Your submissions should be marked DA 0081/2018 Submission and emailed to:

council@midwestern.nsw.gov.au

Mr. Brad Cam

Mid-Western Regional Council

86 Market Street

MUDGEE NSW 2850

Date

Dear Sir,

**Re:​ MOD URBAN PTY LTD V MID WESTERN REGIONAL COUNCIL LAND AND ENVIRONMENT COURT PROCEEDINGS NO 2018/271118 - AMENDED DEVELOPMENT APPLICATION - THE REGENT THEATRE, 5-7 CHURCH STREET & 33 SHORT STREET - LOT 1 DP633977 & LOT 1 DP54326**

I respectfully request that Mid-Western Regional Council (MWRC) reject the development application (NO 2018/271118) as the Regent is Mudgee's No. 1 socially culturally significant asset in terms of the Burra Charter, Heritage Council rules, the National Trust, MWRC LEP and the advice of Council’s own Independent Heritage Consultant.

My name is [insert name here] and I live at [address] my email is [email address].

[Insert your own words to explain your connection to Mudgee and The Regent]

My objection is based on the grounds of:

• **Excessive Height:** The proposed hotel exceeds the height restrictions of the Development Control Plan (DCP).

• **Not consistent with current visual aesthetic value:** I believe the visual impact of the building will cause a disruption to the aesthetics of the area which disturbs the historic fabric of the region, and this is one of the things visitors to our town love; that it is still a welcoming country town, showcasing great examples of architectural beauty and design. The proposed construction will negatively impact on the Heritage Conservation Area of which the Regent, 33 Short Street, other neighbouring properties, the two churches and Lawson Park are part.

• **Increased traffic congestion in Short Street:** Vehicles accessing the hotel and function room will negatively impact on the amenity of residential properties and the park and public swimming pool.

• **Negative impacts on residential amenities in Short Street**

• **Residential Rezoning:** The demolition of the house at 33 Short Street, to be replaced by a two floor, rising to three floor hotel. (Note that there will be a fourth floor immediately behind the Theatre on the Theatre site). This is contrary to the residential zoning and does not satisfy the requirements of cl. 5.3 of the LEP relating to flexible zone boundaries.

• **An inadequate Assessment of Potential Impacts on Cultural Significance:** The revised Heritage Impact Statement accompanying the amended proposal does not acknowledge the effect of the Interim Heritage Order, does not undertake an assessment of significance of the Regent Theatre, Mudgee in accordance with the publication Assessing Heritage Significance (NSW Heritage Office, 2001) and makes no recommendation as to the appropriateness for the place to be formally listed on the State Heritage Register or otherwise.

• **Architectural Heritage:** George Newton Kenworthy the architect of the Regent Theatre has an Art Deco legacy in his other works which have been valued and protected by State Heritage. The Regent needs to be re-assessed since the true architectural history has been discovered, and the real value of the Regent Theatre heritage needs to be proclaimed.

• **Wrong place for a large hotel:** Hotel accomodation can be built in many other suitable locations without effectively crippling the operational ability and versatility of this historic theatre.

Accomodation does not truly provide uses that support entertainment, community and suitable land uses for this historic theatre site, as the theatre will become merely a function room for the hotel, not a public commercial theatre that can host a film programme, live shows, community events music concerts and dances like it has over its long history in service to the community of Mudgee.

• **Original stage and fly tower:** ability for the use of these has been totally removed, changing the viable capacity, historic fabric, acoustics, overall enjoyment for patrons and performers, audience sight-lines for raked dress circle to actually be used for viewing stage area, as they will not be able to see the new thrust stage. To not have a permanent stage or a fly tower means this is no longer a theatre - It’s a dining room.

• **Added toilets within the auditorium:** will create a disturbance to any event with noise and light spill, also taking away from the historic fabric and enjoyment of the theatre space.

• **Capacity & viability:** The seating capacity of theatre has been halved. This means the functionality, viability and usability of the theatre as a venue for live music concerts, film exhibition and social dances, for example, has been affectedly halved or entirely reduced to longer possible.

• **Kitchen:** New kitchen located backstage (where current stage now exists) will essentially prevent theatre show operations due to kitchen noise, operational access, emergency egress, and also grease and smoke from kitchen affecting stage drapes and stage equipment.

• **Backstage lift:** Small lift located backstage will also affect theatre operations with noise throughout shows.

Insufficient dressing rooms and no backstage toilets on stage level.

• **Loading:** Appropriate loading access for theatrical sets, equipment and costumes will not be feasible through proposed backstage corridors shared by kitchen facility. Furthermore there is no access from loading dock to stage without either blocking car park facilities, using the narrow winding staircase or 2.5m square lift - the latter options both being utterly unsuitable for road cases, sets, costume racks and long items such as dance floor tarquette rolls.

• **Stage access:** There will need to be stairs onto the stage meaning that either the backstage double doors are not possible (affecting noise mitigation from backstage), or the entire stage has to be brought further west into the already reduced auditorium to allow stairs to be added a safe distance inside the doors. Performers entry will not be able to enter the stage from either side of the stage and are being forced to enter through the west side central door. This is not feasible when a screen is being used for films or functions, a band has a drum kit, or dancers requiring side “wing” entry points for their production.

• **Unacceptable Loss of Original Fabric:** Removal of the stage including existing backstage area and WCs and their replacement with kitchen, lift, fire stairs, storeroom and backstage area with curtain and mobile thrust stage.

Loss of raked auditorium floor, with no clarity given around the proposed materials for new floor.

• **Potential:** This space holds so much potential in the right hands, with the right council backing and management, state funding, volunteer help and community support and input, given the current trend of towns and communities saving grand old buildings for community use and cultural pursuits (See the recent Bondi Pavilion community push to save the building for the people, not big dollar developers, the Tumut Montreal Theatre, and Bingara Roxy Theatre to name a few). The community has shown that we dearly miss having a community space with arts and culture at the core. The Revive the Regent Facebook group for instance, has shown that there is indeed a groundswell of interest from the community and visitors to Mudgee, including an online petition with over 2100 signatures to date.

The proposed changes in the amended DA will result in much of the original fabric and form of the Theatre being negatively affected. The end result of all these changes is that the current Theatre, capable of staging all manner of performance types, will no longer exist.

The theatre has not been operational for the past 10 years due to owners development plans. No public offer to sell or lease to a suitable theatre operator or council has occurred to ensure its continued use as a multi-purpose theatre operation.

Furthermore the owners have shown neglect in general maintenance and upkeep of the heritage fabric of the front facade, front entry tiling and foyer area. An operational theatre will arguably create as many if not more jobs to local residents than a hotel (both would require manager and cleaners), with technicians, bar/snack bar staffing, promotional and programming staff required for a fully functional theatre.

Yours sincerely,

[First Name, Surname]

[Address]