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CONSERVATION MANAGEMENT PLAN

Berrima Correctional Centre
Argyle Street, Berrima

MARCH 2021

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buildings extant today, with the exception of the Visitor's Centre (in the south-east corner of the site) and the addition opposite the Science Block (in the north-east corner of the site) are not shown on the 1984 plan. The diagram demonstrates that the gaol today bares very little relationship to the original footprint of the 1939 building, with the exception of the easternmost walls of the entrance gate. The gaol walls (1839 and 1860s) and the main entrance (1866) are extant today. *138*

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Figure 242: Inscribed stone on the north-west corner of the watchtower, placed upside down. It is likely that this stone dates from the early phases of the site's construction and was re-used when the Berrima Training Centre was constructed (Source: NBRSARCHITECTURE 2020) *140*

Figure 243: Inscribed stone on the north-west corner of the watchtower, placed upside down. It is likely that this stone dates from the early phases of the site's construction and was re-used when the Berrima Training Centre was constructed (Source: NBRSARCHITECTURE 2020) *140*

Figure 244: Discolouration from weathering shown on the cornice and parapet of the 1866 entrance gate, and lichen shown on the top of the gaol wall (Source: NBRSARCHITECTURE 2020) *141*

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Figure 249: Cracking to render beneath window on the western wall of the western cell block (Source: NBRSARCHITECTURE 2020) *142*

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Figure 253: Diagram of the site showing the relative gradings of significance of buildings and spaces (Source: NBRSARCHITECTURE, base plan provided by NSW Department of Planning, Industry and Environment) *164*

Figure 254: Significance gradings diagram for structure and spaces within the gaol walls (Source: NBRSARCHITECTURE, base plan provided by NSW Department of Planning, Industry and Environment) *164*

Figure 255: Significant views diagram (Source: NBRSARCHITECTURE) *167*

Figure 256: Heritage Map from the Wingecarribee LEP 2010 showing the subject site indicated by the blue arrow. Heritage items are shaded brown and the Berrima Conservation Area is hatched in red. (Source: Wingecarribee LEP 2010 Heritage Map – Sheet HER_007A) *169*

Figure 257: State Heritage Register listing map for the Berrima Correctional Centre, outlined in red (Source: NSW State Heritage Inventory) *170*

Figure 258: Diagram showing opportunities for development on the site (Source: NBRSARCHITECTURE) *174*

1.0 INTRODUCTION

1.1 BACKGROUND INFORMATION

This Conservation Management Plan for the Berrima Correctional Centre, Argyle Street, Berrima, was commissioned by the Department of Planning, Industry and Environment to inform a strategy for the ongoing management of the site. It establishes the cultural heritage significance of the Berrima Correctional Centre and the relative significance of its spaces, components and fabric. The intention of this document is to guide and inform future works to the property, so that this may be carried out in a manner which conserves its heritage significance.

Accordingly, this report establishes the cultural heritage significance of the Berrima Correctional Centre and the relative significance of its internal spaces, components and fabric. The intention of this document is to guide and inform future works to the property and its setting, so that this may be carried out in a manner which conserves its heritage significance.

1.2 SITE IDENTIFICATION

The site is located in Berrima, NSW, on the western side of Argyle Street, which is parallel to the Old Hume Highway. It is on a block bounded by Argyle Street to the east, Wilshire Street to the north and the Wingecarribee River to the west. The site is identified as Lot 7304 of DP 1146099 and Lot 447 of DP 751252 by the NSW Land and Property Information (LPI).

Figure 1: Street map showing the subject site outlined in red. (Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au)

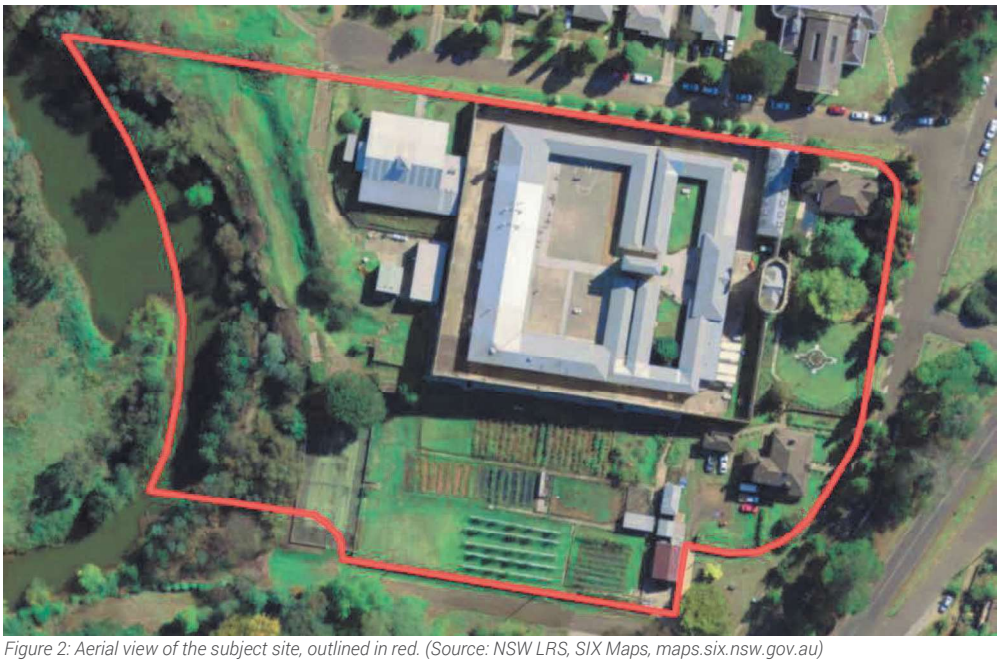

Figure 2: Aerial view of the subject site, outlined in red. (Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au)

1.3 HERITAGE MANAGEMENT FRAMEWORK

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 Gaol", corner Argyle and Wilshire Streets, item nos. I109, I110, I484. It is also located within the Berrima Conservation Area, identified as C148.

The following listings on Schedule 5 of the *Wingecarribee LEP 2010* 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.

1.4 STUDY OBJECTIVES

The main objective of this Conservation Management Plan is to provide a practical working document to guide future works or changes to the site to ensure that its identified heritage significance is adequately identified, protected and conserved. This management plan aims to:

- Provide an understanding of the historic development of the place, and a description of the physical fabric and its condition;
- Identify the heritage significance of the site, assessed against the prescribed NSW State Heritage Register criteria; and
- Set out policies to enable the site to continue to be managed and interpreted in accordance with NSW Heritage management principles defined by the NSW Heritage Council.

1.5 METHODOLOGY

This report is based on the guidelines set out in the document entitled *The Conservation Management Plan* by Dr James Semple Kerr (6th Edition, 2004). The terms fabric, place, preservation, reconstruction, restoration, adaptation and conservation used throughout this report have the meanings given them in the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter) 2013*. Physical research was carried out without excavation or physical intervention in the fabric.

The architectural styles referred to in this report are as defined in *A Pictorial Guide to Identifying Australian Architecture* by Richard Apperley, Robert Irving and Peter Reynolds (Angus and Robertson: Sydney, 1989).

1.6 LIMITATIONS

Information on the fabric and condition of the buildings on the site has been obtained from observations during site inspections. These inspections were limited to those spaces which are safely accessible and did not include inspections of the rooves or any elements above the ground floor. No fabric was removed during these inspections.

1.7 IDENTIFICATION OF AUTHORS

This report was researched and prepared by Dr Martina Muller and Sophie Bock, Senior Heritage Consultant, of NBRSARCHITECTURE.

A Historical Archaeological Assessment of the Berrima Correctional Centre was prepared by Jasmine Weston of Austral Archaeology as part of the preparation for the CMP, and is included in Appendix A.

Information from the Historical Archaeological Assessment has been incorporated into the CMP where appropriate and is referenced accordingly.

1.8 COPYRIGHT

Copyright of this report remains with the author, NBRSARCHITECTURE. Unless otherwise noted, all images are by the author.

2.0 DOCUMENTARY EVIDENCE

2.1 THE GUNDUNGURRA AND DHARAWAL PEOPLES

The Gundungurra and Dharawal (Tharawal) peoples are the traditional custodians of the Wingecarribee Shire.[1] Berrima is believed to mean 'southward' or 'black swan'.[2] Local council estimates there are over 400 significant Aboriginal sites within the Shire.[3]

2.2 EARLY EUROPEAN HISTORY

2.2.1 EXPLORING THE DISTRICT 1798

The first European expedition to the Wingecarribee district took place in January 1798. The expedition came about after a Government and General Order from Governor John Hunter declared:

> *His Excellency, from having understood that some of those people lately arrived here from Ireland…have picked up, some how or other, an idle story of the possibility of travelling from hence to China, or finding some other colony where they expect every comfort without the trouble of any labour, has, to convince them of the folly and absurdity of such opinions, and also as far as possible prevent that loss of life which must certainly attend every attempt to discover this fancied paradise, ordered from among those discontented people four men of their own choice, and on whose story they can depend, to be supplied with what provision they can take, and to travel into the country as far as they are capable.*[4]

The rumour about travel to China originated earlier in 1791, when a group of convicts escaped from the settlement at Parramatta believing they would reach China after a few days' walk.[5] Hunter allowed two men, 'long accustomed to the woods and intimate with many of the natives', to accompany the expedition.[6] One of those men was John Wilson, a former convict, who acted as the expedition's guide.

The earliest written reference to the Aboriginal people of this area appears in the journal of John Price, a servant of Hunter, who was a part of the expedition party. An entry dated 25 January describes a 'great many kangaroos and emews [emus]' and a 'party of natives which gave a very good account of the place we were in search of….'[7] On 28 January, when the party was passing the area that is now Mittagong toward Joadja Creek, Price recorded:

> *The land runs much the same, the timber thin, with a good many stringey-bark trees; and a little further we saw a number of meadows and 100 acres of land without a tree upon it. Here we saw a party of natives. Wilson run and caught one of them, a girl, thinking to learn something from them, but her language was so different from that one which we had with us that we could not understand her. We kept her all night, but she cried and fretted so much that the next morning*

[1] 'Aboriginal Culture and Heritage', Wingecarribee Shire Council, 2020, https://www.wsc.nsw.gov.au/services/community/aboriginal-community/aboriginal-culture-and-heritage.
[2] 'Berrima', Geographical Names Board, accessed 11 December 2020, https://proposals.gnb.nsw.gov.au/public/geonames/6ff7eec0-faab-4af8-a1ea-64f107625977; Rosalind Dale, *Opening a Window on Berrima's Past* (Moss Vale, NSW: Rosalind Dale and Corinne Dany, 2013), 10.
[3] 'Aboriginal Culture and Heritage'.
[4] John Hunter, 'Government and General Order, 19 January 1798', in *Historical Records of New South Wales: Hunter, 1796-1799*, ed. Frank Murcott Bladen, vol. 3 (Sydney, NSW: Charles Potter, Government Printer, 1895), 351–52.
[5] Arthur Phillip, 'Governor Phillip to Under Secretary Nepan, 18 November 1791', in *Historical Records of New South Wales: Phillip, 1783-1792*, ed. Alexander Britton, vol. 1 (Sydney, NSW: Charles Potter, Government Printer, 1892), 556–57.
[6] Hunter, 'Government and General Order, 19 January 1798', 352.
[7] Phillip, 'Governor Phillip to Under Secretary Nepan, 18 November 1791', 820; Richard Hind Cambage, 'Exploration Beyond the Upper Nepean in 1798', *Journal and Proceedings of the Royal Australian Historical Society* 6, no. 1 (1920): 3.

we gave her a tomahawk and sent her to the rest of the natives, which were covered with large skins, which reached down to their heels.[8]

By 30 January the party reached a spot near the junction of the Wingecarribee and Wollondilly rivers, before turning back for the settlement.[9] On the return journey on 1 February they passed through relatively open country located to the north-east of Berrima, which was described as 'many meadows, with scarce any trees upon them for near 200 acres together; the hills also very thin of timber and very light; the ground good, except on the tops of the hills, which was stoney.'[10]

A second expedition was commenced the following month, and on 19 March the party reached Mount Gingenbullen, from which they observed Wingecarribee River flowing below what would later become the village of Berrima.[11]

2.2.2 EXPLORING THE DISTRICT 1814-1820

Further European explorations into the area took place in the 1810s. The explorer, Hamilton Hume, is often credited as being the next European to venture into the area. Aged 17 at the time, Hume, along with his brother, John, were guided by a young Dharawal man named Duall (also Doual).[12] Their journey, however, was possibly preceded by that of their uncle, John Kennedy, who in his obituary was credited as 'the first European who entered the new county of Argyle by the Bargo Brush, in the early part of the present century (if not before).'[13] In 1820 Governor Lachlan Macquarie also observed during his travels through the county:

This is rather a barren Country, very few Parts of it being fit for Cultivation. – After passing through Bargo, we entered a very long Barren Scrubby Brush of 9 miles in extent – now named Kennedy's Brush – in honor of the Person of that name who first passed through it with the Natives.[14]

In a letter to *The Monitor* published in 1826, Hume claimed he '*discovered that tract of country* now called "Argyle." I was also there in the year 1815 and 1816; and in the year 1817, I accompanied Mr. [Charles] Throsby on his *first* tour to that part of the country.'[15] Hume and Throsby once again journeyed the area in March 1818, accompanied by the surveyor, James Meehan, and Joseph Wild, a servant of Throsby's. Another expedition party including Throsby and Wild set out from the Wingecarribee area to Bathurst in 1819. Throsby was granted 1,000 acres in the district, named Throsby Park by Governor Macquarie during his travels to the area in October 1820.[16] Throsby constructed his homestead on the estate in 1820-36.

[8] John Price, 'Journey into the Interior of the Country New South Wales', in *Historical Records of New South Wales: Hunter, 1796-1799*, ed. Frank Murcott Bladen, vol. 3 (Sydney, NSW: Charles Potter, Government Printer, 1895), 821.
[9] Cambage, 'Exploration Beyond the Upper Nepean in 1798', 12–13; Price, 'Journey into the Interior of the Country New South Wales', 822.
[10] Price, 'Journey into the Interior of the Country New South Wales', 822; Cambage, 'Exploration Beyond the Upper Nepean in 1798', 14–15.
[11] Price, 'Journey into the Interior of the Country New South Wales', 826; Cambage, 'Exploration Beyond the Upper Nepean in 1798', 27–28.
[12] Stuart H Hume, 'Hume, Hamilton (1797–1873)', in *Australian Dictionary of Biography* (Canberra, ACT: National Centre of Biography, Australian National University, 1966), http://adb.anu.edu.au/biography/hume-hamilton-2211; Carol Liston, 'The Dharawal and Gandangara in Colonial Campbelltown, New South Wales, 1788-1830', *Aboriginal History* 12 (1988): 59–60; Kristyn Evelyn Harman, 'Aboriginal Convicts: Race, Law, and Transportation in Colonial New South Wales' (PhD, University of Tasmania, 2008), 21–22, https://eprints.utas.edu.au/7467/.
[13] 'Family Notices', *Sydney Morning Herald*, 3 April 1843, 3, http://nla.gov.au/nla.news-article12413592.
[14] Lachlan Macquarie, 'Volume 23: Journal of a Tour of Inspection to the Western and Southern Countries Some Time since Discovered by Chas. Throsby Esqr' (17 October 1820), SAFE/A 782 (Safe 1/370), State Library of New South Wales.
[15] 'To the Editor of The Monitor', *The Monitor*, 15 December 1826, 7, http://nla.gov.au/nla.news-article31758054.
[16] James Jervis and A V J Parry, *A History of the Berrima District 1798-1973* (Sydney, NSW: Library of Australian History in association with Berrima County Council, 1978), 10–16.

Macquarie also described his visit around Sutton Forest:

> *We passed through some very fine open Forest of about Ten miles long – containing rich good Land well adapted for Tillage or grazing, and abounding in excellent Timber, sufficiently well watered by Ponds. This rich beautiful Tract of Forest Land – at the recommendation of Commissr. Bigge, I named "Sutton Forest," in honor of the Right Honble. Chas. Manners Sutton, the present Speaker of the House of Commons….*[17]

The first European settlement in the district, Bong Bong, was surveyed in 1821. The Great South Road (the northern end of the present Hume Highway) was progressively constructed from 1819, eventually linking many of the villages in the Wingecarribee district to Sydney.[18]

2.2.3 THE VILLAGE OF BERRIMA

The flood prone settlement at Bong Bong was soon abandoned and the site for a new village, to be the central administrative town to the south of Sydney located on the Wingecarribee River, was selected by Major Thomas Mitchell, Surveyor-General. A town plan, which included a gaol, courthouse and residences for government officials, was drawn in 1830 by Robert Hoddle and approved by Governor Richard Bourke in 1831.[19]

Convict chain gangs worked on the road to Berrima, which was completed in 1836. Soon the village thrived as an ideal rest point for travellers along the southern road. The town's popularity dwindled with the introduction of the railway in 1867, which bypassed Berrima, through Mittagong, Bowral and Moss Vale.

Figure 3: Berrima Bridge, 3 April 1855. Drawing by Sir T. L. Mitchell, from 'Sir Thomas Mitchell sketches and watercolours of New South Wales, 1830-1855?'. (Source: State Library of NSW, Call No. DL PXX 20, Digital Order No. a2443009h)

[17] Lachlan Macquarie, 'Volume 23: Journal of a Tour of Inspection to the Western and Southern Countries Some Time since Discovered by Chas. Throsby Esqr' (2 November 1820), SAFE/A 782 (Safe 1/370), State Library of New South Wales.
[18] Jervis and Parry, A History of the Berrima District 1798-1973, 26–29.
[19] Jervis and Parry, A History of the Berrima District 1798-1973, 30.

Figure 4: 1840s map of Berrima showing the various land grants and the site of the gaol and courthouse at top, near the river. (Source: State Library of NSW, 'Berrima', M Ser 4 000/1 A 3004 Map 29)

2.3 ESTABLISHMENT OF BERRIMA GAOL (1834-1847)

2.3.1 CONSTRUCTION OF THE BUILDING (1834-1839)

In 1832, Governor Sir Richard Bourke proclaimed that a Court of Civil Jurisdiction, or Court of Requests, should be established at either Bong Bong or Berrima, as one of two new courts in the County of Camden (the other being established at Wollongong).[20] Berrima was subsequently chosen as the location of a court house and gaol "on a sufficiently extensive scale to form a grand *depôt* for the reception of prisoners from the whole of the southern districts, for many years to come."[21]

[20] '(No. II.) An Act for Better Regulating Courts of Requests in the Colony of New South Wales.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 29 August 1832, 254, http://nla.gov.au/nla.news-article230388949.
[21] 'Berrima.', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 12 April 1838, 2, http://nla.gov.au/nla.news-article2549214.

From 15 April 1834, the Commissariat Office sought tenders "from Persons willing to enter into contract for erecting a Gaol and suitable Offices in the Township of Berrima, agreeably to the Drawings and Specification which may be seen at the Clerk of Works' Office, at Sydney."[22] At the same time, tenders for the nearby court house in Berrima were sought,[23] as well as for another gaol in Goulburn.[24]

While tenders for the court house were considered too expensive to be proceeded with, a sum of £2,000 was granted for construction of the gaol, which the Governor, Sir Richard Bourke, wanted to be a "substantial gaol upon the radiating system of inspection now generally adopted in Europe, with means of classification and suitable solitary cells." [25] The gaol was to be constructed using the local "fine stone" available at the site.

In July 1834, a letter published in the *Sydney Monitor* noted that a total of £4,500 had been voted for the erection of the gaol, an "extraordinary sum" which was in stark contrast to the mere £1,500 for the gaol at Goulburn.[26] The letter noted that "to make Berrima the Seat of Justice, is the greatest mistake" as "the land in the neighbourhood is sterile for miles around; rocks, stones, and brush, are its characteristics."[27]

Despite these objections from some who would have favoured Goulburn, John Richards from the *Talbot Inn* in Sydney advertised in June 1834 for twenty masons and quarrymen for work at Berrima, for a time period of 18 months or 2 years.[28] The first portion of the work was "an enclosing Gaol Wall and Copeing complete", and only "masters of their trade" were encouraged to apply.[29] John Richards is said to have arrived as a convict on the *Mariner* in 1816, having received a Certificate of Freedom in 1834, the year he started working on the gaol.[30] Blessed with an entrepreneurial spirit and working as a publican and contractor, he left the *Talbot Inn* at Brickfield Hill on 27 August 1834 to work on the Berrima Gaol with his partner, James Gough.[31] James Gough, of Hunter Street, was the builder who had officially obtained the contract for the erection of the gaol in 1834.[32] The two builders were likely connected through the *White Hart Inn* on the Windsor Road, built by Gough in 1826 and managed by him until 1828 when Richards' partner and future wife Ann (née Hollis) is said to have taken over.[33] Like Richard's business partner, James Gough (or Goff), was an ex-convict who had arrived in Australia in 1813 on the *Earl Spencer* as a joiner; he received Conditional Pardon in 1821 and Absolute Pardon in 1842.[34]

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[22] 'Government Gazette Tenders and Contracts', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 16 April 1834, 217, http://nla.gov.au/nla.news-article230686576.
[23] 'Classified Advertising', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 26 April 1834, 1, http://nla.gov.au/nla.news-article2215982.
[24] 'Government Gazette', *Australian (Sydney, NSW : 1824 - 1848)*, 2 May 1834, 2, http://nla.gov.au/nla.news-article42008366.
[25] 'MINUTE', *Australian (Sydney, NSW : 1824 - 1848)*, 20 June 1834, 2, http://nla.gov.au/nla.news-article42008901.
[26] 'Berrima New Gaol.', *Sydney Monitor (NSW : 1828 - 1838)*, 23 July 1834, 4, http://nla.gov.au/nla.news-article32146759.
[27] *Ibid.*
[28] 'Classified Advertising', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 24 June 1834, 3, http://nla.gov.au/nla.news-article2216439.
[29] 'Classified Advertising', 3.
[30] Marion Starr, 'James Gough, Convict, Earl Spencer 1813: John Richards (c.1790 -1838) & Ann Hollis', *James Gough, Convict, Earl Spencer 1813* (blog), 11 May 2015, http://amostindustriousman.blogspot.com/2015/05/john-richards-c1790-1838-ann-hollis.html.
[31] 'Advertising', *Sydney Monitor (NSW : 1828 - 1838)*, 23 August 1834, 3, http://nla.gov.au/nla.news-article32147016.
[32] 'Police Office.', *Sydney Monitor (NSW : 1828 - 1838)*, 18 June 1834, 3, http://nla.gov.au/nla.news-article32146522.
[33] Starr, 'James Gough, Convict, Earl Spencer 1813', 11 May 2015. Cf. NSW State Archives and Records, Convicts Index, 'Richards John', [4/4320; Reel 992] | Entry No: 34/0211.
[34] 'Convict Records: James Gough', accessed 24 November 2020, https://convictrecords.com.au/convicts/gough/james/110448; Marion Starr, 'James Gough, Convict, Earl Spencer 1813: James Gough Book Order', *James Gough, Convict, Earl Spencer 1813* (blog), 9 October 2014, http://amostindustriousman.blogspot.com/2014/10/james-gough-book-special-offer.html. Cf. NSW State Archives and Records, Convicts Index, 'Goff James', [4/4430; Reel 774 Page 153] and [4/4488; Reel 800 Page 243-244].

However, construction at Berrima did not proceed as expected. In March 1835, the Governor visited Berrima to lay the first stone for the courthouse only to find that the gaol "which has now been commenced upwards of nine months, makes but very slow progress. The outer wall, in some parts, is not yet above the ground, and the interior is not yet commenced upon. His Excellency seemed to have expected to find it in a much more forward state. The cause of delay seems to arise from the daily misunderstandings of Messrs. Richards and Gough, the Contractors, with the artificers employed; during which the work, of necessity, is dormant."[35]

In June 1836 it was still noted that "not half of the outer wall is up; and as to the Gaol, the foundation is only laid."[36] By then it was assumed that completion of the building would take another seven years, as the Clerk of Works was only overseeing the "work of about one stone-setter and two or three stone-cutters".[37] In August 1836, the *Government Gazette* announced that "the contractors for building the Gaol at Berrima having failed to complete their engagement, Persons willing to undertake to complete their work, are requested to transmit their Tenders to this office by Twelve o'Clock, on Friday the 16th of September next; endorsed 'Tenders for completing Berrima Gaol."[38] Plans and specifications were available for viewing at the office of the Colonial Architect in Sydney.

It appears that from that time onwards at the latest, gangs of convicts in chains were involved in the construction of the gaol. A stockade had been erected by a gang in early 1835 to construct the court house, and these convicts were quarrying stone, likely in George Cutter's quarry which he had established "for the building of the Government Court House".[39] James Backhouse is said to have reported from a visit to Berrima in November 1836, that prisoners forming the ironed-gang were employed in erecting the gaol and court house.[40] Convicts working on the new bridge were also said to have been diverted to work on the gaol.[41] An iron-gang was still noted as being present at Berrima in March 1838.[42]

In early August 1837, construction of the gaol and courthouse at Berrima were reportedly "at last proceeding with spirit" and were expected to be completed soon.[43]

Judging from an article published in the *Sydney Gazette* of 14 September 1837, it is possible that the new contractors for the gaol were in fact the old ones, Richards and Gough.[44] Referring to the tendering system for government contracts which was regarded as being "rotten to the core", the article alluded to numerous instances where the cheapest tenders were accepted even though the tenderers knew "nothing of the matter, men who undertake the job as a mere money-making speculation."[45] The article noted that as soon as these

[35] 'BERRIMA.', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 21 March 1835, 2, http://nla.gov.au/nla.news-article2197631.
[36] 'The Sydney Herald. THURSDAY, JUNE 30, 1836.', *Sydney Herald (NSW : 1831 - 1842)*, 30 June 1836, 2, http://nla.gov.au/nla.news-article12854642.
[37] 'The Sydney Herald. THURSDAY, JUNE 30, 1836.', 2.
[38] 'BERRIMA GAOL.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 31 August 1836, 680, http://nla.gov.au/nla.news-article230673044.
[39] 'Domestic Intelligence.', *Australian (Sydney, NSW : 1824 - 1848)*, 3 February 1835, 2, http://nla.gov.au/nla.news-article42009616; 'THE MONUMENTS OUR FATHERS MADE.', *Southern Mail (Bowral, NSW : 1889 - 1954)*, 3 April 1925, 5, http://nla.gov.au/nla.news-article118700686; 'Classified Advertising', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 26 September 1835, 3, http://nla.gov.au/nla.news-article2200374.
[40] 'BERRIMA.', *Sydney Morning Herald (NSW : 1842 - 1954)*, 8 November 1924, 13, http://nla.gov.au/nla.news-article16172196.
[41] 'THE MONUMENTS OUR FATHERS MADE.', 5.
[42] 'Government Gazette Appointments and Employment', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 28 March 1838, 230, http://nla.gov.au/nla.news-article230386034.
[43] 'SHIP NEWS.', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 3 August 1837, 3, http://nla.gov.au/nla.news-article2212235.
[44] 'ADVANCE AUSTRALIA Sydney Gazette.', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 14 September 1837, 2, http://nla.gov.au/nla.news-article2212924.
[45] 'ADVANCE AUSTRALIA Sydney Gazette.', 2.

contractors realised that the work would not result in any profits, they threw up their contracts and left the work in an unfinished state. To make matters worse, in some instances the government had to rehire the very same contractors, but now at a higher price. One specific example of this was described as follows:

> "We have even heard of instances in which such men having tenders accepted, which they offered at too low a rate, being allowed by the Government to throw up their agreement without the enforcement of the penalty, and again allowed to contract for the same work at a higher rate. The Berrima Jail, we believe was one instance of this."[46]

No evidence could be found to confirm that Richards and Gough were rehired to complete the gaol, but it seems that work now proceeded smoothly. By April 1838, it was noted that "the Jail, the history of which discloses one of the grossest jobs ever perpetrated in this jobbing Colony, is rapidly approaching to completion, and will, when finished, form much the finest and most commodious building of the kind in the Colony with the exception of the new Jail now in the course of erection in Sydney."[47]

Even if Richards was still involved at the gaol, he was busy pursuing other interests in the meantime. By 1838 at the latest, he had established a victualling stores at Berrima from where he provided rations for travellers on his coach service, the Yass Mail, which ran from the *Talbot Inn* to Yass, Goulburn or Marulan, Berrima or Bong Bong, and the stonequarry by 1838.[48] He also appears to have been involved in several inns as well as the Goulburn Brewery, and his wife Ann continued his various business ventures after his death in 1838, one year before the gaol was finished.[49]

On 29 June 1839, the *Sydney Gazette* provided the following description of the new gaol at Berrima:

> "A gentleman who has recently arrived from the southern districts, says he was much surprised at finding such splendid buildings so far in the interior as the gaol and court-house at Berrima. The gaol consists of a centre building, from which diverge three radii, each containing fourteen cells. The centre building contains four rooms on the ground floor, which are to be occupied by the keeper of the gaol, and in the basement story there is the gaol kitchen, and apartments for the wardsmen. Round the centre building there is an area which communicates with the yards belonging to the cells. Eighteen of the cells are solitary; these are six feet, by four feet and they are covered with stone flags, and have no light but what is received through a small grate in the door. Twenty four of the cells are termed open cells, and are fitted up with a bed, and have a window; these are six feet by seven feet, and will be occupied by prisoners before trial. There are no day rooms, so that every prisoner in the gaol will be in a cell. Should it become necessary, the extent of the gaol can be doubled, by adding three more wings. The whole of the buildings are surrounded by a stone wall fourteen feet high and eighteen inches thick. This wall includes an area of 250 feet square. The whole of the building is of stone, and the work is described as being of a very superior quality."[50]

[46] 'ADVANCE AUSTRALIA Sydney Gazette.', 2.
[47] 'Berrima.', 12 April 1838, 2.
[48] 'Advertising', *Colonist (Sydney, NSW : 1835 - 1840)*, 13 January 1838, 1, http://nla.gov.au/nla.news-article31720286.
[49] 'Advertising', *Sydney Monitor and Commercial Advertiser (NSW : 1838 - 1841)*, 21 December 1838, 4, http://nla.gov.au/nla.news-article32162281.
[50] 'DOMESTIC INTELLLIGENCE.', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 29 June 1839, 2, http://nla.gov.au/nla.news-article2550844.

Based on this description, and a plan prepared in Mortimer Lewis' office in October 1839 (Figure 5), the gaol consisted of 42 cells overall, arranged in three wings radiating from a central building. Two of the wings ran parallel with the front wall, while the third wing extended at a right angle so that the building formed a T-shape.[51] The central building contained the gaol keeper's quarters on ground level, above the kitchen in the basement. Each wing was divided along its length by a wall, so that each had two narrow corridors from which the cells were accessed.

The eighteen solitary cells that had no windows and were much smaller were located off the eastern corridors in the north and south wings. The twenty-four larger cells with windows, reserved for prisoners before they were trialled at the adjacent courthouse, were distributed along the western side of the south and north wings, and in the west wing. The wings had flagged stone floors and there were earth-closets in small structures in some distance from the ends of the south and north wings.[52] The areas between the wings were divided into four enclosed yards, with two additional yards on the eastern side of the building. These were used as airing-yards, where prisoners could get fresh air. The entrance gate on the eastern boundary wall was flanked by two rooms on each side, containing offices and the guards' room, while two other structures were located in the northern and southern corner of the east boundary wall.

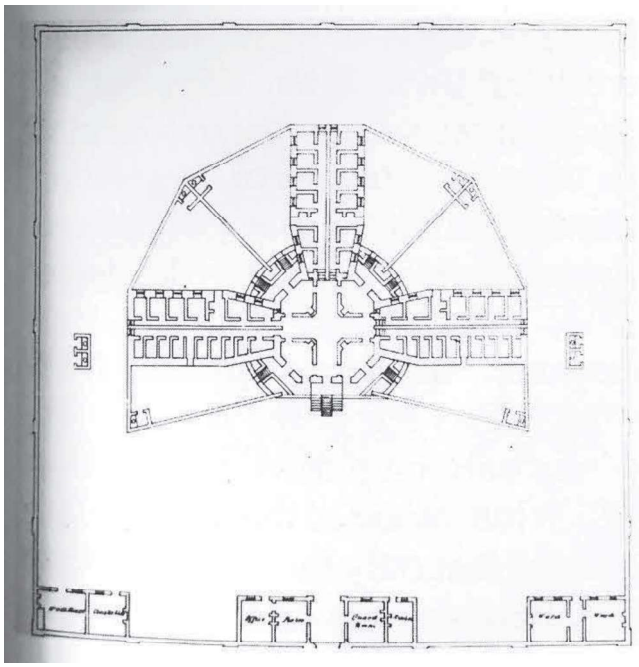

Figure 5: Plan from the Colonial Architect's Office, dated October 1839. (Source: Kerr, Out of Sight, out of Mind, 37 Cat. 41)

The specific design of the gaol in Berrima was initially prepared in the Colonial Architect's Office under Ambrose Hallen (Colonial Architect 1832-35) and later finalised by Mortimer William Lewis (Colonial Architect 1835-49).[53] It has been noted that Governor Bourke did not trust in Hallen's ability to design gaols, instead using the design promoted by the (English)

[51] 'BERRIMA GAOL.', *Gundagai Times and Tumut, Adelong and Murrumbidgee District Advertiser (NSW : 1868 - 1931)*, 9 May 1868, 4, http://nla.gov.au/nla.news-article123548216.
[52] Berrima Gaol Inquiry Commission, 'Report of the Royal Commission, Appointed on the 2nd July, 1878, to Inquire into and Report upon the General Management and Discipline of the Gaol at Berrima; Together with the Minutes of Evidence and Appendices.' (Legislative Assembly of New South Wales, 1878), 8.
[53] NSW Government Architect and State Library of New South Wales, *Imagine a City. 200 Years of Public Architecture in NSW* (Sydney NSW: State Library of NSW, 2016), 30; 'Government Gazette Appointments and Employment', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 7 January 1835, 4, http://nla.gov.au/nla.news-article230654543.

Society for the Improvement of Prison Discipline (SIPD) as a basis (see Section 2.3.2).[54] Major drivers for the application of these ideas were the Colonial Engineer, George Barney who arrived in 1835, and Bourke's successor, Governor Gipps who arrived in 1838.[55]

It appears that the works were carried out under the superintendence of James Rattenbury, Clerk of Works in the Colonial Architect's Department. He was repeatedly said to have been responsible for the whole of the works in Berrima, including the court house.[56] In March 1835, at the laying of the first stone of the court house, Rattenbury had been present as "the Superintendent of Works at Berrima",[57] at a time when Gough and Richards had still been involved as the builders of the gaol.

In 1839, Rattenbury, "who has lately given creditable proof of his talents as an architect, in his able superintendence of the public works at Berrima, and particularly in the erection of the handsome Court-house of that district",[58] was transferred as the clerk of works to the Port Phillip District in Victoria, where between 1839 and 1846 he oversaw the construction of watch houses and cells, police court houses and offices, and custom houses, but most importantly the first stage of the Russell Street gaol in Melbourne, completed in 1841.[59]

By as early as May 1839, prisoners were lodged at Berrima Gaol.[60] In early October 1839, it was reported that two prisoners charged with cattle stealing broke out of Berrima gaol.[61] By December 1839 the stone gaol with 42 cells was noted as completed and "amply stocked with inmates".[62]

The *Government Gazette* of 29 January 1840 officially announced, "that the Prison at Berrima is to be henceforth one of the Common Gaols of the Colony, and to be under the jurisdiction of the Sheriff", [63] with the notice by the Colonial Secretary's Office dated 14 January 1840.

2.3.2 SEPARATE SYSTEM PRISON DESIGN

It has been noted that the original layout of Berrima Gaol, containing three wings around a central building, was based on the latest English prison designs as described in the 1826 publication by the Society for the Improvement of Prison Discipline (SIPD): *Remarks on the Form and Construction of Prisons: With Appropriate Designs*.[64] These designs were based on the ideas of the 'separate system' in which prisoners were held in separate classes, confined to separate cells at all times, in complete silence, and prevented from any contact with other prisoners to avoid 'moral corruption' between offenders.

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[54] James Semple Kerr, *Out of Sight, out of Mind: Australia's Places of Confinement, 1788-1988 / James Semple Kerr ; with an Introduction by Joan Kerr.* (Sydney: SH Ervin Gallery, National Trust of Australia NSW, 1988), 37.
[55] Kerr, 37.
[56] 'DOMESTIC INTELLLIGENCE.', 2.
[57] 'Berrima.', *Sydney Monitor (NSW : 1828 - 1838)*, 21 March 1835, 2, http://nla.gov.au/nla.news-article32148547.
[58] 'Domestic Intelligence.', *Colonist (Sydney, NSW : 1835 - 1840)*, 3 July 1839, 2, http://nla.gov.au/nla.news-article31723341.
[59] 'Pillars of a Nation', accessed 24 November 2020, http://www.pillarsofanation.com.au/architects3.html.
[60] 'DOMESTIC INTELLIGENCE.', *Sydney Herald (NSW : 1831 - 1842)*, 17 May 1839, 2, http://nla.gov.au/nla.news-article12855839.
[61] 'No Title', *Australian (Sydney, NSW : 1824 - 1848)*, 3 October 1839, 2, http://nla.gov.au/nla.news-article36859381.
[62] 'Original Correspondence.', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 24 December 1839, 2, http://nla.gov.au/nla.news-article2546694; 'CAUSE OF THE PRESENT INEFFICIENCY OF THE POLICE, AND MEANS OF IMPROVING IT.', *Sydney Herald (NSW : 1831 - 1842)*, 13 November 1839, 3, http://nla.gov.au/nla.news-article12857224.
[63] 'BERRIMA.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 29 January 1840, 85, http://nla.gov.au/nla.news-article230136555.
[64] Society for the Improvement of Prison Discipline and for the Reformation of Juvenile Offenders, *Remarks on the Form and Construction of Prisons: With Appropriate Designs.* (London: The Committee of the Society for the Improvement of Prison Discipline, 1826), https://catalog.hathitrust.org/Record/008691829; 'Berrima Correctional Centre | Heritage NSW', accessed 24 November 2020, https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=3360094; Cf. U. R. Q. Henriques, 'The Rise and Decline of the Separate System of Prison Discipline', *Past & Present*, no. 54 (1972): 72.

This separation of offenders, away from other prisoners and divided into different classes, was one of the outcomes of the prison reform movement in late 18th century Britain which dramatically changed the way prisoners were treated and how prisons were designed. By the 1770s, "the squalor of the gaols" in England had been "intensified by overcrowding due to the rise in population and the numbers of convicts reprieved from death sentences under an insouciant parliament's rapid augmentation of capital offences. British prisons were traditionally horrible; but at a time when imprisonment was beginning to emerge as a regular form of punishment, not merely of confinement pending trial and sentence, they seem to have been affected by the same sort of decay in administration as the eighteenth-century poor law and other social services."[65] Conditions were chaotic, abuse, extortion, bribery and theft were rife, everything (including hard liquor) was available if you had money, while those who had nothing were starving. Overcrowding was a serious issue:

> "The filth, squalor and vermin of the prisons were notorious. In Newgate forty prisoners slept on the floor of wards built for twenty-four. All the people sentenced to transportation, with their children, slept in one bed. The gaol fever engendered by vermin (a form of typhus) had been known to emerge into the courts, killing witnesses, jury and judge. There was no adequate sanitation, no provision for keeping the inmates occupied by work or education, no separation of new or old offenders, pretty thieves or violent criminals, young or old, sane or lunatic."[66]

Through slow and intermittent reform of the system, conditions improved. Driven by late 18th century humanitarianism and increased knowledge about the effect of hygiene and ventilation on diseases, there were calls to refine punishment and make it more effective.[67] Although there were different views on how and why to reform the system, all agreed in principle on "the twin aims of deterrence and reformation" and on the priority given to "ventilation and hygiene, the enforcement of industry, the imposition of moral and religious instruction to inculcate habits of obedience and sobriety, an end to the indiscriminate association of criminals with each other. All stressed the importance of this latter point."[68]

In order to stop young offenders being corrupted by hardened criminals, the idea of complete separation was born and gained popularity. This not only involved solitary confinement in separate cells, but many early 19th century prisons in England also classified and separated their inmates based on sex, type of offence, and stage of prosecution/conviction.[69] This "became increasingly common in the first two decades of the nineteenth century, and received official blessing in Peel's Prisons Act of 1823."[70] The Act defined the classes to be adopted and the essentials of prison discipline, involving "classification, inspection, regular labour and religious and moral instruction."[71]

By then, indiscriminate hanging had been rejected by public opinion, and death sentences became increasingly rare, and even if they were given, they rarely resulted in the actual death of the prisoner.[72] Instead, other severe forms of punishment were created, as there was still a need for deterrent. An improved treadwheel was invented in 1822, and "at first it was used to grind corn or pump water, or as a means of exercise. But it soon became a mere method of punishment, 'grinding air'."[73] The SIPD fully supported the call for greater deterrence,

[65] Henriques, 'The Rise and Decline of the Separate System of Prison Discipline', 61.
[66] Henriques, 62.
[67] Henriques, 63.
[68] Henriques, 64.
[69] Henriques, 66.
[70] Henriques, 67.
[71] Henriques, 71.
[72] Henriques, 67.
[73] Henriques, 68.

however, Elizabeth Fry, well-known prison reform campaigner and sister-in-law of SIPD chairman Sir Samuel Hoare, warned in 1835 "against undiluted solitary confinement, indiscriminate use of the treadwheel, poor diet and penal labour for women."[74]

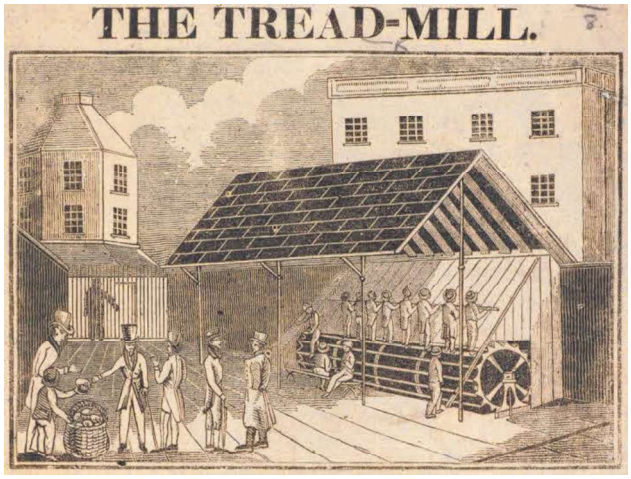


Figure 6: Detail from unknown broadside, c1817, featuring the tread-mill at Brixton, England. This specific tread-mill could accommodate 24 prisoners at a time, who worked the stepped wheel and held a bar at chest height. New prisoners joined at the far left, allowing each prisoner to have a rest period of 12 minutes every hour. The wheel operated subterranean machinery to grind corn. (Source: 'Broadside about the Tread-Mill at Brixton Prison', The British Library (The British Library), accessed 24 November 2020, https://www.bl.uk/collection-items/broadside-the-tread-mill)

Although the separate system required space and was therefore expensive to build, it was successfully introduced in America and became very popular in England, resulting in the opening of the model prison 'Pentonville' in 1842.[75] This gaol was constructed to hold "young, strong convicts between eighteen and thirty-five, condemned for serious first offences"[76] for eighteen months confinement before being sent to Australia, some even with tickets of leave. Pentonville is said to have been one of the most feared of the new prisons, where inmates were kept on their own in their cells in complete silence – silence now also being a characteristic of the separate system (silence was also part of the slightly different 'silent system').[77] If prisoners were let out for exercise and for going to chapel, they still sat separately and even wore masks, so they could not even see the other prisoners.[78]

While the 1840s were the "great age of the separate system"[79] in England, when numerous prisons were constructed based on the concept, by then Australia had already started to build prisons accommodating the system, based on the work and publications by the SIPD which were discussed in Sydney's newspapers from the early 1830s.[80]

Formed in c1818,[81] the SIPD had in 1826 published a pamphlet that included designs for a prison, or 'house of correction', for either two hundred or fifty prisoners.[82] The proposed design for a 50-head prison involved three wings radiating from the central building, with provisions for extension, if required.[83] Specific instructions were given for the arrangement and layout of rooms, including floor plans (Figure 7-Figure 9). According to the proposed

[74] Henriques, 72.
[75] Henriques, 73–75.
[76] Henriques, 78.
[77] 'An Overview of Separation and Silence - Victorian Crime and Punishment from E2BN', accessed 26 November 2020, http://vcp.e2bn.org/justice/page11683-an-overview-of-separation-and-silence.html.
[78] 'The Separate and Silent Systems - Attitudes to Punishment – WJEC - GCSE History Revision - WJEC', BBC Bitesize, accessed 26 November 2020, https://www.bbc.co.uk/bitesize/guides/z8bd3k7/revision/7.
[79] Henriques, 'The Rise and Decline of the Separate System of Prison Discipline', 78.
[80] 'ADVANCE AUSTRALIA Sydney Gazette.', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 9 February 1832, 2, http://nla.gov.au/nla.news-article2204923; 'MAGISTRATE FOR THE WEEK—JOHN PIPER, Esq.', *Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 24 April 1823, 2, http://nla.gov.au/nla.news-article2181823.
[81] 'MAGISTRATE FOR THE WEEK—JOHN PIPER, Esq.', 2.
[82] Society for the Improvement of Prison Discipline and for the Reformation of Juvenile Offenders, *Remarks on the Form and Construction of Prisons*.
[83] Society for the Improvement of Prison Discipline and for the Reformation of Juvenile Offenders, 51.

floor plans, a mill house (with an associated bakehouse) was to be located adjacent to the entrance buildings which contained separate reception rooms for men and women. These reception rooms included baths for washing and troughs for washing linen (females only), as well as ovens for fumigation of clothes. Treadwheels for the grinding of corn (operated by prisoners sentenced to hard labour) were also provided in the open areas, and the gaol had visiting lobbies where prisoners could see their family and friends. Privies were located at the end of each wing. The recommendation was to provide day rooms as well as night cells, in addition to the outdoors areas and the solitary confinement cells.

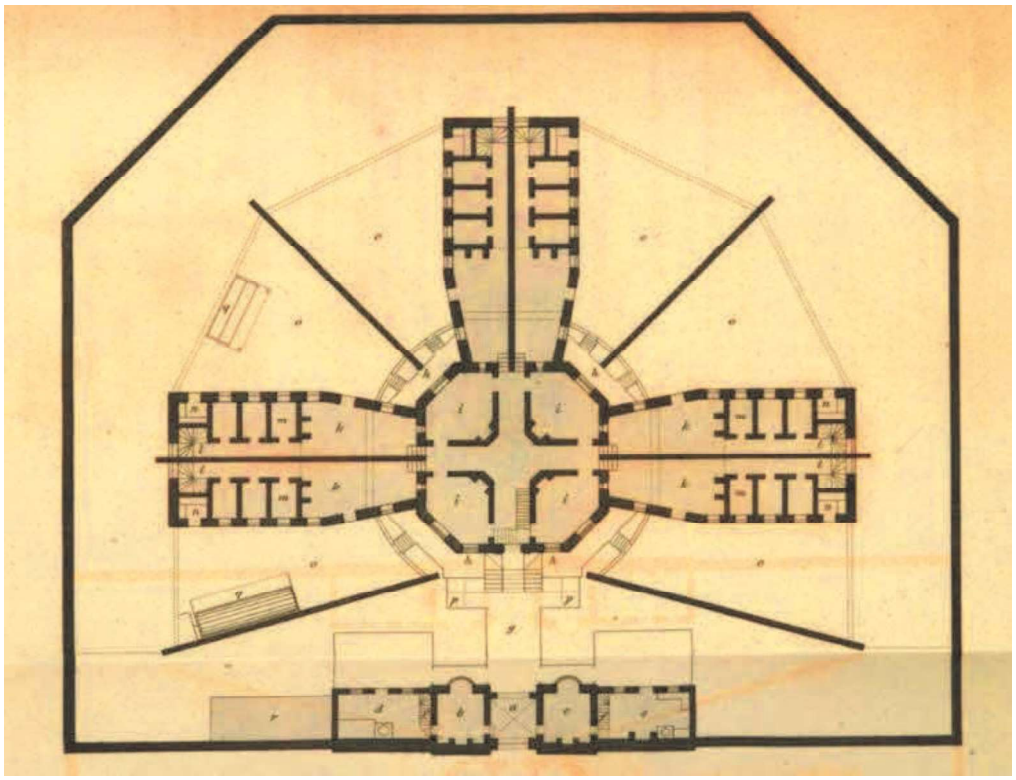


Figure 7: Proposed typical ground floor plan for a gaol containing fifty prisoners, from the 1826 publication by the SIPD. The entrance buildings (at bottom) contained the gatekeeper's room (b) and admissions office (c) adjacent to the entrance gateway and arched lobby (a). Reception rooms for male (d) and female (e) prisoners contained basins, troughs and ovens for washing and cleaning. The mill house (r) with associated bakehouse was located adjacent to the entrance. The mill was serviced by tread-wheels (q) activated by prisoners sentenced to hard labour, located in the airing courts (o) which were enclosed with iron railing at each end. Visiting lobbies (p) were located at the end of an enclosed court/passage (g) leading to the central building which contained the governor's apartments (i), on slightly elevated level for better observation. The radiating wings contained prisoners' day wards (k), solitary confinement cells (m) and privies (n). A sunk passage (h) around the central building led to the kitchen and storerooms in the basement. The passage was arched where it passed under the wing. (Source: Society for the Improvement of Prison Discipline and for the Reformation of Juvenile Offenders, Remarks on the Form and Construction of Prisons: With Appropriate Designs. *(London: The Committee of the Society for the Improvement of Prison Discipline, 1826), https://catalog.hathitrust.org/Record/008691829)*

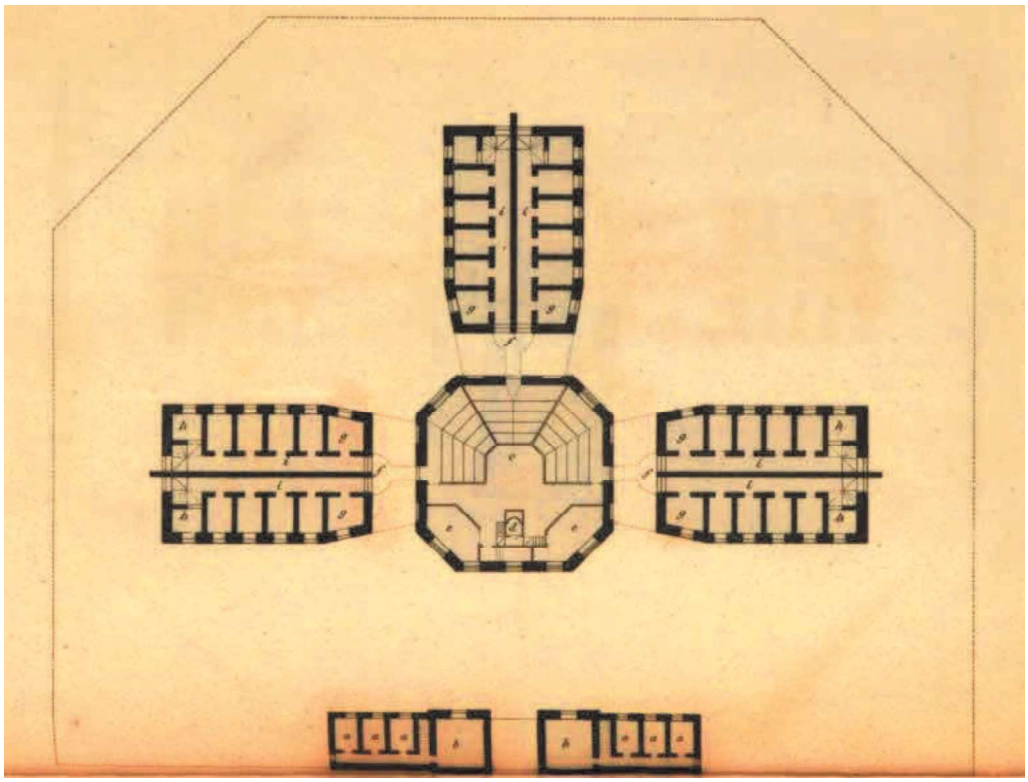


Figure 8: Proposed typical upper floor plan for a gaol containing fifty prisoners, from the 1826 publication by the SIPD. The entrance buildings (at bottom) contained the reception night-cells (a) and store rooms for clothing etc (b). The upper floor of the central building comprised a chapel (c) with pulpit (d) and elevated pews for officers (e). Entrance to the chapel was by way of covered passages (f) continuing on from the internal passages (i). The upper storey wings contained sleeping cells (g) and solitary confinement cells (h). The wings were not connected to the central building to provide better ventilation. (Source: Society for the Improvement of Prison Discipline and for the Reformation of Juvenile Offenders, Remarks on the Form and Construction of Prisons: With Appropriate Designs. *(London: The Committee of the Society for the Improvement of Prison Discipline, 1826), https://catalog.hathitrust.org/Record/008691829)*

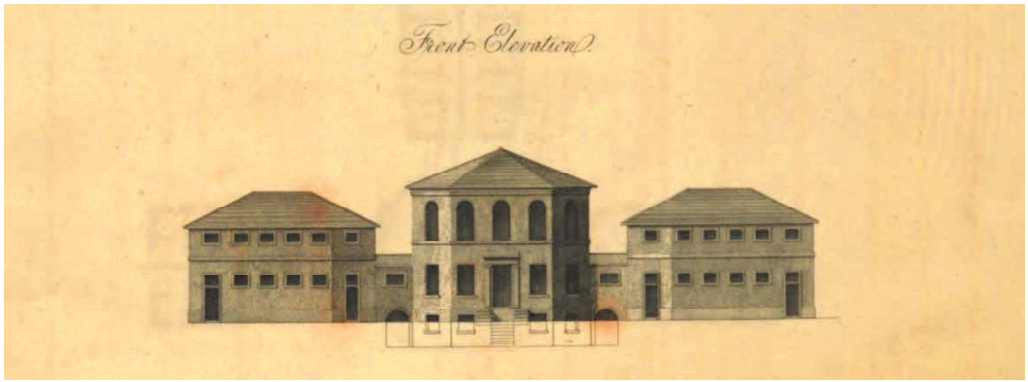


Figure 9: Proposed typical front elevation for a gaol containing fifty prisoners, from the 1826 publication by the SIPD, showing the central building at centre. (Source: Society for the Improvement of Prison Discipline and for the Reformation of Juvenile Offenders, Remarks on the Form and Construction of Prisons: With Appropriate Designs. *(London: The Committee of the Society for the Improvement of Prison Discipline, 1826), https://catalog.hathitrust.org/Record/008691829)*

While the Berrima Gaol appears to have been based on these overall design ideas, the building was initially only single storey and likely did not contain any day rooms or tread-wheels. If prisoners were sentenced to hard labour by treadmill, it appears they were sent to Sydney's treadmills instead, which had been installed in 1823.[84] No reference to treadmills or tread-wheels at Berrima could be found during this research. As Berrima Gaol was initially

[84] 'Treadmill', Sydney Living Museums, 12 July 2017, https://sydneylivingmuseums.com.au/convict-sydney/treadmill.

only single storey, the chapel was located in the outbuildings adjoining the front entrance, next to the school room (see Figure 16).

Berrima was one of a number of gaols commenced during the 1830s, together with other important prisons such as Darlinghurst (opened in 1841) and Parramatta (1842).[85]

2.3.3 EARLY PRISONS IN NEW SOUTH WALES

The first domestic prisons in the colony were located at Sydney and Parramatta, commissioned by Governor John Hunter in 1796.[86] Another gaol had been built on Norfolk Island in 1792.[87] These gaols were not built to lock up transported convicts, instead housing criminals who had committed crimes after having arrived in the colony. They were simple timber buildings with rows of individual cells on either side of a central corridor.

After the Parramatta and Sydney gaols had been destroyed by fire soon after construction, the replacement buildings, built from stone, lasted until the mid-1830s. The new male prison at Parramatta contained a 'female factory' on the upper floor until a new, separate facility on the banks of the Parramatta River was completed for female offenders in 1821, known as the 'Female Factory'.[88] This was completed under Governor Macquarie, who also commissioned the Hyde Park Barracks in Sydney, completed in 1819.[89] Although both were places of confinement, they served slightly different purposes than the penitentiaries that were built in Liverpool, Windsor, and Newcastle during the first two decades of the 19th century. These early masonry gaols were of a standard type, "consisting of a transverse central passage flanked by wards which were in turn flanked by individual cells."[90]

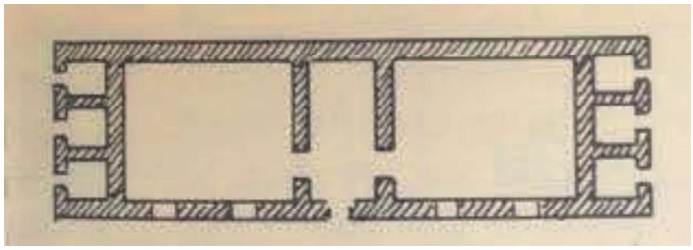


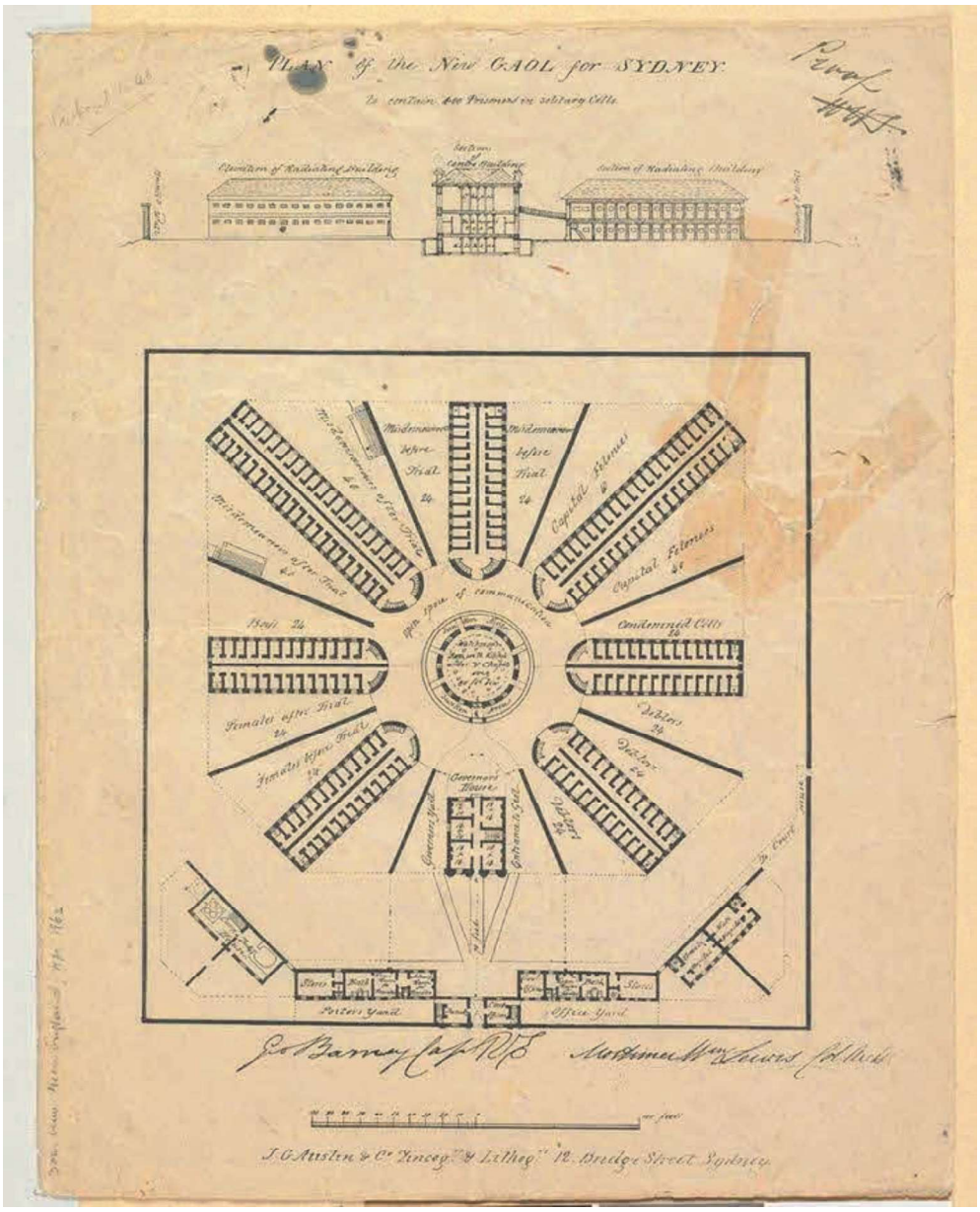
Figure 10: Sketch of the standard type of NSW gaol plan during the first two decades of the 19th century, as depicted in J. S. Kerr's 1988 publication 'Out of Sight, Out of Mind'. (Source: Kerr, Out of Sight, out of Mind, 23)

By 1835, Sydney Gaol on George Street had become dilapidated and insecure. It was subsequently relocated to Darlinghurst, where the foundations and part of the walls and gatehouse for a new prison had been laid as early as in 1822-24.[91] In 1835, the Legislative Council voted to spend £10,000 for the completion of Darlinghurst Gaol which was constructed by convict labour from 1836 until its completion in 1841. The 1836 design by Colonial Architect, Mortimer Lewis, had drastically been changed by Colonial Engineer, George Barney, who proposed wings "radiating outward like the spokes of a wheel from a central circular surveillance building."[92]

Like Berrima (completed in 1839), Darlinghurst was based on the design ideas promoted by the SIPD, as were other gaols commenced during the 1830s, such as the new Parramatta

[85] 'THE MONUMENTS OUR FATHERS MADE.', 5.
[86] 'Prisons to 1920 | The Dictionary of Sydney', accessed 19 January 2021, https://dictionaryofsydney.org/entry/prisons_to_1920.
[87] Kerr, *Out of Sight, out of Mind*, 22; Philip Goad, 'Prison Architecture', in *The Encyclopedia of Australian Architecture* (Port Melbourne VIC: Cambridge University Press, 2012), 562.
[88] Goad, 'Prison Architecture', 562.
[89] Kerr, *Out of Sight, out of Mind*, 22.
[90] Kerr, 22–23.
[91] 'Prisons to 1920 | The Dictionary of Sydney'.
[92] Goad, 'Prison Architecture', 562.

(1842),[93] Port Macquarie (1840)[94] and Kingston (Norfolk Island) gaols (partly finished in 1840).[95] None of these gaols was based on the 'Panopticon' gaol type first proposed by Jeremy Bentham in 1791 and constructed in various locations across the Europe and America,[96] "although the name was often loosely applied to a cruciform or radial gaol".[97] From the 1840s, it was the specific plan of Pentonville Prison, constructed in 1842 in England, "with its radial corridor wings linked to a converging or central hall which came to dominate in the penal colonies of Australia, as it did in Europa and the USA, along with the continuing basic form of corridor block."[98]



[93] Dictionary of Sydney, 'Parramatta Gaol', *Dictionary of Sydney* (blog), 14 January 2015, https://home.dictionaryofsydney.org/parramatta-gaol/.
[94] Terry Kass, 'A History of Port Macquarie Gaol to 1920', May 2001, 4.
[95] Kerr, *Out of Sight, out of Mind*, 46–48.
[96] UCL, 'The Panopticon', Bentham Project, 17 May 2018, https://www.ucl.ac.uk/bentham-project/who-was-jeremy-bentham/panopticon.
[97] Kerr, *Out of Sight, out of Mind*, 1.
[98] Kerr, 1.

Figure 11: Plan of the New Gaol for Sydney, c1840, signed by Mortimer Lewis and George Barney. (Source: State Library of NSW, Call No. SSV1/Gao/Darh/1, Digital Order No. a928156)

Kerr has noted that Berrima was the only gaol in the colony to be completed with the longitudinal wall running the length of the wing, allowing further classification and separation of prisoners.[99] Although the c1840 plan of Darlinghurst Gaol noted those walls, they were later deleted.[100] On the other hand, Darlinghurst Gaol and the new Parramatta Gaol (1842) involved a new feature that had been introduced in the additions at the Female Factory in 1837 – an open space at the centre of the wing, spanning all floors in place of the corridor.[101] This enabled surveillance of all floors from one single location near the door. That novel feature was repeated at the new gaols at Goulburn (c1840-45), Bathurst (c1840-c1845) and Maitland (1846-48). However, these later gaols consisted of a single cell range instead of the radial layout of Darlinghurst and Parramatta Gaols.[102]

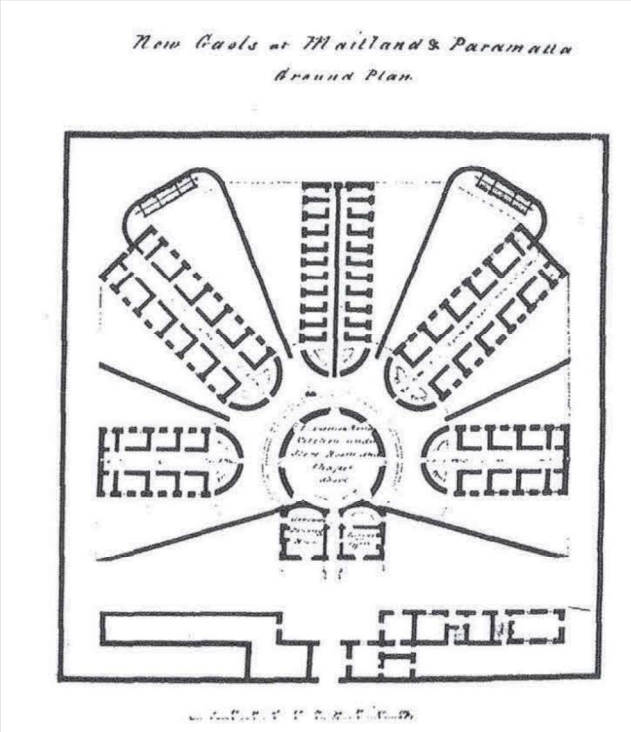


Figure 12: Plan for new gaols at Maitland and Parramatta, 1837. A/NSW, CS Returns, 4/269. The plan does not entirely reflect the gaol as it was built. (Source: James Semple Kerr, 'Parramatta Correctional Centre. Its Past Development and Future Care' (Department of Corrective Services, n.d.), 10 Fig 9)

2.3.4 FIRST PHASE OF OPERATION AT BERRIMA (1839-47)

After having been completed in 1839, Berrima Gaol was busy during the early 1840s, when "some of the most desperate criminals were incarcerated there."[103] There were also a number of executions by hanging, including the following:

> "Patrick Curran, notorious bushranger, was executed for murder Oct. 21st, 1841; Martin Beach and Lucretia Dunkley for murder, October 29th, 1841; John Lynch (murderer of eleven persons), April 22nd, 1842. The last person to be hanged at Berrima was Henry Atkins, also for murder, on the 8th October 1844."[104]

[99] Kerr, 37.
[100] Kerr, 43.
[101] Kerr, 44–45.
[102] Kerr, 46.
[103] 'H.M. Prison, Berrima.', *Scrutineer and Berrima District Press (NSW : 1892 - 1948)*, 12 August 1922, 2, http://nla.gov.au/nla.news-article125399973.
[104] 'H.M. Prison, Berrima.', 2.

Hanging was the accepted form of execution under British law and was until around 1855 carried out as part of a public spectacle, with the gallows usually erected for the specific occasion "in the market place, sometimes outside the gaol gate and sometimes within or on the gaol wall, but always in sight of the public."[105] John Lynch, for instance, is said to have been executed on a purpose-built scaffold on the Berrima Green.[106] After public hangings were abandoned in the mid-1850s, executions were usually carried out within the gaol itself, often in the upper floors of the cell blocks.[107]

Berrima's first governor was Henry Forster, and the town was the only one south of Sydney to have a gaol and a court where the periodic assizes (criminal courts) and quarter sessions were held.[108] It served the entire southern district until June 1847, when Goulburn Gaol was officially proclaimed and the assizes were relocated to the new prison "from the dull little village of Berrima.[109] There were now two districts in the Southern Circuit, known as the Goulburn Circuit District and the Berrima Circuit District.[110] Shortly later, the Legislative Assembly refused to spend any more money on Berrima Gaol, and the prison was closed, much to the desperation of the inhabitants of the town.[111]

2.4 BERRIMA AS MODEL PRISON OF SEPARATE SYSTEM (1860-C1890)

2.4.1 RE-OPENING AND MAJOR ADDITIONS (1860-66)

By the late 1850s, an increase in population and crime had made it necessary to reopen Berrima Gaol.[112] It is likely that the old gaol had still served as a lockup when required, as on 12 July 1859, when the government officially proclaimed several regional lockups and watch houses as public gaols, prisons and houses of correction, Berrima was listed as one of the lock-ups.[113] Quarter sessions were held again in Berrima from May 1859,[114] and in January 1860, the *Sydney Morning Herald* announced that Berrima was one of six gaols where additions and improvements were to be made, with the others being Windsor, Campbelltown, Newcastle, Muswellbrook and Port Macquarie.[115] At the same time, new gaols and court houses were to be constructed in several regional towns where quarter sessions had been introduced, including Mudgee, Orange, Wellington, Pambula, Braidwood, Eden, Tamworth, Armidale, Grafton, Yass, Gundagai, Wagga Wagga, Albury, and Deniliquin.

It appears that the works at Berrima were initially limited to repairs, as tenders for repairs were sought by the Department of Public Works from 24 September 1860.[116] The tender of R. N. Matthews was accepted in November 1860.[117] On 8 October 1860, William Henry

[105] Kerr, *Out of Sight, out of Mind*, 157.
[106] 'ROUGH WAYS', *Sun (Sydney, NSW : 1910 - 1954)*, 2 May 1931, 7, http://nla.gov.au/nla.news-article224709258.
[107] Kerr, *Out of Sight, out of Mind*, 157.
[108] 'BERRIMA JAIL.', *Goulburn Herald and Chronicle (NSW : 1864 - 1881)*, 14 July 1866, 4, http://nla.gov.au/nla.news-article100870032.
[109] 'Goulburn Gaol (1847 - 1928) / Goulburn Reformatory (1928 - 1949) / Goulburn Training Centre (1949 - 1993) / Goulburn Correctional Centre (1993 -)' (State Archives & Records NSW, n.d.); 'SOME BUILDERS OF BERRIMA', *Daily Telegraph (Sydney, NSW : 1883 - 1930)*, 25 April 1914, 23, http://nla.gov.au/nla.news-article239138349; 'THE SOUTHERN CIRCUIT.', *Sydney Chronicle (NSW : 1846 - 1848)*, 16 June 1847, 2, http://nla.gov.au/nla.news-article31752277.
[110] 'THE SOUTHERN CIRCUIT.', 2; 'PROCLAMATION.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 15 June 1847, 647, http://nla.gov.au/nla.news-article230676213.
[111] 'BERRIMA', *Sydney Morning Herald (NSW : 1842 - 1954)*, 31 August 1847, 2, http://nla.gov.au/nla.news-article12891572.
[112] 'BERRIMA JAIL.', 4.
[113] 'PROCLAMATION.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 12 July 1859, 1545, http://nla.gov.au/nla.news-article228600060.
[114] 'LOCAL INTELLIGENCE.', *Goulburn Herald and County of Argyle Advertiser (NSW : 1848 - 1859)*, 7 May 1859, 2, http://nla.gov.au/nla.news-article118245753.
[115] 'COUNTRY WORKS.', *Sydney Morning Herald (NSW : 1842 - 1954)*, 13 January 1860, 8, http://nla.gov.au/nla.news-article28629269.
[116] 'TO BUILDERS AND OTHERS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 2 October 1860, 1861, http://nla.gov.au/nla.news-article229948436.
[117] 'LOCAL AND PROVINCIAL.', *Goulburn Herald (NSW : 1860 - 1864)*, 10 November 1860, 2, http://nla.gov.au/nla.news-article102586805.

Maybury was appointed as the new gaoler.[118] Apart from the gaoler, there was to be a clerk, dispenser (who had a wife and children), turnkey and constables at the gaol.[119] The initial cohort of 30 prisoners was selected in order to "do the necessary repairs to the out-buildings of the prison now in a state of great dilapidation."[120] The number of inmates was to be increased to one hundred as soon as repairs were carried out. With the initial repairs carried out, the gaol was subsequently designated to receive invalid prisoners from other gaols.[121]

However, plans for additional works were prepared soon afterwards. Tenders for additions at Berrima Gaol were sought by the Colonial Architect's Office in July 1861, and fresh tenders were requested in September 1861 and March 1862.[122] In April 1863, tenders were sought for "removing boundary wall, etc", and R. N. Matthews' tender was approved in May that year.[123] A plan for the proposed improvements, drawn by the Colonial Architect in 1863, is included in Figure 13 below. By September 1863, the wings of the gaol had been increased to contain an additional storey, and the gaoler's residence had been built within the confines of the gaol.[124] All the works were designed by James Barnet, who had joined the Colonial Architect's office under Alexander Dawson as clerk of works in 1860, became Acting Colonial Architect in 1862 and succeeded Dawson as Colonial Architect in 1865.[125]

[118] 'BERRIMA GAOL.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 9 October 1860, 1911, http://nla.gov.au/nla.news-article229948666.
[119] 'Tenders. SUPPLIES FOR GAOL, BERRIMA.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 24 August 1860, 1579, http://nla.gov.au/nla.news-article229947361.
[120] 'COUNTRY NEWS.', *Goulburn Herald (NSW : 1860 - 1864)*, 28 November 1860, 3, http://nla.gov.au/nla.news-article102585004.
[121] 'THE MURDER IM BERRIMA GAOL.', *Empire (Sydney, NSW : 1850 - 1875)*, 16 December 1862, 8, http://nla.gov.au/nla.news-article60520293; 'DARING ESCAPE OF PRISONERS.', *Empire (Sydney, NSW : 1850 - 1875)*, 5 October 1863, 4, http://nla.gov.au/nla.news-article60549355.
[122] 'TO BUILDERS AND OTHERS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 2 August 1861, 1657, http://nla.gov.au/nla.news-article225136422; 'TO BUILDERS AND OTHERS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 20 September 1861, 2016, http://nla.gov.au/nla.news-article225137902; 'TO BUILDERS AND OTHERS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 8 April 1862, 701, http://nla.gov.au/nla.news-article225231798.
[123] 'TO BUILDERS AND OTHERS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 8 April 1863, 823, http://nla.gov.au/nla.news-article225242264; 'REGULATIONS FOR THE LEVEE.', *Sydney Mail (NSW : 1860 - 1871)*, 9 May 1863, 5, http://nla.gov.au/nla.news-article166654481.
[124] 'ANOTHER ESCAPE FROM BERRIMA GAOL.', *Goulburn Herald (NSW : 1860 - 1864)*, 19 September 1863, 2, http://nla.gov.au/nla.news-article102852368.
[125] 'PERSONAL.', *Sydney Morning Herald (NSW : 1842 - 1954)*, 17 December 1904, 11, http://nla.gov.au/nla.news-article14643562; D. I. McDonald, 'Barnet, James Johnstone (1827-1904)', in *Australian Dictionary of Biography* (Canberra: National Centre of Biography, Australian National University), accessed 12 January 2021, http://adb.anu.edu.au/biography/barnet-james-johnstone-2939.

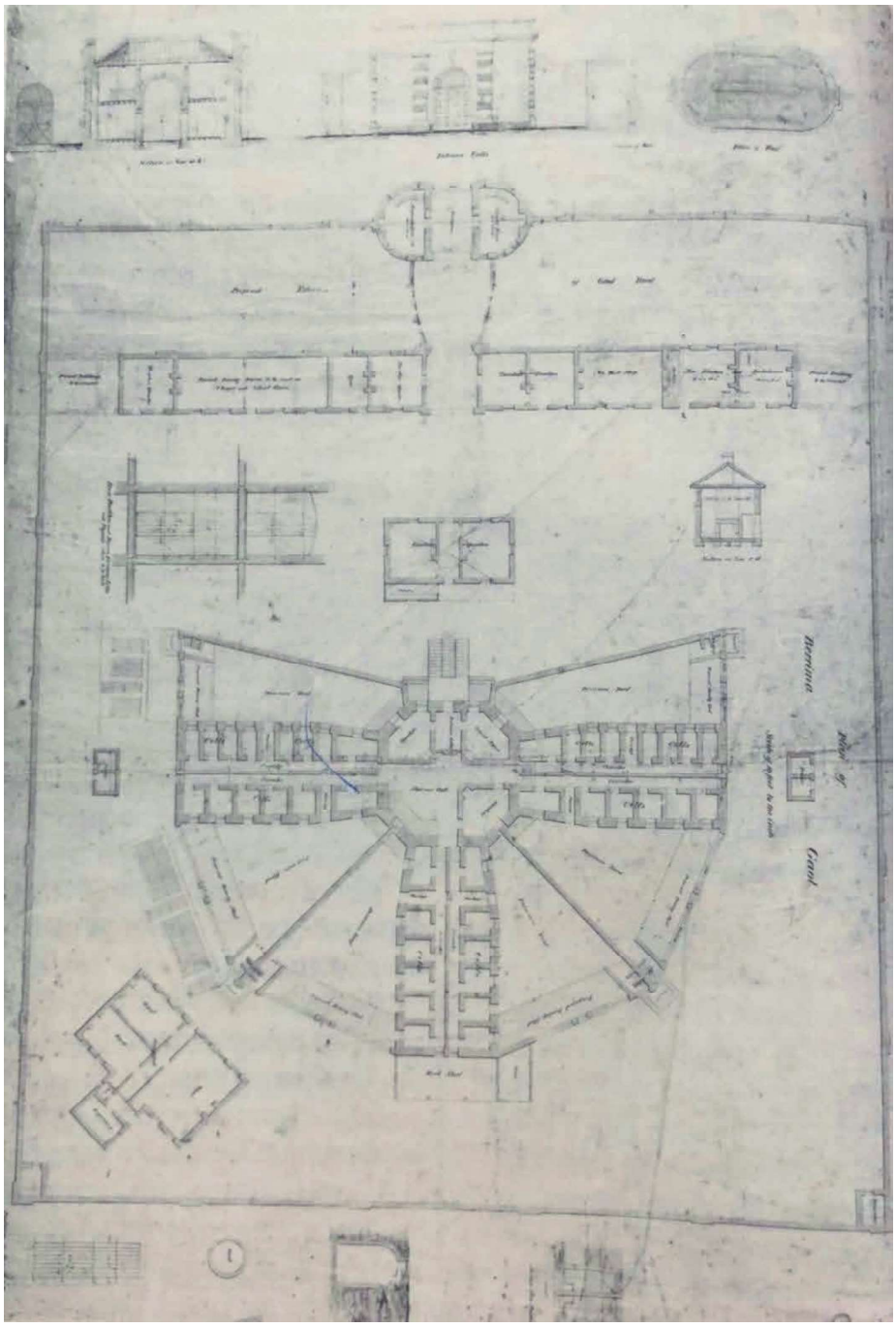


Figure 13: Plan from the Colonial Architect's Office, dated 1863, showing the proposed improvements at Berrima Gaol. (Source: Kerr, Out of Sight, out of Mind, 38 Cat. 42)

The new gaoler's residence was a double storey building of simple design, with a verandah facing the central gaol building. The residence is shown in a pencil drawing dated 1875 (Figure 14). The frontage contained garden beds with flowers, and a stone statue of Sir John Robertson, carved by a former prisoner, which "was not an artistic production, nor was the likeness of Sir John strikingly accurate; but we were much amused with the naturalness of the attitude, which was one of the most commendable features of the sculptor's efforts."[126]

[126] 'The Sketcher.', *Sydney Mail and New South Wales Advertiser (NSW : 1871 - 1912)*, 25 February 1882, 294, http://nla.gov.au/nla.news-article162031296.

The location of the governor's residence, directly in front of the central building, is shown on a site plan of Berrima Gaol (Figure 16) bearing the Colonial Architect's stamp dated 1867, signed by James Barnet on 2 July 1875, which shows the buildings constructed in 1834-49 and 1863-1866, as well as some later alterations (see Section 2.4.4).

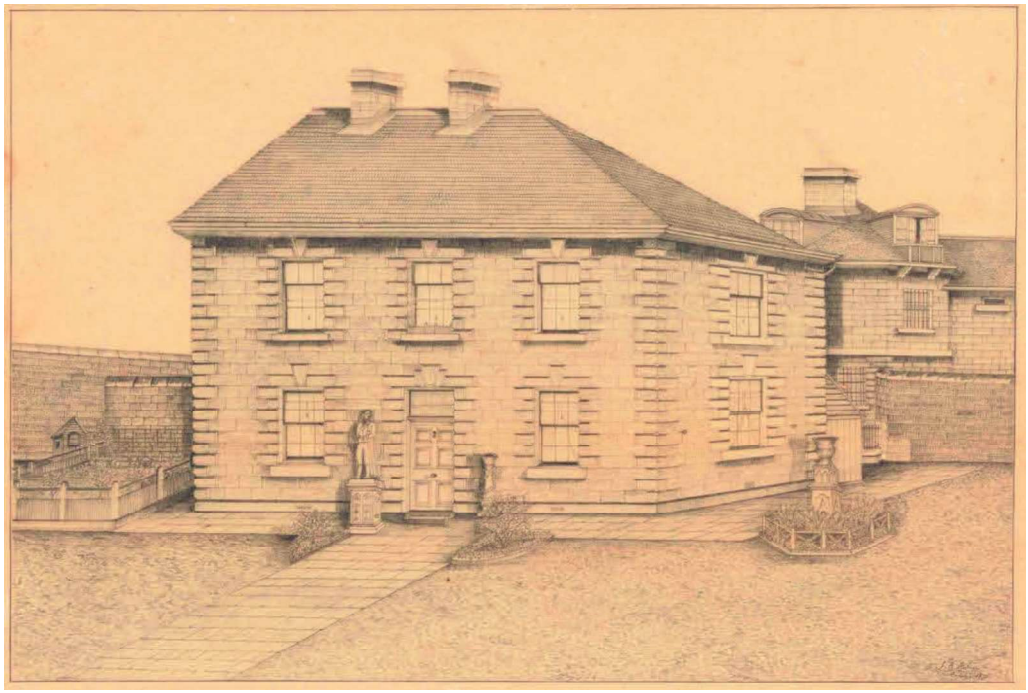


Figure 14: October 1875 - 'Drawing of Governor's house, Berrima Gaol, NSW' by J. E. Aubrey. Pencil drawing showing the double storey gaoler's residence inside the gaol's walls, fronted and flanked by garden and flower beds and a statue of Sir John Robertson, made by a prisoner. Visible in the background are the central building and outer walls of the exercise/airing yards. The path on lower left leads to the entrance of the gaol. (Source: State Library of NSW, Call No. V/216, Digital Order No. a4421001)

It appears that the extensive alterations to the gaol were undertaken in stages, with the works to the boundary wall, involving a new gate, carried out last. The Department of Public Works sought tenders for "Alterations and Additions, Gaol, Berrima" from 27 June to 11 July 1865.[127] The tender of R. N. Matthews was accepted for the works in August, and in October 1865 the tender from John Taylor for "erection of a boundary wall etc." was accepted.[128] At that time the alterations and additions, carried out under the superintendence of the government inspector Mr. Peattie, to the design from the Colonial Architect's office under James Barnet, were progressing well.[129] The alterations were completed by July 1866 and described as follows:

> "A new house has been built for the keeper of the prison; and the central building (...), together with the corridors and cells, have been raised another story, thus doubling the accommodation. Two of the airing-yards have been left their original size, being intended for the use of prisoners who have been released from the first stage of punishment, or 'separate treatment' as it is termed', or whose offences are not of so serious a nature as to call for its infliction. Each of the remaining four yards has been divided into several smaller ones, and five additional yards similar in size to these smaller ones have been

[127] 'TO BUILDERS AND OTHERS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 30 June 1865, 1440, http://nla.gov.au/nla.news-article225852375.
[128] 'GOVERNMENT GAZETTE.', *Sydney Mail (NSW : 1860 - 1871)*, 19 August 1865, 3, http://nla.gov.au/nla.news-article166665205; 'GOVERNMENT GAZETTE.', *Sydney Mail (NSW : 1860 - 1871)*, 21 October 1865, 2, http://nla.gov.au/nla.news-article166660431.
[129] 'BERRIMA.', *Goulburn Herald and Chronicle (NSW : 1864 - 1881)*, 18 October 1865, 2, http://nla.gov.au/nla.news-article100828413; NSW Government Architect and State Library of New South Wales, *Imagine a City. 200 Years of Public Architecture in NSW*, 31.

> erected in the large outer yard. A new hospital has been built and watch towers erected, and the front outer wall is now being extended thirty feet, with an ornamental entrance-lodge containing quarters for the principal warder. Many minor additions have been made, as well as alterations from the original plan effected, all having increased security for their object."[130]

The wings of the T-shaped main building were raised as part of the first phase in 1863. They now had two storeys, with larger cells upstairs, now providing accommodation for 72 'ordinary' prisoners and about 30 so called 'billet men', men who had been given a 'billet' for good conduct and were now doing "the necessary work of the gaol".[131] Seventeen of those were wardens. The five additional yards for 'refractory' prisoners, mentioned above, were constructed in the south-western corner of the site, involving a rounded, small holding cell area (see Figure 29, cf. Section 2.4.3). All in all, there were now 19 yards, as shown on a later plan (Figure 16). Watch towers appear to have been constructed in the north- and southwestern corners of the gaol at that time (see Figure 13 and Figure 16).

In addition to the gaoler's residence, constructed in 1863 to the east of the central building, a new hospital was constructed in the north-western corner of the site sometime between 1863 and 1866, and as part of the 1865-66 works the front wall was moved forward by 30 feet, and a new arched entrance gate was built in this new wall, with the date 1866 inscribed.[132] The gaol wall, which was raised by about five feet at that time, was moved to increase the area of the gaol to about 1.5 acres and to separate the wall from the roofs of the outhouses at the front, which had previously been used in escapes.[133] The new main gate was connected with the old gate by a metal fence, forming a passage with curved sides.

The former main gate was retained and extended on both sides to form part of a long structure with a series of rooms, while those structures at either end - previously occupying the eastern corners of the gaol - were demolished to allow for secondary access from the new yard to the central building. A new kitchen with bakehouse was provided in the southern portion of this long structure, adjacent to a new workshop. A large school room was now located at the northern end. It appears that the new kitchen was used for a short time alongside the existing kitchen in the basement of the central building, which became the gaoler's kitchen.

2.4.2 THE SEPARATE SYSTEM AT BERRIMA GAOL

The alterations carried out in 1865-66 were made to strengthen the "separate treatment system" which was "neither more nor less than solitary confinement extended over a lengthened period."[134] While the prison's original design of 1834 had already been based on prisons accommodating the 'separate system', allowing for solitary confinement, it was not until 1866, that Berrima Gaol was officially declared a 'Model Prison' operating under the 'separate treatment system', albeit not exclusively.[135] A memorandum had been drawn up on 23 March 1865 by Harold Maclean, who had become Sheriff the year before, and Berrima was established as a 'Model Prison' in early 1866.[136]

[130] 'BERRIMA JAIL.', 4.
[131] 'BERRIMA GAOL.', 9 May 1868, 4; Berrima Gaol Inquiry Commission, 'Report of the Royal Commission, Appointed on the 2nd July, 1878, to Inquire into and Report upon the General Management and Discipline of the Gaol at Berrima; Together with the Minutes of Evidence and Appendices.', 8.
[132] 'BERRIMA GAOL.', 9 May 1868, 4; 'THE MONUMENTS OUR FATHERS MADE.', 5.
[133] 'General Intelligence.', *Golden Age (Queanbeyan, NSW : 1860 - 1864)*, 24 September 1863, 2, http://nla.gov.au/nla.news-article30634069.
[134] 'BERRIMA JAIL.', 4.
[135] Berrima Gaol Inquiry Commission, 'Report of the Royal Commission, Appointed on the 2nd July, 1878, to Inquire into and Report upon the General Management and Discipline of the Gaol at Berrima; Together with the Minutes of Evidence and Appendices.', 8.
[136] Berrima Gaol Inquiry Commission, 7.

On 24 August 1866, the Governor officially declared Berrima Gaol a place where male offenders were to "be detained and be liable to be kept to hard labor."[137] Berrima Gaol was now designated specifically for male prisoners, particularly those sentenced to severe punishment.[138]

In May 1866, the Colonial Secretary, Henry Parkes, had undertaken a tour of gaols in the colony and remarked that "the gaol at Berrima was the only one in the colony in which solitary confinement could be strictly enforced, and that it was the intention of the Government to carry out the severest punishments in that gaol, to remit punishments as deserved by removal to other gaols."[139] In February 1867, Harold Maclean's new regulations, based on Sir Walter Crofton's Irish system, were formally adopted.[140] Under the regulations, Class 1 prisoners, sentenced to the roads and public works for 5 years and more, were for the first 12 months subjected to 'separate treatment', with one hour of separate exercise per day. Half of the remaining period of their sentence was spent in a separate cell at night with associated hard labour during the day.[141] For the rest of the sentence these prisoners were treated like Class 2 inmates, those convicted of felony or misdemeanour and sentenced to roads and public works or imprisonment with hard labour up to 5 years. These were kept in separate cells at night and subjected to hard labour during the day, but eligible for billet employment after serving half their sentence under hard labour. Further easing of restrictions applied to additional classes sentenced to less severe punishments.

Those sentenced to five years or more were sent to Berrima for the first twelfth part of their sentence, and difficult prisoners from other gaols were also sent there to be "subdued", so that the prison always held "some of the most desperate characters of the colony."[142]

In May 1866, while the gaol was being enlarged, it was described in the *Empire* by a visitor:

> "This gaol has been fitted for the reception of refractory prisoners. There are nineteen separate yards [see Figure 16], where prisoners sentenced to separate confinement, are allowed to walk for an hour a day. The towers [sic, likely means yards] radiate round watch towers, from which they can be all seen at a glance. While all under the eye of the warder or guard, the prisoners cannot see one another. Excellent as the arrangement is for the purpose for which it is designed, there has been a great waste of public money in building a tower within the gaol yard, almost under the corner tower on the wall, which would have answered every purpose. The inner tower and the two walls which spring from it, hide the separate yards from the view of the warder on the corner tower, which would otherwise have overlooked them.
>
> The gaol is now being enlarged by an addition to the front, with a grand entrance too ornamental for a gaol. There were 59 prisoners there. We visited several in their cells. The cleanliness and order maintained throughout the establishment reflect credit on Mr. Small, the gaoler. The next morning we renewed the inspection of the gaol – and saw some of the prisoners paceing the separate yards, six in the workshop employed at boot making, and one who displayed great ingenuity in the manufacture of mats. Under the centre of the gaol are two cells perfectly dark, where desperate insubordination is

[137] 'BERRIMA GAOL.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 28 August 1866, 1997, http://nla.gov.au/nla.news-article225470828.
[138] 'BERRIMA GAOL.', 9 May 1868, 4.
[139] 'PRISON LIFE IN YASS.', *Sydney Morning Herald (NSW : 1842 - 1954)*, 12 May 1866, 5, http://nla.gov.au/nla.news-article13131035.
[140] Kerr, *Out of Sight, out of Mind*, 101–2.
[141] Kerr, 102.
[142] 'BERRIMA GAOL.', 4.

> subdued. An arrangement is made for the admission of air by means of a double wall, without allowing light to enter the cell. We went in and had the door shut to test the darkness which was perfect; and in case of necessity can hardly fail in a few hours to make the most violent offender submissive. Another method of reducing the refractory is by a gag, of Mr. Small's devising, consisting of a flat piece of wood about three inches long by one and a-half wide, with a tube of an inch diameter and full two inches long running backward. From its appearance one would think it would choke the unhappy person who was condemned to wear it, but the gaoler assured us, that though a very effectual arrest of bad language, the only purpose for which it is used, it does not interfere at all with the breathing of the gagged.
>
> The bread used by the prisoners is made on the premises, and was pronounced to be too good – being better than many free persons in the colony can procure. From all we saw, I should gather that Mr. Small, while determined to enforce submission to gaol rule, and ready to adopt severe measures when necessary for that end, is considerate and willing to afford the prisoners all lawful comfort."[143]

The description of several men being employed in the workshop at boot making suggests that, although Berrima Gaol was a place of severe punishment, at least some of the prisoners were allowed to be in the same workshop, and many were working or learning a trade. In May 1866, "most of the prisoners" at Berrima were noted as being in the process of learning or practicing a trade, supplying shoes to the Tarban Creek Asylum.[144]

The *Goulburn Herald* in July 1866 also described the 'separate system' at Berrima in quite some detail, noting that the prisoner was confined to his cell alone, and was only able to see the warder, the visiting surgeon (once a day) and the chaplain (once a week).[145] He was allowed only one hour of exercise per day in one of the small yards, again completely alone, walking briskly. Only in wet or extremely hot weather he was allowed to seek shelter under the narrow sheds at each side of the yard.[146] When walking back from the yard or the chapel, he had to keep five yards apart from any other prisoner, and wear a mask, if required.[147] If the inmate required urgent assistance in his cell, he could turn a small brass handle which 1) activated a gong alerting the warder and 2) dislodged a flap with the cell number, pointing the warder in the right direction.

Each door had a small peephole covered with wire-gauze, enabling the warder to look inside while the prisoner could not see anything outside his cell. A trap in the door was used to deliver meals to the cell. As there had been incidents where bed-boards had been used as weapons and means of escape, beds now consisted of three wicker baskets which could be used as a bedframe at night but could also be stacked on top of each other to form a chair.[148] Each prisoner also had a slate and copy book (for writing) and books to read from the gaol library, and he was expected to partly support himself by working, such as "closing boots, making cabbage-tree hats, and doing tailors' work."[149] There was a schoolmaster teaching

[143] 'THE STATE OF THE SOUTHERN DISTRICT AND THE PROGRESS OF FREE SELECTION.', *Empire (Sydney, NSW : 1850 - 1875)*, 18 May 1866, 5, http://nla.gov.au/nla.news-article60593365.
[144] 'The Empire.', *Empire (Sydney, NSW : 1850 - 1875)*, 15 May 1866, 4, http://nla.gov.au/nla.news-article60594928.
[145] 'BERRIMA JAIL.', 4.
[146] 'BERRIMA GAOL.', 9 May 1868, 4.
[147] 'BERRIMA GAOL.', 4.
[148] 'ESCAPE OF TWO PRISONERS FROM BERRIMA GAOL.', *Goulburn Herald (NSW : 1860 - 1864)*, 9 March 1861, 2, http://nla.gov.au/nla.news-article102587700; 'EPITOME OF LATEST NEWS.', *Illawarra Mercury (Wollongong, NSW : 1856 - 1950)*, 21 August 1863, 3, http://nla.gov.au/nla.news-article136382822; 'THE SYDNEY MONTHLY OVERLAND MAIL.', *Sydney Morning Herald (NSW : 1842 - 1954)*, 21 April 1866, 5, http://nla.gov.au/nla.news-article13129937.
[149] 'BERRIMA JAIL.', 4.

those who could not read or write.[150] If the prisoner showed good conduct, his ration of meat was increased from four to eight ounces after one month.[151] Strict silence was enforced.[152]

Misconduct or refusal to work was punished by placing the prisoner in one of the dark underground cells, with bread and water, and if disorderly conduct continued, he was "placed between two doors (there being an outer and an inner door) and thus prevented from lying down."[153] The underground cells were walled and floored with heavy stonework, while the cells on the first floor had timber boarded floors.[154] It is unclear whether these underground cells were constructed as part of the 1865-66 works, in the area of the former kitchen in the basement of the central building, or whether they had been constructed earlier.

Torture was clearly seen as an acceptable form of punishment at Berrima Gaol, even though some sources noted in May 1868 that the 'separate system' prison had "operated so far successfully, that without including any of the violent kinds of corporal punishment in its regulations, 'Berrima gaol' has become a name of terror among convicts, and the fear of return to it has tended much to the more orderly conduct of prisoners in other gaols."[155]

2.4.3 1878 INQUIRY INTO BERRIMA GAOL

Berrima Gaol was overseen by William Small, governor or gaoler, who had been appointed on 1 June 1863.[156] He lived with his wife in the double storey governor's residence, built inside the walled area of the gaol in 1863. A "whaler in his youth", he was in 1878 said to be a "tall, upright, fine-looking man, with grey hair and whiskers, and quick penetrating eyes"[157] who looked stronger and healthier than his age, which was estimated at fifty.

The gaol was governed by the *Gaols Act of the Colony* (Statute 4 Victoria, No. 29) and the associated *Regulations* for the management of the Gaols of the Colony, issued on 19 February 1867.[158] By 1878, more and more reports about cruelty at Berrima Gaol had become public, and an official inquiry into the governorship of William Small, the gaoler, was held that year, as part of a Royal Commission.[159]

The report of the inquiry, published on 28 November 1878, contained a description of the central building and its adjacent yards:

> "In the centre of the building, where the three wings join, there is a clear space called the landing on each floor, raised a few feet above the level of the wings, to which access is gained by means of stone steps, the entrances being guarded by iron gates. On these landings warders are stationed to attend to the calls of the prisoners in the separate cells."[160]

[150] 'BERRIMA GAOL.', 9 May 1868, 4.
[151] 'BERRIMA JAIL.', 4.
[152] 'BERRIMA GAOL.', 9 May 1868, 4.
[153] 'BERRIMA JAIL.', 4.
[154] 'BERRIMA GAOL.', 9 May 1868, 4.
[155] 'BERRIMA GAOL.', 4.
[156] 'BERRIMA GAOL.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 2 June 1863, 1245, http://nla.gov.au/nla.news-article225243846; 'BERRIMA', *Sydney Mail (NSW : 1912 - 1938)*, 18 October 1933, 12, http://nla.gov.au/nla.news-article165963091.
[157] 'AT BERRIMA.', *Sydney Morning Herald (NSW : 1842 - 1954)*, 16 July 1878, 5, http://nla.gov.au/nla.news-article28392981.
[158] Berrima Gaol Inquiry Commission, 'Report of the Royal Commission, Appointed on the 2nd July, 1878, to Inquire into and Report upon the General Management and Discipline of the Gaol at Berrima; Together with the Minutes of Evidence and Appendices.', 8.
[159] Berrima Gaol Inquiry Commission, 'Report of the Royal Commission, Appointed on the 2nd July, 1878, to Inquire into and Report upon the General Management and Discipline of the Gaol at Berrima; Together with the Minutes of Evidence and Appendices.'
[160] Berrima Gaol Inquiry Commission, 8.

The ground floor contained 42 small cells, while there were 34 larger cells upstairs, with 3 cells for the 'billets'.[161] By then, the furniture in each cell consisted of a small board again, "fixed in a corner of the cell to serve as a table, and a cane stool."[162] However, in order to avoid any trouble, the beds were simply removed every morning and returned each night. A copy of the prison regulation also hung in each cell. The exercise yards were described as follows:

> "In each of the two angles formed by the wings there are six exercise yards, of triangular form, extending from the centre of the building outwards. They are divided by high partitions of galvanized iron, and are enclosed on the outer side by iron railings. In these yards every prisoner in separate confinement is allowed one hour's exercise daily, or more if the Visiting Surgeon think it necessary. In addition to these 'exercise' yards there are what are called 'special,' or, in the prison phraseology, 'stone' yards. They are six in number, of triangular form, and are divided by stone walls, enclosed in front by iron railings. Confinement during the day in these special yards is called 'special treatment', which is a less severe form of punishment than separate treatment, and to which refractory prisoners, who are sent from other gaols for 'coercion,' are subjected. Prisoners who have completed their term of 'separate treatment' are also kept in these yards to await their transit to another gaol." [163]

These 'special stone yards' were those located in the south-western corner of the gaol (Figure 29). In October 1874, the minimum sentence required for 'separate treatment' had been reduced from five to three years imprisonment with hard labour, or hard labour on the roads.[164] Each prisoner sentenced to three years or more hard labour had to undergo nine months of separate treatment at Berrima at the start of his sentence. From there he was, subject to good conduct, moved to Darlinghurst or Parramatta Gaol, where the punishment was less severe.

The specific matters raised in the 1878 inquiry were the excessive use of the gag (the use of which had on 24 April 1878 quasi been forbidden) and the excessively frequent placing of the prisoner in irons (which, as such, was allowed up to a maximum of 48 hours) in a torturous way known as 'spread-eagling.'[165] In this, the legs of the prisoner were placed in irons and separated by a heavy iron bar.[166] At the same time, the prisoner's hands were handcuffed behind his back and tied to an iron ring in the wall of his cell at around 4 feet from the ground, resulting in "the tricing up of a man by his wrists, with his feet not quite resting on the ground."[167] The punishment often involved use of the gag and excessive hours of being in irons. Another issue was the placing of prisoners between the double doors of the dark cells.

Out of a total of 370 prisoners who had gone through Berrima, 79 came forward as part of the inquiry, however, a proper assessment of the allegations was difficult. The report concluded that "those prisoners who have behaved well, and have conformed to rule, have had no cause to complain of Mr. Small, while with those who have been unruly and who have

[161] 'AT BERRIMA.', 5.
[162] Berrima Gaol Inquiry Commission, 'Report of the Royal Commission, Appointed on the 2nd July, 1878, to Inquire into and Report upon the General Management and Discipline of the Gaol at Berrima; Together with the Minutes of Evidence and Appendices.', 8.
[163] Berrima Gaol Inquiry Commission, 8.
[164] Berrima Gaol Inquiry Commission, 9.
[165] Berrima Gaol Inquiry Commission, 10.
[166] Berrima Gaol Inquiry Commission, 13.
[167] 'The Berrima Gaol Inquiry.', *Sydney Mail and New South Wales Advertiser (NSW : 1871 - 1912)*, 30 November 1878, 869, http://nla.gov.au/nla.news-article162694762.

attempted to set him and order at defiance, he has been in many cases a severe disciplinarian, oftentimes hasty and impatient, and occasionally harsh."[168]

The report made various recommendations, including that the prisoners should be allowed to write and receive letters from their relatives, which until then had not been allowed.[169] Other recommendations included the architecture of the prison, including an urgent requirement for cementing of the joints between the flags of the lower cells, as well as increase of cell space available to each individual prisoner as part of future alterations. However, in general the report played down any accusations of wrongdoing and things appear to have largely continued as before. William Small remained in charge until 1885, when he was promoted to Trial Bay where he remained for four years. [170]

2.4.4 SUBSEQUENT ALTERATIONS AND ADDITIONS (LATE 1860S-1880S)

By 1878 additional alterations and additions appear to have been carried out at Berrima Gaol, as suggested by drawings stamped 1867 and 1871, respectively, and signed by the Colonial Architect James Barnet on 2 July 1875 (Figure 16-Figure 18). One of these drawings shows a proposed new 'gaoler's kitchen' between the residence and the wall of the south-eastern airing yard (Figure 16). Also noted on this site plan was a proposed verandah to the hospital, with additional coloured annotations proposing extensions to each wing, while details for additional outbuildings and structures were only pencilled in, including a new watch tower in the south-eastern corner and an observation gallery along the southern boundary wall.

Some of these annotations may have been added at a later date and it is not entirely clear at what time and to what extent the proposed changes were carried out. The only reference found for alterations after 1866 dates from August 1875, when tenders for slating of the roof at Berrima Gaol were sought by the Colonial Architect's Office.[171] The tender of R.N. Mathews for "slating roof, etc." was accepted in September 1875.[172]

It is likely that the proposed new, separate kitchen to service the governor's residence was indeed built during the 1870s. A plan for 'Baths and Additions to Berrima Gaol' (Figure 18), bearing the Colonial Architect's stamp dated 1871 and Barnet's signature dated 2 July 1875, shows that this new kitchen was to replace the old gaoler's kitchen in the basement of the central building (cf. Figure 17). The old kitchen was proposed to be reconfigured into bathrooms and it is possible that these bathrooms were subsequently constructed. The Colonial Architect, James Barnet, wrote a letter to the Sydney Town Clerk in 1877, requesting the Mayor's approval for the "supply of about 1400 ft of 3inch cast iron water pipes and 2 bends, required for the water supply [to] Berrima Gaol."[173] Baths were in place in the basement by January 1885 at the latest, when it was recorded that "each prisoner gets a bath every week, and, if ordered by the doctor, oftener".[174] A new fountain with a carved bull's head (Figure 15) was added on the exterior of the northern gaol wall in 1877, facing Wilshire

[168] Berrima Gaol Inquiry Commission, 'Report of the Royal Commission, Appointed on the 2nd July, 1878, to Inquire into and Report upon the General Management and Discipline of the Gaol at Berrima; Together with the Minutes of Evidence and Appendices.', 36.
[169] Berrima Gaol Inquiry Commission, 37–38.
[170] 'BERRIMA', 18 October 1933, 12.
[171] 'TENDERS FOR PUBLIC WORKS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 30 July 1875, 2257, http://nla.gov.au/nla.news-article223686487.
[172] 'SPELLING-BEE.', *Goulburn Herald and Chronicle (NSW : 1864 - 1881)*, 15 September 1875, 2, http://nla.gov.au/nla.news-article100848754.
[173] James Barnet, 'Letter: The Colonial Architect Wrote to Request Approval for the Supply of about 1400 Ft of 3 Inch' (Colonial Architect's Office, Sydney, 2 January 1877), A-00302101, City of Sydney Archives, https://archives.cityofsydney.nsw.gov.au/nodes/view/1104021.
[174] 'A Visit to Berrima Gaol.', *Telegraph (Brisbane, Qld. : 1872 - 1947)*, 30 January 1885, 2, http://nla.gov.au/nla.news-article174166141.

Street.[175] The police and Magistrate's horses drank from the trough at the base of the fountain.

While the hospital verandah was also likely built during the 1870s, it appears that plans for the proposed new watch tower in the south-eastern corner of the goal, as well as extension of the cell block wings were shelved until the 1890s (see Section 2.5.2).

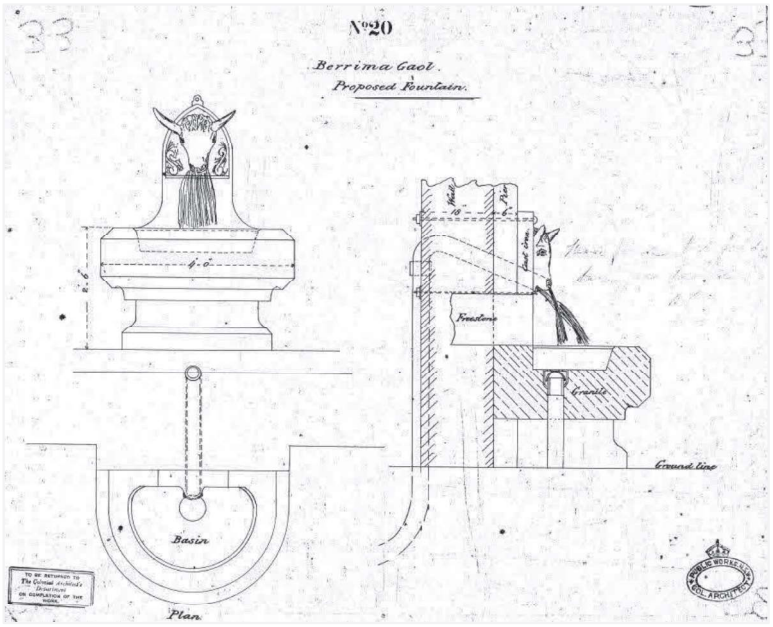


Figure 15: Plan for 'Proposed Fountain' with a carved bull's head and water basin. This was added on the eternal face of the north gaol wall in 1877. (Source: NSW Plan Services, PC47/74, Berrima Correctional Centre – Proposed Fountain Plan – Basin & Ground Line Plan)

[175] Rosalind Dale, *Opening a Window on Berrima's Past* (Moss Vale, NSW: Rosalind Dale and Corinne Dany, 2013).

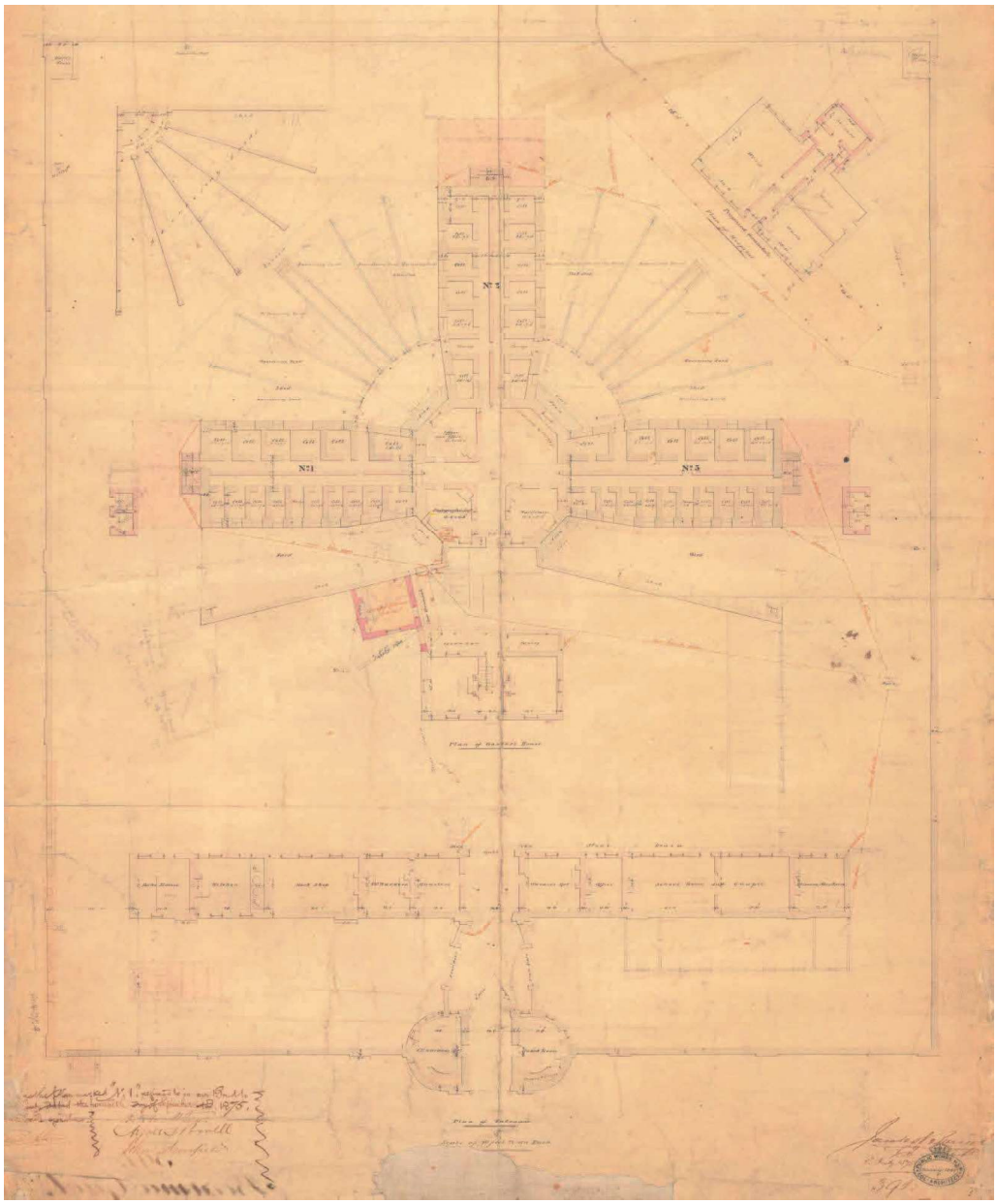


Figure 16: Detail from undated 'Plan of Berrima Gaol', containing the Colonial Architect's stamp dated 1867 and signed by James Barnet on 2 July 1875. The plan shows the new gaol entrance at bottom centre (1866), followed by a long wing containing the old entrance and associated buildings (all constructed 1839). Further up is the gaoler's residence (1863) with proposed new kitchen (coloured red and yellow), directly in front of the central building and its wings (ground floor: 1839; first floor: 1863), with its detached toilets, and airing and exercise yards (1839, further subdivided 1863-66). The hospital and watch tower are located at top right, with another watch tower and exercise yard at top left (all constructed 1863-66). Another tower at bottom left located outside the boundary wall, is shown shaded, suggesting that this was proposed at that time, together with a new gaoler's kitchen, hospital verandah, wing extensions, observation gallery and outbuildings. Some of these annotations may have been added at a much later date. (Source: NSW Plan Services, PC47/24, Berrima Correctional Centre – Site Plan)

Figure 17: Detail from undated 'Plan of Berrima Gaol', containing the Colonial Architect's stamp dated 1867 and signed by James Barnet on 2 July 1875. The plan shows the configuration of the basement prior to conversion of the gaoler's kitchen to bathrooms, including location of dark cells. (Source: NSW Plan Services, PC47/24, Berrima Correctional Centre – Site Plan)

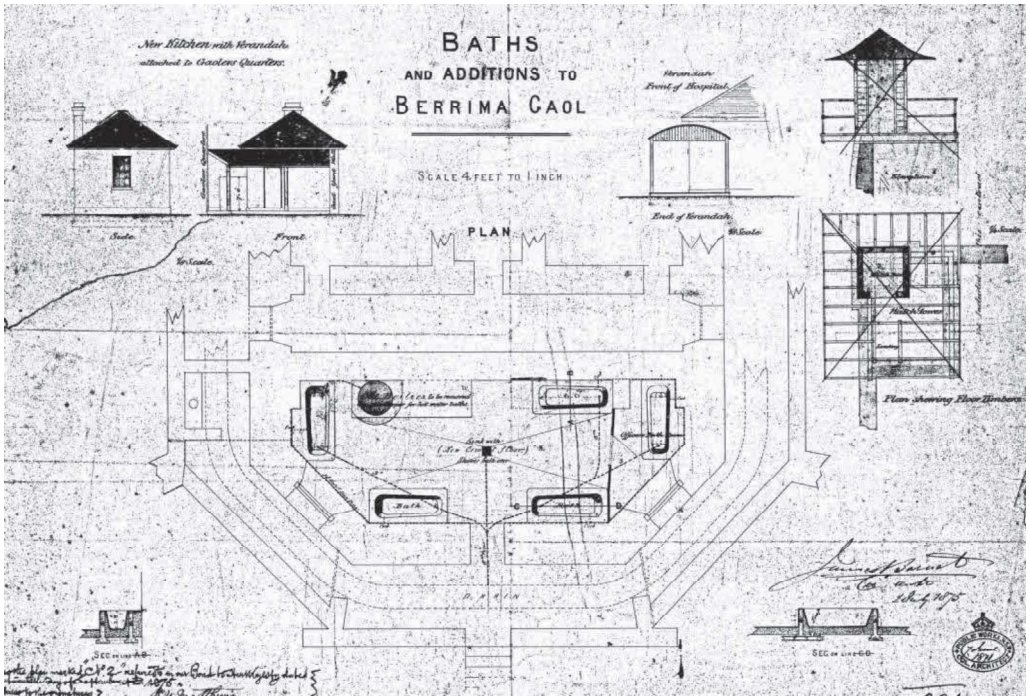


Figure 18: Plan for 'Baths and Additions to Berrima Gaol', containing the Colonial Architect's stamp dated 1871 and signed by James Barnet on 2 July 1875. The plan shows the proposed new configuration of the basement after conversion of the gaoler's kitchen to bathrooms, as well as details of the new gaoler's kitchen (top left), hospital verandah and watch tower (top right). (Source: NSW Plan Services, PC47/75, Berrima Correctional Centre – Baths & Additions - Plan & Elevations)

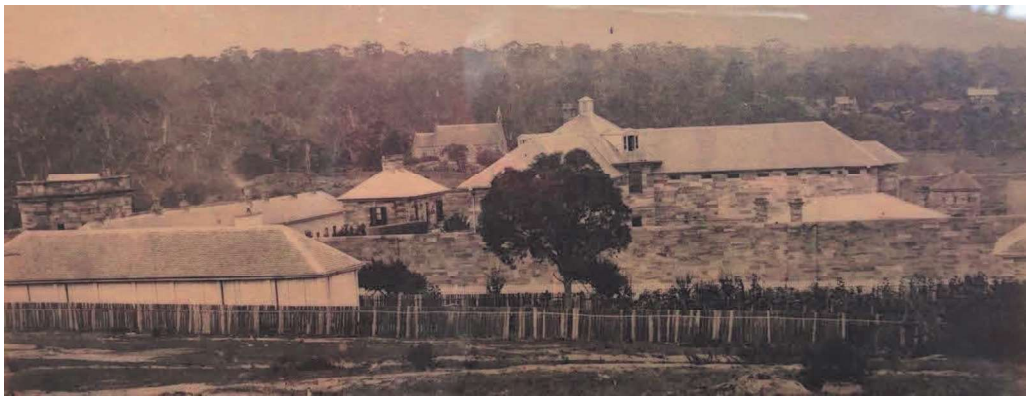


Figure 19: 1885 – Detail from photograph of Berrima Gaol as seen from the north, with the entrance gate on the left. The single storey former entrance wing is visible to the right of the entrance gate, followed by the double storey gaoler's residence. The central building from which the wings radiated is seen behind the tree. The roof of the hospital is just visible on the right, behind the wall. In the right background the enclosed corner adjacent to the 'stone' exercise yard is also visible. (Source: SLNSW, 'Berrima Gaol, SPF/Berrima, New South Wales – Gaols', 1885 PXA 431/Vol. 02/Item 17)

William Small continued to be in charge of the prisoners during the first half of the 1880s. Many of those incarcerated served terms of fifteen and twenty years; some even served life sentences. Small himself complained about the location of his residence within the gaol walls, which was reported in August 1883 to be in "an extremely undesirable position; being close to some of the cells, from which at times language of no choice nature proceeds. Mr. Small has repeatedly agitated for a residence outside the gaol, being as he owns tired of prison life, having served a term of over twenty years." However, Small never got his residence outside the gaol walls. In late 1885, after more than twenty years at Berrima Gaol, Small was appointed as the new governor at the newly established Trial Bay prison works.[176] He was farewelled with a ceremony on 29 December the same year.[177]

It was not until March 1887, that George Henry Stace was transferred from Maitland Gaol to become the new governor at Berrima Gaol, in replacement of Small.[178] However, Stace was moved to Bathurst in November the following year and replaced by John Paton, formerly at the gaol in Deniliquin.[179]

By June 1888, Berrima contained 100 prisoners and was seen as the most important prison in New South Wales after Darlinghurst, and one of five principal gaols in the State, including Parramatta, Goulburn and Bathurst.[180]

2.5 PRISON REFORM AT BERRIMA GAOL (1890S-1909)

The 1890s saw a number of extensive changes at Berrima Gaol, particularly during the second half of the decade from November 1896, after the appointment of a new Comptroller-General of Prisons, Captain Frederick William Neitenstein, who extensively reformed the

[176] 'Brevities.', *Evening News (Sydney, NSW : 1869 - 1931)*, 17 November 1885, 5, http://nla.gov.au/nla.news-article111348641.
[177] 'Local and General.', *Cumberland Mercury (Parramatta, NSW : 1875 - 1895)*, 9 January 1886, 4, http://nla.gov.au/nla.news-article248792982.
[178] 'GOVERNMENT GAZETTE.', *Daily Telegraph (Sydney, NSW : 1883 - 1930)*, 5 March 1887, 6, http://nla.gov.au/nla.news-article236749000.
[179] 'Government Gazette.', *Sydney Mail and New South Wales Advertiser (NSW : 1871 - 1912)*, 24 November 1888, 1092, http://nla.gov.au/nla.news-article161888749.
[180] 'OUR PRISON SYSTEM.', *Illustrated Sydney News (NSW : 1881 - 1894)*, 28 June 1888, 18, http://nla.gov.au/nla.news-article63621109.

prison system during his tenure.[181] All the works were carried out under the new Government Architect, Walter Liberty Vernon, who was appointed in 1890 and was in charge for the works at Berrima Gaol until his tenure ended in 1911.[182] During that time, until the closure of the gaol in 1909, the site was extended (1891), a new steam cooking plant and chimney were added (1892), the gaol was connected to electricity (1895), vegetable gardens were established outside the gaol walls (by 1897), a new Governor's Residence (1898) and Deputy Governor's Residence (1900) were constructed outside the gaol walls, the cell blocks extended and a new watch tower and observation gallery constructed (all in 1900), the smaller cells enlarged (1901), and a sewerage and drainage system laid out (1907). The works are described in further detail below.

2.5.1 SITE EXTENSION AND MINOR WORKS (1891-1896)

In November 1891, an additional area of 1 acre and 30 perches was dedicated as an extension of the gaol (Figure 20).[183] This was located on the south side of the existing site, extending from Argyle Street in the east to the river in the west. In August the following year, tenders were sought for supply of a steam-cooking plant and the erection of a chimney stack.[184] The chimney was constructed at the south end of the kitchen.

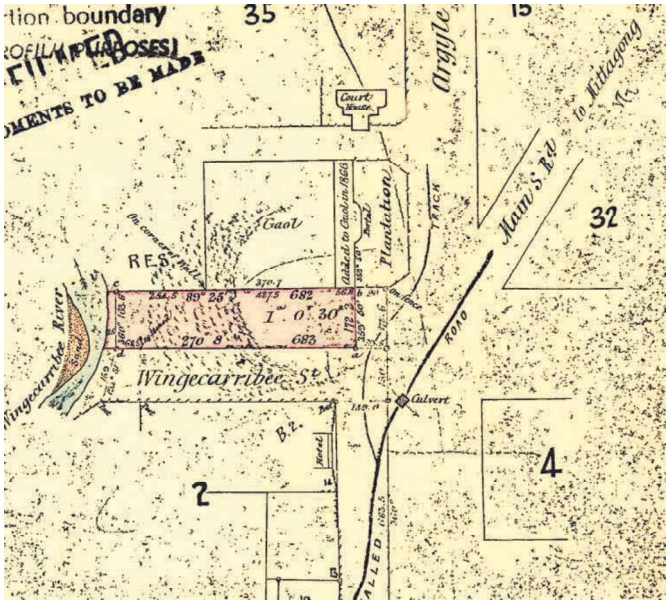


Figure 20: 1891 – Survey plan included in Crown Plan 276-3040, based on survey undertaken on 20 March 1891, showing the 'additional area for gaol purposes' shaded red. (Source: NSW RLS, Crown Plan 276-3040)

In 1892, another survey was undertaken, and additional parcels of land were added to the west and east of the gaol site, with the extended site, containing 3 acres, 3 rood and 3 perches, dedicated for Gaol purposes on 19 October 1894 (Figure 21).[185] Although the 1892 survey included two further sites, including the court house and police station site to the north of Wilshire Street, the 1894 dedication only included the following parcels of land:

- The original site of the gaol - 1 acre 2 rood 14 perches
- The land to the west of the gaol, extending to the river - 1 acre 1 rood 34 perches

[181] Stephen Garton, 'Neitenstein, Frederick William (1850-1921)', in *Australian Dictionary of Biography* (Canberra: National Centre of Biography, Australian National University), accessed 12 January 2021, http://adb.anu.edu.au/biography/neitenstein-frederick-william-7735.
[182] NSW Government Architect and State Library of New South Wales, *Imagine a City. 200 Years of Public Architecture in NSW*, 32.
[183] 'Berrima Jail.', *Goulburn Herald (NSW : 1881 - 1907)*, 13 November 1891, 4, http://nla.gov.au/nla.news-article103152186.
[184] 'Berrima Jail.', *Goulburn Herald (NSW : 1881 - 1907)*, 10 August 1892, 2, http://nla.gov.au/nla.news-article103160819.
[185] 'Government Gazette Notices', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 19 October 1894, 6598, http://nla.gov.au/nla.news-article220939722.

- The land to the east of the gaol, fronting Argyle Street – 2 rood 35 perches

The police and court house sites had been reserved from sale for police and court house purposes earlier, on 14 April 1894.[186] All of these dedications are shown in the Parish map included in Figure 22.

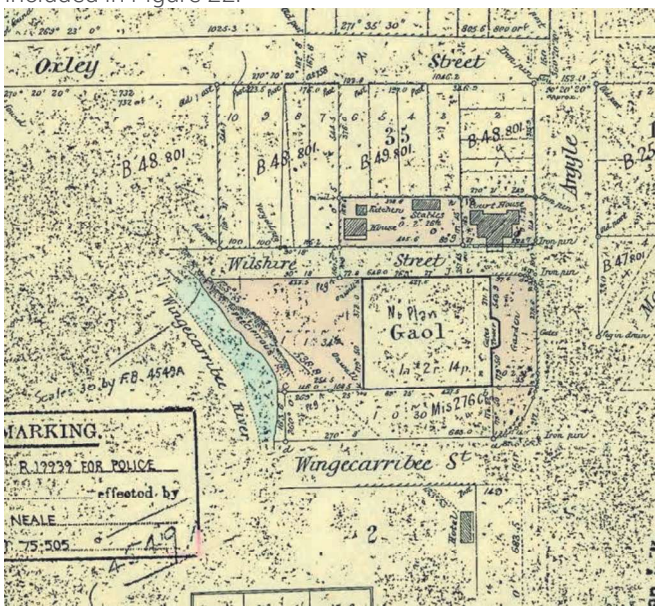


Figure 21: 1892 – Survey plan included in Crown Plan 416-3040, based on survey undertaken on 3 September 1892, showing additional land 'proposed to be dedicated for Police, Court House and Gaol Purposes', shaded in red. The land dedicated for gaol purposes in 1894 did not include the court house and adjacent site. (Source: NSW RLS, Crown Plan 416-3040)

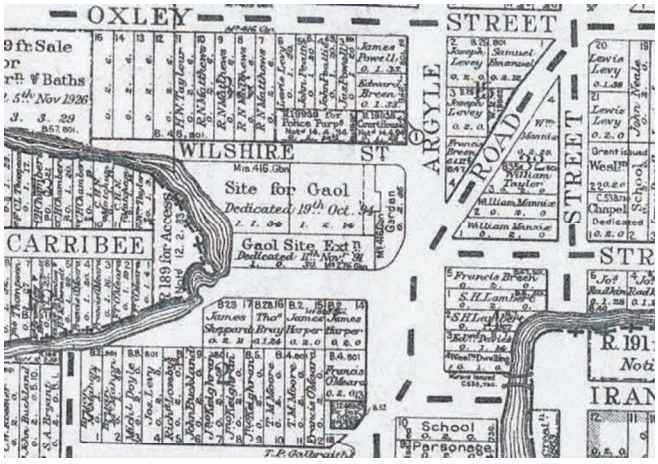


Figure 22: Undated – Parish Map showing the gaol site and its individual parcels of land as dedicated in November 1891 (gaol extension) and October 1894 (gaol including western and eastern portion. (Source: NSW RLS, HLRV, Parish Map, Parish of Berrima, County of Camden)

In September 1894, tenders for installation of electric light at the gaol were sought by the Government Architect's office,[187] and by February 1895, the new electric lighting had been installed by Charles Highland to the design and under the supervision of Mr. Row from the Government Architect's office.[188] Lamps were installed in cells, corridors and the hospital, as well as the governor's office and residence.

[186] 'RESERVES FROM SALE FOR POLICE PURPOSES.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 14 April 1894, 2466, http://nla.gov.au/nla.news-article222331203; 'RESERVE FROM SALE FOR COURT-HOUSE SITE.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 14 April 1894, 2465, http://nla.gov.au/nla.news-article222331198.
[187] 'TENDERS FOR PUBLIC WORKS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 28 September 1894, 6094, http://nla.gov.au/nla.news-article220938240.
[188] 'ELECTRIC LIGHT, BERRIMA JAIL.', *Goulburn Herald (NSW : 1881 - 1907)*, 11 February 1895, 4, http://nla.gov.au/nla.news-article100449419.

2.5.2 EXTENSIVE ALTERATIONS AS PART OF PRISON REFORM (1896-1909)

In November 1896, Captain Frederick William Neitenstein was appointed as the new Comptroller-General of Prisons and he immediately went on to extensively reform the prison system until his retirement in 1909.[189] Neitenstein for the first time introduced a new system known as the 'restricted association system' at Berrima Gaol on 13 October 1897, and due to its success at Berrima the system was subsequently used at all other prisons in the state.[190] Under the new system, the 'real criminals' among the prisoners were restricted further from associating with other prisoners:

> "Prisoners, instead of having their meals together in messes in their yards as formerly, now have them in their cells by themselves, and are only allowed to associate whilst at work, at church and school, and at present while washing themselves in the mornings and afternoons, on account of the cell furniture not being complete until the new tables and stools are made, and then it is intended that they shall wash in their cells."[191]

The new measures were intended to separate the first and minor offenders from the hardened criminals, while introducing new measures focusing on "discipline, surveillance, physical drill and a system of grading and marks."[192] Berrima gaol had around 72 prisoners by the end of 1897.[193] They were still largely allowed to be employed in the tailoring and shoemaking workshops, supplying the Stores Department, even though knitting was phased out. The recently dedicated area of around one acre to the south of the gaol had been cultivated by now, employing a working party of four prisoners on a nearly daily basis.[194]

Although the governor's residence had been fitted with electric lighting in 1895, it was still located within the gaol walls, in close distance to the cell block until the decision was finally made in 1897 to build a new residence that was more appropriately positioned and more comfortable for the governor and his family. Tenders for "Erection of New Quarters" were sought by June 1897,[195] and after accepting the tender of W. J. Green from Guildford in June 1897,[196] the tender of A. Stephens from Bowral was finally accepted in August 1897.[197]

Construction of the building by A. Stephens from Bowral, began around 1 October 1897 and by August the following year the roof was "on and the floor laid", however, it was only finished later that year.[198] The building, which was known as 'Oberon', is depicted in Figure 33 below. A photograph of the old gaoler's residence prior to its demolition (Figure 31) is included in a series of photographs taken in c1898 (Figure 23-Figure 32), showing the various buildings within Berrima Gaol at that time.[199] These photographs suggest that the watch towers in the north- and south-western corners of the gaol had been demolished by then, while several sentry posts had been built in various locations within the gaol instead.

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[189] Garton, 'Neitenstein, Frederick William (1850-1921)'.
[190] 'RESTRICTED ASSOCIATION IN OUR GAOLS.', *Illawarra Mercury (Wollongong, NSW : 1856 - 1950)*, 7 October 1899, 2, http://nla.gov.au/nla.news-article132320976.
[191] 'Berrima', *Robertson Advocate (NSW : 1894 - 1923)*, 12 August 1898, 4, http://nla.gov.au/nla.news-article113390843.
[192] Garton, 'Neitenstein, Frederick William (1850-1921)'.
[193] 'Berrima, 4.
[194] 'Berrima', 4.
[195] 'TENDERS FOR PUBLIC WORKS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 28 May 1897, 3661, http://nla.gov.au/nla.news-article224598885.
[196] 'Government Gazette Tenders and Contracts', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 23 June 1897, 4353, http://nla.gov.au/nla.news-article224600754.
[197] 'Government Gazette Tenders and Contracts', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 24 August 1897, 6045, http://nla.gov.au/nla.news-article222349248.
[198] 'Berrima, 4.
[199] The photographs within that series are said to be dated c1897, however, it is more likely that they were taken in 1898, as the new Governor's Residence is already shown as being completed up to and including roof level.

Figure 23: c1898 – The hospital at Berrima Gaol with its long verandah. End portions of exercise yards are visible at the bottom. Note the absence of the observation tower in the north-western corner. (Source: Berrima District Historical and Family History Society, Image Library, 'Section of Berrima Gaol, Berrima', 102879)

Figure 24: c1898 – Looking west along north wall, with No 5 post sentry box at left foreground, wash shed at centre, and hospital beyond. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol, Berrima NSW', 102888)

Figure 25: c1898 – 'Immediately inside entrance to wing showing a gate, staircase, clock and cupboard. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol wing entrance, Berrima NSW', 102890)

Figure 26: c1898 – North-east corner of the gaol, with numbering indicating 1) courthouse, 2) No 5 post, 3) lamproom, 4) library, 5) church and school room, 6) general store. Note the different material and colour of the gaol wall section in the area where formerly the north-eastern corner buildings (1839) stood, demolished in 1863-66. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol outer wall, service buildings and Berrima Courthouse, Berrima NSW', 102882)

Figure 27: c1898 – View of the old entrance gate and adjoining buildings, looking north-west. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol Yard, Berrima NSW', 102885)

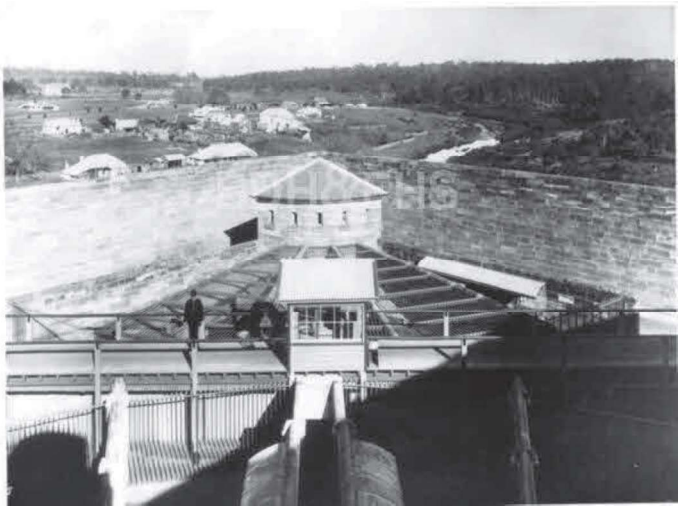


Figure 28: c1898 – South-west corner of the gaol, showing exercise yards for refractory prisoners and observation gallery, with wing yards in foreground. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima gaol refractory cell and separate yards, Berrima NSW', 102887)

Figure 29: c1898 – South-west corner of the gaol on the right, with stone cell for refractory prisoners and exercise yards. West wing visible on the left, and No 7 post (platform) at centre. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol yards and stone cell, Berrima NSW', 102883)

Figure 30: c1898 – No 7 post platform overlooking the rear exercise yards to the rear of the south wing. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol, Berrima NSW', 102342)

Figure 31: c1898 – The governor's old residence (1863) is still standing on the left, directly in front of the central building (on right). (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol, Berrima NSW', 102884)

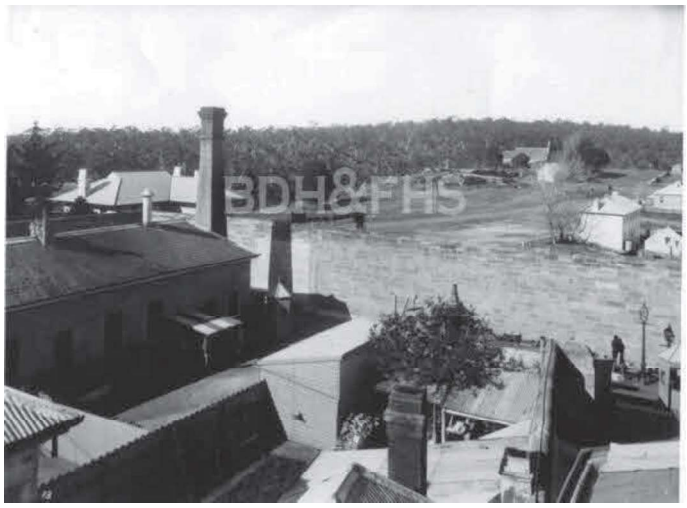


Figure 32: c1898 – Buildings between the southern cell block and the south-eastern corner, with the paint shop at centre, and No 8 post sentry box at right. The new chimney stack is noted as part of the kitchen and electric light plant building. The new governor's residence is visible in the left background. Note the different material and colour of the gaol wall section to the right of the chimney, indicating the location of the demolished corner buildings dating from the first phase of the gaol (1839). (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol, Berrima NSW', 102881)

Figure 33: c1898 (said to be c1896) – View of Argyle Street, Berrima, showing the new Governor's Residence, known as Oberon, at centre right. Note that the newly added area to the south of the gaol wall was fenced off and did not contain any buildings at that time. (Source: Berrima District Historical and Family History Society, Image Library, 'View of Berrima, Berrima NSW', 103487)

Additional proposed alterations took a little longer than planned. Among these were a new watch tower and residence of the deputy governor, applied for and recommended by the Comptroller-General by August 1898, and planned since as early as the 1870s (cf. Figure 18).[200] The new watch tower was to be erected near the south-east corner of the outer wall, to enable the withdrawal of the warder from No. 2 post (who had observed the second entrance gates), to the new tower. As the first armed post in Berrima Gaol's history, the warder was able to mechanically open and close the gates when required (using a lever system) and have full view of three corners within the gaol, including a view of the prisoners employed in the wood heap, which was "the most dangerous post inside the walls."[201]

[200] 'Berrima, 4.
[201] *Ibid.*

Tenders for "Erection of Additional Cells, Deputy Governor's Residence and other Works, H. M. Gaol, Berrima" were sought by 11 December 1899,[202] and fresh tenders were sought in January 1900.[203] Plans archived by the Public Works Department, dated 1899 (Figure 34-Figure 35), show that these works were for proposed extensions of the main cell block wings, as well as a new cottage for the deputy governor outside the gaol walls, near the north-eastern corner of the gaol boundary. This was also known as the 'Warden's Cottage'. The tender for the residence and the additional cells was awarded to J. Hines from Moss Vale, at a cost of £4759 and 14s in February 1900.[204] The plan shown in Figure 34 shows that a new watch tower and observation gallery (catwalk), originally proposed during the c1870s (cf. Figure 16), was now constructed in the south-eastern corner of the gaol, with the watch tower built alongside the external gaol wall. The new gallery is visible in Figure 36, which also shows the area to the south of the gaol wall, used to cultivate vegetable. This was fenced off at that time and did not contain any outbuildings (cf. Figure 33), suggesting that all outbuildings in this area of the site were constructed later.

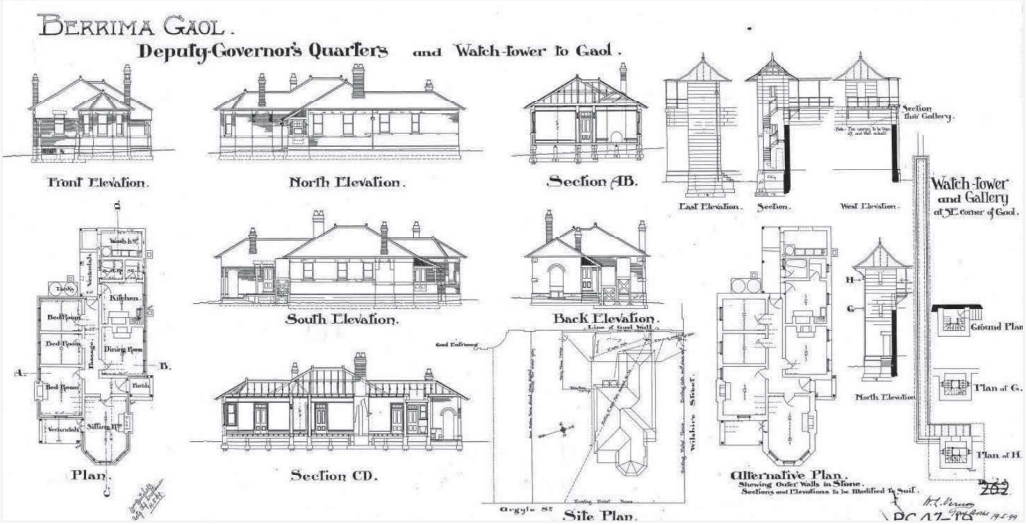


Figure 34: Plan signed by Walter Liberty Vernon, Government Architect, dated 19 May 1899, showing details of the proposed new Deputy Governor's Residence and Watch Tower with Gallery. (Source: NSW Plan Services, PC47/19, Berrima Correctional Centre – Deputy Governors Quarters Watchtower – Plan Elevations Sections & Site Plan)

[202] 'TENDERS FOR PUBLIC WORKS.', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 5 December 1899, 9111, http://nla.gov.au/nla.news-article221001010.
[203] 'Advertising', *Evening News (Sydney, NSW : 1869 - 1931)*, 16 January 1900, 8, http://nla.gov.au/nla.news-article117040305.
[204] 'Government Gazette Tenders and Contracts', *New South Wales Government Gazette (Sydney, NSW : 1832 - 1900)*, 23 February 1900, 1554, http://nla.gov.au/nla.news-article221015153; 'The Bubonic Plague.', *Goulburn Evening Penny Post (NSW : 1881 - 1940)*, 20 February 1900, 2, http://nla.gov.au/nla.news-article98699053.

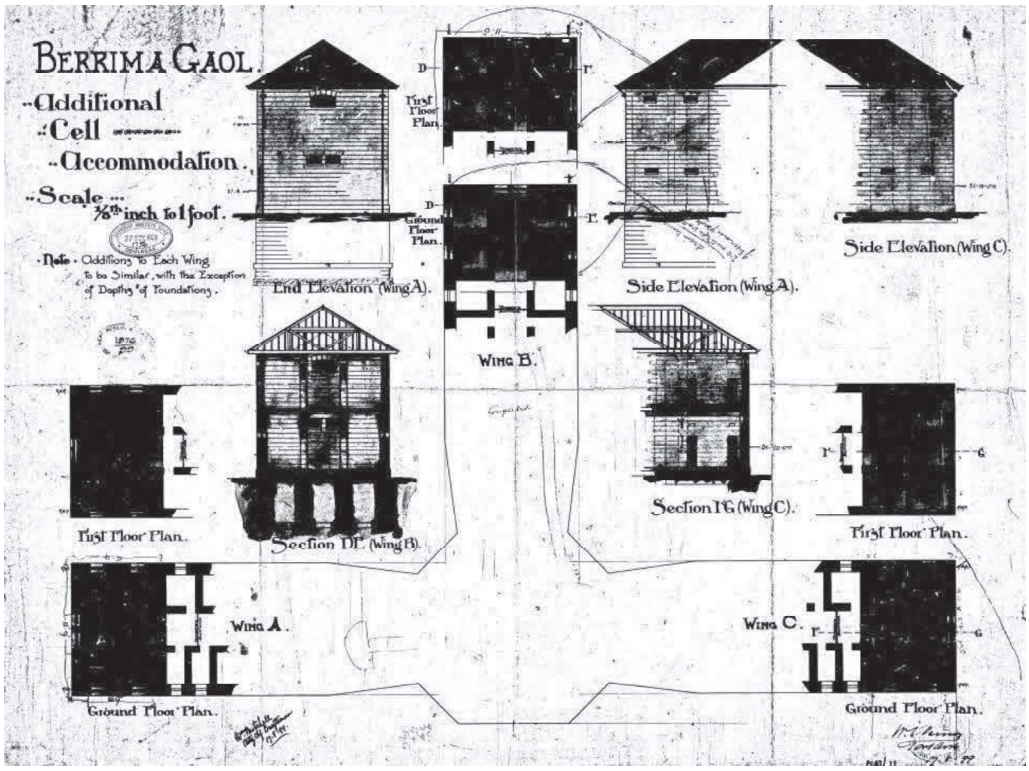


Figure 35: Plan signed by Walter Liberty Vernon, Government Architect, dated 17 August 1899, showing details of proposed extensions of cell block wings. (Source: NSW Plan Services, PC47/77, Berrima Correctional Centre – Additional Cell Accommodation – Ground & First Floor Plan – Plan Elevations Sections)

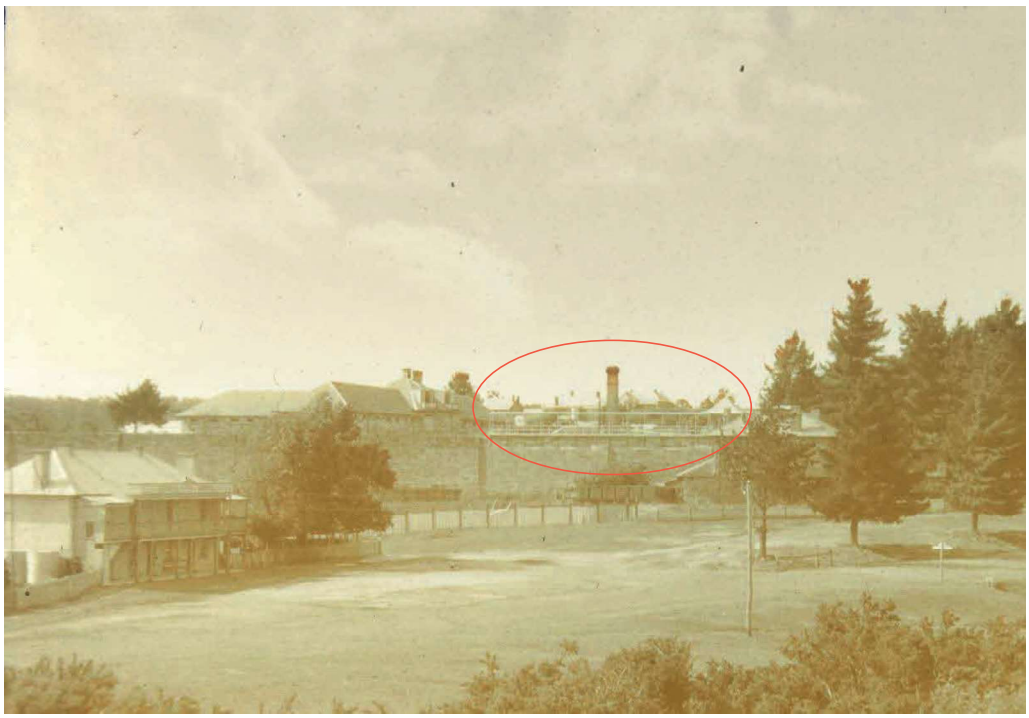
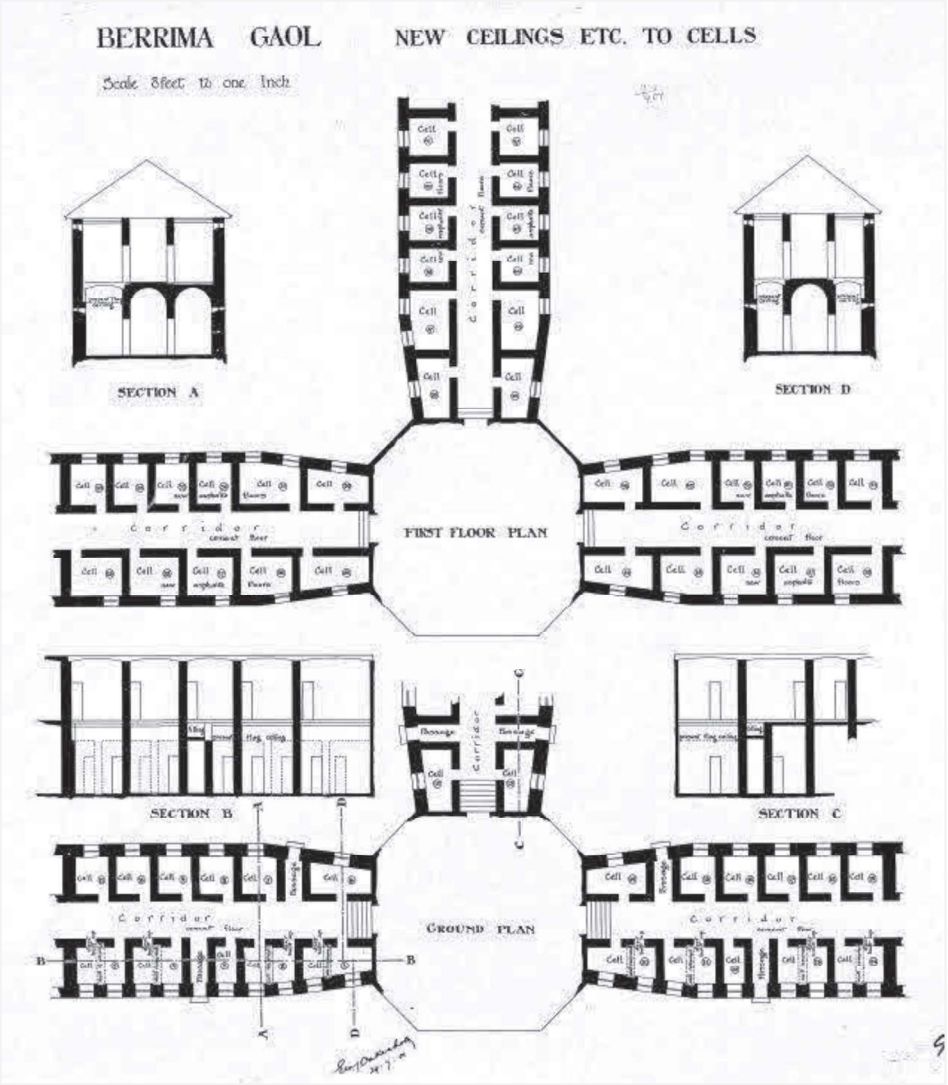


Figure 36: Undated photograph by J. H. Harvey, taken between 1875 and 1938, showing the gaol as seen from the south-east, with the observation gallery, constructed in 1900, clearly visible (circled red). The area in front of the gallery, outside the gaol walls, was cultivated for vegetable growing but did not contain any outbuildings at that time. (Source: State Library of Victoria, 'Berrima gaol, NSW. Germans interned here during WWI', H2009.100/588)

Although the new prison system had been introduced successfully in 1897, Berrima Gaol only continued to function as a prison for another decade, during which time it underwent additional changes. In July 1901, a plan was drawn up for improvements to the prison cells, particularly the ground floor cells on the eastern side of the south and north cell blocks (Figure 37). The majority of these cells were enlarged, involving demolition of walls between existing cells and of the existing flag ceilings to form new ceilings at higher level. The successful tenderer for these works, at a cost of £589 14s 2d, was John Hines from Moss Vale.[205] The plan included in Figure 37 shows that by mid-1901, the original walls separating the individual block cells longitudinally, creating two entirely separate cell corridors withing each wing, had been removed to open up the corridors. With prison reforms under Neitenstein's leadership ongoing, Berrima Gaol was officially declared a place of confinement for habitual criminals under the *Habitual Criminals Act, 1905* on 5 July 1906.[206]



[205] 'NEW PUBLIC WORKS.', *Evening News (Sydney, NSW : 1869 - 1931)*, 24 December 1901, 6, http://nla.gov.au/nla.news-article112574662.
[206] 'PROCLAMATION', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 1 August 1906, 4393, http://nla.gov.au/nla.news-article226574328.

Figure 37: Plan dated 29 July 1901, showing the proposed changes to enlarge the ground floor cells, involving demolition of walls between cells and replacement of existing ceilings at higher level. (Source: NSW Plan Services, PC47_17, Berrima Correctional Centre – Cells – Layout Plan & Sections)

In 1907 the gaol was fitted out with a sewerage and drainage system. As part of this, new septic tanks and filter beds were added outside the gaol, near the southwestern corner of the gaol.[207] A plan dated 19 October 1907 (Figure 38), showing the 'work as executed', suggest that, a new 'gaol made stores room' had been constructed adjacent to the east of the school room/chapel, and north of the original gaol entry at some stage between 1897 and 1907. Garden plots now occupied the area where formerly the governor's residence and kitchen had been located, with a large workshop and water tank located to the south of the garden beds. A tool house with urinals was located adjacent to the east of the 'boiler cook house' and 'electric light engine room'.

[207] NSW State Records and Archives, 'Berrima Gaol Drainage Details Plan', NRS-4335-2-87-27600

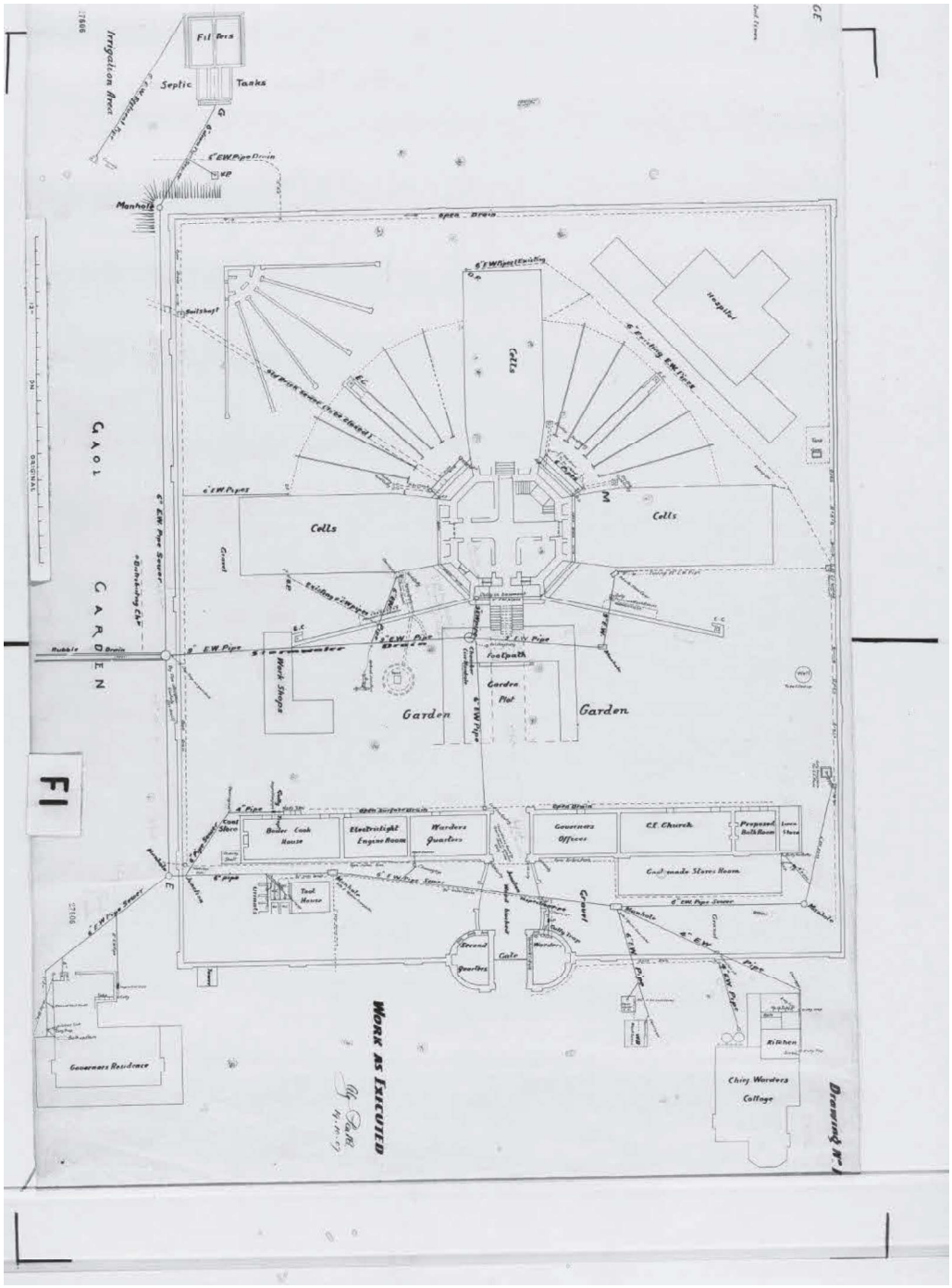


Figure 38: Plan dated 19 October 1907, showing the new sewerage and drainage system for the site 'as executed', with the location of the new septic system at top left. The plan shows all the structures within the gaol and the residences outside the gaol walls. The area to the south (on left) is noted as 'gaol garden'. (Source: NSW Plan Services, 27606 F1, Berrima Correctional Centre – General Plan – Frame 1)

2.5.3 CLOSURE AND DE-PROCLAMATION OF BERRIMA GAOL (1909)

Shortly after these works, the Comptroller-General for Prisons Frederick W. Neitenstein decided to close Berrima Gaol. In his annual report for 1908, Neitenstein noted that

> "... Berrima Gaol has been closed, as the present system has no use for it. At one time it was amongst the principal penal establishments, as was primarily for punitive treatment of refractory and turbulent prisoners. To be liable to be sent to Berrima for "coercion" was a terrifying idea, and the methods employed - only a few years ago - at that place were severe indeed. The principal measures of "coercion," apart from flogging as a last resource, consisted of solitary confinement, dark cells, and various forms of ironing. Of these, prolonged detention in dark cells was the most drastic punishment. On entering into office, I made careful inquiry into this matter, and found that individuals were punished over and over again without checking offences or bringing better conduct. On my recommendation, therefore, all of these things were abolished, and one result has been that outbreaks and organised disturbances have entirely ceased, and serious misconduct has become a thing of the past."[208]

In April 1909, the decision had been made to close Berrima Gaol due to financial reasons, as closure of the prison would allow savings of £4000 per year to be made.[209] By May 1909 the gaol had been decommissioned and emptied, when it was reported that "even the organ has gone from the gaol chapel."[210] Berrima Gaol was de-proclaimed as a 'Public Gaol, Prison, and House of Correction' in a proclamation made on August 14, 1909.[211]

2.6 NON-PRISON YEARS (1909-1944)

From 1909 to 1944, Berrima was not under the control of the Prisons Department and served various purposes during that time.[212] It appears that it stood vacant for around two years until 1913, when it was used as a rabbit processing works (1913-1914). From 1915 until 1919, during World War I, the former gaol served as an internment camp for German prisoners and during the 1920s and 1930s the gaol was a major tourist attraction. Further details about the various uses of Berrima Gaol from the 1910s to the early 1940s are provided below.

[208] 'TREATMENT OF PRISONERS.', *Evening News (Sydney, NSW : 1869 - 1931)*, 28 June 1909, 4, http://nla.gov.au/nla.news-article115504152.
[209] 'The Berrima Gaol.', *Scrutineer and Berrima District Press (NSW : 1892 - 1948)*, 24 April 1909, 2, http://nla.gov.au/nla.news-article128658373.
[210] 'HISTORIC BERRIMA.', *Clarence and Richmond Examiner (Grafton, NSW : 1889 - 1915)*, 1 May 1909, 6, http://nla.gov.au/nla.news-article61540352.
[211] 'PROCLAMATION', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 18 August 1909, 4564, http://nla.gov.au/nla.news-article221615692.
[212] *Berrima Training Centre.* (Berrima, N.S.W.: Alfred Henry Pettifer, Government Printer, 1949).

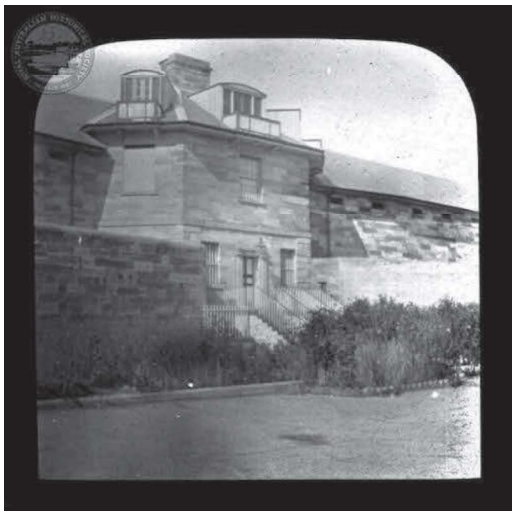


Figure 39: 13 April 1911 – The closed Berrima Gaol photographed by Frank Walker, showing the central building and north wing (on right) and part of the south wing (on left) as seen from the south-east. (Source: RAHS, 'Courtyard, Berrima Gaol', 101453)

Figure 40: 13 April 1911 – The closed Berrima Gaol photographed by Frank Walker, showing the main entrance as seen from outside the gaol, looking south-west. (Source: RAHS, 'Berrima Gaol', 101406)

2.6.1 RABBIT PROCESSING WORKS (1913-1914)

By December 1912, works were underway to convert the old gaol into a freezing works, with Messrs. Tooth and Murray from Moss Vale offering to supply timber for the conversion.[213] An application by Messrs. Mackenzie and Flynn from Rozelle to rent the premises was received that same month. By February 1913, an unnamed company had taken lease of the old gaol and was "carrying on freezing and treating works".[214] The gaol was occupied by a caretaker who had "a scientific method of treating rabbits, which gives not only the furs for hats but bones for fertilisers, skin for glue, oils for medicinal purposes for the most delicate stomachs."[215]

A visitor to the new works in February 1913 described in *The Methodist* the horrors that had previously taken place at the prison, providing some curious information as part of his description

[213] 'Berrima Gaol Buildings.', *Robertson Advocate (NSW : 1894 - 1923)*, 10 December 1912, 2, http://nla.gov.au/nla.news-article113784673.
[214] 'Berrima Still Lives.', *Scrutineer and Berrima District Press (NSW : 1892 - 1948)*, 1 February 1913, 2, http://nla.gov.au/nla.news-article131029257.
[215] 'A VISIT TO BERRIMA GAOL.', *Methodist (Sydney, NSW : 1892 - 1954)*, 8 February 1913, 8, http://nla.gov.au/nla.news-article155458105.

> "With quickened heart beats, and horrid imaginations, we stood on the spot where the hangman's noose had broken many a poor wretch's neck. Various small crosses on the walls of the gaol indicated where the bones lay of those who had paid the last earthly penalty of sin. As we stood on their graves and thought of the hatefulness and strength of sin, we gloried in Christ the sinbearer..."[216]

The crosses mentioned in this 1913 account are still evident in the south-western corner of the gaol wall today, distributed at random levels and locations of the wall. James Semple Kerr noted that "most hanged criminals were buried in unconsecrated ground within the prison",[217] suggesting that the bones of those prisoners hanged at Berrima were indeed buried somewhere within the prison. Whether the crosses mentioned in 1913 indeed marked the location of any of these burials, or whether that (and the purported location of the gallows in that same area of the gaol) is simply part of local folklore that began after the closure of the gaol is unclear, and further research would be required to confirm any connection.

There were many other 'authentic stories' that were often shared with readers of newspapers during the 1910s and subsequent years, including the story of 'Starlight', a fictional bushranger made famous by Thomas Alexander Brown (alias 'Rolf Boldrewood') in his 1888 novel 'Robbery Under Arms', earlier published in the *Sydney Mail*.[218] More or less loosely based on stories of one or several bushrangers,[219] 'Starlight's' story had been made into a theatre production in 1907, also named 'Robbery Under Arms'.[220] Visitors to the former Berrima Gaol were by 1913 able to visit Starlight's 'specially made cell' within the gaol after its closure.[221]

A story often repeated was about an attempted escape from the prison via a drain, located about midway along the western gaol wall, "down which two prisoners of the olden time essayed an altogether novel escape. The opening was afterwards narrowed, precluding all possible repetition of the trick."[222] The two escapees were Cummins and Southgate who were recaptured at Bathurst two weeks later.[223]

By May 1913, the former gaol premises were leased by Messrs. T. J. Burgin and Co. "for purposes of a rabbit-treatment factory."[224] It is likely that the company had taken up their lease in early February. T. J. Burgin and his family resided within the gaol and used the gaol as a rabbit-processing facility. The *Daily Telegraph* of 16 May 1913 described how the old gaol buildings were re-used for the new purpose

> "The larger buildings of the gaol lend themselves to the plot. What was once the church, a building 35ft. by 20ft. on whose end wall the suggestion of a cross still is to be seen, is now a storing-room for skins, while the old gaol kitchen is an arena for the stretching of

[216] 'A VISIT TO BERRIMA GAOL.', 8.
[217] Kerr, *Out of Sight, out of Mind*, 152.
[218] 'OLD BERRIMA GAOL.', *Daily Mercury (Mackay, Qld. : 1906 - 1954)*, 17 June 1913, 9, http://nla.gov.au/nla.news-article170705624; 'Robbery Under Arms | Novel by Boldrewood', Encyclopedia Britannica, accessed 14 January 2021, https://www.britannica.com/topic/Robbery-Under-Arms.
[219] 'Captain Starlight', Captain Starlight, accessed 14 January 2021, https://www.starlightjanesmith.com/; 'Bushrangers: Captain Starlight', *Bushrangers* (blog), Saturday, http://bushrangersau.blogspot.com/2011/02/captain-starlight.html.
[220] 'ROBBERY UNDER ARMS.', *Sydney Morning Herald (NSW : 1842 - 1954)*, 2 October 1907, 12, http://nla.gov.au/nla.news-article14877721.
[221] 'OLD BERRIMA GAOL.', 9.
[222] 'OLD BERRIMA GAOL.', 23.
[223] 'Berrima Jail Gutted', *Southern Mail (Bowral, NSW : 1889 - 1954)*, 24 July 1942, 2, http://nla.gov.au/nla.news-article114798722.
[224] 'THE RABBIT IN COMMERCE.', *Daily Telegraph (Sydney, NSW : 1883 - 1930)*, 16 May 1913, 6, http://nla.gov.au/nla.news-article240062173.

skins, which is done on fork-like frames made of fencing wire. Into still other compartments machinery is to be installed...."[225]

This suggests that the works were largely carried out within the buildings to either side of the 1839 entrance gate, but it is possible that simple additional structures had been constructed by that time, from timber proposed to be supplied by Tooth and Murray the year before. The nearby court house was leased by the same company for use as a rug and furs store at that time.[226] The old gaol was still "tenanted for private and business purposes" and "patronised by visitors as a show sight of the locality" in April 1914,[227] however, not long afterwards the site became part of an entirely different use again.

2.6.2 GERMAN INTERNMENT CAMP (1915-1919)

After the start of World War I in 1914, the Australian government decided to follow the example set by the British Government during the Boer War (1899-1902) and to set up concentration camps for German citizens who had become the 'enemy'.[228] Many of these were passengers and crew onboard the various merchant ships docking the Australian harbours at the time the war broke out. While initially all states took in some of the detainees, it was in 1915 decided to concentrate the camps in New South Wales alone, to cut costs and standardise treatment. The German internees, around 3,000 by early 1915, were sent on foot to the main internment camp at Holsworthy, the two satellite camps at Trial Bay and Berrima, or other internment camps, including those at Bourke and Molonglo (ACT).

Berrima was set up in early 1915 to become a satellite concentration camp predominantly for German naval officers, merchant mariners and sailors. Up to 500 Germans were interned at Berrima between 1915 and 1919, in a building that had not been designed to house that many people. A minority of these were prisoners from German colonies in the region, and men captured from the SMS Emden, a German Imperial Navy cruiser, while the majority were rather high-ranking merchantmen working for major cruise lines. There were also a few Austrians and Hungarians.[229] The first group of 89 internees arrived in Berrima in March 1915, walking on foot from Moss Vale train station to the former gaol. They were free to wander within a two-mile radius of the gaol during the day but were locked up at night.

The German internees and new guards doubled the population of Berrima and brought the town to life. They bought food and other supplies, had sufficient English to converse with the townspeople, rented houses, helped out in the community and even set up a basic school in 1917. They particularly liked the Wingecarribee River and its various pools, renaming one pool 'Grosser See' (Great Lake) and another one 'Lake Titicaca'. They dammed the river using local rocks and clay, constructed at least one bridge (named 'Hansa Bridge'), built boats and canoes, and organised carnivals on culturally important days. They also built simple huts from the tea trees in the area, mostly in the right side of the riverbanks, later constructing more elaborate structures on the left side, using not only bark and brushwood but also corrugated iron sheets and flattened kerosene tins. One cabin was a log cabin named 'Alsterburg', while the Swimming Club house was known as 'Sorgenfrei' (carefree).

Photographs suggest that the prisoners also built similar structures inside the gaol walls, including a band stand near the south cell block.[230] It is possible that the former hospital was

[225] 'THE RABBIT IN COMMERCE.', 6.
[226] 'THE RABBIT IN COMMERCE.', 6.
[227] 'HISTORIC BERRIMA.', *Daily Telegraph (Sydney, NSW : 1883 - 1930)*, 16 April 1914, 13, http://nla.gov.au/nla.news-article239128318.
[228] If not otherwise noted, this and the following has been summarised from 'Berrima Internment Group | NSW Environment, Energy and Science', accessed 15 December 2020, https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5051583.
[229] Rosalind Dale, *Historic Berrima Gaol* (Moss Vale: Rosalind Dale, 2019).
[230] Cf. Rosalind Dale, *Historic Berrima Gaol* (Moss Vale: Rosalind Dale, 2019).

demolished at that time, or was at least reconfigured extensively by the internees to be used as a theatre, with a stage and orchestra pit, as well as proper lighting. Similarly, the former refractory prisoners' cell and yards were demolished by that time at the latest, with a 'Kegelbahn' (nine-pin bowling alley) built by the Germans alongside the south gaol wall, near the south-western corner.

Some internees were not housed inside the cell blocks, but in simple barracks along the southern portion of the west wall, with groups of ten occupying eight available mess rooms.[231] A group of internees arriving in October 1915 were housed in these barracks.[232] A similar barrack structure was located in the north-eastern corner, housing prisoners of war.[233] It is possible that these structures had been built as part of the earlier rabbit-processing works.

A structure in the north-western corner was likely constructed by the internees themselves, to be used as a school, and the cell blocks were renamed 'Unter den Linden' after the boulevard in Berlin (north wing), 'Warmer Gang' ('warm corridor', likely because the south wing had a fireplace) and 'Fetter Gang' (it is unclear why the west wing was called 'fat corridor'). The internees also established a barber shop in the exercise yard immediately to the west of the north wing, while a meat store and metal workshop were constructed within the yards formed by the west and south wings.

The wing to either side of the 1839 entrance housed the camp kitchen with adjacent living quarters for the cooks and 'Government store' in the south, while the northern portion of this wing was the main wing for prisoners of war. At the northern end of this wing were the bathrooms that had warm water, and the hospital was also located in that area. To the east of the kitchen was a stone building containing toilets, while other toilets were located in the south-eastern corner, just below the catwalk.

The living quarters and workshops of the carpenter and tailor were located adjacent to the east yard of the south wing, and a large furnace was built by the internees in this area which was also said to have contained a large concrete water tank.[234] An entrance office along the gaol wall, near the entrance gate, was likely also built during that phase, either prior to or after arrival of the internees.

The Germans staged various theatre and musical performances, and in addition to the theatre within the gaol, there was another stage platform near the river, together with a bakehouse built for making German style cakes and pastries. Importantly, the internees also re-established the vegetable gardens, starting with a few plots inside and just outside the gaol, but soon expanding with gardens on the riverbanks, and later even with rented local fields and orchards. The produce was used for their own supply and any excess was sold to the locals. Inside the gaol, the gardens were situated in the yard between the 1839 entrance and the cell blocks, which also contained several flower beds.

Some families chose to join their husbands and fathers in the camp, and some of these were allowed to live in houses, including the Glinz and Hurtzig families who shared the former Warden's Cottage at some stage (Figure 47).[235]

[231] Martin Trojan, *Hinter Stein Und Stacheldraht. Australische Schattenbilder*, 1922, 204, http://nla.gov.au/nla.obj-490807397.
[232] Trojan, 203–4.
[233] Trojan, 206–7.
[234] Trojan, 207.
[235] 'NSW Migration Heritage Centre - Berrima Internment Camp', accessed 15 December 2020, index.html.

After the Armistice in November 1918, it was not until June 1919 that the Peace Treaty was finally signed and on 12 August 1919 all internees were able to leave Berrima Gaol, returning via Moss Vale and Sydney to Rotterdam, and from there back home to Germany.[236]

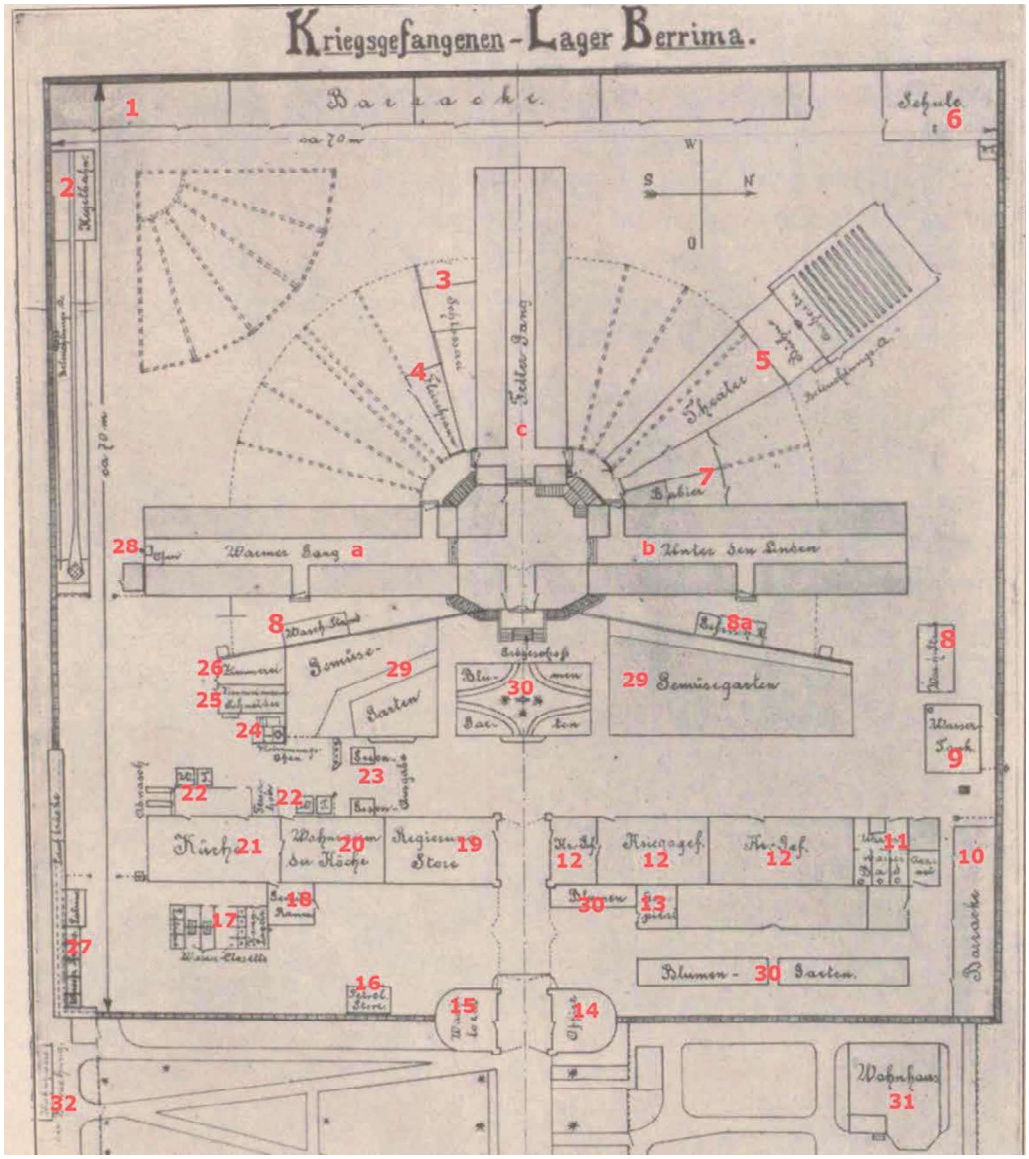


Figure 41: 1917 – Map of Berrima Gaol when it was in use as a German Internment Camp, drawn by Menke, dated 28 September 1917. Key: a) 'Warm Corridor'; b) 'Unter den Linden': c) 'Fat Corridor'; 1) barracks; 2) bowling alley; 3) metal workshop; 4) meat store; 5) theatre; 6) school; 7) barber; 8) wash stand; 8a) refreshment room; 9) water tank; 10) barracks (for prisoners of war); 11) bathrooms; 12) rooms for prisoners of war; 13) hospital; 14) office; 15) laundry; 16) petrol store; 17) showers; 18) vegetable store; 19) Government store; 20) cooks' living quarters; 21) kitchen; 22) toilets and washing up; 23) meal collection; 24) furnace; 25) tailor; 26) carpenter; 27) latrines and wash-stands; 28) fireplace; 29) vegetable garden; 30) flower beds; 31) dwelling; 32) dwelling used by camp guards. (Source: Martin Trojan, Hinter Stein Und Stacheldraht. Australische Schattenbilder, *1922, 205, https://nla.gov.au/nla.obj-490807397/view?partId=nla.obj-490854717)*

[236] 'NSW Migration Heritage Centre - Berrima Internment Camp'.

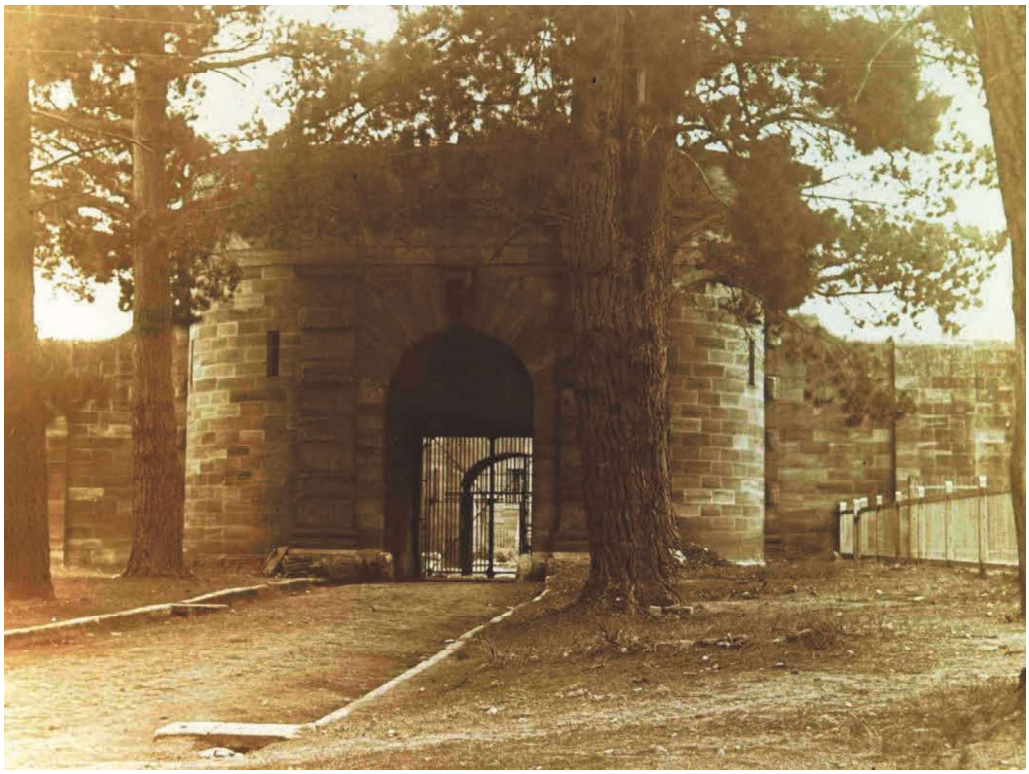


Figure 42: 1916 – Berrima Gaol entrance, photographed by John Henry Harvey. (Source: State Library of Victoria, 'Old gaol entrance Berrima. N.S.W. in 1916 (now unused)', H2009.100/302)

Figure 43: c1916 – Berrima Gaol entrance. (Source: David Speer, Souvenir of Berrima Gaol and the G.C. Camp: 20 Views, *Bowral, NSW, c1916)*

Figure 44: c1916 – Berrima Gaol, exterior view from the south. This photograph was also taken by David Speer. (Source: BDHS, 'German Internment Camp, Berrima, NSW', 102417)

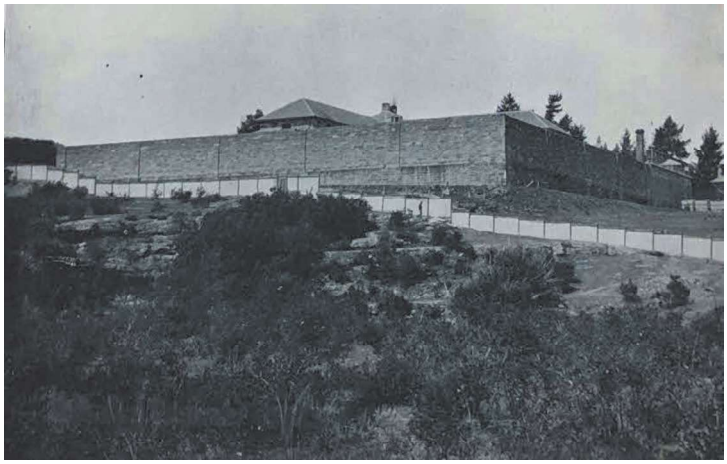


Figure 45: c1916 – Berrima Gaol, exterior view from the south-west. (Source: David Speer, Souvenir of Berrima Gaol and the G.C. Camp: 20 Views, *Bowral, NSW, c1916)*

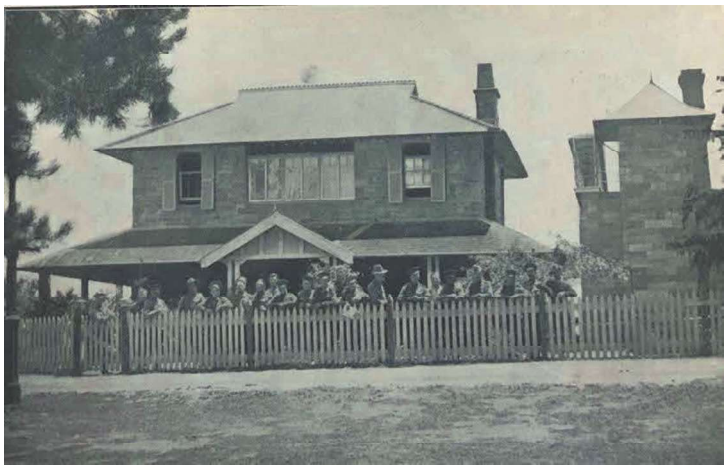


Figure 46: c1916 – Berrima Gaol, view showing the governor's residence outside the gaol walls, and the cat-walk and observation tower in the right background. The camp guards occupied the former governor's residence at that time. (Source: David Speer, Souvenir of Berrima Gaol and the G.C. Camp: 20 Views, *Bowral, NSW, c1916)*

Figure 47: The Hurtzig family outside the Warden's Cottage, c1915-19. (Source: Berrima District Historical and Family History Society, Image Library, 'The Hurtzig Family', 102491)

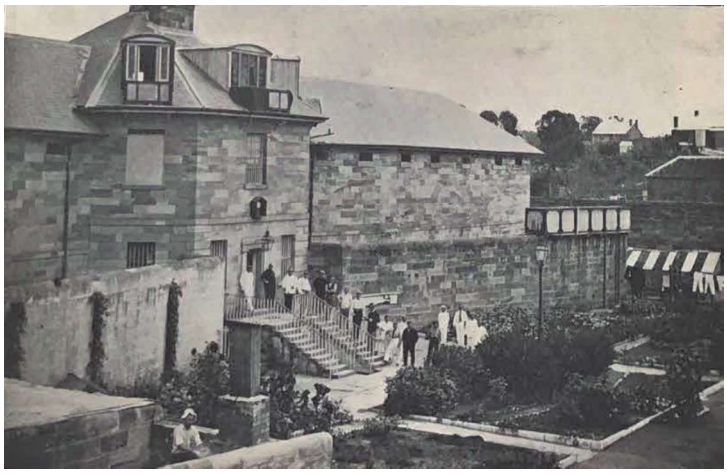


Figure 48: c1916 – Berrima Gaol, inside the gaol walls, showing the central building as seen from the south-east. The yard area was predominantly used as vegetable and flower gardens at that time. (Source: David Speer, Souvenir of Berrima Gaol and the G.C. Camp: 20 Views, *Bowral, NSW, c1916)*

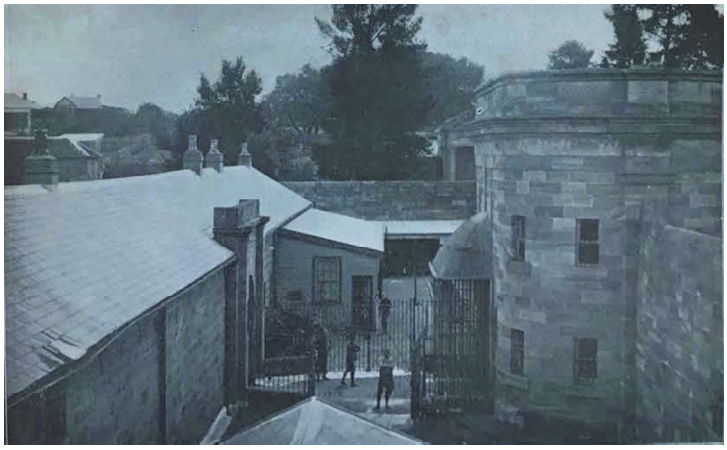


Figure 49: c1916 – Berrima Gaol, inside the walls, looking north. The 1839 gaol wall and gate is visible on the left, with the 1866 wall and gate visible on the right, connected by metal gates. (Source: David Speer, Souvenir of Berrima Gaol and the G.C. Camp: 20 Views, *Bowral, NSW, c1916)*

Figure 50: c1916 – Berrima Gaol, looking from the upper floor of the north wing towards the courthouse in the north-east, showing part of the 1839 gate building at bottom. (Source: David Speer, Souvenir of Berrima Gaol and the G.C. Camp: 20 Views, *Bowral, NSW, c1916)*

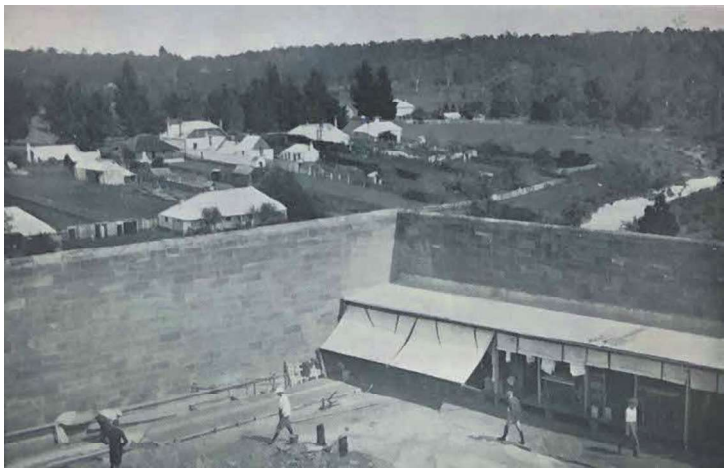


Figure 51: c1916 – Berrima Gaol, looking from the upper floor of the gaol towards the south-western corner, in the area of the demolished exercise yards and refractory cells. A new timber structure ran along the west wall of the prison, used as barracks. Alongside the south wall, a 'Kegelbahn' (nine-pin bowling alley) has been established. (Source: David Speer, Souvenir of Berrima Gaol and the G.C. Camp: 20 Views*, Bowral, NSW, c1916)*

Figure 52: c1916 – Two occupants in their (decorated) cell at Berrima Internment Camp: Walter Bergien, the Chief Engineer of SMS Emden on the left, and Otto Mönkedieck, working on one of his playbills for an upcoming theatre production on the right. (Source: David Speer, Souvenir of Berrima Gaol and the G.C. Camp: 20 Views*, Bowral, NSW, c1916)*

Figure 53: c1916-19 – Berrima Gaol, interior showing cell doors as photographed during the gaol's use as an internment camp. (Source: Berrima District Historical and Family History Society, Image Library, 'Interior Berrima Gaol, Berrima NSW', 100425)

Figure 54: c1917 – Theatre building at Berrima Gaol nearing completion. The theatre stage was constructed to the southeast of the former hospital buildings, and also occupied a portion of the former exercise yard area. (Source: Berrima District Historical and Family History Society, Image Library, 'Theatre Building', 102745)

Figure 55: c1917 – Stage setting at the theatre at Berrima Gaol. The stage was located at the south-eastern end of the former hospital and included an orchestra pit. (Source: Berrima District Historical and Family History Society, Image Library, 'Stage Setting', 102709)

Figure 56: c1917 – Theatre production 'Kyritz Pyritz' performed at the theatre of the internment camp. (Source: Berrima District Historical and Family History Society, Image Library, 'Kyritz Pyritz', 102716)

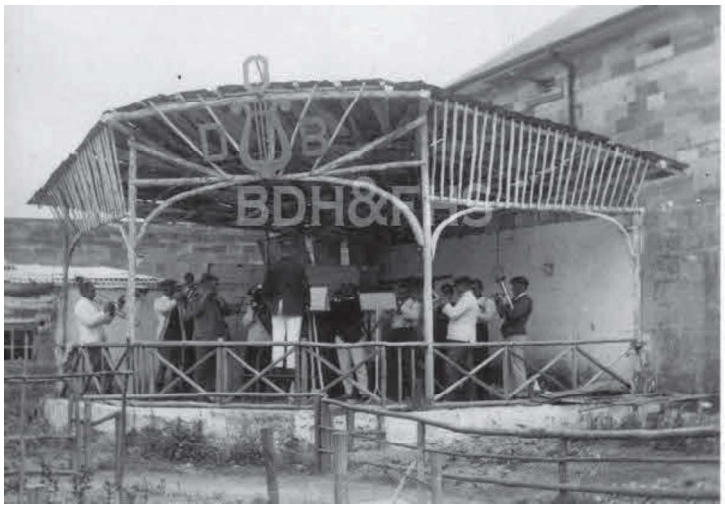


Figure 57: c1917 – Bandstand at Berrima Gaol, constructed by the internees. (Source: Berrima District Historical and Family History Society, Image Library, 'Bandstand', 102810)

Figure 58: 1917 – Private Piers, a guard at the Berrima Concentration Camp, standing on the cat walk of Berrima Gaol. (Source: Berrima District Historical and Family History Society, Image Library, 'Private Piers, Guard at Berrima Gaol', 102776)

Figure 59: 1918 – Interior of internee cell at Berrima Gaol. (Source: Berrima District Historical and Family History Society, Image Library, 'Interior of internee cell, Berrima Internment Camp NSW', 102310)

Figure 60: 18 June 1919 – 'Herr Reisener standing at hut door' near the Berrima Gaol entrance. (Source: Berrima District Historical and Family History Society, Image Library, 'Herr Reisener in Berrima Gaol, 102440)

Figure 61: c1916-19 – 'The rear [wall of Berrima gaol during its time as a German prisoner of war camp in WWI'. Note the structures located along the west wall of the gaol. Located on the right were the septic tank and filter beds constructed in 1907. (Source: Australian War Memorial, H17631)

Figure 62: c1916-19 – Looking along the south wall to the west, with the barracks at the rear and bowling alley along the wall on the left. South cell block visible on the right. The foundations of the former exercise yards in the corner are also still visible. (Source: Australian War Memorial, H17632)

Figure 63: c1916-19 – Meal time at Berrima Gaol, with the kitchen located in the building and lean-to at bottom right, and two open sheds in the yard from where meals could be collected. (Source: Australian War Memorial, H17634)

Figure 64: c1918 – A group of internees in the canteen at the German Internment Camp. The canteen was managed by the authorities and carried a large range of stock, sold at low prices, with prisoners able to order from Sydney if items were not stocked in the canteen. It is unclear if this was the Government Store ('Regierung Store') as noted on the plan in Figure 41, located immediately to the south of the 1839 entrance. (Source: Australian War Memorial, H173731)

Figure 65: 12 August 1919 – 'Four guards and the internees' band lead the march from Berrima Gaol NSW to Moss Vale Railway Station followed by internees on the first stage of their repatriation back to Germany'. Those that were not sufficiently fit for the seven mile walk to the railway station were allowed to travel by wagon, sitting on top of the internees' luggage. (Source: Berrima District Historical and Family History Society, Image Library, 'Leaving Berrima Gaol NSW', 102465)

2.6.3 VISITOR ATTRACTION (1919-1941)

After the closure of the German Internment Camp in August 1919, a caretaker was appointed, and the gaol became a tourist attraction "visited by thousands of tourists."[237] The caretaker was a returned soldier who leased the building at nominal rent while acting as a tourist guide within the gaol.[238] However, by October 1928, the gaol site (containing 4 acres 38 ½ perches) was offered for sale by the State Government, and tenders for the demolition and removal of buildings were sought. The Commonwealth was indicating interest at that time to retain some of the buildings for reuse "as a detention camp for trainees who fail to undergo compulsory military training." [239] The demolition of the gaol was seen by some as

[237] 'HISTORIC SOUTHERN PRISON', *Singleton Argus (NSW : 1880 - 1954)*, 13 October 1928, 6, http://nla.gov.au/nla.news-article81122314.
[238] 'MAY YET BE SPARED', *Singleton Argus (NSW : 1880 - 1954)*, 18 October 1928, 1, http://nla.gov.au/nla.news-article81122475.
[239] 'MAY YET BE SPARED', 1.

an opportunity to modernise Berrima and establish it as a "centre of great industrial operations",[240] as the town was surrounded by metal and coal mining industries.

By December 1928, the gaol, which by then was regarded as "one of the most historic buildings in the southern portion of the State"[241] was about to be demolished, but the works did not go ahead and in September 1931, tenders were invited for a new three-year lease of the building which was still a tourist attraction at that time.[242]

That same year, plans had been prepared for conversion of the old Governor's Residence into a Police Station, involving two new police cells at the rear of the former residence, accessed by a new concrete path from Argyle Street. A new gate was also provided in the fencing running parallel with Argyle Street. A drawing dated 16 January 1931 and signed by the Government Architect, Edwin Evan Smith, shows details of the conversion into the 'Berrima Police Buildings' (Figure 66).

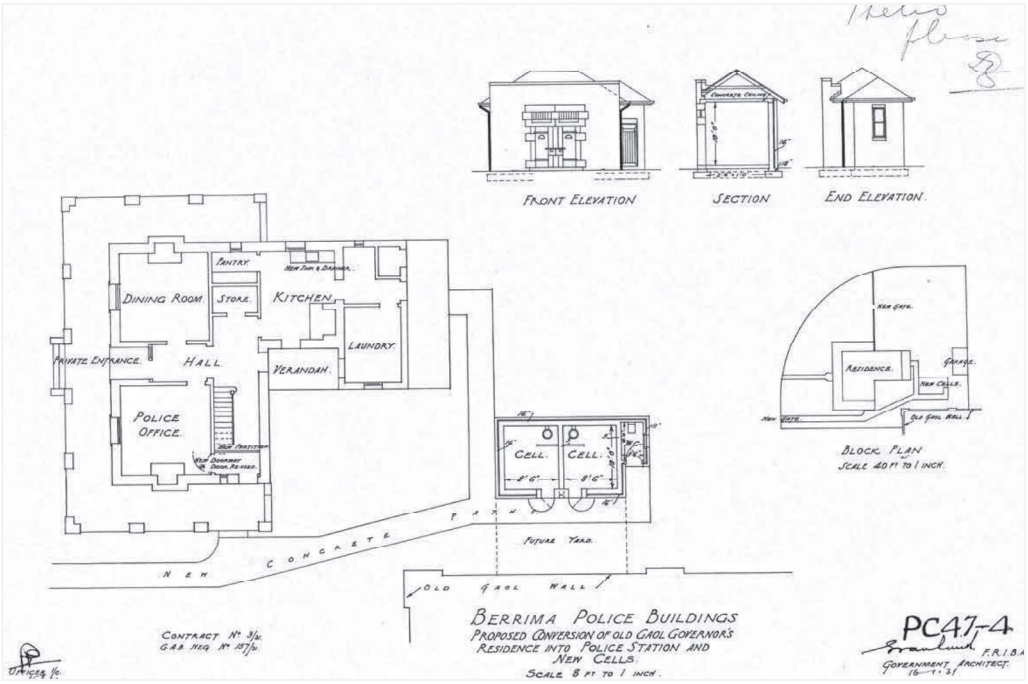


Figure 66: Plan signed by the Government Architect, Edwin Evan Smith, 16 January 1931, for the proposed conversion of the Governor's Residence into a Police Station with two new cells at the rear. (Source: NSW Plan Services, PC47/4, Berrima Correctional Centre – Proposed Conversion of Old Gaol Governor's Residence to Police Station & New Cells – Plan – Elevations & Section)

Photographs taken in May 1932 (Figure 67-Figure 69) show that by that time the buildings within the gaol had become severely dilapidated. Despite this – or potentially because of it – the gaol continued to be a visitor attraction during the 1930s and early 1940s, with the gaol leased by another returned prisoner and guided tours continuing until at least July 1941.[243]

[240] 'DEVELOPMENT AT BERRIMA.', *Sydney Morning Herald (NSW : 1842 - 1954)*, 13 October 1928, 18, http://nla.gov.au/nla.news-article16501293.
[241] 'Berrima Jail', *Robertson Mail (NSW : 1924 - 1930)*, 21 December 1928, 3, http://nla.gov.au/nla.news-article128224325.
[242] 'Jail to Rent', *Southern Mail (Bowral, NSW : 1889 - 1954)*, 8 September 1931, 2, http://nla.gov.au/nla.news-article114304970.
[243] 'BERRIMA', 18 October 1933, 13; 'Berrima Gaol', *Scrutineer and Berrima District Press (NSW : 1892 - 1948)*, 9 May 1936, 2, http://nla.gov.au/nla.news-article123581887; 'RELIC OF THE CONVICT DAYS', *Sunday Times (Perth, WA : 1902 - 1954)*, 13 July 1941, 1, http://nla.gov.au/nla.news-article59160266.

Figure 67: 15 May 1932 – Dilapidated 1839 outbuildings along the original entrance wall at Berrima Gaol, showing the old kitchen and bakehouse with chimney. Observation tower and catwalk behind, with the roof of the governor's house in the background. (Source: National Library of Australia, Fairfax archive of glass plate negatives, 'Cat walk at the Berrima Gaol, NSW, 15 May 1932, 1', Call No. PIC/15611/4385 LOC Cold store PIC/15611 Fairfax archive of glass plate negatives)

Figure 68: 15 May 1932 – The central building with north and south wings, as seen from the north-east. The walls of the former exercise yards area visible in front of the building, with the original entrance stair leading from the east to the central building. (Source: National Library of Australia, Fairfax archive of glass plate negatives, 'Building at the Berrima Gaol, NSW, 15 May 1932, 1', Call No. PIC/15611/4387 LOC Cold store PIC/15611 Fairfax archive of glass plate negatives)

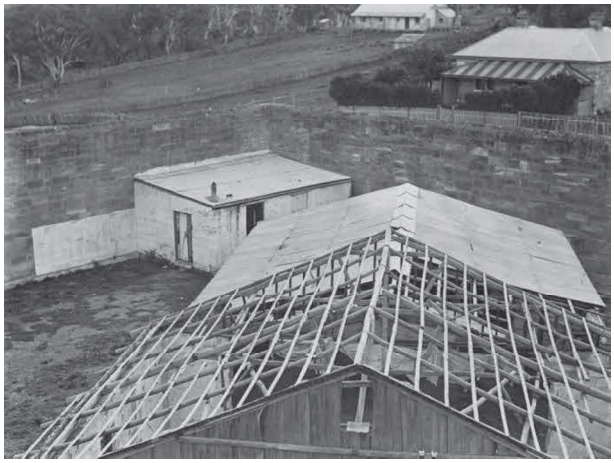


Figure 69: 15 May 1932 – Dilapidated buildings in the area of the former hospital, with the former school shed in the north-western corner of the site, and the theatre built by the German internees at front. (Source: National Library of Australia, Fairfax archive of glass plate negatives, 'Cat walk at the Berrima Gaol, NSW, 15 May 1932, 2', Call No. PIC/15611/4386 LOC Cold store PIC/15611 Fairfax archive of glass plate negatives)

In March 1940, a bushfire set the Berrima Gaol and adjacent court house alight but was brought under control by volunteer fire fighters.[244] By then, World War II was well underway and although during that period the gaol was considered for use as a detention camp again, those plans were rejected in 1941 due to the "stigma attaching to a civil gaol and the expense of renovating Berrima Gaol which was in a bad state of repair."[245]

[244] 'BERRIMA GAOL SAVED', *Border Morning Mail (Albury, NSW : 1938 - 1946)*, 29 March 1940, 5, http://nla.gov.au/nla.news-article255127453.
[245] '"STAR MEN" SYSTEM TO GO', *Herald (Melbourne, Vic. : 1861 - 1954)*, 30 May 1941, 3, http://nla.gov.au/nla.news-article244989202.

With the site still open as a visitor attraction in July 1941, it was subsequently decided that the gaol should serve as 'Accommodation for Commonwealth reserve of medical stores'.[246] When on 17 July 1942 a fire gutted most of the buildings on site, the blaze was discovered by military personnel occupying the buildings.[247] The gaol was housing "valuable Commonwealth and State property"[248] at the time the fire broke out, and unspecified renovations had just been completed,[249] amid plans to house "further records and valuable public property"[250] at the gaol. The Moss Vale and Mittagong Fire Brigades saved the existing records that had already been transferred to the site, but "with the exception of the small wings",[251] the gaol was completely gutted. Even though the buildings did not appear to be particularly damaged when viewed from the outside, with two of the cell block wings still covered by the original slate roofs, only the stone walls remained and everything else had been completely destroyed.[252]

The fire marked the beginning of the end of the old Berrima Gaol buildings. 105 years after Berrima Gaol was first used as a gaol, and 35 years after the gaol had been closed, the site was proclaimed as a 'prison camp' in 1944 as part of plans to 'reconstruct' the gaol and use it once more in its original purpose.

2.7 BERRIMA TRAINING CENTRE (1944-2001)

On 20 September 1944, the former Berrima Gaol was proclaimed under the Prisons Act, 1899 as the 'Berrima Prison Camp' – a "place of detention for the employment of prisoners."[253] This returned the Berrima Gaol to the Prisons Department and the proclamation as a prison camp allowed good-conduct prisoners from other gaols, largely from Goulburn, to be detained at the site, so they could carry out the required demolition, bricklaying, carpentry and other work for reuse of the gaol by the end of 1944.[254] At that time, it was unclear whether the gaol would be used to house prisoners from the overcrowded State gaols, or for other offenders. Photographs of the site taken before extensive remodelling of the gaol began are included below (Figure 70-Figure 72).

[246] 'Accommodation for Commonwealth Reserve of Medical Stores, Berrima Gaol [Box 253]' (item, Sydney, 1942 1942), SP459/1, 518/6/897, National Archives of Australia, https://recordsearch.naa.gov.au/scripts/AutoSearch.asp?O=I&Number=3110955.
[247] 'Berrima Jail Gutted', 2.
[248] 'Historic Berrima Gaol', *Narandera Argus and Riverina Advertiser (NSW : 1893 - 1953)*, 8 September 1942, 4, http://nla.gov.au/nla.news-article101532280.
[249] 'Topics of the Time.', *Wingham Chronicle and Manning River Observer (NSW : 1898 - 1954)*, 21 July 1942, 2, http://nla.gov.au/nla.news-article168510354.
[250] 'Berrima Jail Gutted', 2.
[251] 'Berrima Jail Gutted', 2.
[252] 'Historic Berrima Gaol', 4.
[253] 'PROCLAMATION.', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 22 September 1944, 1621, http://nla.gov.au/nla.news-article225098293.
[254] 'Old Berrima Jail.', *Australian Worker (Sydney, NSW : 1913 - 1950)*, 4 October 1944, 3, http://nla.gov.au/nla.news-article146259761.

Figure 70: 1944 – Berrima Gaol prior to work being undertaken, looking east from the central building to the main gate. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol, Berrima NSW',100127)

Figure 71: 1944 – Berrima Gaol, interior view of the gaol prior to extensive remodelling, showing the cell blocks where they join at the rear. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol, Berrima NSW',100263)

Figure 72: 1944 – Berrima Gaol, interior view of the gaol prior to extensive remodelling, showing the old gate and adjoining buildings in a state of disrepair. View looking south-east. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Gaol, Berrima NSW',100271)

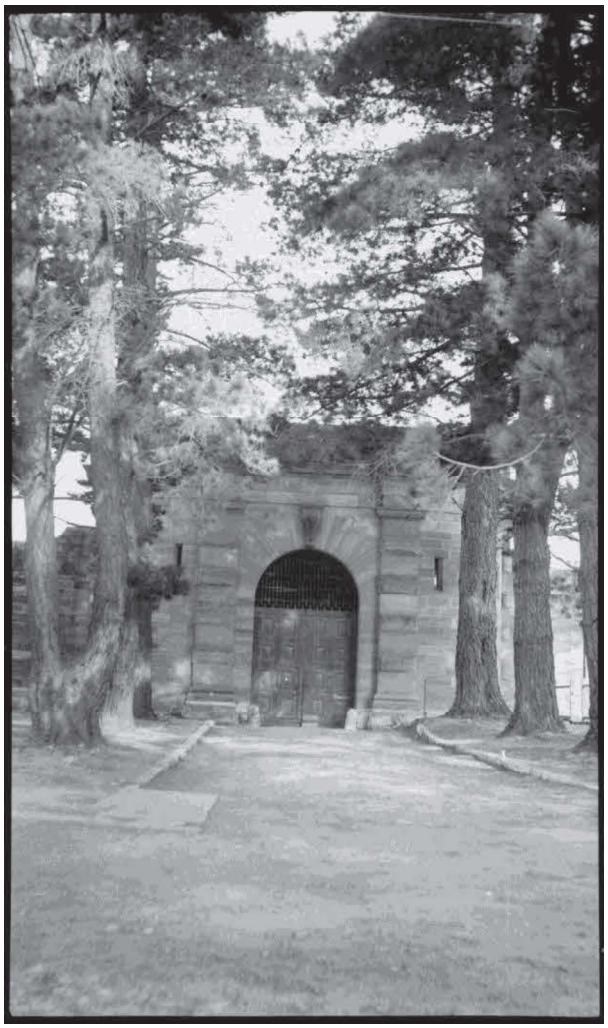


Figure 73: 1940s – Exterior of Berrima Gaol prior to removal of mature pine trees, photograph by E. W. Searle. (Source: National Library of Australia, PIC P838/294a LOC Nitrate store PIC Box 24, nla.obj-141894632)

2.7.1 REMODELLING OF BERRIMA GAOL (1944-49)

Although it was initially reported that the gaol was to be occupied by the end of 1944, work progressed much more slowly, and it took five years to finally complete the gaol. In August 1945, when three out of 25 inmates at the camp escaped the prison, using spikes to scale a wall, demolition work was still carried out at the site.[255]

By then, plans had been prepared for extensive remodelling of the gaol, involving demolition of the old buildings and, "with the use of old and new material", construction of "one of the most modern prisons int the world."[256] Drawings signed by the Government Architect, Cobden Parkes, dated 20 February 1945, show that apart from the gaol walls, including the 1866 main gate, all the old buildings were demolished (Figure 74-Figure 75). Another notable feature that was retained was the 1839 entrance gate, potentially including the original north and south walls forming the entrance porch, as well as an original door on the north wall, and the eastern walls of adjacent rooms.

[255] 'ESCAPES FROM BERRIMA', *National Advocate (Bathurst, NSW : 1889 - 1954)*, 7 August 1945, 2, http://nla.gov.au/nla.news-article161188051.
[256] 'Berrima Training Centre Opened', *Southern Mail (Bowral, NSW : 1889 - 1954)*, 25 November 1949, 4, http://nla.gov.au/nla.news-article119221304.

The demolition and reconstruction were carried out by the Superintendent of Berrima Gaol, W. E. Martin, his officers and up to 30 prison labourers, based on the plans by the Government Architect, Cobden Parkes, at a cost of £18,000. The use of prison labour had greatly reduced the cost of the project, which originally had been estimated at £100,000.[257]

By February 1946, works had progressed slowly, and the 17 prisoners were still removing and cleaning the old stonework for reuse within the new buildings. At that time, the watch tower on the east wall was about to be demolished, and it was reported that a new "glassed-in tower, 20 feet in length, will shortly spring up in the centre of the buildings now being erected, but it will not be discernible from outside the walls."[258] The observation tower was originally planned as a very slender structure with a glassed-in observation gallery on piers (see Figure 74 and Figure 75), however, the design was subsequently changed into a more substantial stone building (Figure 79, Figure 77). The stone used for the tower was disassembled from the observation gallery in the south-eastern corner of the gaol wall.[259]

The design change to the tower was one of a number of changes to the 1945 plans (as included in Figure 74) over the course of construction, including the deletion of elements such as planned rooms west of the altered 1839 entrance (see Figure 77) and store rooms outside the eastern gaol wall (southern portion) (see Figure 80).

As part of the works, the pine trees in front of the gaol were removed and new landscaped gardens and lawns with 'crazy' retaining walls and 'richly-coloured bent grass' were established to either side of the gravelled entrance path.[260] The rooms inside the 1866 entry were removed and reconfigured into offices, reusing existing stone from the gaol, while the original, external iron grille was reduced in size. The two iron doors from the main gate were repaired and remained "in position at the interior end of the giant arch." [261]

[257] 'Berrima Training Centre', 4.
[258] 'THE OLD BERRIMA GAOL', *Narandera Argus and Riverina Advertiser (NSW : 1893 - 1953)*, 26 February 1946, 3, http://nla.gov.au/nla.news-article101426987.
[259] 'ANOTHER SERVICE FOR BERRIMA GAOL', *Goulburn Evening Post (NSW : 1940 - 1954)*, 22 November 1949, 7, http://nla.gov.au/nla.news-article104525440.
[260] 'ANOTHER SERVICE FOR BERRIMA GAOL', 7.
[261] 'ANOTHER SERVICE FOR BERRIMA GAOL', 7.

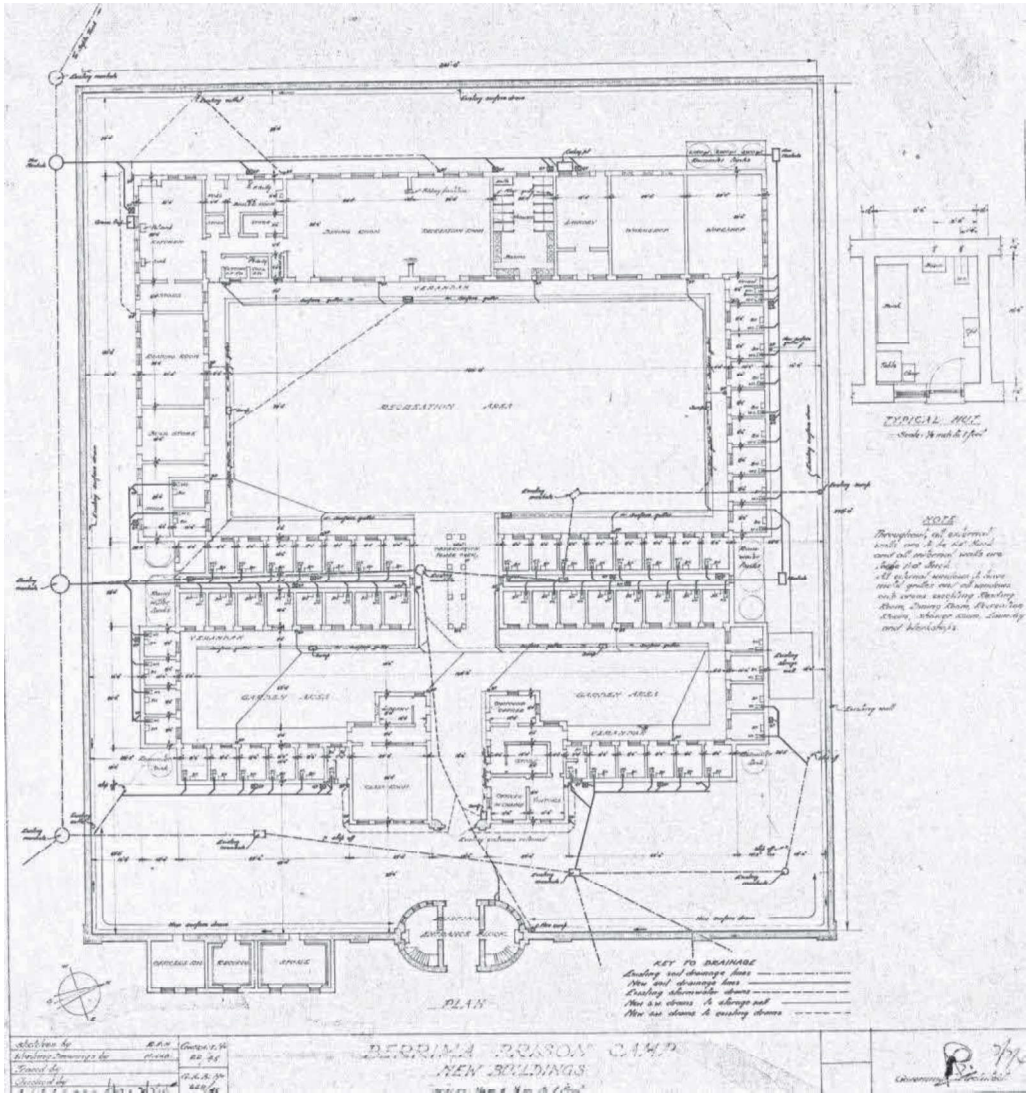


Figure 74: Plan signed by the Government Architect, Cobden Parkes, dated 20 February 1945 (?), for the proposed new buildings at Berrima Prison Camp. The existing 1866 entrance block is incorporated into the design and the 1839 entrance is annotated as 'retained'. The proposed layout of the new cells is included at top right. (Source: NSW Plan Services, PC47/9, Berrima Correctional Centre – Additional Building – Block Plan – Site Plan)

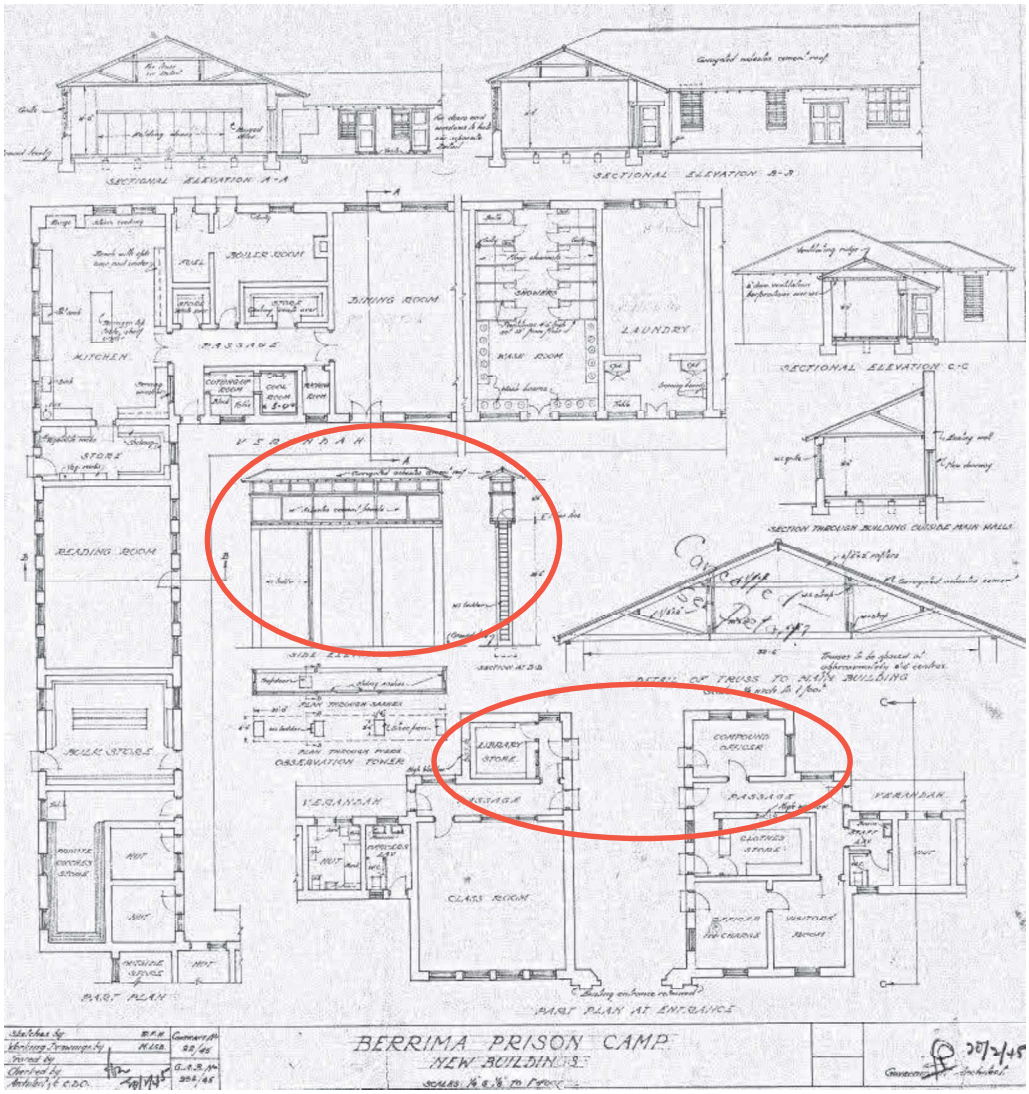


Figure 75: Plan signed by the Government Architect, Cobden Parkes, 20 February 1945, for the proposed new buildings at Berrima Prison Camp, showing details of the proposed observation tower, buildings in the south-western corner and area of the 1839 entrance gate. The tower, as well as the library store and compound officer's room (all circled red), including passages, were not constructed as drawn. (Source: NSW Plan Services, PC47/8, Berrima Correctional Centre – Additional Building – Floor Plan – Plan Elevations Sections)

The new training centre was intended as a training facility for young male offenders, based on the premise that education and training would be more beneficial to young prisoners than the normal prison system that was in place at Emu Plains, for instance.[262] At Berrima, prisoners were able to learn trades such as carpentry and bricklaying, and the pursuit of hobbies, crafts and sports was expected.

On 3 November 1949, 'Berrima Prison Camp' was de-proclaimed, and the site proclaimed as the 'Berrima Training Centre' under the *Prisons Act, 1899*.[263] Berrima Training Centre was officially opened on 19 November 1949 by the State Governor, John Northcott, in the presence of Premier J. McGirr and the Minister of Justice, R. R. Downing.[264]

[262] 'Berrima Training Centre [?', 4.
[263] 'PRISONS ACT, 1899.—PROCLAMATION.', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 4 November 1949, 3329, http://nla.gov.au/nla.news-article225593155.
[264] 'Berrima Training Centre Opened', *Southern Mail (Bowral, NSW : 1889 - 1954)*, 25 November 1949, 4, http://nla.gov.au/nla.news-article119221304.

The *Southern Mail* reported after the opening on 19 November 1949 that:

> "the rooms set aside for the prisoners cannot be called cells, as their only similarity is that they have bars in front of the windows and a large prison-type lock on the outside of the door. Each unit comprises a room with a window facing a large concrete courtyard marked out for the playing of various games of sport. There is a bed of tubular steel construction which is movable and which is placed along one wall, with a built-in table and seat at its foot. A washbasin and modern type sewered lavatory pedestal is in each room, and there are open cupboards for the use of the prisoner. The floors are of wood and have a strip of coir matting near the bed. All rooms are fitted with electric light. Modern workshops and classrooms with suitable furnishings are provided for the instruction of the prisoners, and a recreation hall, dining hall and a well-fitted library also attracted the attention of visitors. The shower rooms are fitted with hot and cold water and, like the kitchen, are of modern construction."[265]

The *Southern Mail* article continued:

> "The only reminders of the old gaol are portion of a wall bearing a German inscription placed there when it was an internment camp during world war 1, and the large alarm bell near the front gate. In the rear wall, one of the cell doors of the original prison has been preserved and gives access to land outside the gaol wall, which will be used for the construction of tennis courts where prisoners will play under the supervision of warders."[266]

These retained elements were naturally in addition to the old gaol walls and entrances that had been retained. One cell door seems to have been relocated to a new or existing opening in the west gaol wall, to provide access to the tennis court constructed later. The new cells were 11ft by 10 ft with windows and polished floors, and contained a table, chair, iron cot and seagrass mats, and a septic toilet.[267] Each of the rooms was painted in a pastel colour and opened to the concrete quadrangle in the west (western courtyard, later named 'Redfern') or the lawn in the east (eastern courtyard, later named 'Vaucluse').[268] Each prisoner had six blankets, a pair of sheets, a pillow, slippers and pyjamas, and was woken up at 7am and went to bed at 9pm. They worked eight hours a day, five days a week, and had the weekend off. Lunch and dinner were served in the dining room.

[265] 'Berrima Training Centre [?', 4.
[266] 'Berrima Training Centre [?', 4.
[267] 'Atmosphere of Home in Jail at Berrima', *Daily Telegraph (Sydney, NSW : 1931 - 1954)*, 21 November 1950, 18, http://nla.gov.au/nla.news-article248568760.
[268] 'Historic Berrima Jail Has Finally Served Its Time', The Sydney Morning Herald, 21 October 2011, https://www.smh.com.au/national/nsw/historic-berrima-jail-has-finally-served-its-time-20111021-1mcak.html.

Figure 76: 19 November 1949 – Official opening ceremony of Berrima Training Centre, looking south towards the former Governor's Residence. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Training Centre Official Opening, Berrima NSW', 100082)

Figure 77: 19 November 1949 – Official opening of Berrima Training Centre, showing the eastern courtyard, looking north-east towards the area of the original entrance. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Training Centre Official Opening, Berrima NSW', 100911)

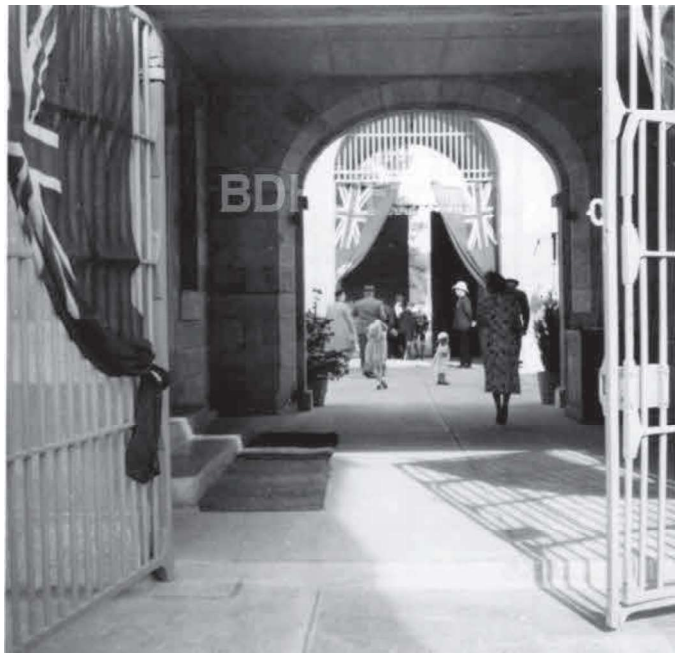


Figure 78: 19 November 1949 – Official opening of Berrima Training Centre, looking east across the 1839 entrance gate towards the 1866 entry. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Training Centre Official Opening, Berrima NSW', 100902)

Figure 79: 19 November 1949 – Official opening of Berrima Training Centre, looking from the western courtyard towards the observation tower. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Training Centre Official Opening, Berrima NSW', 100913)

Figure 80: 19 November 1949 – Official opening of Berrima Training Centre, looking from Argyle Street towards the 1866 entry. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Training Centre Official Opening, Berrima NSW', 100913)

A brochure published at the time of the opening of the Berrima Training Centre in 1949 noted

> "The opening of the Berrima Training Centre is symbolic. It is a step significant in itself, introducing a systematic, scientific attempt to reclaim social offenders and transform them into valuable citizens of Australia. But it is not an isolated change. This re-opening of Berrima is but one integral part of a large general scheme; and what is being done here should be regarded as a symbol of a far-reaching development in the whole of the New South Wales prison system.
>
> The symbolic significance is heightened by the fact that the new Training Centre stands on the same ground, indeed, is built of the same stones, as the grim Berrima Gaol of former times."

The opening of Berrima Training Centre marked the beginning of another phase of prison reform, based on investigations by the Comptroller-General of Prisons, L. C. J. Nott, of systems in place in the United Kingdom and the United States. [269] It was once more based on the principle of segregating the "young offenders and even older men who have been weak enough to be led – or over-tempted to slip – into some criminal course of conduct"[270] from the more hardened criminals.

The routine and atmosphere at Berrima was to be "that of an active and healthy social group; working together, playing together; developing a community sense; learning the normal social discipline of give-and-take, fair play, consideration for others and the benefits of co-operation."[271] Apart from working eight hours a day, the prisoners had two hours each day to study, with a choice of subjects from "80 correspondence courses, including commercial

[269] *Berrima Training Centre.*
[270] *Berrima Training Centre.*
[271] *Berrima Training Centre.*

art, carpentry, electrical and engineering trades, printing, agriculture, and handicrafts."[272] The courses were arranged by Sydney Tech.[273]

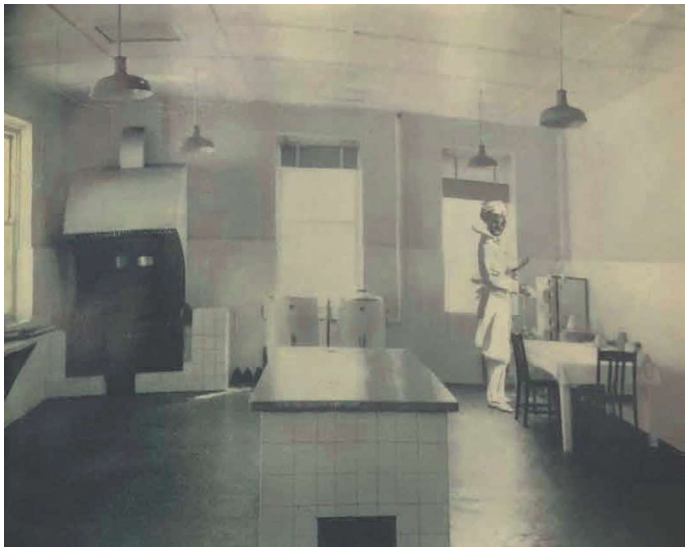


Figure 81: 1949 – Photograph included in a brochure published as part of the opening of Berrima Training Centre, showing the kitchen. (Source: Berrima Training Centre. (Berrima, N.S.W.): Alfred Henry Pettifer, Government Printer, 1949)

Photographs taken in July 1953, included in below, show the Berrima Training Centre in full swing. Some of these photographs were published in PIX magazine on 9 January 1954, together with further descriptions which have been included as appropriate below.[274]

Figure 82: July 1953 – Photograph by R. Donaldson showing the lawn of the new eastern cell block at Berrima Training Centre, looking north, with a new water tower visible at the rear. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

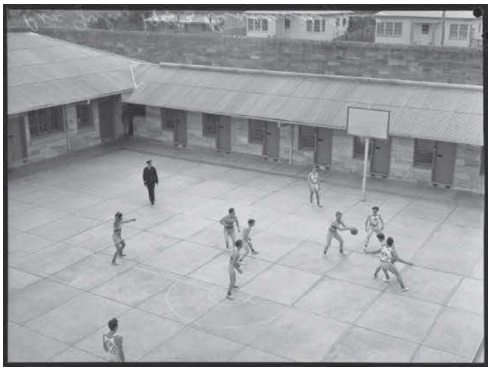


Figure 83: July 1953 – Photograph by R. Donaldson showing the open courtyard of the new western cell block at Berrima Training Centre, looking northwest. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

[272] 'Atmosphere of Home in Jail at Berrima', 18.
[273] 'Berrima Training Centre', *PIX*, 9 January 1954, 37.
[274] 'Berrima Training Centre', 35–37.

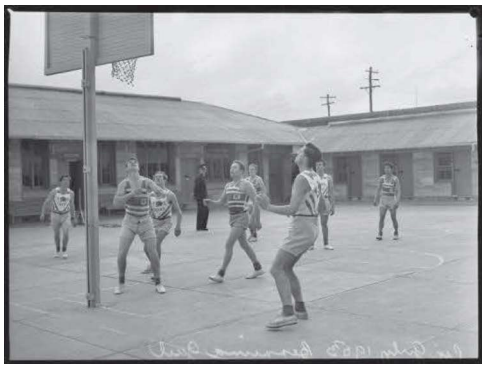


Figure 84: July 1953 – Photograph by R. Donaldson showing prisoners playing basketball in the courtyard at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 85: July 1953 – Photograph by R. Donaldson showing prisoners playing sports in the courtyard at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 86: July 1953 – Photograph by R. Donaldson showing prisoners playing basketball in the open court at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

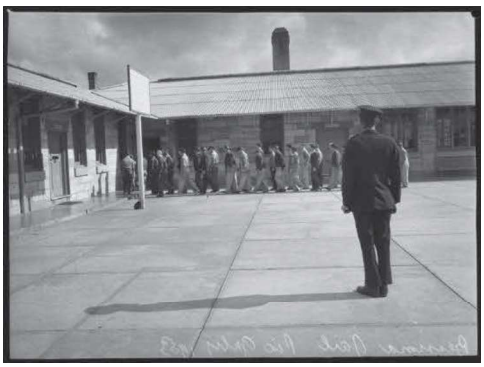


Figure 87: July 1953 – Photograph by R. Donaldson showing prisoners filing up at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 88: July 1953 – Photograph by R. Donaldson showing a prisoner in his cell at Berrima Training Centre. An ex-navy man, the prisoner made models and drawings of warships in which he had served. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 89: July 1953 – Photograph by R. Donaldson looking into one of the new cells at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 90: July 1953 – Photograph by R. Donaldson showing the kitchen at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 91: July 1953 – Photograph by R. Donaldson showing one of the workshops at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 92: July 1953 – Photograph by R. Donaldson showing a cell at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 93: July 1953 – Photograph by R. Donaldson showing the carpentry workshop at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

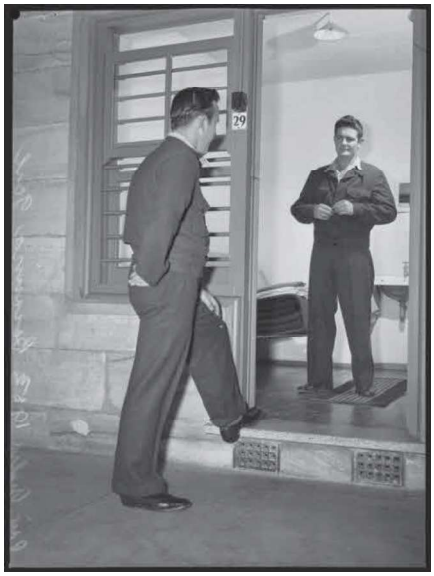


Figure 94: July 1953 – Photograph by R. Donaldson showing a cell at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 95: July 1953 – Photograph by R. Donaldson, looking west from the 1830 entrance gate to the observation tower at Berrima Training Centre. Note the 'Make Time Serve You' motto at the top. Other mural depictions were later added to either side.

(Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 96: July 1953 – Photograph by R. Donaldson showing part of the dining room at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 97: July 1953 – Photograph by R. Donaldson showing part of the dining room at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

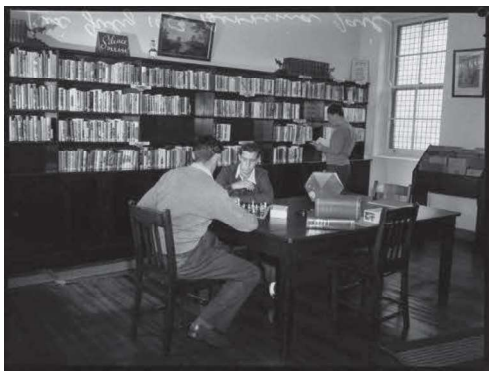


Figure 98: July 1953 – Photograph by R. Donaldson showing the library and reading rooms at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 99: July 1953 – Photograph by R. Donaldson showing the showers at Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 100: July 1953 – Photograph by R. Donaldson showing the lawn (east) courtyard in the eastern portion of Berrima Training Centre. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 101: July 1953 – Photograph by R. Donaldson showing the tennis courts outside the Berrima Training Centre. Note the door in the background, leading from the gaol to the tennis court. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 102: July 1953 – Photograph by R. Donaldson showing prisoners at work, chopping and sawing wood at Berrima Training Centre. The river is visible at the top left, suggesting that this area was located to the west of the gaol. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

Figure 103: July 1953 – Photograph by R. Donaldson showing prisoners in the vegetable garden at Berrima Training Centre, located to the south of the gaol. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

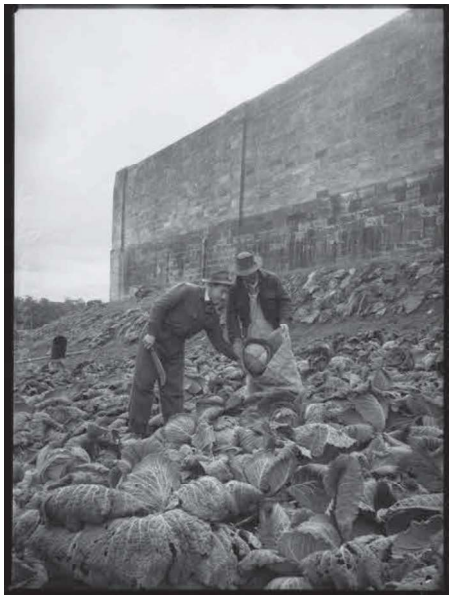


Figure 104: July 1953 – Photograph by R. Donaldson showing cabbage being harvested from the vegetable garden at Berrima Training Centre. The south gaol wall is visible in the background (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

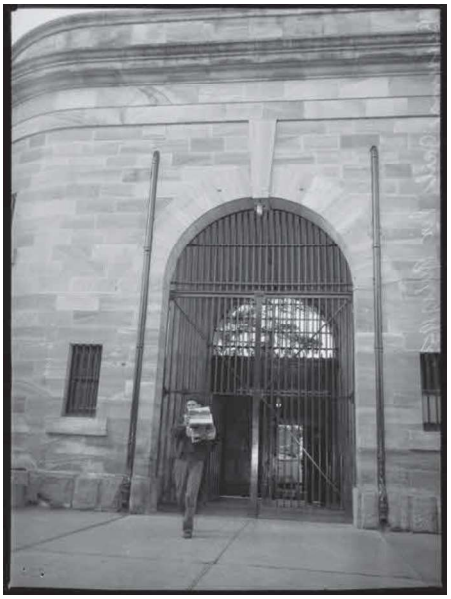


Figure 105: July 1953 – Photograph by R. Donaldson showing part of the 1866 entrance gate at Berrima Training Centre. PIX reported that "prisoners return with bread from local bakery. Gateway and outer wall are all remaining of old gaol. (Source: State Library of NSW, 'Berrima Jail, July 1953', ON388/Box 040/Item 013)

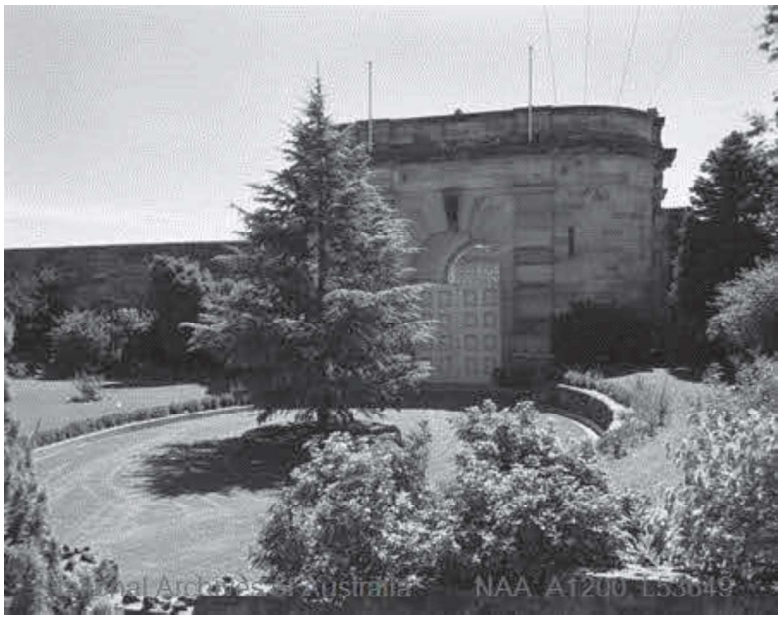


Figure 106: 1966 – Landscaping outside Berrima Gaol, with established vegetation. (Source: National Archives of Australia, A1200, L53649, 11775064)

Figure 107: 12 November 1974 – Photograph John T. Collins, showing the landscape elements outside the 1866 gate. (Source: State Library of Victoria, 'Berrima Gaol Entrance', H.98.252/1506, 1700509, jc019827)

2.7.2 SUBSEQUENT ALTERATIONS TO BERRIMA TRAINING CENTRE (1949-2001)

After completion in 1949, various buildings were added to the site during subsequent years, both within the gaol walls and outside, and additional land was dedicated to the south of the site. The following main additions and alterations were carried out, with relevant plans and drawings included below:

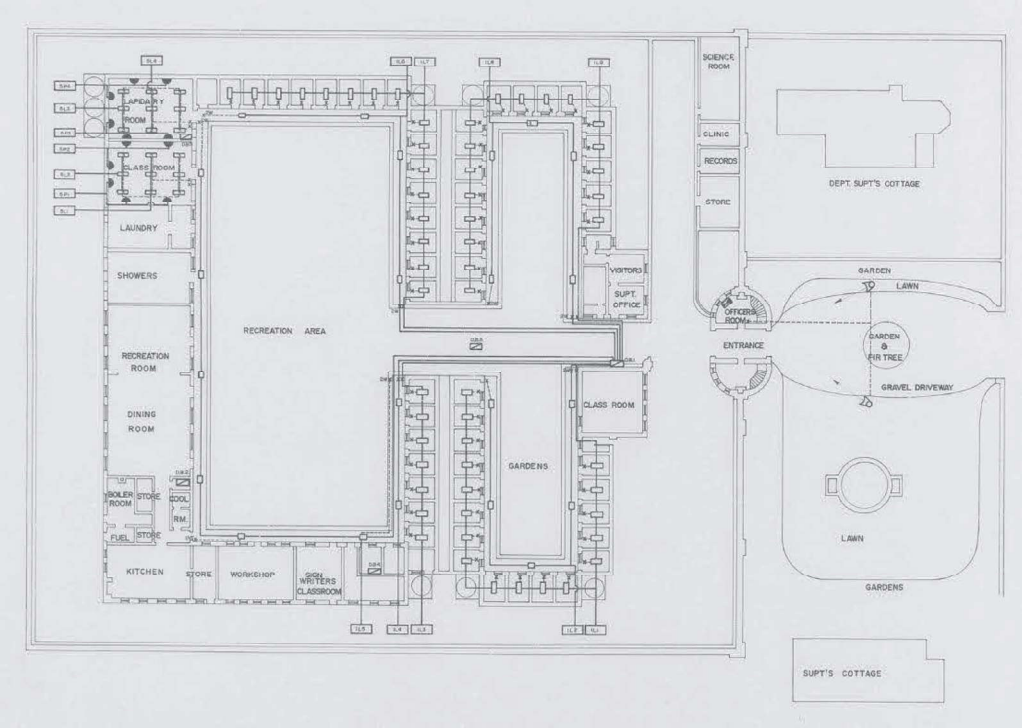
YEAR	DETAILS
1958	**Extension of site** dedicated on 5 December 1958 as 'Reserve for Gaol Purposes' in Crown Plan 3749-2041 (see Figure 114).
C1950s	**Tennis Courts** established outside the gaol walls, near the north-western corner, accessed by door in the western gaol wall, and **ground floor of Science Block** in the north-eastern corner of the site, containing a science room, dental clinic, records room and storeroom. No plans of these elements have been sighted but

	both are shown on an aerial photograph dated 1963 (Figure 115). Also refer to the 1970 (Figure 108) and 1973 (Figure 109) site plans.
1970	**Electrical installation.** Drawing prepared in October 1970 by principal engineer, W. R. Bates, under Government Architect, E. H. (Ted) Farmer (Figure 108).[275]
1971	**Alterations to main entrance gate doors**, including wicket door, potentially involving like-for-like replacement of these doors. Drawing prepared in September 1971.[276]
1973	**Heating** to signwriting and printing rooms and carpenters' room. Drawings prepared in August 1973, by principal engineer, W. R. Bates, for the Government Architect, E. H. Farmer.[277]
1975	**Improvements to electrical services.** Drawing prepared in October 1975 under Government Architect, C. P. Weatherburn.[278]
1975	**Addition of buttresses** on the interior face of the gaol wall, near the south-western corner, involving two new buttresses along the western gaol wall and three new buttresses along the southern gaol wall. In addition, rebuilding of corner buttress and the upper portion of the wall. Works carried out under Government Architect, C. P. Weatherburn, with drawings prepared in September 1975.[279]
1980	**Landscaping** works, involving new brick paving to western courtyard, and new plantings to the eastern courtyard. Drawings prepared in September 1980 by Project Architect, R. Hale, under Government Architect, J. W. Thomson.[280]
1981	**Science Block Addition**, located in north-eastern corner of the site, involving alterations to existing ground floor and addition of second floor, to provide new classroom and workroom, connected via new stair in existing science room. Undated drawings prepared by consulting architect, Ralph Brading Associates, Bowral, under Government Architect, J. W. Thomson (Figure 110) and dated 1981 by Plan Services.[281] Noted as a stone building with galvanised iron roof in Figure 114.
1982	**Heritage Order** under Section 130 of the *Heritage Act 1977* placed on Berrima Training Centre.[282]

[275] NSW Plan Services, PC47/13-1, Berrima Correctional Centre – Electrical Installation.
[276] NSW Plan Services, PC47/35, Berrima Correctional Centre – Main Entrance Gate.
[277] NSW Plan Services, PC47/1-3, Berrima Correctional Centre – Signwriting & Printing Rooms Heating; PC47/1-4, Berrima Correctional Centre – Carpenters Room Heating.
[278] NSW Plan Services, PC47/13-12, Berrima Correctional Centre – Installation of Improved Electrical Services.
[279] NSW Plan Services, PC47/46, Berrima Correctional Centre – External Wall Alterations.
[280] NSW Plan Services, PC47/58, Berrima Correctional Centre – Recreation Area Paving; PC47/59, Berrima Correctional Centre – Details.
[281] NSW Plan Services, PC 47/36 & PC47/37, Berrima Correctional Centre – Science Block Addition.
[282] 'HERITAGE ACT, 1977', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 14 May 1982, 2102, http://nla.gov.au/nla.news-article231367797.

1986	**New Garage and Equipment Store.** Tenders invited in November 1986.[283] No plans sighted but likely in relation to 'aluminium shed' on western side of gaol wall, near tennis courts (see Figure 112).
1980s	**New building (Visiting Complex)** added to the south-east of the eastern cell block. No plans sighted but building is not shown in aerial view dated 1982 (Figure 116), while shown in aerial view dated 1990 (Figure 117).
1990	**Industries Building** constructed outside the gaol in the area of the former tennis-courts, near the north-western corner of the gaol wall, and connected with the gaol via an existing door opening. New paling fence along the Wilshire Street frontage. Drawings prepared in May 1990, and amended in March 1991, by consulting architect, Ron Barrelle of Barrelle Partners Architects, Crows Nest, to the design by Government Architect, L. D. Kelly (Figure 113).[284] Tenders sought in September 1990.[285] Tennis courts relocated to the south-western corner of the overall site.

By 1993, the former Governor's Residence was in use as an Arts & Crafts Shop, while the former Deputy Governor's Residence (Warden's Residence) had become an officers' amenities building. These uses are shown in a survey dated 17 December 1993, which also shows the various outbuildings located outside the gaol walls, including a garage on the land dedicated in 1958 (C3749-2041), a carport and shed (noted as 'to be demolished or altered') to its north, a brick shelter to the south-west of the gaol, and an aluminium shed (c1986) with toilet adjacent to the west of the gaol, south of the Industries Building.



[283] 'DEPARTMENT OF CORRECTIVE SERVICES', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 7 November 1986, 5494, http://nla.gov.au/nla.news-article231674364.
[284] NSW Plan Services, PC47/60 & PC47/61 &PC47/61 & PC47/64, Berrima Correctional Centre – Industries Building.
[285] 'Public Works', *The Sydney Morning Herald*, 17 September 1990, 45.

Figure 108: 1970 - Drawing prepared in October 1970 by principal engineer, W. R. Bates, under Government Architect, E. H. (Ted) Farmer, for electrical installations, showing the various buildings and uses at the site. Note the building in the north-eastern corner of the site, containing a science room, dental clinic and storeroom. (Source: NSW Plan Services, PC47/13-1, Berrima Correctional Centre – Electrical Installation)

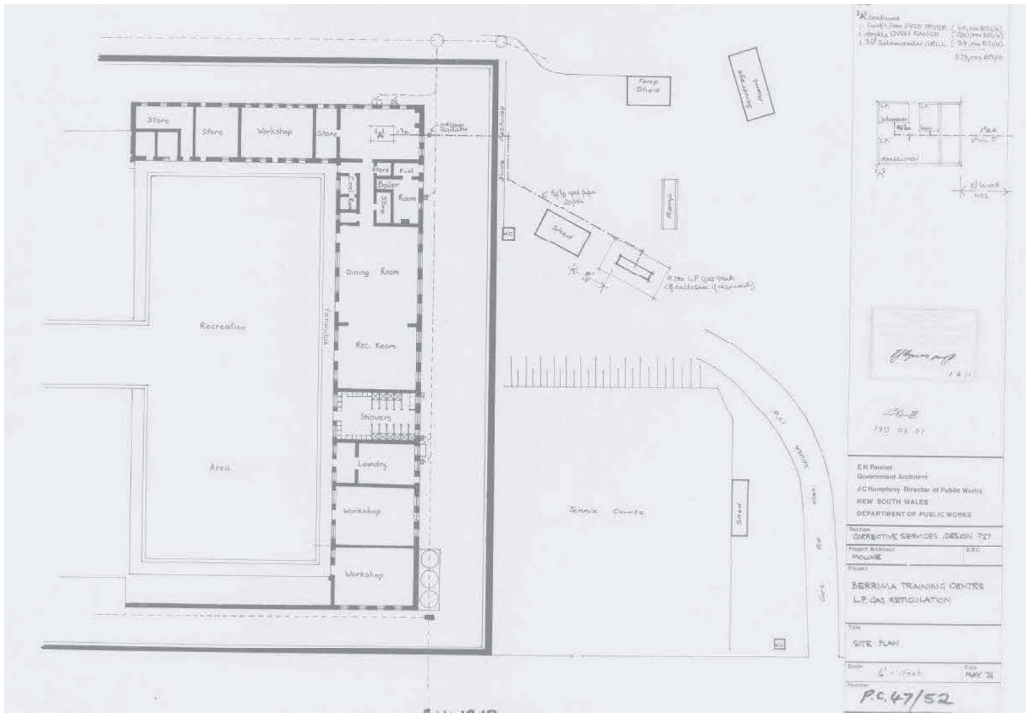


Figure 109: 1973 – Site plan prepared in May 1973 by Project Architect Moline, under Government Architect, E. H. (Ted) Farmer, showing LP Gas Reticulation, and noting the tennis court outside the gaol walls, near the north-western corner. (Source: NSW Plan Services, PC47/52, Berrima Correctional Centre – LP Gas Reticulation)

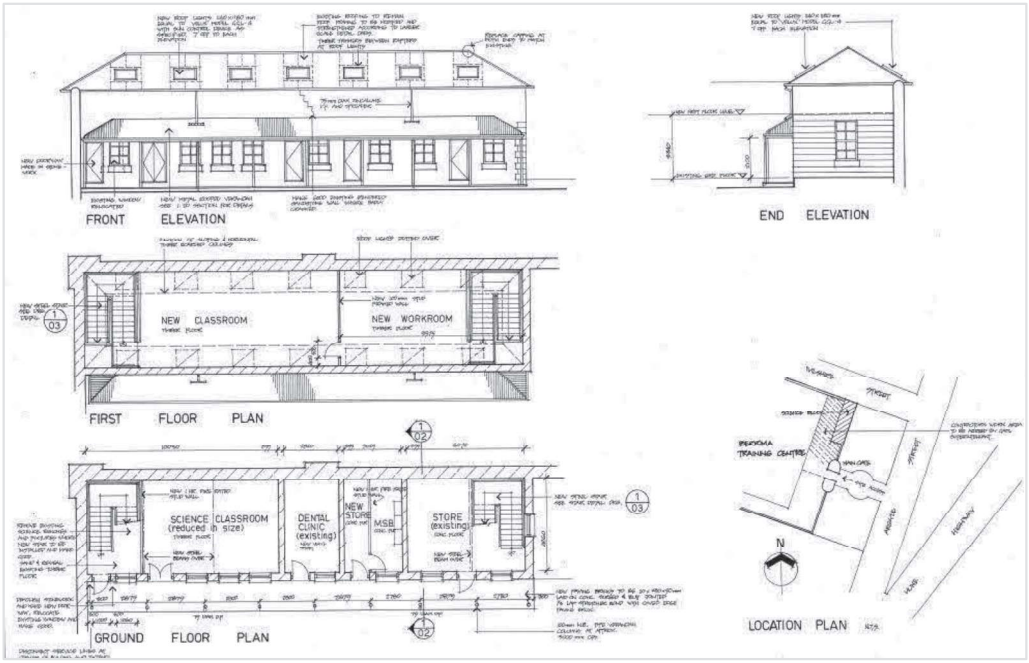


Figure 110: 1981 – Drawing prepared by consulting architect, Ralph Brading Associates, Bowral, for the Government Architect's Office under J.W. Thomson, showing plans and elevations for the extensions to the Science Block, involving a second storey to the existing ground floor from the c1950s. (Source: NSW Plan Services, PC 47/36, Berrima Correctional Centre – Science Block Addition – Ground & First Floor Plan)

Figure 111: 1980s – Oblique aerial view of the Berrima Training Centre. (Source: Berrima District Historical and Family History Society, Image Library, 'Berrima Correctional Centre, Berrima NSW', 103472)

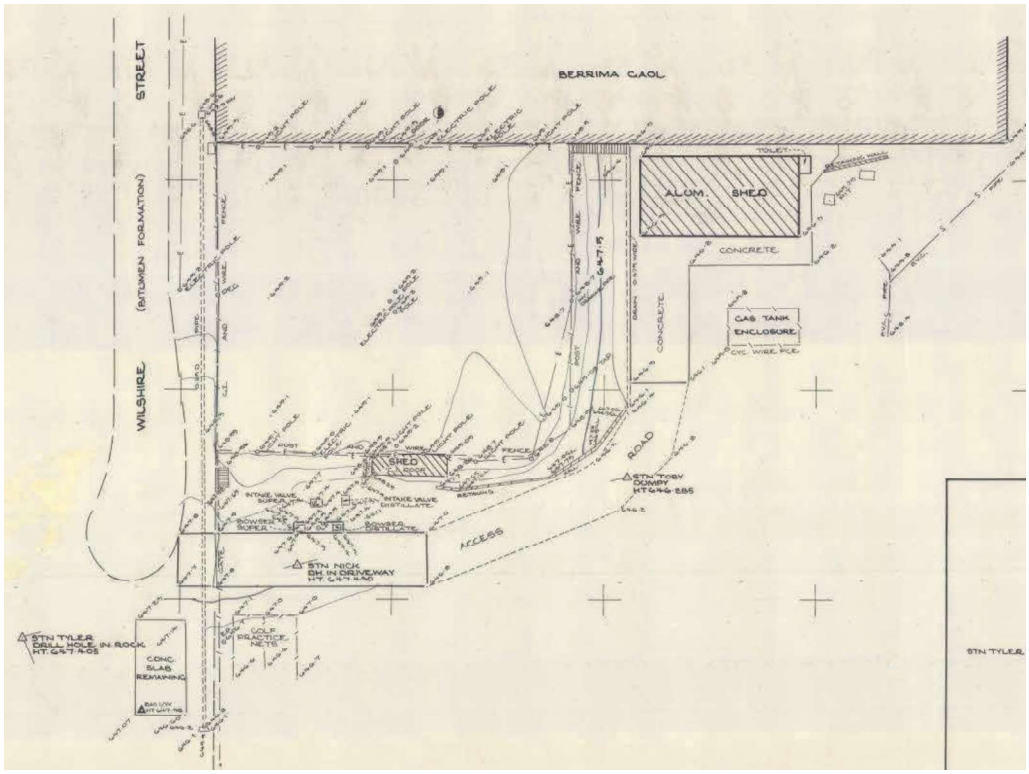


Figure 112: 1990 – Survey of the tennis court area outside the gaol walls, dated 5 June 1990, as part of plans to use the area for the new Industries Building. Noted are the access way form Wilshire Street, shed, Aluminium Shed and Gas Tank Enclosure. Also shows golf practice nets to the west of the driveway, at bottom left. (Source: NSW Plan Services, Plan18_10874, Berrima Correctional Centre – Training Centre – Future Industries – Detail & Contour Plan)

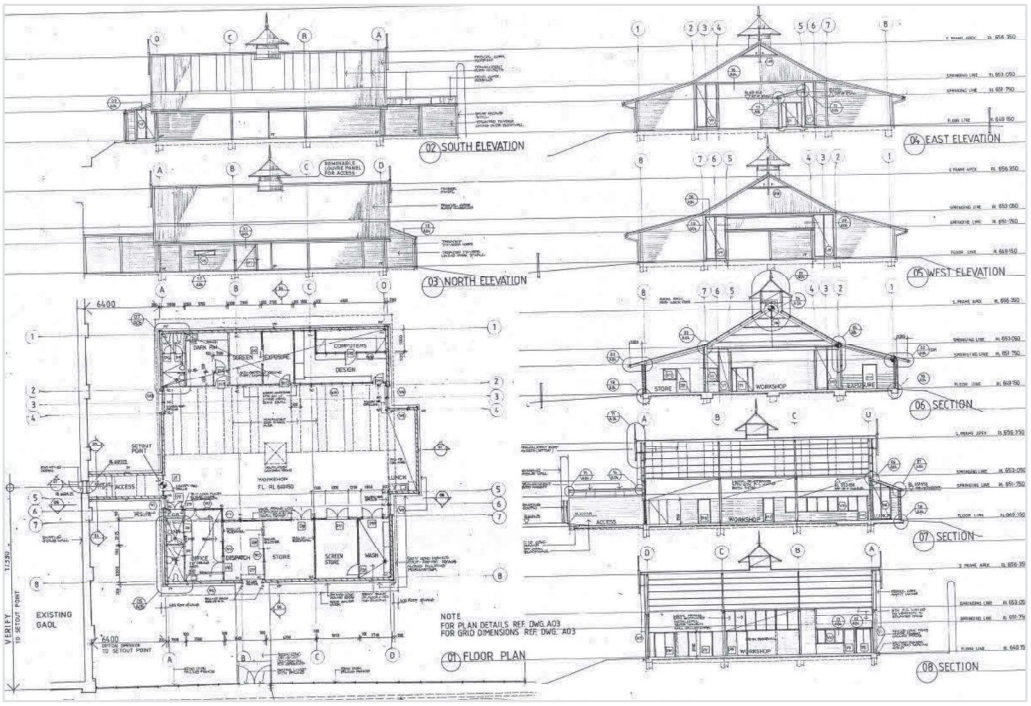


Figure 113: 1990 – Drawing by consulting architect Ron Barrelle of Barrelle Partners Architects, Crows Nest, dated 29 May 1990 and amended to 20 March 1991, to the design by the Government Architect, L. D. Kelly. (Source: NSW Plan Services, PC47/60A, Berrima Correctional Centre – Industries Building – Floor Plan – Elevations & Sections - Amended)

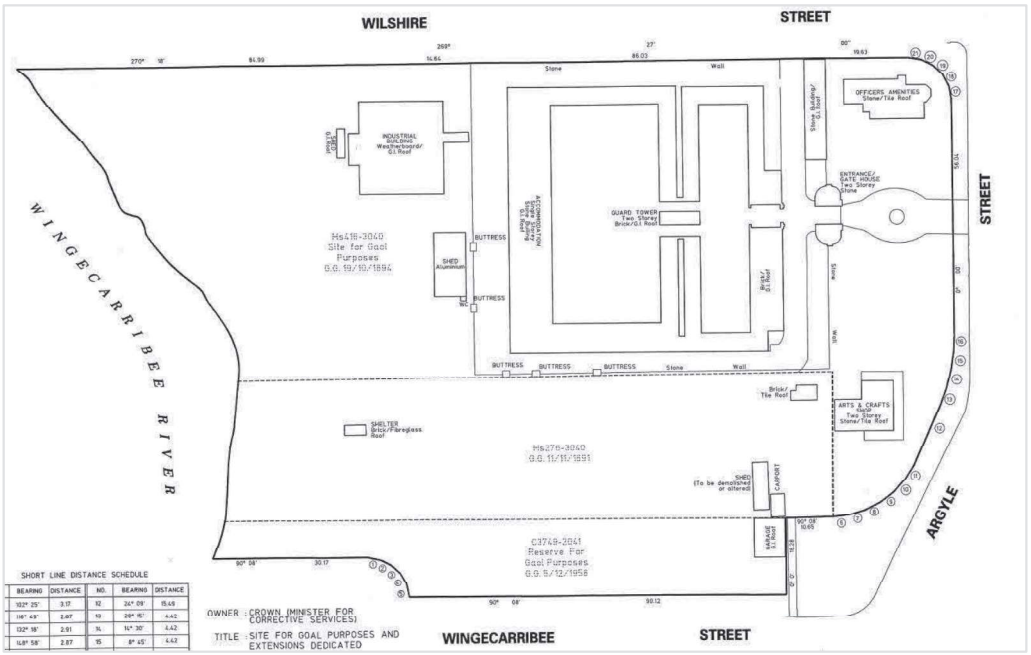


Figure 114: 1993 – Survey of the Berrima Correctional Centre dated 17 December 1993, noting the various buildings and outbuildings at the site, as well as the area dedicated in 1958 (at bottom). The relocated tennis courts are not shown, however, they are visible in an aerial photograph dated 1994, see Figure 118. (Source: NSW Plan Services, PC47/68, Berrima Correctional Centre – Building Inventory – Survey Inspection)

Although from 1992 at the latest Berrima Training Centre was known as 'Berrima Correctional Centre',[286] it was not until 3 September 1997 that Berrima Training Centre was officially renamed the Berrima Correctional Centre in an official proclamation under the *Correctional Centres Act 1952*.[287] Two years later, on 2 April 1999, the Berrima Correctional Centre was placed on the NSW State Heritage Register.[288]

The following aerial photographs taken between 1963 and 1994 show the main changes at the site during that time (Figure 115-Figure 118):

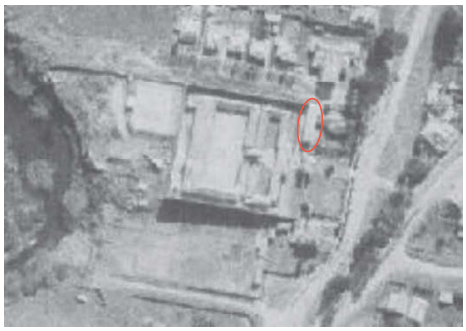


Figure 115: 19 August 1963 – Aerial photograph showing Berrima Training Centre. Tennis courts visible at top left, outside the gaol walls. Ground floor of Science Block also existing by that time, circled red. (Source: NSW LRS, Spatial Services, Historical Imagery, Burragorang 8929)

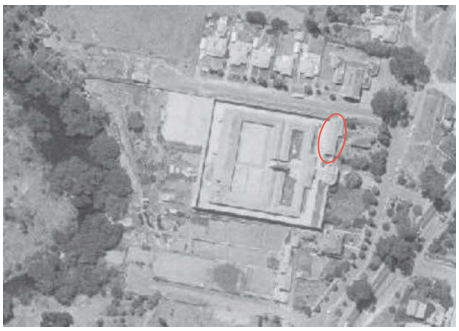


Figure 116: 29 October 1982 – Aerial photograph showing Berrima Training Centre. Site largely unchanged, but second storey added to Science Block (circled red). (Source: NSW LRS, Spatial Services, Historical Imagery, Burragorang 8929)

Figure 117: 12 November 1990 – Aerial photograph showing Berrima Training Centre. Tennis court area excavated for new Industries Building (at top left). New aluminium shed to the south of (below) former tennis courts. New building (visiting complex) in south-east corner of gaol, circled red. (Source: NSW LRS, Spatial Services, Historical Imagery, Burragorang 8929)

Figure 118: 24 October 1994 – Aerial photograph showing Berrima Training Centre. New Industries Building at top left, with tennis courts relocated to the south-western corner of the site. (Source: NSW LRS, Spatial Services, Historical Imagery, Burragorang 8929)

2.8 BERRIMA CORRECTIONAL CENTRE (1997-2020)

2.8.1 MEDIUM SECURITY WOMEN'S PRISON (2001-2011)

In 2001, four years after having officially been renamed Berrima Correctional Centre in 1997, the site was reclassified as a medium security women's prison and it remained in this use

[286] 'APPOINTMENTS', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 11 September 1992, 6833, http://nla.gov.au/nla.news-article231913506.
[287] 'CORRECTIONAL CENTRES ACT 1952', *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, 12 September 1997, 8039, http://nla.gov.au/nla.news-article231957363.
[288] 'Berrima Correctional Centre | NSW Environment, Energy and Science', accessed 18 January 2021, https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5045150.

until the site's closure in 2011.[289] On 6 September 2011, the Treasurer announced the closure of Berrima Correctional Centre, along with the Parramatta and Kirkconnell centres, "to address the surplus capacity and to align the State's correctional systems with community needs."[290] At the same time, around 350 staff were expected to be made redundant across Corrective Services as part of custodial reform. Berrima Correctional Centre was closed in November 2011 and the site transferred to the State Property Authority.[291] It was maintained by Correctional Services NSW and the local community.[292] A survey carried out in November 2004 shows the site largely unchanged (Figure 119), although by that time a new building had been added on the north-eastern side of the eastern cell block, constructed some time between 1994 and 2004.

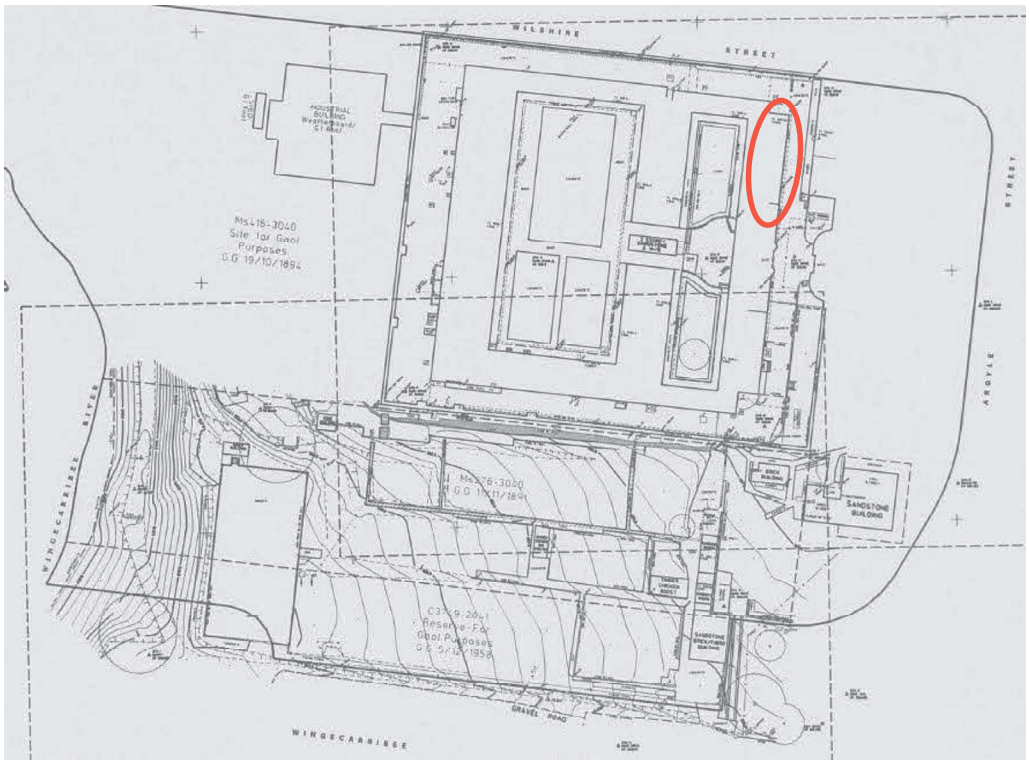


Figure 119: 2004 – Survey of the Berrima Correctional Centre dated November 2004. Apart from a new building added near the north-eastern corner of the eastern cell block (circled red), and some minor structures such as a timber chicken roost and chicken shelter in the garden area to the south (at bottom), the site is largely unchanged. (Source: NSW Plan Services, Plan 18_21232, Berrima Correctional Centre – Compilation Plan – Design – Sheet 1)

2.8.2 LOW RISK MALE PRISON (2016-2018)

In August 2016, it was announced that Berrima Correctional Centre would reopen the next month as a minimum-security prison for 75 inmates.[293] The decision to reopen was part of a plan to provide an extra 1,400 beds for the state's jails, amid a 12 percent increase of the prison population. The plan involved reopening of Berrima prison (75 beds) and Unanderra

[289] Community Relations Division and NSW Department of Justice, 'Women Return to Berrima Correctional Centre' (Locked Bag 5111 Parramatta NSW 2124), accessed 18 January 2021, https://www.justice.nsw.gov.au:443/Pages/media-news/media-releases/2018/women-return-berrima-correctional-centre.aspx; 'Australian Institute of Criminology - New South Wales Correctional Facilities', 24 March 2012, https://web.archive.org/web/20120324174015/http://aic.gov.au/criminal_justice_system/corrections/facilities/nsw.aspx#berrima.
[290] NSW Department of Attorney General and Justice, '2020/2011 Annual Report', 2011, 237.
[291] 'Historic Berrima Jail Has Finally Served Its Time'.
[292] 'Berrima Gaol Reopens: PHOTOS and VIDEOS', Southern Highland News, 27 September 2016, https://www.southernhighlandnews.com.au/story/4192948/berrima-gaol-reopens-photos-and-videos/.
[293] 'NSW Prisons to See 1,400 Extra Beds, Old Jails Re-Opened', 10 August 2016, https://www.abc.net.au/news/2016-08-10/nsw-prisons-to-see-1400-extra-beds-old-jails-re-opened/7712570.

prison (60 beds) and rapid-build projects to create hundreds of additional beds at Nowra, Emu Plains, Bathurst, Kempsey and Junee. Cessnock Jail and Lidcombe Juvenile Detention Centre were also due to be expanded and used as adult jails.

The Berrima Correctional Centre was officially recommissioned on 27 September 2016 and reopened as a minimum-security correctional facility for male offenders on 5 October 2016, for 75 C classification minimum security inmates.[294] Prior to reopening, prisoners from the South Coast were brought to Berrima to undertake refurbishments, taking four months to complete. Some of the new inmates were expected to work on community projects in the Wingecarribee Shire Council area.

2.8.3 LOW RISK WOMEN'S PRISON (2018-2020)

In mid-2018, the facility was reclassified as a prison exclusively for women, due to an increase in female offenders across the state.[295] The reclassification involved another upgrade, including replacement of urinals with appropriate bathroom facilities for women, addition of two audio-visual link suites for court appearances and legal visits, upgrading of bunk beds and provision of an additional assessment cell. [296] No plans of these changes were sighted. All male prisoners were absorbed into the wider system in June 2018.

Berrima Prison was retired in April 2020. Prior to its closure, prison photographer Sue Paull was commissioned to document the last days of Berrima Correctional Centre in March 2020.[297] The site was closed at this time but remained in an operation state as a COVID 19 contingency.

2.9 ARCHITECTS

2.9.1 MORTIMER WILLIAM LEWIS (1796-1879)

Colonial Architect 1835-1849, responsible for the final design of the first stage of Berrima Gaol (1834-39) initiated under Ambrose Hallen's tenure as Colonial Architect (1832-35), based on SIPD design. Retained elements: Original entrance gate (1839), western portion of gaol wall (1839).

The following information has been copied verbatim from the online *Australian Dictionary of Biography* entry on 'Lewis, Mortimer William (1796-1879)':

> "Mortimer William Lewis (1796-1879), surveyor and architect, was born in London, the son of Thomas Arundel Lewis and his wife Caroline, née Derby. At 19 he was appointed surveyor and draftsman in the London office of the inspector-general of fortifications, and later as a private practitioner he spent eight years in surveying and building. He then received an appointment as assistant surveyor in the office of the surveyor-general of New South Wales.
>
> Lewis left London in the Dunvegan Castle in September 1829 and arrived in Sydney next March with his wife Elizabeth, née Clements, whom he had married in 1819, three sons and one daughter. Another son was born in Sydney. Under the surveyor-general, (Sir)

[294] 'Berrima Gaol Reopens'.
[295] Community Relations Division and NSW Department of Justice, 'Women Return to Berrima Correctional Centre' (Locked Bag 5111 Parramatta NSW 2124), accessed 18 January 2021, https://www.justice.nsw.gov.au:443/Pages/media-news/media-releases/2018/women-return-berrima-correctional-centre.aspx.
[296] Olivia Ralph, 'Women Return to Berrima Gaol', Southern Highland News, 24 July 2018, https://www.southernhighlandnews.com.au/story/5543663/women-return-to-berrima-gaol/.
[297] 'Berrima Jail Photographed for Posterity before Closure', 7 September 2020, https://www.abc.net.au/news/2020-09-08/photographer-captures-historic-berrima-jail-before-closure/12636816.

Thomas Mitchell, Lewis mapped the Dividing Range west of Sydney. Mitchell later appointed him town surveyor and in 1835 colonial architect in succession to Ambrose Hallen. Lewis held this post for fifteen years. His first design for the government was a lunatic asylum, which a century later was still part of the Gladesville hospital. More major works followed in 1837: the court-houses of Darlinghurst, Hartley, Berrima and Parramatta. The Darlinghurst court-house is an important example of the Greek revival style which Lewis favoured and used in many buildings. He was a prolific architect. After Government House, Sydney, was designed in London, he supervised its erection in 1838, and designed five gaols, three watchhouses, two police stations, three court-houses, a school, a customs house at Port Phillip and twelve churches, most of them in the Hunter River valley. As well as his buildings, many of Lewis's design drawings remain. They reveal him as a most competent and tasteful draftsman, meticulous in both the structural and pictorial aspects of his work.

The colonial architect's office was in a building, since vanished, attached to the eastern side of the Hyde Park barracks which now serve as the district courts, Queen's Square, Sydney. Lewis lived on the premises. Later he bought an estate at Bronte, where he began building a house which he sold half-finished to Robert Lowe. Soon afterwards Lewis lived at Adelaide Place, Darling Point.

He altered and added to the north wing of the hospital in Macquarie Street, Sydney, when it was converted into the Legislative Council chambers, but his work has since been vastly altered. His customs house at Circular Quay, Sydney, finished in 1844, is now so surrounded and embedded in the modern building that only vestiges can be discerned. Although Lewis was the leading designer in the Greek revival style in Australia, he was quite adept at Gothic revival, in which his most important building was the church of St John the Evangelist, Camden, consecrated on 7 June 1849. Its success is partly accidental, for its loveliest feature is the colourful brickwork of the walls which Lewis intended to plaster but was prevented by lack of funds. The spire is unusual in that it is brickwork, but its plastering over was essential. In the late 1840s he designed Sydney's first museum. Although estimated to cost £3000, some £5800 was spent before the roof was put on. Lewis came under attack from press and government and some legislative councillors wanted to abandon the whole project. Although enough money was granted to complete the museum, an official inquiry fixed the blame on Lewis and he resigned as colonial architect, an unfortunate end to a fruitful career. He was by no means ruined, for in 1850 he built himself a large house facing the Domain and called it Richmond Villa. It still exists as a part of the Parliament House installations, but the decadence of its Gothic revival design contrasts with the excellence of his previous work. He was fortunate that his activities coincided with the best period of Australia's colonial architecture, for by 1850 architectural taste was beginning to decay. It was also fortunate for his reputation that so many of his designs were of public buildings, which made their preservation more likely.

After twenty-nine years in retirement, Lewis contracted a kidney complaint and after an illness of two weeks died on 9 March 1879. He was buried in South Head cemetery, Sydney."[298]

[298] Morton Herman, 'Lewis, Mortimer William (1796-1879)', in *Australian Dictionary of Biography* (National Centre of Biography, Australian National University, 1967), https://adb.anu.edu.au/biography/lewis-mortimer-william-2355.

2.9.2 JAMES RATTENBURY (1808-1863)

Superintendent of works during first stage of Berrima Gaol (1834-39), clerk of works in Colonial Architect's Department. Retained elements: Original entrance gate (1839), western portion of gaol wall (1839).

The following information has been copied verbatim from the *Encyclopedia of Australian Architecture* entry on 'Rattenbury, James':

> "James Rattenbury (1808-63), of whom little is known, was possibly an architect, though it is not certain. He was appointed Colonial Clerk of Works by William Lonsdale on 1 July 1839 following Robert Russell's suspension. While in this post he is known to have prepared a plan for a temporary gaol (1839) in the fledgling settlement of Melbourne. He was responsible for an early customs house in Geelong (1845), a stone structure of utilitarian character and austere in style, that was later replaced when Geelong's importance as a port increased dramatically once gold was discovered in Vic. The design for the bluestone Portland Court House (1843-5), a rare example of the Regency style in Vic., is also attributed to Rattenbury. It is believed that Rattenbury was responsible for a post office in Bourke Street, Melbourne on the site of the current General Post Office. Upon separation from NSW in 1851, Rattenbury was succeeded by Henry Ginn, who became Colonial Architect of the new Colony of Victoria. By 1851 Rattenbury was practising privately from Collingwood, and he called tenders for two houses in Collingwood that year. Little is known of his later life or work."[299]

2.9.3 JAMES JOHNSTONE BARNET (1827-1904)

Colonial Architect (1862-1890), responsible for extension of Berrima Gaol (1863-66) as a model prison for separate treatment. Retained elements: Front entrance gate (1866), eastern portion of gaol wall (1866), water fountain on exterior of north wall (1877).

The following information has been copied verbatim from the online *Australian Dictionary of Biography* entry on 'Barnet, James Johnstone (1827-1904)':

> "James Johnstone Barnet (1827-1904), architect, was born at Almericlose, Arbroath, Scotland, son of Thomas Barnet, builder, and his wife Mary, née McKay. After education at the local high school he went to London in 1843 and was apprenticed to a builder. He then studied drawing and design under W. Dyce, R.A. and architecture with C. J. Richardson, F.R.I.B.A., and became clerk of works to the Worshipful Company of Fishmongers. On 22 July 1854 he married Amy, daughter of John and Elizabeth Gosling; they sailed for Sydney and arrived in December. He engaged in building operations before he became clerk of works at the University of Sydney. In 1860 he joined the Colonial Architect's Office; two years later he became its acting head and in 1865 colonial architect; he held the position until 1890 when the office was reorganized.
>
> Barnet was responsible for the building of defence works at Port Jackson, Botany Bay and Newcastle, court-houses, lock-ups, police stations and post offices throughout New South Wales and several lighthouses including the Macquarie Lighthouse on South Head, which replaced an earlier one designed by Francis Greenway. In Sydney he designed and supervised the construction of several important public buildings: a new wing to the Australian Museum, the General Post Office, Colonial Secretary's Office, Public Works and Lands Buildings, Customs House, Public Library, the Medical School at the University of

[299] George Tibbits and Philip Goad, 'Rattenbury, James', in *The Encyclopedia of Australian Architecture* (Port Melbourne VIC: Cambridge University Press, 2012).

Sydney and the Callan Park Lunatic Asylum. He was also responsible for additions to the Tarban Creek Asylum and the maintenance of other public buildings. The total cost of public works carried out or in progress under his direction to 1881 was £3,598,568 for 1490 projects.

When the Duke of Edinburgh visited Sydney in 1868 Barnet was given charge of arrangements for the royal reception and in 1879 was responsible for the design and erection of the Sydney International Exhibition building on five acres of the Botanical Gardens. The design was prepared and the work completed in nine months with the aid of night shifts using the first electric light in Sydney. Preparation of 412 drawings and of all accounts and payment of moneys as well as oversight of the work were part of Barnet's responsibility. Whilst the work was in progress he was continually attacked in parliament and in the press. As an indication of its censure parliament disallowed his forage allowance in 1879. A sum of £50,000 had been voted for the project but the final cost was £184,570. Barnet explained the increased cost as the result of hurried planning and the use of more durable material than originally intended. The building 'took the public taste' and when the exhibition ended he was paid a gratuity of £500, an amount he considered totally inadequate.

The new wing for the Australian Museum was intended for a museum of natural history and a sculpture gallery. In 1873 the management of Gerard Krefft as curator was considered by the trustees to be highly unsatisfactory and on 24 February 1874 a select committee of the Legislative Assembly was appointed to investigate. Despite Barnet's denials it reported that the old building was satisfactory although in poor repair, but the new wing was 'extremely defective' with 'abundant evidence of the architect's desire to subordinate utility to ornament'; in no circumstances should the colonial architect be permitted to continue his mistakes in the uncompleted work. In spite of the committee's findings Barnet was soon acclaimed as an architect of skill and imagination. On 1 September at the official opening of the General Post Office the postmaster-general, (Sir) Saul Samuel, paid a glowing tribute to his work. The first contracts for the foundation and basement had been let in February 1866 but were delayed by negotiations for extending the site and the needs of urgent defence work. To make the most of the narrow site an extra storey was added, mezzanine galleries were built above the ground floor and the main building extended over an arcade built above the footpath. Pyrmont sandstone, in blocks 'of a magnitude never before attempted in these colonies', was used and fireproof concrete 'of original composition' formed the vaulted dome ceilings.

For decoration of the Pitt Street frontage Barnet planned carvings which would portray selected arts, sciences, and customs of the day. In 1883 these came under criticism from the postmaster-general, William Trickett. The inevitable board of inquiry commended Barnet's intention but complained that the carvings were not a faithful record, approaching 'far more to the unnatural and burlesque than … to the real', an opinion which made Barnet doubt the artistic taste of his judges. The subject was dropped although occasional notices in the press referred to the entertainment of visitors by the 'grotesque' carvings.

In addition to other official duties, Barnet sat on the commission set up in 1870 to plan the colony's defence. More defence works were recommended for Port Jackson and Barnet was directed to build new batteries and barracks. His work, without 'any technical professional aid', was highly praised by Sir William Jervois and (Sir) Peter Scratchley in 1877. On 16 July 1889 the defence work was removed from Barnet's control and a military works branch of the Public Works Department was created with Lieutenant-Colonel F. R.

de Wolski as director. The earlier close relationship between the military and Barnet deteriorated rapidly, partly because of de Wolski's outspoken condemnation of Barnet's ability and partly because of his persistence on tactical delay in handing over plans and documents for defence work. For some time work at Bare Island battery, Botany Bay, had been criticized and rumours of incompetence and dishonest workmanship persisted. On 1 July 1890 a royal commission was appointed to investigate the letting of contracts and to report on the work already completed. The commissioners found that much of the construction was below standard: the colonial architect's supervision had not been adequate, specifications were altered without approval and expenditure insufficiently controlled. Barnet's evidence contradicted that of his subordinates which the commission accepted more readily than his own. Whatever deficiencies had occurred, and there were plenty, were Barnet's sole responsibility; he was found guilty of gross indifference towards his duties and of insubordination to the minister for public works.

Although the minister saved Barnet from further punishment, the commission's censure was a regrettable end to a distinguished career. For his part Barnet thought that the commissioners' report was an 'unseemly, cruel, and spiteful exhibition of silly persecution and injustice' and believed that he could have made a satisfactory explanation if given the opportunity; he was also convinced that the commission had been influenced by de Wolski who by invitation had attended many of its meetings and been permitted to comment on the evidence.

In his architectural work Barnet had been strongly influenced by the Italian Renaissance, but some of his buildings were on poor sites. He had no sympathy for new styles of architecture which were becoming fashionable in Sydney at the end of the century and tended to ape American trends. He was equally critical of domestic architecture cluttered with useless ornamentation and 'surmounted with blazing red tiles from France'. As colonial architect for twenty-five years he had an important influence on colonial architecture; his public buildings were well built and well designed and stood as a memorial to his ability. References to his work are sprinkled throughout the Sydney Morning Herald in 1863-1904. In 1899 he published Architectural Work in Sydney, New South Wales, 1788-1899.

Barnet died on 16 December 1904 and was buried in the Presbyterian section at Rookwood cemetery where his wife had been interred about 1890. He was survived by four daughters and three sons, two of whom practised their father's profession."[300]

2.9.4 WALTER LIBERTY VERNON (1846-1914)

Government Architect (1890-1911), responsible for 1890s and 1900s alterations as part of Neitenstein's prison reforms. Retained elements: Governor's Residence (1898), Deputy Governor's Residence (1900).

The following information has been copied verbatim from the online *Australian Dictionary of Biography* entry on 'Vernon, Walter Liberty (1846–1914)':

"Walter Liberty Vernon (1846-1914), architect and soldier, was born on 11 August 1846 at High Wycombe, Buckinghamshire, England, eldest son of Robert Vernon, banker's clerk, and his wife Margaret, née Liberty. Educated at the Royal Grammar School, High Wycombe, and at Windsor, Walter was articled in 1862 to the London architect W. G.

[300] D. I. McDonald, 'Barnet, James Johnstone (1827-1904)', in *Australian Dictionary of Biography* (National Centre of Biography, Australian National University, 1969), https://adb.anu.edu.au/biography/barnet-james-johnstone-2939.

Habershon; he attended Sir Robert Smirke's lectures at the Royal Academy of Arts and went at night to the South Kensington School of Art.

On completing his articles, Vernon worked for Habershon & Pite and from 1869 took charge of their branch office in Wales. On 11 August 1870 in the Dock Street Chapel at Newport, Monmouthshire, he married Margaret Anne Jones (d.1919). He then ran an office for the London architect Charles Moreing at Hastings where he set up his own practice in 1872. Vernon went on sketching trips through Holland, Belgium and Germany, and carried provisions across the Prussian lines during the siege of Paris. Suffering from bronchial asthma, he spent a year recuperating at Malta. A member (fellow, 1883) of the Surveyors' Institution from March 1880, he opened an office in Great George Street, London, while retaining his practice at Hastings. When his asthma recurred in 1883, he was advised to leave England: the family sailed in the Ballaarat, reaching Sydney on 3 November.

Commissioned to build a department store for David Jones Ltd (George and Barrack streets, 1885), Vernon designed his own home, Penshurst, at Neutral Bay in 1884. He bought adjoining land where he designed and built several villas. From 1 October that year until February 1889 he was in partnership with W. W. Wardell. Vernon assisted with works already in progress, designed buildings and supervised Wardell's Melbourne projects in 1884-85. Vernon was an alderman on East St Leonards Municipal Council in 1885-90. Elected a fellow of the Royal Institute of British Architects in 1885, he joined the (Royal) Art Society of New South Wales in 1884, (Sir) John Sulman's Palladian Club and the Institute of Architects of New South Wales in 1887, and the Sydney Architectural Association in 1891.

On 1 August 1890 Vernon had been appointed government architect in the new branch of the Department of Public Works which had been created to allow private architects to compete for the design of all public buildings estimated to cost over £5000. The government architect was to supervise the construction, with a commission paid to the selected architect. For new work below £5000 and for all alterations and maintenance, Vernon was required to make do with the remnants of James Barnet's staff (73 in 1890, reduced to 44 by 1893). Of three competitions held, only one resulted in a completed building (Grafton gaol, 1891). By the end of 1894 Vernon showed that the new system cost twice as much as designs from his own office: competitions were never reinstated during his tenure.

When building revived in the mid-1890s, he was permitted more staff. Unlike his predecessor, Vernon saw major city public buildings as 'monuments to Art', large in scale and finely wrought in stone (the main facade of the National Art Gallery of New South Wales, 1904-06); suburban buildings took on the scale and character of their surroundings (Darlinghurst fire station, Federation Free Style, 1910); and country buildings were designed with cross-ventilation, shady verandahs and sheltered courtyards (Bourke Court House, Federation Free Style, 1900).

In running the branch, Vernon insisted on the highest quality of design, the use of improved materials and construction methods, and the application of business-like procedures. Reserving the right to approve designs, he delegated project responsibility to capable officers. This sound basis allowed flexibility for such tasks as providing illuminations and decorations for the Commonwealth celebrations and supervising statutory by-laws like the Theatres and Public Halls Act, 1908.

From 1901 Vernon had executed many site studies for the future Federal capital and later maintained that his most important duty had been his part in contributing to the eventual choice of Canberra. He was appointed in 1909 to the Federal Capital Advisory Board which negotiated with the New South Wales government for the transfer of land and formulated the conditions for a competition to design the city. Believing that Australians possessed insufficient knowledge of town planning to be able to do justice to the great possibilities, he advocated a world-wide competition. He supported Walter Burley Griffin in Building on 12 June 1913 when a departmental scheme, largely drawn up by C. R. Scrivener, was substituted for Griffin's winning plan.

As well as serving on many government boards and inquiries, including the royal commission on the Sydney water supply (1902), Vernon belonged to the Australian Club (from 1884), United Service Institution of New South Wales (1889) and Aerial League of Australia (1909); he was president of the Broughton Club (1910-12) and of the architecture and engineering section of the Australasian Association for the Advancement of Science (1913); he was also a commissioner for the Franco-British Exhibition, London (1908), a trustee of the Australian Museum, Sydney (1909), vice-president of the Millions Club (1913) and a councillor of the Town Planning Association of New South Wales (1913).

A man of military stamp, Vernon was consumed by his interests in architecture and soldiering. In England he had served in the 4th Battalion of the Oxfordshire Light Infantry. He joined the New South Wales Lancers in January 1885 and was commissioned in March next year. Promoted captain (1893), he commanded the New South Wales Lancers contingent at Queen Victoria's diamond jubilee (1897) and was promoted major (1899). As lieutenant-colonel, Vernon commanded the 1st Australian Light Horse Regiment (New South Wales Lancers) in 1903-07 and, as colonel, the 2nd Light Horse Brigade in 1907-10; he was awarded the Volunteer Officers' Decoration in 1905.

By August 1911, when he retired, his staff numbered 152 and the government architectural office for New South Wales was an efficient public service machine. Vernon resumed private practice and found time for gardening, as well as for collecting furniture, pictures, armour and weapons. Since 1895 he had lived at Wendover, Normanhurst. Survived by his wife, two sons and two daughters, he died at Darlinghurst on 17 January 1914 of septicaemia and gangrene after the amputation of his leg, and was buried in the Anglican section of Gore Hill cemetery. The Vernon lectures in town planning, instituted at the University of Sydney in 1916, were endowed in his honour.

His elder son Hugh Venables (1877-1935) was born on 20 February 1877 at St Mary-in-the-Castle, Hastings, Sussex, England. Known as Venables (often Ven), he was educated at the Grammar School, Scone. On 1 November 1897 he joined the New South Wales Lancers as a trooper. He went to South Africa in November 1899 and took part in operations in Cape Colony, in the relief of Kimberley and in the Orange Free State. Awarded the Queen's South Africa Medal with three clasps, he contracted enteric fever in March 1900; he was commissioned in 1903. Vernon trained as an architect, probably under Howard Joseland with whom he was in partnership in 1903-14. On 31 January 1907 at St Mark's Anglican Church, Darling Point, Vernon married Mary Stephens (d.1966).

A major in the 1st Light Horse Regiment, Australian Imperial Force, he embarked in October 1914, commanded the regiment when it was dispatched to Gallipoli on 8 May 1915 and was mentioned in dispatches. Transferred to the 4th Division Ammunition

Column in April 1916 at the invitation of (Major General Sir) Charles Rosenthal, he was promoted lieutenant-colonel and took the unit to France in June 1916. After the battle of Fromelles he was awarded the Distinguished Service Order and was again mentioned in dispatches. He came home in December 1918.

Returning to civilian life and to architectural practice, Vernon resumed militia service (1921-26) and was awarded the Volunteer Officers' Decoration in 1924. Active in several South African War veterans' associations, he was State president and a trustee of the Returned Sailors' and Soldiers' Imperial League of Australia, a member of the Soldiers' Children Education Board, a director of the United Service Insurance Co. Ltd, a foundation member of the Legacy Club of Sydney, and a councillor and fellow of the Institute of Architects of New South Wales. Vernon's practice was mainly in domestic architecture in Sydney and Canberra. Survived by his wife, daughter and two sons, he died of chronic nephritis on 3 July 1935 at Warrawee and was buried beside his father.

Walter's younger son Geoffrey Hampden (1882-1946) was born on 16 December 1882 at Hastings, Sussex. Educated at Sydney Church of England Grammar School (Shore), he studied medicine at the University of Sydney (M.B., Ch.M., 1905). He was appointed captain in the 4th Light Horse Field Ambulance, Australian Imperial Force, on 4 March 1915, and served in the Middle East as regimental medical officer of the 11th Light Horse; he was awarded the Military Cross for 'gallantry and devotion to duty' under heavy fire on 8 August 1916 near the Hod el Beheir oasis, Sinai; promoted major in January 1917, he was wounded in action in November at Tel el Sheria and returned to Australia in August 1918. He lowered his age by eight years and enlisted in the Australian Army Medical Corps in 1942. As a captain, he served in Papua-New Guinea as medical officer with the 39th Australian Infantry Battalion on the Kokoda Track, becoming a legend among Australian troops and a hero to the Papuans. 'Doc' Vernon died on 16 May 1946 and was buried on Logea Island, Papua."[301]

2.9.5 COBDEN PARKES (1892-1978)

Government Architect (1935-1958) responsible for remodelling of Berrima Gaol into Berrima Training Centre (1944-49). Retained elements: 1949 cell blocks, courtyards, and observation tower.

The following information has been copied verbatim from the online *Australian Dictionary of Biography* entry on 'Parkes, Cobden (1892-1978)':

"Cobden Parkes (1892-1978), architect, public servant and soldier, was born on 2 August 1892 at Hampton Villa, Balmain, Sydney, youngest of five children of English-born parents Sir Henry Parkes, politician, and his second wife Eleanor, née Dixon (d.1895). Raised by his stepmother, Cobden was educated at Fort Street Model School and Rockdale College. He entered the Department of Public Works in 1909 as a cadet in the office of the government architect W. L. Vernon and studied at night at Sydney Technical College.

Enlisting in the Australian Imperial Force on 27 August 1914, Parkes embarked for Egypt with the 1st Battalion. At Gallipoli, he was promoted lance sergeant in June 1915 and commissioned two months later. On 4 September he was wounded in both hands: his left index finger was severely lacerated and three fingers of his right hand were amputated—a critical impairment for a draughtsman. He was invalided to Australia where his A.I.F.

[301] Peter Reynolds, 'Vernon, Walter Liberty (1846-1914)', in *Australian Dictionary of Biography* (National Centre of Biography, Australian National University, 1990), https://adb.anu.edu.au/biography/vernon-walter-liberty-8916.

appointment terminated in April 1916. After serving in the Militia, he gained a new commission in the A.I.F. in February 1918. Sailing via Egypt to England, he joined the 34th Battalion on the Western Front in October. His second appointment terminated in Sydney on 4 September 1919.

Parkes rejoined the Department of Public Works in 1920 and had extended periods in country offices. On 19 November 1921 he married Victoria Lenore Lillyman at St Philip's Anglican Church, Sydney. He returned to head office in 1929. Appointed designing architect in charge of the drawing office on 1 February 1930, he succeeded Edwin Evan Smith on 4 October 1935 as government architect, the first to be fully trained within the office. His duties included preparations for the sesquicentenary celebrations in 1938.

Essentially 'a man of considerable stature as an administrator and organiser', Parkes continued the conservative architecture of his predecessors in projects (1939-41) such as the portico and great reading room of the New South Wales Public Library (designed by Samuel Coleman). He recognized the skills of his staff architect E. H. Rembert and gave him carte blanche to produce buildings such as the Newcastle Technical College (from 1936) and the Hoskins block at Sydney Technical College (1938), both inspired by the Dutch modernist W. M. Dudok.

In 1939 Parkes accompanied the minister for health on a visit to inspect hospitals in England and North America. He returned to Sydney after World War II began and chaired the technical committee of the National Emergency Services. Following Japan's entry into the war in 1941, he provided support for the Air Raid Precautions and New South Wales Camouflage committees. In the 1950s, as the building trade recovered from postwar shortages of materials and manpower, one of Parkes's innovative measures was to develop co-operative arrangements with private architects to alleviate staff shortages. He also encouraged university training of cadets, who were given office experience on specialized projects in Rembert's 'Design Room' during vacations and on graduating.

Parkes retired on 1 August 1958 and was appointed (full-time) officer-in-charge of building, planning and development at the University of New South Wales, and a member of the planning and co-ordination committees of the Prince of Wales and Prince Henry hospitals. As councillor, honorary architect, president, vice-president or fund-raiser of such organizations as the Women's Hospital, Crown Street, the Nielsen-Vaucluse Park Trust, the Legacy Club of Sydney and the State division of the Australian Red Cross Society, he was regarded as a legend. He was a man of character, charm, dignity, understanding and humanity who inspired 'affection in all who knew him'.

A member (from 1924) of the Institute of Architects of New South Wales, Parkes was a foundation member (1929), fellow (1936) and life fellow (1958) of the Royal Australian Institute of Architects; he was president (1942-44) of the State chapter, and a national councillor (1947-54) and president (1950-52). He was also a member (from 1942) and chairman (1949-63) of the Board of Architects of New South Wales, and a member of the Board of Architectural Education. Elected a fellow of the Royal Institute of British Architects (1951), he received the Florence Taylor award (1955) from the Master Builders' Association of New South Wales. The U.N.S.W. conferred on him a D.Sc. (honoris causa) in 1958, the year in which he was appointed C.B.E. In 1964 he received the gold medal of the R.A.I.A. He belonged to the Imperial Service Club.

Survived by his son and two daughters, Parkes died on 15 August 1978 at Blakehurst and was cremated."[302]

[302] Peter Reynolds, 'Parkes, Cobden (1892-1978)', in *Australian Dictionary of Biography* (National Centre of Biography, Australian National University, 2000), https://adb.anu.edu.au/biography/parkes-cobden-11342.

3.0 PHYSICAL EVIDENCE

3.1 SITE INSPECTION

The site was inspected by Dr Martina Muller, Samantha Polkinghorne and Sophie Bock, of NBRSARCHITECTURE in December 2020. Physical research was carried out without excavation or physical intervention in the fabric. No inspection was carried out to any roof areas, externally or internally, nor any external element above the ground floor.

3.2 CONTEXT AND SETTING

The Berrima Correctional Centre is located on Argyle Street, Berrima, to the east of the Wingecarribee River, which winds through the town of Berrima in a roughly north-west to south-east direction. The site is on a block bounded by Argyle Street to the east, Wilshire Street to the north and the river to the west.

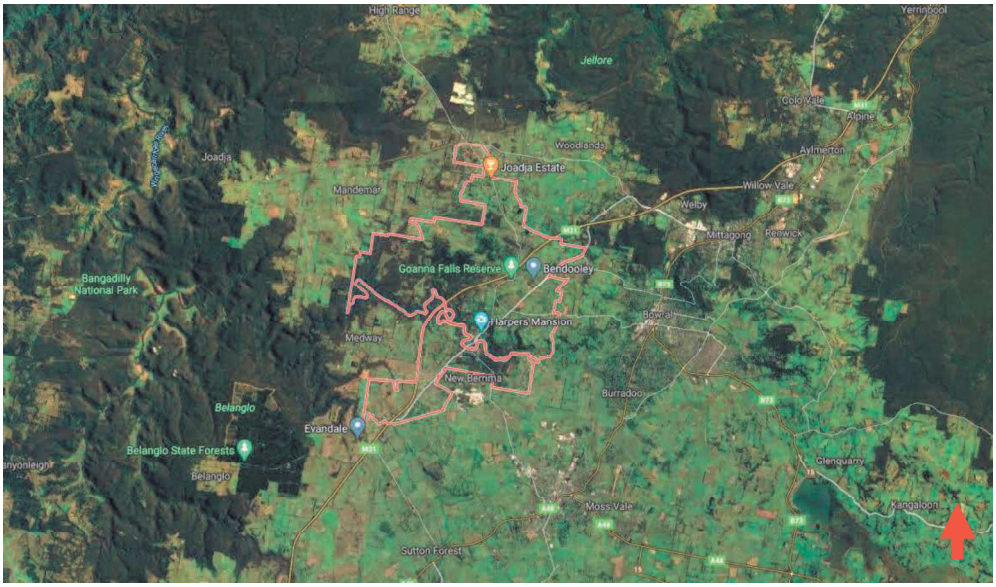


Figure 120: Aerial map showing the town of Berrima, outlined in red (Source: Google Maps)

Figure 121: Aerial view of the site, indicated by the red circle, showing the town of Berrima in its immediate surroundings. (Source: Sixmaps)

The surrounding area is generally characterised by single storey shops and dwellings. The Berrima Court House is located on Wilshire Street, directly to the north of the site. The site is close to the Old Hume Highway, on the opposite side of which are the Berrima shops.

Figure 122: Wilshire Street, facing west, showing the subject site at left and the Berrima Court House at right (Source: NBRSARCHITECTURE 2020)

Figure 123: The Berrima Courthouse, showing its frontage to Wilshire Street (Source: NBRSARCHITECTURE 2020)

Figure 124: Old Hume Highway, Berrima, showing shops to the east of the subject site (Source: Google Streetview)

Figure 125: Old Hume Highway, Berrima, showing shops and a hotel to the south of the subject site (Source: Google Streetview)

Figure 126: View towards Byron Street, Berrima, showing the town's general built character consisting of single-storey dwellings on tree-lined streets (Source: Google Streetview)

Figure 127: Houses on Jellore Street, Berrima, showing the typical character of the town's dwellings (Source: Google Streetview)

3.3 DESCRIPTION OF THE SITE

The site comprises a number of buildings and other structures, shown in the diagram below.

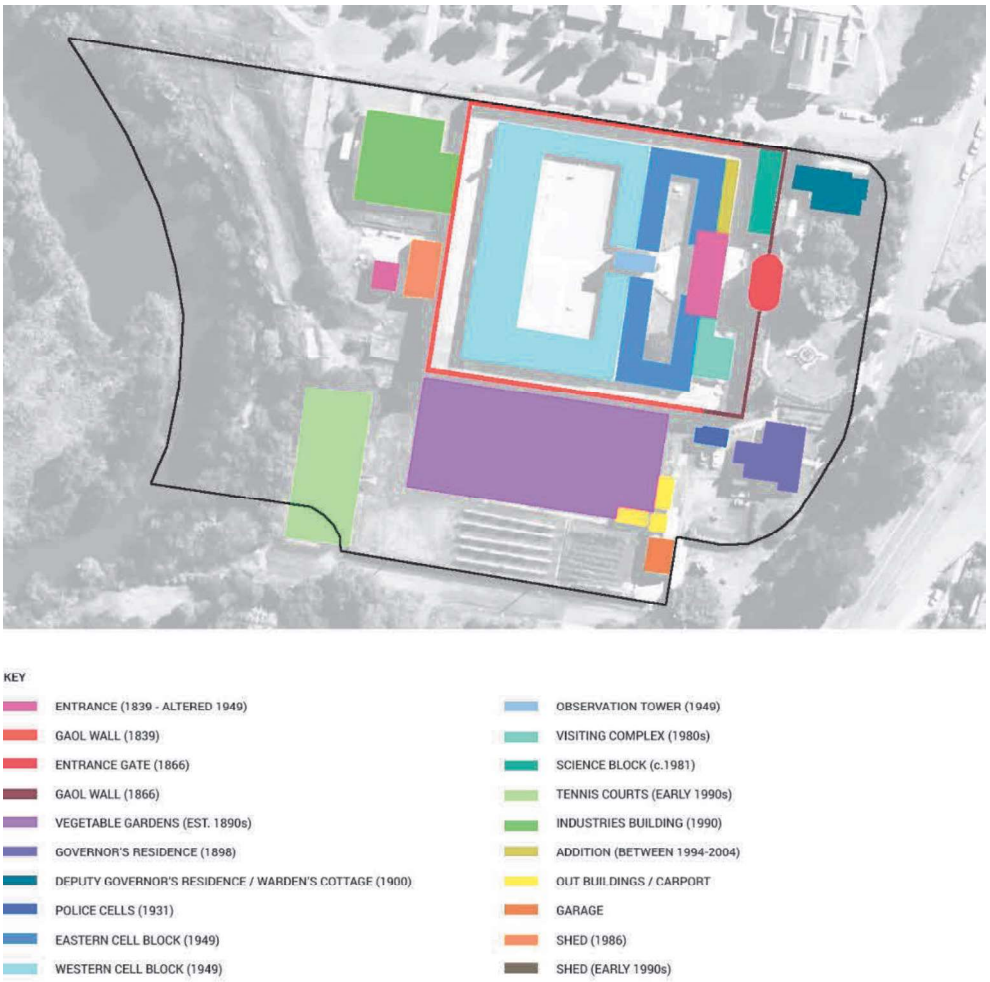


Figure 128: Site diagram of the Berrima Correctional Centre (Source: NBRSARCHITECTURE)

3.4 DESCRIPTION OF THE SITE

3.4.1 GAOL WALL AND ENTRANCE GATE

The gaol wall at the Berrima Correctional Centre is a prominent structure visible from streets to the south, east and north. It is constructed in sandstone, tooled in a sparrow peck finish. 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 dates from 1866.

The Bulls Head Drinking Fountain is located on the northern side of the wall externally, facing Wilshire street. The fountain comprises a carved bull's head (Figure 15) and a trough, and was added on the exterior of the northern gaol wall in 1877,[303] for the benefit of the police and Magistrate's horses.

The entrance gate to the Berrima Correctional Centre is a two-storey sandstone structure comprising rooms on either side of an archway. It is accessed via timber panelled doors on the eastern (front) side. The floor structure between the two storeys is in timber, carpeted over. The southern room on the ground floor is currently used by the supervisors of the site

[303] Rosalind Dale, *Opening a Window on Berrima's Past* (Moss Vale, NSW: Rosalind Dale and Corinne Dany, 2013).

as an office. The other three rooms in the building are not used and are generally in poor condition.

The archway is semi-circular, with a flat keystone on the western façade (internal to the gaol), and a more decorative, scrolled keystone on the exterior façade. Sandstone piers are located on either side of the arch, in a banded configuration of rusticated and ashlar stones. These sit on a moulded stone base and reach a decorative moulded cornice beneath the parapet, which wraps around the ovular structure.

The NSW State Heritage Inventory contains the following physical description for the Berrima Correctional Centre – Gatehouse, database no. 3360095:

> *The gatehouse of Berrima Gaol is an impressive component of the external wall of the correctional centre, constructed when the gaol was expanded during the 1860s. The building is elliptical in plan, with a parapet concealing the roof. Presumably this roof was originally slate, as indicated by its complicated form.*
>
> *The Gatehouse is constructed of finely worked sandstone, with a central arch as its main feature, with a keystone in the form of a console bracket. The rusticated flanking pilasters have alternating bands of smooth and rough faced ashlar. This mannerist detailing contributes to the feeling of solidity conveyed by the design of this building. The gates are composed of solid panelled doors with a grill above. Arrow slits are located in the curved side bays, which allowed observation of the forecourt.*
>
> *A formal approach, with a central drive and flanking garden beds has been created.*

Figure 129: View of the site from Argyle Street, facing west. The entrance gate is seen at centre (Source: NBRSARCHITECTURE 2020)

Figure 130: View of Wilshire Street facing west, showing the northern wall of the gaol (Source: NBRSARCHITECTURE 2020)

Figure 131: The fountain on the exterior of the northern wall of the gaol (Source: NBRSARCHITECTURE 2020)

Figure 132: View of Wilshire Street facing east. The Berrima Courthouse is visible here on the northern side of the street (Source: NBRSARCHITECTURE 2020)

Figure 133: Southern wall of the gaol externally (Source: NBRSARCHITECTURE 2020)

Figure 134: Western wall of the gaol externally, facing south (Source: NBRSARCHITECTURE 2020)

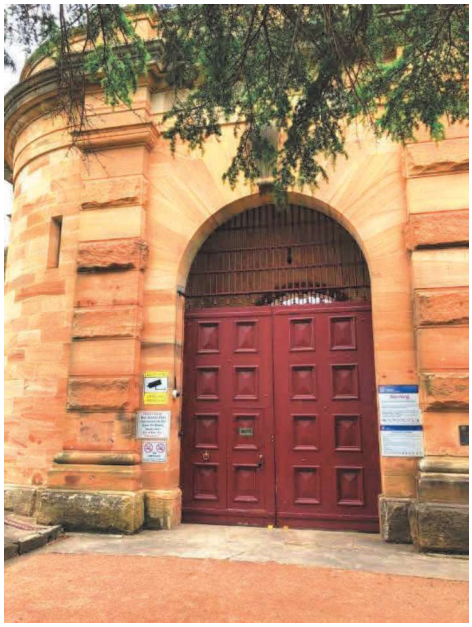


Figure 135: Main entrance gate showing timber doors within the 1866 stone archway (Source: NBRSARCHITECTURE 2020)

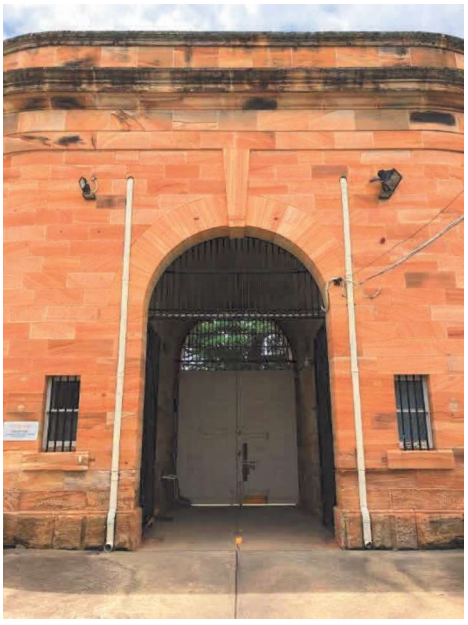


Figure 136: Main entrance gate, viewed from the 'sterile' zone immediately within the gaol walls, facing east (Source: NBRSARCHITECTURE 2020)

Figure 137: Main entrance gate, viewed from the 'sterile' zone immediately within the gaol walls, facing north-east (Source: NBRSARCHITECTURE 2020)

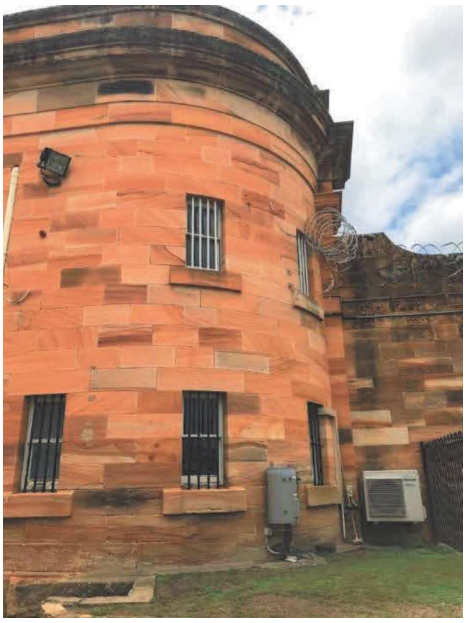


Figure 138: The southern end of the main entrance gate, viewed from the 'sterile' zone immediately within the gaol walls, facing east (Source: NBRSARCHITECTURE 2020)

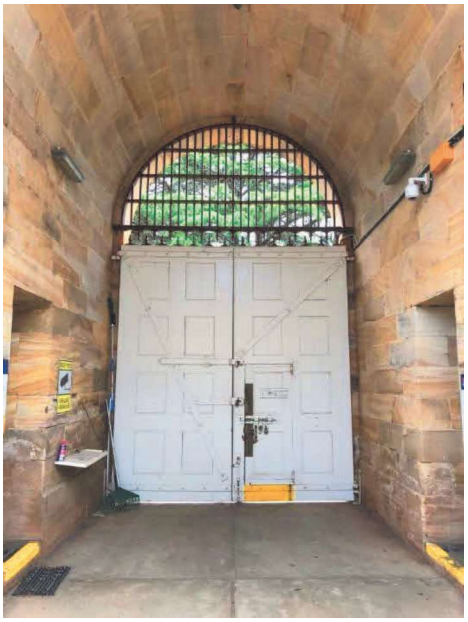


Figure 139: Front entrance gate from the inside of the gaol, facing east (Source: NBRSARCHITECTURE 2020)

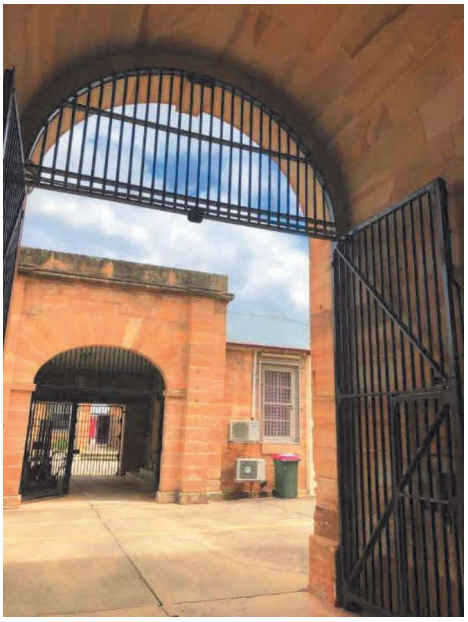


Figure 140: View west from inside the front entrance gate, showing the second gate, portions of which have been retained from 1839 (Source: NBRSARCHITECTURE 2020)

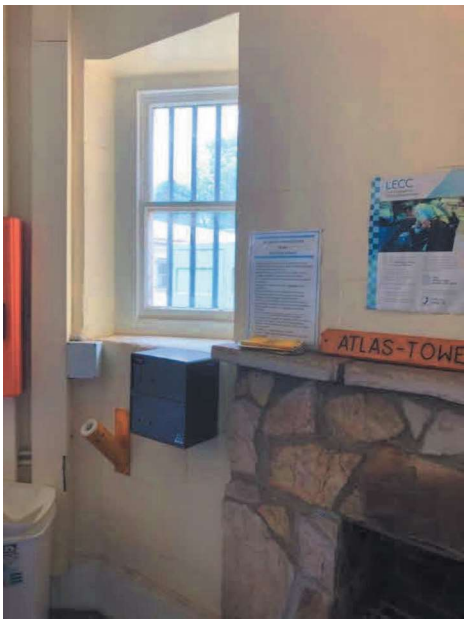


Figure 141: Ground floor room within the front entrance gate, to the north of the archway, facing north-west (Source: NBRSARCHITECTURE 2020)

Figure 142: First floor room within the front entrance gate, to the north of the archway, facing north-west (Source: NBRSARCHITECTURE 2020)

Figure 143: The wall from inside the gaol showing the southern portion of its eastern side at left and its southern wall at centre (Source: NBRSARCHITECTURE 2020)

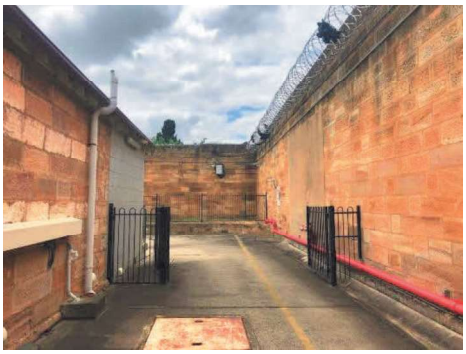


Figure 144: View of the 'sterile zone' between the gaol wall and the cell blocks, facing east towards the eastern wall (at centre), showing the southern wall at right (Source: NBRSARCHITECTURE 2020)

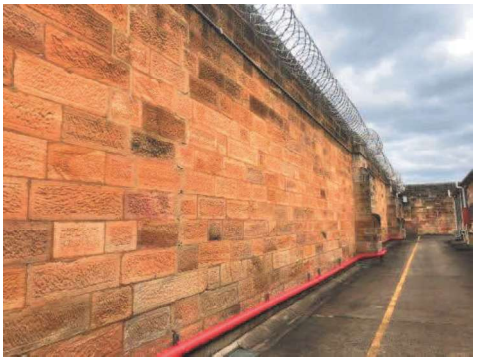


Figure 145: View from within the 'sterile' zone, facing west showing the southern wall at left, towards the western wall (Source: NBRSARCHITECTURE 2020)

Figure 146: View from within the 'sterile' zone on the northern size of the cell blocks showing the northern gaol wall at right, facing west towards the western wall. The northern wall of the western cell block is seen at left (Source: NBRSARCHITECTURE 2020)

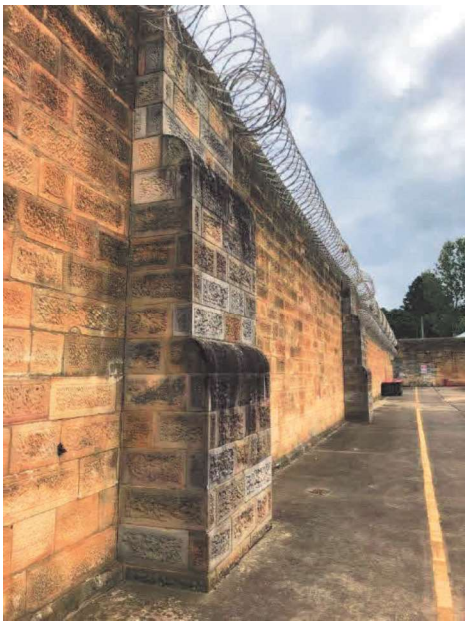


Figure 147: Stone buttresses on the southern wall at its western end. These were added in the 1970s. (Source: NBRSARCHITECTURE 2020)

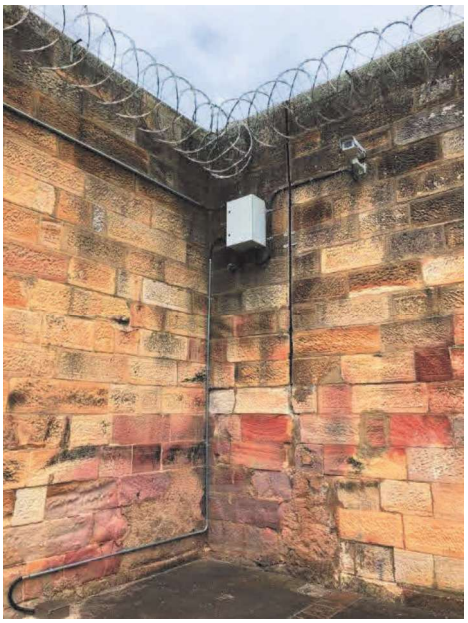


Figure 148: The south-west corner of the gaol wall, viewed from the 'sterile' zone (Source: NBRSARCHITECTURE 2020)

3.4.2 EARLY ENTRANCE GATE

To the west of the 1866 entry gate a portion of the earlier entry gate remains, forming the eastern side of the entrance to the eastern cell block and courtyard. This entrance was designed with an elliptical arched opening beneath a moulded stone cornice, above which is a parapet. Stone piers are located on either side of the arch.

This space connects the sterile zone to the eastern courtyard, which is formed by the eastern cell block. It also provides access to offices within the eastern side of the building. It is lockable on both sides by iron gates.

Figure 149: The eastern side of the early (1839) entrance gate showing the portion of gate which was retained from 1839 during later alterations. This view is taken from the 'sterile zone' directly to the west of the front entrance gate and shows the view through to the courtyard of the eastern cell block and the guard tower, at centre (Source: NBRSARCHITECTURE 2020)

Figure 150: Stone to the south of the early entrance gate, dating from 1839 (Source: NBRSARCHITECTURE 2020)

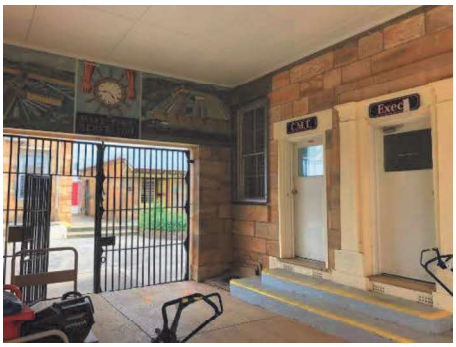


Figure 151: Inside the early entrance gate, facing north-west. This view shows the opening to an office at the far right, which may date from the early phase of the gaol's construction. The space has been substantially altered since this time (Source: NBRSARCHITECTURE 2020)

Figure 152: View from within the entrance gate, facing south-west (Source: NBRSARCHITECTURE 2020)

Figure 153: Gate on the western side of the space showing the view into the eastern courtyard, towards the guard tower (Source: NBRSARCHITECTURE 2020)

Figure 154: View of the entrance space from the eastern courtyard, facing east (Source: NBRSARCHITECTURE 2020)

3.4.3 EASTERN BUILDINGS INCLUDING CELL BLOCK AND GARDENS

Inside the gaol walls, the complex is formed by two cell blocks, both of which surround a courtyard. The blocks are connected in the centre by pedestrian paths situated on either side of the guard tower, and gated on the western side. The sterile zone surrounds the outside of these cell blocks, denoting the area to which prisoners did not have access.

The Visiting Complex is located on the eastern side of the eastern cell block, accessed through the sterile zone. This part of the building is a weatherboard structure added in the 1980s in the location of the early (1839) buildings which had been demolished. A weatherboard structure has also been added in the north-east corner.

The Science Block is located against the interior of the gaol wall in the north-east corner of the site, accessed from the sterile zone on its western façade. This addition is a two-storey structure in sandstone and concrete comprising a kitchen on the ground floor and later staff rooms above.

Inside the eastern cell block, which is accessed through the 1839 entrance gate, the block forms a rectangular courtyard comprising a concrete slab with landscaped areas to the north and south.

Figure 155: North-east corner of the eastern cell block taken from the 'sterile zone', facing south-west (Source: NBRSARCHITECTURE 2020)

Figure 156: View of the 'sterile' zone immediately to the east of the entrance gate, facing north. The Science Block is seen at right and the additions to the eastern cell block are seen at left (Source: NBRSARCHITECTURE 2020)

Figure 157: The Visiting Complex, to the south of the entrance within the gaol walls, showing its carport structure at left (Source: NBRSARCHITECTURE 2020)

Figure 158: The garden courtyard within the eastern cell block, facing north. Each door is to a separate cell (Source: NBRSARCHITECTURE 2020)

Figure 159: Cell doors and windows on the southern side of the eastern cell block, showing the garden in the courtyard and the underside of the roof over the walkway (Source: NBRSARCHITECTURE 2020)

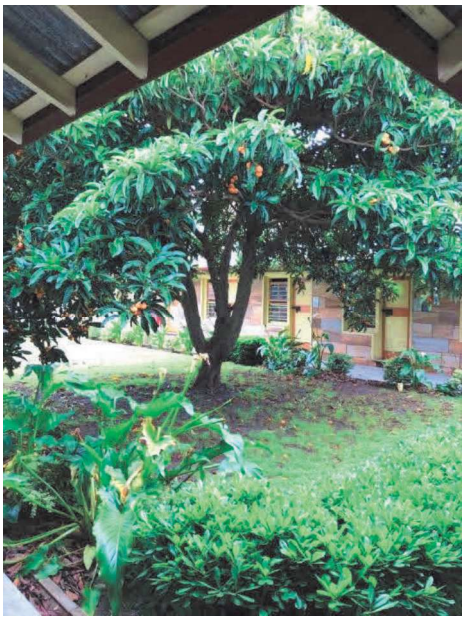


Figure 160: Garden in the southern portion of the eastern cell block (Source: NBRSARCHITECTURE 2020)

Figure 161: View of the garden from the north-east corner of the eastern cell block, facing south-west towards the guard tower (Source: NBRSARCHITECTURE 2020)

Figure 162: View along the western side of the garden, showing cells at right and the gate connecting the 'sterile' zone to the garden at left (Source: NBRSARCHITECTURE 2020)

3.4.4 GUARD TOWER

The guard tower is a three-storey structure located between the two cell blocks. The eastern and western facades of the guard tower are faced in sandstone, while the northern and southern are in concrete block. The observation room, on the top floor, is in weatherboard and comprises an array of timber casement windows allowing views of the entire complex.

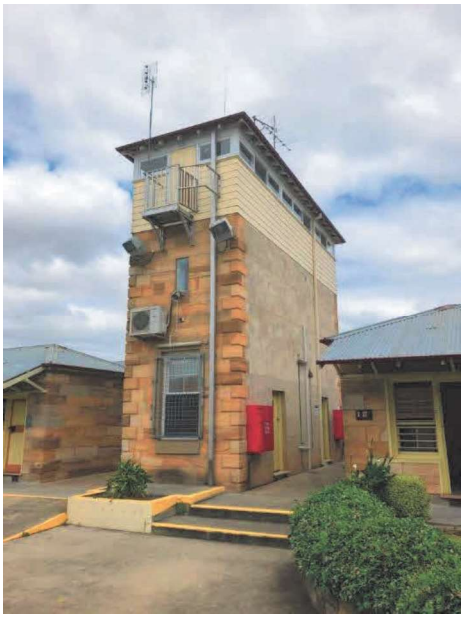


Figure 163: The guard tower, viewed from the east (Source: NBRSARCHITECTURE 2020)

Figure 164: Northern side of the guard tower, showing its entrance door, facing west towards the western courtyard (Source: NBRSARCHITECTURE 2020)

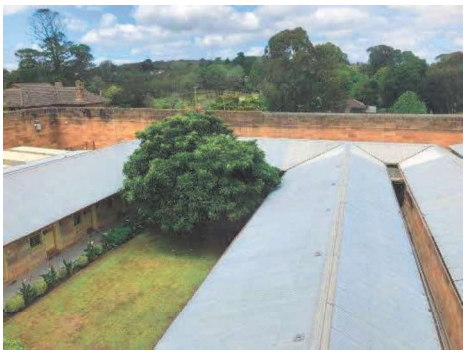


Figure 165: View from the guard tower, facing south-east (Source: NBRSARCHITECTURE 2020)

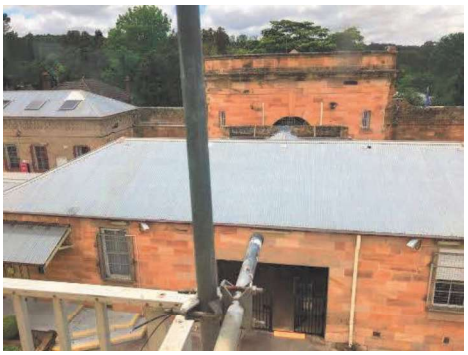


Figure 166: View from the guard tower facing east. This view shows the front entrance gate in the distance, the Science Block to its left and the second (earlier and altered) entrance gate in the foreground (Source: NBRSARCHITECTURE 2020)

Figure 167: View from the guard tower showing the courtyard and basketball court in the western cell block, facing north-west (Source: NBRSARCHITECTURE 2020)

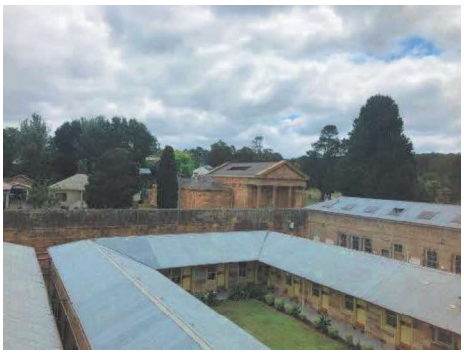


Figure 168: View from the guard tower showing the northern portion of the eastern cell block. The Berrima Courthouse is visible outside the gaol walls (Source: NBRSARCHITECTURE 2020)

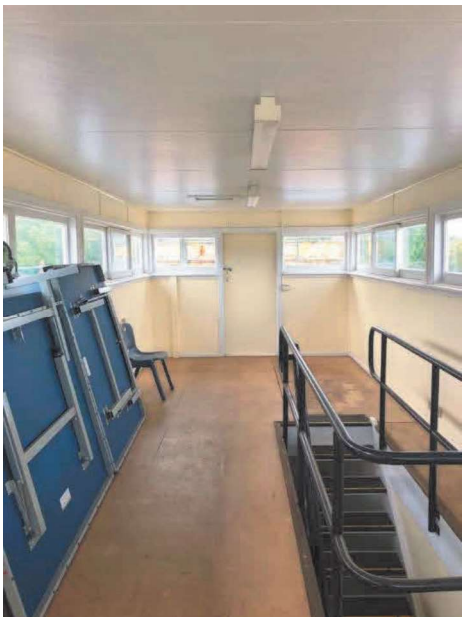


Figure 169: Top floor room of the guard tower (Source: NBRSARCHITECTURE 2020)

Figure 170: Kitchen within the guard tower (Source: NBRSARCHITECTURE 2020)

3.4.5 WESTERN CELL BLOCK

Both the cell blocks are single storey structures constructed in stone and brick (used for dividing walls), with pitched corrugated iron roofs over a timber roof structure. Each room is accessed via the courtyard. The doors are timber, with flat panelled leaves. Thresholds are generally in terrazzo, with terracotta air vents cut into stone below.

The western cell block contains cells on its north and east sides, and rooms designed for inmate and staff activities on its west and south sides. These include a gym, laundry, dining room, freezers, kitchen, chapel and staff offices. Where rooms are designed for designated activities, these are noted on timber signage above the door. These include 'Activities,' 'Linen,' 'Industries,' 'Library,' 'Chapel,' and 'SAPO'. 'SAPO" stands for 'Services and Programs Officer.'

Windows face inward to the courtyard, while other rooms, including those on the western and southern sides of the western cell block have windows facing both onto the courtyard and into the sterile zone. Windows are generally timber framed double-hung sash windows with additional metal bars on the outside face. Many also have a clear plastic or Perspex panel fixed to the upper sash.

The western courtyard is in concrete with brick paving along its eastern side. A basketball hoop is located at the northern end.

Figure 171: Courtyard and basketball court in the western cell block, facing north, showing the blocks east and north sides. Each door is to a separate cell (Source: NBRSARCHITECTURE 2020)

Figure 172: Basketball court in the northern portion of the courtyard, facing north-west. Cells are seen on the northern side of the building and rooms for amenities and activities are on the western side (seen at left here) (Source: NBRSARCHITECTURE 2020)

Figure 173: The southern side of the western cell block looking across the courtyard, facing south (Source: NBRSARCHITECTURE 2020)

Figure 174: View towards the south-east corner of the western cell block courtyard, showing the guard tower (Source: NBRSARCHITECTURE 2020)

Figure 175: Typical door and window arrangement on the western side of the western cell block (Source: NBRSARCHITECTURE 2020)

Figure 176: The western side of the western cell block showing its western wall, fronting the 'sterile zone' (Source: NBRSARCHITECTURE 2020)

3.4.6 INTERIORS

The interiors of the Berrima Correctional Centre are generally utilitarian in character, with concrete floors, some of which are tiled or lined in linoleum, rendered walls and suspended ceilings. Sandstone walls are exposed in some cases, including in the Visitor's room, where timber ceiling beams are also exposed.

Cell floors are generally painted concrete and walls are rendered and painted. Each cell contains a metal bunk bed in one corner, bolted to the floors, next to which is a porcelain basin below a mirror. A toilet is located in the far corner, with shelving and a pinboard and bench on the adjacent wall.

Upon the opening of the Berrima Training Centre in 1949, the cells were described in the Southern Mail as follows:

> "the rooms set aside for the prisoners cannot be called cells, as their only similarity is that they have bars in front of the windows and a large prison-type lock on the outside of the door. Each unit comprises a room with a window facing a large concrete courtyard marked out for the playing of various games of sport. There is a bed of tubular steel construction which is movable and which is placed along one wall, with a built-in table and seat at its foot. A washbasin and modern type sewered lavatory pedestal is in each room, and there are open cupboards for the use of the prisoner. The floors are of wood and have a strip of coir matting near the bed. All rooms are fitted with electric light. Modern workshops and classrooms with suitable furnishings are provided for the instruction of the prisoners, and a recreation hall, dining hall and a well-fitted library also attracted the attention of visitors. The shower rooms are fitted with hot and cold water and, like the kitchen, are of modern construction."[304]

It is worth noting that the original cells of the Berrima Gaol, and those constructed during the 1860s phase of additions to the gaol, are likely to have been very different in character to the cells constructed for the Berrima Training Centre, the later cells representing a departure from the 'separate' prison system represented by the early gaol buildings.

[304] 'Berrima Training Centre [?', 4.

Figure 177: Interior of the Visitor's Complex, facing south (Source: NBRSARCHITECTURE 2020)

Figure 178: Interior of the Visitor's Complex, facing south (Source: NBRSARCHITECTURE 2020)

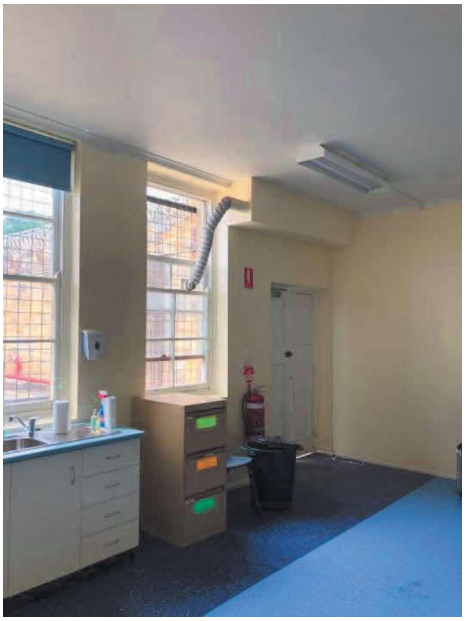


Figure 179: Interior of the Science block on the ground floor, facing west (Source: NBRSARCHITECTURE 2020)

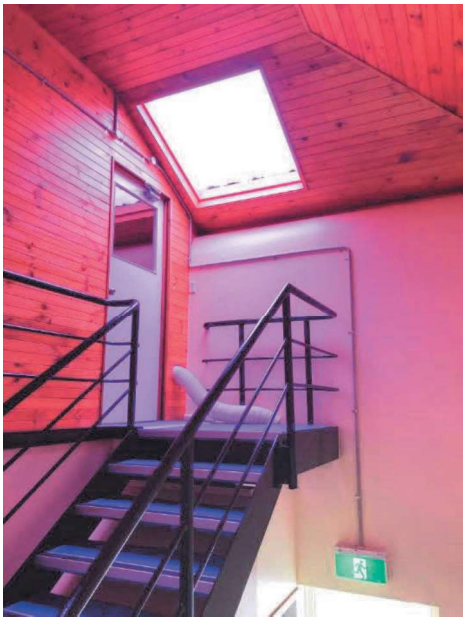


Figure 180: Stair connecting the ground and first floors of the Science Block (Source: NBRSARCHITECTURE 2020)

Figure 181: The Activities room in the north-west corner of the western cell block, facing east into the courtyard (Source: NBRSARCHITECTURE 2020)

Figure 182: The laundry on the western side of the western cell block, facing east into the courtyard (Source: NBRSARCHITECTURE 2020)

Figure 183: The library on the western side of the western cell block, facing north-west (Source: NBRSARCHITECTURE 2020)

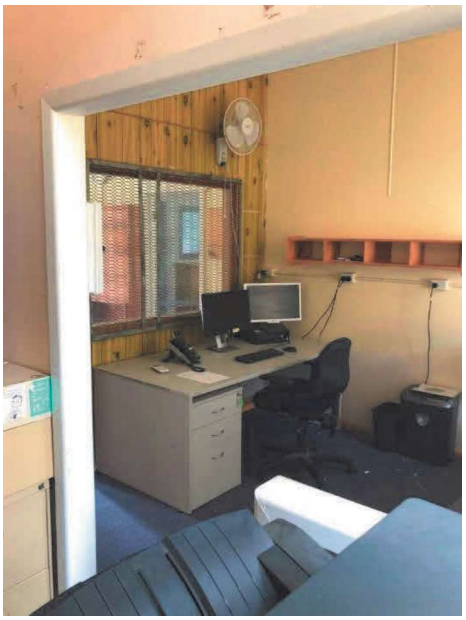


Figure 184: Office accessed from the library (Source: NBRSARCHITECTURE 2020)

Figure 185: The dining room on the western side of the western cell block, facing west towards windows which overlook the western 'sterile' zone and gaol wall (Source: NBRSARCHITECTURE 2020)

Figure 186: Kitchen in the south-west corner of the western cell block (Source: NBRSARCHITECTURE 2020)

Figure 187: Group room on the southern side of the western cell block, facing north towards the courtyard (Source: NBRSARCHITECTURE 2020)

Figure 188: Chapel on the southern side of the western cell block (Source: NBRSARCHITECTURE 2020)

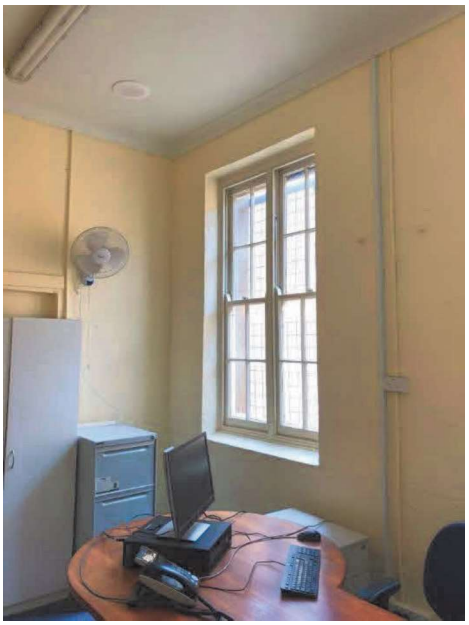


Figure 189: Office in the south-east corner of the western cell block, showing a window overlooking the southern portion of the 'sterile' zone. This room is known as the Senior SAPO room (Source: NBRSARCHITECTURE 2020)

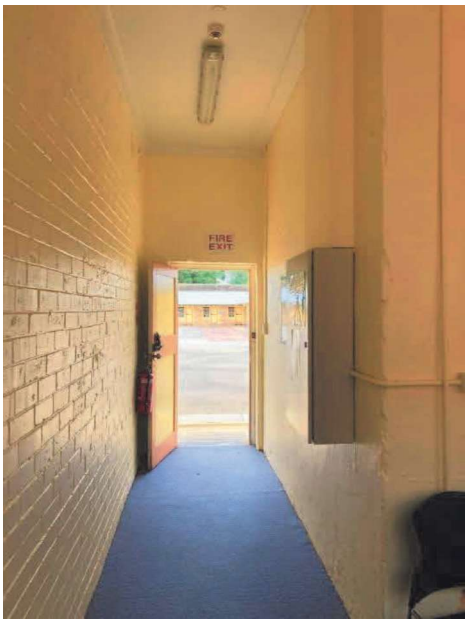


Figure 190: Hallway from the Senior SAPO room into the courtyard, looking north (Source: NBRSARCHITECTURE 2020)

Figure 191: Interior of a cell on the northern side of the basketball court. This interior is generally typical of the cells throughout the building (Source: NBRSARCHITECTURE 2020)

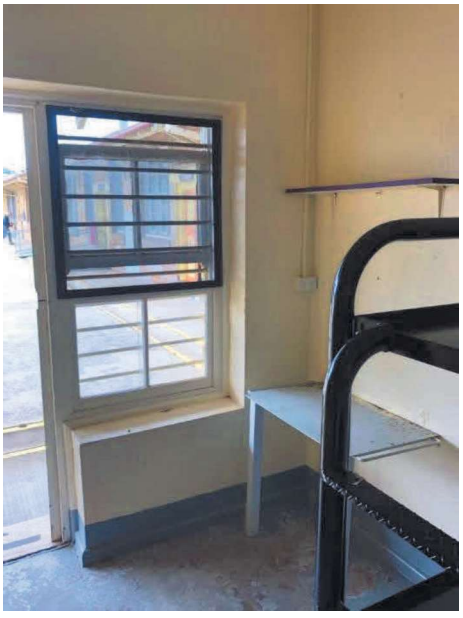


Figure 192: Interior of a cell on the northern side of the basketball court, showing the window facing out onto the court. This interior is generally typical of the cells throughout the building (Source: NBRSARCHITECTURE 2020)

3.4.7 THE SITE OUTSIDE THE GAOL WALLS

Outside the 1839/1866 gaol walls, the Berrima Correctional Centre site comprises landscaped spaces, including flower and vegetable gardens, and several buildings, including the former Governor's Residence, the former Deputy Governor's Residence, police cell blocks and the Industries building.

The eastern portion of the site, fronting Argyle Street, is bounded by a stone wall which forms lawn areas and garden beds in front of the main entry gate, and forms the front gardens of the two dwellings on the site. Hedges line the driveway connecting Argyle Street to the main entrance.

Figure 193: Entrance gate and gardens on Argyle Street (Source: NBRSARCHITECTURE 2020)

Figure 194: Gardens on Argyle Street, showing the Governor's Residence at left and the gaol wall in the background (Source: NBRSARCHITECTURE 2020)

Figure 195: Gardens in the eastern portion of the site along Argyle Street, also showing the entrance gate (Source: NBRSARCHITECTURE 2020)

Figure 196: Sheds to the south-west of the Governor's Residence, showing the southern side of the gaol wall (Source: NBRSARCHITECTURE 2020)

Figure 197: Tennis courts in the south-west corner of the site. The gaol wall is visible at right (Source: NBRSARCHITECTURE 2020)

Figure 198: Land on the southern side of the gaol wall (seen at left), facing east. This photo shows the Governor's Residence in the distance and, forward of that building, the sheds and garage (at right) (Source: NBRSARCHITECTURE 2020)

Figure 199: Sheds to the south of the Industries building, facing north, showing the outer side of the western wall at right (Source: NBRSARCHITECTURE 2020)

Figure 200: Land in the western portion of the site sloping down to the Wingecarribee River, facing west (Source: NBRSARCHITECTURE 2020)

3.4.8 GOVERNORS'S RESIDENCE

The former Governor's Residence is located in the south-east corner of the site. It is set within a garden, with its main facades fronting Argyle Street. It is a two-storey sandstone structure with a porch wrapping around its north, east and south facades, resting on paired timber posts on sandstone pillars. The porch roof and the main roof are tiled.

The NSW State Heritage Inventory contains the following physical description for the Berrima Correctional Centre – Arts & Crafts Shop (formerly the Governor's residence), database no. 3360098:

> *The Arts & Crafts Shop at Berrima Correctional Centre is a two storey federation house on the south-eastern corner of the site. Originally built in 1898 to house the Governor of the Gaol, the building is an impressive stone residence with a hipped roof with eaves supported on cast iron brackets. The building is surrounded on 3 sides with a deep, single storied, timber framed verandah, with paired timber columns on sandstone bases and a central gable over the main entrance. The columns are decorated with small timber corner brackets.*
>
> *All windows are timber-framed and are a combination of double hung sashes (with multipaned top sashes) and casements (with multipaned fanlights). French doors open onto the verandah. The stone chimneys on the north and south elevations have simple mouldings below battered tops.*
>
> *The house is set in an attractive garden and has a stone fence to the street frontage.*

Figure 201: View of the former Governor's residence and gardens, facing south-west (Source: NBRSARCHITECTURE 2020)

Figure 202: The gardens to the east of the former Governor's residence, facing north and showing the 1866 entrance gate to the gaol to the north (Source: NBRSARCHITECTURE 2020)

Figure 203: The driveway and parking area to the south of the former Governor's residence, showing the building's south façade and the south façade of the police cell blocks to its west (Source: NBRSARCHITECTURE 2020)

Figure 204: The police cell blocks to the west of the former Governor's residence (Source: NBRSARCHITECTURE 2020)

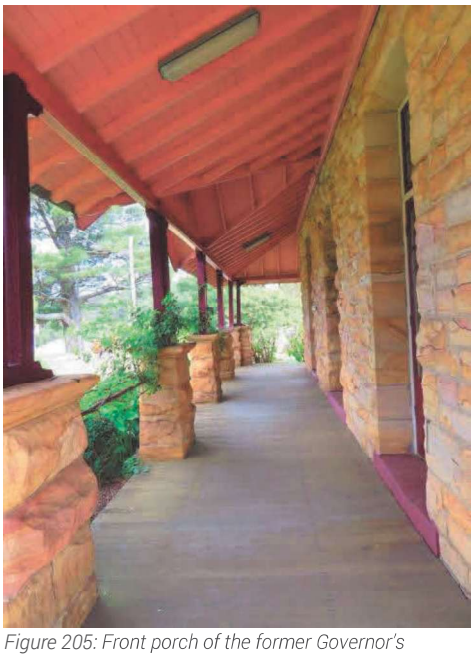


Figure 205: Front porch of the former Governor's residence (Source: NSW State Heritage Inventory, image by Department of Commerce)

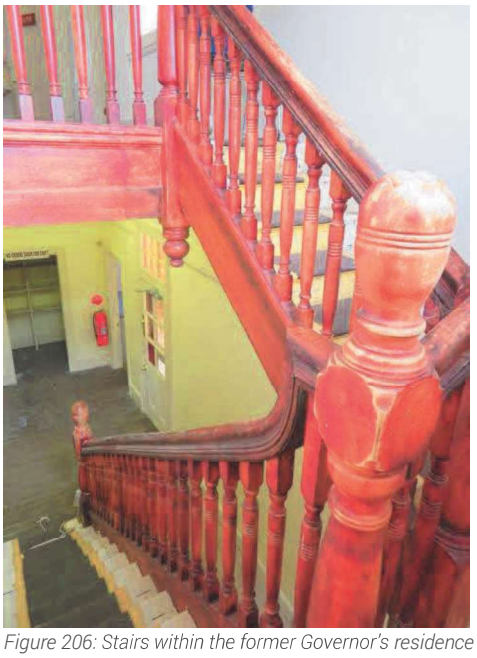


Figure 206: Stairs within the former Governor's residence (Source: NSW State Heritage Inventory, image by Department of Commerce)

Figure 207: Kitchen within the former Governor's residence (Source: NSW State Heritage Inventory, image by Department of Commerce)

Figure 208: Original marble fireplace with cast iron hearth and grate within the former Governor's residence (Source: NSW State Heritage Inventory, image by Department of Commerce)

3.4.9 DEPUTY GOVERNOR'S RESIDENCE

The former Deputy Governor's Residence is located outside the gaol walls in the north-east corner of the site, on the corner of Wilshire and Argyle Streets. It was constructed in the early 1900s and is a good example of a residence in the Federation Queen Anne style, with a porch and bay window fronting Argyle Street. Its exterior is in dichromatic brickwork with rock-faced sandstone trimmings. Timber posts on brick piers support the front porch and a smaller side porch on the northern façade. The building also has cast iron grates to air vents, featuring the English Crown.

Figure 209: The former Deputy Governor's residence showing its frontage to Argyle Street (Source: NBRSARCHITECTURE 2020)

Figure 210: The former Deputy Governor's residence showing its frontage to Argyle Street and its stone boundary wall (Source: NBRSARCHITECTURE 2020)

Figure 211: Northern façade of the former Deputy Governor's residence viewed from Wilshire Street (Source: NBRSARCHITECTURE 2020)

Figure 212: Northern façade of the former Deputy Governor's residence viewed from Wilshire Street (Source: NBRSARCHITECTURE 2020)

Figure 213: Dichromatic brickwork and chimney breast detail on the northern façade (Source: NBRSARCHITECTURE 2020)

Figure 214: Ventilation grille with the Crown incorporated (Source: NBRSARCHITECTURE 2020)

3.4.10 INDUSTRIES BUILDING

The Industries Building is located outside the gaol wall in the western portion of the site. It is accessed from the sterile zone within the gaol wall through a small door in the western wall. The building comprises a central room beneath the pitch corrugated iron roof, and ancillary rooms to the north and south-east.

Figure 215: Interior of the Industries Building, facing west (Source: NBRSARCHITECTURE 2020)

Figure 216: Interior of the Industries Building, facing south-east (Source: NBRSARCHITECTURE 2020)

4.0 ASSESSMENT OF CULTURAL SIGNIFICANCE

4.1 METHODOLOGY FOR ASSESSING CULTURAL SIGNIFICANCE

Determining cultural significance is the basis of all planning for places of heritage value. Determination of significance permits informed decisions or future planning to ensure that the expressions of significance contained within the place are protected, retained and enhanced. A clear understanding of the nature and degree of significance will determine the parameters for flexibility of future planning and development.

The following assessment of cultural significance for the Berrima Correctional Centre has been prepared in accordance with the guidelines set out in the *Australia ICOMOS Charter for Places of Cultural Significance 2013*, known as The Burra Charter, and the New South Wales Heritage Office (now the Heritage Division of the NSW Office of Environment and Heritage) publication, *Assessing Heritage Significance*.

Where the following assessment includes information regarding archaeological significance, this information has been sourced directly from the *Historical Archaeological Assessment* prepared by Austral Archaeology and is reproduced in italics.

The assessment of cultural significance with respect to archaeological sites can present difficulties because the nature and extent of the 'relics' are often indeterminate and value judgements, therefore, need to be made based on potential attributes. The element of judgement can be greatly reduced by historical or other research, as has been completed for the current study.

Archaeological deposits and features provide important evidence of the history and settlement of New South Wales. These heritage items may include deposits containing material culture (artefacts) that can be analysed to yield information regarding early urban development that is unavailable from other sources. Archaeological investigations can reveal much about technology, industry, past economic and social conditions and people's lives.

Sites that contain these elements therefore have scientific value that may be of considerable significance when analysed in association with documentary evidence. It is through this potential to reveal information about the past use of a place that archaeological sites have heritage significance.

4.1.1 THE BURRA CHARTER

The Burra Charter was adopted by Australia ICOMOS in 1979 and contains a set of principles developed to create a nationally accepted standard for the practice of heritage conservation in Australia. The Burra Charter describes a process by which a significant place is conserved, which includes understanding significance, developing policy and managing the place in accordance with the policy. An assessment of the cultural significance of the place underpins the development of appropriate policies for its protection and conservation. Cultural significance is defined in Article 1.2 of the Burra Charter as follows:

> *Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.*
>
> *Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.*

Places may have a range of values for different individuals or groups.[305]

4.1.2 NSW HERITAGE OFFICE GUIDELINES

In accordance with the above definition of cultural significance, the Heritage Division of the NSW Office of Environment and Heritage has developed a set of guidelines contained in their publication *Assessing Heritage Significance*, which sets out assessment criteria based on the understanding that the cultural significance of a place can be determined by its aesthetic, historic, scientific, social and spiritual values.

The assessment of cultural heritage significance for the Berrima Correctional Centre contained in this Section is based on the methodology and guidelines set down by the NSW Heritage Office and considers the standard values or criteria which arise from the history, construction and use of the building and its site as well as any levels of esteem by recognised groups for the site.

Heritage significance, *cultural significance* and *cultural value* are all terms used to describe an item's value or importance to our society. This value may be contained in the fabric of an item, its setting and its relationship to other items, the response that the item stimulates to those who value it and in the historical record that allow us to understand it in its own context.

4.2 NSW STATE HERITAGE INVENTORY STATEMENTS OF SIGNIFICANCE

The NSW State Heritage Inventory contains the following Statement of Significance for 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.

The NSW State Heritage Inventory contains the following Statement of Significance for the Berrima Correctional Centre – Gatehouse, database no. 3360095:

[305] Burra Charter, Article 1.2.

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 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 NSW State Heritage Inventory contains the following Statement of Significance for 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.

The NSW State Heritage Inventory contains the following Statement of Significance for 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 assocociated with the Berrima Training Centre Group from the period when it was enlarged as a 'model' prison.

The NSW State Heritage Inventory contains the following Statement of Significance for 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 NSW State Heritage Inventory contains the following Statement of Significance for 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 cells306, 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 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 NSW State Heritage Inventory contains the following Statement of Significance for 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 significanct element within the State heritage curtilage of the gaol complex, inorming 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.

The NSW State Heritage Inventory contains the following Statement of Significance for 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

[307] Historical photographs of this area of the site suggest the 'farm buildings' were constructed in the 20th century rather than the late 19th century (cf. Figure 33).

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.

4.3 STYLISTIC CONTEXT

Of the 1839 gaol, only the gaol walls and a portion of the entry gate remain as evidence of gaol's original architectural style. The entrance gate was designed with an elliptical arched opening beneath a moulded stone cornice, above which is a parapet. Stone piers are located on either side of the arch. The architecture is simple with very few embellishments. Of the early architectural styles employed by architects in NSW, it is most similar to the Old Colonial Georgian and Old Colonial Regency styles, both used for government buildings from 1788 – 1840.

Figure 217: The portion of the entrance gate extant from 1839, facing west from the 'sterile zone' between this gate and the 1866 entrance (Source: NBRSARCHITECTURE 2020)

The Old Colonial Georgian style had its foundations in English Georgian architecture and employed its 'orderliness' in a simple uniformity of openings, symmetry and 'well-tried proportions.'[308] It is not possible now to gain a full understanding of the extent or character of any ornament or architectural details in the original design of the 1839 gaol, nor the rhythm or proportions of its facades; the simplicity of the extant detailing suggests the Georgian style or similar, however,

The Old Colonial Regency style was characterised by symmetrical façades with features 'framed by subtle projections'[309] as demonstrated by the extant entry gate where sandstone piers frame the arched opening. Parapets were also common, as was the use of smooth ashlar stone. Apperley, Irving and Reynolds have made the following observations of this style:

> 'Regency architecture in Australia exhibited more delicacy and subtlety than could be found in the Georgian style. Building forms tended to be simpler and classical details more sparse. Gentle projections and recessions, exploiting fine shadow lines, were used to divide facades into panels, or to frame windows and doors, or model surfaces,

[308] Apperley et. al, p. 24.
[309] Apperley et. al, p. 30.

according to desired proportions … Exterior walls were extended upwards to form parapets, concealing the roof behind.'[310]

More fabric remains from the 1866 additions and alterations to the gaol, at which time a grander entrance gate was constructed directly to the east of the original gate. This gate is a larger structure than the earlier gate, containing two storeys internally, with rooms on either side of the archway. The archway is semi-circular, with a flat keystone on the western façade (internal to the gaol), and a more decorative, scrolled keystone on the exterior façade. As with the earlier gate, sandstone piers are on either side of the arch; these, however, are in rusticated stone and sit on a more elaborate, moulded base, reaching a decorative moulded cornice which wraps around the ovular structure, beneath the parapet. The overall effect is considerably grander than the earlier entrance gate would have been, in both scale and style.

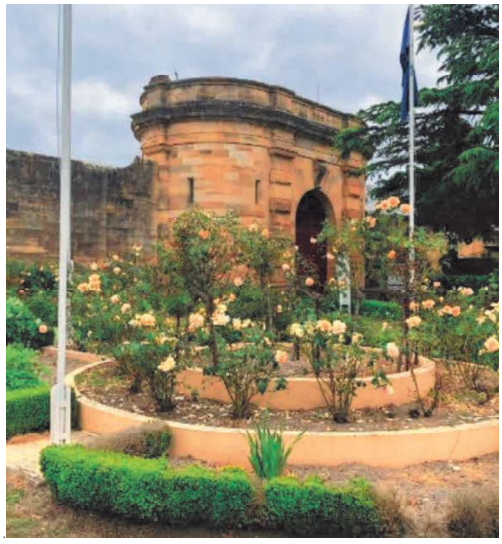


Figure 218: 1866 entrance gate to the gaol, showing its ovular form and moulded cornice (Source: NBRSARCHITECTURE 2020)

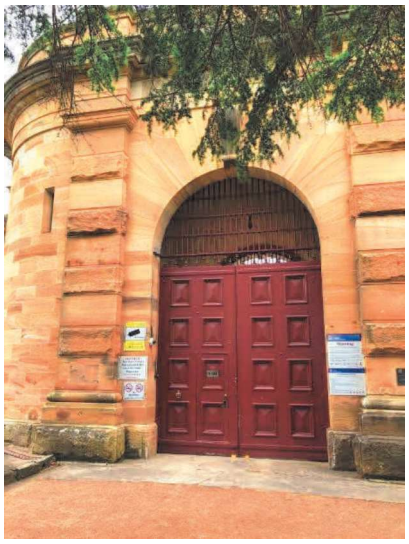


Figure 219: 1866 entrance gate, showing belted piers with moulded stone base (Source: NBRSARCHITECTURE 2020)

Of the Victorian architectural styles prevalent in NSW in the second half of the 19th century, the entrance gate exhibits some features which are similar to the Mannerist style, being more elaborate than the Victorian Regency style and departing from the rectilinear forms which generally characterised it. These features include the decorative keystone and the rusticated piers of pilasters, in a belted configuration of alternating ashlar stone. The overall structure, however, is considerably simpler than many Mannerist buildings and does not demonstrate the typically undulating or highly articulated facades which characterise that style. In this sense the design may be more similar to the Victorian Free Classical style, exhibiting a somewhat restrained sense of order and symmetry within a non-rectilinear form.

4.4 COMPARATIVE ANALYSIS

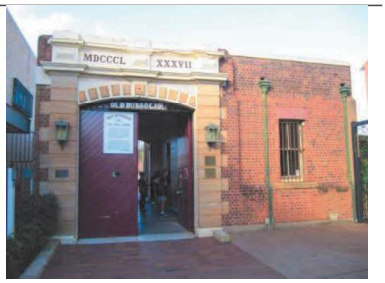
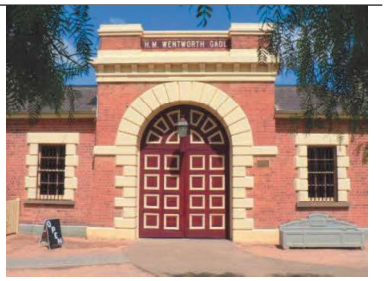
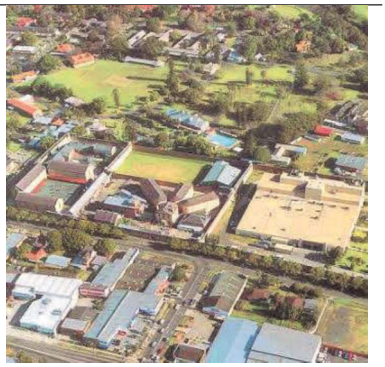
A comparative analysis of the Berrima Correctional Centre demonstrates its architectural and historical context, such that its importance as part of a group or class of historical buildings, or similarly its architectural uniqueness, may be understood. The comparative examples below are not intended to constitute an exhaustive list, but rather have been selected in order to provide an overview of similar gaol complex in New South Wales, contemporary to the two early phases of construction at Berrima.

[310] Apperley et. al., p. 28.

4.4.1 LIST OF COMPARATIVE EXAMPLES

Name and address of item	Details	Image
Cooma Gaol, 1-5 Vale Street, Cooma	Designer: James Barnet, Government Architects Office Construction: 1867-1872, alterations 1950s. Heritage listing: *Cooma-Monaro Local Environmental Plan 2013*, item no. I144	 *Figure 220: Cooma Gaol (Source: NSW State Heritage Inventory)*
Gundagai Gaol (Former), First Avenue, Gundagai	Designer: Alexander Dawson, Government Architects Office with two later additions by James Barnet Construction: 1859-1881 Heritage listing: *Gundagai Local Environmental Plan 2011*, item no. I7	 *Figure 221: Enclosed exercise yard to the west of the 1881 cell block wing at the former Gundagai Gaol (Source: NSW State Heritage Inventory)*
Young Gaol (former), 20 Caple Street, Young	Construction: 1876- Heritage listing: *Young Local Environmental Plan 2010*, item no. I118	 *Figure 222: Gatehouse to the former Young Gaol (Source: NSW State Heritage Inventory)*
Tamworth Correctional Centre – Gatehouse & Visitors, Dean Street, corner 154 Johnston Street, Tamworth	Designer: James Barnet and W Coles, Government Architects Office Construction: 1879-1891 Heritage listing: *Heritage Act 1977* S170 NSW State agency heritage register, *Tamworth Regional Local Environmental Plan 2010*, item no. I406	 *Figure 223: Gatehouse to the Tamworth Correctional Centre (Source: NSW State Heritage Inventory)*

Goulburn Correctional Centre complex, Maud Street (off), Goulburn	Designer: James Barnet and W Coles , Government Architects Office Construction: 1881-1884 Heritage listing: *Heritage Act 1977* NSW State Heritage Register, no. 00808, *Heritage Act 1977* S170 NSW State agency heritage register, *Goulburn Mulwaree Local Environmental Plan 2009*, item no. 239	 *Figure 224: Aerial view of the Goulburn Correctional Complex (Source: NSW State Heritage Inventory)*
Bathurst Correctional Centre, Browning Street, Bathurst	Designer: James Barnet Construction: 1888-1890 Heritage listing: *Bathurst Regional Local Environmental Plan 2014*, item no. I181	 *Figure 225: Bathurst Gaol Gatehouse (Source: NSW State Heritage Inventory)*
Grafton Correctional Centre, 170 Hoof Street, Grafton	Designer: Henry Wiltshire Construction: 1891-1893 Heritage listing: *Heritage Act 1977* NSW State Heritage Register, no. 00809, *Heritage Act 1977* S170 NSW State agency heritage register, *Clarence Valley Local Environmental Plan 2011*, item no. 109	 *Figure 226: Grafton Correctional Centre Gatehouse (Source: NSW State Heritage Inventory)*
Hay Gaol, 355 Church Street, Hay	Designer: James Barnet, Colonial Architect Construction: 1879-1880 Heritage listing: *Heritage Act 1977* NSW State Heritage Register, no. 01782, *Hay Local Environmental Plan 2011*, item no. I6	 *Figure 227: Hay Gaol Gatehouse (Source: NSW State Heritage Inventory)*

Old Dubbo Gaol, 90 Macquarie Street, Dubbo	Designer: Colonial Architect's Office Construction: 1847-1945 Heritage listing: *Heritage Act 1977* NSW State Heritage Register, no. 01689, *Dubbo Local Environmental Plan 2011*, item no. I144	 *Figure 228: Entrance to the Old Dubbo Gaol (Source: NSW State Heritage Inventory)*
Old Wentworth Gaol, 112 Beverley Street, Wentworth	Designer: James Barnet Construction: 1879-1881 Heritage listing: *Heritage Act 1977* NSW State Heritage Register, no. 01982, *Wentworth Local Environmental Plan 2011*, item no. I50	 *Figure 229: Entrance to the Old Wentworth Gaol (Source: NSW State Heritage Inventory)*
Parramatta Correctional Centre, 73 O'Connell Street, Parramatta	Designer: George Barney and Mortimer Lewis Construction: 1835-1842 Heritage listing: *Heritage Act 1977* NSW State Heritage Register, no. 00812, *Heritage Act 1977* s170 NSW State agency heritage register, *Parramatta Local Environmental Plan 2011*, item nos. I00812 I00812 I00812 I00812 I	 *Figure 230: Aerial view of the Parramatta Correctional Centre (Source: NSW State Heritage Inventory)*
National Art School Group, Former Darlinghurst Gaol, Former East Sydney Technical College, Darlinghurst	Construction: 1821-1876 Heritage listing: *Sydney Local Environmental Plan 2011*, item no. 345	 *Figure 231: Former Darlinghurst Gaol (Source: National Art School)*

4.4.2 STATEMENTS OF SIGNIFICANCE FOR COMPARATIVE EXAMPLES

For each comparative example, information contained in the NSW State Heritage Inventory is provided below.

The NSW State Heritage Inventory provides the following information for Parramatta Correctional Centre, Database No. 5000657:

Up until its closure in 2011, the Parramatta Correctional Centre was the oldest gaol in original use in Australia. It is the most intact of the pre-1850's gaols of Australia. The constructional character and quality of the early buildings, in particular the stone slab floors, ashlar walls and timber roof trusses, are exceptional. It is significant in its physical and spatial quality as an enclosed complex. The fabric reflects the shifts in penal philosophy and changes in use from the 1830's to the construction of Long Bay in the early twentieth century (Kerr 1995: 46).

The NSW State Heritage Inventory provides the following information for National Art School Group, Former Darlinghurst Gaol, Former East Sydney Technical College, Database No. 5055522:

The National Art School Group, Former Darlinghurst Gaol, Former East Sydney Technical College is potentially state significant as the oldest surviving early gaol complex in Australia, with construction of the perimeter walls commenced in 1822 as a result of the Bigge Inquiry. The complex is recognisable as a fine example of a design based on the radial planning system championed by the Society for the Improvement of Prison Discipline (SIPD) and retains many features of its earliest phase of construction in the 1840s. It also reflects, in its fabric and dynamic history of use, an almost continuous construction programme demonstrating aspects of the various approaches to penal discipline tried in NSW during the 19th century, including adaptations for varied schemes for classifying and separating prisoners, and adaptations to accommodate the engagement of prisoners in productive labour across eight decades

The National Art School and former East Sydney Technical College is potentially state significant for historic values as a major central teaching institution for the arts in New South Wales, in continuous use on this site since 1922. It represents changing educational philosophies from an early focus on the working 'man' to encompass ever-more rounded education for men and women, through times of war and depression and international economic churn since the 1950s. Many major Australian artists, crafts-persons and practitioners taught and trained here, forging networks they used for their entire careers. Many returned here to teach, demonstrating the connection between its historic and social values.

Overall, the site demonstrates a distinctive and homogenous architectural quality deriving from the relationship of the forms of the circular central chapel and surrounding buildings which date from the early penal period; and the unusual spaces created; the use of ashlar dressed sandstone walling and hipped roofs; the consistent design and detailing of the individual buildings contributing to a unified complex; and the continuous landscaping works and the general sense of enclosure.

The former East Sydney Technical College cum National Art School has been at the centre of Sydney's art scene for almost a century and has expounded and nurtured the talents of generations of Australian artists who have studied and worked here. Its potential state significance is enhanced by the site and educational philosophy which has made the National Art School an exceptional institution, connecting students with professional artists to practice drawing, sculpture, and an extensive range of creative skills within the historically significant, distinctive walls. The adaptive use of the historic features like the cell blocks, chapel and prisoner workshops to satisfy the practical requirements required to accommodate studio-based education demonstrates this significance.

The potential state significance is also vested in the sites association with people and organisations that have helped shaped its character and reputation across all phases of occupation. The moveable heritage collection curated on site provides a tangible connection

to the National Art School. The range of significant historic figures and people associated with the site include the original convict quarriers and builders, inmates, wardens, and the many prominent people associated with law and order of the 19th and early 20th century. In the transition to an educational facility, this potential state significance continues with associations with many administrators, teachers, artists and visionaries that shaped and continue to shape the Australian art world. There is significant research potential associated with the historical, archaeological and architectural features of this unique site.

The NSW State Heritage Inventory provides the following information for Cooma Gaol, Database No. 1410242:

Cooma Gaol, dating from 1872-73, is historically significant for being part of the burst of public building activity in the 1870s-1880s period in the town (eg Police barracks 1879, Post Office 1879, Courthouse 1887, Railway 1889), which reflects Cooma's development and the hectic level of Public Works Department activity in New South Wales generally at the time. Further, the various functions fulfilled by the Gaol over the years illustrate to some extent the changes that have occurred in the local community and region (Criterion A.4). The Gaol is built in the Victorian Classical Revival style (Criterion D.2).

The NSW State Heritage Inventory provides the following information for Gundagai Gaol (Former), Database No. 1680044:

The site of Gundagai Gaol is evidence of the construction of a watch-house in 1859, adjacent to the site set aside for the court house. The site was evidence of the expanding population in the Gundagai Police District and the corresponding number of prisoners for which they had to cater. The former Gundagai Gaol is associated with Alexander Dawson, who designed the earliest section in 1859, and later with James Barnet, both Colonial Architects.

The gaol complex is evidence of Victorian era institutional construction with the austerity prescribed by mid-19th century notions of crime and punishment. The form and detailing of the two-storey residence, although less austere, is also able to demonstrate Victorian Style architecture. The internal planning and detailing is basic, consistent with the requirements of a gaol residence. The use of a combination of brick and squared random rubble provides interest to the façade however is most likely evidence of economy, and the reuse of materials.

The former Gundagai Gaol has a strong and special association with the Gundagai community as evidence of its history and the enforcement of the law. The item has the potential to yield information that will contribute to an understanding of small scale 19th century gaol planning influenced by the contemporary social standards. Although no longer in use, Gundagai Gaol is one of the few remaining gaol compounds dating from 1859 and a rare and largely intact example of its type. The gaol is significant due to the survival of successive phases of use. The former gaol is important in demonstrating the principal characteristics of small gaol complexes designed in the mid 19th century and is one of a group including Dubbo and Berrima gaols.

The NSW State Heritage Inventory provides the following information for Young Gaol (Former), Database No. 2760005:

The surviving elements of the former Young Gaol are representative of the development of the town in the 1870s. They are also an important element of the infrastructure of law and order established on the land occupied by the police camp and government buildings during the Lambing Flat gold rush. The buildings have been part of the education infrastructure of Young

since the 1940s. The gatehouse of the former gaol is an iconic element of the built heritage of the Victorian era in Young. The former gaol buildings have local historical and aesthetic significance, representativeness and a moderate degree of integrity.

The NSW State Heritage Inventory provides the following information for Tamworth Correctional Centre – Gatehouse & Visitors, Database No. 3360112:

The Gatehouse and Visitors Building of Tamworth Correctional Centre is significant for being an integral part of a representative example of a mid to late nineteenth century regional gaol. The building is also significant as it is associated with the day to day running of the gaol. The building is distinctive for its form, character and detailing, and it is the most prominent aspect of the complex.

The NSW State Heritage Inventory does not contain a Statement of Significance for the Goulburn Correctional Centre complex, Database No. 5000652.

The NSW State Heritage Inventory provides the following information for Grafton Correctional Centre, 170 Hoof Street, Grafton, Database No. 5011970:

The Grafton Gaol complex is significant as it demonstrates the development of the philosophy regarding prison architecture in NSW and the confinement of prisoners in the late nineteenth century. It is one of few gaol complexes designed by private architects in Australia. It is one of few known examples of the work of Henry Wiltshire. It continues the features of gaol design developed by the Colonial (later Government) Architects branch. It is one of the few public buildings designed by competition in the late nineteenth century; its design utilises characteristic materials of the Federation period. Its construction is related to the growth and expansion of Grafton.

The NSW State Heritage Inventory provides the following information for Hay Gaol, 355 Church Street, Hay, Database No. 5054657:

The Hay Gaol is of State significance for its aesthetic, rarity and representative values as an example of James Barnet's Hay-type gaol design, and as an example of a Victorian-era country prison that combines foreboding design features (such as its entranceway, perimeter walls, cell block and isolation cell) with vernacular materials. It is furthermore of State significance for its variety of historical functions, associations and social values as a small-scale prison and detention centre. Built as a colonial gaol in 1880 it was later used as a detention and hospitalisation facility servicing Hay's World War II internment and prisoner of war camps (1940 - 1946) and then as a girls' institution run by the NSW Department of Child Welfare (1961 - 1974). Although official records remain unavailable, it is believed that a significant proportion of girls sent to Hay were indigenous 'Stolen Generation' children and many survivors from this era have begun visiting the site from all over Australia. It is probably the only building in Australia directly associated with the internment of the Dunera Boys and with the imprisonment of the Japanese prisoners of war (POWs) following the Cowra Breakout in 1944. The Hay Gaol is also of State significance for its research, archaeological and interpretive potential as a site or landscape of segregation, which capitalised on the already isolated geographic position of Hay to provide different forms of incarceration in different periods of history.

The Hay Gaol is of local historical and social significance as one of several grand buildings that represent Hay's unfulfilled promise of becoming the capital of the Riverina, for its temporary roles as a maternity hospital (1920 to 1930) and as a site of emergency accommodation during

the 1952 and 1956 floods and more recently for its museum collections relating to the social and pastoral history of Hay. As a substantial building complex sited near the centre of the township it is an iconic building in Hay. As one of a network of five vibrant and collaboratively managed museums supported by the Hay Shire Council, the Gaol along with Hay's other museums underpin cultural tourism development in the town and as such are important to supporting and diversifying the local economy.

The NSW State Heritage Inventory provides the following information for Old Dubbo Gaol, 90 Macquarie Street, Dubbo, Database No. 5050315:

Old Dubbo Gaol is of State, regional and local significance and is listed on the register of the National estate. The presence of the Gaol is a significant reminder of the unusual origins of the City of Dubbo as a regional centre for the judiciary before it became a location of commerce and habitation. Although no longer a working gaol, it served the area both as a Police and minor Gaol in the 95 years of operation as part of the facilities for the administration of justice across the region. It is a survivor of the 'Hay' type of Gaol typical of the New South Wales justice system. Most of these have now disappeared or are very much altered. It is associated with a James Barnet Court House within the precinct.

Old Dubbo Gaol also has social significance as a major tourist attraction in the city and is also seen as an underutilised civic amenity. It is of social significance for the fact that it was saved from demolition by State government actions by a group of local citizens in 1974. The survival of the Gaol is due to their enthusiasm and energy. Its social significance is also extended to surviving inmates and their relatives and descendants, both of European and Aboriginal extract.

The Old Dubbo Gaol has aesthetic significance as a group of well proportioned and well constructed buildings surrounded by grass lawns set within a brick walled compound. It is an oasis of peace and calm in the middle of a bustling modern city (nomination, 2002).

The NSW State Heritage Inventory provides the following information for Old Wentworth Gaol, Database No. 5055128:

Old Wentworth Gaol is of state heritage significance as one of the country gaols erected in the 19th century across the state to cope with the burgeoning prison population as colonists spread through the interior of NSW. Constructed between 1879 and 1881 to the design of the prominent NSW Colonial Architect James Barnet, the former site of incarceration is a substantially intact and rare example of Barnet's 'Hay-type' gaol.

Old Wentworth Gaol is also of state heritage significance for its research, archaeological and interpretive potential to contribute to the understanding of crime, punishment and incarceration in the late 19th and early 20th centuries in NSW.

The NSW State Heritage Inventory provides the following information for Bathurst Gaol, Database No. 1080026:

Two storey Victorian, rustic gothic residence of face brick under a gabled iron roof. Single storey skillion roofed return verandah to garden front. Large paned double hung sash windows with louvred shutters. Surrounded by mature trees and approached via a carriage circle with central lawn.

4.4.3 DISCUSSION OF COMPARATIVE EXAMPLES

The first domestic prisons in the colony were located at Sydney and Parramatta, commissioned by Governor John Hunter in 1796.[311] Another gaol had been built on Norfolk Island in 1792.[312] These gaols were not built to lock up transported convicts, instead housing criminals who had committed crimes after having arrived in the colony. They were simple timber buildings with rows of individual cells on either side of a central corridor.

After the Parramatta and Sydney gaols had been destroyed by fire soon after construction, the replacement buildings, built from stone, lasted until the mid-1830s. The new male prison at Parramatta contained a 'female factory' on the upper floor until a new, separate facility on the banks of the Parramatta River was completed for female offenders in 1821, known as the 'Female Factory'.[313] Additions were made to the site in 1842 and today, Parramatta Correctional Centre is the most intact of the gaols in Australia constructed prior to the 1850s.

By 1835, Sydney Gaol on George Street had become dilapidated and insecure. It was subsequently relocated to Darlinghurst, where the foundations and part of the walls and gatehouse for a new prison had been laid as early as in 1822-24.[314] In 1835, the Legislative Council voted to spend £10,000 for the completion of Darlinghurst Gaol which was constructed by convict labour from 1836 until its completion in 1841. The 1836 design by Colonial Architect, Mortimer Lewis, had drastically been changed by Colonial Engineer, George Barney, who proposed wings "radiating outward like the spokes of a wheel from a central circular surveillance building."[315] The former Darlinghurst Gaol, now the site of the National Art School, was constructed in the 1840s; its gaol wall, however, was commenced in 1822 and represents some of the earliest surviving fabric in any prison in Australia.

Figure 232: Former gaol buildings at the National Art School, now ceramics workshops and classrooms (Source: https://www.pureprojects.com/national-art-school)

The 1839 phase of construction at Berrima renders the site one of the earliest extant gaols in Australia. As an early prison complex, however, it is considerably less intact than

[311] 'Prisons to 1920 | The Dictionary of Sydney', accessed 19 January 2021, https://dictionaryofsydney.org/entry/prisons_to_1920.
[312] Kerr, *Out of Sight, out of Mind*, 22; Philip Goad, 'Prison Architecture', in *The Encyclopedia of Australian Architecture* (Port Melbourne VIC: Cambridge University Press, 2012), 562.
[313] Goad, 'Prison Architecture', 562.
[314] 'Prisons to 1920 | The Dictionary of Sydney'.
[315] Goad, 'Prison Architecture', 562.

Parramatta and Darlinghurst, having retained only the gaol walls and part of the entry gate from 1839.

Like Berrima (completed in 1839), Darlinghurst was based on the design ideas promoted by the SIPD, as were other gaols commenced during the 1830s, such as the new Parramatta (1842),[316] Port Macquarie (1840)[317] and Kingston (Norfolk Island) gaols (partly finished in 1840).[318]

Kerr has noted that Berrima was the only gaol in the colony to be completed with the longitudinal wall running the length of the wing, allowing further classification and separation of prisoners.[319] Although the c1840 plan of Darlinghurst Gaol noted those walls, they were later deleted.[320] On the other hand, Darlinghurst Gaol and the new Parramatta Gaol (1842) involved a new feature that had been introduced in the additions at the Female Factory in 1837 – an open space at the centre of the wing, spanning all floors in place of the corridor.[321] This enabled surveillance of all floors from one single location near the door. That novel feature was repeated at the new gaols at Goulburn (c1840-45), Bathurst (c1840-c1845) and Maitland (1846-48). However, these later gaols consisted of a single cell range instead of the radial layout of Darlinghurst and Parramatta Gaols.[322]

The second major phase of construction at Berrima occurred in the Victorian era, having been completed in 1866. Like Berrima, many gaols at this time were designed by the Government Architect's Office under James Barnet. Others include gaols at Hay, Dubbo, Wentworth, all of which are referred to in their Statements of Significance (above) as examples of Barnet's 'Hay-type' gaol plan. The fabric remaining from this era demonstrates the more elaborate Victorian-era architecture employed by the Government Architect's Office at that time; this is particularly evident when comparing the main gatehouse, constructed in 1866, with the extant fabric from the 1839 gatehouse. Barnet's design for the gatehouse at Bathurst gaol is even more elaborate, exhibiting a similar central archway between banded pilasters, but capped by heavy, arched pediment.

[316] Dictionary of Sydney, 'Parramatta Gaol', *Dictionary of Sydney* (blog), 14 January 2015, https://home.dictionaryofsydney.org/parramatta-gaol/.
[317] Terry Kass, 'A History of Port Macquarie Gaol to 1920', May 2001, 4.
[318] Kerr, *Out of Sight, out of Mind*, 46–48.
[319] Kerr, 37.
[320] Kerr, 43.
[321] Kerr, 44–45.
[322] Kerr, 46.

Figure 233: Entrance, Bathurst Gaol, Bathurst (Source: Caroline Simpson Library & Research Collection, record no. 38571)

Like Berrima, the Hay Gaol demonstrates the different functions for which gaols constructed in the 19th century were used following their original construction. Both Berrima and Hay, for example, accommodated prisoners of war, Berrima during WWI and Hay during WWII. The gaols also demonstrate the changing needs of correctional centres over time which, in many cases, has necessitated substantial redevelopment. Berrima, for example, has not retained its original configuration of cell blocks and no longer demonstrates the radial plan which was often adopted for prison complexes in the 19th century. Instead, its mid-20th century layout utilised a courtyard plan, as seen, for example at Grafton Correctional Centre. Complexes which have retained their radial plan include the gaols at Bathurst and Goulburn, both of which were designed in a similar configuration to the gaol at Berrima.

Figure 234: Bathurst Correctional Centre (Source: https://www.goulburnpost.com.au/story/5550497/eagle-eyed-guard-thwarts-attempted-breakout-at-jail/)

Figure 235: Aerial view of Goulburn Correctional Centre (Source: Sixmaps)

These comparative examples demonstrate many common characteristics of historic prison sites in NSW including the prominent sandstone wall, the radial configuration of the site (where it remains extant), the watchtower or guard tower and the gate house marking the entry to the complex. They provide an architectural and stylistic context through which to understand the two early phases of Berrima Gaol's construction and in doing so demonstrate that it is not one of the more intact examples of a 19th century prison complex in NSW with numerous other gaols being considerably more intact. Berrima's rarity in comparison with the gaols above, however, derives from its having been initially constructed in 1839, rendering its remnant fabric from that phase some of the earliest surviving fabric from a prison complex in NSW.

4.5 IDENTIFIED HISTORICAL THEMES

The Berrima Correctional Centre demonstrates a number of the historic themes formulated by the NSW Heritage Office, as described below:

Australian Theme	NSW Theme	Comments
2. Peopling Australia	Convict	The site demonstrates this aspect of the history of NSW and Australia through its extant fabric from the gaol's original phase of construction in the 1830s. The wall and remaining portions of the original gatehouse, completed in 1839, were constructed by convict chain labour. Convicts also quarried the sandstone from a nearby quarry. Although the Berrima Training Centre, which was constructed in 1944, involved the demolition of the majority of earlier buildings on the site, the sandstone which had been quarried by convicts was re-used to form parts of the new buildings, which remain today.
4. Building settlements, towns and cities	Towns, suburbs and villages	The site demonstrates the historical development of Berrima, identified as a potential 'Seat of Justice' in the area in the early 19th century. The gaol is one of the earliest sites in Berrima to be developed and marks an early phase of the town's development. Following its use as a POW camp in 1919, it became a major tourist attraction within Berrima, has been intermittently used for other purposes, including a rabbit factory, and remains a prominent landmark near the centre of town today.
5. Working	Education	The site demonstrates an aspect of the history of education in NSW through the buildings which remain within the gaol walls today, constructed as the Berrima Training Centre in 1944. The Training Centre marked another phase of prison reform, based on the principle of segregating the "young offenders and even older men who have been weak enough to be led – or over-tempted to slip – into some criminal course of conduct"[323] from the more hardened criminals, and aimed on promoting social groups who live and work together with a sense of cooperation. Inmates were given a choice of eighty

[323] *Berrima Training Centre.*

		correspondence courses arranged by Sydney Tech, including, among others, art, carpentry, engineering, printing and agriculture. [324]
7. Governing	Law and order	The site demonstrates the history of law and order in NSW and Australia and is associated with maintaining, promoting and implementing criminal and civil law and legal processes. It demonstrates the changing needs of correctional centres over time, having been redeveloped in numerous phases in order to respond to these needs. It has a strong historical connection to the 'separate' prison system, having originally been specifically designed in order to accommodate that system, although the cell blocks and guard tower from that time no longer remain.
7. Governing	Defence	The site has historical connections to WWI, having accommodated German prisoners of war between 1915-1919. The buildings which accommodated these POWs, however, are no longer extant.
8. Developing Australia' cultural life	Creative endeavour	The 1866 gatehouse marking the entrance to the portion of the site which is within the gaol walls, represents the creative endeavours of James Barnet, whose ovular design for the gatehouse utilised several characteristics from the Victorian Mannerist style to create an imposing gaol entrance gate which is today a landmark structure in Berrima.
9. Marking the phases of life	Persons	The site is associated with several NSW Government Architects and prominent architects who worked for the Government Architects Office, including Mortimer Lewis (1796-1879), James Rattenbury (1808-1863), James Barnet (1827-1904), Walter Liberty Vernon (1846-1914) and Cobden Parks (1892-1978).

4.6 FABRIC INTEGRITY AND CONDITION

4.6.1 INTEGRITY OF EARLY FABRIC

This section focuses on the integrity of fabric dating from the two earliest phases of the site's construction, these being those which occurred in the 1830s and the 1860s. The original gaol, completed in 1839 was constructed in sandstone and included a gaol wall,

[324] 'Berrima Training Centre', *PIX*, 9 January 1954, 37.

entry gate and cell blocks radiating from a guard tower. An early plan of the site within the gaol walls is seen below, next to an aerial view of the site today.

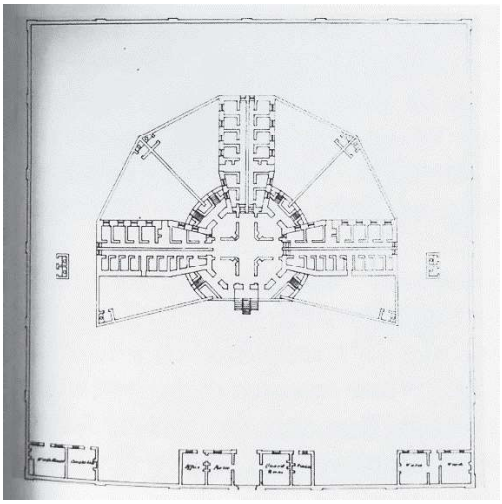


Figure 236: Plan from the Colonial Architect's Office, dated October 1839. (Source: Kerr, Out of Sight, out of Mind, 37 Cat. 41)

Figure 237: Aerial view of the Berrima Correctional Centre (Source: Sixmaps)

In the 1860s, the original gaol wall was extended in height by approximately 1.5m, and extended to the east to include a larger site, marked by the new entrance gate. The gate was completed in 1866 and remains extant today. The altered 1839 wall, and a portion of the original entrance gate, are also extant.

The following diagram describes the 1860s phase of alterations in relation to the original site and the fabric which remains today.

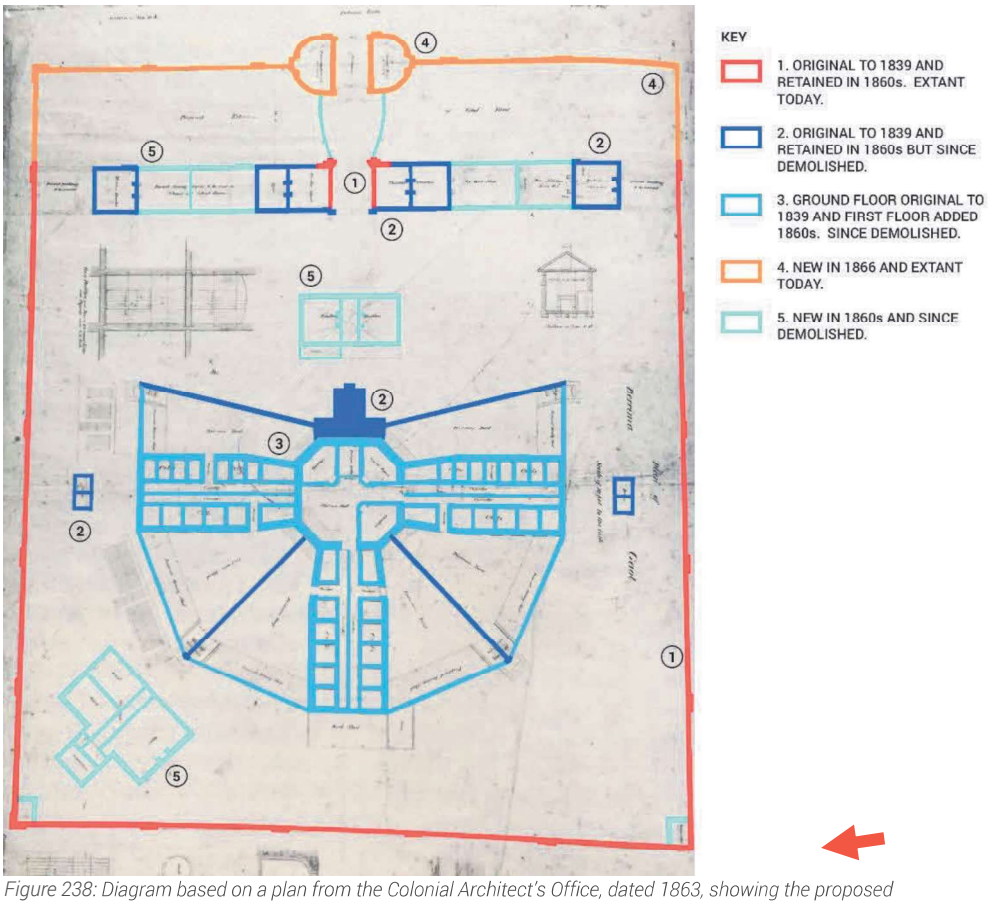


Figure 238: Diagram based on a plan from the Colonial Architect's Office, dated 1863, showing the proposed improvements at Berrima Gaol that were carried out at that time, overlaid with colours indicating the extent of fabric likely to remain from 1839 and the 1860s, and fabric which has been demolished (Source: Kerr, Out of Sight, out of Mind, 38 Cat. 42 with NBRS overlay)

Figure 239: The portion of the entrance gate extant from 1839, facing west from the 'sterile zone' between this gate and the 1866 entrance (Source: NBRSARCHITECTURE 2020)

The 1860s phase of development retained the original radial configuration of the gaol, whereby cell blocks radiated from a central watchtower. The vast majority of these structures, however, were demolished in the 1940s and replaced with the buildings existing on the site today. The site has therefore lost a considerable amount of integrity and no longer exhibits above-ground evidence of its original configuration.

The following diagrams demonstrate the original configuration of the Berrima Gaol in relation to the structures existing within the gaol walls today.

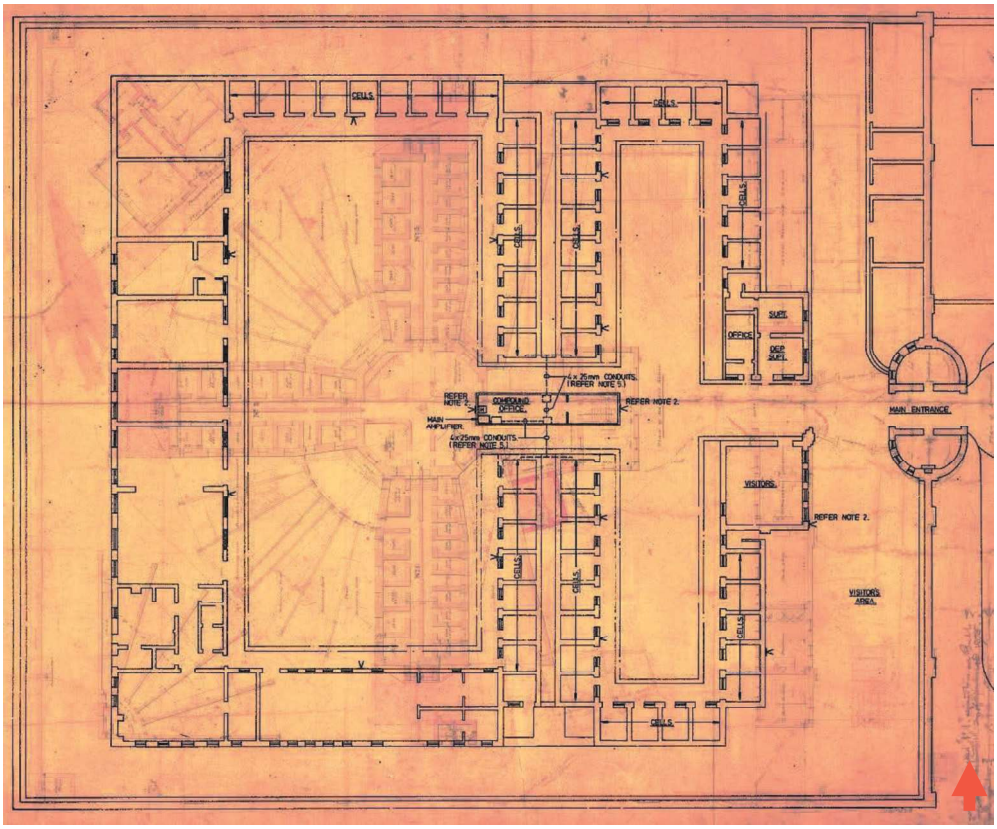


Figure 240: Detail from undated 'Plan of Berrima Gaol', containing the Colonial Architect's stamp dated 1867 and signed by James Barnet on 2 July 1875 (Source: NSW Plan Services, PC47/24, Berrima Correctional Centre – Site Plan) overlaid with part of a plan prepared by the Public Works Department NSW in 1984, (Source: NSW Plan Services, Plan room no. PC.47-13/7 – Berrima Training Centre Public Address System). This diagram shows location of the original gaol within the gaol walls in relation to the buildings extant today, with the exception of the Visitor's Centre (in the south-east corner of the site) and the addition opposite the Science Block (in the north-east corner of the site) are not shown on the 1984 plan. The diagram demonstrates that the gaol today bares very little relationship to the original footprint of the 1939 building, with the exception of the easternmost walls of the entrance gate. The gaol walls (1839 and 1860s) and the main entrance (1866) are extant today.

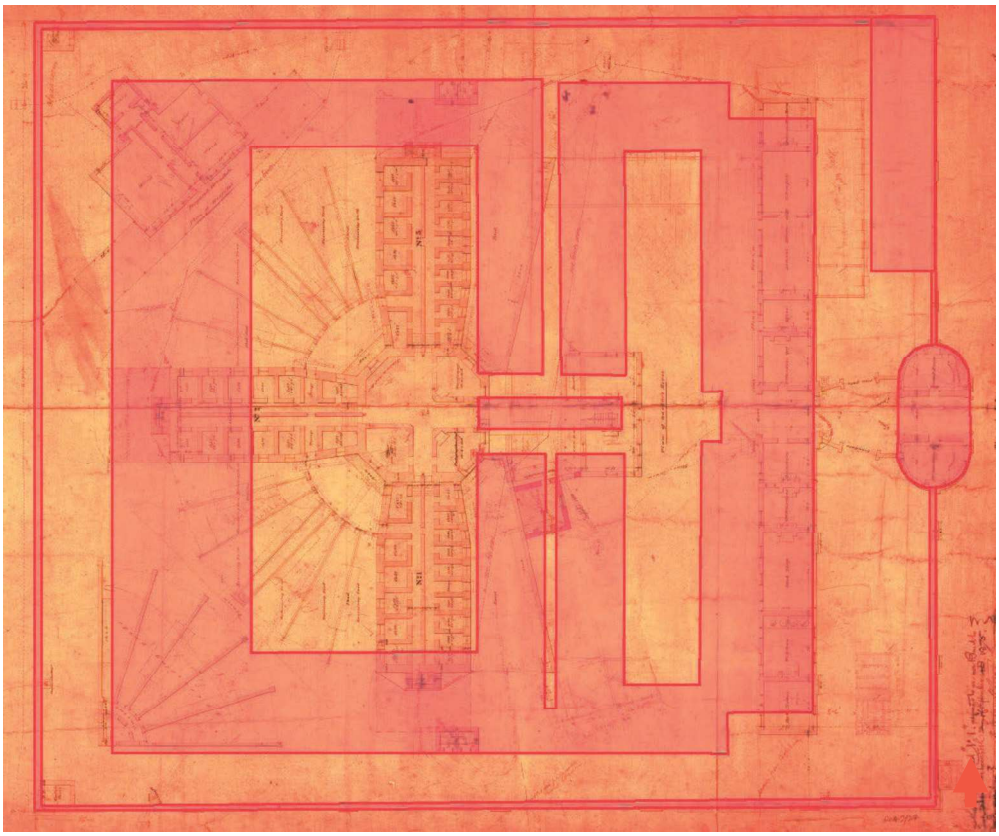


Figure 241: Detail from undated 'Plan of Berrima Gaol', containing the Colonial Architect's stamp dated 1867 and signed by James Barnet on 2 July 1875 (Source: NSW Plan Services, PC47/24, Berrima Correctional Centre – Site Plan) overlaid with approximate footprint of the gaol complex today, excluding those buildings which are outside the gaol walls (Source: overlay prepared by NBRSARCHITECTURE).

Although the Berrima Training Centre, which was constructed in 1944, involved the demolition of the majority of earlier buildings on the site, the sandstone which had been quarried by convicts was re-used to form parts of the new buildings, which remain today. A 1949 description of the training centre at the time of its opening indicated that the site was developed "with the use of old and new material."[325] The extent of the re-used stone is not known, however it seems likely that the opportunity would have been taken to re-use as much as possible. There is also documentary evidence that the stone used for the new watchtower was disassembled from the observation gallery in the south-eastern corner of the gaol wall.[326]

[325] 'Berrima Training Centre Opened', *Southern Mail (Bowral, NSW : 1889 - 1954)*, 25 November 1949, 4, http://nla.gov.au/nla.news-article119221304.
[326] 'ANOTHER SERVICE FOR BERRIMA GAOL', *Goulburn Evening Post (NSW : 1940 - 1954)*, 22 November 1949, 7, http://nla.gov.au/nla.news-article104525440.

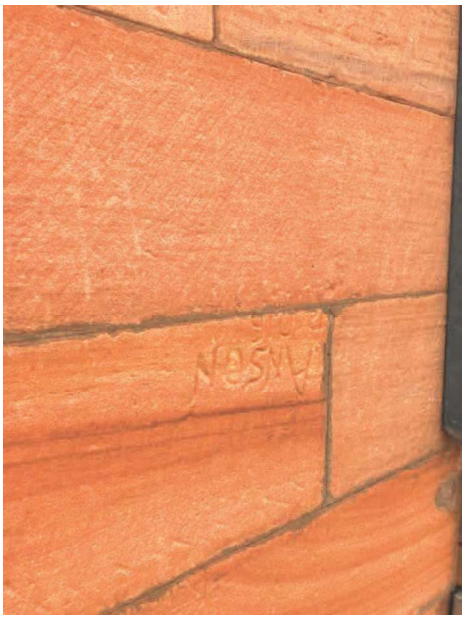


Figure 242: Inscribed stone on the north-west corner of the watchtower, placed upside down. It is likely that this stone dates from the early phases of the site's construction and was re-used when the Berrima Training Centre was constructed (Source: NBRSARCHITECTURE 2020)

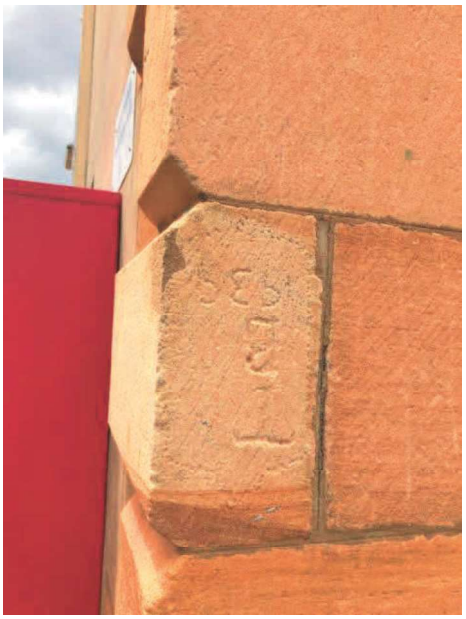


Figure 243: Inscribed stone on the north-west corner of the watchtower, placed upside down. It is likely that this stone dates from the early phases of the site's construction and was re-used when the Berrima Training Centre was constructed (Source: NBRSARCHITECTURE 2020)

4.6.1 CONDITION OF EARLY FABRIC

Generally, the gaol wall, 1839 entry gate and 1866 entry gate are in good condition. Sandstone shows discolouration as a result of rain and weathering, particularly at the top of the wall and at parapets and cornices on the gate structures. The wall has also accumulated lichen. On the eastern side this appears to be particularly on its top five courses; in other instances, as much as half the wall appears to be affected.

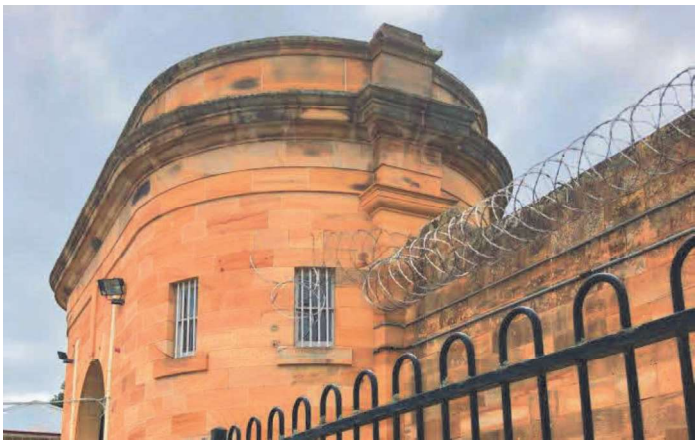


Figure 244: Discolouration from weathering shown on the cornice and parapet of the 1866 entrance gate, and lichen shown on the top of the gaol wall (Source: NBRSARCHITECTURE 2020)

Figure 245: Northern wall at its western end, viewed internally (Source: NBRSARCHITECTURE 2020)

The majority of the stonework, however, is not showing signs of significant fretting or surface deterioration of salt attack, suggesting that the mortar (lime mortar) has provided an adequately permeable material for water intake in comparison with the stone.

Interior spaces within the 1866 gatehouse comprise timber floors, which are carpeted over, and rendered walls. The timber is not in good condition and requires structural inspection and repair.

4.6.2 CONDITION OF 1944 STRUCTURES

The Berrima Training Centre was constructed in 1944 and its buildings remain largely intact today, having been used for various correctional-related purposes up until 2020. The buildings are generally in good condition and, upon preliminary inspections, are not exhibiting signs of significant damp or structural issues. The following provides a general discussion of the condition of each element. This discussion is intended to highlight general condition issues and is not intended to be a comprehensive condition survey.

- External walls: Sandstone walls generally appear to be in good condition and are not showing as much discolouration as earlier sandstone, which generally has less protection from rain and weather.

- Roof structure and finish: Visual inspection of the underside of the eaves indicates the timber structure is generally in good condition, albeit with minor instances of peeling paint. The corrugated iron roof, viewed from the underside, and from the watchtower, also appear to be in fair condition.
- Joinery: Timber doors and windows, which are painted, are in generally good condition. There are some instances of paint decay.
- Interiors: Interiors available to be inspected were generally found to be in good to fair condition.
    - Floors: Paint has deteriorated on some concrete floor surfaces, and from some rendered wall surfaces.
    - Walls: Rendered walls are generally in good condition with the exception of some paint peeling. There is, however, evidence of some subsidence on the western wall of the western cell block, seen from these rooms internally, where render has cracked (refer to photograph below).
    - Ceilings: The ceilings are generally in good condition with some later ceiling tiles warping / bowing.
    - Furniture: There are some instances where metal furniture in cells, which is fixed to the floor and/or walls, is showing signs of corrosion.

Figure 246: Exposed timber roof structure in good condition (Source: NBRSARCHITECTURE 2020)

Figure 247: Later ceiling tiles in the 'library' in the western cell block, bowing (Source: NBRSARCHITECTURE 2020)

Figure 248: Cracked and delaminated plaster in the hallway between the dining room and kitchen on the western side of the western cell block (Source: NBRSARCHITECTURE 2020)

Figure 249: Cracking to render beneath window on the western wall of the western cell block (Source: NBRSARCHITECTURE 2020)

Figure 250: Paint peeling from concrete floor in cell, western cell block (Source: NBRSARCHITECTURE 2020)

Figure 251: Fixed metal shelf in cell in western cell block, showing signs of corrosion (Source: NBRSARCHITECTURE 2020)

4.7 ARCHAEOLOGICAL POTENTIAL

The following section on the archaeological potential of Berrima Correctional Centre is sourced from *Section 5 Historical Land Use Mapping* and *Section 6 Predictive Statements* of the Historical Archaeological Assessment for the site, prepared by Austral Archaeology in February 2021, and reproduced here in italics. Section and figure numbers have been altered for integration into this CMP. The full report by Austral is included in Appendix A.

4.7.1 HISTORICAL LAND USE

The use of the land before 1834 is unknown; it would have been a continuation of the wider landscape that consisted of interspersed farmland among gently rolling hills. The study area was in use as a construction site from 1834 – 1839 when the Gaol was being built. From 1839 onwards, it was in use intermittently as a prison until 1909 when it was again closed until 1915 when it was opened as a German internment camp for the duration of WWI. The prison was then used as a factory site until WWII when it became an ammunition storage facility. The interior section of the study area was heavily damaged by a fire in 1942 that destroyed much of the internal buildings.

Since then, the internal space within the study area has been concreted over and the internal buildings have been rebuilt based on a modern prison configuration. During the Gaol's time in use, there were several phases of modification that are likely to be evident in the archaeological record present in the study area.

Several historical plans of the Gaol were used to determine the likely areas where archaeological remains are likely to be present. These maps range in date:

- *1867- 1875: Plan of Berrima Gaol which includes the Colonial Architects Stamp dated*
- *1867 and signed by James Barnet in 2 of July 1875 as more revisions were added.*
- *1907: Berrima Gaol Drainage General Plan by A. Parkes showing the drainage within the Berrima Gaol area.*
- *1993: Berrima Gaol by the Department of Corrective Services showing the whole Gaol site including the ground in 1993.*

4.7.2 ARCHAEOLOGICAL SENSITIVITY MAPPING

The results of sections 3 and 4 are depicted in an archaeological sensitivity map below (Figure 252). The figure shows the degree of predicted archaeological potential within the study area and forms the basis for the conclusions and management recommendations outlined in Section 8[327].

[327] Section 8 of the Austral report, refer to Appendix A.

However, one key point to note is that potential is not equal to significance, and areas of even moderate or high archaeological potential may not contain archaeological material which is considered significant (see Section 6[328]).

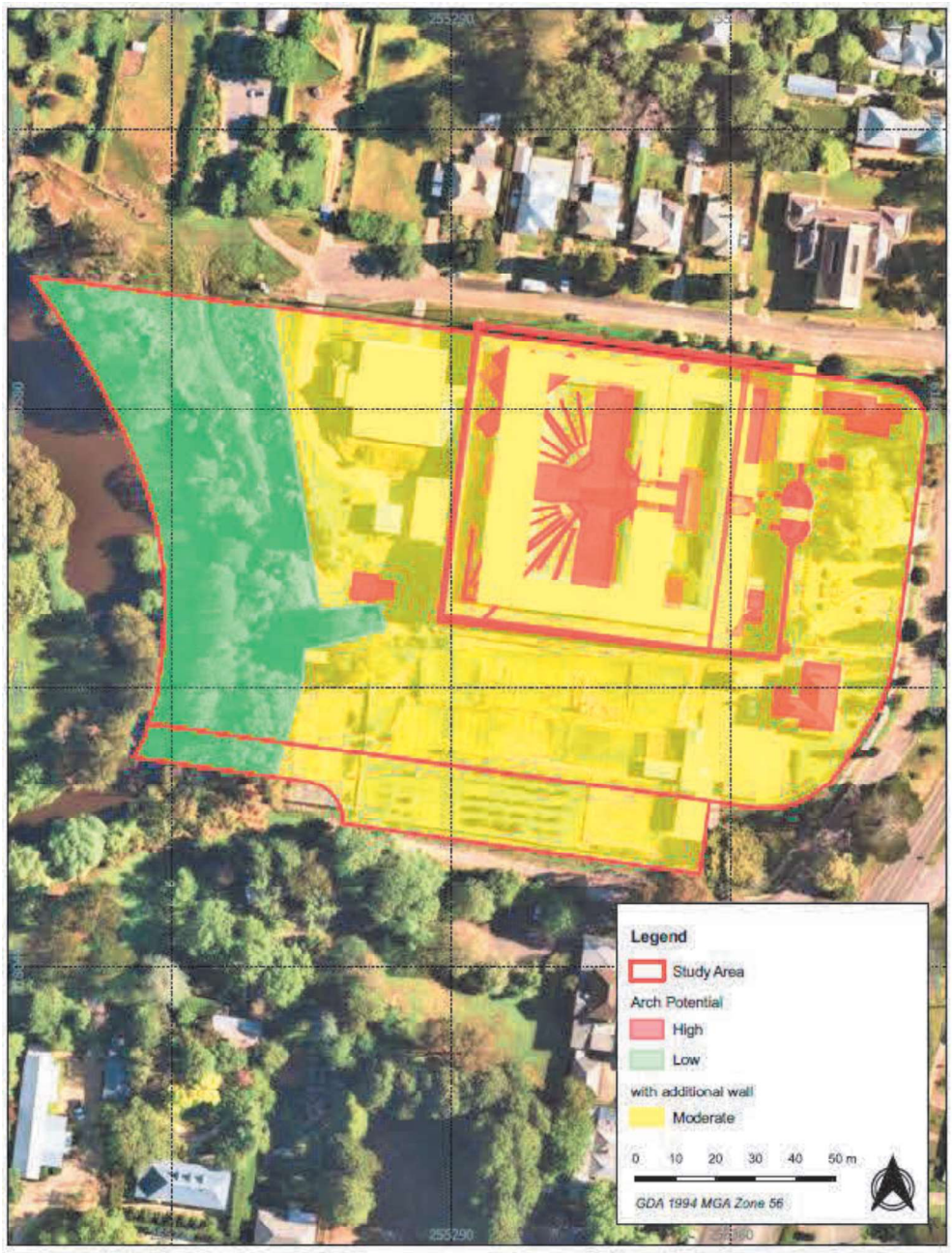


Figure 252: Archaeological Potential (Source: Austral Archaeology, p. 65)

4.7.3 PREDICTIVE STATEMENTS

An assessment of archaeological potential usually considers the historic sequence of occupation in comparison to the structures that are currently extant, as well as the impact that the more recent constructions and works would have had on the earlier occupation phases and, as such, the likely intactness of the archaeological resource. This, in turn, is tied in with the extent to which

[328] Section 6 of the Austral report, refer to Appendix A.

a site may contribute knowledge not available from other sources to current themes in historical archaeology and related disciplines.

Regarding the assessment of the study area, the archaeological potential depends upon the anticipated likelihood for the survival of buried structural fabric and cultural deposits as well as an estimation of archaeological integrity. Structural fabric refers to what is generally regarded as building or civil engineering remnants. Cultural deposits refer to archaeological deposits, i.e., deposited sediments containing artefacts et cetera.

Having analysed the historical evidence in the previous chapters, the following section presents a summary of the potential for a physical archaeological resource to be present in the study area, that is, its archaeological sensitivity/potential.

The following predictive model draws on the areas of known archaeological sensitivity. As a general rule of archaeology, sites first redeveloped in either the 19th or early 20th century can also retain evidence of occupation from previous periods. It is also widespread that such evidence can be recovered even when sites have been redeveloped or disturbed by modern construction activity. Based on the detailed background history, the following general predictive statements can be made:

PHASES 1 TO 3: FROM CONSTRUCTION TO THE SEPARATE SYSTEM (1834 – 1860)

During the first three phases of there are limited maps available, with the first site plan dating from 1867 with subsequent additions drawn on in 1875. Due to this, these three phases have been included together.

Based on the surrounding landscape, the western end of the study area appears to have been incredibly built up during the initial constriction of the prison. Along the southern and western sides of the prison are terraces that would need to be constructed for a level internal area within the walls. Internally, evidence of several structures from these phases are likely to be present including:

- *Cellblock (Building #2a)*
- *Hospital (Building #3)*
- *Original Work block (4a)*
- *Yard (id. 5a)*
- *Original Governor's Residence (6)*

However, these building locations have probably been disturbed by the late 1860s additions. External to the prison, the surrounding land has been used by the prison since it was opened. There is the possibility of remains being found relating to food production, waste deposition and refuse activities. This includes the possibility of executed prisoners being buried on the surrounding site. There are no other known locations for the burials aside from the suggested south-west internal corner of the prison. Based on the location of the sewer pipe and the watchtower/solitary cell, if this was the location of the burials then it is likely they have been disturbed. It seems more likely that a location within the ground but external to the prison would be the likely location for any burials. Potential refuse dumping around the study area would include waste from prisoners along with the wardens and Governor, so there is the possibility for a range of quality wares to be located within any archaeological deposits.

With the construction of the separate prison system, additional yard walls were installed, the remains of which were recorded as being present when the German internees occupied the study area during WWI. The buildings remained in use through phases 1 and 2 with limited recorded changes.

PHASE FOUR: SUBSEQUENT ALTERATIONS AND ADDITIONS (THE 1860 – 1909)

During the 1860s, several modifications were made to the prison walls and internal buildings. The walls were extended to the east and new gates were constructed. These are still standing to this day. Several features are likely to remain subsurface within the study area.

- *Extension of the cell block (Building #2b), including basement*
- *Work block (Building #4b)*
- *Yard (Building #5b)*
- *Toolhouse (Building #9)*
- *Well (Building #10)*
- *Washhouse (Building #12)*
- *Soil Shaft (Building #13a and 13b)*
- *Chimney Block (Building #14)*
- *Brick sewer (Building #15)*
- *Earth closets (Building #16-20)*
- *Manholes (Id 22a and 22b)*
- *Septic tanks (Building #23)*
- *Tank (Building #24)*

Within the prison, the cellblock had an additional storey added and additional cells were added to each wing, running outwards from the central building. To the central building itself, a basement was constructed. Several plumbing features were possibly also added around the time the baths were installed in 1871. This would have caused minor disturbance both internally and externally to the prison but changes undertaken during this phase are unlikely to have substantially impacted on earlier structural remains.

PHASE 5: BERRIMA GAOL DURING THE 20TH CENTURY AND BEYOND (1909 – PRESENT DAY)

During the 20th century, the Gaol went through several different uses; as a prison, as a concentration camp for German prisoners of war and as a meat curing factory before a fire in 1942 gutted the majority of the inertial soft furnishings of the building and caused substantial structural damage. After the fire, the prison was reopened in the 1940s with a new formation of buildings.

These cells were built of stone and are located in a roughly square outline. Outside of the footprint of the new cellblocks, and even to a degree within their footprint, there is potential for structural remains associated with the earlier Gaol layout to be present. This includes footings, foundations and evidence of the basement. The majority of the prison ground has been capped with concrete, possibly preserving these remains beneath. In the external area around the prison there is potential for evidence relating to the German internees to be found along with evidence or food production, as well as refuse and waste deposition. The German internees are known to have lived outside of the prison walls after they spent a few years at the prison in houses that they built. These were recorded as being closer to the river but some may have been in the grounds. What is known is that they were all burned down by the Germans as they left so any evidence will likely be ephemeral and highly disturbed.

4.7.4 CONCLUSION

Austral Archaeology has made the following conclusion regarding the archaeological potential of the site (p. 77):

Berrima Gaol is a significant structure at both a state and local level based on its known history and still-standing structures. This assessment has determined that there is a high potential for subsurface archaeology to remain with the prison and a moderate chance for items relating to

prison life to be located in the surrounding land. This includes the potential for burials to be located somewhere on the grounds external to Berrima Gaol.

4.8 ASSESSMENT OF CULTURAL SIGNIFICANCE

The following commentary discusses how each of the criteria established by the New South Wales Heritage Office (now the Heritage Division of the NSW Office of Environment and Heritage) relate to the subject site.

Where the following assessment includes information regarding archaeological significance, this information has been sourced directly from the Austral report and is reproduced in italics.

4.8.1 CRITERION (A) HISTORICAL IMPORTANCE

An item is important in the course, or pattern, (of NSW's) (of the local area's) cultural or natural history.

Guidelines for Inclusion: When the item shows evidence of a significant human activity or is associated with a significant activity or historical phase. When it maintains or shows the continuity of a historical process or activity.

Guidelines for Exclusion: When the item has incidental or unsubstantiated connections with historically important activities or processes. When it provides evidence of activities or processes that are of dubious historical importance or has been so altered that it can no longer provide evidence of a particular association.

Berrima Correctional Centre is historically significant for containing elements of the original Berrima Gaol, constructed in 1839 to a design by the Government Architect's Office. In comparison to other extant gaol complexes in NSW, this is a very early example. Its original configuration utilised a radial layout for the cell blocks, which was typical for gaol sites at that time. This configuration, however, is no longer evident on the site, the majority of the 1839 structures having been removed in the 1866 phase of construction and later phases. The gaol wall (completed in 1839 and added to in the 1860s) remains extant from the original phase of the construction, as does a portion of the original gatehouse.

The site demonstrates the history of law and order in NSW and Australia and is associated with maintaining and implementing criminal law and legal processes. It demonstrates the changing needs of correctional centres over time, having been redeveloped in numerous phases in order to respond to these needs. The site has a strong historical connection to the 'separate' prison system, its original design having been based on other prisons accommodating that system, which allowed for solitary confinement, and its 1860s alterations and additions resulting in its being declared a 'Model Prison' operating under the separate treatment system. The site therefore demonstrates an important aspect of the history of prisons and incarceration in NSW.

The site was continuously associated with incarceration from 1839 until its closure in 2020, at which time it was reserved as a contingent gaol to be used if needed during the COVID 19 pandemic.

The site also demonstrates an aspect of the history of education in NSW through the buildings which remain today, constructed as the Berrima Training Centre in 1944. The Training Centre marked another phase of prison reform, aimed at promoting, amongst the

inmates, social groups who live and work together under a sense of cooperation. Inmates were given a choice of eighty correspondence courses arranged by Sydney Tech, including, among others, art, carpentry, engineering, printing and agriculture.

Berrima Correctional Centre is also significant for its demonstration of the historical use of convict labour in NSW through its extant fabric from the gaol's original phase of construction in the 1830s. The wall and remaining portions of the original gatehouse, completed in 1839, were constructed by convict chain labour. Convicts also quarried the sandstone from a nearby quarry. Although the Berrima Training Centre, which was constructed in 1944, involved the demolition of the majority of earlier buildings on the site, the sandstone which had been quarried by convicts was re-used to form parts of the new buildings, which remain today.

Berrima Correctional Centre is also historically significant at a local level for demonstrating the importance of Berrima as a regional centre in the early 19th century. Berrima was identified as a potential 'Seat of Justice' in the area in the 1860s. The gaol is one of the earliest sites in Berrima to be developed and remains a prominent landmark near the centre of town today. The former Governor's Residence, located outside the gaol walls in the south-east corner of the site, and the former Deputy Governor's Residence to its north, also demonstrate this historical importance and make a historical contribution to the streetscape and town.

Is the site widely recognised?

The study area is widely recognised as a focal point in the town of Berrima. The surrounding area maintains many buildings that have been little changed since their construction and are of a similar era to the Gaol. The Gaol is also known for its history, particularly for its harsh separate system and the noted convicts Lucretia Dunkley and Martian Beech, who are the focus of an exhibition in the nearby Courthouse Museum. The German prisoners of war who were detained in the Gaol also add to the recognition of the study area.

Does the site demonstrate a short period of occupation and therefore represents only a limited phase of the operations of a site or technology or site? Or does the site reflect occupation over a long period?

The study area has gone through several phases of modification as the cell blocks have been modified and altered and the Gaol has transitioned in the systems used to maintain a prisoner. The most significant alternations were undertaken after the 1942 fire that caused significant damage to the existing buildings.

Does the site demonstrate continuity or change?

The study area is expected to demonstrate continuity, as it had one specific use over a long period. However, the Goal will also demonstrate change as the buildings were modified for use based on changing systems of prisoner management and more substantially following 1942 fire that saw the interior of the Gaol entirely redeveloped to remain fit for use.

Are the remains at the site highly intact, legible and readily able to be interpreted?

Any remaining archaeological resource will likely be highly intact. They will likely be legible and able to be interpreted as there are plans that have recorded the study area in various states. Utilising these plans should enable the interpretation of the study area.

Do the archaeological remains have an ability to demonstrate how a site was used, what processes occurred, how work was undertaken and the scale of an industrial practice or other historic occupation.

The archaeological remains are highly likely to demonstrate how the study area was used. These are expected to the use of the study area as a Gaol and the process used to incarcerate prisoners in the study area. Some evidence of daily life within the Gaol is likely to be recorded within the subsurface deposits.

Berrima Correctional Centre therefore meets criterion (a) for cultural significance based on historical importance.

4.8.2 CRITERION (B) HISTORICAL ASSOCIATIONS

An item has strong or special association with the life or works of a person, or group of persons, of importance in (NSW's) the cultural or natural history (of the local area).

> *Guidelines for Inclusion: When an item shows evidence of a significant human occupation or is associated with a significant event, person or group of persons.*
>
> *Guidelines for Exclusion: When an item has incidental or unsubstantiated connections with historically important people or events. When it provides evidence of people or events that are of dubious historical importance or has been so altered that it can no longer providence evidence of a particular association.*

Berrima Correctional Centre is significant for its associations with several NSW Government Architects and prominent architects who worked for the Government Architects Office, including Mortimer Lewis (1796-1879), James Rattenbury (1808-1863), James Barnet (1827-1904), Walter Liberty Vernon (1846-1914) and Cobden Parks (1892-1978).

Is the site associated with an important person? (the role of the person in State or local history must be demonstrated/known)

Berrima Gaol is associated with James Barnett, who was the Colonial Architect for NSW and is known for the various buildings he designed across the state. Australia's first serial killer John Lynch was a prisoner at the site who was executed in 1842, along with Lucretia Dunkley and Martin Beech, who were executed at the Gaol for the killing of Henry Dunkley. These names feature in many 'true crime' books published across Australia today.

What is the strength of the association between the person and the site?

The association between James Barnett is through his planning which is reflected through the layout of both the extant walls and the potential archaeological remains of the original Gaol buildings. The remains of Lucretia Dunkley, Martin Beech and James Lynch are potentially located within the grounds of the Gaol.

Did the person live or work at the site? During the phase of their career for which they are most recognised? Is that likely to be evident in the archaeology /physical evidence of the site?

It is unlikely that James Barnet physically worked at Gaol, however, the remaining walls are testament of his work as an architect. John Lynch, Lucretia Dunkley and Martin Beech were all incarcerated at the prison for a period before being executed. There is unlikely to be specific

physical remains relating to the day to day lives for any of them aside for the potential burial remains.

Did a significant event or discovery take place at the site? Is that evident/or likely to be evident in the archaeology/physical evidence of the site?

No significant discoveries occurred associated with the Gaol. Where significant events occurred, such as executions, in the absence of a defined location for the burial of these individuals or the location of the gallows, there is unlikely to be specific evidence relating to those events.

Do the archaeological remains have particular associations with individuals, groups and events which may transform mundane places or objects into significant items through the association with important historical occurrences?

Overall, the Gaol is intrinsically linked to the penal system and those who were detained within the prison system, and any archaeological remains will have strong associations with those prisoners who occupied the study area. Furthermore, the use of the study area as a German internment camp is a significant event that took place at the study area. There is likely to be physical evidence of this period through the electricity and hot water which the detainees introduced to the Gaol. Located externally to the Gaol there may be evidence of small huts and other projects that were built around the camp, with the internment of the Germans at the camp being a significant historical event for Australia.

Berrima Correctional Centre therefore meets criterion (b) for cultural significance based on historical associations.

4.8.3 CRITERION (C) AESTHETIC VALUES

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in (NSW) the local area.

> *Guidelines for Inclusion: When an item shows or is associated with, creative or technical innovation or achievement. When it is the inspiration for a creative or technical innovation or achievement, is aesthetically distinctive, has landmark qualities or exemplifies a particular taste, style or technology.*
>
> *Guidelines for Exclusion: When an item is not a major work by an important designer or artist, has lost its design or technical integrity. When an item's positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded or has only a loose association with a creative or technical achievement*

Berrima Correctional Centre is aesthetically significant for its range of architectural styles across different structures on the site, which together demonstrate various phases of its development. Aesthetically significant structures include the gaol walls, the 1866 entry gate, the remnant portions of the 1839 entry gate, the former Governor's Residence and the former Deputy Governor's Residence, demonstrating various phases of its construction.

The gaol walls are aesthetically significant as a prominent feature of the site and streetscapes of Argyle and Wilshire street, featuring the sparrow pecked sandstone which characterised the early structures on the site.

The 1866 entry gate, designed by James Barnet to form the new entrance once the gaol walls had been extended, is aesthetically significant as a good example of mid-19th century

gaol entrance, designed in the Victorian Free Classical or Mannerist style. The structure represents the creative endeavours of Barnet, who achieved a simple and imposing gaol entrance through a restrained use of these styles.

Within the gaol walls, the remnant portion of the 1839 entry gate, designed by Mortimer William Lewis, has aesthetic values for demonstrating the original style of the 1839 gaol, as the only remnant portion from this phase of the site's development, with the exception of the gaol walls. It provides physical evidence of the gaol's original architectural style and demonstrates the Old Colonial Georgian and Regency styles of architecture which were commonly employed for gaols in the early 19th century.

The former Governor's Residence, constructed in 1898, is aesthetically significant as a Federation residence in the Arts and Crafts style in rock-faced sandstone. The garden setting of the former residence contributes to its aesthetic values and its overall contribution to the streetscape.

The former Deputy Governor's Residence, constructed in 1909, is aesthetically significant as a good example of a residence in the Federation Queen Anne style. It is of high aesthetic quality, featuring in dichromatic brickwork with rock-faced sandstone trimmings and makes an aesthetic contribution to the site and streetscape.

The site is also aesthetically significant on a local level for its formal gardens which provide a setting for the residences and mark the front entrance to the gaol. Lawn and hedges provide a formal setting for the former Governor's Residence and agapanthus has been used to delineate garden spaces. Beds of yellow roses and other flowers form an important aesthetic component of these gardens.

The existing buildings within the early gaol walls, constructed as part of the Berrima Training Centre following the demolition of the early buildings, are not aesthetically significant. The sandstone blocks used in their construction, however, which were re-used from the early buildings, are of some aesthetic significance for their craftsmanship and demonstration of the original material and aesthetic character of the gaol.

Does the site/is the site likely to have aesthetic value?

Any archaeological material that is identified during any excavation works in the study area may have aesthetic value that increases its significance. The prison itself is aesthetically significance, especially the sandstone walls and gate. Additionally, the Governor's residence and Gaolers residences that are both sympathetic to the Gaol building. As the potential archaeological remains are likely of the same style they will likely hold aesthetic value.

Does the site/is the site likely to embody a distinctive architectural or engineering style or pattern/layout?

The study area did embody a somewhat rare layout in terms of the radiating cell block that was seen in only a few prisons across NSW. This building was destroyed during the 1942 fire and subsequent reconstruction of the prison. Archaeological material likely survives which relates to the original layout of buildings. The gate and stone walls are impressive and provide a disinvite point of focus for the town of Berrima.

Does the site demonstrate a technology which is the first or last of its kind?

The study area is unlikely to demonstrate a technology which is the first or last of its kind.

Does the site demonstrate a range of, or change in, technology?

The study area had primarily the same function over time in its use as a Gaol. While not necessarily technological, the original Gaol configuration was adapted and 'modernised' to reflect changes relating to the philosophy of incarceration. An example of this would be comparing the subsurface remains for the original cell block with the current cell block to see how the prison layout has been modified to improve prisoner welfares and a change to a focus on rehabilitation. There may also be additional individual archaeological items or feature that demonstrate a range in technology located subsurface.

Will an archaeological excavation reveal highly intact and legible remains in the form of aesthetically attractive artefacts, aged and worn fabric and remnant structures, which may allow both professionals and the community to connect with the past through tangible physical evidence?

Much of the internal structures within the Gaol were significantly damaged by the 1942 fire and subsequent demolition, when the stone was re-used in the construction of replacement buildings. While it is unclear as to whether footings were entirely removed or if the original Gaol buildings were stripped to only the ground, at least a degree of archaeological potential likely remains associated with the study area. The walls of the former Gaol buildings are likely to be substantial and, if present will demonstrate remnant structural material which will be intact and potentially highly legible due to the existence of detailed plans of the prison from the mid-to-late 19th century. Furthermore, any artefactual material identified during archaeological investigations will categorically relate to the use of the study area as a prison and will form a strong connection to the past. The archaeological material present within the study area will therefore provide both professionals and the wider community with the ability to connect to the past through any tangible evidence which is uncovered.

Berrima Correctional Centre therefore meets criterion (c) for cultural significance based on aesthetic values.

4.8.4 CRITERION (D) SOCIAL SIGNIFICANCE

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

> *Guidelines for Inclusion: When an item is important for its association with an identifiable group or is important to a community's sense of place.*
>
> *Guidelines for Exclusion: When an item is only important to the community for amenity reasons or is retained only in preference to a proposed alternative.*

Does the site have symbolic value?

The overall site has symbolic value, based on specific features and heritage items. The walls and associated gate hold the most symbolic value, representing the time that the study area served as a prison. These walls have dominated the Berrima landscape since the formation of the township in the 1830s. This, along with the Governor's house and Gaoler's residence that is located outside of the walls adds to the overall symbolic value as they are part of the overall Gaol complex. The smaller items located in the study area such as the bullhead water fountain and Lambie's Well both add to the value of the study area as a functioning part of the town. Any archaeological

material present in the study area will be immediately identifiable in terms of the vernacular of prison architecture.

Is there a community of interest (past or present) which identifies with, and values the specific site?

The historical community of Berrima and the Southern Highlands are interested in the Gaol. Additionally, the community of Berrima identify the Gaol as a significant part of their town.

Is the site likely to provide a material expression of a particular event or cultural identity?

The study area is likely to provide a material expression of prisoners in the 19th and, to a degree, 20th century and the cultural identity of those who were incarcerated. Should there be evidence of any burials this will provide material expression relating to the execution of these specific prisoners. There is also potential that the study area contains archaeological remains associated with the German internees who were held in the prison during WWI.

Berrima Correctional Centre therefore meets criterion (d) for cultural significance based on social significance.

4.8.5 CRITERION (E) CULTURAL OR NATURAL RESEARCH VALUE

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)

> *Guidelines for Inclusion: When an item has the potential to yield new or further substantial scientific and/or archaeological information. When it is an important benchmark or reference site or type or provides evidence of past human cultures that is unavailable elsewhere.*
>
> *Guidelines for Exclusion: When the knowledge gained would be irrelevant to science, human history or culture. When the item has little archaeological or research potential or only contains information that is readily available from other resources or archaeological sites. Where the knowledge gained would be irrelevant to research on science, human history or culture.*

To which contexts (historical, archaeological and research-based) is it anticipated that the site will yield important information?

The study area is anticipated to contain archaeological material relating to all phases of occupation relating to Berrima Gaol. Any material found is likely to relate to the use of the study area as the Gaol and may yield information that relates to historical (i.e., the occupation history of the site), archaeological (i.e., location of foundations, walls, basements, fences and temporary structures), and research-based contexts (i.e., artefactual material which can be analysed).

Is the site likely to contain the mixed remains of several occupations and eras, or is it expected that the site has the remains of a single occupation or a short time period?

Due to the study area's previous and continuous use as a prison, the study area is likely to contain mixed remains of several eras, as despite various periods where the Gaol was closed, the area has been in use for 179 years. While there was a major redevelopment during the 1940s following the prison fire that saw older parts of the Gaol demolished and their stone materials reused, there are still likely older remains located subsurface such as evidence of the basement, foundations and walls.

Is the site rare or representative in terms of the extent, nature, integrity and preservation of the deposits (if known)?

The study area is comparable to other prisons of the same era across Australia. As noted in Section 3.6[329], there were several examples of other prions using the separate system which had a similar prison layout. However, there are better-preserved examples of prisons that still feature their original buildings in association with known archaeological deposits. Such sites include Old Melbourne Gaol and Freemantle Prison. Other more intact prisons include Darlinghurst Gaol and Parramatta Gaol.

Are there a large number of similar sites?

There are a very limited number of similar sites across Australia, being prisons of a similar age; nine examples are discussed in Section 3.6, and it is likely that no more than 30 such sites exist nationwide. While none are still in use, many are still standing and in a similar condition to when they were first constructed and are in use as tourist attractions, such as Freemantle Prison, Old Dubbo Gaol, Port Arthur Prison and Old Melbourne Gaol, while Pentridge Prison is essentially structurally intact although the interior has undergone significant changes. These other examples are better-preserved examples of 19th-century prisons that Berrima Gaol.

Is this type of site already well-documented in the historical record?

This site itself is documented in the historical record, with several books and documents published about the Gaol, as well as exhibitions in the Berrima Courthouse Museum, although information on the earliest history of the Gaol is relatively sparse. In general, other Gaols and prisons of a similar era have been recorded in more detail such as Old Melbourne Gaol, with its significant archaeological dig, Freemantle Prison and Port Arthur, both being a World Heritage Site, and Old Dubbo Goal. As such, in the wider category of prisons, the site type is well documented.

Is the excavation of this site likely to enhance or duplicate the data set?

Excavation of this site is likely to enhance the current data set. While there have been other similar sites recorded, additional information specifically relating to Berrima Gaol will substantially enrich our knowledge of how the study area developed. Any further information obtained at Berrima Gaol will also contribute to the data set for a site type which is ultimately only present in very limited numbers and will allow for more comparisons to be drawn.

What is the ability of the archaeological evidence to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site?

There is expected to be a substantial amount of archaeological evidence located within the study area. This is likely to provide information that has previously not been fully available through the historical record such as the layout of the Gaol, the construction methods used for the earlier Gaol cell blocks and if there are other features or deposits located subsurface within the Gaol grounds.

As such, the study area satisfies NSW Heritage Criterion (e) at the State level due to the limited number of similar sites within Australia.

[329] Section 3.6 of the Austral report, refer to Appendix A.

Berrima Correctional Centre therefore meets criterion (e) for cultural significance based on research value.

4.8.6 CRITERION (F) RARITY

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion: Where an item provides evidence of a defunct custom, way of life or process or demonstrates a process, custom or other human activity that is in danger of being lost. Where it shows unusually accurate evidence of a significant human activity or is the only example of its type. When an item demonstrates designs or techniques of exceptional interest or shows rare evidence of a significant human activity important to a community.

Guidelines for Exclusion: When an item is not rare or is numerous and not under threat.

Berrima Correctional Centre provides a rare example of a gaol constructed in NSW in the 1830s. The 1839 phase of construction at Berrima renders the site one of the earliest extant gaols in Australia. Of gaols constructed prior to the 1850s, both Parramatta Correctional Centre and Darlinghurst Gaol provide considerably more intact examples, although Darlinghurst has been adaptively re-used as the National Art School. Extant fabric at Berrima Correctional Centre dating from the 1830s is rare in NSW.

Does the site contain well-preserved or rare examples of technologies or occupations which are typical of particular historic periods or eras of particular significance?

The study area is likely to contain evidence of technologies or occupational data relating to the Gaol system and topics of incarceration and the prison system. These are likely to relate to the lives of the convicts and the Gaol staff from the mid-19th century through to lives of the German internees during WWI. Such evidence is considered rare due to the limited number of prisons which have been constructed in Australia, and the few WWI internment camps which are known to have existed.

Berrima Correctional Centre therefore meets the requirements for criterion (f) for cultural significance based on rarity.

4.8.7 CRITERION (G) REPRESENTATIVENESS

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments)

Guidelines for Inclusion: When an item is a fine example of its type or has the principal characteristics of an important class or group of items. When an item has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity or is a significant variation to a class of items. Where it is outstanding because of its setting, condition or size or may be part of a group, which collectively illustrates a representative type. When an item is outstanding because of its integrity of the esteem in which it is held.

Guidelines for Exclusion: When an item is a poor example of its type or does not include or has lost the range of characteristics of a type. An item that does not represent well the characteristics that constitutes a type or variation from it.

As a result of various phases of development, Berrima Correctional Centre has lost some of its capacity to represent the characteristics of its type. In particular, the radial plan of 19th century gaols which the site exhibited originally, and retained through the 1860s alterations and additions, is now no longer evident, the buildings have been demolished in the 1940s. The 1940s redevelopment departed from the original radial plan and instead consists of a courtyard configuration. This aspect of the site's representative significance is therefore considerably diminished, although there remains some archaeological potential to demonstrate its original configuration.

Despite this loss of integrity, Berrima Correctional Centre exhibits some of the principal characteristics of early 19th century gaol sites in NSW and is significant as a representative example of this class of site. Its gaol walls, completed in 1839 and added to in the 1860s, and entry gate, completed in 1866, are legible markers of its original use. The form, design and materiality of these elements render them important characteristics which are representative of early gaol sites.

The Berrima Correctional Centre site contains physical elements which represent both an early phase of gaol construction in NSW (in the first half of the 19th century), and a later phase, as the need for gaols continued into the second half of the 19th century. Accordingly, the 1866 gatehouse provides an example of the architecture employed by the NSW Government Architect's Office for buildings of this type, where the Victorian styles were applied in a manner which created a prominent and somewhat foreboding entrance to a site visibly blocked off to the community by the gaol walls.

Berrima Correctional Centre therefore meets criterion (g) for cultural significance based on representativeness.

4.9 STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

Berrima Correctional Centre is of cultural significance at State and local levels for reasons of its historical importance, historical associations, aesthetic value, social significance, research value, rarity and representativeness.

Berrima Correctional Centre contains elements of the original Berrima Gaol, constructed in 1839, to a design by Mortimer William Lewis of the Government Architect's Office. The gaol wall (completed in 1839 and added to in the 1860s) remains extant from the original phase of the construction, as does a portion of the original gatehouse. The 1866 gatehouse, designed by James Barnet, marks the entry to the complex today. Outside the gaol walls, vegetable gardens planted by inmates are also extant, as are the former Governor's Residence and associated police cells, and the former Deputy Governor's Residence.

The site is historically significant at a State level for demonstrating the use of convict labour in NSW in the first half of the 19th century. The gaol wall, entrance gates and re-used sandstone blocks provide physical evidence of this labour.

The site is also historically significant at a State level for demonstrating the history of law and incarceration in NSW and Australia, having been continually used as a correctional facility from 1839 until 2020. It has a high potential to contain archaeological resources which demonstrate its original radial layout, typical of early prison complexes in NSW, and therefore a high research value. It is also strongly associated with the 'separate' prison system, having been declared a 'model' example of that system in the 1860s. The site is also historically significant for its use as a Prisoner of War camp during the first World War.

Berrima Correctional Centre is historically significant at a local level for demonstrating the importance of Berrima as a regional centre in the early 19th century. The gaol is one of the earliest sites in Berrima to be developed and remains a prominent landmark of symbolic value near the centre of town today. The former Governor's Residence, located outside the gaol walls in the south-east corner of the site, and the former Deputy Governor's Residence to its north, also demonstrate this historical importance and make a historical contribution to the streetscape and town.

The site is also is significant for its historical associations. It is associated with several NSW Government Architects and prominent architects who worked for the Government Architects Office, including Mortimer Lewis (1796-1879), James Rattenbury (1808-1863), James Barnet (1827-1904), Walter Liberty Vernon (1846-1914) and Cobden Parks (1892-1978). Australia's first serial killer John Lynch was a prisoner at the site who was executed in 1842, along with historical figures Lucretia Dunkley and Martin Beech, who were executed at the Gaol for the killing of Henry Dunkley. The remains of Lucretia Dunkley, Martin Beech and James Lynch are potentially located within the grounds of the Gaol.

Berrima Correctional Centre is aesthetically significant at a State level for its range of architectural styles across different structures on the site, which together demonstrate various phases of its development. Aesthetically significant structures include the gaol walls, the 1866 entry gate, the remnant portions of the 1839 entry gate, the former Governor's Residence and the former Deputy Governor's Residence, demonstrating various phases of its construction.

Although the majority of structures original to both the 1830s and 1860s phases of construction do not remain today, the site has retained sufficient physical evidence to represent both an early phase of gaol construction in NSW (in the first half of the 19th century), and a later phase, as the need for gaols continued into the second half of the 19th century. The form, design and materiality of the extant elements from these phases render them important characteristics which are representative of early gaol sites.

Berrima Correctional Centre is a rare surviving example of an 1830s gaol complex which has been continually used in relation to correctional services since its original construction. In comparison to other extant gaol complexes in NSW, it provides a very early example.

4.10 ARCHAEOLOGICAL STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

The Berrima Internment Group is of state heritage significance for its unique historical values as one of a very few well-preserved prisons within Australia, is likely to have well-preserved archaeology that relates to the earliest layout of the prison, and where German Mariners were interned between 1915 and 1919 during WWI. The sit-in in its entirety it is significant for the various phases of occupation it has gone through, each of which is individually important.

Archaeological remains are likely to be found relating the earlier phases of occupation in the form of large items such as foundations, walls, basements and other large structural items. Later phases will likely be represented by smaller items such as rubbish deposits, and evidence of temporary structures.

The Gaol is part of a small collection of Gaol sites across Australia. This is a small collection of sites of which, very few are likely to hold significant or well-preserved archaeological remains of which the Berrima Gaol site is expected to be one of them. This archaeological resource will help

add to the Australian knowledge about life for convicts in Australia during the 19th century, especially during the harsh separate system.

The remains contained in the precinct, including those of the huts, recreation facilities, submerged watercraft and moveable heritage associated with the study area, clearly tell the story of the lives of those internees and their efforts to retain cultural identity and practices during their period of confinement. Being the site of internment for German sailors and Naval personnel it demonstrates how classes of 'enemy alien' were segregated as a matter of government policy.

In addition to the historic values of the place, its State heritage significance is enhanced through its association with a crew of the SMS Emden and its archaeological research potential will provide a wealth of information on the method of construction of the huts, the layout of the precinct including gardens, the lifestyle and customs of the large group of 'enemy aliens' interned at Berrima during World War I.

The Huts Precinct is a rare and representative example of a recreation area constructed by German Internees while confined in an internment camp during WWI. It is also the only camp in NSW to exclusively house German Mariners detained during WWI.

Berrima Gaol is one of the few remaining compounds dating from pre-1840. It is an early example of the application of model prison layouts. Associated with the development of Berrima, and the adjacent courthouse, the Gaol is significant for its phases of use.

As such, the archaeological resource within the study area is considered to meet Heritage Significance Criteria (a), (b), (c), (d), (e), (f), and (g) at a state level.

4.11 GRADINGS OF SIGNIFICANCE

The following section provides a graded assessment of significance for components of the site so that the relative significance of spaces and elements can be understood for their contribution to the overall cultural significance of the Berrima Correctional Centre. Different components of a site make a different relative contribution to the site's overall significance. The significance of individual components can only be understood in relation to the role they play in creating and explaining the quality, character, meaning, history and use of the place.

The gradings provided below indicate the significance of spaces and elements relative to each other and to the overall significance of the place (established above at Section 4.9). They are not intended for comparison with any other site or as an indication of significance independent of their context. For example, where an element is of Exceptional significance, it has been identified as such because it makes an exceptional contribution to the overall established significance of the place and is vital for the creation and retention of this significance.

4.11.1 DEFINITIONS

These gradings are based on the gradings included in the Heritage Office's (now NSW Heritage Division) guideline *Assessing Heritage Significance* (2001). An explanation of the gradings used in this assessment is provided below.

EXCEPTIONAL

These spaces/elements are of exceptional cultural significance for historic, aesthetic, scientific or social values. They include rare or outstanding building fabric and retain an

exceptional degree of integrity and intactness from their original construction or later significant period. They play a crucial role in the overall significance of the place.

HIGH
These spaces/elements are of high cultural significance. This may include fabric from the original construction of the building which has now been altered, or significant fabric from later alterations. The integrity of these elements may have been compromised by alteration/ modification, but their contribution to the overall significance of the site remains strong.

MODERATE
These spaces/elements are of medium cultural significance but are of lesser cultural significance in the overall significance of the place. They may have been compromised by later, less significant modifications. They play an important role in supporting the overall significance of the place.

LITTLE
These spaces/elements are of low cultural significance. This may include fabric associated with recent or less significant alterations and additions. They play a minor role in the overall significance of the place.

INTRUSIVE
These spaces/elements are intrusive to the cultural significance of the subject site. They include unsympathetic alterations and additions where new elements have adversely affected significant fabric or the overall legibility of the site's cultural significance. These spaces/elements are damaging to the site's cultural significance.

4.11.2 SIGNIFICANCE GRADINGS TABLE

The following table describes the relative significance gradings of elements and spaces of the site and buildings. This table should be understood in conjunction with the definitions for significance gradings provided above, and is complemented by the diagrams of significance gradings in the following section.

Significance Grading	Fabric / Space / Element	Discussion
Exceptional	Gaol wall, including portion constructed in 1839 and portion constructed in the 1860s	• Significant as a surviving element of the 1839 gaol. The wall is the principal defining built feature of the site and is direct physical evidence of its being one of the few surviving examples of a gaol compound dating from pre 1840, constructed using convict work gangs.[330] • The wall has rarity value as part of a rare surviving prison complex dating from the 1830s. Austral has noted that it is likely that no more than thirty sites of its kind existing in Australia. • The wall has representative significance in representing the gaol compound wall, and is typical of its type with high masonry

[330] NSW State Heritage Inventory, database no. 3360096.

		walls, limited openings (two), typically used on prison sites to restrict access. [331] • The wall is of local significance as a landmark in Berrima. • The wall has social significance for providing symbolic value to the people of Berrima in indicating one of the town's most important historic landmarks. • The gaol wall is of Exceptional significance in its own right and makes an Exceptional contribution to the overall cultural significance of the site.
	Remnant fabric from the 1839 gaol entrance gate, located on the eastern side of the original gate, including archway and piers and remnant portions of original wall lining the walkway	• Significant as a surviving element of the 1839 gaol. The structure demonstrates the original location of the entrance prior to the gaol's extension in 1866. • The structure is also aesthetically significant as evidence of the architecture of the original 1839 gaol, indicating its Old Colonial Georgian or Regency style. • The structure is rare in NSW as a surviving element from a pre-1950s gaol site. • This structure makes an Exceptional contribution to the overall cultural significance of the site.
	Main entrance gate, completed in 1866, including its form and original sandstone	• The entrance gate is of historical importance as part of the 1866 alterations and additions to the original gaol site, the time at which it became a 'model' example of the 'separate' prison system. • The entrance gate is aesthetically significant as an example of James Barnet's application of the Victorian Mannerist style to a gaol entrance. • The entrance gate is of local significance as a landmark in Berrima. • As part of the gaol wall, this structure is of Exceptional significance and makes an Exceptional contribution to the overall cultural significance of the site.
High	Re-used sandstone in buildings within the gaol walls. This grading refers only to the sandstone blocks of the 1944 buildings and does not include the form or configuration of the	• Historically significant as retained fabric from the early phases of the gaol's construction, and as stones which were quarried and laid by convict chain gangs. • The stones are of historical significance in their own right and make a High contribution to the overall cultural significance of the site.

[331] NSW State Heritage Inventory, database no. 3360096.

	buildings, nor any of their other materials.	
	Sub-surface (below concrete slab) area within the gaol walls. This excludes elements above ground, including later surface finishes (brick pavers, concrete), and later structures.	• Significant for its high archaeological potential to contain intact relics and archaeological evidence of the site's early history as a gaol. • The high archaeological potential of the site renders it a potentially valuable source of research material and makes an important contribution to its overall cultural significance.
	Bulls Head Drinking Fountain	• The fountain has historical significance for demonstrating the use of the gaol and courthouse by law-enforcement officers whose horses would drink from the fountain. • The fountain has aesthetic significance as a fountain '*considered to be an excellent example of craft work of the Victorian period.*' [332] • The drinking fountain is significant in its own right for its demonstration of this aspect of Berrima's history, and makes a High contribution to the overall cultural significance of the overall site.
	Exterior of the former Governor's Residence, including its form and fabric. This grading excludes the interior spaces and fabric of the building.	• The building has historical significance for its role as the gaol Governor's residence, demonstrating the history of the operations of the gaol. It also demonstrates the changing requirements of the site, and its continued associations with incarceration and law and order, having been converted into a police station in the 1930s. • The building has aesthetic significance as an example of a late Victorian-early Federation residential style of architecture, and as a dwelling which contributes to the historic character of the streetscape and the overall historic character of Berrima. • The former Governor's Residence makes a High contribution to the cultural significance of the overall site.
	Exterior of the former Deputy Governor's residence, including its form and fabric.	• The building has historical significance for its role as the gaol Deputy Governor's residence, demonstrating the history of the operations of the gaol. • The building has aesthetic significance as a good example of a Federation residential style of architecture, and as a dwelling

[332] NSW State Heritage Inventory, database no. 2680111.

	This grading excludes the interior spaces and fabric of the building.	which contributes to the historic character of the streetscape and the overall historic character of Berrima. • The former Deputy Governor's Residence has a High level of aesthetic significance and makes a High contribution to the cultural significance of the overall site.
Moderate	Boundary wall to the site, forming the front garden wall to the former Governor and Deputy Governor's residences;	• The boundary wall was constructed in the 1940s and contributes to the aesthetic qualities of the site in forming its garden setting along Argyle Street. • The wall makes a Moderate aesthetic contribution to the overall cultural significance of the site.
	Gardens to the east of the main entrance, fronting Argyle Street	• The gardens are of local significance for contributing to the aesthetic quality of the streetscape.
	Timber doors to the main entrance gate, which are likely to be of later construction based on the original or early doors;	• The timber doors to the main entrance gate are not original to its 1866 construction; however they are likely to be like-for-like replacements which contribute to the aesthetic qualities of the structure and demonstrate its original character. The doors make a Moderate aesthetic contribution to the overall cultural significance of the site.
	Interiors of the Governor's residence and Deputy Governor's residence, excluding later or modified fabric and fitouts	• Interiors, including interior fitouts, have been adapted over time. They continue to demonstrate in part the original configuration of both residences on the site. They make a Moderate contribution to the historical significance of the site.
	Interiors of rooms within the 1866 entrance, to the north and south of the arched walkway;	• The four interior spaces of the 1866 entrance gate are historically significant as original parts of this significant structure. They have been adapted overtime, resulting in diminished integrity. They are also in poor condition. They make a Moderate contribution to the overall cultural significance of the site.
	Vegetable garden established by prisoners in the 1890s;	• The vegetable garden in the southern portion of the site was established by inmates in the 1890s. They are historically significant for demonstrating this aspect of the operations of the gaol at that time and make a Moderate contribution to the overall cultural significance of the site.
	Police cells, including external	• The police cells are of historical importance for their association with the changing uses of the site, having been constructed when

	form and fabric and interior spaces;	the former Governor's Residence was converted for use as a Police Station. They make a Moderate contribution to the overall cultural significance of the site.
Little	Later and modified fabric and fitouts of the Governor's residence and Deputy Governor's residence;	• Later fabric and fitouts within the dwellings on the site generally do not make a contribution to the overall cultural significance of the site, except where they allow the ongoing use of the dwellings.
	Above-ground space within the gaol walls	• This space is of Little significance given that no buildings or structures remain within the gaol walls dating from the site's early phases of construction.
	Buildings within the gaol walls constructed in 1944 as the Berrima Training Centre, excluding the sandstone blocks which were re-used from the earlier gaol buildings following their demolition.	• The buildings have a low level of significance for their contribution to the use of the site, which has been continuously associated with correctional services since its establishment in the 1830s. • The buildings do not demonstrate a notable creative achievement and are not of aesthetic significance. • The buildings have a low level of historical significance and make a minor contribution to the overall cultural significance of the site.
	Buildings outside the gaol walls constructed after 1944, including their external form and fabric and interior spaces.	• These buildings do not make a historical or aesthetic contribution to the site except as structures which have promoted, in the past, its ongoing use as a correctional facility.
Intrusive	No elements of the site have been identified as being of Intrusive to the significance of the site.	

4.11.3 SIGNIFICANCE GRADINGS DIAGRAMS

The following diagrams indicate the relative significance of individual elements and spaces of the site and buildings and are to be understood in conjunction with the table and explanations of the grading categories above.

Figure 253: Diagram of the site showing the relative gradings of significance of buildings and spaces (Source: NBRSARCHITECTURE, base plan provided by NSW Department of Planning, Industry and Environment)

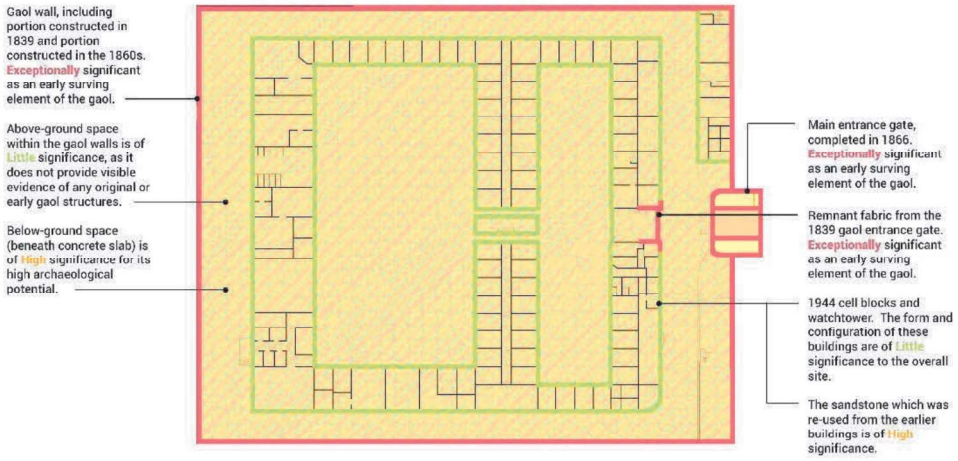


Figure 254: Significance gradings diagram for structure and spaces within the gaol walls (Source: NBRSARCHITECTURE, base plan provided by NSW Department of Planning, Industry and Environment)

4.11.4 SUMMARY TABLE

Significance Grading	Fabric / Space / Element	Criterion / Notes	Level
Exceptional	Gaol wall	• Historical significance • Historical associations • Aesthetic significance • Rarity • Representativeness	State
		• Historical significance • Aesthetic significance • Social significance	Local

	Remnant fabric from the 1839 gaol entrance gate	• Historical significance • Historical associations • Aesthetic significance • Rarity • Representativeness	State
	Main entrance gate, completed in 1866	• Historical significance • Historical associations • Aesthetic significance • Rarity • Representativeness	State
		• Historical significance • Aesthetic significance	Local
High	Bulls Head Drinking Fountain	• Historical significance • Aesthetic significance	Local
	Sub-surface within gaol walls	• Historical significance • Research value • Rarity Note: these are based on the area's high archaeological potential	State
	Re-used sandstone in buildings within the gaol walls. This grading refers only to the sandstone blocks of the 1944 buildings and does not include the form or configuration of the buildings, nor any of their other materials.	• Historical significance • Rarity	State
	Former Governor's Residence (exterior)	• Historical significance • Aesthetic significance	Local
	Former Deputy Governor's Residence (exterior)	• Historical significance • Aesthetic significance	Local
Moderate	Boundary wall	• Aesthetic significance	Local
	Gardens	• Aesthetic significance	Local
	Timber doors to the main entrance gate	• Aesthetic significance	Local
	Interiors of the Governor's residence and Deputy Governor's residence	• Historical significance	Local
	Interiors of rooms within the 1866 entrance	• Historical significance	Local
	Vegetable garden	• Historical significance	Local
	Police cells	• Historical significance	Local

		• Aesthetic significance	
Little	Building within the gaol walls, constructed in 1944 as part of the Berrima Training Centre. This grading does not include the sandstone which was re-used from the earlier gaol.	• Historical significance	Local
Intrusive	No elements of the site have been identified as being of Intrusive to the significance of the site.		

4.12 CURTILAGE

The heritage curtilage of a place is the extent of the surrounding area which contributes to its heritage significance. The following curtilage types may apply to heritage items, and where these are identified they should be preserved as space which assists with the retention and interpretation of the item's significance.

4.12.1 CURTILAGE TYPES

Lot Boundary Heritage Curtilage

The most common type of heritage curtilage comprises the boundary of the property containing the heritage item, or items. The property may also contain associated buildings, gardens and other significant features, including walls, fences, driveways or tennis courts, all which may contribute to the heritage significance of the property.

Reduced Heritage Curtilage

This type of heritage curtilage is less than the lot boundary of the property. It arises where the significance of the item may not relate to the total lot, but to a lesser area, and is often only defined when development occurs.

Expanded Heritage Curtilage

There may be circumstances where the heritage curtilage may need to be greater than the property boundary. Depending on the topography, an expanded curtilage may be required to protect the landscape setting or visual catchment of a heritage item.

Composite Heritage Curtilage

This type of curtilage applies to heritage conservation areas and defines the boundaries of land required to identify and maintain the heritage significance of an historic district, village or suburban precinct.

4.12.2 ESTABLISHING HERITAGE CURTILAGE FOR THE PLACE

The heritage curtilage which applies to the Berrima Correctional Centre is its lot boundary curtilage. The significant curtilage is to the full extent of the lot boundary and comprises all built and landscaped elements on the site.

4.13 SIGNIFICANT VIEWS

Berrima Correctional Centre has a strong street presence from Argyle Street looking south-west, from Wilshire Street looking east and from the Old Hume Highway looking north. Its gaol wall is a prominent structure and, together with the 1866 entry gate, renders the gaol a landmark site in Berrima.

The following views of the site are of cultural significance:

- Views showing the relationship between the Berrima Courthouse and the gaol site are of historical and aesthetic significance for demonstrating the historical relationship between the two sites and their architectural character;
- Views showing the gaol wall, in particular its materiality and scale, which make it a prominent historic structure in Berrima;
- Views showing the two residences in the eastern portion of the site, demonstrating their historical relationship to the gaol and their aesthetic qualities.

A diagram identifying the relative significance of these views, based on the definitions in Section 5.11.1, is provided below.

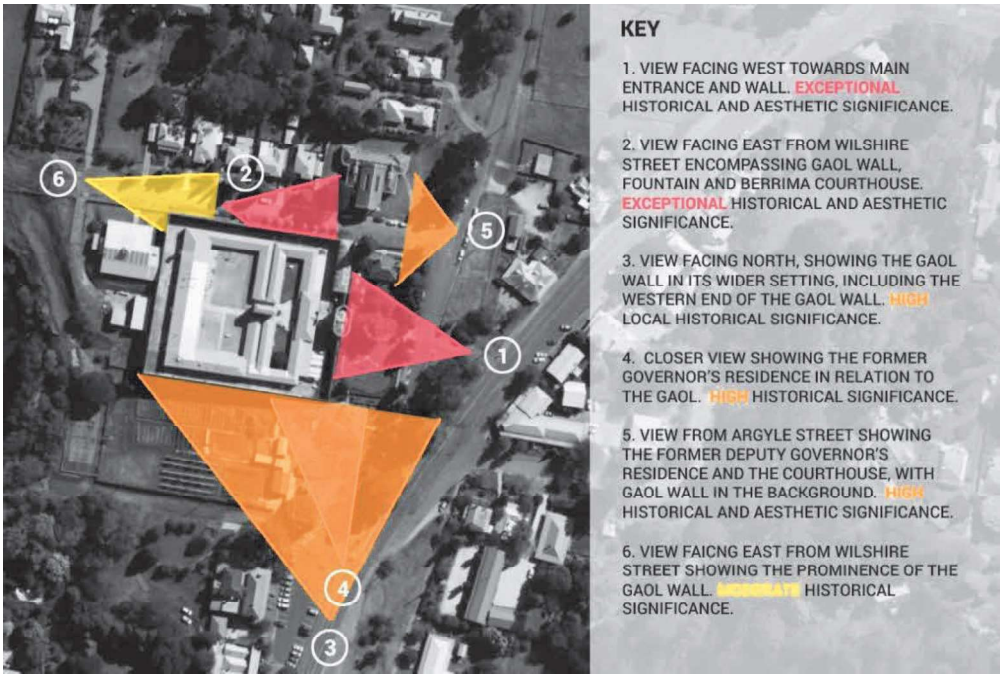


Figure 255: Significant views diagram (Source: NBRSARCHITECTURE)

5.0 ISSUES, CONSTRANTS AND OPPORTUNITIES

5.1 HERITAGE MANAGEMENT FRAMEWORK

5.1.1 HERITAGE ACT 1977

The *Heritage Act 1977* provides for the protection of heritage items identified as being of State heritage significance. These items are listed on the NSW State Heritage Register (SHR) in Section 31 of the *Heritage Act 1977*.

Part 2 of the *Heritage Act 1977* establishes the Heritage Council of NSW as a NSW Government agency. The Heritage Council of NSW, or the NSW Division of the NSW Office of Environment and Heritage as its delegated authority, is the consent authority for applications to alter items listed on the NSW SHR, made under Section 60 of the *Heritage Act 1977*.

5.1.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

Part 3 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) provides for the creation of *Local Environmental Planning Instruments* (LEPs). In 2012 these were standardised for Local Government Areas across NSW. Clause 5.10 of the standardised *LEP* provides for the conservation of heritage within an LGA and for the conservation of sites identified as heritage items on Schedule 5 of that *LEP*.

Wingecarribee Shire Council is the consent authority for applications to alter items listed on Schedule 5 of the *Wingecarribee LEP 2010*.

5.1.3 STATUTORY LISTINGS

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 Gaol", corner Argyle and Wilshire Streets, item nos. I109, I110, I484. The site is also located within the Berrima Conservation Area, identified as C148.

In total, the following listings on Schedule 5 of the *Wingecarribee LEP 2010* 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 site is also listed as an item of heritage significance on the NSW State Agency section 170 Register maintained by the Directory of Correctional Services,[333] maintained under Section 170 of the Heritage Act 1877. The S170 register contains the following listings for the subject site[334]:

- Berrima Correctional Centre - Arts & Crafts Shop
- Berrima Correctional Centre - Dangerous Goods Store
- Berrima Correctional Centre - Farm Buildings

[333] Austral report, refer to Appendix A.
[334] Austral report, refer to Appendix A.

- Berrima Correctional Centre - Gatehouse
- Berrima Correctional Centre - Gatehouse
- Berrima Correctional Centre - Officer Amenities
- Berrima Correctional Centre - Outer Wall
- Berrima Correctional Centre - Outer Wall
- Superintendent's House

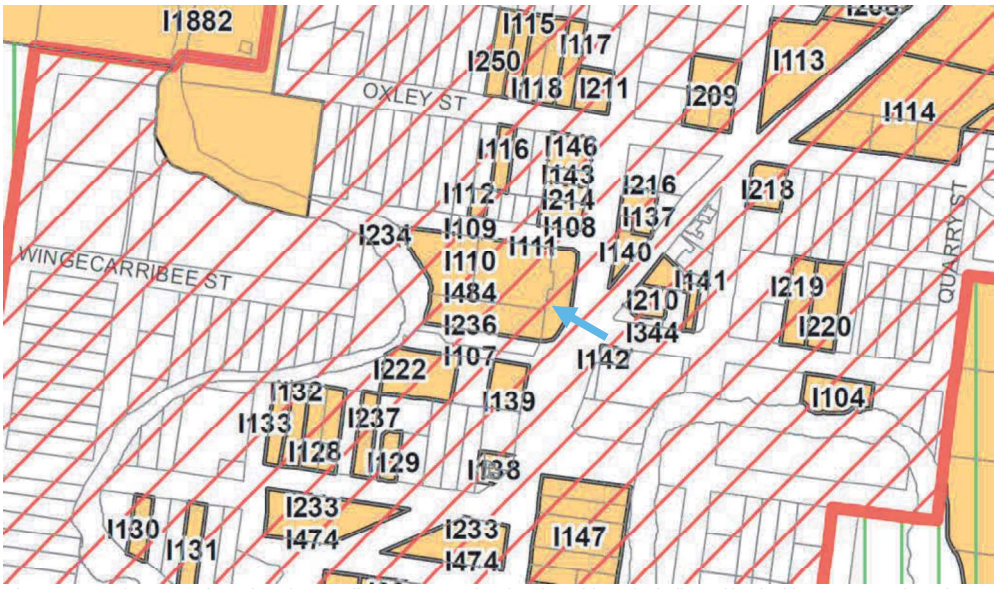


Figure 256: Heritage Map from the Wingecarribee LEP 2010 showing the subject site indicated by the blue arrow. Heritage items are shaded brown and the Berrima Conservation Area is hatched in red. (Source: Wingecarribee LEP 2010 Heritage Map – Sheet HER_007A)

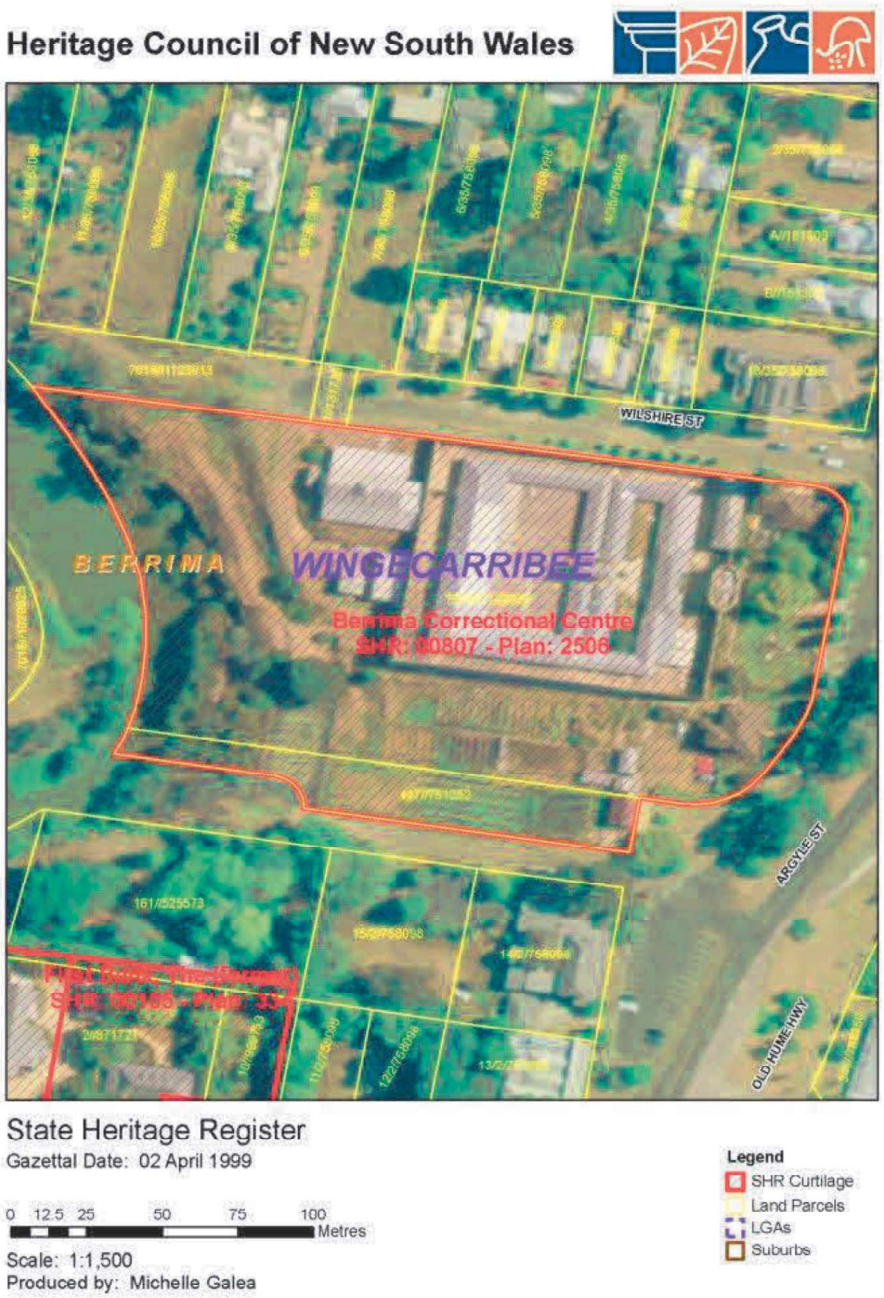


Figure 257: State Heritage Register listing map for the Berrima Correctional Centre, outlined in red (Source: NSW State Heritage Inventory)

5.2 ISSUES, CONSTRAINTS AND OPPORTUNITIES ARISING FROM STATUTORY OBLIGATIONS

5.2.1 APPLICATIONS TO CONSENT AUTHORITIES

As the Berrima Correctional Centre is listed as a heritage item of local significance on Schedule 5 of the *Wingecarribee LEP 2010* and as a heritage item of State significance on the NSW State Heritage Register, development on the site must be approved by both Wingecarribee Shire Council, under Part 4, 79(c) of the *NSW Environmental Planning and Assessment Act 1979*, and the NSW Heritage Council, under the *Heritage Act 1977*, through an Integrated Development Application (IDA).

Applications to the NSW Heritage Council are made under Section 60 of the *Heritage Act 1977*. The Heritage Division of the Office of Environment and Heritage may act as a delegate of the NSW Heritage Council in assessing applications.

If minor works which do not require consent under the *LEP* are proposed, these may meet the criteria for Standard Exemptions under the *Heritage Act 1977*, in which case notification of intent to carry out these works is required to be issued to the Heritage Council under Section 57(2) of the Act.

5.2.2 OTHER OBLIGATIONS UNDER THE HERITAGE ACT 1977

The NSW State Heritage Register came into operation on the 2nd April 1999, under revisions to the *Heritage Act 1977*. The building owner has statutory obligations under the legislation, including applications for consent (discussed above) and minimum standards of maintenance and repair. Relevant information is available through the Heritage Division of the NSW Department of Environment and Heritage.

The *Heritage Act 1977* also provides automatic statutory protection for "relics" which prevent the excavation or disturbance of land for the purposes of discovering, exposing, or moving a relic not subject to a conservation instrument, except in accordance with an excavation permit.

The term "relic" is defined under the Act as:

"...any deposit, object or material evidence that:

a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement; and

b) is of State or local heritage significance."

Section 118 of the *Heritage Act 1977* also sets out minimum requirements for maintenance and repair of items listed on the State Heritage Register. The listed item must be protected from damage or deterioration due to weather, damage or destruction by fire, and must be made secure against damaging instances such as vandalism. Essential maintenance and repair must also be carried out to prevent serious or irreparable damage or deterioration.

5.2.3 HERITAGE OBLIGATIONS UNDER THE WINGECARRIBEE LEP 2010

The *Wingecarribee LEP 2010* provides the statutory basis for the conservation and control of development and other activities that may affect the heritage value of items listed on Schedule 5. These provisions are contained within Clause 5.10 of the *LEP*, the objectives of which are as follows:

(1) Objectives The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Wingecarribee

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

(c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The *LEP* places an obligation on Wingecarribee Shire Council to retain the significance of the place, and to take into consideration the level of that significance in evaluating any proposal for the site. Under the provisions of the Heritage incentive clauses of the *LEP* Council can

grant benefits to owners of items of Environmental Heritage. Listing also entitles concessions from Land tax where this applies.

5.2.4 OTHER STATUTORY OBLIGATIONS

Any changes in the use of the building may result in a need to upgrade certain facilities to meet such obligations as may be imposed by Wingecarribee Shire Council. Matters may be identified in this study that may require modification include, but are not limited to, the following;

- *Building Code of Australia*
- *Fire safety requirements*
- *Ingress and egress from the building*
- *Disability access code.*

Certain aspects of the building may be eligible for exemptions from code compliance where upgrading may result in the loss of heritage significance. These issues may be addressed directly with the relevant consent authority.

5.3 ISSUES, CONSTRAINTS AND OPPORTUNITIES ARISING FROM NON-STATUTORY OBLIGATIONS

The *Berrima Village Development Control Plan (DCP) 2010* (amended 2019) is a non-statutory document which supports the implementation of the *Wingecarribee LEP 2010*. Development applications for the subject site will be assessed by Wingecarribee Shire Council in relation to the relevant objectives and controls contained within the *DCP*.

5.4 ISSUES, CONSTRAINTS & OPPORTUNITIES ARISING FROM THE STATEMENT OF SIGNIFICANCE

Berrima Correctional Centre is of cultural significance at State and local levels for reasons of its historical importance, historical associations, aesthetic value, social significance, research value, rarity and representativeness.

The Statement of Cultural Significance for the place should inform the preparation of any proposal for changes to the site, such that decisions regarding the nature and extent of change should ensure that the established significance is maintained. Schemes for the development of the site should respond to aspects of the cultural significance of the site, identified in the Statement of Cultural Significance.

Decisions about works to the place, including maintenance, repairs or more extensive adaptation works, must take into account the impact on the cultural significance of the place, both as a whole and on individual components. New works to the place should not diminish any aspect of its cultural significance. The approach and recommendations set out in Section 6.0 and 7.0 of this report should be used as a guide to future work.

5.5 ISSUES, CONSTRAINTS & OPPORTUNITIES ARISING FROM THE OWNERS' REQUIREMENTS

This Conservation Management Plan has been commissioned to guide any future development on the site in a manner which retains its established cultural significance. Future development is likely to relate to a new use for the site, as it has now ceased to operate as a correctional facility. The introduction of any new use to the site will require careful consideration of all conservation policies in this document. Should the owner or operator of the site change in future, the CMP should be made available to those responsible for managing development of, and maintaining, the site.

5.6 ISSUES, CONSTRAINTS & OPPORTUNITIES ARISING FROM THE PHYSICAL CONDITION OF THE PLACE

The early sandstone structures are showing signs of water damage and vegetation growth, and interiors of the 1866 entry gate appear to be in poor condition in terms of floor structure and deterioration of finishes. Generally, however, most buildings on the site are in good condition and, upon preliminary inspections, are not exhibiting signs of significant damp or structural issues.

Decisions regarding maintenance and repair works on the site should be made with reference to this CMP. In particular, any person responsible for these decisions, and any person carrying out maintenance and repair works, should be familiar with the Gradings of Significance identified for each element on the site (refer to Section 5.11), and with the conservation policies relevant to that element (refer to section 7.0).

5.7 ISSUES, CONSTRAINTS & OPPORTUNITIES ARISING FROM ADAPTIVE RE-USE OPTIONS

Should any change be proposed for a culturally significant site, including alterations, additions, demolition or redevelopment, it is best practice to do as much as necessary but as little as possible. The Assessment of Cultural Significance contained in this CMP is intended to provide information on the significant elements of the site which should be prioritised for retention when considerations are made regarding the development of the site. The conservation policies in Section 6.0 of this report, are intended to guide changes to the site.

The following broad approaches are listed in order of preference in heritage terms:

1. Retention of buildings in their existing form and configuration, with as little alteration to fabric as required to continue the use of the site or introduce a new, compatible use;
2. Adaptation of existing buildings, including alterations to their form and configuration and, if necessary, additions, in order to introduce a new, compatible use;
3. Removal of some buildings, based on their identified levels of significance, and their replacement with new buildings, designed and sited in a manner which retains the cultural significance of the site.

As the Berrima Correctional Centre is a State listed heritage item, it will not be permissible under the *Heritage Act 1977* to demolish all structures on the site.

Demolition of a structure, or any element of a structure should only be considered where:

- The condition of the structure or element is beyond repair; or
- The structure or element is not significant and does not contain significant fabric; or
- No other option is available to ensure the ongoing use and retention of other, more significant buildings or elements on the site.

Adaptive re-use options for the site should be developed with close reference to this Conservation Management Plan, such that decisions regarding the nature and extent of change should ensure that the established significance of the place, as stated in the Statement of Cultural Significance, is retained.

Important aspects of the significance emerging from the Statement of Cultural Significance, which should inform the design and preparation of any new scheme for the site include:

- The significance of the site's longstanding use as a correctional facility. This use should either be continued or, if this is not viable, interpreted architecturally or

through interpretation devices, such as display panels, which allow an understanding of the historic use of the site;

- The aesthetic significance and landmark presence of the gaol wall and entry gate, and the aesthetic significance of the former Governor's Residence and former Deputy Governor's Residence. Any new layer of architecture on the site should respect the architectural quality, form and character of these elements, retain their visibility and be designed in sympathetic manner which retains them as prominent elements on the site;
- The Exceptional significance of surviving fabric original to the 1830s and 1860s phases of the gaol's construction. This fabric should be retained and conserved.

5.7.1 OPPORTUNITIES FOR DEVELOPMENT

The site presents some opportunity for development, based on the siting and character of existing buildings and other significant elements and on the relative gradings of significance of each component. Proposals for the development of the site should be prepared with reference to the Statement of Cultural Significance and the Conservation Policies in this report. The diagram and accompanying key below provide a guide for development opportunities on the site.

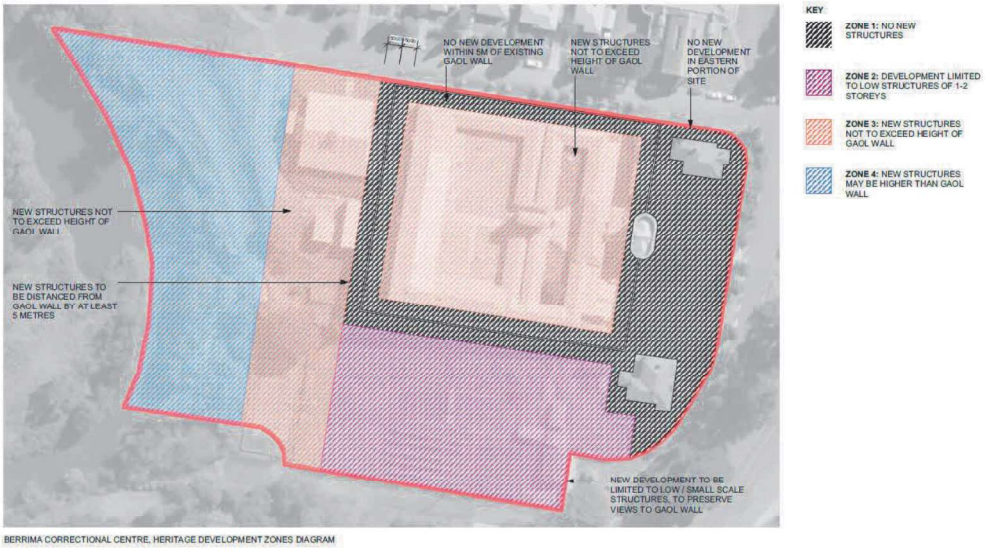


Figure 258: Diagram showing opportunities for development on the site (Source: NBRSARCHITECTURE)

6.0 CONSERVATION POLICIES AND GUIDELINES

6.1 INTRODUCTION

The following general conservation policies are made as a guide to the care of the Berrima Correctional Centre so as to enable the quality, character and significance of the place to be retained and, where possible, recovered, while maintaining the usefulness and long-term viability of the place. The intention of the policies is to:

- Retain the significant character and quality of the buildings and their various elements;
- Permit alterations, adaptations and new works which are compatible with the above and which will make the place more effective in its principal intended use;
- Identify elements which adversely affect the place and which are in need of modification or removal;
- Provide an approach to the replacement of deteriorated fabric; AND
- Draw attention to the need for coordination of the conservation needs of the place both in the short term and over the longer life of the building with other functional and technical aspects and requirements for the place.

When changes to the place are being considered, the following rules should generally be adopted to guide decision making:

- Repair rather than replace existing fabric;
- Ensure alterations are reversible;
- Make a subtle visual distinction between old and new;
- Ensure new alterations are sympathetic to the heritage character of the place;
- Respect the aging process and respect previous alterations;
- Discontinue previous unsound practices;
- Stabilise problem areas;
- Respect the building's context and location;
- Maintain views to and from the place; and
- Seek design excellence for new additions.

The following section contains a set of Conservation Policies for the Berrima Correctional Centre, in accordance with the guidelines set out in the *Australia ICOMOS Charter for Places of Cultural Significance,* 2013, known as The Burra Charter. The Burra Charter describes a process by which a significant place is conserved, which includes understanding significance, developing policy and managing the place in accordance with the policy. Where relevant, Articles from the Burra Charter are referenced after the Policy description.

6.2 SOURCES OF TECHNICAL INFORMATION

There is considerable technical information on the conservation of historic building fabric and finishes available in New South Wales, through both government agencies and private firms. This section includes text contained in the current Heritage Information Series published by the NSW Heritage Office, including the following pamphlets:

- Principles of conservation work on heritage places.
- Pipe organ conservation and maintenance guide.
- Movable heritage principles.

Other sources used include Preservation Briefs published by the Technical Preservation Services Branch of the US National Parks Service, The Society for the Protection of Ancient Buildings (UK) and The National Trust of Australia.

6.3 DEFINITIONS

The Article 1 of the Burra Charter establishes specific definitions of terms. These terms have specific meanings in heritage and conservation. Further explanatory notes are available in the Burra Charter. The definitions are included below:

Article 1.1 *Place* means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.

Article 1.2 *Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.
Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*.
Places may have a range of values for different individuals or groups.

Article 1.3 *Fabric* means all the physical material of the *place* including elements, fixtures, contents and objects.

Article 1.4 *Conservation* means all the processes of looking after a *place* so as to retain its *cultural significance*.

Article 1.5 *Maintenance* means the continuous protective care of a *place*, and its *setting*.
Maintenance is to be distinguished from repair which involves *restoration* or *reconstruction*.

Article 1.6 *Preservation* means maintaining a *place* in its existing state and retarding deterioration.

Article 1.7 *Restoration* means returning a *place* to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.

Article 1.8 *Reconstruction* means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material.

Article 1.9 *Adaptation* means changing a *place* to suit the existing *use* or a proposed use.

Article 1.10 *Use* means the functions of a *place*, including the activities and traditional and customary practices that may occur at the place or are dependent on the place.

Article 1.11 *Compatible use* means a *use* which respects the *cultural significance* of a *place*. Such a use involves no, or minimal, impact on cultural significance.

Article 1.12 *Setting* means the immediate and extended environment of a *place* that is part of or contributes to its *cultural significance* and distinctive character.

Article 1.13 *Related place* means a *place* that contributes to the *cultural significance* of another place.

Article 1.14 *Related object* means an object that contributes to the *cultural significance* of a *place* but is not at the place.

Article 1.15 *Associations* mean the connections that exist between people and a *place*.

Article 1.16 *Meanings* denote what a *place* signifies, indicates, evokes or expresses to people.

Article 1.17 *Interpretation* means all the ways of presenting the *cultural significance* of a *place*.

6.4 CONSERVATION PRINCIPLES

Places of cultural significance should be conserved for the benefit of present and future generations. To successfully manage places of cultural significance it is important to both understand the cultural significance embodied in the place and to seek guidance on the appropriate management of the place so the values that underpin its significance are not lost or placed at risk.

The following principles should be applied to the management of the place:

Principle 1 The Conservation Management Plan should be adopted as the principal guiding document for the ongoing management, conservation and use of the place.

Principle 2 Implement a cautious approach to conservation. Only change as much as is necessary and as little as

Principle 3 The expertise of professionals, trades and craftspeople with specific expert knowledge in the cultural heritage management and traditional techniques and materials should be sought in the development and implementation of conservation and development proposals.

Principle 4 All values associated with the place should be identified without unwarranted emphasis on any one value at the expense of others. Different values and degrees of cultural significance may result in different conservation actions.

Principle 5 The discovery of new physical or documentary evidence or changes to the factors which influence the analysis and assessment of cultural significance will require a re-examination of the assessed significance of the place and conservation policies for its management.

6.5 ACCEPTABLE ACTIONS ACCORDING TO SIGNIFICANCE

The treatment of existing components, spaces, fabric and contents of the building should be in accordance with their assessed level of significance and generally as set out in the following table. The terms used below have the meaning given them in the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance* (Burra Charter), *2013*.

Grading of Significance	Acceptable Action
Exceptional Significance	Preservation, restoration or reconstruction. This fabric should be retained. In some cases, adaptation in accordance with the Burra Charter guidelines may also be acceptable, provided that it is focused on the retention and repair of exceptional fabric and that the change is compatible with retaining the overall significance of the place.
High Significance	Preservation, restoration or reconstruction. Adaptation in accordance with the Burra Charter guidelines may also be acceptable, provided the change is compatible with retaining the overall significance of the place.
Moderate Significance	Preservation, restoration, reconstruction or adaptation to assist in ensuring the continual use and security of the building, provided that no adverse effect is created to more significant fabric. Work involving the reduction or removal of a particular element may be acceptable where it is necessary for the proper function of the place and does not reduce the overall significance of the place.
Little Significance	Preservation, restoration, reconstruction or adaptation to assist in ensuring the continual use and security of the building, provided that no adverse effect is created to more significant fabric. Both retention and removal are acceptable options for fabric of little significance.
Intrusive	This fabric should be removed, ensuring that no adverse effect is created to more significant fabric.

6.6 CONSERVATION POLICIES

6.6.1 BASIS OF APPROACH

The following policies describe general approaches to the conservation of the Berrima Correctional Centre, including the buildings on the site and their setting. These approaches should underpin any decisions made regarding alterations to the place.

Policy 1 Application of the Burra Charter

The future conservation and development of the place should be carried out in accordance with the principles of the *Australian ICOMOS Charter for the Conservation of Places of Cultural Significance* (the Burra Charter) 2013.

Policy 2 Use of Conservation Policies

The policies set out in this document should be applied irrespective of the use to which the building is put.

Policy 3 Use of the Conservation Management Plan

The Statement of Significance and schedule of significant spaces, fabric and elements in this plan, together with any more detailed assessments of individual items, should be adopted as the basis for future decision making, planning and work on the place.

Policy 4 Retention of the Place
The significant structures on the site, identified in this report, should be retained and conserved in such a way as retains the established cultural significance of the place.

Policy 5 Review of Evidence
Before any major works are undertaken all available documentary and physical evidence should be reviewed in order to guide effective conservation work.

Policy 6 Use of Evidence
All work in the building shall be undertaken on the basis of known evidence. Conjecture, guesswork or prejudiced decision making are not acceptable.

Policy 7 Cultural Significance
Retention, enhancement and retrieval of the Cultural Significance of the place should be adopted and implemented as opportunities arise, taking into consideration the changing needs of the place, availability of funds and other constraints.

Policy 8 Gradings of Significance
All policies in this document which refer to gradings of significance should be implemented with reference to Section 6.5 above.

Policy 9 Future Changes
No change to the place, including to its setting, layout, form and fabric, should be considered without first assessing the potential loss of heritage value that may result.

Policy 10 Future Changes
Proposed adaptation or changes which would require the introduction of particular services and/or structural alterations which would have a strong adverse effect on the character and/or heritage significance of the building are unacceptable.

Policy 11 Future Changes
Proposed changes of use to any part of the buildings should only be considered in the context of a coordinated plan for the whole site.

Policy 12 Change of Use
Should circumstances lead to a change of use for the site, new uses should be selected which are most compatible with the retention and recovery of the original character and identified cultural significance of the place.

6.6.2 CONSERVATION OF THE SETTING AND LANDSCAPE

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 14 Early Entrance Gates
The 1866 entrance gate, and the remnant portions of the 1839 entrance gate on the site should be retained and conserved.

Policy 15 Residences

The 1898 Governor's Residence and the 1900 Deputy Governor's Residence should be retained and conserved. They may be modified internally provided that any original fabric or surviving evidence of the original internal configuration is retained or interpreted.

Policy 16 New Structures

New structures on the site should be sited and designed so that the visual prominence of significant existing structures is retained. Siting, form, size and orientation of new structures should ensure that the significant elevations of the gaol remain visible. This includes the wall elevation to Wilshire Street and the wall, gate and gardens fronting Argyle Street.

Policy 17 Views

Changes to the site, including additions, alterations, new structures and landscaping, should not obscure significant views to or from the gaol.

Policy 18 Landscaped Areas

Significant landscape elements, including the gardens in the eastern portion of the site, should be retained. Plantings should continue to be maintained and managed as part of the ongoing maintenance of the site.

Policy 19 Alterations to Surfaces

Where levels are required to be altered to achieve access requirements, alterations should not affect fabric of Exceptional or High significance.

6.6.3 TREATMENT OF FABRIC ACCORDING TO GRADES OF SIGNIFICANCE

Future alterations to the building should be guided by the relative gradings of significance for the fabric of the building. Significant fabric is identified in Section 4.11 of this document. The retention of significant fabric is a vital part of retaining the overall cultural significance of the place.

Policy 20 Acceptable Actions

Decisions regarding modification to fabric should be carried out by reference to the Gradings of Significance Diagrams in this document and the Acceptable Actions described in Section 6.5 of this document.

Policy 21 Fabric of Exceptional Significance

Fabric of Exceptional Significance should be retained. In some cases, adaptation in order to preserve fabric, carried out in accordance with the Burra Charter guidelines may also be acceptable, provided that it is focused on the retention and repair of exceptional fabric and that the change is compatible with retaining the overall significance of the place. Alterations to this fabric that do not ensure its retention and repair are not acceptable.

Policy 22 Fabric of High Significance

Fabric of High Significance should be retained. Adaptation in order to preserve fabric, carried out in accordance with the Burra Charter guidelines, may also be acceptable, provided the change is compatible with retaining the overall significance of the place.

Policy 23 Fabric of Moderate Significance

Fabric of Moderate Significance may be preserved, restored, reconstructed or adapted to assist in ensuring the continual use and security of the building, provided that no adverse effect is created to more significant fabric. Work involving the reduction or removal of a

particular element may be acceptable where it is necessary for the proper function of the place and does not reduce the overall significance of the place.

Policy 24 Fabric of Little Significance

Fabric of Little Significance may be retained or removed, provided that no adverse effect is created to more significant fabric. Where fabric is proposed for removal, the aim of this removal should be to enhance the established values of the place, and to ensure its continual use, amenity and security.

Policy 25 Intrusive Fabric

Intrusive fabric should be removed, ensuring that no adverse effect is created to more significant fabric.

Policy 26 Removal of Significant Fabric

Fabric of Exceptional or High significance shall only be considered for removal or alteration where there is no alternative which would ensure the ongoing conservation of the place. Decisions regarding this action should take into account the use and significance of the place as a whole in evaluating alternative action and such evaluation should always involve appropriate input from conservation professionals experienced in the relevant area of expertise.

Policy 27 Removal of Moderate Fabric

Surviving building fabric and original contents of the building nominated in this Conservation Management Plan as being of moderate significance shall only be considered for removal or alteration where there is no appropriate alternative. Decisions regarding this action should take into consideration the use and significance of the place as a whole in evaluating alternative action and such evaluation will always involve appropriate input from conservation professionals experienced in the relevant area of expertise.

Policy 28 Recording of Removal of Significant Fabric

If fabric of Exceptional or High significance is removed or altered in accordance with other Policies in this Conservation Management Plan, a thorough recording of the original form and detail shall be made, including its location within the structure. Removed items shall be labelled and stored safely against possible future reinstatement. The resulting records shall be lodged with the Conservation Management Plan for future reference and review.

6.6.4 EXTERNAL FORM AND FABRIC

Policy 29 Re-used Stonework

Stonework which has been re-used from earlier phases of the site's development should be retained. If the existing buildings within the gaol wall are required to be removed, stones should be carefully dismantled, securely stored on site and re-used in the construction of any new buildings. The stones should not be moved permanently off-site.

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 31 Expertise

Only specialist contractors with proven ability and recognised expertise shall be engaged to carry out repair, maintenance, conservation, restoration or reconstruction of significant

fabric. This should include the engagement of an experienced heritage stonemason and a structural engineer with experience in heritage properties.

Policy 32 Retention of Form

The significant structures on the site should retain their overall form and prominence, and external works should be restricted to preservation, restoration and reconstruction. Proposed work which may have an adverse impact on the exterior form and qualities of these structures is unacceptable.

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. This also applies to formerly external walls which are now internal. In the case of these reconstructive works, sufficient evidence of the former opening and its configuration must be available. In all other cases, modification of openings in fabric of Exceptional or High significance, or any fabric contained within these openings, should be limited to maintenance and repair works.

Policy 34 Adaptation

Limited adaptation that does not adversely affect the character or significance of the place as a whole may be permitted in areas of lowest significance. External adaptation to areas of Exceptional, High or Moderate significance is not acceptable.

Policy 35 Stonework

Stonework should only be replaced when it has failed significantly or poses a threat to safety. Weathered sandstone should be retained and conserved if substantially sound.

Policy 36 Structural Advice

Seek expert advice from a structural engineer experienced in dealing with old buildings, and with knowledge of relevant heritage legislation when matters of structural movement arise, including cracking, deflection, bulging or failure of walls.

Policy 37 Protection of Fabric

Use of tie rods, props and cables may be appropriate, but the building's surface should be protected from localised stresses and puncturing. The heritage impact, including visual impact, of these protective works, should be taken into account before work is carried out.

Policy 38 Brickwork

When brickwork is to be repaired consideration should be given to reusing existing bricks or, if this is not viable, new bricks should match existing in porosity and appearance. Repairs and reconstruction of brickwork should match the original laying configuration evident in the existing bricks, including where brickwork has been used for detailing such as around windows and in buttressing. New brick units are to match the replaced or repaired element in porosity, size, colour, texture and hardness. The decorative brick features of the Governor's Residence and Deputy Governor's Residence should be retained.

Policy 39 Repointing

Pointing to damaged areas of brickwork should match adjoining areas. Repoint only where existing mortar is unsound or where sufficient mortar is missing to cause water to lie in the joint. Only repoint joints that are eroded to a depth greater than their width. No power tools (especially angle grinders) should be used to remove old pointing. New mortar should be softer and more porous than the surrounding brickwork units to enable the egress of water.

Policy 40 Stone Repairs

Where necessary, missing or severely damaged stones should be replaced to ensure the protection of original or early stonework. Where stones are replaced, all new stone is to match the existing in terms of colour, banding, type, size, texture and profile, subject to an assessment of appropriate stone type, to be carried out by an experienced heritage stonemason.

Policy 41 Recording of Stone Repairs

Where repairs or localised reconstruction to stone detailing are required, the detail should be recorded prior to the removal of localised stone pieces, and the repaired or reconstructed element reinstated to match.

Policy 42 Sandstone Pointing

New mortar required for localised sandstone repairs should match the existing in terms of texture, colour, composition and porosity, except if mortar has been replaced by later cement pointing. Where necessary, carry out investigations to determine the composition and colouring of jointing material, to form basis of any new or future work to sandstone joints.

Policy 43 Replacement of Windows

If window sashes in significant spaces are to be replaced the new frames shall match the form and detail of the existing.

Policy 44 Glass

Original glass should be retained where possible, and as a general rule, panes with a single crack should be retained. Those with more than one crack, or where part of the glass is missing, should be replaced with glass to match the original.

6.6.5 RETENTION OF SIGNIFICANT SPACES

Significant spaces are identified in Section 4.11 of this document. Their retention is a vital part of retaining the overall cultural significance of the place.

Policy 45 Acceptable Actions

Decisions regarding modification to existing spaces, including their fabric and spatial character, should be carried out by reference to the Gradings of Significance Diagrams in Section 4.11 of this document and the Acceptable Actions described in Section 6.4 of this document.

Policy 46 Spaces of Exceptional Significance

Spaces of Exceptional Significance should be retained in their existing configuration, without alteration or addition. Proposed works to these spaces should be limited to maintenance and repair of damaged fabric.

Policy 47 Spaces of High Significance

Spaces of High Significance should be retained in their existing configuration. Minor alterations may be acceptable, provided that the overall configuration of the space is retained and its character and value preserved. If spaces of High significance have been affected by previous Intrusive alterations and additions, Intrusive elements should be removed. Excepting this, proposed works to these spaces should be limited to maintenance and repair of damaged fabric.

Policy 48 Spaces of Moderate Significance

Spaces of Moderate Significance may be altered, provided that alterations do not reduce the overall significance of the place. Additions to these spaces may be acceptable, provided that their construction does not result in damage to fabric of Exceptional or High significance, and does not detract from the character, value and significance of spaces of Exceptional or High significance. Alterations and additions to spaces of Moderate significance should be aimed at preserving the significance of the place and ensuring its continual use, amenity and security.

Policy 49 Spaces of Little Significance

Spaces of Little Significance may be altered and additions to them constructed in order to ensure the continual use, amenity and security of the place. Alterations and additions to these spaces should not result in damage to fabric of Exceptional or High significance, and should not detract from the character, value and significance of spaces of Exceptional or High significance.

Policy 50 Intrusive Spaces

Intrusive additions should be removed, ensuring that no adverse effect is created to more significant fabric.

Policy 51 Recording of Alterations to Significant Spaces

If alterations are proposed to significant spaces in accordance with other Policies in this Conservation Management Plan, a thorough recording of the original form, configuration, fabric, elements and detail which makes up this space, shall be made, including its location within the structure. Removed items shall be labelled and stored safely against possible future reinstatement. The resulting records shall be lodged with the Conservation Management Plan for future reference and review.

6.6.6 INTERNAL CONFIGURATION AND FABRIC

Policy 52 Expertise

Only specialist contractors with proven ability and recognised expertise shall be engaged to carry out repair, maintenance, conservation, restoration or reconstruction of significant fabric throughout the property.

Policy 53 Condition Report

A detailed condition report for each element should be carried out prior to commencement of conservation work. The report should include a professional photographic record of the items which should be kept for archival purposes.

Policy 54 Fixings

No fixings should be made to significant internal fabric except in locations where there is clear evidence of previous fixings having been removed. In these instances, proposed work should be assessed by a heritage consultant with reference to this document prior to being carried out.

6.6.7 COMPATIBLE FUTURE USES AND PRINCIPLES FOR RE-USE

Policy 55 Change of Use
Should circumstances lead to a change of use for the building, new uses should be selected which are most compatible with the retention and recovery of the original character and identified cultural significance of the place. Proposed changes of use, adaptation, or changes would require prior statutory approval.

Policy 56 New Use
New uses which require alteration to fabric identified in this Conservation Management Plan as being of Exceptional Significance should not be considered.

Policy 57 Adaptations
Proposals for a change of use to the site should take into consideration the potential adaptation this change of use will necessitate. Adaptation or changes which would require the introduction of services and/or structural alterations which would have a strong adverse effect on the character and/or heritage significance of the building are unacceptable.

Policy 58 Public Accessibility
Should new uses be proposed, uses which allow continued public accessibility to, and interpretation of, the site are preferred.

6.6.8 PRINCIPLES FOR NEW ELEMENTS

Policy 59 Reconstruction
Reconstruction should only be considered where elements are severely damaged or missing and where their reconstruction will retain the cultural significance of the place.

Policy 60 Reconstruction
Reconstruction of severely damaged or missing elements should only be considered where there is sufficient evidence of these elements to accurately reproduce their materiality, design and detailing.

Policy 61 New Work
New work should be identifiable as new, either through a differentiation of design and detailing or, in the case of reconstructed works, date stamping.

Policy 62 Repair and Replacement
Where fabric is to be repaired or replaced in accordance with other policies in this document, this should be carried out on a like-for-like basis where the materiality, size, form, detailing and positioning of new work matches comparable existing elements.

Policy 63 Siting of New Structures
New structures on the site should not be conceived as extensions or additions to the existing buildings and should be designed as separate elements, distanced from the existing buildings and physically unattached to them.

Policy 64 Siting of New Structures
New structures should not be located within five metres of the gaol wall, on either side. No new elements should be fixed to the wall.

Policy 65 Height of New Structures

The height of any new structure on the site should be in accordance with the diagram provided in Section 5.7.1 of this CMP.

Policy 66 Materiality of New Structures

The materiality of new structures externally should be selected in order to both differentiate new structures from existing buildings and to achieve a harmonised material palette across the site. New materials should be of a high quality to reflect the quality of the existing buildings.

Policy 67 Design of New Structures

The design of new structures on the site should be of high architectural quality, and should utilise high quality materials, to meet the high architectural standard set by the design of the existing buildings.

Policy 68 Design of New Elements

New internal and external additions should be designed in a style contemporary to their era, such that they are readily identifiable as new and to make easily legible the various phases of construction on the site.

Policy 69 External Additions

Where external additions are required for code compliance, for example balustrades, their design should be prepared by a suitably qualified architect with demonstrated experience in architectural heritage and conservation, and should be developed with close reference to this Conservation Management Plan. It is preferable that the design of such elements be contemporary in style and materiality, however the suitability of this solution should be assessed on a case-by-case basis.

Policy 70 Internal Additions

The preferred location for internal additions is within those spaces identified as being of Moderate or Low significance, or Intrusive spaces. Internal additions located in spaces of Exceptional significance are not acceptable.

Policy 71 Fixing of New Elements

Internal additions should not be fixed to original fabric or fabric of Exceptional or High significance. Proposals which require the fixing of new elements should utilise the input of a heritage consultant. Where possible, internal additions should be free-standing and should be constructed in a reversible manner, such that they can be removed in future without irreversible damage to significant fabric.

Policy 72 Recreations

New fixtures and fittings should not be historical recreations unless there is sufficient evidence to confirm their location and design.

6.6.9 SERVICES

Policy 73 Design of New Services

The significance gradings of fabric and spaces identified in this Conservation Management Plan should be used to inform the layout and methodology for installation of any new services. The installation of new services which is likely to detract from significance, for example by changing the character of a significant space or by causing damage to significant fabric, should be avoided.

Policy 74 Location of New Services

Where the installation of new services requires intervention into existing fabric, these services should be located within fabric of lesser significance so that damage to fabric of higher significance is avoided.

Policy 75 Installation of New Services

New services should be carefully installed so as to cause minimal damage to fabric. Where it is deemed likely that adjacent fabric may be damaged during the installation of new services, this fabric should be protected during installation works.

Policy 76 Heating and Cooling

The installation of powerful heating and cooling systems which may cause dryness, cracking or internal condensation should be avoided. Supplementary humidity control may be appropriate.

Policy 77 Removal of Services

Redundant services should be carefully removed. Removal should be carefully carried out so as not to damage significant fabric.

Policy 78 Removal of Services

Where the removal of major services is required, the methodology of removal should take into account the significance of the fabric affected.

Policy 79 Intrusive Services

Intrusive services should be removed or relocated. These include air conditioning units and conduits fixed into external fabric of Exceptional or High significance.

Policy 80 Lighting in Significant Spaces

Existing spaces of graded as being of Exceptional, High or Moderate significance, and spaces that have been restored in a way which recovers that level of significance, should be equipped with lighting fittings of a form which will best suit the architectural character of the particular space. If necessary to meet required light levels, such fittings may be supplemented by concealed or unobtrusive lighting that can be installed without damaging significant fabric or the character of the space.

Policy 81 Lighting in Non-Significant Spaces

Lighting in spaces of Little significance may continue to be lit in the way most appropriate to the technical requirements of the space.

6.6.10 PAINTING AND COLOUR SCHEMES

Policy 82 Coordinated Approach

A coordinated approach should be adopted to the arrangement of colours and finishes throughout the building. It should be based on an understanding of the original and early decorative treatments and should be prepared in advance for future decorative treatments.

Policy 83 Paint Removal

The removal of paint from the building should be avoided, unless necessary for repair works or the preservation of significant fabric.

Policy 84 Preparation of Surfaces

Precautions may be necessary in preparing surfaces for painting: paints applied prior to 1970 may contain lead. Take care to minimise the generation of dust or fumes when removing old paint finishes.

Policy 85 Paint Scrapes

Colour scapes should be carried out to verify any evidence of previous colour schemes prior to the selection of new colours. Consult a conservation specialist to take paint scrapes before removing paint.

Policy 86 Colour Schemes

Whenever painting is contemplated for the internal or external fabric only authenticated heritage colour schemes should be adopted. These should be based on historical research and paint scrapes and should be undertaken by a suitably qualified consultant in order to accurately determine the colours suitable for reinstatement.

Policy 87 New Colour Schemes

New internal colour schemes should conserve the character of significant spaces.

Policy 88 Unpainted Surfaces

All exterior and interior unpainted surfaces originally intended to be unpainted, notably stonework and brickwork, should remain unpainted.

6.6.11 ACCESS, SECURITY AND CODE COMPLIANCE

Policy 89 Safety

Works required to ensure the safety and security of people at the site should be prioritised and carried out as a matter of urgency. Where these works are required, their consistency with other policies in this report is preferred, however urgent safety works should not be delayed by adherence to other policies.

Policy 90 Compliance

Alterations required for code compliance should, where possible, be designed in order to minimise adverse impact to significant spaces and fabric.

Policy 91 Reversibility

Alterations required for code compliance should, where possible, be designed as reversible alterations such that affected fabric may be repaired, and spaces returned to their earlier character, if permissible in the future.

Policy 92 Public Accessibility

Any changes to the site required to improve public access should also be made in accordance with the other policies in this *Conservation Management Plan*.

Policy 93 DDA Compliance

Where compliance with the *DDA* is likely to have an adverse heritage impact on significant fabric, formal advice on alternative means of compliance shall be sought from the Fire, Access and Services Advisory Panel of the Heritage Division of the NSW Office of Environment and Heritage, or expert consultants.

6.6.12 SIGNAGE

Policy 94 Design of Signage

Should new signage be proposed, its design should be prepared by a suitably qualified specialist so that it is sympathetic with the established aesthetic of the place. New signage should not be visually intrusive to the place. In general, signage should be designed as part of a unified strategy for the site rather than being designed on an ad-hoc basis.

Policy 95 Signage Fixing

New signage should not be fixed to fabric of Exceptional or High significance. Where possible, new signage should be designed in fixed such that it is reversible in the sense that it may be removed in the future without damage to existing fabric.

6.6.13 INTERPRETATION

Policy 96 Interpretation Strategy

A separate Interpretation Strategy/Plan should be prepared and implemented for the place, prepared by a suitably qualitied consultant.

Policy 97 Implementation

The implementation of an Interpretation Strategy for the place should be in accordance with other policies in this Conservation Management Plan, with particular regard to policies concerning fixings to significant fabric and additions to significant spaces.

6.6.14 APPROPRIATE SKILLS AND EXPERIENCE

This Conservation Management Plan is a guide for the future care and management of the Berrima Correctional Centre, but it will be relatively ineffective unless interpreted and implemented by persons with relevant conservation expertise. Appropriate conservation advice is necessary to ensure all development (including possible future changes, adaptation, alterations and additions, service installation/ upgrading, etc) is compatible with the significance of the place and its individual components.

Similarly, where technical advice is sought, or construction/repair works are carried out on significant features or fabric of the buildings – for example, analysis of structural problems, repair of stonework, replacement of roofing material, etc – it is important to use consultants and contractors with proven expertise in the relevant field of conservation-related work. Equally important is the continuity of conservation advice to avoid ad hoc decision making and inappropriate interpretation of these conservation policies.

Policy 98 Advice

Relevant and experienced professional conservation advice should be provided for all conservation, adaptation and repair works proposals and programs throughout the building.

Policy 99 Expertise

Consultant advice and contractual work on identified significant components or fabric should be limited to firms or persons with proven expertise in conservation-related projects in the relevant field.

6.6.15 ONGOING MAINTENANCE

Appropriate and prompt maintenance and repair is an essential component of the conservation of any significant place. Failure to carry out such works contributes to the deterioration of the fabric of the building and requires significant levels of repair/replacement works which would have been either unnecessary or of considerably less impact had the appropriate maintenance been carried out.

The owners / managers of the site or their appointee should, as a principle, adopt simple strategies for regular inspections and maintenance and have oversight of the activities of maintenance contractors.

Policy 100 Use of the Conservation Management Plan

The appropriate level of significance of any part or element of the building shall be determined by reference to this Conservation Management Plan prior to determining the appropriate level of intervention or action. Before any major works are undertaken, review all available documentary and physical evidence in order to guide effective conservation work.

Policy 101 Responsible Personnel

Appoint a person or group of people responsible to coordinate and report on building and maintenance matters.

Policy 102 Maintenance and Repair Program

A planned maintenance and repair program (Asset Management Plan) should be instigated for the site based on a comprehensive understanding of the building's present state, construction, character and materials with regular inspections and prompt appropriate preventative maintenance and repair when required.

Policy 103 Repairs

Repairs carried out as part of general maintenance to the place should be aimed at the long-term conservation of the buildings on the site, rather than being limited to short-term make-safe options.

Policy 104 Expertise

Appropriately qualified tradespeople and supervisors are necessary to the successful carrying out of appropriate programmed maintenance and repair works, with care needing to be exercised at all times to ensure that significant fabric is protected and conserved.

Policy 105 Careful Approach

Care should be taken by both tradespeople and supervisory staff that significant fabric is not damaged by maintenance and repair.

Policy 106 Inspections

Regular inspections should be made of members subject to rot and corrosion to ensure prompt preventative maintenance and repair.

6.6.16 MINOR EXEMPT DEVELOPMENT

Part 2 of the *Heritage Act 1977* establishes the Heritage Council of NSW as a NSW Government agency. The Heritage Council of NSW, or the NSW Division of the NSW Office of Environment and Heritage as its delegated authority, is the consent authority for applications to alter items listed on the NSW SHR. Application are made under Section 60

of the *Heritage Act 1977*. In some cases, minor development on a site listed on the SHR may be exempt from approval.

6.6.17 MANAGEMENT OF ARCHAEOLOGICAL RESOURCES

The following policies are sourced from the Historical Archaeological Assessment prepared by Austral Archaeology and are reproduced in italics.

Policy 107 Archaeological Potential

The study area has been identified as having high potential to contain archaeological remains.

Archaeological remains on sites not listed on the SHR are addressed under Section 139 of the NSW Heritage Act 1977 (Heritage Act), which states that 'a person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit'.

Relics are defined by the Heritage Act to be:
any deposit, artefact, object or material evidence that:
(a) relates to the settlement of the area that comprises NSW, not being Aboriginal settlement, and
(b) is of State or local heritage significance.

An excavation permit is also required if a relic has been discovered in the course of excavation without a permit (Section 139(2) of the Heritage Act). Section 139 of the Heritage Act applies to all relics which are not listed on the SHR or protected by an Interim Heritage Order (IHO). Relics protected by an SHR listing or an IHO are subject to approval required by Section 57(1) of the Heritage Act and require a Section 60 Application.

If an excavation permit is required by Section 139 of the Heritage Act, an application is made under Section 140 of the Act. To obtain an excavation permit, the Section 140 application must include an archaeological assessment and Research Design. The archaeological assessment establishes the archaeological sensitivity of the study area, its significance and the likely impact of the proposed development. The Research Design outlines the method proposed to mitigate the impact of the development (such as monitoring, test excavation, sampling, or open area excavation). The Research Design also provides research questions which the archaeological resource has the potential to answer. An archaeological assessment and Research Design need to be prepared in accordance with the Heritage Council's relevant guidelines, including Historical Archaeological Sites and the Historical Archaeology Code of Practice. For further details of these guidelines, refer to the website:
http://www.environment.nsw.gov.au/heritage/publications/index.htm

The Heritage Act also contains provisions for the unintentional disturbance of archaeological relics. Under Section 146 of the Act, the Heritage Council must be immediately notified in the event of relics being unintentionally located or disturbed. Works may be required to cease, pending consultation and further research.

Policy 108 Unknown Archaeological Potential

As there is documentary evidence relating to possible burials of executed prisoners within or in the immediate vicinity of the Gaol, investigative works should proactively be undertaken to determine whether the graves can be identified. This would reduce the likelihood that any future subsurface impacts or construction works may unexpectedly uncover human remains are significantly reduced.

The investigative works should in the first instance be non-intrusive through the use of Ground Penetrating Rader within open spaces in and around the Gaol to see if any evidence of grave cuts can be identified. Should the potential burials sites be located, consideration should be made of undertaking a testing program to determine if the identified features are definitively burial sites.

Policy 109 Specialist Advice

When planning, designing or implementing changes or maintenance to Berrima Gaol, ensure that suitably experienced specialist advice is sought early in the process in regards to archaeological values. This involves the use of suitably qualified archaeologists who should be involved in consultation for any works which may include subsurface impacts and who should work alongside architects, heritage specialists, engineers, material conservators, tradespeople and building code compliance advisors are required. Obtaining the necessary advice early in the process is important in ensuring that advice on potential impacts is considered and that the required works are developed in an appropriate fashion.

Policy 110 Heritage Induction

When undertaking works which involve subsurface excavation within the study area, all contractors involved in the works should be made aware of the heritage significance of the study area to ensure that they demonstrate care for the archaeological resource present.

6.6.18 ADOPTION, IMPLEMENTATION AND REVIEW OF THE CONSERVATION MANAGEMENT PLAN

Policy 111 Review of the Conservation Management Plan

This Conservation Management Plan should be reviewed every 7 years to ensure that the policies and the implementation of strategies arising from the plan are being carried out in a manner that is compatible with the level of significance of the place and are effective for the continued care of the place for its intended use (Article 26.1).

Policy 112 Coordination

An adopted procedure for coordinated planning and decision making for the place should be established. These procedures should ensure that decisions on development are made in the context of sound conservation practice. The planning and decision-making procedure may need to be reviewed periodically to ensure its continued ability to meet this objective.

6.6.19 FURTHER RESEARCH

Policy 113 Archival Material

A comprehensive collection of all relevant archival material should be copied and kept for reference by all persons having responsibility for aspects of conservation of the place. The material should be housed on site in a designated appropriate archive area. This should include, but not be limited to, the following:

- Copies of all extant archival plans, specifications and reports;
- Copies of all significant original and early photographic records of the place;
- A copy of this plan and any subsequent specialists reports including contracts and accounts;
- An itemised record of all future maintenance and conservation works including documents and specifications; and
- A record of decisions taken in respect to conservation issues.

6.6.20 FUTURE COMMITMENT

Policy 114 Ongoing Commitment

There should be an ongoing commitment by the owners of the place to make adequate financial resources available for the engagement of appropriate persons to provide experienced conservation advice when required.

Policy 115 Maintenance

There shall be an ongoing commitment by the owners of the place to make adequate financial resources available for the development and implementation of a planned maintenance program involving regular inspections testing and servicing or repair of significant fabric in accordance with the proposed asset management plan.

7.0 RECOMMENDATIONS AND POLICY IMPLEMENTATION

7.1 INTRODUCTION

This section provides recommendations on the way in which the policies in the previous section may be implemented. The recommendations should be read in conjunction with the conservation policies.

7.2 MANAGEMENT ACCORDING TO THE CONSERVATION MANAGEMENT PLAN

The owners and all persons associated with the care and upkeep of the Berrima Correctional Centre should:

- Review this Conservation Management Plan in light of their established maintenance policies for the buildings, fence and landscaped areas on the site;
- Adopt this Conservation Management Plan as their guiding document for the conservation and maintenance of the place;
- Make financial provisions for the long-term maintenance of the place;
- Make organisational provisions establishing the persons responsible for the conservation and maintenance of the place; and
- Ensure that the persons responsible for the conservation and maintenance of the place are familiar with the contents of this Conservation Management Plan.

7.3 MAINTENANCE

The maintenance of the site should be carried out under the guidance of a comprehensive Asset Management Strategy.

The following publications should be used as reference material for maintenance and repair works to the building:

- Australia ICOMOS, *Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* – https://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf
- NSW Heritage Office, *Heritage Information Series: How to Carry Out Work on Heritage Buildings & Sites* - https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infocarryoutwork.pdf
- NSW Heritage Office, *Maintenance Series* - https://www.environment.nsw.gov.au/Heritage/publications/index.htm - including:
    - *Maintenance Series 1.1: Preparing a Maintenance Plan;*
    - *Maintenance Series 1.1: Inspection Schedule;*
    - *Maintenance Series 1.2: Documenting Maintenance and Repair;*
    - *Maintenance Series 1.3: Temporary Access;*
    - *Maintenance Series 3.1: Metalwork;*
    - *Maintenance Series 5.1: Wood Preservation;*
    - *Maintenance Series 5.2: Timber Repairs;*
    - *Maintenance Series 7.2: Paint Finishes;*
- NSW Heritage Office, *Minimum Standards of Maintenance and Repair* - https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infominimumstandards.pdf
- David Young for Heritage Council of NSW, *Salt attack and rising damp: A guide to salt damp in historic and older buildings* - https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/HVC014SaltDamptechguideFAweb.pdf

7.3.1 EXEMPLAR FORM OF MAINTENANCE LOG BOOK

A Maintenance Log Book should be kept on site and entries completed during all ongoing maintenance and repair works. The log book should be structured based on separate buildings and separate spaces or elements within the buildings, such that records for previous works to each element can be accurately maintained. An example of the recommended format for a Maintenance Log Book is below.

Building Name					
Element					
Findings no.	Description	Necessary Action / Specification of Materials	Initiated date / signature	Completed date / signature	Details of Contractor

7.3.2 MAINTENANCE AS A RESULT OF UNEXPECTED EVENTS

In addition to cyclical maintenance required on an ongoing basis there may be a need for maintenance as a result of unexpected events, such as weather events or vandalism.

Should a hail storm or other destructive weather event occur, damaged or missing elements, such as roof material or glazing, should be replaced on a like for like basis. All repair works carried out in this context should be in accordance with the recommendations in the CMP and should be based on an understanding of the significance of the element to be repaired, identified in the CMP.

Should vandalism to any building occur, damaged and missing elements should be replaced on a like for like basis, as above. Finished surfaces should match existing undamaged surrounds in material, colour and texture. Any graffiti removal should be carried out by a contractor with experience removing graffiti from heritage buildings.

Care should be taken not to damage the surface, texture or colour of heritage fabric through physical contact or the use of abrasive methods or materials. Where cleaning of heritage fabric, such as original masonry, is required, this should be carried out carefully using water and a soft bristle nylon brush. High pressure water cleaners should not be used on stonework or brickwork. Similarly, where paint or other finishes are required to be removed sandblasting or other high-pressure methods should not be used. Only non-abrasive methods are acceptable.

Advice from a materials specialist should be sought when cleaning heritage items.

7.3.3 ONGOING MAINTENANCE

Maintenance to the building should be carried out on a regular basis and in accordance with the Conservation Policies in this document. The following table provides an example of the recommended layout of a maintenance log.

Building Element	Annually	Every 5 Years	Every 10 Years

8.0 APPENDIX A: HISTORICAL ARCHAEOLOGICAL ASSESSMENT

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AUSTRAL
ARCHAEOLOGY

BERRIMA GAOL
BERRIMA
NEW SOUTH WALES

HISTORICAL ARCHAEOLOGICAL ASSESSMENT

DRAFT REPORT

NBRS ARCHITECTURE

16 February 2021

DOCUMENT INFORMATION

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Services required:	Historical Archaeological Assessment
Client:	NBRS Architecture
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1	1	16/02/2021	NBRS Architecture
2			

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EXECUTIVE SUMMARY

Austral Archaeology Pty Ltd (Austral) has been commissioned by NBRS Architecture (NBRS) to undertake a Historical Archaeological Assessment (HAA) for Berrima Gaol, Berrima, New South Wales (NSW). This report will form part of a Conservation Management Plan (CMP) being prepared to assist with the ongoing management of the heritage item.

The study area consists of Lot 7304, DP1146099 and Lot 447, DP751252 which comprises the entirety of the study area. The study area is located in the centre of the township of Berrima and is within the Wingecarribee Shire Council Local Government Area (LGA). The study area is listed as a heritage item on the following registers:

- Register Nation Estate (Place ID 1562)
- State Heritage Register (Place ID 00807)
- *Wingecarribee Local Environmental Plan 2010* (Item No. 1989)
- Berrima Village Development Control Plan (Section A9.9)

The purpose of this historical archaeological assessment is to assess the potential for archaeological material to be present within the study area, and to assess the significance of any archaeological values that may be present. This is to include suitable management recommendations and policies for the protection of the archaeological resource remaining in the facilities.

HISTORICAL OVERVIEW

Berrima Gaol was first opened in 1839 after 5 years of construction. The initial phase of use was from 1839 – 1847. Due to other prisons being opened across NSW, the Gaol was closed for a time until it was required again in the 1860s for the rising prison population. Following this, the separate system for prisoner management was introduced in the prison, and it went through modifications during the 1860s. The prison remained in use until 1909 when it was shut for a second time. During World War One (WWI), German prisoners of war were moved into the buildings from 1914. After the war, the prison was once again unused. During World War Two (WWII), the buildings were used for military storage until a fire in 1942 ripped through the building and destroyed much of the internal buildings. The prison went through a significant rebuilding by convicts during the latter part of the 1940s and was reopened in 1942. The prison went through several periods of use before finally being closed in 2019.

IDENTIFIED ARCHAEOLOGICAL VALUES

It is concluded that there are varying degrees of historical archaeological potential and sensitivity within the study area owing to its extended use of a Gaol and the likely archaeological remains that may be located beneath the current concrete flooring and within the general study area. Archaeological remains of interest relate to five different phases of occupation. Please note that the phasing is adapted to align with those utilised in the historical assessment being prepared for the property (NBRS 2020). Where these phases differ from the archaeological phasing is primarily in where phases of abandonment of the gaol are attributed. The phases as outlined in the main report are as follows (NBRS 2020)

1) Construction of the Gaol building (1834 – 1839)
2) First phase of operation (1839-1847)
3) Berrima as model prison of the separate system (1847 – 1867)
4) Subsequent alterations and additions (1867-1909)
5) 20th Century to the present day
    a. Berrima Gaol during the early 20th century (1909 – 1942)
    b. Modernisation of the Gaol (1942 – present day)

Archaeological remains are likely to be present within the study area dating from all phases of the Gaol's use.

The following management policies are provided in order to best understand and manage archaeological heritage values present within the study area.

MANAGEMENT POLICY 1 ARCHAEOLOGICAL POTENTIAL

The study area has been identified as having high potential to contain archaeological remains.

Archaeological remains on sites not listed on the SHR are addressed under Section 139 of the *NSW Heritage Act 1977* (Heritage Act), which states that 'a person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit'.

Relics are defined by the Heritage Act to be:

> *any deposit, artefact, object or material evidence that:*
>
> *(a) relates to the settlement of the area that comprises NSW, not being Aboriginal settlement,*
>
> *and*
>
> *(b) is of State or local heritage significance.*

An excavation permit is also required if a relic has been discovered in the course of excavation without a permit (Section 139(2) of the Heritage Act). Section 139 of the Heritage Act applies to all relics which are not listed on the SHR or protected by an Interim Heritage Order (IHO). Relics protected by an SHR listing or an IHO are subject to approval required by Section 57(1) of the Heritage Act and require a Section 60 Application.

If an excavation permit is required by Section 139 of the Heritage Act, an application is made under Section 140 of the Act. To obtain an excavation permit, the Section 140 application must include an archaeological assessment and Research Design. The archaeological assessment establishes the archaeological sensitivity of the study area, its significance and the likely impact of the proposed development. The Research Design outlines the method proposed to mitigate the impact of the development (such as monitoring, test excavation, sampling, or open area excavation). The Research Design also provides research questions which the archaeological resource has the potential to answer. An archaeological assessment and Research Design need to be prepared in accordance with the Heritage Council's relevant guidelines, including Historical Archaeological Sites and the Historical Archaeology Code of Practice. For further details of these guidelines, refer to the website:

http://www.environment.nsw.gov.au/heritage/publications/index.htm

The Heritage Act also contains provisions for the unintentional disturbance of archaeological relics. Under Section 146 of the Act, the Heritage Council must be immediately notified in the event of relics being unintentionally located or disturbed. Works may be required to cease, pending consultation and further research.

MANAGEMENT POLICY 2 - UNKNOWN ARCHAEOLOGICAL POTENTIAL

As there is documentary evidence relating to possible burials of executed prisoners within or in the immediate vicinity of the Gaol, investigative works should proactively be undertaken to determine whether the graves can be identified. This would reduce the likelihood that any future subsurface impacts or construction works may unexpectedly uncover human remains are significantly reduced.

The investigative works should in the first instance be non-intrusive through the use of Ground Penetrating Rader within open spaces in and around the Gaol to see if any evidence of grave cuts can be identified. Should the potential burials sites be located, consideration should be made of undertaking a testing program to determine if the identified features are definitively burial sites.

MANAGEMENT POLICY 3 – SPECIALIST ADVICE

When planning, designing or implementing changes or maintenance to Berrima Gaol, ensure that suitably experienced specialist advice is sought early in the process in regards to archaeological values. This involves the use of suitably qualified archaeologists who should be involved in consultation for any works which may include subsurface impacts and who should work alongside

architects, heritage specialists, engineers, material conservators, tradespeople and building code compliance advisors are required. Obtaining the necessary advice early in the process is important in ensuring that advice on potential impacts is considered and that the required works are developed in an appropriate fashion.

MANAGEMENT POLICY 4 – HERITAGE INDUCTION

When undertaking works which involve subsurface excavation within the study area, all contractors involved in the works should be made aware of the heritage significance of the study area to ensure that they demonstrate care for the archaeological resource present.

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1. INTRODUCTION

Austral Archaeology Pty Ltd (Austral) has been commissioned by NBRS Architecture (NBRS) to undertake a Historical Archaeological Assessment (HAA) for Berrima Gaol, Berrima, New South Wales (NSW). This report will form part of a Conservation Management Plan (CMP) being prepared to assist with the ongoing management of the heritage item.

The study area consists of Lot 7304, DP1146099 and Lot 447, DP751252 which comprises the entirety of the study area. The study area is located in the centre of the township of Berrima and is within the Wingecarribee Shire Council Local Government Area (LGA).

The location of the study area is shown in Figure 1-1, Figure 1-2 and Figure 1-3.

1.1 METHODOLOGY

The methodology supporting this report involved a period of research to locate additional background material and to prepare a synthesis of the historical research to reflect better and understand the historical context of the study area.

The report is underpinned by the philosophy of the International Council on Monuments and Sites (ICOMOS) and the *Burra Charter: Australia ICOMOS Charter for Places of Cultural Significance, 2013* (Burra Charter), the practices and guidelines of the NSW Heritage Division and the requirements of the Wingecarribee *Local Environmental Plan 2010* (Wingecarribee LEP) and *Wingercarribe Development Control Plan 2010* (Wingecarribee DCP).

1.2 ASSESSMENT OBJECTIVES

The purpose of this historical heritage assessment is to assess historical archaeological values that may be present within or in the vicinity of the study area. The report will provide suitable management recommendations should impacts to heritage values be anticipated.

The objectives of this report are to:

- Identify any potential historical archaeological values within or in the vicinity of the study area;
- Produce an archaeological predictive model and sensitivity map to guide any management decisions regarding the study area;
- Make a statement of significance regarding any historical heritage values for Berrima Gaol
- Make appropriate management and mitigation recommendations.

1.3 PROJECT TEAM AND ACKNOWLEDGEMENTS

The project team has been led by Alexander Beben (Director, Austral) who has managed the project and provided input into the assessment approach and management recommendations. The assessment was authored by Jasmine Weston (Archaeologist, Austral). David Marcus (Director, Austral) reviewed the draft report for quality assurance and technical adequacy.

Figure 1.1 Topographic map showing study area

2096 - Berrima Jail HAA

Source: NSW LPI Basemap

Drawn by: JW Date: 2021-01-21

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Figure 1.2 Study area and neighbouring properties

2096 - Berrima Jail HAA

Source: NSW LPI Basemap

Drawn by: JW Date: 2021-02-12

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Figure 1.3 Detailed aerial of the study area

2096 - Berrima Jail HAA

Source: NSW LPI Aerial

Drawn by: JW Date: 2021-01-21

AUSTRAL ARCHAEOLOGY

1.4 LIMITATIONS OF THE REPORT

This assessment includes an assessment of archaeological values to support the CMP, being prepared by NBRS. The report must be read in conjunction with the full CMP as it refers to supporting documentation not included within this report. This assessment does not include an assessment of Aboriginal cultural heritage that may be present within the study area.

The results, assessments and judgements contained in this report are constrained by the standard limitations of historical research and by the unpredictability inherent in archaeological zoning from the desktop. Whilst every effort has been made to gain insight into the historical values of the study area, Austral cannot be held accountable for errors or omissions arising from such constraining factors.

1.5 ABBREVIATIONS

The following are common abbreviations that are used within this report:

Burra Charter	Burra Charter: Australia ICOMOS Charter for Places of Cultural Significance 2013
Berrima Village DCP	*Berrima Village Development Control Plan 2010*
CBD	Central Business District
CHL	Commonwealth Heritage List
CMP	Conservation Management Plan
DCP	Development Control Plan
DPC	Department of Premier and Cabinet
EPA Act	*Environmental Planning and Assessment Act 1979*
EPBC Act	*Environmental Protection and Biodiversity Act 1999*
EPI	Environmental Planning Instrument
GHC	*Goulburn Herald and Chronicle*
GTTAMDA	*Goulburn Times and Tumut, Adelong and Murrumbidgee District Advertiser*
HAA	Historical Archaeological Assessment
Heritage Act	*NSW Heritage Act 1977*
ICOMOS	International Council on Monuments and Sites
IHO	Interim Heritage Order
LEP	Local Environmental Plan
LGA	Local Government Area
NHL	National Heritage List
NPW Act	*National Parks and Wildlife Act 1974*
NSWGG	*New South Wales Government Gazette*
The Proponent	NBRS Architecture
RNE	Register of the National Estate
SBDM	*Scrutineer and Berrima District Press*
SGNSWA	*Sydney Gazette and New South Wales Advertiser*
SHI	State Heritage Inventory
SHR	State Heritage Register
SIPD	Society for the Improvement of Prison Discipline
SMH	*Sydney Morning Herald*
Study Area	Berrima Gaol (Lot 7304 DP 1146099, Lot 447 DP751252)
Wingecarribee LEP	*Wingecarribee Local Environmental Plan 2010*

2. STATUTORY CONTEXT

The following section summarises the relevant statutory context, including heritage listings, acts, and environmental planning instruments which are relevant to the study area and its cultural heritage.

2.1 ENVIRONMENTAL PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) established the Australian Heritage Council (formerly the Australian Heritage Commission) and provides for the protection of cultural heritage at a national level and items owned or managed by the Commonwealth. The EPBC Act has established two heritage registers:

- Commonwealth Heritage List (CHL): for significant items owned or managed by Commonwealth Government agencies;
- National Heritage List (NHL): for items assessed as being of national cultural significance.

A referral under the EPBC Act that is approved by the Australian Heritage Council is required for works to an item registered on either of these lists to ensure that the item's significance is not impacted upon.

No part of the study area is listed on the NHL or the CHL.

The Australian Heritage Council is also responsible for keeping the Register of the National Estate (RNE). In 2007 the RNE was frozen and no further sites were added to it. For Commonwealth properties, the RNE was superseded by the CHL and NHL lists. The RNE is now retained as an archive of information about more than 13,000 places throughout Australia.

The study area is listed on the RNE as 'Gatehouse and Walls of Gaol (former), Argyle St, Berrima, NSW' (Place ID. 1562).

2.2 NSW HERITAGE ACT 1977

The Heritage Council is the approval authority under the *NSW Heritage Act 1977* (Heritage Act) for works to an item on the State Heritage Register (SHR). Section 57(1) of the Heritage Act identifies the need for Heritage Council approval if the work involves the following tasks:

- Demolishing the building or work;
- Damaging or despoiling the place, precinct or land, or any part of the place, precinct or land;
- Moving, damaging or destroying the relic or moveable object;
- Excavating any land for the purpose of exposing or moving the relic;
- Carrying out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct;
- Altering the building, work, relic or moveable object;
- Displaying any notice or advertisement on the place, building, work, relic, moveable object or land, or in the precinct; and
- Damaging or destroy any tree or other vegetation on or remove any tree or other vegetation from the place, precinct or land.

Demolition of an SHR item (in whole) is prohibited under the Heritage Act, unless the item constitutes a danger to its occupants or the public. A component of an SHR item may only be demolished if it does not contribute to the significance of the item.

Section 57(1) of the Heritage Act also applies to archaeological remains (such as relics) within an SHR site, and excavation can only proceed subject to approval of a Section 60 application by Heritage NSW.

The study area is listed on the SHR as 'Berrima Gaol' (Place ID. 00807).

HERITAGE AND CONSERVATION REGISTER (SECTION 170 REGISTER)

Under Section 170 of the Heritage Act, Government instrumentalities must keep a Heritage and Conservation Register (a Section 170 Register) which contains items under the control or ownership of the agency, and which are, or could, be listed as heritage items (of State or local significance). Road reserves within the study area are owned by the Department of Roads and Maritime Services.

Multiple elements of the area are listed on the NSW State Agency Section 170 Register maintained by the Directory of Correctional Services:

- **Berrima Correctional Centre - Arts & Crafts Shop (Listing # 00807)**
- **Berrima Correctional Centre - Dangerous Goods Store**
- **Berrima Correctional Centre - Farm Buildings**
- **Berrima Correctional Centre - Gatehouse**
- **Berrima Correctional Centre - Gatehouse**
- **Berrima Correctional Centre - Officer Amenities**
- **Berrima Correctional Centre - Outer Wall**
- **Berrima Correctional Centre - Outer Wall**
- **Superintendent's House**

2.3 ENVIRONMENTAL PLANNING INSTRUMENTS

An Environmental Planning Instrument (EPI) is made under the Environmental Planning and Assessment Act 1979 (EPA Act). An EPI can be a Development Control Plan (DCP), Local Environmental Plan (LEP) or a State Environmental Planning Policy.

WINGECARRIBEE LOCAL ENVIRONMENTAL PLAN 2010

The current LEP for the study area is the *Wingecarribee Local Environmental Plan 2010* (Wingecarribee LEP). Part 5.10 of the Wingecarribee LEP deals with heritage conservation, and subsections (2) and (3) determine whether development consent needs to be granted by Wingecarribee Shire Council before any activities occurring which may impact cultural heritage. Heritage items are listed under Schedule 5, Part 1 of the Wingecarribee LEP.

Multiple elements within the study area are listed on Schedule 5 of the Wingecarribee LEP:

- **Berrima Correction Centre Listing (formerly Gaol) (Listing # I109, I110, I484).**
- **Bull's Head Drinking Fountain (Listing #I111)**
- **Berrima Heritage Conservation Area (Listing # C148)**
- **Berrima Correctional Centre - 1945 Section**
- **Superintendent's House (Listing # I107)**
- **Berrima Gaol Gatehouse and Walls**
- **Stone Cottage (Listing # I236)**
- **Lambie Well (Listing # I234)**

BERRIMA VILLAGE DEVELOPMENT CONTROL PLAN 2010

The applicable DCP for the study area is the *Berrima Village Development Control Plan 2010* (Berrima Village DCP). Part A of the Berrima Village DCP outlines design controls to be implemented when dealing with heritage items in general. Section A9 details requirements for the managing post-European archaeological sites. Section A9.9 includes the following development controls:

A) *Development applications on properties containing listed heritage items or draft heritage items shall be referred to the Council Heritage Adviser for comment prior to lodgement of the development application.*

B) *Development applications on a property on the NSW State Heritage Register or National Heritage Register items shall be referred to the NSW Heritage Council for comment prior to lodgement of the Development Application. The NSW Heritage Council is the approval authority for such applications. Details of any comments provided shall be included in the statement of environmental effects submitted with the development application to Council.*

C) *Development applications on properties containing listed heritage items or draft heritage items shall contain a Heritage Impact Statement (or Heritage Conservation Strategy or Heritage Conservation Plan as requested by Council).*

D) *All development applications containing listed heritage items or draft heritage items should be notified by Council to Council's Heritage Advisory Working Group and the Berrima Residents Association for comment.*

E) *In considering whether to grant consent to a development proposal on properties containing listed heritage items or draft heritage items, Council must be satisfied that the proposal:*

   (i) Is sympathetic to the retained elements of the Heritage Item and its setting in terms of setback, scale, building design and form, materials, proportion and spacing of openings, to achieve a subtle contrast between old elements and new.

   (ii) Retains as much of the existing building fabric as is possible, particularly those elements which contribute towards the building's visual/heritage significance.

   (iii) Minimizes the modification to original door or window openings, spacings and proportions.

   (iv) Removes any unsympathetic building elements, additions or accretions, including awnings on commercial buildings.

   (v) Reinstates the original façades and architectural elements. (The original existence of such elements must be demonstrated by empirical research which shall be included as part of the development application.)

   (vi) Retains natural surface finishes, or applies colour [sic] *schemes for external painting which reflect the Georgian (or other relevant) period. Cladding with modern finishes is not permitted.*

   (vii) Ensures building additions are sympathetic to the item and its setting in terms of setback; scale; building design and form; materials; proportion and spacing of openings; shopfront/awning treatment etc., and achieve a subtle contrast between old and new.

   (viii) Encourages the siting and design of public on-street infrastructure, in such a way so as to maintain the significance of nearby items of heritage.

   (ix) Ensures important elements of garden and landscape are identified and protected.

F) *Where subdivision is proposed, ensure that an appropriate curtilage area is identified and retained.*

Table 2.1 lists the relevant statutory and non-statutory registers, listings and orders, and identifies those in which any part of the study area is listed. The location of heritage items in relation to the study area are outlined in Figure 2-1.

Table 2.1 Summary of heritage register listings for the study area.

Register/Listing	Inclusion	Statutory Implications
NHL	No	No
CHL	No	No
RNE	Yes	No
SHR	Yes	Yes – permit required in advance of potential harm
Wingecarribee LEP	Yes	Yes – control measures outlined in Part 5.10 (2) and (3) of the LEP
Berrima Village DCP	Yes	Yes – control measures outlined in Section A9.9

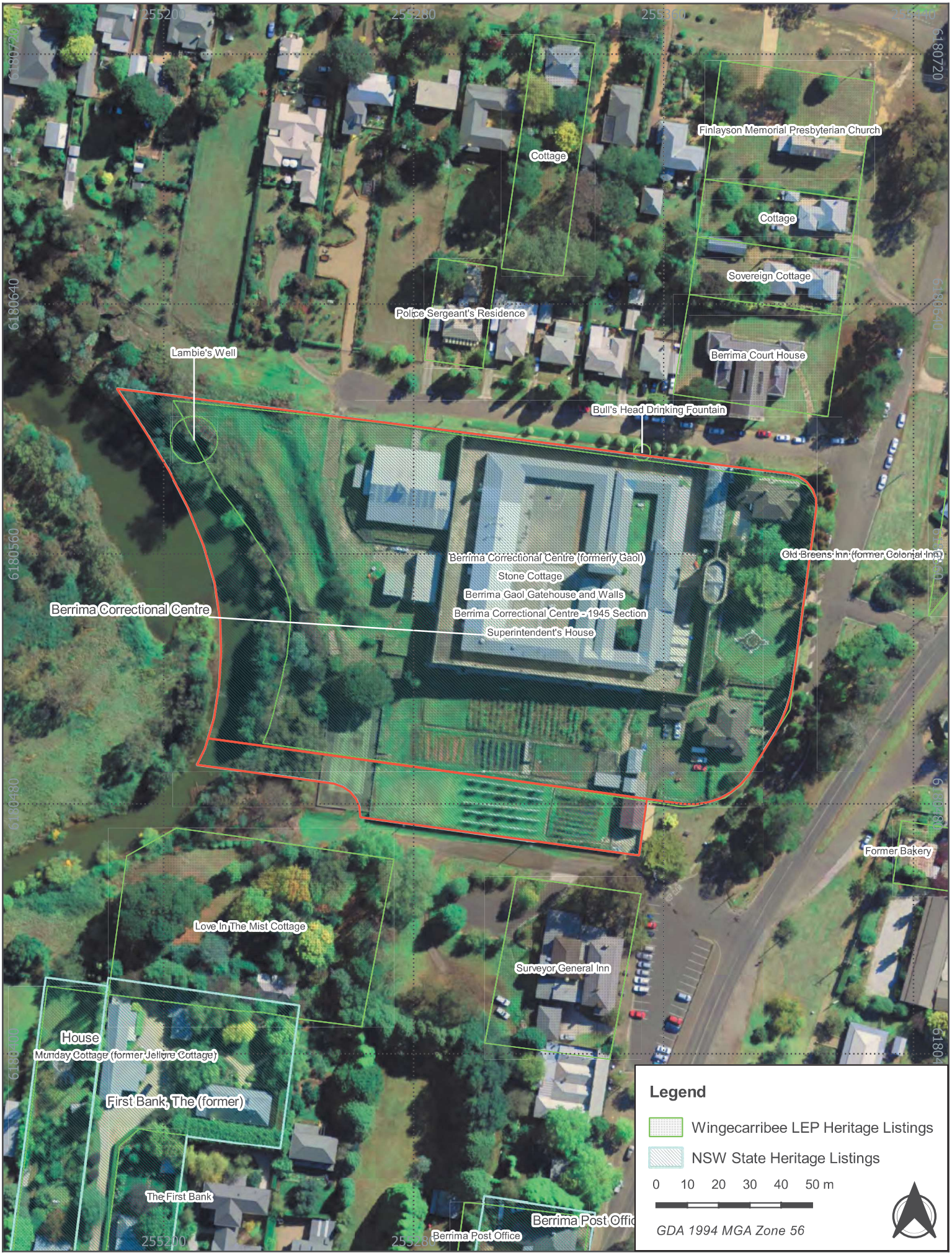

Figure 2.1 Location of heritage items in relation to the study area

2096 - Berrima Jail HAA

Source: NSW LPI Aerial; SHI, WLEP

Drawn by: WA Date: 2021-02-15

AUSTRAL ARCHAEOLOGY

3. HISTORICAL CONTEXT

The following historical background is designed to contextualise a site-specific history which will aid in the understanding of the heritage values of the study area. This work will provide a useful and concise summary of the history of the study area.

3.1 PRE-EUROPEAN ARRIVAL

When British settlers first arrived in the Sydney region, their intended destination was Botany Bay; however, after arriving and finding that the bay had inadequate fresh water, the settlement was moved northwards to Parramatta River with the initial settlement site chosen as Sydney Cove. Following the establishment of a town around current day Circular Quay, the need for additional agricultural land was identified, as while the cove provided a water supply, the surrounding land was unsuitable for farming. In 1791, an expedition was sent west along the Parramatta River in search of arable land. Rose Hill, now known as Parramatta, was settled at this time, and exploration of the wider region continued into the Hawkesbury, Nepean, and Georges River areas.

Variation in the Aboriginal population of the Sydney region before European contact is highly difficult to estimate, as is the population at the time of European arrival. Settlers west of Parramatta initially assessed the Aboriginal population as having lower population density than at the coast, the latter of which was predicted as a minimum population density of 0.75 people per kilometre^2 (Attenbrow 2010). While it is probable that population density was already lower in the west due to a relative ease of access to resources on the coastal margins when compared to further inland, it is also likely to have been due to the spread of smallpox, named 'gal-galla' by the Darug, which devastated communities and killed many inhabitants prior to the first European expeditions to the Hawkesbury-Nepean River. An estimate of western Sydney population proposed numbers of between 500 to 1,000 people within 600 kilometres^2 squared at the time of contact (Attenbrow 2010).

The decline in the Aboriginal population due to the spread of introduced diseases is undeniable and widely documented. While the lack of numbers makes the impact difficult to assess, estimates predict that over half of the original inhabitants died as a result of these diseases, and many groups did not survive as socially and culturally distinct groups (Kohen 1986).

According to Tindale (1974) the study area falls within the boundary of the Aboriginal language group of the Gundungurra people (also known as Gandangara, Gundungair, Gundanora, Gurra-gunga and Byrragorang). Tindale describes their location as 'At Goulburn and Berrima; down the Hawkesbury River (Wollondilly) to about Camden' (Tindale 1974). Earlier accounts by anthropologist RH Mathews details that 'the territory of the Gundungurra tribes includes Burragorang, Katoomba, Picton, Berrima, Taralga and Goulburn, with the intervening country' (1908). The tribal name incorporates terms meaning 'west' and 'east' (Tindale 1974). To the north, the Darug language group occupied land. To the east and near the coast were the Wodi Wodi language group and the Wandandian language group, and inland, to the west, the Wiradjuri. These language groups comprised smaller family groups or 'clans'. Each member of a clan was spiritually associated with an identifiable place or object. Clans were typically controlled through unilineal descent — being either through the mother or father or through spiritual conception (Attenbrow 2010). It has been argued that the population density of the Southern Highlands was probably much lower than the more resource-rich coastal region (Flood 1980).

In 1988, Elizabeth Rich collected ethnographic accounts which suggest that the area around Bowral may have been used by the Wodi Wodi, and that a common route used by the Wodi Wodi crossed the Illawarra escarpment (Rich 1988). The language boundaries applied to Aboriginal groups by researchers often lack to detail the complexities of tribal relationships and occupation. Relations and mixing between groups would have been common, along with mobility in the landscape, rendering solid and mapped borders, at best, guesswork. It is clear that the study area was inhabited, and likely was by a combination of the Gundungurra and Wodi Wodi. The name Berrima comes from the Gundungurra work "Berri-me' which translates to either 'black swan' or 'to the south' (Dale 2013, p.10).

3.2 HISTORY OF BERRIMA TOWN

The Berrima township was first formed as an alternative to the existing Bong Bong settlement, located near to present-day Moss Vale; While Bong Bong was chosen by the Government, the location lacked an adequate and consistent supply of water (Dale 2013, p.11). The area of Berrima was selected in 1829 by Major Thomas Mitchell, the Surveyor-General for NSW. The following year, plans for the town were drawn up by Robert Hoddle and were approved in 1831. The location of the Wingecarribee River was a significant factor for the decision to site Berrima. Bark huts were the first structures to be constructed to the north of the town; these have since disappeared. The Gaol was an early addition to the town, with construction starting in 1834 and being completed in 1839 (Dale 2013, p.22). The first roads were formed in 1837 for £15 around the same time that the first crops of wheat, maize and barley were planted (Dale 2013, pp.13–14). By 1841, Berrima had a population of 249 and by 1842 an additional 600 lots of land were mark out within the town (2013, p.14). With the construction of Goulburn Prison in 1884, Berrima Gaol was closed in 1847. However, the prisoner population across NSW grew rapidly and Berrima Goal was reopened in 1860 (*The Southern Mail*, 3 Mar 1950, pg. 7). While Berrima appeared to be on its way to becoming a much larger town, this changed with the construction of a train line that ran to Moss Vale and Bowral, bypassing Berrima. This saw the town slowly dwindle in popularity, reaching a low point by 1909 when only the Surveyor General Hotel was open (2013, p.16). The prison was shut the same year, (Dale 2013, p.24).

3.3 HISTORICAL SKETCH OF THE STUDY AREA

Unless specifically stated, the following site-specific history is quoted verbatim from information provided NBRS (2020). Modifications and additions made by Austral have only been undertaken for the purposes of highlighting specific information relating to archaeological values or to match the general formatting of this report, with sourcing of references also altered to the Harvard System,

The following section seeks to document the known development history of the study area.

3.3.1 PHASE 1 - CONSTRUCTION OF THE BUILDING (1834-1839)

In 1832, Governor Sir Richard Bourke proclaimed that a Court of Civil Jurisdiction, or Court of Requests, should be established at either Bong Bong or Berrima, as one of two new courts in the County of Camden [the other being established at Wollongong] (*New South Wales Government Gazette* [NSWGG], 29 Aug 1832, pg. 254). Berrima was subsequently chosen as the location of a court house and Gaol 'on a sufficiently extensive scale to form a grand depot for the reception of prisoners from the whole of the southern districts, for many years to come' (*Sydney Gazette and New South Wale Advertiser* [SGNSWA], 12 Apr 1838, pg. 2).

From 15 April 1834, the Commissariat Office sought tenders 'from Persons willing to enter into contract for erecting a Gaol and suitable Offices in the Township of Berrima, agreeably to the Drawings and Specification which may be seen at the Clerk of Works' Office, at Sydney' (*Government Gazette Tenders and Contractors*, 16 Apr 1834, pg. 217). At the same time, tenders for the nearby court house in Berrima were sought, (*SGNSWA*, 26 Apr 1834, pg. 1) as well as for another Gaol in Goulburn (*Australian*, 2 May 1834, pg. 2).

While tenders for the court house were considered too expensive to proceed with, a sum of £2,000 was granted for construction of the Gaol, which the Governor, Sir Richard Bourke, wanted to be a 'substantial Gaol upon the radiating system of inspection now generally adopted in Europe, with means of classification and suitable solitary cells' (*Australian*, 20 Jun 1834, pg. 2). The Gaol was to be constructed using the local 'fine stone' available at the site. In July 1834, a letter published in the *Sydney Monitor* noted that a total of £4,500 had been voted for the erection of the Gaol, an 'extraordinary sum' which was in stark contrast to the mere £1,500 for the Gaol at Goulburn (*Sydney Monitor,* 23 Jul 134, pg. 4). The letter also noted that 'to make Berrima the Seat of Justice, is the greatest mistake' as 'the land in the neighbourhood is sterile for miles around; rocks, stones, and brush, are its characteristics' (*Sydney Monitor,* 23 Jul 134, pg. 4).

Despite these objections from some who would have favoured Goulburn, John Richards from the Talbot Inn in Sydney advertised in June 1834 for 20 masons and quarrymen for work at Berrima, for a time period of 18 months or 2 years (*SGNSWA*, 24 Jun 1834, pg. 3). The first portion of the work was 'an enclosing Gaol Wall and Copeing [*sic*] complete', and only 'masters of their trade' were encouraged to apply (*SGNSWA*, 24 Jun 1834, pg. 3). John Richards is said to have arrived as a convict on the *Mariner* in 1816, having received a Certificate of Freedom in 1834, the year he started working on the Gaol. Blessed with an entrepreneurial spirit and working as a publican and contractor, he left the Talbot Inn at Brickfield Hill on 27 August 1834 to work on the Berrima Gaol with his partner, James Gough (*Sydney Monitor,* 23 Aug 1834, pg. 3). James Gough, of Hunter Street, was the builder who had officially obtained the contract for the erection of the Gaol in 1834 (*Sydney Monitor,* 18 Jun 1834, pg. 3). The two builders were likely connected through the White Hart Inn on the Windsor Road, built by Gough in 1826 and managed by him until 1828 when Richard's partner and future wife Ann (née Hollis) is said to have taken over (Starr 2015, NSW State Archives and Records n.d.). Like Richard, his business partner, James Gough (or Goff), was an ex-convict who had arrived in Australia in 1813 on the *Earl Spencer* as a joiner; he received a Conditional Pardon in 1821 and Absolute Pardon in 1842 (Convict Records 2015).

However, construction did not proceed as expected. In March 1835, the Governor visited Berrima to lay the first stone for the court house only to find that the Gaol 'which has now been commenced upwards of nine months, makes but very slow progress. The outer wall, in some parts, is not yet above the ground, and the interior is not yet commenced upon. His Excellency seemed to have expected to find it in a much more forward state. The cause of delay seems to arise from the daily misunderstandings of Messrs. Richards and Gough, the Contractors, with the artificers employed; during which the work, of necessity, is dormant' (*SGNSWA,* 21 Mar 1835, pg. 2). In June 1836 it was still noted that 'not half of the outer wall is up; and as to the Gaol, the foundation is only laid' (*The Sydney Herald,* 30 Jun 1863, pg. 2). By then it was assumed that completion of the building would take another seven years, as the Clerk of Works was only overseeing the 'work of about one stone-setter and two or three stone-cutters' (*The* Sydney Herald, 30 Jun 1836, pg.2). In August 1836, the *Government Gazette* announced that 'the contractors for building the Gaol at Berrima having failed to complete their engagement, Persons willing to undertake to complete their work, are requested to transmit their Tenders to this office by Twelve o'Clock, on Friday the 16th of September next; endorsed 'Tenders for completing Berrima Gaol' (*NSWGG*, 31 Aug 1836, pg. 680). Plans and specifications were available for viewing at the office of the Colonial Architect in Sydney.

It appears that from that time onwards at the latest, gangs of convicts in chains were involved in the construction of the Gaol. A stockade had been erected by a gang in early 1835 to construct the court house, and these convicts were quarrying stone, likely in George Cutter's quarry which he had established 'for the building of the Government Court House' (*Australian:* 3 Feb 1835, pg. 2; *Southern Mail:* 3 Apr 1925, pg. 5; *SGNSWA* 26 Sep 1835, pg. 2). James Backhouse reported from a visit to Berrima in November 1836 that iron-gang prisoners were employed in erecting the Gaol and court house (*Sydney Morning Herald* [SMH]*,* 8 Nov 1924, pg. 13). Convicts working on the new bridge were also said to have been diverted to work on the Gaol (*Southern Mail*, 3 Apr 1925, pg.5). An iron-gang was still noted as being present at Berrima in March 1838 (NSWGG*,* 28 Mar 1838, pg. 230).

In early August 1837, construction of the Gaol and court house at Berrima were reportedly 'at last proceeding with spirit' and were expected to be completed soon (SGNSWA, 3 Aug 1837, pg. 3). Based on an article published in the *Sydney Gazette* on 14 September 1837, focussing on the contract system, it is possible that the new contractors for the Gaol were in fact the old ones, Richards and Gough (SGNSWA, 14 Sep 1837, pg. 2). Referring to the tendering system for Government contracts which was regarded as being 'rotten to the core', the article alluded to numerous instances where the cheapest tenders were accepted even though the tenderers knew 'nothing of the matter, men who undertake the job as a mere money-making speculation' (SGNSWA, 14 Sep 1837, pg. 2). The article noted that as soon as these contractors realised that the work would not result in any profits, they threw up their contracts and left the work in an unfinished state. To make matters worse, in some instances the Government had to rehire the very same contractors, but now at a higher price. One specific example of this was described as follows:

> *We have even heard of instances in which such men having tenders accepted, which they offered at too low a rate, being allowed by the Government to throw up their agreement without the enforcement of the penalty, and again allowed to contract for the same work at a higher rate. The Berrima Gaol, we believe was one instance of this* (SGNSWA, 14 Sep 1837, pg. 2).

No evidence could be found to confirm that Richards and Gough were rehired to complete the Gaol, but it seems that work now proceeded smoothly. However, it is possible that new contractors were hired; Young and Co. of Bathurst Street were recorded in the local paper as working on the Gaol (SGNSWA: 12 Apr 1838, pg. 2). The stone works were was supervised by Mr George Paton. By April 1838, it was noted that 'the Jail, the history of which discloses one of the grossest jobs ever perpetrated in this jobbing Colony, is rapidly approaching to completion, and will, when finished, form much the finest and most commodious building of the kind in the Colony with the exception of the new Jail now in the course of erection in Sydney' (SGNSWA: 12 Apr 1838, pg. 2).

Even if Richards was still involved at the Gaol, he was busy pursuing other interests in the meantime. By 1838 at the latest, he had established victualling stores at Berrima from where he provided rations for any travellers on his coach service, the Yass Mail, which ran from the Talbot Inn to Yass, Goulburn or Marulan, Berrima or Bong Bong, and the stone quarry by 1838. He also appears to have been involved in several inns as well as the Goulburn Brewery, and his wife Ann continued his various business ventures after his death in 1838, a year before the Gaol was finished (*Sydney Monitor and Commercial Advertiser,* 21 Dec 1838, pg. 4).

On 29 June 1839, the Sydney Gazette provided the following description of the new Gaol at Berrima:

> *A gentleman who has recently arrived from the southern districts, says he was much surprised at finding such splendid buildings so far in the interior as the Gaol and courthouse at Berrima. The Gaol consists of a centre building, from which diverge three radii, each containing fourteen cells. The centre building contains four rooms on the ground floor, which are to be occupied by the keeper of the Gaol, and in the basement story there is the Gaol kitchen, and apartments for the wardsmen. Round the centre building there is an area which communicates with the yards belonging to the cells. Eighteen of the cells are solitary; these are six feet, by four feet and they are covered with stone flags, and have no light but what is received through a small grate in the door. Twenty-four of the cells are termed open cells, and are fitted up with a bed, and have a window; these are six feet by seven feet, and will be occupied by prisoners before trial. There are no day rooms, so that every prisoner in the Gaol will be in a cell. Should it become necessary, the extent of the Gaol can be doubled, by adding three more wings. The whole of the buildings are surrounded by a stone wall fourteen feet high and eighteen inches thick. This wall includes an area of 250 feet square. The whole of the building is of stone, and the work is described as being of a very superior quality* (SGNSWA, 29 Jun 1839, pg. 2).

Based on this description, the Gaol consisted of 42 cells overall, arranged in three wings radiating from a central building (Building #2a). Two of the wings ran parallel with the front wall, while the third wing extended at a right angle so that the building formed a T-shape (*Gundagai Times and Tumut, Adelong and Murrumbidgee District Advertiser* (GTTAMDA), 9 May 1868, pg. 32). The central building contained the Gaol keeper's quarters above the kitchen. Each wing had 14 cells, with the 18 solitary confinement cells (which did not have any windows or beds) likely evenly distributed among the wings. This would have left 8 cells in each wing that were slightly larger open cells with windows and beds. These were reserved for prisoners before they were trialled at the adjacent courthouse. The wings had flagged stone floors and there were earth-closets at the end of each wing (*Goulburn Herald and Chronicle* (GHC), 14 July 1866, pg. 4). The areas between the wings were used as airing-yards, where prisoners could get fresh air (Building #5a), and in 1866, the area surrounding the central building was described as originally being a 'large outer yard with buildings used as a hospital (Building #3a), kitchen and warder's quarters (Building #4a) (NSW Government Architect and State Library of New South Wales 2016). This either suggests that the kitchen may have been relocated from the basement to one of the outbuildings sometime after construction, or the prison had several kitchens.

The specific design of the Gaol in Berrima was prepared in the Colonial Architect's Office under Ambrose Hallen (Colonial Architect 1832-1835) and Mortimer William Lewis (Colonial Architect 1835-1849). It appears that the works were carried out under the superintendence of James Rattenbury, Clerk of Works in the Colonial Architect's Department. He was repeatedly said to have been responsible for the whole of the works in Berrima, including the court house (SGNSWA, 29 Jun 1839, pg. 2). In March 1835, at the laying of the first stone of the court house, Rattenbury had been present as 'the Superintendent of Works at Berrima', at a time when Gough and Richards had still been involved as the builders of the Gaol (*Sydney Monitor*, 21 Mar 1835, pg. 2). In 1839, Rattenbury, 'who has lately given creditable proof of his talents as an architect, in his able superintendence of the public works at Berrima, and particularly in the erection of the handsome Court-house of that district' (*Colonist*, 3 July 1839, pg. 2), was transferred as the Clerk of Works to the Port Phillip District in Victoria, where between 1839 and 1846 he oversaw the construction of watch houses and cells, police courthouses and offices, and custom houses, but most importantly the first stage of the Russell Street Gaol in Melbourne, completed in 1841 (Beoddoe et al. 2880). By as early as May 1839, prisoners were lodged at Berrima Gaol (*Sydney Herald,* 17 May 1839, pg. 2). In early October 1839, it was reported that two prisoners charged with cattle stealing broke out of Berrima Gaol (*Australian*, 3 Oct 1839, pg. 2*).* By December the stone Gaol with 42 cells was noted as completed and 'amply stocked with inmates' (SGNSWA, 24 Dec 1839, pg. 2; *Sydney Herald,* 13 Nov 1839, pg. 3). The *Government Gazette* of 29 January 1840 officially announced 'that the Prison at Berrima is to be henceforth one of the Common Gaols of the Colony, and to be under the jurisdiction of the Sheriff', with the notice by the Colonial Secretary's Office dated 14 January 1840 (NSWGG, 29 Jan 1840, pg. 85).

SEPARATE SYSTEM PRISON DESIGN

It has been noted that the original layout of Berrima Gaol, containing three wings around a central building, was based on the latest English prison designs as described in the 1826 publication by the (mainly Quaker) Society for the Improvement of Prison Discipline (SIPD), *Remarks on the Form and Construction of Prisons: With Appropriate Designs* (The Committee of the Society for the Improvement of Prison Discipline &c. 1826, NSW Stage Government 2021, Henriques 1972, p.72). These designs were based on the ideas of the 'separate system' in which prisoners were held in separate classes, confined to separate cells at all times, in complete silence, and prevented from any contact with other prisoners to avoid 'moral corruption' between offenders. This separation of offenders, away from other prisoners and divided into different classes, was one of the outcomes of the prison reform movement in late 18th century Britain which dramatically changed the way prisoners were treated and how prisons were designed. By the 1770s, 'the squalor of the Gaols' in England had been:

> *…intensified by overcrowding due to the rise in population and the numbers of convicts reprieved from death sentences under an insouciant parliament's rapid augmentation of capital offences. British prisons were traditionally horrible; but at a time when imprisonment was beginning to emerge as a regular form of punishment, not merely of confinement pending trial and sentence, they seem to have been affected by the same sort of decay in administration as the eighteenth-century poor law and other social services* (Henriques 1972, p.61).

Conditions were chaotic; abuse, extortion, bribery and theft were rife; and everything (including hard liquor) was available if you had money, while those who had nothing were starving. Overcrowding was a serious issue:

> *The filth, squalor and vermin of the prisons were notorious. In Newgate forty prisoners slept on the floor of wards built for twenty-four. All the people sentenced to transportation, with their children, slept in one bed. The Gaol fever engendered by vermin (a form of typhus) had been known to emerge into the courts, killing witnesses, jury and judge. There was no adequate sanitation, no provision for keeping the inmates occupied by work or education, no separation of new or old offenders, pretty thieves or violent criminals, young or old, sane or lunatic* (Henriques 1972, p.62).

Through slow and intermittent reform of the system, conditions improved. Driven by late 18th century humanitarianism and increased knowledge about the effect of hygiene and ventilation on diseases, there were calls to refine punishment and make it more effective (Henriques 1972, p.63). Although there were different views on how and why to reform the system, all agreed in principle on 'the twin aims of deterrence and reformation' and on the priority given to 'ventilation and hygiene,

the enforcement of industry, the imposition of moral and religious instruction to inculcate habits of obedience and sobriety, an end to the indiscriminate association of criminals with each other'. All stressed the importance of this latter point (Henriques 1972, p.63). In order to stop young offenders being corrupted by hardened criminals, the idea of complete separation was born and gained popularity. This not only involved solitary confinement in separate cells, but many early 19th century prisons in England also classified and separated their inmates based on sex, type of offence, and stage of prosecution/conviction (Henriques 1972, p.66). This 'became increasingly common in the first two decades of the 19th century, and received official blessing in Peel's *Prisons Act of 1823*' (Henriques 1972, p.67). The Act defined the classes to be adopted and the essentials of prison discipline, involving 'classification, inspection, regular labour and religious and moral instruction'. By then, indiscriminate hanging had been rejected by public opinion, and death sentences became increasingly rare, and even if they were given, they rarely resulted in the actual death of the prisoner (Henriques 1972, p.71). Instead, other severe forms of punishment were created, as there was still a need for deterrent. An improved treadwheel was invented in 1822, and ''at first it was used to grind corn or pump water, or as a means of exercise. But it soon became a mere method of punishment, 'grinding air'' (Henriques 1972, p.68). The SIPD fully supported the call for greater deterrence, however, Elizabeth Fry, well-known prison reform campaigner and sister-in-law of SIPD chairman Sir Samuel Hoare, warned in 1835 'against undiluted solitary confinement, indiscriminate use of the treadwheel, poor diet and penal labour for women' (Henriques 1972, p.72).

Although the separate system required space and was therefore expensive to build, it was successfully introduced in America and became very popular in England, resulting in the opening of the model prison 'Pentonville' in 1842 (1972, pp.73–75). This Gaol was constructed to hold 'young, strong convicts between 18 and 35, condemned for serious first offences' (1972, p.58) for 18 months confinement before being sent to Australia, some even with tickets of leave. Pentonville is said to have been one of the most feared of the new prisons, where inmates were kept on their own in their cells in complete silence – silence now also being a characteristic of the separate system (silence was also part of the slightly different 'silent system') (E2BN 2006). If prisoners were let out for exercise and for going to chapel, they still sat separately and even wore masks, so they could not even see the other prisoners (BBC 2021). While the 1840s were the 'great age of the separate system' (Henriques 1972, p.78) in England, when numerous prisons were constructed based on the concept, by then Australia had already started to build such prisons, likely based on the work and publications by the SIPD which were discussed in Sydney's newspapers from the early 1830s (SGNSWA, 9 Feb 1832, pg. 2).

Formed in c1818 (SGNSWA, 24 Apr 1823, pg. 2), the SIPD had in 1826 published a pamphlet that included designs for a prison, or 'house of correction', for either fifty or two hundred prisoners (The Committee of the Society for the Improvement of Prison Discipline &c. 1826) The proposed design for a 50-head prison involved three wings radiating from the central building, with provisions for extension, if required. Specific instructions were given for the arrangement and layout of rooms, including floor plans (Figure 3-1 and Figure 3-2). According to the proposed floor plans, a mill house (with an associated bakehouse) was to be located adjacent to the entrance buildings which contained separate reception rooms for men and women. These reception rooms included baths for washing and troughs for washing linen (females only), as well as ovens for fumigation of clothes. Treadwheels for the grinding of corn (operated by prisoners sentenced to hard labour) were also provided in the open areas, and the Gaol had visiting lobbies where prisoners could see their family and friends. Privies were located at the end of each wing. The recommendation was to provide day rooms as well as night cells, in addition to the outdoors areas and the solitary confinement cells.

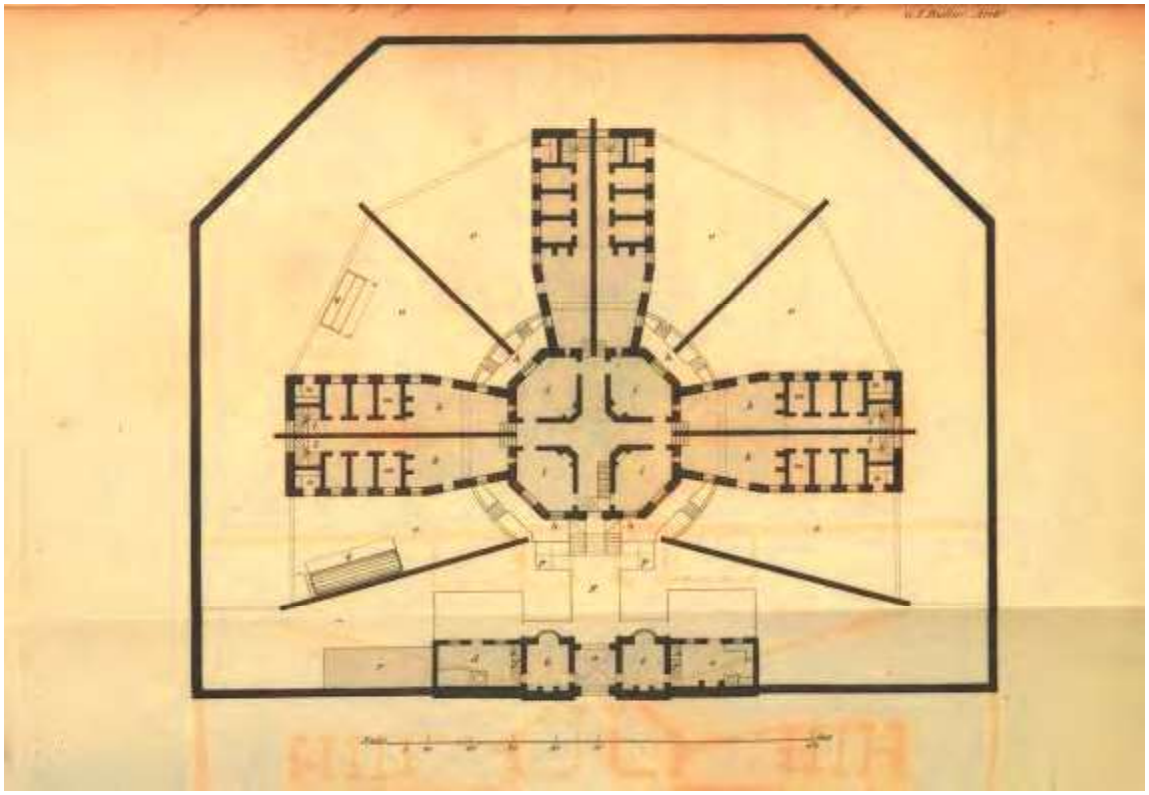

Figure 3-1 **Proposed ground floor building for a gaol from 1826 publication by SIPD, showing the cell block at the rear and entrance buildings at bottom that included administrative office and gaolers' residences (SIPD 1826).**

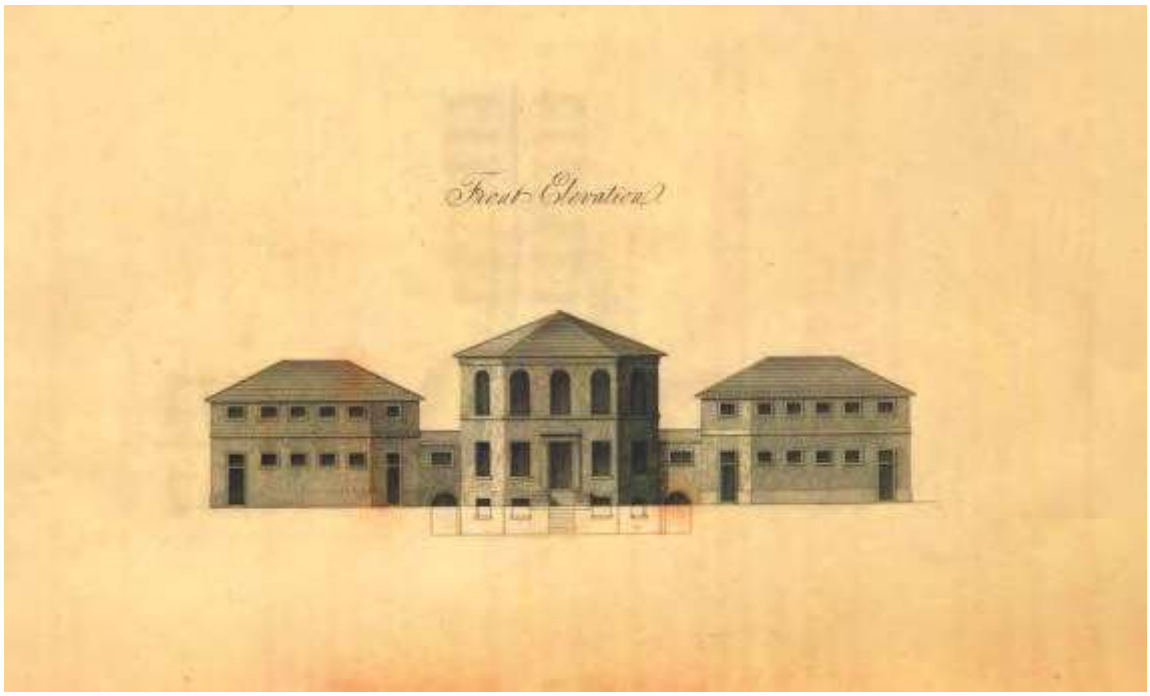

Figure 3-2 **Proposed front elevation for a typical prison holding 50 prisoners (The Committee of the Society for the Improvement of Prison Discipline &c. 1826).**

While the Berrima Gaol appears to have been based on these overall design ideas, the building was initially only single storey and likely did not contain any day rooms or treadwheels. If prisoners were sentenced to hard labour by treadmill, it appears they were sent to Sydney Gaol's treadmills instead, which had been installed in 1823 (Sydney Living Museums 2017). No reference to treadmills or tread-wheels at Berrima could be found during this research. As Berrima Gaol was initially only single storey, it appears that the chapel was located in the outbuildings adjoining the front entrance, next to a school room (Building #4a, Figure 3-3).

Berrima was one of a number of Gaols commenced during the 1830s, with other prisons including Darlinghurst (opened in 1841), Parramatta (1842), and Goulburn (1844) (*Southern Mail,* 3 Apr 1925, pg. 5).

3.3.2 PHASE 2 - FIRST PHASE OF OPERATION (1839-1847)

Berrima Gaol was busy during the early 1840s, when 'some of the most desperate criminals were incarcerated there'. There were also a number of executions: 'Patrick Curran, notorious bushranger, was executed for murder Oct. 21st, 1841; Martin Beach and Lucretia Dunkley for murder, October 29th, 1841; John Lynch (murderer of eleven persons), April 22nd, 1842. The last person to be hanged at Berrima was Henry Atkins, also for murder, on the 8th October 1844' (*Scrutineer and Berrima District Press:* 12 Aug 1922, pg. 2*).*

Berrima's first Governor was Henry Forster, and the town was the only one south of Sydney to have a Gaol and a court where the periodic assizes (criminal courts) and quarter sessions were held (*GHC*: 14 Jul 1866, pg. 4). It served the entire southern district until June 1847, when Goulburn Gaol was officially proclaimed and the assizes were relocated to the new prison 'from the dull little village of Berrima' (*Daily Telegraph*, 25, Apr 1914, pg. 23, *Sydney Chronicl*e, 16 Jun 1847, pg. 2). There were now two districts in the Southern Circuit, known as the Goulburn Circuit District and the Berrima Circuit District (*Sydney Chronicle,* 16 June 1847, pg. 2; NSWGG, 15 Jun 1847, pg. 647). Shortly after, the Legislative Assembly refused to spend any more money on Berrima Gaol, and the prison was closed, much to the desperation of the inhabitants of the town (SMH, 31 Aug 1847, pg. 4).

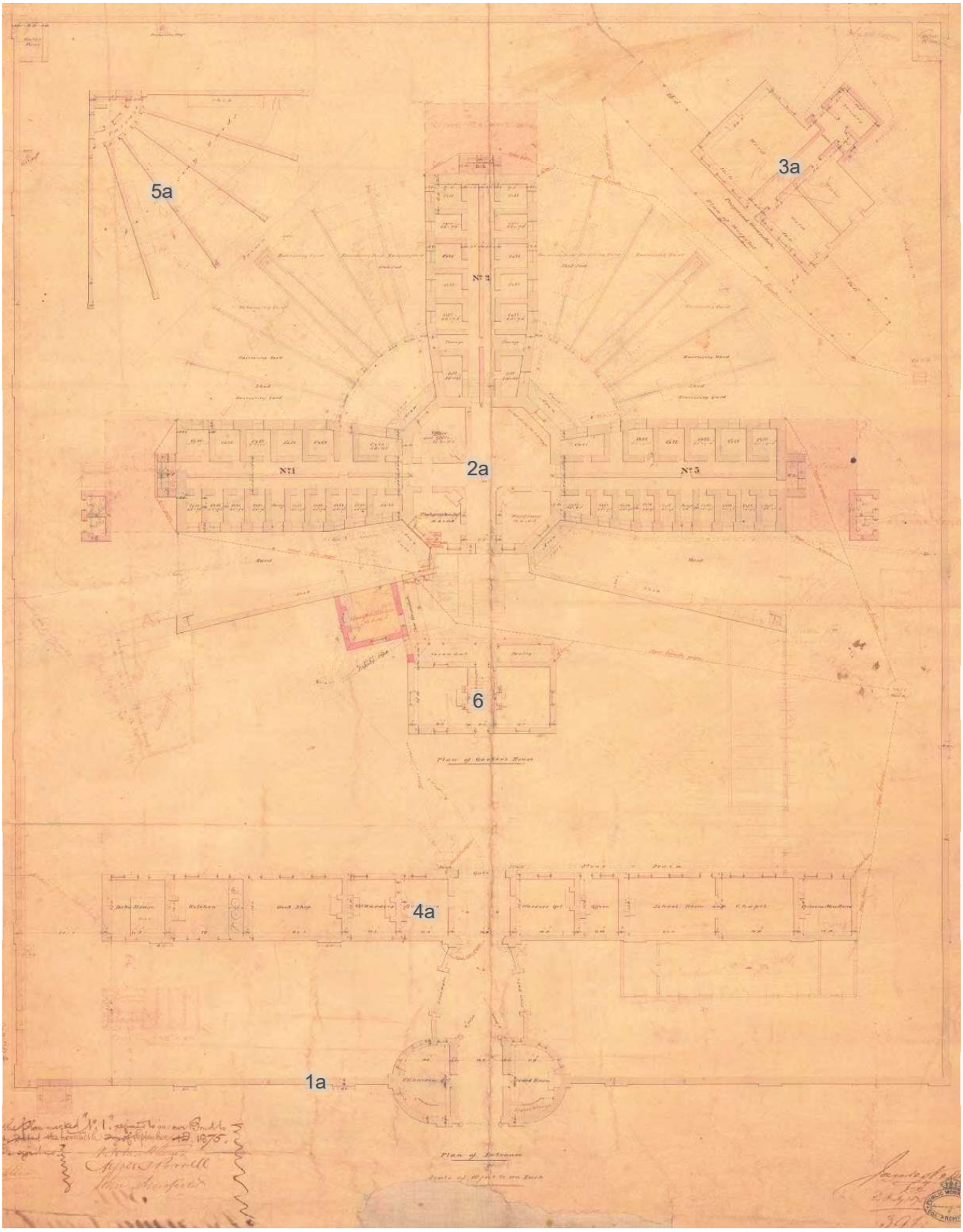

Figure 3-3 **Earliest known plan of the Gaol dating from 1867 showing the new Gaol entrance and other additions as well as the original structure (NSW Plan Services, PC47/24, Berrima Correctional Centre – Site Plan)[1].**

[1] *Dates on the image show Colonial Architect's stamp dated1867 and signed by James Barnet on 2 July 1875.*

Figure 3.4 Phase 1 - 3 Structures in study area

2096 - Berrima Jail HAA

Source: NSW LPI Basemap

Drawn by: JW Date: 2021-02-11

AUSTRAL ARCHAEOLOGY

Table 3.1 Structures recorded on the study area during phases 1 and 2.

Building #	Date	Feature	Description
1a	1839 - 1863/1866	Wall	The stone walls located on the east, south and west sides are still the original ones that were constructed by 1839, This stone wall is 14 feet high (4.3 metres) and 18 inches thick (45.72 centimetres).
2a	1839 - 1863	Cell Block	The Gaol consisted of 42 cells overall, arranged in three wings radiating from a central building, located in the centre of the Gaol. Two of the wings ran parallel with the front wall, while the third wing extended at a right angle so that the building formed a T-shape. The original wardens' residences were in the central building between the cells.
3a	1839 - 1860s	Hospital	The hospital building was constructed in the north-western corner of the study area, located on a diagonal north-east / south-west axis.
4a	1839 - 1866	Work block	Two stone buildings located at the eastern end of the Gaol, Consisted of the gate houses on each side of the entrance gate and several administration rooms.
5a	1839 - 1860s	Yard	Stone walls forming exercise yards located between the northern and western wings and the western and southern wings of the original Gaol building.
6	1839 - 1900	Governor's house	Located to the east of the original Gaol walls. The house was a two-storey stone building. When the walls were extended, they encompassed the house placing it within the eastern yard of the prison.
16	Prior to 1866	Earth closet	An earth closet recorded on the 1867 plan located within the south-eastern quadrant of the study area, to the south of the southern cell block wing.
17	Prior to 1866	Earth closet	An earth closet recorded on the 1867 plan, located within the north-eastern quadrant of the study area.

3.3.3 PHASE 3 – BERRIMA AS MODEL PRISON OF SEPARATE SYSTEM (1860-1867)

RE-OPENING (1860) AND MAJOR ADDITIONS (1861-66)

By the late 1850s, an increase in population and crime had made it necessary to reopen the Gaol at Berrima (*GHC*: 14 July 1866, pg. 4). It is likely that the old Gaol had still served as a lockup when required, as on 12 July 1859, when the Government officially proclaimed several regional lockups and watch houses as public Gaols, prisons and houses of correction, Berrima was listed as one of the lock-ups (*NSWGG,* 12 July 1859, pg. 1545). Quarter sessions were held again in Berrima from May 1859 (*Goulburn Herald and County of Argyle Advertiser* [GHCAA], 7 Mar 1859, pg. 2) and in January 1860, the SMH announced that Berrima was one of six Gaols where additions and improvements were to be made, with the others being Windsor, Campbelltown, Newcastle, Muswellbrook and Port Macquarie (*SMH,* 13 Jan 1860, pg.8). At the same time, new Gaols and court houses were to be constructed in 9 regional towns, including Mudgee, Orange, Wellington, Pambula, Braidwood, Eden, Tamworth, Armidale, Grafton, Yass, Gundagai, Wagga Wagga, Albury, and Deniliquin. It appears that the works were initially limited to repairs, as tenders for repairs were sought by the Department of Public Works from 24 September 1860 (NSWGG, 2 Oct 1960, pg. 161). The tender of RN Matthews was accepted in November 1860 (*Goulburn Herald,* 10 November 1860, pg. 2). On 8 October 1860, William Henry Maybury was appointed as the new Gaoler (NSWGG, 9 Oct 1860, pg. 1911). Apart from the Gaoler, there was to be a clerk, dispenser (who had a wife and children), turnkey and constables at the Gaol (NSWGG, 24 Aug 1860, pg. 1579). The initial cohort of 30 prisoners was selected in order to 'do the necessary repairs to the out-buildings of the prison now in a state of great dilapidation' (*Goulburn Herald,* 28 Nov 1860, pg. 3). The number of inmates was to be increased to 100 as soon as repairs were carried out. With the initial repairs completed, the Gaol was subsequently designated to receive invalid prisoners from other Gaols (*Empire,* 5 Oct 1863, pg. 4). However, plans for additional works were prepared soon afterwards. Tenders for additions at Berrima Gaol were sought by the Colonial Architect's Office in July 1861, and fresh tenders were requested in September 1861 and March 1862 (NSWGG, 2 Aug 1861, pg. 1657). In April 1863, tenders were sought for 'removing boundary wall, etc', and RN Matthews' tender was approved in May that year (NSWGG, 8 Apr 1863, pg. 5). By September 1863, the wings of the Gaol had been increased to contain an additional storey, and the Gaoler's residence had been built (Building #2b; *Goulburn Herald,* 19 Sept 1863, pg. 2). It appears that the work was undertaken in stages, with the works to the boundary wall, involving a new gate, carried out last (Building #1b). The Department of Public Works sought tenders for 'Alterations and Additions, Gaol, Berrima' from 27 June to 11 July 1865 (NSWGG, 30 Jun 1865, pg. 1440). The tender of RN Matthews was accepted for the works in August, and in October 1865 the tender from John Taylor for 'erection of a boundary wall etc.' was accepted (*Sydney Mail,* 19 Aug 1865, pg. 3; 21 Oct 1865, pg. 2) At that time the alterations and additions, carried out under the superintendence of the Government Inspector Mr Peattie, to the design from the Colonial Architect's office under James Barnet, were progressing well (*GHC: 18 Oct 1865, pg. 2*; NSW Government Architect and State Library of New South Wales 2016). The alterations were completed by July 1866 and described as follows:

> *A new house has been built for the keeper of the prison; and the central building (...), together with the corridors and cells, have been raised another story, thus doubling the accommodation. Two of the airing-yards have been left their original size, being intended for the use of prisoners who have been released from the first stage of punishment, or 'separate treatment' as it is termed', or whose offences are not of so serious a nature as to call for its infliction. Each of the remaining four yards has been divided into several smaller ones, and five additional yards similar in size to these smaller ones have been erected in the large outer yard. A new hospital has been built and watch towers erected, and the front outer wall is now being extended thirty feet, with an ornamental entrance lodge containing quarters for the principal warder. Many minor additions have been made, as well as alterations from the original plan effected, all having increased security for their object* (GHC: 14 Jul 1866, pg. 4).

The wings of the T-shaped main building had been raised as part of the first phase in 1863 (Building #2b). They now had two storeys, with larger cells upstairs, providing accommodation for 72 'ordinary' prisoners and about 30 so called 'billet men'; men who had been given a 'billet' for good conduct and were now doing 'the necessary work of the Gaol' (GTTAMDA, 9 May 1868, pg. 4). Seventeen of those were wardens. A new Gaoler's residence was also built in 1863 to the east of the central building, between the old gate and the Gaol wings (Building #6, note: possibly conflated with the Governor's Residence). A new hospital was constructed in the north-western corner of the site sometime between 1863 and 1866, and as part of the 1865-1866 works the front wall was moved forward by 30 feet, and a new arched entrance gate was built in this new wall, with the date 1866 inscribed (GTTAMDA, 9 May 1868, pg. 4; *Southern Mail*, 3 Apr 1925, pg. 5). The wall, which was raised by about five feet at that time, was moved to increase the area of the Gaol to about 1.5 acres and to separate the wall from the roofs of the outhouses at the front, which had previously been used in escapes (Building #16 and 17). The five additional yards mentioned above were for 'refractory' prisoners, constructed in the south-western corner of the site at that time, including a rounded, small holding cell area (Building #5b; see Figure 3-5, cf. Section 3.3.4).

Figure 3-5 Image showing the south-west corner of the Gaol with the stone cell, c1897 (BDHS, 'Berrima Gaol yards and stone cell, Berrima NSW', 102883).

The 1863 Gaoler's residence was a double storey building of simple design, with a veranda facing the central Gaol building. The residence is shown in a pencil drawing dated 1875 (Building #6; Figure 3-6). The frontage contained garden beds with flowers, and a stone statue of Sir John Robertson, carved by a former prisoner, which 'was not an artistic production, nor was the likeness of Sir John strikingly accurate; but we were much amused with the naturalness of the attitude, which was one of the most commendable features of the sculptor's efforts' The location of the governor's residence is shown on a site plan of Berrima Gaol (Figure 3-3) bearing the Colonial Architect's stamp dated 1867, signed by James Barnet on 2 July 1875, which shows the buildings constructed in 1834-1849 and 1863-1866, as well as some later alterations (see Section 3.3.4).

Figure 3-6 **'Drawing of Governor's house, Berrima Gaol, NSW' by J. E. Aubrey, (Source: State Library of NSW, Call No. V/216, Digital Order No. a4421001)**

THE SEPARATE SYSTEM AT BERRIMA GAOL

The alterations carried out in 1865-1866 were made to strengthen the 'separate treatment system' which was 'neither more nor less than solitary confinement extended over a lengthened period' (GHC, 14 July 1886, pg. 4). While the prison's original design of 1834 had already been based on prisons accommodating the 'separate system', allowing for solitary confinement, it was not until 1866 that Berrima Gaol was officially declared a 'Model Prison' operating under the 'separate treatment system', albeit not exclusively (Berrima Gaol Inquiry Commission 1878, p.8). A memorandum had been drawn up on 23 March 1865 by Harold Maclean, who had become Sheriff the year before, and Berrima was established as a 'Model Prison' in early 1866 (1878, p.7).

On 24 August 1866, the Governor officially declared Berrima Gaol a place where male offenders were to 'be detained and be liable to be kept to hard labor."95 Berrima Gaol was now designated specifically for male prisoners, particularly those sentenced to severe punishment' (GTTAMDA, 9 May 1868, pg. 4).

In May 1866, the Colonial Secretary, Henry Parkes, had undertaken a tour of Gaols in the Colony and remarked that 'the Gaol at Berrima was the only one in the colony in which solitary confinement could be strictly enforced, and that it was the intention of the Government to carry out the severest punishments in that Gaol, to remit punishments as deserved by removal to other Gaols' (SMH, 12 May 1866, pg. 5). At that time, most of the prisoners at Berrima were said to be learning or practicing a trade, supplying shoes to the Tarban Creek Asylum (*Empire,* 15 May 1866, pg. 4). Also, in May 1866, while the Gaol was being enlarged, it was described in the *Empire* by a visitor as follows:

> *This Gaol has been fitted for the reception of refractory prisoners. There are nineteen separate yards, where prisoners sentenced to separate confinement, are allowed to walk for an hour a day. The towers radiate round watch towers, from which they can be all seen at a glance. While all under the eye of the warder or guard, the prisoners cannot see one another. Excellent as the arrangement is for the purpose for which it is designed, there has been a great waste of public money in building a tower within the Gaol yard, almost under the corner tower on the wall, which would have answered every purpose. The inner tower and the two walls which spring from it, hide the separate yards from the view of the warder on the corner tower, which would otherwise have overlooked them. The Gaol is now being enlarged by an addition to the front, with a grand entrance too ornamental for a Gaol. There were 59 prisoners there. We visited several in their cells. The cleanliness and order maintained throughout the establishment reflect credit on Mr. Small, the Gaoler. The next morning we renewed the inspection of the Gaol – and saw some of the prisoners pacing the separate yards, six in the workshop employed at boot making, and one who displayed great ingenuity in the manufacture of mats. Under the centre of the Gaol are two cells perfectly dark, where desperate insubordination is subdued. An arrangement is made for the admission of air by means of a double wall, without allowing light to enter the cell. We went in and had the door shut to test the darkness which was perfect; and in case of necessity can hardly fail in a few hours to make the most violent offender submissive. Another method of reducing the refractory is by a gag, of Mr. Small's devising, consisting of a flat piece of wood about three inches long by one and a-half wide, with a tube of an inch diameter and full two inches long running backward. From its appearance one would think it would choke the unhappy person who was condemned to wear it, but the Gaoler assured us, that though a very effectual arrest of bad language, the only purpose for which it is used, it does not interfere at all with the breathing of the gagged. The bread used by the prisoners is made on the premises, and was pronounced to be too good – being better than many free persons in the colony can procure. From all we saw, I should gather that Mr. Small, while determined to enforce submission to Gaol rule, and ready to adopt severe measures when necessary for that end, is considerate and willing to afford the prisoners all lawful comfort* (Empire, 18 May 1866, pg. 5).

The Goulburn Herald in July 1866 also described the 'separate system' at Berrima in quite some detail, noting that the prisoner was confined to his cell alone, and was only able to see the warder, the visiting surgeon (once a day) and the chaplain (once a week) (GHC, 14 Jul 1866, pg. 4). He was allowed only one hour of exercise per day in one of the small yards, again completely alone, walking briskly. Only in wet or extremely hot weather he was allowed to seek shelter under the narrow sheds at each side of the yard (GTTAMD, 9 May 1868, pg. 4). When walking back from the yard or the chapel, he had to keep 5 yards apart from any other prisoner, and wear a mask, if required (GTTAMD, 9 May 1868, pg. 4). If the inmate required urgent assistance in his cell, he could turn a small brass handle which 1) activated a gong alerting the warder and 2) dislodged a flap with the cell number, pointing the warder in the right direction.

Each door had a small peephole covered with wire-gauze, enabling the warder to look inside while the prisoner could not see anything outside his cell. A trap in the door was used to deliver meals to the cell. As there had been incidents where bed-boards had been used as weapons and means of escape, beds now consisted of three wicker baskets which could be used as a bedframe at night but could also be stacked on top of each other to form a chair (*Goulburn Herald*, 9 May1861, pg. 2). Each prisoner also had a slate and copy book (for writing) and books to read from the Gaol library, and he was expected to partly support himself by working, such as 'closing boots, making cabbage-tree hats, and doing tailors' work' (GHC, 14 July 1866, pg. 4). There was a schoolmaster teaching those who could not read or write (GTTAMDA, 9 May 1868, pg. 4). If the prisoner showed good conduct, his ration of meat was increased from 4 to 8 ounces after one month (GHC, 14 July 1866, pg. 4). Strict silence was enforced (GTTAMDA, 9 May 1868, pg. 4).

Misconduct or refusal to work was punished by placing the prisoner in one of the dark underground cells, with bread and water, and if disorderly conduct continued, he was 'placed between two doors (there being an outer and an inner door) and thus prevented from lying down' (GHC, 14 July 1866, pg. 4). The underground cells were walled and floored with heavy stonework, while the cells on the first floor had timber boarded floors (GTTAMDA, 9 May 1868, pg. 4). It is unclear whether these underground cells were constructed as part of the 1865-1866 works, in the area of the former kitchen in the basement of the central building, or whether they had been constructed earlier.

Torture was clearly seen as an acceptable form of punishment at Berrima Gaol, even though some sources noted in May 1868 that the 'separate system' prison had 'operated so far successfully, that without including any of the violent kinds of corporal punishment in its regulations, 'Berrima Gaol' has become a name of terror among convicts, and the fear of return to it has tended much to the more orderly conduct of prisoners in other Gaols' (GTTAMDA, 9 May 1868, pg. 4). Those sentenced to 5 years or more were sent to Berrima for the first twelfth part of their sentence, and difficult prisoners from other Gaols were also sent there to be 'subdued', so that the prison always held 'some of the most desperate characters of the colony' (GTTAMDA, 9 May 1868, pg. 4).

1878 INQUIRY INTO BERRIMA GAOL

Berrima Gaol was overseen by William Small, Governor or Gaoler, who had been appointed on 1 June 1863 (NSWGG, 2 Jun 1863, pg. 1245; *SMH:* 18 Oct 1933, pg. 12). He lived with his wife in the double storey Governor's residence, built inside the walled area of the Gaol in 1863 (Building #6). A 'whaler in his youth', he was in 1878 said to be a 'tall, upright, fine-looking man, with grey hair and whiskers, and quick penetrating eyes' (SMH, 16 Jul 1878, pg. 5) who looked stronger and healthier than his age, which was estimated at 50. The Gaol was governed by the *Gaols, Prisons and Houses of Correction Act, 1840* (Statute 4 Victoria, No. 29) and the associated Regulations for the management of the Gaols of the Colony, issued on 19 February 1867 (Berrima Gaol Inquiry Commission 1878, p.8). These had largely been drafted by Harold Maclean, based on 'Sir Walter Crofton's Irish System, [and] upon a careful examination of the prisons in Victoria, and upon the then latest report of the system pursued in English prisons' (Berrima Gaol Inquiry Commission 1878, p.8). However, by 1878, more and more reports about cruelty at Berrima Gaol had become public, and an official inquiry into the governorship of William Small, the Gaoler, was held that year, as part of a Royal Commission (Berrima Gaol Inquiry Commission 1878, p.8).

The report of the inquiry, published on 28 November 1878, contained a description of the central building and its adjacent yards:

> *In the centre of the building, where the three wings join, there is a clear space called the landing on each floor, raised a few feet above the level of the wings, to which access is gained by means of stone steps, the entrances being guarded by iron gates. On these landings warders are stationed to attend to the calls of the prisoners in the separate cells* (Berrima Gaol Inquiry Commission 1878, p.8).

The ground floor contained 42 small cells, while there were 34 larger cells upstairs, with 3 cells for the 'billets' (Berrima Gaol Inquiry Commission 1878, p.8). By then, the furniture in each cell consisted of a small board again, 'fixed in a corner of the cell to serve as a table, and a cane stool' (Berrima Gaol Inquiry Commission 1878, p.8). However, in order to avoid any trouble, the beds were simply removed every morning and returned each night. A copy of the prison regulation also hung in each cell. The exercise yards were described as follows:

> *In each of the two angles formed by the wings there are six exercise yards, of triangular form, extending from the centre of the building outwards. They are divided by high partitions of galvanized iron, and are enclosed on the outer side by iron railings. In these yards every prisoner in separate confinement is allowed one hour's exercise daily, or more if the Visiting Surgeon think it necessary. In addition to these 'exercise' yards there are what are called 'special,' or, in the prison phraseology, 'stone' yards. They are six in number, of triangular form, and are divided by stone walls, enclosed in front by iron railings. Confinement during the day in these special yards is called 'special treatment', which is a less severe form of punishment than separate treatment, and to which refractory prisoners, who are sent from other Gaols for 'coercion,' are subjected. Prisoners who have completed their term of 'separate treatment' are also kept in these yards to await their transit to another Gaol* (Berrima Gaol Inquiry Commission 1878, p.8).

These 'special stone yards' were those located in the south-western corner of the Gaol (Figure 3-5). In October 1874, the minimum sentence required for 'separate treatment' had been reduced from five to three years imprisonment with hard labour, or hard labour on the roads (Berrima Gaol Inquiry Commission 1878, p.9). Each prisoner sentenced to 3 years or more hard labour had to undergo 9 months of separate treatment at Berrima at the start of his sentence. From there he was, subject to good conduct, moved to Darlinghurst or Parramatta Gaol, where the punishment was less severe.

The specific matters raised in the 1878 inquiry were the excessive use of the gag (the use of which had on 24 April 1878 *quasi* been forbidden) and the excessively frequent placing of the prisoner in irons (which, as such, was allowed up to a maximum of 48 hours) in a torturous way known as 'spread-eagling' (Berrima Gaol Inquiry Commission 1878, p.10). In this, the legs of the prisoner were placed in irons and separated by a heavy iron bar (Berrima Gaol Inquiry Commission 1878, p.13). At the same time, the prisoner's hands were handcuffed behind his back and tied to an iron ring in the wall of his cell at around 4 feet from the ground, resulting in 'the tricing up of a man by his wrists, with his feet not quite resting on the ground' (SMNSWA, 30 Nov 1878, pg. 869). The punishment often involved use of the gag and excessive hours of being in irons. Another issue was the placing of prisoners between the double doors of the dark cells.

Out of a total of 370 prisoners who had gone through Berrima, 79 came forward as part of the inquiry, however, a proper assessment of the allegations was difficult. The report concluded that 'those prisoners who have behaved well, and have conformed to rule, have had no cause to complain of Mr. Small, while with those who have been unruly and who have attempted to set him and order at defiance, he has been in many cases a severe disciplinarian, oftentimes hasty and impatient, and occasionally harsh' (Berrima Gaol Inquiry Commission 1878, p.36).

The report made various recommendations, including that the prisoners should be allowed to write and receive letters from their relatives, which had until then been forbidden. Other recommendations included the architecture of the prison, including an urgent requirement for cementing of the joints between the flags of the lower cells, as well as increase of cell space available to each individual prisoner as part of future alterations. However, in general it played down any accusations of wrongdoing and things appear to have largely continued as before. William Small remained in charge until 1885, when he was promoted to Trial Bay where he remained for 4 years (Berrima Gaol Inquiry Commission 1878, pp.37–38).

3.3.4 PHASE 4 - SUBSEQUENT ALTERATIONS AND ADDITIONS (FROM 1867 - 1909)

By 1878, additional alterations and additions appear to have been carried out at Berrima Gaol, as suggested by drawings stamped 1867 and 1871, respectively, and signed by the Colonial Architect James Barnet on 2 July 1875 (Figure 3-3, Figure 3-9, Figure 3-8). One of these is a site plan that shows a proposed new 'Gaoler's kitchen' between the residence and the wall of the south-eastern airing yard (Figure 3-3). Also noted on this site plan was a proposed verandah to the hospital, with additional coloured annotations proposing extensions to each wing, while details for additional outbuildings and structures were only pencilled in, including a new watchtower in the south-eastern corner and an observation gallery along the southern boundary wall. Some of these annotations may have been added at a later date.

A plan for 'Baths and Additions to Berrima Gaol' (Figure 3-8), bearing the Colonial Architect's stamp dated 1871 and Barnet's signature dated 2 July 1875, shows further details regarding the proposed kitchen, which appears to have replaced the old Gaoler's kitchen in the basement of the central building, shown in the plan prepared from 1867 (cf. Figure 3-9). The old kitchen was proposed to be reconfigured into bathrooms, as shown in the plan in Figure 3-8. The plan contains details for the new Gaoler's residence, the hospital verandah (Building #3b), and a new watchtower (note, however, that the tower was later crossed out and its location inside the Gaol walls does not correspond with the one shown in colour in Figure 3-3). It is unclear at what time and to what extent the proposed changes were carried out. The only reference found for alterations carried out after 1866 dates from August 1875, when tenders for slating of the roof at Berrima Gaol were sought by the Colonial Architect's Office (NSWGG, 30 Jul 1875, pg. 2257). The tender of RN Mathews for 'slating roof, etc.' was accepted in September 1875 (GHC, 15 Sep 1875, pg. 2).

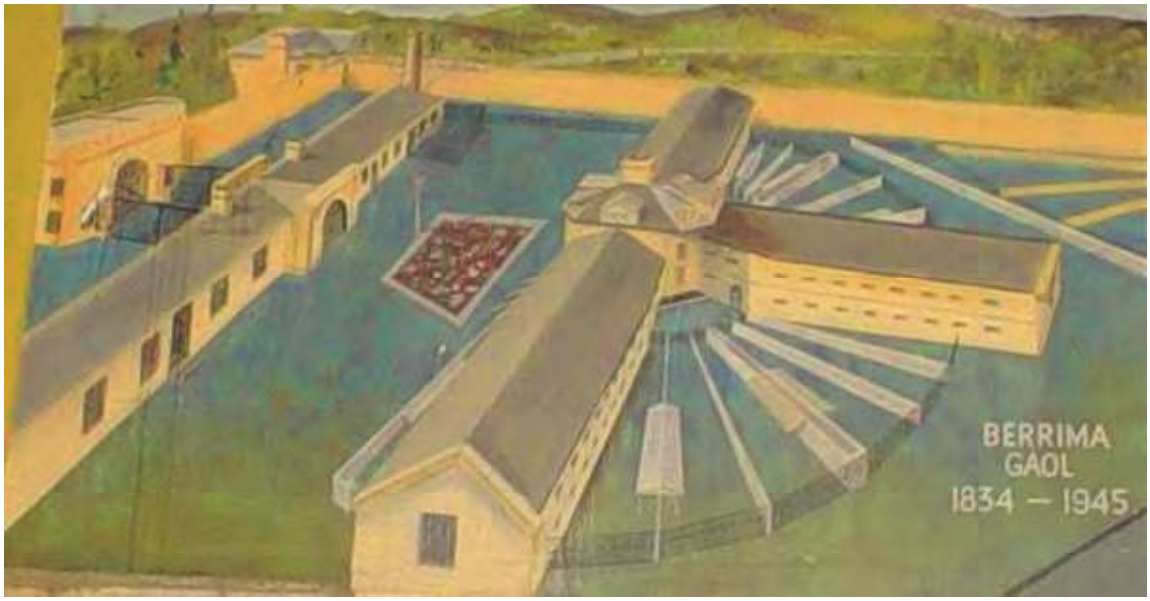

Figure 3-7 **Berrima Gaol after the 1860s alternations (*Southern Highlands,* 9 Jan 2012)**

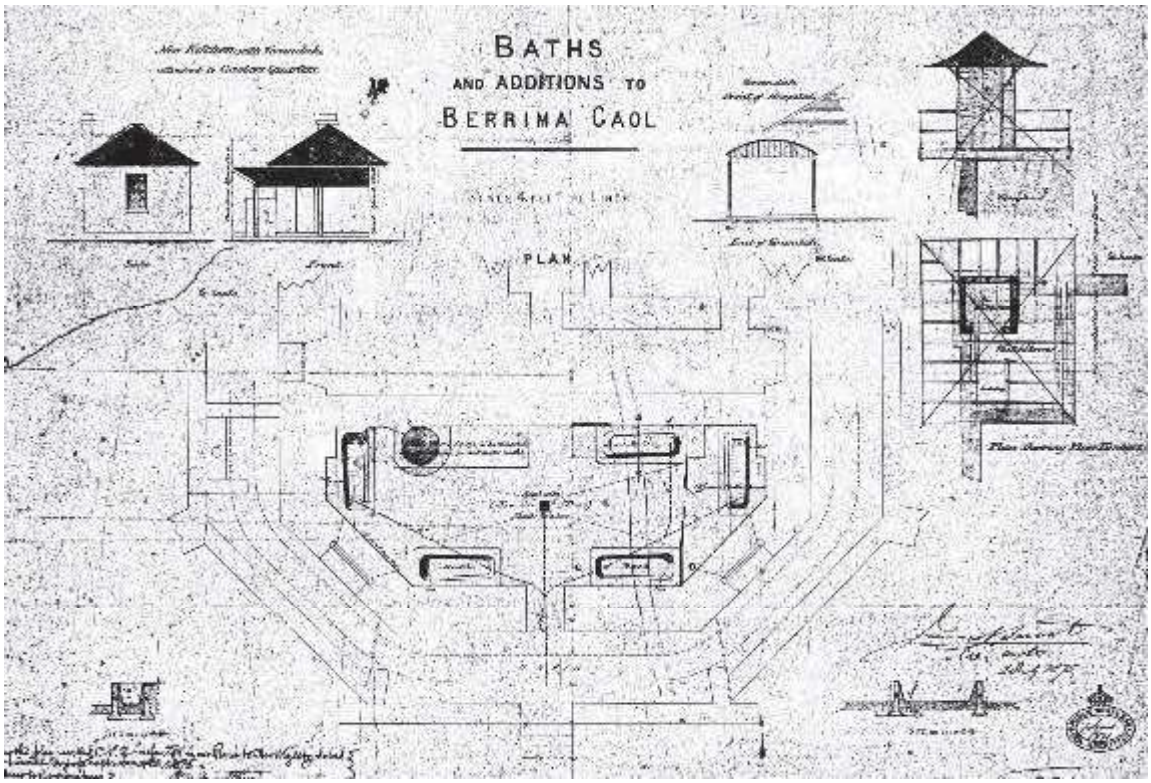

Figure 3-8 **Plan for 'Baths and Additions to Berrima Gaol', showing proposed new basement configuration (Source: NSW Plan Services, PC47/75).**

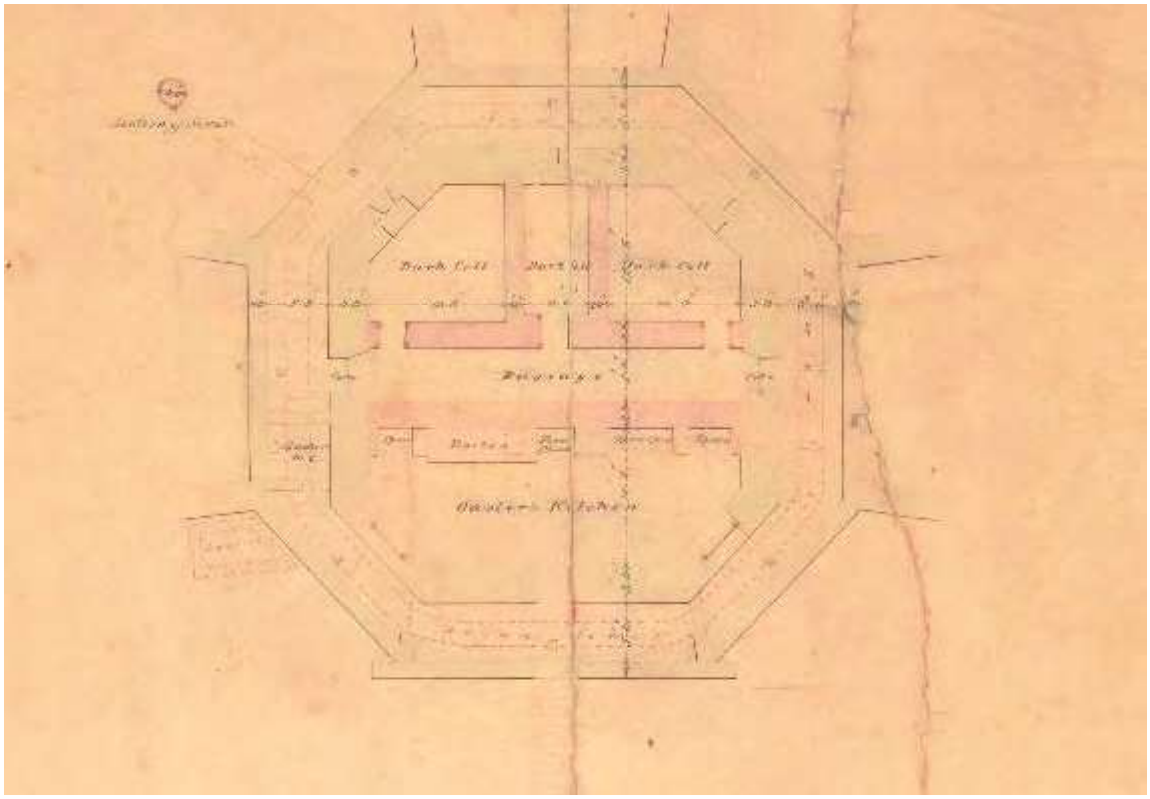

Figure 3-9 1867 Plan of Berrima Gaol', showing the original Gaolers kitchen layout of the basement (Source: NSW Plan Services, PC47/24).

The verandah to the hospital appears to have been constructed accordingly, but it was not until 1899 that the wings were extended. It is, however, possible, that additional bathrooms were constructed during the mid- to late 1870s, as the Colonial Architect, James Barnet, wrote a letter to the Sydney Town Clerk in 1877, requesting the Mayor's approval for the 'supply of about 1,400 ft of 3 inch cast iron water pipes and 2 bends, required for the water supply Berrima Gaol' (Barnet 1877). Baths were in place in the basement by January 1885 at the latest, when it was recorded that 'each prisoner gets a bath every week, and, if ordered by the doctor, oftener' (*Telegraph,* 30 Jan 1885, pg. 2).

The following information reflects additional research undertaken by Austral and is not quoted directly from the NBRS report (NBRS 2020).

The residence of Governor Small, located within the Jail, near to the prison cells was highlighted in an 1883 article (*Bowral Free Press and Mittagong and Kangaloon Advocate*, 11 Aug 1883, pg. 3). Small had requested a new residence be constructed outside of the prison walls as he had been residing in the prison for over 20 years. This is likely after the deputy superintendents cottage (Building #8), known as Strone Cottage, was constructed during the 1880s, outside the prison on the corner of Argyle and Wilshire streets (Dale 2019). Unfortunately, Small never saw the new residence located outside the walls to the south-east of the prison (Building #7; Figure 3-10), as it was constructed after he had died in 1892 (*National Advocate*, 4 Oct 1892; [g. 2). The architect for this new building was Alf Stephens and Sons (NSW Stage Government 2021).

Figure 3-10 Image from c1916 showing the Governor's Residence; watchtower is visible on the right (Speer c1916).

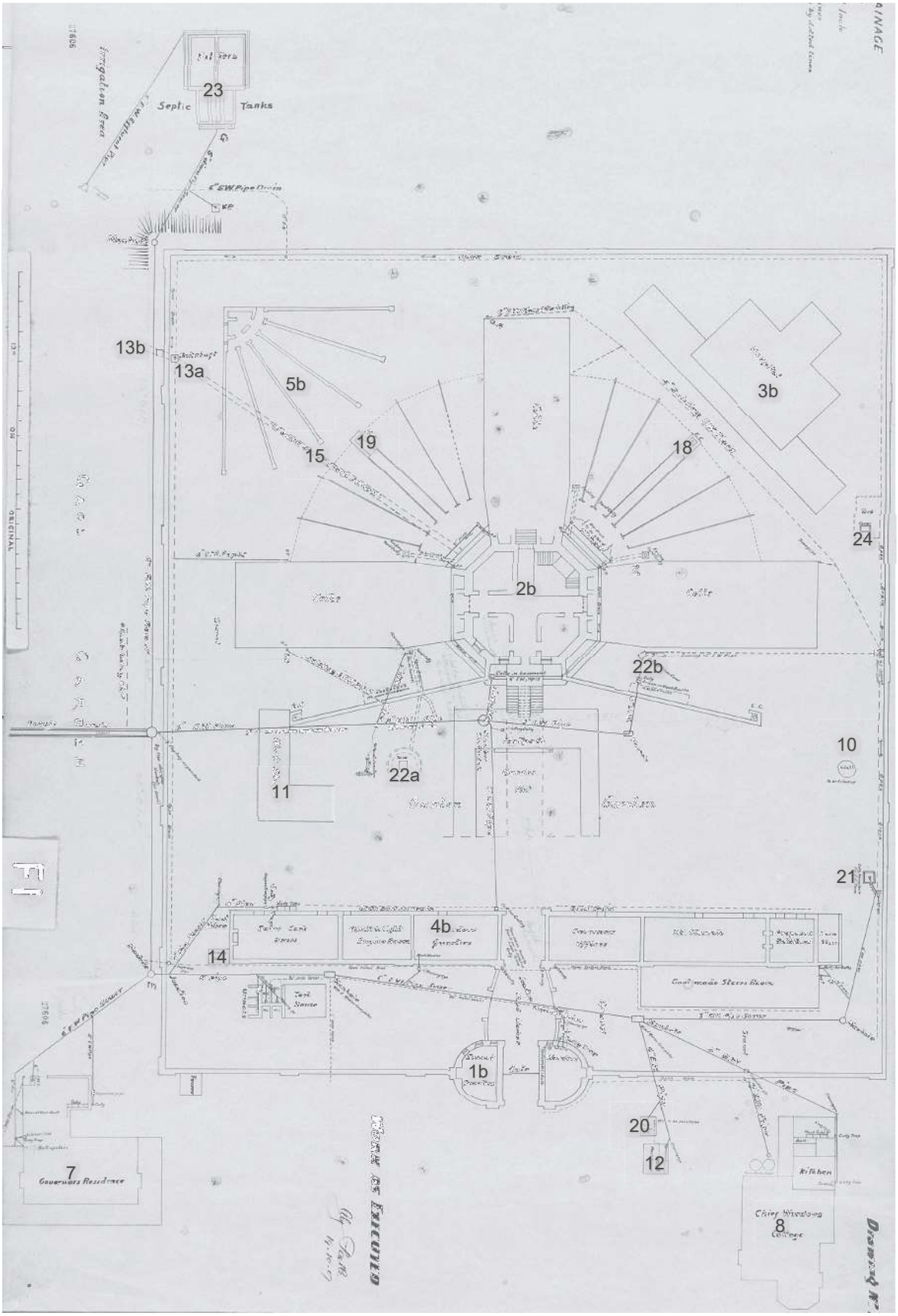

Figure 3-11 1907 Plan showing the Gaol and surrounding area (Parkes 1907).

Figure 3.12 Phase 4 structures in study area

2096 - Berrima Jail HAA

Source: NSW LPI Basemap

Drawn by: JW Date: 2021-02-11

AUSTRAL ARCHAEOLOGY

Table 3.2 Structures recorded on the study area during phase 4.

Building #	Date	Feature	Description
1b	1863/66 - Present day	Wall	During the 1860s additions, the front wall was moved to the east by 30 feet, and a new arched entrance gate was built in this wall with the date 1866 inscribed. The warden's residences were included within the gatehouse.
2b	1863 - 1942	Cell Block	During the 1863 alterations, the cell block was raised an extra floor which doubled the amount of accommodation. Around this same time, each wing was also extended with additional cells away from the central building.
3b	1860s - 1942	Hospital	A verandah was added to the hospital building along the south-east side.
4b	1894 - 1942	Work block	A stone building located in the eastern side of the Gaol, running on a north/south alignment. Was originally two separate buildings with the gate running through the middle, but this was closed in 1866 with the fence extension, forming one building.
5b	1860s - 1914	Yard	During the 1960s modifications, the walls were added to create separate walking yards for prisoners.
7	1900 - present day	Second Governor's house	A stone two-storey house, located to the south-east of the prison outside of the walls. Once the prison shut down this was used as a Police Station, before becoming an arts and crafts space when the prison reopened.
8	1880s - Present day	Chief Wardens house	A warden's house was constructed outside of the prison walls on the corner of Argyle Street and Wilshire Street.
9	First recorded 1907	Tool house	A small building with several external bays located in the south-western quadrant of the study area.
10	First recorded 1907	Well	Well is located approximately 2.8 meters south of the northern wall, in the centre of the study area.
11	First recorded 1907	Workshops	A small, L-shaped building located within the south-eastern quadrant of the study area.
12	First recorded 1907	Washhouse	A small building located out to the east of the Gaol, likely to have been for the wardens use once Strone Cottage (8) was completed.
13a	First recorded 1907	Soil Shaft	Recorded at the south-western end of the brick sewer, the internal side of the shaft.
13b	First recorded 1907	Soil Shaft	Recorded at the southwestern end of the brick sewer, the external side of the shaft.
14	First recorded 1894	Chimney block	Recorded on the 1894 plan, located to the south-east of the workshop buildings (11).
15	Likely 1860s	Brick Sewer	A subsurface feature running north-east to south-west through the south-western quadrant of the prison, exiting beneath the south wall.

Building #	Date	Feature	Description
18	First recorded 1907	Earth closet	An earth closet recorded on the 1907 plan, located with the north-western quadrant of the study area. The earth closet is located centrally within the walking yards and includes walls that are 11.8 metres in length.
19	First recorded 1907	Earth closet	An earth closet recorded on the 1907 plan, located with the south-western quadrant of the study area. The earth closet is located centrally within the walking yards and includes walls that are 11.8 metres in length.
20	First recorded 1907	Earth Closet	An earth closet recorded on the 1907 plan, located outside and to the east of the Gaol walls, likely used by the Gaol wardens.
21	First recorded 1907	Earth closet pans	Located along the northern wall; likely the location where earth closet pans were emptied.
22a	First recorded 1907	Manhole	Recorded on the 1907 plan in the north-eastern quadrant of the study area, between the yard wall and the Governor's house (6).
22b	First recorded 1907	Manhole	Recorded on the 1907 plan in the north-eastern quadrant of the study area, between the 1yard wall and the northern wing of the cell block (2b).
23	First recorded 1907	Septic tanks	Located to the south-west of the Gaol cell block (2b).
24	First recorded 1907	Tank	Located within the Gaol in the north-western quadrant of the study area.
34	Prior to 1907	Stone building	Recorded on the 1907 plan as a stone building, located in the north-eastern corner of the Gaol, running along the east wall.

3.3.5 PHASE 5 - BERRIMA GAOL DURING THE 20TH CENTURY AND BEYOND

The following information reflects additional research undertaken by Austral and is not quoted directly from the NBRS report (2020).

Berrima Gaol was shut in 1909 as other prisons in the state were opened and located at more convenient locations along the railways and closer to stations (*Goulburn Evening Post* (GEP), 22 Nov 1949, pg. 7). Several different buildings were constructed on the property during the early 20th century, including the farm buildings located on the south-east of the study area (Heritage NSW 2021a) and the dangerous goods store located directly to the south of the south Gaol wall (Building # 1, Heritage NSW 2021b).

The Gaol was reopened for use during WWI when it was used for German internees as a 'concentration camp'. These were men who were of German heritage living in Australia and were of the enlisting age when the war broke out and also prisoners of war who were captured. This was a countrywide program that saw almost 3,000 prisoners who were placed in Gaols across all states. The Berrima camp was set up as a satellite camp for the larger Holsworthy Internment Camp which was one of the major camps for New South Wales (Heritage NSW 2021c). The first 89 internees arrived in March 1915 on foot from Berrima, many of whom were German Mariners who had been captured on the SMS Emden (Berrima District Museum 2009, Heritage NSW 2021c). Life for the interned was regulated similar to a regular prison. Twice daily roll calls were mandatory, sleeping and meals were at set times (Heritage NSW 2021c). During their time in the prison, the Germans were allowed certain liberties including being allowed out of the prison from 6am to 6pm for short travel within a 2-mile radius, and later by living outside of the prison walls (*The World's News,* 6

Sept 1947, pg. 20; *GEP,* 22 Nov 1949, pg. 7). It was the German's interred here who installed hot water and electricity to the prison to make life somewhat more comfortable (*The World's News,* 6 Sept 1947, pg. 20). As the war continued, the internees constructed huts outside of the prison walls and some moved into the Governor's residence located outside of the prison walls (Berrima District Museum 2009). These huts were formed from a variety of items such as brushwood and bark, galvanised iron sheets, milk and jam tins, clay and flattened kerosene tin cans (Heritage NSW 2021a, Figure 3-14). The river was a huge focal point during this time. As can be seen in Figure 3-13, many of the huts were located along the side of the river which was used for fishing, swimming, sailing, and canoeing (Heritage NSW 2021c). The internees did their best to keep life exciting; regular musical and theatre performances were a common occurrence and a makeshift stage was built in a natural amphitheatre for these. A bakehouse was run out of one of the huts not far from this amphitheatre (Heritage NSW 2021c). Gardens were also built up both in the Gaol and in the surrounding area, the produce of which was sold to Berrima villagers. As the war dragged on, hostilities towards the German internees from the villagers increased (Heritage NSW 2021c). A wire fence constructed surrounding 20 acres of land along the river to create a space exclusively for the internees did not improve matters. At the end of the war, the internees were left waiting for months as the repatriation process slowly progressed. Prior to them leaving, the internees destroyed their huts, as a monument to commemorate the deaths of four German prisoners at Trial Bay, another internment camp, was vandalised (Berrima District Museum 2009). The last internees left on 12 August 1919 and were transported back to Germany. Following the end of the war, the Gaol was used as a factory curing meats (*GEP,* 22 Nov 1949, pg. 7). During WWII it was reopened as an arms and ammunition reparatory which was guarded by a detachment of the Australian Military Forces (*GEP,* 22 Nov 1949, pg. 7).

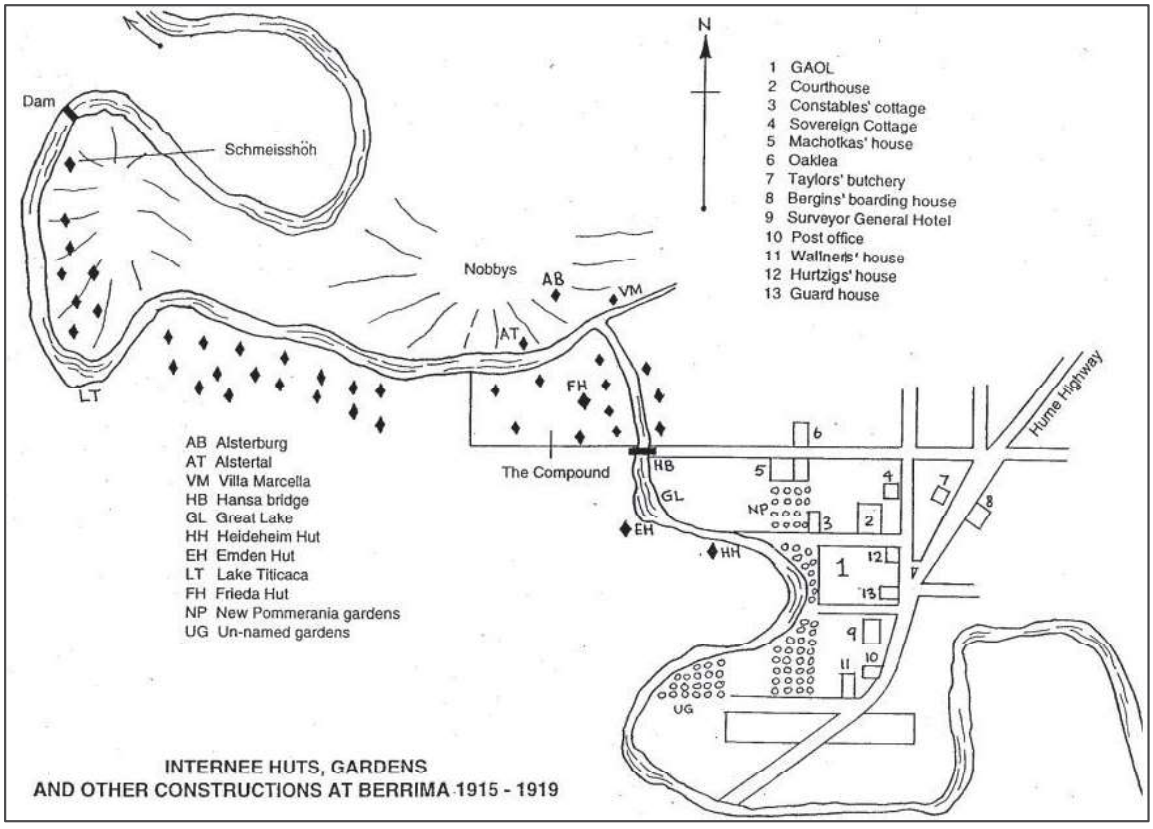

Figure 3-13 Sketch map showing the location of the huts (Heritage NSW 2021c).

Figure 3-14 **One of the huts constructed from clay filled jam and milk tins (*Highland News*, Mar 9 2015).**

Figure 3-15 **Berrima Gaol in 1917 when internees were living in the Gaol (Epworth Press, 1917).**

FIRE AND LATER PART OF THE 20TH CENTURY

In 1942, a large fire tore through the building, gutting the upper story of the building leaving only the walls of the three wings remaining of the main cell block (*The Scrutineer and Berrima District*, 15 Aug 1942, pg. 2, *GEP:* 22 Nov 1949, pg. 7). The Governor's quarters which consisted of three rooms inside the walls were demolished, with the stone salvaged and used for the construction of

administrative offices forming part of the new prison building (*GEP:* 22 Nov 1949, pg. 7). The prison was rebuilt between 1944 and 1949 and underwent an overhaul and refurbishment (*The Australian Worker*, 4 Oct 1944, pg. 3). The new buildings were completed by prisoners using the stone of the old Gaol (*The Daily Telegraph, 21 Nov 1950, pg. 18)*. This new layout included a new square shaped cell block that ran around the border of the prison yard and had two wings located within the cell block perimeter (Building #2c). Within these wings were larger, more comfortable cells that included windows, polished wood floors and walls painted in cheerful colours. A new watchtower was constructed located centrally within the prison (Building #36). The only remaining visible features from the older Gaol were the stone walls and gate surrounding the prison (NSW Stage Government 2021). Externally, several stone outbuildings including several sheds (Building #27-33) and what was recorded as an industrial building (Building #36) also survived. The prison was closed again in 2011 and reopened in 2016 for female prisoners. It was permanently closed in 2019.

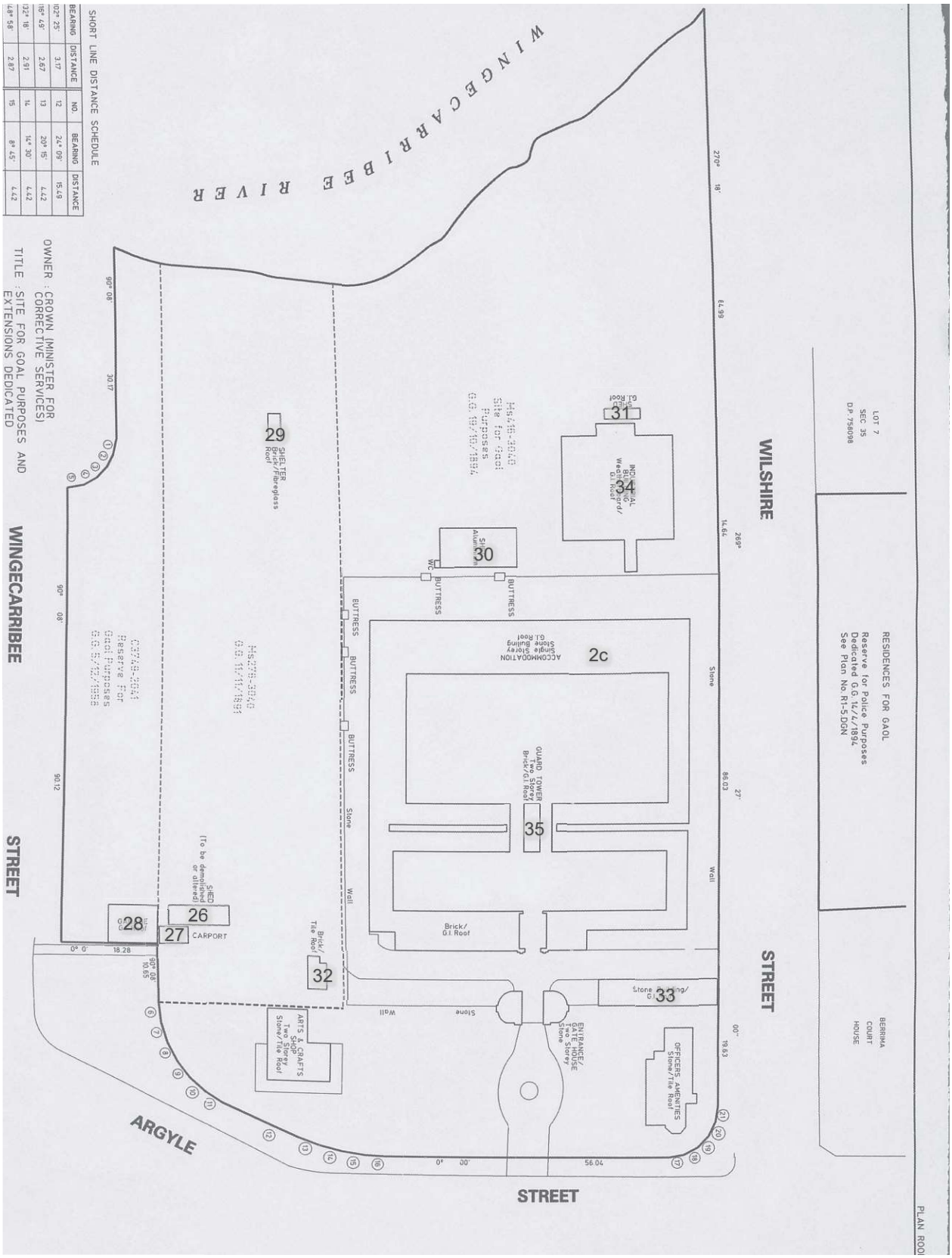

Figure 3-16 1993 plan of the study area (Heritage NSW 2021b).

Figure 3.17 Phase 5 structures in study area

2096 - Berrima Jail HAA

Source: NSW LPI Basemap

Drawn by: JW Date: 2021-02-11

AUSTRAL ARCHAEOLOGY

Table 3.3 Structures recorded on the study area during phase 5.

Building #	Date	Feature	Description
2c	1942 - Present Day	Cellblock	After the 1942 fire that damaged the original building, it was demolished and the new cell blocks were constructed. These were single storey and formed of stone in a rectangular shape in the central part of the prison yard.
27	After 1909	Farm buildings	A stone building that was recorded on the 1993 plan of the study area, located outside the prison approximately 23 metres to the south.
28	After 1909	Farm buildings	Located outside the prison approximately 30 metres to the south of the Gaol wall.
29	Prior to 1993	Shed	Located outside the prison approximately 33 metres to the south.
30	Prior to 1993	Shed	Located outside the prison approximately 30 metres to the west of the Gaol wall
31	Prior to 1993	Shed	Located Immediately to the west of the Gaol wall.
32	After 1909	Dangerous goods shed	Located immediately to the west of the industrial building.
33	Prior to 1993	Shed	Located outside the prison approximately 5 metres to the south of the Gaol walls.
35	1991	Industrial building	Located outside the prison west approximately 6.5 meters to the west. Included on the 1993 plan of the study area.
36	1940s-Present day	Watchtower	Centrally located watchtower building, 3 stories in height, recorded on the 1993 plan.

3.4 CHRONOLOGY OF THE STUDY AREA

Based on the historical background presented, it is possible to summarise the chronology of the study area as presented in Table 3.4. Note that while the overall phasing is based on those outlined by NBRS, additional sub-phases have been added by Austral based on phases of occupation rather than by themes.

Table 3.4 Summary of chronological events relating to the study area

Phase	Summary	Date range
1	Construction of the Gaol building	1834 – 1839
2	First Phase of Operation	1839 – 1847
2a	Post Gaol Closure and abandonment	1847 – 1860
2b	Reopening of the Gaol	1860
3	Berrima as model prison of the separate system	1847 – 1867
4	Subsequent alterations and additions	1867 – 1909
5	Berrima Gaol during the 20th century and beyond	1909 – Present Day
5a	Early 20th Century and WWI	1914 – 1915
5b	WWII and Fire	1939 – 1942
5c	Rebuilding and subsequent use	1942 – Present day

In addition to the above chronology, a summary of the date and overall phasing of each building is presented in Figure 3-18.

Figure 3.18 Phasing of construction

2096 - Berrima Jail HAA

Source: NSW LPI Basemap

Drawn by: JW Date: 2021-02-16

AUSTRAL ARCHAEOLOGY

3.5 ORAL HISTORY RELATING TO BURIALS WITHIN THE GAOL

While the previous sections provide the formal history of the study area, there are also additional oral history sources which pertain to the prison and which relate to the potential archaeology. Located on the internal southern wall, near the intersection with the western wall, are several small carved crosses located in the sandstone (Figure 3-19, Figure 3-20). These supposedly relate to the seven prisoners who were executed at the Gaol and who were then buried beneath these crosses in the south-west corner of the Gaol next to the prison walls (Rosalind Dale, pers. comms. 2021). The question is whether the bodies of those executed in the Gaol, and potentially other individuals who had died while incarcerated at Berrima, were buried within or near to the Gaol in a designated location, or whether they were taken to one of the graveyards already present in Berrima. There are enough examples of the practice of burying convicts within the grounds of prison both within Australia and NSW (refer to Section 3.6 below) that it is likely that burials are present within the study area. For the course of this research, the Berrima Cemetery records, NSW Births, Death and Marriages records, and the Ancestry website were searched for the names of the executed. None of the names was found within the records, although there is a possibility that they were buried in unmarked graves or under a pseudonym due to their notoriety.

While this does not discount the suggestion that the crosses do mark the site of burials, two other probable locations for burials would be in the vicinity of the hospital building in the north-west corner of the prison, or on a portion of land to the south of the main Gaol. Despite being outside of the Gaol walls, this parcel of land has been owned by the Gaol since it was first opened in 1839. During the site visit, it was noted that this land was flat area and above the likely flood level, which would have suited a burial ground.

With regards to the burials being associated with the crosses on the wall, there are several points to consider. Firstly; located alongside one of the crosses is other carved graffiti including the date ‘1958’, which may be related to the date of inscription of the crosses. Secondly, the ground below the crosses has been subject to a significant amount of disturbance since the Gaol was the location of executions in the 1840s. This includes excavation for a large brick sewer, measuring approximately 700 millimetres in width, which runs on a south-west to north-east alignment, while a watchtower was recorded as being located in this area on the 1867 plan. Additionally, structures were located here leaning against the walls during the WWI period of internees (Figure 3-21). As such, any burials here may have been disturbed or entirely removed and it may not be possible to obtain answers to these questions.

Figure 3-19 South facing view showing the carved crosses and other graffiti.

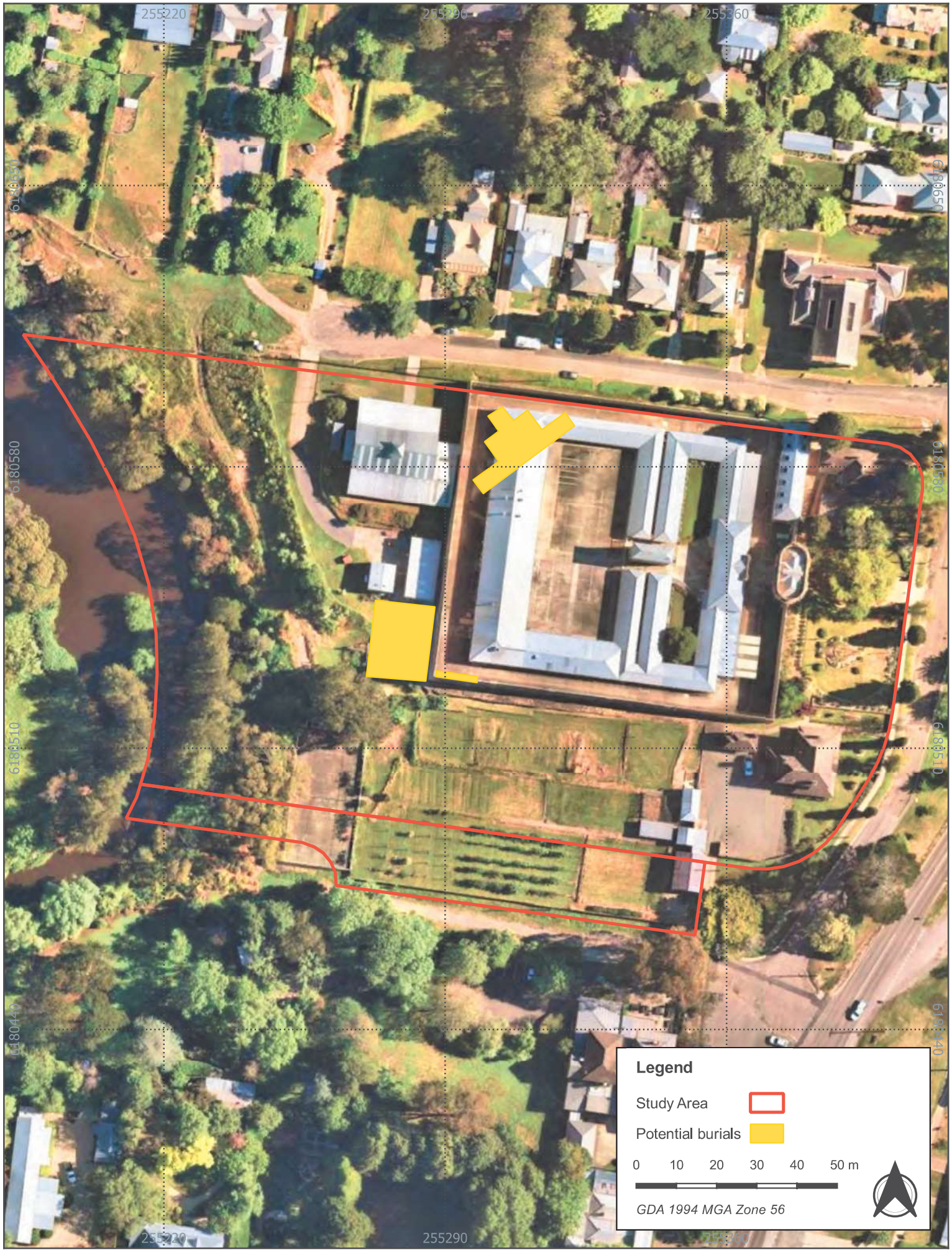

Figure 3.20 Potential burial locations 2096 - Berrima Jail HAA

Source: NSW LPI Basemap

Drawn by: JW Date: 2021-02-11

AUSTRAL ARCHAEOLOGY

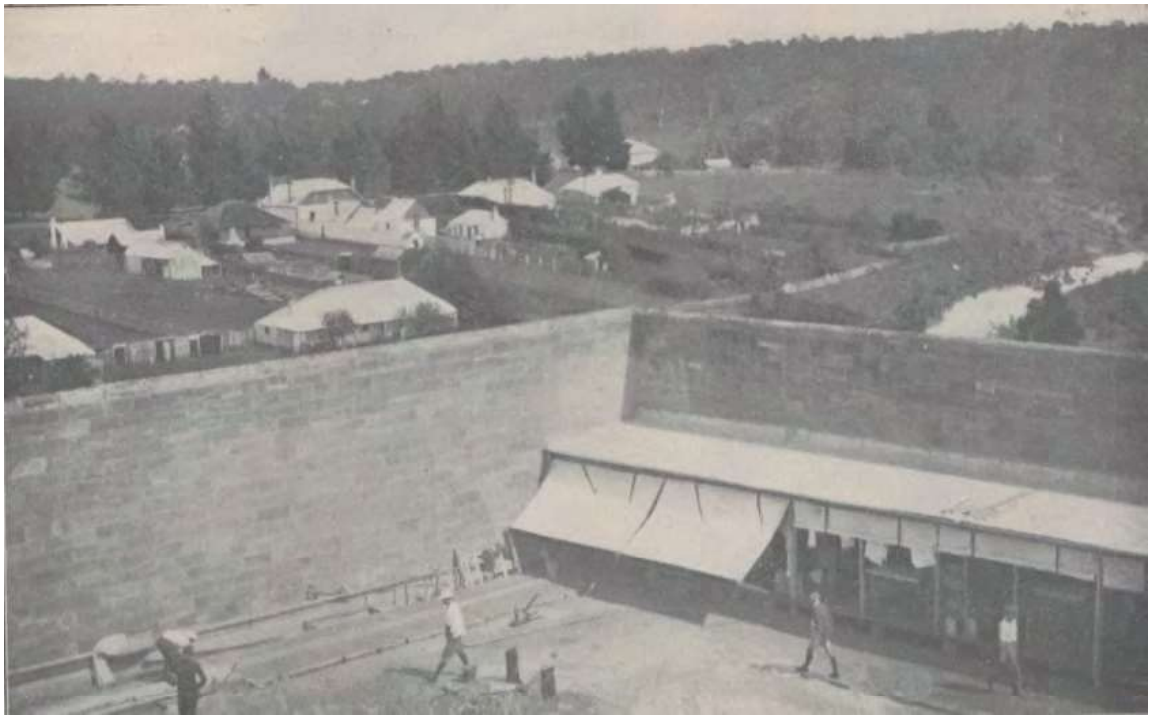

Figure 3-21 The south-west corner of the Gaol walls during WWI (Epworth Press, 1917).

3.6 COMPARATIVE ANALYSIS OF ARCHAEOLOGY OF PRISONS IN AUSTRALIA

Subsequent research was undertaken into other 18th and 19th century historical prisons across NSW and Australia.

Nine prisons across Australia were assessed for a comparative analysis against Berrima Gaol. Note that due to the unique geographical situation which shaped how they were constructed and operated, the penal colonies of Port Arthur and Norfolk Island are not included in this discussion. During this comparison, it became clear that there were three significant factors to take into account for analysis: What was the original layout/design of the prison? Are any burials recorded within the prison grounds? Does the prison still maintain its original layout?

An overview of this information is presented in

Table 3.5.

Table 3.5 Comparative aged prisons from across Australia.

Name	Description	Layout	Burials	Current state
Bathurst Gaol (State Heritage Listing #00806)	Bathurst Gaol was first opened in 1830, seemingly at the location of a pre-existing watch-house or similar structure. By 1838, the Gaol consisted of 38 separate cells and 123 associated cells. Both male and female prisoners were held on the site. The watch-house buildings were replaced by 1888 when the New Gaol at Bathurst was constructed. This new prison contained 320 cells for single occupancy.	Radiating	Unknown	Still in use as prison

Name	Description	Layout	Burials	Current state
Darlinghurst Prison (Darlinghurst LEP #345)	Darlinghurst Gaol was first built in the 1820s on Darlinghurst Hill. It was designed by Francis Greenway and construction began in 1822 (Dictionary of Sydney 2008). Due to a lack of funds, construction stopped in 1824 after the outer walls had been built as money ran out. In 1835, construction re-started as an earlier and smaller prison in The Rocks had become overcrowded. Works to finish it began in 1836, and prisoners were moved into the Gaol in 1841, although further construction work was undertaken over the next 50 years (Dictionary of Sydney 2008). It was designed in Jeremy Bentham's panopticon style. Right from the start, the prison was overcrowded as monetary returns took precedent over prisoner welfare. During the Gaol's functional period, 79 inmates were executed (Dictionary of Sydney 2008). It was closed in 1914 when it was replaced with the new male penitentiary at Long Bar. During WWI, it was used as an internment camp. Following this, it was converted into the East Sydney Technical College in 1921 and the National Technical College in 1922.	Panopticon	Unknown	In use by the National Art School
Fremantle Prison (Heritage Council #01014)	Fremantle Prison was built by convicts between 1852 and 1855 from limestone quarried on site (Department of Planning. Lands and Heritage 2021). When Perth Gaol closed, Freemantle became the main prison for the region. Many Irish political prisoners were sent there from Ireland during the 1860s, and during the 1890s gold rush, the prison population again increased. The Australian Defence Department requested a part of the prison for use as a military detention centre within the complex for the duration of WWII (Department of Planning. Lands and Heritage 2021). Several riots took place during the 20th century, and following an inquest looking at the prison conditions, Fremantle was closed in 1983 and is now in use as a heritage site.	Linear variation of radiating prison	Unknown	Still standing, World Heritage Site
Goulburn Correctional Centre complex (State Heritage Listing # 00808)	The old Goulburn Gaol was constructed in 1884 in a radiating plan, with wings coming off of a central building (Heritage NSW 2021d). A new wing was added in 1893 and female prison cells were added a year later. The surrounding land was utilised for cultivation between 1897 and 1899. The Old St Saviour Cemetery is located behind Goulburn Gaol which was in use between 1830 and the 1950s and it is likely prisoners were buried there rather than on the prison grounds (*Goulburn Post*: Feb 26 2020). A new cell block was added between 1957 to 1961 and an education block and auditorium were added in 1966 to 1967 (Heritage NSW 2021d). As of 2021, the prison is still in use.	Radiating	Buried at Goulbourn cemetery	In use as prison

Name	Description	Layout	Burials	Current state
Old Dubbo Gaol (State Heritage register Listing # 01689)	Dubbo Gaol was first opened as a courthouse lockup in 1847 (Old Dubbo Gaol 2021). This was a single room lockup that consisted of a slab hut and two cells that leaked when it rained. This was proclaimed a Gaol in 1859 and a new building was constructed in 1871 that had four cells and a Gaoler's bedroom (2021). The first hanging at Dubbo occurred in 1877. A decade later in 1887, the Gaol was upgraded to a Minor Gaol which consisted of 13 cells and a padded psychiatric cell. A separate female division was also erected with its exercise yard and bathroom facilities. Brick walls measuring 12 feet in height were also constricted and an imposing gate was added (2021). The Gaol continued in use until 1966 when it was finally closed. A total of eight men were executed at Dubbo between 1877 and 1905 (2021). They were hung on the prison grounds and were buried inside the walls; the location of the burials is unknown.	No specified style	Buried on-site, location unknown	Heritage site
Old Melbourne Gaol (National Trust Listed)	The first cellblock in Melbourne Gaol was opened in 1845 (National Trust 2021). A population boom soon followed as gold was discovered in the region in 1851, pushing the Melbourne population from 23,000 people to almost 90,000 and highlighting the need for more prison space (2021). A new Gaol was finally completed in 1859 and a separate women's wing was added in 1864. These cell wings came off from a central building, similarly to the Berrima Gaol (2021). Ned Kelly was the most famous prisoner to be incarcerated and was hung at the Gaol in 1880. He was buried within the prison grounds along with other executed prisoners. In 1924, the bodies of the executed prisoners were exhumed when the Gaol was decommissioned (2021). The majority of the prisoner's remains were reburied at mass graves in Pentridge Prison, aside from several bones that were stolen by members of the public who took remains they believed belonged to Ned Kelly (2021). During WWII, the prison was used a detention barracks for Australian soldiers who went 'absent without leave' or drank too much in the town. In addition to this, prisoners of war also spent time there (2021).	Radiating	Initials and death date of each buried prisoner carved into the stone wall above the burial plot. Some burials have been exhumed and reburied at Pentridge (Smith 2011)	Tourist heritage site and museum

Name	Description	Layout	Burials	Current state
Old Perth Prison	Perth Gaol was constructed between 1854 and 1856 as the growing population in the area required a purpose-built prison rather than the lockups than had been used before (Museum of Perth 2021). Executions at the prison took place in the prisoner's yard. No mention of burial locations of the prisoners was recorded (Museum of Perth 2021). The prison quickly became overcrowded and after 33 years of use was shut down with the prisoners being sent to the larger Fremantle Prison. The Museum of Perth now stands on the site.	Based on radiating style	Unknown	Demolished, now museum of Perth Site
Parramatta Prison (State Heritage Register #00812)	The Parramatta Correctional Centre was completed in 1842 to replace a wooden gaol located in North Parramatta. Improvements were made to the prison between 1842 and 1861 (Heritage NSW 2021e). Major extensions were started in 1862 following a population boom in the area. The walls were extended three additional times during the last quarter of the 19th century. The Gaol was dis-established in 1918 as the number of prisoners declined (Heritage NSW 2021e). However, the Gaol re-opened in 1927 when the prison became a centre for retraining and rehabilitation. It was finally closed in 2011 and in 2016 was the subject of a successful Native Title claim by the Local Aboriginal Land Council. Apart from occasional events held at the Gaol, it has remained generally unutilised.	Radiating	Unknown	Buildings standing unused
Pentridge Prison (Heritage Register # 1551)	The former Pentridge Prison was established in 1850, starting as a stockade holding runover prisoners from Melbourne Gaol (Coleman & Hodges 2013). By 1864, it had been transformed to a radiating style prison. A youth reformatory was opened during the 1870s and 1880s while a female prison was opened at the site in 1884. Extensive works were undertaken during the early 20th century to expand the prison (Coleman & Hodges 2013). In 1929, the bodies of 33 exhumed prisoners were interred at Pentridge after being removed from Old Melbourne Gaol. From 1929, all executions in Victoria were undertaken at Pentridge Prison. As of 2013 the site has been converted into modern apartments and a shopping area.	Radiating	Relocated during archaeological investigation (Smith 2011)	Buildings remain intact, converted into residential development.

Through this comparison, it was determined that the closest comparisons to Berrima Gaol were those prison with the radiating design. This included Bathurst Gaol, Goulburn Gaol, Old Melbourne Gaol, Parramatta Prison and Pentridge Prison. Old Perth Prison and Freemantle Prison were based on the radiating style. This radiation style considers on cell block wing that radiated from a central building. Only the two Melbourne Gaols; old Melbourne Gaol and Pentridge prison have known locations of their burials due to archaeological investigations (Smith 2011). At old Melbourne Gaol, the initials and death dates of the prisoner were carved into the wall near to the burial location in a similar vein to the crosses recorded at Berrima Gaol. This was possibly a common practice and is why the crosses were thought to perform a similar function at Berrima, although they lack the descriptive information from the other locations. The investigations that were undertaken at Old Melbourne Gaol and Pentridge Gaol may indicate what happened at Berrima. AT Old Melbourne Gaol, several of the those buried were found in a separate location to the main cemetery located under the Hospital. This again provides a suggestion as to what may have happened at Berrima, with bodies being buried close by to the hospital and morgue, where they were would have been dissected following the execution.

4. SITE INSPECTION

The site inspection was conducted by Alexander Beben (Director, Austral) on 11 December 2020. This was undertaken in a clockwise direction around the external wall of the Gaol starting from the gate, before looking at the internal features of the Gaol. Specific focus was given to the limestone walls that run around the Gaol as they are the oldest remaining part of the prison. The following sections are divided into three sections: external of the Gaol, internal, and outbuildings.

EXTERNAL PARTS OF THE STUDY AREA

The survey of the external parts of the study area started from the access gate located on the east wall. The area between the road and Gaol has been landscaped and beautified (Figure 4-1). At the north end of the east wall is the brick building that was used as a Gaoler's residence (Figure 4-2). The ground in this area consists of a mixture of paved stone and concrete surfaces. Along the northern wall, trees have been planted along the roadside (Figure 4-3). The majority of the western external wall was not accessible due to foliage blocking the view. The south-western corner of the Gaol was visible and showed several tiers of stone terraces that had been formed to provide pedestrian access to the rear of the prison (Figure 4-4). Outlet pipes and the possible access point for the stone sewer were visible along with the lid of a potential septic tank (Figure 4-5). Also, outside of the Gaol is the Governor's residence located to the south-east of the wall (Figure 4-7) along with two stone outbuildings that were utilised as sheds and a garage (Figure 4-8, Figure 4-9).

Figure 4-1 **West facing image of the study area, looking at the main gate (Building #1b).**

Figure 4-2 South facing view, looking down the Gaol east wall (Building #1b and 8).

Figure 4-3 South-west facing view, looking along the north wall (Building #1b).

Figure 4-4 North-east facing view of the study area, looking at the south wall (Building #1b).

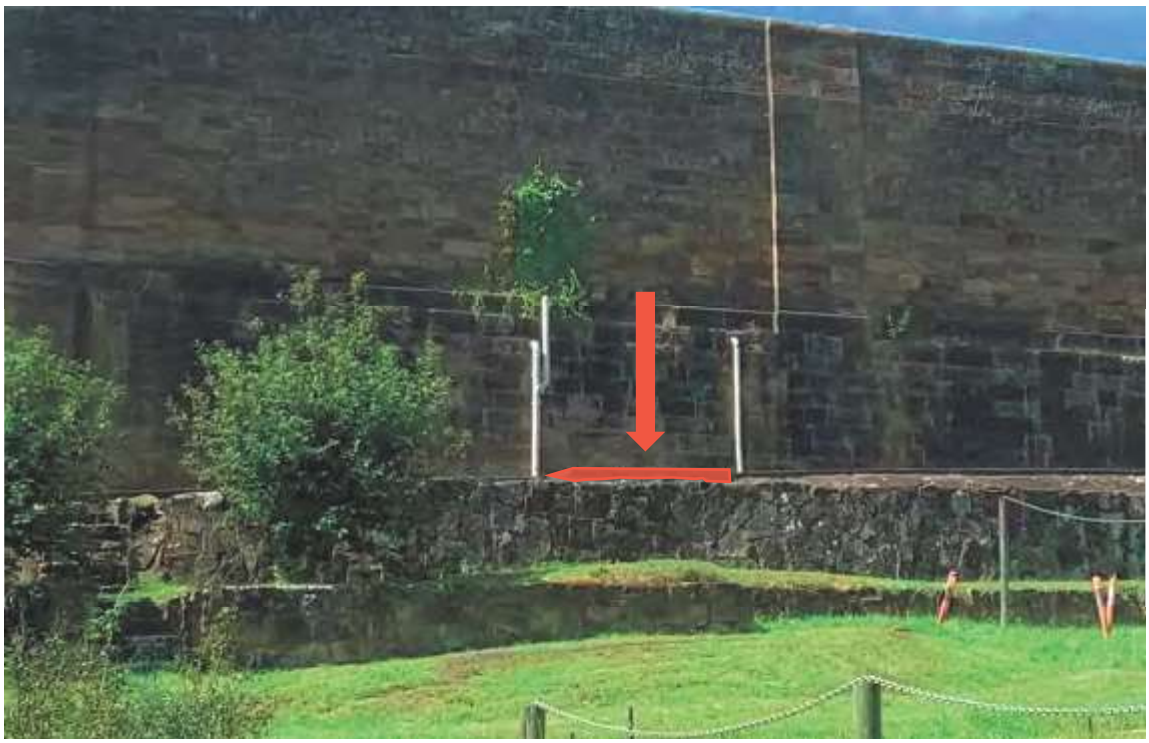

Figure 4-5 Detailed north-east facing view, showing the likely sewer exit point, indicated in red (Building #1b and 13b).

Figure 4-6 **North-west facing view showing the south-east corner of the wall (Building #1b).**

Figure 4-7 West facing photo, showing the Gaoler's residence (Building #7).

Figure 4-8 North-west facing view showing stone garage outbuilding (Building #28).

Figure 4-9 North-west facing view showing stone outbuildings (Building #27 and 28).

INTERNAL PARTS OF THE STUDY AREA

The internal part of the building was surveyed from the internal side of the gates in an anti-clockwise direction (Figure 4-10). Along the interior of the east wall were raised garden beds (Figure 4-11) while along the southern and western sides of the interior, nothing was constructed abutting the walls and they were easily accessible (Figure 4-12). Inscribed on the southern wall towards the western corner were several small crosses and the date 1958 (Figure 4-16). Along both the southern and western walls were exposed abutments (Figure 4-13). The south-west corner of the wall showed signs of repair (Figure 4-18). The central buildings, including the cell block and watchtower, were formed of stone blocks (Figure 4-20 & Figure 4-21).

Figure 4-10 North-east facing view of the internal side of the gates (Building #1b).

Figure 4-11 North facing view looking along east wall showing raised garden (Building #1b).

Figure 4-12 West facing view, showing the south wall (Building #1b and 2c).

Figure 4-13 West facing view of study area, looking at abutment on wall (Building #1b).

Figure 4-14 South-west facing view of study area, looking at south-west corner (Building #1b).

Figure 4-15 **Facing south, looking towards to the prison wall (Building # 1b), showing overview of the cross location.**

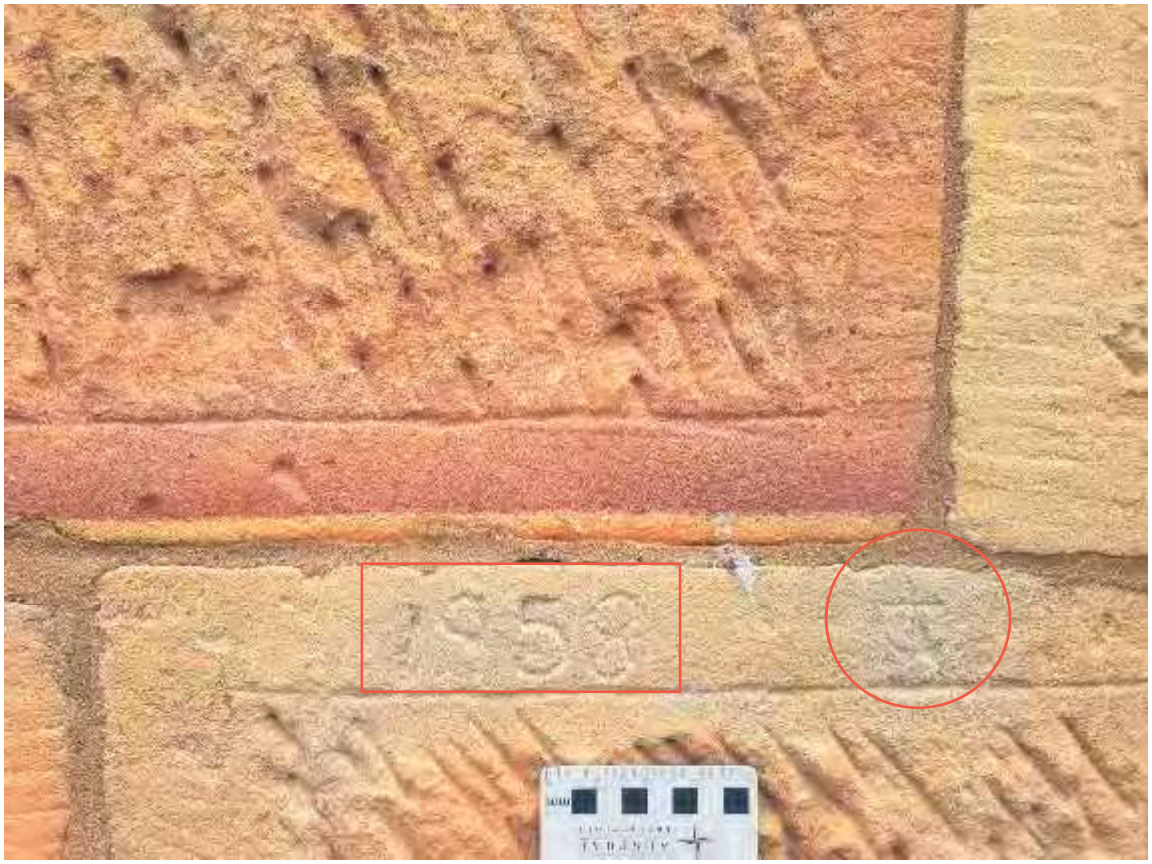

Figure 4-16 West facing image showing carved date and cross (indicated in red).

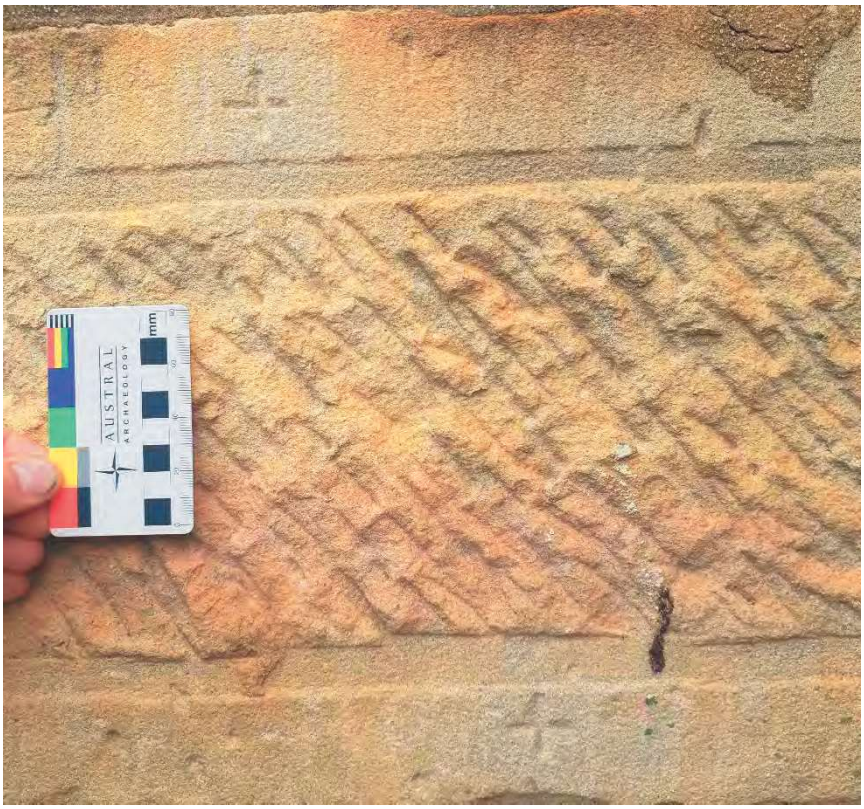

Figure 4-17 Detail showing the crosses

Figure 4-18 West facing view showing repaired part of the wall.

Figure 4-19 Looking south-east at central gate, within eastern section of site (Building #4b).

Figure 4-20 North-east facing view showing the internal 1940s cell block (Building #2c).

Figure 4-21 East facing view showing the watchtower (Building #36).

5. HISTORICAL LAND USE MAPPING

5.1 HISTORICAL LAND USE

The use of the land before 1834 is unknown; it would have been a continuation of the wider landscape that consisted of interspersed farmland among gently rolling hills. The study area was in use as a construction site from 1834 – 1839 when the Gaol was being built. From 1839 onwards, it was in use intermittently as a prison until 1909 when it was again closed until 1915 when it was opened as a German internment camp for the duration of WWI. The prison was then used as a factory site until WWII when it became an ammunition storage facility. The interior section of the study area was heavily damaged by a fire in 1942 that destroyed much of the internal buildings. Since then, the internal space within the study area has been concreted over and the internal buildings have been rebuilt based on a modern prison configuration. During the Gaol's time in use, there were several phases of modification that are likely to be evident in the archaeological record present in the study area.

Several historical plans of the Gaol were used to determine the likely areas where archaeological remains are likely to be present. These maps range in date:

- 1867- 1875: *Plan of Berrima Gaol* which includes the Colonial Architects Stamp dated 1867 and signed by James Barnet in 2 of July 1875 as more revisions were added.
- 1907: Berrima Gaol Drainage General Plan by A. Parkes showing the drainage within the Berrima Gaol area.
- 1993: *Berrima Gaol* by the Department of Corrective Services showing the whole Gaol site including the ground in 1993.

5.2 ARCHAEOLOGICAL SENSITIVITY MAPPING

The results of sections 3 and 4 are depicted in an archaeological sensitivity map below (Figure 5-1). The figure shows the degree of predicted archaeological potential within the study area and forms the basis for the conclusions and management recommendations outlined in Section 8. However, one key point to note is that potential is not equal to significance, and areas of even moderate or high archaeological potential may not contain archaeological material which is considered significant (see Section 6).

Figure 6.1 Archaeological Potential

2096 - Berrima Jail HAA

Source: NSW LPI Basemap

Drawn by: JW Date: 2021-01-21

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6. PREDICTIVE STATEMENTS

An assessment of archaeological potential usually considers the historic sequence of occupation in comparison to the structures that are currently extant, as well as the impact that the more recent constructions and works would have had on the earlier occupation phases and, as such, the likely intactness of the archaeological resource. This, in turn, is tied in with the extent to which a site may contribute knowledge not available from other sources to current themes in historical archaeology and related disciplines.

Regarding the assessment of the study area, the archaeological potential depends upon the anticipated likelihood for the survival of buried structural fabric and cultural deposits as well as an estimation of archaeological integrity. Structural fabric refers to what is generally regarded as building or civil engineering remnants. Cultural deposits refer to archaeological deposits, i.e., deposited sediments containing artefacts *et cetera*.

Having analysed the historical evidence in the previous chapters, the following section presents a summary of the potential for a physical archaeological resource to be present in the study area, that is, its archaeological sensitivity/potential.

The following predictive model draws on the areas of known archaeological sensitivity. As a general rule of archaeology, sites first redeveloped in either the 19th or early 20th century can also retain evidence of occupation from previous periods. It is also widespread that such evidence can be recovered even when sites have been redeveloped or disturbed by modern construction activity. Based on the detailed background history, the following general predictive statements can be made:

PHASES 1 TO 3: FROM CONSTRUCTION TO THE SEPARATE SYSTEM (1834 – 1860)

During the first three phases of there are limited maps available, with the first site plan dating from 1867 with subsequent additions drawn on in 1875. Due to this, these three phases have been included together.

Based on the surrounding landscape, the western end of the study area appears to have been incredibly built up during the initial constriction of the prison. Along the southern and western sides of the prison are terraces that would need to be constructed for a level internal area within the walls. Internally, evidence of several structures from these phases are likely to be present including:

- Cellblock (Building #2a)
- Hospital (Building #3)
- Original Work block (4a)
- Yard (id. 5a)
- Original Governor's Residence (6)

However, these building locations have probably been disturbed by the late 1860s additions. External to the prison, the surrounding land has been used by the prison since it was opened. There is the possibility of remains being found relating to food production, waste deposition and refuse activities. This includes the possibility of executed prisoners being buried on the surrounding site. There are no other known locations for the burials aside from the suggested south-west internal corner of the prison. Based on the location of the sewer pipe and the watchtower/solitary cell, if this was the location of the burials then it is likely they have been disturbed. It seems more likely that a location within the ground but external to the prison would be the likely location for any burials. Potential refuse dumping around the study area would include waste from prisoners along with the wardens and Governor, so there is the possibility for a range of quality wares to be located within any archaeological deposits.

With the construction of the separate prison system, additional yard walls were installed, the remains of which were recorded as being present when the German internees occupied the study area during WWI. The buildings remained in use through phases 1 and 2 with limited recorded changes.

PHASE FOUR: SUBSEQUENT ALTERATIONS AND ADDITIONS (THE 1860 – 1909)

During the 1860s, several modifications were made to the prison walls and internal buildings. The walls were extended to the east and new gates were constructed. These are still standing to this day. Several features are likely to remain subsurface within the study area.

- Extension of the cell block (Building #2b), including basement
- Work block (Building #4b)
- Yard (Building #5b)
- Toolhouse (Building #9)
- Well (Building #10)
- Washhouse (Building #12)
- Soil Shaft (Building #13a and 13b)
- Chimney Block (Building #14)
- Brick sewer (Building #15)
- Earth closets (Building #16-20)
- Manholes (Id 22a and 22b)
- Septic tanks (Building #23)
- Tank (Building #24)

Within the prison, the cellblock had an additional storey added and additional cells were added to each wing, running outwards from the central building. To the central building itself, a basement was constructed. Several plumbing features were possibly also added around the time the baths were installed in 1871. This would have caused minor disturbance both internally and externally to the prison but changes undertaken during this phase are unlikely to have substantially impacted on earlier structural remains.

PHASE 5: BERRIMA GAOL DURING THE 20TH CENTURY AND BEYOND (1909 – PRESENT DAY)

During the 20th century, the Gaol went through several different uses; as a prison, as a concentration camp for German prisoners of war and as a meat curing factory before a fire in 1942 gutted the majority of the inertial soft furnishings of the building and caused substantial structural damage. After the fire, the prison was reopened in the 1940s with a new formation of buildings. These cells were built of stone and are located in a roughly square outline. Outside of the footprint of the new cellblocks, and even to a degree within their footprint, there is potential for structural remains associated with the earlier Gaol layout to be present. This includes footings, foundations and evidence of the basement. The majority of the prison ground has been capped with concrete, possibly preserving these remains beneath. In the external area around the prison there is potential for evidence relating to the German internees to be found along with evidence or food production, as well as refuse and waste deposition. The German internees are known to have lived outside of the prison walls after they spent a few years at the prison in houses that they built. These were recorded as being closer to the river but some may have been in the grounds. What is known is that they were all burned down by the Germans as they left so any evidence will likely be ephemeral and highly disturbed.

7. ASSESSMENT OF SIGNIFICANCE

6.1 INTRODUCTION

An assessment of cultural significance seeks to establish the importance that a place has to the community. The concept of cultural significance is intrinsically tied to the fabric of the place, its history, setting and its relationship to other items in its surrounds and the response it evokes from the community.

The assessment of cultural significance with respect to archaeological sites can present difficulties because the nature and extent of the 'relics' are often indeterminate and value judgements, therefore, need to be made based on potential attributes. The element of judgement can be greatly reduced by historical or other research, as has been completed for the current study. Archaeological deposits and features provide important evidence of the history and settlement of New South Wales. These heritage items may include deposits containing material culture (artefacts) that can be analysed to yield information regarding early urban development that is unavailable from other sources. Archaeological investigations can reveal much about technology, industry, past economic and social conditions and people's lives.

Sites that contain these elements therefore have scientific value that may be of considerable significance when analysed in association with documentary evidence. It is through this potential to reveal information about the past use of a place that archaeological sites have heritage significance.

6.2 BASIS FOR ASSESSMENT

The Burra Charter of Australia ICOMOS was formulated in 1979 (revised 1999 and 2013) [Australia ICOMOS 2013], based largely on the Venice Charter (for International Heritage) of 1966. The Burra Charter is the standard adopted by most heritage practitioners in Australia. The Charter divides significance into four categories for assessment. They are Aesthetic, Historical, Scientific/Technical, and Social significance.

The Heritage Council of NSW has established a set of seven criteria to be used in assessing cultural heritage significance in NSW, and specific guidelines have been produced to assist archaeologists in assessing significance for subsurface deposits (Heritage Council of New South Wales 2009; NSW Heritage Office 2001). The Heritage Council's criteria incorporate those of the Burra Charter, but are expanded to include rarity, representative value, and associative value.

In order to determine the significance of a historical site, the Heritage Council have determined that the following seven criteria are to be considered (NSW Heritage Office 2001):

- **Criterion (a):** an item is important in the course, or pattern, of NSW's cultural or natural history (or the local area);
- **Criterion (b):** an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the local area);
- **Criterion (c):** an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);
- **Criterion (d):** an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons (or the local area);
- **Criterion (e):** an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the local area);
- **Criterion (f):** an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the local area); and
- **Criterion (g):** an item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or the local area).

These criteria were designed for use on known or built heritage items, where above ground heritage is both tangible and easily identified. Due to the nature of archaeology being that it is invisible until disturbed, the presence and attributes of archaeological material must be assumed based on the recorded levels of disturbance, known site history and the creation of predictive statements. Ultimately, the actual presence of archaeological material can only ever be framed in terms of the potential for it to be present. The following assessment therefore deals with the archaeological potential within the study area in a consolidated manner.

6.3 LEVELS OF SIGNIFICANCE

The Heritage Act allows for the protection of heritage items of State or local significance. The levels of significance can be defined as:

- Items of State significance are of special interest in a State context. They form an irreplaceable part of the environmental heritage of NSW and must have some connection of association to the State.
- Items of local significance are of special interest to the LGA. They important to the local community and often form an important part of the local identity. Collectively, such items reflect the cultural or natural history of the given area.

6.4 SIGNIFICANCE ASSESSMENT

The following section addresses the significance of the potential archaeological resource in accordance with the criteria adopted in the Heritage Council's significance guidelines for archaeological deposits (Heritage Council of New South Wales 2009, pp.11–13), using selected questions from the guidelines.

ARCHAEOLOGICAL RESEARCH POTENTIAL (CURRENT NSW HERITAGE CRITERION E)

- **To which contexts (historical, archaeological and research-based) is it anticipated that the site will yield important information?**

The study area is anticipated to contain archaeological material relating to all phases of occupation relating to Berrima Gaol. Any material found is likely to relate to the use of the study area as the Gaol and may yield information that relates to historical (i.e., the occupation history of the site), archaeological (i.e., location of foundations, walls, basements, fences and temporary structures), and research-based contexts (i.e., artefactual material which can be analysed).

- **Is the site likely to contain the mixed remains of several occupations and eras, or is it expected that the site has the remains of a single occupation or a short time period?**

Due to the study area's previous and continuous use as a prison, the study area is likely to contain mixed remains of several eras, as despite various periods where the Gaol was closed, the area has been in use for 179 years. While there was a major redevelopment during the 1940s following the prison fire that saw older parts of the Gaol demolished and their stone materials reused, there are still likely older remains located subsurface such as evidence of the basement, foundations and walls.

- **Is the site rare or representative in terms of the extent, nature, integrity and preservation of the deposits (if known)?**

The study area is comparable to other prisons of the same era across Australia. As noted in Section 3.6, there were several examples of other prions using the separate system which had a similar prison layout. However, there are better-preserved examples of prisons that still feature their original buildings in association with known archaeological deposits. Such sites include Old Melbourne Gaol and Freemantle Prison. Other more intact prisons include Darlinghurst Gaol and Parramatta Gaol.

- **Are there a large number of similar sites?**

There are a very limited number of similar sites across Australia, being prisons of a similar age; nine examples are discussed in Section 3.6, and it is likely that no more than 30 such sites exist nationwide. While none are still in use, many are still standing and in a similar condition to when they were first constructed and are in use as tourist attractions, such as Freemantle Prison, Old Dubbo Gaol, Port Arthur Prison and Old Melbourne Gaol, while Pentridge Prison is essentially structurally intact although the interior has undergone significant changes. These other examples are better-preserved examples of 19th-century prisons that Berrima Gaol.

- **Is this type of site already well-documented in the historical record?**

This site itself is documented in the historical record, with several books and documents published about the Gaol, as well as exhibitions in the Berrima Courthouse Museum, although information on the earliest history of the Gaol is relatively sparse. In general, other Gaols and prisons of a similar era have been recorded in more detail such as Old Melbourne Gaol, with its significant archaeological dig, Freemantle Prison and Port Arthur, both being a World Heritage Site, and Old Dubbo Goal. As such, in the wider category of prisons, the site type is well documented.

- **Is the excavation of this site likely to enhance or duplicate the data set?**

Excavation of this site is likely to enhance the current data set. While there have been other similar sites recorded, additional information specifically relating to Berrima Gaol will substantially enrich our knowledge of how the study area developed. Any further information obtained at Berrima Gaol will also contribute to the data set for a site type which is ultimately only present in very limited numbers and will allow for more comparisons to be drawn.

- **What is the ability of the archaeological evidence to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site?**

There is expected to be a substantial amount of archaeological evidence located within the study area. This is likely to provide information that has previously not been fully available through the historical record such as the layout of the Gaol, the construction methods used for the earlier Gaol cell blocks and if there are other features or deposits located subsurface within the Gaol grounds.

As such, the study area satisfies NSW Heritage Criterion (e) at the State level due to the limited number of similar sites within Australia.

ASSOCIATIONS WITH INDIVIDUALS, EVENTS OR GROUPS OF HISTORICAL IMPORTANCE (NSW HERITAGE CRITERIA A, B AND D)

- ***Does the archaeological site link to any NSW Historic Themes? Will the site contain 'relics' and remains which may illustrate a significant pattern in State or local history?***

The relevant themes which may be applied solely to the archaeological remains within the study area are listed below in Table 7.1.

Table 7.1 Historical Themes

Australian Theme	NSW Theme	Local Themes
3. -Developing local, regional and national economies	Health	Hospital, surgical equipment, medical consulting rooms
4. Settlement-Building settlements, towns and cities	Accommodation	Bungalow, cottage, house site (archaeological).
7. Governing-Governing	Defence	Training military personnel; Involvement with the Second World War; Colonial government; State government; Developing roles for government - Gaoling prisoners; Developing roles for government - building and operating public infrastructure-Developing roles for government - conserving cultural and natural heritage; Prison colony; Administration of justice; Gaol-Incarcerating prisoners; Providing geriatric and old-age care-
	Law and order	Associated with Courthouse, police station, lock-up, protest site, law chambers, handcuffs, legal document, gaol complex, water police boat, police vehicle, jail, prison complex (archaeological), detention centre, judicial symbols
8 Developing Australia's cultural life	Domestic life	Associated with Domestic artefact scatter, barracks
	Religion	Church or chapel
9. Phases of Life-Marking the phases of life	Persons	Associations with James Barnet, Colonial (Government) Architect 1862-90; Associations with James Gough, the emancipist joiner and carpenter; gendered

- *Is the site widely recognised?*

The study area is widely recognised as a focal point in the town of Berrima. The surrounding area maintains many buildings that have been little changed since their construction and are of a similar era to the Gaol. The Gaol is also known for its history, particularly for its harsh separate system and the noted convicts Lucretia Dunkley and Martian Beech, who are the focus of an exhibition in the nearby Courthouse Museum. The German prisoners of war who were detained in the Gaol also add to the recognition of the study area.

- *Does the site have symbolic value?*

The overall site has symbolic value, based on specific features and heritage items. The walls and associated gate hold the most symbolic value, representing the time that the study area served as a prison. These walls have dominated the Berrima landscape since the formation of the township in the 1830s. This, along with the Governor's house and Gaoler's residence that is located outside of the walls adds to the overall symbolic value as they are part of the overall Gaol complex. The smaller items located in the study area such as the bullhead water fountain and Lambie's Well both add to the value of the study area as a functioning part of the town. Any archaeological material

present in the study area will be immediately identifiable in terms of the vernacular of prison architecture.

- *Is there a community of interest (past or present) which identifies with, and values the specific site?*

The historical community of Berrima and the Southern Highlands are interested in the Gaol. Additionally, the community of Berrima identify the Gaol as a significant part of their town.

- *Is the site likely to provide a material expression of a particular event or cultural identity?*

The study area is likely to provide a material expression of prisoners in the 19th and, to a degree, 20th century and the cultural identity of those who were incarcerated. Should there be evidence of any burials this will provide material expression relating to the execution of these specific prisoners. There is also potential that the study area contains archaeological remains associated with the German internees who were held in the prison during WWI.

- *Is the site associated with an important person? (the role of the person in State or local history must be demonstrated/known)*

Berrima Gaol is associated with James Barnett, who was the Colonial Architect for NSW and is known for the various buildings he designed across the state. Australia's first serial killer John Lynch was a prisoner at the site who was executed in 1842, along with Lucretia Dunkley and Martin Beech, who were executed at the Gaol for the killing of Henry Dunkley. These names feature in many 'true crime' books published across Australia today.

- *What is the strength of the association between the person and the site?*

The association between James Barnett is through his planning which is reflected through the layout of both the extant walls and the potential archaeological remains of the original Gaol buildings. The remains of Lucretia Dunkley, Martin Beech and James Lynch are potentially located within the grounds of the Gaol.

- *Did the person live or work at the site? During the phase of their career for which they are most recognised? Is that likely to be evident in the archaeology /physical evidence of the site?*

It is unlikely that James Barnet physically worked at Gaol, however, the remaining walls are testament of his work as an architect. John Lynch, Lucretia Dunkley and Martin Beech were all incarcerated at the prison for a period before being executed. There is unlikely to be specific physical remains relating to the day to day lives for any of them aside for the potential burial remains.

- *Did a significant event or discovery take place at the site? Is that evident/or likely to be evident in the archaeology/physical evidence of the site?*

No significant discoveries occurred associated with the Gaol. Where significant events occurred, such as executions, in the absence of a defined location for the burial of these individuals or the location of the gallows, there is unlikely to be specific evidence relating to those events.

- *Do the archaeological remains have particular associations with individuals, groups and events which may transform mundane places or objects into significant items through the association with important historical occurrences?*

Overall, the Gaol is intrinsically linked to the penal system and those who were detained within the prison system, and any archaeological remains will have strong associations with those prisoners who occupied the study area. Furthermore, the use of the study area as a German internment camp is a significant event that took place at the study area. There is likely to be physical evidence of this period through the electricity and hot water which the detainees introduced to the Gaol. Located externally to the Gaol there may be evidence of small huts and other projects that were built around the camp, with the internment of the Germans at the camp being a significant historical event for Australia.

As such, the study area satisfies NSW Heritage Criteria (a), (b) and (d) at the State level.

AESTHETIC OR TECHNICAL SIGNIFICANCE (NSW HERITAGE CRITERION C)

- *Does the site/is the site likely to have aesthetic value?*

Any archaeological material that is identified during any excavation works in the study area may have aesthetic value that increases its significance. The prison itself is aesthetically significance, especially the sandstone walls and gate. Additionally, the Governor's residence and Gaolers residences that are both sympathetic to the Gaol building. As the potential archaeological remains are likely of the same style they will likely hold aesthetic value.

- *Does the site/is the site likely to embody a distinctive architectural or engineering style or pattern/layout?*

The study area did embody a somewhat rare layout in terms of the radiating cell block that was seen in only a few prisons across NSW. This building was destroyed during the 1942 fire and subsequent reconstruction of the prison. Archaeological material likely survives which relates to the original layout of buildings. The gate and stone walls are impressive and provide a disinvite point of focus for the town of Berrima.

- *Does the site demonstrate a technology which is the first or last of its kind?*

The study area is unlikely to demonstrate a technology which is the first or last of its kind.

- *Does the site demonstrate a range of, or change in, technology?*

The study area had primarily the same function over time in its use as a Gaol. While not necessarily technological, the original Gaol configuration was adapted and 'modernised' to reflect changes relating to the philosophy of incarceration. An example of this would be comparing the subsurface remains for the original cell block with the current cell block to see how the prison layout has been modified to improve prisoner welfares and a change to a focus on rehabilitation. There may also be additional individual archaeological items or feature that demonstrate a range in technology located subsurface.

- *Will an archaeological excavation reveal highly intact and legible remains in the form of aesthetically attractive artefacts, aged and worn fabric and remnant structures, which may allow both professionals and the community to connect with the past through tangible physical evidence?*

Much of the internal structures within the Gaol were significantly damaged by the 1942 fire and subsequent demolition, when the stone was re-used in the construction of replacement buildings. While it is unclear as to whether footings were entirely removed or if the original Gaol buildings were stripped to only the ground, at least a degree of archaeological potential likely remains associated with the study area. The walls of the former Gaol buildings are likely to be substantial and, if present will demonstrate remnant structural material which will be intact and potentially highly legible due to the existence of detailed plans of the prison from the mid-to-late 19th century. Furthermore, any artefactual material identified during archaeological investigations will categorically relate to the use of the study area as a prison and will form a strong connection to the past. The archaeological material present within the study area will therefore provide both professionals and the wider community with the ability to connect to the past through any tangible evidence which is uncovered.

As such, the study area satisfies NSW Heritage Criterion (c) at the State level.

ABILITY TO DEMONSTRATE THE PAST THROUGH ARCHAEOLOGICAL REMAINS (NSW HERITAGE CRITERIA A, C, F, AND G)

- *Does the site contain well-preserved or rare examples of technologies or occupations which are typical of particular historic periods or eras of particular significance?*

The study area is likely to contain evidence of technologies or occupational data relating to the Gaol system and topics of incarceration and the prison system. These are likely to relate to the lives of the convicts and the Gaol staff from the mid-19th century through to lives of the German internees during WWI. Such evidence is considered rare due to the limited number of prisons which have been constructed in Australia, and the few WWI internment camps which are known to have existed.

- *Was it a long-term or short-term use?*

General occupation of the site as a Gaol has been long-term, commencing in the mid-19th century and despite periods of closure, continued in its original form through to 1919 when the last of the German internees departed. Following a devastating fire in 1942, the site returned to its former use as a prison, albeit subject to a new internal layout.

- *Does the site demonstrate a short period of occupation and therefore represents only a limited phase of the operations of a site or technology or site? Or does the site reflect occupation over a long period?*

The study area has gone through several phases of modification as the cell blocks have been modified and altered and the Gaol has transitioned in the systems used to maintain a prisoner. The most significant alternations were undertaken after the 1942 fire that caused significant damage to the existing buildings.

- *Does the site demonstrate continuity or change?*

The study area is expected to demonstrate continuity, as it had one specific use over a long period. However, the Goal will also demonstrate change as the buildings were modified for use based on changing systems of prisoner management and more substantially following 1942 fire that saw the interior of the Gaol entirely redeveloped to remain fit for use.

- *Are the remains at the site highly intact, legible and readily able to be interpreted?*

Any remaining archaeological resource will likely be highly intact. They will likely be legible and able to be interpreted as there are plans that have recorded the study area in various states. Utilising these plans should enable the interpretation of the study area.

- *Do the archaeological remains have an ability to demonstrate how a site was used, what processes occurred, how work was undertaken and the scale of an industrial practice or other historic occupation.*

The archaeological remains are highly likely to demonstrate how the study area was used. These are expected to the use of the study area as a Gaol and the process used to incarcerate prisoners in the study area. Some evidence of daily life within the Gaol is likely to be recorded within the subsurface deposits.

As such, the study area satisfies NSW Heritage Criteria (a), (c), (f) and (g) at the State level.

6.5 STATEMENT OF SIGNIFICANCE

The Berrima Internment Group is of state heritage significance for its unique historical values as one of a very few well-preserved prisons within Australia, is likely to have well-preserved archaeology that relates to the earliest layout of the prison, and where German Mariners were interned between 1915 and 1919 during WWI. The sit-in in its entirety it is significant for the various phases of occupation it has gone through, each of which is individually important.

Archaeological remains are likely to be found relating the earlier phases of occupation in the form of large items such as foundations, walls, basements and other large structural items. Later phases will likely be represented by smaller items such as rubbish deposits, and evidence of temporary structures.

The Gaol is part of a small collection of Gaol sites across Australia. This is a small collection of sites of which, very few are likely to hold significant or well-preserved archaeological remains of which the Berrima Gaol site is expected to be one of them. This archaeological resource will help add to the Australian knowledge about life for convicts in Australia during the 19th century, especially during the harsh separate system.

The remains contained in the precinct, including those of the huts, recreation facilities, submerged watercraft and moveable heritage associated with the study area, clearly tell the story of the lives of those internees and their efforts to retain cultural identity and practices during their period of confinement. Being the site of internment for German sailors and Naval personnel it demonstrates how classes of 'enemy alien' were segregated as a matter of government policy.

In addition to the historic values of the place, its State heritage significance is enhanced through its association with a crew of the SMS Emden and its archaeological research potential will provide a wealth of information on the method of construction of the huts, the layout of the precinct including gardens, the lifestyle and customs of the large group of 'enemy aliens' interned at Berrima during World War I.

The Huts Precinct is a rare and representative example of a recreation area constructed by German Internees while confined in an internment camp during WWI. It is also the only camp in NSW to exclusively house German Mariners detained during WWI.

Berrima Gaol is one of the few remaining compounds dating from pre-1840. It is an early example of the application of model prison layouts. Associated with the development of Berrima, and the adjacent courthouse, the Gaol is significant for its phases of use.

As such, the archaeological resource within the study area is considered to meet Heritage Significance Criteria (a), (b), (c), (d), (e), (f), and (g) at a state level.

8. CONCLUSIONS AND RECOMMENDATIONS

7.1 CONCLUSIONS

Berrima Gaol is a significant structure at both a state and local level based on its known history and still-standing structures. This assessment has determined that there is a high potential for subsurface archaeology to remain with the prison and a moderate chance for items relating to prison life to be located in the surrounding land. This includes the potential for burials to be located somewhere on the grounds external to Berrima Gaol.

7.2 MANAGEMENT POLICIES

MANAGEMENT POLICY 1 ARCHAEOLOGICAL POTENTIAL

The study area has been identified as having high potential to contain archaeological remains.

Archaeological remains on sites not listed on the SHR are addressed under Section 139 of the *NSW Heritage Act 1977* (Heritage Act), which states that 'a person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit'.

Relics are defined by the Heritage Act to be:

> *any deposit, artefact, object or material evidence that:*
>
> *(a) relates to the settlement of the area that comprises NSW, not being Aboriginal settlement,*
>
> *and*
>
> *(b) is of State or local heritage significance.*

An excavation permit is also required if a relic has been discovered in the course of excavation without a permit (Section 139(2) of the Heritage Act). Section 139 of the Heritage Act applies to all relics which are not listed on the SHR or protected by an Interim Heritage Order (IHO). Relics protected by an SHR listing or an IHO are subject to approval required by Section 57(1) of the Heritage Act and require a Section 60 Application.

If an excavation permit is required by Section 139 of the Heritage Act, an application is made under Section 140 of the Act. To obtain an excavation permit, the Section 140 application must include an archaeological assessment and Research Design. The archaeological assessment establishes the archaeological sensitivity of the study area, its significance and the likely impact of the proposed development. The Research Design outlines the method proposed to mitigate the impact of the development (such as monitoring, test excavation, sampling, or open area excavation). The Research Design also provides research questions which the archaeological resource has the potential to answer. An archaeological assessment and Research Design need to be prepared in accordance with the Heritage Council's relevant guidelines, including Historical Archaeological Sites and the Historical Archaeology Code of Practice. For further details of these guidelines, refer to the website:

http://www.environment.nsw.gov.au/heritage/publications/index.htm

The Heritage Act also contains provisions for the unintentional disturbance of archaeological relics. Under Section 146 of the Act, the Heritage Council must be immediately notified in the event of relics being unintentionally located or disturbed. Works may be required to cease, pending consultation and further research.

MANAGEMENT POLICY 2 - UNKNOWN ARCHAEOLOGICAL POTENTIAL

As there is documentary evidence relating to possible burials of executed prisoners within or in the immediate vicinity of the Gaol, investigative works should proactively be undertaken to determine whether the graves can be identified. This would reduce the likelihood that any future subsurface impacts or construction works may unexpectedly uncover human remains are significantly reduced.

The investigative works should in the first instance be non-intrusive through the use of Ground Penetrating Rader within open spaces in and around the Gaol to see if any evidence of grave cuts can be identified. Should the potential burials sites be located, consideration should be made of undertaking a testing program to determine if the identified features are definitively burial sites.

MANAGEMENT POLICY 3 – SPECIALIST ADVICE

When planning, designing or implementing changes or maintenance to Berrima Gaol, ensure that suitably experienced specialist advice is sought early in the process in regards to archaeological values. This involves the use of suitably qualified archaeologists who should be involved in consultation for any works which may include subsurface impacts and who should work alongside architects, heritage specialists, engineers, material conservators, tradespeople and building code compliance advisors are required. Obtaining the necessary advice early in the process is important in ensuring that advice on potential impacts is considered and that the required works are developed in an appropriate fashion.

MANAGEMENT POLICY 4 – HERITAGE INDUCTION

When undertaking works which involve subsurface excavation within the study area, all contractors involved in the works should be made aware of the heritage significance of the study area to ensure that they demonstrate care for the archaeological resource present.

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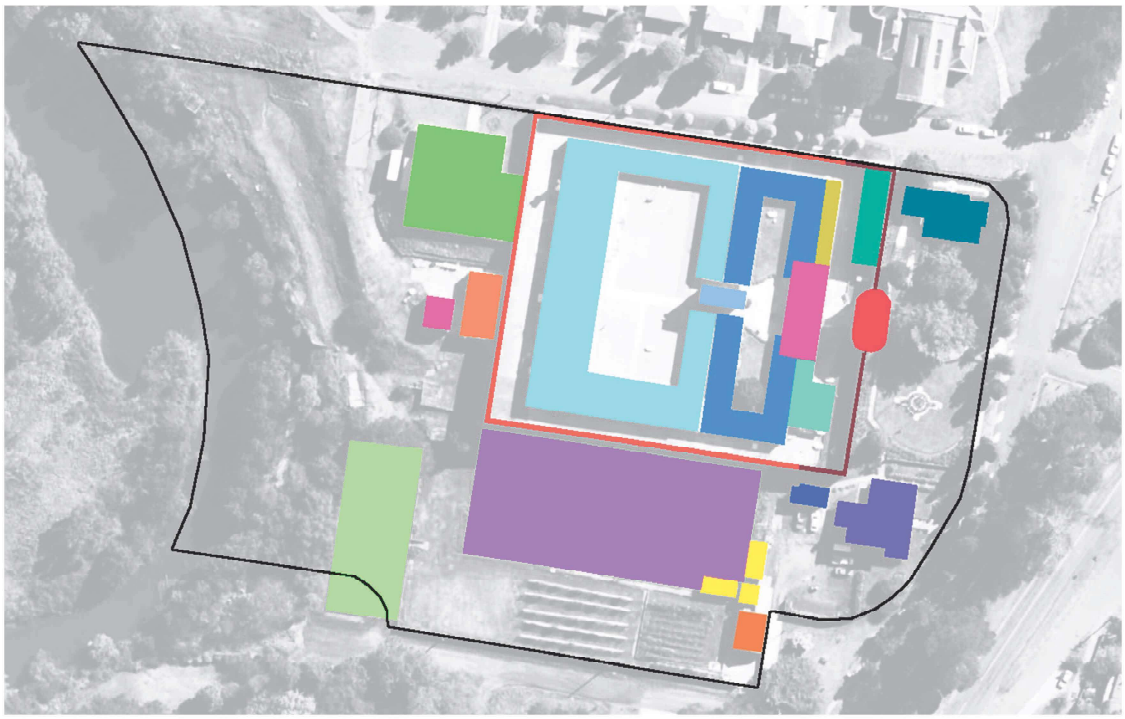
9.0 APPENDIX B: A3 DIAGRAMS



KEY

- ENTRANCE (1839 - ALTERED 1949)
- GAOL WALL (1839)
- ENTRANCE GATE (1866)
- GAOL WALL (1866)
- VEGETABLE GARDENS (EST. 1890s)
- GOVERNOR'S RESIDENCE (1898)
- DEPUTY GOVERNOR'S RESIDENCE / WARDEN'S COTTAGE (1900)
- POLICE CELLS (1931)
- EASTERN CELL BLOCK (1949)
- WESTERN CELL BLOCK (1949)
- OBSERVATION TOWER (1949)
- VISITING COMPLEX (1980s)
- SCIENCE BLOCK (c.1981)
- TENNIS COURTS (EARLY 1990s)
- INDUSTRIES BUILDING (1990)
- ADDITION (BETWEEN 1994-2004)
- OUT BUILDINGS / CARPORT
- GARAGE
- SHED (1986)
- SHED (EARLY 1990s)

BERRIMA CORRECTIONAL CENTRE - SIGNIFICANCE GRADINGS DIAGRAM

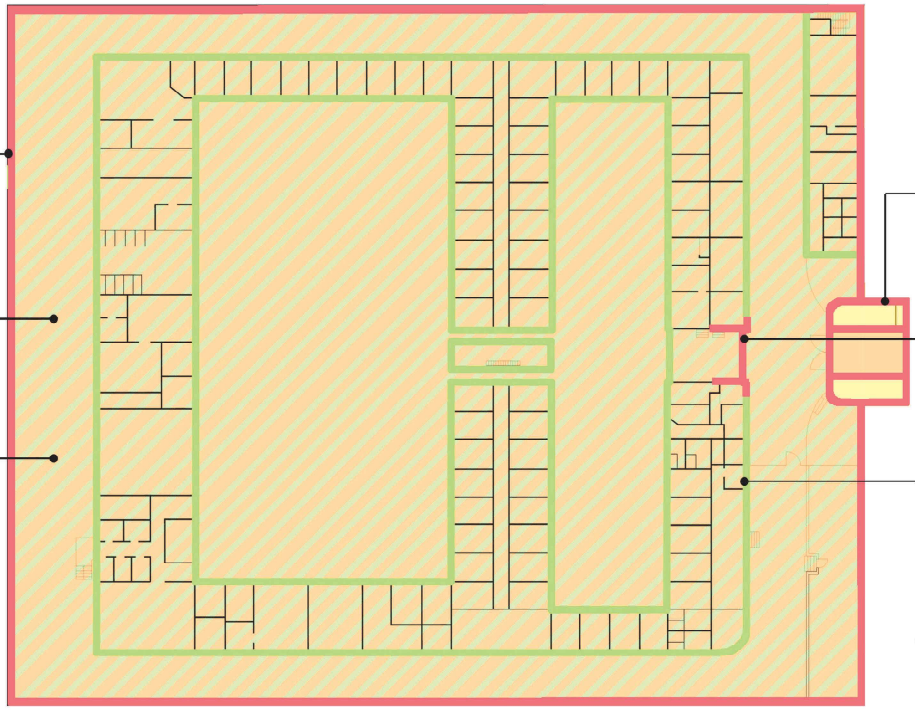
EXCEPTIONAL HIGH MODERATE LITTLE INTRUSIVE

NBRSARCHITECTURE.
HERITAGE

Gaol wall, including portion constructed in 1839 and portion constructed in the 1860s. Exceptionally significant as an early surving element of the gaol.

Above-ground space within the gaol walls is of Little significance, as it does not provide visible evidence of any original or early gaol structures.

Below-ground space (beneath concrete slab) is of High significance for its high archaeological potential.



Main entrance gate, completed in 1866. Exceptionally significant as an early surving element of the gaol.

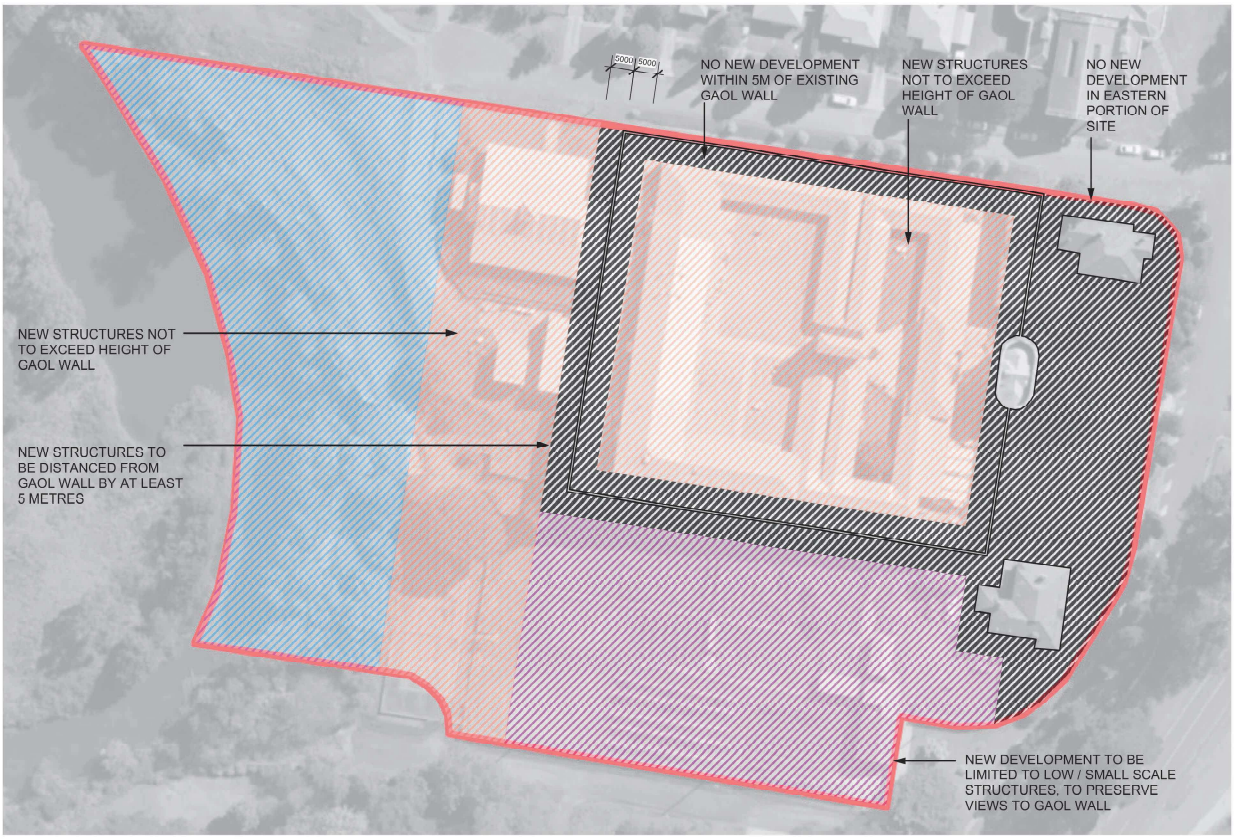
Remnant fabric from the 1839 gaol entrance gate. Exceptionally significant as an early surving element of the gaol.

1944 cell blocks and watchtower. The form and configuration of these buildings are of Little significance to the overall site.

The sandstone which was re-used from the earlier buildings is of High significance.

BERRIMA CORRECTIONAL CENTRE - SIGNIFICANCE GRADINGS DIAGRAM

EXCEPTIONAL HIGH MODERATE LITTLE INTRUSIVE



KEY

ZONE 1: NO NEW STRUCTURES

ZONE 2: DEVELOPMENT LIMITED TO LOW STRUCTURES OF 1-2 STOREYS

ZONE 3: NEW STRUCTURES NOT TO EXCEED HEIGHT OF GAOL WALL

ZONE 4: NEW STRUCTURES MAY BE HIGHER THAN GAOL WALL

BERRIMA CORRECTIONAL CENTRE, HERITAGE DEVELOPMENT ZONES DIAGRAM

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