

**DEVELOPMENT OF A PROCESS
FOR DEALING WITH UNDERUTILISED
QUEENSLAND GOVERNMENT PROPERTIES
WITH HERITAGE SIGNIFICANCE**

VOLUME I OF II

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(i)

TITLE

**DEVELOPMENT OF A PROCESS FOR DEALING WITH UNDERUTILISED
QUEENSLAND GOVERNMENT PROPERTIES WITH HERITAGE
SIGNIFICANCE.**

ABSTRACT

This thesis addresses the contemporary issue of the control, restoration and potential for reuse of State Government-owned heritage properties with commercial potential. It attempts to reconcile the sometimes competing interests of the range of stakeholders in such properties, particularly those seeking to maximise economic performance and return on one hand and community expectations for heritage preservation and exhibition on the other.

The matters are approached principally from the Government's position as asset owner/manager. It includes research into a number of key elements - including statutory, physical and economic parameters and an analysis of the legitimate requirements of all stakeholders.

The thesis also recognises the need for innovation in approach and for the careful structuring and pre-planning of proposals on a project-by-project basis. On the matter of innovation, four case studies are included in the thesis to exhibit some approaches and techniques that have already been employed in addressing these issues.

From this research base, a series of deductions at both a macro and micro level are established and a model for a rational decision-making process for dealing with such projects is developed as a major outcome of the work. Finally, the general model is applied to a specific project, the currently unused Port Office heritage site in the Brisbane Central Business District.

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STATEMENT OF ORIGINAL AUTHORSHIP


The work contained in this thesis has not been previously submitted for a degree or diploma to any other tertiary educational institution.

To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where reference is made.

Signed

Date

24th January 1994

 QUEENSLAND UNIVERSITY OF TECHNOLOGY FACULTY OF BUILT ENVIRONMENT AND ENGINEERING Thesis approved for the Award of Master of Applied Science (Research) <u>25-2-94</u> Date

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CHAPTER 1

INTRODUCTION

CHAPTER 1 INTRODUCTION TO STUDY

- 1.1 Research Title
- 1.2 Purpose
- 1.3 Principal Argument
- 1.4 Relevance
- 1.5 Research
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CHAPTER 1 INTRODUCTION TO STUDY

1.1 RESEARCH TITLE

Development of a process for dealing with Underutilised Government Properties with Heritage Significance.

1.2 PURPOSE

For contemporary Government-owned properties, there are a range of facility planning and tenancy management systems which can be employed to structure portfolio management responsibilities. This is not the case, however, for the properties with heritage significance within that same portfolio. Typically, this sizeable proportion of the portfolio often suffers underutilisation and physical and economic deterioration without structures in place to deal with the specific problems involved. The issues are contentious given growing community and, consequently, political interests in heritage matters.

In regard to this type of property, investigations indicate that:

- there was no comprehensive data base establishing parameters for restoration and reuse of Government-owned heritage properties with commercial potential;

- dealings with such properties in the past appear to have been based on little analytical information and little or no prior strategic modelling or planning was undertaken.

The purpose of this research is to attempt to redress these two issues and to:

- further promote the understanding of the principle issues involved with dealings with Government-owned heritage properties with commercial potential; and
- provide some guidelines for bringing the property to best use whilst also protecting the heritage significance of the property and satisfying, through the process used, the legitimate requirements of all stakeholders.

1.3 PRINCIPAL ARGUMENT

The principal argument of this work is that the unsatisfactory overall performance and the deteriorating condition of many Government-owned, heritage properties can best be addressed by:

- first developing a clear and comprehensive appreciation of the economic, physical, statutory and political aspects of the issues involved, upon which a valid and analytical decision-making process can be based; and

- within a fairly widely defined and flexible model, constructing a development procedure which both
 - accommodate the particular heritage and other characteristics of the specific project; and
 - ensures that the project is recognised and assessed in the first instance under normal, contemporary portfolio management criteria and any later decision to vary those criteria because of greater community or other interests be made in full knowledge of the opportunities foregone.

1.4 RELEVANCE

This research addresses issues and opportunities which are both of immediacy and substance.

Currently, a significant part of the Queensland State Government's real property assets is underutilised because of heritage significance. Effective portfolio management of them has been frustrated in the past by a lack of an assembled data base and uncertain parameters and overall strategies for decision making and action.

Heritage issues are matters of public interest and debate, inter-related to a range of national identity and community value considerations. They are particularly contentious when they involve publically owned assets where a combination of economic realism, community expectations, political considerations and other forces will affect final outcomes.

Thorough investigation has established that no detailed research of this specific topic has previously been undertaken in Queensland and no other is known elsewhere in Australia.

The ability also exists to apply the outcomes of this research directly into portfolio management for Government - in the first instance to the Port Office precinct in Brisbane (which is the subject of a later chapter of this thesis), and subsequently, to a range of other upcoming heritage property projects.

The work overall is therefore most relevant to contemporary property management, analysis and economics and is capable of immediate application.

1.5 RESEARCH

The research for this work has extended over 18 months and has included:

- literature research through the resource facilities of Queensland University of Technology, University of Queensland, University of Western Sydney, the Administrative Services and Environment and Heritage Departments, Brisbane and the Australian Heritage Commission, Canberra;

- interviews, (in excess of 150 in total), with a range of academic and research staff in Brisbane, Sydney, Canberra and Perth, Commonwealth, State and local authority officers, developers, building owners, builders, agents, valuers, heritage architects and analysts, quantity surveyors, project managers and representatives of professional and special interest groups throughout Queensland and in various other parts of Australia;
- inspection of and investigation into a range of heritage properties in Brisbane, Rockhampton, Townsville, Maryborough, Ipswich, Sydney and Hobart and Perth/Fremantle; and
- special collection of construction costings and other property data specifically for this research where no published information was available.

1.6 APPROACH

The approach adopts a sequential and logical presentation of current, relevant analytical data on the subject. From this, key deductions are established and an abstract model constructed and thereafter applied. Because of the large volume of important information uncovered in research, the final document and particularly Chapter 2 'Background' is of considerable size.

This is necessary as, for the first time, this document provides a single, detailed reference base in this study area. In some sections, such as those relating to legislation, a full background and political intent in the area is also required a detailed explanation. Whilst again adding to the size of the final document, such information is considered integral to a thorough understanding of the entire area. Throughout the research, the emphasis is on the property aspects of the issues rather than the architectural, historic or sociological issues which, to date, appear to be the focus of the great majority of published papers on heritage.

The four case studies are included to show a range of options for dealing with heritage properties with potential for alternate (commercial) uses, the methodology employed and the final option adopted. This research emphasises the individual nature of heritage considerations and the importance of approaching the topic on a property-by-property basis to account for each asset's particular heritage significance. Consequently, there are no predetermined number of set options from which a course of action can be selected. The process developed rather involves the thorough investigation of the characteristics of the individual case, an appreciation of all the general parameters for Government action and, thereafter, developing a specific strategy/option which best fits the case.

In doing this, however, certain general 'rules' do establish themselves as true and essential components in all cases.

1.7 *SCOPE*

The overall subject of heritage conservation and the management and reuse of buildings with heritage significance is an extremely wide and multi-faceted area. A clear establishment of the scope of this research is therefore essential.

In summary, this research confines itself to the construction of a strategic decision making process for dealing with Queensland-Government owned buildings with heritage significance and commercial potential to be used for a higher density and higher valued use than at present. Sometimes, such potential will involve the Government itself as developer and end user/owner but, in the majority of cases, the private sector will be involved in some or all of these roles. Implicit in this scope statement are the following matters:

- The work does not address matters relating to the large number of Government-owned heritage assets such as public buildings, monuments, historic sites etc. without potential nor demands for alternate uses. The management and actions for preservation of such assets are a separate area for investigation and outside the scope of this work;
- Many issues for such properties are very closely comparable, (and in some cases the same), as those for privately owned property. These issues include legislation and construction considerations and overall property analysis techniques to be employed in the decision-making process.

It cannot be construed, however, that this thesis specifically addressed all matters which pertain to privately owned heritage property. Clearly it does not and a range of issues such as financing and specific financial analysis, direct compensation to private sector owners, legal details regarding real property dealings and leases and other issues for private sector owners are outside the scope of this research;

- Government administrative structures and approval systems within Government are identified where relevant but not described in detail. It is important to recognise these issues but it would appear of limited value to provide detailed descriptions of such matters which relate more to studies in Government than property analysis;
- General property management operations relating to routine administration, maintenance and general portfolio analysis are not directly included. The work pertains rather to the establishment of a strategic decision making process for certain Government-owned heritage properties and not to operational plans nor specific project, financial nor action planning;
- Whilst some beneficial research data has been found in U.S. and U.K. references, it is considered that the nature of heritage and heritage controls (particularly statutory controls) are peculiar to specific states and locations. Consequently, the study is restricted, for the most part, to Queensland. The principle exceptions here are two of the case studies, The Rocks in Sydney and the Fremantle Prison.

Both of these were included because of their innovative approach to reuse of Government-owned heritage assets. In both too, sufficient similarity existed as to political and legal systems and as to the physical nature of the heritage assets involved to render them closely comparable.

- Information secured through interview and other data collection as part of this research has, in a number of cases been available for the first time. Extreme care has been taken to ensure that data recorded herein, particularly in the case studies and in construction and application of the model, expressly excluded any 'commercial in confidence' information or other restricted data. The nature of this research and its nominated outcomes are such as not to be diminished by these limitations. The research outcomes do not depend on specific figures (cash flows etc.). Such projections are 'down stream' from the focus of this work viz the strategic decision making process in establishing the future utilisation of this type of property asset.

Finally, in the establishment of scope, it is recognised that research deductions and outcomes fall into two categories - 'macro' or community, economy-wide concepts and, secondly, 'micro' issues or those that are applicable on an individual heritage project basis. Practically all of the latter category can be implemented in the short term. They are initiatives that are already under the current, direct control and within the capabilities of the present owner/developer of the property.

As regards macro issues, some initiatives can be acted upon (principally by Government) in the short term with little cost and without major implications outside the use of heritage assets. Other recommendations, such as proposed changes to fiscal policy are clearly far reaching and represent longer-term objections. These matters are elaborated on in Chapter 5, Deductions. At this point however, it is noted that, in the construction of the model, only currently feasible and immediately controllable initiatives have been included. This ensures that the model is functional under present conditions and does not require major Governmental policy, statutory or fiscal change to be implemented.

Recommendations on the wider, 'Macro' issues are included in summary in Chapter 8, Concluding Summary, in the anticipation that the proposals will be taken up in research by others or by policy making and other interested parties through the political process.

1.8 STRUCTURE

Chapters 2, 3 and 4 provide the research basis. In these substantial areas, care has been taken to generally keep separate descriptive and factual information from comments and conclusion. The latter in practically all parts has been confined to 'comments/conclusions' areas at the end of each subsection.

The balance of the work, Chapters 5 to 8, uses the research base to advance debate on Government heritage dealings - firstly by establishing some abstract deductions from collected research and, thereafter, the construction of a model for such dealings and the application of that model to a specific case. Overall, the principal outcomes are contained in Chapter 5, Deductions, Chapter 6, Development of a Model and Chapter 8, Concluding Summary.

Overall, the structure of the thesis can be summarised as follows:

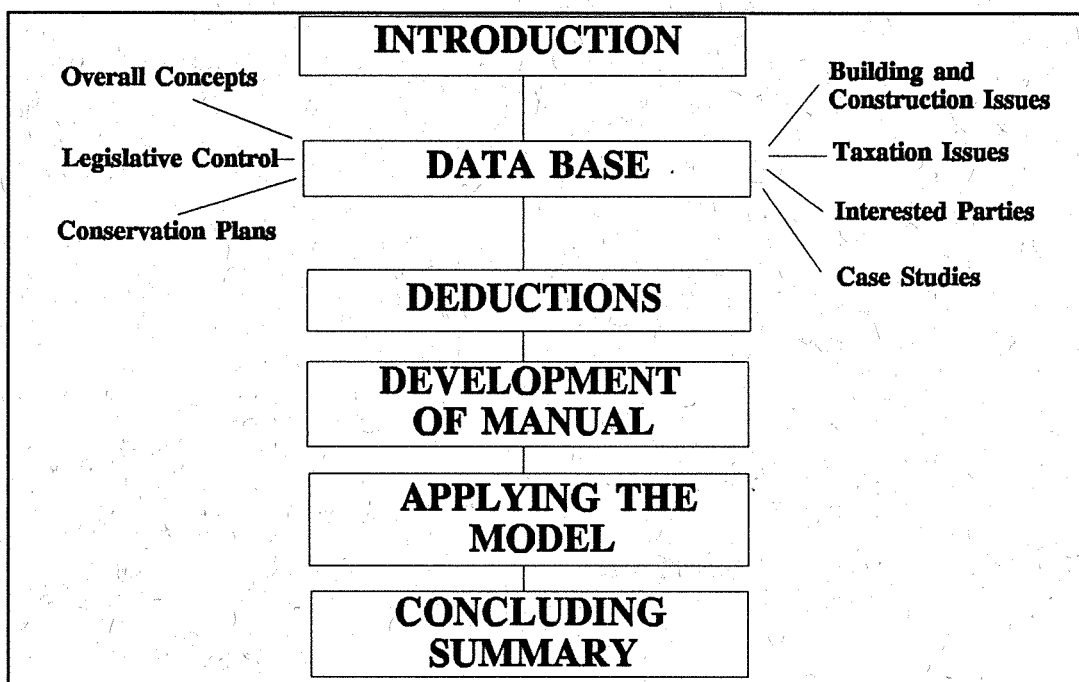


EXHIBIT 1.8[I] THESIS STRUCTURE

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BACKGROUND

CHAPTER 2 BACKGROUND

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CHAPTER 2 BACKGROUND

INTRODUCTORY COMMENTS

No relevant or workable model or conclusions can be produced without an accurate database.

Investigation undertaken as part of this research has established that available published material is fragmented and much is not current. Further, most substantial work has concentrated on archaeological, sociological and architectural aspects of the topic and little work appears to have been done in drawing together land use, property and economic issues.

The research topic relates to Government-owned heritage properties but it is clearly erroneous to deal with this property sub-group in absolute isolation. Political forces and community attitudes regarding these issues overall are such that government dealings with heritage properties must be in general accord with similar properties in private ownership. Further, the principle legislation specifically binds the Crown.

It is relevant here to note also that some 35% of the commercially used properties listed under the Queensland Heritage Act are, in fact, already in public ownership. It is therefore neither practical nor helpful to strictly segregate properties and develop a model simply on the basis of ownership at that point in time. Further, the final model developed here has the option of including the private sector - in the original redevelopment and/or as an end user.

An arbitrary line between public sector heritage projects, (to be dealt with in a certain way), and private sector heritage projects (to be dealt with differently) is, in practice, inappropriate. Consequently, it is established that this work must ensure a quite wide understanding of heritage issues for all property in Queensland, regardless of public or private ownership.

Given the above considerations and the inadequacies in existing available material, it has been accepted as a primary task in this research to provide a comprehensive data base to the study area.

This background will be provided principally in this chapter and will establish:

- some parameters for the concept of heritage;
- a summary of the content and impact of legislative controls - at the Commonwealth, State and Local Government (Town Planning) level;
- an overview of the methodology of Conservation Planning and of the Burra Charter;
- an understanding of some principal Building and Construction issues related to Heritage Projects; and
- an appreciation of taxation considerations in heritage property projects.

Each of those will be presented as summaries of research undertaken and data collected - with any comments and deductions being confined to specifically identified areas at the end of each section. This approach, emphasising a presentation of facts and segregation of comment and opinion, is considered important in providing a wide understanding both of the issues of Queensland Government-owned heritage properties and the background heritage issues in the wider community. The comprehensive data so established represent the analytical foundations upon which the balance of this research is based.

Because of the volume of data involved, supporting data has been taken from the body of the report and presented under separate cover.

CHAPTER 2 BACKGROUND

2.1 THE CONCEPT OF HERITAGE

2.1.1 INTRODUCTION

The relative newness of European settlement in Australia is an important characteristic often overlooked in this country. Economic maturity has been reached in a comparatively short period, in advance of social and political development which, by nature, require time to fully evolve and rationalise. In most other western countries, a much longer history has allowed all economic, social and political aspects of society to develop to advanced levels at fairly uniform rates.

It is little wonder, therefore, that Australia nationally still finds considerable difficulty in a wide range of issues which, in older societies, are largely settled. These issues are spread through a range of political, cultural, economic and social areas and include political identity in the world community and in Asia, multiculturalism, aboriginal issues, the role of the monarchy etc. Heritage and preservation are typical of such issues.

Clearly, in a nation of only 200 years of European settlement and little over 100 years of intensive development, the concepts of heritage value and preservation of the built environment have not previously had real purpose or meaning. Until very recent years, properties from previous eras simply went through the phase of 'being old' and passé, both in style and utility.

Only perhaps in the past twenty or thirty years, where a number of significant historic properties became physically and/or economically obsolete and consequently were threatened with demolition, did the issue of the merits of their preservation come into detailed focus.

2.1.2 HISTORICAL FRAMEWORK - AUSTRALIAN BUILT ENVIRONMENT

The nature of physical development in Australia has been unique among western countries. Some of these characteristics are as follows:

- Urbanisation and Timing

Australian development occurred after the first wave of industrialisation in Europe.

Uniquely, it promoted urbanisation, (albeit generally penal outposts in the first instance), prior to exploration. This contrasts with practically all other western countries where town formation was originally underpinned by rural economic surpluses rather than the town - colonies/city - states that established in the various Australian States.

- Quality of Construction

Given the nature of and primitive conditions that prevailed in the early decades of each Australian colony, the quality of architecture was not generally high with better quality structures being confined principally to significant state and church sites.

Suitability and availability for preservation is often also dependent on construction materials originally used. Frequently, (particularly in Queensland and Western Australia and provincial areas generally), timber was the only available material and, given intervening decades of decay occasioned by disinterest, changed uses and changes in fashion and style, much has been lost.

Likewise, much of the original quarry materials used in Australia, particularly porphyry and sandstone, have often eroded and deteriorated badly. These problems have been exacerbated by the chemical effect of exposure to traffic exhausts and other pollutants and corrosives under current, C.B.D. conditions.

- C.B.D. Layouts and Precincts

Core layouts and initial development of the Central Business Districts of the major Australian cities occurred through the Edwardian and Victorian eras with limited government intervention or regulation.

With the exception of Adelaide which did have an original plan, all major Central Business Districts have the common characteristics of:

- relatively small and congested cores;
- grid pattern road layouts;
- on or straddling waterways; and

- surrounded and confined by an inner city zone of transition which includes a mixture of old and disused property together with commercial and sometimes industrial uses.

Though not unknown, full heritage/historic precincts are rare. Many properties of heritage interest are scattered at various, single-site locations throughout the Central Business District and elsewhere and are thus inter-dispersed with properties of other eras and usages.

As well as the Australia-wide perspectives, it should be noted that the diverse history of each state and region creates distinctive aspects to heritage. In Queensland, for example, decentralised settlement patterns created a number of major provincial towns and cities each with their own distinctive layouts, major buildings, character and external influences.

Differences in the Queensland heritage parameters also arose from such influences as the predominance of timber and iron as building materials, cultural landscapes created by agricultural activities and by the tropical and sub-tropical climate, the effects of mining and of ethnic groups and the unique design of Queensland housing.

The identity and significance of many buildings and sites have also been diminished as a result of changing land use patterns within Australian cities. Notable among these changes has been the transference of port activities, industry and non-office commercial uses out of the older, central areas of these cities.

Some exceptions do occur. Most major cities do have one or more localities where heritage sites are dominant in the streetscape (eg. The Rocks in Sydney, the George Street government precinct in Brisbane, Salamanca Place and Battery Point in Hobart and the Fremantle Business/Port District in Western Australia to name a few).

A further dilution of the heritage value of Australian CBD's occurred with the 'institutionalisation' of these areas in the late 1960's - early 1970's. This era saw the commencement of contemporary high-rise developments in Australian cities and was lead by the major Australian corporations (particularly banks, financiers and insurance companies) entering the property market and constructing major buildings for their head and state offices. The plot ratio requirements of these developments required major site amalgamations and demolition of existing improvements. A number of heritage sites were threatened and/or lost during this period.

Another wave of CBD developments from 1986-1989 further pressured such sites. By that time, however, heritage protection legislation had been established in most states. Frequently, token regard was given to heritage such as the retention of facades which rarely enhanced either the final development nor the heritage qualities of the site. In practically all of these cases, the continuity of use and purpose, frequently an important concept in heritage preservation, was completely lost.

The economic recession of the late 1980's - early 1990's has produced an enforced truce between the pro-development and conservation lobbies in this sector.

Overall, conservative and bearish attitudes by prospective developers and financiers and lack of demand for commercial and retail space in an already oversupplied market have taken practically all momentum out of new development prospects.

Meanwhile, the pro-conservation lobby are likewise under a degree of political pressure. Recessed economic conditions, poor resource utilisation and employment prospects have fuelled rising economic realism and pragmatism. This has challenged the right and ability of heritage and conservation issues to frustrate or stop income - generation projects. It is therefore not an opportune time to voice anti-development sentiment.

The past decade has also been a period of settling in of legislative controls that are now in place at the Federal and State level throughout Australia, (discussed in detail elsewhere in this research). The real ability of the statutory bodies to establish control on development on heritage sites is also tempered by poor prevailing economic conditions.

This is particularly the case in Queensland, where, following interim legislation, the Queensland Heritage Act was only assented to on 27 March 1992 and the Heritage Council that the Act establishes only convened for the first time in mid - 1992. It must be anticipated that any such body would require several years of experience and development of procedures and precedent before becoming fully operational and effective.

It is difficult to see the current subdued situation as more than a passing phase. The eventual pick-up in business confidence, investment and general economic conditions will occur in the medium term and the dichotomy of opinions and political and economic pressures between property owners and developers and of pro-conservation interests and lobbyists will resume.

It will be established elsewhere in this research that the advent of political and legislative intervention over recent years will not, of itself, fully defuse these issues.

This subtle change has to some extent widened concepts of 'heritage' from that of generalised folklore (eg. pioneers, national ethos and pride) to much more specific "built environment" issues. The two components - heritage as an ideal and heritage identified with things and places - have become very much intertwined in recent years.

The rapid rise in interest in built environment preservation may also, in part, be seen as a reaction to the role of change in contemporary society and the speed at which icons and symbols of the past are eroded or lost. In that sense, interest in heritage might be seen as a product of uncertainty of the future. The values from the past that sometimes emerge may not be always from the inherent worth of that historical item per se but, rather, may in fact represent criticism of the present and fear of the future.

Whilst these observations may well have validity, they are clearly concepts which are extremely difficult for the economically-driven property market to accommodate.

2.1.3 **PROPERTY ENVIRONMENT**

The operations of the property sector of the economy are normally without controversy and proceed relatively unnoticed by the community at large.

Apart from the residential sector where owner-occupiers dominate, property assets are held by a relatively small proportion of the population. The sector's activities therefore tend to be insular, occurring between owner/developers and end-users, the building and construction industry and financiers.

The public interest is largely represented by Local Authorities through their implementation, administration and enforcement of development standards and conditions through Town Plans and Building Codes.

Though conflicts occasionally arise on individual projects, the activities of the property development industry normally only arouse the passing interest of the general community.

The sector itself tends to be fragmented and without strong internal cohesion. With the exception of a relatively small proportion of major corporations and public companies, most development companies and investors are relatively small scale, all acting with relative independence and with little need to inter-relate with similar companies. There are therefore few industry associations or groups to improve the profile of the sector or to promote overall industry opinion.

The general recent increase in the community interest in heritage buildings and sites is now causing some reassessment of these longstanding relationships between owners/developers and the remainder of the community.

Perhaps for the first time in an overall sense, significant community opinion can be clearly identified supporting the need for community input into both government-owned and (even more significantly) privately-owned property which is perceived as having 'heritage significance'. Subsequent political and legislative action has reflected this importance. The implication here is serious. It establishes a potential nexus between the basic rights and reasonable expectations of freehold owners on the one hand and perceived community interest on the other.

It can be argued that such issues are not unusual in that the saving provisions of the Real Property Act are frequently invoked against individual owners in the resumption of land for public purposes. The analogy is, however, quite weak. In the heritage scenario, the principle of acquisition with compensation as much as money will allow and equality 'before' and 'after' does not apply under current heritage legislation. The restrictions and prohibitions are, at best, on the nebulous and debatable concept of "heritage significance" rather than a specific public purpose.

Further, controls are generally over a considerable number of sites identified as having heritage interests and this number is likely to increase in the foreseeable future. The legal position being taken in practically all States including Queensland, is therefore not without philosophical problems. The subdued economic activity at the time of writing (1992-93) has largely robbed the debate of immediate issues but has not significantly defused them for the medium term.

2.1.4 TOWARDS A DEFINITION

A close definition of 'heritage' is obviously necessary but, in fact, is very hard to establish.

This problem was recognised by Mr Justice Hope in his report into the National Estate (1974) where he avoided using the term 'heritage' preferring more precise, neutral and less emotive terms such as 'built environment', 'cultural resources' and 'historic buildings'.

Nevertheless, some of the more succinct, recent interpretations of 'heritage' (and of 'built environment') assist:

- *".... [heritage constitutes] ... the valuable features of our environment which we seek to conserve from development or decay It hint(s) at a treasury of deep-buried, but indefinite, values. It invokes a lofty sense of obligation to one's ancestors and descendants and it secures the high ground of principle for conservationists". [Davison & Or]¹*

¹ A Heritage Handbook ed Davison G. & Or. P.4

•" [*historic sites and buildings are*] *those which have significance residing in them because of the broad cultural, political economic or social history of the nation, state or community exemplified therein and from which a visitor may grasp, in three dimensional forms, one of the larger patterns of the American heritage*".

[American National Trust for Historic Preservation, 1948]

• "*Heritage is our collective memory the physical relics of our history our sense of place, time and community*".

Bell. P.²

• *Legislation [Queensland Heritage Act 1992] provides clarification of some related terms:*

- "
- *building: - a building or structure or part of a building or structure together with associated furniture, fittings and other objects that may contribute to its cultural heritage significance;*
 - *conservation: - includes protection, stabilisation, maintenance, preservation, restoration, reconstruction and adaptation;*
 - *cultural heritage significance of a place or an object means its aesthetic, historic, scientific or social significance, or other special value to the present community and future generations;*

² ICOMOS Conference, Bell, P., 1990, Brisbane.

- *development, in relation to a place, means subdivision; change of the use; demolition of a building; erection, construction or relocation of a building; work (including painting and plastering) that substantially alters the appearance of a building; renovation, alteration or addition to a building or excavation, disturbance, or change to landscape or natural features of land that substantially alters the appearance of a place". ³*

Much of the uncertainty and dispute in heritage issues lies in the fact that 'heritage' can be near anything one wants. The strength and impact of the word does not come from its analytical precision [which, as can be seen above, is not available] but rather comes from the wide psychological perceptions and attitudes that it evokes.

It is important not to confuse the concept of 'heritage' with fashion and good taste. Heritage is not simply confined to major buildings nor to stylish aesthetically attractive, or restored properties. It may equally be applied to items of relatively minor physical dimensions or to industrial or other designs and uses which have little or no visual appeal.

³ Extract: Queensland Heritage Act 1992. Part 1 (4) Preliminary Definitions.

The range of definitions do establish however that connection with the past, in many cases, goes further than physical conservation and renovation - it has aspects of place (ie. how it fits in with its location) and, in general if not specifically, the continuity of purpose and use.

Because sites and property clearly involve spatial concepts, the location of a potentially heritage property, its ambience, surrounding development and the streetscape of its immediate locality are very important in assessing both its heritage value and the preservation of any such heritage value established.

The number of sites likely to be involved also have widened over time. Built environment heritage cannot be seen only in terms of architectural masterpieces or sites of aesthetic merit. They will include the humble along with the great and those of more recent in time as well as the more historically remote.

An essential concept is the site's physical and social representation of (and connection with) an era or period and whether or not other examples of its time are already preserved in that region. Physical size, aesthetics or architectural merit may not therefore, of themselves, be prime determining factors of the site's importance and relevance.

This perspective clearly incorporates the less exact parameters of social, cultural and political history not just the rationality and measurability of the tangible built environment or property markets. This is an essential issue in the entire debate.

Finally, it should be noted here that heritage issues have an element of scale that must be recognised. For example, local communities may identify quite minor sites or features, either in a formal or informal way, as important to that area's history or identity. This may be something as minor as a strategically-located small park, monument, physical feature, church, public or private building or even a road or bridge which is a distinctive and important identifying feature of that locality. Clearly, in the large scale of city, state or national perceptions, heritage properties/sites would often need to be of much higher profile, size and obvious importance (eg. major buildings) to arouse interest and real action in preservation.

2.1.5 **CONCLUSIONS**

In summary of research, the following definition of 'Heritage Building' is proposed:

A "Heritage Building" is

"Property, (including land, building and ground improvements and, sometimes, contents) which requires its original or existing fabric and/or use to be accommodated and, where necessary, preserved in the future use, public access, presentation, alterations and/or redevelopment of that property.

This requirement may arise through any/all of the following:

- a representative of a particular architectural style, era or period (regardless of time) which is worthy, in whole or in significant part, of preservation to exemplify that style era or period;
- a representative of facilities or operations no longer practiced in a comparable way by contemporary commerce, industry, private citizens or Government which is worthy, in whole or in significant part, of preservation to exemplify that facility or operation;
- a property which exhibits a continuity of significant use from earlier periods in history or the site of a major historical event;

- a property which forms an integral or significant part of a locality or precinct which relates to any or all of the above".

To accommodate the diverse interests involved, this definition is wide. Of particular importance is the fact that the definition must, on some occasions, go further than physical preservation and may often include less tangible and subjective concepts of social, cultural and political history. Depending on the circumstances, the issue of place (ie. locality, street and precincts) and continuity of use can also be involved. Where these latter issues are relevant and are included, future use and development parameters may well be further constrained.

The concept of 'exemplification' also requires elaboration here. There can be no suggestion that all old properties from some by-gone era must, or indeed should, be preserved. Rather, however, it is widely accepted that property would be of particular interest for preservation if it is a unique or prime example of a style, era, function or use which is not preserved elsewhere in that locality, town or region. The location and ambience of heritage properties are important considerations here.

Nevertheless, within a precinct or particular development, heritage preservation does not of necessity require the preservation of the entire site to its original condition and use. Cases will exist where it may be sufficient to preserve enough of the site to exemplify and adequately represent the original total site and that other developments on site be sympathetic to that preserved area.

This approach and the use of exemplification would seem to leave opportunities and scope for preservation and development on the same site. The theory, however, may well be easier than the practice where 'tokenism' on the one hand and frustration of the theme and concept of new development on the other must both be avoided.

CHAPTER 2 BACKGROUND (CONT'D)

**2.2 LEGISLATIVE CONTROLS ON HERITAGE BUILDINGS -
COMMONWEALTH**

2.2.1 INTRODUCTION

The influence of the Commonwealth Government's control and influence on heritage buildings and their development is difficult to quantify.

The major legislative vehicle, the Australian Heritage Commission Act 1975-91 appears relatively innocuous. The role of the Australian Heritage Commission (AHC), established under the Act, is limited to that of 'advisor' to the Commonwealth Government on the protection of the national estate. Its direct control is confined to the actions of the Federal Government and does not provide any legislative restraints over the actions of State or Local Governments nor private owners.

Further, the Commission has extremely wide terms of reference ranging from historical places, aboriginal sites, ship wrecks, rural industry sites, machinery, naturally occurring features, artefacts and lifestyle aspects, as well as buildings. Over 10,000 items are already identified Australia-wide and this number is to increase further over forthcoming years. Consequently, the Commission, with its only office in Canberra and quite limited resources, has very little ability to focus on specific ('micro') built environment issues.

For owners/developers/investors in particular states, the relevance of this legislation appears fairly remote. Its impact, however, does not lie in specific controls nor direct penal provisions but rather through the AHC:

- increasing and further focusing the public consciousness and political sensitivity of heritage issues;
- acting in a vanguard role over the past decade and a half providing a role model, lead and support for later, more direct, controls instigated by the various States;
- establishing a definitive register of the National Estate, regardless of location within Australia or its territories;
- establishing and administering the National Trust Grants Programme;
- frequently reinforcing and aligning with the views of the National Trust; and
- establishing and managing a body of research material, data and printed resources unequalled in Australia, (particularly as regards the collation of information of buildings of the same style and era, identifying all works by particular heritage architects etc.).

2.2.2 **HISTORY**

The ability to control land and land uses is a residual power held by the States under the constitutional framework. Direct involvement by the Federal Government is restricted to regulation of its own actions and land uses and is confined to areas of its own specific territorial control and, elsewhere, for resumption for specific purposes and on just terms.

Under what it perceived to be a wide-ranging mandate for reform and innovation, the Whitlam Government (1972-1975) initiated a number of land-use oriented projects including decentralisation and urban renewal programmes and city and regional redevelopment proposals, principally under the newly established Department of Urban and Regional Development (DURD).

In support of its interest in environmental and heritage issues, that Government, in 1973-1974, set up a National Estate Grants Programme to assist the early state efforts in conservation matters.

In 1974, it established a Commission of Inquiry into the National Estate under the chairmanship of Mr Justice Hope.

The Commission's final report proved a watershed document. In essence, for the first time, the report moved the debate regarding heritage issues from the level of small, voluntary interest groups (such as the National Trust and the Australian Chapter of the International Council on Monuments and Sites (ICOMOS)) to a level of governmental and political interest and action.

Justice Hope identified that, despite constitutional constraints, the issue of heritage was of nationwide interest and concern and, therefore, the Federal Government had an obligation to the nation to take 'deliberate action' to defend the things the community wants to keep.

Amongst other major initiatives, Justice Hope recommended that a survey be carried out into the extent and condition of the National Estate. Despite limited legislative control, it was considered that such a register could act as a moral constraint and provide a significant data base for the States, Local Government and private land owners.

2.2.3 LEGISLATIVE BASE - *Australian Heritage Commission Act 1975*

Acting on the major recommendations of the Hope Report, the Federal Government passed the Australian Heritage Commission Act in 1975. The legislation was supported by all political parties of the day.

Many of the major initiatives of the Whitlam Government, particularly in 'non-traditional' Federal activity such as land use and development control, were abandoned by later, more conservative Governments.

The Department of Urban and Regional Development itself was one of the first to disappear. It is interesting and very significant however, that this legislation and the structures it established have remained relatively unaltered for almost twenty years, through a range of both conservative and labor administrations. The obvious bi-partisan support this suggests reflects the political sensitivity and interest in the area.

In summary, the legislation:

- defined (for Federal Government purposes) the concept of the 'National Estate';
- established and identified the function and powers of the Australian Heritage Commission;
- established the Register of the National Trust and possible protection measures; and
- established and set guidelines for the National Estates Grants Programme.

The National Estate is defined as:

'..... those places, being component of the natural environment of Australia, on the cultural environment of Australia, that have aesthetic, historic, scientific or social significance or other special values for future generations, as well as for the present community'.¹

¹ *Australia Heritage Commission Act (1975), S.4 (i)*

The Australian Heritage Commission began operation in July 1976 from a single base in Canberra. It has a part-time Chairman and six part-time expert Commissioners who are appointed for three year terms. They meet four to six times per year and are supported by a relatively small number, (about 40 persons), of technical, community relations and administrative staff.

The Commission's responsibilities are:

- to prepare and maintain the Register of National Estate places;
- to act as the adviser to the relevant Minister, (currently the Minister for the Environment), other Ministers and the Federal Government on all matters involving the national estate;
- developing programmes and policies for research, professional training and public information and education; and
- administration of the National Estate Grants Programme.

As noted earlier, Section 30 of the legislation only binds the Federal Government itself and no action by the Commission, including the listing of a place in the National Estate Register, provides any legal constraints or controls over the actions of State or Local Government or of private owners.

2.2.4 THE REGISTER OF THE NATIONAL ESTATE

The Register is the national, identified list of places with national estate interest and details thereof. Because of the wide definition of the 'National Estate', the places already identified on the register exceed 10,300 with many more due to be added as staff resources for final investigation and approval for entry become available.

Nominations for entry onto the Register can come from any interested party - not merely the owner - and may be nominated by the Commission itself, any part of government, professional or interest group or private individuals.

All nominations undergo detailed and structured assessment by the Commission staff, (including external specialists as required). Assessment is on the basis solely of National Estate value measured against specified criteria which include natural, historic and aboriginal interest. The final decision on the adequacy of National Estate value lies with the Commission and, when a decision is made to list, a public announcement is published in the Commonwealth Gazette and major newspapers.

Such places are held on an interim list for a minimum of three months to allow for public objection and comment, again on the basis of level of National Estate significance. These comments/objections are assessed by independent experts and, if the matter is to proceed to final listing on the Register, the decision is again advertised in the Gazette and the Press.

Information on all places on the register is available from AHC data base. Summary extracts from this data base identifying built environment places in parts of Brisbane under AHC provisions are included in this research by way of example (ANNEXURE 2.2(A)). Clearly, the Commission's data base on each includes detailed information on its significance, history and reasons for listing.

THE REGISTER OF THE NATIONAL ESTATE

AS AT 30 JUNE 1991

STATE		ABORIGINAL	HISTORIC	NATURAL	TOTAL
NEW SOUTH WALES	Reg ¹	192	2579	316	3087
	IL ²	11	37	52	100
	Total	203	2616	368	3187
VICTORIA	Reg	100	1784	182	2066
	IL	0	128	5	133
	Total	100	1912	187	2199
QUEENSLAND	Reg	119	499	238	856
	IL	1	11	19	31
	Total	120	510	257	887
WESTERN AUSTRALIA	Reg	70	800	201	1071
	IL	2	13	11	26
	Total	72	813	212	1097
SOUTH AUSTRALIA	Reg	122	687	352	1161
	IL	2	6	6	14
	Total	124	693	358	1175
TASMANIA	Reg	57	1093	196	1346
	IL	3	8	17	28
	Total	60	1101	213	1374
NORTHERN TERRITORY	Reg	75	93	53	221
	IL	4	2	7	13
	Total	79	95	60	234
ACT/JERVIS BAY	Reg	9	96	27	132
	IL	0	8	0	8
	Total	9	104	27	140
EXTERNAL TERRITORIES	Reg	0	5	16	21
	IL	0	1	0	1
	Total	0	6	16	22
TOTALS	Reg	744	7636	1581	9961
	IL	23	214	117	354
GRAND TOTAL		767	7850	1698	10315

Reg: registered
IL: interim listing

EXHIBIT 2.2[I] BREAKDOWN OF REGISTER OF NATIONAL ESTATE - BY STATE

A breakdown of the existing composition of the Register of the National Estate is shown in EXHIBIT 2.2.[I] and a breakdown by use is shown in EXHIBIT 2.2[II].

The Register serves a number of functions:

- it alerts planners and decision makers in all parts of government and the private sector of the existence of National Estate significance attaching to specific sites and provides impartial information on them;
- it provides researchers and the wider community with information and education regarding the National Estate and the significance of Cultural heritage; and
- at a Commonwealth level, it ensures as far as possible that the National Estate values of a listed site will be fully accommodated before the Commonwealth takes any action that might affect them.

2.2.5 NATIONAL ESTATE GRANTS PROGRAM

In accordance with its statutory obligations, the Australian Heritage Commission administers the National Estate Grants Program (NEGP). The grants are provided to such recipients as professional, community, academic groups and open government bodies for the purpose of identifying, conserving and presenting the national estate.

HISTORIC ENVIRONMENT PLACES IN THE REGISTER OF THE NATIONAL ESTATE

AS AT 30 JUNE 1991

STATE	NSW	VIC	QLD	SA	WA	TAS	NT	ACT	EXT TERRS	TOTAL
Number Listed	2616	1912	510	693	813	1101	95	104	6	7850
Types of Place:										
Residential Houses	644	770	113	134	177	441	11	20	1	2311
Commercial buildings (shops, offices, etc.)	228	120	42	53	114	84	2	2	-	645
Hotels, motels, inns	133	71	28	26	50	74	2	4	-	388
Banks and financial institutions	62	53	17	18	14	9	-	-	-	173
Government functions										
Government buildings (parliaments, customs, town halls, etc.)	32	21	12	18	18	14	1	3	-	119
Courthouses, police stations, prisons	195	63	19	46	35	23	8	1	-	390
Libraries, hospitals, civic structures, etc.	105	55	14	19	19	11	6	4	-	233
Military barracks, bases, fortifications	41	22	10	5	7	14	10	3	-	112
Scientific research facilities	3	3	-	-	-	-	-	1	-	7
Places of recreation (theatres, halls, race courses, etc.)	65	77	21	21	36	28	-	5	-	253
Transport and communications										
Rail, road and air transport places	52	24	12	13	15	7	8	-	-	131
Harbour facilities, ports, piers, docks, etc.	8	6	1	3	2	2	1	-	-	23
Lighthouses	24	10	3	16	6	13	2	1	-	75

**EXHIBIT 2.2[II] BREAKDOWN OF REGISTER OF
NATIONAL ESTATE - BY USE**

The decision on successful applicants is made in the second half of each financial year with priority given to issues with nationwide application.

In accordance with Burra Charter provisions, grants for physical work on a particular site must relate to:

- preservation (maintaining the fabric of a place in its existing state and retarding its deterioration);
- restoration (returning the place as closely as possible to a known earlier state by removing accretions or by reassembling existing components without the introduction of new materials);
- reconstruction (returning a place as closely as possible to a known earlier state. It is distinguished from restoration because it includes the introduction of materials (new or old) into the fabric); and/or
- adaptation (modifying a place to suit compatible uses). Compatible uses are those which involve no change to the cultural significant fabric, changes which are substantially reversible or changes which impose a minimal impact.

The grants are normally administered through State Government Heritage Departments.

As at early 1992, some 250 grants had been allocated, totalling \$4.2M. At an average of about \$17,000, it is clear that most projects are minor in nature, tending to foster research and studies, (by organisations, research groups etc.) rather than physical work. It must be noted also that these grants are spread over the wide range of activities in which the Commission has a statutory interest.

2.2.6 RESEARCH DATA BASE

The AHC has established the best information resource base on heritage and related issues in Australia.

As well as a major library situated in Canberra, the Commission operates the Heritage Australia Information System (HERA) - a national computer-based bibliography service which has recorded all published references to Australian heritage product after 1986. This system is accessible both on-line and through hard copy quarterly updates.

The data base not only includes records of published materials but also, to assist in specific heritage projects, provides collated details of materials, construction methods and designs from various architectural periods. It is also developing excellent records/registers of all works of significant heritage architects and builders.

A number of heritage awareness programs for various sectors of the community (e.g. schools etc.) have also been developed by Commission staff.

2.2.7 **SUMMARY AND COMMENTS**

Commonwealth involvement in heritage issues, (as with practically all land use matters), is constitutionally limited and its direct effect on development and use of heritage sites in the various states will therefore always be quite limited.

The Federal Government legislation in 1975 establishing the Australian Heritage Commission was important as a precedent to the introduction of other heritage legislation, with much more direct legislative power in practically all states.

Now that such state legislation and administration does exist, the role of the AHC would appear much less certain.

It can be reasonably argued that a role does exist for a Commonwealth organisation where particular heritage issues have a national or world significance, (although it is noted that most such issues tend to be environmental rather than built heritage matters). Further, a national body to set uniform national standards for such operations as assessment and listing of heritage property and conservation studies and planning would appear to have some advantages.

In practically all other matters, however, the tasks undertaken by the AHC appear either to be now duplicated by others or quite capable of being carried out by other bodies better equipped, both legally and locationally, to do them.

The protection and sympathetic reuse of heritage properties will, in the vast majority of cases, involve private sector capital. In these situations, it is a common complaint of all parties, and particularly of the would-be private investor, that systems and procedures relating to heritage buildings are too complex. These problems add to uncertainty, potential time delays and risk and, therefore, reduce confidence and overall interest in such projects.

The Commonwealth-wide involvement places an additional layer of potential control over heritage works. Whilst, as previously noted, the AHC cannot directly control private land use, its ability to list properly on the National Estate Register must cause serious concern to owners and would-be investors of heritage-type properties which are commercially valuable and/or have potential for alternative uses. The indefinite nature of these pressures is particularly worrying and the very strong objection by owners that normally accompany AHC proposal to list particular properties is indicative of the divisive nature of those procedures.

Provided that there was uniformity of assessment and procedures in all states, the Register of the National Estate should simply be the aggregation of the Heritage Registers of all states and territories. The existence of an additional register by the Commonwealth is wasteful of time and money and confusing to the point of being counter-productive.

The proposition that a national, Canberra-based body assessing and registering often quite minor, local heritage items would seem illogical particularly when state and local organisations are better able to carry out such tasks.

In other areas, it would appear relatively easy to transfer the existing National Estates Grants Programme (with funding) fully to individual states (where most of the administration is already carried out). Likewise the excellent HERA information system could be transferred to the National Library or to the CSIRO Information Resource Unit.

The AHC has long been seen as the governmental supporter of National Trust Associations throughout Australia. Whilst these Associations have laudable objectives, they must be seen as interest groups and have no more inherent right to government patronage than other groups with legitimate interests such as Owners' Associations etc. The requirements of all of these groups can be accommodated through State Government administrations.

CHAPTER 2 (CONT'D)

2.3 LEGISLATIVE CONTROLS ON HERITAGE BUILDINGS - STATE

2.3.1 INTRODUCTION

The preceding section described the legislative controls provided under Commonwealth legislation. It concluded that, principally because of the Constitutional limitations on the Commonwealth in property-related and land use issues, Federal legislation lacked direct impact, on heritage properties held by State Government, State Government instrumentalities and privately-owned lands within state boundaries. There is therefore some argument that the Commonwealth legislation adds another level of control which can complicate and frustrate dealings with and use of heritage properties.

Sovereignty of the States in land/land use matters has no such inhibitions. As a residual right under the constitution, the States' powers are limited only by the extremely wide boundaries of "laws for the well being and good government of the (State's) citizens", as prescribed under the original British statute which provided self government to the States last century.

On this legal base, there is no doubt that, (except for lands owned and controlled by the Commonwealth Government), the States have the ability to enact statute to limit freehold ownership rights and to control the use of heritage (or any other type of) property to whatever extent they see fit. This 'ability' can range from a conscious decision to have no specific limitation on the use of, say, heritage properties through to, (should the State Government so decide and legislate), the power of compulsory acquisition.

Given then that State Government statute has by far the greatest potential for legislative impact on the use of heritage buildings, it is researched in detail in this work.

In the Queensland case study, the development of heritage control/legislation is intertwined with the often colourful and sometimes dramatic political history of that State over the past two decades. Some understanding of this and the rising consciousness of heritage issues finally leading to heritage legislation, is essential to a full understanding of the subject.

This subsection then provides a precis of the present State heritage legislation and its administrative structure and, finally provides some comments on its operations, implications and impact.

2.3.2 HISTORY AND BACKGROUND

The first legislation in Queensland relating to heritage issues that would have any claim to a comprehensive approach to the subject was The Queensland Heritage Act. This was only assented to in August 1992.

Though there had been interim legislation introduced one year earlier, this statute base was clearly many years behind that of other Australian governments (eg. Commonwealth (1975), Victoria (1974), New South Wales (1977) and South Australia (1978)).

It was also subsequent to the International Council on Monuments and Sites (ICOMOS) guidelines published in 1979.

The delay is indicative of the relatively low priority given to such issues by the long-standing conservative State Government which considered that the issues conflicted with the rights of private ownership and unfettered rights to develop.

Throughout the period where heritage legislation was evolving elsewhere (viz 1970's and 1980's), the issue in Queensland remained remarkably low key. Interest was largely confined to a few non-cohesive groups - mainly the small National Trust organisation and, occasionally individual architects, academics, splinter groups and some members of the Brisbane City Council.

A full appreciation of the development and final implementation of comprehensive legislation requires an understanding of the wider political environment of the time.

From 1956, Queensland had been governed by a succession of conservative coalitions - the senior party being the Country (later the National) Party, whose power base lay generally outside the populous South-east of the State, and the junior coalition party, the Liberals, who were confined almost exclusively to Brisbane and its environs. After tensions for some months within the coalition, the National Party, under the long-standing Premier Joh Bjelke-Peterson, won a majority in its own right in the election in 1983 and held power through to 1989.

The growing political interest in heritage issues and the development of legislation elsewhere in Australia coincided with this period of long-standing conservative dominance of Queensland politics and of relative political isolation (- 'the deep north' as it came to be colloquially known).

It is important to note at this point that, with the exception of a few scattered historic precincts in towns such as Charters Towers, Rockhampton, Maryborough etc., major heritage buildings, (as opposed to monuments, specialist buildings, historic sites etc.), were located in the Brisbane/Ipswich area. The registers compiled as part of later legislation reflected this fact (see EXHIBIT 2.3(II)). Some 117 major heritage buildings are identified in the Brisbane - Ipswich area whilst only 54 such buildings are identified in the entire rest of the State.

Further, major property development during the 1970's - early 1980's in Queensland was principally confined to the south-east corner. In consequence, the matter of heritage and built environment conservation was only really emerging as a political issue in Queensland in the south-east, where the ruling political party traditionally had limited political support.

Fisher ¹ reports that in the fifteen years from 1975, over sixty buildings of some heritage significance were demolished in Brisbane, including the effective loss of a number of previously intact precincts and streetscapes.

For practically all that period, no heritage legislation was in place in Queensland and early attempts (eg. Cultural Record Act 1987) proved quite ineffectual.

Clearly, the National Party - Government saw the entire matter as an urban issue which was of little interest to its traditional power base outside the South-east corner. The situation changed to a limited extent, however, after the election in 1983 where the securing of a number of seats in the Greater Brisbane area gave government to the National Party in its own right. An interest in heritage issues by government began to emerge, though principally in the form of the physical restoration of a number of Government owned heritage buildings in George Street, Brisbane, Rockhampton and Toowoomba. Even in these cases no such restoration work included a prior Conservation Study or Plan.

¹ Fisher R 'Nocturnal Demolitions : the Long March towards Heritage Legislation in Queensland'.

The little heritage legislation of the period, however, continued to make quite clear that the interests of private ownership and of the strong pro-development lobby remained paramount:

‘It is a dynamic Bill it is intended to preserve material contributions and creativity so that they may augment our living resources for future use (however) the principle of private property remains inviolable and sacrosanct’

and

‘(the legislation is) a broad policy direction we do not provide ourselves with a straight jacket adherence or not to conditions of the Burra Charter in each instance will be a matter initially for advisory Committees’.²

With such a general lack of genuine interest in the area of heritage control and management, it is perhaps a little ironic that the unilateral actions of the State Government in demolition of the Bellevue Hotel in April 1979 became something of a heritage icon in Queensland and Australia. Further, it is observed by political commentators that the latent, widespread disquiet in the electorate regarding this ‘nocturnal demolition’ marked a watershed and commenced the long demise of the Bjelke-Peterson regime and style of government.

² Ministerial Statements at the time of the introduction in Queensland of the Cultural Record Bill, April 1987. Reported P. 58 The Heritage Handbook.

Later, major demolitions of Cloudland Ballroom (November 1982) and the Queen Street Commonwealth Bank (January 1990) added momentum to the need for effective legislation.

A Labor Government was elected in December 1989 on a reformist mandate which included undertakings to introduce heritage legislation paralleling the existing legislation from the Commonwealth and southern States.

Interim legislation, the Heritage Buildings Protection Act, was assented to on 5 June 1990 and effectively placed a development "freeze" over some 975 heritage buildings and sites identified in the legislation. Following detailed consultation (see below) it was replaced by comprehensive legislation, the Queensland Heritage Act in August 1992.

2.3.3 DEVELOPMENT OF CURRENT LEGISLATION

The final format and structure of the present Queensland Heritage Act evolved over an eighteen month period from the election of the Goss ALP State Government in December 1989 through to final proclamation in August 1992.

Two key events during that process were a Queensland Government - sponsored, ICOMOS conference and workshop, 'Heritage Futures for Queensland' in March 1990 and the subsequent issue, in the following October, of a Green Paper for public comment and submission, 'Proposals for a Heritage Act for Queensland', issued by the Department of Environment and Heritage. These provide a valuable insight to the underlying thrust and intent of the statutory framework which subsequently evolved.

At the time of the ICOMOS conference, it was clear, (from Ministerial Statements/addresses etc.), that the State Government opinion as to the form and content of final heritage legislation was still very open. It had the stated intent, however, that due process and consultation was to occur, even if enactment of the final legislation had to be deferred somewhat. In his opening address to the conference, the Minister also stressed that Queensland was going to take what belated advantage it could of being some years behind most other States by using the aspects of other legislation that had proven most successful. In particular, successful legislation could provide a guide in contentious areas such as compensation and the degree of power sharing/political latitude between the Statutory Body (which would be certain to be established under such legislation), and the responsible Minister.

The ICOMOS Conference/Workshop provided Australia-wide expert advice on the direction the final legislation should take and provided advice on issues and problems confronting similar existing legislation elsewhere.

In summary, some of the principal observations that came out of this 'corner stone' conference were as follows:

[i] USE OF HERITAGE REGISTERS:

The establishment of a register to identify sites, places and buildings of Heritage significance had been an integral part of all heritage legislation elsewhere in Australia and must be a component of the new Queensland legislation.

It was emphasised, however, that this list must be comprehensive, (probably far greater than the 975 listings under the interim Heritage Buildings Protection Act), and must include both major and minor sites.

Thus, the register will include the obvious key sites of large 'historic' buildings together with the often less physically attractive industrial, institutional and rural buildings or places of heritage value. The entries in the register also have to reflect the various and intrinsically different levels of heritage value and significance - from local sites that a particular community may hold as relevant to its identity and history through to those of State or National importance.

Conference delegates warned of the danger of too many heritage register and lists that continued to emerge. These now include the Register of the National Estate (Australian Heritage Commission), State Heritage Registers, Registers by many Local Authorities and, in some states, Lists of Heritage sites held by Government Departments and Registers held by State Branches of the National Trust. These various registers serve only to confuse issues further and, to some extent, tend to defuse the impact and public recognition of these Registers, (such as those of the States) which have legislative power.

Finally, it was recognised that the identity of place through a register system may well be near complete within a few years but this represents only a first step. The second is to then establish what is to be done with such sites and how the heritage characteristics of each are to be managed and controlled. The latter is clearly a much larger and much more difficult task.

[ii] **OVERALL APPROACH**

In all heritage/development control issues, a change in basic approach and in basic paradigms is still required and is essential if the operations of heritage management systems are to ever rise above confrontation and dispute resolution.

The overall approach clearly requires diplomacy. Any such legislation and its subsequent implementation, administration and enforcement confronts some serious and emotive issues including the relationship between heritage/preservation on one hand and development and economic progress on the other. Flowing from this too, is the wider political and legal debate on the rights of private ownership and the rights of the private citizen relative to the rights of the Government acting under the perceived community good.

To be successful, the approach and agreed solution must therefore be practical, involve all legitimate stakeholders and emphasis positive aspects - not only in qualifiable, subjective, "community good" outcomes but also in real and quantifiable benefits to individual owners/stakeholders. (This matter is explored further later in this subsection).

In all heritage protection matters, it must be recognised by all parties that the real 'battle lines' are not between developers and conservationists. Rather, the real 'enemy' is time and physical degeneration of buildings. Without affirmative and positive action, either by the individual owner or, in a more regulated way, through Government control, old buildings will naturally decay further, particularly in view of the typically harsh climatic conditions and nature of building materials frequently involved. The loss of any existing heritage value is therefore an almost certain outcome if no affirmative action is taken in addressing physical deterioration.

[iii] **LIMITATIONS OF LEGISLATION**

A repeated theme of the ICOMOS conference was not to expect too much from the introduction of legislation and to be aware of the inherent limitations of legislation in areas such as heritage property management. Affirmative action and positive changes in community and individual attitudes and approach are clearly required in such areas to achieve a successful outcome.

An attitude can often develop within the community, interest groups and, sometimes, within government that the introduction of legislation provides a panacea to problems and, once legislation is in place, the issue is solved or, at least, dissipated.

Like any legislation, heritage acts can tell the members of the community what to do and what not to do, and prescribe penalties if rules are contravened but it clearly cannot, of itself, force action nor stop illegal action occurring. Typically, any legislation tends to be reactionary, negative and regulatory in nature, emphasising punishment after breach rather than being pro-active and encouraging of required behaviour.

Likewise, statutory documents such as Heritage Registers are themselves passive and do not promote action. Experience shows that it is rare that owners will keep properties, let alone, restore them in an acceptable manner simply because someone else (eg. the Government) told them to do so. Their motivation is typically financial or utility based with relevant legislation acting only, (as with building codes, development control, etc.), as parameters to these initiatives.

If the legislation confronts or seriously frustrates the owner's intentions and otherwise legitimate expectations, or if that fails to compensate him for differential losses, the owner will either on-sell or take no development/restoration actions at all. As described above, no action will result in the further deterioration and the aim of the legislation will be lost by default and without recourse.

Again, this exemplifies the fact that, without community and individual property owner support and positive attitudes and actions, the medium to long-term effect of heritage legislation will be most disappointing.

It follows, too, that the success of any such legislation will depend on the commitment by Government to long-term and predictable funding to address the wider and probably more important issues through research, education, specific heritage projects, programme administration, grants and, in the case of privately owned properties, perhaps compensation.

[iv] **PRINCIPLE PROBLEMS ENCOUNTERED WITH HERITAGE LEGISLATION AND ITS ADMINISTRATION**

A range of papers identified problems and issues relating to the structure and administration of heritage legislation in other states. In summary, those were:

- **Lack of Certainty and Simplicity**

This was identified as a key issue and related principally to the numerous overlays (Commonwealth - State - Local) of control. It is important that the number of controls and regulatory bodies be rationalised to as few as possible.

Another reason put forward for the lack of certainty that often typifies these issues is the sometimes questionable level of expertise, competency and (therefore) confidence of many 'experts' within the public and private sector and interest groups and the incomplete data bases and procedures in some tasks. This problem obviously leads to protracted investigations and dealing, often with indefinite outcomes.

- Setting the appropriate balance between the powers of statutory bodies to administer the Act and the legitimate requirements of the responsible Minister to exercise some latitude to accommodate particular or unusual circumstances.
- Often unclear relationship/interface with Town Planning schemes and Development Controls.
Inconsistencies and uncertainty arise between these two types of control thus again complicating and protracting development approvals.
- Issues relating the Crown being bound by Heritage Legislation.

Heritage legislation in other States binds the Crown to varying levels of compliance. The issue is clearly important because of the high number of significant heritage buildings owned by the Crown. It might be reasonable to suggest that the Government, because of the nature of its activities and because it is ultimately answerable to the electorate, should be able to deal with its heritage properties with some degree of latitude. The realities of politics and the operation of Government in practice provide real limitations on Ministerial power, regardless of exclusion provisions that might exist in legislation. As James P. succinctly puts it:

"It is a reasonably brave Minister who says 'I've got all these expert opinions, I've got the tribunal's findings, and they all tell me I shouldn't, but I'm going to anyway' ¹.

¹ James, P. Keynote Address. ICOMOS Conference, Brisbane, March 1990

- **Sale of Government Heritage Assets**
In practically all States and in the Commonwealth, governments are actively liquidating underutilised or underperforming real property assets. These sales to the private sector will sometimes involve heritage buildings and there may be a requirement to monitor such transfers to ensure that the heritage value is not prejudiced. In some cases, this may need to involve the preparation of a Conservation Plan before sale.
- **The uncertain role of Local Authorities in heritage controls in the future and the general failure to date of Transferable Development Rights as incentives to heritage preservation.**
- **Whether (as in Victoria and South Australia), heritage interests should be recognised by encumbrances on title.**
- **The base and often ill-informed nature of debate on heritage issues and related development control in Australia.**
This is, in part, the result of the emotive issues sometimes involved and the relatively low competencies of those involved, (both referred to above), but may also be seen as the shallow and brief coverage of these important issues in the press. This, in turn, tends to reinforce a 'black-and-white' view on heritage issues in general public opinion. This would again emphasise the need for education if a higher level of public debate, changing attitudes and general consensus on action are to evolve.

2.3.4 GREEN PAPER ON PROPOSED LEGISLATION

Based on ICOMOS and the input of Departmental officers, the Green Paper was finally released for public discussion and comment in October 1990, some five months behind the original schedule.

The Green Paper was comprehensive and addressed most of the issues canvassed at the ICOMOS conference. It presented and discussed a range of options, sometimes recommending one above others but always leaving the final decision open to final legislation.

As anticipated, the paper proposed the establishment of a Register of 'Heritage Places' together with a special purpose 'Heritage Authority'.

Detailed analysis was put forward regarding the important issue of the composition of this Authority - either the nominated representatives of a range of interested parties or, alternatively, persons with specific areas of expertise together with some representatives of conservation and resident/owner groups. The latter approach leaves a great deal of discretion to the responsible Minister who can effectively select the great majority of members subject only to the categories of expertise specified in legislation. It is significant that the second option was chosen in the final legislation.

The Green Paper identified a wide range of functions for the Heritage Authority but emphasised its role as the administrator of the Register and manager of 'speedy, fair, open and simple' processing of development applications on heritage properties. In a range of other issues, the paper importantly recommended that objections to proposed heritage listing of a property should only be on the basis of heritage considerations. Further, any party wishing to carry out substantial work on a heritage property should be statute bound to seek prior permission, but should have the right to judicial appeal/review.

Incentives canvassed included property revaluations, rate relief, grants and loans, technical practices by government, alternative purchases, purchase and leaseback and direct financial assistance. Whilst the paper does not advance a preferred option, it does recognise the key role of economic analysis in deciding the usage of any property and thus the potential of financial incentives in directing development. Further, however, it recognises that the most important incentive for most individuals and organisations, income tax deduction relief or assistance, is not available to State Governments.

The complexity of the Green Paper resulted in fairly limited comment from the general public. It was generally well received by major interest groups, particularly by the National Trust. Two major objections were Church/Religious organisations and the Building Owners and Managers Association (BOMA). The Churches were concerned about the potential additional cost of maintenance and alteration and level of State Government control of the 110 properties of that type which were heritage listed.

The Building Owners and Managers Association who were concerned about the specific financial detriment caused to individual members, particularly in Brisbane, that they considered would flow from the listing of privately-owned, commercial buildings.

Both interest groups were accommodated to some extent with the final legislation diluting a number of proposals, definitions and procedures put forward in the Green Paper. This action brought some criticism from the National Trust who always held that dealing with the heritage buildings should be governed by heritage criteria and not affected by ownership at a particular point in time.

2.3.5 AIMS OF THE QUEENSLAND HERITAGE ACT 1992

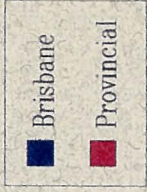
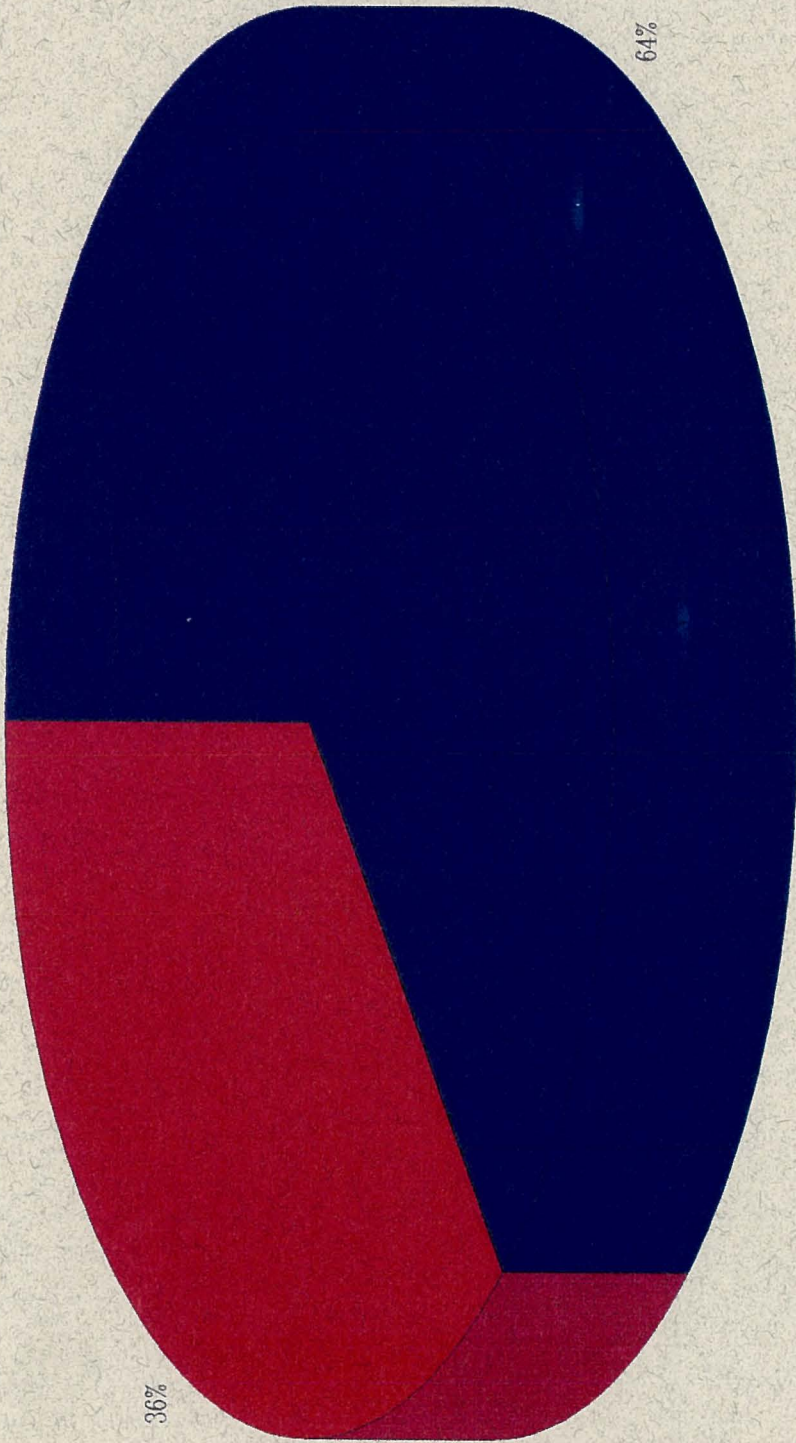
The Queensland Heritage Act was assented to in August 1992 and replaced the Heritage Building Protection Act which for over a year had effectively 'frozen' action on some 975 properties and sites from significant development or change.

In essence, the Heritage Act aimed at 'the conservation of Queensland's Cultural Heritage' by:

- establishment of a public, state wide register of places with cultural heritage significance;
- creation of a 'Queensland Heritage Council' with responsibility for management of that register and to advise the Minister for Environment and Heritage on both specific and general heritage issues;

- provision of statutory procedures to regulate, but not preclude, specified forms of development to registered places that could result in the loss or impairment of their cultural heritage significant to the people of Queensland.
- establishing the right of final appeal to the Planning and Environment Court.
- delegation (where appropriate) of the powers to administer certain aspects of the Act to Local Authorities.
- enabling the Minister to enter into Heritage Agreements with private owners, (including the use of incentives), to assist in specific heritage projects.
- binding the Crown to the legislation but providing special provisions to accommodate Government projects involving heritage buildings.

The Act relates to physical heritage buildings and sites which, under the relevant definition includes cultural relics and archaeological material. It does not, however, apply to places of heritage significance for Aboriginal or Islander tradition and custom which are protected under separate legislation.



**EXHIBIT 2.3[II] : PROPERTIES LISTED UNDER
QUEENSLAND HERITAGE LEGISLATION -
BY OWNERSHIP**

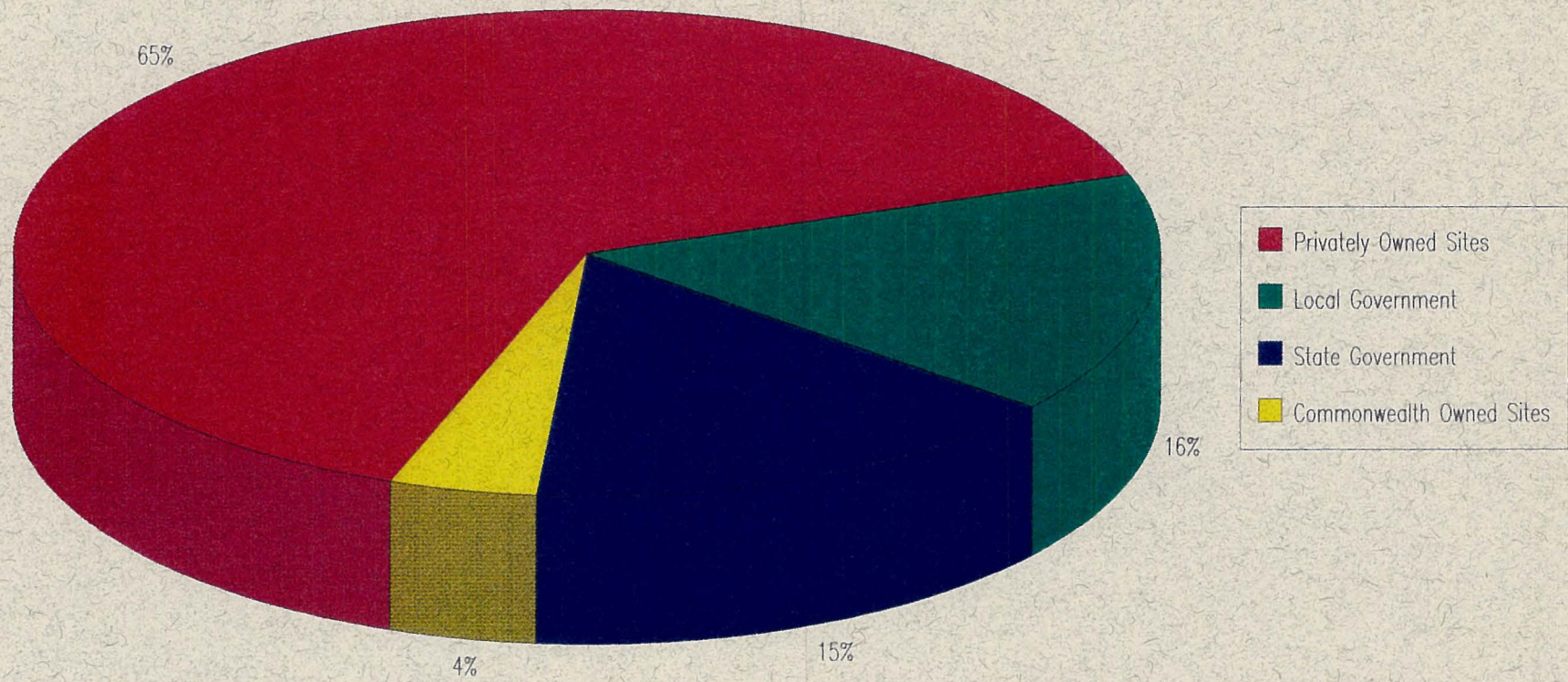


TABLE 2.3[II] : PROPERTIES LISTED UNDER QUEENSLAND HERITAGE LEGISLATION BY LOCATION

2.3.6 THE HERITAGE REGISTER

The Act provides that the heritage list from the interim Heritage Protection Act be transferred (subject to objection) as the initial entries in the new Heritage Register.

A copy of this list is included as ANNEXURE 2.3[A] to this work. An analysis of the composition of this list is very important to an understanding of the ramifications of the Act.

This schedule is analysed and detailed comments are made later in this section.

At this point, it suffices to note that:

- some 65% of the sites are in private ownership, 16% under Local Authority control, 15% under State Government control and 4% Commonwealth (see EXHIBIT 2.3[I]).
- as shown in EXHIBIT 2.3[III], the principal components of the Heritage Register as it presently stands are -

Memorials, historical sites, cemeteries etc.:	232	(24%)
Private Houses and Homesteads	180	(18.5%)
Major Buildings (definitions in EXHIBIT 2.3[III])	159	(16.5%)

(A) PRIVATELY-OWNED SITES	
Churches and Associated Buildings	100
Memorials, Historic Locations	92
Hotels	47
Private Residences	128
Homesteads	52
Major Commercial Buildings ¹	102
Minor Commercial Buildings ²	79
Industrial Buildings	17
TOTAL	627
(B) LOCAL GOVERNMENT-OWNED OR CONTROLLED SITES	
Shire Offices, Town Halls, Schools of Arts etc.	20
Memorials, Historic Locations, Cemeteries and similar	138
TOTAL	158
(C) STATE GOVERNMENT-OWNED OR CONTROLLED SITES	
Major Buildings ³	46
Minor Buildings ⁴	34
Memorials	2
Railway Installations	38
Others (Bridges, roads, mines, relics and similar)	31
TOTAL	151
(D) COMMONWEALTH-OWNED SITES	
Major Buildings ⁵	11
Minor Buildings ⁶	28
TOTAL	39

**EXHIBIT 2.3[III] PROPERTIES LISTED UNDER
QUEENSLAND HERITAGE LEGISLATION - BY USE**

FOOTNOTES:

- ¹ Major Commercial building - private: Significant building used or with potential for commercial purposes and located in a central business/commercial area within a town or city.
- ² Minor Commercial building - private: Freestanding, small retail (shop) or commercial property not located in a significant business/commercial area or town.
- ³ Major Building - state: Significant building used or with potential for commercial/office purposes and located in a central business/commercial area within a town or city.
- ⁴ Minor Building - state: Typically courthouses, school houses and other specialist buildings often in remote locations and/or with little or no alternate commercial uses.
- ⁵ Major Buildings - Commonwealth: Significant buildings used or with potential for commercial/office purpose and located in a central business/commercial area with a town or city.
- ⁶ Minor Buildings - Commonwealth: Typically Post Offices and other specialist buildings with little or no alternative commercial uses.

**EXHIBIT 2.3[III] (CONT'D) PROPERTIES LISTED UNDER
QUEENSLAND HERITAGE LEGISLATION - BY USE**

Minor Buildings		
(definitions in EXHIBIT 2.3[III])	141	(14.5%)
Churches and associated buildings	100	(10%)
Hotels	47	(5%)
All other categories	<u>116</u>	(11.5%)
TOTAL	<u>975</u>	

- as shown in EXHIBIT 2.3[III], some 159 properties on the Register have significant commercial interest or redevelopment potential which could involve future changes in use.

Of these, 108 (about 64%) are located in Brisbane, (70% if Greater Brisbane including Ipswich is surveyed) and 61 properties (about 36%) in provincial Queensland, confined principally to 7 or 8 main centres.

By ownership, this analysis shows that, (again on this base of 169 properties), 69% are in private ownership and about 25% in State Government ownership.

2.3.7 PRECIS OF PRINCIPAL PROVISIONS - QUEENSLAND HERITAGE ACT 1992

A summary of the principal provisions of the Queensland Heritage Act 1992 is included as ANNEXURE 2.3[B]. An overall appreciation of these provisions is essential to an understanding of this entire research topic.

2.3.8 SUMMARY AND COMMENTS

Given constitutional responsibility, it is clear that State Government heritage legislation is by far the most important statutory control on the use and development of heritage property in Queensland. A knowledge not only of the relevant legislation but also of its history, development and implication is essential background to this research.

The legislation was only proclaimed in the second half of 1992 and its success and suitability long-term cannot yet be assessed.

It is somewhat unfortunate that the legislation has been tested on some extremely important heritage projects (eg. the Treasury Casino proposal in Brisbane) before the principal heritage organisation had time to fully establish and refine operational systems.

Much has been made of the benefit of the experience in the other States and in the Commonwealth which arose because of the comparatively late development of the Queensland legislation. The Act does incorporate provisions typical of contemporary heritage legislation elsewhere viz:

- the identification/registration of heritage sites;
- the establishment of a statutory body for the administration of heritage issues;
- a mechanism for the use/development of those sites; and
- the recognition that the Crown is not exempt from the legislation, (though, in the Queensland model, some special provisions do apply where the Crown is undertaking the developmental work).

Whilst the Queensland legislation is relatively short, (thirty-five pages) and fairly straight forward, it is wide in definition and in its potential impact for listed properties.

The existing Register contains only some 975 properties. Analysis of this list establishes that relatively few are of realisable commercial value. Further, these commercial properties are for the most part situated in only a small number of urban centres. Only the State Government has a large number (41) of its commercial sites affected.

It must be remembered also that heritage listing can, in fact, have a positive, not negative, effect on capital value (eg. residential, most listed hotels and even some smaller commercial buildings). The small number of owners adversely affected perhaps explains the lack of organised or intense reaction or debate when the Act was proclaimed and implemented.

There are obviously far more sites of 'cultural heritage significance' in Queensland than the 975 already listed and many of those presently unlisted would be commercially valuable. Experience with Commonwealth heritage legislation and the Register of the National Estate would indicate that the number of proposed listings will increase rapidly over time. Such a scenario may well prove a greater challenge to the entire process than did the legislation's initial introduction.

Parts Five and Six of the legislation are particularly relevant to this research.

It is important to note that whilst both Crown and private sector projects/‘developments’ are subject to the Act, the relevant provisions vary depending on whether the Crown or private sector control of the development. The differences in the provisions are outlined in ANNEXURE 2.3[B]. This differentiation does not, by necessity, rest on property ownership. It may be, for example, that a privately funded and controlled development could be carried out, (with suitable owner’s consents) on a heritage site owned by the Crown. Though less likely, the reverse situation of Crown involvement on a privately-owned heritage site is also possible. In any proposed reuse/development of any heritage site (and particularly a Crown-owned site), a critical early step must be to establish how that development is to be classified.

On the face of it, works identified as ‘development by the Crown’ have a higher degree of certainty, (as the responsible Minister and not the Heritage Council has the right of final decision). Further, Crown developments are not subject to litigation provisions under this Act. As noted in Section 2.3.3 above, however, the political acceptability of declaring projects as ‘development by the Crown’ must be closely considered.

The frequent use of these provisions simply for expediency or ‘fast-tracking’ can raise community, interest group and political criticism of avoiding full, independent (Heritage Council) review and decision-making and otherwise normal ‘due process’. There is particular sensitivity to such criticism given that the legislation is that instigated by the current administration.

Even if the proposed works are identified as 'development by the Crown', the final decision by the Minister responsible in the particular case will politically be tempered by the recommendations made by the Government's own expert panel, the Heritage Council. Already, however, in the case of the Brisbane Treasury Casino Project, the recommendations of the Council have been disregarded.

This leads to a further significant observation - that of the arrangements for composition of the Heritage Council. As identified in ANNEXURE 2.3[B] and established in Part Three of the legislation, the Minister for Environment and Heritage can select the majority (seven out of twelve) of members of the Council. Though this is not to imply that the Council will act other than within its terms of reference, the background and general attitude of these selected members will influence to overall approach and attitude of the Council and final decisions in individual cases.

Finally, perhaps the most important observation on the whole issue of legislation and heritage is that, contrary to the general view often taken throughout the Government and the wider community, heritage legislation of itself is quite passive and reactionary. Of itself, it cannot, in a positive way, propert to save heritage buildings. Only physical, affirmative action can do that. Such action will always be based principally on economic rationalé and on project and design concepts that work for all stakeholders and particularly for the end user.

The best good legislation can do is:

- to clearly identify what properties are affected;
- to provide a high level of certainty in process and timing, (and thereby increase investor and community confidence);
- to allow sufficient flexibility to accommodate the huge variety of properties and projects which will evolve overtime within the sector;
- to allow for varying levels of government involvement and input, again depending on particular project involved; and
- to provide for penalty for breach.

This is clearly a difficult mix to accommodate and some requirements (eg. 'certainty of process' with 'flexibility') may be particularly hard to balance.

Whilst the Queensland legislation can reasonable claim to address most of these issues, it has now been operating for only a little over twelve months and is not yet at a stage where output and performance can accurately be judged. Whilst structures and processes established through the legislation are reasonably clear, the concern must still arise that development on heritage sites now faces an additional, major approval system. Further, because each case is by nature so different, there can be little certainty in what the Heritage Council's decision will be and what development conditions might apply in any particular case.

Clearly, much will depend on the attitude and consistency in decision making of the Heritage Council. It might be hoped that, whilst protecting the heritage values of a site, the Council will not take an overly pedantic approach and consider the wider property and economic issues which are at least equally important in ensuring long term viability, utility and, thereby, preservation. At this point, the legislation has not been operational for long enough nor has output of the processes been sufficient to establish whether some of these concerns are valid.

CHAPTER 2 BACKGROUND (CONT'D)

2.4 LOCAL GOVERNMENT AND TOWN PLANNING CONTROL

2.4.1 INTRODUCTION

Through the past twenty years, three distinct stratas of heritage control have developed throughout Australia - Federal, State and Local Government.

The high degree of autonomy and lack of co-ordination or interrelationship between these levels has been a feature of the system and has resulted in complex and slow mechanisms for heritage direction, administration and control. It is of widespread concern that such a multi-tiered structure may, in practice, fail to provide the desired outcomes of legitimate heritage conservation combined, where appropriate, with sympathetic and economic adaptive use of such properties.

Nevertheless, all levels of Government have a statutory role and their requirements and operations must be fully understood and appreciated prior to embarking on either a public or private sector heritage project/development.

This section describes, analyses and comments upon the third level of governmental control - that provided through local authorities and town planning/development control.

Statute-based town planning predates specific heritage controls. The first Town Plan in Queensland was gazetted in 1964, (for the City of Brisbane), and these have now been introduced to all major cities, towns and shires in the State. Over time, both the legislation and the plans themselves have developed to a fairly sophisticated level. The original legislation, (The City of Brisbane Act 1964 (for Brisbane) and Section 33 of the Local Government Act (for all other Queensland local authorities), were replaced in 1990 by the consolidated and much more comprehensive Local Government (Planning and Environment) Act.

Individual plans have similarly advanced from simple, land use zoning scheme to documents which encompass Strategic Plans, Development Control Plans, subdivisional control, development control (through density and height regulations) and environmental and heritage issues. In major Councils where this evolution in town planning has occurred and is established, the more recent overlays of Commonwealth and State heritage legislation have not always been well accepted.

Already, it has been established that neither the Commonwealth nor State heritage arrangements can claim to provide an adequate or fully satisfactory level of heritage control. The Commonwealth's Australian Heritage Commission is small, remote and has very limited legislative power. The Queensland Government's Heritage Act provides a much wider statutory base but currently has a comparatively small number of listed properties and, has not been operational for a sufficient period to fully judge effectiveness. Some of the early actions and decisions of the Heritage Council under the Act, (eg. on the Treasury/Casino project and dealings with the private owners of certain heritage-listed residential properties), would not provide particular confidence in long term outcomes.

Both of these levels of control suffer from the same key problems which will continue as major impediments to their success:

- Centrally based, (one in Canberra, the other in Brisbane), with very limited knowledge of local conditions; and
- Control based simply on rules, regulations and penalties with practically no "up side" for owners of major properties;

Commonwealth legislation does provide for National Estate grants and the State provides for support through Heritage Agreements with affected owners. In practice however, there is little or no evidence of significant, tangible benefits to owners;

This perception is shown in the vigorous objections by property owners that often follow Commonwealth or State proposals to heritage list privately-owned buildings;

- Duplication of Heritage Registers and listing procedures and the incomplete nature of all registers; and
- Staff and resources are at such low levels, given the magnitude of the future tasks in heritage, that it is difficult to even estimate when systems and operations could be said to be successfully established. This position is made worse by the duplication of effort and waste of resources in areas such as heritage identification/registration referred to above.

There is a strongly supported view that heritage conservation/administration issues would be best controlled at a local level. This position has a wide, political perspective and involves the issue of the role of regional government in Australia as the principle provider of infrastructure, community and built environment services. Major local authorities such as the Brisbane City Council already see such a role for themselves and are actively pursuing this direction in areas including environmental protection, heritage and community services.

Further complications exist here, however, because of the wide variations in size and capacity of local authorities. Of the 130 local authorities in Queensland, only the largest few are presently becoming involved in heritage issues at a detailed or specialist level. Even in the long term, it would be difficult to envisage that more than the largest fifteen or twenty would even be able to develop the necessary policy, expertise and procedures to support freestanding, comprehensive heritage controls.

2.4.2 RELATIONSHIP WITH OTHER LEGISLATION

Local Authorities in Queensland are constituted by State Government legislation and controlled by the Minister for Housing, Local Government and Planning. In political and statutory status and in financial capacity, local authorities are in a comparatively weak position and their delegated powers are limited and closely controlled.

There is practically no formal relationship between local authorities and the Australian Heritage Council. Operationally, communication, if any, would be confined to the local authorities' use of the AHC's data base and their probable awareness of properties within that authority's area on the Register of the National Estate. There is, however, no statutory requirement of the local authority to have regard to or to act upon such listing.

The relationship between the State and local authorities is considerably closer. The State Government recognises the importance of a community based involvement in heritage conservation issues. As well as the more general locally-based education/community involvement (eg. heritage trails, forums, lectures, information brochures etc.), local authorities have two basic forms of access into formal heritage conservation and development issues:

(i) Heritage Legislation

Part of the State Heritage Act provides that all control powers held by the Heritage Council, (except for those related the Heritage Register), can be delegated to local authorities.

These provisions were detailed in Section 2.3.7 and ANNEXURE 2.3[B] of this research. Recently, the Brisbane City Council and the Ipswich City Council have become the first local authorities to make application for these delegated powers and suitable documentation is under preparation. Once approved, these local authorities will become responsible for development approvals and heritage agreements within their area.

(ii) Heritage Control through Town Plans

Existing Town Plans can be modified and new Town Plans can be widened to also control development of heritage sites. Whilst these opportunities have been available for some years, the Brisbane City Council alone has developed detailed ordinances for heritage issues to any significant extent.

The structure available for town planning/development control and the Brisbane City Council example are included as Section 2.4.3 and 2.4.4 below.

2.4.3 HERITAGE CONTROLS THROUGH TOWN PLANNING - OVERALL APPROACH

In 1991, the State Government Minister for Housing, Local Government and Planning issued guidelines for Planning Provisions for Heritage Conservation to all Queensland local authorities. To a considerable extent, they mirrored the approach adopted in the City of Brisbane Town Plan in 1987.

In summary the key points of the guidelines are as follows:

- **BURRA CHARTER**

The Burra Charter approach is endorsed (ie. identification of sites and then, on a case by case basis, establishing a Statement of Cultural Significance and thereafter preparation of a Conservation Plan to protect that significance).

- **EXPERT INPUT**

Recognises that specialised, professional input is essential and should be sought by local authorities if the heritage management in that Local Authority is to progress past general community awareness.

- **IDENTIFICATION/REGISTRATION**

Affirmative action is required by local authorities to identify and research heritage sites within their areas and to develop a register of such uses.

- **USE OF TOWN PLANNING/ZONING SCHEMES**

The guidelines recognise that Town Plans, by nature, focus on control of new development and that it is more difficult for such controls to operate in a pro-active way in protecting existing building fabric and setting of a heritage property.

The guidelines proposed that this is best achieved by recognising the importance of heritage in the stated aims and objectives of the planning scheme and then to cross refer the heritage property list to ensure that changes require town planning consent.

A typical scheme aim recognising heritage might read:

- "
- (1) *To identify places of heritage significance in the area to which the scheme applies, by listing in a schedule or register and marking on a map; and*
 - (2) *To provide for the opportunity for heritage values to be taken into account when changes are being proposed to heritage places by requiring Council consent to major changes to the place.*"¹

¹ Planning Provisions for Heritage Conservation 1991, P. 18

The schedule so developed is linked to a clause (in the scheme/table of zones notation) which will require a "consent use" or other approval such as a certificate of compliance from the local authority for the proposed development/works.

Wording proposed in the guidelines for these provisions is:

*" (not withstanding any other provision) that a person shall not carry out development whether extensions, alterations, additions or renovations without consent or other approvals include the power to deem all works to be permissible development, that is, requiring Council consent for any works other than repairs and maintenance to a heritage place or area allow maintenance and repairs to continue unhindered"*²

As an alternative, Development Control Plans can be applied to replace the land use zoning scheme in a particular locality. Within that area, much more detailed development controls can be applied within precincts to focus on such issues as heritage conservation and reuse of such properties, protection of streetscapes, facades etc..

² *Planning Provisions for Heritage Conservation 1991, P. 20*

In these matters, Development Control Plans are particularly useful in areas where there is a concentration of heritage sites.

For isolated sites or small groups, 'Special Use' or 'Particular Development' - type zones may be used for development control. The zoning definition can either be narrow, to restrict development on a pristine or important site or, in fact, quite wide to provide a wide range of 'bonus' special uses which encourage retention of the fabric of the building. The latter option allows for flexibility and 'trade offs' in the application of heritage/development conditions.

It must be recognised that there are several limitations on such a land use zoning approach. In the first instance, such zoning changes are specific, not general and, prima facie, the owner would have a claim for compensation against the relevant local authority, under Section 3.5 of the Local Government (Planning and Environment) Act, if the property suffers injurious affection from the planning change.

Further, such spot zonings clearly cannot control development on adjoining properties which may impact on the heritage site.

For all of that, the use of either zoning or DCP controls does integrate heritage and planning/development control processes into a much more practical, realistic and logical scheme with tradeable benefits, as well restrictions, to the owner.

- **CONSENT APPLICATIONS**

Under the guidelines outlined above, consent applications will be required for any major developmental works or use change. Applications should include investigations based on the Burra Charter.

In dealing with such applications local authorities are requested to consider the significance of the site, features required for retention and the impact of the proposed works on these features.

The guidelines also recommended that local authorities develop planning policies to assist in consistent dealings with such applications.

- **WAIVING TOWN PLAN/DEVELOPMENT CONTROL AND BUILDING REGULATIONS AND TRANSFERABLE DEVELOPMENT RIGHTS**

Heritage management through town planning schemes and development control have the considerable advantage of being able to foster particular outcomes by waivering or the modification of the usual requirements under planning or building codes.

These require analysis on a case-by-case basis and can provide considerable financial benefit.

They can include relaxations in such areas as:

- carparking
- land use definitions
- building standards
- setbacks/plot ratios/site cover etc.
- service provision.

Some of these will also require input from the Building Surveyor before final decisions are made.

Another incentive available, (and operational in the Brisbane CBD), relates to Transferable Development Rights (TDR's). These allow the effective sale of any development potential that a particular heritage property possesses and its transfer to other development sites as available bonuses. In principle, this should act as a form of de-facto compensation for the limitation placed on redevelopment of heritage sites.

2.4.4 APPLICATION - A PLANNING SCHEME EXAMPLE

Although the ability to develop heritage regulations within Town Plans has been available for some time, only Brisbane City and, to a lesser extent Ipswich, have taken up the proposals.

Section 22 of the City of Brisbane Town Plan, 1987, introduced heritage controls into town planning in Brisbane for the first time. These ordinances related to 77 sites in the Brisbane CBD (Central Business Zone). A copy of these provisions is included as ANNEXURE 2.4[A].

In effect, it incorporated heritage consideration with normal town planning development applications and provided that any future development on these sites would require the prior consent of the Council. By way of incentive, however, it established that any property either on the register or subsequently listed would have the ability to be considered for a wide range of condition relaxations. These can include use, carparking, boundary clearances etc.. In less significant cases also, advertising requirements may also be waived for applications.

Though apparently not strictly in accordance with Burra provisions, the Council have proved willing to negotiate on the presentation of facades only in certain cases.

A further innovation has been the availability of Transferable Development Rights (TDR's) from heritage to other sites. TDR's are available on all heritage sites listed within the BCC ordinances except for State and Council-owned sites. (These sites were exempted, rightly or wrongly, at the time on the grounds that the public should not be seen as a trader and make profits out of bonuses which are its own creation). The quantum of development rights is assessed by estimating the total developable nett lettable area (n.l.a.) and deducting the existing n.l.a. The difference is the development bonuses available for that site and can then be related back to site areas. On the sites listed and available in the Central Business Zone, some 200,000m² n.l.a. are available for transfer.

As a result of this 'trade off' and bonuses and the Council's willingness to negotiate applications on a case-by-case basis, there has been little public objection or reaction to these initiatives.

Outside the CBD, heritage control has been introduced through 'Particular Development' zonings (for one-off cases) and the introduction of Development Control Plans in such areas as Spring Hill, Teneriffe and (shortly) South Brisbane, where heritage precincts exist.

Both approaches have considerably more potential benefit and detailed control than simple listing under Commonwealth or State heritage legislation. As a case in point, the present South Brisbane DCP proposals have identified some 350 sites of heritage interest compared with only 13 in the same area under the current State Heritage Register.

2.4.5 SOME COMMENTS AND CONCLUSIONS

There are clear benefits in the greater integration of the development controls through town planning and heritage conservation. Combined systems administered by local authorities have the potential to be quicker, simpler and less costly than the requirement for separate applications to several levels of government that currently apply.

Proposals to provide suitable delegations under the Heritage Act are currently before the State Government and it would appear likely that the Brisbane City Council will be able to advance towards an integrated scheme over the next few years (probably by 1994/95, coinciding with the development of the new Brisbane Town Plan).

From the private sector investors'/developers' viewpoint, integration has considerable advantages. These groups are accustomed to dealing with local authorities on built environment issues and would certainly prefer a widening of that role, rather than having to deal with another, separate bureaucracy.

Local authorities have a detailed local knowledge and, most of all, the provisions of town planning schemes enable 'trade offs' and specific advantages to heritage sites, so proving real and quantifiable benefits to compensate for detriment attributable to heritage listing. No such 'compensation' is available through any higher level control and stronger owner resistance to State and Commonwealth controls is evident.

For all of these positive aspects of local authority involvement, the approach also has serious limitations: viz

- **VARIATIONS IN CAPACITY OF LOCAL AUTHORITIES**

In a practical sense in Queensland, it is doubted that, except in a few cases (eg. Brisbane, Ipswich, Toowoomba, Rockhampton, Townsville and potentially several others), local authorities could ever have the necessary expertise, infrastructure and funds to adequately undertake full heritage control. Consequently, even if those large local authorities are allowed to proceed with delegated heritage control powers, the vast majority will continue to rely on direct State intervention under the Heritage Act or, at best, a combination of the two.

- **CONTROLS ON EXISTING DEVELOPMENT**

On a technical level, it must be noted that Town Plans principally control new/additional works and development rather than preservation of buildings. By way of example, it may be that a site, zoned to accommodate high density residential use, presently has a house situated upon it which is 'listed' as being of heritage interest. The town plan can do nothing to stop the demolition or removal of the house and subsequent development approval to build a higher density building.

It is also noted that specific or 'spot' zones, (eg. 'Particular Development' zones), present the liability of compensation claims against the local authority under relevant legislation. Clearly too, such zones will not control development on nearby properties which could be prejudicial to the heritage site.

- **LOW EFFECTIVENESS OF TRANSFERABLE DEVELOPMENT RIGHTS (TDR's)**

In Queensland, TDR's have only been applied in the Brisbane CBD and, given the nature of these incentives, it would be doubted that they would ever be applied elsewhere. Despite the innovative application of these in Brisbane, they have generally not been accepted by the development community. No final transfers have ever been recorded in Brisbane. In Sydney likewise, response to TDR incentives has been generally very slow.

Part of the problem lies in the fact that any value that does attach to such rights are volatile, rising and falling with interest in the market for development sites. In recessed periods, such rights can be said to have practically no value at all. In concept, too, it must also be recognised that it will not always be practical for recipient sites to fully utilise all of the available transferred rights whilst still maintaining form and shape to be compatible with their surrounds and also to still conform with the intent of the Town Plan.

Finally, under the Brisbane example, TDR's are not available on State - or Council - owned sites. This, on the face of it, withdraws an incentive from Government-owned sites and may therefore reduce their attractiveness for investment compared with other heritage sites. Given, however, that no TDR's have in fact been actually sold or transferred in Brisbane since their introduction over five years ago, their value as an incentive in any case would appear so minor and not be a significant contributing factor in investment decision making.

CHAPTER 2 BACKGROUND (CONT'D)

2.5 CONSERVATION PLANS AND THE BURRA CHARTER

2.5.1 INTRODUCTION AND BACKGROUND

Section 2.1 of this work discussed in some detail the concept of 'heritage' and, whilst arriving at a definition, recognised the sometimes nebulous nature of the concept and the often subjective interpretations that are applied to it.

The process of legal, political and commercial decision-making clearly requires an established and accepted framework and environment in which to operate. Through evolution rather than by specific design, an industry standard on heritage matters has developed in recent years through the Australian Chapter of the International Conference on Monuments and Sites (ICOMOS).

The nature and structure of this organisation is discussed in Chapter 3. Suffice to say here that ICOMOS is an international association of conservation professionals and is sponsored by UNESCO. Its aim is to promote the conservation and care of places with cultural significance.

In 1978, the Australian Chapter at a meeting at Burra, South Australia, drew up draft guidelines for the assessment of heritage properties, effectively applying pre-existing overseas policies to the Australian situation. It was ten years later, in 1988, that the "Burra Charter" was adopted in its final form as two parts : "Guidelines to the Burra Charter : Cultural Significance" and "Guidelines to the Burra Charter : Conservation Policy".

During that developmental period, the draft documents had been applied and tested on a number of significant projects, including the 1983 assessment of the remains of the first Government House site at Sydney Cove.

ICOMOS as an organisation has practically no direct impact on decision making in Australia. Nevertheless, subsequent to 1988, the Burra Charter and an explanatory work published by the National Trust in New South Wales, (The Conservation Plan by John Kerr), have become the benchmark for conservation analysis.

This was principally due to the recognition of the unique, independent status of ICOMOS in this new but important area of policy and research. Further ICOMOS enjoyed the strong affiliation with, and the support of, practically all Australian conservation professionals. It was therefore able to establish 'Burra' as the code of principle, processes and policy for the profession. Once to that stage and with no developed option available, its adoption as the benchmark for government decision-making for Queensland, the Commonwealth and most other states has been inevitable.

The process is now an integral part of the administrative and approval processes by the Queensland Department of Environment and Heritage, both for the use and development of heritage buildings in public and private ownership. A detailed understanding of the process is therefore important to development of a model for rational and effective decision-making on any such properties.

This section provides an overview of the Burra Charter and the framework of Conservation Plans. The latter includes the methodology of studies of Conservation Significance and the recommended framework for Conservation Policies and Strategies for each site. Finally, the section will offer some comments on the appropriateness and impact of these requirements on the management, use and development of heritage sites.

2.5.2 THE BASIC PHILOSOPHY OF THE BURRA CHARTER

The 'Burra' approach rests on several premises and points of philosophy.

In the first instance, it is unashamedly focused on conservation issues (as defined) and has practically no cognisance of such matters as economic viability, financial analysis, highest and best use nor utility. Secondly, it emphasises that heritage guidelines cannot be applied in a unilateral or across-the-board manner. Rather, it is an issue that intrinsically attaches to the individual place and its concept, form and necessary management will vary greatly from location to location. Conservation planning must therefore always be undertaken on a micro, (place-by-place) level.

The framework also provides that such planning involves two separate and sequential components:

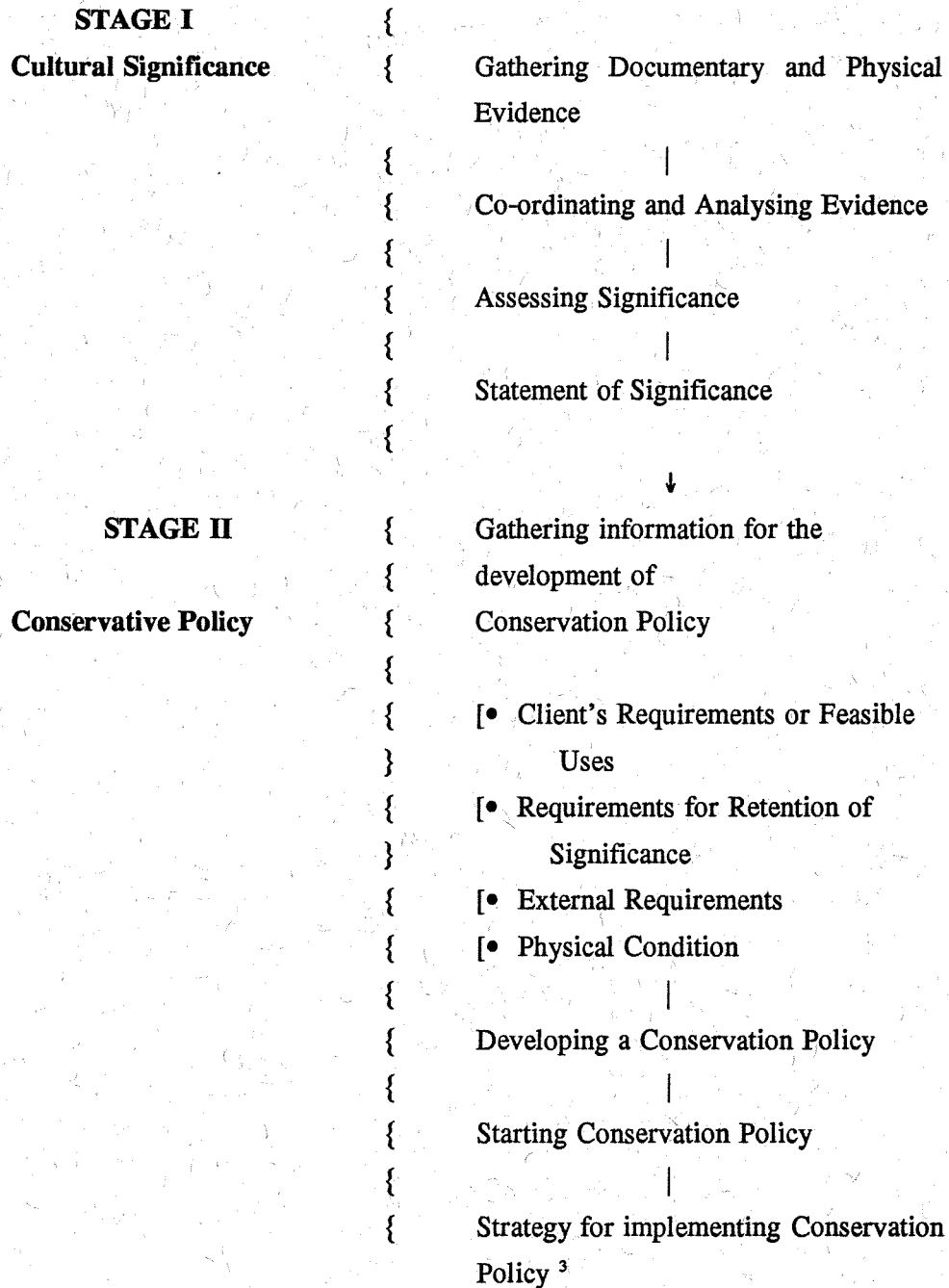
- viz [a] Establishing the cultural significance of the site; and
[b] Based on the findings of [a], the development of a Conservation Plan for that individual site and a strategy for effecting this policy.

The separation of these two points is considered important so that the reasoned opinions on why and to what extent the site is important (ie. its 'significance') are arrived at on an analytical basis of heritage considerations, not distorted or clouded by a predetermined knowledge of what its further uses might be, economic options and what financial implications might be involved.

The Charter defines 'conservation' widely as all the processes of looking after a place so as to retain its cultural significance. Inevitably, it will also include the continued maintenance of the site into the future and, depending on the circumstances, may include initiatives, such as preservation, restoration, reconstruction and/or adaptation.

It notes that cultural significance is principally embodied in the fabric of the building but may also relate to its content and setting. This cultural significance is to be effectively retained by first identifying precisely the nature and extent of the significance of both the place and its fabric. Only then will issues of future use and development be considered.

The two stage, Conservation Plan thereby follows the following process:



³ Summary of Process Kerr, J. The Conservation Plan

The size and complexity of the plan should reflect the particular case. Overly complex, long or time-consuming plans can clearly be as counter-productive as under researching a major project.

Walker M, at the Brisbane ICOMOS conference in March 1990 summarised the key tenets in the Burra Charter as follows:

- *that there are places worth keeping because they enrich our lives by helping us understand the past (providing evidence of history), by contributing to the pleasantness of the environment, and/or because they are a focus of spiritual, political or other cultural sentiment*
- *that the significance of a place (its obvious utilitarian value) is embodied in its fabric, its setting and its contents.*
- *that the significance of a place (structure) - and the other issues affecting its future - are best understood by a methodical process of collecting and analysing information, (including the preparation of a statement of significance and a conservation policy) prior to making decisions*
- *that the keeping of accurate records about decisions and changes to the place assists the care, management and interpretation of the place".*⁴

⁴ ICOMOS Conference Papers : Heritage Futures for Queensland. P.44

2.5.3 CULTURAL SIGNIFICANCE

This first stage involves the identification and assessment of the attributes which make the site of significant value.

According to the Charter, a clear understanding of this will lead to the development of policy that can provide opportunity for real future flexibility.

Evidence can be gathered from a range of sources such as:

- site investigations/inspection;
- plans, maps, surveys (current and archives);
- oral interviews;
- correspondence and reports;
- sketches and water colours;
- ground photos (from mid 1800's) - particularly valuable;
- air photos (from 1920's);
- published materials (both specific and general technical/historic);
and
- technical investigation and sampling of existing fabric.

It is important to remember in such investigations that the documents uncovered may not always be correct. The age of documents does not, of itself, prove accuracy and further verification should always be undertaken. Buildings identified as having been substantially changed or altered should not be dismissed (necessarily) as adulterated. Further, their later restoration need not, of necessity, be brought back to its first constructed state.

In investigations, an understanding of setting and streetscape are obviously important but, even here, the analysis must consider not only how the subject building blends with its environs but, in some cases also, how the building provides a landmark or, in fact, stands out or is in contrast with its surrounds. The analysis of all of this data will attempt to establish:

- the past development and use of the place, its contents and surrounds, with particular regard to the surviving fabric;
- changes in the interim in physical fabric and context; and
- any other aspect, quality or association relevant to the particular case.

In assessing data on cultural significance, some key criteria must be considered; viz:

- [a] the ability of the site/building to demonstrate significance through components/aspects such as:
- custom
 - taste
 - philosophy
 - design
 - usage
 - process
 - technique
 - material and/or
 - association with events or people.
-

(For each of these, too, it is necessary to review the level of significance considering the era/age involved, how intact it remains, how representative it can claim to be, and how rare or important it is to that which it proports to represent.)

- [b] its level of historical or other associations/links;
- [c] its form and aesthetic qualities which may include such considerations as the degree of unity in scale form and materials;
and
- [d] the relationship, (either in uniformity or contrast), with its location, setting and streetscape.

The form of presentation of the Statement of Significance will vary with the size and complexity of the subject. Typically, however, it could be expected to contain:

- a brief explanation of the basis of assessment;
- a general statement or summary of significance;
- a statement or tabulation of the significance of the individual components, (sometimes including a scale of
 - A - 'of exceptional significance'
 - B - 'of considerable significance'
 - C - 'of some significance'
 - D - 'of little significance')
- a plan on which all items referred to are identified.

Attachments included in this research and relevant to these issues are:

ANNEXURE 2.5 (A): A Summary of Definitions from the ICOMOS Conservation (Burra) Charter;

ANNEXURE 2.5 (B): A Summary of ICOMOS Conservation Principles and Processes; and

ANNEXURE 2.5 (C): Guidelines and Typical Layout : Cultural Significance Report.

2.5.4 CONSERVATION POLICY/PLAN

Once the Statement of Cultural Significance is completed, the Burra approach then provides for a Conservation Policy to be developed to manage and protect this significance (ie. how the conservation of the place may be best achieved).

The data necessary to proceed on this will include:

- the requirements and constraints arising from the statement of significance;
- the client's requirements and resources and/or feasible uses;
- the physical condition of the place; and
- requirements imposed by external factors (eg. legislative, administrative and political controls).

Development of this policy equates to the building up of a mosaic of the major elements of the place and project such as the need:

- to retain or reveal significance;
- to identify feasible and compatible uses;
- to meet statutory requirements; and
- to work within procurable resources.

The policy recommendations will typically include:

- physical conservation action and care necessary for retaining or revealing significance;
- uses which are both feasible and compatible or constraints on use;
- public access and interpretation;
- security;
- controls on future development and change;
- the mechanism for making future policy decisions on the use and care of, or change to, the place in the light of unforeseen developments;
- the control of investigation and physical intervention;
- the mechanism for the adoption of the policy and for subsequent review;
- ongoing maintenance issues (including maintenance manuals, scheduling and cycles).

Overall, the report here should be direct, simple and unrepitive in format and have the flexibility in structure to accommodate the individual characteristics and conservation requirements of the particular place/site.

The summary of the ICOMOS (Burra Charter) Guidelines for Development of a Conservation Policy is attached (ANNEXURE 2.5(D)). For completeness, administrative and related procedures for setting up and undertaking conservation studies generally are also included as ANNEXURE 2.5 (E).

2.5.5 COMMENTS

The Burra Charter provides a methodology for an analytical approach to the technical aspects of conservation and, if used correctly, can present clearly both heritage requirements and conservation policies and strategies. Its current strength lies in its wide recognition and acceptance as a standard throughout Australia and with international affiliations. It enjoys a perception of independence, particularly from undue political and interest group influence.

The whole object here is the preservation and sympathetic use of heritage places/buildings. It is an essential first step to establish the nature and extent of these heritage characteristics, free of other parameters and prior to the consideration of other legitimate considerations eg. final use, financial considerations, political imperatives etc. (ie. a qualification of what the heritage component of a particular property and a categorisation of how important/significant that component is).

The Charter also places some discipline and guidelines, (though wide), on the otherwise nebulous and possible subjective concept of heritage. The process at least requires 'due process' in establishing the importance or otherwise of a site under the Statement of Cultural Significance. The strategy for management (ie. 'Conservation Plan') is developed from this.

The two stage process, (Statement of Cultural Significance/Conservation Plans) therefore appears valid. However, the detail and likely application of the Charter is not without concerns if it is to successfully interface with the development/property sector and other parts of the community and thus produce results that are acceptable to and workable for all stakeholders.

In summary, these concerns are:

[a] Limited Focus but High Expectations

The Burra Charter is a document and series of related schedules produced by a conservation/preservation group (ICOMOS) to provide a structure for site specific conservation investigation and management and a code of conduct for conservation professionals undertaking such tasks. It makes no claims outside this important area. Principally as a result of low levels of comprehension in the general community and in the political arena, far too much is asked of this process.

Where a property has any trace of heritage interest, it can reasonably be argued that uninhibited heritage analysis and planning should be the first consideration in time.

This analysis/planning will be one of the most important controls on future use, change or development. If the analysis establishes that the property has exceptional or considerable heritage significance, then, on the basis of community attitude and/or legislation, this criteria should override all others.

If, however, the heritage interest is medium, low or negligible then other considerations (eg. financial, final perceived highest and best use, other community, local or property owner requirements or a combination of a number of these) may take precedence over heritage issues.

It is quite understandable that these wider issues are not addressed in conservation investigation such as the Burra Charter. However, before a final decision is made, all factors relevant to the case (not just "Burra" investigations) must be taken into consideration. This is particularly true where heritage interests, established through full investigation, are not high.

This important point is often overlooked by those who might see the Burra Charter as an end in itself as a complete property analysis.

[b] Restrictive Definitions

A range of definitions issued as part of the Burra Charter (see ANNEXURE 2.5 (A)) appear overly restrictive and could act to limit innovation which may, in a wider context, ensure the long term conservation of the heritage sites.

Notable among these are:

- ‘Adaptation’ of the place which is acceptable only where the conservation of the place cannot be achieved by other means (ie. a last resort) and, even then, it can only be adopted (ie. changed for a different use) when the established Cultural Significance is not adversely affected;
- and
- ‘Compatible Uses’ which are defined strictly as those which involve no change to culturally significant fabric, changes which are substantially reversible or changes which involve a minimal impact on the place.

These definitions are clearly potentially very restrictive when applied to a particular property.

In any particular case, therefore, the impact or otherwise of the Charter will depend very much on the subjective application of some limiting, yet apparently incomplete, key definitions.

This does not enhance certainty nor confidence in the process (see also (c) below).

[c] Categorisation Difficulties

In any such assessment process, certain dangers exist in categorisation and imprecise definition.

In the first instance, assessments are made from a premise of contemporary tastes, values and style. These, (particularly concepts of architectural worth and style), are transitory and ever-changing in nature. Consequently, whilst very old or aesthetically pleasing buildings are often seized on as 'heritage' and worthy of conservation (regardless of how representative or common they are), it may be easy to overlook buildings and places which are comparatively recent, of a less appealing style (under contemporary parameters) and, perhaps, represent a less attractive use.

It should also be noted here that the Burra Charter defines Cultural Significance as '.... values for past, present and future generations'. There must be an intrinsic problem here where decision makers, applying contemporary standards and attitudes, proopt to establish levels of significance for 'past' and 'future' generations.

In a similar vein, the Charter is somewhat disappointing in its lack of precise definition of a number of words in common usage (and with potentially a range of meanings).

These words include:

- 'representative'
- 'variety'
- 'unique'
- 'exceptional' (significance)
- 'considerable' (significance)
- 'some' (significance)
- 'little' (significance)'.

Without close definition of these adjectives and adverbs, analytical measurement in preparing cultural significant reports appears very difficult.

[d] Overall Approach by Assessor

The Charter establishes a framework for heritage investigation and planning but, because of its place-by-place approach, much of the process allows for place-specific interpretation and considerable subjective opinion input on the part of the assessor.

This latitude is widened by the definitional issues identified in [b] above.

There would normally be expected that a small team of professionals would have specific input into a particular assessment and this should guarantee balance and an unbiased, professional approach. Given the latitude inherent in the system, however, and its emphasis on conservation rather than, say innovation, poor quality or stilted analysis, over-stating any existing level of cultural significance, is certainly a possibility.

Again, these issues are unlikely to promote certainty and confidence throughout all sectors of the community and economy. Closer definition and more exact classification appears necessary.

[d] Time Delays in Assessment

It must be assumed that any detailed assessment of heritage issues will be time consuming, given the detailed research that will be involved. The Burra Charter makes no estimates of anticipated timings for assessments which is not surprising, given the wide variation in size and type that individual projects may require.

Conservation assessment and planning will frequently be carried out under the instructions of the owner and some regulation on time taken may be enforceable in commissioning the consultant. Nevertheless, given that holding changes on sites are typically significant and that contractual control of the site by prospective purchases may be tenuous, any such time delays are costly and may well frustrate the entire project regardless of the validity of the proposals.

CHAPTER 2 BACKGROUND (CONT'D)

**2.6 BUILDING AND CONSTRUCTION ISSUES AND OTHER
PHYSICAL CONSTRAINTS IN HERITAGE PROPERTY PROJECTS**

2.6.1 INTRODUCTION

This section canvasses a range of influences on the restoration and re-use of heritage properties.

Though this paper's principle interest does not lie in architectural nor construction issues, it is clear that, for completeness, such matters require some analysis and brief summary.

Heritage restoration projects have different inherent problems to 'greenfield' construction, though, as will be established later in this work, such restorations are often more cost effective than new construction. To take advantage of any comparative advantages that a particular heritage property may enjoy, however, it is important to be aware of the special issues in heritage property restoration and to undertake the task in a structured, pre-planned manner. Much of the reluctance by developers/builders to embark upon such projects would appear to come from the lack of certainty regarding the final extent of, (and therefore the degree of financial exposure to), the construction works. The availability of suitable professionals and tradespersons to carry out such specialist works may also be of some concern. Like any construction project, success is often a function of thorough investigation and pre-planning, regardless of whether it is a straight forward maintenance task, major restoration, or renovation and alteration for reuse.

This section summarises some of this research, architectural and building issues, compares project costs, identifies some heritage construction guidelines and provides some comments and conclusions on these processes.

2.6.2 INITIAL RESEARCH

Like any construction project, major heritage work will commence with an identification of interest and a preliminary financial feasibility. It will then proceed to detailed investigation and preliminary design works. On this basis, a final decision on the project can be made and, if it is to proceed, detailed design work will be carried out followed by the letting of contracts and construction.

Investigations in heritage projects now require a general adherence to Burra Charter Guidelines - establishing both the "what" and "how" criteria to the proposed works. This involves the provision of a Statement of Cultural Heritage Significance for the site and, then, providing a Conservation Plan to ensure that these are established, site specific heritage characteristics will be preserved. Such research for any significant project clearly requires specialist professional input, particularly in view of the fact that the collected data and analysis will form the basis of later submissions to the Heritage Council. It will involve a detailed knowledge of the architectural style and era as well as specific investigation of the subject building and its history and locality.

Given that such properties will typically be over one hundred years old, it is practically inconceivable that substantial alterations, additions, reconstructions etc. would not have been undertaken during its lifetime. Historic records research, the study of old photographs of the subject or similar buildings, interviews and (particularly) investigation of unrestored parts of the building will assist in the later reconstruction of missing details.

It is important to realise that 'old' features of a property are not necessarily original and decisions, on a property-by-property basis, will have to be made to establish what is legitimately required for preservation in accordance with the Conservation Plan prepared.

2.6.3 TYPICAL ISSUES

[i] Architectural/Building

Some typical architectural/building issues encountered in planning and works on heritage properties include:

- Restoration processes must balance both aesthetic and technical considerations and the best such restorations appear as properties redecorated rather than restored;
- In this area of design and construction, few short cuts are available and the use of modern construction systems will normally be obvious in the final product;

- Old construction techniques and materials are still generally feasible and available, though quality control must be closely monitored;
- Key architectural issues in successful restoration include the importance of correct detail and of surface finishes and treatments. For example, many stone, brick and even timber buildings were never intended to be painted and any such treatment may cause serious loss of appearance and texture. On the other hand, it may be possible to replace walls etc. with contemporary materials provided that surface treatments use original materials, methods and colours;
- Typically, last century buildings were subject to serious water penetration due sometimes to porous (often single skin) brick or stone walls and joints. Similarly, damp proof coursing is only a comparatively recent addition to building construction and many old buildings suffer rising damp.

Over time, this process may also have deposited corrosive salts in the building fabric. These problems are not easily solved. Clearly, the building must be waterproofed but these actions can cause severe deterioration where bricks and stones, which have often been kept partly wet for many decades, are now kept completely dry.

To reduce further water ingress problems into the future, stormwater and other drainage must be designed and laid clear of the foundations and walls of the building;

- Projects should commence with detailed measurement and production of 'as is' plans and a thorough photo essay of the existing property and its surrounds is also advisable;
- Most building materials, (eg. timbers, stone and brickworks etc.), will eventually breakdown. This is particularly true for sandstone, limestone and early, poor quality brickwork and mortar. Major degenerative problems of this type are difficult and expensive to address;
- Whilst many products and processes can be replicated, some difficulty may be experienced with matching fixtures and fittings, hardware, ironwork and joinery. For this reason, best practice will normally require that any such items on site be kept and repaired for reuse;
- On a similar theme, it should be noted in planning that established gardens etc. which form part of the buildings surrounds often cannot be easily replicated. Even if they are currently overgrown, particular consideration and planning must be undertaken before any decision is taken to remove them;

- Special attention must be given to the underpinning of often fragile walls and for lateral support to adjoining heritage and other properties;
- Problems may also be experienced in securing building permits and various building certifications and initial investigations must establish what latitude and special heritage provisions exist under local and state building codes to ensure that the timely completion of the works is both technically and economically feasible.

[ii] Professional and Trade Skills

Heritage building renovation and adaptation is a relatively new field of architecture and construction in Australia. The number of professionals (heritage architects, assessors etc.) are quite limited to the extent that conflicts of interest for professionals in design on one hand and in providing professional services as Heritage Council assessor/representative on the other, are not uncommon. Given the number of graduate and post-graduate courses now underway through several universities, any future shortages in this growing discipline should be avoided. Certainly, at this point sufficient heritage professionals are available both in the public and private sector to carry out all briefs within an acceptable time frame but, like all professional disciplines, leading and recognised practitioners are in particular demand and fees and time delays here reflect these demand levels.

Of more concern here perhaps is the situation with tradespersons. Special and advanced skill levels are particularly required in plastering, stone and brick work, metalwork and traditional joinery. With the increased interest in heritage property restoration, for public, commercial and residential buildings in recent years, such trade skills, (and availability of materials) have increased considerably. Nevertheless, many such skills have been built up more through practical experience than through formal training. The correction of process and the faithfulness of final finishes and results must be kept under close supervision to ensure compliance with the Conservation Plan. The key importance of correctness of fine detail in such restoration has already been recognised above.

Though some concerns exist on training, it is the case that tradespersons are generally available to carry out heritage restoration works. Under close, professional instruction and supervision and based on a Conservative Plan, these tradespeople can produce, (and in the past have produced), restorations/adaptations of very high quality. Several exceptions do however exist.

Because of problems securing continuity of work, little such expertise exists outside the capital cities. This potentially leaves heritage sites in provincial areas exposed to inferior quality and non-specialist trade work both for maintenance and for major renovation. The alternative appears only to import specialist skilled labour from major centres to carry out such tasks. This is clearly expensive and, on maintenance work, probably impractical.

A second concern exists in trade areas with highly specialised, heritage skills such as stonemasonry. This is a stand alone skill, normally requiring full trade gangs, specialist equipment, access to suitable quarried stone etc.. Few such specialist groups/firms exist. In the private sector, their background is normally in monumental masonry and, consequently, their building/heritage skills may be very limited. Because of the lack of suitable private sector suppliers, some State Governments maintain a day labour group with those specialist skills. In turn and for continuity of work, these groups also provide services to private owners.

Repainting, waterproofing and the replacement of deteriorating stone are frequently required works on old stone buildings and insufficient remedial and preventative maintenance soon results in rapid deterioration to the fabric of the entire property. Specialist skills such as stonemasonry are expensive, adding considerably to maintenance and renovation costs. Because of the esoteric nature of such work, work practices and methodology have to be closely monitored and supervised to ensure efficiency and timeliness.

2.6.4 CONSTRUCTION COSTS

Exposure to and control of costs are critical considerations in any construction project.

The previous subsection has identified some of the inherent cost exposure and additional potential risk in any refurbishment, particularly heritage restoration, undertakings. It is however, erroneous to only consider the potential exposure/problems without attempting to quantify/establish a cost comparison between new construction, refurbishment and heritage refurbishment projects and also considering some comparative advantages that refurbishment projects enjoy.

Analysis undertaken specifically for this research provides a cost comparison (and explanatory notes) on these various classifications of construction projects as per EXHIBIT 2.6[I].

COST COMPARISON OF PROJECTS - NEW VS REFURBISHMENT						
PROJECT PACKAGES	NEW PROJECT		REFURBISHED PROJECT		REF. HERITAGE PROJECT	
	\$/M ²	%	\$/M ²	%	\$/M ²	%
Preliminaries	\$153.00	11.09%	\$ 38.00	8.84%	\$156.00	10.80%
Building Work	\$632.00	45.80%	\$ 85.00	19.77%	\$733.00	50.73%
Building Services	\$319.00	23.12%	\$229.00	53.26%	\$208.00	14.39%
Lift Services	\$106.00	7.68%	\$ 13.00	3.02%	\$ 79.00	5.47%
Contingency	\$ 31.00	2.25%	\$ 33.00	7.67%	\$149.00	10.31%
BUILDING COSTS						
Site Works)						
External Services)	\$ 2.00	0.14%	\$ 5.00	1.16%	\$ 11.00	0.76%
PROJECT COST						
Professional Fees	\$137.00	9.93%	\$ 27.00	6.28%	\$109.00	7.54%
Management Fee						
GROSS PROJECT COST	\$1,380.00	100.00%	\$430.00	100.00%	\$1,445.00	100.00%
PROJECT FLOOR AREA	\$20,700,000.00		\$6,434,000.00		\$6,213,000.00	
	15,000m ²		15,000m ²		4,400m ²	

EXHIBIT 2.6(I)

COST COMPARISON - NEW VS REFURBISHMENT PROJECTS

- The three projects are,
 - 1) New construction of an investment standard building on a 'greenfield' site in Brisbane (approx. 15,000m² g.f.a.).
 - 2) Refurbishment of an investment standard contemporary building in Brisbane including refurbishment of all internal surfaces and amenities general upgrade of service and service delivery systems but retention of major plant items. Minor/cosmetic upgrades to exterior of the building.
 - 3) Refurbishment of a heritage property for commercial uses refurbishment of all internal surfaces to acceptable, restored heritage standard with general upgrade of existing services and service delivery system but retention of major plant items. Minor/cosmetic upgrades to exterior of building but not full exterior restoration.
- All costs are adjusted to May 1993 figures.
- Comparison does not include site acquisition/holding costs, demolition and earthworks nor the cost of underground nor other on-site parking.

EXHIBIT 2.6[I] CONT'D
EXPLANATORY NOTES - COST COMPARISONS

- Project 1 costs based on Rawlinsons Australian Cost Handbook figures for Brisbane. Projects 2 and 3 represent summaries of actual Brisbane Projects.
- Areas shown are gross floor areas (g.f.a.).
- Projects 1 and 2 are approximately 15,000m² g.f.a. whilst Project 3 (heritage refurbishment) is approximately 4,300m² g.f.a. The latter typifies the scale of most heritage refurbishment projects and the analysis of these smaller areas for heritage works also reflects the lack of repetitive work/repetitive floors in heritage projects when compared with others.
- Whilst the building efficiency (nett-to-gross) of the heritage project (3) is slightly less than the other projects the differences were not of major significance in these cases.

EXHIBIT 2.6[1] CONT'D

EXPLANATORY NOTES - COST COMPARISONS

The analysis outlined in EXHIBIT 2.6[I] clearly does not fully compare 'like-with-like' and it is recognised that costs are only one component of a range of other analysis criteria (eg. final capital value, acceptability to market etc.). Nevertheless, some reasonable deductions are available from it.

The analysis exemplifies the very considerable cost advantages of refurbishment projects of contemporary design buildings (- without full systems upgrade, only 31% of new construction). Clearly, the location, style, functionality and demand levels must also be considered before instigation of such a project but the cost comparison here confirms why building 'recycling' is becoming common place in major commercial areas.

The examples also indicate that heritage refurbishment works, whilst much more expensive than contemporary refurbishments are only very slightly, (about 4.7%) more expensive than new construction - even providing for a comparatively large contingency allowance for the heritage project (10.31% compared with new construction 2.25%). Again, it is recognised that services in the heritage project were not replaced with new systems though they were brought to a good quality, fully functional level.

In overall cost comparison, (and presuming that demand for the end product exists), it can be concluded that on total project cost per m² g.f.a. for a major heritage refurbishment project may well be less than for a new, 'greenfield' project. As noted above, actual refurbishment to actual new building costs are clearly comparable (4.7% in favour of new construction).

However, there are substantial cost benefits to the heritage proposal elsewhere in the project. These include:

- normally considerably shorter time frame and critical path for a refurbishment project compared with construction times (and possible extensions) on greenfield sites;
- the prime location normally enjoyed by heritage (ie. original) buildings within Central Business Districts; and
- savings in demolition costs (often up to 2 - 3% of final cost) and earthworks.

The allowance for preliminaries in the heritage project is some 2% higher than for contemporary refurbishment and fairly comparable with new construction where preliminaries (eg. research, testing, site establishment costs etc.) are obviously significant. The comparatively high allowance in the heritage case is to provide for thorough investigation, analysis and project pre-planning. If these works are correctly and fully carried out, the high provision for contingencies (10.31%) should be well contained within budget and not fully expended during construction.

2.6.5 HERITAGE CONSTRUCTION PROJECT GUIDELINES

Each heritage property is unique in location, size, fabric, design, use and condition. Such differences will be reflected, in terms of the Burra Charter, in the individual Statement of Cultural Significance and a Conservation Plan prepared for each such property.

It consequently follows that each construction, major maintenance, restoration project or proposals for adaption to some alternate use must be designed, programmed, constructed and supervised in a specially developed framework to account for the individual issues, problems and opportunities that the property provides.

For all of this diversity, however, there are a number of general guidelines for such heritage projects as follows:⁵

[i] Environmental Issues

Recommended:

- Retention of distinctive features such as size, scale, mass, proportion, materials and distinguishing features, particularly those which interconnect the property with its surrounds.
- As much as possible, retention of unbuilt environment (eg. gardens, fences, signs, street construction, street furniture and services etc.).
- Any new materials used should be compatible with the new in size, colour, texture/surface finish etc.

⁵ These guidelines are based on US Secretary of the Interior Standards for Rehabilitation of Historic Buildings. (1980). (Attachment to Research Paper Edwards P & Or. Economic Activity Regeneration through Heritage).

[ii] **Building Site**

Recommended:

- Where possible, retention of vegetation close to the building to break the visual lines of the property (- important in providing an image being long established).
- Ensure that drainage and stormwater are effectively taken from the site and away from walls and foundations.
- As much as possible, leave any archaeological features in tact.

[iii] **Structural**

Recommended:

- Recognise special inherent structural system problems (both specific and generic to the style, design and era) and undertake stabilisation/repair work to correct cracking, deflection or failure. Structural members should only be replaced where no viable alternative exists because of the disruption involved and the alterations that such major works will require to the property as a whole.

[iv] Exterior Surfaces

Recommended:

- Where possible, retain original masonry and mortar without application of new treatments.
- Clean masonry only when necessary and by the gentlest method available. Avoid high pressure systems, particularly on soft or deteriorated masonry surfaces or mortar.
- Any new materials should match existing in size, colour, texture, surface treatment.
- Preserve the original roof lines and shape.
- Review and be particularly aware of roof waterproofing and drainage problems which are common in old buildings.
- Correctness in detail is very important and often will finally be more obvious than those who design the restoration works originally envisage. This is particularly true of window and door joinery, hardware, awnings, shutters etc. It is often best to retain and repair existing materials but, if replacements are necessary, extreme care should be taken to ensue matching material, shape, colour, texture etc.
- Where possible, improve thermal insulation by installing weather stripping of sympathetic design/colour etc.

- Pedestrian - level treatments are very important. This applies particularly to shop front entrances, steps, porches etc. which should be retained and repaired especially as regards signage, decorative features etc. which contribute to the historical character of the building.

[v] Painting

Recommended:

- Painting of surfaces not previously painted should be carried out only after thorough investigation.

Colour schemes should be chosen to enhance the particular heritage characteristics/history of the individual property and not be simply based of proprietary 'heritage' colour schemes.

- Where possible, traditional/original surface treatments should be used.

[vi] New Constructions

Recommended:

- Keep new additions and adjacent new construction to a minimum, making them compatible in scale, materials, texture, size, colour.
-

- Where required by fire codes, enclosing of stairways should be done in a way to retain its character. (In many cases, glazed fire rated walls may be a viable alternative).
- Use contemporary designs compatible with the character and mood of both the building or the locality.
- Protect architectural details and features that contribute to the character of the building.
- Place mechanical equipment, communication equipment, ducting and vents etc. in inconspicuous locations, particularly so that they do not interfere with building lines.

[vii] Mechanical Systems (Air Conditioning, Electrical, Fire Services)

Recommended:

- Install necessary mechanical systems in areas/spaces that will require the least possible alteration to the structural integrity and physical appearance of the building (eg. avoid visual intrusions, use service rooms, wall cavities, closets etc. for vertical risers). Where possible, compact design mechanical units capable of vertical stacking should be used.

- Where possible, utilise existing/original mechanical systems, plumbing, light fixtures and fittings etc.
- Ensure adequate ventilation in all attics, basements etc. to help prevent moisture problems.
- Where possible, install insulation in basements, ceilings etc. to improve thermal efficiency, (but ensuring that necessary ventilation to all walls is maintained).

[viii] Safety and Building/Service Codes

Recommended:

- Be aware of all codes and code exemptions for heritage properties and ensure that full advantage is made of these allowances to protect the heritage/architectural integrity of the building.
- Install adequate fire services equipment in a manner that does minimal damage to the appearance or fabric of the building.
- New stairways/lifts etc., where installed, should not alter existing entrances to the building nor detract from other important architectural features of or spaces in the building.

2.6.6 COMMENTS/CONCLUSIONS

Heritage building and construction procedures are not the principle focus of this research work. It is, however, essential to recognise that the particular issues which will emerge in these matters are quite different to normal 'greenfield' construction or to modifications or additions to contemporary buildings.

Not only is there differentiation between contemporary and heritage projects but also from one heritage project to another, based on the individual property's Statement of Cultural Significance and Conservation Plan which must be the starting point for any development on a heritage site.

On the face of it, such a specially developed approach to each major heritage project may give rise to some concerns in the minds of developers, investors, financiers and builders that unknown, unforeseen and uncontrollable risks will invariably arise in any heritage project embarked upon.

Whilst it is difficult, at least in the short term, to change general perceptions, most of these construction issues/risks are not significantly greater than that of a contemporary building project.

Empirical cost break up studies have been undertaken for this research and included in this section. These established that, in general terms and subject to some qualifications, whilst significantly more expensive than refurbishment costs for buildings of contemporary design, the actual costs of heritage refurbishment very closely comparable to new 'greenfield' construction costs. When wider cost implications of demolition costs, earthworks and possible locational advantages of heritage sites are also considered the heritage restoration project may, all other things being equal, overall be cheaper than new contemporary construction on a square metre g.f.a. cost basis.

The principle issue here is not so much about the type of property or project but rather the approach adopted by the architect, builder and the whole project team. The success of any building/development project (and therefore the long term viability of the organisation involved) is fundamentally based on thorough research, planning and programmes tailored to the particular project and site.

Such an approach will ensure that the most viable projects are embarked upon and will minimise the chance of major unforeseen risk arising - though, quite obviously, they can never be eliminated completely in any property/building project.

Analysis establishes that renovation is in many cases more cost efficient than new construction. By its nature, however, any renovation or refurbishment project which disturbs the fabric and modifies services in an existing building, (even in a contemporary building), will invariably encounter unforeseen and sometimes costly problems during construction. Again detailed, prior investigation will minimise these risks but suitable contingencies must be built into costings to cover such possibilities.

This of course, is not to imply that serious challenges and problems will not be encountered in heritage projects. The additional tasks here may well be considerable and include:

- time and cost associated with undertaking heritage assessments, establishing conservation plans and securing additional approvals;
- specific problems of building structure and soundness;
- repairing existing fixtures and fittings and exactly matching new fittings, surfaces and detail; and
- securing suitably qualified professional and trade labour input into the project.

Like all property projects, the real issue is early recognition and diagnosis of problems and accurate project and cost planning to resolve them without threatening the viability and financial success of the work.

2.7 ECONOMIC CONSIDERATIONS, TAXATION AND HERITAGE PROPERTIES

2.7.1 INTRODUCTION

The growing list of heritage sites and properties in Queensland and Australia contains a widely varied aggregation of assets - from simple monuments, historic sites and community facilities through to properties of commercial use and value.

The monuments and community facilities practically all reside in public ownership and their continued preservation is not contentious on either heritage or economic grounds. Such sites normally have few, if any, alternate economic uses and have no opportunity cost apart from maintenance expenses.

Heritage properties with commercial use/potential are quite a different issue. They will often have significant capital value and have a range of possible alternate uses. Consequently, opportunity cost considerations are important if regulations prohibit the pursuit of highest and best use.

As identified in Section 2.3 of this work, ownership of such properties is held across public and private ownership. Even for those in public ownership, will often involve private sector involvement and investment at various stages. Consequently, the analysis of Government-owned heritage property demands a wide understanding of fiscal and other incentives existing or proposed to support private sector investment in heritage buildings.

The investigation of these fiscal and other incentives is the principal objective of this section. Unlike the balance of this chapter, an analysis rather than descriptive approach has been adopted because of the need to fully explore current and likely future options. The work here identifies both State and Commonwealth incentives. It also considers the wider economic ramifications of changes in support for heritage property to the economy as a whole and particularly to the Building Industry.

In this analysis too, two streams of economic activity are involved on heritage sites and each requires separate economic consideration and taxation treatment viz: maintenance, (in its widest sense to preserve, restore and reconstruct the fabric of the building), and adaptive reuse, (i.e. the establishment of viable, new commercial and other uses for the property by the addition of new features to and facilities in the existing building).

The wide use of compulsory acquisitions by Government to secure the control of all heritage sites is both economically and operationally impractical. Consequently, the interplay between private sector investment and use and Government support, both on public and privately owned sites, is an absolutely key issue in the whole area of preservation and economic use of heritage buildings.

Edward and Or. place these matters clearly in perspective:

"Linking the public (i.e. fiscal) contribution to approved private outlays not only secures the public's interest (for public funds employed or tax revenue forgone) but encourages private sector outlays on authorised conservation initiatives.

While education and regulation are important in overcoming problems of imperfect knowledge, about the value of heritage items to society (both now and into the future), it does not ensure the on-going commitment in expenditures necessary to safeguard these heritage properties from degeneration.

Grants may help in this regard, but taxation concessions provide an ongoing and automatic means of linking private commitment to public encouragement".⁶

Addressing these issues breaks the critical 'free rider' problem that pervades issues such as heritage conservation. This problem refers to the very rational and articulate individuals and groups in the community who seek to enjoy the tangible and intangible benefits of heritage conservation but leave others to pay the cost. Those who pay under current arrangements are often the private owners of these assets.

There appears now little ideological debate in Australia about the community value of preserving heritage buildings. Private sector owners reasonably contend however that they should not be expected to pay for this common good. Models put forward in this section propose that fiscal adjustments can be made relatively easily to the existing taxation regime which will effectively redress the current imbalance which prejudices against private investment in public or privately owned heritage property.

⁶ *Edwards P. & Thompson N. Economic Activity Regeneration through Heritage Published Paper. P. 4.*

In wider analysis, these models also argue that the economic benefits in the renovation of buildings are potentially greater [vis-a-vis costs] than new construction and, further, that, in macro-analysis, such tax incentives would have a strong possible nett effect on the economy as a whole.

This section first assesses the failure of the operations of the free market to achieve overall community objectives as regards heritage buildings. It then describes the current status of government economic intervention into this market and finally summarises several models for the possible future direction of fiscal initiatives.

2.7.2 HERITAGE BUILDINGS AND THE FREE MARKET

The costs of restoring, maintaining and renovating for re-use of heritage properties is relatively easy to quantify and the relative expense in real costs and building efficiencies of heritage buildings compared with contemporary structures can likewise be readily established.

The benefits on the other hand are more long term and, as well as tangible benefits to the individual owner (eg. through rental streams), will include a range of intangible and indirect political, cultural, social and community benefits.

Free market, micro-economic decision-making is clearly profit motivated and has particular regard to risk levels and duration (time parameters) of any project. If left to operate freely, it can never suitably provide all the wider and less tangible, community outputs required of heritage buildings.

In economic analysis, there are several reasons for free market inadequacies in this area:-

[i] **JOINT SUPPLY AND NON-RIVAL CONSUMPTION**

The normal free market demand/supply model and price mechanism easily fail in the case of restoration of heritage buildings. A principal reason for this is that consumption of benefits enjoyed by one person (eg. by visiting and using, say, a heritage building) is not diminished by others also using the facility. Without exclusivity of use/ownership, a normal market arrangement is not really possible.

Such observations do have some limits. For example, a heritage site's quality may deteriorate through overuse or it may become congested to the extent that it does erode individual enjoyment. In practice, such limits are rarely reached and, even then, the patron will tend to avoid the crowded facility (ie. 'withdraw from the market') rather than pay more for use/entry to reduce overall demand levels and overuse.

Examples of this type of market behaviour exist elsewhere. Visitors to art, technology or other exhibitions etc. will, for example, often be willing to pay (an admission fee) to visit, view and enjoy that exhibition. The price they are willing to pay, however, is near minuscule compared with the value of the exhibition. Consequently, return on investment to the owner of the exhibition is extremely small.

(Such exhibitions are almost invariably subsidised and are presented for educational and cultural rather than economic reasons). The consumers are only willing to pay such a comparatively small amount because the utility/enjoyment that they receive in visiting the exhibition is limited and transitory in nature and shared by a large number of other consumers without diminution in enjoyment by the individual.

As regards heritage buildings, it is clear that there is enjoyment/satisfaction to the individual in visiting, viewing and using such facilities but, because use by a large number of others will not normally effect the satisfaction of the individual, final consumers will be willing to individually pay very little for that use. Certainly, any additional payment secured will bear no relationship to the very large cost of providing the facility in its restored form.

Under these conditions, private sector owners will not normally be stimulated, in a free market situation, to necessarily provide heritage properties restored technically and historically correct. Their level of investment will be set by perceptions of achievable income. This will be derived from rental streams (and the investor will therefore compare his proposed investment here with other proposals such as contemporary property). As the above indicates, there is practically no economic incentive to restore heritage property to a quality above its potential to generate rent.

[ii] **NON-EXCLUSIVITY**

Property developments are physically large and the physical aspect, ambience and streetscapes they create can be viewed and enjoyed by all, regardless of whether they contributed to the costs of it or not. Much of the benefit, (albeit intangible), that is derived from heritage projects include architectural merit and development of precincts and streetscapes. None of these have exclusivity and therefore cannot attract a charge or fee.

Again, here a freely operating non-supported market will not provide for 'merit good' or 'no specific charge' services.

[iii] **EXTERNALITIES**

Property is fixed in space and dealings/controls on property may potentially have positive and/or negative effects on adjoining or nearby properties.

A heritage listing to one property may, for example, prove of benefit to the balance of an adjoining heritage precinct. In another situation, such a listing may frustrate development on adjoining lands since it may preclude site amalgamations for redevelopment. Micro-economic decision making taken on a property-by-property basis will not accommodate such externalities.

If it is thereby established that the free market forces cannot provide all of the outcomes demanded for heritage properties, then Government intervention and market direction must be undertaken to modify outcomes.

2.7.3 CURRENT MARKET INTERVENTION - STATE GOVERNMENT

To date, State Government manipulation of the market has principally related to the establishment of regulations, through either direct legislation or local Town Planning Schemes. This type of approach often tends to be negative and reactive. As described in Section 2.3, more positive initiatives through Town Planning Schemes to encourage heritage preservation through the provision of Transferable Development Rights (TDR's) have been very limited in use and value to date.

The most significant and potentially widest State Government financial support for the holding costs of heritage properties did not come from affirmative action but rather from recent appeals under the Valuation of Land Act. Two significant test cases have been finalised and several more are set down for hearing. Private appeals to date have had the affect of substantially reducing the unimproved capital value of those properties, (and thus the level of liability to general rates and land tax), as a result of heritage provisions under the local Town Planning Scheme.

Whilst the decisions in both cases recognised that the impact of heritage controls must be considered on a case-by-case basis, their likely wider application over time will significantly reduce these types of holding costs of heritage properties compared with the general market.

Though it was not the reasoning behind the cases, such reductions could indirectly partly compensate for some of the disadvantages of holding heritage properties such as high maintenance costs and building inefficiencies.

The first test case to the Land Appeal Court on these matters, was brought by the Valuer General in 1991 and was against a lower court decision that heritage provisions of the Brisbane Town Plan must be considered in determining the unimproved value of property. The case concerned the Queensland Club, a 107 year old building on a 3390m² site on the corner of George and Alice Streets, Brisbane.

The Appeal Court rejected the appeal and supported the lower court's reduction in UCV from \$4,400,000 to \$2,435,000, (a reduction of 45%), though again the court noted that the quantum of the negative effect of such heritage provisions was a matter for property-by-property consideration and should not be established by an across-the-board formula.

The second case in the lower court in 1992 related to a heritage building on a 911m² site in Margaret Street, Brisbane. Three principal issues were involved in this case. The court held, as in the previous case, that certain heritage provisions of the Brisbane Town Plan should be taken into account when assessing UCV. Further, it held that Transferable Development Rights (saleable and transferable to another site in the CBD) attach to the building only and therefore do not affect the unimproved capital value.

Importantly, however, the court thirdly held that the State Government's heritage legislation had no adverse effect on unimproved value and should be disregarded when assessing UCV.

These developments are generally positive and clearly give some potential for taxation relief to the owners of heritage properties. To date, success has come only after protracted legal argument and, given the annual valuation process now in operation, the potential need for objection and appeal is ongoing. The quantum of these savings must be placed in perspective, EXHIBIT 2.7 [I] shows the general rates and land tax liability for commercial property in Brisbane for a range of unimproved capital values.

UCV	GENERAL RATES LIABILITY	LAND TAX LIABILITY	TOTAL LIABILITY P.A.
\$2M	\$ 27,500	\$ 27,000	\$ 54,500
\$5M	\$ 68,800	\$ 67,500	\$136,300
\$10M	\$137,600	\$180,000	\$317,600

EXHIBIT 2.7[I] EXAMPLES - GENERAL RATES AND LAND TAX LIABILITY - BRISBANE CBD PROPERTIES

(Note: based pm 1993 general rates structure of 1.376C./\$ucv and 1992/93 land tax schedules)

For this example, it is now presumed that each of the three properties are affected by heritage controls and that a reduction in UCV has occurred along similar proportions as the 'Queensland Club' Case. The changes are shown in EXHIBIT 2.7[III].

ORIGINAL U.C.V	UCV AFTER PROVISION FOR HERITAGE	NEW GENERAL RATES LIABILITY	NEW LAND TAX LIABILITY	TOTAL LIABILITY P.A.	NETT SAVING
\$2M	\$1.1M	\$15,140	\$14,860	\$ 30,000	\$ 24,500
\$5M	\$2.75M	\$37,800	\$35,600	\$ 73,400	\$ 62,900
\$10M	\$5.5M	\$75,680	\$99,000	\$174,700	\$142,900

EXHIBIT 2.7 [III] EXAMPLES- NETT SAVINGS GENERAL RATES AND LAND TAX : BRISBANE CBD PROPERTIES

Such savings are not insignificant but several further issues must be kept in mind. In the first instance, savings are against unimproved capital value. A site which has a UCV of say \$2M, may well have a total capital investment, (depending on the nature of improvements), of \$10M or more. It may attract an annual nett income stream of, say, \$1M (10%). Against these figures, tax relief (in this example) of \$24,500/p.a. is welcome but is not overly significant.

The analysis must also be taken one step further. These rate and land tax benefits are applicable prior to the final tax payments by the asset owner and consequently, final benefits are reduced by that individual's marginal tax rate. Again, to continue the above simple example, on a nett income of \$1,000,000 and presuming top marginal tax rates, tax payable would be \$420,000 and, thus, post tax income of \$540,000. Presuming again (from the above example) a total reduction in outgoings due to rates/land tax relief of \$24,500, taxable income is reduced to \$975,500. This will attract, (again at top marginal rate), \$448,730 in tax and a post tax income of \$526,770.

Consequently, the post-tax savings of benefits applied to those outgoings is \$12,230, not the \$24,500 established through changes in unimproved capital value.

2.7.4 CURRENT MARKET INTERVENTION - COMMONWEALTH GOVERNMENT

It is at the Commonwealth level that the greatest potential for constructive market intervention is available. Only quite minor initiatives, however, have been undertaken in this area to date. As at 1993, the only spending and taxation initiatives available for heritage issues from the Commonwealth Government were:

- **THE NATIONAL ESTATES GRANTS PROGRAMME**

This programme was described in Section 2.2. Whilst of significance when first instigated in the 1970's, the funding available has diminished to the point where the requests for funding even by Government agencies and community bodies is far greater than available funding. Consequently, no funds are available for privately sponsored projects.

- **TAX DEDUCTIBILITY FOR GIFTS TO NATIONAL TRUST**

Tax deductibility for contributions to works/projects sponsored by the National Trust or gifts to the National Trust, provided such gifts are made within twelve months of purchase.

These measures are again quite small scale in practice as National Trust groups have the logistics and facilities to run very few projects at any point in time. Further deductibility for gifts is inequitable in application since it, by nature, provides greatest deductibility benefits to those on highest marginal tax levels.

For the first time in the ALP's federal election platform in February 1993, the Government has proposed taxation rebates for approved private expenditure on conservation work: viz

"Heritage Conservation

The Commonwealth has a responsibility to help conserve the history and quality of life represented in our cultural heritage. A Labor Government will therefore make taxation rebates available from 1993/94 for approved private expenditure on conservation work for buildings listed in Commonwealth Territory or State heritage registers.

Owners will need to obtain the approval of Government heritage agencies or authorised agents before undertaking conservation work. The total amount that an individual can claim in any one financial year will be limited.

Development of the scheme will be carried out by the Australian Heritage Commission in consultation with other heritage agencies.

Revenue foregone will be capped at \$2M per annum." ⁷

This policy is yet to be put into operation and the capping of cost at \$2M is extremely low. The importance of this proposal, however, lies in the precedence of this type of tax rebate.

⁷ from *Distinctly Australian ALP Cultural Policy, 1993 election, P.13*

Present income tax arrangements, (notably Section 53 of the Income Tax Assessments Act), allow the owner of any property used for income generation to fully deduct the costs associated with the maintenance of that building in the same year that those expenditures occur. Whilst this is obviously also the case if the building is heritage listed, the provisions do nothing to in some way compensate for the additional cost of maintenance of a heritage building above easier maintained and more efficient contemporary buildings.

2.7.5 ECONOMIC BENEFITS FROM HERITAGE CONSERVATION

Economic analysis reported by Edwards and Or. summarises the important positive impact of the Building Industry activity and heritage conservation works on the whole of the economy.

Strong, local economic multipliers exist given that, of building materials typically used, some 88% are Australian-made and most locally produced and supplied.

They estimate that for every \$1M of new expenditure in building (eg. heritage restoration works), 64 person years of employment are generated together with \$316,870 in nett taxation receipts and \$160,000 savings in social security payments. Such initiatives also stimulate an improvement in skill levels.

Heritage conservation/restoration works are of particular benefit in a quite property market as they provide upgraded accommodation and stimulate the building industry without adding to existing stocks and vacancies.

Further, Edwards and Ors contend that restoration work is more efficient than new construction and work it requires has a higher proportion of labour. Therefore the employment content per dollar output is higher in restoration activities than new work. With regard to total efficiency, refurbishment on an existing commercial building, for example and on average, requires 10.3 person hours/m² for major restorations compared with 14.5 person hours/m² for new construction.

Overall, it is estimated (again by Edwards and Ors) that a multiplier of 3.19 will apply to tax incentives judiciously applied to heritage restoration projects. Overseas experience, particularly in the United States during the conservative Reagan Administration, has proved the value of taxation incentives for heritage projects in stimulating the wider economy.

2.7.6 SOME MODELS FOR FUTURE MARKET INTERVENTION/ TAXATION INITIATIVES IN HERITAGE ISSUES

In a mixed economy such as that in Australia, success in heritage conservation and protection of heritage building stocks requires the willing participation of the private sector. To overcome some of the inherent disadvantages of such properties (eg. additional maintenance, space inefficiencies and uncertainties under heritage approvals), improved special taxation measures are called for.

It is provable, (see 2.7.5 above) that such tax relief, properly applied, will have a strong positive multiplier effect on the balance of the economy.

The existing Australian tax regime is capable of relatively easy and specific modification to accommodate such initiatives through such areas as:

- tax deductibility and/or tax credits;
- capital works depreciation allowances; and
- Capital Gains taxation.

Two research papers, Reynolds and Chisholm (1984) and a Working Party to the Australian Planning Ministers (1986), have both addressed the issue of market intervention/taxation incentives in Heritage Issues. Their findings are summarised hereunder:

(i) Reynolds and Chisholm

Key findings of this research, An Evaluation of Alternative Economic Incentives for Heritage Conservation were as follows:

- **Income Tax Incentive:**

Straight deductibility which is used currently to provide the relatively low level of tax incentives presently available is currently unfair and discriminates against those on less than top marginal tax rates.

Further current deductions also discriminates against persons who plan to gift property to the National Trust and have held it for more than twelve months. In such cases, no tax relief is available.

A system of Tax Credits (i.e. a flat rate subsidy) would be preferable. Under such systems, for example, an expenditure of \$x in a tax deductible activity will attract a reduction of \$x, (or some proportion of x) from the tax payer's tax bill. Such an arrangement is equitable across the board and also has the considerable advantage of having the credit level easily varied, even to a project to project basis if necessary.

- **Local Authority Rate Reductions and Direct Subsidies**

Rate reductions are relatively minor and relatively inefficient incentives and their effect is diminished because they are applicable prior to final assessment of tax liability. Consequently, the higher the individual's marginal tax bracket, ceteris paribus, the smaller the benefit of a rate reduction.

Empirical studies indicate overall that direct subsidy programmes, (preferably national based), will always be more cost effective than rate reductions.

- **Use of Zoning Scheme to protect Heritage Properties**

A zoning approach to heritage protection does not appear a particularly cost-effective method particularly in view of the potential for individual compensation claims that may evolve. Rather than the impact of zoning changes, heritage authorities may be better advised to improve community/property owner education and dissemination of information so that, using development control without zoning change, the reasonable expectations of future land uses can be established.

- **Transferable Development Rights (TDRs)**

TDRs are, in effect, a form of compensation whereby the owners of listed heritage sites can effectively divorce the development potential of the site upon which the heritage building is constructed and to sell that potential for addition to another site, (see 2.4 above). These initiatives, which were first applied in the US, have been implemented with fairly limited success in parts of Australia over recent years.

The intrinsic problems with TDR's are that their value rises and falls with the property market and depends on buyer interest and on suitable recipient sites being available. A very quiet development market will render potential TDR's of very limited value and, therefore, of little use in supporting heritage control.

Other heritage initiatives applied during development approval procedures (eg. trade offs and incentives) would appear to be of greater benefit and more widely applicable.

- **Report Conclusions**

The report concludes that the most cost-effective form of market intervention here is by public subsidation, through taxation credits, of private sector heritage conservation activities. Such systems are preferable, for a number of reasons, to control through rate reductions, or control through zoning change. Tax credit systems provide considerable flexibility. They can be used to ensure that optimal use is made of heritage sites with the benefit of strong economic multipliers but have no requirement for large upfront compensation or acquisition payments.

- (ii) Working Party Report to the Australian Planning Ministers (1986)

This report reinforced the finding of the Hope Committee of Inquiry into the National Estate in 1974 that income tax incentives were essential to encourage the conservation of heritage items held in private ownership. Nevertheless, tax incentives in Australia to date have been very small scale and lack overall effectiveness.

Without financial encouragement through fiscal relief, the private sector will not be generally willing to become involved in a section of the property market such as heritage where obvious economic disincentives exist. Without that involvement, the opportunity to undertake large scale, cost effective and useful conservation works will not be possible.

The report also notes the strong economic benefits of stimulation to the building industry and, particularly to (heritage) restoration works. Specific and targeted adjustments to/widening of existing taxation arrangements already available to the general property sector to provide support and stimulation to heritage works.

After detailed research, the Working Party recommended, inter alia, that the Commonwealth Government introduce:

- an income tax rebate of \$0.20 for private expenditure on approved maintenance on heritage listed non-income producing property (claimable post - expenditure);

CHAPTER 2 (CONT'D)

CONCLUSIONS

Chapter Two of this work is by far the largest. The depth of this background research has been necessary because thorough investigation failed to uncover any existing collation of this data elsewhere.

Without it, any attempt to progress with the construction of a model would be incomplete and potentially flawed. The background research necessary was also expanded by a basic tenet established early in investigations - that studies related to heritage buildings could not be categorised simply on ownership (ie. public or private) at any point in time.

As regards a range of factors including statutory requirements, capital investment, construction management and end use, the requirements and involvement of the public and private sector intermesh and segregation simply on the grounds of ownership is, in principle, incorrect.

The Chapter has investigated the concept of heritage legislative/statutory controls through the three levels of Government, conservation investigation and procedures, construction and issues and economic and taxation parameters.

Following detailed research, this work presents the following definition of what constitutes a 'heritage building':

"Property, (including land, building and ground improvements and sometimes contents) which requires its original or existing fabric and/or use to be accommodated and, where necessary, preserved in the future use, public access, presentation, alterations and/or redevelopment of that property.

This requirement may arise through any/all of the following:

- a representative of a particular architectural style, era or period (regardless of time) which is worthy, in whole or in significant part, of preservation to exemplify that style era or period;
- a representative of facilities/operations no longer practiced in a comparable way be contemporary commerce, industry, private citizens or Government which is worthy, in whole or in significant part, of preservation to exemplify that facility/operations;
- a property which exhibits a continuity of significant use from earlier periods in history of the site of a major historical event; and
- a property which forms an integral or significant part of a locality or precinct which related to any or all of the above".

The definition is wide, reflecting the diverse interests involved. Importantly, it includes such issues as continuity of use and less tangible and subjective concepts of social, cultural and political history. The potential for difficulty in heritage property projects is largely based on interface issues between the analytical property market and the much less tangible concepts often involved heritage issues.

As regards heritage legislation, the research concludes that the current structure, potentially involving all three levels of Government is confusing, complex and slow and, in practice, may fail to provide the desired outcomes of legitimate heritage conservation combined, where appropriate, with economic and sympathetic adaptive use of such properties.

Cogent arguments exist for the effective elimination of Commonwealth involvement in most heritage issues, given its small scale of operation and lack of statutory power.

Substantial State Government legislative control in place in Queensland since 1992 is much more pervasive but, given the comparatively small number of properties currently listed, cannot yet be said to be working at full potential. Further, both Commonwealth and State legislation rely on a control system based simply on rules, regulations and penalties for breaches with practically no 'up side' for owners.

On the basis of simplicity (and integration with other development approvals), local knowledge and the ability to provide physical incentives for heritage works, strong grounds exist to have the role of local authorities in heritage administration expanded. Such initiatives would be tempered somewhat, however, because of the variations in size and capacity of local authorities throughout Queensland and the very limited control that Town Plans offer in the protection of existing buildings. The low effectiveness to date of certain planning initiatives regarding protection of heritage properties (eg. Transferable Development Rights) also gives rise to some concern.

As regards conservation studies, the research described the provisions of the Burra Charter as a now accepted methodology for such investigations. The work recognises the value of such a standard for these projects. It involves a two stage process - the establishment of a statement of Cultural Heritage Significance for the property and, secondly, establishing a Conservation Plan to ensure that this significance is managed and protected. Some concerns exist, however, in the near total reliance placed by some on the Burra Charter process which effectively addresses only heritage issues with no reference to economic considerations. Concerns also exist with perceived restrictive definitions and categorisation difficulties within the Charter and the dependence on an analytical approach being adopted by the Assessor.

As regards building and construction issues, this work emphasises that successful projects, particularly as regards heritage works, are based on adequate prior research, planning and programmes, tailored to the particular project and site.

The principal issue here is not so much about the type of property or project but rather the approach adopted by the architect, builder and the whole of the project team.

Of particular concern in construction of these sites are such issues as:

- time and cost associated with undertaking heritage assessments, establishing conservation plans and securing additional approvals;
- specific problems of building structure and soundness;
- repairing existing fixtures and fittings and other detail work; and
- securing suitably qualified professional and trade labour input.

It is concluded, however, that like all property projects, the real issue is early recognition and diagnosis of problems and accurate project and cost planning to resolve them without threatening the viability and financial success of the work. Empirical evidence provided would, with some provisos, also indicate that heritage restoration works, whilst substantially more expensive than restoration of contemporary buildings is fairly comparable with new 'greenfield' construction and arguably substantially cheaper.

Finally, this Chapter addresses economic analysis and taxation issues. It concludes here that, on a number of economic criteria, it is clear that the operations of the free property market will not generally produce heritage restoration works of a type and standard required by Government and the community for non-economic (ie. political, social or cultural) reasons.

On this basis, Government involvement and stimulation of this sector of the market is justified. In part, Government does this through the maintenance and restoration of the substantial numbers of heritage buildings already in its portfolio.

As regards privately-owned heritage buildings, the research concludes that, (as well as development application bonuses that might be made available through local authorities), the most significant potential Government action is in fiscal relief through a system of tax credits.

To date, tax initiatives have been applied in a very limited and somewhat inequitable way. The recently established potential for the owners of heritage-listed properties to gain some general rates and land tax relief has also been investigated and, whilst welcome, it appears that the benefits will be only incremental compared with overall funds invested. Specific and targeted adjustments to such existing tax structures in areas such as maintenance deductibility, depreciation allowances and capital gains taxation are also clearly available and have merit.

Such changes are essential if the existing economic/property disincentives to private sector investment in heritage properties (eg. high maintenance costs, higher perceived risk levels etc.) are to be overcome and for such investments to become fully competitive with contemporary building projects.

CHAPTER 3

INTERESTED PARTIES

CHAPTER 3 INTERESTED PARTIES

Introductory Comments

- 3.1 Political Interest and Public Opinion
 - 3.1.1 Introduction
 - 3.1.2 Political Interest
 - 3.1.3 Public Opinion

- 3.2 The National Trust and Australia ICOMOS
 - 3.2.1 Introduction
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Conclusions

CHAPTER 3 INTERESTED PARTIES

INTRODUCTORY COMMENTS

All property assets are held by individuals, corporate bodies or public organisations who are responsible for the specific decisions on the future of those assets - to buy, sell, lease, develop, hold without action and a range of other possibilities.

The heritage property types which are the subject of this research are held by the State Government, either as Crown Reserve or under freehold title. Any not already freehold have the potential for transfer to that tenure under 1992 legislative changes. Consequently, these properties are capable of a full range of dealings and action, though clearly statutory requirements and administrative procedures will apply.

On the face of it, the interests and decision-making process of the owner is of singular importance. In a legal sense this is generally true and, save for the rights of the Crown and statute, freehold ownership provides unfettered rights to deal as the owner sees fit. Contemporary property and portfolio management correctly establishes however, that it is too narrow an approach to consider only the interests of the property owner as absolute. Rather, the concept of 'stakeholders' is far more relevant and realistic. Stakeholders are all the individuals and groups who have legitimate interests in and expectations for the particular property. These interests may be equitable (eg. owner, lessee, financier etc.) but, in this wider context, include those who are able to influence decision-making for the property.

Successful properties are those which satisfactorily meet the expectations and required outcomes for all stakeholders. In some instances, the demands will be in conflict. However, it is normally the case that quality, well located and well managed property can, at the same time, fulfil most of the important requirements for all stakeholders.

In the final analysis, the party with the highest expectations and highest potential risk is the owner. Clearly, however, unless the property 'works for', (ie. successfully in meeting the outcomes required by), others legitimately interested, the owner's interests and equity will be damaged. A clear example of this may be seen in an investment property where, because of intrinsic characteristics and problems with the asset, the end-user's (lessee's) business performs poorly. This stresses the lessee's ability to pay rent and reflect, in time, both the income stream to the owner and the security of his investment.

In the case of Government-owned heritage buildings, principal stakeholders can be classified into five basic types:

- Owner (Government/Administration);
- Politicians (Government of the day);
- Private Sector Developers/Investors (potentially involved in public owned heritage projects);
- Occupants/End Users;
- The general community.

Exhibit 3[I] identifies the outcome that each group typically requires, the components which will make up that outcome and some physical outcomes or criteria that each group will expect to observe as part of their requirements.

STAKEHOLDER	REQUIRED OUTCOME	COMPONENT PARTS OF OUTCOME	ACTIONS/ CRITERIA
1. OWNER (Government)	Efficient Utilisation	<ul style="list-style-type: none"> • Building • Portfolio • End User demands satisfied 	<ul style="list-style-type: none"> • Fully utilised • Cost effective • Correct portfolio mix • Disposal of properties not required for portfolio • Maintenance and where possible improvement of occupancy rates and of rental income by ensuring that end user demands are met.
2. POLITICIANS (Government of the day)	Effective Management	<ul style="list-style-type: none"> • Legislation • Management/ involvement • Community acceptance • Income Stream 	<ul style="list-style-type: none"> • clarity and general agreement on legislative and administrative structures • avoidance of controversy • proactive in restoration of significant publically owned heritage buildings • provide for economic use/ rationalisation • elimination of underutilised assets • predicability/ clarity of processes
3. PRIVATE SECTOR DEVELOPERS /INVESTORS (potentially involved in public owned heritage properties)	Marketability and acceptable rate of return	<ul style="list-style-type: none"> • Risk • Income Stream • Capital appreciation 	<ul style="list-style-type: none"> • timing/ programme • risk avoidance/ management techniques • construction • target market/ satisfying end user requirements

EXHIBIT 3[I] STAKEHOLDERS AND THEIR REQUIREMENTS FOR GOVERNMENT OWNED HERITAGE BUILDINGS

STAKEHOLDER	REQUIRED OUTCOME	COMPONENT PARTS OF OUTCOME	ACTIONS/ CRITERIA
4. OCCUPANTS/ END USERS	Habitable	<ul style="list-style-type: none"> • Amenity } • Services } • Intelligible } • Controllable } 	End product that supports the business activities of the end users/occupiers not necessarily to exactly the same standard as contemporary building but at least to a comparable level when all services, rental and other characteristics of the site are considered (ie. competitive overall with contemporary options).
5. COMMUNITY	Compatible and Protected	<ul style="list-style-type: none"> • Environmental Impact • Protection of Heritage • Accessible • Avoid waste 	<ul style="list-style-type: none"> • Action to restore, particularly in high profile heritage precinct. • Clear legislative control and no loss of significant heritage sites • Community involvement/information • Ability of general community to enter/view/use heritage properties (within reasonable parameters)

EXHIBIT 3[I] CONTINUED STAKEHOLDERS AND THEIR REQUIREMENTS FOR GOVERNMENT OWNED HERITAGE BUILDINGS

A number of these stakeholders and their requirements are fairly typical for any property and property development and therefore do not require wide elaboration in this research. Some particular reference however must be made to several parameters which are unique to these types of heritage properties.

In the first instance, it would appear very important to understand how, in general terms, politicians and the general community view the issue. Within the wider community too, it is important to be aware of some fairly high profile interest groups such as the National Trust whose opinions, requirements and actions will influence decision making.

Finally, the special considerations of final owners and of those involved in development sector must be recognised.

The balance of this chapter investigates particularly these interested parties.

CHAPTER 3 INTERESTED PARTIES (CONT'D)

3.1 POLITICAL INTEREST AND PUBLIC OPINION

3.1.1 INTRODUCTION

In theory at least, the direction for the control of assets and the application of heritage control to public buildings is a matter for political decisions and, in a democracy, those decisions should reflect the prevailing opinion of the electorate.

It is therefore important to consider some aspects of political interest and community attitudes to these issues.

This research is not specifically related to the study of Government nor its structures nor its decision-making processes. Consequently, this section is confined to a brief summary of the key aspects only.

3.1.2 POLITICAL INTEREST

The analysis of stakeholder interests in the Introductory Comments to this chapter identified the interests and required outcomes of politics and the Government of the day to the management and use of Government-owned heritage buildings as follows:

STAKEHOLDER	REQUIRED OUTCOME	COMPONENT PARTS OF OUTCOME	ACTIONS/ CRITERIA
Politicians (Government of the day)	Effective Management	Legislation Management/ involvement Community acceptance Income Stream	clarity and general agreement on legislation and administration structures avoidance of controversy proactive in restoration of significant publically owned heritage buildings provide for economic use/ rationalisation elimination of underutilised asset. predicability/ clarity of process

**EXHIBIT 3.1[I] EXTRACT : POLITICAL INTERESTS -
GOVERNMENT OWNED HERITAGE BUILDINGS**

Politics in Australia is a fairly pragmatic activity. Major political groups are, ideologically, close to, or slightly to the right of, centre and major philosophical differences between them are fairly difficult to find except on some basic economic tenets. Even on these, the boundaries between parties has increasingly merged over recent years. Politics is very much about money and the distribution of resources and also very much about getting elected and retaining office. Rarely do any issues, other than economics, maintain the long term interest of most levels of Government.

Once in power, Australian Governments at all levels have shown a continual talent for bureaucracy in resolving one-off problems in public affairs. This typically involves procedures for analytical research and enquiries, legislative frameworks being established around some core, (often spartan), policy guidelines provided by Government and the provision of a group of public servants with the role of administering the final outcomes. These processes invariably result in an increase in the size and complexity of the bureaucracy and of Government regulation. The approach is allowed to flourish by an electorate which is largely apathetic and only superficially informed on most issues and willing, on most issues, to 'let the Government look after it'.

The whole matter is further complicated by the various levels of Government in Australia with considerable overlapping areas of control, policy and bureaucracy.

Through the past decade, discernable changes developed in the political interests of the Australian electorate. Whilst economics remained as the mainstream of policies at all levels of Government, other, less tangible issues such as national identity, quality of life and environmental and heritage issues have increased in importance.

It is incorrect to believe that the principal concerns of the majority of the electorate had changed significantly and it is notable that, in the more austere economic conditions of the early 1990's, the strong dominance of economic issues has again become obvious. Nevertheless, these other matters remain important enough to a significant proportion of the community to maintain them high on political agenda.

These sections of the community tend to be reasonably informed on these particular issues. Through the recent establishment of Freedom of Information legislation, judicial review procedures and other changes in administrative procedures, risk and exposure to the Government exist if such issues are not adequately addressed.

Heritage issues, particularly those relating to Government-owned assets, are of particular sensitivity, not just to the State Government but to individual Members of the Legislative Assembly. It not only has a state-wide issue as regards policy and legislative development and administration, it also has a local context. Practically every city and major town in the State has at least one public building of heritage interest. Each provides a physical statement of Government activity in this policy area.

This situation provides both benefits and liability. It allows the Government and Local Members to be involved in specific projects of local benefit (eg. restoring, reusing and being innovative with Government-owned heritage buildings and precincts). It also has considerable potential for exposure and political embarrassment if such initiatives fail to materialise or if such important sites are drawn to community attention as underutilised or falling into disrepair.

In summary, politicians require that such assets be effectively managed, not simply in the property sense but as regards the community interests. In the first instance, there will be a clear, political imperative to establish a suitable legislative framework, a register of heritage sites and a bureaucracy to ensure that the protection and restoration initiatives are suitably administered.

Once the structures are in place, the Government will typically require that its portfolio management group prepares strategic property plans for its assets, particularly those which have heritage interest, to determine short, medium and long term requirements, to prioritise capital works spending and to ensure that required actions - be they upgradings/restorations, reuse or disposal - be carried out expeditiously.

There are clearly dangers in leaving assets lie underutilised, not only from criticism from the Government's opponents and pressure groups but also from all manner of developers and other parties. These latter groups will often attempt to impose their own ideas, be they suitable or otherwise, on the property and retrieving the situation may be very difficult unless the Government has its own plans already established and underway.

The Government will also require that it be provided with the option of reprioritisation and redirection of initiatives in particular cases where either special, local heritage considerations exist or, alternatively, where other circumstances (eg. economic considerations) require specific Government action. The special provisions of the Queensland Heritage Act for Crown projects and the use of these provisions in the Queen's Park Precinct/Brisbane Casino project provide a good example of this.

As summarised previously, the outcomes and actions thereby required by political groups and the Government of the day are:

- that legislation and administrative frameworks are in place and are clear and understood by all parties involved and that such systems are workable;
- that controversy in this sensitive and sometimes emotional area is avoided;
- that Government in its prioritisation of capital works is seen as proactive in undertaking necessary restoration works on significant, publically-owned heritage buildings in a range of locations throughout the State and particularly where areas of particular heritage interest (eg. historic precincts) exist;
- that where special considerations exist (eg. major projects etc.), the Government has the provision to make the most of economic opportunities; and
- that no real property assets, heritage or otherwise, are held underutilised for extended periods.

3.1.3 PUBLIC OPINION

Public opinion and community attitudes regarding heritage issues, and particularly those held in Government ownership, are difficult to quantify with any degree of exactitude. Investigation undertaken as part of this research has uncovered no analytical survey of such opinion.

Even without such data, however, there has been a clear shift in community attitudes over the past two decades. As discussed elsewhere in this work, events such as The Rocks redevelopment proposals in Sydney in the late 1960's and the later demolition of the Bellevue Hotel in Brisbane proved important events in this process.

Overall, Australian community attitudes have evolved from the arguments of whether or not to demolish heritage buildings which typified the debate in the 1960's and 70's. The debate has substantially progressed over time - now focussing on how and to what extent such heritage retention is to take place and how adverse affects, (normally economic), can be minimised.

In this case, however, economic consideration appear to be of limited concern to the Australian electorate and the level of interest, past the truism that "preservation of heritage is good", is generally quite low. Few members of the community are directly involved in the ownership management of major heritage property or are involved in the development industry. There is therefore little appreciation of the wider issues involved nor is there any financial responsibility to such projects.

It appears important to the general community that heritage properties be retained and, where possible, continue to be used in a way which integrates with the balance of the city. The greatest community interest and support appears to be aroused where a major heritage area or precinct is successfully restored and reused, particularly where final uses include considerable access by use and entertainment for the general public. The Rocks in Sydney, The George Street Festival in Brisbane and the restoration of the Quay Street precinct in Rockhampton provide examples of this.

Clearly, continued public accessibility and use of restored/reused buildings are important.

Public interests are summarised in the extract from Exhibit 3.1[I] below:

STAKEHOLDER	REQUIRED OUTCOME	COMPONENT PARTS OF OUTCOME	AUCTIONS/ CRITERIA
Community	Compatible and Protected	Environmental Impact Protection of Heritage Accessible Avoid Waste	<ul style="list-style-type: none"> · Action to restore, particularly in high profile, heritage precinct · Clear legislative control and no loss of significant heritage sites · Community involvement/information · Ability of general community to enter/view/use heritage properties (within reasonable parameters).

EXHIBIT 3.1[I] EXTRACT : COMMUNITY INTERESTS

GOVERNMENT OWNED HERITAGE BUILDINGS

Community interest is such that any destruction of a listed heritage site would be generally seen as a failure by Government and clear legislative protection for such buildings has widespread support. There likewise appears to be reasonable support for the allocation of capital funds for the restoration of significant Government-owned buildings.

Whilst all this indicates a general level of interest in such issues, it would be erroneous to consider that the community is proactive in its pursuit of the suitable outcomes or has fixed or detailed opinions on the subject. It is perhaps indicative, for example, that the National Trust, as the only mainstream pro-heritage interest group, can attract a membership of only 5,500 from a Queensland population of over two million.

The Brisbane Casino proposal provides some indicator of community attitude. The proposal to adopt two substantial Government heritage buildings into a Casino and Hotel is obviously controversial. It drew however, substantial criticism from a few interest groups, notably the National Trust but surprisingly little comment from the community at large. Certainly the National Trust found it impossible to mobilise public opinion against the projects.

To most within the community, other more tangible issues of employment, cost of living etc. evoke much greater interest and community feeling. Issues such as heritage, environmental and related matters would seem to lie only at a conceptual level for most of the community. This being the case, it is reasonable to propose that public opinion is not so entrenched that, provided that the basic tenets of heritage conservation are complied with, community attitude cannot be encouraged in a particular direction or in favour of a particular proposal.

In such a situation, the manner and timing of the presentation of particular project to the community is of critical importance and requires close management.

CHAPTER 3 INTERESTED PARTIES (CONT'D)

3.2 THE NATIONAL TRUST AND AUSTRALIA ICOMOS

3.2.1 INTRODUCTION

Over the past decade and a half, Government political and administrative organisations related to Heritage policy have been structured and are now fully established at the Commonwealth level, in practically all States and in a number of major local authorities.

In other sectors of the community, formal, permanent organisations and interest groups in the area of heritage and heritage management are rare. At times of specific controversy, members of the community will frequently form 'one issue' organisations but these are mostly transitory, existing only for a few months. The principal building owner's group, the Building Owners and Managers' Association BOMA, has proven vocal on some heritage issues at times, principally as regards the development of legislation on the listing of buildings of heritage interest. Again, however, these interests have proven transitory and not cohesive.

Professional groups such as the Regional Australian Institute of Architects, have established interest in heritage matters but related to design and construction issues rather than matters of policy or decision making. It is only the National Trust organisations in each State and the smaller, International Council on Monuments and Sites (ICOMOS) that have been established for the express purpose of support for heritage preservation.

This short section discusses the aims, structure and administration of both organisations and concludes with comments on their influence and effectiveness.

3.2.2 NATIONAL TRUST

The first National Trust organisations were established in the United States and the United Kingdom in the 1930's and increased in importance in post-war years dealing with such issues as reconstruction of bomb damaged, heritage properties in England and, particularly, the restoration of major English county houses.

In Australia organisations interested in heritage conservation began to emerge modelled closely on the UK organisation. The first was formed in New South Wales in 1947 and was followed by other similar organisations in South Australia (1955), Victoria (1956), Western Australia (1959), Tasmania (1960) and Queensland (1963). A national association, the Australia Council of National Trusts was established in 1965.

Whilst an autonomous, non-government organisation, it is, in Queensland constituted by an Act of Parliament, the National Trust of Queensland Act, 1963. The organisation adopted a similar structure to the English Trust with a hierarchy of patrons, presidents, specialist committees and sub-committees and a small administration. It now has branches in many parts of the State and has a total membership of about 5,500. Financial support comes from Commonwealth and State Grants and in some rent subsidies etc. from the State and gifts from private citizens and organisations to the Trust which are, with some conditions, tax deductible.

A high proportion of its income, comes from subscriptions/donations from its supporters in the community and from admission charges to some of its properties. The Trust's budget is invariably short and, its ability to continue with its wide range of activities attests to the heavy involvement of many of its members.

The principal points and areas of activities established in its charter are:

- " • the acquisition, through purchase, lease or donation of property (land or building or both) which is considered to be of national heritage significance;
- the restoration and maintenance of all acquired or leased properties;
- the continued updating and enlarging of the Trust Listing Register - which contains elements of Australian heritage which are considered exceptionally important;
- the provision of widely disseminated community education programmes encouraging public awareness of the need to treat our heritage with respect, through exhibitions, lectures, tours, open days at listed properties and the publication of books and brochures; and

- advising and influencing Government, local authorities, companies and individuals towards responsible attitudes to national heritage".¹

The first two of these are relatively non-controversial. The Trust in Queensland owns, manages and is progressively restoring such properties as Wolston House, Wacol and the Currumbin Sanctuary.

The Trust has long maintained a list of heritage properties but, of itself, this list has no legal standing. Its importance however, comes from the fact that it has formed the basis of both the Commonwealth (Australian Heritage Commission) and State Heritage Registrars. In 1990, for example, because of the perceived urgency of establishing interim legislation by the State Government, the National Trust list (975 properties) was adopted in total and incorporated as a schedule to the legislation.

The same list was, in August 1992, transferred again into the current Queensland Heritage Act.

There has never been a suggestion by any party that the list was definite or complete and, in fact, it contains errors - identifying some buildings that were demolished some years ago. Its use does not appear to reflect overt political support for the National Trust. Rather, much more pragmatically, both Governments accepted the list as the "best available" at that point in time where a schedule was urgently required to commence the process.

¹ *Extract The National Trust of Queensland. P. 3.*

Perhaps the matters will become more contentious in the near future where, under the provisions of both Commonwealth and State Legislation, the National Trust can, (and almost certainly will), nominate a large number of additional properties for inclusion on the respective registers.

The Trust's role as an educator in the community is also important. Whilst a detailed knowledge of its structure and operations is not widely known by most in the community, it does enjoy wide recognition as the principal pro-heritage organisation and lobby group in the State. It is responsible for hosting a wide range of seminars, tours and information sessions which are generally well supported by the general public.

It also provides some resource facilities and raises its profile to some extent by operating a 'shopfront' gift shop. Related to its educational role too, is the Trust's part in the prioritising and promoting research and study grants under the National Estate (AHC) Grants Scheme.

By far the most controversial of the Trust's stated aim is that of influencing governments, local authorities and others regarding heritage issues. It attempts to achieve this through such actions as:

- involvement in Government policy and legislative development (at Commonwealth, State and Local Authority level);
- ex-officio membership of such organisations as the Australian Heritage Commission and Queensland Heritage Council;

- direct lobbying to politicians and others on specific heritage issues and sites;
- publication of its opinion in its monthly magazine; and
- willingness to become involved, through the press and other media, in current or contentious heritage matters. Of recent times, wide publicity has been given to the National Trust's objection to the use of the Queen's Park precinct in Brisbane as a site for a new Casino.

3.2.3 INTERNATIONAL COUNCIL ON MONUMENTS AND SITES (ICOMOS)

ICOMOS is a much smaller organisation than the National Trust with a membership made up of heritage professionals rather than members of the wider community, (though membership is open to all).

ICOMOS is not specifically involved in the identification and conservation of individual properties (as are groups such as the National Trust) but rather with definitional issues, professional methodology, philosophy and techniques in dealing with heritage/conservation property types.

It is an international, non-governmental organisation with close affiliations with UNESCO. Established in 1965, one of its principal tasks world wide has been the provision of assessment procedures for World Heritage listing under the World Heritage Convention.

The Australian Committee was first convened in 1976 and presently has a small membership of about 250. It has a single full time office, in Sydney but the membership is Australia wide.

The specific aims of the Australian group are:

- " • to develop expertise in cultural conservation both in theoretical and practical fields;
- to disseminate information about conservation and encourage debate;
- to organise seminars and conferences on specific conservation issues;
- to provide links among conservation practitioners both within Australia and other countries; and
- contribute to overseas conservation practice and to facilitate the contribution of overseas conservation experiences to Australian conservation practice and to promote links with international conservation bodies".

The group has been involved in a range of conferences and training over some years together with the establishment of a number of research committees investigating specific heritage issues.

By far the most important and far reaching impact that the organisation has had on Australian property has been the drafting of the 'Australian ICOMOS Charter for the Conservation of Places of Cultural Significance' - the 'Burra Charter'.

The contents of this work are detailed in Chapter 2.5 of this thesis. Its now very wide acceptance throughout Australia as the 'benchmark' methodology of heritage research and planning has principally been due to ICOMOS's unique standing as an independent, professional organisation in heritage issues. This has provided it with a status and importance that belies its small size and low public profile.

3.2.4 *COMMENTS AND CONCLUSIONS*

The National Trust executive must observe with a considerable satisfaction the rapid rise in awareness and interest in heritage issues within the community. This interest has pushed the Trust into a high profile role which now tends to overwhelm its structures and resources.

Its power largely comes from its identity and recognition and its direct links with the community. However, mixed in with these benefits are inherent problems. The public expectations of the Trust as de-facto protector of heritage cannot be matched by its meager resources. Further, the membership base, whilst no doubt well intentioned, generally have more an ideological and emotive involvement in the issues that specific knowledge of built environment concepts. The membership tends to be predominantly from older age groups and often fairly conservative in overall disposition. With such a base, the Trust has a quite limited ability to draw on 'in-house' research and analytical skills in the investigation of issues.

Its overall financial position is also relatively weak and barely sufficient to meet the considerable costs of renovation and maintenance of heritage properties under its control.

The Trust has an 'issues' sub-committee but, given its serious lack of skills and resources identified above, the organisation is rarely able to become proactive in becoming involved in an early and detailed way in Government policy or in major Government or private sector building initiatives.

The result is that the National Trust often has little input into major projects until the proposals are made public. At that point, faced with fairly limited information, the Trust's reaction is often negative. The Trust can often therefore be seen as negative, reactionary and anti-development.

The Executive of the Trust are acutely aware of the problems that this may cause the organisation in the longer term as it may become increasingly isolated and marginalised and its ability to interface positively with Government, building owners and developers will become increasingly strained. The problem is, in some ways, self-perpetuating. A solution, on the face of it, may be to include a representative of the National Trust on project teams for substantial Government heritage projects and perhaps later this could be extended to some private sector projects. In practice, however, the Trust would not have the volume of skills or resources to provide such input.

Further, given the frequently very conservative and reactionary attitude the Trust has exhibited for the reasons outlined above, it is doubted whether most project teams would feel comfortable to invite such a representative.

Clearly, on major heritage projects, the Trust will eventually become involved or asked to publically comment upon it. Given their identity, it is generally desirable to the success of the project that they are kept informed and are seen to be at best positive or, at worst, indifferent to it. It may not be acceptable nor helpful to have full representation by the National Trust on project teams, although an invitation to them at several milestone points through the project would appear to be a very productive initiative.

As regards ICOMOS, such is now the status and acceptance of the 'Burra' approach to heritage analysis and conservation planning that adherence to the process has to be an integral part of any significant heritage property project.

CHAPTER 3 INTERESTED PARTIES (CONT'D)

3.3 BUILDING OWNERS AND DEVELOPERS

3.3.1 INTRODUCTION

Final decision making on the development and use of any property lies with the owner of the asset.

Statutory controls such as property law, town planning and development control, heritage and others establish limitations on actions on any particular property. None of these, however, instigate action in the first instance. For practically any contemporary portfolio owner/manager in the public or private sector, economic considerations and the analysis of nett income streams, return on investment and risk will be the core decision making mechanism.

In the private sector, the final decision will be constrained by legislation (ie. highest and best permitted use). In the public sector, the decision arrived at following economic analysis will potentially be altered or adjusted by legislative restrictions, (where relevant and applicable to the Crown), and by political directives and policy.

A thorough understanding of the decision making process for the building owner/developer is very important to this research. This section briefly summarises the general economic decision making considerations that apply to the owner of any commercial property, identifies the various types/categories of owners of property and their particular requirements and interests and, thereafter, adds the further parameter of heritage considerations both for the public and private sector owner. The section ends with a summary and some conclusions.

As in some other sections, consideration has been given to both public and private sector owners. Whilst the former may at first seem more relevant to the research topic, it is the case that both rely on similar economic analysis in the first instance, (though clearly political considerations will potentially influence final decisions on public sector property). Further, too, many publically owned heritage properties and projects of commercial value may well involve private sector inputs in funding, purchase and/or final use. The decision-making processes of and influences on both are therefore relevant.

Background data for this section has been obtained principally from a number of interviews held with major developers/owners in Brisbane.

3.3.2 GENERAL PARAMETERS FOR PROPERTY PROJECTS

Building owners and developers are a fragmented group. Property is held by a relatively large number of individuals, corporations and public sector bodies. Whilst, as will be established below, these act in a fairly predictable way, decisions are made on a micro-economic, property-by-property basis and, except for some public sector property, on the basis of self interest. For this reason, there is little cohesion between building owners and industry associations (eg. BOMA) represent only a small percentage of all owners. Given the underlying economic strength of the sector and its importance to the economy as a whole, these associations are relatively weak.

Disregarding heritage and similar issues in the first instance, commercial property decision making will be based on the analysis of Return on Investment (ROI) and Risk for the particular project.

For a potential investor in an existing building, the key influences on this analysis will include:

- Size of initial capital cost;
- Highest and Best Use;
- Nett income and future income stream potential;
- Specific parameters of leases (term, conditions, rent reviews, quality of tenant(s));
- Market conditions and expectations;

- Soundness and versatility of the building assets;
- Locational considerations; and
- External considerations such as interest rates, taxation, levels of business confidence etc..

A potential owner-occupier will consider the above issues, (and opportunity cost considerations), together with the esoteric requirements for his particular business.

A potential developer's economic considerations likewise relate to Return on Investment and Risk, (in this case called 'profit and risk'), and, as well as many of the influences identified above would include:

- Manner of securing the site/ownership;
- Development costs, contingencies and construction and development risks;
- Timing/financial exposures/cash flows;
- Level of pre-commitment.

On top of all of these are clearly legislative requirements and limitations in property dealings, eg. town planning, building and development codes, contaminated land, heritage etc.. Further, for publically owned property, political initiatives and considerations will also be involved.

All successful property owners are risk avoiders. This is not to imply that risks are not taken but rather that risks are identified in advance, assessed, risk avoidance techniques put in place and, even then, only undertaken when there is adequate potential return to compensate for the risks accepted. The higher the risk, the higher the return that will be sought by a prudent investor.

Risks fall into two basic categories, systemic and non-systemic. Systemic risk refers to those areas of potential exposure over which the individual property owner/corporation has a level of control. These would normally include such matters as how it secures and administers its property, how it establishes and administers pre-commitments and leases, decision making techniques that it follows etc.. Non-systemic risks are those which are external to the individual property owner/corporation and, whilst these influence the risk levels encountered, the individual has, on the face of it, no direct control over them. These include issues such as interest rates, general market and economic conditions and confidence levels, taxation and various forms of legislative controls.

As regards this research, a key issue regarding systemic risk must be recognised. It is true to say that the owner of a specific property has extremely small potential to influence a range of non-systemic risks such as heritage and other legislative restrictions and certainly could not be said to control such parameters. What is often overlooked is that, through research into and understanding of such non-systemic (or any other) risk exposure, that risk exposure can be minimised and risk avoidance techniques implemented.

In the case of heritage, risk avoidance may include the very early commissioning of a Heritage Study and Conservation Plan, particularly one which specifically addresses changes proposed for the site as part of its renovation and re use.

Overall, like any other commercial activity, confidence in property investment and development is, for the most part, a function of economic and legal certainty. In a sector dominated by analytical calculations of cash flow and ROI, it is relatively easy to establish the viability or otherwise of a particular project provided that high levels of certainty exist in such areas as leases and pre-commitments and in construction and building use. For heritage properties to be competitive in the market, a high level of certainty as regards heritage issues in reuse is also required.

3.3.3 OWNERS, DEVELOPERS AND HERITAGE PROJECTS

Research would indicate that, at least in Queensland, building owners and developers have at best a shallow understanding of the parameters for dealing with heritage buildings. At worst, their understanding is anecdotal. No owner or developer interviewed stated that they would not become involved with heritage property as a matter of principal. As might be expected in such an analytical market, all expressed similar sentiments that, provided that end user demand could be established and ROI and risk considerations proved acceptable, there would be fairly similar level of interest in a heritage property project as any other.

Several important qualifications exist however:

(i) Size

By comparison with contemporary commercial buildings, heritage properties are low rise and quite small. Though there are obviously exceptions, most are under 2000 - 3000m² nla.

Such restoration projects and their final ownership are therefore below the normal capital threshold for major developers and institutional investors. In practice, the general lack of involvement of these market leaders is often not related to the fact that heritage properties were involved but rather very few such projects are of suitable scale to warrant their investigation and later involvement.

Any developments by such groups are high profile, tend to be innovative in project control and construction management and typically do not suffer the same under capitalisation problems of smaller organisations. Further, they normally retain the high quality consultants who also promote excellent final product.

The heritage restoration area of the property sector is clearly the poorer because of the general lack of involvement by such groups.

(ii) Cost

Specific cost comparisons between heritage refurbishment projects and new construction are difficult to establish, though those that do exist in fact indicate that some considerable cost and time advantages exist in heritage/refurbishment works (see Chapter 2.6).

Unfortunately, such analysis is not well known within the property or development industry. Based on interviews, the general perception is that heritage works are non-standardised and often unique. Like any refurbishment works, such projects are often perceived as having wide potential for cost-overruns and prolongation because, despite very thorough prior investigation, the full extent of works is often not apparent until construction is underway. These perceptions are in part confused.

There is no doubt, that any refurbishment works are complex and may have hidden building problems and costs that only become apparent after construction starts. These are certainly grounds for detailed prior investigation to attempt to minimise such eventualities and, in quantity survey budgets, to allow more for contingencies and a slightly longer critical path. Confusion arises however, because few consider the overall development cost comparison per square metre between heritage refurbishments, (even with the contingency requirements identified above), and 'greenfield' projects.

On this critical comparison, refurbishment cost overall can be demonstrated as competitive with new construction (refer Chapter 2.6). In the case of refurbishment, the existence of at least the reusable carcass of a building and the avoidance of demolition, site works and excavation are often important cost-saving features.

Such observations on costs, however, must be tempered in individual cases where the relatively low building efficiency (ie. gross floor area to nett lettable floor area) in heritage buildings compared with contemporary buildings must be taken into account for comparison purposes. Further, construction cost advantages on certain heritage projects may be lost if very intricate or complex restoration works are involved. Such issues, together with income streams and final project value, can only be fully analysed on a project-by-project basis but what is important here is the recognition that generalisations that heritage restoration cost are, by nature, more expensive than new construction are not correct.

(iii) Additional Risk

As noted above, the willingness to proceed with any project is a product of confidence and certainty - of both the development process and the acceptance of the final product in the market.

Heritage projects are perceived as potentially containing additional types of risks not found in new developments. These include the cost uncertainties of refurbishment works generally (as discussed in (ii) above) and specific design, construction, materials and specialist consultant and labour issues unique to heritage projects - all of which have potential to adversely affect time and cost budgets. The number of competing restoration projects in a particular town or city and their absorption rate and continued acceptance by that local market must also be considered.

Additionally, owners and developers are wary of controversy in any development. Whilst positive, free publicity could be generated by a heritage redevelopment project, the risk exists that criticism and complaint as to the nature and extent of refurbishment/reuse on a particular project could evolve from individuals, community groups and/or politicians. Whether such criticism is justified or not, owners/developers have considerable sensitivity to it given its potential to 'taint' the final product long term.

(iv) Isolation

Building Owners and Developers interviewed as part of this research strongly believed of heritage works in or near a recognised heritage area/precinct had a decided advantage over more isolated sites. Heritage buildings in isolation and surrounded by contemporary developments can easily appear anocanistic and out of place, (- 'an orphan' as they are colloquially known in the industry), which will almost certainly reflect poorly in market leasing demand and therefore rental levels. Such properties also have little or no potential for later site amalgamations in such areas which may further depress capital value. Those associated with identified precincts clearly gain support from local character, streetscape, identification, ambience etc..

(v) Flexibility

Given the formal guidelines for heritage works (eg. Burra Charter), the overall architectural and historical integrity of the structure will have to be preserved. Whilst changes will almost certainly be possible within the confines of the building, overall form, size and layout of the final project are generally limited to that of the original structure.

(vi) Administrative Procedures and Consents

Private sector owners and developers are typically suspicious of Government involvement and intrusions into their activities, particularly where, because of statutory requirements (for Governmental consent to action for example) the involvement is on a project's critical path.

This represents non-systemic risk, generally out of the direct control of the owner/developer and thereby poses significant threats to project time and budget projections.

Under current legislative arrangements, heritage approvals are relatively complex and are additional to normal development and building consents. Heritage legislation also includes provision for the issue of Stop Work Orders and heavy penalties for breach. All of these add further uncertainty and potential complications.

Any property project has specific issues and problems which must be addressed and resolved as part of the successful progress of the development. Whilst many of the above issues relating to heritage projects are significant for owners and developers, it should not be construed that other types of property projects will face different, but potentially just as serious, critical path issues.

It is clearly incorrect and simplistic to effectively "bundle projects up" into generic types - be they office buildings, shopping centres, tourist facilities, heritage projects or whatever - and attempt to categorise them, as a group, as "worthy of investment" or "too difficult" etc.. Each project has its own specific opportunities and specific risks. The correct approach is a thorough analysis of the individual project with particular regard to the management of both systemic and non-systemic risk. A final decision on whether to proceed or not depends on the outcome of this analysis and its comparison with the analysis of other opportunities.

In such analysis of heritage property projects, prospective owners and developers should also be aware of the unique opportunities that often exist with them. These include:

- the quite massive existing asset base and resources available, most of which are presently below highest and best use;
- the excellent, sometimes premier, location of the oldest/heritage buildings within the urban area which can never be duplicated by contemporary, 'greenfield' developments;

- existing building shell and fabric available for reuse together with savings on demolition and site works compared with new construction;
- for prospective purchases of the unrestored site, initial capital cost of acquisition may be at an attractively low figure, given both the effect of the heritage listing and current low density uses and low nett returns.

3.3.4 GOVERNMENT ASSISTANCE

The matter of market imperfections as regards the restoration of heritage properties has been discussed in detail in Section 2.7 of this thesis.

Whilst both owners and developers are generally aware of the some of the benefits of dealing with existing, heritage properties, they are much more concerned about the level of unsystemic risk that could emerge in such projects. These were identified in Section 3.3.3 above.

To both overcome the reservation regarding risk levels and also to influence the quality and final output of restoration works, a level of Government intervention and assistance is called for.

Owners/developers interviewed as part of this research provided very consistent responses on these matters and, to a large extent, these supported the conclusion of economic theory developed in Section 2.7.

These responses could be summarised as follows:

- Given the community sensitivity regarding heritage property, some regulation/technical involvement by Government is justified. However, at this time, such Government direction is not clear, involves too many levels of Government and appears overly regulatory and pedantic;
- There appears to be very little technical advice, direction or collated research or information available from any level of Government which, at the early investigation stage of a project, could address and in part resolve unsystemic risk issues;
- Specific heritage issues should be included as part of the normal development process and dealt with under a single application to the local authority. Any detrimental affects arising from heritage aspects of the project should, where possible, be compensated for in establishing the development parameters for the balance of the site;
- Rates and Land Tax reductions, whilst welcome, have proved difficult to obtain to date. Even if allowances are widened in the future to include all heritage-listed properties, their overall affect is quite incremental compared with the total capital value of the asset. Of themselves, such allowances will never be sufficient to significantly affect or direct decision making on holding or developing such properties;

- Transferable Development Rights are generally seen as too nebulous, complex and volatile to be a major consideration within the Brisbane market and, outside Brisbane could never be seen as relevant;
- The principal opportunity for effective Government support comes through fiscal policy, preferably through a form of tax credits or special provision for additional depreciation allowances, profit quarantining or allowances under capital gains taxation for development/refurbishment works to a required standard to heritage properties.

Whilst the importance of this type of measure which directly impacted on after-tax returns was strongly supported, no owners or developers interviewed had any detailed model of how this might work in practice. (Such analysis was included in Section 2.7).

3.3.5 COMMENTS AND CONCLUSIONS

In the first instance, it must always be kept in clear focus that the restoration and reuse of heritage buildings are property projects and the opinions and decision-making processes of private sector investors and end users are integral to the success of such projects.

The evaluation of heritage projects by private owners/developers is upon the same lines as any other project and relates to issues of potential ROI/income, cost control and risk and risk management. Currently, it appears to be a generally held view of owners/developers that the non-systemic risk in heritage projects is relatively high compared with those involving contemporary buildings. These risks pertain to the complications and potential delays of complex legislative and administrative control and perceived cost control problems with restoration projects.

Such perceptions, whether factual or otherwise, clearly erode confidence and weaken investor interest in heritage project. These problems are compounded by the fact that most heritage projects are relatively small in size and capital value and consequently do not come within the portfolio interest of well financed, market-leader investors and developers.

To secure adequate levels of private sector interest and to establish the preferred direction for the restoration of heritage sites positive intervention by government is required. Owners and developers interviewed as part of this research were unanimous in their agreement that 'trade-offs' in development approvals from the local authority and fiscal incentives, potentially in the areas of tax credits, accelerated building depreciation allowances and special adjustments to capital gains taxation for heritage properties, would be of greatest assistance. Such support would be particularly important to support essential 'pioneer' private sector risk capital (ie. the initial investment in a new heritage initiative, area/precinct or particular major project).

A final observation here is considered critical to the matter of private sector interest and investment in heritage projects. A wide range of property areas and major and minor developers were interviewed as part of this research. A key observation was that the level of knowledge and understanding about heritage property issues was extremely low. Practically none had anything more than anecdotal knowledge of such issues as current legislation, heritage assessments or, more generally, of cost and risk control techniques available.

As noted in earlier sections of this research, the most important threat to the preservation of heritage buildings is the "do nothing" scenario where time and physical deterioration will quite rapidly destroy the asset. It is clear that, both with privately-owned and many publically-owned heritage properties, the "do nothing" outcome will be best avoided by the injection of private sector capital, with the sense of commercial urgency and architectural and entrepreneurial flair that that entails.

It would seem that, if such interest and investment is to be encouraged and take a desirable form, an essential and cost-effective first step must be to raise the level of knowledge of heritage property and potential and risk avoidance in restoration projects. Education programmes in heritage to date have largely related to raising community awareness. It is perhaps now overdue that the focus of such education, through such groups as the Australian Heritage Commission, the State Department of Environmental and Heritage and BOMA, moved specifically to property investment and development decision makers.

CHAPTER 3 INTERESTED PARTIES (CONT'D)

CONCLUSIONS

As with all major properties, it is incorrect to consider that full responsibility and decision-making for Government-owned buildings lie only with the owner. Final decisions on such properties are, in reality, the product of the opinions and actions of a number of stakeholders. Clearly, the owner is the most important and influential of these but other individuals and groups also have legitimate interests in the property and will influence outcomes.

For Government-owned heritage buildings, the primary stakeholders are:

- the Owners (Government/administration);
- Politicians (Government of the day);
- Private sector developers/investors (potentially involved in public-owned heritage projects);
- Occupants/end users;
- the general community.

This chapter has addressed some of the major interest and required outcomes for each major groups.

It is important not to make a complete 'special case' of heritage buildings. Like any major asset, their success, (and the success of those who manage and control them), will be assessed on how successfully the requirements and outcomes sought by all stakeholder groups are met.

In the majority of the cases, these requirements are not competitive nor in conflict. Repeatedly, the demand for certainty and predicability of legislation protecting heritage buildings and of the related administrative procedures is seen as essential for such diverse stakeholders as the owner, politicians and the Government of the day, investors and developers and the general community.

Further, most consider as important the need for detailed management plans for each such asset and physical action by the Government as owner to ensure that these buildings are progressively restored and used and that the holding of underutilised, deteriorating heritage assets is avoided.

In the research of some particular interest groups involved with these types of assets some key conclusions are worthy of note:

- As regards community attitudes and public opinion, it is clear that, whilst it not the highest of political imperatives, the preservation of Government-owned heritage buildings is important. Recent case studies would indicate that neither the community's current exposure nor its understanding of the issues is great and, with close attention to the manner in which a particular proposal is presented and explained, community support can be developed for innovative projects involving such assets.
- As regards the National Trust, the organisation's relatively high profile as an interested group is not matched by its available personnel and meagre resources. Such problems result in the Trust becoming increasingly reactionary to heritage issues. Involving them to some limited extent in project teams working on major dealings/proposed developments to assist in securing Trust support or at least tacit approval prior to final decision and public announcement would appear judicious.

- As regards private owners/investor issues, the key considerations are comparable to any other property project, viz. potential income stream/ROI, cost control, risk/risk management, end user identification and satisfaction and capital growth potential. In this subsector however, there is a wide perception of a lack of certainty (and therefore additional risk) in heritage approval processes.
- Finally here, there exists a generally low level of understanding of such matters as heritage legislation, assessment and heritage restoration costs. It is clear that, to encourage the necessary flows of private-sector development capital (and demand from private end users), the dissemination of factual information and education on this type of project and the inherent benefits of dealing with secured Government-owned sites must be greatly improved.

CHAPTER 4

CASE STUDIES

CHAPTER 4 CASE STUDIES

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Conclusions

CHAPTER 4 **CASE STUDIES**

INTRODUCTORY COMMENTS

Over the past two decades, Governments throughout Australia have had to address the issue of dealing with their heritage properties under economic and political conditions which can make it difficult to reconcile the restoration and preservation of the asset with commercially effective adaptation for sympathetic end uses.

In many cases, such restorations are not controversial. The Government under capital works programmes may choose to restore heritage buildings and continue to use them for their original purposes. Many schools, courthouses and Government office buildings throughout Australia, and particularly in provincial areas, provide examples of this. For a range of reasons however, including levels of physical deterioration or physical or economic obsolescence, continuity of existing uses for some heritage buildings is not a viable option.

In some cases, these properties can be converted to other community uses - galleries, museums, accommodation for community groups etc. Such uses, whilst sometimes the legitimate and best end use, more often represent the easy and short-term expedient option. Significant amounts of capital still have to be absorbed in restoration works and recurrent expenditure on maintenance will also be required for uses which generate practically no income stream. Government capital works budgets are typically tight and, against competing demands of service delivery in education, police and health and other areas, there is little justification for such large expenditures throughout the State for such contrived, low density and non-income generating purposes.

Where funding cannot be attracted because of poor end-use prospects, the asset typically continues to lie underutilised and deteriorates further. It must follow that, to attract Government, community and private sector interest and funding, innovative concepts and plans must be developed that lead to practical, demanded end uses.

The hallmarks of a truly successful project on a Government-owned heritage project are therefore as follows:

- (i) timely and faithful restoration which exhibits the original fabric of the building and protects the established cultural heritage significance of the building;
- (ii) provision of a site for a Government/community service which was already high priority and was going to be provided at that time and to that scale, regardless of the availability of the subject building : Alternatively, provision of an asset that generates, from a sympathetic and viable public or private sector end use, an income stream commensurate with the quantum of investment of capital funds in the restoration works; and
- (iii) a process which is reasonably acceptable to the general community having regard to that particular site.

This is a complex task and the objectives may at times not be fully compatible. It is clear that such a process must be carefully and uniquely structured for each individual heritage project. Whilst an understanding of theory is essential in developing up this structure, much can also be gained from the analysis of projects either completed or underway.

These will provide both practical ideas and concepts for successful heritage refurbishment and re-use and, on occasions, may identify possible issues and problems that may arise.

Four major case studies have been chosen here. Each is a heritage site owned/controlled by Government and where adaptive reuse was undertaken. Each one used a different approach and methodology:

4.1 FREMANTLE PRISON AND SURROUNDS, WESTERN AUSTRALIA

The case study provides an example of a major site which by its nature and design was difficult to reuse. The project, which is now well into its construction phase, uses an innovative approach to its task - disposing of some nearby heritage assets to help fund the restoration and providing a range of compatible, income producing uses for the final product. The approach taken to public interaction is also worthy to note.

4.2 THE MANSIONS, GEORGE STREET, BRISBANE

This project was completed some years ago and thus provides a study of longer term operations. The site is interesting since it was constructed and, until comparatively recent times, used by the private sector. On that basis, the State Government can be seen as a transitional owner. The heritage project involved a 'soft' restoration and leasing from the Government to the private sector under commercial arrangements.

4.3 QUEEN'S PARK PRECINCT (CASINO PROJECT), BRISBANE

This provides an example of a major, unrestored heritage site where private capital is being encouraged to fully fund the restoration works in return for a major use change and long term occupancy.

4.4 SYDNEY COVE AUTHORITY, THE ROCKS

The Rocks in Sydney is the largest and arguably the most important heritage restoration/reuse project in Australia. It has been under progressive development for over two decades and has proved a remarkable success by any economic, heritage or community standards. Important lessons are available here including levels of Government control, the role of various land tenure arrangements, the importance of identity, size and location, the value of strict heritage works control and, finally, the essential involvement of target marketing and the servicing of that market.

CHAPTER 4 CASE STUDIES (CONT'D)

4.1 FREMANTLE PRISON AND SURROUNDS, WESTERN AUSTRALIA

4.1.1 INTRODUCTION

The Fremantle Prison Heritage Project in Western Australia has been selected as a Case Study in this research.

It represents a:

- public sector - owned heritage site of major significance in its locality and arguably of national value;
- specialist facility no longer required for its intended use and for which realistic and economically viable alternative uses are required, particularly in view of high restoration costs; and
- present issue for the Western Australia Government which are being addressed with considerable innovation both in operational structure and future uses.

The data for this section was collected during a site visit and detailed investigation on site in late 1992 and interviews with the Project Manager and staff in Fremantle and with Western Australia Heritage Council officers in Perth.

As with other case studies, this analysis briefly describes the major features of the project and concludes with an identification of the successful elements therein and some abstractions as to any wider value and application of the approach taken.

4.1.2 GEOGRAPHIC BACKGROUND

Fremantle, Western Australia is a small, maritime city on the Indian Ocean and at the mouth of the Swan River. It is approximately 20km south-west of Perth City, the suburbs of the two joining to produce a single urban area. Always important as a principal port, shipping, trading and ancillary services (warehousing etc.) remain essential to the town's economy as are the nearby naval installation.

During the first fifty or sixty years from its first European settlement in 1850, Fremantle grew into a substantial commercial centre, with a business district occupying approximately eight blocks along the harbour and wharves. Many fine commercial buildings of a variety of sometimes unusual architectural styles were constructed, reflecting both its cosmopolitan and maritime influences and its isolation from the building and architectural trends in the rest of Australia. As a result of the relative prosperity also, good quality residential properties were also constructed, principally along the relatively high ridges behind the town and along the beaches immediately to the north.

For most of this century, however, Fremantle's commercial fortunes waned as nearby Perth became the centre of Government, administration and business. Its business centre contracted and fell into disrepair. Many buildings became vacant but were not altered nor demolished as no alternate uses existed. Likewise, residential areas in Fremantle declined.

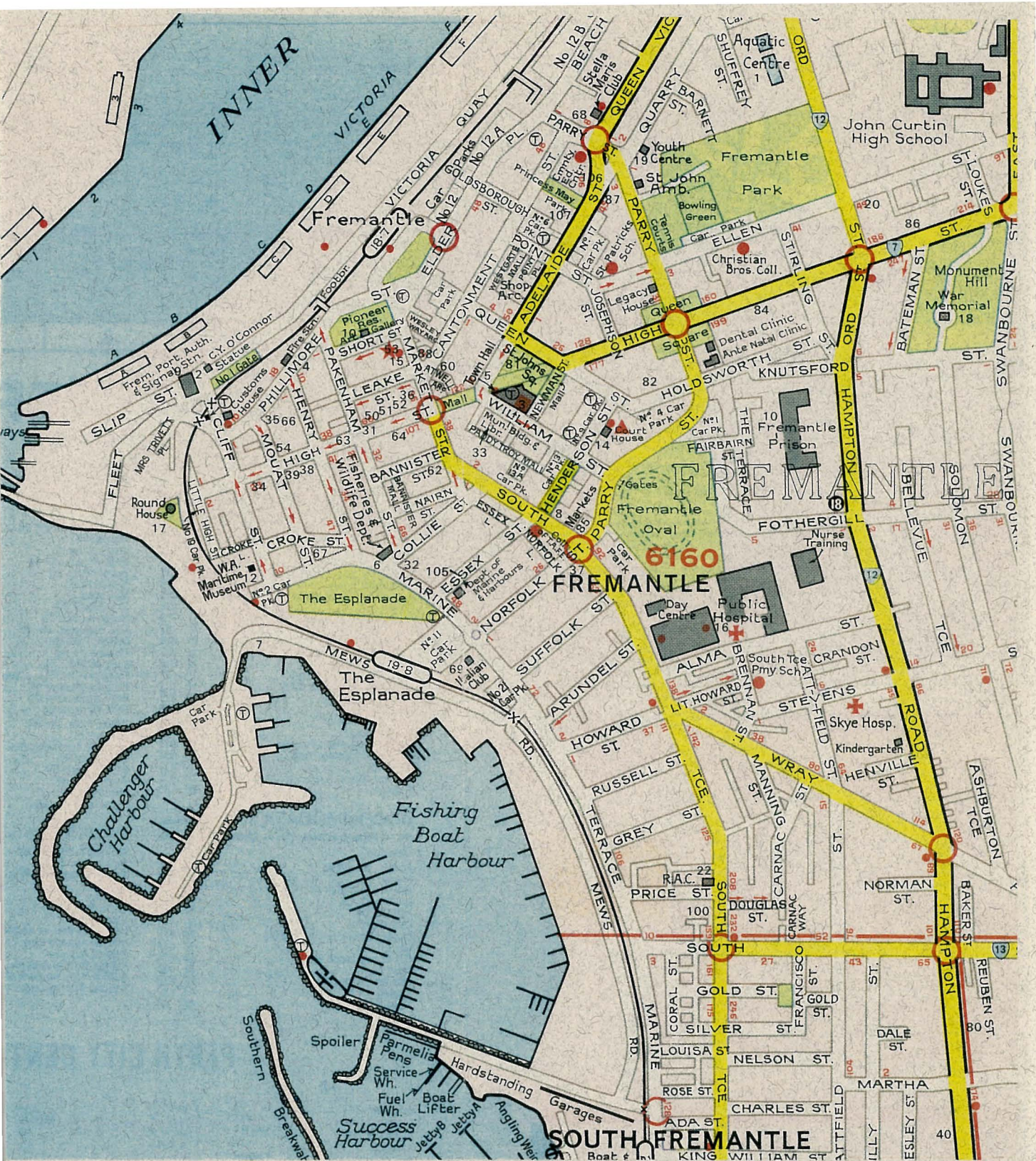


EXHIBIT 4.1[I]
FREMANTLE - LOCALITY PLAN

In the meantime, Perth experienced rapid growth with many of its oldest buildings replaced by large, contemporary developments, at best leaving token facades. The dormitory suburbs stretched out down the Swan River eventually to join up with Fremantle.

By the late 1970's/1980's, Fremantle's popularity once more began to rise. A number of factors encouraged this including the development pressure from Perth and the loss of most of the heritage sites in that city, the increased interest in heritage places and Fremantle's near-original state, its mediterranean, cosmopolitan and maritime ambience, excellent climate and beaches and picturesque Rottneest Island just off the coast. The 1986 America's Cup defence based in the city also provided a major stimulus to these pre-existing trends for renewal.

Western Australian heritage legislation was being developed through this period and redevelopment work was generally within heritage guidelines and produced near entire blocks of restoration and building reuse as tourist facilities, resorts, restaurants and bars, renovated and new low rise residential developments and terraces and commercial buildings. Some roads were closed and converted to pedestrian piazzas, matching the architectural styles of the adjacent buildings. Examples are shown in EXHIBIT 4.1 [II].

Demand for residential property also increased with considerable restoration work being carried out on existing heritage housing stocks as well as sympathetic new housing throughout the area. Permanent population as well as tourist numbers increased significantly during the period.



**EXHIBIT 4.1[II]
FREMANTLE TOWN - STREETSCAPES
SHOWING RENOVATION WORKS**

4.1.3 FREMANTLE PRISON HISTORY/BACKGROUND

On a rise and on the most prominent point in Fremantle, immediately adjoining the rejuvenated commercial and tourist centre is the Fremantle Prison. It has a dominating and, to some extent, symbolic impact on the town that surrounds it.

It occupies a 5.8ha. walled site. Principal physical components are the perimeter wall and watchtowers, residences (both on site and in adjacent areas), entry and attached administrative areas, forecourt and main cell block, (original and new), female division, workshops, hospital and eastern terrace and reservoir (which, in the past, was part of the Fremantle water supply).

Most of the buildings are constructed of limestone, quarried on site and built by convict labour. Work commenced in 1852 and was completed in 1859. From that time until its decommissioning in 1991, the Prison was used exclusively as a maximum security facility and, though by 1991 in a fairly rundown condition, the existing fabric provided the best illustration of the nineteenth century approach to penal discipline in tact in Australia, (others such as Port Arthur, Tasmania, and Kingston, Norfolk Island, being in a state of ruin).

Few alternations had been made to the overall design and functionality of the facility during its years of operation changed little. The overall layout and other details are shown in EXHIBITS 4.1 [III], [IV] and [V]. Several administration buildings are on site but outside the walled area and there is existing accommodation for 230 cars.



OVERALL LAYOUT



MAIN ENTRY

EXHIBIT 4.1[III]
FREMANTLE PRISON

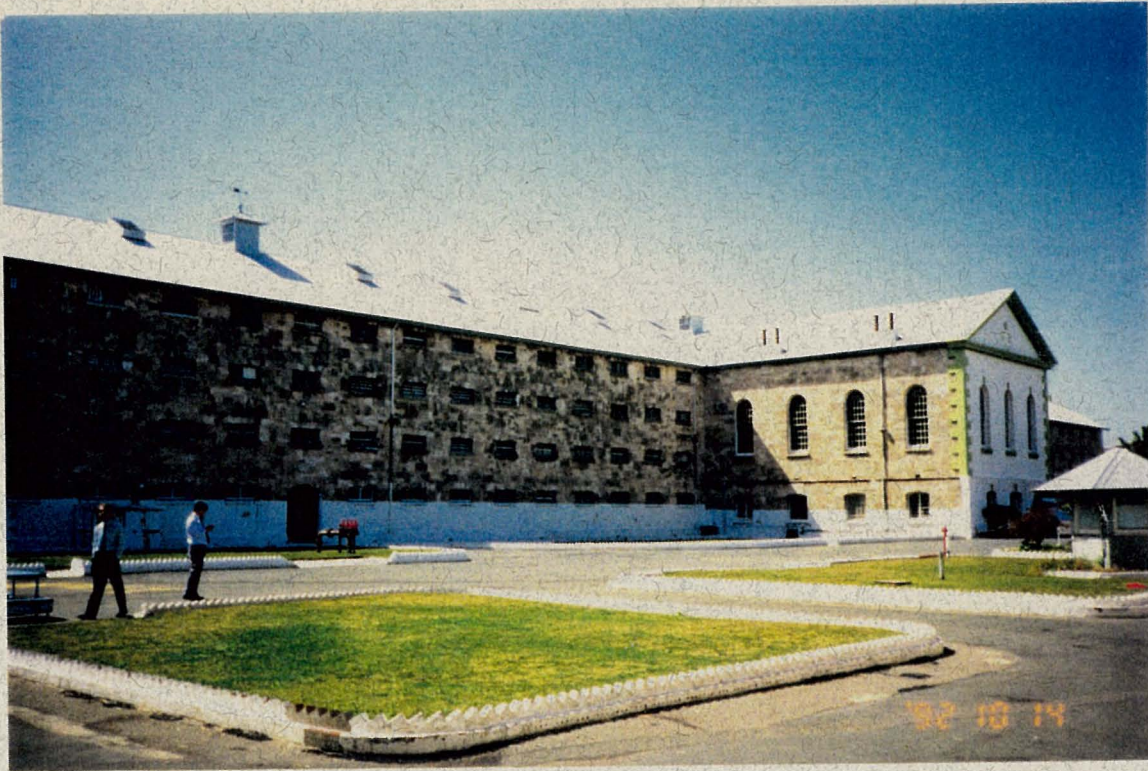


EXHIBIT 4.1[IV] FREMANTLE PRISON
MAIN CELL BLOCK AND YARD



RESTORED WARDER'S COTTAGE - OFF SITE



**ADMINISTRATION AND RESIDENTIAL PROPERTIES
OUTSIDE WALLED SECTION**

**EXHIBIT 4.1[V] FREMANTLE PRISON
WARDERS' COTTAGES AND ADMINISTRATION BUILDINGS**

Also, off site and in the nearby commercial district are several blocks of small, terraced residences (previously used as warders' cottages) which are also owned as part of the Prison.

The site has national significance and is heritage listed under both State and Commonwealth legalisation.

4.1.4 GOVERNMENT APPROACH

The proposal to close the Prison had been public knowledge for some years before final closure in 1991. The State Government was acutely aware of the local community, political and wider interest in the future of the site and the basic parameters for its future restoration and use, viz:

- a very large and complex site in fair to relatively poor condition;
- a local community that strongly held that the site represented an essential, and probably most identifiable and important, local landmark and link with its past;
- heritage listing (which did not provide exemption provisions for the Crown);
- a highly specialised facility no longer required for its original use and very difficult to sympathetically convert to alternative uses; and
- very large restoration and continued management and maintenance costs which must be secured through economic returns. (Its full restoration and use of the entire property as a museum piece would not, even on preliminary estimates, be able to achieve this and would therefore remain a substantial economic burden to Government).

The project is still far from complete but its success to date and the lack of controversy on such a sensitive issue has been largely due to the State Government willingness to lead both debate and action from the earliest stages. The approach used here is commonly called 'Public Diplomacy' and uses the analogy of diplomatic dealings between countries as a model.

In brief, the model contends that successful diplomacy is based on accurate data and having more knowledge, earlier than the other parties with which one is dealing. Following through pre-planning and research, a detailed, professional position is presented before seeking comment/involvement from other parties. When such comments and opinions are called for, it is on the basis of the pre-prepared detailed proposal. The 'high ground' is thereby secured before any debate commences and comments can generally be contained within the parameters of the original proposal.

In dealing with other parties, however, it is essential that their views be taken into account and, where appropriate, incremental changes to the proposal be made following consultation. Finally, under this model, it is very important that once reasonable agreement has been reached, action/physical work commences as soon as possible, both to indicate action and control and, more pragmatically to ensure, that opinions do not change and more pressures emerge whilst the site lies fallow.

In applying this model to the Fremantle site, the Western Australian Government acted quickly in 1988/89 to:

- secure freehold ownership of the site in the name of the constructing authority for government, the Building Management Authority;
- establish a project team who would control the project through restoration and until final uses and administration were in place under the title 'Fremantle Prison';
- establish the Fremantle Prison Trust for financial control;
- establish a high level, community consultative committee;
- appoint an accredited and acknowledged expert to undertake a full conservation study of the site and establish a heritage management plan for it.

All of these actions were aimed at both providing Government with the best possible information on the site and, thereafter, providing the mechanism for putting later decisions into action in the shortest possible time.

4.1.5 CONSERVATION PLAN

The Authority chose James Kerr, a very well-known heritage expert, to undertake a comprehensive Conservation Plan for the Prison using Burra Charter guidelines. This was completed in 1992.

In summary, it established that the site was of exceptional significance because:

- "
- (a) *it contains major surviving evidence of the physical apparatus of an imperial convict public works establishment and of its adaption for subsequent colonial use;*
 - (b) *the establishment is the most intact such complex in Australia;*
 - (c) *the prison is the outstanding symbol of the period in which Western Australia was developed using convict labouring;*
 - (d) *because it is a memorial to the design and supervision of a number royal engineers, sappers, miners, artisans and prisoners;*
 - (e) *because of the association of the persons who left their mark in its fabric and/or made an impact on its decline and reputation*;
 - (f) *because the prison in its present form also demonstrates with some precision the facilities, conditions and attitudes prevailing in a major prison - an experience rarely available to the public and made more immediate by the retention of graffiti, murals, signs, notices and recent evidence of use; and*

- (g) *because the austere and monumental quality of the longest and tallest cell range in Australia set in a precinct characterised by a homogeneity of form, materials, texture and colour make it a landmark feature of Fremantle.*"¹

The Conservation Policy document contained some 119 recommended policy directions. As might have been expected for such a significant site, these directives strictly protected the heritage integrity of the essential elements of the fabric of the site - eg. the perimeter walls, surface treatments, main cell block, graffiti and murals etc.

The study recognised however, that certain sections of the complex did legitimately lend themselves to certain, controlled, alternative uses which were not irreversible and would still display the fabric of the site. These areas included the administrative and residential buildings outside the main wall, the main entry area, workshops, the old hospital and a number of other ancillary buildings.

Importantly, the Building Management Authority and their Project Team had already identified in general terms some likely future uses for these buildings (see Section 4.1.6 below) and the Conservation Plan was able to deal with these specifically rather than making general (and often negative) observations about heritage protection.

This has proved of great benefit where future proposed uses have already been considered and recognised in Conservation Policy.

¹ *extract: Kerr J.S. Fremantle Prison - A Policy for its Conservation P.4*

The Conservation Policy in this case emphasised particularly that the future conservation and use of the prison depends on management capable of being able to develop uses that are enterprising and feasible whilst also being compatible with the retention of heritage significance. It recommends the establishment of an empowered, representative management committee to oversee the restoration and re-use of the facility.

This committee, the policy recommends, has to avoid the common problem of the appointment of ex-officio representatives or those under some form of political patronage. Rather, the committee should be appointed from those with necessary expertise including:

- building conservation;
- local planning;
- property management;
- marketing;
- curatorial and interpretive skills; and
- financial expertise.

The Building Management Authority's Project Team and the Community Consultative Committee (which includes senior representatives of the State and Local Government and local interest groups) fulfil this role.

4.1.6 ACTIONS AND INITIATIVES

Once the Conservation Plan was in place, the Building Management Authority's Project Team prepared programs of estimated works, timing and budget. These indicated that to fully restore the Prison and to prepare sections of it for alternative uses, between \$30M and \$37M would be required to be spent over three years from 1992. Annual operational and maintenance costs were estimated at between \$550,000 - \$600,000.

These projections were accepted by the State Government who also determined that the project would be funded from consolidated revenue, (ie. without the use of private or loan funds). At this stage, also, it was decided, in principle, that the Project Team (with advisory input from the Community Consultative Committee) would continue to manage the project until completion of the development period and until final uses are established, (probably in 1995) at which time a Statutory Authority/Trust may be set up to provide its ongoing management/administration.

From that point, the project has divided into three basic streams - buildings/areas for restoration and preservation in their original form, buildings for renovation and reuse outside the walled area of the Prison, and, finally, buildings/areas for restoration and reuse within the walled area.

[a] Buildings/areas for restoration and preservation in their original form

These buildings/areas were identified in the Conservation Policy and included perimeter walls and main cell blocks.

Work commenced immediately on these areas and, to ensure public recognition of work underway, contracts were let to private tour operators to control this part of the operation and further tourist facilities (displays, museum, shops etc.) will shortly be developed in part of the main entry. Visitor rates are currently 300-350 persons/day and approximately 1200 on weekends. Entry fees are between \$8.00 and \$10.00. The visitor base is now largely tourists rather than locals with many Fremantle day tours now including tours of the Prison. As restoration work is completed, facilities are improved and the overall volume of tourist traffic to Fremantle increases, it is projected that visitor numbers will increase rapidly over the next two years.

[b] Buildings for renovation and reuse outside the walled area of the Prison

These are shown in exhibit 4.1 [V] and are principally in two locations:

- [b.i] Administration and Residential Buildings adjoining front wall of the Prison. (see exhibit 4.1 [V]).

These two substantial properties were originally the administrative offices for the Prison and the Prison Governor's residence. Both have considerable architectural merit and are two storey with good view and immediate access down to the centre of Fremantle and the harbour. Their present condition is fair.

Work is to commence shortly in sympathetically converting one, (and in time possible both), to tourist accommodation (backpackers etc.), a market which is presently underserved in Fremantle. Numerous operators have already expressed interest in securing management rights. Such a use was foreshadowed in the Conservation Plan.

To ensure that restoration work is carried out to the required standard, the use of private capital to undertake this part of the project has not been entertained.

The use of the second of these buildings will be as commercial offices (depending on local demand levels at the time) or alternatively may also be used for tourist accommodation. A final decision will not be made here until the viability of the refurbishment/reuse of the first building is proved.

In the medium term, however, both will provide steady income streams to the overall project into the future.

[b.ii] Warders' Cottage

Approximately 200 meters from the front of the Prison and in a street within the Inner Fremantle township are rows of fifty-five terraced houses previously used as Warders' cottages.

They are small but are on two levels and enjoy quite excellent location within Fremantle town, a short walk from all facilities and the waterfront.

Whilst they are heritage listed, they are physically separate from the Prison and do not affect the heritage significance of that site.

Consequently, they have been dealt with as quite a separate exercise. Whilst they could have been sold 'as-is' or renovated and sold in strata, the final decision has been to sell the project to Homeswest, a housing development arm of the Western Australia Government. That agency has now completed full restoration, including the paving and heritage treatment of the street on which they are located (see EXHIBIT 4.1[II]). Demand for them has proved quite encouraging, again reflecting the now strong market for this type of residence in the locality.

The sale to Homeswest was on a commercial basis and saved the Prison project team the cost and time delays of off-site restoration works whilst also providing them with an immediate cash flow to fund restoration works at the Prison.

[c] Buildings/areas for restoration and reuse within the walled area

Typically, it is the specially constructed facilities in a heritage site that are most likely to demand restoration and preservation to their original state. In a prison situation, these are typically the walls, cell blocks and the like. By a rather fortunate coincidence these are also likely to be the most difficult to find a sympathetic alternative use in any case.

Ancillary buildings are often simpler in design and consequently, tend to lend themselves to alternate uses, whilst still exposing the original building fabric.

This has proved to be the case with the Fremantle Prison. The Conservation Policy recognises that ancillary buildings such as the substantial prison workshops, hospital and other buildings along the eastern terrace are available for restoration and then alternate uses.

Already, it has been arranged that TAFE are shortly to occupy the workshops particularly for use for training in manufacture and display of fine art trades including woodwork, acrylics and jewellery. This is an excellent reuse and, again, was recognised in the Conservation Policy. It is closely comparable to the original use, requires very little modification and is very acceptable to TAFE, who secure a lease over a renovated, good quality facility without major capital cost. Further, it exposes their activities to the large number of visitors to the centre, and includes the provision for the purchase of products made by students.

From a conservation viewpoint, the result is excellent as the fabric of the building is unchanged and exposed and the new use is quite reversible should other uses evolve in the future.

Restoration and reuse is also proposed for the old hospital, buildings and surrounding lands along the east terrace, though this will follow the TAFE occupation of the workshops.

Feasible and potentially compatible uses for the hospital building, (as identified in the Conservation Policy) include:

- health and child care centre;
- restaurant and/or cafeteria, (perhaps servicing both visitors and the TAFE);
- studio for tuition requiring a large central floor space.

A proposal is now being developed for the balance of these buildings to be used as a centre for design excellence in fine art. Such a use would relate to the TAFE uses to some extent but would involve galleries, artists in residence etc. Negotiations are well advanced with State Art Councils and similar bodies.

4.1.7 CONCLUSIONS

The restoration and reuse of the Fremantle Prison is still at a relatively early stage and it is too early to conclusively comment on its success or otherwise.

It provides, however, a practical case study of a difficult, complex, and high profile heritage site where an innovative approach appears to be working well and certainly has maintained community support and involvement.

The key elements of the approach taken to date have been:

- a use of 'Public Diplomacy' technique with the constructing authority securing all available data (Conservation Plan) first and preparing detailed proposals prior to major input from interest groups;
- as part of the 'Public Diplomacy' approach, real community advice has been sought but, once a decision on future actions is made, it is put into action as soon as possible to ensure that the property is not allowed to remain unutilised so attracting the attention of additional pressure and interest groups.
- innovation and variety in future uses which are sympathetic to heritage criteria but which provide a mix of upfront capital returns and longer-term income streams;
- an acceptance that some parts at least of a heritage site must be restored and retained in their original conditions (fortunately these tend to be specialist facilities for which alternate uses may be difficult to find any case); and
- a decision to finance and fully manage the project as a government undertaking. Whilst this requires much greater investment of public funds over a longer period, it was considered necessary to ensure that the quality of all heritage restoration work could be guaranteed.

CHAPTER 4 CASE STUDIES (CONT'D)

4.2 THE MANSIONS, BRISBANE

4.2.1 INTRODUCTION

The Mansions Building is a restored, heritage-listed property owned by the Queensland Government and located at the south-east end of George Street, at its intersection with Margaret Street in the Brisbane Central Business District.

It is surrounded by low to high-rise Government office buildings with high-rise residential properties adjacent. It forms part of Brisbane's historic George Street precinct, (the most important such area in Brisbane), which includes such properties as Old Government House, Parliament House, the Queensland Club, Harris Terrace, the Old Printery, the Lands Administration Building, the Family Services Building, the Treasury, the old State Library Building and the Commissariat Store.

Whilst not large by contemporary standards, (gross floor area about 2052m²), in architectural merit and heritage value, the property would rank among Brisbane's most significant.

It has been particularly chosen as a case study here as it provides a rare example of a heritage property owned by the public sector and commercially leased. It therefore offers some insight and quantifiable evidence into the acceptability of such property by the market.

This section briefly describes the property and its history, the restoration process, its use and tenancies since that time, possibilities for its future use and, finally, general comments and conclusions.

4.2.2 BACKGROUND

The Mansions comprises six two-storey, brick terraces with attics. EXHIBIT 4.2[I] provides a locality plan of the site and EXHIBIT 4.2 [II] provides some general perspectives. The building is a rare example in Queensland of terraced housing, much more common in some inner suburb, of Sydney and Melbourne. The building is unusual even compared with terraces of that period in other states however, particularly because of its use of concrete and plaster balustrade and trim rather than the wide use of cast iron which was typical of that era.

Another feature are the deep, arcaded masonry verandahs both on the ground and upper floors, a concession to the subtropical climate and providing both good protection from the sun whilst not obstructing available breeze.

The building was built in 1889-90 by three prominent parliamentarians. The architect, George Addison was a major architect of the period, (his other works including the Albert Street Uniting Church, The Old Museum Building at Fortitude Valley and 'Cumbooquepa' at Somerville House School, South Brisbane).

The Terraces originally had their own individual names - 'Chatsworth', 'The Grange', 'Lorsdale', and 'Binna Burra' but eventually became commonly known as 'The Mansions'.

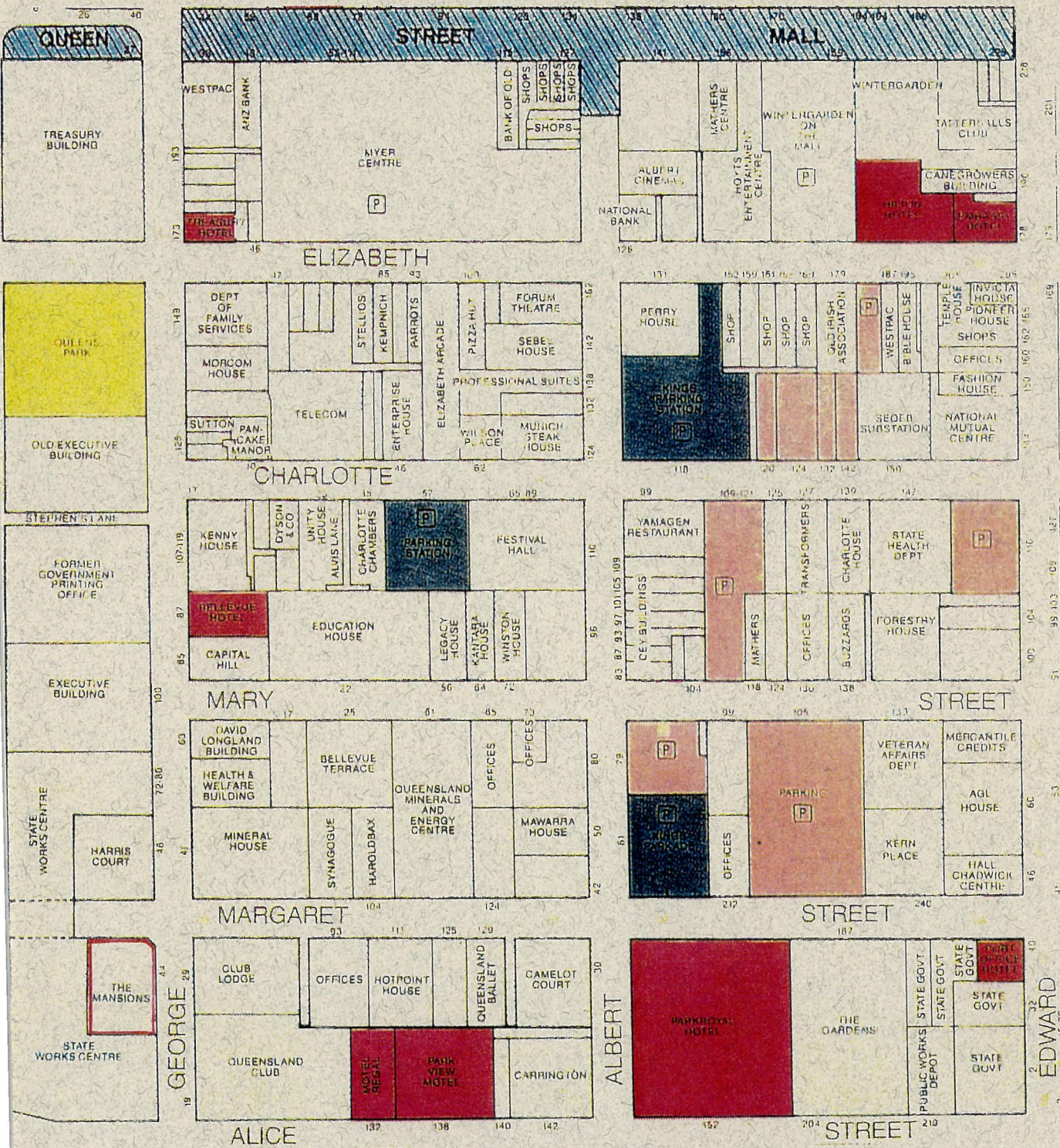


EXHIBIT 4.2[1]
THE MANSIONS - LOCALITY PLAN



GEORGE AND MARGARET STREET PERSPECTIVE



MANSIONS AND SURROUNDING DEVELOPMENT

**EXHIBIT 4.2[II]
THE MANSIONS : PERSPECTIVES**

Earliest occupants were medical practitioners but, by the early 1900's it was used as a single property, first as a day school and later as a boarding house.

The property was acquired by the Queensland Government in 1954 and was remodelled as office accommodation for various public service departments.

In the early 1980's the then Department of Works undertook the restoration of the Mansions. Work was completed and the building reopened in April 1986. Total cost (1986 figure) was \$3.3M.

Cabinet approved that the building be leased for professional offices and commercial retail outlets. Twenty-six lettable areas/suites were established within the building.

The renovation works were carried out prior to the establishment of processes such as the Burra Charter and, though the project involved specialist heritage architectural staff, represented a soft refurbishment. 'Soft' refurbishment refers to an overall approach to restoration where design and construction are such as to be sympathetic in alterations, fixtures, fittings and surfaces to the original fabric but do not claim to fully restore the building to its original state. They may therefore not conform strictly to Burra Charter principles, particularly as regards the installation of new building services. In the case of the Mansions, the approach did however involve quite faithful restoration of the exterior of the building.

A statement of cultural heritage significance was not prepared for internal nor external works. Whilst carried out in a general heritage theme sympathetic to the period, the renovation had no cognisance of the property's original use as six terraces. Rather, it provided a workable lease subdivision into suites. As well as conservation work, the building was fully airconditioned with air ducted from major plant in the adjoining Government building. This approach contrasts with the restoration work carried out on the nearby Parliament House at the same time where accurate and complete reinstatement was undertaken to bring the building back to exactly its original state and usage.

As regards The Mansions, it might reasonably be argued that, since the original terraced houses use had long since been replaced by uses which incorporated the entire property, it was entirely in order to restore it as a single commercial building with a number of tenants leasing within. The point here is that the "proper" approach can only ever be established through a Statement of Significance and a Conservation Plan derived from prior expert study.

4.2.3 FINAL DEVELOPMENT

A summary of the final product of The Mansions restoration project is as follows:

	No. of Suites	Nett Lettable Area (m ²)	Common/Service Areas	Verandah (not rentable)	Courtyards (ground improvements only)
Ground Floor	10	423	169	98	191
Floor One	9	533	108	178	
Floor Two	7	421	122	-	
Total for Building	26	1377	399	276	

The total Gross Floor Area of the building is 2052m² thus so providing a nett-to-gross ratio of 67%.

**EXHIBIT 4.2[III]
AREA DETAILS - THE MANSIONS
RESTORATION PROJECT**

Floor plans are included as ANNEXURE 4.2[A].

Building efficiency, on the face of it, is quite poor and does, in part, reflect the architectural features of the building, including the spread over three, comparatively small levels, the slightly elongated shape and, particularly, the 13.5% of gross floor area (g.f.a.) used as verandahs and for which no rental is directly payable.

Important here also, however, are the comparatively large number of small tenancies which clearly increases the required common areas for access etc.. By comparison, single-tenant low rise contemporary buildings could normally be expected to reach nett-to-gross efficiencies of about 85%-90% whilst contemporary buildings occupied by a number of small tenants may reach 73%-80% efficiency.

Overall, however, it must be noted that direct comparison of nett-to-gross figures on different types of projects and tenancy configurations has inherent analytical difficulties. In the first instance, higher per square metre rental rates for smaller leased areas and lower, long term vacancy risks with multiple tenants may more than compensate for the increased common areas and consequent loss of rent. Similarly, it must be recognised that features in the common area and fabric of any investment building will influence rents securable in the nett lettable areas of the property. So it is with heritage properties such as The Mansions where it can be proposed that areas within g.f.a. but not chargeable (eg. verandahs) represent building inefficiency. This is not correct in a full economic sense as clearly the identity, style and ambience that such features add help secure and maintain the income stream from nett lettable areas.

Overall acquisition and development costs, nett income stream and security of income and potential for nett capital growth for the project overall are far more important than analysis of building efficiency per se. Because of the long-standing ownership of this building by Government and the apparent lack of full economic evaluation at the time of refurbishment, full project analysis on The Mansions restoration is now impossible.

4.2.4 TENANCIES AND TENANCY MANAGEMENT

Whilst there are twenty-six suites in The Mansions, a number of adjoining areas are combined and leased to the same tenant. There are sixteen tenants in all with three suites currently vacant. Tenancy areas vary from about 25m² through to about 125m², with an average of about 65m². This range of areas have proved attractive to small scale professional businesses, business institutions and organisations.

There is no carparking at all available on site, for tenants nor customers and public car parking is several hundreds of metres distance. Kerbside parking is minimal and regulated to certain hours only. This has always been a major disincentive in leasing up the property. The other inherent drawback of the property is its location and poor pedestrian flows. It is located some 300 metres away from any other significant retailing, on the southern extremity of the CBD and surrounded by major Governmental and education establishments. Passing pedestrian flows are, for the most part, very light and, even in peak times consist principally of students and public servants going to and from work - neither groups being particularly good retail targets. Consequently, whilst there are several 'shop front' business on the ground floor (eg. a restaurant, a specialist book store and a gift shop), practically all tenants are heavily reliant on personal rather than site goodwill (- typically professional associations/foundations etc., legal offices, company offices etc.).

The property has always leased quite well with vacancies stable at approximately 10% for many years. This is slightly below average for this market sector. Lease terms are normally 3 to 5 years, with some original tenants still in occupation. Rents, at \$150/m²/p.a. to \$270/m²/p.a. gross have held firm in a quiet market. Rental growth has been very sluggish but, again, this would appear to reflect the current condition of the leasing market rather than specific problems related to this building.

Of concern, however, is the comparatively high level of outgoings (\$56/m²/p.a.) which relate principally to maintenance costs of a heritage asset.

Overall, given the specific locational and vehicle parking difficulties in this case and the generally poor condition of Brisbane CBD leasing market, the property can be considered as performing well and this must be very much a product of its identity and heritage characteristics.

4.2.5 FUTURE OPTIONS

Whilst within the George Street, Government precinct, this property is not required for Governmental purposes and there is little rationale for the State Government to necessarily remain the owner.

The property was not constructed for Government and the State has been only one of a long line of owners and, in fact, has only occupied it for twenty-five of its more than 100 years. There would therefore appear to be little grounds for Government ownership on conservation grounds. The property is listed by both the Commonwealth and State and is protected under State Heritage legislation, regardless of ownership. This protection could be enhanced by the development of a Statement of Cultural Heritage Significance and Conservation Plan for the property.

The property is currently held as a Crown Departmental and Official Purposes Reserve but its excision and the issue of a freehold title would be relatively easy. It is therefore quite conceivable that the State Government could, depending finally on Cabinet approval, sell The Mansions property to the private sector either as a single property or, alternately, under a Building Unit Plan, as freehold sales of the individual suites.

Some complications resulting from the recent refurbishment (eg. services including air conditioning supplied from plant in an adjoining building) will, however, have to be resolved before any disposal could be advanced. These may prove quite difficult and expensive to overcome and exemplifies how, even in contemporary refurbishments, insufficient pre planning to address all reasonable contingencies such as possible disposal, can cause serious downstream problems.

4.2.6 CONCLUSIONS

The Mansions provides a unique case study to this research. It is, in the first instance, unusual in that the property is owned by the Government but leased to the private sector.

The restoration was completed over seven years ago and there is therefore sufficient history to evaluate some aspects of performance. Whilst project and past tenancy records are not such to undertake full economic analysis, sufficient data is available to draw the following conclusions:

- (i) Heritage issues and their effect on tenancies.

The building is of considerable architectural merit and enjoys a high level of identity and recognition within Brisbane. Whilst there can be some debate of the correctness or otherwise of the type of restoration undertaken, the final product has been one of quite high quality which has subsequently been maintained in good condition.

These features have been such as to attract tenants at market oriented rentals and with vacancies below those prevailing elsewhere in the Brisbane CBD. This does positively reflect on the attractiveness of heritage property to certain sections of the commercial leasing market, particularly in this case where solid performance has been achieved despite major inherent problems of fringe location, poor pedestrian flows and no on-site parking.

(ii) **Building Efficiencies**

It is probably erroneous to assess building space efficiency as a performance measure in isolation. Whilst high nett to gross ratios are on the face of it advantageous, the apparently high non-rentable areas in many heritage buildings (verandahs etc.) are not necessarily wasteful.

These create the style and setting of the property and therefore support income levels secured from the tenanted areas.

It is overall construction, income and outgoings figures that are more relevant here.

(iii) **Disposal of Heritage Property by Government**

Whether there is conservation merit in Government disposing of heritage-listed property must be considered on a case-by-case basis. Queensland heritage legislation protects listed properties regardless of ownership. Establishment of specific Burra Charter investigation and report for this property will also assist with its long-term management.

In a considerable number of cases, such as The Mansions, there is no question of continuity of Governmental use issues. On such properties, the decision of the future ownership or disposal should be made on economic evaluation and property portfolio considerations though, given the potential sensitivity of such actions, Cabinet approval would be included in the decision-making process.

If a decision to dispose of the asset is made, its presentation to the market will be dependent on market conditions and target groups. In cases like The Mansions innovative approaches such as Building Unit ('strata') title should be considered.

- (iv) The importance of Restoration/Decision-making which does not limit future options.

Decisions made on restoration projects and property reuse should be made only after detailed investigation and consideration of the long term implications of those decisions.

Whenever possible, changes to heritage building fabric or use should be reversible and not limit future options. Again here, The Mansions renovations provides a case in point where, because air conditioning services are provided from plant in an adjoining Government building, severance of the property for sale to the private sector is very much complicated and potentially frustrated.

CHAPTER 4 CASE STUDIES (CONT'D)

4.3 QUEEN'S PARK PRECINCT (CASINO PROJECT), BRISBANE

4.3.1 INTRODUCTION

The Queen's Park precinct in Brisbane, which includes the Treasury and Lands Administration Buildings and the adjacent Family Services and State Library Buildings forms part of the George Street State Government area along the south-west side of the Brisbane CBD, between the retail/commercial sectors and the Brisbane River, Victoria Bridge and South Bank.

It is the oldest, and arguably the most important historic precinct in the State - one of the buildings, the Commissariat Stores, adjoining the Library building, being the oldest surviving building in Queensland.

The Treasury and Lands Administration Buildings are architecturally perhaps the most striking and occupy a strategic location on either side of Queen's Park and with frontages to Queen, William, Elizabeth and George Streets - important not only to the Government precinct but to the whole of the CBD. They are substantial with the Treasury having a gross floor area of some 12,000m² and the Lands Administration Building having some 6,800m², though both suffer poor nett to gross ratios.

A locality plan is included as EXHIBIT 4.3[I] and EXHIBIT 4.3[II] shows a number of perspectives of the buildings and streetscapes involved.

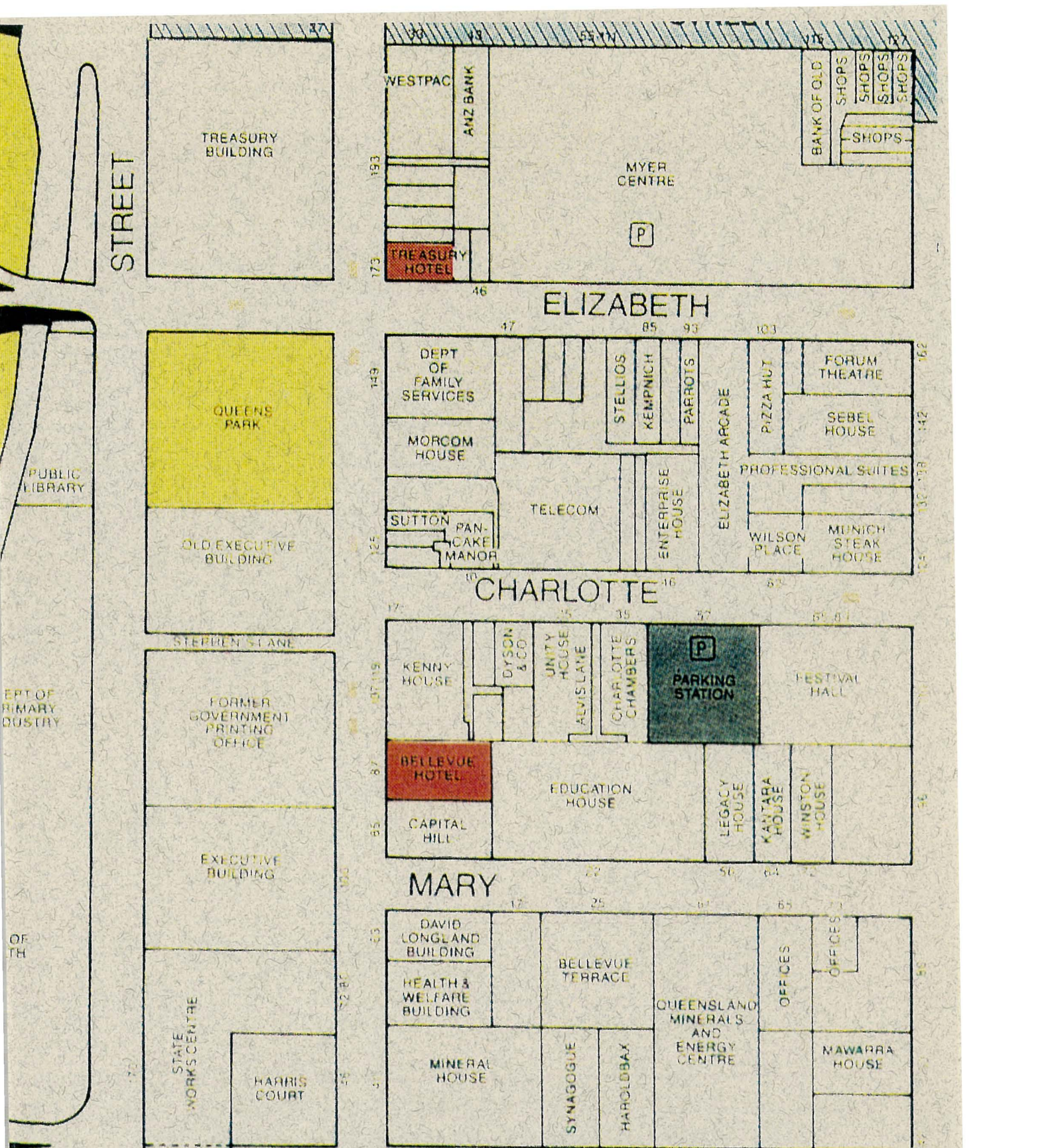
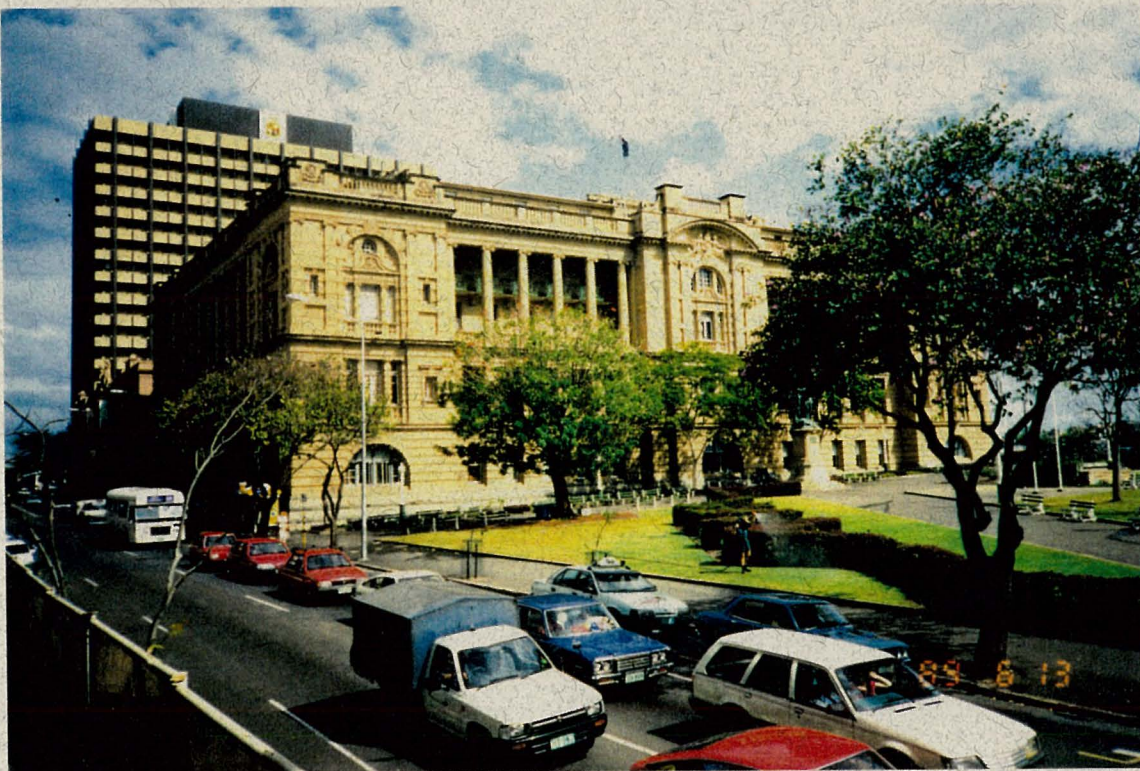


EXHIBIT 4.3(I)
QUEEN'S PARK PRECINCT, BRISBANE
LOCALITY PLAN



**GEORGE STREET STREETScape - OLD TREASURY BUILDING FOREGROUND
RIGHT - QUEENS' PARK AND LANDS ADMINISTRATION BUILDING MID PHOTO RIGHT**



QUEENS' PARK AND LANDS ADMINISTRATION BUILDING

**EXHIBIT 4.3[II]
QUEENS' PARK PRECINCT, BRISBANE**



OLD TREASURY BUILDING



**LANDS ADMINISTRATION BUILDING
GEORGE STREET FACADE**

**EXHIBIT 4.3[II]
QUEENS' PARK PRECINCT, BRISBANE CONT'D**

Both buildings and Queen's Park are held under Crown Reserve and all are heritage listed under Commonwealth and State legislation and Brisbane City Council heritage ordinances.

Debate on the future of these buildings has been brewing for some years. By contemporary standards, the Treasury Building and, to a lesser extent, the Lands Administration Building are difficult to use for public sector offices.

They have low operational efficiency and poor functionality and are difficult and expensive to maintain. Neither is air conditioned. Their design is such as to accommodate summer heat well but there is no doubt that effective climate control is required in winter, especially along the southern sections. There is very little on-site parking, (confined to the quadrangle in each building). Building services (lifts, fire services, toilet and staff facilities) are very poor and ducting for data, contemporary communication etc. is practically non-existent. The inability to change room layout, (most walls being load-bearing) nor to generally refit are not conducive to the provision of the expected standard of contemporary office environments nor systems.

Over a period of years, departments progressively began to lobby for, and then to move to, contemporary office accommodation elsewhere and, by late 1990, only one comparatively small group, (the Registrar of Births, Deaths and Marriages), remained in the entire Treasury Building. Left unoccupied, physical deterioration continued particularly to the relatively soft external sandstone facade and, internally, as a result of water ingress, rot and some termite infestation. Whilst the building appears generally sound, close inspection identified serious defects and building problems.

Likewise by 1990, the long term use of the Lands Administration Building was under question. The Lands Department had regionalised and the balance of its head office wanted to move to smaller, alternate accommodation. About this time also the State Library moved out of its William Street building leaving it vacant and the Family Services Building adjacent in George Street, whilst still occupied, was proving unsuitable for office purposes in its present form. From the Government's view point, it was clear that urgent and major decisions were necessary on the future use of these major components of its portfolio.

Coincidentally in 1991, a decision was made to establish Queensland's third Casino in Brisbane by 1995. The Government took the opportunity to include the Queen's Park precinct as one of three possible sites upon which expressions of interest were called. In May 1992, the State Treasurer, in his role as Minister responsible for Casinos, announced that Jupiters Ltd, the operators of the existing Gold Coast Casino, had been conditionally awarded the Brisbane licence based on their submission on the Queen's Park/Treasury/Lands Administration Building site and subject to final documentation and to acceptable design and heritage protection.

This project has been used as a case study in this research for several reasons. Clearly, it is current and involves significant heritage listed buildings owned by the Queensland Government. The process is only in a formative stage, with physical work on site only commencing in June 1993 and not due for completion before April 1995. Many of the details remain confidential and not available for inclusion in this work. Nevertheless the history of this site, the background of the current proposals, the cases for and against both the project itself and the overall philosophy and methodology involved, provide an excellent case study for consideration in the development of later models for comparable properties.

This section therefore briefly describes some of the essential background and site history of these buildings, a summary of the casino proposals, the cases for and against the project and finally, (as far is possible in a project that remains at a formative stage), draws some conclusions and overall observations.

4.3.2 BACKGROUND AND SITE HISTORY

There can be little debate on the architectural and historical significance of the buildings within the Queen's Park precinct.

The land upon which the present Treasury Building is constructed has been a reserve for Government purposes since 1824, the year of first white settlement and the site of permanent Government buildings since about 1831. The first stage of the existing building was completed in 1889 with additional major works carried out in 1890-93 and 1922-28. The Lands Administration Building, (then called the Executive Building) was commenced in 1899.

Both were constructed to an extremely high quality in design, stonework and fitout and timbers befitting their use as the centre of executive Government in Queensland.

The Treasury for very many years contained the Office of the Premier and of other Ministers. It was from the George Street balcony that the then State Governor read the Queen's proclamation establishing the Australian Commonwealth on 1 January 1901. The Lands Administration Building was used for many decades as the Cabinet rooms and Executive meeting rooms.

The architect for the Italian Renaissance inspired Treasury Building was John Jaines Clark, the Queensland Colonial Architect of the period. The building occupies an entire city block and incorporates a large central courtyard. It has three storeys and a basement and is masonry construction with ornate and intricate sandstone treatment to external walls and verandahs.

It is complimented by the Lands Administration Building which is comparable in scale, (three storey but without basement and also incorporating a central courtyard), and in construction surfaces and finishes. The Lands Administration Building is architecturally less complex and relying on heavy corinthian pillars as the principal feature, particularly on the Queen's Park frontage.

Clark is professionally recognised as an architect of national significance and the Treasury Building is said to be the best example of his work. It contains examples of technical innovation for the period including attempts at fire-proofing in construction methods and innovations in ventilation and climate control. Though suffering the effects of physical wear and tear and physical deterioration as described above, both buildings are substantially in tact.

The National Trust of Queensland in its Journal of August 1992 ² established what it believed to be a Statement of Significance for the buildings in the precinct and, particularly for the Treasury Building:

1. For its association with Government;
2. For the tactness of its interiors;
3. For architectural interest and merit and examples of technical innovation; and
4. For its contribution to the townscape.

4.3.3 THE CASINO PROPOSAL - BACKGROUND

As noted earlier in this section, the Queensland Government was faced with major portfolio decisions and, potentially, with major costs resulting from the diminishing use for both the Treasury and Lands Administration Building for Government office purposes. The problems were clearly compounded by the high profile, prominent location and heritage listing of the properties under the State's own legislation. The Government could not be seen to be not abiding by the spirit of its own legislation and simply allow such significant assets to deteriorate further.

A number of detailed estimates were prepared for the refurbishment of the buildings to various standards.

² *National Trust Journal, August 1992, P. 14.*

The most urgent works were required to the near-empty Treasury Building. Here, the "minimum work" option was to carry out a soft refurbishment of the building to bring it back to a safe and habitable condition and able to be used for public sector offices. This was costed at \$13M and included:

- rendering the building secure and safe (particularly the elimination of current problems of disintegrating and falling masonry);
- treatment/restoration to all internal floors, walls and surfaces;
- some additional fire services (though not to current standards);
- communication/data ducting;
- waterproofing and roof repairs.

This option did not include air conditioning nor any restoration work to facades except for emergent repairs.

A second option involved a wider restoration programme for both the Treasury and Lands Administration Building and included both as faithful restoration of both buildings as possible whilst also adopting them for use as contemporary office accommodation. This option includes the works identified above but also provides air conditioning, data cabling, new building services and modification of existing layouts to provide more useable office design. The estimated costs were \$28M for the Treasury and \$20M for the Lands Administration Building. In effect, these works required a capital investment of \$48M to produce a final additional nett lettable area of 15,000 - 16,000m² to which had to be added (heritage) building maintenance at \$500,000 - \$1M p.a.

The reasons for these near-prohibitive costs included:

- difficulties of running new services, (particularly air conditioning and service ducting), sympathetically through the building;
- cost of waterproofing (particularly roofing and installation of damproofing);
- problems with plaster repairs (where condition was such that even minor repairs normally required complete walls to be replastered);
- restoration of intricate features (stonework and woodwork);
- very poor condition of external surfaces;
- fire safety (it was practically impossible to comply with current codes and maintain the character of the building but even partial compliance (sprinkler systems etc.) were extremely expensive to incorporate in the building);
- most walls are load bearing (which meant that any significant change in layout required structural work);
- low building nett gross efficiency (which resulted in very significant proportions of the building - eg. stairways/halls etc. being subject to expensive restoration but not providing additional nett useable space).

Even when complete, the operational efficiency of the building - with large floors around a central courtyard was poor and would not replicate the efficiency, operational-oriented and adaptability of contemporary offices.

Opportunity costs must also be considered here. Estimates of comparative costs are shown in EXHIBIT 4.3[III].

	TREASURY (soft refurbish- ment) Cost/m ² nla	TREASURY (full refurbish- ment) Cost/m ² nla	LANDS BUILDING (full refurbish- ment) Cost/m ² nla	NEW CONSTRUCTION INVESTMENT QUALITY BUILDING	PURCHASE OF EXISTING 2nd GRADE CONTEMP- ORARY BUILDING COST/M ² NLA
Building	1300	2800	3550	1580 ³	} 1300 - 1800 ⁵
Land	720 ¹	550 ²	550 ²	280 ⁴	
TOTAL	\$2,000/m ² nla	\$3,350/m ² nla	\$4,100/m ² nla	\$1860/m ² nla	\$1300 - 1800/m ² nla

Notes:

- all figures are estimates for comparison only. Information on Treasury and LAB from press releases.
- presumes 10,000m² nla in Treasury Building and 5600m² nla in Land Administration Building
- (1) Estimates value of building stall and land for soft refurbishment : 40% of total cost.
- (2) Estimates land component for full refurbishment as per new construction : 13 - 15% of total cost.
- (3) Industry estimates only - Rawlinson costs.
- (4) Land component estimate for new construction 15%.
- (5) Price depends on location, quality, presumes vacant possession.

**EXHIBIT 4.3[III] COMPARISON OF COST ESTIMATES
REFURBISHMENT - NEW CONSTRUCTION -
EXISTING BUILDINGS**

It can therefore be concluded from the above that, on economic comparison and given their present condition, characteristics and amount of work required, refurbishment for contemporary Government office use was not a viable option. Further, the final product would still not replicate large scale contemporary office design, ambience nor efficiencies and may therefore still not be attractive for occupation by most Government departments.

More pragmatically, with Departments who previously occupied the Treasury Building already accommodated elsewhere and the State Government involved in new construction, there was little further requirement for the buildings for offices in any case.

A range of alternative uses were investigated (eg. museums, Conservatorium of Music, etc.) but none avoided heavy State Government capital investment nor provided return on investment. The call for submissions for development of the Brisbane Casino in 1991 provided Government with a quite legitimate opportunity to readdress the future of the Queen's Park precinct. The development of a casino in a heritage building in Adelaide provided some precedent for such uses. Consequently the Queen's Park precinct was included as one of three nominated sites upon which the new Casino could be constructed, (the other two being Queensland Place in George Street and a site at South Bank).

4.3.4 CASINO PROPOSAL - STRUCTURE AND PROCESS

After exhaustive evaluation, the Treasurer (as the Minister responsible for Casino administration) on behalf of the State Government announced in June 1992 that Jupiters Limited had been nominated as the preferred developer/operator of the new Casino based on their submission for the Queen's Park precinct.

Jupiters proposal included:

- The conversion of the Treasury Building into a Casino and hotel rooms, including partly filling in the courtyard and roofing it;
- Conversion of the Lands Administration Building to a hotel; and
- Conversion of Queen's Park to an underground carpark with the ground level roof landscaped as a park and as the forecourt to the hotel.

Through the second half of 1992 and the first half of 1993, detailed negotiations were held between the State Government and Jupiters to establish the structure and control of the necessary documentation and to develop construction and heritage control plans/documents. The latter issues were to be Jupiters' responsibility.

The legal agreements were understandably complex given the nature of the project. In effect, however, they allowed for:

- The land to stay within the crown estate (ie. a 75 year Crown Special Lease would be offered, not freehold);
- Jupiters would be issued with a permit to occupy the site during the construction phase (ie. until 1995) but the interrelated special lease and Casino licence would only be issued after all construction/restoration works were satisfactorily completed by Jupiters at their expense.
- During the period of the lease, Jupiters were to be responsible for the maintenance of the property as a heritage site and, at the end of the lease to hand it back to the Government in restored, sound condition.
- Primary income source for the Government was to be derived from the \$139M that Jupiters tendered for the issue of the licence plus the very large ongoing revenue from gambling/operating taxes levied on the Casino. Further, with all construction and heritage restoration works paid for by Jupiters, the Government had effectively saved up to \$48M in upcoming capital works.

As with any Casino development, enabling legislation was necessary and on 30 November 1992, the Brisbane Casino Agreement Act 1992 was assented to.

This Act, whilst not identifying Jupiters nor the Queen's Park Precinct site by name, identified the development parameters for the project viz:

- Under the terms of the Heritage Act (notably Division 2 of Part 5, the project would be identified as a Crown Project). As explained in Chapter 2.3 of this work, this removed direct power by the Heritage Council over the project with the responsible Minister, (in this case the Treasurer), required only to seek their advice but not obliged to act on such advice.
- Effectively zoned the land 'Particular Development Brisbane Casino' zone under the Brisbane Town Plan and removed the necessity for Council development approval.
- Removed the agreements and project from the availability of judicial review.

In February 1993, the construction and heritage plans were completed by Jupiters and the Treasurer, under the requirements of the Heritage Act, advertised the proposal and then forwarded it to the Heritage Council for its opinion.

In the first instance, the Council refused to comment on the proposal but, when asked by the Government to reconsider, briefly commented only that they believed that because of the cultural heritage significance of the site, it was not a suitable site for development of a casino.

Though controversial, this opinion was not completely surprising given the controversy that had surrounded the project about that time (see Section 4.3.6 below). Until that time, it had been proposed by Government that, after construction was complete in 1995, the identification of the development as a 'crown project' under the terms of the Heritage Act would be repelled and, for the duration of the lease, any major maintenance or further changes would be a matter for the lessees (Jupiters) to take up, as a normal private developer and seek the agreement of the Heritage Council prior to any works.

The rejection of the proposal brought heavy criticism of the Heritage Council from the responsible Minister and, if anything, hardened the Government's resolve to continue with the project.

Agreements were altered to the effect that the project remains identified with the Crown throughout the lease with ongoing maintenance and restoration works being monitored and regulated by the State's Administrative Services Department Heritage Branch instead of the Heritage Council.

Final development agreements were agreed to in May 1993 with on site work to commence the following month and the complex due for opening in June 1995.

4.3.5 THE CASE FOR THE CASINO DEVELOPMENT

In summary, the principal case for the use of the Queen's Park Precinct for a Casino/hotel development was:

- current underutilisation of the site with no other economically viable alternative use;
- the proposal effectively turned a potential liability of up to \$48M in restoration costs plus heavy ongoing maintenance to a \$139M asset on the sale of the casino licence pertaining to the site;
- continued Government control through the administration of the casino licence, Crown lease tenure and the heritage conservation agreement and the ongoing administration and auditing of that agreement;
- the external fabric of the building will be restored to original condition and the streetscape will be enhanced. Internally, also, much of the original fabric will remain in tact and simply undergo restoration;
- the development will provide a focus to this southern end of the CBD/Queen Street Mall and will thus draw pedestrian traffic to the area creating a link between the retail core and the river, Victoria Bridge, Cultural and Convention Centres and Southbank.

- the project, when complete, will provide far greater public accessibility to the building and to practically all areas of them than was the case when they were used for Governmental purposes.
- Continuation of existing uses (eg. as Government offices) does not guarantee that the building will remain in tact and that pristine restoration will not provide a facility able to accommodate contemporary tenant demands. Clearly, over many years but particularly in the last one or two decades, the way in which Government carried out business has changed dramatically. Office facilities need full air, electrical and data servicing, staff amenities and flexible layouts which encourage efficiency, team and staff interaction and provide suitable settings for concentration and intellectual effort. Open planning of offices is particularly difficult given the large number of load bearing walls.

Overall, the Government believed that criticism of the project during the preliminary announcements and design/documentation phase was predictable and manageable - though the strength and very public nature of the negative response by the National Trust was probably somewhat surprising. As well as the Trust, a few other pro-heritage and architectural lobbyists, some civil liberties groups, (concerned about the removal of normal appeal rights) and several disenchanted losing submittees for the Casino licence formed the bulk of the original critics. This final group became more vocal when a required third founding partner of the Jupiters consortium could not be established by the required time during the documentation process and the Queensland Government allowed a deferral of the requirement.

With some reasonable grounds, the Government believed that the criticism did not reflect the views of the bulk of the population who seemed to generally support the proposal or, at worst, were indifferent to it. Certainly, it did not become an issue of substance during the State election held during the period. The Government looked upon the criticism as transitory only and it remains confident that the finished product will be of such quality and value to the city that early criticism will be forgotten.

4.3.6 THE CASE AGAINST THE CASINO DEVELOPMENT

The case against the Casino development proposal was, and still is, carried largely by the National Trust and a small number of lower profile groups. As noted above, the strident nature of the criticism of the Trust was significant. It has, to date, had no effect except perhaps to harden the Government's resolve and has considerably soured the relationship between the Government and the Trust and between the Government and its own Heritage Council.

In summary, the main arguments put forward against the project are as follows:

- Design/Construction issues:
 - The fabric is to be substantially altered particularly as regards the covering of the central courtyard of the Treasury building;
 - The removal and alteration of walls within both buildings;
 - The complete remodelling of Queen's Park from a public open area to effectively the forecourt to the hotel;

- The alteration of traffic flows around the buildings and access to and across from them;
 - The provision of back-of-house facilities to both buildings;
 - The full service ducting required through both buildings to accommodate the new uses.
-
- Changes proposed were to all intent and purposes not reversible which appeared contrary to the spirit of the Burra Charter.
 - The continuity of significant usage by the executive of Government for over ninety years would be lost;
 - The changes, whilst admittedly unlikely to change the external fabric of either building would greatly affect Queen's Park itself and would disturb the developed and successful Queensland Government George Street precinct.

The new Casino/hotel uses had nothing to do with the Government uses running along the north-south axis along George Street and instead will become more orientated along the east-west Queen Street commercial axis.

- Facilities of the enabling legislation adversely affect civil liberties in that normal appeal provisions are not available to members of the community.

- It is claimed, that the heritage investigation undertaken by Jupiters' heritage consultant Richard Allan was flawed in basic approach. Morris A.J. identifies the complaint as:

"The approach being taken by Jupiters and its consultants assumes that, since the Government has decided that the Treasury Building will be used as a Casino, Jupiters obligation is to ensure that the adoption for that purpose is carried out in a way which complies as nearly as possible with the principles of the Burra Charter. It is quite deceptive to claim that such an approach involves full compliance with the Charter's requirements".³

- The Trust claimed that the buildings were "in good condition except for the outmoded services and finishes" ⁴ and that they were capable of alternative Government uses. The Treasury Building could, it proposes, become a Government-public interface building - a 'one stop shop' for information about Education, Health, Consumer Affairs, Legal Services, Maps, Family Services, etc. together with the retention of use by the Registrar of Births and Deaths and Marriages. The Lands Administration Building should return to its original function as the Executive Building.

³ Morris A.J. *Treasury Building, The Burra Charter and The Heritage Act*, National Trust Journal, October 1992, P.6.

⁴ National Trust Journal, August 1992, P. 20

Overall, critics would claim that these buildings belong to the people of Queensland and the Government of the day acts only Trustee. It therefore has an obligation to ensure that any major change requires thorough investigations in an established framework. In this case, the critics would further claim, the political decision to proceed with the Casino had already been made and Jupiters were already at the stage of substantial agreement with Government by the time the Conservation Plan for the site was prepared and presented to the Heritage Council.

4.3.7 CONCLUSIONS

The Queen's Park precinct proposals exhibit the not-infrequent situation where very tangible (economic) benefits of a project confront much less tangible concerns on heritage issues raised by some sections of the community.

The State Government in this case took and held a pragmatic, economically rational position throughout, apparently confident that public opinion was predominantly in favour of the proposal and only a few significant groups strongly opposed it. Though the claim of being reactionary, intransigent and anti-development was (rightly or wrongly) levelled against them, the National Trust showed itself as willing to take a strong stand on something it saw as a matter of principal. This was despite the clear risk of confrontation with Government.

Whatever happens to the Treasury and Lands Administration Buildings and who ever owns, leases or occupies them, there is practically no possibility that their exteriors will ever be touched except for faithful restoration.

The arguments are more about alternative uses/changes to the inside of the property. Some claims on either side of the argument are open to criticism. The National Trust claim that the buildings are generally in good condition and have viable Government uses is patently incorrect. Physical inspection clearly shows the generally poor state of the buildings at this time and the need for major and urgent restoration work. There is no demand for the new Government uses the Trust suggests and in any case very major works, including air conditioning and servicing, would be required for any contemporary use.

Likewise, the Government's claim of a windfall of \$139M being generated from the Treasury Casino proposal has to be placed in context. Clearly, a figure approaching that would have been paid for the Brisbane Casino licence on an alternative greenfield site and such benefits cannot therefore be quarantined to the Queen's Park project alone. It must also be accepted that, because of the premise placed on the heritage report to the effect that the site was to be used for a Casino/hotel development, the investigation was something less than a Burra Charter format.

The strongest argument opposing the proposal relates to loss of continuity of Government use. These buildings are very significant in Queensland's history and, though intangible, their loss is significant and must weigh heavily in these deliberations. The alternative view might claim that this was occurring naturally in any case as, long before the Casino was even proposed, Departments had moved from the Treasury building, leaving it almost empty.

In final analysis, the two buildings had little likelihood of continued Governmental use for contemporary office accommodation and, even if they did, refurbishment/adaption costs would be near prohibitive and uneconomic especially when compared with available alternatives. Further, any such continuity of use would necessarily require very substantial modification to the buildings. Even then, the buildings would not meet current building codes and would not be preferred accommodation for most Departments. Given this situation, it was clearly essential to establish an economically viable alternate use. The coincidental move to establish a Casino in Brisbane provided such an opportunity.

Like all such complex issues, arguments on both sides have validity. Overall in this case, the opportunity to secure the buildings' restoration, (abeit substantially changed inside), and to generate income from them was much stronger than the continuity of use considerations.

Clearly, much now depends on the quality of the restoration work and how sympathetic the adaption of the buildings to their new uses will be. This will only be settled, particularly in the minds of the community, when work is completed in 1995.

Finally, the project to date has identified the attitude that various parties are willing to take on such issues. The Queensland Government showed itself as quite pragmatic and probably surprised some observers in its willingness to reject criticism in such a sensitive area. Further, in an overall context, the National Trust proved itself independent and quite brave in the pursuit of what is considered to be a matter of principle.

The actions of the Heritage Council in the process has been subject to considerable and, at least in part, justified criticism. It is recognised that, at the time when the submission was made, the Council had only just been established. Nevertheless, this project was the largest and probably one of the most controversial heritage issues in Brisbane in a decade and it was quite obvious that the Government wanted the matter to proceed. The Council was also well aware that, under the provisions of the Heritage Act for Crown projects, the responsible Minister could, (and in this case almost certainly would), proceed regardless of the opinion of the Council.

Under this scenario, it was considered something of an abrogation of responsibility by the Council first not to even consider the proposal and, even when pressured, only to provide a short statement that they thought that the site was unsuitable for a Casino/hotel development. Whilst they should state their final opinion (either positive or negative), it would have appeared much more responsible, given the known circumstances here, to provide the Minister with detailed advice, guidelines and assistance should the Minister decide to proceed.

The highly publicised attitude and reaction by the Council to the proposal has established a major rift between it and the State Government which may well make the Councils' position and relationships difficult and tenuous in future projects.

CHAPTER 4 CASE STUDIES (CONT'D)

4.4 THE ROCKS SYDNEY COVE

4.4.1 INTRODUCTION

By any standards, Sydney Harbour is of national significance.

From the site of first permanent white settlement in 1788, through the mercantile period of the 1800's to the international status of the city today, the essential character of Sydney has always involved its waterfront and the linear and vertical forms that surround the harbour.

Significant areas around the waterfront (eg. Walsh Bay and Woolloomooloo) remain in a state of overall decline and sometimes ambitious proposals for re-use have, to date, achieved few tangible results. Darling Harbour, another inlet on the south-west fringe of the Central Business District, has been near-completely redeveloped as an entertainment/convention/shopping/tourist centre using contemporary design and architecture and commencing with the removal of pre-existing old wharfs and disused maritime facilities.

By far the most important heritage site in Sydney and, arguably, in Australia is The Rocks/Milsons Point area, a 53ha. site immediately below the southern ramparts of the Sydney Harbour Bridge (Bradfield Highway), adjacent to the Central Business District and on the western shoreline of Sydney Cove/Circular Quay. Its location, size, variety of identifiable architectural types and eras and obvious historic interest establish it as a prime heritage site of national significance.

The area has had a turbulent history over two hundred years, not least of all during the late 1960's - early 1970's where a number of redevelopment options were under active consideration. Ironically, some of the most controversial and grimmest periods of its history have, in fact, become the catalysts that have ensured preservation became possible and that there was sufficient community and political focus to ensure that necessary conservation work was carried out.

From an inner city derelict area under threat of near-complete demolition, The Rocks has, over two decades, been transformed into a benchmark for success in Australian heritage property projects.

The process has facilitated the faithful preservation of an area of high cultural significance, provided a focus for community interest in heritage issues and a venue for entertainment and cultural activities. It is now a major destination for domestic and international tourists and, (even disregarding benefits to the tourist industry or private sector profit), has not only become self funding but now returns in the vicinity of \$9M+ nett profit to the New South Wales Government each year.

This outstanding success has been produced by a combination of the 'right site', a special and reasonably autonomous Statutory Authority with comprehensive strategic and operational plans which separately addressed:

- Architectural and Heritage Issues;
- Special Development Projects within The Rocks precinct;
- Full Asset Management for both major (ground rent) sites and management of all commercial and residential properties; and
- Marketing and Community Involvement.

Whilst the Rocks enjoys unique features that have been major contributors in its success, the entire approach and methodology so successfully employed here makes it an essential case study for any research into public sector heritage property management.

Information within this case study has been obtained in two field trips to the site in December 1992 and March 1993, text references identified in this work's Bibliography and extensive interviews with:

- Mr R. Mitchell, Deputy Chairman and Chief Executive, Sydney Cove Redevelopment Authority;
- Mr J. Davidson, Manager Properties, Sydney Cove Redevelopment Authority;
- Mr D. Logan, Manager, Architecture and Heritage, Sydney Cove Redevelopment Authority; and
- Mr J. Coleman, Heritage and Planning Consultant, Northcliffe, Sydney.

4.4.2 HISTORICAL PERSPECTIVES

The Rocks area forms part of Sydney Cove which was the site of the first permanent white settlement in Australia.

The area takes its name from a line of moderate to steeply sloping sandstone ridges rising from the shoreline up to a mid-ridge, (now the Sydney Observatory) on Milson Point. Forty sites of major historic significance still exist in close proximity to each other and combine into a streetscape and ambience still true to early-to-mid-eighteenth century maritime activities. Amongst other significant sites is Cadman's Cottage, built in 1816 on the shoreline of Sydney Cove and now the oldest standing building in Australia.

A locality map is included as EXHIBIT 4.4[I] and a photo essay of the area with comments is included as EXHIBIT 4.4[II]. Individual significant sites are scheduled on ANNEXURE 4.4(A).

Since initial settlement, The Rocks primary uses have related to harbour and trade activities but of a wide diversity in quality and style - from high quality terraced houses to bond stores, warehouses, public houses, shops and similar. By the end of the century, the area had degenerated into slums and ganglands. In 1900, bubonic plague broke out and the area was sealed off. It was proposed that the entire Milson Point area, (about 53ha. in all), would be razed completely.

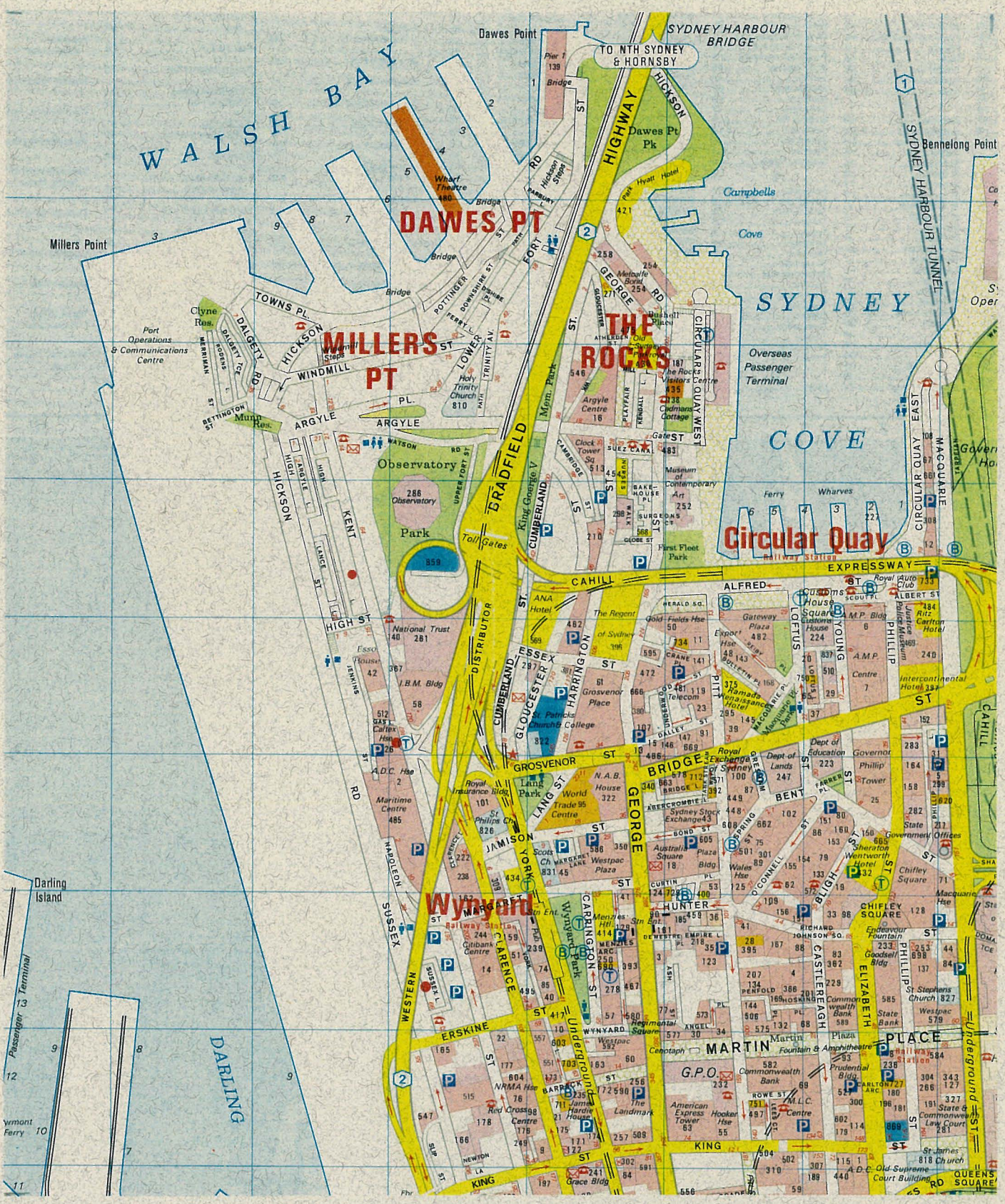


EXHIBIT 4.4[I]
THE ROCKS : LOCALITY PLAN



CIRCULAR QUAY WEST

- Note:
- close proximity of Sydney CBD
 - use of open space on harbour frontage (shade/seating etc.)
 - ease of pedestrian access through to CBD



FRONTAGE - CAMPBELL COVE

- Note:
- Reuse of warehouses for bars/restaurants (and importance of ground level treatment)
 - integration with harbour activities
 - low rise Hyatt hotel development (rear photo)
 - wide pedestrian walkways

EXHIBIT 4.4[II] EXAMPLES OF DESIGN CONCEPTS - THE ROCKS, SYDNEY



STREETScape : CORNER ARGILE AND HARRINGTON STREETS

- Note:
- new building (mid photo) is of a scale/design and colour to match surroundings
 - use of public open space [shade/seating etc.] - foreground
 - major 'land lease' developments (rear photo - close to CBD)



STREETScape : HICKSON STREET

- Note:
- street fittings/kerbing etc.
 - building mid-picture is a renovated 4 star hotel (ex. bond store)

EXHIBIT 4.4[II] EXAMPLES OF DESIGN CONCEPTS - THE ROCKS, SYDNEY



INTERIOR OF TYPICAL ROCKS RETAILING CENTRE

- Note: - specialist retailers
- wooden construction but with major sprinkler systems and emergency exits



STREETSCAPE : GEORGE STREET

- Note: - importance of street level treatment to buildings

EXHIBIT 4.4[I]
EXAMPLES OF DESIGN CONCEPTS - THE ROCKS, SYDNEY

Practically all of the area, from Grosvenor Street north to the harbour was compulsory acquired by the State Government but, with the epidemic controlled, demolition plans were not carried out. Nevertheless, the area remained under government ownership and the management of the Sydney Harbour Trust, (the forerunner of the Maritime Services Board).

The securing of the whole of the site at this time by the State Government was critical to its ability to redevelop/preserve the area some seventy years later.

The next threat to the area occurred in the late 1920's where the construction of the Sydney Harbour Bridge and its southern accesses, effectively divided Milson Point into two and resulted in the demolition of a number of complete streets. Additional roadworks, (notably the Cahill Expressway), onto the bridge in the early 1960's resulted in further demolitions, particularly across the southern section.

By 1970 less than half of the building stocks of The Rocks/Milsons Point that existed in 1890 remained and these were, for the most part, disused and rundown. The Harbour Bridge approaches had now defined The Rocks area as some 23 hectares between the western shore of Sydney Cove and the roadways associated with the bridge. This area contains approximately two hundred buildings.

The late 1960's/early 1970's also coincidentally saw a relatively buoyant commercial property market lead by Australian institutions. In Sydney, many of the head office buildings of major banks and insurance companies were constructed in the financial sector of the CBD around the southern parts of Circular Quay. Good development sites became increasingly scarce and more valuable. The Rocks area controlled by the New South Wales Government extended south beyond the Cahill Expressway through to Grosvenor Street and well within the existing Circular Quay/financial sector. Market pressures therefore developed to effectively extend the commercial centre into The Rocks.

4.4.3 SYDNEY COVE REDEVELOPMENT AUTHORITY

[i] EARLY YEARS

To address the progressive development of the area, the Sydney Cove Redevelopment Authority was established by State legislation in 1968. It was provided with an extremely wide charter over The Rocks area which included the power to establish and apply its own heritage, construction and town planning administration and by-laws without reference to other authorities such as the Local Council or State Government Departments.

In February 1971, the Authority established an ambitious 'demolish and rebuild' plan for The Rocks area which would see practically the entire area levelled and replaced by eight, new, very large buildings and a number of smaller buildings for commercial and residential use. It was proposed even to remove Cadman's Cottage to an alternative site. Resistance from local residents and unionists, (under the name The Rocks Residence Action Group), rapidly increased. The widely publicised 'battle of The Rocks' thereby commenced and continued for over two years, proving a watershed in 'heritage politics' not only for The Rocks but, eventually, for the whole of Australia. By 1973, union 'green bans' had been placed over practically all of the sites within The Rocks, ensuring that no union labour could be used on demolitions. Residents and others, (by this time including professional groups, members of the National Trust etc.), frequently barricaded themselves in buildings proposed for demolition and clashed with police and Authority staff and contractors.

Community interest in the issues increased and overall support rose for the conservationists/protesters and against the State Government and the Authority. The latter organisation was forced into an embarrassing backdown and virtual acceptance of the protesters' 'People Plan' for The Rocks which proposed preservation and rehabilitation of the area based on an integrated strategic plan for the area and individual Environmental Impact Statements for major projects.

4.4.3 CURRENT APPROACH

The success of the conservations/residents of The Rocks in the early 1970's forced a complete reassessment of approach, philosophy and operations upon the Authority. Initially, changes were no doubt pragmatic and politically driven but, over a relatively short period of time and accompanied by significant changes in staff, the Authority evolved into the most successful government heritage management group in Australia.

In the early 1970's, the Authority effectively dropped 'Redevelopment' from its title to become simply the 'Sydney Cove Authority' and established itself a role not as developer but as manager of The Rocks area. Again, accompanied by an element of both good fortune and irony that had typified much of the development history of the area, the sweeping development control powers given to the Authority to facilitate total redevelopment now become essential in allowing the reuse of heritage buildings that would have been prohibited under normal building codes.

The stated role of the Authority is now:

*"to conserve the Heritage of The Rocks for the benefit of all Australians, and to promote it as a leading visitor destination in a manner which is commercially, financially and environmentally responsible".*⁵

⁵ Sydney Cove Authority Annual Report 1992 P. 19

The SCA success has combined the "right site" with a management and organisational framework which interrelates the key aspects of built environment (ie. Architecture/Heritage and special projects) with the financial and 'dollars-in-the-door' issues of property and marketing.

The whole approach is based on three basic tenants:

- Long-term government funding and expenditure on the project was not to be relied upon. Quite to the contrary, the State Government anticipated a significant return on assets.

Consequently secure, reliable and substantial income streams had to be established and managed if the strategies now developing for the preservation and use of The Rocks were ever to be achieved and for the Authority to be successful. In a direct, immediate and controllable way, such income could only come from property assets held by the Authority in the area.

- Secondly, it was recognised that the characteristics that made The Rocks unique (viz the number of architectural styles providing mixed streetscapes all with maritime connections and within a very confined but picturesque location) was its 'point of difference' and its asset to 'sell' in a highly competitive tourist and property sectors.

These points of difference had to be protected without compromise.

The Authority would therefore always use, restore, modify and re-use buildings and areas within The Rocks in a planned and strategic way and only carry out works or changes after full conservation planning on a site-by-site basis.

- Thirdly, the area must be able to attract and hold public interest and participation, (exemplified in large visitor numbers), if it was to be politically and, (through retail sales), economically successful. A carefully developed and implemented marketing strategy was therefore essential and had to be based on exploiting points of difference, theme development and target marketing.

Overall, these apparently divergent groups within the Authority had to provide a co-ordinated and co-operative effort in meeting the overall mission of the Authority and not necessarily allowing full exercise of the professional acumen of those involved, had they been operating in isolation.

The integration and focusing of these activities has been a primary activity of senior management.

The SCA remains as a statutory authority answerable to the New South Wales Minister for Planning and Housing. It has a Chairman, Chief Executive, four other Authority Members, seven managers of functional areas and a permanent staff of forty-two. In support, it makes wide use of specialist consultants and of service contractors (including the Sydney City Council). Indicatively, it had a total income in 1991/92 of \$34.2M and operating costs of \$13.7M.

It has a high level of autonomy and is able to raise funds, either from its own assets or through borrowings. Within the delineated area of The Rocks, the Authority's power replaces practically all other local and State Government controls - including planning, development control, servicing and building, (including standards, codes, permits and approvals), not only over the sites of buildings but also over all common areas such as streets, parks, foreshores etc..

4.4.4 SYDNEY COVE AUTHORITY OPERATIONS

Key issues within the principal operational issues of property, architecture/heritage and marketing are as follows:

(i) **PROPERTY/INCOME ISSUES**

The Rocks in its present state provides substantial impetus to both domestic and international tourism with strong economic multipliers through traders and service providers situated both within and external to The Rocks itself. Whilst such benefits are quantifiable in any Cost-Benefit Analysis, the SCA's own viability and operations depends almost exclusively on property generated income.

The property portfolio of the SCA is categorised into two parts, ground leases and commercial leases on buildings owned/controlled by the Authority.

(a) **Ground Leases:**

Again in this important area, some good fortune and window opportunity presented itself to the SCA through the 1980's and the Authority was astute enough to fully exploit the situation.

The area controlled by the Authority (see EXHIBIT 4.4(I)), extends from Sydney Cove west to the Bradfield Highway/Sydney Harbour Bridge) and south two blocks on from the Cahill Expressway. This southern extremity includes Gloucester and Essex Streets and parts of Cumberland, Harrington, Grosvenor and George Streets. It was an area where practically all of the cultural significance had been lost over many years of mixed development and, since the early 1960's, had been physically severed from The Rocks proper by the Cahill Expressway and rail facilities.

This part more realistically forms part of the financial sector of the Central Business District which is located immediately to the south and east, around Circular Quay. During the 1980's, this area again came under strong redevelopment pressure.

As well, within The Rocks itself, a number of sites existed that lent themselves to development for major, heritage-themed hotel and retail facilities.

In all, twelve major sites, (principally but not exclusively in the southern section), were identified, many with a completed value of \$100M+, together with a number of lesser valued ones, (anticipated final C.V. of \$10M - \$30M). All but two of these sites have, over the past decade, been progressively released onto the property market and now site completed private sector projects. (The remaining two are now being held for improvement in the commercial property market).

Some, such as Grosvenor Place, the Regent, Quay West, the AIDC building and the Lilyvale Hotel Project are of major significance in the Sydney market. Others, such as the Old Sydney Park Royal Hotel provide prime examples of re-use of major heritage buildings for commercial purposes.

The site release programme involved the establishment of a detailed brief for each site specifically. These established required end use, any relevant conservation requirements/plans, available development envelope, requirements for development approval, timing etc. A pre-registration system also applied and ensured that negotiations were only held with prospective developers with a proven record and with the financial capacity to perform.

The fact that the SCA acted as the single approval body for the whole project, (combined with the buoyant commercial property market during most of the 1980's) gave prospective developers confidence in the process and resulted in a substantial number of highly competitive and detailed submissions being received on each site offered.

Within the site specific guidelines, considerable latitude was allowed in architectural style, innovation and site utilisation but it was clear to all, both through statement and the SCA's performance at previous projects, that the Authority would not compromise on heritage issues, would closely monitor construction works and would not issue certification of practical completion until all provisions of the design and construction brief were met.

Leasehold tenure only was offered - 99 years for major projects (\$100M+), 60 years for lesser projects. Whilst controversial when first proposed, the long-term lease structure did not provide any recognisable detriment to these dealings. In all cases, the length of lease was such as to extend much further than normal commercial considerations and thus residual values after that period were fairly negligible.

Further, the lease structure avoided the huge upfront capital cost, (and subsequent holding costs) normally associated with such major CBD developments. Politically, too, the lease proposal was much more acceptable than, in a legal sense, alienating the property from the Crown in perpetuity. Freehold dealing would always leave the criticism of selling off parts of the Crown Estate for short-term financial gain, (i.e. "selling the farm").

Submissions on the sites progressively offered were assessed on:

- the financial package offered;
- the architectural and functional merit; and
- compatibility of the concept/project with its surrounds.

Results of such competition was generally excellent with ground rents of between 8% and 10% of land value normally achieved. Often final negotiations also achieved an upfront payment/premium to be paid to the Authority. Normally, too, annual lease payments for the first ten years were fixed which provided certainty and increased confidence for both the Authority and the developer.

This methodology has been extremely successful, particularly from the SCA's view point. It establishes a guaranteed, long-term income stream whilst also obtaining some up-front capital re-investment for other urgent projects within The Rocks. It also provides for tight development control and avoiding significant political or community criticism.

Within Governmental structures, too, the SCA is better placed with long-term income streams (through ground rental payments) than through freehold sales funds. In the later situation, such large amounts of capital would be quickly recovered by Treasury, leaving the Authority without cashflow.

Like all property owners/lessors, however, the SCA will continue to be exposed to forces within the market and, unless the development site market improves, will soon face falling ground rents, both in real and absolute terms. Likewise, following the taking up of the last two development sites, the SCA will no longer be able to secure substantial upfront cash premiums.

Overall, however, the Authority is in a fortunate position in that its major development site projects were practically all completed before the 1989-93 recession and no developer defaulted during the construction nor establishment phase.

Whilst its future cash flow position may deteriorate somewhat in the medium term because of external market forces, much of the Authority's capital intensive and developmental and infrastructure works are complete and, given the prime location of its leased assets, the longer-term value and prospects of its equity is excellent.

(b) Commercial Leases

Apart from the 'land lease' sites identified above, practically all buildings in The Rocks area are owned by the Authority and leased to the private sector. Sixty-five buildings, about 250 tenants and a total nett lettable area of about 65,000m² are involved. Uses include retail, hotels/tourist accommodation, offices, residential and carparking. The rentals generated from these sources account for approximately half the gross income generated by the Authority.

On economic analysis, the assets appear over-capitalised in restoration and appear overly-maintained (outgoings are frequently 25-30% of gross income) and, in the final leasing up to private sector tenants, the Authority still has to meet the rental market. The long term benefits of the earlier capital investment, however, are now emerging. By maintaining theme and through structured marketing (see (iii) below), the popularity of the area and spending within it has increased greatly, even through recent recessionary periods. As a consequence, rental levels are holding firm (equating to 7½ %- 10% of gross turnover) and there are no retail shop vacancies at all.

The Authority leases and manages its retail sites itself because of the critical role it believes that themed retailing and tenancy mix has in the overall success of the whole area. Unique or specialist retailing is an underlying feature and attraction of the area and its integrity must be preserved. Tenant selection is therefore undertaken by the Authority itself and the temptation to simply 'fill vacant gaps' with ubiquitous tourist shops has been strenuously resisted.

Shop sizes vary in size but are often quite small (20 - 50m²) within the larger heritage buildings. These small areas are generally attractive to individual traders or artisans. The total rent for such small areas can be reasonably accommodated by sole traders.

Leases are normally for three years with options and defaults by tenants are rare.

Experience in The Rocks indicates that the obvious benefits of pedestrian flows to retailing are enhanced in this location by its close proximity (walking distance) to the Sydney CBD, the very close (sometimes cluttered) enclaves produced by the layout of The Rocks with very short distances between major sites.

Office rentals have been slow, reflecting the wider market conditions. Vacancy rates have, however, kept slightly below the office lease market generally and, in conjunction with marketing agents, the Authority has successfully been developing a niche small office market for personal goodwill businesses for various professional consultants. Such tenants enjoy close proximity to the CBD at slightly lower rentals whilst also building business identity around the style and atmosphere of The Rocks area.

(ii) ARCHITECTURE/HERITAGE ISSUES

Much of The Rocks' success has been based on the SCA's striving for excellence in architectural and heritage restoration and its uncompromising protection of the theme of the area.

It has approached all restoration work on a site-by-site basis far more than on overall strategic planning. Each property is, before major works, subject to its own conservation plan (under Burra Charter guidelines) - where possible involving the public or, at least, publishing outcomes and proposals.

This approach recognises that, even within a major heritage precinct, the cultural significance of each property is unique and requires specific analysis and a specific conservation plan. This avoids the inherent problem of wider conservation planning where overall philosophies/directions are set and it thus becomes difficult to accommodate the idiosyncrasies of individual properties, to learn by any mistakes made and, where necessary, to significantly change the approach.

The process has been greatly assisted by the SCA's dual role of owner and single building authority. Strict adherence to contemporary building codes would effectively eliminate the reuse of the Authority's buildings whilst retaining their theme, architectural merit and heritage significance. Again, the approach has been on a property-by-property basis, using independent, specialist consultants, and attempting to evaluate existing building and safety standards. Where this is not possible, compensatory services or facilities are installed.

Fire services are of particular concern where it is clearly impossible to replace timber floors, open stairways etc. whilst maintaining building integrity. Whilst materials and overall design cannot be changed, greater provision can be made than in normal commercial/retail buildings in such areas as sprinkler systems, fire fighting equipment and emergency exits. In such buildings also, the SCA is most particular as regards evacuation procedures for buildings and annual updates of service consultants certifications.

In history, the principal uses of The Rocks' area have related to maritime uses and the generally poor original construction standards reflect that background. Consequently, in the restoration of individual properties, major structural and fabric problems frequently emerged. Many buildings, for example, were constructed of very porous bricks and sandstone and were of single skin external walls only. Water ingress has therefore been a frequent problem requiring substantial and expensive work to rectify.

The SCA is also careful not to (necessarily) bring buildings, surfaces, finishes and fittings back to 'as new' or new condition. The pertinence of the age and style of the area demands the perception of use for physical activities and of worn and, to some extent, grimy finishes. Consequently, wherever possible, buildings are taken back to their original, hand scrubbed and left without further surface treatment.

There is a danger of being too pedantic on these matters and providing a final production that is too clean, too symmetrical or too close to perfection. Colloquially, SCA heritage experts refer to these final products as "toy town projects" which accurately describes these potential problems. Partons do not come to such areas as The Rocks to see perfect symmetry form and design. These can clearly be found in contemporary developments elsewhere. Visitors to heritage areas, either consciously or unconsciously, expect to see built environment forms that are softer, less distinct, imperfect and truly representative of that period.

New uses for heritage properties again require site-by-site assessment and decision. Long term, every change, adaptation, new fitting or addition causes damage to the building fabric and thus results in incremental loss to the cultural significance of the site. It is therefore important that, as much as possible, any change must be potentially reversible and the end use and, particularly the fitout, should be such as to reveal as much of the original building as possible.

The use of existing buildings for dry goods/specialist retailing or for offices can normally achieve this objective. Particular problems arise with the accommodation of some typical tourist uses such as restaurants, bars and hotels which are very intrusive and difficult to reverse in the future, principally because of servicing and back-of-house facilities and fitout.

Overall, a number of key principles have been adopted in design, reconstruction and renovation activities within The Rocks:-

(a) Integration and Scale

Whilst properties are renovated on a site-by-site basis, they must also integrate in form, colour and scale with their precincts. The concept of compatibility in scale (mass and height) has been of particular importance in the approval process for new developments;

(b) Ground level treatments

Particular regard has been had to ground level treatments/shop fronts/awnings etc. because of the visual impact of these features in setting the area's theme for pedestrian visitors;

(c) Ease of pedestrian flows

The area is accessed principally by foot and the ease of pedestrian flows, logical layout and short walking distances have proved very important to its popularity;

(d) Shade and use of Sunlight

Given Sydney's warm summers, it has been considered as important that pedestrian traffic be protected using shade trees along footpaths (where practicable), use of shop awnings etc.

A number of larger buildings on site (eg. storehouses/bondstores etc.) had poor natural light and ventilation in original construction. In redevelopment, the use of skylights and atriums has been encouraged to redress these problems;

(e) Street treatment and streetscape

Refurbishment and conservation initiatives cannot be confined within property boundaries if precincts/streetscapes are to be properly integrated. The SCA's control of all roads in the area has allowed a treatment of footpaths, roads, lighting, street furniture, walls and trees and bushes that are true to the era and that is conducive to use by pedestrian traffic.

EXHIBIT 4.4[II] contains photographs which exemplify these and other features of technical interest.

(iii) MARKETING

The continued interest and involvement of the public is critical to the long term viability of The Rocks and a marketing strategy integrated with the operational units of the Authority has therefore been a priority for the entire project. In July 1991, a five year marketing strategy was adopted and is now being implemented.

It identifies its target markets - both domestically (eg. Sydney locals/family groups and singles - particularly on weekends, daytime population from the CBD and Australian tourists) and international (package tours and independents), qualifies their needs thorough research, the development of products accordingly and the subsequent promotion of them.

The strategy also involves ongoing monitoring and research to ensure that changing demands by the target groups are identified as early as possible and accommodated. It further establishes symbiotic relationships with other tourist and entertainment areas such as Darling Harbour.

In a layered approach to product development, the SCA has set out in establishing The Rocks as:

- a centre for history and heritage;
- a centre for specialised retailing;
- a centre for tourism and recreation; and
- a centre for art and cultural activity.

Quality, not only in restoration activities but also in services and product available for sale to visitors, is of paramount importance.

A range of initiatives have been put into place as a result of the marketing strategies. All have produced quantifiable increases in visitor numbers with downstream benefits for traders, cashflow and the further ability for restoration and maintenance works. These initiatives have included:

- The establishment (from 1991) of The Rocks' Markets - the largest, and most popular, quality street markets in Sydney;
- Programmed monthly events and entertainment;
- Allocation of significant areas to public open space;
- Opening of the Museum of Contemporary Art (in old Maritime Board Building);
- 'Open house' displays and public involvement of archaeological sites and restoration projects; and
- Wider use of The Rocks Visitor Centres (eg. providing educational tours, newsletters, advertising, arranging self-guided tours).

4.4.5 CONCLUSIONS

The Rocks area has had an extremely diverse history right up to relatively recent times. In a relatively short period, however, it has become arguably the most successful heritage project in Australia in terms of utilisation, restoration/conversation, public involvement and financial analysis.

Though the overall process has been complex, several factors stand out as critical to this success:

(a) **Prime Site**

- very large site immediately adjoining the Sydney CBD and on Sydney Harbour. Public recognition and identity.

(b) **Pre-existing theme**

- area largely intact and with limited intrusion. Maritime theme recognisable throughout the area.

(c) **Planned**

- the SCA has put very considerable pre-planning in all aspects of its operations and has clean, integrated strategies.

(d) Quality

- uncompromising adherence to theme, era and cultural significance protection in all renovation, reuse of buildings etc..

(e) Restoration Processes

- Restoration is carried out on a site-by-site basis under individual conservation plans. Each building/development is then integrated into its precinct having particular regard to scale, ground level and street treatment, ease of pedestrian flows and use and control of sunlight.

(f) Income

- establishment of a long-term reliable income stream and not depending long term on government financial support.

(g) Ownership and Control

- full ownership and full development control over the entire site (special statute). This enables the SCA to make rapid and definitive decisions base solely on its own objectives and not reliant on third party approvals. This ability has greatly increased confidence from private sector developers/investors in dealing with bidding on SCA projects.

(h) Size of the project

- the size of the site and the projects involved has been such as to require enabling legislation and a freestanding organisation of sufficient size, scope and cash flow for the task. This has allowed concentrated effort, through research, data and planning and available professional expertise to ensure success.

(i) Leasehold tenure

- the use of long-term leasehold tenure proved advantageous in maintaining adequate control, creating long-term income streams, and in encouraging developer interest without a requirement for upfront capital acquisition cost. It also proved politically more acceptable than freehold sale.

CHAPTER 4 CASE STUDIES (CONT'D)

CONCLUSIONS

The unique and diverse nature of heritage projects, (and property developments in general), make the drawing of a small number of simple conclusions unrealistic.

One important general observation can be made however. Practically all successful heritage projects investigated commenced with clear, developed philosophy and goals and a pre-established master and operational plan. Where these are based on thorough research and realistic expectations prior to commencement, basic tenets changed little if at all through the entire project. Ad-hoc, 'quick-fix' or incremental approaches to such complex projects are dangerous and will typically take longer and not provide the final desired outcomes that should be possible from a planned and structured approach.

Every project undertaken and completed provides a further insight or aspect of the range of issues that may be encountered. As to the particular case studies analysed in this work, some specific observations and conclusions particularly relevant to later development of a project model are as follows:

4.1 FREMANTLE PRISON AND SURROUNDS, WESTERN AUSTRALIA

- Use of a 'Public Diplomacy' approach to community dealings on the project - an approach based on comprehensive, prior research;
- The need for timely action once decisions are made to ensure that competing groups do not divert or 'water down' those legitimate decisions;

- Innovation in a range of sympathetic new uses which combines a mix of short and longer-term income streams and makes the most of existing opportunities in the wider property market in the locality;
- The acceptance that at least some parts of a heritage project may require restoration to pristine, original condition (- though it is noted that these areas are often the unusual or unique, specialist buildings which will probably be the most difficult to reuse in any case);
- The decision to finance and fully manage the project as a Government undertaking to ensure quality in restoration.

4.2 THE MANSIONS, GEORGE STREET, BRISBANE

On a completed Government-owned heritage project now commercially leased to private sector tenants:

- the identity, style and ambience of well restored and maintained heritage properties can attract and hold tenants at rental levels at least commensurate with contemporary offices;
- apparent, low nett-gross floor area ratios in many heritage buildings should not be accepted as true measures of economic as well as physical efficiency. The former, and more important measure, should be assessed on total building costs y overall nett income, not simple nett-gross physical measures;

- Governments taking an open, economic and rational approach to the on-sale of heritage buildings, particularly where 'continuity of use' issues are not involved;
- the need in restoration works for technical decisions to be made subject to property and economic considerations to ensure that design and work undertaken does not limit future options.

4.3 QUEEN'S PARK PRECINCT (CASINO PROJECT) BRISBANE

- The combination of a Crown heritage project using private sector funding and a major change of use;
- Opportunity cost considerations in restoration/refurbishment works;
- The importance of continuity of use as an aspect of heritage conservation and the counter argument that, given changes in user demands for buildings over time, continuity of use does not imply that major changes to the fabric of the building will not be necessary;
- Parameters under which Burra Charter analysis is to be applied;
- Policy and political interplay between the Government, its relevant statutory body (the Heritage Council), the private sector investor, the principal lobby group (the National Trust) and the general community.

4.4 THE ROCKS, SYDNEY COVE

- The importance of a large, prime site with identity and theme and an identifiable catchment population;
- The importance of preplanning and established philosophy to quality and process;
- The establishment of short and longer term income streams and avoiding the need for on-going Government support;
- Full initial ownership and full development control of the site to ensure implementation of decisions;
- Use of leasehold tenures to maintain suitable control, creation of long term interest and improved political/community acceptability.

**DEVELOPMENT OF A PROCESS
FOR DEALING WITH UNDERUTILISED
QUEENSLAND GOVERNMENT PROPERTIES
WITH HERITAGE SIGNIFICANCE**

VOLUME II OF II

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Submitted as a requirement for a Masters of Applied Science. January 1994.

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CHAPTER 5 DEDUCTIONS

INTRODUCTORY COMMENTS

This Chapter is pivotal to the entire research. From the large volume of data investigated and presented in Chapters 2,3 and 4, this Chapter attempts to summarise and categorise the common themes and key findings that have emerged. Detailed reasoning for these conclusions has been developed earlier in the research and, for the most part, has not been repeated here.

With these deductions in place, a realistic model can be constructed. The findings to date typically fall into two wide groups. The first relates to "macro" or sector/community - wide issues such as overall attitudes, statutory and taxation issues and education. The second, "micro", is more specific and relates to the approach to be taken to individual projects. Sections 5.1 and 5.2 follow that general classification.

5.1 DEDUCTIONS - MACRO ISSUES

5.1.1 CHANGES TO PARADIGMS/BASIC APPROACH

The preservation and adaptive reuse of Government-owned heritage buildings remains a controversial and potentially divisive issue, particularly where the project involved proposes:

- significant change in use; and/or
- the sale of Government assets to the private sector; and/or
- the use of private sector funds.

The public debate in this matter has progressed greatly over the last few decades to the point where there is practically no dissension to the proposal that heritage property should not be destroyed. This proposition however opens a range of further issues including:

- what properties are of legitimate heritage value?
- what constitutes restoration and "sympathetic" reuse?
- who pays for any additional costs to develop/construct in that manner?
- what is the methodology for coming to the correct decision?

These questions are contentious and complex and, it could be argued, confront some basic tenets of freehold ownership.

A dichotomy of opinions has developed - from the (relatively) very small group of affected property owners through to some fairly extreme views by some in the pro-conservation lobby who are willing to 'free ride' on laudable ideals of securing heritage but accept none of the specific cost for such conservation.

Investigations and interviews undertaken as part of this research would indicate that most of the extreme views from either side and the opinions held by many of the interested parties are based on poor or incorrect data and on generalisations. Past decision making has often been reactionary and ad hoc and such processes can rapidly degenerate into confrontation. Clearly, this is not conducive to satisfactory outcomes for any party.

As difficult and long term as it may be, it will only be through substantial changes to the general community and business approach to the issue and a paradigm shift in the simplistic "development y conservation" debate that real and co-ordinated progress will be made. All parties must realise that the real issues here are time and money.

Time delays without affirmative action both frustrate the owner/developer's intentions and, from a conservation viewpoint, result in further physical deterioration of the asset lying underutilised and unrestored. It is often the case in heritage issues that the 'do nothing' proposal is the worst outcome for practically all stakeholders.

As regards finances, all parties must be cognisant of the large number of heritage sites and the high costs involved, both in restoration and in on-going maintenance for these Government assets. The economic proposal that Government can, from its own budget, find all necessary funding and can then economically and realistically use all these restored properties cannot be justified and simply will not occur.

Preservation will thereby be best achieved by accepting that, like all property projects, decisions must be based on economic rationality and must serve a legitimate end use whilst remaining sympathetic to the physical, social, cultural and historical significance of the place. The physical definition of what constitutes "sympathetic" reuse in a particular case must be a project-by-project decision based on prior heritage study.

Government has a key role to play in encouraging these paradigm shifts, particularly in a practical sense in how it deals with its own heritage assets.

This can be achieved over time by:

- providing, through legislation and policy, a climate of reasonable certainty and predicability for heritage property dealing;
- advancing the profile of the current debate particularly through improved dissemination of factual data to interested parties; and
- establishing 'model' projects (from the Government's portfolio) to prove by example, a workable process for restoration and re-use that is successful both economically and in a heritage conservation context.

5.1.2 HERITAGE CONTROL ISSUES

There has, over the past decade and a half, been an urgent initiative in practically all States to enact legislation aimed at protecting heritage properties. Unrealistic community and political expectations have frequently developed as to the ability of legislation to carry out such a role. Effective legislation is an essential part of the entire process but it is, by nature, reactionary and negative. Often, more proactive initiatives are in practice more important to ensure long term heritage asset enhancement and economic use.

The current arrangement for heritage control involving all three levels of Government is confusing and complex and has significant potential to cause time and cost overruns. These problems are widely recognised by the property sector and result in significant reductions in private sector interest and confidence in heritage projects.

There now appears little justification for the Commonwealth to be involved at all, except perhaps in the setting of national standards and in involvement in international agreements. State controls through the Heritage Council tend to heavily emphasise regulation. Heritage control should as much as possible be delegated down to Local Authorities and be combined with normal development applications and other land use planning controls. Provision for such an option already exists in the Queensland Heritage Act. These delegations would eliminate an additional, State level, approval process and also would allow for a much more positive approach where heritage conservation initiatives can be rewarded with development relaxation.

It is recognised however that Local Authority control though Town Plans also has some limitations. Town Plans are best suited to controlling change and new development proposals and can do little to redress deterioration of existing assets through neglect. Some further problems relating to the capacity of many smaller Local Authorities being able to professionally deal with heritage issues may be solved by assistance to those Authorities from regional Environment and Heritage Department staff. This may involve partial delegation of heritage controls with applications being lodged and dealt with by the Local Authority but being subject also to final approval from the Environment and Heritage regional office. Such initiatives would require the greater regionalisation of this Department, particularly in technical support areas.

5.1.3 LEVEL OF FACTUAL DATA/COMMUNITY KNOWLEDGE

Perhaps the most surprising observation made within this research is the extremely low level of accurate knowledge and informed opinion on this important and controversial topic. This is true not only in the general community but also within the supposedly interested groups (heritage groups, owners, developers etc.). Even within bureaucracies, understanding is typically quite poor.

With very few exceptions, none of the wide range of persons interviewed as part of this research were aware of even the basic operations of heritage legislation and control nor had empirical evidence for the opinions and attitudes they held. No developer or owner, for example, could even estimate cost differentials between new construction, refurbishment of contemporary buildings and heritage refurbishments. On the other hand, few interviewed from pro-heritage interest groups had a thorough understanding of Burra Charter processes and none had comprehension of construction/development issues nor had developed options or suggestions on how to use restored buildings past the ubiquitous "Government or community purposes".

Given these basic problems with those who would claim an interest in the heritage/development issues, the lack of substance in community opinion and debate on the issues is hardly surprising. Whilst this remains the overall situation, little real progress can be made towards establishment of a widely accepted philosophy and process for dealings with heritage buildings, (particularly those owned by Government).

The matter of community and interest group education clearly relates to changing paradigms referred to above. Government can and should have a lead role here and can make considerable change even in the short term. The Department of Environment and Planning (and local community) already publish a range of publications on specific heritage matters. These however typically relate to fairly 'soft', specific topics (eg. heritage walks in cities etc.).

There would appear an urgent need for these bodies to develop and issue publications on some of the harder issues such as:

- the basic intent and operations of legislation and regulations;
- property economics issues;
- procedures for heritage approvals;
- technical papers on the Burra Charter, heritage construction and refurbishment (issues, advice etc.);
- explanation papers, (for the general community and particularly the conservation lobby) identifying the issues and problems of the development industry and for owners with heritage properties;
- papers on ideas and suggestions for innovations on restoration techniques and end uses;
- summaries of specific, successful projects.

As well as such publications, other relatively cheap, quick pro-active initiatives by the Government to raise the profile of these issues and increase overall knowledge might include:

- the establishment of a small branch of construction/development experts with heritage experience within Government to offer free practical advice to owners/developers on heritage sites;

- establish a small but high profile group with representatives from within Government and from interested parties with the express purpose of increasing awareness/discussion on key heritage issues. Actions could include short seminars/workshops and/or presentation of papers to professional groups and associations and to community and interest groups;
- establishment of and publicity for 'model' projects involving Government owned heritage sites to provide physical evidence of the benefit of such projects;
- the awarding by Government of a small number of grants for research into practical aspects of heritage restoration and reuse of such buildings (alternatively, the reprioritisation and the redirection of AHC grant funding away from the highly esoteric areas in which it is currently spent and into the mainstream areas of heritage concern eg. restoration techniques, economic analysis etc.);
- (perhaps) annual awards sponsored by the Government and the heritage interest groups, (represented by the National Trust) and the building owners/developers (represented by BOMA) for restoration/adaptation projects, design and research.

5.1.4 TAXATION ISSUES

Taxation issues are important to many publicly - owned heritage buildings as well as privately owned ones as the former also can have potential for private sector funding, end use and/or end ownership.

Whilst the operations of the free market may prompt the restoration and adaption of heritage buildings, the standard and quality of those works will be determined by the level of return (in nett rental and other forms of income). As earlier sections of this research established, this, in all probability, will not coincide with the restoration standards required on heritage grounds. It must follow that Government intervention into this market sector can be justified to direct that market to certain, desirable outcomes.

Such economic management can only be effective through the major property taxation area of Commonwealth fiscal policy. To date, only very minor taxation initiatives have been forthcoming, (relating principally to National Trust contributions). Likewise, concessions available at the State and Local Authority level, (in land tax and general rates relief), have proven to have only incremental effect. Given the level of investment involved, they will always be insufficient to have an overall affect on private sector decision making in this sector.

Consequently, additional Commonwealth fiscal initiatives are urgently required to stimulate the sector to achieve desirable outcomes (ie. the timely restoration/adaptation of heritage properties that both meet end-user demand and protect the heritage significance and community interest in the building through restoration works of an acceptable standard).

Research establishes that the best fiscal stimuli to promote such outcomes are:

- a tax credits system for acceptable heritage works;
- additional building depreciation allowances for completed, acceptable capital works on heritage buildings; and/or
- a level of relief from capital gains tax to the original investor/developer for restoration works on heritage projects.

Any such taxation concessions would apply to private sector investment in works on heritage buildings either in private or public ownership. Potential exists here for the rate of incentive to be applied on a project-by-project basis, depending on the heritage significance of the site and heritage value of the restoration being undertaken.

5.1.5 CHANGING CIRCUMSTANCES OVER TIME

The time dimension of all of these issues requires particular noting. As the debate on heritage matters has developed greatly over the past decade, it is naive to believe that the issue will not evolve and change further over time. In this regard particularly, the following should be noted:

- Changing economic conditions rapidly change community priorities. In periods of high unemployment and poor economic prospects, for example, less immediate, less tangible and non-financial matters such as heritage, environmental issues etc. tend to reduce in relative importance;

- Registers of heritage properties associated with various pieces of legislation, town plans etc. remain at an initial stage only. Over time, a far greater number of privately and publically owned properties will be proposed and later added to these registers. These processes will greatly increase the number of persons adversely affected by heritage legislation and thereby may well increase controversy and resistance surrounding heritage issues. Recent court actions involving the Heritage Council and private property owners in Queensland would seem to indicate this trend;
- The overall attitude by the investment and development sector will also change over time. At present, many opportunities involving heritage properties are considered as somewhat 'pioneer' investments, with considerable exposure to various forms of risk. An increasing number of successful developments, particularly in precincts in Brisbane and several other provincial centres, together with increasing end user and community interest in heritage buildings, may well encourage increased investment in such projects in the medium term. It might be envisaged that they will gain increasing acceptance whilst still retaining an element of character, uniqueness and point of difference which will assist in both the marketing of leases and freehold sale.

The situation may well change further in the longer term however. The competitive advantage of heritage properties pertains largely to their identity. As increasing numbers of heritage properties are restored and are available for commercial, contemporary uses, the point of difference can be defused or lost.

Such problems may be made worse as secondary quality or inferior located heritage properties, outside precincts, are restored into the future.

In other words, whilst one or two heritage area or precinct restorations may well prove viable in a major urban area, there are many other heritage buildings, often in 'one-off' locations, also available for restoration/reuse. It is difficult to envisage that the attractiveness and point of difference that may support several good quality and well located sites will extend to support the large number of heritage sites potentially available. As soon as heritage restorations/reuses fail commercially, private sector interest and funds will again treat such projects with suspicion and reservation.

5.2 DEDUCTIONS - MICRO (PROJECT-BY-PROJECT) ISSUES

5.2.1 ACCEPTANCE AS PROPERTY PROJECTS

It has been established that heritage properties possess special characteristics, problems and opportunities that are peculiar to either that sector of the property market or are unique to the individual property. Whilst these are vital and must be addressed if the project is to be successfully completed, they must be kept in relativity with the general economic concepts of any property dealing.

Heritage properties are different, both as a generic group and as individual properties, from other parts of the property sector but it must be recognised that such a statement is a truism of any sub-set of the property investment/development market - be it subdivision, CBD construction, retail or tourist developments and so on.

For all their diversity, the essence of each lies in the fact that they represent property investments and developments and the basic rationale of property economics will determine long term viability, not only in pure financial return but also in acceptance by the market and in utility for end users.

Typically, the economic rationale addresses:

- return on investment (ROI);
- meeting the requirements of end users and other stakeholders;
- risk and cost control and management;
- nett capital growth;
- level of confidence and perception of macro-economic trends.

If any of these core issues are set aside or overshadowed by other considerations, the market mechanism is distorted and economically rational decision-making, (and probably therefore the interest of the private sector), are lost.

There are clearly times when political or community interests are such as to justify the establishment of major impediments to the normal operations of the property market. However, when this occurs, Government must accept the physical and financial responsibility of supporting the project and using or subsidising the use of the end product long term.

As regards heritage projects, these observations may appear to conflict with the provisions of the Burra Charter approach which requires the establishment of the Statement of Cultural Significance and a Conservation Plan as a first step before any other (eg. economic) considerations. Such conflict however, need not in fact arise. The heritage procedures must be carried out at a very early stage (see Chapter 6) and, provided that Heritage Significance is substantial, it may be quite reasonable that the Government is willing to set aside, in whole or in part, economic considerations and opportunities to pursue a political or community agenda which is considered more important in the particular case. These decisions are all the more valid if the Government has a priority use for the subject property for its own purposes.

In other cases where the heritage significance is not as substantial, heritage issues should become only one, (abeit important), of a number of parameters but should not be permitted to dominate the reasonable economic operation of the property market.

A conservation plan which is wide enough in scope to consider and establish a range of possible, sympathetic end uses will greatly assist in interrelating both heritage aspects and legitimate economic expectations and outcomes.

Conflict will still arise in these controversial areas but the underlying importance of the economic market mechanism as a vehicle for satisfaction of stakeholders must be recognised. Whilst reasonable restrictions have to be established to protect heritage aspects, the risks, financial exposure, lost opportunity, poor allocation of resources and underutilisation of real property assets must all be considered on a case by case basis before major distortions of market forces are enforced.

5.2.2 ADDRESSING AND MEETING THE INTERESTS OF ALL STAKEHOLDERS

This matter is in some ways related to the issue immediately above.

Contemporary Portfolio Management correctly contends that successful properties are those that "work for" (ie. reasonably satisfy the requirements of) all those who have a legitimate interest in that property.

These would typically include (for a heritage property):-

Owner

Government

Private sector investor\developer

End users/occupiers

The general community.

Whilst the requirements of each group are often quite different and sometimes competitive, it is important to realise that all are interrelated and the satisfaction of the requirements of each one is almost always dependent on the satisfaction of other stakeholder needs. Thus for example the owner's requirement for a solid and growing income stream and satisfactory ROI depends on the tenants running successful businesses from the building and thus being able to pay rent.

This diverse group has only one common interest - that being the property itself and the maximising of benefits/utility out of it. The key issue here is that, once the demands and expectations of one stakeholder begin to dominate those of any or all of the others, the property will fail as a free standing project since one of the stakeholders, who underpins either supply or demand, will now find his interests overshadowed or lost and he will therefore withdraw, preferring opportunities and property projects elsewhere.

These observations are equally true for privately and publically owned properties. This research has established that economic analysis on heritage buildings should have limited regard to private or public ownership at any point in time as private investment in various forms will often be involved on Government owned heritage sites. Apart from the manner in which any compensation issues might be addressed, the only real difference is that, at the conclusion of heritage and economic analysis of a Government-owned heritage property, Government, based on the circumstances of the case, has the ability to direct the project to a non-commercial outcome. This involves foregoing economic opportunity and sharing the cost and risk throughout the community. Such an option is clearly not available to the private owner/developer.

Even for Government, however, tight fiscal conditions and the number of heritage projects potentially demanding funding must limit the number of non-commercial and "community merit" decisions that can be made. Such decisions should be kept for the relatively small number of heritage projects where pristine restoration and reinstatement is demanded because of outstanding heritage significance. In all others, the approach taken must focus on accommodating the requirements of all stakeholders.

5.2.3 THOROUGH PRE-PLANNING ON A PROJECT-BY-PROJECT BASIS

This research has stressed the diversity of heritage projects as regards the nature and location of the property involved, level of heritage significance, building and construction issues and potential end uses. Consequently, generalised rules and programmes are of limited use. Each case must be assessed and preplanned on its own merits and any Conservation and Action Plan must be unique to that project.

Clearly, analysis will involve the application of a number of pre-determined systems and principles, (eg. Burra Charter and economic analysis and statutory and administrative procedures), but the strategies that result must reflect the individual characteristics of the specific property.

Research into the parties interested in heritage buildings (Chapter 3) has emphasised that, for practically all stakeholders, a critical concern is the matter of certainty and predicability in processes and procedures on heritage projects.

In the case of Government-owned properties, this can be provided by a thorough and accurate data base on the project, establishment of a project team and, before any announcements are made or physical action takes place, ample time taken by the project team (in the form of workshops etc.) to address such issues as titling, available options, costings, community and private sector involvement, viable end uses, design and construction issues, timing and milestones etc. .

Conservation Plans considering future use options will also be very important here. From this, detailed strategic and action plans can be established and the project can commence in the confidence that it has a predetermined course and end use/objective in sight. This is not to say that objections will not arise - clearly they will. For Government administration however, superior information and demonstratable strategies and action planning are often the best defence against ad hoc or reactionary decision making and the undue influence of pressure groups, fringe group opportunists or wider criticism.

It is often difficult at the commencement of a project to resist the temptation to immediately "do something" or to "fast track" the project by immediate physical action. Experience would show that such an approach in fact will protract and perhaps later frustrate the project. The best chance for successfully achieving desired outcomes is through upfront planning.

Finally, such planning above all must consider four basic issues:

- (i) What is the specific heritage significance and how is it to be protected?
 - (ii) What are the financial costs, plans and final income from the project?
 - (iii) What (considering both heritage and economic issues) is the best end use/uses for the property and how is that secured? and
 - (iv) What are the comparative advantages and points of difference that the subject property enjoys and how can the project use these to the greatest economic and community advantage?
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5.2.4 DESIGN, CONSTRUCTION AND PRESERVATION OF HERITAGE

The research has identified a number of important aspects relating to design, construction and physical preservation/restoration issues. These were raised both in Chapter 2.6 and in a number of the Case Studies (Chapter 4).

These will not be summarised in detail here but the following key points should be stressed:

- **Nature and form of Conservation**

The retention of facades only or exemplification (ie. the retention of a small part of a property to show its original condition whilst the rest is radically changed) does little either for realistic heritage conservation or for the specific project. Such proposals therefore require very close and critical analysis before adoption.

The form of conservation should normally involve an exposition of the fabric of the building though the preservation of past specialist uses may also need to be addressed.

- **Precincts**

Case studies and other research would indicate that heritage property projects appear generally much more attractive and viable when they form part of a themed and identified heritage precinct rather than one-off, isolated sites.

- Costs

Empirical evidence in the research indicates that, whilst much more expensive than the refurbishment of contemporary buildings, the restoration and adaption of heritage buildings for commercial use is at least comparable in cost, (and arguably cheaper), than new greenfield construction. Whilst this observation relates to costs and other considerations such as rental value and building efficiencies also must be considered, the evidence on such costs is contrary to some anecdotal evidence which has dampened developer interest in the past.

- Continuity of Use

In some cases, heritage significance relates to continuity of use as well as to the building itself. It must be recognised however, that, because of the changing demands of those pre-existing occupiers, (eg. Government tenants), continuity of use does not guarantee that the fabric of the building will not have to be substantially altered.

- Small Scale Projects

Heritage buildings are normally quite small when compared with many contemporary property developments and are thus often below the threshold levels for major developers and investors.

This often means that heritage projects attract smaller investors and developers who may well be undercapitalised and lack the expertise and depth of consultants necessary to provide the level of quality required of a fully successful heritage project.

- Nett-to-gross Analysis

Strict nett-to-gross floor space figures may well be somewhat misleading in economic analysis of heritage projects. Typically, heritage properties will not be as space efficient as contemporary designs. It must be kept in mind, however, that the style and attractiveness of heritage buildings may in fact support a higher per square metre rental on the nett (leased) areas than in contemporary buildings. It is therefore the overall cost and nett income figures for the whole of the building that must be considered, not simple space efficiency figures.

5.2.5 DEALINGS WITH THE COMMUNITY

Though the level of specific knowledge of the general community is generally low on heritage property issues, there are general perceptions of the value of heritage and of conservation of sites of significant heritage value. The mechanisms and procedures for making this happen are rarely matters of public interest or debate though specific cases are, from time to time, the subject of media attention. Even in these latter cases, however, it is difficult to identify that the general community is opposed to sympathetic adaptation of heritage buildings.

Heritage issues are often localised and considerable civic pride appears to be generated where successful major developments (eg. precincts) are completed. This seems to be particularly the case where wide public access and utility of the area (eg. for social and entertainment purposes) are incorporated in the final product.

Given this situation, the opportunity clearly exists to help formulate and to lead community attitudes - refocussing from the non-specific general interest and opinions on heritage to support, or at least tacit approval, for a specific project. The manner and timing of the publication of the proposals to the community and the level of community involvement is therefore critical and must be closely managed.

Case studies, particularly the Fremantle Prison and The Rocks projects, highlighted the value of a 'public diplomacy' approach. Under this approach, the project owners/managers, (in these cases, the Government), undertakes very detailed research and pre-planning of the project and can therefore present a well developed and reasoned model. This establishes the 'high ground' of expert knowledge. A level of flexibility has to be shown in the public interface but, if the research and planning has been comprehensive enough, changes through the process should be incremental only.

To avoid a reactionary approach by interested (normally local) politicians, local authorities, and by interest groups such as the National Trust, it is essential that these groups be familiar with, and have had the opportunity to comment upon proposals, before public presentation or announcements. Dealings with the press have also to be specifically managed.

5.2.6 TITLING/TENURE

As with any development project, the legal and physical control of the site is essential. With Government-owned heritage sites a number of tenure options exist.

These might include:

- holding as Crown Reserve (eg. for buildings with long term community use);
- Crown Special Lease under the Land Act;
- Freehold;
- Freehold but with Crown retention of fee simple and establishment of a Real Property ('commercial') lease(s) over the land, buildings (or part of buildings) or land and buildings;
- Building Unit Title;
- Group Title;
- Freehold held by third party (eg. Public Trust) and dealt with under commercial leases;
- Subdivision with each severance potentially able to be dealt with in any of the above ways.

There is clearly no single, correct tenure arrangement for all heritage projects. The best option will depend on such issues as:

- attractiveness to the market where private sector involvement is sought - including such issues as acceptability as collateral, risk avoidance and capital growth;
 - level of control that the Government wishes to retain (through development conditions etc.) to protect heritage or to ensure particular end uses;
 - importance or otherwise of the structure of cash flows (eg. upfront through freehold sale or long term cash flows through rental);
 - heritage issues and community and political perceptions of the property moving out of Crown/public ownership;
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- whether the particular development is to be identified as a 'crown project' under heritage legislation.

It suffices here to note that, in the preliminary phase of heritage project development, a number of tenure options should be investigated and the tenure arrangements which best suit the particular situation chosen.

5.2.7 COMPARATIVE ADVANTAGES OF DEALINGS WITH GOVERNMENT-OWNED SITES

Through various parts of this research, specific issues and potential problems with dealing with Government-owned heritage properties have been identified and analysed.

Whilst not detracting from the importance of some of those, it is equally important to promote and take full benefit of the inherent comparative advantages of dealing with Government-owned sites compared with those in private ownership.

These advantages include:

- securing of site without the very specific contractual, time and financial constraints which often characterise conditional contracts used to secure privately-owned development sites;
- dealing with a single owner. The amalgamation of sites for development in the private sector often involves dealings with a number of independent owners and the withdrawal of any can often collapse the entire project;

- dealing with a substantial owners (the Government itself). Redevelopment projects typically extend over a long period of time and dealings with private sector owners always include the risk of financial or other default or failing of a contractual partner. Clearly, this will not occur in dealings with Government.

Though it may be an over generalisation, it could also be suggested that the checks and balances on Government activity do normally result in levels of propriety and fair dealing that is higher than some parts of the private sector, property/development industry;

- reduction and sometimes avoidance of the need for up-front, 'dead cash' funding to secure the freehold at the commencement of the project by a private investor/developer/end owner;
 - overall lower levels of real risk and degree of comfort by potential financiers because the Government is involved the project;
 - potential for Government to pre-commit as a final tenant/occupier;
 - potential for risk shedding through Government underwriting/guarantee and/or equity partner by Government with private sector investors/developers on projects;
 - often, more realistic time frames to investigate, plan, structure and carryout the project (again flowing largely from the fact that Government is already holding the site with little real opportunity or holding costs involved);
-

- potential to structure development agreements as regards payments arrangements;
- potential access to detailed Government data bases and research facilities;
- possible special support for 'pioneer' private sector funds;
- legislative advantages in declaring (in some cases) a project as a 'crown development' in terms of the Queensland Heritage Act.

A hybrid of both private and public sector involvement is often best to derive maximum benefit from these comparative advantages. Once the overall parameters of the project are set by Government and a conditional development agreement established, the financial urgency, flair, expertise, development capital and innovation associated with private sector development/architecture/property industry can be utilised to drive the project to implementation and successful completion.

5.3 GOVERNMENT APPROACH TO PROPERTY DEALINGS AND DEVELOPMENTS

Finally, it must be recognised that for such joint public-private sector arrangements, some changes in the traditional approach often taken by Government and its bureaucracies in the past is necessary. There is no suggestion here that Government become so enterprenial as to forget overall economic and non-economic objectives, due process and a prudential approach which befits large public organisations dealing with public monies and assets.

Government and its senior management must however, be willing to:

- understand and be reasonably sympathetic to the requirements of private sectors investors/developers/consultants/agents etc, who may become involved in the project particularly as regards time, holding costs and certainty of decision making and the avoidance of over specification/over documentation;
- accept risk that is best controlled within the Government's component of that particular project and avoid attempts at full or unreasonable risk shedding;
- accept that a successful project is one in which all participants profit and thus ensure that there is financially sufficient "left in" the project to encourage down stream participants;
- recognise that complex projects require a multi-disciplinary project team to drive and manage the process and that Government bureaucracies by nature typically do not possess all of the required expertise in house; and
- recognise the need for a single, empowered point of contact with the private sector participants with clear project timetables and simple, timely and understood decision-making procedures.

CHAPTER 6

DEVELOPMENT OF

A MODEL

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Introductory Comments

6.1 Model Structure

6.1.1 Model Title

6.1.2 Objective

6.1.3 Tenets

6.1.4 Model Summary

6.1.5 Model Structure Details

6.2 Specific Comments on Model

CHAPTER 6 DEVELOPMENT OF A MODEL

INTRODUCTORY COMMENTS

This research is now at a point where, based on the background data, a summary of the interests of parties involved and case studies undertaken, a model can be constructed.

As well as the abovementioned written data, the model has been developed following input from a wide range of property professionals with experience in these areas.

From this, a five stage model has been established:

1. Identification
2. Research-Programme Establishment
3. Asset Development Strategy
4. Recommendations and Approvals
5. Implementation
6. Completion/Review.

A recurring theme of this research has been the diverse nature of these types of heritage assets and the need to provide a specially tailored strategy to accommodate the unique heritage and development requirements of that particular project. There is therefore a fine balance required here in providing a structure and guidelines for the process without inhibiting development of a specialist programme. For that reason, the base model and its stages have been kept fairly simple and brief, emphasising key issues and milestones that should be applicable in practically all cases.

It is again stressed that the model is applicable to Government-owned heritage properties with commercial potential and provides a structured approach to bringing forward that potential. The model therefore includes a range of investigative issues, options, marketing/private sector interfaces and Government procedures which form part of the entire process. It does not, however, address specifically private sector issues such as financing arrangements, insurances and compensation which are clearly outside the scope of this research.

As regards the compensation issue, it can be strongly argued that not all property with heritage listing will be economically disadvantaged by such a listing and, even amongst those that are adversely affected, the degree of detriment may vary widely. Again, this returns to the importance and emphasis that must be placed on a property-by-property approach - a point also emphasised in available case law relevant to statutory valuation and heritage issues (see Chapter 2.7). The best way to test whether grounds for compensation exist, and to what degree, clearly lies in exposing the particular property to the open market. The level of involvement that the private sector is willing to seek and at what capital investment after open competition must include any component for the perceived detriment (ie. economic compensation) or benefit pertaining to that particular heritage property.

The model refers to the restoration and reuse of Government owned heritage assets and, depending on the circumstances of the case, will follow one of two basic streams. The first will involve full Government control/funding through restoration with final occupation being to either public or private sector tenants.

The second stream will involve direct input into development works by the private sector (- up to 100% buyout prior to restoration) with end use being the result of Government pre-commitment or (more likely in this case) leases to the private sector. In both streams, any involvement by the private sector in capital investment/development/purchase or in leasing will be exposed to market competition. The offers that are produced through this process incorporate the market's perceptions of benefits and opportunities and detriments and risk for that property. 'Compensation for Heritage' therefore does not arise as a stand alone issue for this category of Government building under this scenario.

As Transferable Development Rights are not applicable to Government-owned properties in the single location where they exist in Queensland (Brisbane C.B.D.), TDR's are not a complicating factor in the above proposition.

Section 6.1 provides an overall layout of the model derived from the earlier sections of this research and related investigation. Section 6.2 includes explanatory notes on the model as necessary though, to avoid repetition of previous data, such notation has purposely kept to key issues and new information/additional comments only.

CHAPTER 6 (CONT'D)

6.1 MODEL STRUCTURE

6.1.1 MODEL TITLE

Dealing With Government - Owned Heritage Properties With Commercial Potential - Restoration and Reuse

6.1.2 OBJECTIVE

The timely restoration and reuse ("regeneration") of presently underutilised Government - owned heritage assets under a process that ensures:

- (1) efficient use of resources and pursuit, as much as possible in the circumstances, of highest and best permitted use; and
- (2) protection and exhibition of the significant heritage characteristics of the individual property; and
- (3) use of a methodology which is acceptable to all stakeholders, including the Government and wider community.

6.1.3 TENETS

- Thorough pre-planning and a structured approach is necessary to achieve the principal objective;

- Because of the established demand for a project-by-project approach, the model needs to be kept reasonably flexible and open but always keeping the end use/project outcome as a prime determinant of all decisions;
- Except in cases where the nature of the restoration or the final use demands involvement only by Government, most of these projects will best be progressed by development agreements involving both public and private sector resources, capital and expertise.

This is particularly relevant given the large number of Government heritage assets of varying significance demanding of action and the increasingly large financial commitment of Governments required in these areas.

6.1.4 MODEL SUMMARY

STAGE 1	Identification
STAGE 2	Research - Programme Development
STAGE 3	Vehicle for Performance (Asset Development Strategy)
STAGE 4	Recommendation/Approvals
STAGE 5	Implementation
STAGE 6	Completion/Review.

6.1.5 MODEL STRUCTURE DETAILS

STAGE 1 IDENTIFICATION

through



Monitoring and annual review by State Government portfolio managers of Heritage Property List

As part of normal Property Management of the State Government Portfolio through:

- Total Asset Management (life cycle planning);
- Short, medium and long term Resource Needs Analysis for all client;
- Annual full review of assets (identifying obsolescence and opportunities).



Possible Criteria for action:

- Falling ROI;
- Increasing client/tenant complaints;
- Inspections and investigations identifying physical, economic, social, legal and/or use obsolescence;

- Increasing costs;
- Increasing vacancies;
- Impending major capital spending/major maintenance works;
- Upcoming use rationalisation by existing tenants;
- Observed shift in market (overall or perceived local opportunity);
- Market enquiry.



Identified underutilised heritage property. Declared surplus on Government Land Register.



Prioritisation of specific property for action compared with others also identified as requiring action on the basis of:

- Physical urgency (safety issues, significance of heritage value and condition);
- Economic opportunity/'window';
- Relationship with other heritage sites (eg. in precincts);
- Available staff and financial resources to drive the project;
- Political and community expectations and the profile of the subject property.

Milestone: Property confirmed as underutilised and requiring major portfolio action to address the issue.

Project prioritised for action against other proposed initiatives/projects in that portfolio.

6.1.5 MODEL STRUCTURE DETAILS (CONT'D)

STAGE 2 RESEARCH - PROGRAMME ESTABLISHMENT

- **Establishment of Multi disciplinary Project Team**
 - Project leader : Senior staff member from Government Portfolio Management Branch;
 - Composition will depend on circumstances but potentially will include:
 - Project Development Manager (team leader) and assistant
 - Architect
 - Quantity Surveyor
 - Heritage Consultant
 - Property Analyst/Valuer
 - Marketing Consultant
 - Representative of Local Authority
 - Other consultants (eg. Service and Structural Engineer).
 - Project Team Administration: Budget, timing, secretariat, cost capture, reporting, meeting, location, standard agenda, times, minutes etc.;
 - Scope of project team brief and time table/milestones;
 - Payment schedule rates and performance schedule/agreements for private sector consultants/members of project team.

- **Prepare Property Profile**
 - ie. benchmark document including all known and verified information on the subject including:
 - present title details/survey plans/area;
 - zoning (inc. height and density control);
 - heritage (summary);
 - history;
 - building certification/registration/licences;
 - income and cost history;
 - contamination;
 - valuation data available;
 - leases and encumbrances;
 - improvements;
 - layout and floor plans;
 - condition reports;
 - geotechnical reports;
 - access;
 - subdivision potential;
 - adjoining owners/uses and zones;
 - cost estimates for changes/renovations (preliminary).

- **Development Constraints and Opportunities - first pass**

Identification of constraints and opportunities

- end use(s)/market?
 - comparative advantages of site and how best to benefit from them;
 - scope of likely Government involvement.
-

- Heritage Study

Based on Burra Charter Guidelines : Statement of Significance and Conservation Plan.

- Project Team Workshop

(eg. 2 days plus 1 day follow up)

- to:
- summarise data including valuations, opportunities and constraints;
 - confirm stakeholders and their demands;
 - confirm comparative advantages and how to benefit from them;
 - confirm end use (uses) - (and relationship to Conservation Plan); and
 - state required final outcomes/objectives;
 - establish level of Government involvement/control required:
 - title (several options considered, most likely chosen)
 - capital investment
 - contractual control through development agreement
 - lease pre-commitment;
 - time (critical path analysis as relevant);
 - risk and risk management;
 - decision making structure;
 - 'marketing' proposals;
-

- public involvement;
- establishment of best option(s) 1 - max 3;
- possible involvement by interest groups;
- action plan (preliminary);
- project bar chart (preliminary);
- document and sign off decisions of project team.

Milestone: *Property Assessment Complete.
All Parameters set.
Best end use option(s) established.*

STAGE 3 VEHICLE FOR PERFORMANCE (ASSET DEVELOPMENT STRATEGY)

[ie. with the final objectives/end uses identified and parameters set, establishing the procedures/actions to bring the project from its present status to final conclusion (by whom? when? how?)]

This will typically involve:

- detailed Council opinion/likely development conditions;
- concept Plan - Building Envelope/Block Plan;
- valuation and detailed feasibilities/sensitivities;
- more detailed construction planning - of increasing detail and complexity (to permit detailed costings to be carried out and to provide likely solutions to critical construction and restoration issues for the project);

- marketing plan/call for submissions by agents;
- plans for public involvement/community liaison;
- final decision on level of Government involvement/"sell point";
- documentation including:
 - proposed draft development agreement ;
 - acceptable proposed conditions for contracts documentation;
 - and
 - selection criteria if call for expression of interest is proposed.
- detailed timing/action plan.

Milestone:	Property	- identified as surplus
		- all available information secured, analysed and collated
		- parameters set : best outcome (option(s)) identified
		- strategy in place to best realise on asset.

STAGE 4 RECOMMENDATION/APPROVALS

(Government property : Queensland Example)

- Ministerial Briefing (preliminary)
- Inter-Government Committees (as relevant)
 - Government Office Accommodation Committee (GOAC)
 - Property Review Committee (PRC)

- Briefing for interested parties (eg. National Trust)
- Treasury approval (if upfront funding required)
- Ministerial Briefing (final before announcement)
 - to Cabinet if necessary
- Final documentation for implementation
- Decision on future terms of reference and composition of project team
- Announcement (major or soft)
 - involvement of PR consultants and presentation if necessary
- Hand over.

Milestone: End of Development Stage - Commencement of Implementation and/or Construction Stage

STAGE 5 IMPLEMENTATION

Stage depends on decisions made in Stages 2 and 3. Typically the procedures might involve:

If Government Involved in construction:	If Property is proposed for sale or major private sector involvement/project management
<p>Establish detailed scope of works:</p> <ul style="list-style-type: none"> • Client requirements • Programme established • Budget, fees, payment • Establish Project Management Committee <p>Detailed Design and Construction (not detailed for purpose of this research)</p> <p>Includes property inputs through:</p> <ul style="list-style-type: none"> • Client Representative • Commercial Viability Control • Marketing appointment and control • Leasing control • Legals • Titling • Zoning/Development Control • Community Liaison • Press Releases <p>Practical Completion.</p>	<p>If property is proposed for sale or major private sector involvement/project management.</p> <ul style="list-style-type: none"> • Formal appointment of Marketing Agent. • (Presuming a major property) Call for pre-registration of interested proponents under Expression of Interest format (basic concepts/end use proposals to be included) • (Under documentation/criteria established in Stage 3) Short list 1 - 3 best proponents. • Advice to Minister for Environment and Heritage evoking Section 9 Subsection (d), (f) and (g) of the Queensland Heritage Act thus involving the Heritage Council in the heritage consideration for the site. • Short listed proponents provided with all available data and draft documents and given 120 days to <ul style="list-style-type: none"> (i) obtain at least approval in principle to the proposed use/development by local authority (ii) obtain at best approval in principle by Heritage Council. • Assessment of final submissions. • Selection of 'preferred developer'. • Ministerial Briefing (and/or Cabinet information paper- depending on circumstances) • Execution of Contracts and Development Agreements (to Minister/Cabinet as required) <ul style="list-style-type: none"> • [part payment of costs to an agreed ceiling to unsuccessful short listed proponents. <p style="text-align: center;">↓</p> <p style="text-align: center;">Contract Settlement</p>

STAGE 6 COMPLETION/REVIEW

The components of this stage will vary according to the Assets Development Strategy developed in Stage 3 and the Implementation Strategy in Stage 5.

It must include however, a thorough debriefing (workshop and documentation) for the Project Team and other major participants to establish:

- strengths and weaknesses of the process used;
- issues addressed in the particular project;
- proposed changes to procedures/processes based on the experience gained in this project;
- method/documentation for ensuring that the experience is added to existing data base/system.

Depending on the project structure used, other components of this stage may include:

- practical completion details/definition;
 - hand over to end users;
 - final lease documentation and execution;
 - execution of final development/titling documentation;
 - establishment of tenancy management and building management systems;
 - securing of 'as built' drawings, final surveys, service machinery documentation and service contracts, building certifications;
 - post occupancy checks; and
 - administration/inspections/supervision for defects liability period.
-

6.2 SPECIFIC COMMENTS ON MODEL

STAGE 1 IDENTIFICATION

The identification of underperforming property assets is clearly normal practice in contemporary portfolio management and requires little elaboration here.

These processes not only qualify assets which are not performing to established standards, but also will show trends over time for the entire portfolio so also identifying future problems beginning to emerge. In portfolios with a number of heritage properties, it is considered good practice to maintain a subregister of income/costs and of other performance indicators for that specific group.

Whilst declining asset performance is relatively easy to recognise in a well organised portfolio, market opportunities are not always so obvious. The latter requires a good understanding of the condition of the property market at any point in time. Lateral and innovative thinking are required here as opportunities arise, either for a new Governmental or private sector use which presents an unfulfilled property demand to the market. It is often easier to direct such unfulfilled demand to a site than to hold the underutilised site and try to stimulate demand for it.

In a similar vein, unsolicited enquiries from the market place or from adjoining owners should be subject to detailed investigation, both for their own sake and as a catalyst to possible further action and opportunities.

Finally, in this stage it needs to be recognised that existing heritage assets within Government portfolios typically underperform against established performance criteria - sometimes due to high maintenance costs and/or poor condition and services. It follows that many may be potential candidates for adaptive reuse. Clearly, such a large number of projects cannot be run simultaneously nor, in all probability, could the property market absorb such volumes of this type of property.

A prioritisation/ranking of the best candidate for action must therefore be carried out. Typical criteria for prioritisation are listed in the model.

STAGE 2 RESEARCH - PROGRAMME DEVELOPMENT

This represents the critical, pre-planning stage which has, historically, been inadequately handled in many Government property development projects throughout Australia. It is an integral part of the 'public diplomacy' approach adopted in the Fremantle Prison project (Ref. Chapter 4.1). Without the investment of substantial planning time here, the entire project will near-invariably degenerate into an ad-hoc and reactionary process.

The composition and operational framework of the project team will obviously vary case-to-case depending on the complexity of and timetable for the project. The Project/Development Manager here will always be a senior Government staff member. As the project progresses, the team composition may change and, it may be that some parties (eg. local authority and interest group representatives) may only be participants when invited.

To keep end use and marketability in focus, it may often be beneficial to retain the services of a marketing consultant, from the earliest meetings of the team. This early involvement is very important as, without it, there is considerable danger that technical and architectural concept planning can begin to dominate the process and potentially lead it away from a final product that will finally be acceptable on the market.

All consultants used should be paid agreed professional fees through this phase. Often such fees will not be great as most will be very keen to become part of the project because of the potential for very substantial fees and commissions down stream when the project is under construction and later on - sold.

Payment for inputs during this stage is important. It provides the principal (ie. at this stage, the Government) with the opportunity to recall expressions of interest for the various components for later stages of the project. Consultants should be retained formally, accept confidentiality provisions and acknowledge Crown ownership of all concepts and plans developed during the stage. Delegated authorities and reporting mechanisms will also need to be established at this point.

The need for a full data base on the property ('Property Profile') is obvious and should be continually updated throughout the project as additional information is secured. This data will be additional and separate from the normal file/records system also established for the project.

At this early stage also, it will often be of benefit to quickly 'first pass' the comparative advantages of the site, likely end uses and market and, given the particular project, what level of Government involvement is likely and, if the project is to be on-sold, where the likely 'buy out' point would be. Care must be taken here not to limit wide analysis by focussing too quickly on only a few options but, nevertheless, initial perceptions and impressions often prove incisive to the form of the final product.

Details of Heritage Studies have been presented elsewhere in this research, notably in Section 2.5 and will not be repeated here except to note that the nature and significance of heritage aspects of the subject property must be established at this early stage. Further, the study and subsequent Conservation Plan should avoid simple description, abstract concepts or the identification of only negative aspects or problems in restoration. The Plan must extend to identify what degree of restoration is required, what general level of modification, (if at all), is acceptable and what types of future uses may be compatible with both the building fabric and its heritage significance. The briefing to the Heritage Consultant (on the project team) should specifically require that these matters be addressed.

The need for a workshop for the project team to formulate ideas is again self explanatory and this should occur as soon as the Property Profile and Heritage Study are available. Workshop outcomes must be documented and signed off and implementation of the decisions commenced immediately thereafter to maintain momentum. As well as normal project meetings, a further, short (eg. 1 day) workshop session should be held as a follow-up six to eight weeks later to monitor progress and to review earlier decisions if necessary.

STAGE 3 VEHICLE FOR PERFORMANCE (ASSET DEVELOPMENT STRATEGY)

Stage 2 established a comprehensive data base for the subject property, the required outcomes and some general parameters for the development. Stage 3 constructs, within those general parameters, a methodology to advance that project. As noted in Section 6.2.5 above, this involved developing up the abstract proposals established in Stage 2 to workable design, construction and marketing plans and documentation and action plans including those for the involvement of all interested parties. This stage may, depending on the size of the project, take between three and six months. Towards the end of this period, however, the point will be reached where sufficient detail on the concepts and proposals are available to establish, with reasonable certainty, that the project proposed:

- is technically and financially feasible;
- is within the parameters of the conservation plan;
- is generally within the development requirements of the local Town Plan;
- is marketable and will find end user demand at the pre-determined point where the Government decides to sell;
- has sufficient documentation to move to any necessary development agreement, contract, lease etc. at relatively short notice.

It is clear that substantial volumes of design work will be involved but care must be taken not to over design the project at this stage. The object here is to bring the project forward with sufficient concept development to prove viability but not so narrow as to eliminate options or opportunities for 'down stream' owners/developers/end users.

STAGE 4

This stage briefly summarises approval procedures within Government for major property projects.

The Queensland administrative systems are used by way of example here. The summary is included for information and completeness in this work only as the actual machinery of Government is not, per se, within the overall scope of this research.

The points to briefly note here are:

- the proposal to pre-brief interested parties before public release is included;
- specific plans have to be developed and put into place for the manner in which public announcements and the introduction of the proposals to the public are managed. It will be recalled from the Deductions in Chapter 5, that public opinion on heritage matters has proven itself relatively fluid and the matter of presentation and explanation of specific projects to the general community is critical to the level of acceptance and public support the project enjoys.

The end of Stage 4 is a key point. Until that stage, the majority of investigation and planning has been in-house and normally confidential. From this point, however, the project becomes public and the implementation and/or construction stage commences.

It is an important mile-stone also for the project team whose original brief will expire at that point. It will therefore require reconstituting from that time with a new scope statement, objectives etc.. Whilst many of the main team members (including the leader) may remain, there may be considerable changes in its overall membership and composition.

STAGE 5 IMPLEMENTATION

As recommended earlier in this research, it is very important that implementation commence very soon after announcement, (at the end of Stage 4), to avoid protracted debate and the risk of having the proposals overtaken by opportunists or small pressure groups.

The nature of this process will depend in the first instance on whether, for the particular project, the decision in Stage 3 has been for the Government to be involved in the construction process or if it is proposed to on-sell to or joint venture the property with the private sector.

In the first option the process is fairly straight forward and will follow normal project management procedures. The continued focussing on end-user requirements and the need to stay within established heritage parameters and not, by incremental design changes, exceed them are two important aspects for note here.

The second scenario, on-sale or joint venturing, is potentially more complex from a property perspective and requires some elaboration. This type of property will invariably be at less than highest and best use. There may be potentially significant unquantified risks in moving the property to its optimum income-generating level and, thereby, towards highest capital value. It is a simplistic and incorrect proposal to offer such properties 'cold' onto the market for sale by private treaty, auction or tender.

Given the unresolved risk, the results will be no private sector interest, interest at a very low capital value or, alternatively will make any offers highly conditional. None of these outcomes meet the overall objectives of timely and economic property rationalisation. A number of such sales in the past have already exhibited the errors of this approach.

Chapter 5 of this research identified the comparative advantages of Government-owned heritage properties and, at this critical stage, these advantages can be used to great effect. The process outlined takes the opportunity of available time, resources, research, planning and documentation from earlier stages and the special administrative and statutory advantages of a Government owner to have the matter progress. This will have clear potential benefit available to all participants. Its approach is not similar to that established by the Sydney Cove Authority in the issue of major development leases within The Rocks area (see Chapter 4).

The approach for major properties involves a public call for pre-registration of interested proponents under Expression of Interest format, and uses the appointed marketing agent as intermediary. A brief, including details of the selection criteria and a summary of collated data on the property (assembled during previous stages) will be made available.

Documents will make it clear that:

- the call does not represent an offer nor tender and does not restrict the Crown from any further dealings as it sees fit;
- any documentation and concepts submitted become the property of the Crown;
- there is only one point of contact with the Government and no liability is taken for any information except that provided in writing; and
- unless proponents make submissions strictly in accordance with the brief and unless they can prove necessary experience and capacity to undertake the project, they will not be further considered.

This step will be the first major exposure of the property to the private sector and it is important to set key guidelines immediately. Should some developers/investors not be willing to participate on those terms then, clearly, there is no compunction upon them. The brief however, must be definitive enough to establish the primary project control required by Government and that involvement by others will be within set parameters or not at all.

Experience would indicate that major investors/developers will find little or no difficulty with these types of 'upfront' conditions. There are in fact several major advantages. In the first instance, they will avoid downstream protracted arguments with unsuitable parties as the brief identifies that they can be arbitrarily eliminated as a matter of stated process. Secondly, it gives substantial and capable investors and developers added confidence in knowing that the Government knows clearly what it requires and that it will not allow the process diverted by fringe interests.

Approximately six weeks should be allowed for these original submissions. Extreme care must be taken in the weighting of criteria and the adherence to a strict, structured selection process given particularly the potential for judicial and other reviews now possible for all such public decision making. A short list, typically between one and three proponents, will then be selected. Given the procedures that follow, it is important that no more than three be shortlisted.

The next step is a substantial innovation and completely new initiative in any project of this nature. To date, the Heritage Council has been a major potential barrier late in a project and thus a source of considerable uncertainty. In Government-controlled heritage projects, however, there is an opportunity to integrate the Council into a more involved, early role in the process. This is facilitated by provisions of the Queensland Heritage Act which, to date, have never been applied. It is often presumed that the Heritage Council's role relates only to administering the Heritage Register and adjudicating on detailed submissions regarding developments on heritage sites. This underestimates the Council's potential role.

As identified in detail in Chapter 2.3 and Annexure 2.3[B] of this research, the Council's functions also include:

- " [d] to encourage and assist the proper management of places of cultural heritage significance;
- [f] to co-operate and collaborate with State Authorities in the conservation of places of cultural heritage significance; and
- [g] to undertaken any other functions assigned to the Council by the Minister." ¹

On this basis this model proposes that, where a major heritage project of this type is not declared a 'Development by the Crown' under Part 5 of the Heritage Act, the responsible Minister formally approaches the Minister of Environment and Heritage to have the above subsections of the Act evoked and, thus, to have the Heritage Council consider and advise on a number of preliminary proposals on the property, (from each of the short listed proponents), before a final application for development approval is submitted.

With the facility in place and with the Local Authority already aware of the project because of their previous involvement in the project team, the short listed proponents are provided with all available data and draft documents and given a further 120 days to develop their proposals up to a prescribed standard and to obtain at least approval in principle by the Heritage Council and the Local Authority. Strict confidentiality and independence of dealings between the Government/Project Team and each of the proponents must be enforced.

¹ Extract Queensland Heritage Act 1992, S 9, P.7.

It may be that some proponents may in fact withdraw during this phase or alter their original offer to some extent because of further investigation becoming available. Within reason, this should be allowed but confidentiality provisions accepted by both parties should be in place to ensure that, as much as possible any withdrawal is not made public.

Under the assessment procedures established for that project, the preferred developer will be selected from the shortlist and a final contract/development agreement will be executed as early as possible thereafter. Conditions of the agreement should be such that title is not transferred nor final leases executed until the major development conditions are met. Again, experience would indicate that financing of such an agreement, without title available until a later stage, will not prove a problem to financiers, provided the proponent is of substance. If necessary, there should be no objection by Government to the placing of title in escrow with the Public Trustee or placing other signed documents (eg. final leases) in trust at that office.

A final innovation in the stage is the proposal that some or all of the audited costs of the unsuccessful shortlisted proponents be paid by the Government. The quantum of such payments may not be great - depending on the size of the project, payments of between \$10,000 and \$40,000 per proponent may be the order of payment. A number of conditions would apply to such payment, but, given the total capital value of the project, these amounts are not overly significant.

The major advantages, from the initiative, however, are that:

- it indicates the Government's commitment to the project and willingness to accept some risk;
- it provides additional justification for the Government's requirements that all submissions and concepts become the property of the Crown (- and may allow for some of the better ideas in unsuccessful submissions be later built into the final project); and
- it gives short listed proponents and their consultants confidence to put substantial effort into their final submissions knowing that, at worst, their costs will be substantially met by Government.

STAGE 6 COMPLETION/REVIEW

The outline of this stage in Section 6.1.5 is reasonably self-explanatory. Most of the points made relate to normal project management procedures.

It is clear that, at this stage, each such project is being developed essentially from first principles and little benefit from the experiences encountered in projects is presently being recorded and added to corporate knowledge. A formal project review session with subsequent documentation and amendments and additions to established processes and policies is one of the most important steps in the entire process.

This final workshop should be undertaken very soon after practical completion of the project so that the project team is still fairly well in tact and memory is still fresh. Good and comprehensive project records and minutes will assist. It will be also of value to obtain the opinion of all major stakeholders in the project, (including the successful investor/developer, unsuccessful proponents, end users, interest groups etc.), as part of this review process.

The components of this stage will vary according to the Asset Development Strategy developed in Stage 3 and the implementation strategy in Stage 5.

It must include a thorough debriefing (workshop and documentation) for the Project Team and other major participants to establish:

- strengths and weaknesses of the process used;
- issues addressed in the particular project;
- proposed changes to procedures/processes based on the experience gained in this project;
- method/documentation for ensuring that this experience is added to existing data base/systems.

Depending on the project structures used other components of this stage may include:

- practical completion details;
 - hand over to end users;
 - final lease documentation and execution;
-

- execution of final development/titling documentation;
- establishment of tenancy management and building management systems;
- securing of 'as built' drawings, final surveys, service/machinery documentation and service contracts, building certifications;
- administration/inspections/supervision for defects liability period.

CHAPTER 7

**APPLYING THE
MODEL -**

**PORT OFFICE
SITE,**

BRISBANE

**CHAPTER 7 APPLYING THE MODEL - PORT OFFICE
SITE, BRISBANE**

Introductory Comments

7.1 Project Description

7.2 Site Description and History

7.2.1 Location

7.2.2 Site

7.2.3 Improvements

7.2.4 History and Heritage

7.2.5 Legal Parameters

7.3 Applying the Model

7.3.1 Objective

7.3.2 Application : Stage 1 Identification

**7.3.3 Application : Stage 2 Research - Programme
Establishment**

**7.3.4 Application : Stage 3 Vehicle for
Performance (Asset Development Strategy)**

**7.3.5 Application : Stage 4
Recommendation/Approvals**

7.3.6 Application : Stage 5 Implementation

7.3.7 Application : Stage 6 Completion/Review

CHAPTER 7 APPLYING THE MODEL

INTRODUCTORY COMMENTS

The model developed in Chapter 6 sets out general decision-making guidelines for Government owned heritage property with commercial potential. Amongst other things, it has emphasised the need for flexibility to accommodate the unique characteristics of each project. To exhibit how the model might typically be applied, a case study, the Port Office site in Brisbane, has been selected.

It is a site which is currently under the active consideration by Government for further dealing. The model developed through this research is now being put forward as a basis for these deliberations.

The site exemplifies the inherent complexity and diversity typical of both heritage and commercial development sites. It is physically quite different from any of the case studies in this research or, indeed, any other heritage site in Queensland. Nevertheless, the application of the model to it will provide the best opportunity to secure the desired outcome of highest economic return within acceptable heritage, statutory and political parameters. In particular, the model emphasises:

- the need for thorough pre-planning;
- a 'public diplomacy approach' to interfacing both with developers/investors and with the general community;
- the importance of establishing heritage significance criteria and planning, likely end uses and marketability and the comparative advantages of the property at an initial stage; and

- acceptance that the project has the best chance of success in fulfilling the legitimate expectations of all stakeholders if decision making is, as much as possible, based on economic, property-oriented analysis.

Like all case studies herein, this chapter does not include specific financial analysis, in part because of its currently confidential status but also because it is not within the stated scope of this research. Likewise, the administrative and approval processes of Government (Stage 4) are summarised only as they are largely procedural and relate more to the study of Government than to strategic property decision making.

7.1 PROJECT DESCRIPTION

The State Government holds an aggregation of approximately 5471m² at the corner of Margaret, Edward and Alice Streets, within the Brisbane CBD. Details of the land, location and improvements are described below but, in summary, the property is located at a strategic point within the CBD, effectively interconnecting a number of precincts and land use types. It originally contained eight separate parcels and four separate properties are listed under the State Government's Queensland Heritage Act. The balance of this site consists of unimproved sites, (used occasionally for car parking) and several old, vacant and, in some cases, near derelict other buildings.

The State Government has owned major parts of the site since the 1940's and, in the 1970's, action was instigated to progressively buy up the balance properties to complete the aggregation. There were indefinite plans to redevelop the entire site, probably for government purposes, at some time in the future. The aggregation was fully secured by the State Government in 1977. At about the same time, the concept of a George Street Government precinct within the Brisbane CBD was reinforced by major building construction in that area. Progressively, even long-standing Government-occupied buildings on site (eg. the former Mineral House, on the corner of Edward and Alice Streets) were vacated with staff moving to new accommodation in the George Street area.

There is now a clear, strategic portfolio decision that Government will never require the redevelopment of the site for its own use and, through Government procedures, it has been declared surplus. The Port Office Hotel of the corner of Edward and Margaret Streets, which is leased to the private sector, is the only property on site which is used to anything approaching commercial potential. The balance of the aggregation is either used in part for furniture storage and occasional parking or is locked up, unused.

The project is one of high priority for action given:

- the site's strategic location and its importance to the Brisbane CBD;

- the rising economic opportunity to secure solid and comparatively early returns for this grossly underutilised asset and the perceived need to be in a position to take full advantage of increasing interest in the Brisbane CBD market as the property cycle slowly emerges from recession;
- the political imperative and community expectation to protect heritage buildings, particularly since these buildings are within the Government's own portfolio, have prominent location and identity and are presently suffering significant deterioration in condition;
- several safety issues pertaining to the stability of some sections of these buildings.

7.2 SITE DESCRIPTION AND HISTORY

7.2.1 LOCATION

The Port Office project site is located on the extreme south-east corner of the Brisbane CBD, adjacent to the Brisbane River and the Botanical Gardens. It is bounded by Margaret, Edward and Alice Streets to the north, east and south respectively.

Early uses were related to port activities and industrial purposes. In post-war years, such uses were lost from the CBD and a range of precincts developed. The subject site is at a critical corner of the CBD and interconnects a number of these precincts and uses. Heritage and public open space areas within the Brisbane CBD are largely confined to a few interconnected locations - flowing down the George Street precinct, along Alice Streets and the Botanical Gardens and through the subject property and the adjacent Beaufort Heritage Hotel and the Brisbane Polo Club in Naldham House on the corner of Mary and Felix Streets.

This interconnection has been reinforced by well used bikeways and promenades developed in recent years by State and Local Governments through the Botanical Gardens and along the riverfront to the Eagle Street financial sector. It is proposed that these will be extended through to New Farm in the foreseeable future. The community use of the surrounding areas is enhanced by street-level entertainment and recreational facilities and regular craft markets.

All of the adjoining streets are one-way, Margaret west to east, Edward north to south and Alice east to west. Edward and Alice Streets represent a principal egress out of the CBD and onto the South-East Freeway and carry moderate to heavy traffic. Further, Edward and, to a lesser extent, Alice Streets carry moderate pedestrian flows generated by people moving to and from the Botanical Gardens, entertainment areas and to and from the adjacent ferry terminal. Both passing vehicular and pedestrian traffic assist the exposure of the subject property and the pre-disposition of much of the pedestrian traffic to leisure and entertainment activities is also important.

The site provided the interconnection between a number of adjoining/adjacent land uses and precincts. These are:

- the Botanical Gardens and Brisbane River adjacent in Alice Street;
- the heritage buildings opposite in Edward Street including the former Harbours and Marine and Naval Offices, with the Beaufort Heritage Hotel adjoining to the rear, which have cultural, historic and aesthetic association with the subject. Together they form an identifiable small Port Office precinct (see 7.2.4 below);

- inner-city residential area, (under a Development Control Plan) including 'The Gardens' high-rise apartments adjoining immediately to the west;
- the high-rise, high density financial precinct extending down river along Eagle Street; and
- commercial development extending up Edward Street towards the retail core.

The attractiveness and potential of the subject is detracted from to some extent by old style and low density commercial development west along Margaret Street, though some of these provide essential off-street parking to those visiting the area.

A locality plan is included as EXHIBIT 7[I].

7.2.2 SITE

The subject is a near level rectangular parcel of approximately 5471m². It has frontage of about 62m to Margaret and Alice Streets and about 90m to Edward Street.

Access/egress points are presently available from all three streets. The corner of Edward and Alice is sharp and has relatively poor viability for the considerable volumes of one way traffic moving outbound (south west). Consequently, present access from Alice Street has potential difficulties and may not remain available as part of any restoration/re-use of the site.

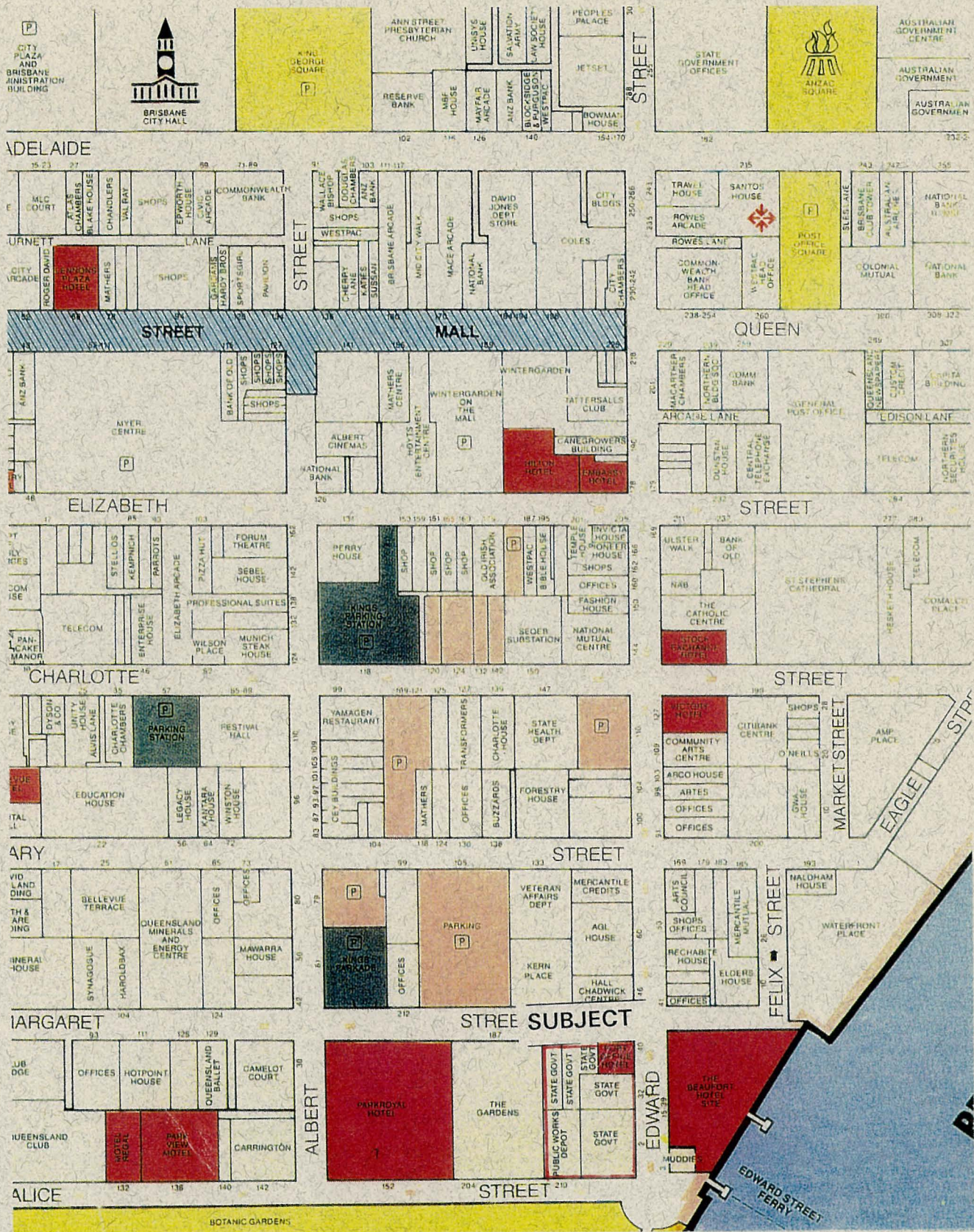


EXHIBIT 7(I)
LOCALITY PLAN - PORT OFFICE

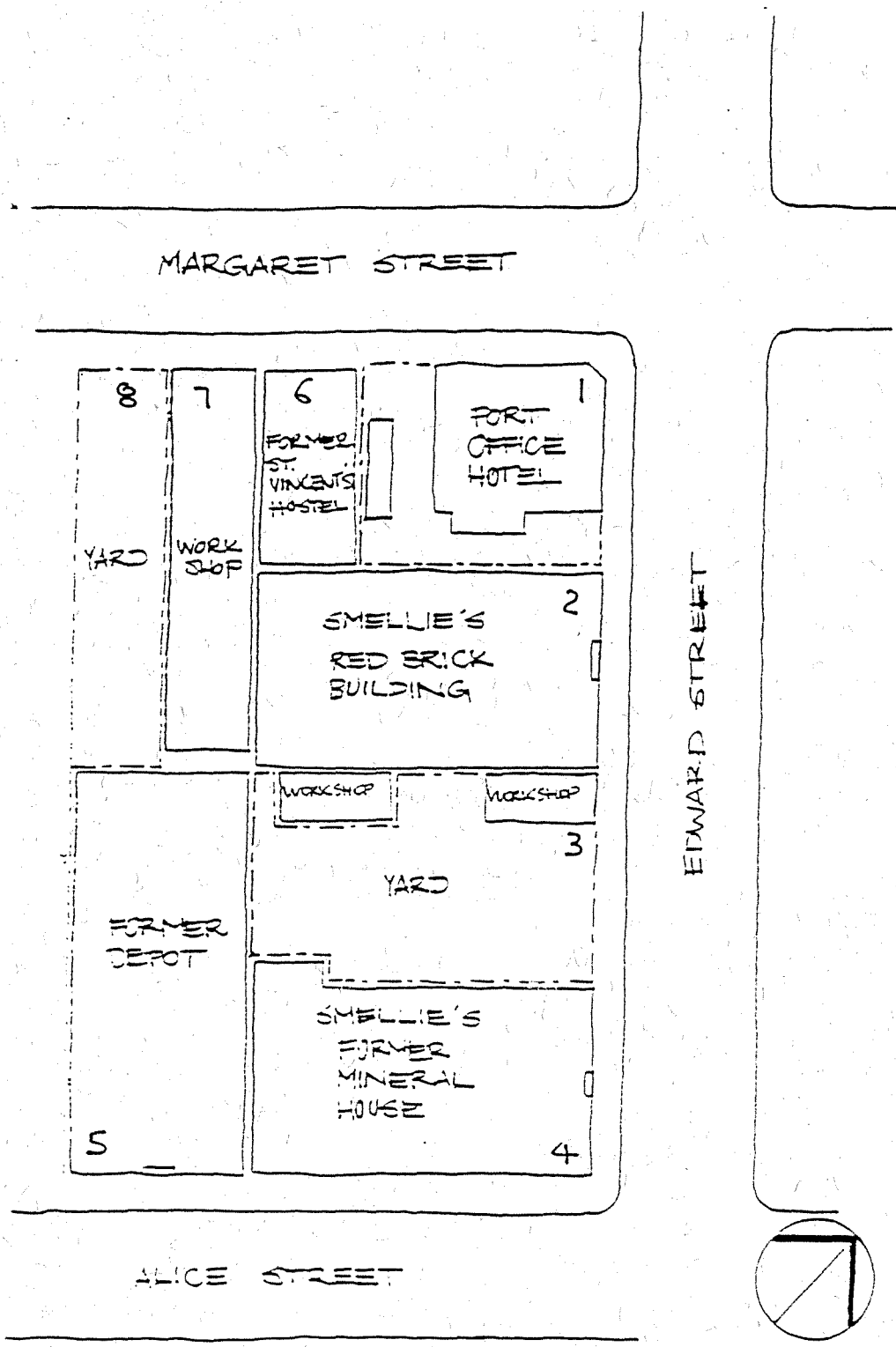


EXHIBIT 7(II)
PORT OFFICE - SITE LAYOUT



PORT OFFICE HOTEL - CORNER EDWARD AND MARGARET STREETS



SMELLIES' 'RED BRICK' BUILDING - EDWARD STREET

**EXHIBIT 7(III)
PORT OFFICE SITE**

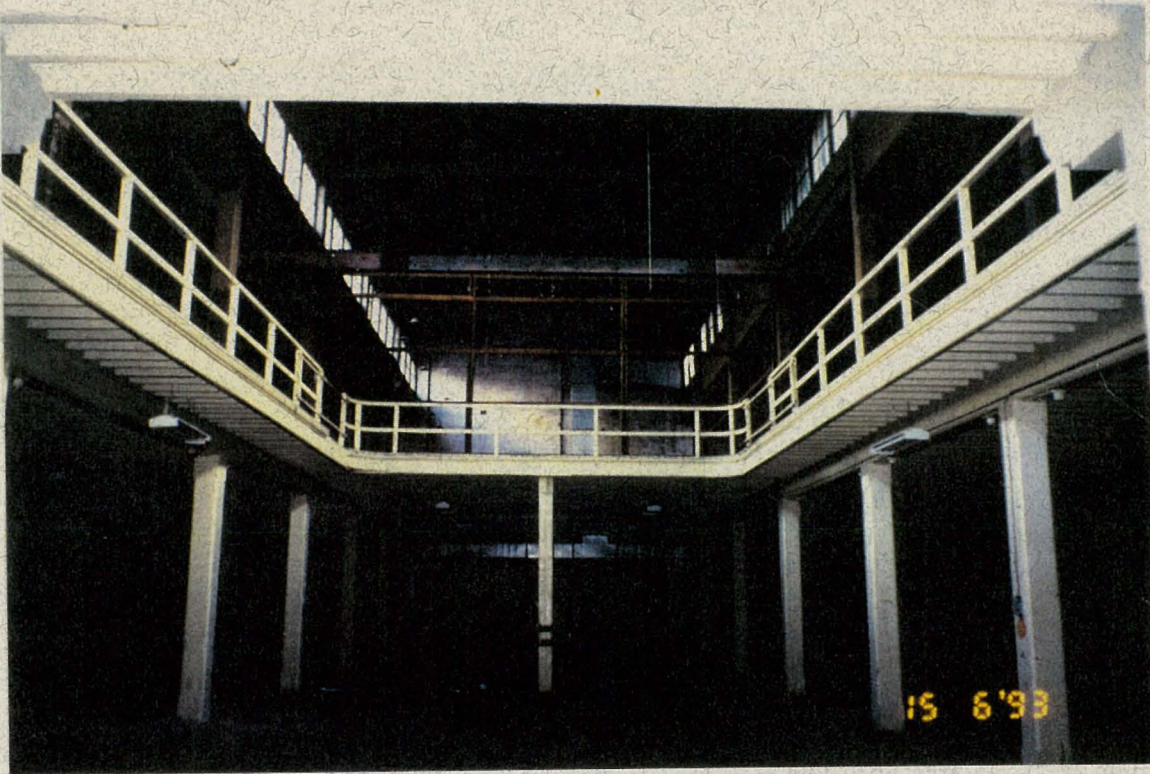


**SMELLIES' (FORMER MINERAL HOUSE)
CORNER EDWARD AND ALICE STREETS**



**MARGARET STREET STREETScape - SHOWING, LEFT TO RIGHT,
PORT OFFICE HOTEL, OLD ST VINCENT DE PAUL HOSTEL,
WORKSHOP BUILDING AND LAND**

**EXHIBIT 7(III)
PORT OFFICE SITE CONT'D**



INTERIOR - SMELLIES' 'RED BRICK' BUILDING



TYPICAL VIEWS FROM SMELLIES (FORMER MINERAL HOUSE)

**EXHIBIT 7[III]
PORT OFFICE SITE CONT'D**

The history and the nature of the improvements are such to allow discussion/analysis in eight components:

- Section 1: Port Office Hotel (647m²) - corner Edward and Margaret Streets
- Section 2: Smellie's Red Brick Building (964m²) - Edward Street
- Section 3: Open, paved yard (908m²) - Edward Street
- Section 4: Smellie's (Old Mineral House) Building (861m²) - corner Edward and Alice Streets
- Section 5: Alice Street Depot Building (910m²) - Alice Street
- Section 6: Former St Vincent's Hostel (261m²) - Margaret Street
- Section 7: Office/Workshop Building (460m²) - Margaret Street
- Section 8: Open, paved yard (460m²) - Margaret Street.

Whilst specific improvements on site generally are confined within these sections, some encroachments exist over these now notional boundaries and full identification survey will be required to accommodate discrepancies for final titling.

A site layout is shown as EXHIBIT 7[II].

7.2.3 IMPROVEMENTS

Substantial improvements exist on six of the eight sections which make up the aggregation. Most of these are shown in photographs included in EXHIBIT 7[III] and are summarised in EXHIBIT 7[IV] hereunder.

Section No.	Title/Location	Brief Description	Approx nettable area	Condition	Specific Heritage Listing	Comments
1	Port Office Hotel Cnr. Edward and Margaret Street. Site Area: 647m ²	Substantially altered, rendered brick, two level building. Concrete ground floor, timber upper. Corrugated Galv iron roof. Use: Hotel	about 900m ²	Sound. Services (particularly fire services) require renovation.	yes	Highly suitable for refurbishment as hotel or similar - particularly involving the replacement of verandahs etc.
2	Smellies Red Brick Building Edward Street. Site Area: 964m ²	Industrial building with brick external walls, concrete ground floor and hardwood mezzanine providing a major feature to the interior. Asbestos cement roof. Use: Not presently in use	about 1,200m ²	Sound except for roof and some (controllable) white ant infestation. Low load bearing on mezzanine. Fire services require upgrade.	yes	Future industrial use most unlikely. Highly suitable for adoptive reuse and refurbishment.
3	Open paved yard. Edward Street. Site area: 908m ²	Paved and front wall only. Use: occasional parking.	-	-	no	Possible redevelopment site or to provide car parking/access to adjoining buildings (2 and 4).

EXHIBIT 7[IV] PORT OFFICE SITE
SUMMARY OF IMPROVEMENTS

Section No.	Title/Location	Brief Description	Approx Nett Lettable Area	Condition	Specific Heritage Listing	Comments
4	Smellie's (Old Mineral House) cnr. Edward and Alice Streets. Site area: 861m ²	Major, five storey brick building with timber internal structure and flooring with some wrought iron columns and beams. Two lifts. Part air conditioned. Use: part file and furniture storage.	about 3,700m ²	Sound. Internal condition poor. Fire services require upgrade. Floor loadings may require upgrade.	yes	Highly adaptable building with stylish external facade, well shaped floor layouts, and views across the adjacent gardens and the Brisbane River.
5	Alice Street Depot Building Site area: 910m ²	Two storey brick building. Part timber/part concrete ground floor, timber frame and upper floor corrugated iron roof. Use: part furniture storage.	about 1,100m ²	Poor throughout. Front wall leaning and requires urgent repairs. Low load bearing floors. Fire services require upgrade. Serious white ant infestation.	yes	Difficult section. Property is of heritage significance but is in very poor condition and given its location, may be difficult to effectively use and integrate with the balance of the site.

EXHIBIT 7[IV] PORT OFFICE SITE (CONT'D)

SUMMARY OF IMPROVEMENTS

Section No.	Title/Location	Brief Description	Approx nett lettable area	Condition	Specific Heritage Listing	Comments
6	Former St. Vincents Hostel, Margaret Street. Site area: 261m ²	Small, two storey brick, internal fitout as hostel. Use: not presently used.	about 420m ²	Sound but external and internal surfaces require renovation. Fire Services require upgrade.	no	Suitable for a range of adoptive re uses either freestanding or incorporated with adjoining sections.
7	Office/Workshop Building, Margaret Street. Site area: 460m ²	Old brick and concrete building. Use: not presently used.	about 300m ²	Fair condition but of poor design and style.	no	Appears to be well below highest and best use for the site.
8	Open, paved yard, Margaret Street. Site are: 460m ²	Paving only. Use: occasional parking.	-	-	no	Possible redevelopment site in conjunction with Section 7. Comparatively remote from heritage buildings on site.

EXHIBIT 7[IV] PORT OFFICE SITE (CONT'D)

SUMMARY OF IMPROVEMENTS

7.2.4 HISTORY AND HERITAGE

The heritage significance of this aggregation is derived at three levels.

The first relates to the unique nature of the precinct and its part in the history of Brisbane. The second refers to its inter-relationship with nearby lands and land uses off-site and the third relates to the significance of the individual buildings on site.

The precinct's history predates the turn of the century, as do a number of buildings on site. They reflect the maritime and industrial uses typical of that locality from the 1860's. During that period, most of the river bank and adjacent lands from Petrie Bight along the Town Reach to Alice Street were given over to stevedoring, port and industrial uses. The block bounded by Edward, Alice, Albert and Margaret Streets in particular was used as the site of early iron foundries and port warehouses. In post-war years, the port relocated downstream and port areas along Eagle Street and elsewhere were progressively demolished to allow commercial redevelopment. The subject is now the only significant precinct exhibiting these types of buildings, architecture and past uses remaining in Brisbane City.

The aggregation is also significant because of its combined value as a group of buildings interrelated with the Old Port Office and Naval Offices adjacent in Edward Street and the Botanic Gardens adjacent in Alice Streets, so creating a wider, historic port/river related precinct. These comments are particularly true of those parts of the subject fronting Edward and Alice Streets.

Given streetscape and spatial interrelationship of the various components of the aggregation, reuse or redevelopment on any part of the subject (including currently vacant lands) must accommodate these wide requirements.

As well as their heritage value in aggregation, a number of specific buildings on site also have individual heritage significance as follows:

Section 1 : Port Office Hotel

The exact age of the Port Office Hotel is not known though the principal components of it are thought to date from 1876. It has been refurbished on several occasions since including, in 1955, the complete remodelling of the building involving the removal of all the verandahs, lacework, canopies and major internal changes. The earlier architectural merit of the building has therefore been all but lost. Its heritage significance is derived from

- "
- [evidence] of early social activity and continuity of this activity on the site [and]
 - [being] an important component in a group of buildings which create an historic precinct of buildings of similar age, scale and detail."¹

There are also two Moreton Bay fig trees in the beer garden of the hotel which should be preserved. The building is listed under State Heritage legislation.

¹ Extract. Conservation Plan for Smellies Buildings and Port Office Hotel P.63.

Section 2 : Smellies Red Brick Building, Edward Street

This building was constructed in 1895 for warehousing and related purposes by Smellie and Co., a long-standing Brisbane foundry, machinery and hardware manufacturer and merchant. It is an imposing building both as regards architectural style and form and its impact on the Edward Street streetscape.

Buchanan, B., summarises the heritage significance as

- "
- evidence of the achievements of an important early Queensland company Smellie and Co. from an important growth period of Brisbane;
 - a component of an important sector of the streetscape containing buildings of similar scale, detail and classic style;
 - an example of a richly coloured and well executed facade to an industrial building; and
 - an example of a significant structure containing substantial timber structural components suitable for heavy machinery".²

Of particular note is the design of the original brick, stone and timber work, the nature and layout of the internal mezzane, the appearance and detail of the facade, entry and windows and its overall near original state.

The building is listed under State Heritage legislation.

² Extract. Conservation Plan for Smellies buildings and Port Office Hotel. P. 63.

Section 3 : Open, paved Yard, Edward Street

This yard provides substantial open space (980m²) between Sections 2 and 4. The only direct heritage interest possible relates to the low masonry wall along the Edward Street frontage. Some further investigation may be required before any decision is made to remove it.

Of more importance is the space it provides to the adjoining heritage buildings and the potential for effect on those buildings, on properties adjacent in Edward Street and on overall streetscape of any new construction of this land.

Section 4 : Smellies - (Old Mineral House) corner Edward and Alice Streets

This is the largest building on the aggregation and located on a strategic corner of the site. Three levels were constructed in 1888 with an additional two stories added in about 1895. It is of attractive style and has considerable architectural merit and street appeal.

Until the 1930's it was used as offices, showrooms and workshops etc. by merchants, Smellie and Co., after which it was used by the State Government, first as a technical college and, thereafter until 1981, Government offices.

The heritage significance of this section is identified as:

- "
- evidence of the achievements of an important early Queensland company, Smellie and Co., which required a significant building for showrooms and workshops;
 - for the evidence it contains of the use of rare structural materials [principally wrought iron columns];
 - as a component of an important sector of the streetscape containing buildings of similar scale, detail and classical style".³

The building is heritage listed under State Heritage legislation. The fabric of the building is reasonably in tact and all surviving brickwork, cast beams and columns facades, windows and doors are of considerable interest.

Section 5 : Alice Street Depot Building

Little history is available on this building except that it was constructed prior to 1882 and thus is the oldest structure on site. It was used for at least part of its life as an adjunct to the Smellies' business.

It is simple in design, being originally only a workshop/warehouse building but is very important to the Alice Street streetscape continuing along from Section 4 (Smellies (Old Mineral House) Building). Further, it is important to the aesthetic treatment of and aspect to the western wall of that building.

³ Extract Conservation Plan for Smellies Buildings and Port Office Hotel P. 63.

The heritage significance is identified as:

- "
- a restrained and simple building which contributes to the character of the streetscape of this historic precinct;
 - evidence of one of the earliest industrial buildings of Brisbane".⁴

Again, this building is listed under State Heritage legislation.

Section 6 Former St. Vincent's Hostel (Margaret Street)

This small building has no heritage significance in its own right. Future use/development of the section will require recognition of its possible affect on the adjoining Port Office Hotel.

Section 7 Office/Workshop Building (Margaret Street)

This building has no heritage significance and, whilst on the same aggregation as heritage buildings, it is unlikely that future uses or development of this section will affect those heritage sites.

Section 8 Open, paved yard (Margaret Street)

No heritage significance or likelihood of adversely affecting heritage buildings.

⁴ Extract Conservation Plan for Smellies' Building and Port Office Hotel P. 63.

7.2.5 LEGAL PARAMETERS

[i] Titling

The current titling arrangements reflect current State Government ownership. All eight sections were originally in separate survey and held under separate freehold title.

Separate freehold exists over the Port Office Hotel (Section 1), Smellies' Red Brick Building (Section 2) and the former St Vincent's Hostel site (Section 6). The current registered owner is the Public Trustee, as legal representative of the State Government. The balance titles have been surrendered and the land is presently identified as 'vacant crown land'. This was necessary at the time of acquisition as, until a legislative amendment in May 1992, the Crown could not hold freehold land in its own name.

Application is presently being made to the Department of Lands to re-establish these titles. Some building encroachments exist and the issue of the new titles will provide the opportunity for title correction to remove these anomalies.

Given the properties are owned by the Crown, the opportunity also exists to offer tenure under Crown leasehold (eg. Special lease with development conditions) should that be preferred as part of deliberations.

[ii] Encumbrances

The only encumbrance on the property is a month-to-month lease of the Port Office Hotel to private operators.

[iii] Town Planning

The Port Office Hotel (Section 1), Smellies Red Brick Building (Section 2) and the former St Vincent's hotel (Section 6) are zoned 'Particular Development (Hotel)'. The balance is zoned 'Special Development City Residential'. The entire site is located within the City Residential Development Control Plan area under the City of Brisbane Town Plan. This area contains two city blocks adjacent to the Botanical Gardens and bounded by George, Margaret, Edward and Alice Streets.

Already there is substantial multi-level residential developments in this area together with a number of heritage site. 'In principle' Council opinion regarding this area in general and the subject property in particular is to retain a basic higher-density residential character combined with reasonably compatible commercial uses. Whilst office uses would not be completely ruled out, the commercial uses envisaged would relate more to entertainment and tertiary facilities (eg. hotels, restaurant, galleries, studios, boutiques, craft markets etc.). Such developments would typically be specifically controlled by 'Particular Development' zonings as is the situation currently with the Port Office Hotel site.

As well as the use, heritage and precinct considerations identified previously, the principal development limitation by Council will relate to access. Edward and Alice Streets carry moderate to heavy traffic flows out of the Central Business District. Some preliminary traffic schemes in this area have been considered in recent years including the rerouting of traffic up Mary and Albert Streets or, alternatively, the construction of a traffic tunnel around the Edward-Alice Street intersection with a pedestrian plaza at ground level connecting the Gardens, the Port Office site and Heritage Hotel. For a number of engineering, financial and traffic reasons, none of these schemes are practical and current traffic flows will remain, and probably increase, over time. Consequently, the Council would probably favour as small a number of development sites as possible on the subject aggregation, therefore reducing the number of access/egress points required. Easiest access is available from Margaret Street with some also possible from Edward Street. Given the sharp turn and low viability at the Edward - Alice Street corner, the Council would strongly resist a major access point onto the aggregation from Alice Street. Egress into Alice Street from the Depot Building (Section 5) may be permitted.

7.3 APPLYING THE MODEL

[Refer also to structure of Model outlined in Chapter 6]

7.3.1 OBJECTIVE

The objective here is to pre-plan a specially developed process whereby:

- the Port Office Site will be brought back to economic use;
- economic returns will be maximised whilst protecting the special heritage characteristics of the property; and
- the methodology used for the process will be acceptable to all stakeholders.

It is recognised that the project is complex but the matter will be best progressed if property criteria and the meeting of perceived end use demand are accepted a prime (though not the only) determinants for action.

7.3.2 APPLICATION : STAGE 1 IDENTIFICATION

Under practically all criteria for identification for action, the Port Office aggregation has high priority for further dealings.

It is a high profile site which is currently grossly underutilised. All Government tenants have vacated some years ago and the only income derived from the site, (the rental from the Port Office Hotel building), barely covers operational costs for the entire site. There is a physical urgency to the work as the heritage assets are continuing to deteriorate through white ant infestation etc. and, at one location - the front wall of the Alice Street Depot Building - public safety may soon become an issue.

High capital value, potentially about \$10M, is involved and a 'window' opportunity appears to be available because of:

- the perceived market potential for good quality, well located heritage redevelopment in Brisbane;
- the growing popularity and increasing pedestrian traffic flows in this precinct and its identification as an entertainment and residential area; and
- some return in confidence to the Brisbane development market, particularly for lower capital value sites.

Since the Government has no further use itself for the property it should be sold under the provisions of the above objectives.

7.3.3 APPLICATION : STAGE 2 RESEARCH - PROGRAMME ESTABLISHMENT

This stage principally involves the establishment of the project team, collecting and collating all available information (including heritage details) and establishing concepts and options for meeting overall project objectives.

As regards the Port Office project the components of this stage have been:

[i] Project Team Establishment

The project team established in this case was composed of a project leader and project officer, both Government employees, and a consultant architect, marketing consultant and valuer/analysis as permanent members.

Heritage Consultant, Solicitor, Service Engineering consultants and local Government representatives were also nominated as team members but to attend on an 'as required' basis only.

The team formally meets fortnightly with minutes etc. being kept.

[ii] Preparation of Property Profile

Amongst a range of normal real property and construction data collated for this project, the following issues are of particular note:

- Title

Refer to comments 7.2.5 'Legal Parameters' above.

The reinstatement of eight freehold titles will provide a degree of flexibility in disposal. As necessary a decision can be made in final negotiations whether any or all of these titles should be amalgamated before transfer.

- Zoning

Refer to comments in 7.2.5 'Legal Parameters' above. A Town Planning Certificate confirming the zonings should also be obtained.

- Heritage

Refer to comments in [iii] below.

- Building Certification

The only current certifications relate to the Port Office Hotel building. Other buildings and services will be subject to further certification following renovation/redevelopment.

The fire services currently available in most buildings and relatively low load bearing capacity of most floors would preclude certification for most commercial uses without major upgrade.

- Income and Cost History

Income figures have been collated. Whilst these are not available for disclosure, suffices to say that the only income from the entire site is derived from a month-to-month lease of the Port Office Hotel. This generates an exceedingly low and unacceptable level of return.

Likewise, cost figures are available but, given practically all of the site has been shut down and is on 'essential maintenance only' at this time, the data is of little relevance to future use.

- **Contamination**

Parts of the site (Sections 2, 5 and possibly 4) have been used in the past for manufacturing purposes which could have resulted in low level soil contamination. Whilst this is unlikely to present serious problems, a contamination study is immediately required.

- **Valuation**

An 'as is' valuation of the property has been carried out to provide a benchmark for 'value adding' in this process. It will require upgrading prior to sale to confirm with administrative guidelines.

- **Leases**

The only lease on the property is a month-to-month tenancy in favour of the licensees of the Port Office Hotel.

The actual hotel licence is the property of the operators, though a new licence could be established should the current operators vacate.

- **Improvements**

Summarised in EXHIBIT 7[IV].

Given the age and various owners of the properties, it is not surprising that no layouts or floorplans exist. A new survey of both site layout and floor plans for buildings on Sections 1, 2, 4, 5 and 6 is now being undertaken. This is essential to establish the exact developable areas.

- **Condition**

A condition report should be included in the heritage study and extend to include structural analysis.

- **Survey**

An immediate resurvey of the property to accommodate minor encroachments is essential in this case.

- **Geotechnic Analysis**

Core sampling on site is to be carried out because of the low relative levels of the site and shallow water table. Preliminary studies indicate that the location of the water table may restrict excavation on site to one basement level.

- Access

Good access and egress available from Margaret and Edward Streets. Limitations on access from Alice Street appears likely though egress onto that street may be permissible from Section 5.

- Services

All town services are available and no servicing difficulties are envisaged in future use intensities likely for the property.

- Adjoining Owners/Development

The aggregation has only one adjoining owner, the Body Corporate of 'The Gardens' Building Unit residential development. There is no opportunity nor benefit in amalgamation.

- Cost Estimates

It is proposed that the properties will be sold without renovation and without detailed analysis of likely end uses or costs.

[iii] Heritage

A Conservation Plan for Smellies Buildings and Port Office Hotel has been commissioned from Architects and Heritage Consultants Peddle Thorpe and Bruce Buchanan.

The overall outcomes of the study are summarised in Section 7.2.4 above. In brief, however, the study identifies that:

- the aggregation has major heritage importance because of its connection with maritime uses from Brisbane's past, its interaction with adjacent properties to create a significant precinct and thirdly, because of the individual qualities and architectural merit of four of the buildings on site;
- the key issues here are retention of fabric and of streetscape. Except for the hotel, the buildings on site have experienced a considerable number of use changes from the original maritime/manufacturing uses. Consequently, there is no expectation from a heritage perspective that continuity of use issues arise in this case;
- on this basis, and provided that the fabric and form of the heritage-listed improvements are generally protected, the buildings would be available for adaptive reuse for a range of residential and retail, recreational and entertainment uses;

- because of the very poor condition of the Alice Street Depot building (Section 5), it may be possible to gain permission to demolish at least the rear half of this building provided that any replacement development was not substantially greater in height, or scale than the existing building.

[iv] Project Team Workshop/Identification of Opportunities and Constraints

Once sufficient analytical data had been collected, a workshop was held to establish basic parameters to formulate strategies and to identify opportunities and constraints on the project. A summary of outcomes is as follows:

- Stakeholders and requirements

The principal stakeholders in this project are as established in Chapter 3 of this thesis viz: owners (Government/ Administration), politicians (Government of the Day), private sector developers/investors, occupants/end users and the general community. Further to the detailed observations made in Chapter 3, some additional specific comments regarding this project are required.

The current owners have no further use for the property and are beginning to find its continued underutilisation politically embarrassing. Their objective is therefore to sell the property out of their portfolio at optimum return and to see it renovated and reused in a manner sensitive to its heritage character and precinct. The encouragement of private sector investment into the property is therefore required and, as strongly emphasised earlier in this work, this will only be forthcoming through understanding and confidence in the development process and commercial viability of the end product.

The general community already strongly patronise the precinct particularly for entertainment purposes on both week days and weekend. Provided that publicity for the project is well managed, the heritage building fabric and streetscape is preserved and the end users encourage public access and use, strong community support for restoration/re-use appears assured.

Likewise, the National Trust see the Government as a transitory owner of this aggregation and is not concerned with it passing from Government ownership, as long as heritage considerations are accommodated in future uses.

- Comparative Advantages/Opportunities

The principal comparative advantages and development opportunities that the aggregation currently presents are identified as follows:

- strong identity and location within an established heritage precinct themes on maritime uses/the river/botanical gardens and with strong pre-existing community patronage;
- existing strong pedestrian traffic passing the site;
- no heritage continuity of use issues;
- existing heritage improvements are of considerable appeal, of good style and layout are generally in solid condition and would lend themselves to adaptive reuse for a range of residential, retail and other uses;
- presently unused areas (Sections 3, 7 and 8) are available to supplement redevelopment of the heritage components (eg. carparking, additional buildings, ground improvements etc.);
- site available for sale in whole or in a range of logical combinations of the eight individual titles (catering for a range of proposals and capital values);

- only such site available in the market with very few heritage redevelopment sites ever to come available on the Brisbane CBD market;
- locality recognised in the market as suitable for higher density residential and entertainment/recreational businesses;
- excellent aspect from parts of the subject across the Botanical Gardens and the Brisbane river (particularly from the upper floors of the Smellies (Old Mineral House) Building and across Edward Street to existing heritage restorations.
- secure site (owned by Government) with realistic time frame for decision making;
- Government willing to prove commitment to the project by part funding concept development and facilitating review by the local authority and the Heritage Council [see Stage 5];
- detailed data base (including heritage study) available;
- sale available on realistic conditions (eg. rezoning, heritage approval) and without the need for significant capital investment until major areas of potential risk (eg. heritage issues) are largely resolved.

- Limitations and Issues

Key parameters on the sale/reuse of the property are:

- located within Inner-Residential Development Control plan area which will make commercial usage (other than ground floor retail/entertainment uses) somewhat difficult, though not impossible, to secure;
- access difficulties in Alice Street;
- building upgrades as regards wind, services and floor loading will be required prior to higher density reuse;
- likely high watertable, limiting excavation to one basement;
- poor structural condition and some difficulties in reusing Alice Street Depot [Section 5];
- Owners and Body Corporate of the adjoining residential development, 'The Gardens', may object to rezonings/development consents for potentially intrusive uses (eg. hotels);
- Heritage controls on buildings and future development of currently open areas. Any redevelopment on the four heritage sites will require Heritage Council approval.

The Government as present owners, however, has an interest in ensuring that the current open areas are developed sympathetically. This can be achieved by their amalgamation with adjoining heritage parts of the site, so ensuring that all areas become subject to Heritage Council approval;

- ensuring that, if sale of part areas is proposed, that the Government is not left with small, low potential residual sites.

- Government Involvement/Continued Government Use

The Government has no further direct use for this property and is unlikely to wish to precommit to any leaseback.

Provided that subdivision is sympathetic to heritage buildings, the provision of the Heritage Act, together with an available Conservation Plan, will provide heritage protection regardless of ownership. The establishment of Crown land leases to enforce development conditions would therefore appear unnecessary in this case and would potentially detract from the realisable capital value.

• End Use(s)/Market

Given town planning and heritage precinct parameters, final uses relating principally to entertainment/tertiary activities at street level with a major residential component would appear likely. It may be possible to obtain Council approval for some studio-type offices on site but this would depend on final design.

Given the state of the market for development sites in Brisbane, the aggregation is probably too large and too diverse for one developer to accept. Whilst it would be hoped that it might be sold as a single site, the aggregation does naturally fall into three or four parcels as follows:

- (A) The Port Office Site and adjoining lands viz The existing hotel (Section 1), Smellies Red Brick Building (Section 2) and perhaps, the former St Vincents hostel (Section 6) and part of the open paved area (Section 3). This would create an area of between 1600m² and 2300m² for restoration and adaptation as a hotel/restaurant/entertainment area.

- (B) Smellies (Old Mineral House) (Section 4), Alice Street Depot (Section 5) and the balance of the open yard (Section 3).

This would have an aggregation area of approximately 2,200m². The main building - Smellies (Old Mineral House) could be restored and adopted for use as high quality apartments (or perhaps studio-offices) with restaurant/gallery or similar uses on the ground floor and in parts of the present Alice Street Depot site. The balance of that building and of the open yard (Section 3) would be used or adapted for carparking and associated uses.

- (C) Section 7 (Office/Workshop Building) and Section 8 (open, paved area).

This has an aggregated area of 920m² and has no heritage nor major access restrictions. Buildings on Section 7 could be demolished and a small, freestanding residential apartment building or, possible, offices could be developed on this site.

Areas (B) and (C) could be finally on sold under Building Unit titles.

These possible groupings are shown in EXHIBIT 7[V].

A range of variations are of course possible and it is important to keep the approach flexible to accommodate other potential uses that may emerge from the market. One possibility may involve the sale of Section 6, the former St. Vincent's hostel as a freestanding property for adaptation to offices or, alternatively, its incorporation with Sections 7 and 8.

A key concept in this is that heritage buildings are located on the two major groupings (viz A and B above). Under the provisions of Heritage Act, this will ensure that all development on both sites will be subject to Heritage Council review, including development on the currently open areas.

- Timing

A project bar chart is shown in EXHIBIT 7[VI].

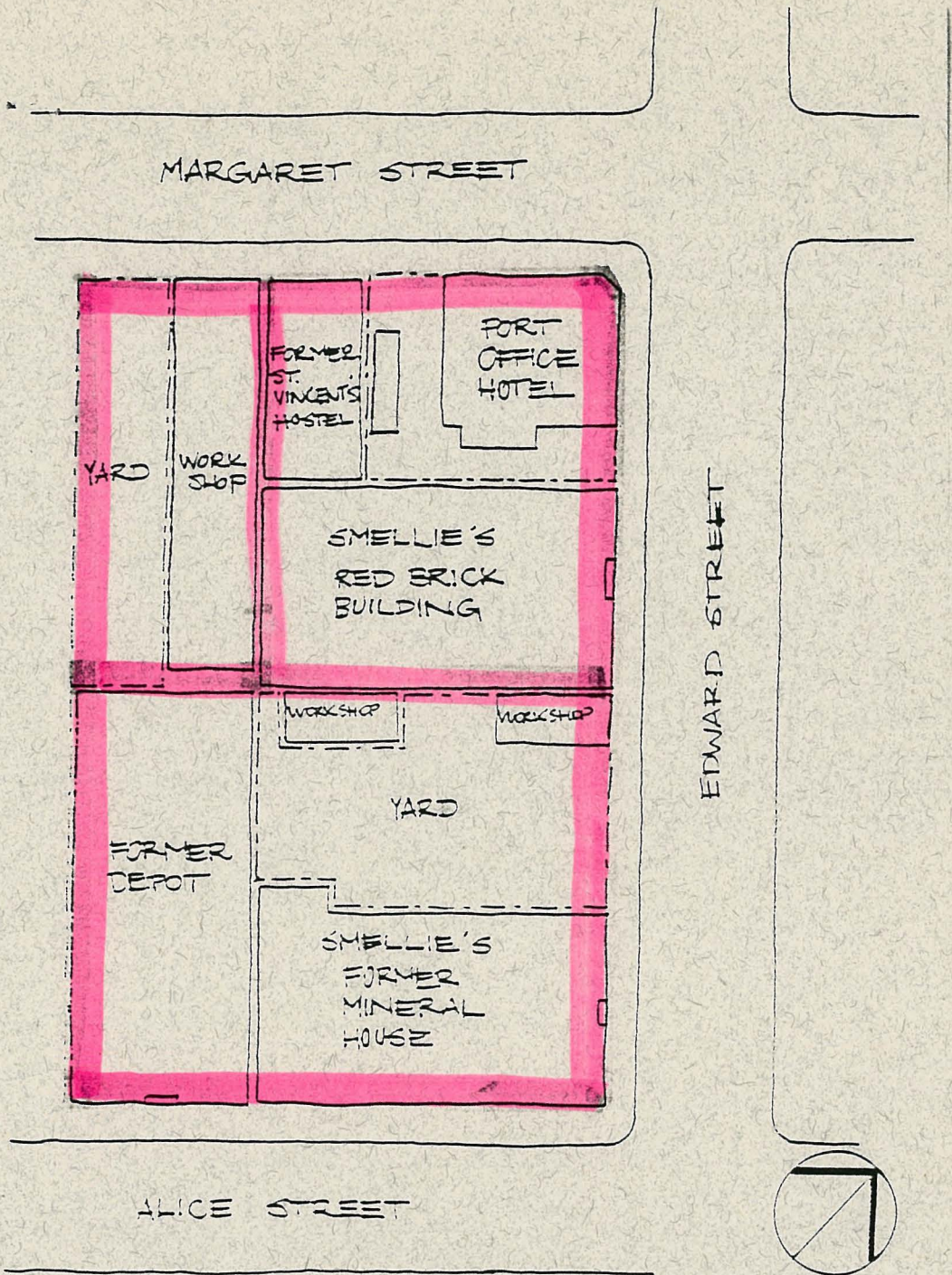
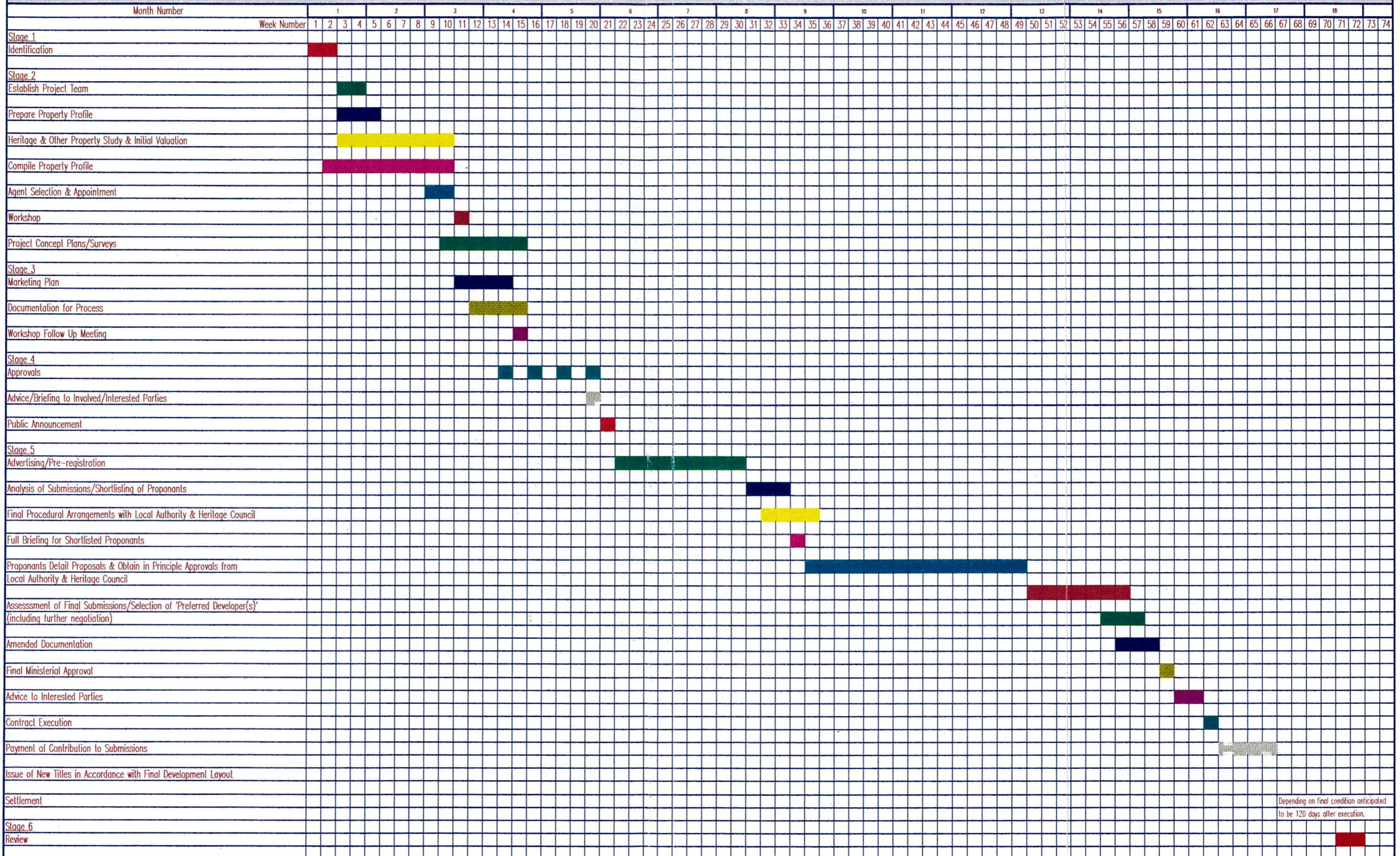


EXHIBIT 7[V]
PORT OFFICE
POSSIBLE FINAL SUBDIVISION

Port Office



Depending on final condition anticipated to be 120 days after execution.

EXHIBIT 7[VI] PORT OFFICE - PROJECT BAR CHART

- **Risk and Risk Management**

The project can be expected to meet with considerable interests on the open market. The principle risk to the successful completion of the project will be the inability to meet conditions of contract relating to development and heritage applications. These risks will be minimised by:

- (based on firm heritage information), the early elimination of submissions by proponents which obviously have difficulty with heritage and town planning requirements;
- Government using its position to ensure early preliminary review of shortlisted proposals by the local authority and Heritage Council;
- ensuring proposals are in sufficient detail to make meaningful decisions;
- maintaining several options open and available until final decision is made;
- ensuring that the final contract includes substantial monetary penalties (eg. non-refundable deposit) upon the purchaser.

- Decision-making

Final decision making for disposal and final contract will lie with Minister for Administrative Services. Ministerial Briefing Notes are to be provided monthly through the process and particularly at milestone points.

- Public Involvement/Interest Groups

The entire project will be of substantial benefit to its precinct and to the CBD as a whole. Except for the Port Office Hotel, the site has been locked away from public use for almost a decade. The final reuse will almost certainly open most ground floor areas to the public. Further, external restoration work will, under heritage control, enhance adjoining streetscapes.

The project should therefore be launched with wide press coverage/ministerial press release etc.

The National Trust have already advised that they do not have philosophical issue with the proposals. They will be briefed before the property is put to the market and again, (in general terms), before final contracts are entered into.

- Marketing Proposals/Best Options

The project is complex and requires detailed development of submissions before they can proceed to contract. It is therefore not practical nor desirable to offer the property for sale at a specified price nor for sale by tender nor auction. The first round of marketing, (as outlined in Chapter 6), should be to establish a short list of proponents and this will be best achieved by a call for expressions of interest. Given the capital value of the property and the need to fully explain the complexities of the site, a substantial advertising budget is required.

There may well be a range of acceptable uses and redevelopment proposals that may evolve from submissions. It is therefore important not to unnecessarily limit the concepts that may be submitted.

The best outcome for the aggregation is to dispose of it with as few contract conditions as possible and preferably as one parcel. Given the size of the project, it might seem unlikely that a sale as one parcel can be achieved. The second option is sale in sections outlined in EXHIBIT 7[V]. In this latter case, care must be taken to integrate individual developments into the overall precinct.

Whilst some variations may be possible, overall optimum uses would appear to be public access recreational uses (eg. hotels, restaurants, galleries, some boutique retailing etc.) to most ground floor levels with quality residential apartments above and ancillary uses such as parking provided under and on parts of Sections 3, 5, 7 and 8. Open entertainment areas, eateries, markets etc. might also be options for these sections. Some studio office uses may be also possible in Section 4.

- Workshop follow up

To ensure that the outcomes of the workshop proceed and that any new issues are identified and changes in process are made where necessary, it is desirable that a one-day follow up to the workshop be held. This should occur about the time of final approvals.

7.3.4 APPLICATION : STAGE 3 VEHICLE FOR PERFORMANCE (ASSET DEVELOPMENT STRATEGY)

Stage Two identified overall objectives, parameters and general strategies. This section establishes the procedures and actions to meet those objectives.

In the case of the Port Office project, the present owner (the State Government) will sell all interests before the redevelopment/construction phase commences. Consequently, it will not become involved in the development of detailed feasibilities nor in construction planning.

The project team will however, liaise direct with the Local Authority to ensure that the proposed future uses identified in the Conservation Plan are acceptable in concept to the current town plan and to establish any other observations or reservations that the local authority has on the project. Any major outcomes of these discussions will be incorporated in the brief given to proponents.

Specifically, it is important to confirm the feasibility of the possible subdivision into the three subdivisions outlined in Section 7.3.3 and shown in EXHIBIT 7[V]. Preliminary advice will also be given to the Minister for Environment and Heritage and to the Heritage Council.

Other aspects of Stage 3 of particular relevance to this case are:

[i] Appointment of a Marketing Agent

To ensure that the project remains focussed on end use and market acceptability, it is important to appoint and involve the marketing agent as early as possible. From submissions called from a short list of a major agents, the successful agent will be chosen on the basis of capacity, experience, innovation, marketing proposal and fee structure.

[ii] Marketing Plan

The basic proposal here is to call for pre-registration of those wishing to be considered as proponents for the purchase and development of either all or a nominated section of the subject property.

From these the apparent best proponents will be short listed on the basis of:

- capital value offered;
- conditions applying to offer;
- capacity and experience;
- details of proposal;
- sympathetic treatment of heritage issues given the precinct and individual buildings; and
- acceptability of uses and level of public access to final development.

Under normal circumstances, between one and three proponents for shortlisting would appear optimum. In this case however, given the complexity of the site and range of development options, up to six or eight proponents may need to be identified in the first instance.

Any offer on such a site will almost certainly include conditions. Inherent dangers exist here in choosing only one option too early as substantial time will elapse until any contract becomes unconditional. In the meantime, others showing original interest will be lost and, should the single selected purchaser later withdraw or conditions not be fulfilled, the whole process will collapse. The key strategy here is therefore to use the comparative advantages that both the site and Government possess to advance a shortlisted number of viable (if still conditional) options as quickly as possible until the final purchaser(s) is/are selected. The contract entered into at that point will have few conditions and, even those, will have been tested to prove that they have a high level of certainty.

Government action required as part of this marketing plan includes:

- making all collated information on the property (except for financial data) available to shortlisted proponents to ensure that their final plans/proposals are based on reliable and realistic information and thereby have reasonable expectations of acceptability;
- negotiating with/advising the local authority and the Minister of Environment and Heritage to ensure their willingness to consider submissions from proponents and to provide in principle opinions on them;
- offer financial support for development proposals to the extent of between \$10,000 - \$15,000 per proposal (see Section 6.2).

[iii] Valuation

An updated valuation should be sought to identify upset values for the aggregation and the proposed subdivisions.

[iv] Timing

As per EXHIBIT 7[VI], but an update and revision of timings should be carried out at this time.

[v] Public Involvement

Prebriefing to National Trust, Ministerial press release with indicative plans.

[vii] **Documentation**

Prior to advertising the following documentation will need to be prepared:

- by Solicitor under instruction from Project Leader:
 - expression of interest : documentation for release on project and selection process;
 - contracts of sale;
 - (in confidence-not for release) possible acceptable town planning and heritage approval contract condition;

- by Marketing Agent, with final approvals from Project Leader:
 - advertising;
 - property information data to be provided
 - to initial inquirers
 - to short listed proponents;

- by Project Leader (using Public Relations Consultant if required)
 - press release;
 - public information brochure;

[viii] Selection Criteria for short-listing/selecting final proponents

To ensure due process, a schedule of weighted selection criteria has been established to shortlist submissions and, later, to select the final successful proponent(s). In summary, these are:

- price;
- conditions and timing proposed;
- acceptability of proposal as regards heritage considerations, precinct, public accessibility and identified limitations on the site;
- proven ability to complete (inc. financial backing);
- economic and physical compatibility and integration of the proposals with the balance of the site and other submissions for the balance of the site.

As noted in Chapter 6, the original call for registration of interest must make it clear that the Government may reject any submission which it does not consider as acceptable on any of the above criteria.

The project has now reached a further milestone and is able to proceed to final approvals.

Based on hard data on heritage, physical and economic components of the project, it is now established that:

- the buildings are capable of restoration and reuse almost certainly for residential and entertainment/recreational/retailing uses. Some potential for studio-offices may also exist;
- the Government will not require end use involvement and full buyout of the Governments interests should be brought forward as soon as practicable using freehold tenure;
- whilst it would be desirable to sell the aggregation as one parcel, it would appear likely that returns will be optimised by sale in a small number (3 or 4) parcels. These groupings have been identified and development of each can be controlled through local authority and Heritage Council approval;
- given the likely conditions and variation of submissions likely, a call for expressions of interest and then dealing with shortlisted proponents is the recommended disposal vehicle. Given too the complexity of this site and potential for variations in development proposals, it might be anticipated that six or eight proponents will be shortlisted in this case.
- the project not only has the ability to generate and optimise capital return for Government but will also secure the heritage value of the site and, for the first time in a decade or more, open much of the site to public access and public use, sympathetic to the surrounding precinct. A very positive and open approach should therefore be taken politically and in involvement with the general public and in briefing to interest groups; and

- overall, the site enjoys considerable comparative advantages (listed above) which will form the basis of much of the marketing campaign. In particular, given the surrounding precinct and good style and quality of most of the buildings on site, the heritage component should be seen as an asset to final end use and to marketability. The strategy proposed here will provide the data base now available to short listed proponents to both optimise these advantages and to provide a high level of certainty and confidence in the process.

7.3.5 APPLICATION : STAGE 4 RECOMMENDATIONS/APPROVALS

This stage, whilst obviously important, relates more to governmental processes than to property management per se. Of specific note here are the following:

[i] **Ministerial Approval**

The relevant Minister has been kept aware of progress throughout the project to date but, until this point, on an 'information only' basis. Power to transact in major real property lies with the Minister and, prior to the project being exposed to the market, his formal approval to the process is required. Given the significance of the project, the Minister may also require an information paper to Cabinet.

[ii] Involvement of Other Parties

Dealings to date with interest groups (eg. the National Trust) and other parties directly involved, (notably the Department of Environment and Heritage, the Heritage Council and the Brisbane City Council) have been informal and at officer level. Once the project is approved, it is opportune to formalise the Government's intentions with Ministerial correspondence and both the Environment and Heritage Minister and the Lord Mayor.

The Minister may wish to brief the National Trust direct or alternatively such contact may be at Departmental level. In any case, the contact to them is by way of advice and not for detailed input by the Trust. Early indications are that the Trust will generally be supportive given the overall enhancement it will provide to the precinct.

[iii] Administrative Committees

The proposals also require noting by two inter-government committees. The first is the Government Office Accommodation Committee which requires an information-only brief because part of the subject property (Section 4, Smellies' (Old Mineral House)) is nominally at least still part of the Government's office accommodation stocks. The second, the Property Review Committee, monitors major property dealings. Given that this property is demonstrably surplus to Government requirements and is to be offered publically in the market, there will be no reservations about the disposal process.

[iv] **Public Announcement**

As noted earlier in this chapter, there are substantial benefits to all stakeholders to be derived from the project and a major announcement would therefore appear justified. Such a presentation will best be organised by a Public Relations Consultant and should include some indicative final uses/concepts etc..

In this case too, a short generalised brochure/information sheet should be produced outlining the history of the site, the proposals and the benefits that will be derived. This can be widely distributed to interested members of the general public following execution of contracts. This initiative mirrors the approach taken by the Sydney Cove Authority to inform and involve the public in restoration and related works in The Rocks area.

[v] **Project Team**

Given that this project will not involve the Government in physical construction, the normal handover of the project to a Construction Team will not be necessary. The existing Development Project will continue to manage the project until the property is sold out of the portfolio.

[vi] Timing

Advice to Administrative Committees can be addressed off the critical path. Ministerial approvals and announcements can be expected to take three to four weeks.

7.3.6 APPLICATION : STAGE 5 IMPLEMENTATION

Given the preplanned approach followed here, the implementation phase is largely procedural. Following Ministerial approval it is important to move to implementation as soon as possible and the marketing campaign should commence immediately following the original announcement. No construction activity by Government is envisaged in this case and the second option, identified in Chapter 6 Stage 5 is proposed here ('proposed for sale or major private sector involvement').

This is by far the longest part of the process, extending over seven or eight months. Most of the procedures here are sequential and, to arrive at contracts that are relevant and certain, there is no practical option to these time frames.

With particular relevance to this project, the following observations are made:

[a] Original Advertising and Pre-registration

Interest is anticipated from local and interstate developers and investors is anticipated and advertising will reflect these target groups.

Detailed summaries of collected, non-financial data will be made available through the marketing agent to identify, in general terms, viable options. The initial advertising period of almost two months is necessary to allow sufficient time for proponents to assemble and submit substantial and realistic architectural and financial data.

[b] Analysis of Submissions/Shortlisting of Proponents

This will be carried out by the permanent members of the Project Team with input from the Heritage Consultant and Solicitor and with the Project Leader having the final decision.

The criteria for selection will be as established in Section 3. Detailed records must be kept of this selection process.

[c] Procedural Arrangements with Department of Environment and Heritage, Heritage Council and Brisbane City Council

The model here recommends that the shortlisted proponents provide detailed restoration, reuse and development plans to the Heritage Council and the Brisbane City Council to obtain 'in principle' approval from those bodies on heritage and town planning issues respectively.

The intent here is to provide more certainty, both for the Government as vendor and the developer/investor as purchaser, that any final contract entered into will have a high probability of success.

To operate successfully, this process requires the involvement and assistance of both the Heritage Council, (under provisions of Section 9 Subsections (d), (f) and (g) of the Heritage Act) and of senior town planning staff in the Brisbane City Council. The approach will be outlined in Ministerial correspondence recommended in Stage 4 but detailed procedures will have to be established with the two groups. Preliminary discussions with them have indicated a willingness to participate.

Again, this step is quite long (10 to 12 weeks), but the detailed working up of concepts and the administrative processes for submissions to both organisations are such that shorter periods will not result in reliable outcomes. Time taken at this point will shorten the later approval process between contract and final settlement.

[d] Selection of 'preferred developer' and Approvals

The criteria for final selection of the preferred developer/purchaser will be similar to the original short listing process but this time base on much more advanced documentation and the input from both the Heritage Council in Brisbane City Council.

Whilst it would be anticipated that conditions on final heritage, rezoning and development approvals may still apply to the final contract, the process to date will provided certainty to their passage. It is therefore important that the final contract now place onus on the purchaser to proceed.

Consequently, it should include provision for a substantial non-refundable deposit should the matter not proceed for any reason except successful third party objections.

In the case of this project, there may be between one and four successful proponents, depending on which combination of development proposals best suits Government selection criteria.

Approval of the final agreement will again lie with the Minister and it would be recommended that advice of the outcome be provided to the Department of Environment and Heritage, the Brisbane City Council and the National Trust prior to any public announcement.

[e] Part payment of costs to unsuccessful short-listed proponents

This is seen as an integral part of the entire model. It acts to prove Government commitment to the project, will enhance the quality and detail of submissions and will encourage shortlisted proponents to pursue their proposals knowing that some cost recovery is possible.

The opportunity for partial cost recovery for short listed proponents will be made known at the initial call for pre-registration/expression of interest stage. Because of the possible variations in the size of development proposals on various parts of this site, however, it would not be possible to nominate a fixed ceiling. The matter would have to be subject to negotiation at the time where submittees were invited onto the short list.

Indicatively, the ceiling on contributions by the Government in this case would be between \$10,000 - \$15,000 per short-listed submission, thus involving a potential financial exposure of between \$40,000 and \$60,000 all up. It is noted that this would be payable to unsuccessful proponents. Payments would be made only after contracts were executed with the successful proponent(s) and would apply to audited costs only.

[f] Final Contract and Settlement

The executed contracts should be subject only to final heritage and town planning approvals based on the successful proponent(s) earlier submissions. Given the history and pre-assessment of the project, this should proceed without major problem. A time frame of about 120 days would be anticipated for this final stage. During this period also, re-survey and issue of title into final subdivision would be arranged. If the entire aggregation is to be sold to a single purchaser, it will be necessary to amalgamate into a single title to ensure that the heritage integrity of the entire site is maintained.

Comments regarding purchaser's non-refundable financial commitment during this period have been made previously and are reinforced.

7.3.7 APPLICATION : STAGE 6 COMPLETION/REVIEW

The Port Office site represents one of the largest heritage restoration/reuse projects ever undertaken in Queensland. Apart from the Queen's Park (Casino) Project (see Section 4.3 of this research), it is the only major commercially-based heritage project embarked upon since the establishment of comprehensive heritage legislation in the State.

The project has strong comparative advantages and good potential for success. It is also quite complex with a number of variations and innovations on the general proposals likely to emerge during the life of the project.

Such is the nature of contemporary Government bureaucracies and of the consultancy sector that the members of the project team may not be involved in future similar projects. Affirmative action must therefore be taken to ensure that the innovations, issues, opportunities and processes developed through the process are not lost to the corporate memory. This will best occur through a thorough debriefing workshop of one or two days involving not only the project team but also, for part of the workshop, input from the local authority, Heritage Council, the National Trust and, where possible, the successful and some unsuccessful proponents to comment on the process and to recommend how it might be modified and improved.

Detailed written summaries on the process used, copies of documentation and the outcome/recommendations from the debriefing workshop will be prepared and left as the final documentation on the main project file. Consideration should also be given by the project leader and/or other project team members to publishing a paper in a professional journal on the project once complete.

CHAPTER 8

CONCLUDING SUMMARY

CHAPTER 8 CONCLUDING SUMMARY

- 8.1 Approach and Methodology
- 8.2 Scope and Limitations
- 8.3 Case Studies
- 8.4 Specific Deductions
- 8.5 Revisiting the Principal Argument
- 8.6 Issues for further action/research

CHAPTER 8 CONCLUDING SUMMARY

The current process by which heritage properties with commercial potential are restored, adapted and reused is flawed. Under present conditions, there is a general reluctance for developers and investors to become involved with heritage buildings compared, say, with projects involving contemporary buildings or greenfield sites.

The property market requires comparatively large capital investment on each individual project which is exposed to a range of systematic and non-systematic risk over a considerable time period. In such an environment, would-be purchasers, investors and developers are naturally conservative about exposure to the additional risk perceived as being intrinsic to heritage buildings.

The practice of large scale restoration, adaptation and reuse of such buildings is a relatively new concept within the property market with comparatively few major projects completed. Further, legislation and administrative procedures designed to regulate such development and to protect heritage characteristics have been rather hastily enacted over recent years and are only now becoming fully operational. The Queensland Heritage Act for example was only proclaimed in 1992 and could not be said to be fully tested in practice.

The entire environment for dealing with these types of assets is therefore one of uncertainty -

- physically, because of possible latent construction problems in old buildings;

- economically, because of potential for cost and time over runs and concerns regarding market acceptance and absorption of the final product; and
- legally, because of poor understanding and inability to qualify the possible ramifications of the legislative and administrative controls.

The results currently are unacceptable to any stakeholders. The very substantial asset base that these buildings represent continues to be underutilised, potential opportunities to return them to higher economic returns are lost and, physically, they are left to deteriorate further.

The capital and heritage value of the assets thus continue to be eroded. Like practically any form of asset, ownership of heritage properties in a capitalist economy is widely dispersed throughout the community. This wide ownership base provides little cohesion or organisation and tends to work against the adoption of a uniform approach to successfully resolving complex development problems.

It must follow that there is an important and wide role for Government in leading the community in general and property owners and developers in particular in addressing these issue. To date, the Government approach has relied heavily on legislation. To protect assets of community value, legislation, including penal provisions, are obviously important. By nature, however, legislative controls tend to be negative and reactionary. Unless accompanied by economic stimuli and specific leadership and education, a regulatory approach may repress worthwhile initiatives and innovation and thus in fact frustrate the desired outcomes.

It cannot be said that the condition nor utilisation of heritage assets has improved markedly to date as a result of Governmental interest, new legislation nor new administrative systems. It could be argued, in fact that, following several recent confrontations between the State Government and owners, the whole issue of the reuse of heritage buildings with commercial potential is as nebulous as ever. The situation is of course further complicated by the current poor economic state of the property market as a whole.

Government involvement in these areas has a further important aspect. As well as responsibility for setting policy and developing regulations that reflect community expectations, the Government itself is the largest single owner of heritage property in the State. Approximately 169 heritage listed properties in Queensland have identifiable commercial potential. Of these, 25% are owned by the State Government. Indefinite final usage, shortage of capital funds for refurbishment works and unclear processes have all combined to leave these assets lying generally underutilised, sometimes completely vacant, and often in deteriorating repair.

Budgetary constraints and demands for effective and efficient Government administrations require substantial improvement both in these assets' economic performance and capital returns and in heritage protection. Cases do exist where heritage Government buildings are well restored and reused for non-commercial, community purposes (libraries, museums etc.). Given the size of the asset base and the limitations on capital funding, however, it is quite inconceivable that the Government could, or indeed should, restore and maintain all of these buildings for such purposes. Commercial end users must be identified and private sector capital attracted if the dual objectives of economic performance and heritage protection are to be met.

From all of these constraints and pressures an opportunity emerges. Rather than relying so heavily on a regulatory approach, the State can be pro-active and use its own comparative advantage and that of its heritage assets in bringing them back to economic use. As well as providing an important lead and role model, such activity would have the second major advantage of increasing the return and, depending on the circumstances, of realising on the capital value of the asset. To do this effectively however, a detailed data base on heritage issues and a model by which such projects can be progressed is essential.

The assembly of this data base and the construction of a suitable model are the primary outcomes of this thesis. By way of a concluding summary, the key processes and issues developed in the thesis are as follows:

8.1 APPROACH AND METHODOLOGY

Like any other sector of the real property market, heritage assets, either in the public or private sector are widely diverse in type, usage, location, size and architectural style.

This thesis investigates public sector assets with heritage significance and commercial potential. Even within this comparatively small sub-group, each property is intrinsically different. They range from freestanding buildings in provincial towns through to very large, valuable CBD sites readily capable of adaptive reuse. Some are specialist facilities such as prisons, harbour-side facilities, industrial buildings etc..

Added to the issue of physical diversity is the likelihood of private sector development and investment capital being invited to participate in the projects. This adds additional variety to the process where private sector proponents may envisage a wide range of end uses and restoration and adaptation ideas.

From all of this, it becomes clear that there is an inherent danger if any model developed to promote the dealings with such properties becomes detailed or unnecessarily dogmatic. Such an approach will frustrate innovation in bringing the property to its highest utility and capital value. Some wide parameters (eg. regarding Conservation Planning etc.) must be firmly established in all cases. However, within those boundaries, flexibility and the development of individual project plans to accommodate the special opportunities, issues and comparative advantages of each site, must be encouraged. As noted above, the outcomes here have several levels of benefit to the State Government. First as the manager of a very substantial portfolio, it can use the proposed model to address the serious problem of under-performing and deteriorating heritage assets within the portfolio. Secondly, and from a property-sector wide and political perspective, the State Government can promote, through example, the economic advantages of restoration and adaptive reuse of heritage assets.

As is normal practice in analytical studies, the methodology used in this thesis has involved the development of the topic through a number of sequential stages viz:

- establishment and definition of the topic and the scope of the study;
- comprehensive and factual data base;
- collated summary of physical examples/case studies;
- deductions from collected data and observations;
- generalisations from deductions - establishing a model;
- application of the model to a specific case;
- concluding summary.

Because of the comparatively low level of collated information available, particularly as regards Queensland heritage property, the establishment of a reliable data base in this case proved a quite large task ranging over such areas as definitional issues, legislative controls, conservation analysis techniques, building and construction issues, taxation and the establishment of requirements of interested parties and stakeholders. The resultant data constitutes a large sector of the final document but is important as an item of consolidated record not previously available.

Case studies were selected principally on their economic and heritage significance and to exemplify the variety of roles that Government can take in such projects.

Deductions from the data collected as part of the research (refer Chapter 5) fall into two principal groups - those relating to 'macro' or sector-wide considerations and those addressing 'micro' or property-by-property issues. These are summarised below but, as regards the approach and methodology adopted for this thesis, it is clear that some of the 'macro' issues (eg. possible taxation initiatives) cannot be simply resolved, at least in the short term. To advance a workable and practical model, the current status of sector-wide issues such as taxation, education etc. have been analysed but accepted. The model rather establishes general guidelines for addressing the controllable, specific (ie. 'micro') issues which will typically be encountered in projects of this type.

8.2 SCOPE AND LIMITATIONS

The overall scope of the thesis was established in Section 1.7. In short, this identified Queensland Government-owned heritage buildings with commercial potential as the principal subject of the work. In particular, the thesis aimed at establishing a development decision - making structure that would facilitate their sympathetic, economic reuse.

Whilst being able to achieve this, some limitations have emerged. These relate to the following:

- limited, (and in some cases no), published data notably on:
 - property analysis aspects of heritage buildings (as opposed to architectural and sociological studies and political considerations);

- Australian and particularly Queensland heritage project case studies;
- up to date critiques on new legislation and administrative procedures, again particularly regarding Queensland;
- much of the new legislation and processes now setting parameters for heritage property dealing have only been established in very recent times and no major restoration/adaptation project have been completed nor able to be analytically assessed to date under these parameters;
- the financial analysis of the major project discussed in this thesis, (Port Office site) is 'commercial in confidence' and not available for publication.

[This has proved of minor restriction only as the reason for the project's inclusion did not relate to the specific financial performance of that project but rather how the structure/process recommended by the model could be applied in a practical situation].

8.3 **CASE STUDIES**

Each of the four case studies researched makes a significant contribution to later deductions in the thesis. It should be observed in summary that the most reliable and practical assistance in the development of a workable model has come more from innovations and adaptations in actual major projects rather than from theoretical research alone. The particular contributions of the four case studies investigated in this thesis (Chapter 4) are briefly summarised as follows:

Case Study 1: Fremantle Prison and Surrounds, Western Australia

- Innovation in conservation and partial adaptation and reuse of an important, specialised and difficult property to provide pristine conservation of some areas with sympathetic new uses in others. This will provide both short and longer term income streams;
- Example of the use of a 'Public Diplomacy' approach to project management and community dealings throughout the development period and beyond; and
- Example of a project fully financed and managed by Government.

Case Study 2: The Mansions, George Street, Brisbane

- An uncommon example of a Government-owned heritage property, restored some years ago and successfully leased to private sector tenants;

- Exhibits the importance of identity, style, ambience and uniqueness in marketing heritage properties for end-user tenants; and
- Identifies the importance of the original development and construction briefs in the use and ownership of the final asset;

Case Study 3: Queen's Park Precinct (Casino Project) Brisbane

- An example of a major restoration and adaption of a Crown heritage property using private sector funding and a major change of use;
- Addresses the issues of opportunity cost considerations, continuity of use and the application of the Burra Charter; and
- Provides a current example of the interplay between Government, statutory bodies, interest groups and the general community on a controversial heritage project.

Case Study 4: The Rocks, Sydney Cove

- Identifies the importance of a large, prime site, identity, theme, marketing and management control over tenure and construction in producing a successful development;
- Exhibits the importance of thorough preplanning and commitment to quality and heritage preservation whilst ensuring a marketable/demanded end product;
- Innovation in the use of tenures and a mixture of public and private sector investment funds to produce favourable cash flows, both in the short and long term.

8.4 SPECIFIC DEDUCTIONS

As well as a number of general observations which should be addressed at a sector-wide level (see Section 8.5 below), Chapter 5 establishes a number of deductions from collected data upon which the model is constructed.

By way of concluding summary, the principal of these specific deductions are as follows:

- Acceptance as Property Projects

A real property asset's long term success and viability relies on their acceptance as property projects with the normal criteria for property development applying as prime determinants for action and investment.

Heritage issues must be seen as special considerations which provide both limitations and opportunities. Normal development parameters include establishing acceptable ROI, meeting stakeholders requirements, controlling costs, managing risks etc.. The fact that heritage considerations are involved here should not change the basic approach.

Earlier comments regarding current underutilisation of assets, the need to attract private sector capital and to secure new, sympathetic end users are again relevant here.

Finally, here project viability clearly depends on market demand levels for heritage style developments and the degree to which that demand is already satisfied competing suppliers (ie. from other completed and available projects).

- Meeting the Requirements of all Stakeholders

To be successful, heritage properties must meet the legitimate expectations of all stakeholders. In the case of Government-owned heritage properties, these stakeholders are typically the State Government as owners, politicians and the Government of the day, private sector investors/developers who may become involved, end users/occupiers and the general community.

The undue dominance of one stakeholder over others will cause distortions in outcomes which will almost certainly be politically and/or economically unacceptable to the Government as owner. An important part of the process is therefore to identify the stakeholders in particular projects/buildings, to establish the outcomes that they require or, at least, would find acceptable and then develop a strategy for the project that will best be able to achieve these requirements.

- **The Value of Specific Pre-Planning**

Given the intrinsic diversity of heritage properties, the establishment of detailed, rigid and abstract rules for dealing with such projects will almost certainly be counter productive. Rather, within some general guidelines and principles, detailed advanced planning on a project specific basis is essential.

Such planning must be based on the property's Conservation Plan which itself must be wide enough to specifically identify:

- what on site is of heritage significance;
- what steps are necessary to protect the heritage component;
and
- what future uses of the site are, on the face of it, compatible with that property's heritage characteristic and heritage management.

Thorough pre-planning and the establishment of a clear and structured approach to the project by Government provides additional certainty and confidence which has often been missing in the past in these types of projects.

- **Design and Construction Issues in Heritage Conservation**

A wide range of design, construction and physical restoration issues have been discussed in various parts of this thesis. Some of the more important deductions from these studies include:

- the retention of building facades only or exemplification (ie. the retention of a small part of a property to show its original condition whilst the rest is radically changed) typically does little either for realistic heritage conservation or reuse proposed. Except in exceptional circumstances these techniques should be avoided;
- heritage property projects appear generally much more attractive and viable when they form part of a themed and identified heritage precinct rather than one-off, isolated sites; and
- in some case, heritage significance relates to continuity of use as well as building fabric. It must be recognised, however, that, because of the changing demands of those pre-existing occupiers (eg. Government tenants) continuity of use does not guarantee that the fabric of the building will not have to be substantially altered.

- The Importance of Management of Interfaces with the Community

Community interest in heritage issues has developed over recent years particularly as regards the use of Government ('public owned') assets. Investigations would indicate, however, that for most of the population, such interest remains fairly generalised and nebulous. Consequently, well managed interfaces and dealings on such projects can secure community support.

The approach to be adopted should be specially developed depending on the circumstances of the case but the use of 'public diplomacy' techniques is strongly encouraged. Demonstratable improvements to the condition and exposure of the original fabric of the buildings and increased public accessibility to the buildings after development are important positive features to be highlighted where possible.

- The use of Tenure Systems to Physically and Financially Manage the Project

A range of tenure options ranging from freehold to Crown or real property commercial leasehold have been identified in this thesis and can be used to ensure the desired physical outcomes whilst establishing a financial model that is attractive to both the owner and the developer/investor.

Again, the final decision of tenure arrangement depends on the parameters of the individual project. It is however, a valuable tool for Government which should not be overlooked in addressing such matters as attractiveness on the open market, cash flow considerations, level of ongoing Government control required (eg. development conditions) etc.

- Making Full Use of the Comparative Advantages Offered by Government Owned Sites

Whilst identifying a range of issues and problems frequently encountered in heritage projects, this study also concludes that generally too little recognition is given to the strong comparative advantages that dealings with Government sites offer. Amongst other things, these included:

- the ability to secure the site and deal with a single, substantial owner over a reasonable timeframe;
- the ability for the Government to share part of the risks involved and, in some circumstances, to pre-commit to an end use; and
- use of Government data and research facilities; and
- the potential to structure the development agreement and tenure to accommodate cash-flow requirements.

- **Responsibility of Government to Act Commercially**

The thesis identifies that, in many cases, the restoration of heritage buildings and their sympathetic and economic reuse will depend on private sector capital investment. To provide the private sector with the confidence and certainty it requires to commit such funds, Government and its senior management must be willing to take a reasonably commercial attitude to such projects.

This particularly relates to the timeliness and clarity of decision making, establishment of clear project timetables, acceptance that all parties will carry such risk as they can reasonably control and recognition of the range of demands placed on private sector proponents by their financiers, shareholders etc..

8.5 REVISITING THE PRINCIPAL ARGUMENT

This thesis addresses the economic use and redevelopment of Queensland Government-owned properties with heritage significance. In its scope statement, it further defines its parameters, emphasising the need to construct a strategic decision-making process for these heritage buildings in the Government portfolio with underutilised commercial potential.

Section 1.3 presents the following principal argument.

" *that the unsatisfactory overall performance and the deteriorating condition of many Government-owned, heritage properties can best be addressed by:*

- *first developing a clear and comprehensive appreciation of the economic, physical, statutory and political aspects of the issues involved, upon which a valid and analytical decision-making process can be based; and*
- *with a fairly widely defined and flexible model, constructing a development procedure which both:*
 - *accommodates the particular heritage and other characteristics of the specific project; and*
 - *ensures that the project is recognised and assessed in the first instance under normal, contemporary portfolio management criteria and any later decision to vary those criteria because of greater community or other interests be made in full knowledge of the opportunities foregone.*"

The balance of the thesis develops a process around this argument. In the first instance the data base has been collected both from abstract theory and from the investigation of physical case studies in regard to:

- definition;
- legislation;
- conservation;
- construction;
- administration;
- economic issues; and
- the identification of stakeholders and their required outcomes.

The general model developed involved six, structural and defined stages:

- Stage 1 Identification
- Stage 2 Research - Programme Development
- Stage 3 Vehicle for Performance (Asset Development Strategy)
- Stage 4 Recommendation/Approvals
- Stage 5 Implementation
- Stage 6 Completion and Review

Chapter 7 of the thesis then exhibited how this model will be practically applied to a specific, complex heritage site with commercial potential - the Port Office Site within the Brisbane CBD.

8.6 ISSUES FOR FURTHER ACTION/RESEARCH

In the course of this thesis, a number of major sector-wide and community-wide issues were identified which have quite profound affects on the restoration and adoptive reuse of heritage properties with commercial potential. Until these are addressed, particularly by the intervention of the State and Commonwealth Government, the attractiveness in heritage projects for private investment will suffer. Particular to this thesis topic too, the significant comparative advantages available in involvement with Government-owned heritage property will not be exploited. Without change in some of these overall parameters, the current major underutilisation of valuable property resources and the further deterioration and eventual loss of the fabric of these heritage assets will continue.

These 'macro' issues are discussed in detail in Section 5.1 and elsewhere in this thesis and are briefly summarised below:

- **Need for a Shift in Basic Paradigms regarding the Restoration and Adaptive Reuse by Practically all Sectors of the Community**

Whilst the debate regarding heritage conservation has arguably advanced considerably over several decades, there remains in the minds of many a very simplistic development vs conservation dichotomy, typically based on quite poor and incorrect assumptions. On this confrontationist basis, little progress is possible.

It is essential that all parties realise that the 'do nothing' scenario which often results provides the worst outcome for practically all stakeholders. All parties must realise that the real issues here are time and finances. Time delays both frustrate the economic use of the asset whilst allowing its heritage value to further deteriorate.

As regards finances, it must be recognised that the proposal that the Government can, from its own budget, restore, maintain and economically use all of its currently underutilised heritage assets cannot be justified and simply will not occur.

Long term heritage conservation of these assets will be best achieved in most cases by restoration and adaptive reuse involving the private sector with the Government providing the necessary developmental guidelines on a project-by-project basis and providing reasonable certainty and predicability in the procedures involved.

- Consolidation of Heritage Controls with Local Authorities Planning Approvals

At present, approval processes and heritage administration is spread across three tiers of Government. This causes additional, unnecessary risk and uncertainty in the mind of potential private sector investors and end uses.

It can be reasonably argued that the Australian Heritage Commission's direct role in specific heritage control should be withdrawn and, as provided under the Queensland Heritage Act, development control should be delegated down from the State Government (Heritage Council) to Local Authorities.

Heritage approvals could then be incorporated in the normal town planning/development control procedures of the Local Authority. These initiatives are currently in train with several Local Authorities in Queensland and such initiatives should be encouraged and expanded as much as possible.

This may also assist to some extent in softening the existing rigid and negative character of legislative controls at both the Commonwealth and State levels and encourage the use of development bonuses and 'trade-offs' in return for heritage protection works.

- Need to Enhance the Level of Understanding of the Issues through provision of Factual Data and through Community Education

Investigations undertaken as part of this research indicate quite strongly a poor and shallow level of understanding of heritage issues not only in the general community but also within groups potentially involved such as the development, investment and construction sectors, interest groups and the bureaucracy.

A range of initiatives could be readily instigated particularly by the State Government to assist in advancing the cause of rational and sympathetic restoration and reuse of heritage properties. These might include:

- the provision of technical papers and of free, practical professional advice to owners/developers;
 - establishment and publicity of 'model' projects involving Government-owned heritage sites;
 - awarding grants for research into practical aspects of heritage restoration and reuse; and/or
 - the possibility of annual awards and publicity for successful restoration/adaptation projects and/or heritage design and research.
-
- Use of Fiscal Incentives to Encourage Restoration Works to an Appropriate Standard to Preserve Heritage Significance

Without providing details in this brief summary, it is true to say that there are very few specific, fiscal incentives which relate to heritage assets and certainly none of sufficient consequences to influence property/development decisions to any significant extent. Consequently, market forces (eg. level of return, nett rentals available etc.) will largely determine the quality of restoration work undertaken.

There is clearly no guarantee at all that this will coincide with the level of restoration demanded of the heritage characteristics of the particular property.

Commonwealth fiscal initiatives are urgently required to stimulate the sector to achieve desired outcomes - namely the timely restoration/adaptation of heritage properties that both meets end-user demand and protection of the heritage significance and community interest in the building through works of an acceptable standard. The thesis establishes that a system of tax credits and, perhaps additional building depreciation allowances and/or some level of relief from capital gains tax for restoration works would provide the best fiscal options.

Major further research and detailed financial modelling would be required to establish and quantify proposed taxation arrangements to encourage private sector funding into heritage buildings and, more specifically, to direct such funds into restoration works at a level required under a specific property's conservation plan. This represents an extremely large task involving not only property research but also, macro economic, taxation and Government Studies issues and is outside the scope of this thesis. It might be hoped that such research will however be undertaken by others in the foreseeable future given the identified importance of fiscal initiatives in the stimulation and direction of heritage restoration works and investment.

Unlike changes in taxation structures, action on the other, sector-wide issues identified above can be instigated relatively simply and inexpensively. Clearly, changing community attitudes and paradigms, increasing community awareness and education levels on heritage issues or even fully empowering Local Authorities in heritage development control cannot be fully achieved in the short term. In all these areas, the State Government enjoys both the ability and the opportunity to become proactive and thereby achieve very significant advances, even in the short term.

All such initiatives, however, require an innovative attitude, an holistic view of the issues at hand and, perhaps most importantly, the political determination to achieve the desired outcomes.

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SUPPORTING DATA

- **ANNEXURES**
- **ABBREVIATIONS**

ANNEXURES

LIST OF ANNEXURES

ANNEXURES

- 2.2[A] Extract - AHC Data Base : National Trust Heritage Register
- 2.3[A] Heritage Register - Queensland Heritage Act
- 2.3[B] Queensland Heritage Act Summary of Principal Provisions

- 2.4[A] Extract : Section 22 City of Brisbane Town Plan and Brisbane CBD Heritage Sites

- 2.5[A] Summary of Definitions from the ICOMOS Conservation (Burra) Charter
- 2.5[B] Summary of ICOMOS Conservation Principles and Processes
- 2.5[C] ICOMOS (Burra Charter) Guidelines and Typical Layout : Cultural Significance Report
- 2.5[D] ICOMOS (Burra Charter) Guidelines for Development of a Conservation Plan
- 2.5[E] Administrative Procedures - Setting Up and Undertaking Conservation Studies

- 4.2[A] Floor Plans - The Mansions, Brisbane

- 4.4[A] Schedule of Significant Sites, The Rocks, Sydney

ANNEXURE 2.2[A]

EXAMPLE : EXTRACT FROM AUSTRALIAN HERITAGE

COMMISSION HERITAGE REGISTER DATA BASE

BRISBANE CITY COUNCIL LIST A REGISTERED PLACES

STREET MARY ST
 NEAREST TOWN BRISBANE
 NOMINATORS SIGNIFICANCE OF ARCHITECTURAL EXCELLENCE BUILT FOR THE A U S N COMPANY

RGRMST : 017459
 NAME OF PLACE FIRST CHURCH OF CHRIST SCIENTIST
 STREET NO 273

STREET NORTH QUAY
 NEAREST TOWN BRISBANE
 NOMINATORS SIGNIFICANCE 1 AS AN EXCELLENT EXAMPLE OF A BUILDING BUILT IN QUEENSLAND BEFORE THE SECOND WORLD WAR WHICH WAS CONSIDERED VERY AVANT-GARDE FOR ITS TIME. ITS DESIGN SHOWS THE INFLUENCE OF THE EUROPEAN MODERN MOVEMENT AND COMBINES WITH THE ECLECTIC STYLES THAT WERE GENERALLY POPULAR 2 SIGNIFICANT FOR ITS HIGH QUALITY WORKMANSHIP IN PARTICULAR THE FACE BRICKWORK, WHICH SHOWS THE INFLUENCE OF THE MODERN MOVEMENT IN HOLLAND

RGRMST : 008405
 NAME OF PLACE VICTORIA BARRACKS
 STREET PETRIE TCE

NEAREST TOWN BRISBANE
 NOMINATORS SIGNIFICANCE OF HISTORICAL SIGNIFICANCE BUILT TO REPLACE THE ORIGINAL MILITARY BARRACKS WHICH PROVED INADEQUATE

RGRMST : 008329
 NAME OF PLACE TREASURY BUILDING
 STREET QUEEN ST

NEAREST TOWN BRISBANE
 NOMINATORS SIGNIFICANCE OF ARCHITECTURAL EXCELLENCE HISTORIC ASSOCIATIONS WITH THE DEVELOPMENT OF QUEENSLAND & CONTRIBUTION TO THE QUEEN'S PARK PRECINCT DESIGNED BY J J CLARK (WHO EVENTUALLY BECAME GOVERNMENT ARCHITECT)

RGRMST : 008335
 NAME OF PLACE CUSTOMS HOUSE
 STREET QUEEN ST

NEAREST TOWN BRISBANE
 NOMINATORS SIGNIFICANCE OF ARCHITECTURAL SIGNIFICANCE AN IMPORTANT COMPONENT OF THE LOWER QUEEN STREET STREETScape

RGRMST : 008339
 NAME OF PLACE GENERAL POST OFFICE BRISBANE
 STREET QUEEN ST

NEAREST TOWN BRISBANE
 NOMINATORS SIGNIFICANCE OF ARCHITECTURAL MERIT

RGRMST : 008401
 NAME OF PLACE PETRIE BIGHT RETAINING WALL
 STREET QUEEN ST

NEAREST TOWN BRISBANE
 NOMINATORS SIGNIFICANCE SIGNIFICANT ON THE BASIS OF ITS DESIGN AND ITS EXEMPLIFICATION OF IMAGINATIVE CIVIL ENGINEERING ACHIEVEMENT

RGRMST : 008423
 NAME OF PLACE VISTA TOWARDS THE STORY BRIDGE
 STREET QUEEN ST

NEAREST TOWN BRISBANE
 NOMINATORS SIGNIFICANCE NOT AVAILABLE

RGRMST : 015818
 NAME OF PLACE QUEENSLAND POSTAL HONOUR BOARD
 STREET QUEEN ST

NEAREST TOWN BRISBANE

BRISBANE CITY COUNCIL - LIST 5 REGISTERED PLACES

GOVERNMENT HOUSE BECAME AVAILABLE 1899 BECAME THE PROPERTY AND FIRST HOME OF THE UNIVERSITY OF QUEENSLAND NOW OCCUPIED JOINTLY BY THE QUEENSLAND INSTITUTE OF TECHNOLOGY AND THE NATIONAL TRUST OF QUEENSLAND

RCRMST - 008330

NAME OF PLACE LAND ADMINISTRATION BUILDING

STREET GEORGE ST

NEAREST TOWN BRISBANE

NOMINATORS SIGNIFICANCE SIGNIFICANT BECAUSE OF ITS ARCHITECTURAL MERIT AND ITS CONTRIBUTION TO THE QUEENS PARK PRECINCT

RCRMST - 008428

NAME OF PLACE QUEENS PARK PRECINCT

STREET GEORGE ST

NEAREST TOWN BRISBANE

NOMINATORS SIGNIFICANCE AN UNUSUALLY LARGE GROUP OF HISTORICALLY AND ARCHITECTURALLY IMPORTANT GOVERNMENT BUILDINGS AND HISTORICAL STRUCTURES AND SITES UNIFIED BY THE OPEN SPACE OF QUEENS PARK

RCRMST : 015819

NAME OF PLACE QUEENSLAND LANDS DEPARTMENT HONOUR BOARD FOR WW I

STREET GEORGE ST

NEAREST TOWN BRISBANE

NOMINATORS SIGNIFICANCE WAR MEMORIALS ARE AN IMPORTANT PART OF THE HISTORIC BUILT ENVIRONMENT IN TOWNS AND CITIES THROUGHOUT AUSTRALIA. THEY ARE A CONSCIOUS EXPRESSION OF EMERGING NATIONHOOD AND REFLECT PUBLIC FASHIONS AND SOCIAL ATTITUDES OF THEIR TIME. THIS MEMORIAL HAS OUTSTANDING SIGNIFICANCE FOR ITS UNIQUE DESIGN; FOR ITS OUTSTANDING MATERIAL SPLENDOUR AND EXCELLENT CRAFTSMANSHIP; AS THE ONLY IDENTIFIED PUBLIC WORK BY GEORGE VARLEY ROYCE, A WELL KNOWN LOCAL WOOD CARVER AND TEACHER IN WOOD CARVING AT SOUTH BRISBANE TECHNICAL COLLEGE AND LATER AT THE BRISBANE CENTRAL TECHNICAL COLLEGE FROM C. 1920-1941; AND FOR ITS HISTORICAL RECORD OF THE PARTICIPATION AND SACRIFICE OF THE STAFF OF A GOVERNMENT DEPARTMENT IN WORLD WAR I.

RCRMST - 008327

NAME OF PLACE THE MANSIONS

STREET NO 24

STREET GEORGE ST

NEAREST TOWN BRISBANE

NOMINATORS SIGNIFICANCE SIGNIFICANT FOR ARCHITECTURAL MERIT AND CONTRIBUTION TO THE GEORGE STREET PRECINCT

RCRMST - 008494

NAME OF PLACE HARRIS COURT

STREET NO 44-66

STREET GEORGE ST

NEAREST TOWN BRISBANE

NOMINATORS SIGNIFICANCE AN EARLY BRISBANE TERRACE OF ORIGINALLY FASHIONABLE TOWN HOUSES LEASED TO MEMBERS OF PARLIAMENT OTHER PROMINENT CITIZENS AND MEDICAL SPECIALISTS. IT HAS RETAINED CLEAR EVIDENCE OF ITS ORIGINAL FUNCTION DESPITE ALTERATIONS AND HAS KEPT ITS STREETSCAPE VALUE. SIGNIFICANT ALSO FOR ITS ASSOCIATIONS WITH THE ORIGINAL OWNER, GEORGE HARRIS, MERCHANT AND MEMBER OF PARLIAMENT.

RCRMST - 014511

NAME OF PLACE McDOWELL & EAST LTD BUILDING

STREET NO 402

STREET GEORGE ST

NEAREST TOWN BRISBANE

NOMINATORS SIGNIFICANCE AS AN EXCELLENT EXAMPLE OF A LARGE PURPOSE BUILT DEPARTMENT STORE WHICH USES THE BUILDING AND STRUCTURE OF ITS FACADE TO ADVERTISE THE GOODS AND SERVICES SOLD WITHIN. AS A VERY GOOD EXAMPLE OF THE WORK OF THE ARCHITECTS HALL AND PRENTICE WHO BECAME DESIGNING THE BRISBANE CITY HALL UNDERGOING A NUMBER OF LARGE AND IMPORTANT COMMISSIONS DURING THE 1920S. THE BUILDING REMAINS AS EVIDENCE OF THE IMPORTANCE OF THE WESTERN END OF GEORGE STREET AS A RETAILING CENTRE AND THE NOW VENTURED POWER OF LARGE CAPITAL OWNERS.

ANNEXURE 2.3[A]

HERITAGE REGISTER - QUEENSLAND HERITAGE ACT

**SCHEDULE
HERITAGE BUILDINGS
PART A**

**Local Authority
ALBERT SHIRE**

ST GEORGES ANGLICAN
CHURCH
10 TANSEY ST BEENLEIGH

LUTHERAN CHURCH
CHURCH ST BETHANIA

UNITING CHURCH
9-11 PRINCE ST NERANG

PIMPAMA & ORMEAU WAR
MEMORIAL
PACIFIC HWY PIMPAMA

**Local Authority
ALLORA SHIRE**

BOER WAR MEMORIAL AND
PARK
WARWICK ST ALLORA

TALGAI HOMESTEAD
ALLORA

GLENGALLEN HOMESTEAD
TOOWOOMBA—WARWICK HWY
WARWICK

**Local Authority
ARAMAC SHIRE**

WAR MEMORIAL
LODGE & GORDON STS ARAMAC

MT CORNISH HOMESTEAD
MUTTABURRA

**Local Authority
ATHERTON SHIRE**

HOU WANG MAIU TEMPLE
HERBERTON RD ATHERTON

CHINATOWN
HERBERTON RD ATHERTON

WAR MEMORIAL
KENNEDY HWAY & COOK ST ATHERTON

**Local Authority
BALONNE SHIRE**

CAMERONS 1 TON SURVEY POST
WEST BANK BARWON RIVER LAT. 29
WEST OF MUNGINDI ON BURRON
DOWNS STATION

THE ANCHORAGE HOMESTEAD
ST. GEORGE

**Local Authority
BANANA SHIRE**

KILBURNIE HOMESTEAD
VIA BILOELA

GREYCLIFFE HOMESTEAD
RANNES VIA BILOELA

**Local Authority
BARCALDINE SHIRE**

WAR MEMORIAL CLOCK
ASH & BEECH STS BARCALDINE

SHEARERS STRIKE CAMP SITE
BARCALDINE HOMESTEAD BARCALDINE

MASONIC TEMPLE
39 BEECH ST BARCALDINE

TREE OF KNOWLEDGE
OAK ST BARCALDINE

ST PETERS CHURCH OF
ENGLAND
68 YEW ST BARCALDINE

**Local Authority
BARCOO SHIRE**

WELFORD HOMESTEAD
JUNDAH

WARBRECCAN HOMESTEAD
STONEHENGE

**Local Authority
BAUHINIA SHIRE**

RAINWORTH FORT
SPRINGSURE

SCHEDULE—continued

**Local Authority
BEAUDESERT SHIRE**

NINDOONBAH HOMESTEAD
BEAUDESERT RD BEAUDESERT

WAR MEMORIAL
BRISBANE & WILLIAM STS & MOUNT
LINDSAY HWY BEAUDESERT

POST OFFICE (FORMER)—R.S.L.
CLUB
WILLIAM & ANNA STS BEAUDESERT

ALL SAINTS MEMORIAL CHURCH
BEAUDESERT—RATHDOWNEY RD
TAMROOKUM

**Local Authority
BLACKALL SHIRE**

MASONIC TEMPLE
HAWTHORN ST BLACKALL

WOOL SCOUR
BLACKALL

**Local Authority
BOONAH SHIRE**

COOCHIN COOCHIN HOMESTEAD
MAROON RD BOONAH

WAR MEMORIAL & MEMORIAL
PARK
PARK ST & YEATES AVENUE BOONAH

COTSWOLD COTTAGE
MAROON VIA BOONAH

**Local Authority
BOORINGA SHIRE**

WAR MEMORIAL
CAMBRIDGE & ANN STS MITCHELL

**Local Authority
BOULIA SHIRE**

STONE COTTAGE
PITURI & HAMILTON STS BOULIA

HANGING TREE (EUCALYPTUS
PAPUANA)
ARDMORE STATION VIA MOUNT ISA

**Local Authority
BOWEN SHIRE**

BOWEN RIVER HOTEL
STRATHBOWEN—LEICHARDT RANGE RD
BOWEN

SEAWARD HOUSE
11 THOMAS ST BOWEN

**Local Authority
BRISBANE CITY**

DUNAVERTY—CARVAMORE
21 BIRBECK ST ALBION

FARRINGTON HOUSE
DAVID & SYDNEY STS ALDERLEY

CHATEAU NOUS
1 RUPERT TCE ASCOT

WINDERMERE
14 SUTHERLAND AVE ASCOT

GLEN LYON—MARIST BROTHERS
COLLEGE
34 GLENLYON DR ASHGROVE

HIGH BARBAREE HOMESTEAD
109 ALBANY CREEK RD ASPLEY

DRYSLLOWYN—RAYMONT LODGE
47 CADELL ST AUCHENFLOWER

MOORLANDS
CORONATION DR & CHASELY ST
AUCHENFLOWER

BARDON HOUSE
THE DRIVE BARDON

CINTRA HOUSE—ART GALLERY &
NURSING HOME
23 BOYD ST BOWEN HILLS

MIEGUNYAH
37 JORDAN TCE BOWEN HILLS

TRIAD HOLY TEMPLE
HIGGS & PARK STS BREAKFAST CREEK

BREAKFAST CREEK HOTEL
2 KINGSFORD SMITH DR BREAKFAST
CREEK

BRISBANE ARCADE
117 ADELAIDE TO 160 QUEEN ST
BRISBANE

QUEENSLAND WOMENS WAR
MEMORIAL
228 ADELAIDE ST (IN ANZAC SQUARE)
BRISBANE

SOUTH AFRICAN WAR
MEMORIAL
228 ADELAIDE ST (IN ANZAC SQUARE)
BRISBANE

9TH BATTALION MEMORIAL
228 ADELAIDE ST (IN CRYPT OF ANZAC
SQ) BRISBANE

SCHEDULE—continued

ANZAC SQUARE
228 ADELAIDE ST BRISBANE

CITY HALL
64 ADELAIDE ST BRISBANE

UNITING CHURCH
319 ALBERT ST BRISBANE

BRISBANE BOTANIC GARDENS
147 ALICE ST BRISBANE

WALTER HILL FOUNTAIN
BOTANIC GARDENS ALICE ST BRISBANE

PRESBYTERIAN CHURCH
145 ANN ST BRISBANE

SCHOOL OF ARTS BUILDING
166 ANN ST BRISBANE

MASONIC TEMPLE OF THE
UNITED GRAND LODGE
309 ANN ST BRISBANE

ST MARTINS HOSPITAL
373 ANN ST BRISBANE

ST JOHNS CATHEDRAL
413 ANN ST BRISBANE

CHURCH HOUSE—ST JOHNS
DIOCESAN OFFICES
417 ANN ST BRISBANE

DR HOBBS HOUSE—THE
DEANERY
417 ANN ST BRISBANE

WEBBER HOUSE—ST JOHNS
INSTITUTE
439 ANN ST BRISBANE

CREDIT UNION AUSTRALIA
BUILDING—RACQ BUILDING
531 ANN ST BRISBANE

BUILDING—HAROLDS MARINE
123—125 CHARLOTTE ST BRISBANE

CHARLOTTE HOUSE
147 CHARLOTTE ST BRISBANE

ST LUKES CHURCH (FORMER)—
PANCAKE MANOR
18 CHARLOTTE ST BRISBANE

JOHN MILLS HIMSELF BUILDING
40 CHARLOTTE ST BRISBANE

GEORGE WESTON & SONS
BUILDING
42 CHARLOTTE ST BRISBANE

ST ANDREWS UNITING CHURCH
165 CREEK ST BRISBANE

MOONEY FOUNTAIN &
MEMORIAL
118 EAGLE QUEEN & WHARF STREETS
BRISBANE

EDWARDS DUNLOP BUILDING—
CATHOLIC CENTRE
143-149 EDWARD ST BRISBANE

TATTERSALLS CLUB
202 EDWARD ST BRISBANE

ROWES BUILDING
235 EDWARD ST BRISBANE

BUILDING—ROTHWELLS
235 EDWARD ST BRISBANE

PEOPLES PALACE
308 EDWARD ST BRISBANE

PORT OFFICE HOTEL
38 EDWARD ST BRISBANE

SPENCERS BUILDING
45-51 EDWARD ST BRISBANE

NAVAL OFFICES (FORMER)—
MUDDIES RESTAURANT
5-7 EDWARD ST BRISBANE

NEW SOUTH WALES HOUSE—
ASCOT CHAMBERS—ASTOR
HOUSE
EDWARD & 218 QUEEN STS BRISBANE

BUILDING—OPTICAL PRODUCTS
EDWARD & MARY STS BRISBANE

PERRY HOUSE
131 ELIZABETH ST BRISBANE

HECKELMANN BUILDING
165-171 ELIZABETH ST BRISBANE

TARA HOUSE—IRISH CLUB
179 ELIZABETH ST BRISBANE

ST STEPHENS CATHEDRAL
249 ELIZABETH ST BRISBANE

ST STEPHENS CHURCH (OLD)
249 ELIZABETH ST BRISBANE

ST STEPHENS GIRLS SCHOOL
249 ELIZABETH ST (FACES CHARLOTTE)
BRISBANE

QUEENSLAND CLUB
1—19 GEORGE ST BRISBANE

TREASURY HOTEL
173 GEORGE STREET BRISBANE

TREASURY CHAMBERS & ST
FRANCIS HOUSE—HUNTERS
BUILDINGS
175—185 GEORGE ST BRISBANE

SCHEDULE—*continued*

MCDONNELL & EAST BUILDING
402 GEORGE ST BRISBANE

TRANSCONTINENTAL HOTEL
482 GEORGE ST BRISBANE

GRAMMAR SCHOOL
24 GREGORY TERRACE BRISBANE

H B SALES BUILDING
125 MARGARET ST BRISBANE

WATSON BROTHERS BUILDING
129 MARGARET ST BRISBANE

HEBREW SYNAGOGUE
98 MARGARET ST BRISBANE

WENLEY HOUSE
20 MARKET ST BRISBANE

BUILDING
124 MARY ST BRISBANE

BUILDING
130—132 MARY ST BRISBANE

BUILDING
138 MARY ST BRISBANE

NALDHAM HOUSE
193 MARY ST BRISBANE

RETAINING WALL
CORONATION DR NORTH QUAY
BRISBANE

PORPHYRY WALL
NORTH QUAY BRISBANE

BUILDING—MISS BRISBANE
112 QUEEN ST BRISBANE

BUILDING—GARDAMS
114 QUEEN ST BRISBANE

HARDY BROTHERS BUILDING
116 QUEEN ST BRISBANE

BUILDING—SPORTSGIRL
120 QUEEN ST BRISBANE

REGENT THEATRE—HOYTS
ENTERTAINMENT CENTRE
167 QUEEN ST BRISBANE

BUILDING—NATIONAL BANK
180—182 QUEEN ST BRISBANE

BUILDING—DAVID JONES
184 QUEEN ST BRISBANE

BUILDING—ANGUS & COOTE
216 QUEEN ST BRISBANE

DE GROENS BUILDING
222 QUEEN ST BRISBANE

BUILDING—WALLACE BISHOP
226 QUEEN ST BRISBANE

AMP BUILDING—MACARTHUR
CHAMBERS
229 QUEEN ST BRISBANE

NEWSPAPER HOUSE—COLONIAL
MUTUAL LIFE BUILDING
289 QUEEN ST BRISBANE

NATIONAL MUTUAL BUILDING—
CUSTOM CREDIT BUILDING
293 QUEEN ST BRISBANE

QUEENSLAND NATIONAL BANK
HONOUR BOARD FOR WWI
308 QUEEN ST BRISBANE

QUEENSLAND NATIONAL BANK—
NATIONAL BANK
308 QUEEN ST BRISBANE

BANK OF NEW SOUTH WALES
BUILDING (FORMER)—WESTPAC
BANKING
CORPORATION BUILDING
33 QUEEN ST BRISBANE

PROVINCIAL INSURANCE
COMPANY BUILDING
424—426 QUEEN ST BRISBANE

ANZ BANK BUILDING
43-45 QUEEN ST BRISBANE

QUEENSLAND COUNTRY LIFE
BUILDING
436 QUEEN ST BRISBANE

PETRIE BIGHT RETAINING WALL
& IRON FENCE
493 QUEEN ST BRISBANE

COLONIAL MUTUAL CHAMBERS—
SUSSAN
62 QUEEN ST BRISBANE

PALINGS BUILDING
86 QUEEN ST BRISBANE

BUILDING—(FORMER MYERS)
94 QUEEN ST BRISBANE

KING GEORGE CHAMBERS
142—156 ROMA ST BRISBANE

SCHEDULE—continued

BALLOW CHAMBERS
121 WICKHAM TCE BRISBANE

CRAIGSTON
217 WICKHAM TCE BRISBANE

BRYNTIRION
287 WICKHAM TCE BRISBANE

ATHOL PLACE
303 WICKHAM TCE BRISBANE

ALL SAINTS CHURCH OF
ENGLAND
32 WICKHAM TCE BRISBANE

CALENDAR HOUSE—
THEOSOPHICAL SOCIETY
353 WICKHAM TCE BRISBANE

INCHCOLM
73 WICKHAM TCE BRISBANE

BUILDING—BRISBANE CLINIC
79 WICKHAM TCE BRISBANE

BUILDING—DODS HOUSE
RESTAURANT
97 WICKHAM TCE BRISBANE

BAPTIST CITY TABERNACLE
WICKHAM TCE & UPPER EDWARD ST
BRISBANE

RESERVOIRS (FORMER)
WICKHAM TCE BRISBANE

WINDMILL—OBSERVATORY
WICKHAM TCE BRISBANE

BULIMBA HOUSE
34 KENBURY ST BULIMBA

BULIMBA PARK
BOUNDED BY OXFORD STUART &
GOODWIN STS BULIMBA

RALAHYNE
40 ENDERLEY RD CLAYFIELD

STANLEY HALL—ST RITAS
CONVENT
55 ENDERLEY RD CLAYFIELD

TARRANALMA
14 TARRANALMA AV CLAYFIELD

ESK GROVE VILLA
58 LAIDLAW PDE EAST BRISBANE

LA TROBE
58 LATROBE ST EAST BRISBANE

WAR MEMORIAL
MOWBRAY PARK LYTTON RD EAST
BRISBANE

HESTER VILLA
58 STAFFORD STREET EAST BRISBANE

HUGHESVILLE
PACIFIC HIGHWAY & PADSTOW ROAD
EIGHT MILE PLAINS

KILLARNEY
9 LAUREL STREET ENOGGERA

EMPIRE HOTEL
339 ANN ST FORTITUDE VALLEY

ADDERTON—ALL HALLOWS
CONVENT
547 ANN ST FORTITUDE VALLEY

HOLY TRINITY RECTORY
110 BROOKES ST FORTITUDE VALLEY

HOLY TRINITY PARISH HALL
110 BROOKES STREET FORTITUDE
VALLEY

HOLY TRINITY CHURCH
110 BROOKES ST FORTITUDE VALLEY

VALLEY METHODIST CHURCH—
EPWORTH CENTRE
112 BROOKES STREET FORTITUDE
VALLEY

PRIMITIVE METHODIST
CHURCH—POTTERS GALLERY
483 BRUNSWICK ST FORTITUDE VALLEY

CRAIG ATHOL—LA SCALA
517 BRUNSWICK ST FORTITUDE VALLEY

HOLY NAME CRYPT & BUILT
SECTIONS OF THE HOLY NAME
CATHEDRAL
GIPPS ANN & GOTHA STREETS
FORTITUDE VALLEY

ST PATRICKS CHURCH
58 MORGAN ST FORTITUDE VALLEY

JUBILEE HOTEL
470 ST PAULS TCE FORTITUDE VALLEY

PRINCE CONSORT HOTEL
230 WICKHAM ST FORTITUDE VALLEY

WICKHAM HOTEL
308 WICKHAM ST FORTITUDE VALLEY

MCWHIRTTERS BUILDING
(FORMER)—MYER BUILDING
(FORMER)
WICKHAM & BRUNSWICK STS
FORTITUDE VALLEY

VERNEY—RAKEEVAN—BETH
EDEN
19 BELL TCE GRACEVILLE

SCHEDULE—continued

TOORAK HOUSE
16 ANNIE ST HAMILTON

WOOLLAHRA
LEXINGTON ST HAMILTON

CREMORNE
34 MULLINS STREET HAMILTON

PALMA ROSA—ENGLISH
SPEAKING UNION
9 QUEENS RD HAMILTON

ANNING MONUMENT—BOER
WAR MEMORIAL
254 HEMMANT TINGALPA & BOONOO
STS HEMMANT

UNITING CHURCH
58 HEMMANT & TINGALPA RDS
HEMMANT

GLENGARRY—GLENGARIFF
5 DERBY ST HENDRA

LADY LAMINGTON HOME FOR
NURSES
ROYAL BRISBANE HOSPITAL HERSTON
RD HERSTON

THE GRANGE—COOROOMAN
38 DORCHESTER STREET HIGHGATE
HILL

KINAULD
116 DORNOCH TCE HIGHGATE HILL

WAIRUNA
27 HAMPSTEAD RD HIGHGATE HILL

WANDA WALHA
15 GRAY ST HILL END

NASSAGAWEYA
37 GRAY RD HILL END

GREYLANDS
HARTS RD INDOOROPILLY

ST ANDREWS HALL
LAMBERT RD & FAIRLEY ST
INDOOROPILLY

GLEN ROSS
SEVENTEEN MILE ROCKS RD JINDALEE

AVONDALE
SEVENTEEN MILE ROCKS RD JINDALEE

UNITING CHURCH
SEVENTEEN MILE ROCKS RD JINDALEE

SCHOOL BUILDINGS
SEVENTEEN MILE ROCKS RD JINDALEE

COTTAGE
SEVENTEEN MILE ROCKS RD JINDALEE

KEDRON LODGE
119 NELSON ST KALINGA

NAVAL BRIGADE STORES
(FORMER)
AMESBURY ST KANGAROO POINT

SHAFSTON HOUSE—ANZAC
HOUSE
23 CASTLEBAR ST KANGAROO POINT

LAMB HOUSE
9 LEOPARD ST KANGAROO POINT

MORNINGTON—SILVERWELLS
261 MAIN ST KANGAROO POINT

ST MARYS CHURCH OF
ENGLAND & ORGAN
455 MAIN ST KANGAROO POINT

LECKHAMPTON
59 SHAFSTON AVE KANGAROO POINT

LOTA HOUSE—EDWIN MARSDEN
TOOTH MEMORIAL HOME
162 OCEANA TCE LOTA

WAR MEMORIAL
FERGUSON ST MANLY

COOK TERRACE
249 CORONATION DR MILTON

LUCERNE
23 FERNBERG RD MILTON

CHRIST CHURCH
HALE & CHIPPENDALE STS MILTON

MILTON HOUSE
58 MCDUGALL ST MILTON

BISHOPSBOURNE CHAPEL
(FORMER)
MILTON RD MILTON

BISHOPSBOURNE (FORMER)
MILTON RD MILTON

ST MATTHEWS ANGLICAN
CHURCH
30 COORONG ST MITCHELTON

DOGGETTS COTTAGE
35 ARTHUR ST NEW FARM

CAIRNSVILLE
41 BALFOUR ST NEW FARM

ST MICHAEL & ALL ANGELS HALL
655 BALFOUR ST NEW FARM

CSR REFINERY
78 LAMINGTON ST NEW FARM

ARCHIBALD HOUSE—GLENUGI
186 MORAY ST NEW FARM

SCHEDULE—continued

<p>BERTHOLME—MORETON CLUB 71 MORAY ST NEW FARM</p> <p>AMITY 101 WELSBY ST NEW FARM</p> <p>NEWSTEAD HOUSE BREAKFAST CREEK ROAD NEWSTEAD</p> <p>URADAH—ROSEVILLE 56 CHESTER ST NEWSTEAD</p> <p>JAMES HARDIE FACTORY LONGLAND ST & BREAKFAST CREEK RD NEWSTEAD</p> <p>TENERIFFE HOUSE 37 TENERIFFE DR NEWSTEAD</p> <p>EULALIA 75 MCILLWRAITH AVE NORMAN PARK</p> <p>UNITING CHURCH 34 UNION ST NUNDAH</p> <p>CEMETERY HEDLEY AVE NUNDAH</p> <p>TOOMBUL SHIRE HALL (FORMER) SANDGATE RD NUNDAH</p> <p>WORKERS DWELLING NO. 1 35 SURREY ST NUNDAH</p> <p>ITHACA WAR MEMORIAL & PARK ENOGGERA TCE PADDINGTON</p> <p>WARRISTON 6—8 MUSGRAVE RD PETRIE TCE</p> <p>BAROONA HALL—CAXTON ST HALL CAXTON & CATHIE STS PETRIE TERRACE</p> <p>HELLESVERE—ETON 436 UPPER ROMA ST PETRIE TERRACE</p> <p>MORETON BAY COLLEGE—GIRLS HIGH SCHOOL 142 AIRLIE RD PULLENVALE</p> <p>RAINWORTH HOUSE 7 BARTON ST RAINWORTH</p> <p>NORMANBY HOTEL 1 MUSGRAVE RD RED HILL</p> <p>ST BRIGIDS ROMAN CATHOLIC CHURCH MUSGRAVE RD RED HILL</p> <p>CAIRNS TERRACE 44-50 UPPER CAIRNS TCE RED HILL</p> <p>CRAIGERNE 101 WINDSOR RD RED HILL</p> <p>GLENTWORTH 34 HOWARD ST ROSALIE</p>	<p>BOONDAH 50 HOWARD ST ROSALIE</p> <p>BAROONA 90 HOWARD ST ROSALIE</p> <p>SALTWOOD 71 SWAN ST SANDGATE</p> <p>BERRY & MACFARLANE MONUMENT SHERWOOD ANGLICAN CEMETERY SHERWOOD RD & EGMONT ST SHERWOOD</p> <p>CORONATION HOTEL— MONTAGUE HOTEL HOPE ST & MONTAGUE RD SOUTH BRISBANE</p> <p>RICHARD RANDALLS STUDIO MUSGRAVE PARK SOUTH BRISBANE</p> <p>PHOENIX BUILDING—MALOUFS FASHION HOUSE 647 STANLEY ST SOUTH BRISBANE</p> <p>SOUTH BRISBANE LIBRARY (FORMER) STANLEY & VULTURE STS SOUTH BRISBANE</p> <p>MARITIME MUSEUM—DRY DOCK STANLEY & SIDON STS SOUTH BRISBANE</p> <p>VICTORIA BRIDGE (FORMER) ABUTMENT STANLEY ST SOUTH BRISBANE</p> <p>ST ANDREWS ANGLICAN CHURCH 160 VULTURE ST SOUTH BRISBANE</p> <p>CUMBOOQUEPA—SOMERVILLE HOUSE 253 VULTURE ST SOUTH BRISBANE</p> <p>RESIDENCE 19 GLOUCESTER ST SPRING HILL</p> <p>ST PAULS PRESBYTERIAN CHURCH HALL 53 ST PAULS TCE SPRING HILL</p> <p>ST PAULS PRESBYTERIAN CHURCH 53 ST PAULS TCE SPRING HILL</p> <p>BELLMOUNT—ADAMS RESIDENCE 71 ST PAULS TCE SPRING HILL</p> <p>SWIMMING BATHS 14 TORRINGTON ST SPRING HILL</p> <p>MOODYS COTTAGES—COOEE & ALLANDOON 8-16 VICTORIA ST SPRING HILL</p>
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SCHEDULE—continued

VIDA LAHEYS HOUSE—ROMEO LAHEYS HOUSE 97 SIR FRED SCHONNEL DR ST LUCIA	TROOPER COBBS GRAVE TOOWONG CEMETERY FREDRICK ST TOOWONG
LANGERS RESIDENCE 396 SWAN RD ST LUCIA	CASKEY MONUMENT TOOWONG CEMETERY FREDRICK ST TOOWONG
MAGNOLIA FARM 106 MCCULLOUGH ST SUNNYBANK	ST THOMAS CHURCH HIGH & JEPHSON STS TOOWONG
MACTAGGARTS F & G WOOL SELLING CO-OPERATIVE 145 COMMERCIAL RD TENERIFFE	BRISBANE BOYS COLLEGE 59 KENSINGTON TCE TOOWONG
AUSTRALIAN ESTATES COMPANY LTD NO 2 STORE 14 MACQUARIE ST TENERIFFE	PILOT OFFICER GEOFFREY LLOYD WELLS MEMORIAL SEAT STANLEY TCE & MOSSMAN STS TOOWONG
AUSTRALIAN ESTATES COMPANY LTD NO 1 STORE 50 MACQUARIE ST TENERIFFE	WOLSTON HOUSE 349 GRINDLE RD WACOL
ELDER SMITH & COMPANY LTD STORE 64 MACQUARIE ST TENERIFFE	ASTREA 19 BANKS ST WEST END
GOLDSBOROUGH MORT AND COMPANY LTD NO 2 STORE 83 MACQUARIE & BEESTON STS TENERIFFE	GAS STRIPPING TOWER DAVIES PARK WEST END
QUEENSLAND PRIMARY PRODUCERS NO 8 WOOL STORE MACQUARIE & CHERMSIDE STS TENERIFFE	BRIGHTON TERRACE 26-32 SUSSEX ST WEST END
QUEENSLAND PRIMARY PRODUCERS CO-OPERATIVE ASSOC. NO 4 STORE 8 SKYRING TCE TENERIFFE	WILSTON HOUSE 47 WATSON ST WILSTON
AUSTRALIAN MERCANTILE & LAND FINANCE COMPANY 36 VERNON TCE TENERIFFE	OAKWAL 50 BUSH ST WINDSOR
WINCHCOMB CARSONS LTD STORE 54 VERNON ST TENERIFFE	CONON CONON ST WINDSOR
DALGETYS HIDE AND PRODUCE STORE 63 VERNON TCE TENERIFFE	THE GRANGE 38 CROWTHER ST WINDSOR
SLAB HUT FARM 847 MT NEBO RD THE GAP	CRAIGELLACHIE 10 FOSBERY ST WINDSOR
REGATTA HOTEL CORONATION DR & SYLVAN RD TOOWONG	SHIRE COUNCIL CHAMBERS (FORMER) LUTWYCHE ROAD WINDSOR
WARRAWEE 10 DEAN ST TOOWONG	WAR MEMORIAL LUTWYCHE RD & ROBLANE ST WINDSOR
TEMPLE OF PEACE TOOWONG CEMETERY FREDRICK ST TOOWONG	KIRKSTON 23 RUPERT ST WINDSOR
	MONTE VIDEO—MONTE VIDES— BOOTHVILLE HOSPITAL 43 SEVENTH AVE WINDSOR
	PRINCESS THEATRE 8 ANNERLEY RD WOOLLOONGABBA
	BROADWAY HOTEL LOGAN RD & SHORT ST WOOLLOONGABBA
	BUILDING 609—615 STANLEY ST WOOLLOONGABBA

SCHEDULE—continued

BUILDING
623—629 STANLEY ST WOOLLOONGABBA

**ST NICHOLAS RUSSIAN
ORTHODOX CATHEDRAL**
344 VULTURE ST WOOLLOONGABBA

HOLY CROSS LAUNDRY
MORRIS & CHALK STS WOOLLOOWIN

Local Authority
BULLOO SHIRE

NOCCUNDRRA HOTEL
VIA THARGOMINDAH

Local Authority
BUNDABERG CITY

SCHOOL OF ARTS
184 BOURBONG ST BUNDABERG

COMMERCIAL BANK OF SYDNEY
191-193 BOURBONG & MARYBOROUGH
STS BUNDABERG

WAR NURSES MEMORIAL & PARK
BOURBONG & TAKALVAN STS
BUNDABERG

WAR MEMORIAL
BOURBONG & BAROLIN STS
BUNDABERG

KENNEDY BRIDGE
BOURBONG ST BUNDABERG

WATER TOWER
17 SUSSEX ST BUNDABERG

Local Authority
BUNGIL SHIRE

**MOUNT ABUNDANCE
HOMESTEAD**
WARREGO HWAY VIA ROMA

Local Authority
BURDEKIN SHIRE

CATHOLIC CHURCH (FORMER)
27 SPILLER ST BRANDON

Local Authority
BURKE SHIRE

LANDSBOROUGH TREE
BURKETOWN

BOILING DOWN WORKS
BURKETOWN

Local Authority
CAIRNS CITY

WAR MEMORIAL
ESPLANADE CAIRNS

**ADELAIDE STEAMSHIP COMPANY
BUILDING**
37 LAKE STREET CAIRNS

CENTRAL HOTEL
39—49 LAKE ST CAIRNS

HIDES HOTEL
87 LAKE STREET CAIRNS

SCHOOL OF ARTS BUILDING
93—105 LAKE ST CAIRNS

CEMETERY
MCLEOD STREET CAIRNS

**HOUSE ON THE HILL—Z
EXPERIMENTAL STATION**
30—60 KINGSFORD STREET
MOOROORBOOL

Local Authority
CALLIOPE SHIRE

ST LUKES ANGLICAN CHURCH
MALPAS STREET BOYNE ISLAND

GLENGARRY HOMESTEAD
VIA GLADSTONE

LANGMORN HOMESTEAD
LANGMORN STATION ROAD RAGLAN

**RAGLAN HOMESTEAD & SLAB
HUT**
RAGLAN STATION ROAD RAGLAN

PARSONS INN
RAGLAN STATION ROAD RAGLAN

Local Authority
CAMBOOYA SHIRE

WAR MEMORIAL
BICENTENNIAL MEMORIAL PARK
RAMSAY ST GREENMOUNT

ETON VALE HOMESTEAD (RUINS)
NEW ENGLAND HWY VIA CAMBOOYA

Local Authority
CARDWELL SHIRE

**POST OFFICE (FORMER)—
RESIDENCE**
53 VICTORIA ST CARDWELL

SCHEDULE—continued

**Local Authority
CARPENTARIA SHIRE**

**BANK OF NEW SOUTH WALES
(FORMER)—WESTPAC BANK
LANDSBOROUGH & LITTLE BROWN STS
NORMANTON**

**Local Authority
CHARTERS TOWERS**

**CIVIC CLUB
117 GILL ST CHARTERS TOWERS**

**ST COLUMBAS CHURCH AND
BELL TOWER
134 GILL ST CHARTERS TOWERS**

**AY-OT LOOKOUT
63 HODGKINSON ST CHARTERS TOWERS**

**THORNBURGH COLLEGE
57—59 KING ST CHARTERS TOWERS**

**BOER WAR VETERANS
MEMORIAL KIOSK
LISSNER PARK CHARTERS TOWERS**

**STOCK EXCHANGE ARCADE
76 MOSMAN ST CHARTERS TOWERS**

**AUSTRALIAN BANK OF
COMMERCE (FORMER)
86 MOSMAN ST CHARTERS TOWERS**

**LYALLS JEWELLERY SHOP—FOLK
MUSEUM
90 MOSMAN ST CHARTERS TOWERS**

**BARTLAM'S STORE (FORMER)
MOSMAN ST CHARTERS TOWERS**

**PFEIFFER HOUSE
6 PAULL ST CHARTERS TOWERS**

**MASONIC TEMPLE
20 RYAN ST CHARTERS TOWERS**

**YELVERTOFT—BLACKHEATH
80—84 STUBLEY ST CHARTERS TOWERS**

**VENUS GOLD BATTERY
MILLCHESTER RD MILLCHESTER**

**Local Authority
CLIFTON SHIRE**

**VICTOR DENTON MEMORIAL
CEMETERY NOBBY**

**Local Authority
COOK SHIRE**

**CHINESE SHRINE
CEMETERY COOKTOWN**

**MOTOR INN MOTEL
CHARLOTTE ST COOKTOWN**

**MARY WATSONS MONUMENT
CHARLOTTE ST COOKTOWN**

**BANK OF QUEENSLAND
(FORMER)—BANK OF NSW
(FORMER)—WESTPAC
CHARLOTTE ST COOKTOWN**

**BANK OF NORTH QUEENSLAND
(FORMER)—SUPERMARKET
CHARLOTTE ST COOKTOWN**

**ST MARYS CONVENT—JAMES
COOK HISTORICAL MUSEUM
HELEN ST COOKTOWN**

**PROSPECT CREEK STONE WALLS
AND FORT
COOKTOWN**

**TELEGRAPH STATION (FORMER)
MUSGRAVE CAPE YORK**

**WATER RACE AND CHINESE
CEMETERY
STONYVILLE**

**Local Authority
CROWS NEST SHIRE**

**ARGYLE HOMESTEAD
GEHAM**

**Local Authority
CROYDON SHIRE**

**HOMeward BOUND MINE
BATTERY DAM
TABLETOP RD CROYDON**

**Local Authority
DALBY CITY**

**WAR MEMORIAL
ANZAC PARK PATRICK ST DALBY**

**Local Authority
DALRYMPLE SHIRE**

**RAILWAY HOTEL
BARTON ST RAVENSWOOD**

**ROMAN CATHOLIC CONVENT
CHAPEL ST RAVENSWOOD**

**AMBULANCE BUILDING
DEIGHTON ST RAVENSWOOD**

**SCHOOL OF ARTS LIBRARY
MACROSSAN ST RAVENSWOOD**

SCHEDULE—continued

SHOP ADJACENT TO THORPS
BUILDING
MACROSSAN ST RAVENSWOOD

BROWNES BUILDING—SHOP
ADJACENT TO THE IMPERIAL
HOTEL
MACROSSAN ST RAVENSWOOD

POST OFFICE AND RESIDENCE
MACROSSAN ST RAVENSWOOD

SCHOOL OF ARTS HALL
MACROSSAN ST RAVENSWOOD

SHOP ADJACENT TO SCHOOL OF
ARTS LIBRARY
MACROSSAN ST RAVENSWOOD

BUTCHER SHOP
MACROSSAN ST RAVENSWOOD

THORPS BUILDING
MACROSSAN ST RAVENSWOOD

IMPERIAL HOTEL
MACROSSAN ST RAVENSWOOD

TOTLEY MINE
RAVENSWOOD

**Local Authority
DIAMANTINA SHIRE**

CARCORY HOMESTEAD (RUINS)
VIA BIRDSVILLE

BIRDSVILLE HOTEL
BIRDSVILLE

A.I.M. HOSPITAL (FORMER)
BIRDSVILLE

MEATHOUSE
GLENGLYLE STATION

TREE OF KNOWLEDGE
GLENGLYLE STATION

**Local Authority
DOUGLAS SHIRE**

ST AUGUSTINES CHURCH
(FORMER)—ST MARYS BY THE
SEA
ADJACENT TO ANZAC PARK PORT
DOUGLAS

COURT HOUSE (FORMER)—
MUSEUM
WHARF ST PORT DOUGLAS

WHARF—SHIPWRECK MUSEUM
PORT DOUGLAS

**Local Authority
EACHAM SHIRE**

RESIDENCE
23-24 ATHERTON RD YUNGABURRA

BANK OF NEW SOUTH WALES
(FORMER)—RESIDENCE
27 ATHERTON ROAD YUNGABURRA

CWA BUILDING
MAUDE KEHOE PARK ATHERTON RD
YUNGABURRA

BUILDING—BURRA INN
1 CEDAR ST YUNGABURRA

RESIDENCE
12 CEDAR ST YUNGABURRA

RESIDENCE
17—21 CEDAR ST YUNGABURRA

LAKE EACHAM HOTEL
2—6 CEDAR ST YUNGABURRA

HOUSE OF 1000 SHELLS
22 CEDAR ST YUNGABURRA

RESIDENCE
23 CEDAR ST YUNGABURRA

RESIDENCE
25 CEDAR ST YUNGABURRA

BUILDING
3 CEDAR ST YUNGABURRA

COMMUNITY CENTRE
8 CEDAR ST YUNGABURRA

BUILDING
9 CEDAR ST YUNGABURRA

CAIRNS PLYWOOD PTY LTD
BUILDING
38—40 EACHAM RD YUNGABURRA

BUTCHERY
47 EACHAM RD YUNGABURRA

BUILDING
49—53 EACHAM RD YUNGABURRA

ST MARKS ANGLICAN CHURCH
58 EACHAM RD YUNGABURRA

RESIDENCE
62 EACHAM RD YUNGABURRA

RESIDENCE—ARTISTS GALLERY
1 MULGRAVE RD YUNGABURRA

RESIDENCE
2 OAK ST YUNGABURRA

SCHEDULE—continued

ST PATRICKS CATHOLIC CHURCH
1 PENDA ST & MULGRAVE RD
YUNGABURRA

Local Authority
EIDSVOLD SHIRE

EIDSVOLD HOMESTEAD
EIDSVOLD

Local Authority
ESK SHIRE

CONROYS FARM—CASTLHOLME
HOMESTEAD
BRYDEN—CROSSDALE RD BRYDEN

BELLEVUE HOMESTEAD
COOMINYA

ST AGNES RECTORY
BRISBANE ST ESK

WAR MEMORIAL
MEMORIAL PARK IPSWICH ST ESK

ROYAL BANK OF QUEENSLAND
(FORMER)—BANK OF
QUEENSLAND
(FORMER)—NATIONAL BANK
12 RAILWAY ST LOWOOD

WAR MEMORIAL
MCCONNELL PARK CRESSBROOK ST
TOOGOOLAWAH

BELLAMBI
58 FULHAM ST TOOGOOLAWAH

PUBLIC PARK & BANDSTAND
GUNYAH MANGERTON & CRESSBROOK
STS TOOGOOLAWAH

ST ANDREWS CHURCH HALL
GUNYAH MANGERTON & CRESSBROOK
STS TOOGOOLAWAH

ST ANDREWS RECTORY
GUNYAH MANGERTON & CRESSBROOK
STS TOOGOOLAWAH

ST ANDREWS CHURCH
GUNYAH MANGERTON & CRESSBROOK
STS TOOGOOLAWAH

CRESSBROOK HOMESTEAD
TOOGOOLAWAH

MT BRISBANE HOMESTEAD
VIA ESK

Local Authority
ETHERIDGE SHIRE

KIDSTON GOLD BATTERY
EINASLEIGH

Local Authority
FITZROY SHIRE

GRACEMERE HOMESTEAD
GRACEMERE

Local Authority
GATTON SHIRE

BOER WAR MEMORIAL (FALLEN
SOLDIERS MEMORIAL)
CRESCENT ST GATTON

WAR MEMORIAL FOR WW1
(WEeping MOTHER MEMORIAL)
HICKEY ST & OLD COLLEGE RD GATTON

BANK OF NEW SOUTH WALES
(FORMER)—RESIDENCE
RAILWAY ST HELIDON

WAR MEMORIAL (ANDREWS
MONUMENT)
ST STEPHENS GRAVEYARD HEIFER
CREEK RD MA MA CREEK

Local Authority
GAYNDAH SHIRE

WAR MEMORIAL
WARTON ST GAYNDAH

Local Authority
GLADSTONE CITY

OUR LADY STAR OF THE SEA
CHURCH & SCHOOL
31 HERBERT ST GLADSTONE

OUR LADY STAR OF THE SEA
PRESBYTERY
38 HERBERT ST GLADSTONE

Local Authority
GLENGALLAN SHIRE

BURNDALE—WARRENILLA
SWAN CREEK

WHITE SWAN INN
SWAN CREEK

CANNING DOWNS HOMESTEAD
WARWICK

MASONIC TEMPLE
KING ST YANGAN

SCHOOL OF ARTS
KING ST YANGAN

Local Authority
GOONDIWINDI TOWN

SCHEDULE—continued

**CUSTOMS HOUSE (FORMER)—
MUSEUM**
1 MCLEAN ST GOONDIWINDI

TOWN HALL
92 MARSHALL ST GOONDIWINDI

WAR MEMORIALS
MARSHALL & MOFFAT STS
GOONDIWINDI

Local Authority
GYMPIE CITY

POST OFFICE (FORMER)
CHANNON & DUKE STS GYMPIE

**GYMPIE & WIDGEE WAR
MEMORIAL GATES**
MARY ST GYMPIE

**SCOTTISH GYMPIE GOLD MINE
RETORT HOUSE**
GYMPIE MINING MUSEUM BRISBANE RD
MONKLAND

ANDREW FISHERS COTTAGE
GYMPIE MINING MUSEUM BRISBANE RD
MONKLAND

Local Authority
HERBERTON SHIRE

ANGLICAN CHURCH
38 BROADWAY ST HERBERTON

**JACK & NEWELL GENERAL STORE
& PETROL BOWSER**
49 GRACE ST HERBERTON

SCHOOL OF ARTS
61 GRACE ST HERBERTON

WAR MEMORIAL
MYERS & PERKINS STS HERBERTON

ASSAYERS OFFICE
ZINC ST MOUNT GARNET

GUNNAWARRA HOMESTEAD
GUNNAWARRA RD VIA MT GARNET

Local Authority
HERVEY BAY CITY

WAR MEMORIAL
WILLIAM & STELEY STS HOWARD

Local Authority
ILFRACOMBE SHIRE

**BEACONSFIELD STATION SHEEP
WASH (RUINS)**
ILFRACOMBE

KELSO HOMESTEAD
ILFRACOMBE

Local Authority
IPSWICH CITY

UNITED WELSH CHURCH
6 THOMAS ST BLACKSTONE

BOOVAL HOUSE
COTHILL RD KITCHNER & FRENCH STS
BOOVAL

WAR MEMORIAL
CAMERON PARK GREEN ST BOOVAL

ROCKTON
2 ROCKTON ST EAST IPSWICH

ST FRANCIS XAVIER CHURCH
CHURCH ST GOODNA

BUILDING—LONDON PHARMACY
112 BRISBANE ST IPSWICH

FLOUR MILL
231 BRISBANE ST IPSWICH

CITY VIEW HOTEL
275 BRISBANE ST IPSWICH

**QUEENSLAND COUNTRY
WOMENS ASSOCIATION GIRLS
HOSTEL**
5 BRISBANE ST IPSWICH

**QUEENSLAND NATIONAL BANK—
BANK OF QUEENSLAND**
21 BRISBANE ST IPSWICH

BUILDING
93 BRISBANE ST IPSWICH

BUILDING
95 BRISBANE ST IPSWICH

LIME KILN REMAINS
GIRLS GRAMMAR SCHOOL BRISBANE ST
IPSWICH

ULSTER HOTEL
BRISBANE & MORTIMER STS IPSWICH

BOSTOK CHAMBERS
BRISBANE ST IPSWICH

**TOWN HALL (FORMER)—SCHOOL
OF ARTS**
BRISBANE ST IPSWICH

HOTEL METROPOLE
BRISBANE & WAGHORN STS IPSWICH

**COUNCIL RATES OFFICE
(FORMER)—DIRECT FABRICS**
BRISBANE & NICHOLAS STS IPSWICH

SCHEDULE—continued

COUNCIL OFFICES (FORMER)
BRISBANE ST IPSWICH

GIRLS GRAMMAR SCHOOL
BRISBANE ST & CHERMSIDE RD IPSWICH

RESIDENCE
1 BURNETT ST IPSWICH

NOTNEL
6 BURNETT ST IPSWICH

RESIDENCE
ADJACENT TO NO. 1 BURNETT ST
IPSWICH

ST MICHAELS NURSING HOME
68 CHERMSIDE RD IPSWICH

IPSWICH & WEST MORETON
BUILDING SOCIETY
EAST & LIMESTONE STS IPSWICH

UNITING CHURCH CENTRAL
MEMORIAL HALL
EAST STREET IPSWICH

ST MARYS PRESBYTERY
ELIZABETH ST IPSWICH

IPSWICH CENTRAL MISSION—
WESLEYAN CHAPEL
ELLENBOROUGH & LIMESTONE STS
IPSWICH

GINN COTTAGE
1 GINN ST IPSWICH

ST STEPHENS PRESBYTERIAN
CHURCH & HALL
GORDON & LIMESTONE STS IPSWICH

THE IPSWICH CLUB
14 GREY ST IPSWICH

RESIDENCE
109 LIMESTONE ST IPSWICH

ST PAULS YOUNG MENS CLUB—
ART GALLERY
LIMESTONE & NICHOLAS STS IPSWICH

RESIDENCE
LIMESTONE & WAGHORN STS IPSWICH

LIBERTY HALL—MARY TREGAIR
HOSTEL
LIMESTONE ST IPSWICH

RESIDENCE
15 MACALISTER ST IPSWICH

TO ME REE
7 MACALISTER ST IPSWICH

CLAREMONT
1A MILFORD ST IPSWICH

BRICKSTONE
11 MURPHY ST IPSWICH

ST PAULS ANGLICAN CHURCH
AND RECTORY
NICHOLAS & BRISBANE STS IPSWICH

RSL MEMORIAL HALL
NICHOLAS ST IPSWICH

RESIDENCE—CENTRAL
CONGREGATIONAL CHURCH
MANSE
21 QUARRY ST IPSWICH

TORONTO
30 QUARRY ST IPSWICH

GOOLOOWAN
QUARRY & OUTRIDGE STS IPSWICH

WALTER BURLEY GRIFFIN
INCINERATOR
QUEENS PARK IPSWICH

KEIRAVILLE
20 RODERICK ST IPSWICH

RESIDENCE
RODERICK WAGHORN & OMAR STS
IPSWICH

GAROWIE
59 WHITEHILL ST IPSWICH

FAIRY KNOLL—FAERIE KNOWE—
JEFFERIE TURNER CENTRE
WHITEHILL & ROBERTSON RDS IPSWICH

GRAMMAR SCHOOL
WOODEND RD & BURNETT ST IPSWICH

KYEWA
1 YORK ST IPSWICH

HOTEL CECIL
DOWNS & LOWRY STS NORTH IPSWICH

Local Authority
ISIS SHIRE

BANDSTAND & WAR MEMORIAL
SPORTSGROUND BRUCE HWY APPLE
TREE CREEK VIA CHILDERS

GRAND HOTEL
106-110 CHURCHILL ST CHILDERS

JEFFERYS BUILDING—FOODLAND
116-118 CHURCHILL ST CHILDERS

SCHEDULE—continued.

QUEENSLAND NATIONAL BANK
(FORMER)—YE OLDE BOUTIQUE
50 CHURCHILL ST CHILDERS

ANZ BANK
52 CHURCHILL ST CHILDERS

COMINO AND ISIS RECORDER
OFFICES
54-58 CHURCHILL ST CHILDERS

COMMERCIAL BANKING
COMPANY OF SYDNEY
(FORMER)—RSL CLUB
55 CHURCHILL ST CHILDERS

HOTEL CHILDERS—QUEENS
HOTEL
59 CHURCHILL ST CHILDERS

CHEMIST
60 CHURCHILL ST CHILDERS

NATIONAL BANK OF
AUSTRALASIA
61 CHURCHILL ST CHILDERS

BOYS PTY LTD
62-66 CHURCHILL ST CHILDERS

CLOCK—PIZZEY MEMORIAL
63 CHURCHILL ST CHILDERS

OATB BUILDING
69 CHURCHILL ST CHILDERS

FEDERAL HOTEL
71 CHURCHILL ST CHILDERS

PALACE HOTEL
72 CHURCHILL ST CHILDERS

PETTIGREWS HARDWARE—MITRE
10 HARDWARE
74-78 CHURCHILL ST CHILDERS

ROBINSONS NEWSAGENCY
80 CHURCHILL ST CHILDERS

ISIS BAKERY
82 CHURCHILL ST CHILDERS

SHOPS (SET OF 3 ADJACENT TO
PHARM. MUSEUM)
84-88 CHURCHILL ST CHILDERS

PHARMACEUTICAL MUSEUM &
TOURIST INFORMATION
CENTRE
90 CHURCHILL ST CHILDERS

SHOPS (SET OF 4 ADJACENT TO
GRANDE HOTEL)
92-106 CHURCHILL ST CHILDERS

TOY SHOP
CHURCHILL ST CHILDERS

BUTCHER SHOP—LEATHERARTS
6 NORTH ST CHILDERS

Local Authority
JOHNSTONE SHIRE

MCCOWATTS PROPERTY
GARRADUNGA

Local Authority
JONDARYAN SHIRE

JONDARYAN HOMESTEAD
EVANSLEA RD VIA JONDARYAN

ST ANNES CHURCH
EVANSLEA RD JONDARYAN

JONDARYAN WOOLSHED
EVANSLEA RD VIA JONDARYAN

WESTBROOK HOMESTEAD
GORE HWY WESTBROOK

WAR MEMORIAL
114—116 MAIN ST WESTBROOK

Local Authority
KILCOY SHIRE

KILCOY HOMESTEAD
KILCOY

Local Authority
KILKIVAN SHIRE

BOOBYJAN HOMESTEAD
BOOBYJAN VIA GOOMERI.

MT CLARA COPPER MINE
SMELTER CHIMNEY
ROSSMORE RD FAT HEN CREEK

HALL OF MEMORY
BOONARA ST GOOMERI

WAR MEMORIAL CLOCK
BURNETT & WIDE BAY HWYS GOOMERI

WODONGA HOMESTEAD
GYMPIE

BARAMBAH HOMESTEAD
VIA GOOMERI

Local Authority
KINGAROY SHIRE

WYLARAH HOMESTEAD
IRON POT RD KUMBIA

TAABINGA HOMESTEAD
VIA KINGAROY

SCHEDULE—continued

BURRANDOWAN HOMESTEAD
VIA KUMBIA

Local Authority
LAIDLEY SHIRE

WAR MEMORIAL
GORDON ST FOREST HILL

LOCKYER HOTEL
1 VICTORIA ST FOREST HILL

NATIONAL BANK (FORMER)—
BUILDING
3 VICTORIA ST FOREST HILL

FOREST HILL HOTEL
38 WILLIAM ST FOREST HILL

HOTEL EXCHANGE
134—138 PATRICK ST LAIDLEY

G. WYMAN BUILDING
140—142 PATRICK ST LAIDLEY

CARMODY BUILDING
144—150 PATRICK ST LAIDLEY

BAKERY (FORMER)—BUILDING
91 PATRICK ST LAIDLEY

Local Authority
LIVINGSTONE SHIRE

RASPBERRY CREEK HOMESTEAD
BYFIELD HISTORICAL SOCIETY BYFIELD

CEMETERY
JOSKELIEGH

ST CHRISTOPHERS CHAPEL
ST CHRISTOPHERS CHAPEL ROAD
NERIMBERA.

Local Authority
LOGAN CITY

MAYES PROPERTY
MAWARRA RD KINGSTON

Local Authority
LONGREACH SHIRE

QATB CENTRE (FORMER)—ARTS
& CRAFTS CENTRE
111 ISIS ST LONGREACH

QANTAS HANGAR
LONGREACH AERODROME
LANDSBOROUGH HWY LONGREACH

BIMBAH HOMESTEAD
EAGLE ST VIA LONGREACH NORTH

DARR RIVER DOWNS
HOMESTEAD
LANDSBOROUGH HWY MORELLA

Local Authority
MACKAY CITY

WAR MEMORIAL
JUBILEE PARK ALFRED ST MACKAY

ST PAULS UNITING CHURCH
21 MACALISTER STREET MACKAY

NATIONAL BANK OF
AUSTRALASIA—NATIONAL
AUSTRALIA BANK
33 SYDNEY ST MACKAY

QUEENSLAND NATIONAL BANK—
NATIONAL AUSTRALIA BANK
79 VICTORIA ST MACKAY

Local Authority
MAREEBA SHIRE

BAKERVILLE HOTEL
VIA HERBERTON

QUEENSLAND NATIONAL BANK
(FORMER)
JESSIE ST IRVINEBANK

JOHN MOFFATT RESIDENCE
(FORMER)
NEAR RUBINA TCE IRVINEBANK

MULLIGANS GRAVE
CEMETARY RESERVE BAKERS RD MT
MOLLOY

Local Authority
MAROOCHY SHIRE

PIONEER COTTAGE
5 BALLINGER CRS BUDERIM

Local Authority
MARYBOROUGH CITY

CEMETERY KIOSK & MORTUARY
CHAPEL
WALKER BRIGHT & KENT STS BADDOW

BADDOW HOUSE
BADDOW

POST OFFICE HOTEL
BAZAAR & WHARF STS MARYBOROUGH

SCHEDULE—continued

ST MARYS CHURCH
BAZAAR ST MARYBOROUGH

HOTEL FRANCIS
310 KENT ST MARYBOROUGH

MAYFAIR BOARDING HOUSE
KENT MARCH & BOWEN STS
MARYBOROUGH

CITY HALL
KENT ST MARYBOROUGH

ROYAL HOTEL
KENT ST MARYBOROUGH

SCHOOL OF ARTS
KENT ST MARYBOROUGH

QUEENSLAND NATIONAL BANK—
WOODSTOCK HOUSE—BURRUM
SHIRE
COUNCIL CHAMBERS
KENT & RICHMOND STS
MARYBOROUGH

ROYAL BANK—WINDSOR HOUSE
KENT ST MARYBOROUGH

LAMBERT HYNE HOUSE
335 LENNOX ST MARYBOROUGH

GERAGHTYS STORE & 2
ADJACENT BUILDINGS
62-66 LENNOX ST MARYBOROUGH

ST PAULS ANGLICAN CHURCH
BELL TOWER & HALL
LENNOX ST MARYBOROUGH

ESKDALE
53 PALLAS ST MARYBOROUGH

OONORABA
PALLAS ST MARYBOROUGH

BANDSTAND
QUEENS PARK MARYBOROUGH

WAR MEMORIAL
SUSSEX & BAZAAR STS MARYBOROUGH

CUSTOMS HOUSE HOTEL
116 WHARF ST MARYBOROUGH

CRITERION HOTEL
WHARF ST MARYBOROUGH

BOND STORE
WHARF ST MARYBOROUGH

WATERSIDE WORKERS HALL
WHARF ST MARYBOROUGH

BUILDING
WHARF ST (OPPOSITE NP&WS
HEADQUARTERS BUILDING
ENTRANCE) MARYBOROUGH

GATAKERS WAREHOUSE
WHARF ST MARYBOROUGH

Local Authority
MILLMERRAN SHIRE

ALL SAINTS CHURCH
TOOWOOMBA—MILLMERRAN RD
YANDILLA

Local Authority
MIRANI SHIRE

WAR MEMORIAL
ANZAC PDE FINCH HATTON

LT THOMAS ARMSTRONG
MEMORIAL
ST JAMES UNITING CHURCH ANZAC AV
MARIAN

Local Authority
MIRIAM VALE SHIRE

WAR MEMORIAL
BLOOMFIELD ST MIRIAM VALE

CAPTAIN COOK MEMORIAL
RESERVE
ROUND HILL HEAD VIA 1770

Local Authority
MONTO SHIRE

VENTNOR STATE SCHOOL
YARROL RD VIA MONTO

Local Authority
MORETON SHIRE

FRANKLIN VALE HOMESTEAD
FRANKLIN VALE & MT MORT—
GRANDCHESTER RDS GRANDCHESTER

SAWMILLS
SYMES ST GRANDCHESTER

SHIRE MEETING HALL—LOWOOD-
ROSEWOOD BLUE NURSING
BUILDING
67 EDMOND ST MARBURG

MARBURG HOTEL
61—65 QUEEN ST MARBURG

NATIONAL BANK—MARBURG
RESIDENTS ASSN HQ
71 QUEEN ST MARBURG

WOODLANDS—DIVINE WORD
SEMINARY
OFF SEMINARY RD MARBURG

SCHEDULE—continued

GLENDALOUGH
96 JOHN ST ROSEWOOD

ST BRIGIDS CHURCH
28 MATTHEW ST ROSEWOOD

NORMANBY HOMESTEAD
CUNNINGHAM HWY WARRILL VIEW

Local Authority
MOUNT ISA CITY

TREE OF KNOWLEDGE
BARKLY HWY CAMOOWEAL

FRECKLETONS STORE
BARKLY HWY CAMOOWEAL

COMMUNITY HALL
BARKLY HWY CAMOOWEAL

HODGKINSON TREE
ROCKLANDS STATION VIA MOUNT ISA

TENT HOUSE
16 FOURTH AVE MT ISA

Local Authority
MOUNT MORGAN SHIRE

GRAND HOTEL
39 CENTRAL ST MOUNT MORGAN

MASONIC TEMPLE
2 GORDON ST MOUNT MORGAN

QUEENSLAND NATIONAL HOTEL
28 MORGAN ST MOUNT MORGAN

SCHOOL OF ARTS & LIBRARY
31 MORGAN ST MOUNT MORGAN

THE CORONATION LAMP—BOER
WAR MEMORIAL
ANZAC PARK MORGAN ST MOUNT
MORGAN

CHINESE SHRINE & CEMETERY
RESERVE 26 MT MORGAN

Local Authority
MURWEH SHIRE

QUEENSLAND NATIONAL BANK—
HISTORIC HOUSE
87 ALFRED ST CHARLEVILLE

WAR MEMORIAL
TOWN HALL PARK WILLS ST
CHARLEVILLE

Local Authority
NANANGO SHIRE

TAROMEO STATION
BENARKIN

TARONG HOMESTEAD
VIA KINGAROY

Local Authority
PAROO SHIRE

WAR MEMORIAL FOUNTAIN
JOHN JANE & EMMA STS CUNNAMULLA

PAROO HONOUR BOARD
CIVIC CENTRE LOUISE & STOCKYARD
STS CUNNAMULLA

ROBBERS TREE
STOCKYARD ST CUNNAMULLA

OBELISK
EAST BANK WARREGO RIVER ON QLD-
NSW BORDER (LAT.29) VIA
BARRINGUN

Local Authority
PERRY SHIRE

ST PATRICKS CHURCH
WALLACE ST MOUNT PERRY

MASONIC LODGE
ISABELLA ST MT PERRY

Local Authority
PINE RIVERS SHIRE

STRATHPINE HONOUR BOARD
PINE RIVERS RSL & SERVICES MEMORIAL
CLUB 1349 ANZAC AV KALLANGUR

NORTH PINE PRESBYTERIAN
CHURCH
NORTH PINE COUNTRY PARK
HISTORICAL VILLAGE 57 OLD
DAYBORO RD KURWONGBAH

SHIRE HALL (FORMER)
222 GYMPIE RD STRATHPINE

Local Authority
REDLAND SHIRE

ST PAULS CHURCH OF ENGLAND
CROSS & NORTH STS CLEVELAND

COURTHOUSE (FORMER)—
RESTAURANT
PAXTON & SHORE STS CLEVELAND
POINT

GRAND VIEW HOTEL—BRIGHTON
HOTEL
SHORE STREET CLEVELAND POINT

CEMETERY
MITCHELL CRS & YABBI ST DUNWICH
STRADBROKE ISLAND

SCHEDULE—continued

ST ANDREWS ANGLICAN
CHURCH
WELLINGTON STREET ORMISTON

ORMISTON HOUSE
WELLINGTON ST ORMISTON

WHEPSTEAD—RESTAURANT
MAIN RD WELLINGTON POINT

LIGHTHOUSE
CLEVELAND POINT

**Local Authority
ROCKHAMPTON CITY**

BOYS GRAMMAR SCHOOL
AGNES ST ROCKHAMPTON

GIRLS GRAMMAR SCHOOL
AGNES ST ROCKHAMPTON

THE RANGE CONVENT HALL &
TOWER
AGNES STREET ROCKHAMPTON

MASONIC CLUB
179 ALMA ST ROCKHAMPTON

ST ANDREWS PRESBYTERIAN
CHURCH
BOLSOVER & DERBY STS
ROCKHAMPTON

SCHOTIA PLACE—CITY MARKETS
BOLSOVER ST ROCKHAMPTON

AMV WAREHOUSE—GS CURTIS
STORES
BOLSOVER & DERBY STS
ROCKHAMPTON

SCHOOL OF ARTS (FORMER)
BOLSOVER ST ROCKHAMPTON

NORMANBY HOTEL
BOLSOVER & WILLIAM STS
ROCKHAMPTON

ST AUBINS
CANOONA RD ROCKHAMPTON

BURNS PHILP & CO.—VIGOR
EAST ST ROCKHAMPTON

AMP BUILDING—BRAHMAN
HOUSE
EAST ST ROCKHAMPTON

WALTER REID BUILDING—CITY
CULTURAL CENTRE
EAST & DERBY STS ROCKHAMPTON

LAKES CREEK HOTEL
LAKES CREEK RD ROCKHAMPTON
NORTH

CONGREGATIONAL CHURCH
MURRAY ST ROCKHAMPTON

WISEMANS COTTAGE
NATHAN & LAVARACK STS
ROCKHAMPTON

CRITERION HOTEL
150 QUAY ST ROCKHAMPTON

ROCKHAMPTON CLUB
166 QUAY ST ROCKHAMPTON

TRUSTEE CHAMBERS
170 QUAY ST ROCKHAMPTON

EDWARDS CHAMBERS
174 QUAY ST ROCKHAMPTON

CALLIANIOTIS
CONSTRUCTIONS—CENTRAL
QUEENSLAND SALT LTD
178 QUAY ST ROCKHAMPTON

ANZ BANK—CATTLE HOUSE
180 QUAY ST ROCKHAMPTON

AUSTRALIAN ESTATES
184 QUAY ST ROCKHAMPTON

R. REES & SYDNEY JONES
186 QUAY ST ROCKHAMPTON

ROYAL BANK BUILDING—
WINCHCOMBE CARSON
194 QUAY ST ROCKHAMPTON

ARCHER CHAMBERS—EVANS &
HEARN
206 QUAY ST ROCKHAMPTON

COLONIAL HOTEL—HERITAGE
TAVERN
230 QUAY ST ROCKHAMPTON

KERRISK BROS & CTRL QLD L/
STOCK—FITNESS CENTRE
232—234 QUAY ST ROCKHAMPTON

AVONLEIGH
248 QUAY ST ROCKHAMPTON

ST ANDREWS HOSPITAL—
HERRON TODD VALUERS
250 QUAY ST ROCKHAMPTON

WALTER REID & CO—WALTER
REID COURT
252 QUAY ST ROCKHAMPTON

HARBOUR BOARD—FITZROY
SHIRE COUNCIL CHAMBERS
288 QUAY ST ROCKHAMPTON

CUSTOMS HOUSE
QUAY ST ROCKHAMPTON

SCHEDULE—continued

WAR MEMORIAL
BOTANIC GARDENS SPENCER ST
ROCKHAMPTON

KILLOWEN
86 WARD ST ROCKHAMPTON

MATER HOSPITAL
WARD ST ROCKHAMPTON

ST JOSEPHS CATHEDRAL
WILLIAM & WEST STS ROCKHAMPTON

ST PAULS ANGLICAN CHURCH
WILLIAM & ANNA STS ROCKHAMPTON

GLENMORE HOMESTEAD
(FORMER)
VIA ROCKHAMPTON

Local Authority
ROMA TOWN

WAR MEMORIAL & HEROES
AVENUE
FROM RAILWAY STATION DOWN
WYNDHAM & BUNGIL STREETS TO
CENOTAPH ROMA

Local Authority
ROSALIE SHIRE

WAR MEMORIAL
RECREATION RESERVE MUNRO ST
COOYAR

WAR MEMORIAL
HARTWIG & MOCATTA STS
GOOMBUNGEE

Local Authority
ROSENTHAL SHIRE

ST AUGUSTINES CHURCH
LEYBURN

Local Authority
STANTHORPE SHIRE

CENTRAL HOTEL
137 HIGH STREET STANTHORPE

BALLANDEAN HOMESTEAD
VIA STANTHORPE

Local Authority
TAMBO SHIRE

POST OFFICE (FORMER)
ARTHUR ST TAMBO

Local Authority
TAROOM SHIRE

LEICHHARDT TREE (EUCALYPTUS
MICROTHERCA)
YALDWYN ST TAROOM

Local Authority
TOOWOOMBA CITY

ST MATTHEWS CHURCH OF
ENGLAND
BEATRICE ST DRAYTON

ROYAL BULLS HEAD INN
BRISBANE ST DRAYTON

HARLAXTON HOUSE
6 MUNRO ST HARLAXTON

GABBINBAR
RAMSAY ST MIDDLE RIDGE

WHYEMBAH
80 CAMPBELL STREET TOOWOOMBA

GLEN ALPINE
32 EAST ST TOOWOOMBA

FERNSIDE
4 FERNSIDE ST TOOWOOMBA

ST PATRICKS CATHEDRAL
JAMES ST TOOWOOMBA

KILALLAH—DALMALLY—BISHOPS
HOUSE
LINDSAY & MARGARET STS
TOOWOOMBA

CHURCH OF CHRIST
133 MARGARET ST TOOWOOMBA

STRAND THEATRE
160 MARGARET ST TOOWOOMBA

GRAMMAR SCHOOL
MARGARET ST TOOWOOMBA

CARLTON MALTINGS OLD MALT
HOUSES
11 MORT STREET TOOWOOMBA

ASCOT HOUSE
15 NEWMARKET ST TOOWOOMBA

SMITHFIELD HOUSE
PANDA ST TOOWOOMBA

ST JAMES PARISH—TAYLOR
MEMORIAL INSTITUTE
112 RUSSELL ST TOOWOOMBA

CLIFFORD HOUSE
120 RUSSELL ST TOOWOOMBA

VACY HALL
135 RUSSELL ST TOOWOOMBA

SCHEDULE—continued

**BUILDING—CLEARY & LEE
SOLICITORS—TOOWOOMBA
PERMANENT
BUILDING SOCIETY
2 RUSSELL ST TOOWOOMBA**

**BUILDING—TOOWOOMBA AUTO
ELECTRICAL SERVICE
95 RUSSELL ST TOOWOOMBA**

**PIGGOTTS
387 RUTHVEN ST TOOWOOMBA**

**KARINGAL CHAMBERS
388 RUTHVEN ST TOOWOOMBA**

**WHITE HORSE HOTEL
456 RUTHVEN STREET TOOWOOMBA**

**TYSON MANOR—STRATHMORE
DOWNLANDS COLLEGE RUTHVEN ST
TOOWOOMBA**

**ST LUKES CHURCH HALL
RUTHVEN STREET TOOWOOMBA**

**CITY HALL
RUTHVEN ST TOOWOOMBA**

**GEEUMBI
1 SOUTH ST TOOWOOMBA**

**RODWAY
2 SOUTH STREET TOOWOOMBA**

**REDLANDS—CONCORDIA
COLLEGE
154 STEPHENS ST TOOWOOMBA**

**WEETWOOD
427 TOR ST TOOWOOMBA**

**Local Authority
TORRES SHIRE**

**ALL SAINTS ANGLICAN CHURCH
DARNLEY ISLAND**

**HOLY TRINITY CHURCH
SAIBAI ISLAND**

**JAPANESE CEMETERY
THURSDAY ISLAND**

**Local Authority
TOWNSVILLE CITY**

**FORT
MAGNETIC ISLAND**

**ROSEBANK
21 LAWSON ST MYSTERTON**

**YONGALA LODGE—MATTHEW
ROONEY RESIDENCE
11 FRYER ST NORTHWARD**

**ST MARYS CHURCH PRESBYTERY
& SCHOOL
34 INGHAM RD & CASTLING ST
NORTHWARD**

**ST JOHNS CHURCH & RECTORY
32—34 MACROSSAN ST SOUTH
TOWNSVILLE**

**ST BRIGIDS CHURCH
523 STUART DR STUART**

**VICTORIA PARK HOTEL
266 BOUNDARY ST TOWNSVILLE**

**BISHOPS LODGE
BUNDICK ST TOWNSVILLE**

**CURRAJONG
5 CASTLING ST TOWNSVILLE**

**WARRINGA
26 CLEVELAND TCE & ARMATI ST
TOWNSVILLE**

**ST JAMES CATHEDRAL
34—36 CLEVELAND TCE TOWNSVILLE**

**SYNOD HALL—JUBILEE HALL
ST JAMES CATHEDRAL CLEVELAND TCE
TOWNSVILLE**

**BANK OF NEW SOUTH WALES
(FORMER)
101 FLINDERS ST TOWNSVILLE**

**LANGS HOTEL
129 FLINDERS ST TOWNSVILLE**

**MAGNETIC HOUSE
145 FLINDERS ST TOWNSVILLE**

**EXCHANGE HOTEL
151—157 FLINDERS ST TOWNSVILLE**

**HAYLES TERMINUS & WHARF
168—192 FLINDERS ST TOWNSVILLE**

**AUSTRALIAN BANK OF
COMMERCE/AJS BANK—THE
BANK NIGHTCLUB
173 FLINDERS ST TOWNSVILLE**

**QUEENS BUILDING
175-179 FLINDERS ST TOWNSVILLE**

**THE MATCHBOX—RIC NELSON
DRAMA SCHOOL
181—185 FLINDERS ST TOWNSVILLE**

**WILLMETTS BUILDING
193 FLINDERS ST TOWNSVILLE**

**STANTON HOUSE—ANGLICAN
DIOCESAN REGISTRY
197—199 FLINDERS ST TOWNSVILLE**

**ATINEE BUILDING
205 FLINDERS ST TOWNSVILLE**

SCHEDULE—continued

4AY BUILDING
222 FLINDERS ST TOWNSVILLE

CLAYTONS BUILDING—BAMBOO
INN
223 FLINDERS ST TOWNSVILLE

SAMUEL ALLEN & SONS—
BARCLAYS BUILDING
247 FLINDERS ST TOWNSVILLE

CLAYTONS BUILDING—
WILLMETTS STATIONERY SHOP
287 FLINDERS ST TOWNSVILLE

QUEENSLAND NATIONAL BANK—
NATIONAL BANK OF
AUSTRALASIA
303 FLINDERS MALL TOWNSVILLE

HENLEIN & CO—ES&A BANK—
CARFOOTS LTD—BEST & LESS
408-410 FLINDERS ST TOWNSVILLE

GREAT NORTHERN HOTEL
500 FLINDERS ST TOWNSVILLE

ROONEYS BUILDING—POLLARDS
FLINDERS ST TOWNSVILLE

ADELAIDE STEAMSHIP
BUILDING—STAGE DOOR
THEATRE RESTAURANT
FLINDERS ST TOWNSVILLE

ROBERTS LEU & NORTH
BUILDING
FLINDERS ST TOWNSVILLE

PERC TUCKER MEMORIAL ART
GALLERY
FLINDERS & DENHAM STS TOWNSVILLE

NORTH QUEENSLAND
INSURANCE—QUEENSLAND
INSURANCE BUILDING
FLINDERS & WICKHAM STS TOWNSVILLE

TATTERSALLS HOTEL
FLINDERS & WICKHAM STS TOWNSVILLE

BURNS PHILP BUILDING
FLINDERS & WICKHAM STS TOWNSVILLE

BUILDING—CAPITOL CAFE
FLINDERS ST TOWNSVILLE

ALPIN BROWN & CO BUILDING
FLINDERS ST TOWNSVILLE

DALGETY BUILDING
FLINDERS ST TOWNSVILLE

DENHAM CHAMBERS
FLINDERS ST TOWNSVILLE

HOWARD SMITH BUILDING—
PATTERSON REID & BRUCE
BUILDING
FLINDERS ST TOWNSVILLE

W H GREEN BUILDING
FLINDERS ST TOWNSVILLE

EUREKA HOTEL (FORMER)
HARBEYS RANGE TOWNSVILLE

GRANDSTAND
CLUDEN RACECOURSE RACECOURSE RD
TOWNSVILLE

ARTS CENTRE
STANLEY & WALKER STS TOWNSVILLE

ASTRONOMICAL STATION
STANTON HILL TOWNSVILLE

WOLVERTON
95 STAPOLE ST TOWNSVILLE

WINTER GARDEN THEATRE
232 STURT ST TOWNSVILLE

OSLER HOUSE
35 STURT ST TOWNSVILLE

TOWNSVILLE CHORAL &
ORCHESTRAL SOCIETY
BUILDING
STURT ST TOWNSVILLE

BANDSTAND
ANZAC MEMORIAL PARK THE STRAND
TOWNSVILLE

WAR MEMORIAL
ANZAC MEMORIAL PARK THE STRAND
TOWNSVILLE

QUEENS HOTEL—TELECASTERS
NORTH QUEENSLAND PTY LTD
THE STRAND TOWNSVILLE

ANZAC MEMORIAL PARK
THE STRAND TOWNSVILLE

KARDINIA (JAPANESE
CONSULATE)
11 VICTORIA ST TOWNSVILLE

SACRED HEART CATHEDRAL
VICTORIA ST TOWNSVILLE

VICTORIA BRIDGE
STOKES ST TOWNSVILLE

Local Authority
WAGGAMBA SHIRE

WYAGA HOMESTEAD
VIA GOONDIWINDI

SCHEDULE—continued

**Local Authority
WAMBO SHIRE**

JIMBOUR HOUSE
DALBY—JANDOWAE ROAD DALBY

**Local Authority
WARWICK CITY**

THURUNA—HILLSIDE
25 WEEWONDILLA RD GLENNIE HEIGHTS

ST MARKS ANGLICAN CHURCH
55 ALBION ST WARWICK

COMMONAGE
69A DRAGON ST WARWICK

PRINGLE COTTAGE
81 DRAGON ST WARWICK

WAR MEMORIAL (INCLUDES
GATES)
163 FITZROY ST WARWICK

NATIONAL HOTEL
35 GRAFTON ST WARWICK

RESIDENCE
50 GUY ST WARWICK

ST GEORGES MASONIC LODGE
50A GUY ST WARWICK

CONVENT OF MERCY—SOPHIA
COLLEGE
8 LOCKE & DRAGON STS WARWICK

CONVENT & ASSEMBLY HALL
LOCKE GUY & DRAGON STS WARWICK

BARNES & CO. TRADING PLACE—
SMITH & MILLER P/L
118 PALMERIN & KING STS WARWICK

LANGHAM HOTEL
133 PALMERIN ST WARWICK

ST MARYS CHURCH
163 PALMERIN STREET WARWICK

ST MARYS CHURCH (FORMER)
163 PALMERIN ST WARWICK

JOHNSONS BUILDING
64 PALMERIN ST WARWICK

TOWN HALL
72 PALMERIN ST WARWICK

CRITERION HOTEL
84 PALMERIN ST WARWICK

FOOTBALLERS MEMORIAL
TOWN HALL 72 PALMERIN ST WARWICK

**Local Authority
WINTON SHIRE**

CORFIELD & FITZMAURICE
STORE
63 ELDERSLIE ST WINTON

ELDERSLIE HOMESTEAD
WINTON

**Local Authority
WONDAI SHIRE**

BOONDOOMA HOMESTEAD
MUNDUBBERA—DURONG RD WONDAI

**Local Authority
WOOCOO SHIRE**

WAR MEMORIAL
GROUNDS WOOCOO SHIRE COUNCIL
CHAMBERS BROOWEENA

YENGARIE SUGAR MILL
BIGGENDEN RD MARYBOROUGH

SCHEDULE—continued

PART B

Local Authority
ATHERTON SHIRE

PRINCIPALS RESIDENCE
PRIMARY SCHOOL VERNON & MABEL
STS ATHERTON

Local Authority
BAUHINIA SHIRE

HOSPITAL BUILDINGS (FORMER)
WOODBINE ST SPRINGSURE

Local Authority
BIGGENDEN SHIRE

RAIL BRIDGE
13KMS NW OF BIGGENDON OVER DEEP
CREEK

Local Authority
BOONAH SHIRE

WAR MEMORIAL & MEMORIAL
ENCLOSURE
STATE SCHOOL BOONAH RATHDOWNNEY
RD MAROON

Local Authority
BOWEN SHIRE

HARBOUR BOARD BUILDING
HERBERT & DALRYMPLE STS BOWEN
COURT HOUSE
WILLIAM & HERBERT STS BOWEN

Local Authority
BRISBANE CITY

QUEENSLAND GOVERNMENT
OFFICES
196—216 ADELAIDE ST BRISBANE

PUBLIC WORKS DEPOT
210 ALICE ST BRISBANE

PARLIAMENT HOUSE
69 ALICE ST BRISBANE

CENTRAL RAILWAY STATION
304 ANN ST BRISBANE

MINERAL HOUSE (FORMER)
2 EDWARD ST BRISBANE

SMELLIE & CO. WAREHOUSE
32 EDWARD ST BRISBANE

HARBOURS & MARINE BUILDING
39 EDWARD & MARGARET STS BRISBANE

GEEDEEJAY HOUSE—BRISBANE
AND AREA WATER BOARD
41-43 EDWARD ST BRISBANE

GOVERNMENT PRINTING OFFICE
(FORMER)
102 GEORGE ST BRISBANE

QUEENSLAND LANDS
DEPARTMENT HONOUR BOARD
FOR WWI
1ST FLOOR LAND ADMINISTRATION
BUILDING GEORGE ST BRISBANE

GOVERNMENT HOUSE (FORMER)
2 GEORGE ST BRISBANE

THE MANSIONS
40 GEORGE ST BRISBANE

HARRIS TERRACE
44-46 GEORGE ST BRISBANE

QUEENS PARK
GEORGE QUEEN & WILLIAM STS
BRISBANE

ADMINISTRATION BUILDING
(FORMER)—FAMILY SERVICES
BUILDING
GEORGE & ELIZABETH STS BRISBANE

EXECUTIVE BUILDING
(FORMER)—LAND
ADMINISTRATION BUILDING
GEORGE ST & STEPHENS LANE BRISBANE

COAL BOARD BUILDING
169 MARY ST BRISBANE

TREASURY BUILDING
21 QUEEN ST BRISBANE

COMMISSARIAT STORES
(FORMER)
115 WILLIAM ST BRISBANE

QUEENSLAND MUSEUM
(FORMER)—STATE LIBRARY
(FORMER)
159 WILLIAM ST BRISBANE

GOVERNMENT PRINTERY (OLD)—
SCIENCENTRE
WILLIAM ST & STEPHENS LANE
BRISBANE

SCHEDULE—continued

WALTER TAYLOR BRIDGE
COONAN ST INDOOROOPILLY—HONOUR
AV CHELMER

QUEEN ALEXANDRIA HOME FOR
CHILDREN—TAFE SCHOOL
OF FOOD BUILDING
203 OLD CLEVELAND RD COORPAROO

EXHIBITION BUILDING
(FORMER)—QUEENSLAND
MUSEUM (FORMER)
GREGORY TCE & BOWEN BRIDGE RD
FORTITUDE VALLEY

ALBERT BRIDGE
INDOOROOPILLY

STORY BRIDGE
BRADFIELD HIGHWAY KANGAROO
POINT

YUNGABA
MAIN ST KANGAROO POINT

FORT LYTTON
AMPOL REFINERY SITE LYTTON

FERNBERG—GOVERNMENT
HOUSE
FERNBERG RD PADDINGTON

BAROONA OPPORTUNITY
SCHOOL—SPECIAL SCHOOL
HALE ST & MILTON RD PETRIE TERRACE

SOUTH BRISBANE RAILWAY
EASEMENT
OFF DOCK ST SOUTH BRISBANE

SOUTH BRISBANE TOWN HALL
(FORMER)
VULTURE & GRAHAM STS SOUTH
BRISBANE

SOUTH BRISBANE RAILWAY
STATION
SOUTH BRISBANE

GREYSCOURT—COLLINS PLACE
EXPO SITE (FORMER) SOUTH BRISBANE

CALEDONIAN BUILDING—
ALLGAS BUILDING
EXPO SITE (FORMER) SOUTH BRISBANE

PLOUGH INN HOTEL
EXPO SITE (FORMER) SOUTH BRISBANE

SHIP INN HOTEL
EXPO SITE (FORMER) SOUTH BRISBANE

BRISBANE CENTRAL STATE
SCHOOL
ST PAULS TCE & ROGERS ST SPRING
HILL

SAINT HELENA ISLAND
ST HELENA ISLAND MORETON BAY

WOOGAROO—FEMALE WARDS 1
& 2
WOLSTON PARK HOSPITAL WACOL

NEWSTEAD HOUSE
BREAKFAST CREEK RD NEWSTEAD

Local Authority
BUNDABERG CITY

BURNETT BRIDGE
QUAY ST—PERRY ST BUNDABERG

RAIL BRIDGE
1KM EAST OF BUNDABERG OVER
SALTWATER CREEK

Local Authority
CAIRNS CITY

COURT HOUSE
38—40 ABBOTT ST CAIRNS

Local Authority
CARDWELL SHIRE

DALRYMPLE BRIDGE
VALLEY OF LAGOONS ROAD CARDWELL

Local Authority
CARPENTARIA SHIRE

RAILWAY TERMINUS
RAILWAY RESERVE NORMANTON

NORMANTON TO CROYDON
RAILWAY LINE

Local Authority
CHARTERS TOWERS

POLICE STATION
51—55 GILL ST CHARTERS TOWERS

SCHOOL OF MINES (FORMER)
24—26 HODGKINSON ST CHARTERS
TOWERS

COURT HOUSE
28—32 HODGKINSON ST CHARTERS
TOWERS

Local Authority
CLONCURRY SHIRE

COURT HOUSE
DAINTREE ST CLONCURRY

SCHEDULE—continued

**Local Authority
COOK SHIRE**

BRIDGE
7KMS SSW OF COOKTOWN OVER ANNAN
RIVER

POWDER MAGAZINE
WEBBER ESP COOKTOWN

WILD IRISH GIRL ORE STAMPER
LAURA

ALEXANDRA STAMPER MILL
LAURA

CHALMERS TO MAYTOWN
COACH ROAD
LAURA

MARY WATSONS COTTAGE
(RUINS)
LIZARD ISLAND

BEACON
RAINE ISLAND

HOSPITAL
IDA & MAY STS COOKTOWN

**Local Authority
CROYDON SHIRE**

COURT HOUSE
SAMUEL ST CROYDON

NORMANTON TO CROYDON
RAILWAY

HOSPITAL
SIRCOM ST CROYDON

**Local Authority
DALRYMPLE SHIRE**

RAIL BRIDGE
OVER BURDEKIN RIVER MACROSSAN

SCHOOL RESIDENCE
SCHOOL ST RAVENSWOOD

**Local Authority
DIAMANTINA SHIRE**

POLICE STATION & COURTHOUSE
BIRDSVILLE

**Local Authority
EACHAM SHIRE**

COURT HOUSE—POLICE
STATION—RESIDENCE
27—31 CEDAR ST YUNGABURRA

**Local Authority
EMERALD SHIRE**

RAILWAY STATION
EMERALD

**Local Authority
ESK SHIRE**

RAIL BRIDGE
6KMS NW OF LOWOOD OVER LOCKYER
CREEK

**Local Authority
ETHERIDGE SHIRE**

STATION MASTERS RESIDENCE
RAILWAY RESERVE EINASLEIGH

STATION MASTERS RESIDENCE
RAILWAY RESERVE FORSAYTH

**Local Authority
FITZROY SHIRE**

RAILWAY STATION
STANWELL

**Local Authority
GATTON SHIRE**

RAIL BRIDGE
1KM SSE OF LOCKYER ON EASTERN
BANK OF LOCKYER CREEK

RAIL BRIDGE
5KMS SE OF MURPHYS CREEK OVER
MURPHYS CREEK

**Local Authority
GAYNDAH SHIRE**

STATE SCHOOL
MAIN ST GAYNDAH

RAIL BRIDGE
14KMS WEST OF GAYNDAH ON
HUMPHREY STATION

RAIL BRIDGE
5KMS NORTH OF GAYNDAH OVER
IDERAWAY CREEK

RAIL BRIDGE
4KMS NORTH OF GAYNDAH OVER STEEP
ROCKY CREEK

**Local Authority
GOOBURRUM SHIRE**

RAIL BRIDGE
6KMS WEST OF BUNDABERG OVER
SPLITTERS CREEK

SCHEDULE—continued

Local Authority
GYMPIE CITY

COURT HOUSE
CHANNON & KING STS GYMPIE

Local Authority
HERBERTON SHIRE

GREAT NORTHERN FREEHOLD
MINE
HERBERTON

Local Authority
IPSWICH CITY

RHONDDA COLLIERY
BUNDAMBA

COURT HOUSE
EAST & RODERICK ST IPSWICH

TECHNICAL COLLEGE
LIMESTONE & ELLENBOROUGH STS
IPSWICH

RAILWAY ADMINISTRATION
BUILDING & GASOMETER
DOWNS ST & THE TERRACE NORTH
IPSWICH

RAILWAY WORKSHOPS WAR
MEMORIAL
NORTH ST NORTH IPSWICH

STATE SCHOOL
OMAR ST WEST IPSWICH

Local Authority
ISIS SHIRE

COURT HOUSE
67 CHURCHILL ST CHILDERS

Local Authority
KILKIVAN SHIRE

RAIL BRIDGE
1.2KMS SW OF WOOLGOGA OVER WIDE
BAY CREEK

Local Authority
LAIDLEY SHIRE

REMAINS OF CORDUROY ROAD
TOOWOOMBA-IPSWICH ROAD LAIDLEY

Local Authority
LOGAN CITY

STATE SCHOOL
REDLAND BAY RD CARBROOK

Local Authority
MACKAY CITY

CUSTOMS HOUSE
SYDNEY AND RIVER STS MACKAY

COURT HOUSE (FORMER)—
POLICE STATION
VICTORIA & BRISBANE STS MACKAY

Local Authority
MAREEBA SHIRE

STATION MASTERS RESIDENCE
COTTAGE NO. 6 ALMADEN ST ALMADEN

CHILLAGOE SMELTERS (RUINS)
CHILLAGOE

RAIL BRIDGE
3KMS SSE OF KURANDA OVER
CHRISTMAS CREEK

STATE TREATMENT WORKS
NEAR RUBINA TCE IRVINEBANK

HEADFRAME ON VULCAN TIN
MINE
VULCAN ORE RD IRVINEBANK

KINGSBOROUGH BATTERY
OFF EAST ST (OLD) KINGSBOROUGH

GENERAL GRANT MINE
HODGKINSON GOLDFIELDS
KINGSBOROUGH

RAIL BRIDGE
7KMS SSE OF KURANDA OVER STONEY
CREEK FALLS

RAIL BRIDGE
4KMS SSE OF KURANDA OVER SURPRISE
CREEK

TYRCONNEL MINE
THORNBOROUGH—KINGSBOROUGH
AREA

Local Authority
MARYBOROUGH CITY

UNION BANK (FORMER)—DEPT
OF PRIMARY INDUSTRIES
KENT & RICHMOND STS
MARYBOROUGH

ADULT EDUCATION CENTRE AND
HIGH SCHOOL
KENT ST MARYBOROUGH

DISTRICT RAILWAY
SUPERINTENDENTS RESIDENCE
192 LENNOX ST MARYBOROUGH

SCHEDULE—continued

COURT HOUSE
WHARF & RICHMOND STS
MARYBOROUGH

STATE GOVERNMENT OFFICE
BUILDINGS
WHARF & RICHMOND STS
MARYBOROUGH

LAMINGTON BRIDGE
MARYBOROUGH

Local Authority
MORETON SHIRE

RAILWAY STATION
IPSWICH RD GRANDCHESTER

Local Authority
MOUNT MORGAN SHIRE

COURT HOUSE & POLICE
STATION
28 HALL ST MOUNT MORGAN

CENTRAL SCHOOL
MORGAN CENTRAL & GORDON STS
MOUNT MORGAN

MT MORGAN MINE SITE
MOUNT MORGAN

RAILWAY STATION & WATER
TANK
LITTLE JAMES ST MT MORGAN

Local Authority
MULGRAVE SHIRE

CAIRNS TO KURANDA RAILWAY

POWDER MAGAZINE
STRATFORD

Local Authority
MURWEH SHIRE

RAIL BRIDGE
66KMS EAST OF CHARLEVILLE OVER
ANGELLALA CREEK

Local Authority
ROCKHAMPTON CITY

RAILWAY STATION
DENNISON ST ARCHER PARK

RAILWAY STATION
LAKES CREEK RD NORTH
ROCKHAMPTON

RAILWAY ROUNDHOUSE
BOLSOVER ST ROCKHAMPTON

TECHNICAL COLLEGE
BOLSOVER ST ROCKHAMPTON

SUPREME COURT
EAST ST ROCKHAMPTON

ALEXANDRA BRIDGE
NORTH ST ROCKHAMPTON

Local Authority
ROSENTHAL SHIRE

PLAYSHED
STATE SCHOOL PETER STREET LEYBURN

Local Authority
STANTHORPE SHIRE

RAIL BRIDGE
1.2KMS SE OF STANTHORPE OVER
QUART POT CREEK

Local Authority
TAMBO SHIRE

COURT HOUSE
ARTHUR ST TAMBO

Local Authority
TIARO SHIRE

DICKABRAM BRIDGE
0.5KMS NE OF MIVA OVER MARY RIVER

Local Authority
TOOWOOMBA CITY

COURT HOUSE
142 MARGARET ST TOOWOOMBA

TECHNICAL COLLEGE
MARGARET ST TOOWOOMBA

RAILWAYS HONOUR BOARD
RAILWAY STATION TOOWOOMBA

SWANSONS BRIDGE
6KMS NORTH OF TOOWOOMBA

RAILWAY STATION
TOOWOOMBA

Local Authority
TOWNSVILLE CITY

SUPREME COURT HOUSE
(FORMER)—SCHOOL OF ARTS.
2 CLEVELAND TCE & MELTON TCE
TOWNSVILLE

RAILWAY STATION
305 FLINDERS ST TOWNSVILLE

SCHEDULE—continued

COURT HOUSE
STURT & STOKES STS TOWNSVILLE

TROPICAL INSTITUTE
TOWNSVILLE HOSPITAL EYRE ST
TOWNSVILLE

Local Authority
WARWICK CITY

WARWICK NATIONAL SCHOOL
(FORMER)—WARWICK EAST
STATE SCHOOL
45 FITZROY ST WARWICK

POLICE STATION
86 FITZROY ST WARWICK

COURT HOUSE
88 FITZROY ST WARWICK

GOODS SHED
RAILWAY STATION LYONS ST WARWICK

Local Authority
WOOCOO SHIRE

WAR MEMORIAL BRIDGE
BROOWEENA-WOOLLOOGA RD
BROOWEENA

Local Authority
WOONGARRA SHIRE

PLAYSHED
KALKIE STATE SCHOOL ZIELKE &
BARGARA RDS BUNDABERG

SCHEDULE—continued

PART C

Local Authority
BRISBANE CITY

COMMONWEALTH GOVERNMENT
OFFICES

232 ADELAIDE ST BRISBANE

CORONATION HOUSE—
COMMUNITY ARTS CENTRE
109 EDWARD STREET BRISBANE

HESKETH HOUSE
269 ELIZABETH ST BRISBANE

COMMERCIAL TRAVELLERS
ASSOCIATION BUILDING—
TELECOMMUNICATIONS HOUSE
283 ELIZABETH ST BRISBANE

GENERAL POST OFFICE
261 QUEEN ST BRISBANE

CUSTOMS HOUSE
427 QUEEN ST BRISBANE

LABORATORY K12
ARMY BARRACKS ENOGGERA

MAGAZINE BUILDINGS K33-K37
ARMY BARRACKS ENOGGERA

CORDITE STORAGE MAGAZINES
K16 & K18
LAVARACK PDE ARMY BARRACKS
ENOGGERA

SCHOOL OF MUSKETRY
(FORMER)—RESIDENCE
431 LLOYD ST ARMY BARRACKS
ENOGGERA

SMALL ARMS MAGAZINE
MURRAY AV & LAVARACK PDE ARMY
BARRACKS ENOGGERA

POST OFFICE
ANN & BALLOW STREETS FORTITUDE
VALLEY

VICTORIA BARRACKS
PETRIE TCE PETRIE TERRACE

POST OFFICE
1 BOWSER PDE SANDGATE

MIDDENBURY—ABC STUDIOS
600 CORONATION DR TOOWONG

POST OFFICE
763 STANLEY ST WOOLLOONGABBA

RHYNDARRA—OFFICERS
QUARTERS 1ST MILITARY
HOSPITAL
KADUMBA ST YERONGA

WOMENS PRISON & FACTORY
(ARCHAEOLOGICAL RUINS)
FORMER BRISBANE AIRPORT SITE EAGLE
FARM

QUEENSLAND POSTAL HONOUR
BOARD FOR WWI
261 QUEEN ST BRISBANE

TIGHNABRUAICH
193 CLARENCE RD INDOOROOPILLY

LIGHTHOUSE
CAPE MORETON MORETON ISLAND

Local Authority
BUNDABERG CITY

POST OFFICE
BOURBONG & BAROLIN STS
BUNDABERG

Local Authority
BURKE SHIRE

POST OFFICE
BURKE & MUSGRAVE STS BURKETOWN

Local Authority
CAIRNS CITY

CUSTOMS HOUSE
8 ABBOTT ST CAIRNS

Local Authority
CHARTERS TOWERS

POST OFFICE
17 GILL ST CHARTERS TOWERS

Local Authority
CLONCURRY SHIRE

POST OFFICE
SCARR & SHEAFFE STS CLONCURRY

Local Authority
IPSWICH CITY

POST OFFICE
114 BRISBANE ST IPSWICH

Local Authority
ISIS SHIRE

POST OFFICE
65 CHURCHILL ST CHILDERS

SCHEDULE—continued

**Local Authority
MACKAY CITY**

THE AUSTRALIAN BANK OF
COMMERCE—COMMONWEALTH
BANK
63 VICTORIA ST MACKAY

**Local Authority
MARYBOROUGH CITY**

TELECOM BUILDINGS—
NATIONAL PARKS AND
WILDLIFE SERVICE HQ
WHARF & RICHMOND STS
MARYBOROUGH

CUSTOMS HOUSE
RICHMOND ST MARYBOROUGH

POST OFFICE
WHARF & BAZAAR STS MARYBOROUGH

**Local Authority
MOUNT MORGAN SHIRE**

COMMONWEALTH BANK
MORGAN CENTRAL & GORDON STS
MOUNT MORGAN

**Local Authority
ROCKHAMPTON CITY**

POST OFFICE
80 EAST ST ROCKHAMPTON

MT MORGAN GOLD MINING CO.
(FORMER)—ABC STUDIOS
236 QUAY ST ROCKHAMPTON

**Local Authority
STANTHORPE SHIRE**

POST OFFICE
14 MARYLAND ST STANTHORPE

**Local Authority
TOOWOOMBA CITY**

POST OFFICE
136 MARGARET ST TOOWOOMBA

**Local Authority
TOWNSVILLE CITY**

POST OFFICE
FLINDERS & DENHAM STS TOWNSVILLE

COMMONWEALTH OFFICES
42 STURT ST TOWNSVILLE

CUSTOMS HOUSE
THE STRAND & WICKHAM ST
TOWNSVILLE

**Local Authority
WARWICK CITY**

POST OFFICE
98 PALMERIN ST WARWICK

ANNEXURE 2.3[B]

PRECIS OF PRINCIPAL PROVISIONS

- QUEENSLAND HERITAGE ACT 1992

ANNEXURE 2.3[B]

PRECIS OF PRINCIPAL PROVISIONS - QUEENSLAND HERITAGE ACT 1992

[TEXT REFERENCE : SECTION 2.3.7]

1. This attachment provides a precis of the principal provisions of the Queensland Heritage Act 1992 and is to be read in conjunction with Chapter 2.3 of this research work.

Data collected is direct from the legislation and, in some areas, from information sheets provided by the Department of Environment and Heritage.

It does not purport to be a full description of this legislation but rather focuses on provisions most relevant to this work. An overall appreciation of these provisions is essential to an understanding of this research topic.

2. The Queensland Heritage Act 1992 is divided into ten parts as follows:

Part 1 Preliminary

Part 2 Administration

- The Minister
- The Queensland Heritage Council
- Miscellaneous

Part 3 The Heritage Register

Part 4 Registration of Places

- Part 5 Development in Registered Places
- Development Generally
 - Development by the Crown
 - General
- Part 6 Heritage Agreements and Exemptions
- Part 7 Protection of Cultural Relics
- Protected Relics
 - Areas of Archaeological Interest
- Part 8 Enforcement
- Authorised Persons
 - Stop Orders
- Part 9 Miscellaneous
- Part 10 Amendment of Valuation of Land Act 1944.

3. SUMMARY

Part 1 : Preliminary

This part sets down the specific objects of the Act as:

"to make provision for the conservation of Queensland's cultural heritage and, for that purpose -

*[a] to provide for the establishment of Queensland Heritage Council;
and*

*[b] to provide for the maintenance of a register of places of
significance to Queensland's cultural heritage; and*

- [c] to regulate development of registered places; and
- [d] to provide for heritage agreements to encourage the conservation of registered places; and
- [e] to provide for heritage agreements to encourage the conservation of registered places; and
- [f] to provide for the protection and conservation of submanaged relics and other objects of significance to Queensland's cultural heritage; and
- [g] to regulate the excavation of sites that contain, or may contain, objects of significance to Queensland's cultural heritage; and
- [h] to provide appropriate powers of protection and enforcements" ¹

Several of the definitions provided in this Part are most relevant to this work viz: "building" means a building or structure, or part of a building or structure together with associated furniture, fittings and other objects that may contribute to its cultural heritage significance;

"conservation" includes protection, stabilisation, maintenance, preservation, restoration, reconstruction and adaption;

"cultural heritage significance" of a place or an object means its aesthetic, historic, scientific or social significance or other special value, to the present community and future generations;

"development", in relation to a place, means -

- [a] subdivision; or
- [b] change of the use; or
- [c] demolition of a building; or
- [d] erection, construction or relocation of a building; or

¹ *Queensland Heritage Act 1992 part 1 (3) (1) P.2.*

- [e] work (including painting or plastering) that substantially alters the appearance of a building; or
- [f] excavation, disturbance or change to landscape or natural features of land that substantially alter the appearance of a place;

"place" means a defined and readily identifiable area of land (which may comprise in separate titles and indifferent ownership) and includes -

- "[a] a building and such of its immediate surrounds as may be required for its conservation;
- [b] a natural feature of historical significance and such of its immediate surrounds of its immediate surrounds as may be required for its conservation."²

The wide and generalised definitions are significant. The underlying principle is clearly that 'heritage considerations' are nebulous issues until they become site specific. Consequently, tight or rigid definitions in legislation may well prove constrictive to operations under the overall intent and objectives of the Act.

The definitions therefore attempt to cover the broadest contingencies - 'conservation' : for example, include 'reconstruction' and 'adaption', 'development' includes the potential to demolish or to change use and 'place' includes the surrounds and ambience of a heritage building.

Section 5(1) identifies that the Act binds the Crown which, as defined, includes all agencies and instrumentalities of the Crown.

² *Queensland Heritage Act 1992, Section 4, Pages 3-4*

Part 2 : Administration

This part establishes the Minister is responsible for the overall administration of the Act but allows him to delegate such power to the Chairperson of the Heritage Council, a local authority or another person.

The potential to delegate powers (eg. for development approvals on heritage sites) to Local Authorities is seen as potentially a major opportunity to integrate heritage control and town planning development control for some local authorities in the future.

The Part also establishes the Queensland Heritage Council and its role and composition.

The Councils functions are

- "[a] to advise the Minister on matters relating to Queensland's cultural heritage and in particular on the measures necessary to conserve Queensland's cultural heritage for the benefit of the present community and future generations; and
- [b] to administer the Heritage Register in accordance with this Act; and
- [c] to encourage public interest in, and understanding of, issues relevant to the conservation of Queensland's cultural heritage; and
- [d] to encourage and assist the proper management of places of cultural heritage significance; and
- [e] to keep proper records and encourage others to keep proper records of places and objects of cultural significance; and
- [f] to co-operate and collaborate with Federal, State and Local Authorities in the conservation of places and objects of cultural heritage significance; and
- [g] to undertake any other functions assigned to the Council by this Act or the Minister".³

³ *Queensland Heritage Act 1992, S.9, P. 7.*

Again, the brief here is potentially very wide and open to interpretation and Ministerial direction. Several key points however, that the Council has a role of 'advisor' to Minister rather than final and statutory decision maker.

The Council consists of twelve members appointed by the Governor in Council, with one member appointed as Chairperson. Five members are nominated by the Minister from panels of names provided from interest groups - viz the National Trust, the Local Government Association of Queensland, an organisation representing the interests of property owners and managers (eg. BOMA) and an organisation representing the interests of rural communities.

Significantly, the remaining seven members, the majority, are to be Ministerial appointments, (though the Minister is obliged to "invite" representations and recommendations on these appointments/the overall composition of the council but not obliged to accept these representations). Members are appointed for a 3 year term and that appointment can be extended for a second term.

Amongst a range of administrative requirements, the Council is required to meet at least once a month and to provide the Minister with an annual report on its activities.

Part 3: The Heritage Register

This section requires that a Register be kept to record all places protected under the Act. The records not only identify these places but also include a statement of history, heritage significance and of any orders made or permits granted pertaining to that particular place.

The Heritage Council are responsible for the maintenance of the Register and the provision of extract certificates to the public on payment of a prescribed fee.

Part 4 : Registration of Places

- **Proposals for entry**

Entry in the Register is based on criteria set out in Section 23(1) of the Act. A place may be entered if it is of cultural significance and satisfied one or more of the following criteria:

- (a) the place is important in demonstrating the evolution or pattern of Queensland's history;
- (b) the place demonstrates rare, uncommon or endangered aspects of Queensland's cultural heritage;
- (c) the place has potential to yield information that will contribute to an understanding of Queensland's history;
- (d) the place is important in demonstrating the principal characteristics of a particular class of cultural places;
- (e) the place is important in exhibiting particular aesthetic characteristics valued by the community or particular cultural group;
- (f) the place is important in demonstrating a high degree of creative or technical achievement at a particular period;
- (g) the place has strong associations with a particular community or cultural group for social, cultural or spiritual reasons;
- (h) the place has some special association with a particular person, group or organisation of importance in Queensland history.

It is important to note that a place which otherwise satisfies one or more of the criteria will not be excluded from the register simply on the grounds that similar properties are already registered.

- Properties listed under the Interim Heritage Building Protection Act (which was superseded by this Act) were, (subject to owner objection), transferred to the new Register.

Registration of itself does not compel owners to provide funding or other resources to conserve or maintain the listed property.

Proposed entry for a particular property onto the Register can be on the Council's own initiative or by application by any person. Such submissions must be in writing and the Council may also invite written submissions from other parties with a special interest in that particular property and/or with a general interest in heritage issues in Queensland.

If the Council is satisfied that the property meets the criteria, it will provisionally enter the property onto the Register and will provide written notice to the owner, local authority and the general public.

Parallel provisions apply for removal of a site from the Register. This subsection, (25), recognises that, over time, a particular place may no longer justify its retention in the Register.

- Objections

Any person (eg. owner, member of the general public etc.) may submit written objection to the proposal within 30 days.

OBJECTIONS MAY BE MADE ONLY ON THE GROUNDS OF CULTURAL HERITAGE SIGNIFICANCE. There is no provision for subjective or financial considerations to be considered.

If there is no objection, the matter (inclusion or removal as the case may be) proceeds.

If objection(s) is/are received, the matter is put in the hands of an expert assessor, (drawn from a panel of experts in the heritage/conservation area but not otherwise associated with the Heritage Council), within 14 days.

The assessor must follow due process (allowing objectors to make representations etc.) and must act expeditiously and, within 60 days, provide the Heritage Council with a report on the proposal and objection.

Within 30 days thereof, the Council will decide on the final action to be taken and advise accordingly.

Finally, if the owner (only) is dissatisfied with the final outcome he/she may appeal to the Planning and Environment Court but, again, only on the grounds of Cultural heritage significance.

A file is to be maintained by the Registrar of Titles to record details of registration and removal from registration of particular properties.

Any owner of any property may also apply for a Certificate of Immunity from registration in respect to that place. If the property does not satisfy any registration criteria then a Certificate of Immunity will be issued and the place may not be entered into the Register for a period of five years. If no such certificate is available, written reasons must be provided to the owner.

Part 5 : Development in Registered Places

- Development Generally

No development can be carried out in relation to a registered place unless it has Heritage Council approval. Heavy financial penalties may apply for non-compliance.

Church properties are, for the most part, exempt from this requirement.

Proposals for development are first lodged with the relevant Local Authority and, if the proposals are of significance, will require the advertising and calling for representations within 21 days.

Unless the Local Authority has delegated powers on Heritage issues, the application must be forwarded to the Heritage Council for further action. To help speed the process, a 60 day limit for consideration of applications applies and, unless the Minister grants an extension of time, an application not determined within this period will be considered as approved.

Development applications may be approved unconditionally, with conditions, or refused. Where cultural significance may be destroyed or significantly reduced, approval will only occur if there is no prudent and feasible alternative to the development proposed. A decision on a development proposal is issued to the relevant authority and the owner. A Local Authority with delegated powers must notify the Heritage Council and the owner of its decision.

An applicant dissatisfied with the decision may apply to the Heritage Council for the matter to be reviewed and a conference may be arranged. If still dissatisfied with the decision on review, the applicant may, (usually within 30 days), appeal to the Planning and Environment Court.

- Development by the Crown

Where the Crown proposes to carry out a development in relation to a registered place, a suitable report must be submitted to the Heritage Council who must advertise the proposal (21 day period), consider the objections and make recommendations to the Minister responsible that the development be carried out, not be carried out, or carried out subject to specific conditions or modifications.

Again, in this case, if the proposed development would destroy or substantially damage the cultural heritage significance of the place the Council may only recommend that the development should be carried out if there is NO PRUDENT OR FEASIBLE ALTERNATIVE to carrying out the development.

On this final point, the decision as to whether there is "a prudent and feasible alternative" the Heritage Council must have regard to:

- SAFETY, HEALTH AND ECONOMIC CONSIDERATIONS;
and
- ANY OTHER CONSIDERATIONS THAT MAY BE RELEVANT.

This recommendation then is forwarded to the responsible Minister who must consider the Heritage Council's recommendations and has the power to decide whether to accept or reject the proposals. Public notices must be provided on these decisions.

Part 6 : Heritage Agreements and Exemptions

To improve flexibility in both administration and conservation process, the Act provides that the Minister for Environment and Heritage, (after advice from the Heritage Council), can enter into agreements with owners to assist, in specific and positive ways, the conservation of individual heritage properties.

The agreement, as wide or narrow as required, can apply to buildings, machinery, relics, gardens, natural features, in fact, every aspect of the physical environment of a registered place. A heritage agreement also applies to the land.

Although an agreement may restrict the use of a place, it can also provide exemption from applications for specified development. An agreement may provide for financial, technical or other assistance to an owner. Agreements can allow for a review of a registered place's valuation. A Local Authority may be a party to an agreement. The Registrar of Titles will be notified of any agreements entered into.

The agreements are enforceable through the Planning and Environment Court.

Part 7 : Protection of Cultural Relics

This part refers principally to submerged relics and archaeological sites and is not directly relevant to this research.

Part 8 : Enforcement

The Minister can appoint 'authorised persons' who have wide powers of entry and investigation as regards Heritage sites.

If the Minister considers it necessary for the protection of a place of cultural heritage significance, he can place a 'stop order' on any works or activity underway on that site. Such an order can apply for up to 60 days, during which time it would be supposed that more permanent action could be instigated (eg. registration).

It is important to note that such stop orders can apply to any property and not just those already heritage listed.

This provision provides the Minister with the ability to act near instantaneously where perceived threats to cultural heritage significance are identified.

Part 9 : Miscellaneous

Penalties for breaches can include orders to 'make good' any damage caused through a breach, as further penalty can involve Non-development Orders. Orders which can prohibit development of the place for a period of up to ten years, regardless of ownership changes in the interim. Such orders are recorded by the Registrar of Titles.

The Governor in Council may make regulations of the administration of the Act.

Part 10 : Amendment of Valuation of Land Act 1944

This minor section provides that the Valuation of Land Act should, for statutory valuation purposes, take into account Heritage Agreement under Part 6 of this legislation.

ANNEXURE 2.4[A]

EXTRACT : CITY OF BRISBANE TOWN PLAN

SECTION 22 HERITAGE

22. HERITAGE

22.1 Introduction

The Council recognises that places within the City, because of a number of factors including their architectural or historical characteristics, become part of the heritage of the City.

These areas, where these places group together and take on an overall heritage character, may include a particular part of the City or a street frontage of a building or a series of buildings that are held in high community esteem. In each case it is necessary to assess the relative significance of the structure, the facades and the special quality of any decoration.

22.2 Aim

It is the aim of the Council to conserve culturally significant places in the City by retaining sufficient buildings and other structures which are illustrative of the historic development and character of the City.

Council considers that negotiation is the key to achieving productive use and reuse of buildings in such a way that the use does not detract from the amenity of the area. This may involve the use of the Particular Development Zone to ensure the retention and maintenance of a heritage building while allowing an economic use to be made of the building and the remainder of the site. The Council is prepared to provide incentives, such as additional floor space, the relaxation of development standards, or transfer of development rights in some cases, where these will ensure the retention and on-going maintenance of a heritage building.

22.3 Heritage Areas

For the purposes of the Plan those parts of the City bordered by a heavy line and designated as Heritage Areas on any of the maps in this Section with the prefix 22.4 and further particularised in Table 22.4 are Heritage Areas.

22.4 Heritage Buildings

For the purposes of the Plan those buildings and other structures bordered by a heavy line and designated as Heritage Buildings on any of the maps in this Section with the prefix 22.5 and further particularised in Column 2 and Column 3 respectively of Table 22.5 by reference—

- (a) to—
- (i) in some cases, the names by which they are commonly known and their addresses;
 - (ii) in some cases, some matter which readily identifies them and their addresses;
 - (iii) in some cases, merely their address; and
- (b) to the real property descriptions at the commencement of this Subsection of the lands whereon or whereat they are located,

are Heritage Buildings.

22.5 Certain Development and Works to be Permissible Development

(a) Notwithstanding any other provision of the Plan, for the purposes of the Plan the carrying out of any works—

- (i) in a Heritage Area; or
- (ii) involving, or in relation to a Heritage Building,

which are not or is not otherwise development shall be deemed to be permissible development in the zone in which that Heritage Area or Heritage Building is situated.

For the purposes of this Subsection "works" includes, but without limiting the generality thereof, the demolition of a building.

(b) Notwithstanding any other provision of the Plan, for the purposes of the Plan any development being by way of erection of a building or other structure—

- (i) in a Heritage Area; or
- (ii) involving, or in relation to a Heritage Building,

which would otherwise be permitted development shall be permissible development.

(c) The provisions of this Subsection shall be read subject to Subsections 22.6 and 22.11.

22.6 Non-application of Subsection 22.5

Subsection 22.5 shall not apply to any development or works where the Council determines that the relevant development or works—

- (a) is, or are of a minor nature; and
- (b) would not prejudice the conservation of, or have a prejudicial impact upon, a Heritage Building to the extent it is stipulated in column 4 of Table 22.5 as having significance.

22.7 Increase in Allowable Development in a Zone other than the Central Business Zone

Where in the opinion of the Council any development in a zone other than the Central Business Zone—

- (a) involving, or in relation to a Heritage Building; or
- (b) whereof the site is, or includes the land whereon or whereat a Heritage Building is located,

facilitates the retention and conservation of a Heritage Building to the extent it is stipulated in Column 4 of Table 22.5 as having significance, the gross floor area which that development or the planning unit of that development, as the case may be, may not otherwise exceed shall be increased by—

- (i) in a case where the extent to which that Heritage Building is stipulated in Column 4 of Table 22.5 as having significance is the whole of that building, an area equivalent to the gross floor area of the Heritage Building;
- (ii) in a case where the extent to which that Heritage Building is stipulated in Column 4 of Table 22.5 as having significance is the frontage of that building, an area equivalent to 25 per centum of the gross floor area of the Heritage Building;
- (iii) in any other case, an area equivalent to the gross floor area of that part of the Heritage Building which is the extent to which that Heritage Building is stipulated in Column 4 of Table 22.5 as having significance.

22.8 Reduction of Allowable Development in a Zone other than the Central Business Zone

Where in the opinion of the Council any development in a zone other than the Central Business Zone is facilitated by—

- (a) the demolition on or after 23rd June, 1987, of a Heritage Building to or in excess of the extent it is stipulated in Column 4 of Table 22.5 as having significance; or
- (b) the alteration or modification of a Heritage Building so as to effectively preclude or prejudice the conservation of, or so as to have a prejudicial impact upon, the Heritage Building to the extent it is stipulated in Column 4 of Table 22.5 as having significance,

the gross floor area which that development may not otherwise exceed shall be reduced by an area equivalent to twice the gross floor area of the Heritage Building.

22.9 Increase in Allowable Development in the Central Business Zone

(a) Where in the opinion of the Council any development in the Central Business Zone facilitates the conservation of a Heritage Building to the extent it is stipulated in Column 4 of Table 22.5 as having significance, the provisions of subparagraph 9.5.3.6 shall apply to that development as if provision (a) were omitted therefrom, and the following provision substituted:—

"(a) The gross floor area of that part of a building above maximum podium height shall be at the discretion of the Council, but shall not exceed the development ratio multiplied by the area of the site where development ratio is calculated in accordance with the formula—

- (A) with respect to any building having an effective site cover of between 0.4 and 0.5666, DR = 29—40 ESC; and
- (B) with respect to any building having an effective site cover of 0.5666 or more, DR = 12—10 ESC;

where DR is the development ratio, and ESC is the effective site cover."

- b) A determination by the Council of the increase in otherwise allowable development in a particular case shall be based on the extent and quality of a conservation action, and the characteristics of development associated with a conservation action. Without regard to the quality of the action, in general—
- (i) in a case where the extent of significance stipulated in Column 4 of Table 22.5 with respect to the relevant Heritage Building is the whole thereof, the conservation of that whole building shall qualify for the total increase in otherwise allowable development;
 - (ii) in a case where the extent of significance stipulated in Column 4 of Table 22.5 with respect to the relevant Heritage Building is the frontage thereof, the conservation of that frontage of a Heritage Building shall qualify for 25 per centum to 50 per centum of the total increase in otherwise allowable development.
- c) The provisions of this Subsection shall not apply with respect to any development where the site for that development is or includes land with respect to which a transferable site area is listed in Column 5 of Table 22.5 and that transferable site area or part thereof has been added to the area of some other site pursuant to Subsection 22.11.

22.10 Reduction of Allowable Development in the Central Business Zone

Where in the opinion of the Council any development is facilitated by—

- a) the demolition on or after 23 June, 1987, of a Heritage Building on the site of that development; or
- b) the alteration or modification of a Heritage Building so as to effectively preclude or prejudice or as to have a prejudicial impact upon the conservation of a Heritage Building to the extent it is stipulated in Column 4 of Table 22.5 as having significance.

The provisions of sub-paragraph 9.5.3.6 shall apply to that development as if—

- i) provision (a) were omitted therefrom and the following provision substituted—

“(a) the gross floor area of that part of a building above the level of the road at the mid-point of the principal frontage of the site of the building shall not exceed the development ratio multiplied by the area of the site where development ratio is calculated in accordance with the formula—

- (A) with respect to any building having an effective site cover of between 0.25 and 0.5, $DR = 25-40 \text{ ESC}$; and
- (B) with respect to any building having an effective site cover of 0.5 or more, $DR = 10-10 \text{ ESC}$

where DR is the development ratio, and ESC is the effective site cover”; and

- i) provision (c) were modified so that in the definition of “levels”, the reference to “maximum podium height” were a reference to “the level of the road at the mid-point of the principal frontage”;

provided that the provisions of this Subsection shall not apply where the demolition of a Heritage Building is attributable directly or indirectly to tempest, earthquake, accidental fire or other natural calamity. And provided further that the provisions of this subsection shall not apply where the demolition, alteration or modification is with the consent of the Council or has been determined by the Council pursuant to Subsection 22.6 to be of minor nature.

22.11 Transferable Site Area in the Central Business Zone

Where the extent to which a Heritage Building is stipulated in Column 4 of Table 22.5 as having significance is the whole building or the whole building with some qualification, and the Council is satisfied that the conservation of that building is assured, the Council may approve the adding of the transferable site area stipulated in column 5 of Table 22.5 with respect to that Heritage Building or part of that transferable site area, generally not less than 300 square metres, to the area of some site nominated by the owner of that Heritage Building and in the Central Business Zone for the purpose of calculating the extent of development which may be carried out on that site.

Where such Heritage Building has been substantially destroyed or deteriorated beyond reasonable repair, Council shall not approve the adding of the transferable site area stipulated in Column 5 of Table 22.5 to any other site.

The site to which any transferable site area or part thereof may be added shall not be or include the land with respect to which that transferable site area is transferable site area.

To the extent any transferable site area has been added to the area of some site, that transferable site area shall not be available to again be added to the area of that site or any other site.

Any transferable site area or part thereof shall be added to the area of some site by such addition in the Register of Transferable Site Area and upon such addition the provisions of Section 9 shall apply in relation to that site as if the area of the site were equivalent to the sum of the actual area of the site and the relevant transferable site area or part thereof.

(b) Notwithstanding any other provisions of the Plan, where any transferable site area or part thereof has been added to the area of some site, any development by way of the erection of a building or other structure, on or on any part of, the land with respect to which that transferable site area is stipulated in Column 5 of Table 22.5 and which would otherwise be permitted development or permissible development shall be prohibited development.

(c) The provisions of paragraph (b) do not apply to—

- (i) any works associated with and primarily for the retention of a Heritage Building;
- (ii) any works which the Council determines to be of a minor nature;
- (iii) where a Heritage Building is destroyed or demolished and that destruction or demolition is attributable directly or indirectly to tempest, earthquake, accidental fire or other natural calamity, works for the rebuilding of that Heritage Building.

(d) The Council shall not approve the adding of a transferable site area or part thereof to the area of any other site where the development on the land the area of which constitutes that transferable site area includes an increase in otherwise allowable development pursuant to Subsection 22.9.

22.12 Registration of Transferable Site Area in the Central Business Zone

The Council shall cause to be kept a Register called the Register of Transferable Site Area wherein shall be kept—

- (a) particulars the amount of each transferable site area which Council has approved to be added to the area of some other site; and
- (b) the description of the land to which any transferable site area or part thereof is to be added for the purposes of calculating the extent of development which may be carried out on that land.

22.13 Character of Development

Any development in a Heritage Area or involving or in relation to a Heritage Building shall be designed and utilise materials so as to blend with, and not detract from the significance of a Heritage Area or the design of, or materials on or forming part of, a Heritage Building.

22.14 Adjoining Development

(a) Any building or other structure utilised in, or resulting from, any development adjacent to a Heritage Area or Heritage Building shall be of a design which complements the Heritage Area or Heritage Building.

(b) Where a site is adjacent to the frontage of a Heritage Building, an increase in otherwise allowable development to a maximum of 25 per centum of the increase allowable under Subsection 22.9 may be permitted in respect of some development where the Council is of the opinion that the nature of that development is complementary to the Heritage Building.

22.15 Setback Above a Frontage of a Heritage Building

(a) Where the frontage of a Heritage Building is proposed to be conserved, the whole of the building above the height of that frontage shall be set back not less than 10 metres from the facade of that frontage;

(b) The Council may relax the requirements of this Subsection in circumstances which it considers to be exceptional and under which the significance of the frontage of the Heritage Building is not unduly prejudiced.

22.16 Relaxations in the Central Business Zone

In connexion with any increase in otherwise allowable development pursuant to Subsection 22.9, 22.14 or 22.15—

- (a) subject to paragraph (b) and without prejudice otherwise to subparagraphs, 9.5.3.3 and 9.5.3.5, the Council may relax the requirements of those subparagraphs in circumstances which it considers to be exceptional;
- (b) the application of Subsection 22.15 to any development shall ordinarily be taken to be circumstances which warrant the relaxation of the requirements of clause (a) of subparagraph 9.5.3.5 with respect to that development;
- (c) where by or for the purpose of any development the frontage of a Heritage Building is proposed to be conserved and part of that frontage extends above maximum podium height, the Council may, with respect to any building to which that development relates and which includes that frontage and to the extent that building is erected within the shell of that Heritage Building and is above maximum podium height, relax the requirements of subparagraph 9.5.3.6 to such extent as it thinks fit but shall not in any case relax those requirements in a manner whereby there is disregarded from any calculations made under that subparagraph so much of the relevant part of the building as would be regarded in those calculations were that part erected in accordance with the requirements of subparagraphs 9.5.3.3 and 9.5.3.5 and without any relaxation of those requirements.

22.17 Frontage of a Building

For the purposes of this Section, the frontage of a Heritage Building shall be taken to mean the front wall of a Heritage Building facing a street, plus any side wall, porch, steps, balcony, window, fenestration, colonnade, part of the roof or roof feature, or the like, which are of significance in the appearance of the front part of a building.

TABEL 22.4

TABLE OF HERITAGE AREAS

Name	Street Address	Real Property Description
1. BOTANICAL GARDENS	147 Alice Street	R.637 L.597 SL.11241 Parish of North Brisbane
2. QUEENS PARK	144 George Street	R.933 A.10 Sec 9 Parish of North Brisbane
3. FIG TREES	Eagle Street	R.641 A.38 B.349 Parish of North Brisbane
4. MEMORIAL & TREE	118 Eagle Street	L.37 SL.11040 Parish of North Brisbane
5. ANZAC SQUARE	228 Adelaide Street	R.2581 - L.2623/2624 B.32451 Parish of North Brisbane

TABLE 22.5
TABLE OF HERITAGE BUILDINGS

Column 1	Column 2	Column 3	Column 4	Column 5
Number	Name and Address where any	Real Property Description	Extent of Significance	Transferable Site Area
1.	Brisbane City Hall 64 Adelaide Street	Lot 1 on R.P. 83994 Parish of North Brisbane	whole	
2.	Perry House 147 Albert Street	Lot 1 on R.P. 581 Parish of North Brisbane Lot 2 on R.P. 580 Parish of North Brisbane Lot 1 on R.P. 580 Parish of North Brisbane Lot 1 on R.P. 53559 Parish of North Brisbane Lot 2 on R.P. 581 Parish of North Brisbane	whole	946 square metres
3.	Albert Street Uniting Church 319 Albert Street	Lot 1 on R.P. 46686 Parish of North Brisbane	whole	
4.	Woolworths 127 Adelaide Street and 178 Queen Street	Lot 1 on R.P. 48414 Parish of North Brisbane Lot 2 on R.P. 48414 Parish of North Brisbane Lot 1 on R.P. 53191 Parish of North Brisbane	frontage	
5.	Masonic Temple 309 Ann Street	Lot 1 on R.P. 51696 Parish of North Brisbane	whole	
6.	St. Martin's Hospital 373 Ann Street	Resubdivisions 3 and 4 of Subdivisions 1 and 2 of Allotments 2 and 3 and Subdivisions 1A and B of Allotment 17 and Subdivision 5 of Allotment 16 of Section 52 Parish of North Brisbane	whole	
7.	St. John's Cathedral 413 Ann Street	Resubdivision 4 and Subdivisions 5 and 6 of Resubdivisions 2 and 3 of Subdivisions 1 and 2A of Allotments 3, 4, 15 and 16 and Resubdivision 7 of Subdivision 3 of Allotments 4 and 15 and Allotment 14 and Subdivision 8 of Allotment 5 and Resubdivision 9 of Subdivision 1 of Allotments 6 and 13 of Section 52 Parish of North Brisbane	whole	
8.	Church House 417 Ann Street	Subdivision 2 of Allotments 7, 9 and 12 and of Subdivision 2 of Allotments 6 and 13 of Section 52 Parish of North Brisbane	whole	
9.	The Deanery 417 Ann Street	Resubdivision 10 of Subdivision 6 of Allotments 7 to 12 and of Subdivision 2 of Allotment 6 of Section 52 Parish of North Brisbane	whole	
10.	Webber House 439 Ann Street	Subdivision 1 of Allotments 10 and 11 of Section 52 Parish of North Brisbane	whole	
11.	Central Station 304 Ann Street	Reserve 783 (Balance) being Portion 457 Parish of North Brisbane	whole excluding additions after about 1960.	
12.	St. Andrews Uniting Church 165 Creek Street	Lot 78 on Plan B.123422 Parish of North Brisbane	whole	
13.	Shell House 301 Ann Street	Allotment 16 (Part) and Allotment 17 of Section 27 Parish of North Brisbane	whole	1 315 square metres
14.	R.A.C.Q. Building 501 Ann Street	Subdivisions 1 to 5 of Portion 5B Parish of North Brisbane	whole	1 391 square metres
15.	Former Naval Offices 3 Edward Street	Lot 3 on R.P. 129917 Parish of North Brisbane	whole of original building excluding later additions	
16.	Rowes Arcade 235 Edward Street	Part of Lot 31 on R.P. 178577 Parish of North Brisbane	whole	

TABLE 22.5
TABLE OF HERITAGE BUILDINGS—Continued

Column 1	Column 2	Column 3	Column 4	Column 5
Number	Name and Address where any	Real Property Description	Extent of Significance	Transferable Site Area
17.	Rothwells 237 Edward Street	Part of Lot 31 on R.P. 178577 Parish of North Brisbane	frontage	
18.	Tattersall's Club 206 Edward Street	Subdivisions 1 and 2 of Allotment 9 and Resubdivision 6 of Subdivision 1 of Allot- ment 8 of Section 2 Parish of North Brisbane	whole	1 647 square metres
19.	People's Palace 308 Edward Street	Lot 31 on Plan B. 123422 Parish of North Brisbane	whole	638 square metres
20.	165-171 Elizabeth Street	Lot 2 on R.P. 101040 and Lot 2 on R.P. 108803 Parish of North Brisbane	frontage	
21.	Tara House 179 Elizabeth Street Brisbane	Allotment 5 of Section 3 Parish of North Brisbane	whole	944 square metres
22.	Old St. Stephen's Church 172 Charlotte Street	Lot 16 on R.P. 47985 Parish of North Brisbane	whole	
23.	Commonwealth Government Offices 232 Adelaide Street	Part of Lot 1 on R.P. 122127 Parish of North Brisbane	whole	
24.	St. Stephen's Girl's School 172 Charlotte Street	Lot 3 on R.P. 47985 Parish of North Brisbane	whole	
		Lot 1 on R.P. 47985 Parish of North Brisbane		
		Subdivision 1 of Allotment 2 of Section 33 Parish of North Brisbane		
25.	St. Stephen's Cathedral 269 Elizabeth Street	Allotments 5, 6, 13 and 14 and Subdivision 2 of Allotments 4 and 15 of Section 33 Parish of North Brisbane	whole	
26.	Telecommunications House 283 Elizabeth Street	Lot 2 on R.P. 143070 Parish of North Brisbane	frontage	
27.	The Queensland Club 19 George Street	Lot 5 on R.P. 201074 Parish of North Brisbane	whole	
28.	Treasury Chambers 185-191 George Street	Lot 3 on R.P. 532 Parish of North Brisbane	frontage	
		Lot 2 on R.P. 532 Parish of North Brisbane		
		Resubdivision 1 of Subdivision 1 of Allot- ment 19 of Section 1 Parish of North Brisbane		
		Lot 2 on R.P. 530 Parish of North Brisbane		
29.	Trans-Continental Hotel 482 George Street	Lot 1 on R.P. 51625 Parish of North Brisbane	whole	983 square metres
		Lot 2 on Plan B.361 Parish of North Brisbane		
30.	The Windmill & Reservoirs 226-230 Wickham Terrace	Reserve 672 being Portion 367 and Reserve 3305 being Portion 408 Parish of North Brisbane	whole	
31.	Naldham House 193 Mary Street (corner Felix & Mary)	Lot 7 on R.P. 183618 Parish of North Brisbane	whole	
32.	Watson Brothers Ltd 129 Margaret Street	Allotment 12 of Section 37 Parish of North Brisbane	frontage and building immediately behind to a depth of about 12 metres	
33.	Wenley House 20-26 Market Street (corner Market & Charlotte)	Lot 1 on R.P. 197742 and Lots 1 to 4 on R.P. 179235 Parish of North Brisbane	whole	1 169 square metres
34.	Newspaper House 97 Queen Street	Part of Lot 41 on R.P. 214483 Parish of North Brisbane	frontage	
35.	Hotel Carlton 103 Queen Street	Part of Lot 41 on R.P. 214483 Parish of North Brisbane	frontage	

TABLE 22.5
TABLE OF HERITAGE BUILDINGS—Continued

Column 1	Column 2	Column 3	Column 4	Column 5
Number	Name and Address where any	Real Property Description	Extent of Significance	Transferable Site Area
36.	Regent Building 167 Queen Street	Lot 2 on R.P. 49018 Parish of North Brisbane	Queen Street frontage, original entry, foyer, lounge, and grand stairway	
37.	MacArthur Building 229 Queen Street (corner Edward & Queen Streets)	Subdivisions 1 and 2 of Allotments 12 to 14 and of Subdivision X of Allotment 11 of Section 30 Parish of North Brisbane	whole	
38.	Commonwealth Bank Building 259 Queen Street	Allotments 7 to 9 of Section 30 Parish of North Brisbane	frontage plus side wall facing General Post Office.	
39.	General Post Office 261 Queen Street	Lot 33 on Plan B. 3418 Parish of North Brisbane	whole	
40.	Colonial Mutual Building 289 Queen Street	Allotment 6 of Section 30 Parish of North Brisbane	whole	
41.	Former National Mutual Building 299 Queen Street	Allotments 4 and 5 of Section 30 Parish of North Brisbane	frontage	
42.	Customs House 427 Queen Street	Reserve 643 Parish of North Brisbane	whole	
43.	Sussan Building 62 Queen Street	Allotment 3 of Section 12 Parish of North Brisbane	frontage	
44.	Palings 86 Queen Street	Subdivision B of Allotment 5 and Subdivision 1 of Allotment 6 of Section 12 Parish of North Brisbane	frontage	
45.	Myer 94 Queen Street	Allotments 7 to 11 of Section 12 and Lot 2 on R.P. 110427 Parish of North Brisbane	frontage	
46.	Miss Brisbane 112 Queen Street	Lot 11 on Plan B.3153 Parish of North Brisbane	frontage	
47.	Gardams Building 114 Queen Street	Lot 21 on Plan B.3153 Parish of North Brisbane	frontage	
48.	Hardy Brothers Building 116 Queen Street	Lot 12 on Plan B.118211 Parish of North Brisbane	frontage	
49.	Sportsgirl Building 120 Queen Street	Allotments 13, 13A and 14 of Section 12 Parish of North Brisbane	frontage	
50.	National Bank 180 Queen Street	Subdivision B and Resubdivision 2 of Subdivision A of Allotment 4 and Resubdivisions A and B of Subdivision 1 of Allotment 5 of Section 10 Parish of North Brisbane	whole building	
51.	Former Finney Isles Building 196 Queen Street	Subdivisions 2 and 3 of Allotments 5 to 7 and Subdivisions A and B of Allotment 13 and Subdivisions 2 and 5 of Allotment 14 and Subdivision 2 of Resubdivision 3 of Subdivision 1 of Allotment 14 of Section 10 Parish of North Brisbane	frontage	
52.	Brisbane Arcade 160 Queen Street	Subdivisions 1 and 2 of Allotments 2 and 17 of Section 10 Parish of North Brisbane	whole	2 086 square metres
53.	National Bank Building 308 Queen Street	Allotments 8 and 9 and Subdivision 2 of Allotment 10 of Section 29 Parish of North Brisbane	whole	2 286 square metres
54.	Queensland Country Life Building 432-440 Queen Street	Lot 1 on R.P. 61672 Parish of North Brisbane	frontage	
		Lot 2 on R.P. 61672 Parish of North Brisbane		
		Lot 24 on R.P. 137725 Parish of North Brisbane		
55.	All Saint's Church 32 Wickham Terrace	Lot 1 on R.P. 42367 Parish of North Brisbane	whole	

TABLE 22.5
TABLE OF HERITAGE BUILDINGS—Continued

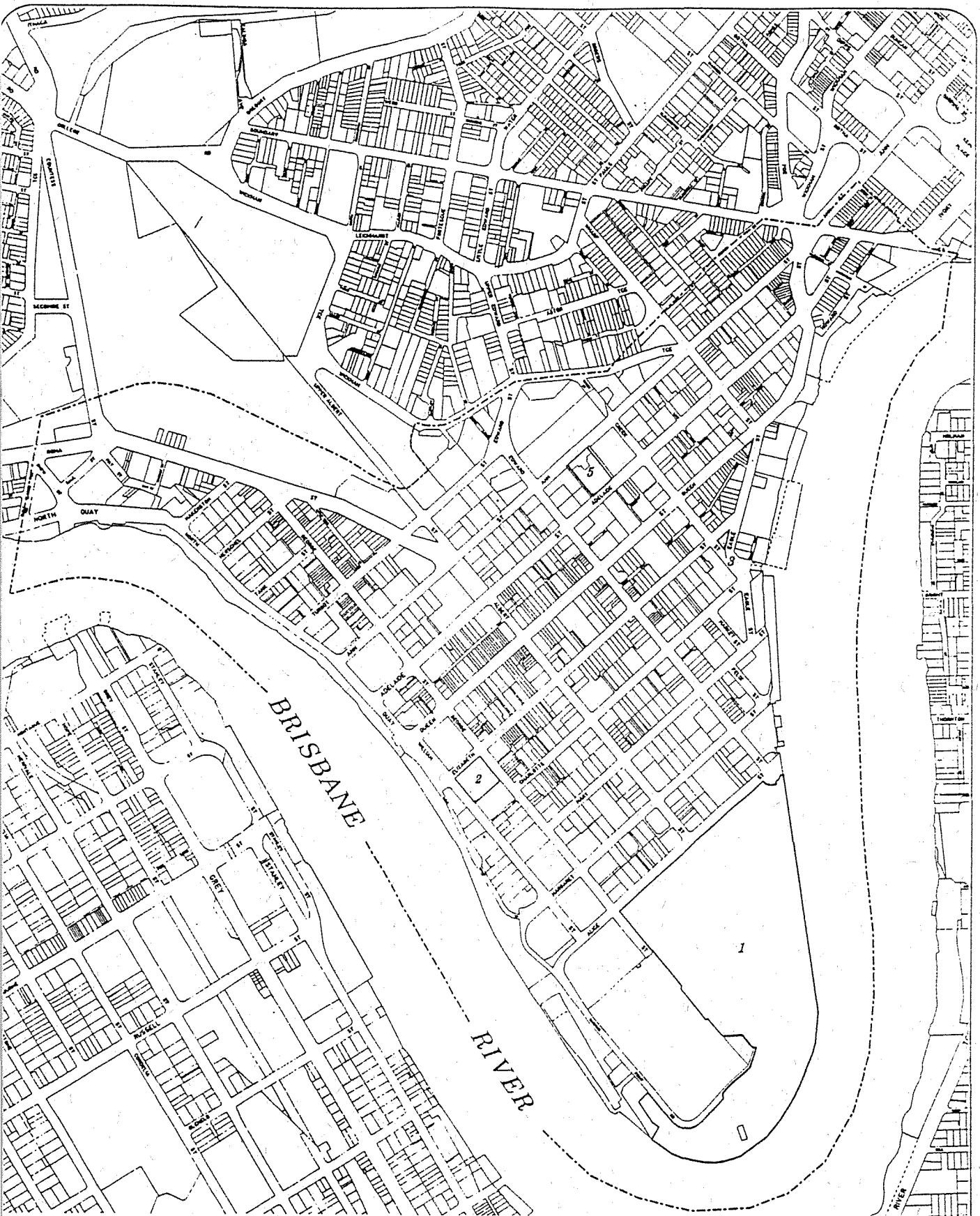
Column 1	Column 2	Column 3	Column 4	Column 5
Number	Name and Address where any	Real Property Description	Extent of Significance	Transferable Site Area
56.	Brisbane School of Arts 166 Ann Street	Lot 2 on R.P. 53947 Parish of North Brisbane	whole	
57.	Ann Street Presbyterian Church 141 Ann Street	Allotments 15 to 17 of Section 25 Parish of North Brisbane	whole church (including two transepts and organ bay, excluding hall and offices)	
58.	York Hotel 69 Queen Street	Subdivisions 3 and 4 of Allotments 3 and 4 of Section 1 Parish of North Brisbane	frontage	
59.	Charlotte House 145 Charlotte Street	Lot 514 on Plan B118215 Parish of North Brisbane	whole	951 square metres
60.	Walter Reid Building 147-163 Charlotte Street	Lots 1 to 3 on R.P. 182759 Parish of North Brisbane	frontage	
61.	Pancake Manor 10 Charlotte Street	Lot 2 on R.P. 618 Parish of North Brisbane	whole	377 square metres
62.	John Reid & Nephews 36 Charlotte Street	Lot 1 on R.P. 615 Parish of North Brisbane	frontage	
63.	George Weston Metal Merchants 42 Charlotte Street	Resubdivisions 3A and 4 of Subdivision 1 of Allotment 15 of Section 4 Parish of North Brisbane	frontage	
64.	John Mills Himself 40 Charlotte Street	Lot 2 on R.P. 614 Parish of North Brisbane	frontage	
65.	FM 104 102 Edward Street	Subdivision 2 of Allotment 9 and of Subdivision B of Allotment 7 of Section 5 Parish of North Brisbane	whole	392 square metres
66.	Hesketh House 277 Elizabeth Street	Lot 3 on R.P. 143070 Parish of North Brisbane	frontage	
67.	St. Francis House, 40, Elizabeth Street	Lot 6 on R.P. 531 Parish of North Brisbane	frontage	
		Lot 7 on R.P. 532 Parish of North Brisbane		
		Lot 7 on R.P. 530 Parish of North Brisbane		
		Lot 8 on R.P. 532 Parish of North Brisbane		
68.	Treasury Hotel 179 George Street	Lot 6 on R.P. 532 Parish of North Brisbane	frontage	
		Lot 5 on R.P. 532 Parish of North Brisbane		
		Lot 3 on R.P. 531 Parish of North Brisbane		
		Lot 4 on R.P. 531 Parish of North Brisbane		
69.	Pan Australian House, 120 Charlotte Street	Lot 1 on R.P. 596 Parish of North Brisbane	frontage	
70.	47-51 Edward Street	Subdivisions 2 and 3 of Resubdivisions A and B of Subdivision 4 of Allotments 4 and 5 of Section 35 Parish of North Brisbane	frontage	
		Lot 1 on R.P. 56903 Parish of North Brisbane		
71.	The Catholic Centre, 149 Edward Street	Lot 2 on R.P. 41710 Parish of North Brisbane	whole	1 426 square metres
		Lot 1 on R.P. 41710 Parish of North Brisbane		
		Allotment 20 of Section 33 Parish of North Brisbane		
72.	The Brisbane Synagogue 98 Margaret Street	Subdivision 2 of Allotment 3 and Subdivisions 1 and 2 of Allotment 16 of Section 8 Parish of North Brisbane	whole	

TABLE OF HERITAGE BUILDINGS—Continued

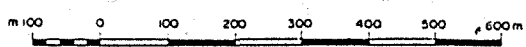
Column 1	Column 2	Column 3	Column 4	Column 5
Number	Name and Address where any	Real Property Description	Extent of Significance	Transferable Site Area
73.	181 George Street	Lot 2 on R.P. 530 Parish of North Brisbane	frontage	
74.	124-130 Mary Street	Lot 4 on R.P. 532 Parish of North Brisbane		
		Subdivisions 2 and 4 of Allotment 3 of Section 5 Parish of North Brisbane	whole	1 070 square metres
75.	138 Mary Street	Lot 504 on Plan B. 118215 Parish of North Brisbane	whole	1 144 square metres
76.	Westpac Banking Corporation 33 Queen Street	Lot 505 on Plan B118215 Parish of North Brisbane	whole	942 square metres
77.	A.N.Z. Bank 43 Queen Street	Lot 2 on R.P. 52526 Parish of North Brisbane	whole	
		Lot 1 on R.P. 52526 Parish of North Brisbane	frontage	

And the Honourable the Minister for Local Government and Racing is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

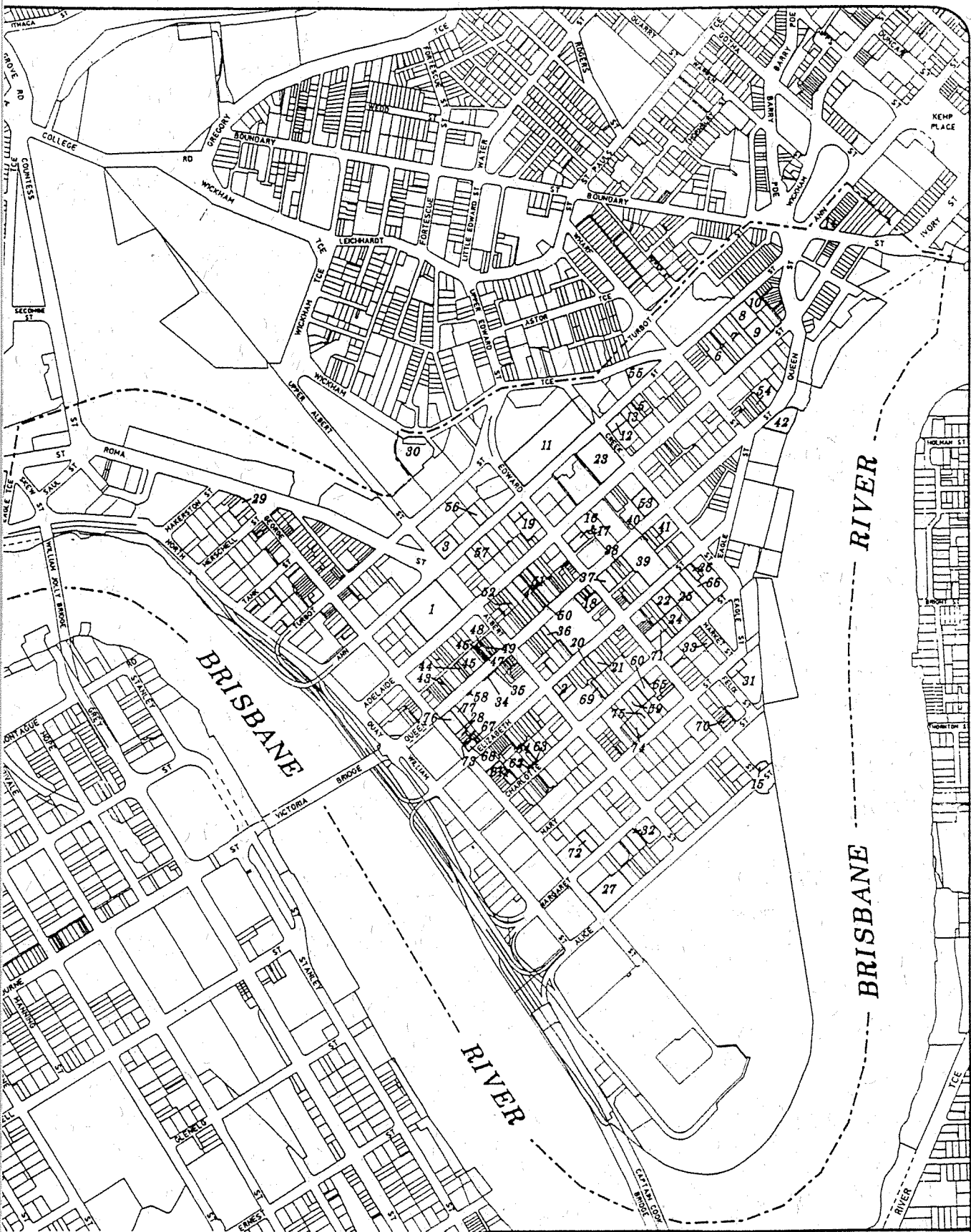


----- CENTRAL BUSINESS DISTRICT



CITY OF BRISBANE TOWN PLAN

HERITAGE AREAS 22.4/1



--- CENTRAL BUSINESS DISTRICT

M 100 0 100 200 300 400 500 600 M



CITY OF BRISBANE TOWN PLAN

HERITAGE BUILDINGS 22.5/1

ANNEXURE 2.5[A]

ICOMOS CONSERVATION (BURRA) CHARTER -

SUMMARY OF DEFINITIONS

ANNEXURE 2.5(A) ICOMOS CONSERVATION (BURRA)
CHARTER - SUMMARY OF DEFINITIONS ¹

[Text Reference : Section 2.5.3]

1. **Place** means site, area, building or other works, groups of buildings or other works together with associated contents and surroundings.
2. **Cultural Significance**
means aesthetic, historic, scientific or social values for past, present or future generations.
3. **Fabric** means all the physical materials of the place.
4. **Conservation** means all the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may according to circumstances include
 - preservation;
 - restoration;
 - reconstruction; and
 - adaption.and will be commonly a combination of more than one of these.
5. **Maintenance** means the continuous protective cases of the fabric, contents and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction and should be treated accordingly.
6. **Preservation** means maintaining the fabric of a place in its existing state and existing deterioration.
7. **Restoration** means returning the EXISTING fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new materials.
8. **Reconstruction**
means returning a place as nearly as possible to a known earlier state involving the introduction of new or old material into the fabric. This is not to be confused with re-creation.

¹ Selective Summary from 'Burra Charter', 1988.

9. ***Adaption*** means modifying a place to suit proposed compatible use.

10 ***Compatible Uses***

means a use which involves no change to the culturally significant fabric, changes which are substantially reversible or changes which require a minimal impact.

ANNEXURE 2.5[B]

**ICOMOS CONSERVATION (BURRA) CHARTER -
SUMMARY CONSERVATION PRINCIPLES AND PROCESSES**

**ANNEXURE 2.5(B) ICOMOS CONSERVATION (BURRA) CHARTER -
SUMMARY CONSERVATION PRINCIPLES AND
PROCESSES ¹**

[Text Reference : Section 2.5.3]

- The aim of conservation is to retain the cultural significance of a place and must include provision for its security, its maintenance and its future.
- Conservation is based on a respect for the existing fabric and should involve the least possible physical intervention. It should not distort the evidence provided by the fabric (ie. assist rather than impede interpretation).
- Conservation is based on a respect for the existing fabric and should involve the least possible physical intervention. It should not distort the evidence provided by the fabric.
- Conservation should make use of all the disciplines which can contribute to the study and safe-guarding of a place. Techniques employed should be traditional but in some circumstances they may be modern ones for which a firm scientific basis exists and which have been supported by a body of experience.
- Conservation of a place should take into consideration all aspects of its cultural significance without unwanted emphasis on any one aspect at the expense of others.
- The conservation policy appropriate to a place must first be determined by an understanding of its cultural significance.

¹ *Summary from the Burra Charter, 1988.*

- The conservation policy will determine which uses are compatible.
- Conservation requires the maintenance of an appropriate visual setting: eg. form, scale, colour, texture and materials. No new construction, demolition or modification which would adversely affect the setting should be allowed. Environmental intrusions which adversely affect appreciation or enjoyment of the place should be excluded.
- A building or work should remain in its historical location. The moving of all or part of a building or work is unacceptable unless this is the sole means of ensuring its survival.
- The removal of contents which form part of the cultural significance of the place is unacceptable unless it is the sole means of ensuring their security and preservation. Such contents must be returned should changed circumstances make this practicable.

- As regards Preservation Processes:

Preservation is appropriate where the existing state of the fabric itself constitutes evidence of specific cultural significance, or where insufficient evidence is available to allow other conservation processes to be carried out.

Preservation is limited to the protection, maintenance and, where necessary, the stabilisation of the existing fabric but without the distortion of its cultural significance.

- As regards Restoration

Restoration is appropriate only if there is sufficient evidence of an earlier state of the fabric and only if returning the fabric to that state reveals the cultural significance of the place.

Restoration should reveal a new culturally significant aspect of the place. It is based on respect for all the physical, documentary and other evidence and stops at the point where conjecture begins.

Restoration is limited to the reassembling of displaced components or removal of accretions.

The contributions of all periods to the place must be respected. If a place includes the fabric of different periods, revealing the fabric of one period at the expense of another can only be justified when what is removed is of slight cultural significance and the fabric which is to be revealed is of much greater cultural significance.

- As regards Reconstruction Processes

Reconstruction is appropriate only where a place is incomplete through damage or alteration and where it is necessary for its survival, or where it reveals the cultural significance of the place as a whole.

Reconstruction is limited to the completion of a depleted entity and should not constitute the majority of the fabric of a place.

Reconstruction is limited to the reproduction of fabric, the form of which is known from physical and/or documentary evidence. It should be identifiable on close inspection as being new work.

- As regards Adaption Processes

Adaption is acceptable where the conservation of the place cannot otherwise be achieved, and where the adaptation does not substantially detract from its cultural significance.

Adaption must be limited to that which is essential to a determined, acceptable use for the place.

Fabric of cultural significance unavoidably removed in the process of adaption must be kept safely to enable its future reinstatement.

- As regards Conservation Practice

Any works on a place must be preceded by a professionally prepared study on the place and its fabric and must set out both the statement of cultural significance and proposed, specific conservation procedures required for that site (ie. Conservation Policy). The study (see also APPENDIX 2.5(c)) must also include justifications, supporting evidence (including photographs, drawings, samples, required supervision, documentation, recording and archiving of works).

ANNEXURE 2.5[C]

**ICOMOS CONSERVATION (BURRA) CHARTER -
SUMMARY**

**ANNEXURE 2.5 (C) ICOMOS CONSERVATION (BURRA)
CHARTER - SUMMARY**

[Text Reference : Section 2.5.3]

**GUIDELINES AND TYPICAL LAYOUT : CULTURAL SIGNIFICANCE
REPORT**¹

The nature layout of a Cultural Heritage Report (see Subsection 2.5.3 of text), its size and level of detail will vary with the complexity and apparent significance of the site.

The Burra Charter, however, has established the following guidelines both for the format of and report on an investigation into cultural significance regardless of its size and type. These guidelines are as follows:

1) Preface

- Identification of the importance of the two stage (Burra) process

(viz. 1) Establishment of Cultural Significance and, sequentially,

2) A specific conservation plan to then use and manage that site to ensure the established Cultural Significance is protected.
- Overall Statement of process and expertise used
- Statement of constraints (and types) and issues not considered

¹ *Selective Summary from Burra Charter, 1988.*

2) **Concept of Cultural Significance**

In the Burra Charter, cultural significance means 'aesthetic, historic, scientific or social value for past, present or future generations';

- Aesthetic values include aspects of sensory perceptions (eg. form, scale, colour, texture, materials, smell, sounds etc.);
- Historic values includes the place's influence on an historical figure, event, phase or activity;
- Scientific value includes variety, quality and/or representativeness;
- Social value includes spiritual, political, national or other cultural sentiment to a majority or minority group.

3) **The Establishment of Cultural Significance**

The process/investigation relating to drawing issues of importance out of the specific site. The information typically sought will include:

- the development sequence of the place and its relationship to the surviving fabric;
- the existence and nature of lost or obliterated fabric;
- the variety and/or technical interest of all or any part of the places;
- the functions of the place and its parts;
- the relationship of the place and its parts with its setting;

- the cultural influences which have affected the form and fabric of the place;
- the significance of the place to people who use or have used the place, or descendants of such people;
- the historical contents of the place with particular reference to the ways in which its fabric has been influenced by historical forces or has itself influenced the course of history;
- the scientific or research potential of the place;
- the relationship of the place to other places (eg. in respect of design, technology, use, locality or origin);
- any other specific factors relevant to the understanding of the significance of that specific place.

Within this process, it is clearly important that the sources and exactness of any information obtained be validated.

The final statement of cultural significance must be clear and pithy expressing simply why the place is of value but not restating the physical or documentary evidence.

4) The Cultural Significance Report

This final report will comprise both written and graphic material and, whilst including all significant, relevant material must avoid unnecessary bulk.

It should include:

- **name of the client;**
- **name of the practitioners engaged in the task;**
- **authorship of the report;**
- **date;**
- **brief or outline of brief;**
- **constraints on the task (eg. time, funds, expertise);**
- **summary of investigations and results;**
- **statement of cultural significance;**
- **sources.**

ANNEXURE 2.5[D]

ICOMOS CONSERVATION (BURRA) CHARTER

- GUIDELINES AND TYPICAL LAYOUT : CONSERVATION POLICY

**ANNEXURE 2.5 (D) ICOMOS CONSERVATION (BURRA)
CHARTER**

**GUIDELINES AND TYPICAL LAYOUT :
CONSERVATION POLICY ¹**

[Text Reference : Section 2.5.4]

The nature of a Conservation Policy for a specific site/place (see Subsection 2.5(iv)), like the proceeding Cultural Significance investigation/report will follow a basic format, though clearly, its size and complexity will vary with the specific case.

The basic format, however, as prescribed under the Burra Charter is as follows:

1. Preface

- Statement of compliance with Burra Process
- Statement of established Cultural Significance
- Skills required for development of Policy.

2. Scope of the Conservation Policy

- Introduction
 - Fabric and Setting

(Identification of the most appropriate way of caring for the fabric and setting of the place);

¹ *Selective Summary from Burra Charter, 1988.*

- Use

(Identification of a use or combination of uses, or constraints on use, that are compatible with the retention of the cultural significance of the place and that are feasible).

- Interpretation

(How the cultural significance is exhibited in the fabric of the place and thus how uses, changes or introduced materials are or are not acceptable in protecting this significance).

- Management

(Management structure, responsibility and mechanism for implementing the conservation policy, including security and regular maintenance).

- Control of Physical Intervention in the fabric

(Includes provision for the control of physical intervention and may:

- specify unavoidable intervention;
- identify the likely impact of any intervention on the cultural significance;
- specify the degree and nature of intervention acceptable for non-conservation purposes;
- specify explicit research proposals;
- specify how research proposal will be assessed;
- provide for the conservation of significant fabric and contents removed from the place;

- provide for the analysis of material;
- provide for the dissemination of the resultant information;
- specify the treatment of the site when the intervention is complete).

- Constraints on Investigation

(eg. social, religious, legal or other cultural constraints).

- Likely future developments/changes

- Adoption and Review

3. Development of Conservation Policy

- Introduction

- Collection of Information

(eg. significant fabric, client/owner/user requirements and resources, other requirements (inc. legislative community, locational and social context), condition of fabric, uses (compatible/incompatible), Information on similar sites.

- Assessment of Information

- Statement of Conservation Policy

(A statement of conservation policy that addresses:

- fabric and setting;
- use;
- interpretation;

- management;
- control of intervention in the fabric;
- constraints on investigation;
- future developments;
- adoption and review).

- **Consequences of Implementation of Policy**

(eg. whether, how and to what extent the Conservation Policy will change the place and its setting/affect its significance/affect the locality and its amenity/affect the client, owner and user/affect others involved).

4. Interpretation of Conservation Policy

The policy must include a strategy for implementation which should include information about:

- the financial resources to be used;
- the technical and other staff required;
- the sequencing of events;
- the timing of events;
- the management structure; and
- the provision for flexibility and ability to accommodate changing circumstances.

5. The Structure of the Final Conservation Policy Report

The final report here is the vehicle through which the conservation policy is expressed, and upon which conservation action is based.

The written material therein will include:

- the statement of cultural significance;
- the development of conservation policy;
- the statement of conservation policy; and
- the strategy for implementation of conservation policy.

It will also include the name of the client, the name of practitioners involved, work undertaken and subsidiary reports done, authorship, date, outline of brief, constraints and sources.

Graphic material may include maps, plans, drawings, diagrams, sketches, photographs, tables, etc.

ANNEXURE 2.5[E]

**ICOMOS CONSERVATION (BURRA) CHARTER -
ADMINISTRATIVE AND RELATED PROCEDURES FOR
UNDERTAKING CONSERVATION STUDIES**

ANNEXURE 2.5 (E)

**ICOMOS CONSERVATION (BURRA)
CHARTER -
ADMINISTRATIVE AND RELATED
PROCEDURES FOR UNDERTAKING
CONSERVATION STUDIES ¹**

[TEXT REFERENCE : SECTION 2.5.4]

The Burra Charter includes administrative guidelines about professional practice and interfaces between client and practitioner.

It stresses the importance of a comprehensive brief being developed between the client and practitioner before work commencing.

This brief should include:

- the extent of the task (ie. identification of completed article);
- the boundaries of the place;
- aspects requiring intensive investigations;
- timing (including milestones);
- fee;
- use of other consultants (and conditions);
- any widening of the study;
- client representative;
- specific requirements for investigations (inspection arrangements, known information, aspects, interested parties, sources, etc.);
- sources, materials and/or services to be supplied by client;
- final report format;
- number of final reports required;
- authorship to be cited;
- records and archival requirements;

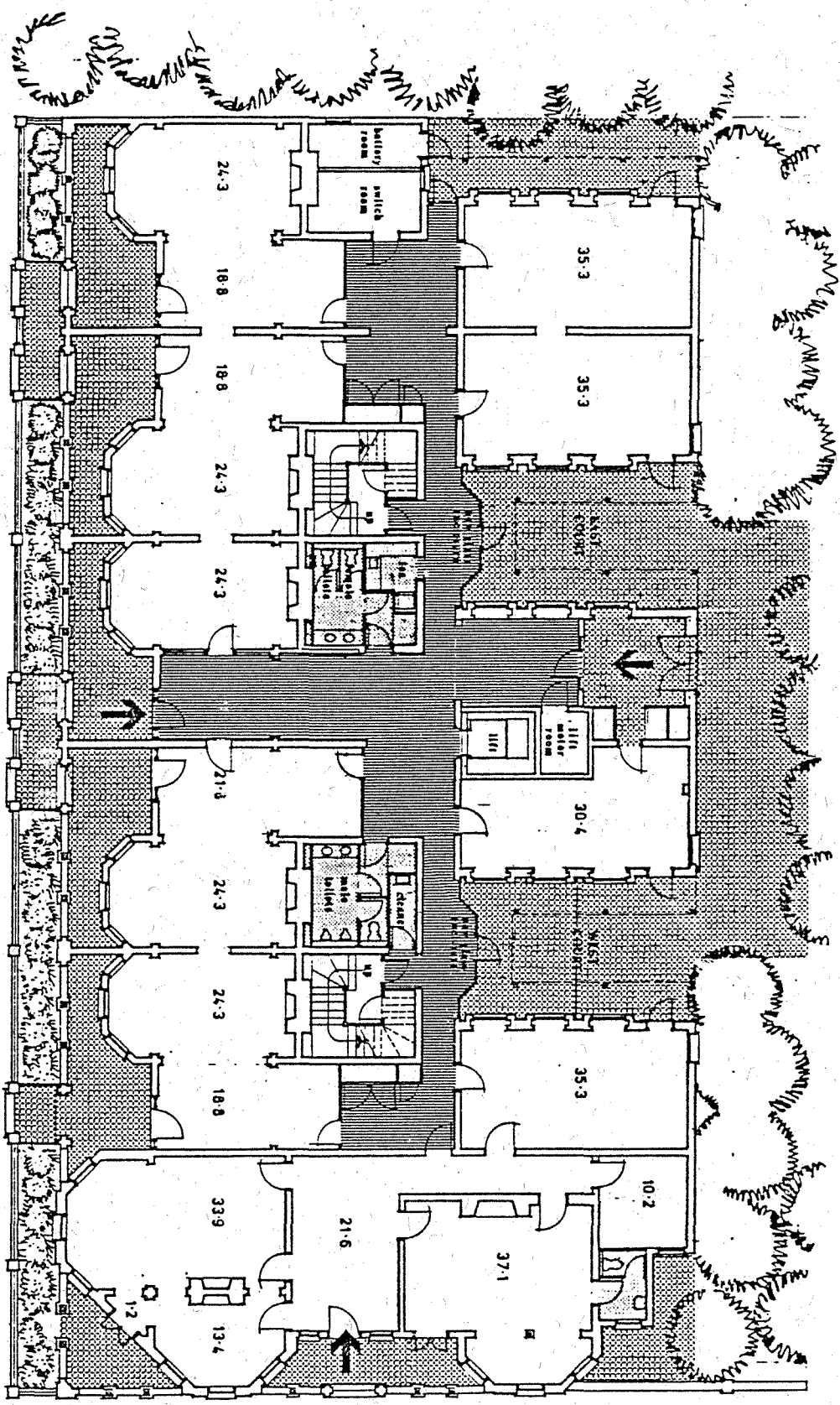
¹ *Selective Summary of Burra Charter, 1988.*

- **copyright, confidentiality and distribution arrangements;**
- **provisions for report exhibition;**
- **requirements for interim reports; and**
- **provision for submission of draft report for comment before final report is complete.**

ANNEXTURE 4.2[A]

FLOOR PLANS - THE MANSIONS

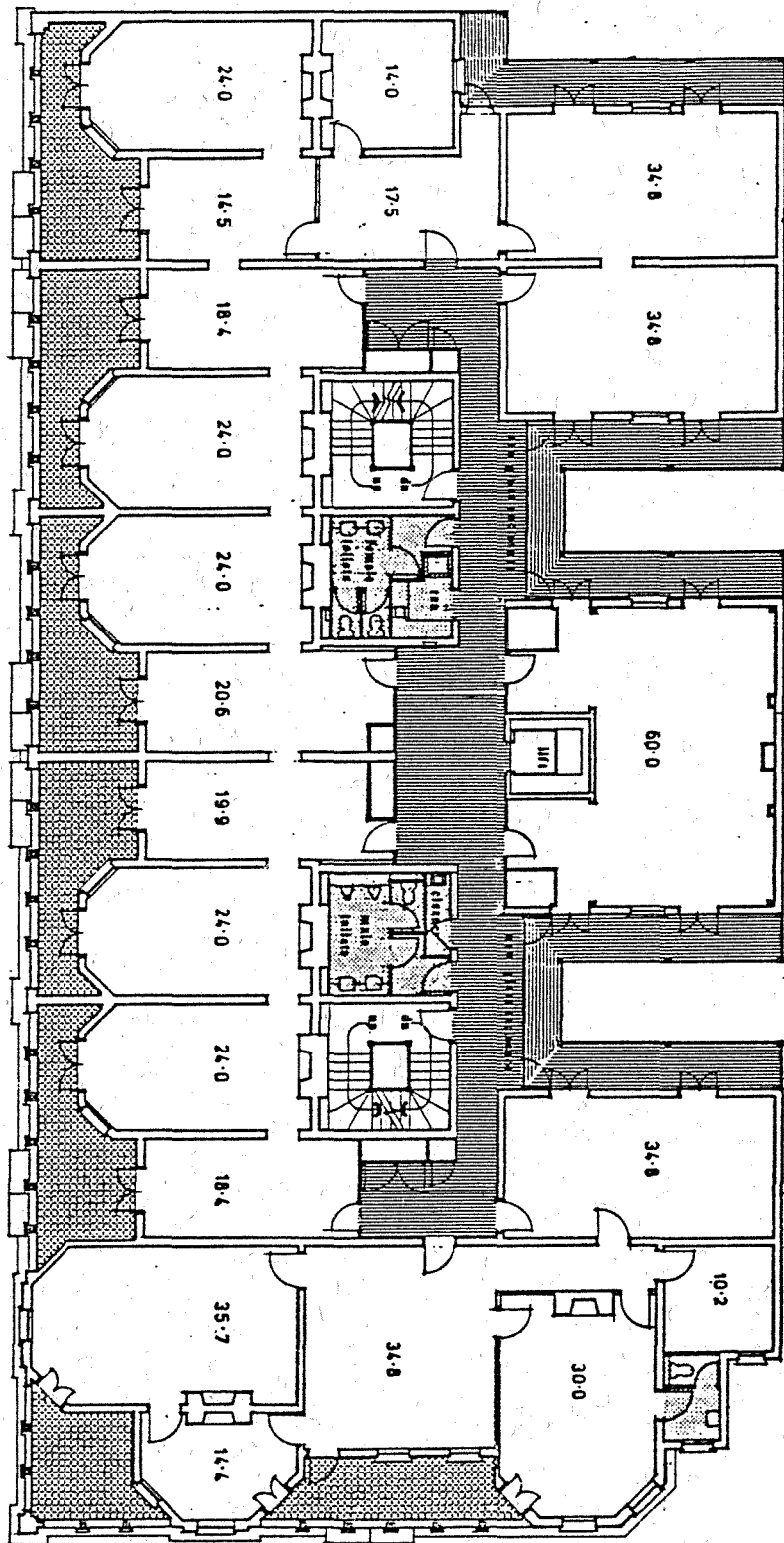
GEORGE STREET, BRISBANE

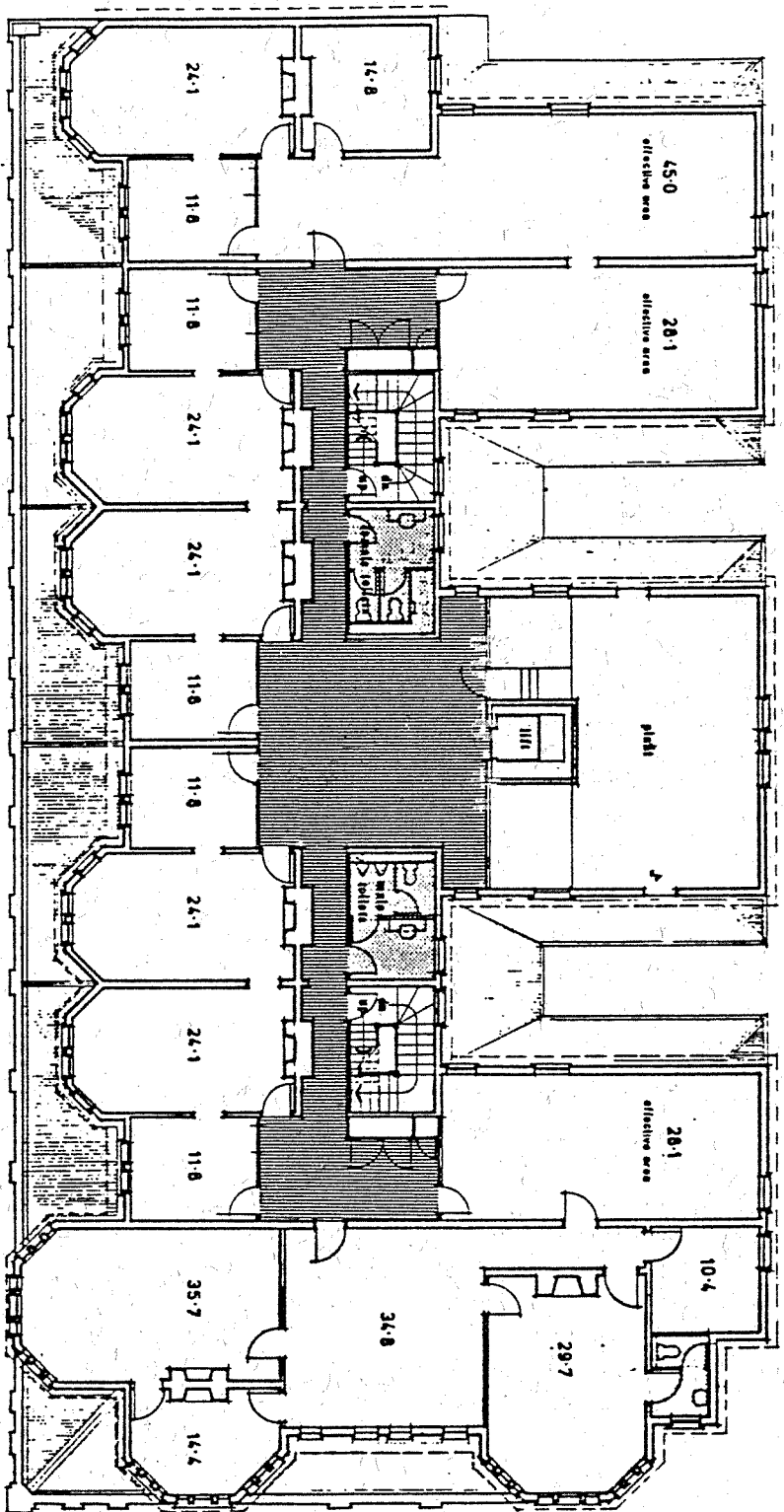


GEORGE STREET

FEDERMAN PLAZA

MARGARET STREET





SECOND FLOOR PLAN

ANNEXURE 4.4[A]

SCHEDULE OF SIGNIFICANT HERITAGE SITES

- THE ROCKS, SYDNEY

ANNEXURE 4.4[A]

SCHEDULE OF SIGNIFICANT HERITAGE SITES - THE ROCKS, SYDNEY

[TEXT REFERENCE : SECTION 4.4.2]

- (1) Coroners Court (1907) 104 George Street

Now The Rocks Visitors Centre.

- (2) Mariner's Church (1856 - 59) 100 George Street

Recently fully restored at cost of \$3M.

- (3) Australasian Steam Navigation G. Building (1884). 5 - 7 Hickson
Road

Flemish architecture.

- (4) Campbells Storehouse (1839/1861) 9 - 27 Quay West

Large two-storey complex on waterfront. Now used for
indoor/outdoor restaurants. Fully restored.

- (5) Old Power House (1902) 18 Hickson Road

With tall chimney in tact. Fully restored. Now used as
Geological and Mining Museum.

- (6) Metcalfe Stores (1912 - 16) 10 Hickson Street

Once site of sandstone quarry. Major Stores building now fully
restored and housing offices, shops and restaurants.

(7) Atherden Street (1880 - 81) line of small restored terraced houses with sandstone rockface backdrop.

(8) Union Bond (1841), 47 George Street

Restored banking chamber, still used as Bank.

(9) Regency Townhouse (1848) 43 - 45 George Street

Major residential property.

(10) Mercantile Hotel (1914 - 15) 25 George Street

Irish hotel. Restored with Art Nouveau Tiles.

(11) Dawes Point Park (1923)

Park on harbour with gun emplacements.

(12) Foundation Park (off Playfair Street)

Remnants of cottages.

(13) Sergeants Majors Row (1866 - 70) 33 - 41 George Street

Row of terraced houses. Fully restored and now used for offices and residential.

(14) The Argyle Cut (1843 - 59) Argyle Street

Original cutting for road from Sydney Cove to Darling Harbour.

(15) Australian Hotel (1894) 100 Cumberland Street.

(16) Susannah Place (1894) 58 - 64 Gloucester Street

Relatively unaltered ('as found') working - class terrace.

(17) Stafford Apartments (1886) 75 Harrington Street

Converted terraces.

(18) Harbour Rocks Hotel/Suez Canal (1890) 34 - 52 Harrington Street

Once-notorious gangland area.

(19) Well Courtyard and Reynolds Cottage (1830).

(20) Nurses Walk

Site of Australia's first hospital.

(21) Bank building (1886) 135 George Street

Sandstone. Restored Gothic Revival architecture.

(22) Former Police Station (1992) 127 George Street

Restored. Now craft gallery.

(23) Maritime Board Building, George Street

Restored. Now the Museum of Contemporary Art.

(24) Argyle Stores (1824 - 1881) and Cleland Stores (1914) 18 Argyle Street

Restored. Now used as Argyle Arts Centre.

(25) Argle Terraces 91875 - 77) 13-31 Playfair Street

Row of Workers Cottage. Restored and now used as shops and restaurants.

(26) The Coachhouse (1853-54) 2 - 4 Kendall Lane

Three Storey sandstone storehouse and stables.

(27) Unwins Stores (1843-46) 77-85 George Street

Five sandstone buildings with narrow alleys and courtyards. Once part of Sydney's first Chinatown.

(28) Cadmans Cottage (1816) 110 George Street

Sandstone. Oldest surviving house in Australia. Restored. Used as shop for National Park shop.

(29) Old Sailor's Home (1864 & 1926) 108 George Street.

ABBREVIATIONS

ABBREVIATIONS

AHC	Australian Heritage Commission
BCC	Brisbane City Council
BOMA	Building Owners and Managers Association
CBD	Central Business Area
CV	Capital Value
DCP	Development Control Plan
GFA	Gross Floor Area
HERA	Heritage Australia Information System
ICOMOS	International Council on Monuments and Sites
NEGP	National Estate Grants Programme
NLA	Nett Lettable Area
ROI	Return on Investment
SCA	Sydney Cove Authority
TDA	Transferable Development Rights
UCV	Unimproved Capital Value