

26 November 2025

Mr Fadi Shakir
Planner
NSW Government Major Projects

By online portal

Dear Mr Shakir,

National Trust submission relating to Berrima Gaol (SSD-66876472)

The National Trust of Australia (NSW) welcomes the opportunity to provide feedback regarding the planning proposal for the historic Berrima Gaol site. We note that the gaol and its associated infrastructures are subject to a wide range of heritage listings, including a number on the National Trust register since the 1970s. It is located inside a historic town and is especially significant to the local community.

The gaol has now closed and a new, compatible, use for this important place needs to be found. The main concern for the Trust is that “the use must fit the building, not the building fit the use.” Changes to historic fabric and curtilage must be well considered and justifiable. This document outlines our concerns where we think this may not be the case.

Consultation with the National Trust

The National Trust expressly refute the claim made in the Environmental Impact Statement (p.18) and Heritage Impact Statement (p.6) that “*the proposed design has undergone a rigorous review with the National Trust*” and that the design has responded to any feedback given.

This statement makes it appear that the design that has been proposed has resulted from some form of consultation with the National Trust, and indeed that any suggestions made by the National Trust have been incorporated into the design.

The National Trust wish to make it very clear that we completely refute this claim. In no way has the National Trust undertaken any form of documented “rigorous review” of the proposal.

We are aware that representatives from the National Trust’s Southern Highlands Branch attended two presentations by Turner Architects at which some images were displayed on a screen. No documentation was provided for review prior or after these meetings. We are also aware that Urbis initiated contact with the community and the Southern Highlands Branch regarding the Conservation Management Plan, however this was *after* the document was completed. As noted in the Heritage Impact Statement (pp.10-11), there was an “introductory meeting” with the Chair the week after Urbis completed the revised CMP, and then a meeting with branch members “to provide an update on design” one month before the SSDA submission was made. Consequently, neither the CMP nor the design have resulted from any National Trust feedback being incorporated.

Neither Turner Architects nor Urbis contacted the head office of the National Trust (NSW) for comment.



National Trust image of Berrima Gaol entry (1970s)

Penetration of the gaol wall

The National Trust have a major concern regarding the proposed new opening in the gaol wall, immediately next to the main entrance gate.

We note the Statement of Significance in the Conservation Management Plan (p.1, Urbis) that states:

the site of Berrima Gaol is able to represent the original 1830s construction of the gaol through the retention and integrity of the gaol walls, which are a dominant representation of the gaol from the public domain and make a significant contribution to its landmark status within the historic centre of Berrima. The Victorian style is enhanced by the intimidating scale of the walls and the central Entrance Gate, constructed in 1866 and designed by James Barnet in the Victorian Mannerist style typical of Barnet's work.

In consideration of the outstanding heritage significance of the wall, the Trust cannot understand why a new penetration would be located so prominently and almost directly adjacent to the existing entryway. We note that the former Conservation Management by NBRIS contained the following policies in relation to the gaol wall:

Policy 13 Gaol Wall

The existing gaol wall on the site, including the portions constructed in both 1839 and 1866, should be retained and conserved.

Policy 30 Gaol Wall

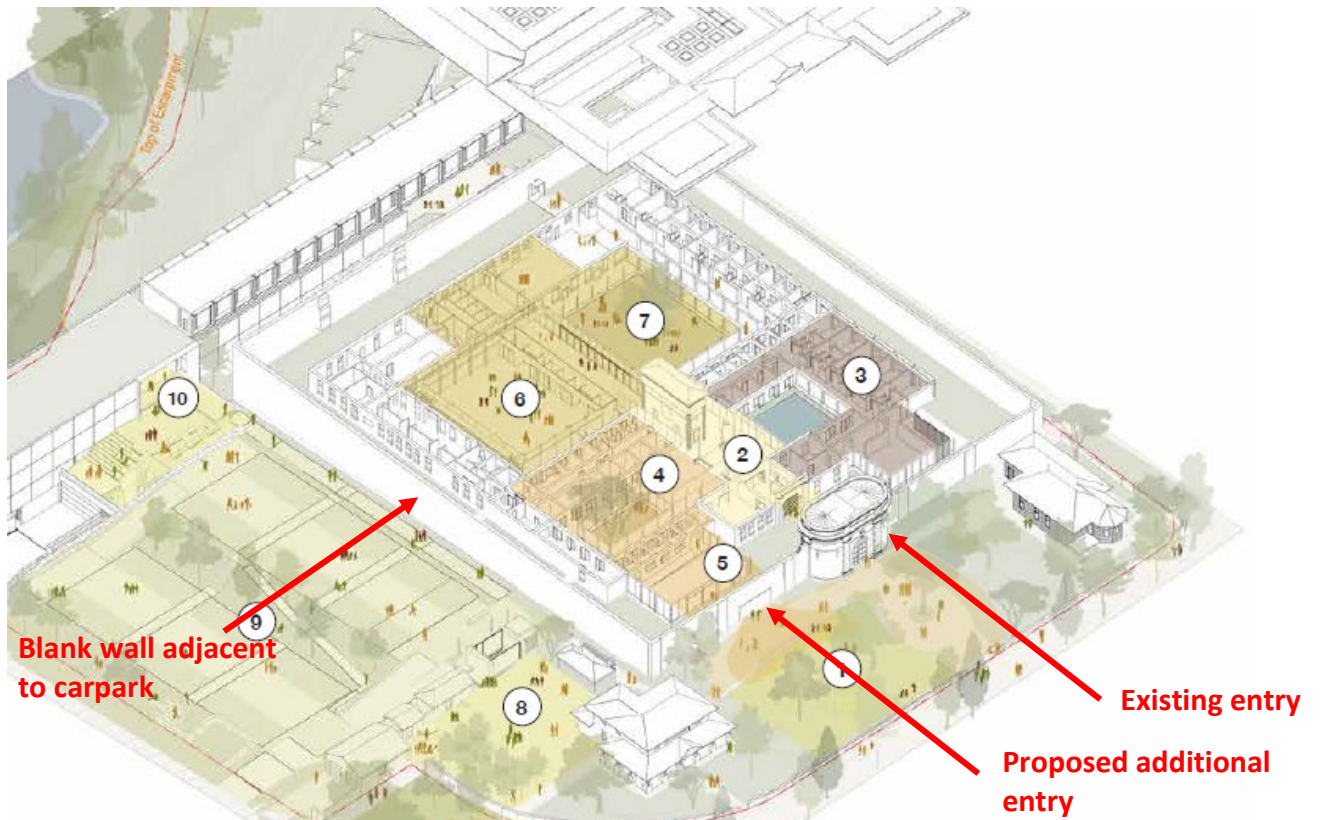
The gaol wall should be retained in its existing form without alteration or addition. New penetrations in the wall are not acceptable

Policy 33 New Openings

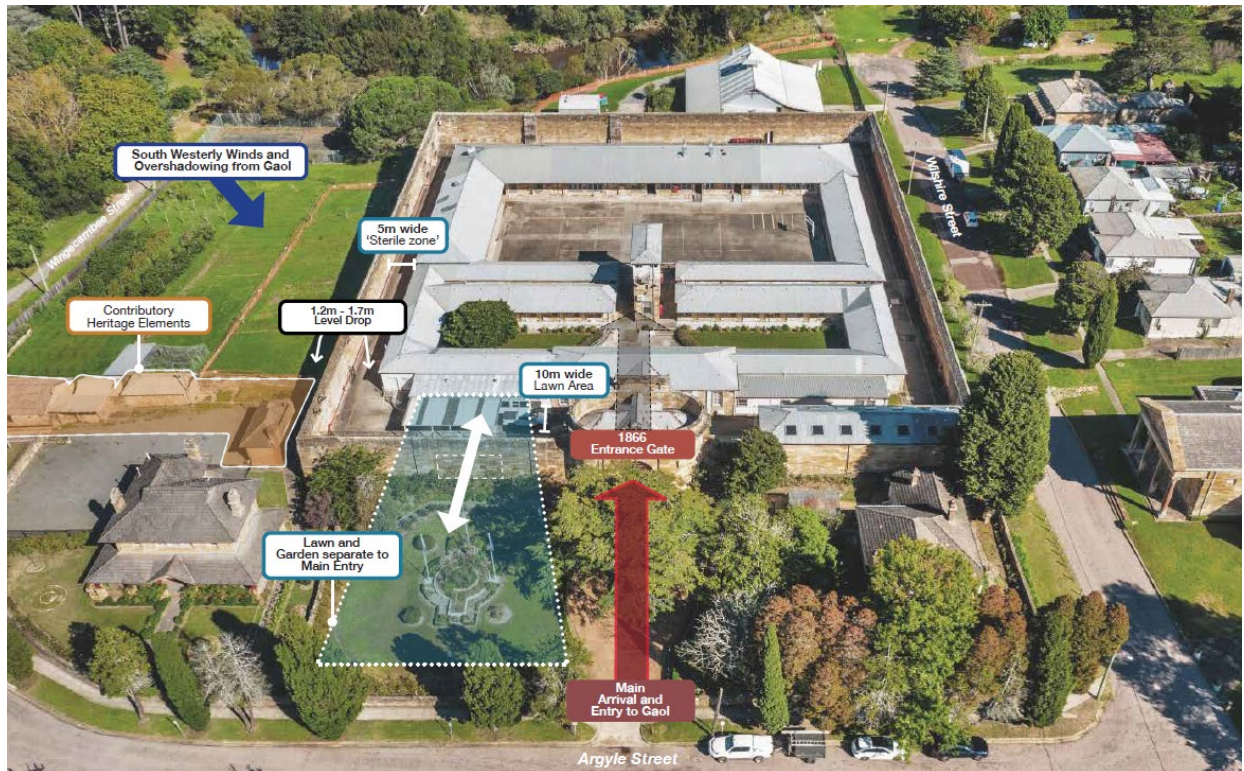
No new external openings shall be permitted in fabric of identified as being of Exceptional or High significance, except as part of reconstructive works to re-establish former openings where they have been blocked up.



The current CMP conservation policies advise “New openings in the Gaol Wall are permissible if carefully considered and their need demonstrated but must maintain the overall presentation and ongoing interpretation of the original function of the wall” (policy 54).



Architectural Design Report – Public Domain diagram



Architectural Design Report – justification of new entry



The Trust accepts that some new openings in the wall will be required for fire safety (access/egress) in order to facilitate desired new functions for the gaol complex.

Given the “*landmark status*” and “*intimidating scale of the walls and the central Entrance Gate*” that have been identified in the updated Statement of Significance in the Urbis CMP, **the Trust feels that a new opening that is immediately adjacent to and wider than the existing main historic entry gate cannot be justified.**

The whole notion of the gaol walls and the major entrance gate (both noted as of exceptional heritage significance, and of substantial scale) is to reinforce the Berrima Gaol as a place of confinement. The Trust feels that the proposed intervention will have a major impact on this important element of the place and its significance.



Architectural Design Report - Artist interpretation of the side-by-side entries to the gaol

The Trust would suggest that if a new wall penetration is required, it can and should be located in a much more useful and much less obvious location. For example, it would appear that a new opening along the southern wall would retain the integrity of the existing main entry, provide direct access from the carpark, be far more recessive and provide access to the cluster of buildings in this area (Police cells, Governor’s Residence, sheds, etc) that would in turn improve their potential for activation.

The Trust also notes that ‘*opposition to entrances in the front wall as it is a major alteration*’ has also been identified as a major concern during community feedback.



Carpark Pavilion

The Trust's suggestion for an alternative opening on the southern elevation may also reduce the need for the "carpark pavilion" which is in our opinion another intrusive element whose scale and design is not in keeping with the rest of the site or the design concept of being *"embedded in the landscape"* with a *"material palette that responds to both the bushland edge and the historic Gaol"*.

This modern, planar, structure is of a large scale and features a *"glazed opening for a visual connection to the domineering Gaol Wall and Sky above on arrival."* The Trust cannot understand how this can be argued when it in fact completely blocks the view of the sky and wall from those arriving by car.

Consequently, the Trust feel that the Carpark Pavilion should not be approved in its current form.

A simple opening in the southern wall would allow for the imposing nature of the wall and sky to be experienced by all who arrive, and would allow for an always accessible entry point instead of being reliant upon a lift to gain access to the inside of the gaol.



The Carpark Pavilion is a large new element seemingly at odds with its surroundings and the rest of the design.



Governor's Residence and Deputy Governor's Residences

The National Trust notes that the Governor's and Deputy Governor's Residences are included as part of the Berrima Gaol precinct, with both buildings being located along the Arygle Street frontage, near to the gaol entry gate and main public entry and formal gardens.

We note, however, that despite their street presence and apparent ability for adaptive re-use, neither building appears to be included as part of the development plan. This is a major missed opportunity.



Architectural Design Report – images of the heritage listed cottages

It is the opinion of the National Trust there would be an advantage in activating the gaol through its street frontage through proper consideration and re-use of these residences.

The use of these two building as public spaces, such as a café, restaurant, gallery or information centre would be an excellent opportunity to engage the whole of the gaol landscape, activate public interest along the streetscape, and ensure the ongoing conservation of these important heritage buildings. To leave them disconnected from the rest of the site, and not included in such a major proposal, would be a poor heritage outcome and we urge further reconsideration of these elements.



Architectural Design Report – location of the heritage listed cottages



Conclusion

Berrima Gaol is a significant place with a documented history, and this has led to it being listed by the National Trust for over fifty years. Although there have been major changes to the precinct, much evidence of its history remains intact and (through careful archaeological investigation) may be uncovered during any proposed works.

We remain disappointed that the proponent's documentation (and subsequent media coverage) has promoted that the proposed design has resulted from a "rigorous review" by the National Trust, when this was not the case. We trust that this submission, and that of the National Trust's Southern Highlands Branch, will be reviewed with due consideration.

Any proposal to reactivate or adaptively re-use the site must be undertaken with the utmost sensitivity, and we hope that the suggestions made in this submission can be investigated in any revised design.