



23 July 2014

The Haven Amphitheatre – Key issue

The key issue is to ensure the enduring legacy of this nationally and internationally unique bushland open air theatre is conserved not just for the next generation but for the next centuries.

A special place given to the community

The Haven Amphitheatre is situated on land that is not owned by Council, contrary to widespread belief in the community, and this imposes limitations on what Council can give consent to on this land.

Three reserves, including the amphitheatre, were given to Council by Marion Mahony Griffin in trust for the community. In other words, Council, as a continuing entity, holds the legal title to the land for whoever comprises the community from time to time. In accepting the gift from Marion, Council agreed to certain conditions which are set out in the Deed dated 12 October 1943.

The Conditions – Purpose

Main Purpose – *“the preservation maintenance and development of the native flora fauna birdlife and natural features” (“soil, stone, rock and water”).* clauses 3 and 11(c)

Secondary Purpose – *“the health recreation and enjoyment”* of the community. clause 3

Special Purpose – *“the use as a natural open-air Theatre that part of the Castlehaven reserve ... which has prior to the date of this deed been fitted up as and used as a natural open air theatre”.* cls 5 and 8

The Conditions – Obligations agreed to by Council

Main Obligation – *“take all reasonable steps to prevent interference with or destruction or removal of any native flora fauna birdlife or natural features...”* clauses 4 and 7(b)

Main Building Restriction – *“no building or structure the use of which is inconsistent with the purposes as set out in this deed or which by reason of its design or materials thereof will not harmonise with the surrounding landscape”.* clause 6

Secondary Building Restriction – no building *“other than a building approved by the donor (Marion Mahony Griffin) or her nominee, except any lavatories, rest-houses shelters and other similar structures seats and tables of the same or substantially the same design as”* similar structures in part of Lane Cove National Park at that time. clause 6

Operational Restrictions – These are set out in paragraphs (a) to (h) of clause 7.

Legal and Moral Obligations

The legal obligations agreed to by Council in accepting the gift from Marion Mahony Griffin are set out in the Deed and highlighted above. The moral obligations arise from the fact that within a few years of making the gift, Marion Mahony Griffin suffered financially and died without even the funds to pay for a headstone on her grave. We owe it to Marion Mahony Griffin to honour and put into effect her wishes.

The Haven Amphitheatre – rebuild?

The current proposal put forward by the Haven Amphitheatre Committee (HAC) breaches the main purpose and the main obligation related to the preservation of the landscape as stated above. In addition the current proposal amounts to a building which requires the consent of Marion Mahony Griffin's heirs and successors, and the legal complexities that involves.

Touches the earth lightly

In terms of sustainability, repair of the existing facilities at the Haven Amphitheatre is the option preferred by the Walter Burley Griffin Society. However if Council has already allocated substantial monies towards a rebuild, then it is essential that the design and construction of the rebuild is best practice in terms of heritage and sustainability so that it retains and is sympathetic to the bushland, trees, rock outcrops, creek and Griffin heritage of this small steep bushland glen.

The existing timber stage (built in 1976 and enlarged in 1992) 'touches the earth lightly' and does not damage the rock outcrops nor the creek. All the timbers were carried in by hand without cranes or machinery. Compared with concrete and other common building material alternatives, timber is a renewable resource, has a low embodied energy, requires smaller amounts of energy, and wood products store carbon dioxide for their entire service life. If a rebuild rather than repair is desired other suitable materials could be fibreglass and timber composites.

Plan of Management

The Griffin Reserves Plan of Management (POM) prepared in 1997 states for the Haven Amphitheatre that "*use is to have minimal change to consolidate existing facilities; no increase in site coverage of structures; passive recreation; bushland. ... maintain existing [landscape] character. Minimise works to natural drainage system. ... retain and conserve original amphitheatre structure*". The POM was prepared for the Council by heritage architect Meredith Walker and landscape architect Michael Lehany.

The Action Plan for the Castlehaven Reserve within which the Haven Amphitheatre is located, appropriately states:

Develop(ing) a system for the operation of the open air theatre which has minimal impact upon the site in accordance with its listing as a Heritage Item, and its land use zoning of E2 Environmental Protection in WLEP 2012.

The Haven Amphitheatre is listed as an item of local heritage significance in WLEP 2012 (item I35).

Heritage significance

The heritage significance of the site is its unique setting in a bushland glen, and the creation of the bushland theatre space by Marion Mahony Griffin and Walter Burley Griffin for the community. It also has cultural, social, historic, aesthetic and rarity significance – it is the only amphitheatre in the world exactly like this.

Overly ambitious

Any proposal for this bushland site should be minimalist. **The proposed scheme is over-engineered for the site. The creek should be left in its natural state and not be channelled into a pipe, the stage should not be any bigger than it is already, seating should not be increased and not be built over the creek, an awning that requires large concrete footings should not be constructed, and a permanent ticket booth should not be built.** An important part of the Haven Amphitheatre is its limitations and it is this difference which makes it so special. Improving open-air performance and functionality would be detrimental to its heritage and cultural values.

The scale of the proposed redevelopment also undermines the cost-effectiveness of any restoration or enhancement of the existing amphitheatre. Its location severely restricts the number and scale of performances that can be held there, so if a large scale theatre were to be developed, it would have to be on a site outside Castlecrag.

Concrete should not be used

On this steep bushland site, the use of concrete would inevitably result in damage to the site in constructing heavy formwork and/or spillage during concreting. Moreover, concrete needs large formwork sheets and steel reinforcing sheets to be brought in and initially stacked up on site in a 2 to 5 metre construction zone outside of the footprint of the concrete slab to be constructed and its scaffolding.

While the Deed of Gift mentions concrete, its use would still need to meet the main purpose and obligations of the Deed which is the preservation of the natural landscape, having a design and small scale harmonising with the surrounding landscape. So "concrete" must not be read out of context.

The ideal

To uphold the Deed of Gift and maintain the fundamental principles of the Burra Charter to "*do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained*" and to 'touch the earth lightly'.

Community consultation

The Society was not consulted in the preparation of the current Council report and yet we are a major community stakeholder, our purpose being the conservation of Griffin heritage. Under the Burra Charter, 'conservation' means '*all the processes of looking after a place so as to retain its cultural significance*'. The Society conducts regular tours of the Griffin Conservation Area for local, interstate and international individuals and groups interested in the Castlecrag story and these include visits to and presentations on the Haven Amphitheatre and its continuing role in our community.

Conclusion

Any proposal for redeveloping The Haven Amphitheatre must comply with the Deed of Gift, 'touch the earth lightly' and respect the natural landforms, rocks, creek, trees and bushland of the site, ensuring they are not damaged in any way.

Thus the Society does not support the current proposal of the Haven Amphitheatre Committee.

The constraints imposed by the Deed of Gift, which was an extraordinarily generous gift, and the steep bushland site can and should be seen as an opportunity to achieve an outstanding solution. The significance of the Haven Amphitheatre demands world's best practice in every aspect of a redevelopment for this unique bushland open air theatre.

The Walter Burley Griffin Society looks forward to collaborating with The Haven Amphitheatre Committee and Willoughby City Council to achieve such a solution.

Yours sincerely,



Kerry McKillop
Secretary
Walter Burley Griffin Society Inc



ABOVE: The Haven Amphitheatres rock outcrops were the original stage for the performers. *The Magic of America*.



ABOVE: The tree ferns are a very important aspect of the Haven Amphitheatre's ambience and should not be replaced by new seating. The tree ferns also delineate the creek and separate the original 1930s seating group (in the photo's foreground) from the more recent 1970s and 1990s seating.