the zone, as the site is a listed heritage item, Clause 5.10(10) of the Wingecarribee LEP 2010 provides a legislative pathway for these uses to be permissible subject to satisfaction of the prerequisites of the clause: <i>(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—</i> <i>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</i> <i>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</i> <i>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</i> <i>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</i> <i>(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</i>

Category	Action Required
	The development is consistent with the Conservation Management Plan (CMP) prepared for the site prepared by Urbis at Appendix 33. The HIS prepared by Urbis at Appendix 32 and the Architectural Design Report at Appendix 6 details how the conservation of the heritage item will be facilitated by the proposed development. The HIS addresses the proposal's consistency with the Conservation Management Plan. The HIS demonstrates the development will not have an adversely impact on the heritage item or its setting. Development will be undertaken in accordance with the recommendations of the ACHA prepared by Austral Archaeology. By demonstrating the satisfaction of the prerequisites identified in subclause 10(a) to (e), the proposed development will be permissible with consent. This EIS and the accompanying technical reports demonstrate that the proposed development will not have any significant adverse effect on the amenity of the surrounding area. Section 4.38(2) and (3) of the EP&A Act addresses the issue of permissibility for a State Significant Development and provides that development consent can be granted for a proposal which includes some components which would otherwise be prohibited: <i>(2) Development consent may not be granted if the development is wholly prohibited by an environmental planning instrument.</i> <i>(3) Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.</i> As identified above, by demonstrating the satisfaction of the prerequisites identified in Clause 5.10(10)(a) to (e), the proposed development will be permissible with consent and accordingly will satisfy Section 4.38(2) and (3) of the Act in that it is not wholly prohibited by an environmental planning instrument.
Other approvals	NSW Roads Act 1993 (Roads Act) In accordance with section 138 of the Roads Act any works proposed to a public road require the consent of the appropriate roads authority.
Precondition to exercising the power to grant approval	The applicable preconditions to the exercising the power to grant approval are addressed in the preconditions table in section 4.1.2 below.
Mandatory matters for consideration	The mandatory matters for consideration are addressed in section 4.1.3 below.

4.1.2 Pre conditions

The following table identifies the pre-conditions to exercising the power to grant approval for the project. These include the mandatory conditions that must be satisfied before the consent authority may grant approval.

Table 7: Pre conditions table

Statutory reference	Pre-condition	Relevance	Section in EIS
Biodiversity Conservation Act 2016 – Clause 7.9	Section 7.9 applies to an application for development consent under Part 4 of the EP&A Act for SSD. In accordance with clause 7.9(2) any such application is to be accompanied by a BDAR under the Planning Agency Head and Environment Agency Head determine that the proposed development is not likely have any significant impact on biodiversity values.	As the application is for SSD, the clause applies. A BDAR waiver has been granted by the Planning Agency Head and Environment Agency Head and therefore a BDAR is not required.	Section 6.11 and Appendix 21
State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 4 Koala Habitat Protection 2021	Clause 4.9(2) to (4) state the following: <i>(2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.</i> <i>(3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.</i> <i>(4) If the council is satisfied that the development is likely to have a higher level of impact on koalas or koala habitat, the council must, in deciding whether to grant consent to the development application, take into account a koala assessment report for the development.</i>	This Chapter applies to the subject site as it is located within the Wingecarribee local government area and specifically the Central and Southern Tablelands and Central Coast Koala management area. There is no approved koala management plan for the land and the site has an area of at least 1 hectare. Given the limited impact on significant vegetation, the proposal avoids removal of habitat which may be critical to the survival of the species.	Appendix 2
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Clause 6.7(2) provides that: (2) Development consent must not be granted to development on land in a regulated catchment unless	The site is in a regulated catchment being the Sydney Water Drinking Catchment.	Appendix 2, 17 and 19

Statutory reference	Pre-condition	Relevance	Section in EIS
Chapter 6 Water Catchments 6.7 Aquatic ecology	the consent authority is satisfied of the following— (a) the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development, (b) the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves, (c) if a controlled activity approval under the <u>Water Management Act 2000</u> or a permit under the <u>Fisheries Management Act 1994</u> is required in relation to the clearing of riparian vegetation—the approval or permit has been obtained, (d) the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised, (e) the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised.	An Aquatic Ecology Assessment has been undertaken by Eco Logical Australia. A Geomorphological Study and Riparian Corridor Assessment prepared by Martens accompanies the application.	
State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 6 Water Catchments 6.8 Flooding	(2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not— (a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or (b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.	The site is in a regulated catchment being the Sydney Water Drinking Catchment.	Appendix 2
State Environmental Planning Policy	(2) Development consent must not be granted to development on land	The site is in a regulated catchment being the	Appendix 2

Statutory reference	Pre-condition	Relevance	Section in EIS
(Biodiversity and Conservation) 2021 Chapter 6 Water Catchments 6.9 Recreation and public access	in a regulated catchment unless the consent authority is satisfied of the following— (a) the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing, swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation, (b) new or existing points of public access between natural waterbodies and the site of the development will be stable and safe, (c) if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership—public access to and use of the land will be safeguarded.	Sydney Water Drinking Catchment.	
State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 6 Water Catchments 6.10 Total catchment management	In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consult with the council of each adjacent or downstream local government area on which the development is likely to have an adverse environmental impact.	The site is in a regulated catchment being the Sydney Water Drinking Catchment.	Appendix 2
State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 6 Water Catchments Part 6.5 Sydney Drinking Water Catchment	Part 6.5 specifically applies to land within the Sydney drinking water catchment alone and aims to provide for healthy water catchments that will deliver high quality water while permitted development that is compatible with that goal and to support the maintenance or achievement of the water quality objectives for the Sydney drinking water catchment. Clause 6.61 states:	The proposed development is State significant development and therefore the consent authority is not required to use the NorBE Tool (i.e. the tool titled Neutral or Beneficial Effect on Water Quality Assessment Tool) in determining whether the development would	Section 6.14 Appendix 2 , and Appendix 24

Statutory reference	Pre-condition	Relevance	Section in EIS
	(1) <i>Development consent must not be granted to development relating to any part of the Sydney Drinking Water Catchment unless the consent authority is satisfied the carrying out of the development would have a neutral or beneficial effect on water quality.</i> (2) <i>For the purposes of determining whether the carrying out of the development would have a neutral or beneficial effect on water quality, the consent authority must, if the development is development to which the NorBE Tool applies, undertake an assessment using the NorBE Tool.</i> (3) <i>The NorBE Tool applies to development requiring development consent under the Act, Part 4, other than State significant development.</i> Clause 6.64(1) states: <i>Development consent must not be granted to development on land in the Sydney Drinking Water Catchment unless the consent authority has obtained the concurrence of the Regulatory Authority.</i>	have a neutral or beneficial effect on water quality. Nonetheless, the NorBE tool is considered a practical tool and is proposed to be used to assist the consent authority in forming a state of satisfaction that the development would have a neutral or beneficial effect on water quality. The stormwater Management Plan prepared by Martens demonstrates that the development would result in a neutral or beneficial impact on water quality. Clause 6.64(1) states: <i>Development consent must not be granted to development on land in the Sydney Drinking Water Catchment unless the consent authority has obtained the concurrence of the Regulatory Authority.</i> The Department will need to obtain concurrence from Water NSW prior to the grant of consent.	
State Environmental Planning Policy (Resilience and Hazards) 2001 – Clause 4.6(1) and (3)	A consent authority must not grant consent to the carrying out of development unless it has considered whether the land is contaminated. If the land is	The EIS is accompanied by a RAP which details how the site can be made suitable for the proposed use.	Section 6.17 and Appendix 27

Statutory reference	Pre-condition	Relevance	Section in EIS
	contaminated the consent authority is to be satisfied that the land is suitable in its contaminated state, or will be suitable after remediation, for the purpose for which the development is proposed to be carried out. Clause (3) provides that: <i>The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority....</i>		
State Environmental Planning Policy (Industry and Employment) 2021	Clause 3.6 of the SEPP provides that a consent authority must not grant consent to an application to display signage unless the consent authority is satisfied that: <i>(a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and</i> <i>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.</i>	The development includes business identification signage. A signage strategy has been developed for the building as detailed in the Architecture Design Report. Compliances with the provisions of clause 3.6 are addressed in Appendix B.	Appendix 2 and Appendix 6
Wingecarribee Local Environmental Plan 2010 Clause 5.19A Function Centres	Clause 5.19A provides the following: <i>(2) The consent authority must not grant development consent to development for the purposes of a function centre unless the consent authority is satisfied the development—</i> <i>(a) will not result in the clearing of native vegetation, and</i> <i>(b) will be carried out having regard to the management of biodiversity outcomes set out in a biodiversity assessment report, and</i> <i>(c) will complement the rural or environmental attributes of the land and its surrounds, and</i>	The development includes a function room with an adjoining bar and kitchen.	Appendix 2

Statutory reference	Pre-condition	Relevance	Section in EIS
	(d) will not adversely affect the agricultural productivity of adjoining land, and (e) will not adversely affect the amenity of the neighbourhood, and (f) will be serviced by adequate access roads taking into account the scale of the development, and (g) will provide for access to adequate wastewater systems to service the land without having an adverse impact on the water quality of the area, and (h) will have adequate provision for stormwater management measures to service the land without having an adverse impact on the water quality of the area, and (i) if the function centre has a gross floor area of more than 500 square metres—will not be carried out in an isolated area that is accessed by traversing— (i) through rugged and heavily timbered country, or (ii) along bushland for more than 200 metres on a dead-end road, and (j) will address the potential impacts of bushfires and floods, and (k) will not create a land use conflict due to visual impact or impact on noise, traffic, privacy or other amenities, and (l) will provide for, or will be subject to a management strategy for minimising the development's impact on the natural environment or neighbourhood amenity that will provide for, the following—		

Statutory reference	Pre-condition	Relevance	Section in EIS
	(i) measures to remove threats of serious or irreversible environmental damage, (ii) mechanisms for monitoring and reviewing the effect of the development on the amenity of the neighbourhood, including impact on noise or traffic.		

4.1.3 Mandatory Considerations table

The following table identifies the matters that the consent authority is required to consider in deciding whether to grant approval.

Table 8: Mandatory Considerations

Statutory reference	Mandatory consideration	Section in EIS
Considerations under the Act and Regulation		
Section 1.3	Relevant objects of the Act - to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources - to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment - to promote the orderly and economic use and development of land - to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	Appendix 2
Section 4.15	Relevant environmental planning instruments - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021	Appendix 2

Statutory reference	Mandatory consideration	Section in EIS
	- State Environmental Planning Policy (Industry and Employment) 2021 Development control plan - Berrima Village Development Control Plan Clause 2.10 of SEPP Planning Systems provides that development control plans (whether made before or after the commencement of the Policy) do not apply to SSD. As such, there is no requirement for assessment of the proposal against the Penrith Development Control Plan. Notwithstanding this, clause 7.29(2) of PLEP requires a development control plan to be prepared for the land. These provisions have been prepared and adopted and as such consideration of the provisions has been given. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. the suitability of the site for the development the public interest	Appendix 2 Section 6
State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land	Clause 4.6(2) provides: <i>Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</i>	Section 6.11 and Appendix 27
State Environmental Planning Policy (Biodiversity and Conservation) 2021	6.7 Aquatic ecology (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following— (a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation, (b) whether the development involves the clearing of riparian vegetation and, if so, whether the development will require— (i) a controlled activity approval under the <u>Water Management Act 2000</u>, or (ii) a permit under the <u>Fisheries Management Act 1994</u>, (c) whether the development will minimise or avoid— (i) the erosion of land abutting a natural waterbody, or	Appendix 2 and 17

Statutory reference	Mandatory consideration	Section in EIS
	(ii) the sedimentation of a natural waterbody, (d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area, (e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology, (f) if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.	
	6.8 Flooding (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.	Appendix 17
	6.9 Recreation and public access (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider— (a) the likely impact of the development on recreational land uses in the regulated catchment, and (b) whether the development will maintain or improve public access to and around foreshores without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation.	Appendix 2
Mandatory relevant considerations under EPIs		
Wingecarribee Local Environmental Plan 2010	Clause 2.3(2) – Zone objectives and Land uses	Appendix 2
	Clause 5.21 Flood Planning	Appendix 2
	Clause 7.3(3) Earthworks	Appendix 2

5.0 ENGAGEMENT

5.1 Community Engagement

Primary Engage prepared and delivered a community engagement program to inform the community and stakeholders about the proposed development. The engagement program and issues raised by the community are summarised in the Stakeholder and Community Engagement Report for the Proposed Adaptive Reuse of the form Berrima Gaol prepared by Primary Engage included as **Appendix 36**.

In addition to the consultation undertaken by Primary Engage, relevant Government Departments and agencies were also consulted.

5.1.1 Key stakeholders

The SEARs required consultation with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular the SEARs identified the following stakeholders:

- The relevant Department assessment team
- Relevant Agencies
- Wingecarribee Council
- The community
- Agencies that would have required an approval or authorisation under another Act but for the application of s4.41.

The following community stakeholders have been consulted during the preparation of the EIS:

- Government stakeholders
- Wingecarribee Shire Council staff;
- Elected parliamentary representatives and councillors elected at September 2024 Council elections (prior to that Wingecarribee Shire Council was under administration);
- Berrima residents;
- Berrima business owners;
- Southern Highlands residents and business owners;
- Berrima community groups;
- Southern Highlands community groups;
- Business and tourism organisations; and
- First Nations communities.

The following public authorities have been consulted:

- Wingecarribee Council
- State Design Review Panel;
- Heritage NSW
- Rural Fire Service NSW

5.1.2 Actions Taken

Community engagement was undertaken in accordance with the engagement requirements of the SEARs and the '*Undertaking Engagement Guidelines for State Significant Projects*' (The Engagement Guidelines). The Engagement Guidelines provide the following guidance with Proponents:

1. Plan early
2. Engage as early as possible
3. Ensure engagement is effective
4. Ensure engagement is proportionate to the scale and impact of the project
5. Be innovative
6. Be open and transparent about what can be influenced

Section 5 of the Community and Stakeholder Consultation Report (**Appendix 38**) and Section 1 of the Architectural Design Report (**Appendix 8**) provide a timeline and summary of the stakeholder and community consultation that has occurred.

The consultation activities included the following:

- Preliminary meetings with key stakeholder groups
- Gaol open day which attracted around 5,000 visitors
- Online survey
- Project website and 1800 phone number and email address for enquiries
- Newsletter distribution by letterbox
- Use of third party websites and social media to provide updates and information
- Letterbox and email notification of community drop-in sessions
- Community drop-in sessions and online survey
- Local newspaper advertisement
- Local televisions and radio interviews to raise awareness

In addition to the consultation program developed by Primary Engage, consultation has occurred with various agencies and service providers as summarised in Table 8.

Meetings were held with the NSW Heritage Office and the NSW Heritage Council, as detailed in the HIS (**Appendix 34**).

Two sessions have been held with the State Design Review Panel. The first meeting was held on 4 December 2024 and the second meeting was held on 17 April 2025. The Architectural Design Report (**Appendix 8**) details the recommendations of the Panel and the responses provided.

5.1.3 Summary of Key Issues

The Community and Stakeholder Consultation report outlines the issues and themes raised by stakeholders during the consultation process and the responses provided. A summary of the issues raised has also been provided in the Architectural Design Report (**Appendix 6**).

6.0 ASSESSMENT OF IMPACTS

This section details how the key issues identified in the SEARs have been addressed. Many of the issues have been addressed through the preparation of specialist technical reports which are included as appendices to this EIS. Key issues identified in these reports are highlighted as are the recommended mitigation measures.

6.1 Statutory and Strategic Context

The SEARS require the EIS to address all relevant Environmental Planning Instruments, plans, policies and guidelines.

Section 2 of this EIS addresses the relevant strategic guidelines, including guidelines referred to by Council during pre-lodgement consultation where relevant.

Section 4 of this EIS and Appendix 2 addresses all relevant statutory requirements.

The site is zoned SP1 Correctional Centre pursuant to the Wingecarribee LEP 2010. Development ordinarily permitted with consent includes aquaculture and the purpose shown on the zoning map, including any development that is ordinarily incidental or ancillary to development for that purpose.

The proposal meets a variety of definitions including:

- Visitor and tourist accommodation
- Food and drink premises
- Function centre

Whilst these uses are ordinarily prohibited in the zone, as the site is a listed heritage item, Clause 5.10(10) of the WLEP provides a legislative pathway for these uses to be permissible subject to satisfaction of the prerequisites of the clause:

(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—

(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and

(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and

(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and

(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and

(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

A Statement of Heritage Impact (Appendix 32) and Conservation Management Plan (Appendix 33) has been prepared by Urbis. The CMP identified the heritage significance of the item and the required conservation measures and the HIS addresses the proposal's consistency with the CMP.

This EIS demonstrates that the proposed development will not have any significant adverse effect on the amenity of the surrounding area.

By demonstrating the satisfaction of the prerequisites identified in Clause 10(a) to (e) of the WLEP, the proposed development will be permissible with consent.

Section 4.38(2) and (3) of the EP&A Act addresses the issue of permissibility for a State Significant Development and provides that development consent can be granted for a proposal which includes some components which would otherwise be prohibited:

(2) Development consent may not be granted if the development is wholly prohibited by an environmental planning instrument.

(3) Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.

As identified above, by demonstrating the satisfaction of the prerequisites identified in Clause 10(a) to (e), the proposed development will be permissible with consent and accordingly will satisfy Section 4.38(2) and (3) of the Act in that it is not wholly prohibited by an environmental planning instrument.

6.2 Capital Investment Value and Employment

A detailed calculation of the capital investment value of the development has been prepared by QPC&C (Appendix 11).

The Social Impact Assessment and Economic Impact Assessment prepared by Hill PDA (**Appendix 35**) provides an estimate of the new jobs that will be created during the construction and operational phases of the development.

Table 9: Employment (FTE)

Phase	Direct	Indirect	Total
Construction Employment (FTE)	99	316	414
Operational Employment (FTE)	63	60	123

6.3 Design Quality

The Architectural Design Report (Appendix 6) provides a thorough description of how the development achieves good design in accordance with the seven objectives for Better Placed.

The development has been reviewed by the State Design Review Panel (SDRP) on two occasions. The responses proposed to the recommendations of the panel are detailed in Section 3 of the Architectural Design Report.

6.4 Built Form and Urban Design

6.4.1 Built Form

The comprehensive Architectural Design Report prepared by Turner (**Appendix 6**) provides a highly detailed description of the design evolution and intent of the proposed development.

The Architectural Design Report describes the development as follows:

From a place of confinement to one of connection, this proposal represents a sensitive, layered and design-led transformation of one of the Southern Highlands' most significant heritage sites. Berrima Quarter is a respectful reworking of the former Gaol—acknowledging its cultural and historical value through careful adaptation, site-responsive planning, and a considered and iterative design process.

6.4.2 Accessibility

There are a variety of floor levels and slab heights within the gaol. To allow for accessible rooms and pathways within the gaol, new floor plates are proposed above existing slabs rather than cutting into original fabric. A consistent datum will be provided to allow for step free circulation and minimise the need for intrusive ramps or regarding. Ramped access or transition zones are proposed at the main entry, the 'secret door' on the western side of the gaol, and the new restaurant entry within the eastern wall. The approach taken is detailed in Section 2 of the Architectural Design Report.

The accessible pathway is shown in the Architectural Design Report and is reproduced in Figure 12 below.

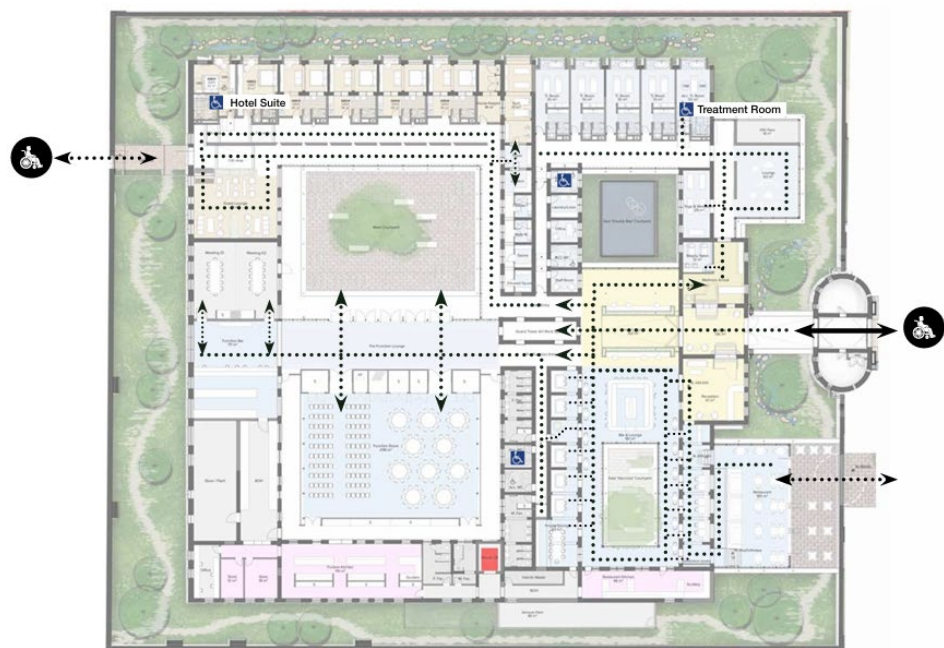


Figure 12:

Accessibility Diagram (Extract from the Architectural Design Report - page 114)

6.4.3 Connecting with Country

Heritage Now has been engaged to manage and oversee a Connecting with Country process which identifies opportunities for indigenous input into the overall design.

The process adopted by Heritage Now is a four-phase process:

- Phase 1 -Discovering Country
- Phase 2 – Integration and Refinement
- Phase 3 – Content Development
- Phase 4 – Review and Implementation.

Phases 1 and 2 occur prior to development consent and Phases 3 and 4 are post consent phases.

A Connecting with Country Report that outlines the outcomes of Phases 1 and 2 of the process forms part of the EIS (**Appendix 10**).

The report details the Aboriginal consultation that was undertaken for the Connecting with Country process. Consultation was undertaken with those Aboriginal knowledge holders identified in the Aboriginal Cultural Heritage Assessment undertaken by Austral. Additional Aboriginal stakeholders were also contacted based on their local knowledge and connections to the area. The consultation process involved a series of workshops and online meetings.

The Report notes that the key messages from the consultation that has occurred to date are:

- History of Aboriginal incarceration to be installed INSIDE the gaol
- Aboriginal public art, interpretation and traditional motifs to be placed/installed OUTSIDE the gaol
- Aboriginal healthy country principles incorporated within natural landscaping outside the gaol, in the sustainability plan, in the building design and water management on the site.
- Aboriginal healthy country principles of seasonality within the gaol gardens.
- Connection with Wingecarribee maintained through public viewing platform.
- Indigenous procurement policy has been developed for the project.

The Report includes the following recommendations in relation to the project:

- [Recommendation 1 – Artwork and Architectural Elements](#)

Post approval, indigenous art procurement is to be undertaken by the clients in accordance with the Indigenous procurement policy outlined in this Connecting with Country report and in consultation with the Aboriginal community members to contributed to the report. This is to include development of the artist brief, public art strategy, selection of artist/s and a public art plan of management. The Indigenous procurement policy also applies to Aboriginal designs for the architectural elements.

- [Recommendation 2 – Interpretation Panels](#)

Post approval, content for interpretation panels is to be developed with the Aboriginal community members involved in the Connecting with Country report. This is to include further research into the history of Aboriginal incarceration in the gaol.

- **Recommendation 3 – Landscaping**

Post approval, landscaping in the native gardens and finalising plant species is to be undertaken in consultation with the Aboriginal community members involved in the Connecting with Country report.

The following table summarises the key design responses that have been implemented in response to the Aboriginal consultation and involvement in the development of the design.

Table 10: Connecting with Country Themes and Responses

Theme	Response
Integration of cultural connections to the Wingecarribee River	
Inside the Gaol	Connections to the Wingecarribee River are emphasised within the water features within the gaol and in water features along the northern boundary of the site. Connections to the sky are reflected in the northern courtyards which are open to the sky.
Outside the Gaol	Gundungurra public art is to be incorporated in the grounds and landscaping outside the walls of the gaol with references to the Wingecarribee which may include designs associated with canoes, scarred trees, eels and platypus, amongst other themes. Indicative locations for public art locations associated with the Wingecarribee have been identified. The Proposal has been specifically designed to incorporate views to and from the Wingecarribee River, so as to maintain a connection to this important Gundungurra element. A cut-out in the new build provides views from the front of the gaol, right through to the river. There is an opportunity at this locale for interpretive panels and public art to be installed to emphasise Gundungurra connections to county.
Integration of Gundungurra Caring for Country Principles	Consultation with the Aboriginal representatives identified that integrating native vegetation plantings was important and particularly endemic species. The integration of native vegetation has been included in the at grade car park. Gundungurra public art is to be incorporated into this area to reflect local land fauna including dingos and cultural elements such as sandstone engravings
Integration of Places for reflection and reconciliation	
Reflection and acknowledgement of Aboriginal dispossession and incarceration	Following on from the Phase 1 consultation with Aboriginal stakeholders, the design team had included provision for the stories of dispossession, oppressiveness of colonisation and incarceration to be presented within the gaol. It was also acknowledged that there was shared history in that the brutal incarceration of Aboriginal and non-Aboriginal people was an oppressive colonial practice. A place of reflection was identified as being needed in the Phase 1 Aboriginal consultation, the design team has responded by designating such a space in the East double bay courtyard

Theme	Response
Reconciliation	As per the Phase 1 Consultation, it was agreed that themes of reconciliation should be outside the gaol. The front lawn being a very public space has been nominated for incorporation of this theme A perforation of the wall is proposed to open up the space and provide a welcoming entry, in contrast to the current imposing entrance designed to reinforce the gravitas of the gaol in its traditional use. The breaking down of this external wall serves to provide a physical and metaphorical transition of history from one of oppression of Aboriginal people (and other Australians in the gaol context) through to a brighter future of openness and reconciliation. The front lawn and entry area provides opportunities for public art to incorporate Aboriginal reconciliation themes.
Interlinkages	
Interlinkages with Sustainability	Water Sensitive Urban Design has been implemented for the project. Martens (2025) has provided engineering guidance in relation to Water Sensitive Urban Design and has referenced the relevant guidelines. Proposed methods of water management include rainwater re-use, bioretention and spreaders. The water management has been designed to ensure water quality is maintained and that contaminated water does not enter the Wingecarribee River. Naturalised methods of water retention are proposed including swales and bioretention ponds to improve filtration. This water engineering design aligns with the Caring for Country principles put forward by the Aboriginal stakeholders as part of the Connecting with Country process. Native flora would be selected to emphasise the different seasons (presented in the western sense of season) within the gaol to interconnect it with the outdoors. Aboriginal stakeholders were broadly in favour of this initiative and that they would like Aboriginal seasonal concepts to be included. Additional Aboriginal consultation will be undertaken post-approval to develop specific content of signage and information in relation to Aboriginal seasons. Native landscaping such as that proposed for the at grade carpark and within the gaol will be implemented as covered in previous sections of this report. The proposed public artworks, architectural elements, interpretation and storytelling will be integrated into areas outside of the gaol for traditional stories and motifs.

6.5 Environmental Amenity

6.5.1 Internal and External Amenity

The Architectural Design Statement at **Appendix 6** details how good internal and external environmental amenity is achieved.

Natural Sunlight and Ventilation

The central courtyards are to be preserved as open-to-sky spaces, ensuring their original sense of exposure remains intact and to allow for a connection to the natural environment.

The proposed 'exposed structure' roof form for the new roof additions within the gaol precinct, allows for natural sunlight and ventilation.

Pedestrian Movement

Section 2 of the Architectural Design Statement details how the redevelopment enhances site permeability and strengthens connections with Berrima Village through inclusive pathways, layered landscaping and multiple access points.

The main entrance of the Gaol will be retained as the central entrance to the development. Pathways from Argyle Street, Wilshire Street and the carpark to the main entrance will be set within a restorative landscape setting that softens the sparse setting of the building and enhances the pedestrian experience by providing visually interesting and engaging spaces.

A direct connection will be provided to the Berrima River Walk, which contributes to the connection between the site and the Wingecaribee River.

The pedestrian pathways have been designed to minimise the potential conflicts between pedestrians and vehicles.

6.5.2 Amenity Impacts

The amenity impacts on the surrounding locality has been addressed in the supporting documentation, as outlined in the following table.

Table 11: Amenity Impact Considerations

Potential Amenity Impact	Comment
Lighting Impacts	The lighting design will comply with all relevant Australian Standards
Solar access/Overshadowing	The proposed development results in limited additional shadowing over the public domain as shown in the shadow diagrams prepared by Turner (Refer to DA-795-001, DA-795-002, DA-795-003 Shadow Diagrams (Winter, Summer, Equinox in Appendix 5). The Architectural Design Report notes that during the Winter Solstice, over 50% of the public domain area along Argyle Street and Wingecaribee Street receives over 4 hours of solar access between 9am-3pm.
Visual privacy	The siting of the development within the gaol walls and orientation of the hotel suites towards the river, ensures the development outside of the gaol walls will not impact on the visual privacy of surrounding residents.
Visual amenity and View loss	The Architectural Design Report provides a detailed explanation of the design measures that have been implemented to minimise the visual

Potential Amenity Impact	Comment
	impact of the development on significant views and vistas to and from Berrima Gaol. The hotel suites sit below the height of the gaol to minimise any visual impact of the development on the heritage item.
Wind impacts	A Wind Impact Assessment has been prepared by ViPAC (Appendix 13). The findings of this study can be summarised as follows: • Wind conditions in the ground level footpath areas and access ways would be expected to be within the walking comfort criterion. • All buildings entrances are expected to be well protected from the prevailing winds and are expected to be within the recommended standing comfort criterion; • The internal courtyard is expected to be within the recommended standing comfort criterion; • The outdoor dining area is expected to be within recommended the sitting comfort criterion with the recommended 1.8m tall planting or porous windscreens at the strategic locations; • All private balconies are expected to be within the recommended walking comfort criterion; and • The wind conditions would be expected to fulfil wind safety criterion around the proposed development.

6.6 Visual Impact

A Visual Impact Analysis has been prepared by Ethos (**Appendix 14**). A three-stage process has been adopted for the VIA, which consists of the following stages:

- Stage 1: Visual analysis
- Stage 2: Preparation of the evidence base
- Stage 3- Visual impact assessment

Five key viewpoints have been analysed in the Visual Impact Assessment as show in Figure 13. The selection of the key viewpoints was informed by a site and context analysis, the Conservation Management Plan (Urbis, 2025) and the BDCP.



Figure 13:

Key public viewpoints (Source: Visual Impact Assessment prepared by Ethos Urban)

The Visual Impact Analysis notes that a large part of the proposal involves the adaptive reuse of the main part of the gaol and grounds within its external walls and as such will not be visible from the adjoining public domain. The proposed interventions in the external walls to create openable, publicly accessible pedestrian entrances, the hotel suites on the western side of the site and the open carpark are most relevant to the VIA.

- View point 1: Entrance Gate (Argyle Street)
- Viewpoint 2: The Governor's Residence and Entrance Gate (Argyle Street)
- Viewpoint 3: Gaol Wall and western annexe
- Viewpoint 4: Wingecarribee Street
- Viewpoint 5: Wilshire Street

The VIA has found that primary design measures, including the siting of the hotel suites and carpark at the least visually sensitive western and southern parts of the site, their setback from streets, their integration with existing topography, the height of the hotel suites being less than the gaol, the relatively small footprint of the gaol, the massing and form of the gaol and the incorporation of materiality and colours that are complementary to the existing visual landscape, adequately mitigate the visual impact of the proposal. As such, additional fundamental or large-scale mitigation measures are not considered necessary.

The VIA concludes that the proposal has an acceptable visual impact.

6.7 Public Space

Crime prevention through environmental design (CPTED) seeks to influence the design of buildings and places by:

- increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture
- increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended
- reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits'
- removing conditions that create confusion about required norms of behaviour

There are four principles that need to be used in the assessment of development applications to minimise the opportunity for crime:

- Surveillance
- Access Control
- Territorial Reinforcement
- Space Management

A Crime Prevention Through Environmental Design (CPTED) Report prepared by Harris Crime Prevention Services has been prepared (**Appendix 15**). The Report analysed the potential crime risk and found the external and risk crime risk is 'low' to 'moderate'. This assessment was confirmed by both the Crime Prevention Officer at Goulburn Police Station and Inspector at Moss Vale Police Station.

The CPTED Report includes the following commentary in relation to the permeability and connectivity of the precinct zones:

There are three major built form precinct zones - the walled gaol, the hotel suites along the riverbank and the multi-level at grade and basement carpark. From a CPTED perspective all three demonstrate design footprint clarity, purpose and separation. The added, and supported, CPTED element is the zonal connectivity and interfaces, providing opportunities for safe (secure) day-night circulation between each and, from each, to the external landscaped spaces including both historic residences.

Each sub-precinct has clear spatial separation and purpose clarity, an important Principle 1 (foundational) requirement. Their design intentions are unmistakable and each facilitates directional wayfinding, ensuring unambiguous and safe understanding of locations and operational objectives.

In CPTED and definitional terms, there are no confusing spatial purposes. Spatial separation provides safe wayfinding confidence via entrances, pathways, landscaping, internally defined function and guest accommodation, the riverbank, basement parking, lifts and internal stairways. The Overall design features clearly defined circulation 'corridors' to enhance wayfinding certainty. (Page 26)

The report sets out conclusions and recommendations related to the five CPTED principles. The recommendations that are not built into the physical layout or design of the project are included in the table of mitigation measures.

6.8 Trees and Landscaping

6.8.1 Impacts on existing trees

There are a range of trees on and around the site which are identified in the Arboricultural Impact Assessment (AIA) prepared by Arboriculture Consultancy Australia (**Appendix 16**).

The AIA assessed 155 individual trees located within and adjacent to the subject site.

The assessment considers the impact of the proposal and identifies that the proposal ensures the retention of approximately 119 trees, and results in the removal of approximately 30 trees to support the reasonable redevelopment of the site. The protection measures for the trees to be retained are detailed in Appendix 4 of the AIA.

Of the trees to be removed, zero are high retention value trees, and the majority have low to very low retention value. Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the steep fall of the land and required excavation

6.8.2 Proposed landscaping

Landscape Plans (**Appendix 7**) and a Landscape Design Report (**Appendix 9**) have been prepared by JMD Design.

The landscape design consists of four main design principles that relate to specific parts of the site:

- Healing within the walls – This area relates to the landscaped spaces within the gaol walls. These spaces include water elements as developed through the CWC process. The reuse of demolition materials (concrete and stones) can be used in this space.
- Formal European Village Character. This area relates to the eastern side of the gaol and carpark. Existing trees will be retained where possible. Formalised gardens are proposed which incorporate colourful native/endemic and non-native species.
- Secondary Arrival. This area relates to the carpark and vehicle and pedestrian entrances from the south. The landscape design seeks to mediate the visual impact of the car park through tree planting and gardens. Landscape initiatives are proposed along Wingecarribee Street to deliver a cohesive public domain outcome.
- The renewal of the escarpment. This area relates to the landscape west of the gaol walls and the carpark. This area seeks to restore the riverine environment with species that are consistent with the endemic ecological community.

An indicative planting palette is included in the Landscape Design Report. This schedule details the size, species and spacing of plantings proposed in each landscaped area. The planting palette has been carefully selected in response to the site conditions and design principles. In particular, the plant species selection is a fundamental element in the Connecting with Country strategy and to connect with the local environment.

6.9 Ecologically Sustainable Development

6.9.1 Sustainability Framework

The Sustainability Report and Sustainability Strategy prepared by ADP (**Appendix 19**) details the sustainability framework that will be implemented in the development.

1. Low Emissions Design

- Maximise rooftop solar energy - A rooftop solar PV system will power up to 46% of the site's energy needs, marking a significant step towards energy independence.
- Rooftop rainwater capture
- Upgrade existing building envelope
- Demand-driven ventilation & conditioning - Smart, demand-driven HVAC systems—subtly integrated within the heritage fabric—will elevate energy performance without compromising the integrity of the historic site.
- Energy Resilience - A dedicated space for a future Battery Energy Storage System (BESS) will enable the capture of excess solar energy, strengthening the site's resilience and ensuring reliable, clean power even during peak demand or outages. In addition EV charging infrastructure will future-proof the precinct for the transition to cleaner, low-emissions transport.

2. Circular Economy

- Low -embodied carbon materials and adaptive reuse of existing building
- Onsite material reuse & repurposing /Recycling and waste separation
- Veggie garden to supply restaurant/ working with organic waste
- Riverside Suites: Design Response to Country and Water

3. Healthy & Connected with Country

- Caring for the Wingecarribee River
- Building Operates with the seasons and connection to the outdoors
- The Carpark design will embed Country-centered sustainability principles - Key WSUD strategies include:
 - Permeable pavements which allow water to soak through the pavement and filtered by underlying layers.
 - Inclusion of Vegetated Swales lined with local grasses and native plants which will help slow down runoff, allowing sedimentation and filtrations.
 - Raingardens that collect and treat runoff.
 - Other elements that could be integrated in subsequent stages and aligned with civil works includes Gross Pollutant Traps (Mechanical filtration systems installed underground in drainage lines.)
- Heritage Interpretation

4. Sustainable Water Design Strategies

- The water strategy adopts an integrated approach to circular water use, centred around a single underground rainwater tank. This tank will collect and store enough water to irrigate the proposed landscape, which is estimated to require approximately 1,765 kL per year. In addition to irrigation, the stored rainwater will be used for non-potable applications such as toilet flushing, supporting a circular water economy.

- Complementary Water Sensitive Urban Design (WSUD) measures include green roofs to filter rainwater, bioswales and raingardens to treat stormwater runoff, and the revegetation of the riverbank with native species to improve ecological resilience.

6.9.2 ESD Principles

The *Environmental Planning & Assessment Act 1979* adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The 4 principles are addressed below:

Precautionary principle

The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment. The proposed development is accompanied by multiple environmental studies and technical reports which conclude that there are no environmental constraints that preclude the development of the site in accordance with the proposal, subject to appropriate management in construction and operational strategies. The mitigation measures outlined in this Statement detail the methods by which environmental impacts will be managed on the site.

Inter-generational equity

The proposal will ensure that the health, diversity and productivity of the environment is enhanced for the benefit of future generations as it represents a sustainable use of the site which will take advantage of the existing infrastructure and make more efficient use of the site consistent with its planned intent. The re-development of this site will also have positive social, economic and environmental impacts.

Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The proposed development will not have any significant effect on the biological diversity and ecological integrity of the site and will retain important vegetation on the site and provides the opportunity to introduce planting and landscaping to provide for habitat and to assist in rain water absorption.

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Construction and operational phases of the development will not produce excessive waste or result in pollution emanating from the site. All efforts will be made to ensure that materials are reused, recycled or disposed of in a sensitive manner. The life cycle of products and their robustness has been considered in the process of material and finish selection.

6.10 Traffic, Transport and Accessibility

A Transport Impact Assessment prepared by JMT accompanies the application (**Appendix 20**).

6.10.1 Traffic

The report includes an analysis of the existing road network and traffic volumes, access arrangements, crash history and public transport availability.

As the Transport for NSW Guide to Transport Impact Assessment and the former RMS Guide to Traffic Generating Developments do not contain traffic generation rates specific to the multi-purpose use proposed, a worst case (and highly unlikely) scenario for the traffic assessment has been undertaken which assumes that every one of the 195 car parking spaces turns over in a single hour. This high turnover rate could represent a function held at the site.

The outcomes of the traffic modelling demonstrate that the proposal would have no material impact on the operation of the surrounding road network. Intersection level of service remains unchanged at Level of Service A. The degree of saturation remains well below capacity. The report has found that the traffic impacts from the proposal are minimal, will not impact the operation of the road network and do not warrant physical mitigation works.

A Preliminary Green Travel Plan has been included in the TIA. The Green Travel Plan sets out measures that will be put in place to encourage more sustainable travel.

6.10.2 Car Parking

The proposal includes 195 on-site car parking spaces over three levels serving multiple functions and user groups as follows:

- 62 short term parking spaces for restaurant, bar and wellness guests
- 63 medium term parking spaces for functions, events and meeting room guests, and staff
- 70 long term parking spaces for hotel guests and staff

There are no car parking requirements in the Development Control Plan for Berrima Village (DCP) for land zoned SP1. However, for land zoned as 'business' the DCP nominates the following rates of car parking:

- 1 space per hotel room plus 1 space per 2 employees
- Bar, lounge & dining component: A traffic study is to be prepared by a qualified traffic engineer, with the parking requirement established through surveys of similar existing developments, noting the existing supply of and demand for parking in the area, and of the peak parking periods of individual facilities within the hotel.

The Transport Impact Assessment prepared by JMT provides a car parking demand analysis which demonstrates that even under the worst case scenario considers, the proposed car parking provision exceeds the maximum parking demands generated by the various uses of 189 spaces.

6.11 Biodiversity

A Biodiversity Development Assessment Report Waiver Request including an assessment of the impacts of the proposed development on Biodiversity Values identified in the BC Act and Regulation, was submitted to the Department of Planning, Housing and Infrastructure.

The waiver request was considered by a delegate of the Planning Secretary of the Department of Planning, Housing and Infrastructure and the Director South East Branch of the Department of Climate Change, Environment, Energy and Water Secretary. It was determined that the proposed development is not likely to have any significance impact on biodiversity values and that a BDAR is not required to accompany the application. As such a BDAR waiver was granted under section 7.9(2) of the BC Act on 15 May 2025.

6.12 Noise and Vibration

An Acoustic Assessment has been prepared by Renzo Tonin and Associates (**Appendix 22**), that addresses the construction and operational noise impact on nearby sensitive receivers and structures. A vibration assessment is included in the report prepared by Renzo Tonin and Associates.

The acoustic report addresses potential noise emissions from the function centre (indoor and outdoor spaces), the restaurant and bar area (which also includes an outdoor dining area outside of the gaol perimeter wall), the multi-level car park, guests outside the gaol perimeter wall and mechanical plant noise.

External noise impacts on the proposed development from road traffic noise from the Old Hume Highway have also been addressed.

The report provides recommendations in relation to the following aspects of the development:

- Building shell construction to address operational noise emission to existing neighbours (glazing treatments; wall, roof and ceiling treatments)
- Maximum capacities for function space outdoor area, restaurant/bar outdoor dining area
- Building shell construction of the hotel to address potential road traffic noise impacts on the development.
- Acoustic treatment of food/beverage, entertainment and communal spaces
- Treatment of plant and equipment noise/vibration to ensure compliance with relevant EPA noise guidelines.

The Acoustic Report demonstrates that night operational noise emission from usage of the proposed function centre and restaurant/bar will comply with the established noise goals at all the identified residential receivers with the implementation of the noise mitigation measures recommended in Section 6.1 of the Report.

An assessment of construction noise impacts to the surrounding noise sensitive neighbours and construction vibration impacts has been undertaken. Construction noise and vibration mitigations measures have been provided in Section 8 of the report.

6.13 Ground and Water Conditions

A Groundwater and Surface Water Impact Assessment has been prepared by Reditus Consulting (**Appendix 23**).

A site investigation was conducted on 26 September 2024 and included groundwater gauging and sampling of three monitoring bores. Samples were collected and analysed for a range of chemicals.

The report notes that a licence for the removal of water from a water source may be required for the development.

Based on the groundwater data sourced from this assessment, the groundwater was intercepted at RL 651.931 mAHD at MW102 which was located on the eastern side of the proposed basement footprint (highest ground level) and at RL 641.621 mAHD at location MW103 which was located on the western side of the proposed basement footprint (lowest ground level). The depth of excavation for the basement car park is proposed to be RL 646.38 mAHD. The assumed Bulk Excavation Level (BEL) for the site is taken at 0.5 m below the proposed depth of excavation and therefore, the basement excavation will intercept the groundwater. As such, dewatering will be required during the construction phase of the basement, and ongoing operation, and as such the design includes a 'drained' basement.

As there is potential that drawdown outside the site may be sufficient to induce settlement in overlying buildings unless an appropriate DMP is implemented, further detailed geotechnical investigations will be undertaken prior to the construction of the development by a suitability qualified geotechnical consultant to determine the potential settlement impacts caused by the potential drawdown as a result of the proposed dewatering activities.

6.14 Water Management

Civil works plans (**Appendix 9**) have been prepared that show the proposed drainage design for the site, including necessary stormwater works within the public domain.

A Stormwater Management Plan (**Appendix 24**) has been prepared which summarises the relevant modelling that has been undertaken to show that post development flows do not exceed pre development flows and the stormwater development will result in a neutral or beneficial outcome on water quality.

DRAINS hydrological and hydraulic modelling was used to determined OSD requirement for the proposed development. The MUSIC modelling of the proposed system demonstrates the development has a neutral or beneficial outcome on the receiving environment.

6.15 Flooding Risk

The site is located within the Wingecarribee River catchment. The south-west corner of the site is identified as flood planning land on the WLEP Flood Planning Area Map as shown in Figure 14. The Wingecarribee River flows towards the suburb of Berrima from the east, before turning south and flowing around the Berrima town shop. The river flows south to north adjacent to the site, the continues flowing to the north-west.

The Flood Impact and Risk Assessment (FIRA) prepared by Martens (**Appendix 25**) notes that flooding at the site is due to a combination of overbank flows from Wingecarribee River and overland flows from the upstream catchment northeast of the site.

The FIRA notes that although Wingecarribee River and Wingecarribee Street are flood affected, the site is flood free in all flood events up to the 1% AEP flood event. Flooding from the 0.2% AEP event results in a small portion of the southwest corner of the site being inundated by shallow low hazard flood waters. Wingecarribee Street is only affected by shallow (< 100 mm) low hazard floodwaters in both the 1% AEP and 0.2% AEP events. In the PMF the southwest corner of the site are inundated due to water backing up in the Wingecarribee River and overland flows through Wingecarribee Street.

Under the proposed conditions, the FIRA found that the site flooding conditions are largely unchanged, with only small differences due to the Wingecarribee Street extension and regarding.

Specific findings of the FIRA include:

- The peak 1% AEP levels in the Wingecarribee River adjacent to the proposed hotel suites are approximately 647.0 mAHD. The lowest adjacent habitable floor levels are 650.45 mAHD, meaning there at least is 3.45 m freeboard available.
- The basement entrance is flood free in 1% AEP and 0.2% AEP events as it is protected by the grading and crest levels of Wingecarribee Street.
- The extent of the PMF inundation of the site is significantly reduced due to fill placed for the open car park and surrounding areas, as well as the inclusion of proposed buildings and the basement ramp, which have been modelled as inactive areas.
- Peak PMF depths are similar to existing due to the low area in the southwest corner of the site remaining unchanged.
- The open car park is only affected by shallow low hazard floodwaters in the PMF.

The FIRA also found that as the site is materially outside both the 1% AEP and 0.2% AEP flood extents, its development has negligible offsite impacts on the floodplain environment.

A Preliminary Flood Emergency Response Plan is included in the FIRA in order to mitigate risks associated with flooding.



Figure 14:

Extract from the WLEP Flood Planning Map

6.16 Hazards and Risks

As some Dangerous Goods will be stored in minor quantities on the site, to facilitate cleaning operations, as well as diesel for back-up power generation, an assessment of the Dangerous Goods against Chapter 3 of SEPP (Resilience and Hazards) 20221 and the associated guidelines ‘Applying SEPP 33- Hazardous and Offensive Development’ has been prepared by Riskcon (**Appendix 26**).

The report concludes the following:

A review of the quantities of DGs stored at the proposed facility and the associated vehicle movements was conducted and compared to the threshold quantities outlined in Applying SEPP 33. The assessment was conducted both for storage and transport for the DGs, as well as for potential to be either hazardous or offensive.

The quantity of DGs to be stored are below the SEPP thresholds for all DG classes onsite. Thus, the criteria of Chapter 3 of SEPP (Resilience and Hazards) are fulfilled and no further assessment is required. Furthermore, a review of the potential to cause offense was conducted which indicated the site operations would be unlikely to result in noise or odour to occur at levels which would cause offense.

As the facility is not considered ‘potentially hazardous’ or ‘potentially offensive’, it is not necessary to prepare a Preliminary Hazard Analysis for the facility as Chapter 3 of SEPP (Resilience and Hazards) will not apply.

The recommendations of the report prepared by Riskcon for storing dangerous goods form part of the mitigation measures for the development.

A Hazardous Materials Risk Assessment has been prepared by Greencap (**Appendix 30**).

6.17 Contamination and Remediation

A Remediation Action Plan has been prepared by Reditus (**Appendix 27**). Previous contamination investigations including a Targeted Detailed Site Investigation prepared by JBS&G (2021) and Remediation Action Plan prepared by PRM (2020) were reviewed in the preparation of the RAP. The RAP notes that the existing reports identified the presence of contaminated fill materials at the site.

The RAP identifies known sources of contamination as follows:

- Historical use of fill in the soil (PAH and asbestos identified within subsurface soils)
- Building fabric (Hazardous building materials including asbestos and lead present in site soils)

The RAP sets out a detailed plan of activities, procedures, contingency measures and objectives to ensure the effective and controlled remediation of the site for the proposed development. It describes the procedures and standards to be followed throughout the project to facilitate successful remediation / management of the site and ensure protection of human health and the environment. The RAP concludes that the site can be made suitable for the proposed development, subject to conformance with the RAP.

6.18 Waste Management

6.18.1 Construction Waste

A Construction and Demolition Waste Management Plan prepared by Elephants Foot accompanies the application (**Appendix 28**). The report addresses the opportunities for reuse and recycling, the management of hazardous waste, the management of excavation waste and the management of asbestos. The report identifies demolition and construction waste volumes and sets out site-specific operational measures.

6.18.2 Operational Waste

An Operational Waste Management Plan prepared by Elephants Foot accompanies the application (**Appendix 29**). The Waste Management Plan addresses the provisions of the SEARs and the DCP.

Waste and recyclables generation estimates for the proposed development are detailed within the appended OWMP and have informed the design of the various waste holding areas within the development.

A detailed discussion in relation to the waste disposal and collection procedures for the proposed development are included within the WMP prepared by Elephants Foot.

The waste management procedures for the future operation of the proposed development are based on established waste principles that include waste avoidance, recovery and the reuse of discarded materials. The OWMP identifies targets to quantify and measure this sustainable approach to waste management, including maximising diversion of residential municipal solid waste from landfill.

A private waste contractor will be engaged to collect the hotel general waste and recycling to an agreed collection schedule. This report assumes that general waste and recycling will be collected three times weekly. On the day of collection, a collection vehicle will enter the site from Argyle St and park in the loading bay. Hotel management will be responsible for ensuring that the collection staff have access to the collection point. The collection staff will exit the vehicle and collect the bins from the bin holding room and return the empty bins once serviced. Upon completion of servicing, the collection vehicle will exit the site onto Argyle St in a forward direction. The Building Manager/Caretaker is responsible for returning the bins to their operational location to resume use.

6.19 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment Report has been prepared by Austral Archaeology (**Appendix 31**).

The ACHA has been undertaken in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW, the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW, and the Aboriginal Cultural Heritage Consultation Requirements for Proponents.

Following the archaeological survey of the study area, it was determined that there was negligible potential for the study area to contain Aboriginal cultural heritage due to the significance history of ground disturbance during the construction and modification of Berrima Gaol and its surrounds.

The report includes recommendations that are to be followed if unexpected finds or human remains are identified during works.

6.20 Environmental Heritage and Archaeology

A Heritage Impact Statement has been prepared by Urbis (**Appendix 32**) to determine the potential heritage impacts of the development on the heritage significance of the former Berrima Gaol. The HIS addresses the requirements of the SEARs.

The proposal removes a range of elements from the site that are assessed to be of neutral, little or intrusive heritage significance. These include:

- Science Block (1950s)
- Ancillary shelters adjacent to cell blocks
- Metal sheds external to Gaol wall on the west
- Industries Building

To the west, metal sheds and the Industries Building currently restrict visual and physical access to the western Gaol wall and their removal, in conjunction with setback position for the proposed accommodation building, would provide opportunities for increased physical and visual access to the heritage fabric.

Within the Gaol walls, removal of the Science Building will reveal the interior face of the eastern wall currently concealed by the building and reinstate the planning intention of a circumnavigable perimeter for surveillance.

The ancillary shelters are detracting elements. Their removal provides opportunity to introduce sympathetic additions to facilitate adaptive reuse.

The SOHI notes that the proposed works will not adversely affect the heritage significance of the former Berrima Gaol, the Berrima Conservation Area and heritage items in the vicinity for the following reasons:

- The domineering Gaol wall and entrance gates would be retained as the predominant defining feature of the Gaol. Visual relationships of vicinity items with the wall would be retained and enhanced.
- The proposal includes a sensitively designed contemporary development to the rear of the enclosing Gaol wall. The design adopts a range of strategies to reduce its visual bulk and avoid competing with the gaol walls. Strategies include upper-level setbacks, articulation between suites, and stepping the massing northwards, creating clear separation and revealing a currently obstructed view of the northern gaol wall through removal of intrusive additions.
- The location of the new accommodation building outside the historic gaol walls preserves the internal spaces of the gaol for public access and adaptive reuse, ensuring that the heritage fabric would be visible and accessible for community and cultural engagement.
- The height of the proposed works, both within and outside the Gaol, remains below the key heritage elements, including the Gaol Wall, Guard Tower, and Entrance Gate.
- Adaptive reuse of the site for hospitality, wellness and cultural facilities is a compatible use that broadly fits within the planning layout of existing structures.
- All major sandstone walls, roof forms, and axial circulation patterns are retained, with new works designed to be lightweight, reversible and subservient.

- The stonework proposed for removal to create a new eastern opening would be reused in a new offset, pivoted alignment such that the original fabric would be retained and the intervention would be both readily interpretable and reversible.
- Other interventions to stonework are minor (western opening in Gaol wall) and otherwise affect previously reused fabric assessed to be of moderate significance in the CMP. This stone is proposed for reuse within the site, including for landscaping.
- The adaptive reuse proposal would support conservation objectives through generation of income to support longer term maintenance of heritage fabric. To this effect, detailed schedules of conservation work have been prepared for the site's major assets, including the Gaol wall, buildings within the enclosure and the former residences located outside of the Gaol wall, which would be implemented in conjunction with adaptive reuse.

Adaptive reuse of the site for hospitality, wellness and cultural facilities is a compatible use that broadly fits within the planning layout of existing structures. This proposal would have a positive effect and is in accordance with best practice heritage management for buildings to be secured, properly maintained and not left vacant to avoid deterioration and vandalism. Users would benefit from having access to the building and the opportunity to appreciate the heritage values.'

The SOHI provides an impact assessment of the proposal against the Conservation Management Plan for the former Berrima Gaol (2024).

6.21 Social Impact

A Social Impact Assessment and Economic Impact Assessment has been prepared by Hill PDA at **Appendix 35** in accordance with the NSW Department of Planning's Social Impact Assessment Guideline for State Significant Projects.

The assessment includes data on the existing social baseline of the community in which the site is located, and of potentially affected communities and groups in the projects identified social locality and assesses the potential positive, negative, and cumulative social impacts associated with constructing and operating the proposed development, and includes recommended measures to enhance, mitigate and manage the identified social impacts.

During construction, assuming mitigations/enhancements are implemented, development may have:

- High negative impacts on non-Aboriginal cultural heritage
- Medium positive impacts of generating direct and indirect jobs and revenue. It may also have medium negative impacts of noise/vibration/air quality disrupting health, wellbeing, sleep and activities, construction disturbance impacting people's enjoyment of the neighbourhood and general surrounds, Aboriginal cultural heritage being affected, amenity impacts on businesses, and negative experiences with decision-making systems
- Low negative impacts of affected access to parking, navigation, services/facilities/infrastructure, and attendant disruptions to people's lives, changed community character, and increased health-related stresses and public safety perceptions.

During operation, assuming mitigations/enhancements are implemented, development may have:

- High positive impacts of people gaining greater historical site access and the direct and indirect generation of jobs and revenue.
- Medium positive impacts of strengthened local culture and vibrancy, job accessibility, and positive experiences with new built forms and decision-making systems. It may also have medium negative impacts of impacted area enjoyment and village atmosphere, and negative perceptions of impacted surroundings, community and the environment
- Low negative impacts of changed community culture and character, access, health/wellbeing effects and related stresses, and negative experiences with decision-making systems

The report concludes that despite the presence of more negative impacts during construction, the proposal's positive impacts are expected to outweigh its negative ones during operation.

6.22 Infrastructure Requirements and Utilities

An Infrastructure Delivery, Management and Staging Plan prepared by Nueron has been prepared to outline the existing public utility provisions and describe the likely services infrastructure requirements to support this new development (**Appendix 40**). In particular, the report investigates the power, communications, sewer, water and gas connection implications.

Electricity: There is an existing padmount substation on site. This substation is currently supplying the site, and the surrounding street network (approximately 300 amps). This site will likely require a 1,500 kVA padmount substation, which will serve the proposed development as well as the 300 amp load required for the street network. As part of the next phase of works, an ASP Level 03 will be engaged to begin the detailed design of this substation including consultation with Endeavour Energy.

Water: Based on the preliminary calculations, the proposed development is likely to require one new 150mm mains water connection to fulfill the fire water requirements of the development. A connection to the 150mm main on Old Hume Highway is recommended.

Water modelling has been completed by Digital Water Solutions indicating an amplification of a section of the network upstream may be required.

There are multiple existing connections to the site that will be decommissioned and capped off at the site boundary. We do note many of the water mains in the vicinity of the site are noted as having an asbestos risk. Significant care will be taken on any amplification or connection work on these mains.

Sewer: The existing 150mm sewer mains is sufficient to support the development as per the network assessment by Digital Water Solutions. The existing sewer main running within the site will be diverted. A diversion strategy has been proposed by the project services engineer Acor Consultants (Appendix 39). Gas, NBN and Telstra connections will be required. Consultation with the relevant providers will be undertaken prior to the commencement of works.

6.23 Bush Fire Risk

The site is not identified as bushfire prone land on the Wingecarribee Bushfire Prone Land Map. The site is however located in a small pocket of land that is completely surrounded by bushfire prone land (Refer to Figure 15).

A Bushfire Protection Assessment has been prepared by Eco Logical (**Appendix 37**). This report demonstrates that the proposal, together with the recommendations within this report conform to the relevant specifications and requirements under Planning for Bush Fire Protection 2019.



Figure 15:

Extract from the
Bush Fire Prone
Land Map
included as
Figure 2 in the
Bushfire
Protection
Assessment

6.24 Aviation

The development does not propose a helicopter landing site and therefore the aviation requirements of the SEARs are not applicable.

6.25 Construction, Operation and Stating

The timing for commencement of construction is dependent upon planning approvals and commercial negotiations with operators. However, it is expected that planning approvals will likely take 12-18 months with a potential commencement of construction in 2026-2027.

The project is not proposed to be staged.

6.26 Contributions and Public Benefit

The following Wingecarribee Shire Council Section 7.11 Developer Contributions Plans are applicable to the development:

- Roads & Traffic Management Facilities
- Resource Recovery Centre 2009
- Central Library Facility
- Section 7.11 Administration 2011 to 2031
- Open Space & Recreation Facilities

6.27 Engagement

A Stakeholder and Community Engagement Report has been prepared by Primary Engage (**Appendix 36**). The report outlines the stakeholder and engagement activities that have been undertaken.

7.0 JUSTIFICATION OF THE PROJECT

7.1.1 Evaluation

Blue Sox Group were selected as the successful bidder for the purchase of the site from the NSW State Government due to their vision for the site to be adaptively re-used for a “unique hotel and entertainment precinct”.

The proposed development aims to deliver on this commitment by creating a unique tourist destination and a premium hospitality venue for local people and visitors where they can enjoy a luxurious retreat within the historic township of Berrima.

The proposed development aims to celebrate and showcase the history of the site and the existing built form, and to create a very high quality and sustainable hotel facility and draw a wide range of visitors from the local area, along with tourists from regional and international markets. The development will act as an enabler to attract further visitation and the associated investment to the region and Australia.

The design principles are aimed at limiting intervention to the critical elements of the existing built form and providing new elements in a harmonious manner to the site and surroundings.

The proposed development strongly aligns with the wider aims established by the NSW government within the Visitor Economy Strategy 2035, which sets a of \$91 billion in visitor expenditure by 2025 (48% of which is to be in regional NSW). The Strategy also seeks to increase the number of accommodation rooms by 40,400 by 2025.

The proposal brings to fruition many of the goals and ideas set out in both the Statewide Destination Management Plan February 2019 prepared for Destination NSW.

The project represents an economic opportunity for the region and Australia as the region transitions away from agricultural industries towards a more diversified economy. The project is anticipated to support significant direct and indirect jobs in the region and across Australia. This proposal will achieve substantial benefits for the local and State economy and tourism industry.

7.1.2 Social and Economic Benefits

The development will provide social benefits to the community, including facilitating access to the historical buildings to visitors and direct and indirect generation of jobs and revenue. The development will also strengthen connections with local culture and contribute to the vibrancy of the Berrima Village.

7.1.3 Quality Development

The building design has undergone an extensive and thorough design process, to ensure that a high-quality development is delivered that minimises the level of intervention into the significance elements of the buildings on the site.

The ‘Berrima Quarter’ development will retain and adapt the heritage listed buildings on the site to allow for the historical significance of the building to be both protected and appreciated. The development will facilitate the continued use of the site by introducing a range of complementary uses that welcome visitors to the site in a deliberate and welcome contrast to the closed and defensive nature of the site’s past uses. The development will be a unique tourist destination and a premium hospitality venue for local residents and visitors.

7.1.4 Strategic Alignment

The development is consistent with the applicable Strategic Plans and Policies. The proposed development strongly aligns with the wider aims established by the NSW government within the Visitor Economy Strategy 2035, which aims to generate \$91 billion in annual visitor expenditure (of which 48% is to be in regional NSW) and deliver 40,400 accommodation rooms. The proposal brings to fruition many of the goals and ideas set out in both the Statewide Destination Management Plan February 2019 prepared for Destination NSW.

7.1.5 Statutory Alignment

The development is consistent with the relevant statutory context as detailed in this EIS and the supporting technical reports.

7.1.6 Impact Assessment

The development has been refined in response to issues raised during consultation with relevant stakeholders to refine aspects of the building form, layout and design to minimise impacts on the surrounding properties. A range of mitigation measures are also proposed during construction and operation to further address concerns raised by neighbouring property owners and to minimise potential impacts on surrounding properties.

8.0 CONCLUSION

This State Significant Development (SSD) Development Application (DA) seeks approval for the adaptive reuse of the Berrima Gaol at 2-4 Argyle Street Berrima for a mixed use precinct which includes high-quality accommodation with a wellness retreat, a signature restaurant, a bar and lounge area, function rooms, gallery and retail spaces within a high-quality landscaped setting.

The Berrima Quarter0 development represents the next phase of the evolution of the Berrima Gaol. The development will retain and adapt the heritage listed buildings on the site to allow for the historical significance of the building to be both protected and appreciated. The development will facilitate the continued use of the site by introducing a range of complementary uses that welcome visitors to the site in a deliberate and welcome contrast to the closed and defensive nature of the site's past uses. The development will be a unique tourist destination and a premium hospitality venue for local residents and visitors.

As the proposal is for the purpose of tourist related purposes in an environmentally sensitive area of State significance, the development is a State Significant Development (SSD) pursuant to clause 13(2) of Schedule 1 of State Environmental Planning Policy (Planning Systems) 2021

This Environmental Impact Statement (EIS) has been prepared under section 4.12(8) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979), the requirements of Part 8 of the Environmental Planning and Assessment Regulation 2021 and the SEARs issued for the project.

The EIS demonstrates the development is consistent with the relevant strategic context, including the NSW Visitor Economy Strategy 2035, the NSW Government Statewide Destination Management Plan 2019, the Southern Highlands Destination Strategy 2020-2030, the Draft South East and Tablelands Regional Plan 2041 and the Wingecarribee 2040 Local Strategy Planning Statement.

This EIS demonstrates that the application satisfies all relevant planning considerations including all relevant strategic plans and policies and statutory provisions.

The EIS and the accompanying technical reports confirm that the proposed development will not result in any unreasonable impacts on the surrounding environment, having regard to the specific design measures incorporated into the development, construction and operational management measures and the implementation of the mitigation measures recommended in each technical report and summarised in this EIS.

For reasons outlined in this EIS the Adaptive reuse of the Berrima Gaol at 2-4 Argyle Street, Berrima can be approved, subject to appropriate conditions of consent.