

Proposal for Full Reinstatement of the Haven Stage
Discussion Paper Prepared with the assistance of members of FOH, HPI, & HAC
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Introduction

- 1 The purpose of this Discussion Paper is to outline a preliminary proposal for the reinstatement of the demolished Haven stage (**'Proposal'**), which we raise for consideration of Council and the community as an alternative to the present council approved DA (**'DA Design'**).
- 2 The Proposal has been prepared following the proposed formation of a Haven community consultation group; and in response to the group convenor's suggestion that the preparation of discussion papers regarding different visions for the Haven's future might help to reboot community discussion and action, by providing a clear understanding of the nature and rationale for different options for Haven renewal. The preliminary ideas in this Discussion Paper are not advanced as a final detailed proposal, but rather as a basis for further community discussion. These ideas are based on extensive discussions with, and advice from, experts in various fields, including architecture, engineering, building, hydrology, disability access and performing arts. It is contemplated that the ideas will be refined through the course of further discussions with such experts, and with other community groups and residents. We actively welcome and encourage comments and queries regarding the Proposal, and look forward to discussing any alternative visions for the future of the Haven.
- 3 By way of summary, the Proposal provides for the construction of a stage in the Haven, which:
 - (a) substantially replicates the design and functionality of the stage and undercroft demolished in 2016: see Fig 1 in Attachment A for a photo of the now demolished stage and Fig 2 in Attachment A for a concept sketch of the Proposal;
 - (b) is low-cost, low-maintenance, and environmentally friendly;
 - (c) seeks to conserve the Haven as a striking and unique encapsulation of the Griffin philosophy of the integration of nature, the built environment, community, and the performing arts;
 - (d) seeks to resurrect the Haven as the dynamic cultural and community hub of Castlecrag. The Proposal provides for a stage which can accommodate a broad range of theatrical and musical performances and other community purposes. It thereby facilitates the rekindling and perpetuation of the magnificent cultural tradition of stage performance and community engagement that developed at the Haven up to 2014. Continuing all dimensions of this rich legacy would not be possible, if the stage were significantly smaller, or if the undercroft were not included, or if the unmodified DA were the only design alternative (for reasons set out in paragraph 26(g) below).
 - (e) satisfies the widespread and passionate community desire for the replacement of this much-loved component of community infrastructure.

- 4 The Proposal is substantially consistent with:
- (a) the functional specification for the Haven Amphitheatre and 'The Howard Rubie Memorial Stage Functional Specification for a new open-air theatre' approved by WCC on 28 July 2014;
 - (b) the proposal which received broad and enthusiastic community support when presented at a meeting on Tuesday 22 May 2018 at Marion Mahony Griffin Hall, chaired by Lorraine Cairnes and attended by over 100 Castlecrag residents, the three Sailors Bay Ward Councillors, and Ms Melanie Smith and Mr Ian Arnott of WCC.

Historical overview of the Haven

- 5 'Planned by Walter Burley Griffin in the 1930s, the Haven Amphitheatre was an integral part of his community plan. The site was chosen by his wife, Marion Mahony Griffin'.¹
- 6 Originally, performances were conducted on rock ledges in the gully. Some rocks that were once used for performances (including a rock of particular significance, known as 'Iphigenia Rock') no longer comprise part of the Haven, because they are now located on what became private property on a lot which adjoins the Haven on The Scarp.
- 7 In the 1970s, a wooden stage was designed and built by the eminent architect, the late Robert Sheldon AM, replacing the rock ledges as the primary performance space.
- 8 In the 1990s, the wooden stage was rebuilt with an undercroft.
- 9 In 2014, the stage was closed, and in 2016 it was demolished by the Council.
- 10 The Haven Amphitheatre had been operating for over 80 years (and continuously for the past forty) until its closure in February 2014.
- 11 Since March 1976, the theatre was run by a group of dedicated locals with a deep range of expertise and experience in various dimensions of the performing arts, comprising the Haven Amphitheatre Management Committee ('HAC').
- 12 HAC produced or facilitated nearly 200 shows, including plays, jazz concerts, classical orchestras, opera, poetry readings, cabaret dinners and shows, circus, Shakespeare, open air films, dance.
- 13 The theatre was host to parties (particularly street parties), weddings, meetings, sightseers and picnics every year.
- 14 The Haven was a performing arts hatchery where Willoughby children were able to learn performance and technical skills. Some have taken this experience to careers on the world stage.
- 15 The Haven hosted Christmas Carols every year to audiences of up to 450 from all over the city.

¹ Heritage Listing, Haven Amphitheatre.

- 16 In the nearly 200 Haven shows in the last four decades, performers have included international opera, jazz and cabaret stars, widely acclaimed musicians, actors and dancers and other specialist performers, including (by way of example):
- (a) European and North American opera star, the late Elizabeth Connell;
 - (b) European opera star Valda Wilson;
 - (c) Sydney tenor Daniel Tambasco;
 - (d) internationally applauded musician James Morrison and his band of jazz greats;
 - (e) Canadian cabaret star Patricia O'Callaghan;
 - (f) New Zealand guitar virtuoso Graham Wardrop;
 - (g) jazz violinist George Washingmachine;
 - (h) jazz guitarist Jim Pennel;
 - (i) actor Peter Sumner;
 - (j) Shakespearean specialist Blair Cutting;
 - (k) Australian jazz greats, Bonnie Jensen, Graham Jesse, Lloyd Swanton, Hamish Stewart, Michael Bartolomei;
 - (l) the Willoughby Symphony Orchestra and Choir;
 - (m) the Dylan Thomas Society;
 - (n) London based actor and singer Simon Ward, The Savoy Singers, Kabuki dance troupe and many, many others.
- 17 In the 40 years up to its closure in 2014, tens of thousands of patrons have been entertained at the Haven.
- 18 The Haven was the epicentre of a vibrant cultural dynamism within Castlecrag, which was a core element of the unique community ethos of this village suburb. An aspiration for a number of the current Haven 'elders' is to introduce and train an interested and talented new generation of young Castlecragians in the various aspects of stage production, both theatrical and technical, as well as to recruit further volunteers to assist in promoting, staging and celebrating events.
- 19 The principal and staff of Glenaeon School, which has a campus in Castlecrag, have expressed great interest in using and being involved in the Haven theatre. They have been keen supporters of the rebuild project since its conception around 2012.

Overview of Proposal

- 20 A concept sketch in relation to the Proposal is set out: See Fig 2 in Attachment A.
- 21 The key features of the Proposal are described below.

Size and Shape and Position of the Stage

- 22 *Size:* Proposed stage to be of similar size and area to the demolished stage (apart from a slight increase in area arising from rounding off the rear of the stage: see

paragraph 23 below). While this is unquestionably small for a functioning stage, it is (barely) adequate for a broad range of uses.

23 *Shape*: Proposed stage to be of similar shape to the demolished stage, apart from possessing a curved rear. The curved shape of the design causes the stage to sit naturally and unobtrusively in the contours of the gully, and optimizes the performance space.

24 *Position in the gully*. Proposed stage to be located in the same position as the demolished stage. This places the stage over the creek and straddling the gully. Any variation in height would be if and as required to meet the hydrology consultant's specification. It is not considered practical to place the stage otherwise than over the creek (eg, by placing it exclusively on the harbour side of the gully), for the reasons elaborated at paragraph 65 below).

Comparison to DA Design and Demolished Stage

25 By way of comparison against the *demolished stage*:

- (a) The key similarities of the Proposal are as follows:
 - (i) a functional stage and undercroft, substantially similar in shape, size and position;
 - (ii) a free-flowing creek under the stage;
 - (iii) minimal changes to existing landscaping and stone seating required;
 - (iv) no disabled ramp system.
- (b) The key differences of the Proposal are as follows:
 - (i) to be built out of modern materials, which are lightweight, durable, and limit future maintenance requirements;
 - (ii) to use far less in-ground metal supports (approximately 9 to 12), compared with the 34 wooden in ground supports used in the demolished stage;
 - (iii) to have a curved rear: see paragraph 23 above;
 - (iv) to have a stage surface of a waterproof, lightweight, sound-deadening composite surface (compared to the high maintenance fibro cement sheeting of the demolished stage or the timber of the DA Design): see paragraph 29 below.
- (c) See Fig 1 in Attachment A for a photo of the now demolished stage and Fig 2 in Attachment A for concept sketch of the Proposal.

26 By way of comparison with the *DA Design*, the key differences include stage location and shape, stage surface and access provision between the stage and undercroft. These differences are discussed below. (See Fig 3 and Fig 4 in Attachment A for sketches of stage interface with western stone seats in the DA Design and the Proposal; and Attachment B for a Plan View of the DA Design).

Location

- (a) The DA Design stage is placed further up the creek (above a waterfall). This has significant disadvantages (relative to the Proposal), including:
 - (i) the necessity to remove a number of tree ferns, which are not only integral to the ambience and ecology of the Haven, but also of valuable practical staging value (because of the magical uplighting effects);
 - (ii) due to it being necessary to raise the stage above the waterfall in the DA Design, the stage is necessarily raised relative to the Proposal. This is problematic, because:
 - A. it is highly likely that it will eliminate tiers of existing western seating in the amphitheatre;
 - B. it potentially creates a vertical gap between the tiered seating and the stage, through which items and persons might fall, generating potential safety issues; and
 - C. it is generally desirable to minimise the height of the stage, to facilitate integrating the stage with the contours of the amphitheatre stone seating; and to keep the structure subservient to the gully and to generally minimise the visual impact of the structure on the surrounding natural environment.

Shape

- (b) The DA Design is triangular in shape. This is disadvantageous (relative to the curved design of the Proposal) for the following reasons:
 - (i) the triangular shape does not optimize the stage as a performance space, which might frustrate the use of the stage for certain types of performance. By way of example, the triangular shape does not provide sufficient room for onstage cabaret seating: see further in paragraph 62(d) below;
 - (ii) the straight-line edges of the triangular shape do not align with the contours of the gully, by reason of which the DA Design stage does not nestle naturally in the gully in the manner of the Proposal. The DA Design is consequently more obtrusive in the bush setting of the Haven particularly as it extends further up the gully to the north east and is likely to necessitate the removal of a not insignificant amount of material from the top northern section. Further, because the straight front edge of the stage in the DA Design does not align with the stone seating in the natural amphitheatre of the gully, hazardous and unsightly voids will potentially be created between the seating and the stage into which performers, patrons or objects might fall: see also paragraph (a)(ii)B above. (This is of particular concern in

light of the fact that the Haven is an accessible reserve open to the public day and night);

- (c) The DA Design lacks a curved rear shape, which fails to optimize the stage as a performance space as well as limiting its ability to nestle naturally in the gully in the manner of the Proposal: see also paragraph 23 above.

Stage Surface

- (d) In the DA Design, a wharf-like raised timber deck (over an independent waterproof roof for the undercroft) is proposed for the stage surface. This is less suitable as a stage surface compared to that of the Proposal, because:
 - (i) the necessity to raise the timber deck over the undercroft roof will necessitate raising the height of the stage, which is problematic for the reasons stated in paragraph (a)(ii) above;
 - (ii) timber is less robust, and requires more maintenance, compared to the composite material suggested in the Proposal. Minimising maintenance requirements is a core design objective;
 - (iii) timber is 'drummy', which renders it less suitable for theatre. ("Drumming" refers to impact noise of a dancer or actor moving onstage. It can be heard by audience members as well as on recordings/videos of the performance.) By contrast, the proposed composite material is sound-deadening, which renders it more suitable for theatre;
 - (iv) in the DA Design, there are potentially gaps between the timber boards, which might generate trip hazards for performers. Further, timber might generate splinters. Comfort and safety for performers are core design objectives. The modern composite materials proposed to be incorporated in the Proposal meet stage surface requirements.

Access between Stage and Undercroft

- (e) In the DA Design, there are no ramps between the entry and exit points on the stage and the undercroft, whereas such ramps are included in the Proposal (and were included in the demolished stage). The ramps permit a staging area to the south of the stage and also some wheeled access for equipment between the undercroft and stage. Both ramps and staging area are extremely important, the ramps for convenient moving of sets and equipment, and the staging area for temporary storage of equipment during performance(s).
- (f) In the DA Design, there is a large system of ramps for disabled access to the stone seats. The ramps are not included in the Proposal: see paragraphs 42 to 52 below.
- (g) Contrary to the DA Design, the Proposal offers a realistic opportunity for the redevelopment of the Haven. The DA Design, unless modified for the

Proposal under Section 4.55 of the *EPA* Act, is effectively dead as a basis for redevelopment, because of the overwhelming community opposition to the design, and the inability of community groups to raise 50% of the construction costs (which constitutes a present condition for Council's preparedness to redevelop the Haven on the basis of the DA Design) for an unpopular, and non-functional design.

- (h) A more comprehensive list of differences is set out in the table in paragraph 70 below.

Materials

- 27 *Stage frame:* The Proposal, like the DA Design, involves a structural steel frame, requiring approximately 9 to 12 steel in-ground supports. The use of steel frames is highly advantageous, because:
 - (a) steel is a robust and durable material that will require minimal maintenance;
 - (b) a steel frame requires fewer in ground supports (approximately 9 to 12) relative to wood (34 in the demolished stage), this significantly reduces the required excavation in the gully for the foundations for those supports (and therefore minimize potential interference with tree roots). Most existing trees and tree ferns, and all significant trees, would be retained in the Proposal.
- 28 *Undercroft:* Lightweight material such as compact cement sheeting can be used for undercroft floor and walls.
- 29 *Stage surface:* A lightweight, flame proof, water proof composite product, containing a polymer that fills in minor cracks which might emerge from time to time. 'Cemlite'[®] is an example of such a product. It is described as "A white high strength, acrylic polymer resin, reinforced cement-bound, lightweight composite moulding and applied finish material. It is an alternative to normal density concrete at half its weight and nearly twice as strong.....With its high load bearing strength and ultra lightweight properties, cemlite[®] also delivers excellent weather resistance, together with good fire retardancy, high impact resistance and, in certain applications, the potential for significant improvements in both thermal and acoustic insulation."²
- 30 The use of such a composite product as described in paragraph 29 above for the stage surface and undercroft roof is advantageous in the design solution, because:
 - (a) it creates a sound-deadening and even stage surface, rendering it ideal for theatrical performance (in contrast to wood: see paragraph 26(d)(iii) above);
 - (b) it is hardy and low maintenance;
 - (c) it has a useable life expectancy in a bush setting of many decades;

² See link https://www.abilityproducts.com.au/hm_lightweightcc01.html for trade description of this product

- (d) it gives a low sheen and is available in clear ‘concrete grey’, white and nineteen other colours to choose from, to enable it to blend in with the bush setting;
- (e) it could readily be removed with minimal impact at the end of the stage’s life, because it is thin and light weight, can be readily cut and there is no concrete slab.

31 *Balcony terrace for disabled viewing platform (see paragraph 47 below):* This could be of a simple steel/timber construction.

32 *Chairlift for disabled wheel chair access (see paragraphs 50 to 52 below).* A prefabricated steel frame staircase could be assembled on minimal foundations with lightweight materials.

Creek Bed

33 The anticipated impact of the stage on the creek bed is set out below.³

34 The creek to be left to flow as an open creek, rather than being confined to pipes.

35 The construction of the stage would not itself necessitate the diversion of the creek.

36 The presence of the stage and undercroft would not materially impede the flow of the creek, even in times of anticipated peak flow; and it is not anticipated that peak flow would prejudice the undercroft. As to this:

- (a) the creek that presently runs under the proposed location of the stage does not run through a natural watercourse. Rather, it runs through a man-made trench, the sides of which are reinforced by cut stone blocks. That trench was dug at the time the previous stages were constructed;
- (b) since the demolition of the stage, Council has dammed the trench, leading to a build-up of silt and debris in the creek-bed behind the dam wall;
- (c) once the debris is removed from the trench, it would have a depth of between 50cm to 1 metre;
- (d) there is not a continual flow of water down the creek bed. Flow only occurs in the days immediately following rain. Even after light to moderate rain, the level of flow is very modest;
- (e) in periods of peak flow (occurring only a handful of times a year), it is anticipated that water levels might rise to around 50cm in depth in the trench bed under the stage. This may not be enough even to clear the edge of the stone-lined trench under the stage/undercroft. As an example, over 16 inches (400mm) of rain fell over the weekend of 8-9 February 2020, and neighbours report that the creek ran smoothly down the creek bed without turbulent overflow;

³ The analysis set out below is based on preliminary expert advice and careful consideration, but will need to be confirmed with appropriately qualified experts

- (f) even if (which is not anticipated) the peak flows were to breach the walls of the trench, that overflow would not threaten the undercroft, for two reasons:
 - (i) it is anticipated that (at its lowest point) the floor of the undercroft would be 1.2 metres above the sandstone trench, extrapolating from the DA Design;
 - (ii) even if the peak water flows were to breach the edge of the trench, those flows would not reach the floor of the undercroft. That is because the bottom of the gully (downhill from the stage) effectively creates a natural floodplain, by reason of which water which breaches the stone trench would broadly spread across the gully floor downhill from the Stage, before rejoining the creek further down the gully.

37 Because it is proposed that the stage be placed lower down the gully than the DA Design, there will remain a significant section of the original creek bed in the upper gully that will remain visible, after the installation of the stage.

Undercroft

38 The Proposal includes an undercroft, comprising a simple water-proof, lockable room under the stage. Available ceiling height is yet to be determined.

39 The significance of the undercroft to the practical utility of the performance stage is addressed at paragraphs 66 to 68 below.

Toilet

40 The Proposal includes a toilet facility, utilizing the plumbing that still exists on site (associated with toilet facilities that existed in the now demolished undercroft). This would provide the potential for a standard or disabled access facility.

41 The significance of the toilet to the practical utility of the performance stage is addressed at paragraph 69 below

Disabled Access

42 The issue of disabled access is of fundamental significance to the redevelopment of the Haven.

43 There is a prima facie statutory requirement for disabled access as part of the Haven redevelopment, arising from the *Disability Discrimination Act 1992* (Cth), and the related *Disability (Access to Premises – Buildings) Standards 2010* ('**Access Code**').

44 By way of summary, it is proposed that disabled access be addressed in the following manner:

- (a) with respect to disabled viewing, the Proposal includes the construction of a balcony terrace or viewing platform at road level on The Barricade boundary of the Haven: see paragraph 47 below;
- (b) with respect to disabled access to the stage, it is proposed that:

- (i) the 'ramp system' included in the DA Design be abandoned as part of the design: see paragraphs 45 and 46 below;
- (ii) Council be requested to permit an exception to the requirement of disabled stage access under the Access Code, on the grounds of “unjustifiable hardship”: see paragraphs 48 and 49 below;
- (iii) if Council refuses to grant an exception to the requirement of disabled access under the Access Code, then disabled access be affected through a platform chair lift: see paragraphs 50 to 52 below.

Disabled access under the DA Design

45 The DA Design provides for disabled access by means of an extensive system of ramps, on the northern slope of the Haven gully, as set out in Attachment **B**.

46 We suggest that this is not an appropriate solution for disabled access to seating, for the following reasons:

- (a) it involves a seriously adverse impact on the Haven natural environment, necessitating the destruction of a substantial number of tree ferns, and constituting a stark and substantial incursion (both physical and visual) into the bush setting;
- (b) it involves substantial damage to the heritage value of the Haven, because it necessitates the removal of a substantial portion (if not all) of the stone seating on the northern terrace;
- (c) it decreases the capacity of the Haven, by requiring the loss of seating; the removal of the northern stone seats also reduces the site from what is now described as an amphitheatre to a theatre;
- (d) we understand that overall the ramps might not be compliant with the Access Code, might generate potential safety problems for users, and have not been endorsed by Council’s Access Committee;
- (e) the high cost of the ramp system, which undermines the financial feasibility of redevelopment of the Haven. We understand that Council’s estimate for construction of the ramps is \$300,000;
- (f) there is widespread and strong community opposition to the ramp system. It is very unlikely that any redevelopment of the Haven that includes this ramp system would be supported by the community. Further, the community opposition to the ramps would almost certainly frustrate any prospect of the community raising its proposed share of construction costs.

Viewing platform

47 The Proposal accommodates disabled viewing by inclusion of a balcony terrace or viewing platform at road level on The Barricade boundary of the Haven. This provides the following advantages:

- (a) Friends of the Haven commissioned advice from an access consultant, which recommended this solution;

- (b) the platform provides for very good sight lines to the stage;
- (c) the platform has very convenient access from vehicles;
- (d) the platform can also be used as a ticket platform, enhancing the general utility of the Haven stage as a performance space;
- (e) it involves at least partial compliance with the Access Code, by providing for disabled access for the viewing of stage performances;
- (f) the platform would be constructed to have minimal impact on the natural environment and should be of minimal cost.

Exception to disabled access

48 It is proposed that Council be requested to permit an exception to the requirement under the Access Code of disabled access to the stage, on the basis of the statutory exception of “unjustifiable hardship”.

49 The concept of “unjustifiable hardship” is not exhaustively defined in the legislation. However, by reference to the specified statutory criteria, there is a strong case that the requirement of disabled access to the stage would cause “unjustifiable hardship”, in light of:

- (a) substantial cost of complying with access requirements;
- (b) the financial non-viability of the development, if the Council is required to comply with the access requirements, for reasons which include the inability of the community to raise its presently required share of total funding (\$544,000) on the basis of the DA Design which includes the unpopular ramp system;
- (c) significant adverse impact on the natural environment of the Haven;
- (d) significant adverse impact on the cultural and social heritage of the Haven (**'cultural/social heritage'**);
- (e) the fact that it would be possible to make provision for adequate disabled access to view performances in the Haven, without full ramp access to the stage.

Platform Chair Lift

50 If (contrary to paragraph 48 above) Council insists on full disabled access to the stage, we propose that such disabled access be provided by means of a platform chair lift (as an alternative to the ramp system proposed in the DA Design).

51 A potential supplier has attended the site and has given preliminary advice that a platform chair lift could adequately provide disabled access to the stage, on the following basis:

- (a) *Location:* On the far southern-west boundary of The Haven beside the western stone seats running down from The Barricade towards the harbour. The lift would run from The Barricade to the undercroft under the stage. Embarkation points would be in The Barricade, beside the stone seats in the

body of the site, on the stage, and in the undercroft (which could include an disabled accessible toilet);

- (b) *Visual appearance:* Construction would necessitate:
 - (i) a new staircase on the southwestern boundary running beside and parallel to the platform chair lift. (A staircase next to the chairlift is a safety requirement of the Code to enable a disabled person to be readily removed from the platform in case of a lift failure.) The staircase would be of a width sufficient to accommodate the lift platform, which in turn would be wide enough to accommodate a wheelchair;
 - (ii) a hand rail running to the side of the new staircase to which the platform chair lift would be attached (by one of a number of alternative means);
 - (iii) the staircase and handrails are made of prefabricated steel and/or stainless steel. Both staircase and hand rails would likely be constructed off site for onsite assembly;
 - (iv) for an indication of the appearance of an example of a platform wheelchair system, see link to product brochure;⁴
- (c) *Impact on the natural environment.* In light of the location, the method of construction and types and colours of materials used, the installation would have minimal impact on existing vegetation, the stone seats, and the appearance of the bushland setting;
- (d) *Storage.* The platform unit would be stored under the stage when not being used. It would be brought out only when required;
- (e) *Cost.* Estimated cost in early 2018 was up to \$90,000 (Note the ramps proposed in the approved DA had a separate budget provided by Council of \$300,000.)

- 52 The very significant advantages of the platform chair lift (compared to the ramp system included in the DA Design) are:
- (a) significantly reduced adverse impact on the natural and cultural/social heritage of the Haven;
 - (b) substantial cost savings;
 - (c) safer and more convenient disabled access;
 - (d) likely community support, based on a pervasively positive community response to its general proposal at the 22 May 2018 community meeting referred to in paragraph 4(b) above.

⁴ <https://directlifts.com.au/ascendor-stairway-lift/>

Construction method

- 53 As to pre-construction excavation:
- (a) it will be necessary to remove sedimentation that has accumulated in the creek bed behind a dam placed in the watercourse after the stage had been removed;
 - (b) in order to install the undercroft, it will be necessary to remove some earth that seems to have slipped down from the banks of the seating area;
 - (c) heavy machinery would not be required for either task. The tasks could be performed with hand-held tools;
 - (d) it will be necessary to excavate holes for the concrete foundation pads for each of the approximately 9 to 12 steel supports for the stage. The foundation pads will be subject to an engineer's specification, but would normally be about the size of a hole of a removed wooden pole from the demolished stage (being approximately 30-40 cm in diameter), and a depth that depends upon the determined nature of the sub-soil. No heavy machinery would be necessary for this task. To minimise risk of damaging existing tree roots, hand digging would be mandated for any excavation around roots;
 - (e) it is not presently anticipated that there would be any need for any other pre-construction excavation. In particular, it is not anticipated that there will be any need for further excavation and modification of the creek.
- 54 As to construction methodology for the stage and undercroft in the Proposal:
- (a) in accordance with an engineering specification as per the required number of vertical steel supports (approximately 9 to 12), in ground concrete foundation pads will be cast with attachment points for the steel supports. The holes for the concrete foundation pads would be hand dug. Normally these foundation pads are cast to be level across the site. The steel supports have a flat plate that bolts to the foundation pads. The onsite impact should be minimal;
 - (b) steel frame components to be sized so as to be capable of being carried in without heavy machinery. As was used to remove the substantive wooden supports and debris from the demolished stage, a temporary rail and winch system could be installed up to The Barricade to lower all material to the site;
 - (c) by way of summary, it is not anticipated that there is any need for cranes or other heavy machinery to be used on site, for any part of the construction process.
- 55 It is reasonable to assume that there will be minimal impact to the natural environment of the surrounding gully, caused by the construction process.

'Multi-phase' construction?

- 56 Serious consideration has been given to the possibility of a “multi-phase” reinstatement of the Haven, which might involve reinstatement through a series of incremental steps, including an initial (smaller) stage, a subsequent expansion of the stage size, and a subsequent installation of the undercroft and toilet facilities.
- 57 The Proposal is for a single comprehensive reinstatement, encompassing the full stage and undercroft. We suggest that a 'multi-phase' reinstatement is not appropriate, for the following reasons:
- (a) this is a relatively small project that is most cost-efficiently undertaken in a single build. Reinstatement of the Haven in multiple phases would involve significant cost inefficiencies. Much of the same work is required to build a very small stage compared with the (still small) Proposal. Workers still need to be engaged and materials purchased and brought to the site in both cases;
 - (b) there may be practical difficulties in installing an undercroft at a later time to an otherwise completed or partially completed stage;
 - (c) the marginal cost of installing the undercroft at the time of the construction of the stage is projected to be a relatively inexpensive part of the Proposal;
 - (d) it is likely that the redrawing of plans, a modification to the DA, and equivalent disabled access requirements, would still all be required irrespective of the size of any 'stage 1' phase of reinstatement.
- 58 Further, an initial “smaller stage” (without an undercroft) would significantly compromise the range of community uses for which the stage could be utilised. This creates the risk that a “multi-phase” construction would not generate the community enthusiasm necessary to develop and sustain the momentum for the subsequent phases of reinstatement (which are necessary for the fulfilment of the full potential of the Haven). In other words, there is a risk that a “multi-phase” build might stall after the initial stages, by reason of lack of interest and use.

Landscaping

- 59 The Proposal does not include any proposal for further landscaping, beyond repair and maintenance of the current tiered seating.
- 60 The Proposal does not include the removal of any trees (apart from regrowth on the footprint of the demolished stage).

Significance of various design components to utility of the performance space

Size

- 61 The requirement for a minimum area of performance space (at least as big as the stage in the Proposal) is reasonably necessary for the performances and events historically staged at the Haven, taking into account:
- (a) the significant number of people potentially on stage, in theatrical and musical productions of even modest scale;

- (b) the need to make provision for props and stage settings (for theatre), and musical instruments (for musical productions);
 - (c) the necessity for surplus space on stage, for the movement of persons across the stage for even modestly restrained staging of theatrical events;
 - (d) the need for space for the staging of even small scale dinner cabarets;
 - (e) the need for inclusion of the pre-stage area to the south of the stage for temporary storage of sets and performance related materials before and during a performance as well as a food assembly area for cabaret (dinner and show) events.
- 62 Of the events and performances referred to in paragraph 12 above, the successful staging of most would have reasonably required a stage at least as big as size of the stage in the Proposal.⁵ For example, if the stage was significantly reduced in size (relative to the Proposal and the demolished stage), the following performance and community purposes would likely not be possible:
- (a) theatre and musical productions unless limited to a small number of performers. For example, on a significantly smaller stage, it would not have been possible to stage the following productions which were successfully staged in the past: *Midsummer Night's Dream*, *Wind in the Willows*, *Cosi*, *A Christmas Carol*, *Don Quixote* and *Captain Midnight*, to name but a few;
 - (b) certain Jazz concerts such as the James Morrison and Band and Graeme Jesse and friends;
 - (c) the average sized annual community street party with its tables containing shared food and drinks and between 80 to 100 people could not be held on the stage. A smaller stage would render the Haven unsuitable for many types of community gatherings;
 - (d) cabaret (including dinner and show) held on the stage would not be reasonably practical on a smaller stage. The cabarets had proved to be a reliable and very popular means of fundraising. HAC never sought to make a profit, and sought only to cover its overall annual production costs. But the funds generated from cabarets were necessary for financing stage maintenance, and cross-subsidising the highly valued children's theatre and some larger semi-professional performances. (As well as size, the shape of the stage is also important. The DA Design for a triangular stage does not create a reasonably usable area for Cabaret or semi-professional theatre;)
 - (e) holding the annual Xmas Carols on a smaller stage would be difficult. Room on the stage is needed for instruments (usually including keyboard), singers, musicians, Santa Clause (and the rush of children coming to the stage to greet Santa and collect their lollypops!)

⁵ See the link on the Haven Amphitheatre Committee website for some excerpts of performances which give an indication of the scale required to perform these types of events - <http://www.thehaven.biz>

- (f) there would be significantly increased difficulty attracting theatre groups, musicians and singers of the professional standard our audiences are used to, to perform on a significantly smaller stage. The small size of the demolished stage was always an obstacle to engaging talent. It was really only due to a combination of the uniqueness and ambience of the Haven Amphitheatre, and the reputation and skill and friendliness of the volunteers managing and running the Haven, that HAC was able to attract the artists that performed at the Haven over the years. It may be impossible to secure the engagement of many performers with an even smaller stage.

63 A smaller stage would be substantially limited to solitary performances such as poetry readings or lectures; or performances by very modestly sized groups of theatre performers, musicians or singers; or a viewing platform for the Haven amphitheatre seating. If the stage was not at least the size of the demolished stage, the potential of the performance space of the Haven stage would be very severely constrained, and the rich heritage of Haven productions could not be sustained.

Straddling the creek

64 Consistent with the placement of the demolished stage, the Proposal involves a stage straddling and covering the creek.

65 For the same reasons for which the late eminent architect Robert Sheldon AM presumably placed the original stage where he did, we suggest that this proposed placement of the stage is the only reasonably practical option, for the following reasons

- (a) *Sight lines*: Such position produces superior sight lines from both northern and western stone seats compared with almost any other position in the gully;
- (b) *Proximity to audience*: The stage (being adjacent to both northern and western stone seats) is in close proximity to the audience. The further distance between the audience and a stage placed exclusively on the far side of the creek, would substantially detract from the performance experience. This was demonstrated in the Council performance of Carols in 2019 held on the northeast slope across the creek, in respect of which there was general recognition that performers were too distant from the audience, giving rise to sound issues and removing the sense of intimacy between the performers and audience that is a part of the magic of a Haven production;
- (c) *Room for undercroft under stage*: By reason of the contours of the gully, the proposed position for the stage allows it to sit in the gully in a manner which leaves space below the stage to accommodate an undercroft (which remains entirely invisible from almost all angles within the Haven gully). If the stage were placed exclusively on the harbour side of the creek, in addition to the problems set out in (b) above, any undercroft would necessarily be exposed, and the inclusion of the undercroft would necessitate significantly raising the height of the stage and/or require excavation below the stage;

- (d) *Aesthetic Reasons:* As with the demolished stage, the proposed stage will sit snugly in the Haven: its front edge will hug the contours of the gully, blending the curved stage unobtrusively into the Haven bush setting. From the street view and from the stone seats, the surface of the stage has the illusive appearance of the natural floor of the gully. It is the only position in the gully, where the undercroft will be invisible from most angles, and the illusion of the gully floor can be achieved.

Undercroft

- 66 The inclusion of an undercroft (ie, a waterproof, lockable room below the stage) is extremely significant for the practical utility of the stage, for the following reasons:
- (a) the existence of an undercroft allows the acquisition and on-site storage of general operational and technical equipment. This facilitates basic stage setup to be done in hours rather than days. Increased demand on volunteers associated with arduous, inefficient and longwinded stage set-ups would significantly compromise the prospect of securing volunteer assistance for Haven productions;
 - (b) the absence of an undercroft (and the consequential difficulty of acquiring and conveniently storing equipment) potentially increases the costs of production, which may compromise the economic viability of potential activities. The additional costs arising from the absence of an undercroft would be associated with:
 - (i) hiring, delivering, installing, and de-installing off-site equipment;
 - (ii) in the event of multiple day performances or rehearsals, either guarding the equipment on-site overnight, or removing and re-installing/re-testing the equipment each day;
 - (c) the presence of an undercroft can serve the purpose of a “green room”, which gives the actors and other performers a place (other than public space in the amphitheatre) to get ready, and from which to enter the stage;
 - (d) an important role of the Haven is to introduce and train interested and talented young people of Castlecrag in all aspects of theatre: ie, production, theatrical and technical. These kids are the future of the Haven. In light of the “tech savvy” nature of the younger generations, it may be more difficult to generate interest and engagement in the young without a modern workable undercroft.
- 67 By way of demonstration of the future utility of an undercroft, the undercroft of the demolished stage was integral to the historical operation of the Haven theatre. It was used for:
- (a) storage for tables and chairs (for food and concert performances);
 - (b) performance make-up, with the provision of five mirrored make-up positions;

- (c) a very basic kitchen facility, with fridge, tea making facility, and microwave;
- (d) a meeting room for HAC;
- (e) green room for actors;
- (f) access to the inbuilt stage trapdoor for the entry on occasions by Santa, actors, etc;
- (g) toilet;
- (h) Providing waterproof accessible technical room within the undercroft where a significant amount of valuable lighting and audio equipment was securely stored and/or installed.

68 If no undercroft was to be included in the design (and the stage therefore had no facilities), the following performance and community purposes would be frustrated in the following ways:

- (a) there is a risk that many theatre productions would not be financially viable, in light of the extent of technical equipment required, and the increased costs referred to in paragraph 66(b) above. The commercial costs associated with daily hiring, installation, and de-installation would likely be around \$6,000 per daily performance for the types of production previously staged by HAC. This is not likely to be financially viable for a community theatre;
- (b) performers would have nowhere to change, do their makeup, and wait in moderate levels of comfort for their performance. They would need to descend the stairs from the viewing amphitheatre to enter the stage, rather than just appear on the stage by coming from the undercroft via suitable access points, which will undermine the illusion of the alternative stage reality which is integral to drama production. There is a significant risk that the absence of a greenroom will decrease the capacity in the future to attract actors, theatre groups and musicians of the calibre which have previously performed at the Haven;
- (c) the absence of the facilities associated with an undercroft might compromise the ability to attract to the Haven and enthuse both young (and older) people, to volunteer and learn new skills in the Haven: see paragraph 66(d) above;

Toilet

69 The inclusion of toilet facilities is significant for the practical utility of the stage, for the following reasons:

- (a) in the absence of toilet facilities, it will be necessary to hire portaloos for all productions and events. This will create a significant additional costs, which may affect the financial feasibility of many uses of the Haven;
- (b) even if there are portaloos, it is highly desirable to avoid requiring performers to ascend the stairs in costume through the audience to the street, to share the hired portaloos with audience members. Not only is this an

undue imposition on performers, but it further detracts from the illusion of the alternative stage reality: see paragraph 68(b) above;

- (c) for rehearsals and other activities in the Haven when a hired portaloos is not reasonably practicable, the presence of a toilet in the undercroft is a practical necessity. The nearest public toilets to the Haven are in the Quadrangle Shopping Centre. Without a toilet, important uses of the Haven will likely be frustrated.

Proposal addresses limitations in the DA Design

70 Set out below is a summary table which identifies what we suggest are certain limitations and difficulties with the DA Design, and how those limitations and difficulties are addressed in the alternative Proposal:

	Limitations of DA Design	How Proposal addresses limitation
1	<i>Loss of tree ferns.</i> DA Design places the stage further up the creek, necessitating the removal of beautiful and significant tree ferns (see paragraph 26(a)(i) above) and also the potential excavation and removal of other material from the top northern section	Location largely the same as the demolished stage, and retains tree ferns that would be lost in DA design.
2	<i>Intrusive ramp system.</i> DA Design includes substantial ramp system for disabled access, which causes very substantial prejudice to the natural and cultural heritage of the Haven: see paragraph 45 above	The Proposal abandons the ramp system: see paragraphs 47 to 52 above
3	<i>Placement increases stage height.</i> Stage is placed higher up the creek above the waterfall, which necessitates the raising of the stage height. Raising the stage height potentially causes various problems, including loss of seats, creation of voids between seats and stage, and more obtrusive visual impact on gully: see paragraph 26(a)(ii) above	Location largely the same as the demolished stage, and sits below the waterfall. Height of stage significantly lower
4	<i>Triangular shape sub-optimal as performance space.</i> Triangular shaped stage does not optimize the stage as a performance space, and does not provide sufficient room for onstage cabaret seating for dinner and show, which is important for the general financial viability of the Haven: see paragraph 26(b) above.	Size, shape and location of new stage (being largely the same as those of the demolished stage) will address these problems

5	<p><i>Front edge fails to align with gully contours.</i> The straight front edge of the stage does not snugly align with the contours of the gully. This causes the stage to sit more obtrusively in the gully, and potentially causes dangerous voids between the seating and the stage into which objects and performers may fall: see paragraph 26(b)(ii) above</p>	<p>Stage surface to align and integrate with stone seating, and the contours of the sides of the gully</p>
6	<p><i>Back edge not curved.</i> Lack of curved rear edge fails to optimize the stage as a performance space, and causes the stage to sit more obtrusively and less naturally in the gully: see paragraph 23 above.</p>	<p>Stage to have a curved rear to help further optimize the stage as a performance space and provide improved visual placement of the stage in the gully</p>
7	<p><i>Unduly close to sound and lighting desk.</i> Stage is to be located almost adjacent to the sound and lighting desk (which remains in place in the gully), causing those desks to be unduly close to the stage. Although it is both usual and practical for a sound and lighting desk to be placed towards the back of a theatre (to facilitate a broad and uninterrupted perspective on the stage), the present desk is optimally placed in the Haven. This is because placing the desk further up the slope is not reasonably possible in the Haven, because sight lines from the desk to the stage would be obscured by trees and tree ferns.</p>	<p>Location largely the same as the demolished stage, which is well below the sound and lighting desk. The present sound and lighting desk would be in optimal location.</p>
8	<p><i>Structure unnecessarily increases stage height.</i> The design incorporates a heavy raised timber stage deck, and an independent roof for the undercroft under the stage deck: see paragraph 26(d)(i) above. These design features further increase the stage height, which is problematic for the reasons summarised in row 3 above</p>	<p>Lower stage height, because stage surface to be of lightweight composite waterproof material which occupies less vertical space than the DA raised timber deck, and which also acts as undercroft roof (eliminating need for an additional independent roof structure for undercroft).</p>
9	<p><i>Potentially dangerous gaps in timber boards.</i> Stage having timber deck surface of boards with gaps in between is dangerous for performers: see paragraph 26(d)(iv) above</p>	<p>Stage surface to be of lightweight composite waterproof material, with no gaps.</p>
10	<p><i>Not located in primary viewing zone for the amphitheatre.</i> The authors understand that the DA Design was drafted to align with proposed new stone seating (to replace most</p>	<p>Location largely the same as demolished stage that produced reasonable sight lines from the amphitheatre seating</p>

	if not all of the current stone seating), which might have placed the stage in the primary viewing zone. However, when the proposal for new western stone seating was abandoned following community protest, the stage design was not correspondingly altered.	
11	<i>Compromised access between stage and undercroft.</i> There are no ramps from the stage to the undercroft below to provide wheeled access for equipment to be used on stage and/or for its storage below: see paragraph 26(e) above	Provision of low key access ramps and steps between the stage to undercroft below provide access to and from stage for performers and crew and wheeled access to and from the stage for equipment

Respect for Cultural and Social Heritage

- 71 The reinstatement of a fully functioning stage is consistent with (and critical to the conservation of) the cultural/social heritage of the Haven.
- 72 An essential dimension of the Griffin philosophy which infuses the cultural/social heritage of the Haven, is the integration of nature, the built environment, community, and the performing arts: eg
- (a) *Nature:* 'The primary concern of the design of the Griffin estates was to respect the natural landscape setting': *2016 Castlecrag Griffin Reserves Plan of Management ('2016 POM')*, [22.4]-[22.5], page 125;
 - (b) *Built form has its place, but subservient to nature.* 'Every component of the estates was planned with its appearance and impact on the natural landscape taken into account': 2016 POM, [22.4], page 125;
 - (c) *Centrality of community.* a 'key concept' in the Griffin Estates is 'a healthy community developed through availability of open space': 2016 POM, [22.5], page 125;
 - (d) *Performing arts.* The performing arts were integral to the Griffin ideals of a healthy community. The Haven is heritage listed, and the Heritage Listing statement for the Haven refers to the Haven site being chosen by Marion 'who was very keen on the performing arts and wished to promote social and cultural activities'.
- 73 A reinstated functional stage in accordance with the Proposal arguably represents the purest encapsulation of the Griffin philosophy of the integration of nature, built environment, the community, and the performing arts. That conclusion is strongly reinforced by the terms of the Deed of Trust dated 12 October 1943 (by which Marion Griffin transferred the Haven to the public), which refers to:
- (a) the 'intent that the native flora fauna birdlife and natural features therein shall be preserved and developed for the health recreation and enjoyment of [residents]' (clause 4);

- (b) buildings should 'harmonise with the surrounding landscape' (clause 6);
- (c) 'Council may permit concerts, theatres and dramatic and concert performances to be given or presented [in the Haven]' (clause 8)

74 It is important to note that the cultural/social heritage of the Haven is not confined to performance in the natural bush setting. It unequivocally includes theatrical performance in substantial man-made structures in the Haven. As to this:

- (a) the Deed of Trust itself contemplated significant structures being erected in the Haven, with reference to 'buildings...having a main roof of concrete slates or tiles' and being of 'brick and/or stone and/or concrete or such other material that may be approved.....': (clause 6).
- (b) the Heritage Listing explicitly recognizes that the demolished stage is both part of the cultural/social heritage of the Haven, and also encapsulates the Griffin legacy. Written when the now demolished stage was in place and functional, the Statement of Significance of the Heritage Listing states:

'The Haven Amphitheatre has both local and state levels of significance. Associated with architect Walter Burley Griffin and Marion Mahony Griffin, the theatre has historic significance as part of Griffin's unique Castlecrag subdivision. Rare as the only Griffin-designed theatre, it has strong local community and social significance as an ongoing facility for social and cultural activities.' (emphasis added).

Also included in the Heritage Listing are the following statements:

'The Haven Amphitheatre is still used today';

.....

'The Haven is representative of the Griffin design principles which involved siting buildings and objects in relation to the surrounding environment';

Respect for Natural Heritage

75 The proposal is consistent with the Griffin philosophy that the built environment be subservient to nature. There are many aspects of the proposed design which integrate the stage with the bushland setting, and minimize the impact of stage on the Haven natural environment, including the following:

- (a) the Proposal substantially replicates the footprint of the (small) demolished stage, and thereby does not increase the incursion of the stage into the gully (relative to the much loved demolished stage);
- (b) the construction of the stage will not necessitate the removal or destruction of any significant tree ferns or trees in the gully;
- (c) there are a number of features of the stage design which cause the stage to integrate with its bushland setting. The curved stage sits low in the Haven, and nestles naturally into the contours of the gully. The stage surface can be made of a material which can include colours of the bush. The overall

effect is to create the illusion that the stage comprises part of the natural floor of the gully: see 65(d) above;

- (d) compared to the DA Design, the Proposal stage will sit lower in the gully, which contributes to the subservience of the stage to the bush setting: see paragraph 26(a) and 26(d)(i);
- (e) the proposed use of steel frame minimizes the number of in-ground supports (approximately 9 to 12 steel supports) compared with the number of wooden in-ground supports used for the demolished stage (34). This limits the need for excavation, and therefore the risk of affecting roots of significant trees: see paragraph 27 above;
- (f) as with the demolished stage, the undercroft will be invisible from most viewing points;
- (g) construction is not anticipated to require the use of cranes or other heavy machinery in the gully, thus significantly minimising potential collateral damage to the natural environment during the construction phase;
- (h) the stage is to be made of a light-weight material which could readily be removed with minimal impact at the end of the stage's life should that be necessary: see paragraph 30(e) above;
- (i) the Proposal avoids the serious scarring of the gully environment that would otherwise be caused by the ramp system proposed in the DA Design: see paragraph 45 to 46 above.

76 To the extent that the reinstatement of the stage will nonetheless have some impact on the Haven natural environment, that is consistent with the Griffin philosophy of the sympathetic integration of the built and natural environment:

- (a) the Deed of Trust makes clear that the Griffins never intended that the Haven gully be preserved as unadulterated pristine bush. The Deed of Trust specifically earmarked the Haven for the hosting of theatrical and musical performance, and the Deed of Trust explicitly contemplated that there would potentially be significant construction on the site: see paragraph 74(a) above.
- (b) further, the Heritage Listing of the Haven now specifically recognizes the demolished stage as comprising an essential part of cultural/social heritage of the Haven: see paragraph 74(b) above;
- (c) the Haven is therefore exceptional within the natural bushland in Castlecrag, because it is identified as the host of a unique and culturally significant constructed stage and performance space. To the extent that the stage has some impact on the natural environment, that impact is therefore reasonably justified, in light of the need to balance natural environment with the cultural heritage and community function of the Haven.

Costings

- 77 *Stage and undercroft and viewing balcony.* An independent builder has provided a preliminary estimate of \$600,000.
- 78 *Disabled chair lift.* Preliminary estimates in early 2018 for the disabled chair lift (referred to in paragraph 50 above) was up to \$90,000.
- 79 By way of comparison to the DA Design, Council suggested the cost to build according to the DA Design (including ramps) would be \$1,388,000 (\$1,088,000 for the stage plus \$300,000 for ramps).