

It is clear that a hotel and function centre development does not comply with any of the Land Uses that are permissible, and therefore it is a prohibited use of the land. The provision in clause 5.10 (10) of the Wingecarribee LEP “*The consent authority may grant consent to development for any purpose of a building that is a heritage item....*” should not be taken to override the other provisions of the LEP, in particular those for Zone SP1 Special Activities. The LEP clause specifically refers to “**a building that is a heritage item**”, but not to the land that is a heritage item as is the case with “Berrima Correctional Centre (Formerly Gaol)”, as described in the Wingecarribee Heritage Register (items 109, 110 & 484) as “Lot 7304, DP 1146099”. The proposed additional buildings on this Lot that are outside the Gaol walls do not form part of the concession or incentive referred to in clause 5.10 (10) of the LEP and therefore do not qualify to be considered as part of the SSDA for which this clause would allow consent.

Other zonings and land in the Shire are available for hotel developments; this DA has no “special natural characteristics” that could make it compliant, in reality, the proposed project will destroy or endanger some of the existing special natural characteristics that now prevail on the site, especially outside the Gaol walls; the hotel is not in keeping with the “special characteristics” of the site but actually diminishes the heritage value of the site; and the hotel has no function that is “ordinarily incidental or ancillary to development for the Special Activities purpose for which it is zoned.

I agree with Wingecarribee Council’s list of essential improvements as per its resolution on 19<sup>th</sup> November 2025, but NOT its in-principle support for the proposed development:

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

In my view, the former Berrima Gaol is suitable for an adaptive re-use of a significantly smaller scale and impact on the Village of Berrima than this proposal. There should be no interference with the external appearance of the present enclosing wall structure, and no development outside the Gaol walls. The interior of the Gaol could be utilised for many other purposes as has been demonstrated in other gaol re-uses such as at East Sydney (Darlinghurst), Beechworth and Pentridge in Victoria.

Please use your Ministerial discretion to refuse this SSDA because it is not in the public interest for it to proceed in the form as presented.

Yours sincerely,



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