

Submission

I write to submit a strong objection to the Berrima Gaol re-development SSD application proposal.

Executive Summary:

I have much professional experience (including as a Government adviser, Government Agency committee member; and a consultant) in reviewing, assessing and making recommendations on “major” projects, and I have seldom seen a proposal which is so disproportionate to, and inappropriate for, the location - with a major design, layout and uses so inappropriate for this site, which is important not just for Berrima but nationally, with a highly significant heritage-listed building - and a set of uses and “facilities” (including a major function centre) which are highly inappropriate for the site and the location of the building(s), amidst the small Village.

The disproportionality stems primarily from the fact that the re-developed site and its proposed operations and uses would have, under the Blue Sox proposal, a potential capacity more than 500 people it (with attendant noise, traffic, etc problems) in a village of 250 residents, in approx. 130 houses.

This proposed development would fundamentally change the village forever, for the worse.

My objection is based on the serious problems with the proposal, primarily in regard to six elements

- Deleterious (ironically*) effect of the proposal on tourism and therefore the economy of Berrima
- Noise levels – construction, and operations of the hotel and major entertainment precinct
- Damage to and lack of respect for, heritage values, and the heritage/historical values and “amenity” values of Berrima
- Lack of real community consultation
- Traffic congestion, egress/entry issues, and disruption to village during operations
- River/Biodiversity issues.
- The Blue Sox proposal documentation itself – with its serious inaccuracies, (internal) contradictions, and unsubstantiated, non-evidence-based claims. i.e. myths re jobs, Southern Highland high-end accommodation “needs.”

The village community is supportive of the re-development of the gaol, and proper “adaptive re-use” – but in my opinion the design/structure /magnitude, and uses for the site, involved in this proposal as it stands, are highly inappropriate and disproportionate to the site, and the village. Indeed, the majority of the project (e.g. 49 of the 55 hotel rooms) is not ‘adaptive re-use’, but an entirely new, separate hotel building development.

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The deleterious effect on tourism:

The SSD proposal is categorised under “tourism,” but all the evidence points to it actually having , ironically, a serious short-term and long-term deleterious effect on tourism and Berrima’s economy, as it would have significant impacts on Berrima’s tourism “Unique Selling Point” – it’s heritage buildings, history and character, atmosphere and “peace and quiet” .

Berrima won the 2021 Australian Small Town tourism award because of these qualities. The effect of this proposed hotel development (the vast majority of it is not “adaptive re-use”) would be to seriously disrupt the village and damage its tourism qualities and attractiveness.

As well as possibly two years of construction noise and disruption (including up to 100 trucks removing dirt every week for a year?) , other damage to tourism and the village “amenity” and attraction for tourists and visitors – and the residents - would be... major operational noise; traffic congestion; the damage to heritage; damage to environment and nature-based activities ; and the inappropriate (for the village) high-end accommodation* and entertainment facilities in the proposal which are not aligned with “who comes to Berrima” , and the reasons they come.

While attempts have been made by a small band of proposal urgers/supporters to discredit a survey by the “Berrima Heritage Matters” group of volunteers, by attempting to question the survey methods and, amazingly(in this context) , diminish the value of tourists’ opinions, the fact is; 99.something % of people surveyed (residents, and visitors of many sorts) felt the proposed re-development was wrong and harmful for the village – and would be a deterrent and discouragement, not a boost, to tourism.

*Blue Sox representatives at the “drop-in sessions” floated a price of \$1000 a night for a Gaol Hotel room....not in alignment at all with the needs and experience of visitors to Berrima, and the future of the village’s tourism economy.

This damage to tourism and the economy of Berrima is in fact one reason I submit that the SSD application should be rejected outright. The freehold owner of the Gaol site, Blue Sox, should be submitting to the State Government, or to Wingecarribee Shire Council, a new proposal for re-development of the site , based on protecting the heritage of the site and , if it wants a hotel on the site, the accommodation within the walls.

Tourism numbers and promotion in regard to Berrima are centred on the unique nature and qualities of Berrima as the Australian mainland’s only intact Georgian “village.’

A look at the excellent “Explore Berrima” website, and numerous tourism promotions and articles e.g. in “Secret Sydney” , show the attractions and qualities of Berrima for residents, and tourists alike, and the way Berrima has been successfully promoted as a tourist destination. The NSW Southern Region Tourism Strategy, and the destination Southern Highlands website , also point to a very different sort of tourism (the existing sort) to that proposed in the Blue Sox proposal.

Claims that Berrima needs “livening” up or need a “glow-up” are palpably false. (they just in fact prove that their makers want a “different” Berrima – unlike the vast majority of residents and visitors, who, while understanding the Gaol needs re-development, want Berrima to stay largely as it is, with any re-development fitting into what Berrima currently represents and has as qualities.

Similar claims were made about five years ago by the creators of high-end club-style restaurant, entertainment and accommodation business – “the Vault” – who said: Berrima needs “re-imagining” and “Berrima needs the vault” . The business effectively failed, and was sold last year. A new, similar owner has taken over the building, and is , it seems, struggling badly. The Building, one of Berrima’s historic old buildings, is for sale.

On a similar note, the entertainment precinct proposed, inside the walls, is commercial – despite claims to the contrary by Blue Sox – as its “facilities’ – restaurant, function centre, wellness centre etc – are high-end and all user-pays...not community facilities. Moreover, it is proposed that the grand front entrance of the Gaol building/wall be used as a hotel reception/entry for guests – yet again a closing-out of this important building and a vital part of Berrima from the community, for “high-end” use.

Moreover, claims that the Southern Highlands “needs’ high-end accommodation are not supported by facts. Nearly all of the other hotels and accommodation businesses offering accommodation at high-end prices run at well below capacity.

A Southern Highlands hospitality provider has “ready to go” an expansion of its accommodation capacity but currently cannot justify the economic cost of it or see an adequate return for the investment.

Heritage ;

The proposal does not respect the history and heritage (much of it officially listed) of the Gaol building – the central, most important building in the Village - causing unnecessary damage to the building and its fabric. e.g. a large hole in the heritage-listed wall; the almost-complete obscuring of the western side of the wall with a major NEW hotel construction which is totally disproportionate in size to the site and village (medium-density, only three storey buildings in Berrima) and the overall project, and the inappropriate re-development of the area inside the walls.

A claim made by “OneBerrima” (a “small, informal group” (their words) supporting the gaol proposal and in regular, close contact with Blue Sox) claimed to Wingecarribee Shire Council that the **proposed making of a new, large hole in the wall of the Gaol**, (in the Blue Sox proposal, for entry/egress to/from a café, right near the current front entrance!) was required by NSW for fire ‘escape’ purposes - this is seriously misleading, as there is already another “hole in the wall” at the western side of the building, there are many other fire-prevention and management measures which could be put in place not at the expense of the heritage of the building * - and , besides, the proposed placement of the new hole in the wall would not be desired from a fire management point of view as it is so close to the existing main entrance. I note that the State Design Review panel, and the local Council, do not support this “hole in the wall”. The Wingecarribee Shire Council position on the Gaol re-development proposal includes the “condition” that this new hole in the wall not be made.

*Heritage considerations often override such fire management options.

In the Architectural design report (p.23) , in the proposal, it is stated , in regard to the proposed new “Hole in the wall” ... :” *An opportunity for outdoor dining and a new opening connected to the Argyle Street public domain.*” While saying the current entrance gate is clearly defined as the main entry from Berrima Village- but then in other text it appears to say the main entrance will in fact be used as hotel reception/entry area i.e. not for the public .

The Architect design report says:” *The domineering Gaol wall remains the site’s most striking feature – an unbroken edge that projects authority while inviting curiosity about what lies beyond...*” . The proposal, with its new “hole in the wall” clearly does not align with this statement.

The other major heritage (or anti-heritage) issue with the proposal (there are many less significant “heritage “ problems with the structure and design of the proposal) is **the enormous bulk of the proposed NEW (not “adaptive-re-use”) hotel development building** running down the western side of the site, and almost completely obscuring the western wall. This would severely diminish the heritage values, and the visual amenity, of the wall.

49 of the 55 hotel rooms will be in this **new** building outside the walls (i.e. the hotel is not ‘adaptive-re-use’) . Some of the building will have 3 levels of accommodation in it, plus other service height? There are currently no other medium-density , three-storey buildings in Berrima.

The Wingecarribee Shire Council , in its position, on the Gaol re-development, stated that it wanted the size of this building reduced. And the State Design Review panel also expressed opposition to its bulk.

Noise.

Despite the (unsubstantiated) claim by Blue Sox that the operation of the hotel and entertainment precinct would be within official limits, it is obvious that the operation, with a building(s) capacity of over 500 people would create a massive amount of noise, affecting the whole of Berrima Village and beyond. The Berrima Village is in a something of a “hollow” and the noise would seriously affect the entire village. (Of course, there would also be the disruption of the construction noise for perhaps 2 years, and this would also seriously impact – with a lingering effect – residents and tourists.)

I am very confident independent audiologists will support my claims .

Gatherings at the Bendooley/Berkelouw hospitality complex, in a rural setting and with a capacity much less than that proposed for the Gaol re-development and hotel complex, and 3 kilometres from Berrima, can be heard sometimes in Berrima itself.

Noise from much much smaller events at the Surveyor-General Inn hotel can also be heard throughout the village.

Community consultation process

There has been an almost complete lack of proper community consultation , with Blue Sox having only two sets of small “pop-up sessions” , showing community members draft designs or later designs (and a Gaol “open day” at which, also, only design drawings were shown) ; an “on-line” survey of which it did not reveal the full results (selectively summarising them in the “community engagement” appendix) ; - and, by its own admission, not making any significant changes to the original design of the proposal, right through the process, except for changes following meetings with the State design review panel.

Also, It is my understanding that:

- Its claimed meetings/discussions with Indigenous representatives were NOT with key local Indigenous representatives/Traditional Owners from this country.
- It did not in fact meet with representatives of the “Friends of the Wingecarribee” ?
- The representation of the meeting with the local National Trust is in fact not a true reflection of those discussions and the level of support the NT actually provided. i.e. The NT reps found them intransigent and “non-negotiable” .

Also, it says it met five times with the “OneBerrima” group , a “small, informal group,” comprising only a few (up to 5?) active members, supporting the project , but not meeting with representatives of the “Berrima Heritage Matters” group which is opposed to key elements of the project proposal, or any large groups of community members, with it not holding any public “town hall” meetings . It had two meetings with the committee of Berrima’s officially-recognised “Berrima Residents Association”, which has approximately eighty members .

Furthermore, Blue Sox made blatant attempts to “encourage” support for the project from particular members of the village and the business community, through offers of assistance.

Please see below, as **Appendix A** , here an email sent to ‘Business owners’ by a Blue Sox representative.

The submission itself:

There are numerous instances of “incorrect” statements (i.e. not factual, misleading) in the EIS and other documents, plus unsubstantiated claims; (internal) contradictions; and ridiculous rationales e.g. the making of a large hole in the heritage-listed front wall of the Gaol (for access to a café) to foster “reconciliation’ with the Indigenous Australians.

Examples of “incorrect “ (not the truth?) statements:

- Community consultation – see above.
- A statement that: 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.** This is obviously untrue, as the drawing in the Blue Sox document shows – with the new hotel building obscuring the vast majority of the western wall.
- An apparent claim that the Platypus – famously known to frequent the Wingecarribee River at Berrima - is not a protected species. A native species, it is protected under NSW State legislation.
- Blue Sox website – intro We are currently working on plans to re-invent the internal spaces of the gaol, create accommodation for people to stay in Berrima, re-purpose the existing dwellings along Argyle Street, and develop the south-west portion of the site to provide for car parking and building services that will facilitate operation of the site. **All these works will ensure that key items of heritage significance remain intact in accordance with the principles of conservation management and adaptive reuse.** It is very obvious that not all key items of heritage significance **remain intact under the current project proposal.**
- The Blue Sox statement that “... The proposal is to build a hotel located outside the gaol walls. This will maximise the space inside the gaol to be used by the community” is again palpably untrue. The amenities and facilities proposed for inside the walls are commercial, use-pays, nearly all :high-end”: - they are not “community” facilities.” To say that they are is like saying the hotel rooms outside the walls (there are also 6 inside) are “for use by the community”.
- The Blue Sox claim that its project proposal is “consistent” with what was proposed to the NSW Government in the sale process so it (Blue Sox) would “*consider it would be a breach of trust that the NSW Government has placed in the Blue Sox group to not deliver upon the promises made in acquiring the site*” is also “incorrect.” The Department says; “DPHI is unaware of any ‘promises’ or conditions in relation to the sale of the former Berrima Gaol” .
- And the construction cost estimates appear to contain a cost “overrun” contingency of only 4.4% ...this of course is way below industry norms for a project of this nature..

Also, the recent claim (not corrected by Blue Sox) that “ *If the (Blue Sox proposed) project doesn’t proceed – for example, if the Blue Sox Development Plan are blocked by objections – the site could revert to state and council ownership and ratepayers may end up footing the bill for on-going maintenance*” **is not true.** The Department of Planning , Housing and Infrastructure has said in a statement :” The site is now owned by Blue Sox Group and ownership would not automatically revert to the NSW Government if the owner was unable to fulfil its obligations”. It says “ “Following settlement, Blue Sox is responsible for future use of the Property”.

And a claim that the heritage-listed walls will “crumble” if this Blue Sox proposal is not approved is also incorrect. Blue Sox itself says: ‘The main high perimeter walls are structurally sound and will survive another 100+ years’ . Furthermore, the only impending potential damage and deterioration to the heritage-listed walls would appear to be the Blue Sox plans to knock a hole in the front wall for a large door, not far from the existing entrance, facilitating entry/exit to a cafe! It is the responsibility of the owner, Blue Sox, to protect and maintain the heritage-listed features of the site, including the wall.

Parking/traffic congestion/carpark

With a proposed 194-car park , with only one, narrow, entry and exit along Wingecarribee Street to the Old Hume Highway either directly or through Argyle street, the current proposal represents a potential traffic hot spot/congestion nightmare. Moreover, there are approximately 55 spaces in current carpark at the front and rear of the (busy) *Surveyor-General Inn* hotel, and cars from there also use this entry/exit from the old Hume highway and Argyle street (which is one way in front of the gaol) . Also, there is pedestrian traffic , of people walking along the river trail and entering/leaving it from Wingecarribee Street.

In regard to the proposed Gaol hotel carpark itself, in one section of the Blue Sox documentation it says the entrance is above the 1 in a 100 river flood line, but in another there is an admission that the carpark will actually flood. (see submission by water engineer Mr. Ian Sharp)

The Wingecarribee Shire Council has made several strong points in regard to problems associated with this Carpark.

River/Biodiversity

There appears to be little consideration to the protection of the Level 1 Wingecarribee River – which provides drinking water for Sydney – and its riparian zone, or their biodiversity values. Indeed, Blue Sox says (its) “terrestrial and aquatic studies” determined the proposal would have little impact on biodiversity values , so a comprehensive assessment wasn’t required ! In other words, a little study determined that a big, proper one wasn’t needed!

Jobs

The claim that the proposed gaol re-development will provide many much-needed jobs does not take into consideration that:

- There is a very low unemployment rate in the Southern highlands, and, indeed
- A serious staff shortage often experienced by businesses, with many (Berrima hospitality/retail) businesses having trouble getting staff, and even sometimes having to restrict trading because of this. Where will the hotel and entertainment precinct businesses get their staff from?
- (There is very little accommodation available in Berrima and surrounding areas for people wanting to enter the region to take up any job opportunities.)

Simon Balderstone
26 Jellore St Berrima

Appendix A:

From: Jonathan Thompson <jthompson@bluesox.com.au>

Subject: The Berrima Quarter (BERRIMA GAOL ADAPTIVE REUSE) - Letter to Local Businesses

Date: 21 November 2025 at 4:12:16 pm AEDT

To: (name of business withheld) >

Hi Jeff ~ I am with a company called Blue Sox (The Blue Sox Group) & we are proposing an adaptive reuse of the former Berrima Gaol. You may have come across some media attention on the project or heard of the project through the community. Anyway the project is currently on public exhibition & we have until the 26th of November to get as many submissions as possible in to the NSW state gov in support of the project so we are endeavouring to get in touch with as many local businesses as possible to see if they're able to take about 10min to lodge a formal submission for the project. The more submissions we get in support of the project the more chances the project will get the green light. The project is a State Significant Development which means the NSW department of planning is the consent authority. The project has great synergy with local & regional businesses especially those that rely on tourism and the hospitality industry. The proposal is to adaptively transform the site of the former gaol into a hospitality and entertainment precinct with all day dining (restaurant/café/bar), wellness centre/day spa, accommodation, events venue, outdoor garden & dining spaces and other offerings. The Berrima Quarter will help support local businesses, increase employment opportunities and help drive local tourism in the region.

Happy to chat any time, you can call me on the mobile any time to discuss the project, but if you can we're asking for supporters who would like to see this project go ahead to take 10min to fill in and make a submission to the state government through their Major Projects portal web site (link below). I've attached a letter here with only a short intro to Blue Sox & the project but from page 3 on you can follow the **step by step instructions on how to make a submission**. It's a fairly easy process to follow, there's a number of screens to get through & you have to set up an account first but this only requires your name, email address and an office or home address, but you can select to have your name withheld from any publication. You can also make either a personal submission or a submission on behalf of a company/business.

The public exhibition period closes at midnight next **Wednesday (26th Nov)** so submissions need to be lodged before then. Anyway if you &/or any one else can make a personal submission or a submission on behalf of the business that would be excellent either way & will help the project along its way. FYI on Wednesday of this week Wingecarribee Council voted in favour of supporting the project at the monthly Council meeting (*with many conditions placed on this*) so we are very happy with this outcome and is a testament to the good design work done & the vision behind the proposal.

Many thanks Jeff & look forward to seeing what sort of support the Berrima Quarter could potentially offer (*name of business withheld*) in the future.

Step 1 go to: <https://www.planningportal.nsw.gov.au/major-projects/projects/berrima-hotel> hit the 'MAKE A SUBMISSION' button then follow the steps from there...

Also we have a project web site set up that you can go to & have a look at what the proposal entails, there's a lot of information on the web site. <https://www.theberrimagaol.com.au/>

Cheers.

Regards,

Jonathan Thompson