



Statement of Environmental Effects goulburn performing arts centre

prepared for

goulburn
mulwaree council

by

brewster hjorth architects

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executive summary



Application

This Statement of Environmental Effects (SEE) is submitted to Goulburn Mulwaree Council (Council) in support of a Development Application (DA) for proposed demolition of existing buildings and construction of a new development on Lot 17, Section 2, DP 758468, Lot 17, Section 2, DP 758468, Lot 17, Section 2, DP 758468 163 Street, Goulburn NSW 2580.

The application seeks development consent under Section 78A of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979).

The proposal is not Integrated Development. The Capital Investment Value of the project exceeds \$11 Million

Project Description

The subject site is located at Auburn Street, in the Goulburn CBD and includes the existing McDermott Building which was the original Goulburn Town Hall constructed in 1887. The proposed new development includes the demolition of the rear portion of the existing building which was generally a later 1936 addition, and the construction of a new public theatre with supporting amenities and facilities. The remaining portions of the McDermott building are proposed to be converted to Public Foyer and supporting facilities to support, and form part of the new Theatre use. The existing Post Office laneway is used to access the loading dock whilst maintaining access to the Court's parking area.

The application seeks consent for partial demolition of the heritage listed Mc Dermott Centre (Town Hall) and other minor structures and construction of a new purpose built Performing Arts Centre building and the adaptive reuse of the remaining portions of the McDermott Centre as a cafe and box office to the existing L1 and new Administrative Support offices to the existing Level 2

The site

The site is zoned B3 Commercial Use under the Goulburn Mulwaree Local Environmental Plan 2009 (LEP). The site is identified as a local heritage item. The precinct contains numerous individually listed heritage buildings in the immediate vicinity of the proposed works.

The site is located at the southern end of the Goulburn City Business District (CBD) as identified within the Goulburn CBD Plan 2009, where it is identified as an active street frontage and part of the CBD. The Goulburn Post office, which is heritage listed is located directly to the north and Belmore Park the large CBD green space is located nearby at the northern end of the block on the corner of Auburn and Montague Streets. The heritage listed Goulburn Local Court is located behind and to the east along Montague Street and shares use of the existing Post Office Lane to the rear of the development which is currently used to access the Courthouse parking, the parking to the Post Office building, and the existing parking located to the rear of the McDermott Building.

There is mixed retail to the west opposite the site along the western side of Auburn Street, and the multi-storey Government Offices Building built in 1966 is located immediately to the South adjacent the site.

Potential Environmental Impacts

The site which is rectangular in shape is closely surrounded by medium to high rise heritage buildings and the proposed extension to the Mc Dermott Centre to the rear of the site has low impact on the street frontage to Auburn Street and does not visually impact Montague street.

An assessment of the potential environmental impacts of the development concludes that the proposed Performing Arts Centre provides a balanced approach to the heritage significance of the site, the individually listed buildings and Goulburn City Business Plan and the competing interests of the daily commercial requirements of the use.

The innovative design sensitively delivers a new large facility circled by heritage items, placing the the larger volume theatre and fly tower to the rear of the site using the topography to reduce its visual impact from the street. The proposed performing arts centre creates a new enhanced venue for Auburn Street and re purposes the Existing McDermott Centre which now becomes an important and enhanced community asset. Most importantly it creates a built form that is sympathetic to the heritage listed Mc Dermott Centre and the Auburn Street and Montague Street heritage buildings located within the Goulburn heritage conservation area.

In this respect, the development is considered compatible with the significance of the site and is consistent with the relevant zoning controls and statutory and policy framework applying to the site.

Based on the assessment undertaken, Council's approval of the Development Application is sought and a Construction Certificate for the development will be sought separately from this application.

1.0 introduction



1.1 Overview

This statement has been prepared by Brewster Hjorth Architects in support of a development Application for:

partial demolition of Mc Dermott Centre 1939 Extension

demolition of other structures

construction of a new purpose built performing arts building comprising:

440 seat theatre, with associated back of house facilities

entry foyer, amenities and lift access

adaptive reuse of the Mc Dermott Centre for the purpose of Ticket Booth, Cafe, Heat up Kitchen and Extension of the associated landscape works

The application seeks development consent under section 78A of the EP&A Act 1979

This report describes the site and context, the development history and the statutory and policy controls relevant to the proposal. It provides an assessment of the development under section 79C of the EP&A Act 1979

1.2 Scope and Format of Report

The report is broken into the following sections :

Section 1	of this report contains the over view of the application
Section 2	describes the site and context
Section 3	identifies the historical land uses and previous consents granted by council
Section 4	identifies the proposed development
Section 5	sets out the statutory context and identifies the relevant planning instruments and Council Policies
Section 6	contains the environment assessment of the application and
Section 7	sets out the conclusions

The following documentation has been prepared in relation to the proposed subdivision and is included as attachments to this statement

Attachment 1:	Survey
Attachment 2:	Architectural Plans, Shadows and Perspectives
Attachment 3:	Access Report
Attachment 4:	BCA Report
Attachment 5 :	Heritage Impact Statement
Attachment 6:	Conservation Management Plan

1.0 introduction



- Attachment 7: Cost Breakdown
- Attachment 8: Energy Efficiency Calculations - Section J
- Attachment 9: Civil Excavation Plan
- Attachment 10: Geo technical Report
- Attachment 11: Traffic Management Plan
- Attachment 12: Waste Management Plan
- Attachment 13: Contamination Report
- Attachment 14: Structural Drawings

2.0 Site Analysis



2.1 Site Location and Context

The town of Goulburn is located in the local government area of Goulburn Mulwaree Shire in the southern tablelands area of New South Wales.

The site is situated on the south-eastern side of Auburn Street, Goulburn. Refer to Figure 1 – Locality Plan for details of the general location of the site. Figure 1 below shows the locality of the site.

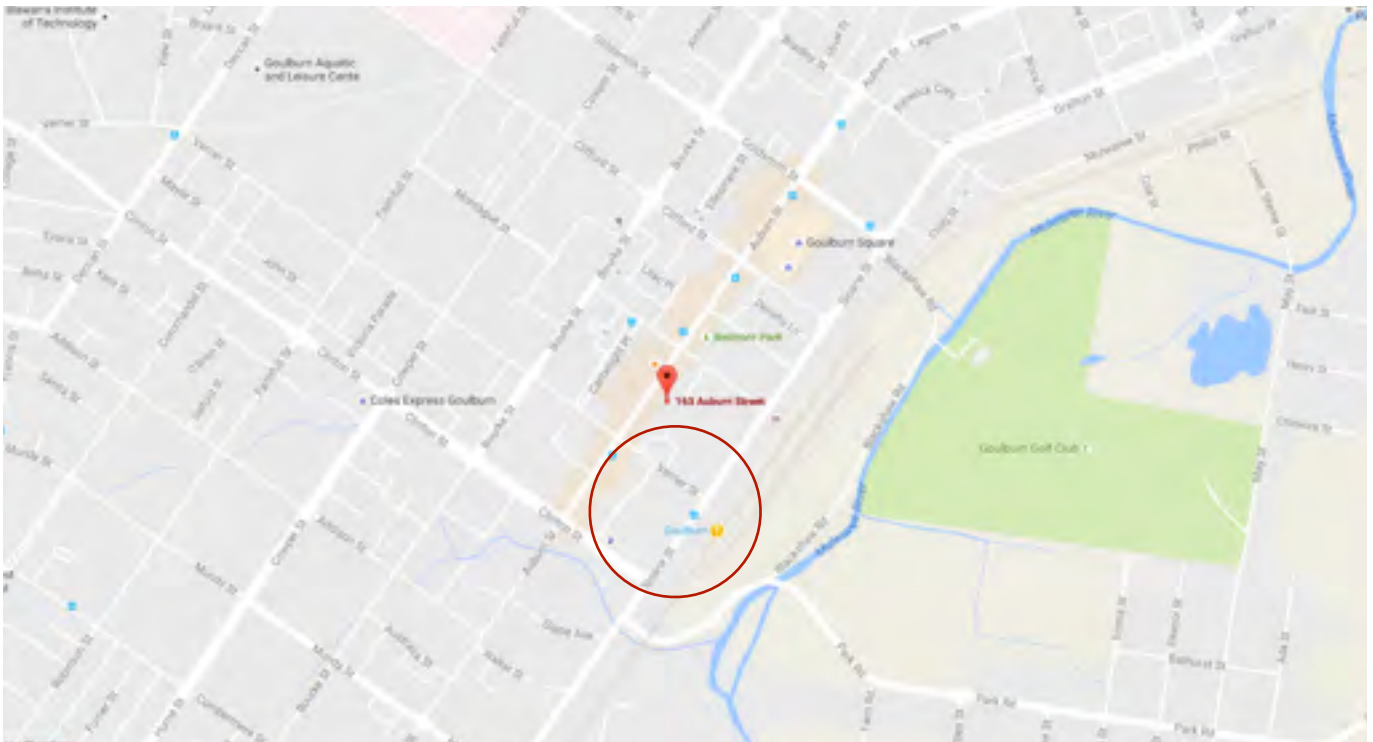


Figure 1 Site location (Source: www.googlemaps.com.au)

Contextually, the site is located on the eastern side of Auburn Street, approximately half way between the intersections with Montague Street (to the north) and Verner Street (to the south).

It is described by NSW Land and Property Information (LPI) as Lots 11, 17 & 21, Section 2, DP 758468.

The heritage listed Goulburn Post Office building and the newer Telstra exchange building are located to the north adjacent the site, and the large Belmore Park is located to the north at the end of the block on the opposite side of the Montague Street intersection. The Heritage listed Goulburn Local Court buildings are located to the east along Montague Street

A 'strip' of 2 - 3 storey mixed retail development is located to the north-west of the site along the opposite side of Auburn Street, the higher 5-6 storey multi-storey Government Offices Building constructed in 1966 is located to the South and immediately adjacent the subject site with a blank windowless 6-7 storey wall running along the site's southern boundary for its full length.

The existing 3 storey development on the site forms a lower rise development amongst the surrounding buildings which are larger in scale and height.

2.0 Site Analysis



2.2 Site Description

The site is commonly known as the Mc Dermott Centre (Old Town Hall 1887 -1990) and is located at 163 Auburn Street, Goulburn

Figure 2 shows the site.



Figure 2 Site location (Source: [www. maps.six.nsw.gov.au](http://www.maps.six.nsw.gov.au))

2.2.1 Legal Description

The land is owned by Goulburn Mulwaree Council and is legally described as:

Lot 11 Section 2 DP 758468

Lot 17 Section 2 DP 758468

Lot 21 Section 2 DP 758468

2.0 Site Analysis



Figure 3 shows the locality of the site.

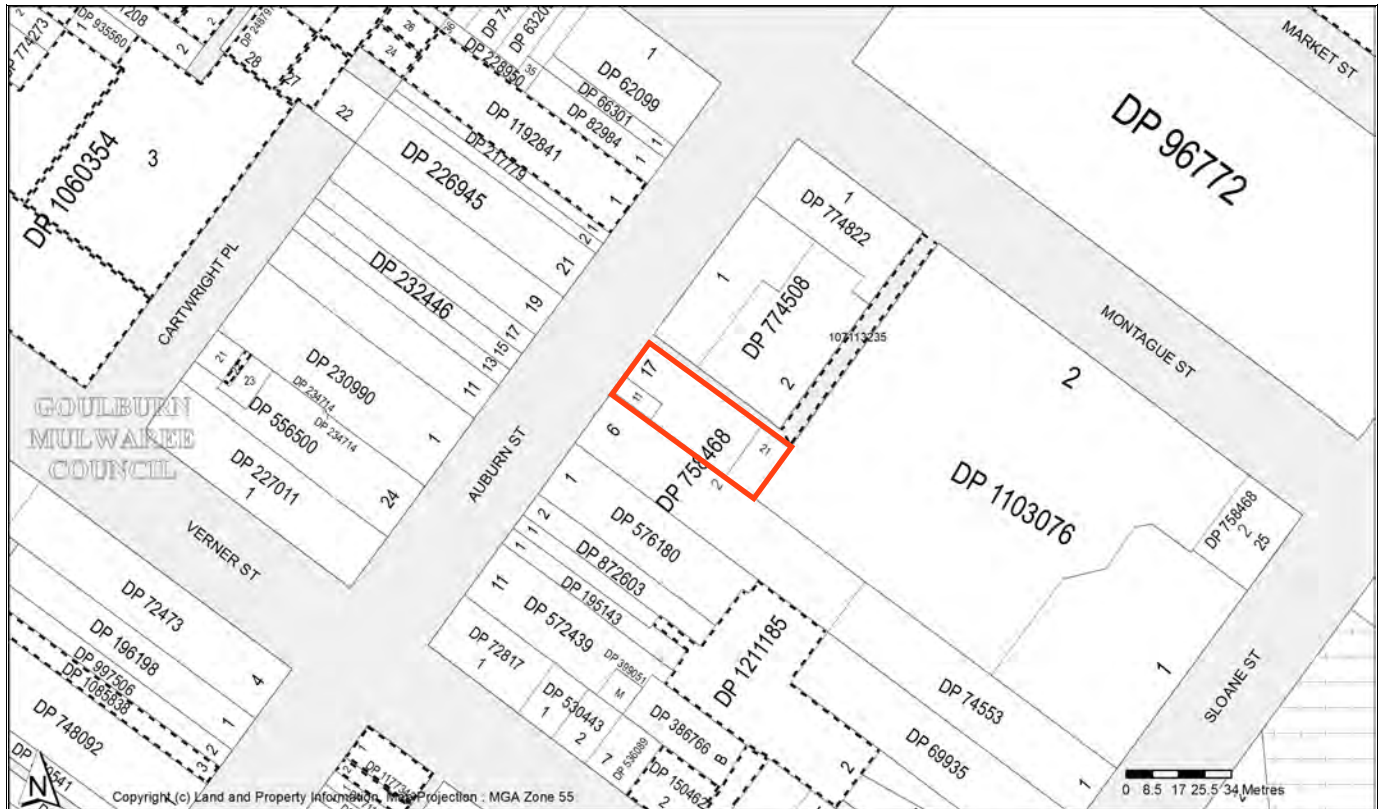


Figure 3: Site cadastral map (Source: Land and Property information a division of the Department of Finance & Service)

The Site is a regular shaped lot , bordered by Post Office (c 1880), Mechanics Institute (c 1860), Technical School (c 1886) to the north separated from the site by a pedestrian laneway, and the Government Offices Building (1966) to the South of the site, separated by a side setback area on the subject site which is currently used as a secondary access to the rear parts of the existing building.

The Streets that bound the city block which contain the site are as follows:
Montague street to the east and, Sloane street to the south and Verner street to the West.

The site has a frontage of 29.5 m to Auburn street on the North West (57.3m to the side lane parallel to the Old Town Hall)
The site has an overall area of 1140 sqm

Goulburn Mulwaree Council currently use the McDermott Centre for council offices, function spaces for meetings, community facilities - the centre provides community information, referral and centre based day activities for aged people, older people with disabilities and their carers. The McDermott Centre also houses the administrative offices for programs which providesocial support for older people with disabilities and their carers as well as LeisureLink Peer Support program providing social activities for young adults with a disability and their carers. The current users will be relocated by Council to alternative accommodation prior to the commencement of the works

Figure 4 shows the locality of the site.



2.3 Location of Proposed Works

A survey of the Proposed Works is provided as attachment 1

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2.0 Site Analysis



Figure 5: Eastern View of 1936 Addition of the Mc Dermott Centre from post office lane



Figure 6: North Western View on Auburn Street to the original Mc Dermott Centre (1887)

2.0 Site Analysis



Figure 7: Eastern View of 1936 Addition of the Mc Dermott Centre from the rear staff parking area.



Figure 8: Southern View of the McDermott Centre through to Auburn Street with the Wall to the Government Offices

2.0 Site Analysis



2.4 Adjoining Sites and Surrounding Development

The former Goulburn Town Hall building is located in a prominent position on Auburn Street in the Goulburn Central Business District (CBD). The streetscape is predominantly characterised by two to three storey commercial buildings which represent the layered development of the city.

Auburn Street is a main thoroughfare in Goulburn that runs from Kinghorne Street to Combermere Street (north-south). There are numerous cross streets along the length of the street, with the subject site located on the eastern side of the street, mid way between the intersections with Montague Street to the north and Verner Street to the south.

The height, style and age of the buildings in the immediate vicinity of the subject site varies. With the exception of the Court House to the east, all buildings are built to the street front, with no setback from the footpath. Side elevations vary with some buildings being attached, while others are set back with laneways running between. The side elevations of the former Town Hall building are still clearly visible. A side pedestrian lane on the northern adjacent site provides a setback between the subject building and the Post Office building, while a single width driveway running along the inside of the subject site boundary provides a setback between the subject building and the southern adjacent office building.

Directly adjacent (north) sits the State heritage listed Goulburn Post Office building, with the State heritage listed Goulburn Court House complex located to the east, behind both the Post Office and the former Town Hall. These three buildings together with the locally heritage listed Mechanics Institute building on the corner of Auburn and Montague Street make up a distinctive civic group of buildings that contributes to the historic character of the city.



Figure 9: Goulburn Courthouse to the East of the Site

2.0 Site Analysis



Figure 10: Post Office Lane from looking toward Montague Street allows to the rear of the site



Figure 11: View from Montague Street to the rear of the site

2.0 Site Analysis

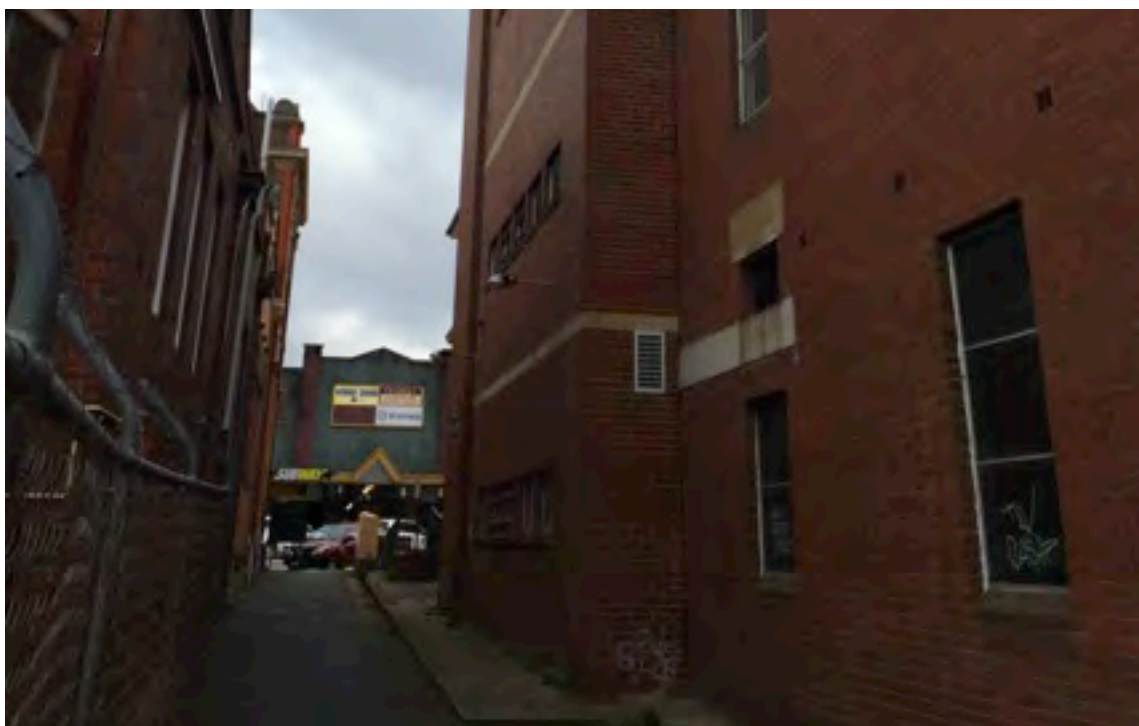


Figure 12: View to Auburn Street along the northern boundary of the site from the pedestrian lane between the Mcdermott Centre and the Existing Town Hall



Figure 13: View from Auburn Street along the northern boundary of the site from the pedestrian lane between the Mcdermott Centre and the Existing Town Hall



Figure 14: View along the Street frontage North to Auburn Street



Figure 15: View along the Street frontage South to Auburn Street

3.0 Background



3.1 History of the Site

A Heritage Impact Statement and Conservation Management Plan has been prepared for the development application (Refer Attachment 6) and it provided a detailed history of the development of the site

The subject site was originally part of the Crown reserve occupied first by the old court house, gaol and police lock up. The gaol and lock up were removed to make way for the Goulburn Post Office (built 1880- 1881) and the new (current) court house built in 1885- 1887. The old courthouse (facing Sloane Street) was retained and integrated into a new two storey police station designed by architect James Barnet in 1885.

There are references within newspapers and books of the time that mention early buildings that occupied the site of the Town Hall prior to construction of the building, which began in 1887. In particular there are references to a lock-up building (associated with the old gaol) and a fire brigade building/shed, both of which indicate earlier uses of the subject site prior to 1887. Early maps dating from 1850 and 1859 respectively show the old gaol and courthouse site bound by Auburn, Montague and Sloane Streets. A small square building marked 'lock- up' has been mapped, close to the gaol building and fronting Auburn Street, in the approximate location of the subject site.

The use of the site by the Fire Brigade prior to the construction of the Town Hall is also identified on the 1859 map, as well as being referenced across a number of newspaper articles and other written sources.

In 1890 the Auburn Street site was dedicated for a Town Hall (revoking the earlier dedication for the fire brigade). By this date the Town Hall building had already been constructed. The dedication of the site confirms that the land was first alienated from the Crown in 1890.

The formal land grant for the site was produced later still, dated 1899.²⁴ The land title refers to the subject site (Lots 11 and 17, Section 2, DP 758468).

At some point another small portion of land (Lot 21, Section 2, DP 758468) was alienated from the Crown and is now part of the carpark at the rear of the site

The walls are of brick on rubble foundations with concrete footings, and the rubble-work is faced with freestone; the brickwork on three sides is built with red pressed brick from Merrylands. The mouldings are in Bundanoon stone.

The elevation to Auburn-street has a very substantial appearance. The lower windows have architraves and corbelled heads, with carved scrolls on top; the door has bluestone steps, and an elliptical head with carved inposts, keystones, etc. carrying a stone balconette above, from which the city fathers can address the multitude when the hall is found too small for the purpose.

The upper windows have moulded imposts and archibolts, and carved keystones. A bold cornice surmounts the whole with the exception of the centre portion, which rises as a gable to a height of fifty-three feet from the pavement.

The roof is very steep and is covered with Welsh slates.

At the formal opening hosted by the Mayor the architect himself, Edmund (E. C.) Manfred, described the building and explained the reasoning behind such a flamboyant design -

"The material used in the erection of the building was more expensive than usually employed in Goulburn; but it was the desire of the alderman and himself to have a building of a style different from that usually adopted in Goulburn, also a building really what it purported to be. In it there were no bricks covered with cement, and no cement marked to represent stone. It was honest and no sham.

On the 1st March 1935 a motion was put forward to the Council and subsequently carried, for an alteration and extension of the Town Hall building. Architect Herbert Charles (H. C.) Manfred, son of the original building's architect Edmund Cooper Manfred, was asked by Council to draw up plans for the new extension.⁴³

The Council considered the incorporation of a theatre into the rear addition, as well as the additional administrative spaces, as a means of funding the entire project. Although this scheme did not eventuate, a set of proposed plans was drawn up with this concept in mind, consisting of a two storey addition including a banqueting hall, offices, kitchen and upper level hall (theatre) with stage and tiered seating, as well as a new council chamber

3.0 Background



The final design was more modest in nature, being limited to the conversion of the council chamber hall into offices including the insertion of new ceilings, and the construction of an addition accommodating a new council chamber hall with attached kitchenette, toilets, a few additional rooms, as well as a large basement created as a result of the falling ground level to the rear of the site.

Minor changes have occurred to the building since the 1936 alterations and additions to the present day. Maintenance and service upgrades have continued on an as needs basis. In 1937 the Council approved plans to paint and renovate the front offices, and replace the hedge in front of the building with a decorative step design and stone piers topped by ornamental lights flanking the main building entrance.⁵⁰ It has yet to be confirmed whether these plans were ever carried out.

In the 1940s an air raid shelter was built under the building. Ken Brown, one of the former Town Clerk's of Goulburn, recalls "There's an air raid shelter underneath what used to be the town clerk's office. That was built during the war years, in the 1940s...It was built to protect the staff and a lot of old records if we were ever raided during the war.

Other changes relate to the 1936 addition. At some point the rear wall of the new council chamber was altered. Internally the two fireplaces along the eastern wall of the chamber were bricked up and removed (including hearth, grate and surrounds). The council chamber stage which is located along the southern side of the room is shown on the north of the chamber room in the 1936 plans. It is unclear whether the stage was constructed in the existing position or whether it was moved later.

The toilets in the 1936 part of the building also appear to have been altered. The men's and the women's toilets have been switched, with the men's toilet labelled and shown on the 1936 plans now functioning as the women's toilets and vice versa. The countertops and basins, mirrors, urinals and other fixtures and fittings are later inserts.

Externally the northernmost window in the rear facade was converted into a doorway and one of the garage doorways below was bricked up. An access ramp has also been added along the southern side of the building. No dates for these alterations have been able to be confirmed. In 2003 a new external staircase was added to the back of the building.⁵² These functional access additions recognised the need for easier access to the building, in response to contemporary expectations. The design of these additions was utilitarian and non descript, being of function rather than of any design merit.

A double width staircase providing access to the vestibule in front of the new council chamber (refer to Figure 2.29) was removed and replaced with cupboard space. The timber doors are still visible externally.

As well as a Town Hall and meeting place for the Council, the building has had a number of other uses throughout its lifetime including as a meeting place for a number of local organisations. From 1895 the Baptist Church held services in the building for several years. The Goulburn Chamber of Commerce was formed at the Town Hall during a public meeting on the 28 November 1913 and continued to hold their meetings there for a number of years. Likewise with the Goulburn and District Historical Society which was founded at the Goulburn Town Hall in 1951 and which continues to hold its annual general meetings there.

The use of the building as the Goulburn Council Town Hall ceased in 1990 when the Council moved to a new civic building located on the corner of Bourke and Clifford Streets. Goulburn Mulwaree Council still manage and maintain the building. After the Council moved out of the building in 1990 it became a community centre and was renamed the McDermott Centre.



4.0 Proposed development

4.1 Overview

The application seeks development consent for the following works

- Demolition of the eastern part of the Mc Dermott building, rear 1936 addition and construction of a new building that is to be integrated and connected to the Existing 1887 Mc Dermott Centre
- Demolition of a number of existing structures including the existing ramp and Covered Walkway to the South of the Mc Dermott Centre.
- Construction of the new Performing Arts Centre comprising of the following:
- New multi-level space to connect 400 seat black theatre, with facilities intended to support the theatre
- Revitalisation of the landscape area to the front of the Mc Dermott Centre and Streetscape.

4.1.1 Legal Description of the Works

The Works are proposed on the following land:

- Lot 11 Section 2 DP 758468
- Lot 17 Section 2 DP 758468
- Lot 21 Section 2 DP 758468

The works are described in detail below.

Proposed development



4.1.2 Documentation

The Documentation Supporting the Development Application comprises of (7) copies of the Statement of Environmental Effects and (7) copies of the drawing package

The Drawing Package Contains the following :

- Survey Plan (Refer Attachment1)
- Architectural Drawings, Shadows and Perspectives (Refer Attachment 2) comprising:

Plan No.	Revision	Description	Date
A000	B	Cover Sheet	20.11.16
A010	B	Site Analysis	20.11.16
A100	B	Site Plan	20.11.16
A101	B	Demolition Plan	20.11.16
A110	B	Level 0 Floor Plan	20.11.16
A111	B	Level 1 Floor Plan	20.11.16
A112	B	Level 2 Floor Plan	20.11.16
A113	B	Level 3 Floor Plan	20.11.16
A114	B	Level 4 Floor Plan	20.11.16
A115	B	Level 5 Floor Plan	20.11.16
A116	B	Roof Plan	20.11.16
A200	B	North West and South East Elevation	20.11.16
A201	B	North East Elevation	20.11.16
A202	B	South West Elevation	20.11.16
A210	B	Section 1	20.11.16
A211	B	Section 2 and 3	20.11.16
A300	B	Artist Impression 1	20.11.16
A301	B	Artist Impression 2	20.11.16
A400	B	Shadow Diagrams and Materials	20.11.16

Proposed development



Structural Drawings (Refer Attachment 14)

Plan No.	Revision	Description	Date
SK1	1	L0 Marking Plan	26.10.16
SK2	1	L1 Marking Plan	26.10.16
SK3	1	L2 Marking Plan	26.10.16
SK4	1	L3 Marking Plan	26.10.16
SK5	1	L4 Marking Plan	26.10.16
SK6	1	Plant Level Marking Plan	26.10.16
SK7	1	Upper Roof Framing Plan	26.10.16

Civil Drawings (Refer Attachment 9)

Plan No.	Revision	Description	Date
C100	1	Bulk Earthworks Plan	18.10.16

The Following consultant reports are contained as attached to the SEE :

- Heritage Impact Statement (refer to Attachment 5)
- Conservation Management Plan (refer to Attachment 6)
- Access Report (refer to Attachment 3)
- Energy Efficiency Calculations - Section J (refer to Attachment 8)
- BCA Report (refer to Attachment 4)
- Geo technical Report (refer to Attachment 10)
- Traffic Management Plan (refer to Attachment 11)
- Waste Managment Plan (refer to Attachment 12)
- Contamination Report (refer to Attachment 13)
- Cost Breakdown (refer to Attachment 14)

Proposed development



4.2 Demolition

The DA seeks consent for the following demolition works:

- Demolition of the rear 1936 addition structure
- Removal of the 1936 partitioning and ceilings within the single storey part of the 1887 building
- The opening up of sections of wall to the entry area of the original Town Hall building

4.3 Excavation

There is approximately 1540 m3 of materials to be excavated on the site to construct the proposed theatre and associated facilities.

The Geotechnical report accompanies the DA (refer to attachment 10) which details the geological conditions of the site. Advice from Northrop Civil (refer attachment XX) provides details of the required methods of excavation.

The Disposal of the fill is addressed in the waste management plan (refer Attachment 12)

4.4 Remediation

The site has a history of goal, council town hall and community building therefore there is no contaminating uses on the site and therefore no remediation works are proposed.

4.5 Architectural Design

The proposed new theatre building is intended to incorporate the original Town Hall building with a new structure located behind to the east to house the auditorium of 400 seats, a proscenium type stage and 'full' backstage support facilities. It is intended that the heritage structures will be used as Foyers and 'Front of House' support spaces. The new Facility will be known as the Goulburn Performing Arts Centre

The proposed new building will sit to the rear of the former town hall which is a classical (Queen Anne) Revival style red brick structure. The Existing building has a 3 storey front facade with dutch gables and slate roof, it will be the street address for the new facility with the proposed new theatre structure seen as a simple elegant modern form beyond the highly detailed heritage structure. The proposed Goulburn Performing Arts Centre incorporates purpose-designed spaces in one integrated building including the Theatre, linked by foyers with amenities and with indoor and outdoor gathering spaces. It will be a landmark building co-locating and attracting a diverse range of performing arts activities in one purpose designed building designed to the highest benchmark standards for Regional Performing Arts Centres.

The new performing arts centre building comprises of the following key components:

- A new multi level space to connect the proposed theatre to the existing McDermott Building and provide a connecting foyer to the theatre
- 400 seat theatre space with fly tower and back of house facilities and technical areas
- Landscaped entry and Signage from Auburn Street
- Back of House access from post office lane from Montague Street

Proposed development



The Scope of the Project is described by the Councils Request for Tender document prepare for the design team:

- The project will develop a design that:
- Retains the original building and is sympathetic to its heritage status.
- Converts the original building into an entrance foyer, box office, café and studio/office facilities.
- Constructs a modern performing arts centre behind the original building, to include a minimum 300 seat capacity theatre with modern amenities; theatre to include flexible seating modes, raised stage, orchestra pit, fly tower, wing areas, storage and performance change rooms.
- Considers site configuration to include parking arrangements, public and performance access loading and unloading (bump in/out) from existing Post Office Lane.
- Identifies structural modifications to the existing structure for the conversion.
- Compliance with Building Code Australia 2013,
- Identifies services upgrades including but not limited to all hydraulic, electrical and data.



Figure 16: View along the Street frontage South to Auburn Street

Proposed development



The Design team have worked closely with council and Council's working party to develop the functional brief for the project and carry out a site study to determine the opportunities and constraints of the site as follows:

- The footprint (dimensions and area) of the portion of the site behind the original 1887 Town Hall development is probably sufficient to accommodate a new structure to contain an auditorium, stage and Back Of House facilities for a new theatre.
- It appears that the limitations imposed by the reduced footprint area may be overcome by building additional floors to accommodate dressing rooms and Backstage support spaces
- The site slope of approximately 1.5m from front to rear may allow the stepped auditorium behind the existing building to follow the land slope closely enough to facilitate the positioning of fire egress doors along the laneway
- The original 1887 Town Hall building can be retained and used as public Foyers and support spaces for the Theatre
- Upper levels of the McDermott Building will be used as offices for the Centre Management and Goulburn based Theatre and Art Groups.
- The removal of the 1935 'partition' walls and suspended ceiling from the single storey section of the 1887 Town Hall building will help reveal the original Council Chamber. This space could be restored and repurposed as part of the Theatre Foyer space and as a second small venue or Conference Room
- The widened footpath area to Auburn Street in front of the McDermott building would be reconfigured to create a pedestrian gathering space associated with the Theatre.
- A new main entry to the Theatre could be created by reconfiguring the existing "laneway" area to the south of the McDermott Building. This area would include ramps and stairs to overcome the access issues presented by the existing stairs to the existing main front building entry.
- The laneways (No-name. and Post Office Lane) can be used as part of the pedestrian egress system. Pedestrians could be protected from vehicles by new bollards.

The Design allows the topography of the site which slopes to the eastern boundary at the rear to be used to assist with accessing the loading dock for deliveries and the back of house areas.

The proposed new building will sit to the rear of the former town hall which is a classical (Queen Anne) Revival style red brick structure. The Existing building has a 3 storey front facade with dutch gables and slate roof, it will be the street address for the new facility with the proposed new theatre structure seen as a simple elegant modern form beyond the highly detailed heritage structure.

The proposed form draws from the datum lines of the existing architecture, responding to the existing scale and proportion while at the same time creating a juxtaposition between the modern and the historical. The selection of materials such as translucent glazing panels will create a simple translucent glass box to house the new foyer and create an elegant interface between the heritage 'solid' masonry form and solidity of the metal cladding to the theatre and fly tower beyond.

The main Public entry will be located along the western facade of the heritage McDermott building, it is intended to lead patrons to the new foyer via stairs and ramps. It will reactivate the lane to the side of the heritage building. It will create a new meeting and gathering area before a modern glass and steel entry

Once inside the 3 storey volume of the foyer, the space will open onto the existing refurbished 'chamber' to the north. The heritage link to the foyer expresses the original design - with the ornate curved timber ceiling. The internal design allows the continuity of the relationships formed externally between the old and the new - where patrons will flow seamlessly between the heritage building and the proposed new auditorium.

Proposed development



The new performing arts centre has been designed to be complementary to the McDermott Centre and this has been achieved in a careful design of the building form. This has been achieved by

- Placing the entry to the side of the Mc Dermott Centre to reactive the pedestrian access created by setback from the Government Offices Building the the South of the site
- The Building Mass is set away from the Mc Dermott Centre and linked through the foyer which is profilt glass which contrasts the existing decorative brickwork through its simplicity and clarity.
- The height and mass of the building reflect the internal workings of the building - the Flytower, the highest portion of the building is of similar scale to the adjacent existing buildings - is located toward the rear of the site and the stepping of the building heights assist with integrating the scale which no dominant from Auburn Street.
- the use of complementary materials and colours to the new building.

The envelope of the proposed design has developed by the simple massing of the building to reflect the height of the McDermott Centre and the surrounding developments. The Northern and Eastern facade has been design to be articulated in a simple joint pattern in fibre cement cladding to simplify the patterning created by the brickwork. The facaded entry panelling to the southern wall adjacent the Government offices compliments the ornate architecture of the Mc Dermott centre and creates an element of intrigue and the new entry to the facility.

The design for the new performing arts centre building is intended to revitalize and breathe new life into an existing iconic heritage building, making it an important facility and focus for the Goulburn Community.



Figure 17: Western view from Auburn Street of McDermott Centre

Proposed development



Figure 18: Entry to New Performing Arts Centre from Auburn Street



Figure 19: Rear access to Loading Dock from Montague Street

Proposed development



Figure 20: Eastern facade from Goulburn Courthouse Carpark



Figure 21: Site overview

Proposed development



4.6 Building Materials

The external materials have been selected for their durability, serviceability and low maintenance performance as well as integrating with the adjacent heritage buildings without overwhelming them visually.

The nominated materials and finishes are identified on the Architectural plans included at Attachment 2

Element	Proposed Materials	Design Intent
Upper Main Wall Area North and East Facade	Fibre Cement Cladding	Existing McDermott Centre is a Red brick with sandstone detailing. The off white Fibre Cladding was used to contrast the new building
Lower Wall Area North and East Wall	Metal Cladding with colourbond finish	The dark contrast to the white fibre cement cladding forms a base to the building similar to the sandstone base of the McDermott Centre
Glazing To North and Eastern Facade	Comfort Plus Double Glazing	
Window Framing	Aluminium with colourbond finish	
Part Northern Facade and Western Facade	Profilt Glazing channel	To achieve daylight into the foyer area while maintaining transparency
Southern Entry Wall	Solid coloured resin sheet	
Main Roof	Steel with Colourbond finish	Warm grey base tone was selected to reflect the existing slate tile roof
Louvers to Flytower	Aluminium with colourbond finish	Breakdown the dominant appearance of the flytower



4.7 Operational Details

The Main hours of operation are outlined in the following tables which outline the various modes the facility operates:

Non Performance Days	
0800/0900 to 1700/1800	Monday to Friday on non performance days (Box Office and Admin)
0900 to 1200	Saturday on non performance days (if Box Office is open)
Closed	Sunday on non performance days

Performance Days	
0800 to 2200/2300	Monday to Saturday performance days - subject to show-by-show Production and Performance Schedules
0900 to 1200	Sunday performance days - subject to show-by-show Production and Performance Schedules

Bump In, Set up and Rehearsal Days	
0800 to 2200/2300	Monday to Saturday - subject to show-by-show Production and Performance Schedules
0900 to 2200/2300	Sunday - subject to show-by-show Production and Performance Schedules

Bump Out (Nights)	
2200/2300 to 0200	At night when touring shows are loading out after the final performance (Loading Dock and Stage Door entry only)



4.8 Patron and Staff Numbers

The proposed performing arts centre will cater for 440 patrons during peak times. They will occupy the cafe areas, refurbished 'new chamber within the Mc Dermott Centre and foyer areas. There will so be up to 89 Staff accommodated in the back of house facilities during touring times.

4.9 Tree and Landscape Works

The Landscape works are limited to the street frontage and these will be carried out by council to ensure that the character and materials are in keeping with the existing feel of Auburn street and are alined with the Goulburn CBD plan 2009. There is no tree removal proposed as part of the development.

4.10 ESD

Conscious of minimising the energy consumption and running costs the proposed new development - the design seeks to use and implement efficient building construction services and operation strategies.

The energy efficiency strategies implemented in the design include:

- High performance external glazing to limit solar heat gain to the space
- use of insulation for walls, ceilings floors and roofs to limit heat gain and loss to the environment.
- Natural Ventilation combined with mechanical ventilation to reduce HVAC energy consumption
- High efficiency AC units with low energy consumption design strategies

4.11 Signage

Identification and directional signage is proposed including:

- Identification signage to the front of the facility on Auburn Street which incorporates the sprinkler hydrant booster assemblies

Refer to the Architectural plans attached refer to Attachment 2 for signage details and locations.

4.12 Vehicular Access and Parking

The proposed development does not seek to alter the existing traffic, parking or vehicular access arrangements.

The Council Development Control Plan requires 42 Car parking spaces although the proposal does not provide any off street parking. This is considered acceptable to the infrequent short term parking demands as well as the peak parking demand times being outside the normal business and retail hours. Abundance of existing on street parking is available with sufficient vacancy rate

4.13 Disabled Access

The development has been designed to meet the statutory requirements, providing continuous accessible paths of travel, common area access and sanitary facilities for people with disabilities.

An Access Review accompanies the DA (refer to Attachment 7).



4.14 Services and Infrastructure

Electricity Supply

An application of additional electrical supply has been submitted to Austgrid for additional electrical load. The existing electrical substation will need to be upgraded to meet required demands

Communications

Communications will be reticulated to the site via an incoming telstra /nenco telecommunications cable

4.15 Construction Management

A Construction Management Plan and Sediment Erosion Control Plan will be prepared and submitted to the Certifier for approval prior to the issue of a Construction Certificate.

4.16 Waste Management

During the demolition and construction phase of the development, the following waste principles will be applied:

- Demolition waste from the heritage building will be recycled in accordance with the Heritage Impact Statement;
- Metal from the existing service shed will be recycled to a scrap metal recycler;
- Excavated material will be transferred to a government approved landfill; and
- Waste during construction will go to appropriate recycling and landfill sites.

Post completion of the Performing arts centre, little waste will be generated. Notwithstanding this, any waste generated by the complex will be managed as part of any waste generated by the council facilities.



5.0 Statutory Policies and Controls

The application seeks consent under Part 4 of the *EP&A Act 1979*. The relevant planning instruction and policy document that apply to the proposal are set out below.

Relevant Legislation and Planning Controls.

The following Environmental Planning Instruments (EPI's) and Development Control Plans (DCP's) are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979;
- Roads Act 1993;
- Local Government Act 1993
- State Environmental Planning Policy No1 - Development Standards
- State Planning Policy No 55 - Remediation of Land
- Goulburn Mulwaree Local Environmental Plan 2009; and
- Goulburn Mulwaree Development Control Plan 2009.

5.1 Environmental Planning and Assessment Act 1979

The proposal, as with all development applications, is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EP& Act 1979).

Roads Act 1993

Under Section 138 of the Roads Act, consent is required from the appropriate roads authority to:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road,

Therefore, approval is required under Section 138 from the RMS for the modified access to 163 Auburn Street.

Local Government Act 1993

Under Section 68 of the Local Government Act, consent is required from Council for the following:

Part A Structures or places of public entertainment

- Install a manufactured home, moveable dwelling or associated structure on land

Part B Water supply, sewerage and stormwater drainage work

- Carry out water supply work
- Draw water from a council water supply or a standpipe or sell water so drawn
- Install, alter, disconnect or remove a meter connected to a service pipe



5.0 Statutory Policies and Controls

- Carry out sewerage work
- Carry out stormwater drainage work
- Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer

Part C Management of waste

- For fee or reward, transport waste over or under a public place
- Place waste in a public place
- Place a waste storage container in a public place
- Dispose of waste into a sewer of the council
- Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility
- Operate a system of sewage management (within the meaning of section 68A)

Part D Community land

- Engage in a trade or business
- Direct or procure a theatrical, musical or other entertainment for the public
- Construct a temporary enclosure for the purpose of entertainment
- For fee or reward, play a musical instrument or sing
- Set up, operate or use a loudspeaker or sound amplifying device
- Deliver a public address or hold a religious service or public meeting

Part E Public roads

- Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway
- Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road

Therefore, approval is required under Section 68 from Council for the proposed development.

5.1.1 Environmental Planning and Assessment Act 1979 – Integrated Development

Integrated Development

The proposed development is not integrated development.



5.0 Statutory Policies and Controls

5.2 State Environmental Planning Policies and Deemed State Environmental Planning Policies

5.2.1 State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 1 – Development Standards (SEPP 1) provides flexibility in the application of planning controls. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the EP&A Act 1979.

The decision of Justice Lloyd in *Winten v North Sydney Council* identifies the principles for which a SEPP 1 objection must be made, as follows:

- Is the planning control in question a development standard;
- What is the underlying object or purpose of the standard;
- Is compliance with the development standard consistent with the aims of the Policy, and in particular does compliance with the development standard tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the EP&A Act 1979;
- Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case;
- Is a development which complies with the development standard unreasonable or unnecessary; and
- Is the objection is well founded.

An analysis of the proposal against the provisions of SEPP 1 using the principles of Justice Lloyd is undertaken in response to the non-compliance with the Council's building height, building height plane and landscaped area controls in Section 6.0.

SEPP 1 Objections to the building height, building height plane controls are address in Section 6.0

5.2.2 State Environmental Planning Policy No. 55 Remediation of Land

Clause 7 of SEPP No. 55 requires that:

(1) A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is to be carried out, and
if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is use for that purpose."

An assessment of these provisions is contained in Section 6.

5.0 Statutory Policies and Controls



5.3 Local Environmental Plan - Goulburn Mulwaree Local Environmental Plan 2009

5.3.1 Zoning

The site is zoned B3 Commercial Use under the Goulburn Mulwaree Local Environmental Plan 2009 (LEP) (refer to Figure 22).

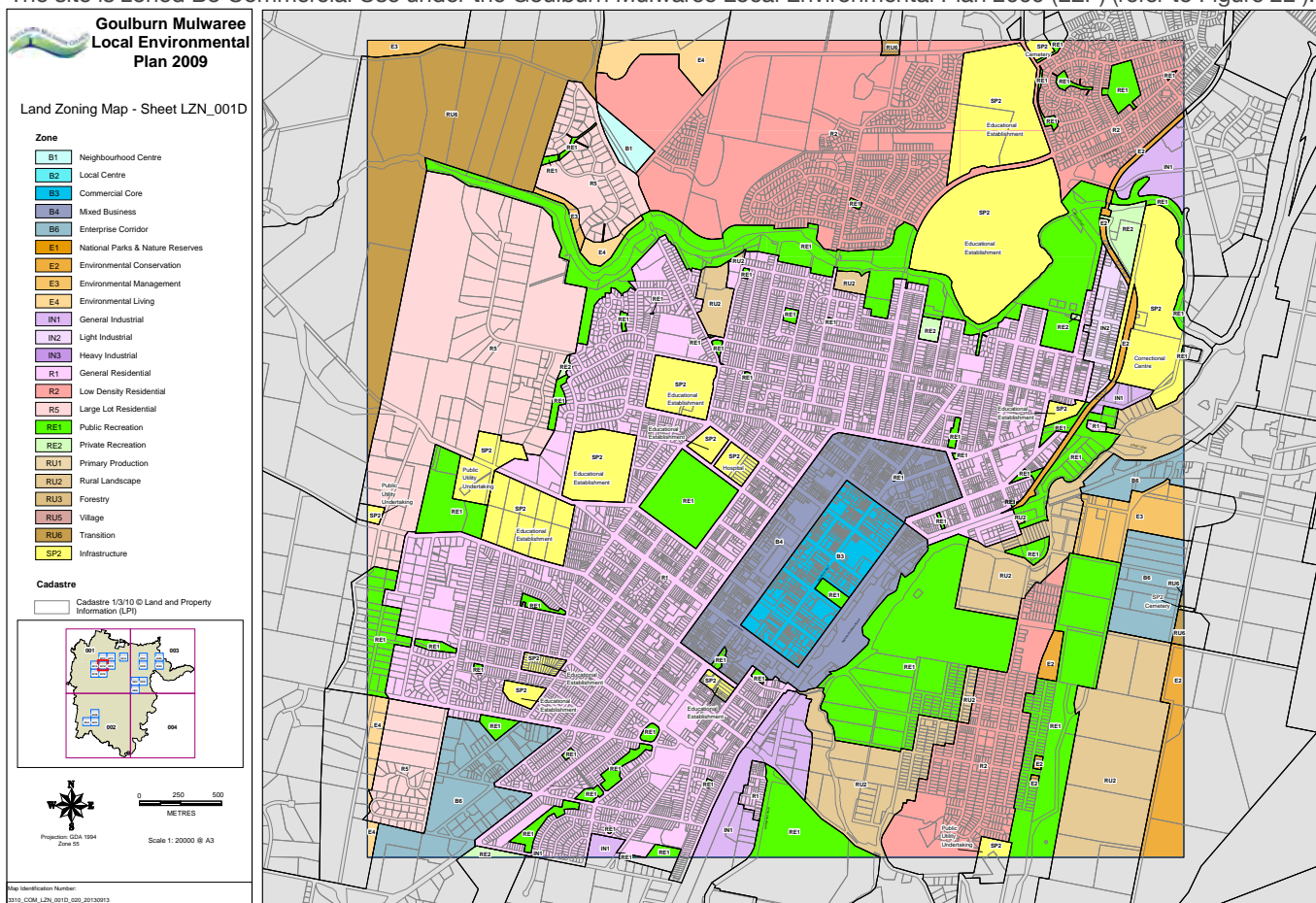


Figure 22: Zoning map extract (Source: Goulburn Mulwaree Local Environmental Plan 2009 LEP)

Zone objectives and Land Use Table

- (1) The Land Use Table at the end of this Part specifies for each zone:
 - (a) the objectives for development, and
 - (b) development that may be carried out without development consent, and
 - (c) development that may be carried out only with development consent, and
 - (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Land Use Table at the end of this Part:
 - (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and

5.0 Statutory Policies and Controls



- (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.

The Proposal is a Performing Art Centre and is categorised as Commercial use and is permissible within the zoning.

The Objectives of the zoning are considered in section 6

5.3.2 Height of Buildings

Clause 4.3 of the LEP relates to height of buildings and identifies the height of a building on any land is not allowed to exceed the maximum height shown for the land on the Heights of Buildings Map.

The maximum height permissible on the site is 15m under the Goulburn Mulwaree Local Environmental Plan 2009 (LEP) (refer to Figure 23). The proposed building is 21.7m which exceeds the maximum building height for the site.

The objectives of the Zone are considered in Section 6

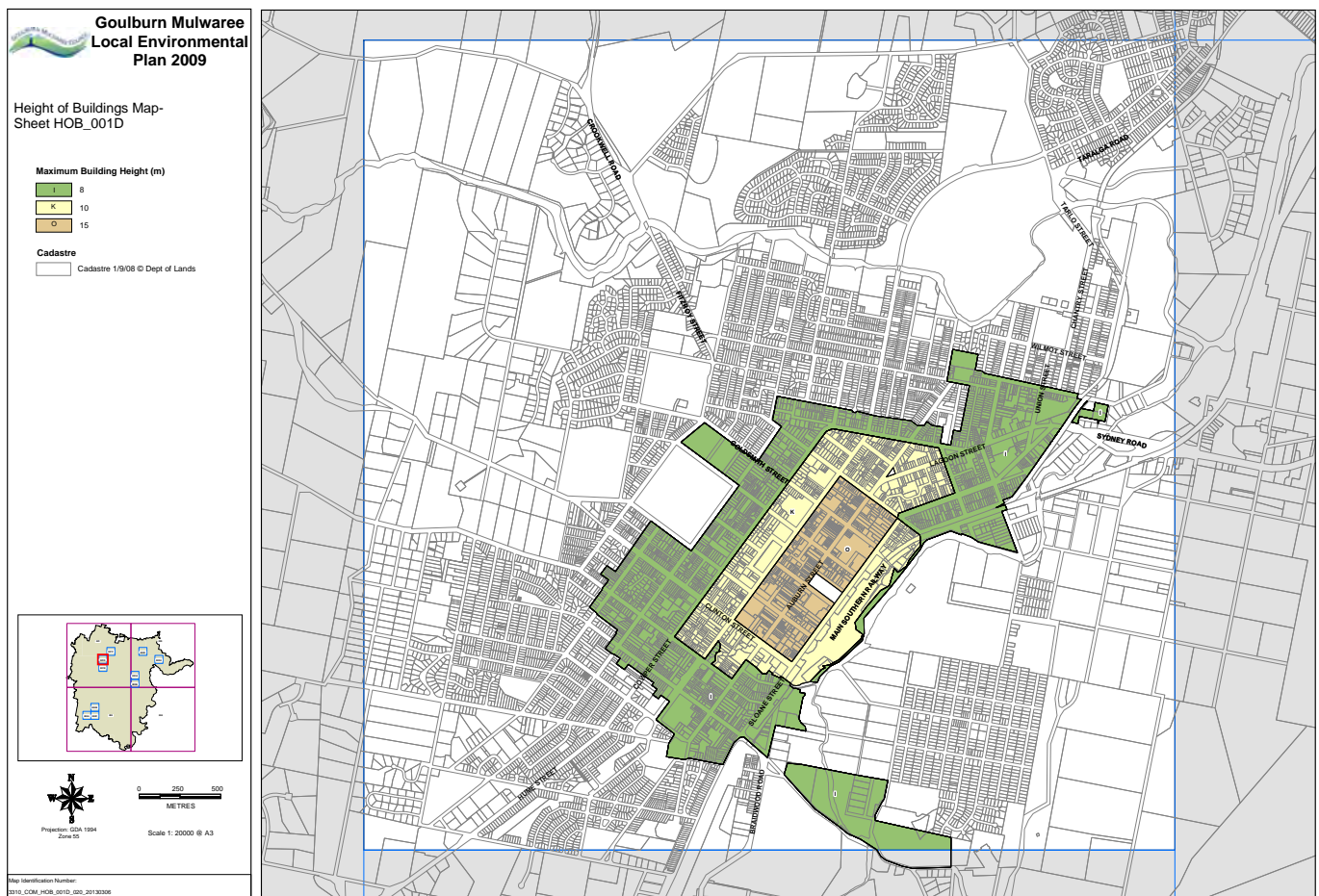


Figure 23: Zoning map extract (Source: Goulburn Mulwaree Local Environmental Plan 2009 LEP)

5.0 Statutory Policies and Controls



5.3.3 Floor Space Ratio

Clause 4.4 of the LEP identifies that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map

An extract of the floor space ratio map is provided in Figure 24 below which identifies the site falls into Area 6 which is subject to the maximum Floor Space Ratio (FSR) for the site is 2:1. The GFA of the building is 2175m² and the site area is 1140m² resulting in a FSR that is less than that permitted..

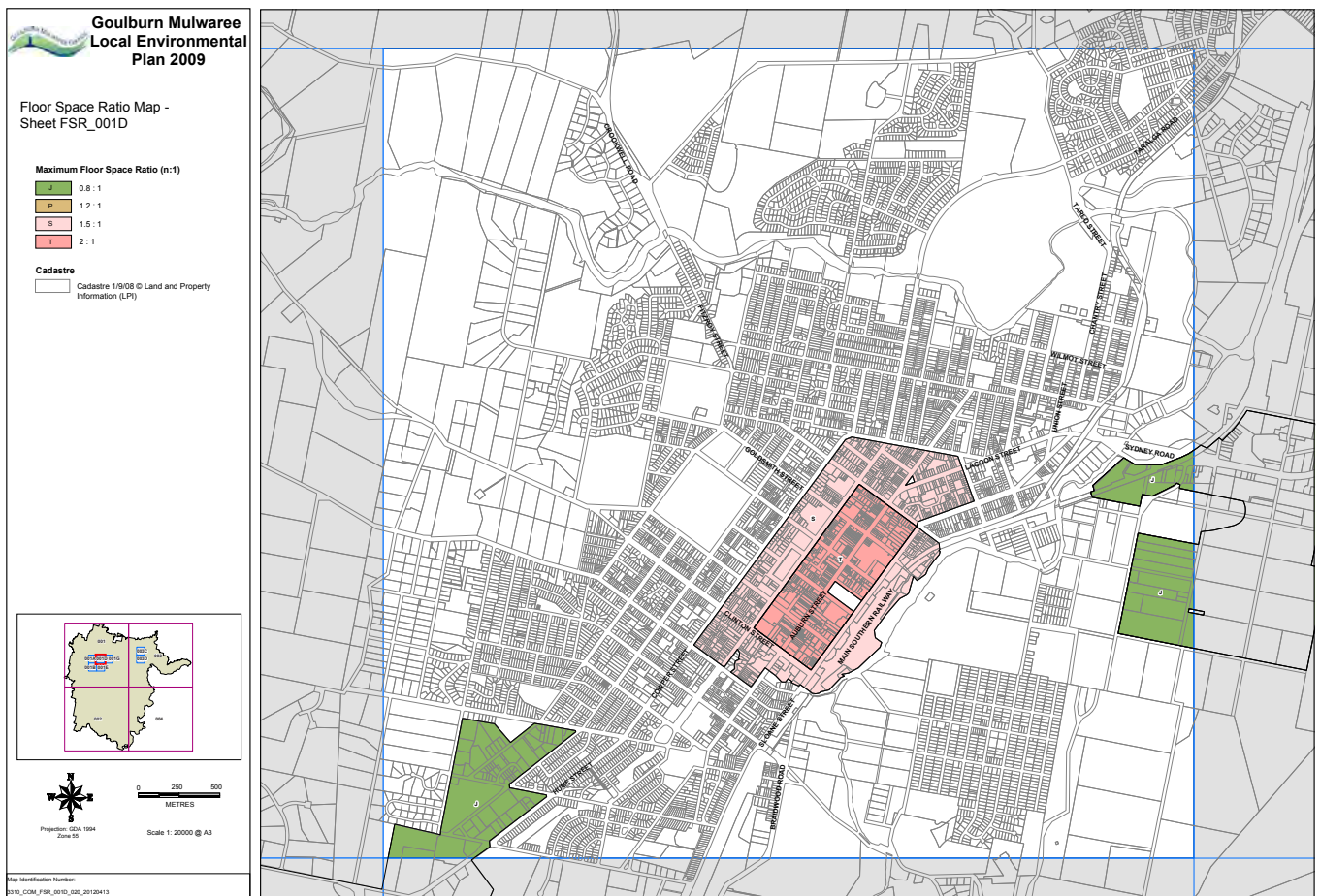


Figure 24: Zoning map extract (Source: Goulburn Mulwaree Local Environmental Plan 2009 LEP)

5.0 Statutory Policies and Controls



5.3.4 Heritage Conservation

Clause 5.10 of the LEP relates to the heritage conservation and identifies that heritage items and heritage conservation areas are shown on the Heritage Map.

The existing buildings on the site are identified heritage items and the site is located within the Goulburn City heritage Conservation Area. Accordingly, a Heritage Impact Statement has been prepared which considers in detail what impact the proposed development will have on the established cultural significance and heritage values of the subject site, heritage items within the vicinity of the site and the heritage conservation area.

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Goulburn Mulwaree,
- (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.

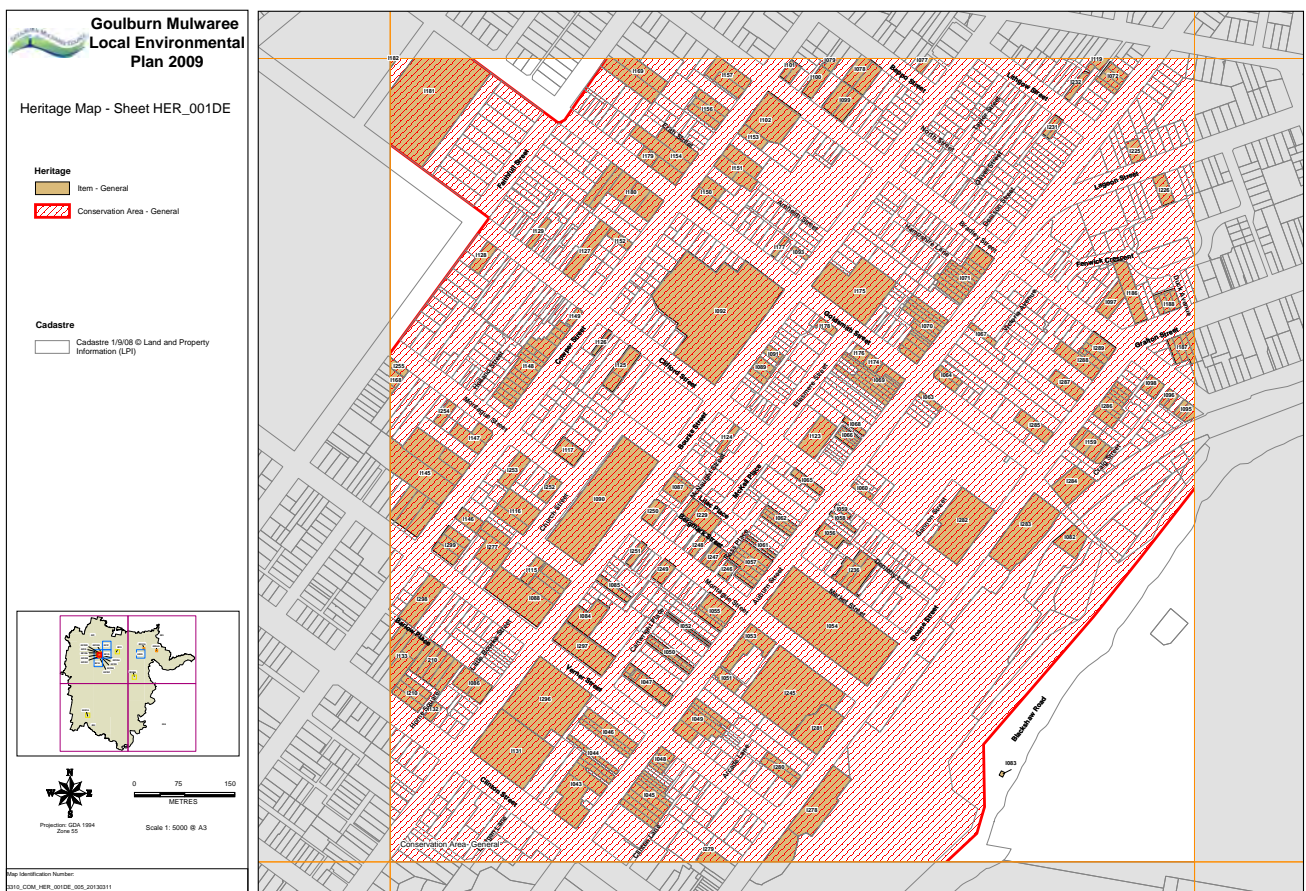


Figure 25: Zoning map extract (Source: Goulburn Mulwaree Local Environmental Plan 2009 LEP)

5.0 Statutory Policies and Controls



5.3.5 Active Street Frontage

The site is identified as having an active street frontage.

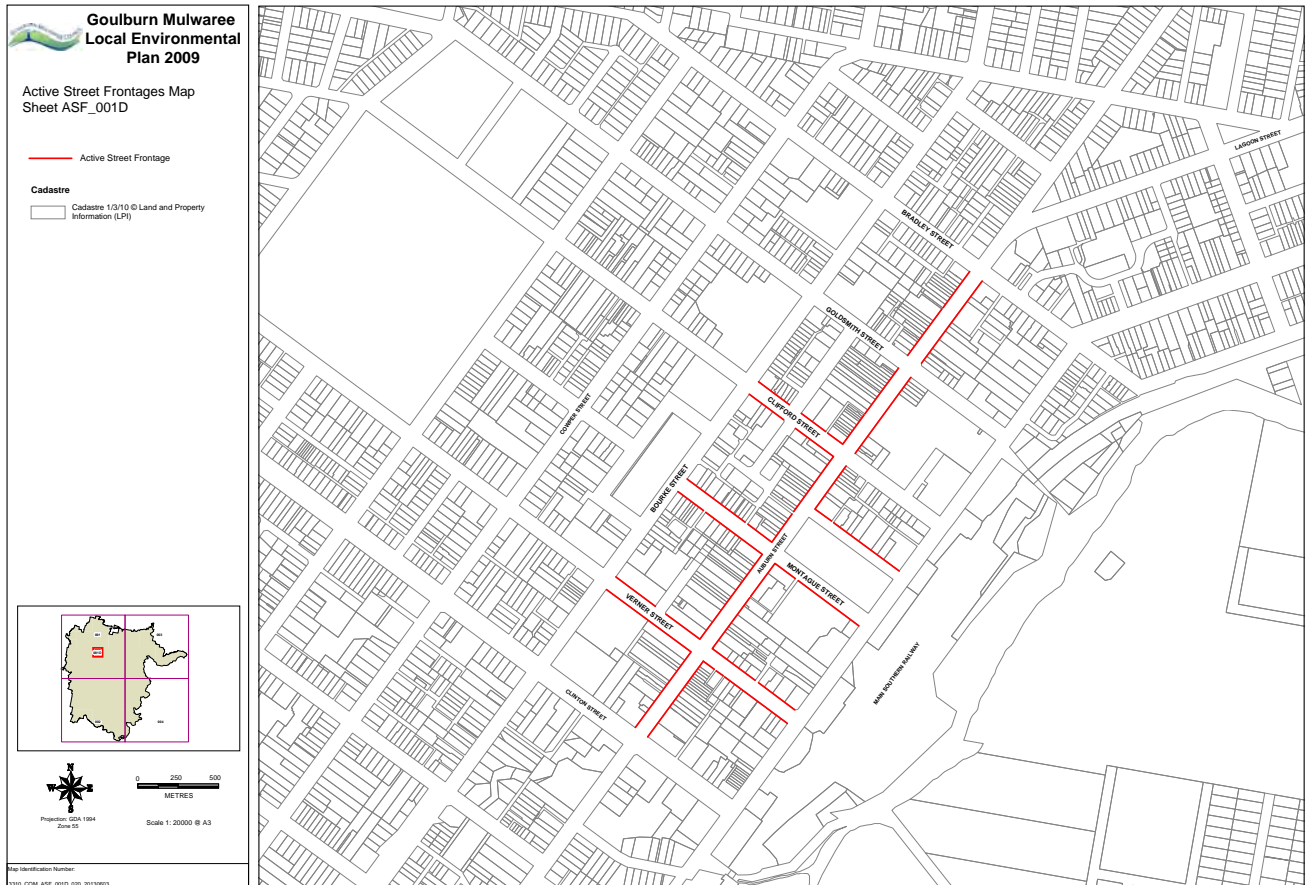


Figure 26: Zoning map extract (Source: Goulburn Mulwaree Local Environmental Plan 2009 LEP)

5.0 Statutory Policies and Controls



5.4 Goulburn CBD Plan 2009

The site is located within the Goulburn City Business District (CBD) as identified within the Goulburn CBD Plan 2009. The proposal is consistent with the relevant principles of the CBD Plan and will help to achieve its vision to develop Goulburn as a vibrant urban place providing a variety of services and a high level of amenity to residents, workers and visitors.

The site is located on the Main Street (as identified in Chapter 8) and is consistent with access and movement requirements contained within the plan. The Site is part of Goulburn Heritage Core (as identified in Chapter 7) is consistent with the public domain structure and identified within the plan as an existing landmark to be protected and enhanced.

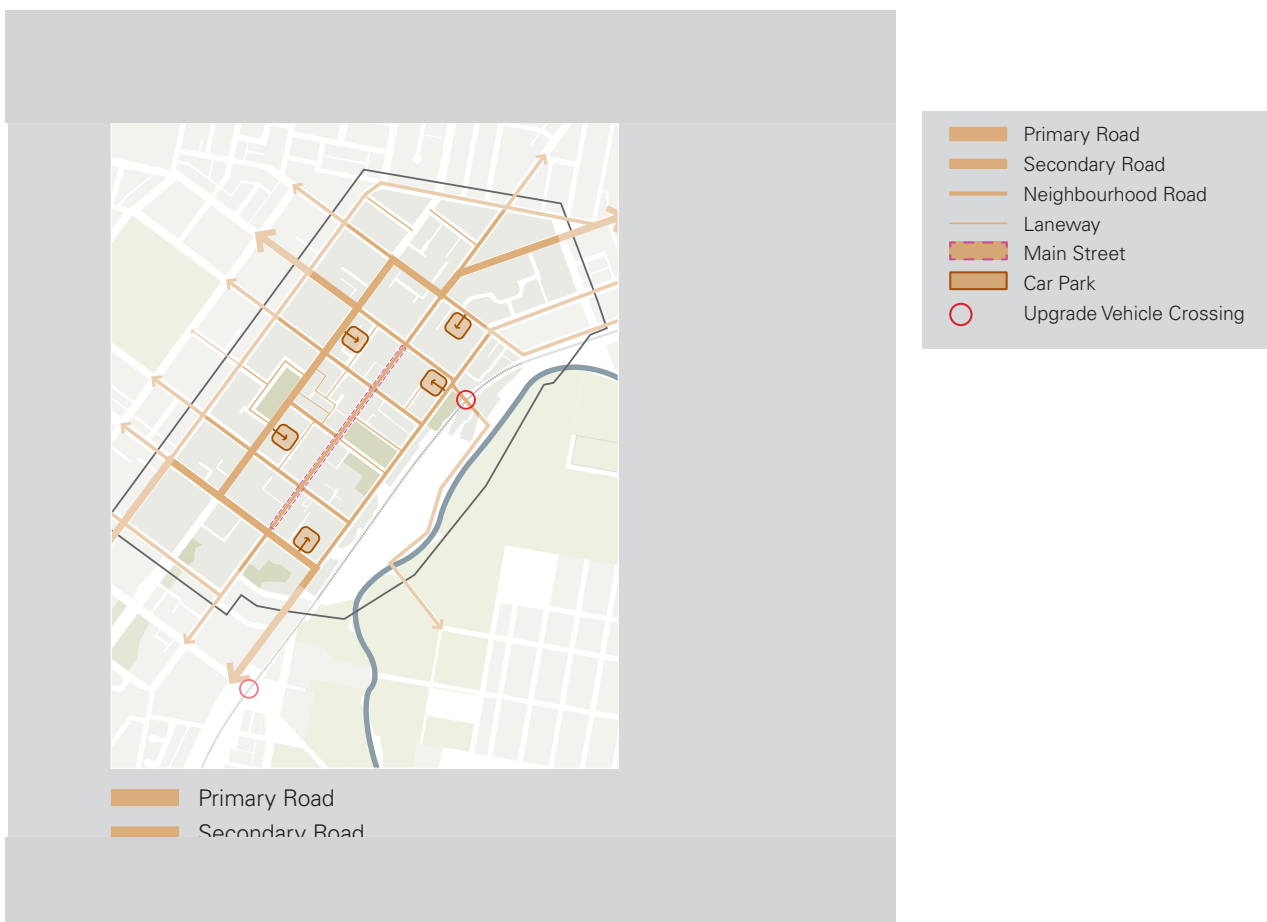


Figure 27: Access and Movement (Source: Goulburn CBD Plan 2009)

5.0 Statutory Policies and Controls

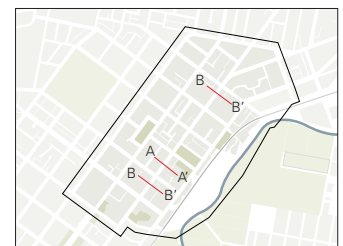
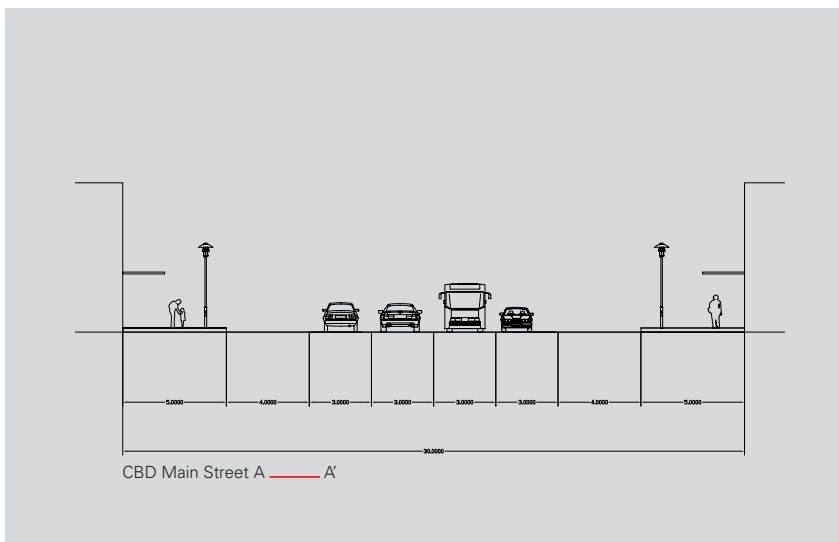


- 1 Heritage Park
- 2 Montague Street
- 3 Court house
- 4 New retail development
- 5 Saint Saviour's Cathedral

This drawing shows the footprints of exciting CBD developments, new development on key sites and distinct paving plans to strengthen the important role of the Heritage Core within the CBD.



Figure 28: Auburn Street Indicative Public realm (Source: Goulburn CBD Plan 2009)



CBD Main Street

- / existing street profile
- / 5m footpath, 45 degree angle parking and two lanes each direction
- / possibility to park in front of shops

Figure 29: Main Street Section (Source: Goulburn CBD Plan 2009)



5.0 Statutory Policies and Controls

Goulburn CBD Master Plan - Heritage Report & Conservation Principles / Guidelines

The proposed development is consistent with the Goulburn CBD Masterplan - Heritage Report and Conservation principles in that :

- it explores the opportunities for adaptive reuse of an under utilised sites and buildings with possibility for establishment of specialty shops and places that reflect the important historical trading past of Goulburn
- the project proposes revitalisation and enhancement works

5.5 Goulburn Mulwaree Development Control Plan 2009

The Goulburn Mulwaree Development Control Plan 2009 (DCP) controls relevant to the proposed development are:

2 Plan Objectives

2.1 General Development Objectives

2.2 Local Objectives – Goulburn City

3 General Development Controls

3.1 European (non-indigenous) heritage conservation

3.3 Landscaping

3.4 Vehicular access and parking

3.5 Disability standards for access

3.6 Crime prevention through environmental design

4 Principle Development Controls – Urban

4.2 Non-residential development – Retail, Commercial and Industrial

6 Special Development Types

6.4 Advertising and signage

7 Engineering Requirements

7.1 Utility Services

7.2 Roads

7.3 Drainage and Soil and Water Management

8 Site Specific Provisions

8.6 Goulburn City Business District

A full assessment against the relevant components of the Development Control Plan Section 6.0

6.0 Section 79C Assessment



Assessment of Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 79C (1) of the EP&A Act 1979 that are relevant to the proposal.

A checklist and summary table is provided for relevant controls. These are considered in the sections below.

6.1 Environmental Planning Instruments

6.1.1 State Environmental Planning Policy No. 55 Remediation of Land

The site of the proposed works is currently used by Council as a community centre and has a history of being a Town Hall, and the site formed part of the Old Goal. In this respect, this part of the site does not have any history of potentially contaminating uses.

Pursuant to Clause 7(1) of the SEPP the site is considered suitable for the proposed use.

6.1.2 Local Environmental Plan - Goulburn Mulwaree Local Environmental Plan 2009

The following is an assessment of the various provisions of the LEP.

Clause 1.2 – General aims of this plan

Clause 1.2 identifies the general aims of the LEP as:

- (a) to promote and co-ordinate the orderly and economic use and development of land in the area, and
- (b) to provide a framework for the Council to carry out its responsibility for environmental planning provisions and facilitate the achievement of the objectives of this Plan
- (c) to protect and conserve the environmental and cultural heritage of Goulburn Mulwaree.

The proposal meets the general aims of the LEP in the following regard:

The development has been carefully designed to respect the heritage significance of the surrounding buildings, a significant proportion of the building at the rear of the site and the massing significantly reducing the visible scale of the development, such that the development will largely be hidden from view from Auburn Street

Clause 2.1 – Zoning and Permissibility

As identified in Section 5, the DLEP. The proposed development is categorised as an commercial establishment and is permissible in the zone with consent.

Clause 2.7 – Demolition requires consent

The subject application seeks consent for the proposed demolition works.

Clause 3 – Specific aims of this plan

Clause 3 identifies the specific aims of the LEP. These are categorised into the following areas:

Character of neighbourhoods

Residential development



5.0 Statutory Policies and Controls

Non-residential development

Environmental quality

Environmental heritage

Community well being

Cultural Resources

The proposed development is considered to be generally in accordance with the specific aims of the LEP for the following reasons:

The development is in keeping with the character of the Auburn Street as well as the Goulburn CBD character in which it is located, as it facilitates the on-going use of the site as a community facility, is in keeping with surrounding building heights and is compatible with the scale of development fronting Auburn Street.

The proposed Performing arts centre augments the existing commercial character of Goulburn CBD by providing a purpose built performing arts centre that will complete the range of specialist venues to service the local community of Goulburn

The design, bulk and scale of the facility is comparable with the scale of surrounding development;

The proposal does not result in any increase in traffic or parking generation;

The design provides a balance between the heritage constraints of the site and environmental quality, providing a proposal of a bulk and scale comparable to the existing buildings surrounding the site, achieving a development which is in keeping with the surrounding development in and provides a design that seeks to utilise natural lighting, natural ventilation and solar shading where appropriate;

The proposal is carefully designed to respect the significance of the surrounding heritage items, both in terms of the siting of the proposal and the scale of development in relation to surrounding individual buildings and the heritage streetscape of the Auburn Street properties;

The proposal will improve the well-being of the community through the augmentation of the existing commercial and cultural establishment through the provision of a purpose built arts centre for the continued education of the performing arts;

The building has been carefully sited and designed so that presentation to the streets will largely be screened from view and the public domain, street trees and streetscapes will remain unaffected.

Clause 4.3 – Building Heights

Clause 4.3 (2) of the LEP restricts development within a residential zone to a maximum height of 15m.

The proposed development does not comply with this requirement, The fly tower exceeds the maximum height for the zoned area although it is in keeping with the height and scale of the surrounding developments. The proposed development does comply with the objectives of Clause 4.3. The development ensures the heights of building complements the streetscape as the mass of the building is toward the rear of the site behind the Mcdermott Centre which fronts Auburn Street.

The proposed development protects the heritage character of the significant buildings - The Existing Mcdermott Centre forms the Street Address of the Proposed Performing Arts Centre. The design of the Building compliments the Heritage Courthouse to the East and the Post Office directly adjacent.

The proposed development does not impact the amenity of neighboring properties in terms of visual bulk or views, access to sunlight and privacy.

The proposed building is similar in type, height, bulk and scale to surrounding buildings;



5.0 Statutory Policies and Controls

The height of the new building is comparable to the commercial building immediately adjacent to the rear of the post office to the north at 165 Auburn Street;

Notwithstanding this, to vary the subject controls, an objection pursuant to SEPP 1 is required.

Clause 4.4 - Floor Space Ratio

Clause 4.4 of the LEP proposes to introduce a FSR control across the site with a maximum FSR of 2:1 within the area shown as Area T at Figure XX.

That part of the Site within Area T has an estimated existing FSR of 1.9:1. In this regard, the proposed development complies with the proposed FSR control.

Clause 5.9 Preservation of trees or vegetation

Clause 5.9 aims to preserve the amenity of the area through the preservation of trees and other vegetation, and identifies that development consent is required for the removal of any tree or vegetation.

The proposed development does not require the removal of trees from the site.

Clause 5.10 Heritage and Conservation

As identified in Section 5.0, the site is listed as a heritage item of local significance under Schedule 5

In this respect, the provisions of Clause 5.10 of the LEP apply to the site, which generally require the conservation of heritage items and their curtilages, and conservation areas and to ensure that development does not affect the heritage significance of heritage items and conservation areas.

The design of the proposed development has been prepared in conjunction with the heritage architect, Graham Brooks and Associates, and has sought to provide a balanced approach to the heritage significance of the site, the individually listed buildings surrounding the site, the Goulburn City Conservation Area and the competing interests of commercial and cultural interests of the development.

A Heritage Impact Assessment has been prepared for the proposed works (refer to Attachment XX) which concludes that:

The former Goulburn Town Hall at 163 Auburn Street, Goulburn is listed as an item of local heritage significance in Schedule 5 of the Goulburn Mulwaree LEP 2009.

- It is also located within the Goulburn City Conservation Area.
- It is located in the vicinity of the listed heritage items "Post Office (c 1880), Mechanics Institute (c 1860), Technical School (c 1886)" at 165 and 167 Auburn Street; "Goulburn Courthouse" at 4 Montague Street; "Building, Two Storey (c 1890)" at 164 Auburn Street; and "Building, Two Storey (c 1880)" at 146 and 148 Auburn Street.
- Other listed heritage items in the wider locality are separated from the subject site by intervening development/distance/roadways/buildings/local topography/public domain, and have no direct visual connection to the site.
- The proposed development is consistent with the conservation policies of the CMP 2016 for the site, prepared by GBA Heritage.
- The proposed demolition of the 1936 Inter-war addition will provide an opportunity to replace it with a new architecturally designed, purpose built addition of a high quality that respects the heritage significance of the original building and enables the adaptive reuse of the building as a revitalised community facility.
- The removal of some original fabric is considered acceptable given that original extant features such as the form and fabric of the front and side facades is to be retained, and the original internal spatial qualities including volumes of space and key features to be largely reinstated.
- The impact of the partial removal of original internal walls is to be mitigated by the retention of wall nibs to interpret the original layout.

5.0 Statutory Policies and Controls



- The proposed new addition to the building has been designed to reduce visual dominance, while being in keeping with the urban scale and character of the streetscape, conservation area, and the heritage items in the vicinity.
- The proposed development will retain the original building's contribution to the streetscape, conservation area, and the immediate civic group comprising the Post Office, Courthouse and former Town Hall.
- There are no views between the subject site and the heritage items in the vicinity that have been identified as contributing factors to the cultural heritage significance of any of these places.
- The proposed development will have no visual impact on the heritage items in the vicinity of the site as existing significant views and the setting of the heritage items in the vicinity are retained.
- The proposed development is generally consistent with the heritage requirements and guidelines of the Goulburn Mulwaree LEP 2009 and the Goulburn Mulwaree DCP 2009.
- Archaeological resources are to be managed in accordance with the Archaeological Assessment Report by Edward Higginbotham & Associates Pty Ltd in October 2016.
- Should any unexpected relics be disturbed during excavation of the site, they must be managed under the Archaeological provisions of the NSW Heritage Act.

Clause 7.1A Earthworks and drainage

Clause 7.1A identifies that consent is required for earthworks or drainage and seeks to minimise the effects of earthworks and drainage on items of heritage significance, significant vegetation, natural landforms and topography.

The design of the proposed development has sought to minimise the impact of the proposal on the items of heritage significance and significant vegetation on the site.

6.3 Development Control Plans

6.3.1 Goulburn Mulwaree Development Control Plan 2009

An assessment of the relevant provisions of the DCP is detailed as follows.

Section 2 - Plan Objectives

2.1 General Development Controls

The Section of the DCP set the framework that guides development- The proposed development meets the planning objectives in that it does not impact public amenity of the area and clustered with commercial developments to promote focus on pedestrian and cycleways

2.2 General Development Controls

Figure 2-1 of the DCP indicates that the site is located within the heritage conservation area and heritage precinct 1 as outlined in the DCP. The re purpose of the McDermott Centre allows for the street scape and urban form. The proposed development will be a landmark development and adds an additional layer to the variety of building height materials, facade and building type.

Section 3.1 European (non-indigenous) heritage conservation

Section 3.1 of the DCP relates to heritage items and conservation areas. An assessment of the impact of the proposal on the heritage items and conservation areas is provided in relation to Clauses 5.10 of the LEP. Furthermore a Heritage Impact Assessment accompanies the DA (refer to Attachment 5).

5.0 Statutory Policies and Controls



Section 3.3 Landscaping

Section 3.3 of the DCP relates to proposed landscape design - this will be carried out by Goulburn council to ensure that the streetscape, urban furniture are in keeping with the existing landscape design of Auburn street.

Section 3.4 Vehicular access and parking

The Schedule to Section 3.4 of the DCP restricts parking for educational establishments to a maximum parking rate of 1 space per 10 seats

As identified in Section 4 of this report, the proposal seeks to provide a purpose built performing arts facility for the community. It is noted that the peak period of the performing arts centre will occur outside of business and retail hours and can be accommodated with the on existing on street parking.

Section 3.5 Disability and Standards for access

The development has been designed to meet the statutory requirements, providing continuous accessible paths of travel, common area access and sanitary facilities for people with disabilities.

An Access Review accompanies the DA (refer to Attachment 3).

3.6 Crime Prevention through environmental design

The proposal will address the objectives of Clause 3.6 of the DCP through external lighting design to ensure areas have appropriate levels of visibility. There will also be CCTV installed in required areas to assist with active surveillance. Also the proposed development has a clear entry visible from the public domain.

Figure 30 – Goulburn Locality Precincts

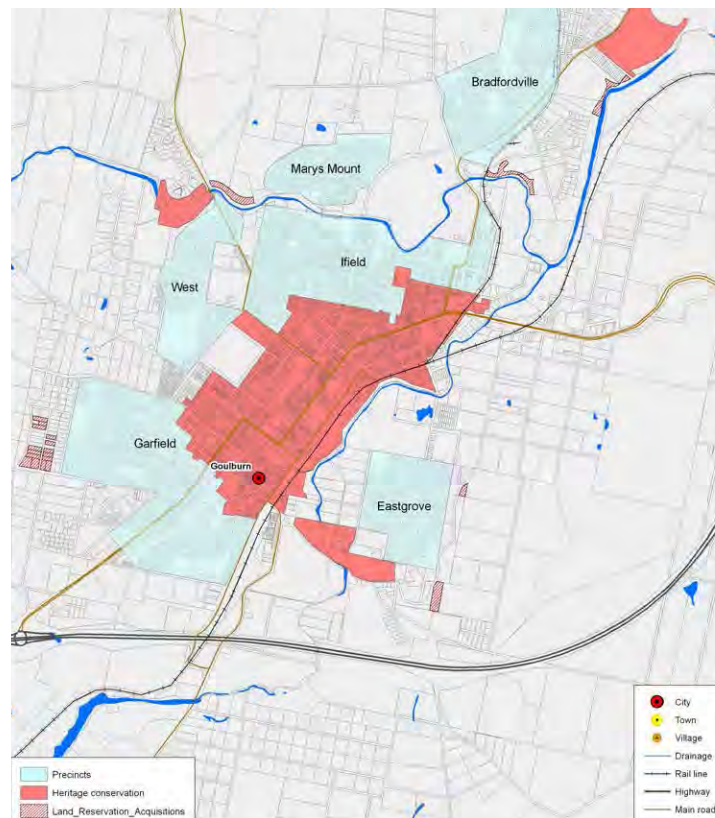


Figure 30: Goulburn Locality Precincts extract (Source: Goulburn Mulwaree Development Control Plan 2009 DCP)



5.0 Statutory Policies and Controls

3.11 Groundwater

The proposed development does not impact groundwater resources.

6 Special Development Types

6.4 Advertising and Signage

The objectives and aims of signage design are outlined in section 6.4 of the DCP. The Proposed development includes identification signage which accompanies the DA (refer attachment 2). The street signage acts to identify the building and attract pedestrians to the entry of the proposed development.

7 Engineering Requirements

7.1 Utility Services

The objectives and aims of Section 7.1 satisfactory utility services to the development. Country Energy has been contacted for the proposed upgrade of the existing substation located in the adjacent Law Court Carpark to the east.

7.2 Roads

The objective of section 7.2 outlines roads are to be designed and constructed in accordance with Council's Standards for Engineering Works July 2009.- Goulburn Council will be carrying out work to the road and parking as part of the Goulburn CBD upgrade works.

7.3 Drainage and Soil and Water Management

The proposed development maintains the sewer to the south of the site running parallel to the boundary however diversion works will occur to the sewer in the laneway that transverse the site by Goulburn Mulwaree Council as part of the development works. Water and overland flow on the site to the south are addressed at the new proposed entry by directing water back to Auburn Street.

8 Site Specific Provisions

8.6 Goulburn City Business District

The objectives of Section 8.6 of the DCP are as follows:

- Develop standards, guidelines and principles to improve the image, attractiveness and functionality of the Business District of Goulburn City
- Attract business, tourism and residents to Goulburn Mulwaree.
- Maintain, protect, enhance and promote Goulburn City's built and natural heritage.

The proposal meets the aims and objectives of the DCP and is discussed section 5.0

6.4 The Environmental Planning and Assessment Regulation 2000

Clause 92 the Environmental Planning and Assessment Regulation 2000 prescribes matters that Council must take into consideration prior to the determination of a development application, including:

(1) For the purposes of section 79C (1) (a) (iv) of the Act, the following matters are prescribed as matters to be taken into consideration by a consent authority in determining a development application:

(a) in the case of a development application for the carrying out of development:

(i) in a local government area referred to in the Table to this clause, and

(ii) on land to which the Government Coastal Policy applies, the provisions of that Policy,

(b) in the case of a development application for the demolition of a building, the provisions of AS 2601.

In relation to the proposed demolition of the structures on the site, demolition of the existing structures will be carried out in accordance with AS 2601.



5.0 Statutory Policies and Controls

Accordingly, there are no other prescribed matters for consideration applicable to the assessment of the application.

6.5 Impacts of the Development

6.5.1 Heritage

A detailed discussion of the heritage impacts the listed buildings and Goulburn Heritage Conservation Area is provided in Section 6 in relation to the heritage listings under the Goulburn Mulwaree LEP 2009. The DA is also supported by the Heritage Impact Assessment at Attachment 5

6.5.2 Excavation

The development proposes excavation on the site to a maximum depth of approximately 2.5m below the existing natural ground level measured at the eastern end of the theatre building.

The proposed excavation does not represent a significant level of excavation from the site, the benefit of this is that it enables the Goulburn to achieve its purpose built performing arts facility with minimal impacts, on the surrounding heritage items in the vicinity of the site.

A geotechnical report has been prepared for the site (refer to Attachment 10). The report includes boreholes to a depth of 15m across the site of the proposed works and provides an assessment of the geological conditions, excavation methods and stability and structural impacts on surrounding buildings

Both the structural engineer and geotechnical engineer have addressed the issues associated with excavating near the McDermott Centre. The geotechnical engineer has advised that due to the presence of deep alluvial solid to around 13.0 m depth and the expected relatively low building loadings. It is considered that the most appropriate footing system would be either high level pad footings or a raft slab footing. Bored piers founded in the dense alluvial gravels at about 8m depth could also be considered.

6.5.3 Contamination/Remediation

As identified in Section 6.1 in relation to SEPP 55, the site has a history of Town Hall Building and Community Centre for over 100 years and therefore, there is no known uses of the site that are likely to suggest that the site may be contaminated. In this regard, the site is considered suitable for the proposed use and does not require any remediation.

6.5.4 Stormwater/Hydrology

Stormwater Concept Plans and a Stormwater Report will be prepared by Goulburn Mulwaree Council as part of the CBD upgrade project

6.5.5 Traffic and Parking

The proposed new performing arts centre is proposed to augment the existing McDermott Centre on the site. It is noted that the peak period of the performing arts centre will occur outside of business and retail hours and can be accommodated with the on existing on street parking..

6.5.6 Roads and Vehicular Access

The proposal involves modification to the surrounding public road system these works will be carried out by Goulburn Mulwaree Council as part of the CBD upgrade project

Otherwise, vehicular access to the new performing arts building will be via Montague Street, with vehicular access to will be via post office lane to the new building. Post construction, vehicular access to the new performing arts building will be very intermittent and will largely be for the purposes of the delivery of equipment or stage props to the theatre.

6.5.7 Construction Traffic

This proposed new access will be the main vehicular access during the construction on the site, with all construction vehicles entering and exiting the site via the Montague Street.

6.5.8 Overshadowing

The proposed building will only result in overshadowing to the Roof of the Government Offices Building to the South of the site in Mid Winter 9am - overshadowing impact is minimal. Mid Winter 3pm there will be overshadowing the Court House carpark to the east of the site.



5.0 Statutory Policies and Controls

6.5.9 Privacy

There are unlikely to be any visual or aural privacy impacts as a result of the proposed development.

Given the specific music and theatre requirements, the new building has been designed and will be acoustically attenuated to ensure that noise intrusion does not affect the performance. This will ensure that the noise emissions from the facility will be adequately contained.

In terms of visual privacy, the proposed building is located to the rear of the existing McDermott Centre building the proposed building is not in the vicinity of any sensitive uses that are likely to be impacted upon in terms of privacy impacts. The proposal is located within the mixed use area of the CBD comprising mainly of commercial premises. The design of the proposed development will not impede future development of adjoining properties for commercial or business uses.

6.5.10 Streetscape and Setting

The proposed works have been carefully designed and sited so as to have a negligible impact on the surrounding heritage items and the streetscapes of both Auburn Street and Montague Street

The building is carefully sited at the rear of the McDermott buildings and are therefore largely hidden from view from Auburn Street by the existing buildings .

In this respect, the proposal will have a minimal impact on the streetscape of Auburn and Montague Street due to the setback from the street.

6.5.11 Landscape and Visual Character

As identified above, the proposed building works will have a negligible impact on the streetscape and wider setting of the area as the works are carefully sited at the rear of the heritage items.

The landscaping to the streetscape will be carried out by Goulburn Mulwaree Council as part of the CBD upgrade project to ensure that it is in keeping with the existing character of Auburn Street.

6.5.12 Social and Economic Impact

The proposed purpose performing arts centre will be of a social benefit in terms of providing specialist performance facilities for the community of Goulburn. The activities within the Performing arts centre will have a positive economic impact on surrounding business.

6.6 Any Other Matters/Impacts

There are no other matters to be considered in relation to the proposed works.

6.7 The Suitability of the Site for the Development

The DA seeks consent for a purpose built arts facility to re purpose the existing McDermott Centre . The site is considered suitable for the proposed development given the following:

- zoned for the purpose commercial developments which permits a commercial establishment;
- the proposed works retain and conserve the key heritage items on site and provides a building that is sympathetic in bulk and scale to the surrounding buildings;
- the design, siting, bulk and scale of the development is not only sympathetic to surrounding built forms, but sited such that it is largely hidden from view and does not impact on the Auburn Street or Montague Street streetscapes or Goulburn conservation area.

In this respect, the site is considered suitable for the proposed development and will have no impact on the amenity of surrounding properties.

6.8 Any Submissions made in Accordance with the Act or Regulations

The proposed development will be notified to adjoining owners. Any submissions received will need to be considered by the Council.



5.0 Statutory Policies and Controls

6.9 The Public Interest

The development of land in an orderly and economic way is in the public interest. The proposed development generally conserves the key heritage buildings on the site, provides a building of compatible bulk and scale and will provide a purpose built performing arts facility for the community of Goulburn

The proposal generally meets the objectives of both the LEP and DCP and is considered will result in a positive development outcome and is in the public interest.

5.0 Statutory Policies and Controls



8.0 Conclusion



The Development Application seeks consent for the following works:

- partial demolition of the heritage listed McDermott Centre 1937 Addition ;
- demolition of other structures;
- construction of a new purpose built performing arts building comprising:
- 440 seat performing arts centre with associated back of house facilities.
- adaptive reuse of McDermott Centre for the purposes of the performing arts centre ; and
- associated landscaping works.

The site is zoned as commercial as part of the Goulburn Mulwaree Local Environmental Plan 2009. The site is identified as a heritage item and contains numerous individually listed heritage buildings in the immediate vicinity of the proposed works. The Site is located in the Goulburn Heritage Conservation Area.

An assessment of the potential environmental impacts of the development concludes that the proposed Performing arts centre provides a balanced approach to the heritage significance of the site, the scale of the Auburn Street properties and the heritage significance of the Goulburn Conservation Area and the competing interests of the daily commercial use of the area.

The innovative design sensitively delivers a new large volume space with the McDermott Centre as the Street address and reactivating the access to the south of the site to create a new entry to the development. This creates a new enhanced address for the site, provides allows stronger connection and re use of an existing heritage building. Most importantly it creates a built form that is sympathetic to the heritage listed Auburn Street heritage buildings.

In this respect, the development is considered compatible with the significance of the site and in keeping with the character of the locality,

The proposal is consistent with the relevant zoning controls and statutory and policy framework applying to the site, and will not have any significant adverse impacts on surrounding properties.

Based on the assessment undertaken, Council's approval of the Development Application is sought.



attachments

Attachment 1: survey



Attachment 2: architectural plans, shadows and perspectives



Attachment 3: access report



Attachment 4: BCA report



Attachment 5: heritage impact statement



Attachment 6: conservation management plan



Attachment 7: cost breakdown



Attachment 8: energy efficiency calculations - section J



Attachment 9: BCA report



Attachment 10: geo technical report



Attachment 11: traffic management plan



Attachment 12: waste management plan



Attachment 12: contamination report

