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WinZero Objection to “Berrima Hotel” State Significant Development (SSD)

WinZero (Wingecarribee Net Zero Emissions Inc.) is a not-for-profit incorporated association whose purposes are to:

- protect and enhance the natural environment
- provide education about the natural environment
- conduct research about the natural environment

In doing so, WinZero:

- encourages the offsetting of carbon emissions through regenerative land practices and renewable energy
- educates the community, local government and businesses in Wingecarribee Shire about living and operating in a way that will enable net zero emissions to be met before 2050
- researches effective ways to reduce carbon emissions and encourages wide-scale awareness and adoption

Through these purposes, WinZero has become a climate action group aiming both to reduce carbon emissions in Wingecarribee Shire and to build resilience in the face of climate change. **The “Berrima Hotel” SSD directly engages these purposes because of its impacts on the Wingecarribee River, biodiversity, heritage and community amenity.**

WinZero therefore objects to the proposal in its current form for the reasons set out below.

(1) Environmental protection, climate change and the riparian zone

Climate change is now upon us and all levels of government must ensure that its effects are minimised and/or offset by strong environmental protection. This applies particularly to the impacts of development on biodiversity and water.

The Wingecarribee Local Environmental Plan 2010 (LEP 2010) expressly protects water and biodiversity within the riparian zone of waterways. We dispute the assertion by the proponent, Blue Sox, that the proposed hotel suites along the river will not be within the riparian zone.

Clauses 7.4 and 7.5 of the LEP measure the riparian zone as 50 metres above the riverbank. The proposed hotel suites are within this 50-metre zone. Development of this nature in the riparian zone is inconsistent with the intent of those provisions and with the broader objective of using planning controls to minimise climate and environmental impacts.

(2) WinZero's role and concern for the Wingecarribee River

WinZero has run several public forums on environmental issues. Most recently it held a well-attended forum entitled “**Health of Southern Highlands Rivers**”, with the following guest speakers:

- Dr Ian Wright, Western Sydney University
- Dr Katherine Warwick, Western Sydney University
- Stephen Beaman PSM, Executive Director Regulatory Operations, NSW EPA

This forum highlighted the importance of the Wingecarribee River to the water supply of Sydney and its critical role in preserving native species such as the platypus.

Given this context, **any major development along this river – especially within the riparian zone – must be assessed with the utmost caution.**

(3) Connectivity and the importance of the Wingecarribee River at Berrima

Good planning for climate resilience and biodiversity requires identifying, protecting and enhancing habitat connectivity along waterways.

Berrima is the only village in the Southern Highlands with the river running through its centre. The village therefore has a river-based habitat corridor running along its heart. This natural asset and corridor should not be compromised for commercial gain.

Wingecarribee Shire is a hotspot in New South Wales for biodiversity and iconic wildlife species, including koalas and platypus. Protecting these native species and their ecological communities depends heavily on:

- informed planning decisions, and
- schemes that encourage private landholders to preserve and enhance native habitat on their land.

The proposed hotel suites on the Blue Sox land along the river would do the opposite of preserving and enhancing native habitats and ecological communities, both on the Blue Sox land and the adjacent riverbanks.

(4) Strong objection to the exemption from a biodiversity report

We are deeply concerned that this development proposal – which includes the construction of new hotel elements – was granted a waiver by the Department of Planning, Industry and Environment (DPIE), meaning no Biodiversity report was required (Appendix 21). As a result, the Environmental Impact Statement (EIS) does **not** adequately address biodiversity impacts on the river’s ecology.

This lack of assessment is unacceptable, particularly because:

- This reach of the Wingecarribee River is known to be a **platypus hotspot**. Although the platypus is not currently listed as “threatened” in New South Wales, it is recognised internationally as “**Near Threatened**” on the IUCN Red List.
- Habitat below the development supports **Rakali** (native water rat), which is vulnerable to habitat degradation.
- The adjacent sandstone escarpment may support one or more threatened **microbat** species, yet a “targeted survey” required to better ascertain their presence “**was not conducted**”.
- The river is already ecologically compromised and has been described by experts as a “**very sick river**”, with high turbidity and **unsafe elevated nutrient concentrations**.

In this context, any new development in the riparian zone – particularly without a comprehensive biodiversity study – carries **extreme risk**.

(5) Location of river suites and flood risk

We object to the hotel suites’ close location to the river, especially given the hydrological risks identified in the EIS.

The **Flood Impact and Risk Assessment** (Appendix 25) notes that the basement entrance to the underground car park would be “**cut off by hazardous flood waters**” during **extreme flood events**. Applying standard flood assessment criteria, the current design would see **0.5 m of water flowing into the car park**.

This presents:

- direct safety hazards for people and property, and
- a heightened risk of **flood-related pollution of the river**.

Given these risks, and the likelihood of more intense rainfall events due to climate change, locating a major new development so close to the waterway is irresponsible.

Although the sources provided do not specifically address PFAS (Per- and polyfluoroalkyl substances), the river's existing high levels of pollution and turbidity demonstrate that it is already extremely vulnerable to additional pollutants from construction runoff or future operational spills.

We note that Wingecarribee Shire Council has requested a **Stormwater and Water Sensitive Urban Design (WSUD) Implementation Plan**. We support this request and ask that such a plan be prepared and rigorously assessed.

(6) Impact of functions on local amenity and wildlife

The proposal includes a function centre and general function areas, with high-impact functions such as weddings proposed seven days a week until midnight. This intensity and duration of use will:

- severely impact the surrounding Berrima community, and
- disturb sensitive wildlife that relies on the river environment.

There is a clear need to manage night-time lighting and noise.

The noise and light pollution associated with late-night functions, seven days a week, poses a direct threat to sensitive nocturnal species known to inhabit the riparian area, including:

- microbats
- Rakali
- platypus

Accordingly, at minimum, a **Lighting Management Plan** is required, together with robust noise management measures, to protect both community amenity and fauna.

(7) Community efforts to protect and enhance native vegetation and habitat corridors

Over the past 25 years, the local community – through Bushcare and Landcare – has worked to re-wild the riverbanks and adjacent land to enhance the river as the **major habitat corridor** in the Shire.

In addition:

- For seven years, the community has participated in **twice-yearly platypus surveys**, which are an invaluable aid to their protection.
- **BirdLife Southern Highlands** has conducted bird surveys along the river.

These community efforts and concerns should not be undermined for commercial gain, particularly where it is **not necessary** to construct large commercial structures along the river in order to re-use the Gaol. The proposal appears instead to be an attempt to exploit the vulnerable natural beauty of the river **at the expense of that very natural beauty**.

(8) UNESCO World Heritage potential of the Gaol precinct

We understand that members of the community are researching the possibility of a **World Heritage listing** for the Berrima Gaol Precinct and the Berrima Courthouse, reflecting UNESCO's recognition of the "Period of Convictism".

The existing 11 Australian UNESCO convict sites are a collection of 11 penal sites built by the British Empire, representing the history of forced migration and convict punishment from 1788 to 1868.

A major commercial development directly in front of the Gaol wall, obscuring the Gaol from view and compromising the undeveloped natural environment, would effectively kill any attempt to have the Gaol precinct listed by UNESCO.

(9) Aboriginal significance of the site

Local Aboriginal elders have informed us that the river and its rock shelters were important places for the two Aboriginal groups that visited Berrima seasonally – the **Gundungarra** and the **Darawal** peoples.

We request that these elders be called upon to provide testimony on the Aboriginal significance of the site before any decision is made.

(10) Need for a prohibition on future subdivision of the Gaol complex

Future subdivision of all or part of the Gaol complex would lead to **asset stripping** of the complex and remove essential support for the ongoing maintenance of this State-significant heritage item.

The Gaol is literally central to the village and is an important element of our convict past. Subdivision – whether by freehold, strata, company title or any other means – would undermine the integrity and long-term conservation of the site.

This risk should be addressed by a **restrictive covenant on the title** to the complex (Lot 102 DP 1283819) prohibiting any form of subdivision.

Conclusion

For all of the reasons above, WinZero objects to the “Berrima Hotel” State Significant Development in its current form, particularly the hotel suites and associated structures proposed within the riparian zone of the Wingecarribee River.

We urge decision-makers to:

- **refuse approval** for development **within the riparian zone**,
- require **robust biodiversity and hydrological assessment** where development is contemplated,
- protect the **ecological, cultural and heritage values** of the **river corridor**, and
- safeguard the integrity of the **Berrima Gaol precinct** for future generations

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