

Statement of Environmental Effects

in support of a Development Application for

**Demolition of Horseshoe Creek Hall
on
Lot 54 DP 755707
Green Pigeon Road Horseshoe Creek**



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1 Introduction

1.1 Summary of Proposed Development

This statement of environmental effects has been prepared on behalf of the Kyogle Council to accompany a development application for the demolition of the Horseshoe Creek Hall on Lot 54 DP 755707 Green Pigeon Road Horseshoe Creek.

The hall which was constructed in 1946 (after the original hall burnt down) is in a state of disrepair and has not been able to be utilised as a community facility for in excess of 2 years. The hall is situated on Crown land under the control and management of the Kyogle Council. The council has undertaken an assessment of the condition of the hall and has determined that it is unable to be safely used and that the cost of repairing the building cannot be supported. The hall has significant damage to the footings and external walls (including dry rot and white ant damage) as well as sections of the internal lining.

Council in conjunction with the Kyogle and District Historical Society has lodged a development application for the construction of a new museum galley in Roxy Lane Kyogle. Subject to receiving development consent for the demolition of the Horseshoe Creek Hall, it is proposed to utilise as much non-contaminated materials from the hall as possible for re-use with the new museum building. Salvageable materials may include the floor boards and possibly some external weatherboards as well as any sound framing, joists etc. The kitchen within the hall is in reasonable condition and would be available for reuse.

The hall is not listed as an item of environmental heritage under the Kyogle LEP 2012 or State register. The Kyogle Heritage Study 2000 does not identify the site or the hall as being of heritage significance. There are however social connections associated with the construction and use of the hall and these are discussed within this report.

1.2 Site Identification

Table 1: Property description and related details for the subject land

Lot Number	D.P.	LGA	Locality	County	Area
54	755707	Kyogle	Horseshoe Creek	Rous	4363m ²

1.3 Objective of the Proposal

The objectives of the proposal are to:

- Demolish the Horseshoe Creek Hall and restore the site for passive open space;
- Recycle and reuse as much of the building material as practicable and in particular for the proposed new Kyogle museum building;
- Ensure that the site once rehabilitated is fit for use for passive recreation.

1.4 Site and Locality Overview

Lot 54 is situated on Green Pigeon Road, 460 metres north of the intersection with Fawcetts Plain Road at Horseshoe Creek. The property has an area of 4363m² and aside from the hall contains an informal parking area and landscaping (lawn).

The site is located within a rural (agricultural) area. Surrounding land uses are grazing and cropping. Within the locality there are a number of rural dwellings.



Aerial View of Horseshoe Creek Hall (Source: Sixmaps 2015)

1.5 History of the Horseshoe Creek Hall(s)

The original Horseshoe Creek Hall was opened in 1906 on land donated by Mr William Walters. This was not the current site of the hall. Timber for the construction was donated by Sam Walters. Mr J. Athurton was the builder.

In 1915 the hall committee wrote to the Department of Lands seeking permission to move the hall to its present location. The move occurred in 1916 and extensions were made. Regular dances, balls, bazaars, races and sports days were held giving the hall a return for upkeep and maintenance.

A branch of the CWA was formed in 1923 and catered in the hall for many years. Mr George McInnes held the position of Secretary between 1923 and 1979 and Mr Keith Thomas was President between 1952 to 1979.

In 1945 the original hall burnt down. Funds were raised and the current hall building was built in 1946.

In 1959 the civic use of the hall was ceased for a short period when My Scarrabelotti rented it for the storage of paspalum seed.

The sporting club disbanded in 1980. The Green Pigeon Ladies Organisation then used the hall four times a year for fundraising. In 1994 a district reunion for the hall was held with over 800 attending.

(Source: Old Time Country Halls - Helen Trustum, date of publication unknown).

1.6 Overview of the Proposed Development

The proposal involves the demolition of the hall. The hall has been in a state of disrepair for in excess of two (2) years and has been unused for this period.

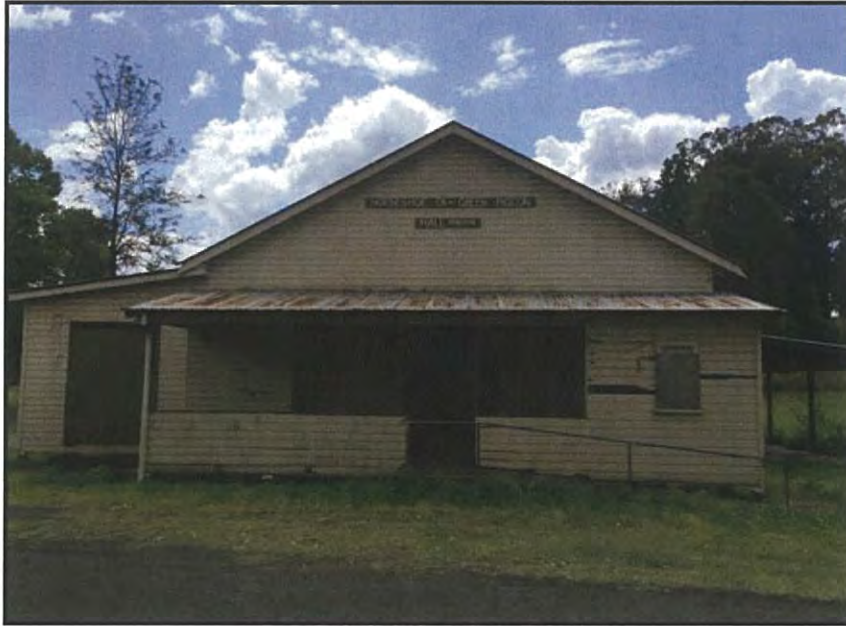
Council has considered the options for upgrading and ongoing maintenance of the hall and has sought advice from members of the Kyogle and District Historical Society whose membership includes Horseshoe Creek residents. The decision was made to seek the demolition of the building given that:

- Prior to the complete cessation of use of the hall it was being used less and less and the income derived from hall rental did not provide for basic maintenance activities;
- The cost to undertake restoration of the hall is beyond the current capacity of the Council (estimated at \$180, 000) and greatly exceeds the potential for long term return from hall bookings;
- There is potential for contamination issues associated with the hall which could significantly add to the cost of any restoration works.

Given this, the available options are to retain the building whereby it continues to be unable to be utilised and will continue to further deteriorate, or to demolish the building and to re-use

materials in a new community building. Council has proposed to demolish the building and to re-use appropriate materials in the proposed new Kyogle museum building within the Kyogle civic precinct. This option has been supported by the Kyogle and District Historical Society.

The existing septic tank and trench for the toilets will be decommissioned separately.



Front Facade of the Hall - October 2015



Side View of Hall - October 2015



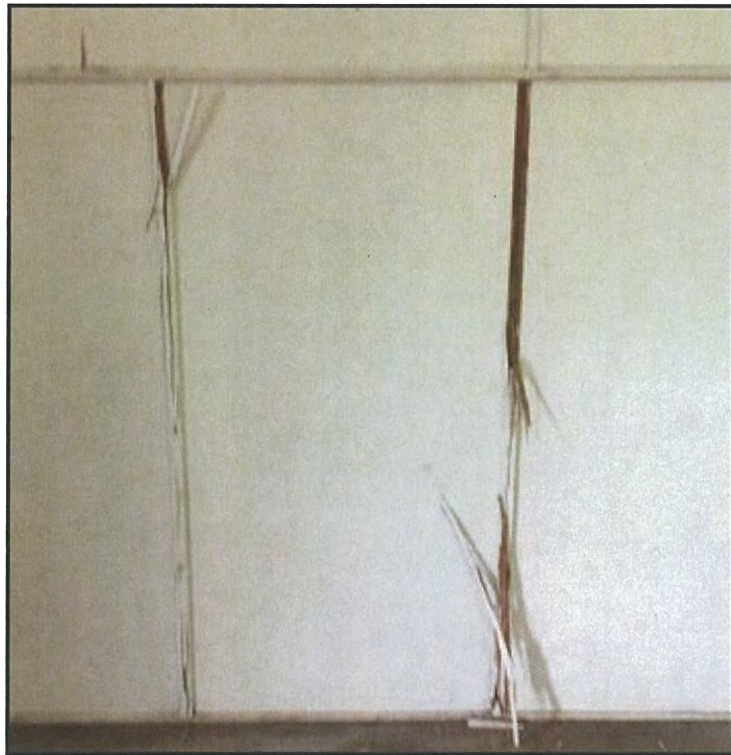


Section of Dilapidated Footings and External Lining





Internal Views of Hall



White Ant Damage to Framing and Internal Walls

2 Relevant Planning Provisions

The site is affected by the provisions of Kyogle Local Environmental Plan 2012.

The site is zoned RE1 Public Recreation under the LEP. The proposed demolition works are permissible with consent in accordance with Clause 2.7.

2.1 Kyogle Local Environmental Plan 2012

The site is zoned RE1 – Public Recreation under the Kyogle LEP 2012.



The objectives for the RE1 zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To provide for tourism-related uses that support the recreational purpose of the land.

The proposed demolition works are generally consistent with the objectives of the zone. The proposal incorporates the rehabilitation of the site for use for public open space and outdoor recreation.

2.2 Miscellaneous Provisions and Additional Local Provisions

Clause 2.7 of the LEP specifies that development consent is required for the demolition of buildings. This report is therefore required to accompany a development application for the proposal. There are no other miscellaneous or additional local provisions affecting this proposal.

2.3 Kyogle Development Control Plan 2014

Council has adopted the Kyogle Development Control Plan 2014. The DCP does not contain specific controls for the site or for the demolition of buildings. Accordingly, there are no reporting requirements under the DCP for this proposal.

2.4 State Environmental Planning Policies (SEPPs)

Only one State Environmental Planning Policy is directly relevant to this proposal and requiring comment.

2.4.1 SEPP 55 – Remediation of Land

The SEPP came into force in 1998 and requires Councils to consider the aspect of potential contamination when assessing a development application for development.

The site contains a hall constructed in 1946 with painted weatherboard external cladding and including painted internal board lining and ceiling. The majority of the internal walls are of plywood sheeting construction. The ceiling was not able to be closely inspected by us, however it is believed to also be of plywood sheeting construction. Given the age of the building it is assumed that it has over time been coated with lead based paints. Fibrous asbestos sheeting was not observed during site inspection however may have been used within the building particularly the kitchen room and toilets.

Council intends to engage a contractor to undertake the demolition of the hall and removal of all material. It will be the responsibility of the contractor to ensure that any contaminated material is removed and disposed of in accordance with the relevant legislation as well as to ensure that all non-contaminated material is available for reuse or recycling.

Post demolition, the site will not be used for any habitable purposes and subject to appropriate site rehabilitation will be suitable for passive recreation use. It is recommended that Council ensure via suitable conditions of consent that:

- A suitably licensed contractor be engaged in the demolition of the building;
- Any contaminated material be disposed at an approved contaminated material disposal point;
- Recyclable material be kept separate from contaminated materials during the demolition process;
- All building material to be removed from the site so that the site is clean and ready for rehabilitation.

Subject to the above recommendations, it is considered that no further consideration or assessment under the SEPP is required.

3 Environmental Planning Assessment

3.1 Section 79 (c) Considerations

The following statutory considerations are made in relation to Section 79 (c) of the Environmental Planning and Assessment Act 1979, as amended.

3.1.1 79C (1) (a) – the provisions of any environmental planning instrument, draft environmental planning instrument, development control plan and the regulations.

The proposal is consistent with the relevant planning instruments. The proposal meets the objectives of the Kyogle Local Environmental Plan 2012 under which the site is zoned. The proposal is not affected by specific development control plan provisions.

3.1.2 79C (1) (b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Context

The hall is located with a rural area. The demolition works will not adversely affect the residents within the vicinity by way of noise, dust, odour or air pollutants.

Fauna and Flora

The proposal does not necessitate the removal of any native vegetation. Accordingly, the proposal will not adversely affect the biodiversity of the locality.

The proposal will not impact upon Koala Habitat as defined under SEPP 44 as the property is cleared.

Soil and Water

There will be no impacts on soil and water quality. Appropriate erosion control measures will be incorporated during the demolition process.

Heritage

The site is not identified as an item of environmental heritage under the Kyogle LEP or state inventory. The proposal will not affect the heritage significance of sites within the general locality.

Waste Management

It is recommended that the contractor engaged to demolish the building be required, as a condition of consent to submit a waste management plan detailing the process for safe removal, sorting, storage and transport of all demolished materials.

Social Impacts

The Horseshoe Creek community has had a long association with the hall going back to 1906 for the original hall and 1946 for the current building. It could therefore be expected that members of the community may have reservations and objections to the demolition of the hall. This consideration may be tempered by the fact that the hall has not been used for in excess of two (2) years and is in a dilapidated state.

Council has advised that it does not have the current resources required to repair the hall and to then continue with the ongoing maintenance. The cost for the repair work is expected to exceed \$180,000.

It is noted that Horseshoe Creek is in close proximity to Kyogle which provides required social services including hall venues.

Economic Impacts

There is a cost associated with the demolition and removal of the hall. This cost is substantially less than the above identified repair and maintenance costs. It is intended that a demolition contractor be engaged for the demolition work and the cost will be dependant upon the extent of salvageable material which the contractor can access.

Cumulative Impacts

There are no cumulative impacts associated with the proposal.

3.1.3 Section 79C (1) (c) the suitability of the site for development

The site, once the hall is demolished is suitable for the intended use of passive recreation.

The proposal will not adversely affect the environment, existing adjacent landuses or the residents within the locality.

3.1.4 Section 79C (1) (d) any submissions made in accordance with this act or the regulations

No submissions were required to be obtained as part of the preparation of this application. The proposal is not advertised development under the Kyogle LEP, however Council will advertise the application and seek community comment.

3.1.5 Section 79C (1) (e) the public interest.

The public interest is currently not being served by having a hall which is unable to be utilised. As such, the demolition of the hall is not considered to be contrary to the wider public interest.

4 Conclusion

The proposal for the demolition of the Horseshoe Creek Hall, whilst resulting in the loss of a community asset is an appropriate option for the Council given the fact that the hall is in a dilapidated state, is currently unusable and the fact that Council does not have the resources available to undertake substantial required repairs, refurbishment and ongoing building maintenance..

The proposal complies with the objectives and standards of relevant planning and environmental legislation.

Accordingly, Council's consent for the proposal is requested.

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